Performance Report

Department Of Community Based Corrections

2016 Since January to December

Department Of Community Based Corrections
No.35A
Dr.N.M.Perera Mawatha
Borella
Colombo 08

Message of the Commissioner

Most modern criminologists are of the belief that Community Based Corrections is a much

more effective method of rehabilitation rather than imprisonment. This method is widely used

for those who are minor offenders or first time offenders.

The main objective of this department is to provide an alternative sentencing to imprisonment

thus avoiding the possibility of a minor offender becoming a hard-core criminal. It is more

effective to rehabilitate a person while they are in the society rather than when they are in

prison.

Therefore, this Department is necessary to the modern society, and it serves a timely need.

V.Premachandiran

Commissioner (acting)

Department of Community Based Corrections

i

Content

01.	Intro	duction					
	01.1	Objectives	04-05				
	01.2	Organizational Structure	06-07				
	01.3	Implementation process of Community Based Corrections	08				
		System in Sri Lanka					
	01.4	Provisions of the Act	08-11				
02.	Corre	ectional Process	12				
	2.1	Community Corrections orders	12-23				
	2.2	The number of Correctional programs conducted for offend	ders 24				
		(2017.01.01 –2017.12.31)					
		2.2.1 Counseling and Drug Prevention Programs	25-26				
		2.2.2 Development and Rendering Free Service Program	s 26-28				
		2.2.3 Spiritual and Religious Development Programs.	28-29				
		2.2.4 Vocational Training and Agricultural Projects	29-30				
03. C	apacity	Building	31				
	3.1	Awareness program and training program for officers	31-32				
		(01.01.2017 -31.12.2017)					
	3.2	2017 Expenditure for Capacity Building Programs	33				
	3.3	Expenditure – Recurrent and Capital	33-34				
4.0	Goals fo	or the future	35				

01. Introduction

United Nations office on drugs and crime (2013) states that "in the modern world, many studies have shown that re-offending rates can be reduced through alternatives to imprisonment, which also help reduce the amount of people in prison. Many countries around the world have a wide range of alternative sentences according to their legislations. Community service orders are popular in many jurisdictions because they give back something to the community that has been harmed by the criminal activity; these are regarded as a greater punishment than fines or suspended sentences.

There is a global trend of introducing community-based punishment and rehabilitation in lieu of prison-based retribution and deterrence (Disanayake, 2013). The community based corrections system started as a pilot project under the Ministry of Justice in Sri Lanka in 1999. In 1999, no 46 of Community Based Corrections act was implemented and the Community Based Corrections system was started with 3 courts as a pilot project. In 2008 it became a department under the Ministry of Justice. This program has been implemented island wide in 125 magistrate and circuit courts. Community-based corrections orders give the courts (Department of Community Based Corrections, 2014) an alternative to imprisonment. Instead of a prison sentence, suspended sentence or a fine, the Court can make a Community-Based Order allowing the offender to serve a sentence in the community.

According to the provisions of the Act, if imprisonment is not mandatory or the penalty does not include a term of imprisonment exceeding 2 years, then an order may be made in lieu of imposing a sentence of imprisonment or a suspended sentence of imprisonment or a suspended imprisonment or fine, the court may order for Community Based Corrections

orders. According to that it gives an opportunity to the offender to complete the court order while keeping him in the society.

The act outlines the reasons for community based corrections orders. They are:

- To enable assessment as to criminal behavior
- To enable the offender to recognize their drug dependency, take steps to control it and receive treatment
- To enable the offender to participate in programs designed to address the criminal behavior. (Carter, 1998).

When an offender is imprisoned, both the social and economic costs can be enormous and the prisoner is exposed to further contamination by association with hard-core criminals and is likely to cultivate further anti-social attitudes. Through imprisonment they also run the risk of losing their employment; and family members are left unsupported and may in turn engage in further anti-social activities for survival and to support the family. The school-going children may have to give up their education and have to contribute to the upkeep of their family. In addition, the economic cost to government is also significant as each prisoner has to be fed and clothed, prisons get over -crowded and the expenses for maintenance, administration and staff emoluments increase. In the regional community based corrections offices, the officers conduct various rehabilitation programs. Through directing minor offenders into community Based Corrections, it helps to reduce overcrowding in the prisons and cost incurred in maintenance of prisoners. When an offender is imprisoned, the prisoner is exposed to further contamination by association with hard-core criminals and is likely to cultivate further anti-social attitudes. By giving a minor offender a community corrections order, the aim is to free a person from wrong habits and make him a respectable citizen of the country through an effective correctional process while keeping him in the society.



Vision

"Make minor offenders and persons those who are likely to commit offences, into righteous citizens."

Mission

"Development of economic, social and spiritual spheres of minor offenders and persons those who are likely to commit offences, by implementing a productive correctional process, with a necessary Follow up."

Values

- Maximum Utilization of Resources
- Creativity
- Teamwork
- Continuous Improvement
- Accountability

01.1 Objectives

- Instead of subjecting offenders for minor offences to imprisonment, subjecting them to community based correction through the enforcement of community based corrections act no. 46 of 1999.
- Reduction of congestion in prison and the cost incurred in this regard by the decline in imprisonment of minor offenders.
- 3. Diversion of the labor to develop the country using the labor of Community

 Corrections orders
- 4. Taking measures towards the mental and spiritual development of the offenders under community based corrections orders.
- Develop the families of offenders under the community Based Corrections and people who are in risk of being offenders considering better standard of economic, social and spiritual.
- 6. Follow –up the offenders who have completed the Community Corrections orders and people who are rehabilitated from rehabilitation centers.

Function/Plan

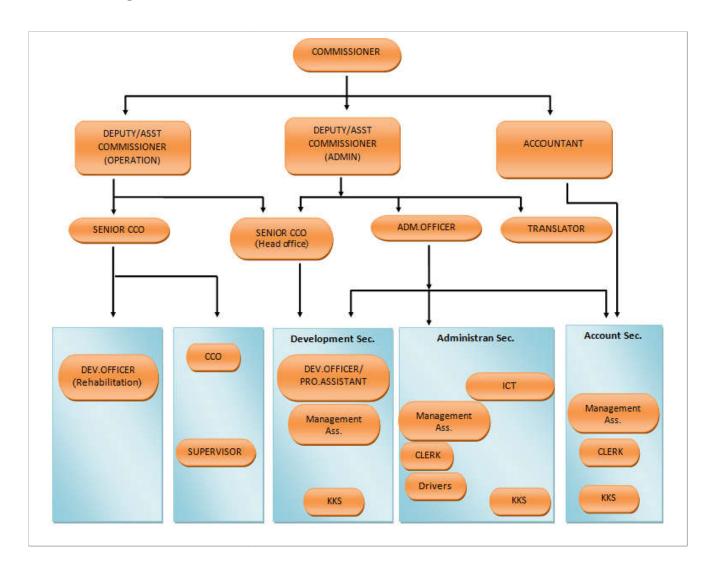
- 01. Entering Community Based Corrections orders in respect of person convicted by a court of law.
- 02. Implementation of religious developments programs to build up spiritual development of the offenders.
- 03. Implementation of counseling programs to develop mental health of the offenders.

- 04. Implementation of vocational training to develop special skills and livelihood development.
- 05. Implementation of various development projects to build up special skills and economic development of the offenders.
- 06. Referring them for medical treatment to prevent substance abuse
- 07. Implementation of personality development program

Priorities of the organization

- 1. Making Community Corrections Offenders into better citizens using effective rehabilitation methods.
- 2. Human resource development

01.2 Organizational Structure



Cadre Information for the date 2016.12.31

	Designation	Approval Cadre	Existing Cadre			
1	Commissioner	01				
2	Dep. Commissioner /Ass.	02	01			
	Commissioner					
3	Accountant	01	01			
4	Senior Community Correction	10	02			
	officer					
5	Translator (Tamil)	01	-			
6	Community Correction officer	112	107			
7	Administration Officer	01	-			
8	Program Assistant	04	02			
9	Development Officer	328	265			
10	Information & Communication	02	01			
	Technology Assistant					
11	Public management	20	10			
	assistant/Clerk					
12	Work Supervisor	114	114			
			01 **			
13	KKS	08	06			
	D :	0.2				
14	Drivers	03	02			
Tota	<u></u>	607	511			
101	11	007	311			

01.3 Implementation process of Community Based Corrections System in Sri Lanka

Community Based Corrections Process was instituted as a pilot project under the Ministry of Justice in 1999. In 2003, it became a Unit and because of the success of the Project, the government decided to convert it into a Department on 01.07.2008 under the Ministry of Rehabilitation and Prison Reforms. The Community Based Corrections Project which commenced on 17th February 2000 was first launched as experiment in 3 magistrate's Courts named Hulftsdrop, Fort and Maligakanda.

The Minister of Justice and Judicial Reforms has published several gazette notifications time to time from year 2000 by stating appointed dates for specific judicial divisions. Initially two judicial divisions were entered in the gazette as the judicial divisions of Colombo and Colombo Fort. Three Judicial divisions in year 2001, 3 judicial divisions in year 2005 and another 32 judicial divisions in year 2007 were entered in the gazette under the expansion of the Community Based Corrections order given by the Courts. Today this program is being implemented island wide in 126 magistrate and circuit courts.

01.4 Provisions of the Act

Legal provisions have been made to issue community based corrections orders instead of sentencing to prison under the Community Based Corrections Act No 46 of 1999.

Offenders to which are applicable

Section 5 (1) outlines the offences for which a community based correction order may be imposed. Basically if imprisonment is not mandatory or the penalty does not include a term

of imprisonment exceeding 2 years, then an order may be made in lieu of imprisonment, suspended imprisonment or a fine.

According to the section (4) of the Act

Section 4 of the Community Based Corrections Act describes the functions of the commissioner;

- a) To exercise control over the community corrections centres established for the purposes of this Act and over the Deputy Commissioners of Community Based Corrections, Assistant Commissioners of Community Based Corrections and other officers of the Department of Community Based Corrections;
- b) To arrange with appropriate bodies, for the carrying out of community based correction orders
- c) To provide advice to Court regarding the suitability of offenders for community based correction orders;
- d) To ascertain, identify, and advise, Courts on the facilities available for carrying out community based correction orders;
- e) To provide advice concerning the most appropriate program or special condition to be attached to a community based correction order proposed to be entered by Court;
- f) To monitor, and provide surveillance and supervision of offenders in respect of whom community based correction orders have been entered;
- g) To inform Court of the failure to comply with any condition of a community based correction order with a view to instituting proceedings under section 14;
- h) To apply for variation of a community based correction order, where necessary;
- To provide community education regarding correctional principles, objectives and programs.

According to the section (9) of the Act

- (1) Every community based correction order shall be in the prescribed form and shall contain the following conditions
 - a) That the offender shall not commit during the period of the order, another offence punishable or conviction with imprisonment
 - b) That the offender reports to a specific community corrections centre within seventy two hours of the date of the order
 - c) That the offender reports to, and receives visits from, an officer of the Community Based corrections Department on such dates as may be specified by the officer in charge of that community corrections centre
 - d) That the offender notifies the officer in charge of the community corrections centre specified in the order at least seven days before such change, of any change or address, employment or occupation
 - e) That the offender does not leave a specified area except with the permission of the officer in charge of the community corrections centre specified by the order, being permission granted either generally or in relation to a particular case
 - f) That the offender obey all lawful rules, instructions and directions issued by officers appointed under section 2

(2) The court may, for the purposes of

- a) Enabling any personal factors which contributed to the offender's criminal behaviour to be assessed
- Providing an opportunity for the offender to recognize, to take steps to control, and if necessary, to receive treatment for, those factors and
- c) Enabling an offender with needs in areas directly related to his or her criminal behavior, to participate in programmes designed to address those needs

Attach one or more of the following conditions to a community based correction order

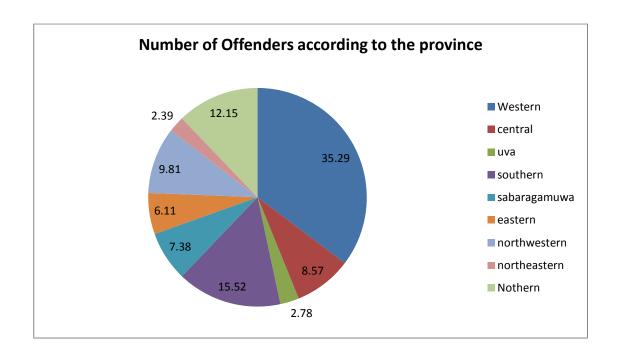
- (i) That the offender performs unpaid community work as directed by the officer in charge of the community corrections centre specified in the order for the period determined by the court
- (ii) That the offender be under the supervision of an officer of the Community Based

 Corrections designated by the Commissioner
- (iii) That the offender attends educational, vocational, personal training or development programmes determined by court and as directed by the Commissioner; an offender with high needs in area directly related to his or her criminal behavior may be required to participate in programmes which will address those needs
- (iv) That the offender undergoes assessment and treatment for alcohol or drug addiction or submits to medical, psychological or psychiatric assessment and treatment as directed by court
- (v) That the offender submits to testing for alcohol or drug use as directed by the officer in charge of the community corrections centre specified in the order
- (vi) Any other condition that the court considers necessary or desirable, having regard for the purposes for which the order is being entered

02. Correctional Process

2.1 Community Corrections orders

Province	No of Offenders
Western	4970
Central	1207
Southern	2186
North	1711
Eastern	861
North western	1382
North central	337
Uva	391
Sabaragamuwa	1040
Total	14086

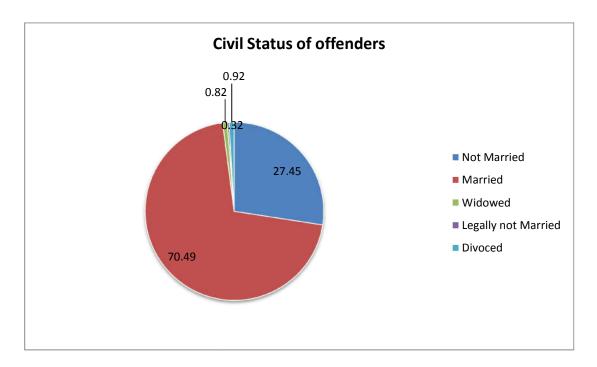


The Western Province has the greatest number of offenders according to this graph. The least number of offenders are from the North-Eastern Province. The number of offenders in the Southern Province is double that of the number of offenders in the Sabaragamuwa. The 2^{nd} and 3^{rd} most number of offenders are from the Southern and Uva Provinces respectively.

Type of Offence	Total	Percentage	
Heroin	2001	14.21	
Cannabis	1464	10.39	
Illicit Liquor	6255	44.41	69.00
Public Nuisance	1773	12.59	
Theft	116	0.82	
Cheating	20	0.14	
Illicit Weapons	30	0.21	

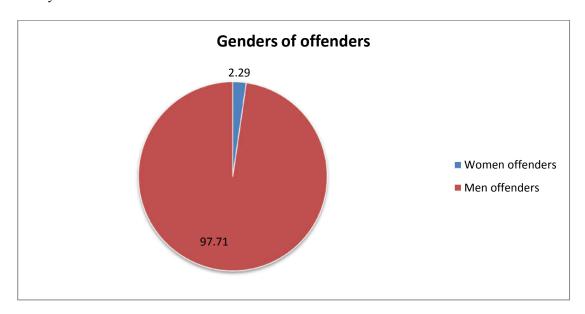
Keeping Stolen Pro	52	0.37
Gambling	923	6.55
Rioting	43	0.31
Others	1409	10.00
TOTAL	14086	100.00

According to the Community Based Corrections Act No 46 of 1999, instead of serving a prison sentence, the offender can serve a supervised sentence in the community with an opportunity to undergo treatment. This option is being provided to approximately 15000 minor offenders in Sri Lanka by the Court annually, 65% of whom are substance use offenders having used heroin, cannabis and alcohol

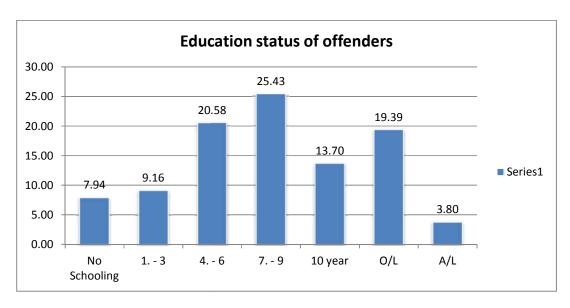


According to the Figure, the majority of offences have been committed by married people, which is not at all an acceptable situation as when these offenders are imprisoned, the family

will lose the breadwinner and their spouses will also lead a life of crime to carry on their family.

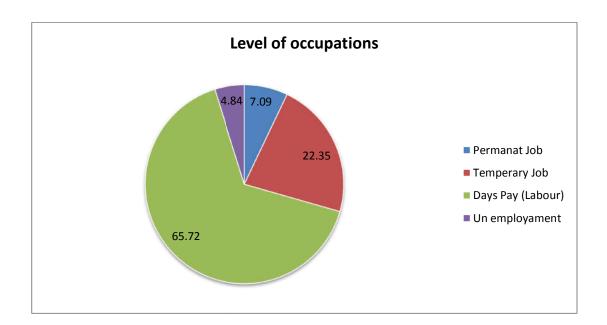


According to the information, the majority of offenders were men and very little number of offenders were women and it shows that most men were convicted for criminal activities.



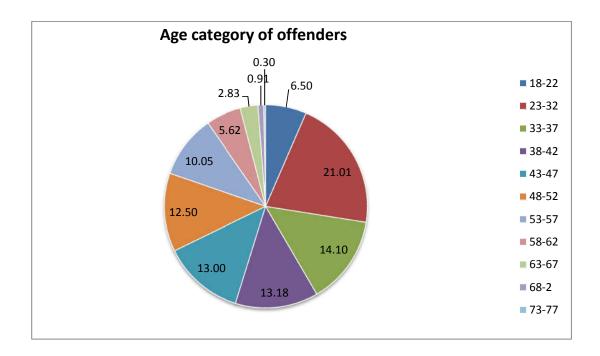
According to the statistics of the department, the most significant number of offenders had the education level of grades 7 to 9. As a percentage this is 25.4% in the year 2016. Next up

is those who have learned up to grade 4-6. The least amount of offences was committed by offenders with schooling upto A/L. This is 3.8% out of the total offenders in the year 2016. The amount of offenders who are under the category of no schooling was 7.9% in the year 2016. According these statistics, the amount of offenders with education level below O/L standard is 76.8% from the total amount of offenders in the year 2016. According to statistics majority of the offenders who are under Community Based Corrections have poor education levels. It shows the people who are uneducated have a tendency to commit crime and deviant behaviours.

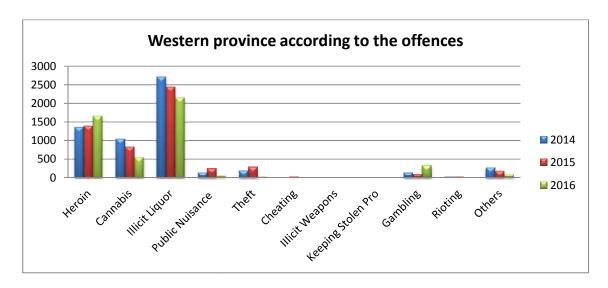


According to the Figure it is clear that the majority of offenders who were under Community Based Corrections orders in 2016 were labourers. The second place is belongs to temporary job holders. In 2016 offences committed by permanent job holders were higher than unemployed people. As a percentage the permanent job holders were 7% in 2016. The majority of the offenders were labours, temporary workers and unemployed and as a percentage it was 65.7% and 22.3% and 4.8% respectively. However total percentage of

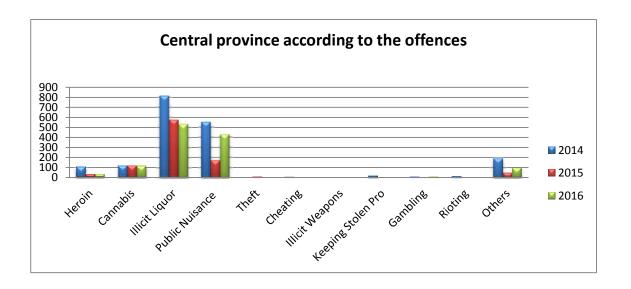
labours, temporary job holders and unemployed were huge and it was 92.9% in the year 2016. This information reveals that people who do not have proper economic and social status trend to do more crimes.



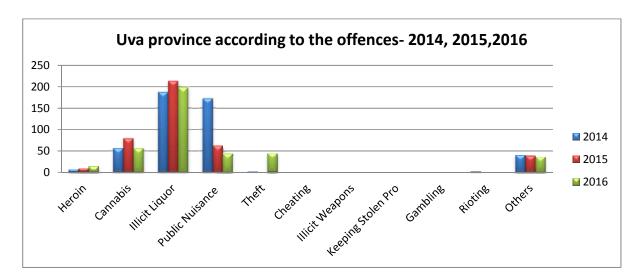
According to the Figure most offenders are under the ages of 23-32 which is obvious because the youth is more prone to committing crimes due to peer pressure and do not have the proper financial background to support their families. Furthermore, the age categories from 18-22, 23-32, 33-37, 38-42 are considerably higher than other ages related to committed crimes and the criminal behaviour of those people may significantly affect for the financial, social and spiritual development of the country.



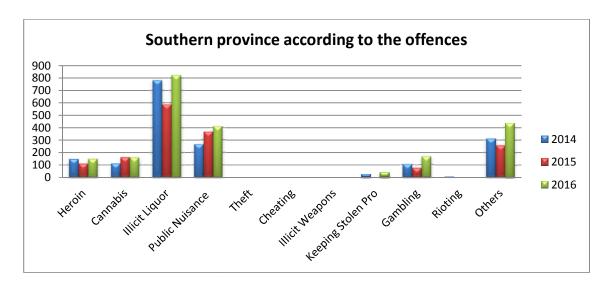
According to the statistics in the year 2016 majority of the offenders have received Community Based Corrections orders from Western Province. The majority of the Heroin related orders also received from the Western province. Furthermore, the numbers of such orders have increased each year respectively. The Majority of offenders in the year 2014 had committed illicit liquor related offences while the majority in the year 2016 had committed Heroin related offences. Furthermore, the offence related to theft has increased in 2015 and offence related to gambling also increased in 2016.



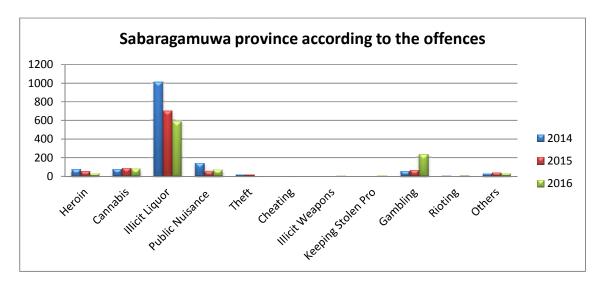
In the years 2014, 2015 and 2016 offences on illicit liquor is the highest in Central Province. Furthermore, public nuisance related offences also higher in Central province in 2014 and 2016.



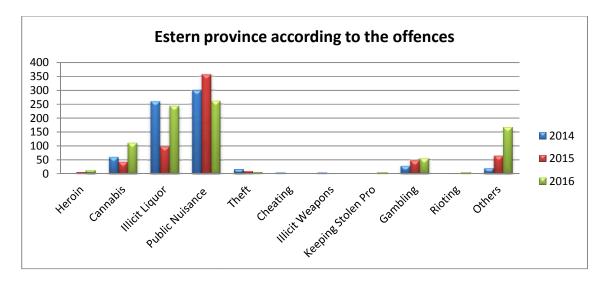
The majority of offences in the Uva province are related to illicit liquor. The offences related to Cannabis are considerably high. This may be because Cannabis is grown in some places in this province.



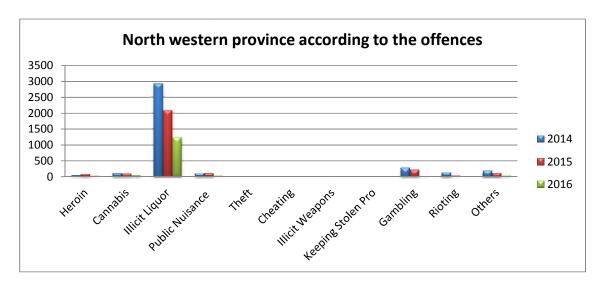
The majority offence in the Southern Province is illicit liquor related. Public Nuisance and other offences are considerably high in Southern province.



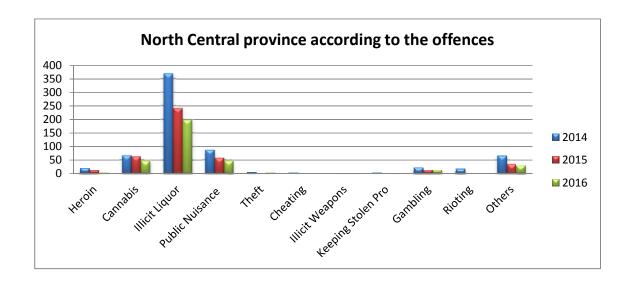
Illicit Liquor related offences are the majority in this province also. Gambling is also high compared to other offences.



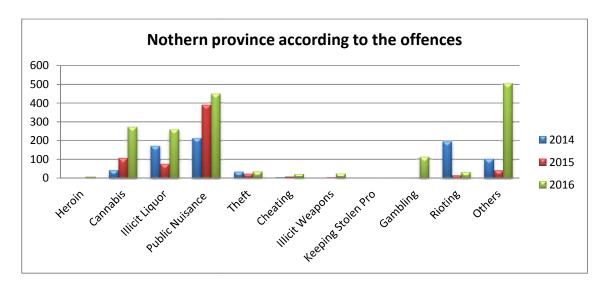
Public Nuisance is highest in this province. Illicit liquor related offences are also high as usual.



Illicit Liquor is the most Committed offence in this province. All other offences are very low.



Illicit Liquor is the most Committed offence in this province. Cannabis also higher than other provinces. All other offences are very low.



In this province category of other offences are the most committed. Cannabis, Illicit Liquor and Public Nuisance are also very frequently committed.

Highlights of 2016

14086

Offenders have subjected

to Community corrections Orders

3572 Counseling Programs

406 Spiritual development Programs

236 Vocational training programs

1274 Rendering Free Service Programs

42 Income generating projects for skills development

1004 Offenders have subjected to medical treatments

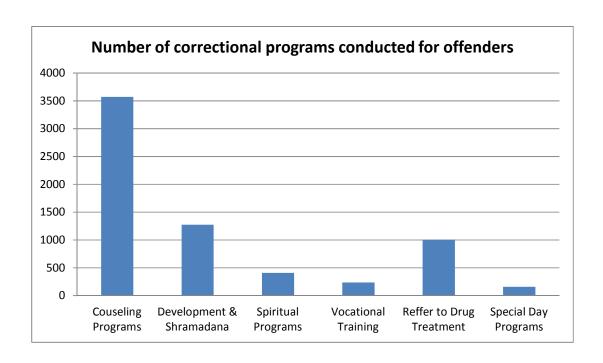
2.2. The number of Correctional programs conducted for offenders-

(2016.01.01 - 2016.12.31)

The programs have been conducted for offenders such as individual and group counseling, drug treatment-, spiritual development and vocational training. The Shramadana campaigns have been conducted island wide successfully with the involvement of offenders.

Program	Quantity
Counseling Programs	3572
Development & Shramadana Programs	1274
Spiritual Programs	406
Vocational Training Programes	236
Refer to Drug Treatment	1004
Special Day Programes	159

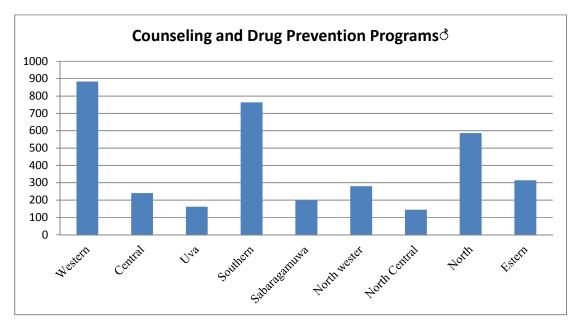
Number of correctional programs conducted for offenders



2.2.1 Counseling and Drug Prevention Programs

Drug Prevention and Counseling Programs have been implemented the regional Offices up to end of 2016.12.31. Those programs by Province basis can be shown as follows.

Province	Number of programs
Western	884
Central	240
Southern	763
North	586
Eastern	314
North Western	280
North Central	144
Uva	162
Sabaragamuwa	199
Total	3572



Counseling and Drug Prevention Programs



Individual Counceling – Kites Community Based Correction Office



Group Counseling – Hambanthota Community Based Correction Office

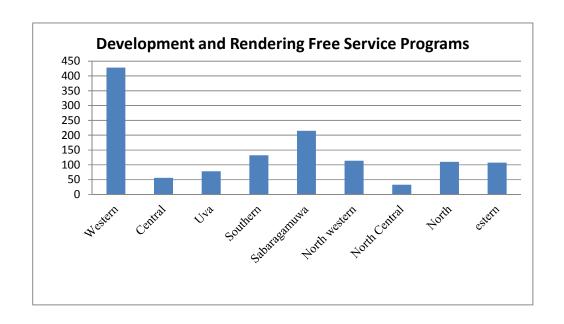


Counseling – Walasmulla Community Based Corrections Office

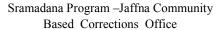
2.2.2 Development and Rendering Free Service Programs

Various Rendering Free Service Programs are being done with the contribution of the Offenders under Community based correction Order such as Renovation of roads, Repairs of Temples and buildings etc. Those have been carried out by the Regional Offices and province wise these programs can be shown as follow.

Province	Number of programs
Western	428
Central	56
Southern	132
North	111
Eastern	107
North Western	114
North Central	56
Uva	78
Sabaragamuwa	215
Total	1274







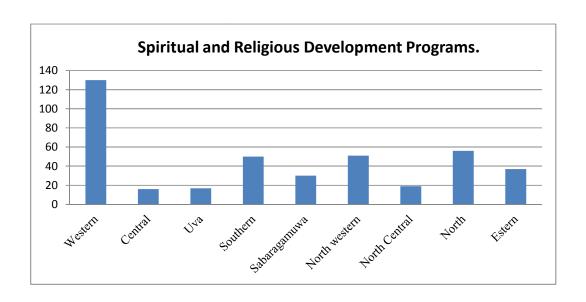


Sramadana Program –Baticalo Community Based Corrections Office

2.2.3 Spiritual and Religious Development Programs.

Implementation of various spiritual and Religious Development programs for offenders under community based correction orders.

Province	Number of programs
Western	130
Central	16
Southern	50
North	56
Eastern	37
North Western	51
North Central	19
Uva	17
Sabaragamuwa	30
Total	406





Spiritual and Religious Development Programs – Pandura Community Based Corrections Office



Spiritual and Religious Development Programs –Hettipola Community Based Corrections Office

2.2.4 Vocational Training and Agricultural Projects

Agricultural and production projects are being implemented in the Community based Correction Regional offices of island wide, with the involvement of the labor of offenders under community based correction orders. Development of their attitudes and train them to strengthen their family economy is the main objective of this project while obtaining their

contribution to the development of the country's economy by crediting income earned through the agricultural and production project to the government income is another objective.



Community Based Correction Office Ruwanwella.



Community Based Correction Office Panadura



Matugama Agriculture programe



Panadura Agriculture programe

03. Capacity Building

3.1 Awareness program and training program for officers

(01.01.2016 - 31.12.2016)

According to the need assessment conducted by department that knowledge, skills and attitudes of the Officers should be developed. According to that capacity building program for the year 2016 conducted for the Community Corrections Officers, work supervisors and Development Officers. In addition to that the department allocated funds for the training programs for officers. Therefore, the officers have been referred to the Sri Lanka Institute of Development Administration (SLIDA) for the training programs.

Awareness program and training program for officers



Basic Counseling skills for North and Eastern Community Corrections Officers and Work



Basic Counseling skills for work Supervisor





Diploma for Work Supervisors





Basic Disciplinary procedure for Senior Community Corrections Officers and staff of Head Office

3.2 2016 Expenditure for Capacity Building Programs

Officers														
	SCCO	(Provincial)	000		Development	Officer	Head office	officers	Work	Supervisor	K.K.S		Driver	
Number Programes	6		14		12		13		8		1		1	
Expenditure (Rs)		843,498/-		254,830/-		78,162/-		105,100/-		3,475,351/-		25,500/-		3000/-

Total = Rs.4,785,441.50

03.3 Expenditure- Recurrent - Capital

		Recurrent Ex	penditure by P	roject - 2016			
Project No./Names,personel emoluments and other expenditure for all projects	(1)	(2)	(3)	(4)	(5)	(6)	
	Provision in Budget Estimates	Supplimentary Provision and Supplimentary Estimate Allocation	Transfers in terms of the F.R. 66 and F.R. 69	Total Net Provision (1+2+3)	Total Expenditure	Net Effect Savings/(Excesses) (4-5)	
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Personel Emoluments	221,500,000	6,500,000	0	228,000,000	226,960,499	1,039,501	
Other Expenditure	24,750,000	24,750,000		24,750,000	22,691,512	2,058,488	
Grand Total	246,250,000	6,500,000	0	252,750,000	249,652,011	3,097,989	

		Financed by (Code No.)	Description of Items	(1) Provision in Budget Estimates	Supplimentary	(3) Transfers in terms of the F.R. 66 and F.R. 69	(4) Total Net Provision (1+2+3) Rs.	(5) Total Expenditure Rs.	Net Effect Savings/(Excesses) (4-5) Rs.
Object Code No. Item No.	Item No.								
		Fi		Rs.					
2001		11	Buildings & Structures	500,000			500,000	449,854	50,140
2002		11	Plant, Machinery & Equipments	200,000			200,000	189,187	10,81
2003		11	Vehicles	150,000			150,000	85,000	65,00
2102		11	Furniture & Office Equipments	3,000,000		200,000	3,200,000	3,186,127	13,87
2103		11	Plant, Machinery & Equipments	700,000		-200,000	500,000	494,995	5,00
2104		11	Buildings & Structures	3,000,000		49	3,000,000	0	3,000,00
2401		11	Staff Training & Capacity Building	5,000,000			5,000,000	4,958,526	41,47
2502	11	Investment	500,000			500,000	386,651	113,34	
		Total	13,050,000	0	0	13,050,000	9,750,340	3,299,660	

4.0 Goals for the future

- Increasing the number of offenders that can be given Community Based Corrections
 orders by amending the Act
- 2. By implementing programs in divisional secretariat offices to people who are likely to commit offences
- 3. Introducing a postgraduate diploma for Community Corrections officers
- 4. Conducting a follow-up on Community Corrections offenders through development officers
- 5. Creating a proper mechanism to evaluate progress of officers
- 6. Creating a method for freeing minor offenders from drugs and financially strengthen their families.

Department of Community Based Corrections

No. 35A

Dr.N.M.Perera Mawata

Borella

Colombo 08

Telephone: 0112-683691

Fax : 0112-683675

Email : dcbcorrection@gmail.com