Police panel fights back

THE conflict between the Police Service Commission and the Interior Ministry grew yesterday as members of the panel declared that their agency is not a "rubber stamp" nor anyone's personal property.

The statements by two of the commission's 19 members were apparently made in response to Gen Chavalit's threat on Wednesday to curtail its power for refusing to endorse the minister's candidate for police director-general last week.

"The Police Service Commission is not anybody's rubber stamp," commission member Pol Gen Sanan Tuchinda told reporters yesterday. Gen Chavalit, charging the commission and its legal subcommittee with "inappropriate conduct", announced on Wednesday he would move to reduce its power.

"I've always forgiven them but they have failed to realise their faults," he said.

The Interior Minister, who is also chairman of the commission, did
The Interior Minister, who is also chairman of the commission, did not give specific examples of misconduct, but it was understood he was frustrated with the panel's refusal to approve his appointment of deputy police chief Prathin Santiprapop to the police chief post.

The minister, who is New Aspiration Party leader, is also known to be upset with the commission's order to its legal subcommittee to accept an appeal from Pol Gen Sawasdi Amornvivat against his temporary dismissal from the police chief post for alleged lese majeste and negligence.

Pol Gen Sanan said the commission had committed no mistakes to warrant forgiveness from Gen Chavalit. "I don't know what the commission has done to displease him," he said.

He said the powers-that-be can introduce a law to make any changes they want to the commission.

He said the commission was designed to oversee the police administration and to prevent anyone from exercising power over the police without authorisation.

Many commission members were elected and held the ranks of police colonels or higher, he said. "The commission does not belong to anybody and most of its members are elected. Everyone has the right to express their opinions. We always follow the law in exercising power over the police. We make decisions based on reason. No one can shame the table (to have his way)," Gen Sanan said.

He said the commission had to accept Gen Sawasdi's appeal because it works like the Civil Service Commission.

The legal action being taken against Pol Gen Prathin by some commission members was a personal matter and had nothing to do with the panel, he said.

"This is their individual right," he said, referring to the lawsuits against Pol Gen Prathin filed by Pol Lt-Gen Supas Chiraphan, a commission member, on Tuesday.

He claimed the commission had done nothing wrong. "Anyone who thinks it has made a mistake should point out that mistake. The commission is not a rubber stamp for anybody."

The commission did not oppose the candidate for national police chief proposed by Gen Chavalit, he said.

"We did not discuss the individual. We only agreed that the candidate could not be proposed because there had been no royal command to remove the present police chief," he said, referring to Gen Sawasdi, who is still legally Police Department director-general.

Pol Lt-Gen Chamras Chantharakachorn, another commission member, said the commission is a legal entity which cannot be infringed on
by anybody, including the Police Department chief and the Interior Minister.
"The commission is being interfered with by politicians. Anybody who infringes on the power of the commission is breaking the law," he said.
He said that NAP deputy leader Veera Musikapong should spell out his allegations of inappropriate conduct by the Police Commission's legal subcommittee more clearly.
"What right has he to say something like that? Or is it because the subcommittee has refused to do what he wants?" the retired police officer said.
Pol Lt-Gen Chamras said the subcommittee is using the Civil Service Administration Act in Pol Gen Sawasdi's case because the general had been ordered suspended from active duty and investigated under that law.
Pol Gen Sawasdi is entitled by law to appeal for justice and the commission is the proper channel for him to go through, he said.

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Police Sawasdi faces new lese majeste charges

INTERIOR Minister Chavalit Yongchaiyudh has ordered another investigation into Police Director-General Sawasdi Amornvivat on lese majeste charges in addition to that which led to his temporary dismissal last month.
Gen Chavalit appointed a 10-member committee Tuesday to investigate Pol Gen Sawasdi on allegations of a serious disciplinary violation following his ban on the distribution of a foreign publication which allegedly carried an item considered defamatory to the Royal Family.
Pol Gen Sawasdi ordered a ban on imports of the London-based Daily Express on September 29 after finding its July 21 edition had carried a news item on the Royal Family.
Gen Chavalit said in his order the ban had printed inessential details of the parts considered to be lese majeste as Article 8 of the 1941 Printing Act does not stipulate that a ban must give all details.
The Interior Minister charged Pol Gen Sawasdi with seriously --- 15:31 --soc.culture.thai-- 15 MORE --help:?--57%--

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details.
The Interior Minister charged Pol Gen Sawasdi with seriously violating discipline and appointed a panel to investigate him.
The committee is chaired by Deputy Interior Permanent Secretary Chalerm Phromiart and comprises senior officials from the Interior Ministry, Police Department and Civil Service Commission, including deputy police chief Vinij Charoensiri and Central Investigation Bureau assistant commissioner Seri Temeeyavej.
Pol Gen Sawasdi is also being investigated for serious disciplinary violation after publishing an order in the Royal Gazette banning the distribution of The Honolulu Advertiser which carried an item considered defamatory to Her Majesty the Queen.
He was then discharged temporarily in October from government
service pending an investigation.

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Chavalit aides get go-ahead to take on commission

INTERIOR Minister Chavalit Yongchaiyudh's advisers have been given the go-ahead to challenge the Police Service Commission, said Kaew Buasuwan, one of the advisers.
The advisers at odds with the commission are headed by New Aspiration Party deputy leader Veera Musikapong, he said.

"The team met yesterday at the Interior Ministry to prepare evidence and work out a strategy for the "showdown". Mr Veera accused the commission yesterday of protecting "the person who lost the police chief's post" and urged its members to be neutral. He condemned the commission's rejection of Gen Chavalit's proposal to appoint Pol Gen Prathin Santiprapop as the new police chief and its claim that a royal endorsement must first be obtained for the removal of Pol Gen Sawasdi Amornvivat.
The new police chief could be appointed before or during the dismissal of the incumbent, he claimed, citing the case of former police director-general Sawaeng Thirasawasdi, who was ousted after the appointment of Pol Gen Sawasdi as his replacement.

Deputy Interior Minister Chamni Sakdiset yesterday called for an end to the conflict between members of the commission and Gen Prathin.

He said the Police Department's image had been ruined by news of the problems in the department and by six lawsuits recently filed against Gen Prathin by three retired police officers, including Pol Lt-Gen Supas Chiraphan, a member of the commission.

Apparently referring to Pol Lt-Gen Supas, Mr Chamni said commission members should bear in mind that the Police Department belongs to the people, even though they have the right to take cases to court.

He said he believed the lawsuits against Gen Prathin were personal matters and were aimed at protecting Gen Sawasdi.

He claimed that Gen Prathin was well suited to the post and well liked by the public.

Gen Chavalit's secretary Thawatwong na Chiangmai said the commission's subcommittee was wrong to have accepted a petition from Pol Gen Sawasdi against his temporary dismissal, and said it should have been submitted to Prime Minister Chuan Leekpai.

Deputy Interior Minister Den Tohmeena voiced his support for Mr Veera's call to overhaul the commission.

He said the commission may have broken the law by trying to protect Gen Sawasdi.

He said he suspects that the six lawsuits filed against Gen Prathin were aimed at discrediting the general and preventing him
Prathin were aimed at discrediting the general and preventing him from becoming police chief. Deputy Interior Minister Suthas Ngernmuen of the Democrat Party said it would be difficult for Gen Chavalit to purge the commission because the Police Act does not empower the Interior Minister to sack a commission member or dissolve the body. He said such actions would require an executive decree or enactment of a bill.

Asked whether Pol Gen Prathin was suited to be police chief, Mr Suthas refused to say, but he urged the authorities to explain what is going on in the department to junior police officers to avoid confusion.
BANGKOK (UPI) -- The Police Department Thursday ordered the arrest of the country's embattled former police chief, Gen. Sawat Amornwihat, and five other high-ranking officers on charges of defaming Thailand's crown prince.

Prosecutors must now decide if there is sufficient evidence to press charges against the six for allegedly violating the country's strict lese majeste law by allowing the translation of an article in a British newspaper, the Daily Express, deemed insulting to Crown Prince Maha Vajiralongkorn.

Deputy Police Director-General Gen. Vinit Charoen Siri told a news conference that the Police Department has ordered the arrest of Gen. Sawat, Special Branch Commander Gen. Piboon Kullavanij, Police Gen. Prayut Sutthajariyawat, also of the Special Branch, and three other senior officers on lese majeste charges.

"I collected all documents and interrogated more than 20 witnesses and have concluded and agree that these cases are based on solid evidence," Gen. Vinit said. "We have passed on all documents to get permission for the arrest of the six police officers."

Each could face 15 years in jail if their case goes to trial and they are convicted.

Interior Minister Chavalit Yongchayudh fired Sawat as police chief on Oct. 25, ending a bitter power struggle between two of the country's most powerful figures.
PRIME Minister Chuan Leekpai says he has told Interior Permanent Secretary Aree Wong-araya to ensure justice by speeding up disciplinary investigation of Pol Gen Sawasdi Amornvivat. Mr Chuan said Mr Aree called on him to report unofficially on the Police Department’s decision to issue an arrest warrant for Pol Gen Sawasdi and five other Special Branch police officers for alleged lese majeste.

According to Cabinet Secretary-General Wisanu Krua-ngarm officials of the Royal Gazette Office are not liable to any legal action although they are responsible for publishing a police order from Pol Gen Sawasdi banning the import and distribution of a US newspaper which ran an article with content considered defamatory to the monarchy.

He said the office, under the Cabinet Secretariat’s Publications Division, is a state publishing arm and has no publisher. It is not under the control of the 1941 Printing Act.

He said an internal investigation had been made which revealed that none of the agency’s officials had committed any wrongdoing in connection with the publication of the police ban on the Honolulu Advertiser.

Investigation of Pol Gen Sawasdi was ordered by the Interior Ministry because he allegedly committed lese majeste in issuing the ban. The order became grounds for criminal action against Pol Gen Sawasdi after it was published in the Royal Gazette along with the translation of the allegedly defamatory content.

Criminal action was waived as a result of a royal pardon and the court’s decision to dismiss the case filed against him by a lawyer.

Mr Wisanu said the publications division, realising the problem
A POLICE Service Commission member yesterday warned police investigators they risk committing lese majeste by pushing for legal action against Pol Gen Sawasdi Amornvivat and five other Special Branch police officers.

Pol Maj-Gen Supart Chiraphand said the six suspects were being investigated for lese majeste because they repeated an offensive article published in the British Daily Express newspaper.

"Will the investigators have to refer to the offending remarks in concluding their investigation report? If so, will this also be considered lese majeste?" asked Pol Maj-Gen Supart.

He said investigators handling the case against Pol Gen Sawasdi and the other suspects may find themselves in the same boat as the suspects under the law.

"I'd like them to think carefully about it" said Pol Maj-Gen Supart, a strong opponent of attempts by Interior Minister Chavalit Yongchaiyudh to restructure the Police Service Commission.

The Interior Ministry on Thursday approved a Police Department request to arrest Pol Gen Sawasdi on lese majeste charges.

Also named in the same arrest warrant are Special Branch Police Commissioner Pibul Kullavaniyajaya, Special Branch 2nd Division Commander Pol Maj-Gen Prayuth Supachariyawat, Pol Col Samrong Mettavivat, a sub-division chief with the 2nd Division, Pol Lt-Col Boonchob Ketthes, inspector with the 2nd Division, and Pol Lt-Col Pipop Laosinchai, a sub-division chief with the 2nd Division.

The officers were involved in issuing the ban against the Daily Express which was approved by Pol Gen Sawasdi.

Pol Maj-Gen Supart insisted he was not trying to protect Pol Gen Sawasdi in making the statement.

He said he was merely upholding a principle which he thought was correct because he felt problems police force were not right or just.

He said he did not want to describe the problem Pol Gen Sawasdi was facing as a "political game" because this would be seen as trying to protect the officer.

"The deed always tells the motive," he said.

Gen Chavalit yesterday confirmed the arrest order against Pol Gen Sawasdi was not persecution.

He said legal action against the group was taken by investigators in an open and straightforward manner.

Pol Maj-Gen Supart said he believed the arrest of Pol Gen Sawasdi would not have any repercussions on the present political situation.

Acting Police Department chief Prathin Santiprapop has pledged to ensure that Pol Gen Sawasdi and the other five Special Branch officers are treated fairly.
"I am a policeman. I can distinguish right from wrong. I promise that the suspects will be treated with fairness," said Pol Gen Prathin.

He said the legal action was based on complaints lodged against the group.

It is too early to say whether the Police Department will dismiss the five Special Branch officers temporarily similar to Pol Gen Sawasdi.

A dismissal order will depend on the evidence, he said.

Pol Gen Vinit Charoensiri, the deputy police chief heading the investigation, said the six had offended the law because the translation of the article in the Daily Express had reached a third party.

Whether the ban on the newspaper and translation of the article had already been announced in the Royal Gazette was not the point being considered by the investigators, he said.

He said he expected the six suspects to surrender to hear the charges some time next week.

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Sithi urges Interior, police to compromise

FORMER interior minister and senator Sithi Jirarote said tension between the Interior Ministry and the Police Commission would never ease unless both parties stopped being stubborn.

Gen Sithi suggested they compromise.

He said the police always lacked unity and was divided into groups, each of which sought power. The ministry might have been regarded as overusing its power and harassing state officials.

Before going to the Senate meeting, Gen Sithi said he did not want to blame Interior Minister Chavalit Yongchaiyudh because there might have been hidden factors.

The problem was difficult to solve, but the focal point rested with Gen Chavalit.
Arrest warrants out for top cops

It's not a smear campaign, says minister

THE Interior Ministry has approved the arrest on lese majeste charges of former national police chief Sawasdi Amornvivat and five other Special Branch police officers, including the agency's chief Pibul Kullavanijaya.

Pol Gen Vinit Charoensiri, who heads a Police Department investigation committee, told reporters that Pol Gen Sawasdi and the other officers could be jailed for three to 15 years under Article 112 of the Criminal Code if found guilty.

Pol Gen Vinit said his panel believed the six policemen had broken the law.

Named in the warrant were Pol Gen Sawasdi, Special Branch Police Commissioner Pibul, Special Branch 2nd Division chief Maj-Gen Prayuth Supachariyawat, Pol Col Samrong Mettavivat, a sub-division chief in the 2nd Division; Pol-Br Col Boonchob Keths, inspector in the 2nd Division; and Pol Lc-Br Col Pippop Laosincharo, a sub-division chief in the 2nd Division.

The six policemen were alleged to be involved in the order approved by Pol Gen Sawasdi to ban the import and distribution of London's Daily Express newspaper for printing an article deemed to be lese majeste.

The six have seven days to surrender to the police to hear the charges or face arrest. Pol Gen Vinit said police can arrest any of the six suspects on sight but no search will be launched because they do not believe the suspects will try to escape.

Investigators have set bail at 200,000 baht for each of the suspects, and since five of them are still on active duty, they can use their positions to support their bail requests.

It is believed that investigators will conclude the case and forward it to public prosecutors through acting Police Department chief Prathin Santiprapop in 15 days.

Pol Gen Vinit's panel spent one month studying the case before recommending the arrest of the six on December 1.

The investigation was ordered after a Sakon Nakhon provincial councillor, Pisan Siriboon, filed a complaint with Pol Gen Prathin early last month.

The Special Branch was in the process of issuing the ban against the Daily Express when a translation of the alleged offending article was leaked. Mr Pisan submitted the translation to the police, saying that its release constituted lese majeste.

Interior Minister Chavalit Yongchaiyudh, returning from his visit to the South on December 2, told reporters the arrest warrant against Pol Gen Sawasdi and the other police men was not part of a smear campaign against them. "This is purely a police affair," he said.

Pol Gen Prathin, who accompanied the minister on the trip, said, "This is not a campaign" (against Pol Gen Sawasdi). He said the action was "justified and fair. They are all police officers and should know what they should do."

Pol Gen Sawasdi on December 2 refused to talk to reporters who tried to interview him at home. He was visited by Pol Lt-Gen Pibul, Maj-Gen Prayuth and a lawyer in the afternoon.

Maj-Gen Prayuth told reporters before leaving Police Department headquarters he had no problem with the arrest warrant and intended to surrender to fight the charge with other suspects.

Pol Lc-Br Col Boonchob, who was responsible for translating the Daily Express article, was transferred by the Interior Ministry to the Police Education Bureau on December 2.

Prime Minister Chuan Leekpai said the six policemen would only be questioned, not arrested. He said he has not yet received a request from the Interior Ministry for a royal command to remove Pol Gen Sawasdi as national police chief.

Pol Gen Sawasdi has been "temporarily dismissed" for the alleged lese majeste.