

## **Embezzlement, Bribery and Protection Money in the Royal Thai Police Force**

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### **Abstract**

This article aims to analyse the problem situations, causes and recommendations for ending corruption among Thai police officers. The researcher divides the problem of Thai police corruption among three main aspects: embezzling government funds, coercing bribes from the public, and accepting protection money from illegal business operators. While the Royal Thai Police has a very large structure, its officers receive very low salaries. Moreover, unfair appointments and transfers exist at all levels due to interference and intervention from political officials. Due to the aforementioned problems, some police officers are inclined to buy positions, which in turn induces them to extract bribes and protection money. Most importantly, many police officers state that low salaries compels them to commit dishonest acts. The researcher found that the problem of corruption stems from centralisation of the Royal Thai Police. To solve the problem, there should be structural reform of the Royal Thai Police to create a decentralised system using reform guidelines from New Zealand, the country with the lowest level of corruption in the world, as a model.

**Keywords:** *corruption, bribery, protection money, Royal Thai Police, centralised system, decentralised system*

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### **1. Problem situation and forms of corruption among Thai police officers**

Extensive corruption activities have long been hidden under the khaki uniforms of Thai law enforcement officials. In-depth studies of the causes of such corruption tend to be avoided. This article aims to analyse problem situations, causes and recommendations to solve such problems. Corruption among police can be divided into three main aspects: embezzlement of government funds, coercing bribes from the public, and collection of protection money from illegal business operators. Examples will be given throughout the article to elaborate on each aspect of corruption.

*Chorratbangluang* is an old Thai word. *Chorrat* means the embezzlement of property that formerly or supposedly belonged to the public, while *Bangluang* means the embezzlement of government funds (Witayakorn Chiangkul, 2007). Recently the word *Bangluang* has often been replaced with the English word ‘corruption’. Corruption is considered a type of economic crime in the form of an action against the government or the embezzlement of public funds (Supoj Suroj, 2007). Such action is rampant in Thai state agencies, with varying degrees of practice, behaviour and method.

One headline-generating corruption case in Thai police occurred in 2009 regarding the purchase of 19,147 Tiger motorcycles at 65,000 baht (2,000 USD) apiece by the Royal Thai Police. Funds for the purchase totaled 12 billion baht (375 million USD). Upon investigation, it was found that the transaction was fraught with corruption both during the purchase itself and the auction. Investigators in the Crime Suppression Division had uncovered a host of individuals, ranging from businessmen, police officers and civil servants in the Bureau of the Budget who jointly and systematically committed such offences. The case also involved several high-level police officers both retired and in service back then (Khaosod, 2009).

The case captured public interest for a short time. Nevertheless, since the offenders and the investigators were in the same agency, certain high-ranking policemen put a stop to the efforts of the investigating officials trying to uncover the evidence. Combined with acquiescent misconduct of other officers, this resulted in the incident slowing fading from public view, much in the same vein as similar cases in Thai society, especially in police circles.

The next form of corruption is coercing bribes from the public. Due to the law-enforcing nature of police officers, it is unavoidable that some of them may be prone to abuse in the form of the aforementioned *chorrat*. There are two main forms of bribe-taking from the public, both of which are problematic. The first

one is extracting bribes from suspects or their relatives, colloquially known as ‘hitting’ or ‘pounding’ on them. This is prevalent among investigating officers, or those responsible for arresting suspects, especially in drug-related cases. One interesting case study that attracted considerable public attention was the case of Captain Nut, who committed heinous crimes such as forcing 800 tablets of amphetamine into the hands of an innocent suspect, applying electric shocks to suspects to elicit confessions, and mugging 300,000 baht (9,375 USD) worth of property from a suspect’s relatives. (Thairath Online, 2009). The other form of bribery can be found among traffic police who extort money from traffic law violators. The two main forms of traffic police extortion are the setting up of illegal toll stations to extort cash, and the setting up of legitimate toll stations with the aim of achieving a certain level of traffic ticket issuance. The type of extortion can range from low-level officers asking 100-200 baht from each offender for personal consumption to organised offence, with the bribes passed up to high-level officials (Manager, 2012). Arunothai Disbanjong (2012), one bribery victim, said she was asked for bribe by an officer as a result of her running a red light. The officer in question reprimanded her and pretended to issue a traffic ticket, but later made an about face and told her to pay a 200-baht bribe so as not to complicate matters. Cases similar to this occur more or less daily, and it is believed that more than half of drivers in Thailand have encountered such an occurrence at least once.

Another form of police corruption is the collection of protection money from illegal business operators, which involves the largest amount of money out of all three areas of corruption. There are several types of illegal businesses in Thailand, with the two most prevalent forms that involve police officials being casino gambling and prostitution. Chuwit Kamolwisit, leader of the Love Thailand Party, a former illegal business operator once considered an archenemy of the Royal Thai Police, routinely exposes the income of officers at all ranks from both types of illegal enterprises. He often shows video clips of major illegal casinos in action through various media, for example, Southern Ord Casino, a massive casino centred in the heart of Bangkok on Soi Pattanakarn 20 in Klong Tan, and Ms. Pure Casino or King Petch Casino by relatives of Dubai People. Each place is a massive operation with more than 100 million baht (3.1 million USD) in yearly revenue, with local policemen and high-level officers acknowledging their existence. Chuwit has mentioned that each casino pays at least 300,000 baht (9,375 USD) monthly to officers. (Manager Online, 2012)

As for prostitution, Chuwit was known as the first operator of such a business who announced the actual figures of bribes he had to pay police officers after an incident in which he claimed he was kidnapped by a policeman in 2003. Since then, he has regularly exposed shady acts by officers, culminating in the latest exposure of police-assisted human trafficking with more than 200 billion baht in yearly revenue (Daily News, 2012).

## **2. Causes of corruption in the Royal Thai Police**

From the aforementioned types of corruption in the Royal Thai Police, in this section, the researcher shall attempt to determine the causes of corruption and why it persists to this day.

The researcher gathers that the primary problem of the Royal Thai Police lies with its structure, which can explain the causes of corruption itself. The Royal Thai Police is a state agency with a juristic person status under the prime minister’s command. The agency is divided into central and regional offices, all of which are under the responsibility of a single commander-in-chief, the Commissioner-General. The chain of command descends downwards to the police station level. The organisational structure is centralised, with a 250,000-strong force nationwide (Police Work System Development Committee, 2007).

This organisation structure brings with it several problems, some of which contribute to corruption. The first, oft-mentioned problem is the salary scale for police officers, which is very low compared with that of their foreign counterparts and even with the salaries paid to officials in similar Thai organisations such as the Department of Special Investigation, court prosecutors, or other officials involved in the criminal justice process. To illustrate, we shall assume that the salary of entry-level police officers worldwide is at 1. The salary of such officers in the United Kingdom is at 1.6, in Japan at 1.18 and in Singapore at 1.4, while the figure in Thailand is a paltry 0.64. At a commissioned level, the salary of Thai officers is at 1, Singapore at 1.19, Japan at 1.04, and the United Kingdom at 3.22. Domestic comparison paints a similar picture, with police officers holding a bachelor’s degree or better receiving an initial salary

of only 8,340 baht (260 USD), compared with 17,560 baht (548 USD) earned by justice officials. Moreover, the entry-level salary of police officers with a sub-bachelor education is a mere 6,800 baht (212 USD) (Justice and Police Committee, Senate, 2012). Part of the reason why the average salary of Thai policemen is so low is the sheer size of personnel at 250,000, making it difficult to initiate a wholesale pay rise to ensure all earn enough to meet rising living expenses. For example, if all policemen in the agency were to receive a 5,000 baht (156 USD) increase in monthly salary, the government would have to pay an additional 15 billion baht (468 million USD) annually. In other words, it is very unlikely such a pay rise will occur in the foreseeable future. Therefore, it is only logical that this low level of pay will induce officers to be corrupt. Another unfortunate consequence of the low salary level is the so-called ‘Harsh organisational value’ of Royal Thai Police, i.e., the tacit attitude among police officers toward misconduct, fraud and collection of protection money. Not only do officers see this behaviour as normal, they admire those who amass fortunes from illegal conduct. This harsh value also culminates in unfair appointments, which in turn can be linked to the centralised structure of the police force. Thanks to this structure, high-level officials in the central office can appoint officers at the regional level. Moreover, since there are more officers at the commissioned level than at lower levels, with the former being granted power to hire or fire the latter, the reasons for promotions or demotions are unrelated to work performance, but rather to the personal relationships of officers with higher-ranking officials. In addition, since the Royal Thai Police changed its name from the Police Department and came under the Prime Minister’s Office in 2004 (Article 6, Royal Thai Police Act 2004), politicians have become much more involved in the appointment process of policemen. Worst of all, ‘harsh value’ has led to the conspicuous purchase of positions within the agency, with the asking price for each position being revealed openly. Once those who bought their way up start working in their new positions, they will undergo a ‘payback’ period during which they tend to take bribes from illegal business operators to make up for the money ‘invested’ in buying their higher positions. This is why one can see illegal businesses such as casino or brothel-running on the high streets at the centre of cities such as Bangkok, Pattaya and Phuket. In other words, Thai society has been thrown into a state of complete ‘anomie’ (Durkheim 1933).

### 3. Structural reform of the Royal Thai Police

The solution proposed by the researcher to tackle the aforementioned problems is structural reform of the Royal Thai Police. Before getting to the possibility of the solution itself, the researcher shall mention the structures of police agencies overseas.

The following are the three police agency structures seen abroad:

1. Centralisation, or a National Police System, consists of a central police agency controlled by a central headquarters with a vertical chain of command. The central agency therefore has power that presides over an entire country. Examples of countries using this system are Chile, Indonesia, Malaysia and Thailand.

2. Semi-Centralisation is a system governed by two or more agencies. Countries using this system have constitutions which stipulate that law enforcement responsibilities lie with the central government, whereas the governance of a police force within a region lies with the local government of that region, which in turn is subservient to the federal government. Japan and Brazil are examples of countries that have adopted this system.

3. A Decentralised Police System is used in countries organised under a union or federation, or ones that have a constitution similar to that of countries employing a semi-centralised police system. In a decentralised system, law enforcement responsibilities lie solely with local governments, be they state or provincial depending on the country’s governance system. Examples of countries using this system are India, the United Kingdom and United States (Police Work System Development Committee, 2007).

Given the variegated police administration systems, the researcher singles out the structural reform carried out by New Zealand, a country with the world’s lowest corruption rate (CPI, 2011), since its police system is similar to that of Thailand’s with paramilitary honours and centralisation of power. However in the 1950s, New Zealand has moved from centralisation toward a decentralised system.

New Zealand has one of the most trusted police systems in the world, judging by the country's citizen safety index. Most New Zealand policemen do not carry guns, only batons, except certain officers within special forces who are allowed to carry guns on a case-by-case basis. The New Zealand Police Force was established in 1842, with officers being decorated with the same honours as soldiers and power concentrated in the headquarters in the capital Wellington in accordance with the New Zealand Police Act 1886. The New Zealand police underwent a major reform in 1955 after Prime Minister Sidney Holland stipulated that police officers become full-on civil officers, with the appointment of a civilian to command the National Police Force instead of Commissioner Eric Compton. The name of the agency was shortened to New Zealand Police, with all officers' titles becoming 'civil servant'. All positions at the commissioned level were abolished, with all officers taking common titles, i.e., Mr, Mrs and Miss, just like ordinary citizens.

This reform directly affected the old system, with the separation of the police force into 12 precincts and each precinct given powers to employ and promote officers up to Inspector level. At a district level, the police are governed by a Superintendent, an equivalent of police colonel under the old system. This structural reform has resulted in a dramatic drop in the number of officers at the commissioned level, with current breakdown of 5 percent commissioned officers, 20 percent sergeant majors, and 75 percent sergeants or lower. This resulted in the police rapidly being transformed into civil servants (Dunstall, 1999)

This decentralisation of power also resulted in a very low level of corruption among New Zealand police. The employment of local officers within each precinct also led to more effective crime prevention due to better understanding of the problems within each respective area.

#### **4. Suggestions on Thai police reform and corruption eradication**

Since 2006, there have been studies in Thailand that aim to offer concrete suggestions on how to reform the structure of the police force, with the establishment of the Police Work System Development Committee chaired by Police-General Wasit Dejkunchorn. Wasit (2007) stated that the 'Royal Thai Police has a rather clumsy structure, with long chains of command and command overlaps, intervention from headquarters in operation and promotion'. He suggested that 'The structure of Royal Thai police is obsolete, with power concentrated in central headquarters and not distributed to other regions. I am in favour of reform toward a more decentralised system.' It can be seen that ideas to make the police force more decentralised have existed for more than half a decade; however, the current structure remains immutable because the powers-that-be, who have the means to reform, are not in favour of decentralisation as their powers would be subsequently reduced. Even though such reform would change Royal Thai Police for the better, the agency still lacks commanders willing to sacrifice their personal benefits for the greater good.

Not only is suggested structural reform yet to be carried out, the researcher is also of the opinion that the suggested reform fails to take into account the link between corruption among police and structural reform toward a more decentralised system. The researcher maintains that such reform will be able to alleviate corruption problems since they are inextricably linked to a centralised police system that results in high-level officers having too much power. The unfortunate consequences of this are embezzlement of government funds, since the funds are allocated to a single agency; bribery from citizens at a high frequency and amounts, since the bribes are passed up to higher-ranked officials along the chain of command; and collection of protection money, which is also passed up the chain of command, from illegal business operators.

The distribution or separation of police power would be effective in partially severing the chain of command that in turn can discourage the passing of bribes. It would also reduce the power of high-level officials, making them unable to intervene in the appointment process of lower-ranked policemen, which in turn can prevent the purchases of positions that are one of the causes of bribery and protection money collection. Most importantly, the decentralisation of police power or the downsizing of the agency would result in a general increase in police salaries, weakening the oft-mentioned reason for corruption.

Structural reform of the Royal Thai Police toward a more decentralised system can not only cut the line of command and reduce widespread corruption among officers, but a more separate system would

allow for comparative examinations to identify areas of concern. For example, if police corruption is rampant in a particular province but rarely seen in another, it would be easier for the government to pinpoint the problem and effect of a streamlined solution such as cutting police funds to that particular province or sacking the guilty officers. In addition, if a democratic system is applied to the administration of police in each province, for example, a police chief for each province elected from the populace, the researcher is of the view that this system would make officers work harder for the citizens, and thus change the current 'harsh value' whereby officers only work for their bosses or politicians.

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