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Feasibility of Establishment of the Funds to Support the Ex-offender's Life after Release

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Abstract

This research aimed to investigate the models and purposes of funds to support ex-life offenders after release in foreign countries, develop practicable guidelines for establishing funds to assist or support the ex-life offenders in Thailand, and implement a time-sensitive road map to propel funds. This was qualitative research conducted by searching academic documents for data, reviewing and analyzing features or situations, problems, difficulties, key success factors of aid funds provided in Thailand, and concepts for establishing funds to support the ex-post-release offender's life in Thailand and abroad. The in-depth interview was conducted with one hundred individuals. The focus group consisted of 54 participants. Two seminars were held to solicit feedback and disseminate model proposals or feasible parameters for establishing funds to aid or support life after release. The findings indicated that feasible guidelines for establishing funds to assist or support the ex-life offenders after release in Thailand were intended to enable ex-offenders to reenter society and not re-offend by assisting according to an urgent road map for both adult and juvenile offenders of the Department of Corrections, Department of Juvenile Observation and Protection, and Department of Probation. Moreover, the long-term fund was formed by the draft Royal Decree on establishing the office of fund management for supporting the ex-life offender after release (a public body with direct authority and responsibility).

Keywords: fund for ex-offender, offender, juvenile offender, people on probation

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Introduction

According to social changes and problems, the likelihood of more violent and complex crimes increases, especially in the justice system, which includes police, prosecutors, courts, and agencies involved in behavioral development, such as the Department of Corrections, Department of Probation, and Department of Juvenile Observation and Protection. In 2018, according to data collected on the number of offenders entering the behavioral development system, there were approximately 382,949 prisoners in prisons of the Department of Corrections, approximately 308,424 people on probation of the Department of Probation, and approximately 21,406 juveniles in the training center of the Department of Juvenile Observation and Protection. When offenders, whether they are juveniles, adults, or people on probation, enter the behavioral development system, agencies involved in behavioral development attempt to rehabilitate and support offenders so that they can reform themselves to be decent, gain employment, be able to care for themselves and their families, not re-offend, and normally live in society. In reality, however, the number of freed convicts who re-offend is likely to increase. The average rate of recidivism among ex-offenders is 14.72 percent; those on probation who re-offend is 22.12 percent; and the recidivism rate among juveniles is 24.32 percent (Department of Children and Youth, n.d.). In addition to government agencies' efforts to prevent crimes that lead to an increase in the number of problem-causing criminals, ex-offenders must be able to sustain themselves with dignity and not re-offend by receiving the required employment and training. To examine concepts of various instruments or procedures, such as the provision of funding resources or funds, to assist ex-offenders in reintegrating into society. Such funding resources or monies to support ex-offenders come in various forms and are more sustainable, whether it be providing financial aid or reserving funds for ex-offenders to make their living or spend during their job search or re-entry into society. In addition, rehabilitation and other critical aid are offered. This is a critical concern that must be addressed in this research, which includes two concerns.

Issue 1 government agencies, including the Department of Corrections, the Department of Juvenile Observation and Protection, and the Department of Probation, provide policy recommendations in the issue of the bill drafting roadmap of establishing or propelling funds to support ex-offender life after release by identifying it as an urgent roadmap. In other words, the current funding resources are efficiently employed to support adult and juvenile offenders and probationers. These assistances strive for coordination to prevent duplication of services by adopting coordination regulations among three agencies to support ex-offenders according to predetermined criteria.

Issue 2 is the preparation of drafting the royal decree establishing the office of fund management for supporting the ex-life offenders after release (public organization), including the Department of Corrections, the Department of Juvenile Observation and Protection, and the Department of Probation, under the CARE: Center of Assistance to Reintegration and Employment, for cooperation in a single direction.

Literature Review

Concepts of Establishing Offender Reentry Fund in Foreign Countries

United Kingdom

There are a variety of welfare programs for individuals, including those for veterans, children, various professional groups, people with disabilities, low-income workers, job seekers, immigrants, the elderly, students aged 16 and older, adolescents aged 16 to 18 years old, and prisoners or former prisoners. Emphasis is placed on funding resources that are the state's welfare and donations to support the fund. The management shall be conditioned on information regarding the wellbeing of individual inmates, which varies based on the inmate (Unlock, 2020), such as benefits while on remand, prisoners on release, and benefits upon release. In addition, a welfare calculation based on means-tested benefits and universal credit uses the national insurance number to verify entitlements. The prisoner care system also includes recommendations for various forms of aid, such as welfare for children born in prison, local tax payment, child tax credit, inmates serving their sentences in the hospital, spouse benefits, etc.

United States of America

In 2019, 10,000 inmates were released from provincial and state prisons, according to data compiled by the US Department of Justice. In addition, around two-thirds of former inmates are jailed again within three years of their release. Consequently, the jail population in the United States will expand considerably during the next three decades. Most communities where ex-offenders reintegrate are weak and have poor circumstances. There are limited social supports, and the crime rate remains high. Therefore, formerly incarcerated individuals must face numerous obstacles, such as unemployment, lack of income, and inadequate housing. Recidivism offenders are individuals who endure the same pressure and are also drawn back to prison by its allure. In other words, ex-offenders can be prevented from reoffending by providing them with a job, housing, and a life advisor or a competent counselor. Ex-offenders successful reintegration into society depends on these factors (Office of Justice Programs, 2019; Office of the Deputy Attorney General, 2019).

Scandinavia

This consists of three nations: Norway, Sweden, and Denmark. These nations are ranked as having the best welfare state in the world. Their crime rate is not particularly high. The World Economic Forum, and The Global Institute of Peace, rank these three Scandinavian nations as the world's most secure nations against natural disasters, crime, terrorism, and war in 2020. (World Economic Forum, 2022). However, in Scandinavia, the prison system and prisoner management are centered on rehabilitation, allowing offenders to reintegrate into society and live normally.

Australia

Through the welfare state, the government's primary responsibility is to assist formerly incarcerated offenders (Borzycki & Baldry, 2003). Before reentering society, such aid also needs competent individuals and organizations to give financial help to

criminals based on each state (Borzycki & Baldry, 2003). In addition, the goal is to give opportunities for rehabilitation and facilitate communication with the communities where they resided before their release. Suppose a prisoner demonstrates good behavior or is deemed safe for society. In that case, he or she may engage in activities outside of prison, such as receiving support for health and livelihood, acquiring the knowledge and skills necessary to avoid committing crimes and receiving opportunities for reform, such as education and vocational training. Additionally, offenders are assisted in restitution to the community for crimes they have committed (Department for Correctional Services, 2020; Sentencing Advisory Council, 2019).

Singapore

The country intends to give former inmates a second opportunity and help them reintegrate into society (prisoners on release - benefits when released from prison). Community Action for the Rehabilitation of Ex-Offenders (CARE) Network or CARE, founded in 2000 (CARE Network, 2019), is the foundation for giving inmates and their families a second opportunity at life. This is a partnership between a network of public and commercial partners who play a significant role in the nation (Singapore Prison Service, 2019). In addition, the Yellow Ribbon Project includes numerous programs to aid inmates' reintegration into society, such as skill and knowledge training for future employment. In addition, there are programs designed to obtain the participation of society and community members so that they might open their hearts, forgive, and accept penitent criminals who wish to begin a new life. The Yellow Ribbon Fund (Yellow Ribbon Project, 2019) is designed to provide housing, education, vocational training, and rehabilitation services.

Previous Studies

Developed nations have agencies that assist former offenders in avoiding recidivism, strengthen society's security, and lower the government's budget. In Singapore, for instance, established entities are responsible for supporting former offenders. Additionally, they earn international renown. These organizations play a role in providing the essential aid, assistance, and guidance for the reintegration of offenders into society. In the United States, many public and non-profit organizations aid former offenders. Ex-offenders are offered assistance in job search, funding, health, and cleanliness (Ngenklai & Srisomsub, 2016).

This study demonstrates that social factors influence the recidivism of ex-offenders. Most of them are motivated by the need to support a family and cover everyday expenses. Because, upon release from jail, most criminals are impoverished, and some occupations are expensive, they cannot immediately support themselves. As a result, ex-offenders are repeatedly involved in criminal activity. In addition, both public and private parties should participate in the support to provide knowledge and work skills for employment prospects, marketing, locating the source of production, and investment funds for lending money to released criminals. This can analyze and monitor to prevent recidivism (Chaiyawat, 2017; Dechamanee, 2017; Dokchaaim, 2009; Phiphatnonthayam, 2018; Wangaphai, 2017).

Methodology

This qualitative research methodology includes 1. searching for information in academic documents for a comprehensive literature review that includes research results, a review and analysis of situations, problems, difficulties, and key success factors of aid funds provided in Thailand, and concepts for establishing funds to support the ex-life offenders after release in Thailand and at least four other countries where funds for ex-offenders are successful.

2. Interviews with relevant individuals, including:

- 1) As key informants, twenty executives with at least five years of experience in a fund were selected from the executive ranks of funding agencies and funds that provide full social assistance in domestic and international settings.
- 2) Twenty executives or practitioners with 3-5 years of experience in behavioral development agencies that assist ex-offenders, adolescents who have been released, and those previously on probation were selected as key informants.
- 3) Key informants were key informants: Male, female, juvenile, adult offenders, ex-offenders, and probationers.

-Twenty male and female offenders, ex-offenders, and probationers who were offenders, ex-offenders, and probationers for no more than three years during fiscal years 2015-2018.

- Twenty juvenile offenders who were juvenile offenders for no more than three years throughout the 2015-2018 fiscal year.

- 4) Families or relatives of offenders were selected as key informants, including families consisting of 10 fathers, mothers, or siblings with whom offenders formerly or currently resided; and 10 relatives of offenders, including grandfathers, grandmothers, uncles, and aunts with whom offenders formerly or currently resided. There were a total of 20 individuals.

The number of key informants in the in-depth interview exceeded 100.

The focus group comprising 53 practitioners, communities, civil society, and businesspeople was held once in Bangkok and once in a significant province.

The first meeting was a seminar to hear ideas and share model proposals or workable criteria for establishing funds to aid or support life after release in Thailand. Participants included agencies interested in behavioral development, people with experience in or involvement with financial management, and community and civil society organizations.

5. The purpose of the second meeting was to perform a comprehensive report that included research findings, bill drafting, and a practical road map, identifying it as an urgent road map for accelerating the formation of funding to support the quality of ex-offenders following their release. Participants included at least 30 representatives of the Department of Corrections, Department of Probation, and Department of Juvenile Observation and Protection, as well as the Office of Justice Affairs.

The in-depth interview, focus group, and first and second meetings received cooperation each time from the director-general of the Department of Corrections, the director-general of the Department of Juvenile Observation, the director-general of the Department of Probation, and the executive of the Office of Justice Affairs through the issuance of letters granting researchers access to research information and facilitating coordination at the local level. In addition, the department's deputy director, inspector general, and expert were expected to devise steps to avoid COVID-19 transmission during the February 2020 research.

Results and Discussion

The goal of this study was to provide guidelines for answering the following questions:

Interesting concepts of establishing funds in Thailand

Models to identify important success characteristics of the fund with selection criteria, namely tangible provisions issued as laws, the fund's efficiency, indicator determination, and the fund with exact management resulting in sustainability, are intriguing ideas for establishing funds in Thailand. The following funds were chosen to examine the benefits of the fund's primary success:

Justice Fund 2015 Purposes According to the Justice Fund Act (2015), the Justice Fund aids people in four primary areas. In other words, this is a source of funds to assist individuals with prosecution and application for provisional release, to aid those harmed by human rights violations, and to educate the populace. The Justice Fund appears to be a mechanism to support the right and justice following the international covenant on human rights by providing financial support for legal assistance in protecting the rights and freedom of those who have been harmed or treated unfairly in their access to justice. The consideration is swiftly implemented following international standards. The Justice Fund is legal since the Justice Fund Act defines it as a juristic person, resulting in performance flexibility. In the Justice Fund, the subcommittee is responsible for assisting in a regional sector and has the authority to approve grants expeditiously according to the scope provided. In addition, the fund has access to additional operating resources due to the determination of its source of income, which is the government's budget allocation. For performance efficiency, the Justice Fund coordinates with the Office of the Permanent Secretary of the Ministry of Justice and other relevant institutions. In addition, personnel training, decentralization, and performance criteria for the province Justice Fund are offered (Jintayanon, 2015). Public relations are conducted through a variety of media to solicit support. This application for assistance from the Justice Fund can be submitted in every province by contacting the community justice center directly (Yamyeam & Borwornnuntakul, 2017).

Student Loan Fund (2017) and The Student Loan Fund (2019) were formed following Cabinet resolutions dated May 28, 1995, and January 16, 1996 to

commence the operation of the revolving fund following Section 12 of the Treasury Reserve Act BE 2406. Later, when the significance of the Student Loan Fund became increasingly apparent, BE 2541 Student Loan Fund was enacted (The Student Loan Fund, 2019). This is because, at the time, it was important to expedite human resource development to support economic growth and enhance national competitiveness. To meet this need, education should be developed quickly by identifying solutions to the problem of education inequality in society and providing low-income students with access to higher education. This contributes to the improvement of people's standard of living. In addition, there was support for strengthening the educational system in terms of demand by boosting capacity (The Student Loan Fund, 2018). In addition, Thai youth are supported in pursuing an equal standard of excellent education, improving the quality of people's lives and the sustainable growth of Thai society.

Establishment of the fund following the Welfare State for Grassroots Economy and Society Act B.E.2662 (2019). This act supports welfare state projects to reduce economic and social inequalities, distribute incomes equitably, and sustainably improve and develop the quality of people's lives. In this execution, the government, the private sector, and the people collaborate so that those with low incomes have sufficient necessities, a productive life, and a better life. This is congruent with Chapter 6, Section 71 of the Constitution of the Kingdom of Thailand, BE 2560, which mandates supporting children, women, the elderly, people with disabilities, the underprivileged, and the disadvantaged (Aids Access Foundation, 2562). This includes establishing an economic structure that enables people to benefit comprehensively, equitably, and sustainably from economic growth. The Welfare State for Grassroots Economic and Society Fund intended to spend money on providing a welfare state for low-income persons following welfare state-registered projects or to support projects providing social services to assist people in a variety of situations. Social service projects produced by private agencies, foundations, or public organizations are financed to aid individuals facing various challenges. The committee approves the execution and management of the fund. This fund will be used to promote civil state initiatives of the government, as well as projects offering social services through foundations and charitable groups to aid people in various local challenges. Therefore, the fund is fascinating as a tool to support networks of social service providers for particular funding resources to increase the potential in social project management and sustainably enable local communities to provide a higher quality of life for their residents.

Child Protection Fund, Child Protection Act BE 2546 (2003), establishes the child protection fund as a mechanism supporting the children protection system of all target groups at all levels to support the provision of assistance, the promotion of appropriate behaviors, and the protection of the child's safety, as well as the foster family and child caregivers. The fund's objectives determine the fund's expenditures for supporting, securing, and promoting positive child behavior (Department of Children and Youth, n.d.), the child's family, and foster family. In addition, protection and solutions are provided for children who require protection due to abuse, who are

at risk of wrongdoing, or who require security protection from officers or others responsible for the security protection of children. Children's care centers, foster homes, development and rehabilitation centers, and other organizations offer children assistance or other direct advantages. In addition, support is offered to children who have been released from detention facilities, foster families, social protection centers, and development and rehabilitation institutes. Students are rewarded for exhibiting moral and ethical behavior, a sense of societal duty, and a sense of safety. Development of a working system, guidance activities, and training is provided to students and parents. In addition, the promotion and growth of child protection networks are provided. This facilitates the ability of many local child protection networks to reach diverse target populations.

The results of a comprehensive evaluation of information, the in-depth interview, the focus group, the first and second meetings, and the outcomes of the second meeting indicate that the principle and concept of establishing funds must include support for both criminals and their families. All forms of aid must be gratis. In addition, the Department of Juvenile Observation and Protection and the regulation of the Ministry of Justice on the juvenile assistance committee for juvenile detention homes B.E.2544 and revision (2nd edition) B.E.2546 appear to govern the determination of financial rates and other forms of assistance. Currently, there are issuances of the regulation of the Ministry of Justice on criteria, methods, and conditions of financial assistance for juveniles after release B.E.2563, the publication of the Department of Probation in the Government Gazette Volume 136, Chapter 59 Kor on May 3, 2019, and the document of the Department of Corrections No. Yor Tor 0703.3/13822 on May 13, 2019, with the goals of assisting, managing, and supporting ex-offenders who are released following the This government-owned fund is designated for both adult and juvenile offenders, with the goal of funding resources for assisting people in prosecution and application for provisional release, assisting people who are affected by human rights violations, educating the public, and supporting ex-offender life after release and social reintegration.

The fund is administered through a social enterprise business management system for social reintegration. The prison should be the starting point for the administration of the funds, with an emphasis on the construction of a screening procedure or classification of criminals, with constant, tangible, and effective inspection and evaluation. The fund must be self-sustaining. The fund for juvenile offenders incarcerated in juvenile detention homes and training facilities should prioritize providing education, modern management, and vocationally relevant educational programs. These adolescents can achieve their life goals upon release if they have stable employment. Following the Public Organization Act of BE 2542, the fund management under the Royal Decree on establishing the office of fund management for supporting the ex-life offenders after release is enacted, together with the executive board. Its managerial structure resembles a government agency. It is a government sector with flexible operations. According to the Public Organization Act BE 2542, the government may establish a public organization by issuing a Royal

Decree when it has a specific plan or policy for providing public services and if it is deemed appropriate to establish a new executive agency that is distinct from a government agency or public enterprise and has the objective of utilizing resources and personnel with the utmost efficiency. Social welfare, service facilitation, and other public benefit operations are public service activities established under paragraph 1.

Additionally, this must not be for profit and as flexible as semi-private work. Government budget, including money or assets being transferred; money paid by the government as an initial fund; general subvention allocated annually by the government as appropriate; subvention from the private sector or other agencies from foreign countries or international organizations and donated money or assets; fees, charges, rewards, service charges; or income of the operation or program are funding resources and assets for the operation of the public organization. The supporting method begins with adult and juvenile offenders entering the court system and should include assistance for the offenders' legal spouse, kid, and other dependents. The unique fund law is an essential factor. It must be an easy-to-follow regulation.

In addition, the prerequisites or credentials of those granted rights from the fund should be evaluated clearly and exhaustively using a checklist. The issue, difficulty, and limitation in operating such a fund are that it is difficult to establish the funding period and conduct follow-ups. In the case of released adult criminals who wish to work for a firm, they frequently have issues establishing trust with coworkers, finances, and investments. Therefore, it is vital to provide training on these topics to ex-offenders, employees, and employers who hire ex-offenders. The primary success aspect in the functioning of the fund is changing the offender's attitude and behavior by emphasizing his or her transformation into a new person with self-confidence, self-love, a sense of self-worth, and the knowledge and skills to earn a living in the future. Additionally, successful ex-offenders are supplied to guide or advise convicted prisoners to serve as models or ways of life.

Models and purposes of funds to support the ex-offender's life after release in foreign countries

According to studies conducted in the United Kingdom, the United States, Scandinavia, Singapore, and Australia, the primary success factor in supporting ex-offenders is government management equipped with the means to offer comprehensive welfare for all citizens regardless of their status. If such a person commits a crime, the government must give constant help, from entering the legal system to being sentenced for a crime and incarceration. Before convicts enter prison, the government must give aid ranging from providing a lawyer or financial support to private problems such as finding a job or a place to live. This is intended to facilitate reintegration after release. When a defendant in a criminal offense is required to enter jail, the atmosphere and prison systems should be conducive to rehabilitation and vocational training instead of relying solely on incarceration for punishment. As indicated in Figure 1, four models can be utilized to examine foreign aid.

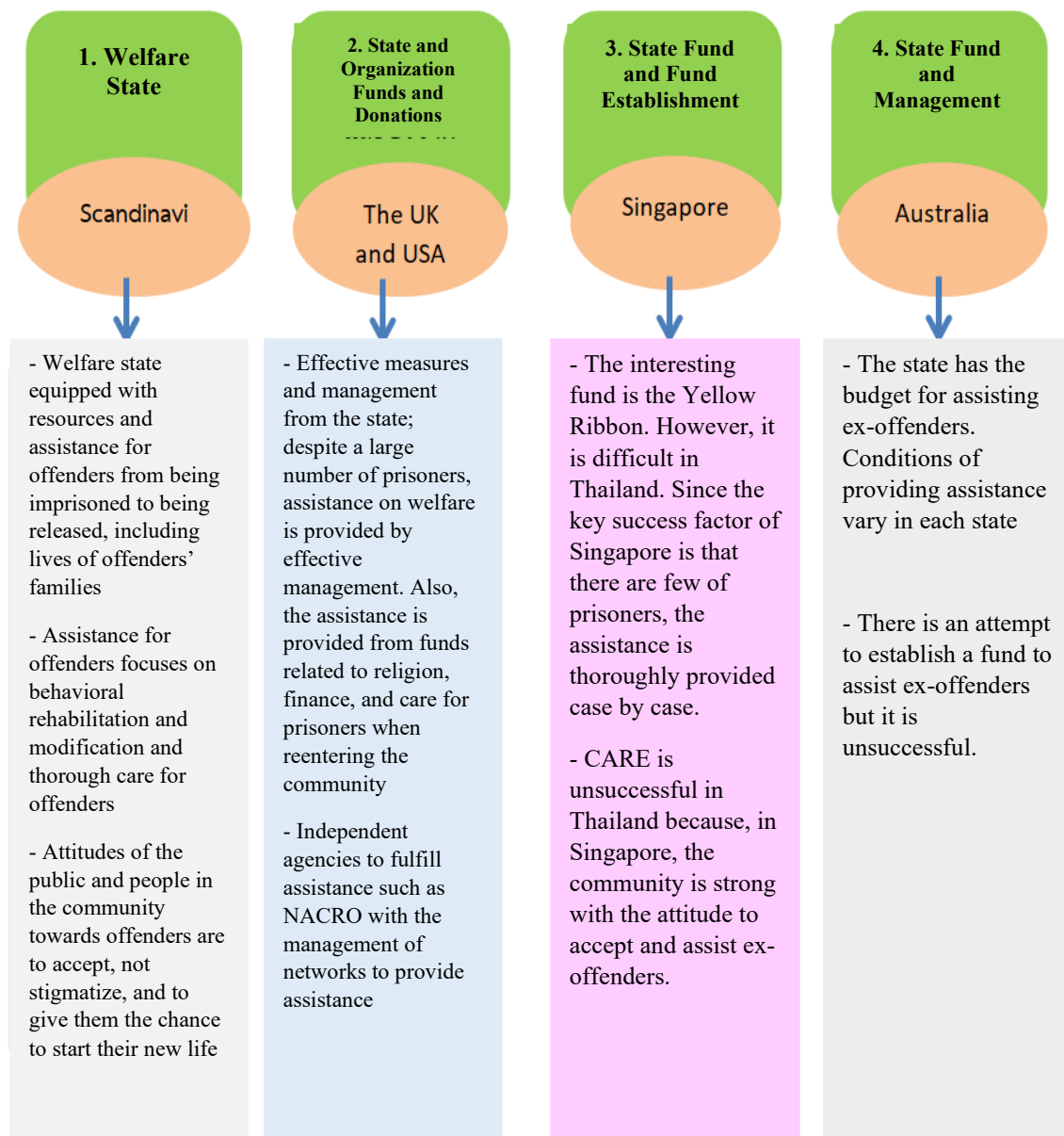


Figure 1 Feasible guidelines for establishing funds to provide assistance or support the life after release in foreign countries

Feasible guidelines for establishing funds to assist or support the ex-offender's life in Thailand

From an assessment of Thai funds, including 1) the Justice Fund BE 2558 (2015) 2) Student Loan Fund BE 2560 (2017) 3) the Establishment of the fund following the Welfare State for Grassroots Economy and Society Act B.E.2662 (2019) and 4) Child Protection Fund, Child Protection Act B.E.2546 (2003), all of these funds have stipulations that are enacted by law. The funds are effective as determined by the indicators. In addition, funds with transparent management contribute to sustainability, as depicted in Figure 2.

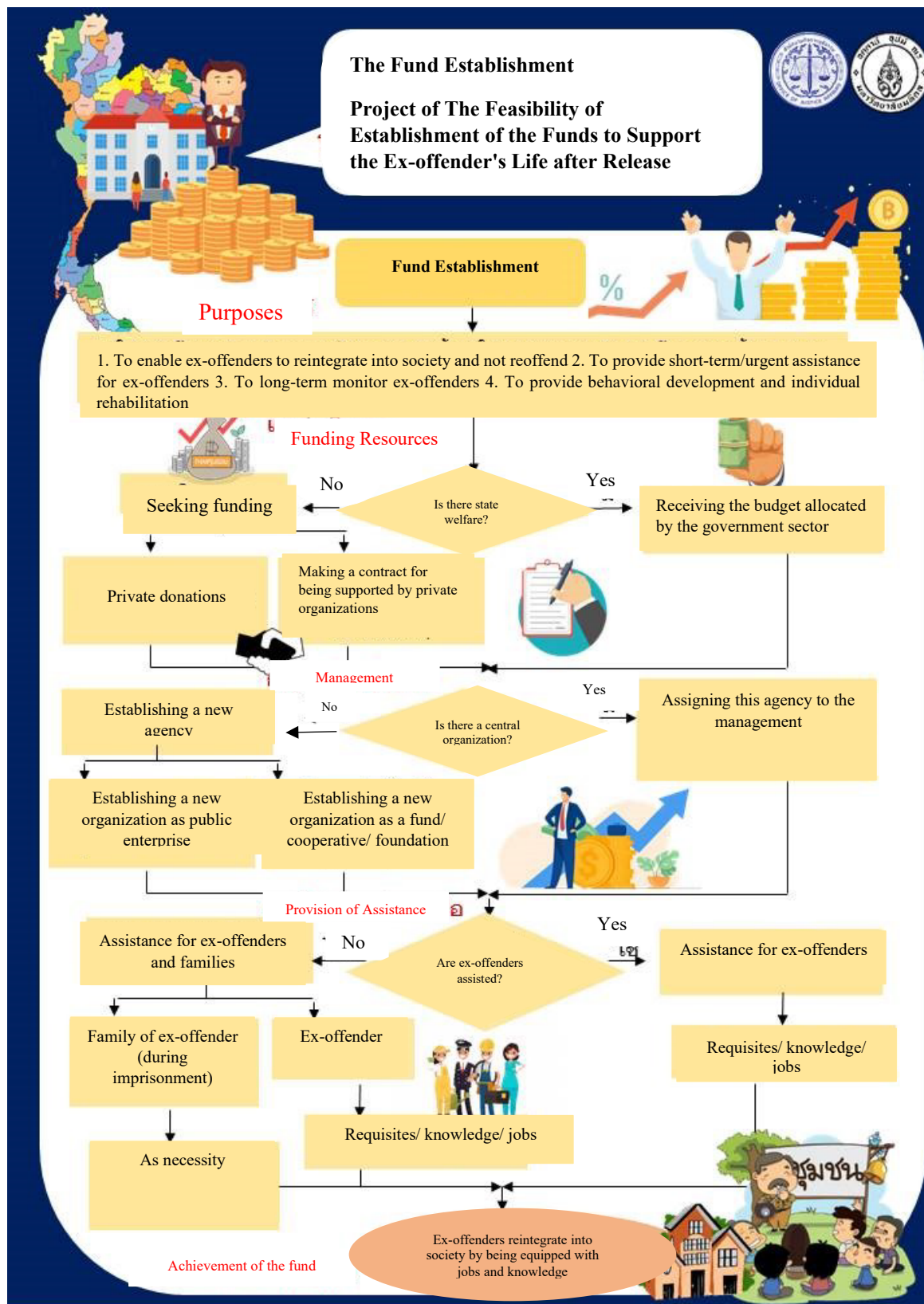


Figure 2 Feasible guidelines for establishing funds to provide assistance or support for life after release in Thailand

The urgent roadmap in propelling funds and establishing long-term funds

To assist juvenile and adult ex-offenders or those on probation, the urgent establishment or impetus of funds is to utilize existing financing resources. As part of the Department of Corrections' overall Thai Niyom YaegYuen project, the support guidelines include criteria for "financing resources for providing prisoner care." The Department of Corrections provides services for inmates and those who have been released to apply for post-release financial assistance. Guidelines for providing aid by the Department of Juvenile Observation and Protection conform with the Ministry of Justice's B.E.2563 rule on the criteria, procedures, and conditions for providing financial help to juveniles after their release. This regulation specifies the types of costs, requirements, and circumstances of post-release assistance for juveniles. Based on stated authorities, criteria, and conditions, the director of juvenile detention homes or training facilities must evaluate the help offered to juveniles upon release who have expenses of less than 5,000 baht per person.

In the guidelines for assisting the Department of Probation, the guidelines for assisting those who have been released from probation are spelled out (as specified in the Department of Probation No document). Yor Tor 0303/Wor 362 on June 18, 2019, referring to the Royal Amnesty Decree BE 2562, publication in the Government Gazette Volume 136, Chapter 59 Kor on May 3, 2019, and the document of the Department of Corrections No. Yo For establishing or promoting long-term funds, this is the integration of four Thai funds and international funds with interesting knowledge. This is relevant information since, in foreign nations, funding comes from welfare states and private non-profit groups. In addition, the in-depth interviews with relevant individuals and the focus group provide the knowledge for researchers to analyze and synthesize to present the establishment or propulsion of long-term funds established as the Royal Decree on the establishment of the office of fund management for supporting the ex-life offenders after release (public organization) with direct authority and responsibility.

According to research on variables influencing recidivism, most released inmates commit new crimes within one to twelve months (Chaiyawat, 2017; Lindquist et al., 2017). When ex-offenders return to society, the first year is a key transitional period during which they should be observed and assisted. The method of assisting offenders by establishing funds for ex-offenders is intended to assist them in readjusting to normal life with honest employment and caring for themselves and their families. This is deemed effective recidivism prevention and should be applied immediately (Chaiyawat, 2017; Dechamanee, 2017; Dokchaaaim, 2009; Phiphatnonthayam, 2018; Wangaphai, 2017).

Conclusion

The study titled Feasibility of Establishing Funds to Support the Ex-Life Offenders after Release examines the models and functions of funds to support ex-life offenders after release. The findings indicate that relevant criteria for establishing funds to assist or support life after release in Thailand aim to enable ex-offenders to reintegrate into society and avoid recidivism by offering short-term/urgent assistance and long-term monitoring. In addition, this initiative intends to promote

behavioral change and individual rehabilitation so that offenders can live sustainably in society, obtain employment, acquire life skills, and prevent recidivism. Resources of funding get budget allocations from the government and donations from the private sector or contract with private organizations to receive support. The central entity is accountable for managing funds. Those who qualify for help will be considered to receive the aid designed specifically for ex-offenders and their families. Urgently establish the finances for the provision of aid to released prisoners.

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