

## **An Evaluation on the Rehabilitation Programmes Conducted for Juvenile Delinquents in Remand Homes and Certified Schools in Sri Lanka: A Case Study Based on Southern Province**

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**Abstract:** Juvenile Delinquency is identified as a significant issue in society. The government and some non-governmental organizations have taken many steps and procedures to facilitate those children with care and correctional programmes. The main objective of these programmes is to correct their deviant behaviours. In this research, we noticed many issues in the prevailing system, which make it difficult to achieve the expected objectives. Therefore, this research mainly focused on identifying those issues and deriving solutions/ alternatives to overcome them. For this purpose, the legal procedures followed in institutionalizing the children and the background environmental system were observed and understood in detail. Since it is prohibited to meet and discuss with the juvenile delinquents in these institutions, semi-structured interviews and informal discussions were conducted with officials of these organizations. The study findings reveal that proper counselling and individual treatment plans are not included in the rehabilitation programmes, which are essential for the psychological development of these children. Researchers also noticed that education is only provided for a selected group of children. Further, it was identified that lack of space and equipment and unfavourable physical environment lead to poor efficiency of these programmes. It is suggested to address these issues in order to improve the quality of the rehabilitation programmes conducted for juvenile delinquents.

**Keywords:** Juvenile delinquency, Rehabilitation programmes, Social theories, Juvenile justice

### **Introduction**

#### *A. Background of the study.*

Juvenile Delinquents or children in contact with law refers to any child below the age eighteen years who has come in contact with the juvenile justice system as a result of committing a crime or being suspected on committing a crime. Generally, the term “juvenile delinquents” or “children in conflict with law” refers to a large variety of disapprove or anti- social behaviour of children and adolescence, which does not approve of, and for which the punishment or corrective measures are justified in the public interest (Niriella, 1996). The term of delinquency also includes actions engaging in activities such as vagrancy, truancy, obscenity, begging, gambling, loitering, stealing and drinking.

Many causes of juvenile delinquency can be identified through prevailing literature. As the main reason leading to juvenile delinquency, disintegration of family and laxity in parental control over children can be identified. Further, it has proven that over 50% delinquents have the bitter experience of separation or divorce of parents. On the other hand, unfavourable exemplary behaviour at home like abusive behaviour of parents, impact of alcohol and drug addiction, smoking and gambling may

derive the child to try the same activities where they end up with anti-social activities.

To facilitate and rehabilitate them with care, protection and other needs, the government and NGOs have established many institutions with procedures of institutionalizing. Main objective of these programmes is correcting the deviant behavior of juvenile delinquents. Children and Young Persons Ordinance (CYPO) No. 48 of 1939 continues to function as the basic law dealing with the administration of juvenile justice. Implementation of the 13<sup>th</sup> amendment to the constitution of 1987 has resulted for a structural change which made the probation and child care services devolved to the provincial councils. Youthful Offenders ordinance No. 28 of 1939, Probation of Offenders Ordinance No.42 of 1944 contain some special provisions applicable to juvenile offenders including the process of institutionalizing. In the current Sri Lankan context, it has recorded that over 14 000 children have institutionalized in 414 institutions across the country including the voluntary homes (Research, 2017).

#### *B. Problem statement*

Though the procedures and institutions under separate law for juvenile delinquents exist to deal with such children and to correct their deviant behavior, the number of child (Madara Dias, 2018) delinquents was identified with an increasing trend. This has now come to a level that the authorities should pay their fullest attention more and take the necessary steps and actions in assessing and improving their programmes in order to cater the diverse nature of these children.

#### *C. Main objective*

This study examine the Rehabilitation Programs conducted for such children in Remand Homes and Certified Schools with the main objective to identify the prevailing

issues in the rehabilitation programs. In doing this, the research looked into related laws and procedures of institutionalization, the differences between International Law and National Law related to juvenile justice, legal procedures, institutionalizing process and the institutional backgrounds. In summary, this research aimed at getting an in-depth understanding of the rehabilitation programs conducted in Remand Homes and Certified Schools, identifying and bringing out recommendations or alternative changes to address the prevailing issues in the Rehabilitation Programs by reaching their root causes.

#### **Literature Review**

According to the United Nation's Children's Fund (UNICEF), significant number of children around the world are convicted to various crimes because they are deprived of their basic needs and rights kept in detention without sufficient care. No child is ever born as a criminal, but their surroundings, improper socialization, absence of parental care and peer group influence may lead to delinquent behaviors among the children. Juvenile delinquency is described through various segments according to different views. The term 'Juvenile delinquency' refers to a variety of disapproved behaviors of children and adolescents which the society disapproves and some corrective measures or punishments are taken. This has remained a controversial subject for many years among psychologists, criminologists and sociologists. Many theorists have come up with exclusive explanations seeking to explore the tendencies in juvenile crimes.

Various theories were presented by different scholars such as Social Disorganization Theory, Power Control Theory, Subcultural Theory, Anomie Theory. Economics, Sociology, Psychology, and Criminology are some academic

disciplines which holds different assumptions about human behavior and finally causes of juvenile delinquency. There are a number of theories related to juvenile delinquency, but the fields of psychology, sociology, economics are most visible disciplines to understand why adolescents commits crimes. The previous research findings related to this research area were referred.

Most of the researches related to juvenile delinquents were foreign and there were only few researches related to the Sri Lankan context. "A study on the factors related to the recidivism of juvenile delinquency in Sri Lanka" by is a study done to identify the factors influencing the juvenile recidivism in Sri Lanka. They adopted descriptive survey research design and target sampling method. Data collection was done through delinquent's records and semi structured interviews were conducted to obtain information where matrons were specially interviewed. It revealed that most reported fields of juvenile delinquency in Sri Lanka, theft, trafficking, disobedient to parents, suicide attempts, selling and use of alcohol, also further it reveals that lack of education, poverty and fruitless relationships effects Juvenile delinquency. According to Madara Dias and K.G.W.U. Ranaweera, most of the delinquents have association with peers which has lead them in recidivating even in certified schools. To reduce juvenile recidivism, changing attitudes of the children, soft skills training programs and the regular and continuous monitoring and assessing are suggested. This research recommends to establish separate rehabilitation institutions, training matrons for counseling, skills training programs for school dropouts and awareness programs to control the issues.

"Rehabilitation and re-integration of juvenile offenders in Sri Lanka" by Jeewa Niriella (Niriella, n.d.) GIVE THE

YEARdescribes and evaluates, the reasons for juvenile delinquency in Sri Lanka, The problems that juvenile offenders face when they are kept in correctional institutions such as certificate schools, detention centers, the failure of the existing system and needs of juvenile delinquents are explained. Protecting, caring for and rehabilitating the juvenile delinquents are of utmost importance in the juvenile justice system as upbringing children into good social position is a prime responsibility of the society. This research highlights the importance bringing remedial measures to the existing system as the current system is not a favorable one and make number of recommendations for the development of the juvenile justice system in Sri Lanka. Finally, this research suggests the need of an institutionalized proper after-care service for the juvenile delinquents to achieve the main goals of the juvenile correction: rehabilitation and reintegration of the juvenile delinquents into the society.

"A review of the intervention strategies and approaches used with young offenders: Southhill outreach" (Tuohy, 2014) is a study which reviewed the intervention strategies and approaches used with young offenders by gaining the ideas of interventions with Southhill Outreach staff members, members of the Board of Management and young people. An intervention is a series of actions or structured service for the young offenders. Local and international literature findings, three interviews findings, focus group discussion findings were used to present the findings. A thematic analysis identified relevant themes that arose during the focus group and interview group regarding effective intervention strategies used when working with young offenders. Interventions and approaches like motivational interviewing, family interventions, relationship building, importance of recognition and working to

address individual needs in order to engage young people who offend are suggested from the findings to have an effective relationship with the young offenders. The major suggestions presented through this study are effective system for measuring outcomes, encouraging the use of self-care strategies utilizing supervision as the part of the process.

“A study on factors affecting on juvenile delinquency” (Mazinani Nourollani, 2015) is a cross-sectional study with a sample of 250 participants which included 200 male juvenile delinquents and 50 female juvenile delinquents aged between 9-18 years in Tehran. Interviews and studying of records the participants helped in the process of data collection. SPSS Software, frequency distribution tables and chi-square were used in data analysis process. The crimes committed were theft, evil-doing drugs, mischief and mayhem. Gender, educational level, occupation, separation from family and educational levels of their mothers affected delinquency. This research suggest to improve the personality and the social living environment of the juveniles, ensuring health and safety facilities, implementing informal and formal educations in all areas of juveniles development will help to eradicate juvenile delinquency among the youngsters.

## **Methodology**

Qualitative research methodology which is more relevant and consisting a set of practices to understand the social and human problems from multiple perspectives was followed in order to get an in-depth understanding about the nature of the rehabilitation programs conducted for juvenile offenders. This approach made it easier to grab out the essential information that are needed in the study.

### *A. Population and sample*

All the rehabilitation institutes including Remand Homes and the Certified Schools located island wide were considered as the population and out of that two Southern province probation care centers located in Kithuampitiya and Hikkaduwa were selected as the sample to obtain information for the study.

### *B. Data collection methods.*

Both primary and secondary sources were used in data collection. Primary data were gathered by interviewing the professionals in the field, following informal and semi-structured interviews. Secondary data sources were the previous researches related to the selected topic, published/unpublished documents including CYPO (Children and Young Persons Ordinance), Verite Research document- Legal and institutional assessment of Sri Lanka's justice system and CRC (Child Rights Convention).

Since the study was based on qualitative analysis, the main method of collecting data was interviewing the selected people in juvenile justice field. Semi- structured and informal discussions were held with the Assistant Commissioner of the Department of Probation and Child Care Services, Probation Officer at Southern Province Department of Probation and Child Care Services, UNICEF and a child Psychologist to gather the information . An interview lasted for about one and half hours

### *C. Ethical consideration*

As this was a study which was dealing with children in conflict with law, the legal background and the procedures were strictly legally bounded. Therefore, researchers had to adhere to a high ethical procedure. It was not allowed to meet, interview or observe the juvenile delinquents. Therefore, some professionals and some institutional officers were interviewed in order to get the information we needed. Even as the information

provided by these officials and professionals were sometimes highly confidential, researchers had to get their permission before hand to record the conversations. All the interviewees were initially given with an Information Sheet and a Consent Form to ensure the ethical aspect of the research and it was support for the participants to undersatand for which purpose they are providing the information maintaining the transparency between two parties.

## Data Analysis

### A. Coding

The research followed the Manual coding method by analyzing the data generated in the transcript papers which included reading the qualitative data and manually assigning a code. The first stage was open coding, which entailed reading and rereading the data in order to have an idea of how patterns could be coded. A code book was made by getting same ideas that have provided by each participants and those ideas were numbered one by one in code book. Highlighters were used to highlight the important participant responses obtained in the transcript papers. The transcripts papers were written manually using the information collected in semi structured interviews and informal discussions.

### B. Cateogarizing

After coding stage the most important stage was categorizing the codes. Names were given to each category that seems most logically related to the data. This was a process of classifying or looking for categories which should be internally consistent, but distinct from one another. We highlighted five categories according to each participant's ideas as:

- 1) Issues related to institute and programs.
- 2) Officers and their duties.

- 3) Social acceptance for rehabilitated child.
- 4) Prevailing intervention programs.
- 5) Measurement about improvement or weakness from prevailing rehabilitation programs.

### C. Deriving themes

After cateogarizing the data, it was derived into five themes to do a complete analysis of the data we gathered. The five themes are:

- 1) Nature of existing intervention programs for rehabilitation.
- 2) Impact of issues in probationary care centers and programs.
- 3) Involvement and duties of probationary care officers in the process of institutionalizing and rehabilitation programs.
- 4) Impact due to lack of social acceptance for the rehabilitated child.
- 5) Assessment of the overall development of the juvenile offender after the rehabilitation process.

*Theme 1:* Nature of existing programmes for rehabilitation . All participants of the interviews explained about the prevailing intervention programs for rehabilitation. Mental and skill development programs, educational programs are conducted to enhance the personality development of the juvenile offender. Probationary care officers mentioned that, they have treatment plans like action plan, individual care plan and these institutionalized children also take part in the competitions and other events organized by the department as an approach of socializing and reintegration.

*Theme 2 :* Impact of issues in probationary care centers and programs.

Some issues in the probationary care centers and the rehabilitation programs during the interviews and informal discussions were identified. All



participants mentioned about lack of individual counselling and individual treatment plan according to their offence. They discussed about the lack of space and equipment specially for the vocational training programs. As they mentioned, there is a need for identifying the problems faced by each offender.

*Theme 3:* Involvement and duties of probationary care officers in the process of institutionalizing and rehabilitation programs.

All the participants mentioned about the officers who are responsible for the juvenile offender's rehabilitation programs and their duties. Probationary care officers play a major role in this field. They have to do a case study and make a probation report (social report) about the child offender. Based on the social report, the court decides whether to institutionalize the child or not. If the child is not institutionalized, he or she is settled back with the participants mentioned about the officers who are responsible for the juvenile offender's rehabilitation programs and their duties. Probationary care officers play a major role in this field. They have to do a case study and make a probation report (social report) about the child offender. Based on the social report, the court decides whether to institutionalize the child or not. If the child is not institutionalized, he or she is settled back with the family or will be settled with a suitable guardian. Institutionalizing a child is the final option in the absence of a safe family environment or a guardian. This step is taken to ensure the highest security and for the betterment of the child. This whole process happens when the child offender is housed in a remand home for a period of maximum one month. A personal profile for each juvenile delinquent should be maintained by the task assigned probation officer in order to report the court about the improvements or any other behavioral

change of the child. The probation officer has the responsibility about the reintegration process of the child offender. The Child Rights Promotion Officers (CRPO) have the same amount of responsibility as the probation officer in the reintegration process. This process continues during the period of child's stay in the institution assigned by the court.

*Theme 4:* Impact due to lack of social acceptance for the rehabilitated child.

Every participant mentioned that there is no positive social acceptance from the society for the reintegrated children. This condition directly affects the mentality of the children. All the participants highlighted the point that the society should also be educated on how to deal with a rehabilitated child as the social support and the acceptance is poor for these children in the present society. Before reintegrating the child, the probation officer has the responsibility to examine the situation of the family background and the environment where the child is being reintegrated.

*Theme 5:* Assessment of the overall development of the juvenile offender after the rehabilitation process.

Before socializing the child, there should be a suitable process to identify whether the child has achieved an improvement from the rehabilitation program or whether there is a requirement to keep that child in correctional process. When we were conducting the interview with the Assistant Commissioner, she clearly mentioned that there are special methods to measure the correctional process such as discussion sessions and questionnaires.

## **Findings**

We generated some findings after analysing the data according the method as discussed above.

### Theme 1: Prevailing intervention programs for rehabilitation.

The most important aspect which was examined during the interviews and informal discussions was the prevailing intervention programs for rehabilitation. The existing rehabilitation programs include mental and skills development programs which was said during the informal discussion with the probation officer. Since the education is provided for a selected group of children in the school located nearby the institution, vocational training is facilitated for all the juvenile offenders as a support and guidance for their future career. Different kinds of programs, events and competitions like children's day celebrations, Independence Day ceremonies are organized by department of probation and child care where the opportunity is given for the children to participate in them.

### Theme 2: Impact of issues in probationary care centers and programs.

This theme elaborates the prevailing issues in the probationary care centers and the rehabilitation programs which have a negative effect on the effectiveness of the rehabilitation programs. Lack of space and equipments, unfavorable physical environment which disturbs for setting up a peaceful and calm mind can be identified as one of the major issues existing in the institutions. There is an absence in individual counselling treatment programs due to issues like lack of mentors and psychologists in these institutions.

### Theme 3: Involvement and duties of probationary care officers in the process of institutionalizing and rehabilitation programs.

Probation officer plays a major role not only prior the institutionalizing process but also even after institutionalizing the juvenile offender. A Case study is conducted which examines all the

information about the nature of the offense, background of the offense and social background of the offender. It follows these steps: investigation, observation, conclusion and recommendation in compiling the case study report. The court gives the decision based on the case study report submitted by the probation officer, so the probation officer has all the responsibilities on deciding the future of the juvenile offender. The personal profile document which is maintained for each of the juvenile offender includes all the information such as the behavioral skills, improvements, achievements, career skills development during his or her stay in the institution. Child Rights Protection Officers (CRPO) have assigned with the duties to facilitate the children with a school which is located near by the institution during the rehabilitation period and after the children are reintegrated, CRPO should find a proper school and guide the rehabilitated child in order to achieve the educational goals.

### Theme 4: Impact due to lack of social acceptance for the rehabilitated child.

Reintegration is an important aspect for the delinquents to overcome various social and psychological problems as there is a higher tendency to drag them back to the same situation prior the rehabilitation. When a child is reintegrated, the major problem which they have to encounter is, being illtreated by the majority of the society who holds a negative perspective which will adversely affect the rehabilitated child. Lack of social awareness regarding the juvenile delinquency issue implies a higher threat of pushing the rehabilitated child back to the same position, so it is much necessary to aware the family and other closed ones on how to deal with these rehabilitated children. Living in a controlled environment for a particular time in an institution and once the children are reintegrated, the necessary support

and guidance should be given by the society. In the current society, lack of social support has affected for repetitive unacceptable behaviors and activities for these children.

Theme 5: Assessment of the overall development of the juvenile offender after the rehabilitation process.

As the methods of evaluating the rehabilitation programs, different steps and methods are followed at the institutional level. Basically, discussion sessions with the children and questionnaires filled by them are used as the methods to evaluate the efficiency and the success of rehabilitation program. The personal profile documentation which is continued throughout the institutionalized period is used as another method to evaluate the rehabilitation programs as it includes all the improvements or failures of a juvenile delinquent during the rehabilitation

## **Conclusion**

Primary research was carried out to collect data related to the rehabilitation programs and five themes emerged out of the information. This study revealed that there are certain loopholes in the existing rehabilitation programs and the juvenile justice law should be revised in order to develop the system.

### *A. Limitations*

This research is related to strictly bounded legal background and procedures and researchers had to encounter with some limitations which were really difficult to deal with. The main challenge which had a direct influence on the findings of the study was the legal restrictions to meet and discuss with the juvenile delinquents housed in the certified schools and remand homes. The information related to the administration of juvenile delinquents was addressed through the interview

conducted, but not any information related to the personal experiences of juvenile delinquents.

### *B. Recommendations and Suggestions*

In the steps which are followed after identifying a child who is in conflict with law or in contact with law, the court and the police procedures should be child friendly where they do not disturb the child mentality. Under the rehabilitation programs conducted in the Probation care centers, educational facilities are provided for a selected group of juvenile delinquents and they are sent to the nearest school for the institutions. In any case, where it is unable to send the child to an outside school, there should be a proper educational system operating inside the institutions in order to continue the academic studies. Professional and well experienced counsellors and psychologists should be employed to get an in depth understanding of individual juvenile offenders. Matrons and other residential staff who spend more time with juvenile delinquents can be trained under the professional counsellors and psychologists. "Family care unit" can be established for each probation care center to increase awareness and creating a favorable family background and the social environment where the child is reintegrated after the Rehabilitation period. The "family care units" should maintain continuous monitoring programs, assessment and awareness programs with the society. "Care service programs" for the ex-juvenile offenders as an after care system should be established. Opportunities for physical activities, games, and sports can be given as an effective method to control arrogant and aggressive behavior. Rules related to these games and sports can be used to educate the children about how to adhere the law, rules and regulations, on the other hand such types of activities can be used as a platform to develop personal qualities like



coordination, unity, co-operation and leadership. Various products which are manufactured from the practical and academic knowledge which they have gained, can be sold at a reasonable price or they can be given employment opportunities under well monitored background to earn an extra income. Police stations should be made more child friendly and staffed with at least one female plain clothed officer who is adequately trained in child protection. The provincial department of probation and child care services in collaboration with the health department, should establish a screening center in every province to assess psychological, social and educational needs of the child. The current legal system regarding juvenile justice should be revised as the law relating juvenile delinquency and justice are outdated comparing to the present social context. Token economy system is a behavior modification technique based on operant conditioning which can be employed in the rehabilitation process where tokens are exchanged. A punishment can be removed as a token of appreciation too.

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## POSTER PRESENTATIONS

