



AN ANALYSIS OF AN EFFECTIVE AND REGULATED REHABILITATION POLICY FOR FEMALE PRISONERS IN SRI LANKA: CASE STUDY OF WELIKADA PRISON

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Abstract

The Main Objective of the research is to analyze and evaluate the rehabilitation policy and practice for female prisoners in Sri Lanka and identify how they could be more effective and address existing loopholes in the current system. Although Sri Lanka did have a prison rehabilitation system all this while, it is important to find why the number of prisoners in Sri Lanka is on the rise, and this research has its base set on this research problem. Both primary data and secondary data were used in this study. The Welikada Prison was found to be the main research institute for this study. The primary data collection method for this study was a semi-structured interview. purposive sampling method was used for this study. Reports, statistics, research articles, and books published by the Department of Prisons as well as other theoretical and evidence-based research work published on this theme were used as secondary data for the research study. Inadequate rehabilitation for short-term prisoners, Funding Issues, Technological issues, Incarceration of innocent individuals, Lack of Resources for Mental Health Programmes and Counselling, Lack of Rehabilitation Officers, and Incomplete Follow-up Actions are the found main findings of the research

Keywords: *gender, human rights, prison study, rehabilitation*

Introduction

A prison is an institution that isolates individuals from society, particularly individuals who are found to have violated laws. This holds prominence in the area of the criminal justice administration process. Convicted offenders are sent to prisons in order to rehabilitate them. The concept of rehabilitation is that it is a process that gives a person a complete changeover (in his behavior and thought process) and recovers him/her in society. The prime motive of a perfect rehabilitation system must be to create a safer society where both the number of crimes and the number of prisoners in the country are reduced. Sri Lanka had a rehabilitation system introduced for prisoners by the year 1910. The British introduced the concept of rehabilitation of prisoners. (Muthukuda, 2010). Accordingly, this research focuses on the effectiveness of the rehabilitation system for female prisoners in Sri Lanka. As per the report titled *Prisons Reforms: Five Year Plan (2021-2025)*, by mid-2019, the total number of female prisoners in Sri Lanka amounts to 5.06% of the entire prisoners population. Further, this report elaborates that although the number of female prisoners in the whole world is low compared to the number of male prisoners, it has been growing in recent years. It is also stated in this report that prison authorities have often neglected female prisons due to the number of female prisoners being comparatively lower. The



highest number of female prisoners in Sri Lanka is recorded from Welikada prison. Thus, this research has chosen Welikada prison as the case study of it.

Research Problem

In the context of Sri Lanka, the crime rate increases annually, and similarly, the number of prisoners is also increasing.

Table 1: Prison Statistics of Sri Lanka, 2020)

Year	Male Prisoners (Convicted and Un-Convicted)	Female Prisoners (Convicted and Un-Convicted)
2015	106,828	6,817
2016	111,894	6,821
2017	116,053	5,816
2018	126,809	6,306
2019	137,923	6,566

Source: Prison Statistics of Sri Lanka, 2020

Further to this, it is observed that a good percentage (2019 first offenders: 55.2% and 2019 recidivist: 18.0% reconvicted: 26.8%), (Prison Statistics of Sri Lanka, 2020) of prisoners return to prison within a short span of time upon their release, for the same offence or a different offence committed. This observation applies to female prisoners too. If the rehabilitation system for Sri Lankan prisoners is consistent and efficient, both the number of prisoners and the crime rate can be reduced. It is important to find the connection between the increased number of prisoners and the nature and impact of the rehabilitation system. Although Sri Lanka did have a prison rehabilitation system all this while, it is important to find as to why the number of prisoners in Sri Lanka is on the rise, and this research has its base set on the above research problem. The main objective of the research is to analyze and evaluate the rehabilitation policy and practice for female prisoners in Sri Lanka and identify how they could be more effective and address existing loopholes in the current system. The sub-objective of this research is to find out the reasons behind the irregular implementation of the rehabilitation process for female prisoners in Sri Lanka. Based on the findings, the study hopes to make suitable recommendations to form an effective and well-regulated female prisoner rehabilitation process that provides rehabilitation for female prisoners.

Research Questions

1. What are the fundamental issues existing in the current rehabilitation system that affect female prisoners in Sri Lanka?



2. What are the major causes for the fundamental issues and its impact and challenges to female prisoners in Sri Lanka?
3. What are the possible recommendations for an effective and regulated rehabilitation policy for female prisoners in Sri Lanka?

Literature Review

International Standards on Rehabilitation for Prisoners

“The UN Special Rapporteur on the right to education has pointed to the lack of research on the particular educational needs of women prisoners, noting that there is, in particular, little attention paid to the number of women with learning difficulties in detention, with the majority of research focused on male prisoners” (Guide to the rehabilitation and social reintegration of women prisoners: Implementation of the Bangkok Rules, 2019). In connection to this research topic, when referring to the internationally acclaimed, taught, and proposed Rehabilitation Regulations and Standards for Female Prisoners, it suggests that it could be incorporated into the Sri Lankan context as well. Most importantly, it is noted in the internationally acclaimed guide on “The Rehabilitation and Social Reintegration of Women Prisoners: Implementation of the Bangkok Rules” (2019). The Bangkok Rule 29 states that in order to successfully carry out and properly administer rehabilitation facilities for female prisoners, it is vital to provide training to the staff involved in such activities. Moreover, Rule 40 mentions the need to ensure planning and implementation for the early stages of rehabilitation of female prisoners and also their reintegration into society after their release.

In terms of the Nelson Mandela Rules, prisoners should always be treated as human beings and they should be treated in prison in a way that does not harm their dignity or value. Further, they must also be offered proper rehabilitation programmes in prison. Rehabilitation programmes during both the duration of their imprisonment and after the release will make a positive difference in the lives of the prisoners and of their families. When comparing such international standards to Sri Lankan rehabilitation programmes, doubts arise about whether such standards have been integrated into the Sri Lankan rehabilitation system. It is important that Sri Lanka too incorporates such international standards and properly implements them. This research is based on the above.

The next important international standard is the Doha Declaration. The Doha Declaration, adopted in 2015 at the 13th UN Congress on Crime Prevention and Criminal Justice, called for the integration of crime prevention and criminal justice into the wider agenda of the UN – acknowledging that sustainable development and the rule of law are closely interrelated and mutually reinforcing. Within the framework of the Global Programme for the Implementation of the Doha Declaration and its pillar on fair, humane and effective criminal justice systems, UNODC supports Member States in establishing a more rehabilitative approach to prison management (The Doha Declaration). International standards include



the Nelson Mandela Rules, of which UNODC is the guardian, stipulating that imprisonment should not be limited to the deprivation of liberty, but that it should be a time for the re-education of prisoners. The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) has also pointed out that women deprived of their liberty should have the same possibility of meaningful work as men (CPT standards, 2010). It has been stated that, according to this standard, it is also vital for female prisoners to have rehabilitation activities (work, training, education, sports) that are equally meaningful as those of males. In scrutinizing the majority of the rehabilitation activities, it can be observed that female prisoners are given training relating to tailoring or the likes of handicrafts, while male prisoners are given training of a more vocational nature (The CPT Standards, 2010, page 94, paragraph 24).

Comparative Experience of International Prison Systems

A 2012 study of female prisoners in South Africa stated that female prisoners were affected very much by the lack of education and employment in prisons. The main reason for this is that most of the investment in education and training goes to the rehabilitation of male prisoners. There is no allocation for rehabilitation activities of female prisoners. Thus, according to researchers, women are lagging behind men in accessing rehabilitation methods (Discrimination of women in criminal justice systems, 2012). Norway has the most successful rehabilitation system when considering rehabilitation systems across the world (Christina Sterbenz, 2014). Norway Halden Prison's director, said: "Every inmate in Norwegian prison is going back to society. Do you want people who are angry - or people who are rehabilitated? "

As Bastoy prison (Norway) governor Arne Wilson (2014), who is also a clinical psychologist, explained to The Guardian: "In closed prisons we keep them locked up for some years and then let them back out, not having had any real responsibility for working or cooking. In the law, being sent to prison has nothing to do with putting you in a terrible prison to make you suffer. The punishment is that you lose your freedom. If we treat people like animals when they are in prison, they are likely to behave like animals. Here we pay attention to you as human beings" (Arne Wilson 2014). The rehabilitation methods developed for prisoners in Norway and the methods used to treat them are found to be very humane. Further, Norway has a policy of one prisoner per cell. All prisons in Norway have educational activities, drug treatment, mental health, and training programs. There are many benefits the reason that rehabilitation procedures in this country apply to prisoners not only while they are in prison, but even afterward they are monitored, and assistance is provided to help them survive. That is, such features help them to not commit crimes again or be imprisoned again. Due to the availability of such specialized rehabilitation systems, the Norway imprisonment, and rehabilitation system has been hailed as a worldwide success. Other countries, especially countries like Sri Lanka, can design and implement such rehabilitation systems in the future. International Covenant on Civil and Political Rights (ICCPR)



Article 10 (3) describes as the “reformation and social rehabilitation” of prisoners, they will need to base the activities in the prison on giving prisoners the resources and skills they need to live well outside prison.

Theories on Rehabilitation Systems for Prisoners

The “Risk-Need-Responsivity” Model (Lee Sechrest, 1990) theory will be used as the main theoretical background reading for this research. This theory was created based on research conducted by Canadian researchers. This is seen as a theory that expands the ideology of rehabilitation in many prison institutions. This concept operates on the basis of 3 key features namely, Assess Risk, identify ‘criminogenic Need’ (that is, find the risk factors associated with past offending, and make them the focus of ‘treatment’), Treat need in a manner that is Responsive to the individual’s characteristics (e.g., learning style) (Lee Sechrest, 1990). In view of this concept, it is stated that the rehabilitation of prisoners is important and along such lines, it is considered best to know their needs and provide appropriate rehabilitation treatments accordingly. Furthermore, criminals can be provided with learning activities and behavior-related rehabilitation methods which can enhance their potential. This concept has been used in this study since it assists in making practical reformatory decisions on organising and delivering rehabilitation programs. “What Works?” approach theory by Robert Martinson (1974) is another important background reading. “What Works?” approach particularly criticizes the rehabilitation systems for prisoners. Although this theory of his was criticized internationally lately, the readings on his work will certainly add value.

Contemporary Literature

According to the research titled “Rehabilitation and Reintegration Needs of Female Inmates and Promotion Mental Health in Georgian Prison” by Nana Zavrashvili quotes WHO’s statement ‘Prison is basically a man’s world designed for men’s needs. The small numbers of imprisoned women mean that there are fewer prisons for them, resulting in women often being imprisoned further away from their homes. This causes difficulties for the woman in maintaining her family ties and is especially a problem if she has dependent children. Many imprisoned women are mothers and usually have primary or sole careers for their children (WHO, 2009).

Sri Lankan Studies of Rehabilitation for Female Prisoners

Research conducted by the Human Rights Commission of Sri Lanka 2018 mentions the status of prisons in Sri Lanka and the rehabilitation of prisoners. The research aims to identify fundamental issues affecting the human rights of prisoners in Sri Lanka. According to the Human Rights Commission of Sri Lanka’s report, not individualization of rehabilitation is one of the main shortcomings of the penal system in Sri Lanka. In the Sri Lankan, penal system prisoners are not assessed to ascertain their personal skill set, preferences, or former professions and thereafter assigned to a suitable rehabilitation



program. It is also stated that female prisoners in Sri Lankan prisons are involved only in very limited rehabilitation activities (HRC 2020). They are not given any opportunities in prison to engage in industrial work but are only given work such as cleaning the place and sewing. The report further states that if female prisoners are not just given such work but also activities that are commensurate with their abilities, it will be very helpful for them and their future after their release from prison (HRC Report, 2020). Research conducted by Muthukuda (2010) under the topic “Effective Prison Rehabilitation System: Special Reference to Sri Lanka” highlights the rehabilitation system of Sri Lanka and its problems. Further, this research also states that a healthy relationship between prisoners and prison authorities will pave the way for a better rehabilitation process. Also, it further recommends that, prisons in Sri Lanka have to be upgraded to international standards, that legal assistance needs to be provided to prisoners, and prisoners need to be separated and categorized according to the severity of the crimes they have committed while creating a rehabilitation method that would make living standards better for a person upon the release from prison. According to an article published on the Aljazeera web page titled Sri Lanka jails “hell” for women (2011), the fundamental problems of female prisoners in Welikada Prison, Sri Lanka, human rights violations, and the weaknesses of the rehabilitation process were discussed. It has been stated that in the case of Welikada Prison, female prisoners wake up in the morning, take a bath, eat and go back to sleep, repeat the same daily routine, and no effort is made to carry out rehabilitation activities. It has also been reported that women waste time in prison, the Welikada women's section is congested, and lacks basic facilities such as sanitation and toilets.

Methodology

Both primary data and secondary data were used in this study. The Welikada Prison was found to be the main research institute for this study, and due to the prevalence of the Covid - 19 outbreak affecting the Welikada Prison and the inmates, permission was not obtained from the prison to visit directly. The process of interviewing female prisoners in particular was completely dropped. The main data collection method for this study was a semi-structured interview. Therefore, the study was conducted through telephone conversations due to such factors. The qualitative method was used in this study to analyze the data collected by the researcher in a non-numerical manner because the qualitative method can be relevant and systematic for factors such as lead to hypothesis-testing. In this study, the qualitative method was found to be very useful in better understanding of how rehabilitation methods for women in Sri Lankan prisons are found, the reasons for their improper implementation, their policies and perspectives, and attitudes.

A purposive sampling method was used for this study. The researcher used the purposive sampling method, which was helpful in selecting and interviewing the individuals with knowledge and clarity about the topic of the study. Accordingly, information for this study was obtained from the officers of the Rehabilitation Division of the Department of Prisons (Assistant Superintendent and Rehabilitation



officer), the officers working in the Women's Section of the Welikada Prison (Warden) and the officers and Lawyers of the Rehabilitation Division of the State Ministry of Prison Reforms and Prisoners' Rehabilitation. From the above-mentioned categories altogether, there are 18 people interviewed for this research. And these participants were aged 30-55 years. Female inmates at Welikada Prison were unable to be interviewed due to a COVID-19 situation. No differences such as race, religion, language, gender, educational status, and region were considered in the study's selection.

Primary data and secondary data were used for this study. Data were obtained from semi-structured interviews in this study with respect to primary data. Since all the interviews were conducted over the phone and because the participants were senior officers who specialized in the subject, and also considering their busy schedule, the data collection method was helpful for the researcher to obtain data and this method was found to be more effective than other data collection methods for the participants to express their thoughts openly. As well as focusing not only on the questions prepared by the researcher but also on the participants' opinions, this method was helpful to ask many new questions, encourage two-way communication, and learn new things. Reports, statistics, research articles, and books published by the Department of Prisons as well as other theoretical and evidence-based research work published on this theme were used as secondary data for the research study. The hypothesis for this research aims to highlight that Sri Lanka's Rehabilitation policy has not created a positive impact/change in the lives of female prisoners.

Results and Discussions

Rehabilitation Mechanisms for Female Prisoners in Welikada Prison

The prison department has now identified the need to establish rehabilitation centers rather than having more prisons. Prisons do not offer much help when it comes to transitioning back into life outside. But the rehabilitation centers offer powerful vocational development programs. Here prisoners have access to help with issues related to finding and obtaining employment. Most of the rehabilitation methods such as spiritual counseling, therapies, and educational programs are held for both male and female prisoners. Based on requirements, these programs are held separately for male and female prisoners. Compared to female prisoners, male prisoners have a wide variety of vocational training; Masonry, Carpentry, Electrical wiring, Plumbing, House wiring, quarry work, and baking industry are to name a few (issue of training programs) (Ekanayake & Maduwanthi 2021). On the other hand, female prisoners are engaging in sewing, beauty culture, garments, and weaving (Ekanayake & Maduwanthi 2021). This indicates that there is gender-based vocational training prevalent in the system.

Female Prisoners in Welikada Prison and the Use of Rehabilitation Mechanism

Welikada Prison is the place where most of the Female prisoners reside, serving their sentences.



Table 2: Female Prisoners in Welikada Prison

Prison Name	No. of female prisoners
Welikada Prison	329
Mahara Prison	
Bogambara Prison	53
Jaffna Remand Prison	05

Source: Prison Statistics of Sri Lanka, 2020

In comparison to other prison institutions reserved for females, Welikada prison has the highest capacity and the necessary facilities. Despite the fact that being a primary facility, the provision of feminine hygiene products is at a lower rate. Moreover, some hygiene facilities are not supplied by the prison but rather by the families (Fonseka 2019). In terms of the rehabilitation process, similar to any other penal institution, it provides work in the prison, vocational training, therapy, spiritual counseling etc. Generally, there are common rehabilitation mechanisms for females and males. Though not in diverse ways as available in western countries, it uses all five forms of rehabilitation techniques (namely social, religious, educational, health, and economic) in somewhat limited ways. Activities implemented under each of the above categories are listed below:

Social techniques

Inmates are allowed to contact family members by sending letters when required. Further, family members are allowed to visit the inmates at the prison premises in a restricted manner. This is with regard to the principle mentioned that with the participation and help of the community and social institutions, and with due regard to the interests of victims, favourable conditions shall be created for the reintegration of the ex-prisoner into society under the best possible conditions (Basic Principles for the Treatment of Prisoners, 1990). As mentioned by the Prison Department, Further, home leave lasting for 7, 10, and 14 days is granted to inmates after considering the nature of positive changes in their behaviour and the scheduled release date.

Religious techniques

There is spiritual counseling (bana and other religious counseling). This is with regard to respect for the religious beliefs and cultural precepts of the group to which prisoners belong, whenever local conditions require (Basic Principles for the Treatment of Prisoners, 1990). For instance, there was a Dhamma program called “Sati Pasala” carried out by Viyathmaga for prison inmates (State Ministry of Prison Reforms and Prisoners’ Rehabilitation 2020). According to the religion of the female prisoner, spiritual counselling will be conducted.



Educational techniques

There is a fairly good library dedicated for prisoners. This is with regard to the basic principle that all prisoners shall have the right to participate in cultural activities and education aimed at fully developing the human personality (Basic Principles for the Treatment of Prisoners, 1990). They have the chance to learn from the books provided in the library; not to mention, they are allowed to showcase their creativity through painting, letting them display it at their cultural event (State Ministry of Prison Reforms and Prisoners' Rehabilitation 2020).

Health techniques

This is with regard to the principle that prisoners shall have access to the health services available in the country without discrimination on the grounds of their legal situation. Apart from having medical doctors to attend to the health care needs of inmates, there is a Prison Hospital to get residential treatments for necessary needs (State Ministry of Prison Reforms and Prisoners' Rehabilitation 2020).

Economic techniques

This is with regard to the principle that conditions shall be created enabling prisoners to undertake meaningful remunerated employment which will facilitate their reintegration into the country's labour market and permit them to contribute to their own financial support and to that of their families (Basic Principles for the Treatment of Prisoners, 1990). Under this category, inmates are allowed to participate in vocational training programs in several selected fields. Vocational training allocated for female prisoners are gender-specific programs conducted in every other prison institution in Sri Lanka (Ekanayake & Maduwanthi 2021).

Fundamental Rehabilitation Issues Affecting Female Prisoners

Inadequate rehabilitation for short-term prisoners

Female prisoners come to prison for many crimes. However, the length of their imprisonment varies according to the nature of their crimes. Some are released from prison in a short period of time. Some are serving long prison terms. In such a situation the rate of participation of prisoners in short-term imprisonment in rehabilitation activities is very, very low. Inmates who are released from prison after a shorter period are more likely to be imprisoned for the same offenses than those who serve longer sentences. *“For example, female prisoners arrested for prostitution are fined just 100 rupees, so they come and pay for it quickly and return to the same community and the same profession. They spend their time in prison for a very short time. Such prisoners come back to jail for the same crimes. In most cases, they do not engage in rehabilitation activities. The reason is that the process of getting them out of jail is very easy. Thus, they are imprisoned for a very short period of time and days. They are not included in the complete rehabilitation process. Although rehabilitation systems in Sri Lanka are designed to bring about a new change in the lives of prisoners, they are not properly implemented for*



prisoners due to the very weak legal systems and regulations found in Sri Lanka. This will not make any difference in their lives and it is unfortunate that they will repeat the same crime. It should be noted that there is no proper plan to provide rehabilitation for prisoners serving short terms in Sri Lanka” (Assistant Superintendent of Prisons, Rehabilitation, Department of Prisons, 2021)

Given the above, the rehabilitation measures for prisoners in Sri Lanka are not being properly provided. Compulsory rehabilitation activities should also be provided to those who have been imprisoned for short periods. Their inadequacy has led to their re-incarceration and overcrowding in prisons.

Funding Issues

Another major problem in the implementation of rehabilitation measures is the lack of funding. It was learned that the main obstacle was the lack of funds provided to the prisons to organize and implement rehabilitation programs. The study found that funding for prison activities, which the government mainly handles, is extremely low. *“The budget of the Sri Lankan government allocates less for prison interests and activities than for any other sector. This is because there is no profit for the government from prisons. On the contrary, profits are available in many other fields. But prisons only result in expenditure for the government. That is, the government only incurs costs due to a number of factors, such as staff salaries, rehabilitation measures, and inmate costs. It results in a low budget. It is very difficult to fully implement rehabilitation activities with the limited funds allocated by the government”* (Rehabilitation Officer, Department of Prisons, 2021).

The study also noted that they seek help from both private and non-governmental organizations because of the above problems. *“For example, during the period in which Covid-19 pandemic was prevalent, even basic necessities such as masks and sanitary pads were not available to female prisoners in Welikada prison. Thus, we received assistance from NGOs. Assistance was obtained mainly through the Prisoners Welfare Association in Welikada Prison. It is not surprising that rehabilitation procedures are not being carried out properly when even the basic needs of prisoners are not being met”* (Welikada Prison Women's Section Officer, 2021). Prison offices and rehabilitation centers in particular are found to be without proper maintenance. Not enough funds have been found to rectify this. Further educational activities are very important for the future of the prisoners. It has been noted, however, that prison systems do not have the resources and funds to run them continuously.

Technological issues

As Sri Lanka is a developing country, technological development (the overall process of invention, innovation, and diffusion of technology or processes) may be more prevalent only in certain sectors. Technical facilities and their development are limited in Sri Lanka when looking at prison structures (Ex: the architecture of the prison, rehabilitation process, and documentation). *“Rehabilitation activities*



in Sri Lankan prisons, regardless of whether they are male or female, are seen as archaic. Technology-based information is rarely provided to prisoners. There are no technical facilities or funding provided. In some cases, such training is provided to female prisoners with the assistance of private companies or NGOs. But they will be discontinued once funding is over and will not be resumed.” (Rehabilitation Officer, Department of Prisons, 2021). *Another important issue for Sri Lanka is the lack of technical facilities or methods to properly generate reports, statistics, and records on rehabilitation and prison affairs. To date, such matters have been only documented and not computerized. There is a need for further development of such important evidence-recording systems in Sri Lanka. Due to such factors, the rehabilitation activities in Sri Lanka, unlike other countries, have stuck to the same old methods without any modern technological development”* (Welikada Prison Women's Section Officer, 2021).

Technological development is an important part of a country's sustainable development. As mentioned above, statistical information on rehabilitation activities in prisons (e.g., how many prisoners were rehabilitated in which year? How many were not rehabilitated?) is needed for the future. Not only is there a challenge in providing rehabilitation but it is also important to document that. However, the documentation is also weak. Sri Lanka does not pay sufficient attention even in such basic matters.

Incarceration of innocent individuals

There are problems in Sri Lanka as to whether there is proper Evaluation and Monitoring, especially in the rehabilitation system for prisoners. It is noteworthy that in some cases it was found during the study that rehabilitation activities were taking place for persons other than those involved in the crimes. *“If you take some prisoners in Sri Lankan prisons, they are not really the ones who committed the crime. Rather, some accept imprisonment instead of the perpetrator for many factors such as family poverty and unemployment. He pleads guilty and goes to jail because the perpetrator meets his needs. This is especially the case for women who plead guilty to imprisonment for their husbands, family and children. Most prisoners come for crimes such as drug use and trafficking. Rehabilitation measures are provided to the inmates instead of the actual offenders. There is no use in this. In fact, the perpetrators live by committing the same crimes outside. It is a matter of concern that we are not in a position to take any action in this regard. This is the state in Sri Lanka.”* (Welikada Prison Women's Section Officer, 2021). In connection with Robert Martinson's (What Works) theory of above, it seems appropriate to examine the evidence of the Sri Lankan rehabilitation process and conclude that "nothing works". Problems in the law, lack of proper assessment of rehabilitation, and weakness are the main reasons for this.

Lack of Resources for Mental Health Programmes and Counselling

According to Robert Martinson's 1974 "What Works" Theory and the "Risk-Need-Responsivity" Model (Lee Sechrest, 1990) theory, during rehabilitation, it is important to identify the factors related to the crimes committed by the prisoners in their past and provide them with the necessary counseling and



treatment. When these theoretical factors were compared in relation to the Sri Lankan context, it came to light that there are issues in providing psychological treatment to prisoners. *“Prisoners in Sri Lankan prisons should be given psychological treatment. Although vocational training and education are provided through rehabilitation, psychological change is essential for them. However, there are no doctors or specialists for mental health and counseling in Sri Lankan prisons. For such activities, we bring in experts from outside agencies (AG Office and NGOs) to provide mental health and counseling to prisoners. This is not enough. There should be a doctor as a compulsory employee in every prison. Psychology, especially for inmates incarcerated due to overuse of drugs in Sri Lankan prisons; If the treatment is not given properly, there will be no change in their lives”* (Assistant Superintendent of Prisons (Rehabilitation), Department of Prisons, 2021).

“Rehabilitation officers are given training in counseling. They are given training but they do not do it completely to the prisoners. This is because the field is not suitable for them. We have to say that there is no point in such alternatives without hiring doctors and professionals” (Rehabilitation Officer, Department of Prisons, 2021). In view of the above, Mental health treatments for inmates are very weak in Sri Lanka. In particular there is no mechanism for doctors or specialists to be permanent staff in prisons. Only through psychological change can a possible change be made in the future lives of prisoners. Otherwise, there is an increased risk of them committing crimes again. Especially in Sri Lanka, such factors are a major reason for Recidivism (HRC Report 2020).

Lack of Rehabilitation Officers

The study also found that there is a shortage of rehabilitation and related staff in Sri Lankan prisons. The absence of suitable officers due to the large number of prison duties is an impediment to the full implementation of the rehabilitation process. *“Especially Welikada prison has a large number of inmates. The workload is high as well. Officers are required to carry out rehabilitation activities. Although some vacancies have been found for staff for rehabilitation and other work in the prison, those vacancies have not yet been filled. Such matters are an impediment to the proper and systematic conduct of rehabilitation activities”* (Welikada Prison Women's Section Officer, 2021). The main problem is the lack of adequate staff to carry out rehabilitation activities properly. Even pending vacancies are not filled. Crime reduction in society is essential. Importantly, prisons should be reduced. Such a situation will bring about a positive change in the society. However, the lack of adequate manpower is a major obstacle in the implementation of rehabilitation activities.

Incomplete Follow-up Actions

One of the main objectives of prison rehabilitation activities is to impart educational knowledge to the inmates and provide them with suitable career opportunities. Prisoners can go to the community once they are released and set up their future in the right way if they are given proper rehabilitation and



training during their time in prison. Rehabilitation activities for female prisoners in Sri Lanka are designed and only provided during their stay in prison. The crimes are higher when the same persons come back to prison for the same crimes. It was discovered during this study that it was not designed to reduce recidivism. *“It has been 16 years since I came to serve in the women's section of Welikada Prison. I have been involved in a number of rehabilitation activities. However, it must be said that there has been no change so far in the rehabilitation process and its progress for Sri Lankan prisoners. I see the stagnant situation to this day as it was when I started this work. This is very worrying”* (Welikada Prison Women's Section Officer, 2021).

According to the ‘Risk-Need-Responsivity’ model (Lee Sechrest, 1990) theory, it is necessary to formulate recommendations for how prisoners should be assessed and treated based on their needs. It is questionable whether such ideologies are being followed in the rehabilitation system for prisoners found in Sri Lanka. *“Female prisoners are coming to jail for many crimes. Even if they are given rehabilitation measures, once they are released, they go back to the community they already lived in and the profession they did. They commit the same crime and occupation whether they like it or not due to many factors such as family poverty, child welfare, domestic violence, cultural status, lack of other occupations, illiteracy and social stigma. Prisoners cannot be fully blamed for such activities. Rehabilitation activities will not be followed up after their release from prison. Those activities end with imprisonment. There is no rehabilitation mechanism to monitor them afterwards.”* (Rehabilitation Officer, Department of Prisons, 2021).

“Periodic rehabilitation activities are followed up only for prisoners released under the License Scheme and Home Leave category. But no other prisoner has that activity. No after care programs for them. We have repeatedly proposed to the government that rehabilitation activities be followed-up and monitored. But so far, no action has been taken. There is no point in rehabilitating only in prison. Compulsory employment opportunities for prisoners after their release must also be incorporated into the rehabilitation process” (Assistant Superintendent of Prisons (Rehabilitation), Department of Prisons, 2021). Overcrowding is seen in prisons in Sri Lanka. Thus, even the basic needs of the prisoners are not being met. Rights are violated (HRC Report, 2020). Even such issues are seen as underlying the lack of proper implementation of rehabilitation and the lack of proper monitoring measures after the release of prisoners. These are interconnected factors like a chain. *“We provide a number of vocational trainings through prison rehabilitation activities. For example, we know that industries such as welding and wiring remain unemployed for many years after the release of well - known prisoners. Career opportunities are provided to a few through the Prisoners Welfare Association. However, the community does not accept prisoners. It is essential to change the Sri Lankan society and their attitude”* (Rehabilitation Officer, Department of Prisons, 2021).



There have been a number of changes in the lives of prisoners following rehabilitation activities in relation to other countries. Prisons have been closed due to special rehabilitation measures. Crimes have been reduced. But in view of the situation in Sri Lanka, it must be said that despite the rehabilitation activities, they do not greatly support the future of the prisoners.

Conclusion

There are many reasons for crimes to take place in society. People commit some crimes to seek revenge. Some crimes take place due to various circumstances. Thus, due to many factors, crimes take place and people are imprisoned as a result. The maximum punishment that could be given to a prisoner is isolating them in a place without any contact with society. It is very important that prisoners are also treated as normal human beings. Their rights must also be protected. Therefore, the rehabilitation process is an important right given to prisoners while serving their time in prison. This is something that not only benefits them but also their family and the society at large too, upon their release. If rehabilitation for prisoners is systematic and more beneficial, a positive change can undoubtedly be expected in their future lives.

This research explored issues related to the rehabilitation of female prisoners in Sri Lanka and the problems encountered in implementing such rehabilitation methods. This study found that shortcomings in rehabilitation and the lack of proper monitoring and evaluation during its implementation are key factors contributing to this. In Sri Lanka, one cannot say that rehabilitation of female prisoners does not exist. In fact, a variety of rehabilitation methods are in place. Programs on vocational training, counseling, spiritual counseling, mental health programs, educational programs, sewing, beauty culture, garments, and weaving are examples of such rehabilitation arrangements. Female prisoners take part in them. Nonetheless, problems exist as to whether they are fully and correctly delivered. In the Sri Lankan context, issues and challenges such as lack of adequate funding, lack of technical facilities, lack of resources for mental health programs and counseling, inadequate rehabilitation for short-term prisoners, lack of rehabilitation officers, incarceration of innocent individuals, incomplete follow-up actions are in place in the rehabilitation of prisoners. In summary of the findings of this study, it must be noted that prisons are one of the main social institutions that need to be constantly monitored in Sri Lanka. A new definition must be given to the lives of prisoners upon their release. It is necessary to prevent them from committing crimes again and coming back to prison. When prisoners are released from prison, they should have undergone positive psychological change and hope and social recognition should be provided which supports them to lead happy lives. It is also important for them to identify the right effective rehabilitation mechanisms. The lives of prisoners inside and outside of prison remain consultant and challenging. As such, there is a dire need to develop mechanisms for properly implementing rehabilitation practices in Sri Lanka.



Recommendations

Incomplete Follow-up Actions is a pressing problem within the rehabilitation system in Sri Lanka. It is important to monitor and evaluate prisoners inside the prison and around 6 months after their release. It is important to look up follow-up actions and keep a record of the rehabilitation program in the prisoner's personal file and periodically evaluate the progress and make changes, if necessary. It is recommended that Female prisoners should be given equal opportunities in the rehabilitation process. Providing equal opportunities for female prisoners as well as male prisoners in the fields of sewing, beauty culture and garments equips them with survival skills.

The current Sri Lankan rehabilitation methods for female prisoners are archaic. The rehabilitation mechanism should include practical activities that provide vocational training in trades that are effective and profitable in line with current market needs. The effort can be started by preparing a rehabilitation plan for each prisoner upon admission, after taking into consideration their social and criminal history, physical and mental capacities and aptitudes, personal temperament, the length of sentence, and prospects should be updated after release. If possible, make appointments between doctors and trainers in every prison as permanent staff, who provide mental health and counselling. Mental well-being-related issues of psychologically distressed prisoners should be treated by specialists enrolled in such rehabilitation programs and redesigning/restructuring rehabilitation programs for inmates released from prison within a short time.

This can be done by introducing policy plans to find ways in order to increase the number of funds allocated by the Government of Sri Lanka for prison activities and allocating adequate funds from the budget for the development of infrastructure facilities within prisons, in order to ensure the effective rehabilitation of prisoners and their reintegration into society. Most importantly, the process of recording statistics on the rehabilitation activities of prisoners in Sri Lankan prisons should be computerized. Rehabilitation activities should also incorporate gathering technological knowledge (IT knowledge). It can also be on developing a structured education system that provides educational opportunities tailored to different levels of prisoners and incorporate it into rehabilitation activities considering diverse religious issues related to the rehabilitation system increasing capacity to celebrate all religious ceremonies in prisons and providing equal opportunities for prisoners to participate in all cultural and ceremonial activities irrespective of race, language, and religion. In this role, the community and other civil society organizations should be involved to expand rehabilitation programs for prisoners further. The contribution of all other factions is essential rather than the government working on it alone. Improving and enhancing training programs for rehabilitation officers and recruiting qualified personnel. Providing necessary human and physical resources to the Prison Welfare Division and the Rehabilitation Division and Prison rules and departmental standing orders need to be updated to ensure that they are in way to enhance the rights of prisoners and facilitate their rehabilitation



and social reintegration. Social acceptance for prisoners after being released from prison is rare in Sri Lanka. Society often views prisoners as criminals until their death. Due to stigma, they are rarely offered employment. Such notions from society should be removed and employment opportunities must be provided to rehabilitated prisoners, and programs for such actions must be included in rehabilitation programs. Notably, partnerships should be built and maintained with public and private companies that provide employment opportunities in the rehabilitation process. Not only the State Ministry of Prison Reforms and Prisoners Rehabilitation but all other ministries in Sri Lanka should be involved in the different sections of the rehabilitation process.

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