Performance Report

Department Of Community Based Corrections

2017 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, 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

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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

- 1. 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.
- 2. 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

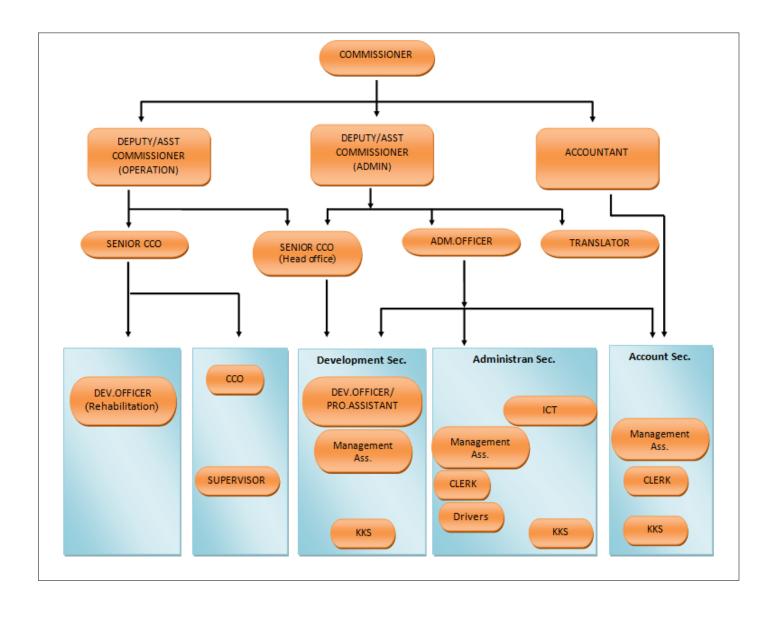
- 01. Entering Community Based Corrections orders in respect of person convicted by a court of law.
- 02. Implementation of religious developments programs to build up spiritual development of the offenders.
- 03. Implementation of counseling programs to develop mental health of the offenders.
- 04. 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 Based Corrections Offenders into better citizens using effective rehabilitation and treatment methods.
- 2. Human resource development

01.2 Organizational Structure



Cadre information for the date 2017 12.31.

	Designation	Approval Cadre	Existing Cadre
1	Commissioner	01	
2	Dep. Commissioner /Ass. Commissioner	02	01
3	Accountant	01	01
4	Senior Community Correction officer	10	02
5	Translator (Tamil)	01	-
6	Community Correction officer	112	106
7	Administration Officer	01	-
8	Program Assistant	04	02
9	Development Officer	328	267
10	Information & Communication Technology Assistant	02	01
11	Public management assistant/Clerk	20	14
12	Work Supervisor	114	114 01 **
13	KKS	08	04
14	Drivers	03	02
	Total	607	514

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. 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 Maligakandha.

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 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 process being implemented island wide in 125 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
- b) 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

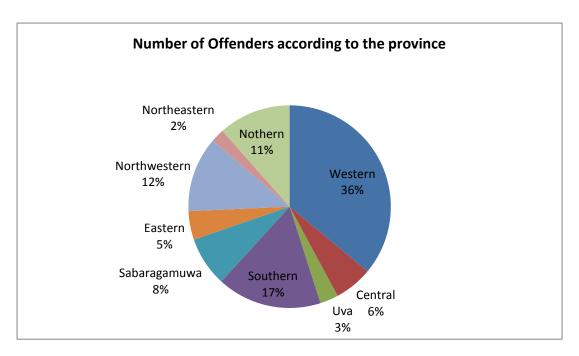
- (i) That the offender performs unpaid community work as directed by the officer in charge of the community corrections centre specified in the order for the period determined by the court
- (ii) That the offender be under the supervision of an officer of the Community Based

 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 behaviour 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

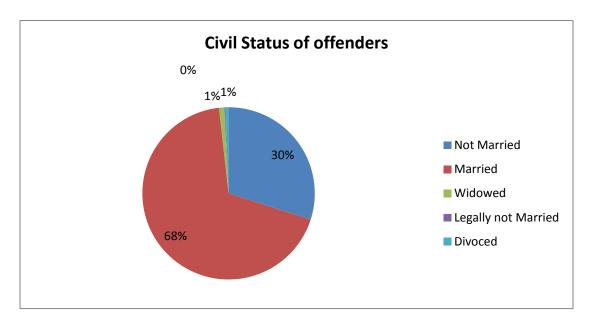
Province	No of Offenders
Western	5161
Central	876
Southern	2390
North	1655
Eastern	656
North western	1721
North central	306
Uva	420
Sabaragamuwa	1139
Total	14324



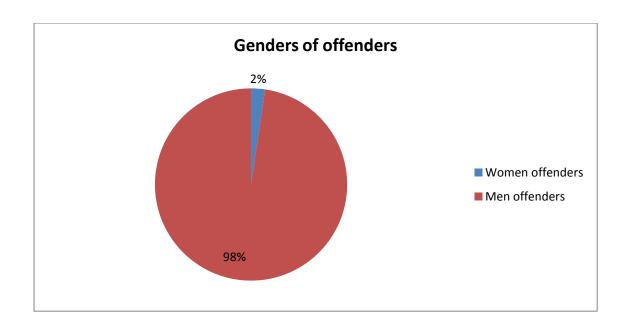
The Western Province has the greatest number of offenders according to this graph. The least number of offenders are from the North-Eastern Province. The number of offenders in the Central Province is double that of the number of offenders in the Uva. The 2^{nd} and 3^{rd} most number of offenders are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

Type of offence	Total	Percentage	
Heroin	2983	20.83	
Cannabis	1813	12.66	64.92
Illicit Liquor	4503	31.44	
Public Nuisance	1473	10.28	
Theft	517	3.61	
Cheating	38	0.27	
IIIicit Weapons	9	0.06	
Keeping Stolen Pro	27	0.19	
Gambling	1218	8.50	
Rioting	63	0.44	
Others	1680	11.73	
TOTAL	14324	100.00	

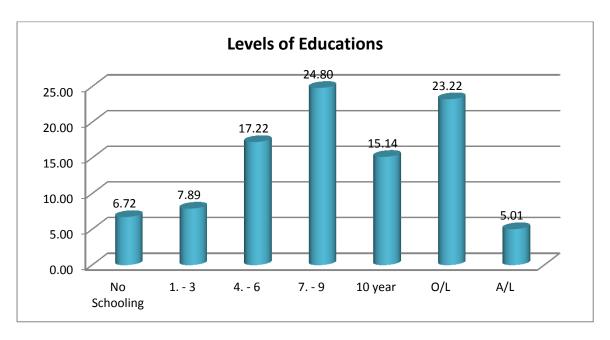
This option is being provided to approximately 15000 minor offenders in Sri Lanka by the Court annually, 65% of whom are substance use offenders having used heroin, cannabis and alcohol.



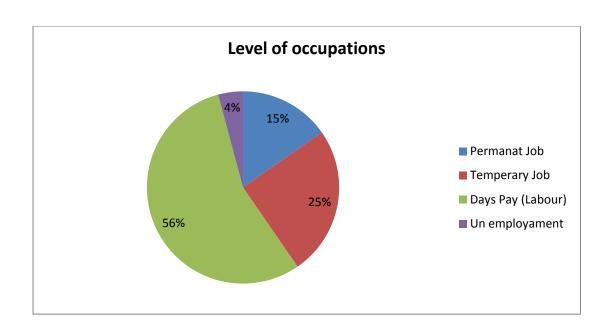
According to the Figure, the majority of offences have been committed by married people, (68%) which are not at all an acceptable situation as when these offenders are imprisoned, the family will lose the breadwinner and their spouses will also lead a life of crime to carry on their family.



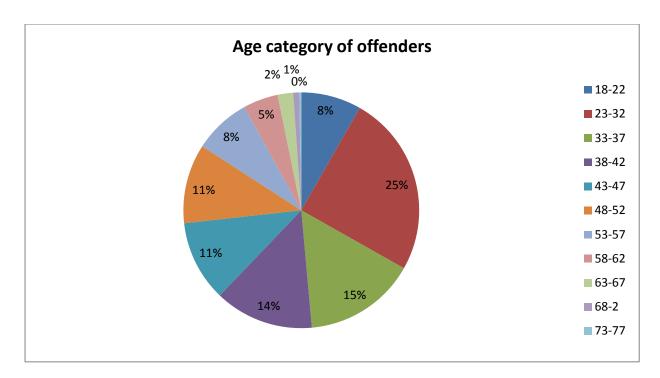
According to the information, the majority of offenders were men and very little number of offenders were women and it shows that most men were convicted for criminal activities.



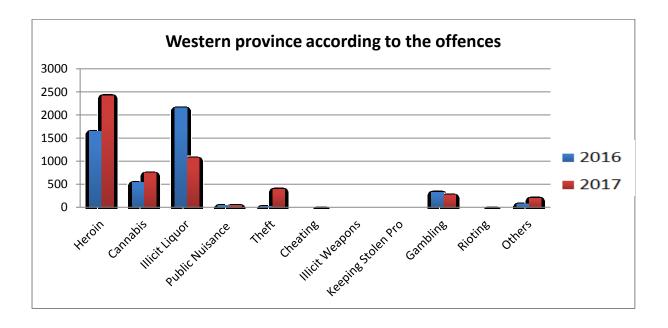
According to the statistics of the department, the most significant number of offenders had the education level of grades 7 to 9. As a percentage this is 24.8% in the year 2017. The least amount of offences was committed by offenders with schooling upto A/L. This is 5.01% out of the total offenders in the year 2017. The amount of offenders who were under the category of no schooling was 6.72% in the year 2017. According to these statistics, the amount of offenders with education level below O/L standard is 71.7% from the total amount of offenders in the year 2017. 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.



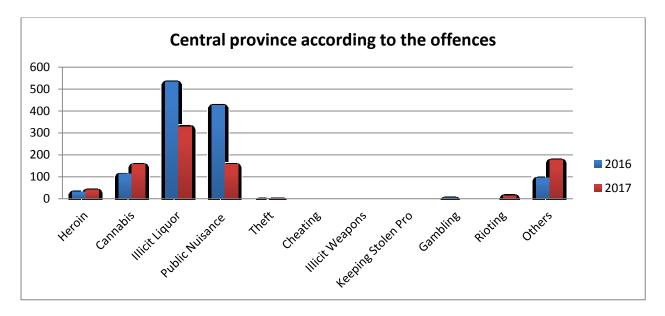
According to the Figure it is clear that the majority of offenders who were under Community Based Corrections orders in 2017 were labourers. The second place is belongs to temporary job holders. In 2017 offences committed by permanent job holders were higher than unemployed people. As a percentage the permanent job holders were 15% in 2017. The majority of the offenders were labours, temporary workers and unemployed and as a percentage it was 56%, 25% and 4% respectively. However total percentage of labours, temporary job holders and unemployed were huge and it was 85% in the year 2017. This information reveals that people who do not have proper economic and social status trend to do more crimes.



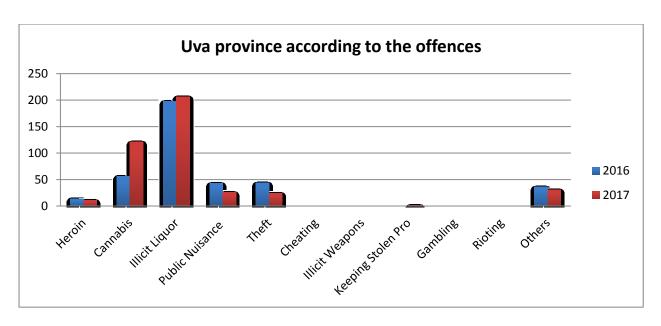
According to the Figure most offenders are under the ages of 23-32 which is obvious because the youth is more prone to committing crimes due to peer pressure and do not have the proper financial background to support their families. Furthermore, the age categories from 18-22, 23-32, 33-37 and 38-42 are 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.



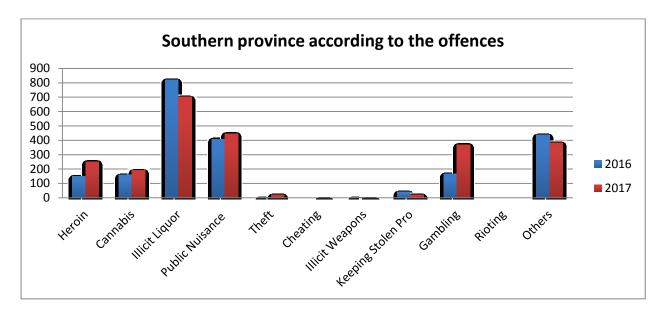
According to the statistics in the year 2016 and 2017 majority of the offenders have received Community Based Corrections orders from Western Province. The majority of the Heroin related orders also received from the Western province. Furthermore, the numbers of such orders have increased each year respectively. The Majority of offenders in the year 2016 had committed illicit liquor related offences while the majority in the year 2017 had committed Heroin related offences. Furthermore, the offence related to theft has increased in 2017 and offence related to gambling also increased in both years.



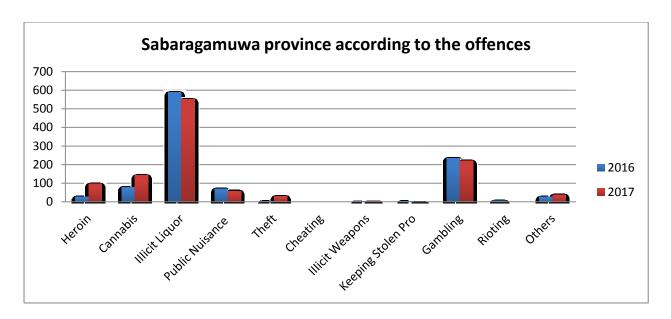
In the years 2016 and 2017 offences on illicit liquor is the highest in Central Province. Furthermore, public nuisance related offences also higher in Central province in both years.



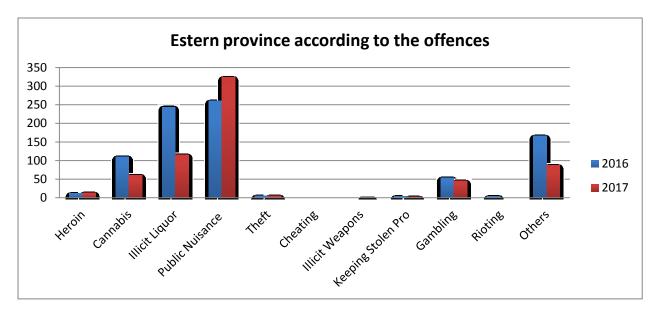
The majority of offences in the Uva province are related to illicit liquor. The offences related to Cannabis are considerably high. This may be because Cannabis is grown in some places in this province.



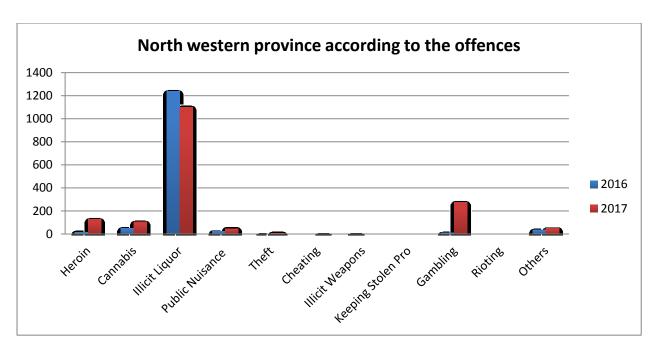
The majority offence in the Southern Province is illicit liquor related. Public Nuisance and other offences are considerably high



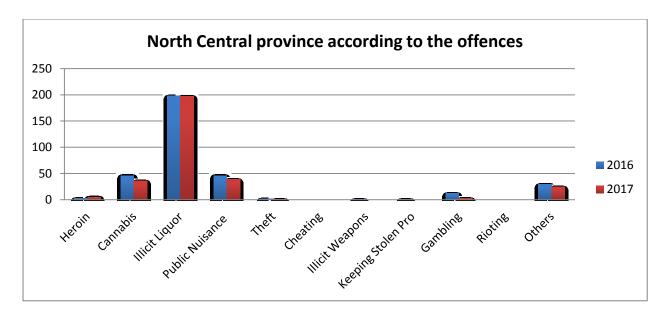
Illicit Liquor related offences are the majority in this province also. Gambling is also high compared to other offences.



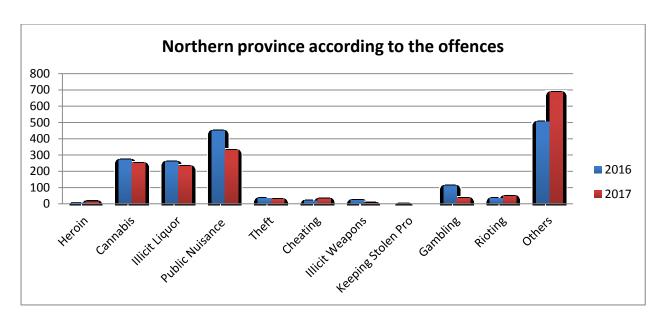
Public Nuisance is very high in this province. Illicit liquor related offences are also high as usual.



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



Illicit Liquor is the most committed offence in this province. Cannabis and Public nuisance are almost committed at the same amount.



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

Highlights of 2017

14324

Offenders have subjected

to Community corrections Orders

2252 Counseling Programs

176 Spiritual development Programs

156 Vocational training programs

850 Rendering Free Service Programs

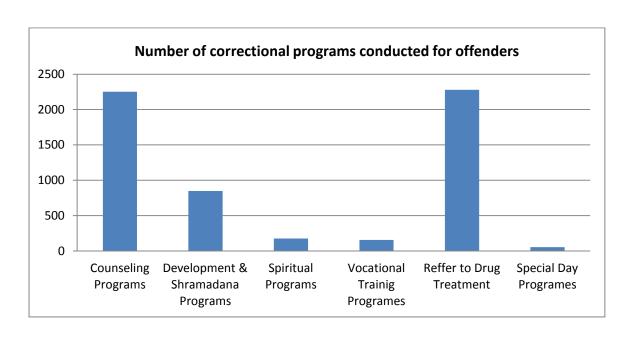
45 Income generating projects for skills development

2280 Offenders have subjected to medical treatments

2.2 The number of Correctional programs conducted for offenders (2017.01.01 –2017.12.31)

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.

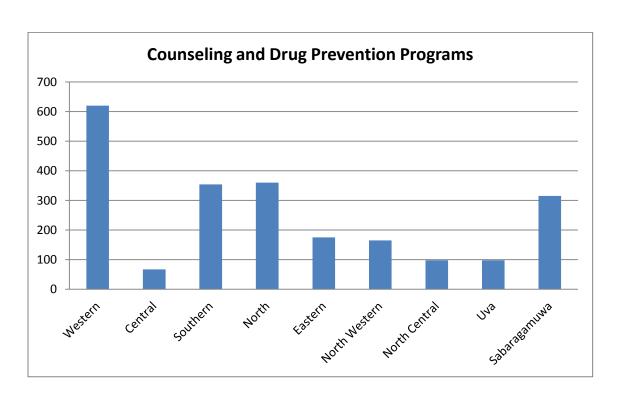
Program	Quantity
Counseling Programs	2252
Development & Shramadana Programs	850
Spiritual Programs	176
Vocational Training Programes	156
Refer to Drug Treatment	2280
Special Day Programes	55



2.2.1 Counseling and Drug Prevention Programs

Drug Prevention and Counseling Programs have been implemented the regional Offices up to end of 2017.12.31. Those programs by Province basis can be shown as follows.

Province	Number of programs
Western	620
Central	67
Southern	354
North	360
Eastern	175
North Western	165
North Central	98
Uva	98
Sabaragamuwa	315
Total	2252



Counseling and Drug Prevention Programs



Individual Counseling –Bandarawela Community Based Corrections Office



Group Counseling – Kekirawa Community
Based Corrections Office





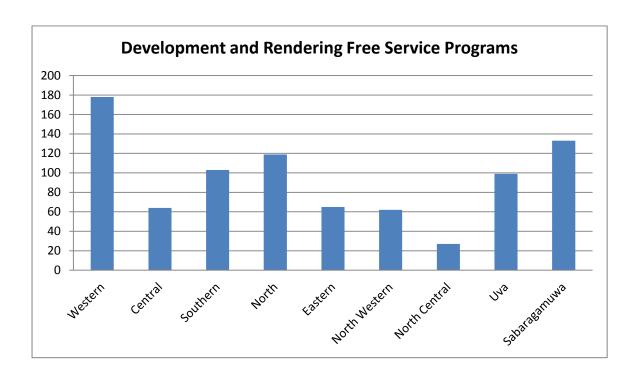
Drug Prevention Awareness Programme -Baddegama Community Based Corrections Office

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	178
Central	64
Southern	103
North	119
Eastern	65

North Western	62
North Central	27
Uva	99
Sabaragamuwa	133
Total	850





Sramadana Program – Monaragala Community Based Corrections Office

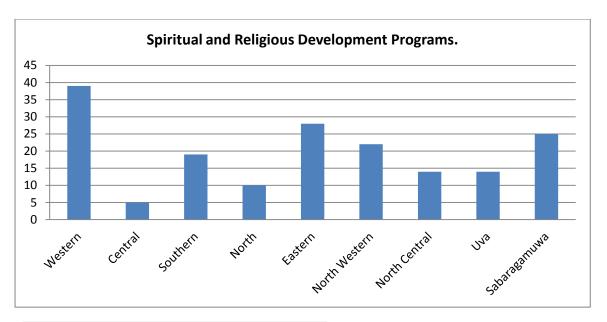


Sramadana Program –Baticlo Community Based Corrections Office

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	39
Central	5
Southern	19
North	10
Eastern	28
North Western	22
North Central	14
Uva	14
Sabaragamuwa	25
Total	176







Spiritual and Religious Development Programs – Community Based Correction Office Elpitiya

Spiritual and Religious Development Programs – Community Based Correction Office Mannar



Spiritual and Religious Development Programs – Community Based Correction Office Batticaloa



Spiritual and Religious Development Programs – Community Based Correction Office Matara

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 Horana



Community Based Correction Office Matara

Awareness program



Community Corrections officers Fort



Community Corrections officers Panadura



Divisional Secretary office - Kirinda Pulwella



Divisional Secretary office - Badalkubura

2.3 Project for the Corrections of Offenders with Drug related Crimes-North-Western Province

Background

In the North Western Province, 10565 illicit liquor related offenders, 460 Marijuana related offenders and 180 Heroin related offenders have received Community Based Correction Orders in last five years. The total number of offenders who received Community Based Correction Orders in the Western Province in the year 2016 is 1382, and 1305 (94.4%) offenders out of these have committed drug related offences. Out of all offenders who have committed drug related offences in Sri Lanka, the majority percentage was received from this province. Therefore, the North Western province was selected for this project.

It is essential to have a drug treatment program in any drug rehabilitation program. A drug treatment program is essential for those who are suffering from long term drug use, and as not having such a program in rehabilitation program renders the rehabilitation program useless. Specially, Heroin users need a special drug treatment program, and it should contain counseling and treatment plan.

Province	Orders according to the offences		Total Drug	Total Orders of	Total Percentage of	
	Heroin	Illicit Liquor	Marijuana	Orders	the Year	Drug Related Orders
North-Western	17	1239	49	1305	1382	94.4
Western	1654	2160	547	4361	4837	90.1
North Central	3	198	46	247	337	73.2
Uva	14	198	56	268	391	68.5
Sabaragamuwa	28	588	79	695	1040	66.8
Central	32	533	114	679	1207	56.2
Southern	149	822	160	1131	2186	51.7
Eastern	12	244	110	366	861	42.5
Northern	6	259	272	537	1711	31.4

(Source: Department of Community Based Corrections)

Aims of the Project

- Rehabilitating 70% of the offenders who have received Community Based Correction
 Orders to Drug Related Offences.
- Strengthening the Economy of 750 selected families of offenders in the North-Western Province

Strategies of the Project

- Diverting the money used by offenders for drugs , to the strengthening of their family's economy
- Encourage the usage of time consumed to use drugs into other productive activities (economical activities, Religious Activities, Spending time with the family and social Services), thereby making him a productive member of the society.
- Strengthening the family bond of these offenders and explaining the health benefits of not using drugs to these offenders.
- ❖ There are 15 Community Corrections Officers and 12 Supervisors working in 14 magistrates' courts in the North Western Province. There are 42 Development Officers working for the Department of Community Based Corrections under 42 Divisional Secretariats' offices in the Puttalam and Kurunegala Districts. Another aim of this project was to initiate all these officers into a successful correction program.
- According to this information, the majority of offenders who received Community

 Based Correction Orders have received them for Drug Related Offences. 53.5% of
 the offenders who received Community Based Correction Orders for drug related
 offences are in the ages of 18-40. These offenders were given proper carrier
 guidance and training through Community Corrections Officers and Development
 officers with the aim of giving them a brighter future. 10.8% of these offenders
 don't have proper jobs and 86.7% do labor work and other temporary occupations
 for day's wage. These people were given Livelihood Development Training for
 economic development. The low education level and unstable economy has caused
 them to use drugs and commit drugs related crimes.

Outcomes of the project

- ❖ 825 Community Based Correction Orders were received for 14 Community Corrections Offices in the North Western Province in the year 2017. 494 offenders were sent to residential and non residential treatment under the drug treatment process. 494 offenders have completed these programs and 377 out of these are now abstaining from drugs. Therefore, the percentage of offenders who are now abstaining from drugs is 76.3% and this is higher than the expected. Community Corrections Officers and development officers conducted programs such as medical treatment programs, counseling programs, family development programs, vocational training, educational development programs and personality development programs considering needs of the offenders.
- ❖ 117 livelihood development programs were conducted for those who are now abstaining from drugs. 4.6 Million Rupees have been granted for this project
- ❖ The Department of Community Based Corrections was able to brighten the lives of many people who were suffering from drug use through these programs. It was helped to create hope and made a smile of those faces which is a great achievement of the Department.













03. Capacity Building

3.1 Awareness program and training program for officers

(01.01.2017 -31.12.2017)

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 2017 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.

3.2 2017 Expenditure for Capacity Building Programs

Officers									
	AC	SCCO (Provincial)	000	Developme nt Officer	ICT	Manageme nt assistant	Work Supervisor	Clear	Driver
Number Program	1	4	7	10	1	8	1	5	1
Expenditure (Rs)	120,000/-	588,167/-	479,868/-	489,061/-	15000/-	168,000/-	1424,000/-	54000.00	3000.00

3.3 Expenditure – Recurrent and Capital

D	(1)	(2)	(3)	(4)	(5)	(6)	
Project No./Names,personel emoluments and other expenditure for all	Provision in Budget Estimates	Supplimentary Provision and Supplimentary Estimate Allocation	Transfers in terms of the F.R. 66 and F.R. 69			Net Effect Savings/(Excesses) (4-5)	
projects	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		0	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	

Capital Expenditure by Project - 2017 (2) (4) (5) (l) (3) (6) Supplimentary Object Code Provision and Financed by (Code No.) Provision in Transfers in Total Net Net Effect Item No. Total **Budget** Supplimentary terms of the F.R. Provision Savings/(Excesses) Expenditure Description of Items Estimate (4-5)(1+2+3)Estimates 66 and F.R. 69 Allocation Rs. Rs. Rs. Rs. Rs. Rs. 600,000 600,000 58,560 2001 11 Buildings & Structures 541,440 11 Plant, Machinery & Equipments 2002 200,000 200,000 62,100 137,900 2003 11 Vehicles 200,000 200,000 76,437 123,563 2102 11 Furniture & Office Equipments 3,000,000 3,000,000 2,820,472 179,528 2103 11 Plant, Machinery & Equipments 1,000,000 1,000,000 934,139 65,861 2401 11 Staff Training & Capacity Building 5,000,000 5,000,000 3,202,854 1,797,146 2509 11 Other 500,000 500,000 384,013 115,987 7,538,575 Total 10,500,000 10,500,000 2,961,425 0 0

4.0 Goals for the future

1.	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.
- 7. Preparing Offender Information Management System

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No. 35A

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