



15TH INTERNATIONAL RESEARCH CONFERENCE

*Economic Revival, National Security, and Sustainability through
Advancement of Science, Technology, and Innovation*

29TH - 30TH SEPTEMBER 2022

CRIMINAL JUSTICE

ABSTRACTS



GENERAL SIR JOHN KOTELAWALA DEFENCE UNIVERSITY



15TH INTERNATIONAL RESEARCH CONFERENCE

**ECONOMIC REVIVAL, NATIONAL SECURITY, AND SUSTAINABILITY
THROUGH ADVANCEMENT OF SCIENCE, TECHNOLOGY, AND INNOVATION**

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ABSTRACTS



General Sir John Kotelawala Defence University

Ratmalana, Sri Lanka

This book contains the abstracts of papers presented at the Criminal Justice Session of the 15th International Research Conference of General Sir John Kotelawala Defence University, Ratmalana, Sri Lanka held on the 29th and 30th of September 2022. No part of this publication may be reproduced, stored in a retrieval system or transmitted in any form, without prior permission of General Sir John Kotelawala Defence University, Ratmalana, Sri Lanka.

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Message from the Secretary, Ministry of Defence



I am indeed delighted to pen this message whilst extending my earnest felicitations to the KDU on this significant occasion of the annual International Research Conference. At this juncture, I would also like to congratulate the Vice-Chancellor and the team for continuing the tradition of organising this conference consecutively for the 15th time, despite the numerous economic and social challenges faced by the country in the post-COVID environment.

Further to that, I am delighted to perceive that this year's conference theme; 'Economic Revival, National Security, and Sustainability through Advancement of Science, Technology, and Innovation' focuses on the National Economic Growth and National Security as core concepts, and suggests that 'economic development' and 'security' of a country should always go hand in hand. Therefore, this conference would undoubtedly become a forum for academia to discuss an area of absolute need in the development interests of our motherland.

Moreover, I am pleased to witness that KDU, under our ministerial guidance, is setting an example for all other universities in Sri Lanka in progressing research in many academic fields. I hope this year's conference will produce a significant research outcome that the policy community of Sri Lanka could utilise to support the present development drive of the country. Further, I would like to urge the conference organisers to explore the possibility of distributing the outcomes of the conference to all the relevant Ministries and Departments of the country so that said entities could link with the researchers and employ their valuable research outcomes for the benefit of the nation.

I wish that KDU IRC 2022 will enhance the wisdom of all the participants to serve Mother Lanka for a better tomorrow.

GENERAL KAMAL GUNARATNE (Retd)

WWV RWP RSP USP ndc psc MPhil
Secretary - Ministry of Defence

Message from the Keynote Speaker



It gives me immense pleasure to send this message on the occasion of the 15th International Research Conference of the General Sir John Kotelawala Defence University (KDU). I would like to congratulate KDU for being able to conduct its International Research Conference in 2022, consecutively for the 15th time. It is not an easy task to organize such a momentous event particularly under many difficulties and challenges posed by the COVID 19 pandemic situation and social and economic crisis. It is gratifying to witness that KDU, the only Defence University in the country, has been able to transform a challenge into an opportunity, as it usually does.

The theme of the conference, namely the “Economic Revival, National Security, and Sustainability through Advancement of Science, Technology, and Innovation,” is very timely and of great significance for deliberation in expert panels of this conference. The nexus between National Growth and National Security is closely interwoven. The ‘economic revival’, ‘sustainability’ advancement’ and ‘security’ of a country cannot be compartmentalized and discussed in isolation of each other. There is no security for a nation without economic and social progress, and likewise, economic and social progress cannot be achieved without stability and a secure environment. I hope various panels of this conference will be able to discuss many facets of economic revival, national growth, sustainability and security and their interconnectedness. These two areas have a direct bearing on the development of Sri Lanka, a country which succeeded in ending a 30-year long separatist war. In the context of the present need for robust development, it is absolutely necessary to engage in serious research which leads to discoveries as well as policy-oriented recommendations. Therefore, all academic establishments must provide a conducive space for their intellectuals to reach new frontiers in research. I am glad that KDU is setting an example for all other universities in Sri Lanka in this regard. I hope this year’s conference will produce significant research outcomes that the policy community in Sri Lanka could utilize for the benefit of the country. I wish this conference all the success.

HON PROF SUBRAMANIAN SWAMY

Former Minister of Commerce, Law & justice, India

Message from the Vice Chancellor



The International Research Conference (IRC) of General Sir John Kotelawala Defence University held for the 15th consecutive year is significant in terms of the continued contribution of the University to the field of research in diverse disciplines much needed for the progression of the nation, especially in the face of unprecedented challenges caused by the COVID-19 pandemic and the current economic crisis in the country.

The conference themes carefully selected by KDU each year have addressed contemporary needs of the country that are linked up with national security perspectives, and they are complementary to the development paradigm of the country. This year's theme "Economic Revival, National Security, and Sustainability through Advancement of Science, Technology, and Innovation" encompasses a wide range of research possibilities for scholars of different disciplines to engage in much useful research relevant to the current issues faced by the nation.

It is heartening to note that the number of papers submitted for the conference has increased despite the challenging circumstances, which is a positive indication of the enthusiasm growing in the country on development and security related multi-disciplinary research. In this respect, I am extremely glad that the KDU's efforts in expanding higher educational opportunities, increasing quality of higher education, enhancing research and innovation, linking up research with the industry and so on have increasingly been acknowledged by many, which is also reflected in the Times Higher Education Impact Ranking, 2022 table, where KDU has been ranked 2nd in Sri Lanka for Quality of Education and 4th in the overall ranking in the country and in the 801-1000 range globally.

KDU IRC also creates a sound platform to initiate collaborative research at both national and global levels, and I invite all participants to use this conference to make lasting and productive connections and networks at the individual, institutional, national, and international levels to envisage and explore mutually beneficial research possibilities and higher education experiences for the future.

While appreciating the commitment of the organizers of this year's conference, I wish you all, the presenters and participants taking part in the conference all the very best, and I hope you will enjoy every moment of this two-day academic endeavour.

MAJOR GENERAL MILINDA PEIRIS

RWP RSP VSV USP ndc psc MPhil (Ind) PGDM
Vice Chancellor
General Sir John Kotelawala Defence University

Message from the Conference Chair



For the 15th consecutive year, General Sir John Kotelawala Defence University (KDU), organises its International Research Conference (KDU IRC 2022) under the theme of “Economic Revival, National Security, and Sustainability through Advancement of Science, Technology, and Innovation”. It is with great pleasure and honour that the organising committee extends its compliments to all of you taking part in KDU IRC 2022. Holding the KDU IRC 2022, under the patronage of the Vice Chancellor, amidst many challenges encountered throughout the year, was a remarkable experience for me. I believe that the organising committee accomplished a very successful mission.

Despite the economic crisis, KDU IRC 2022 is a tremendous opening for many researchers all over the world encompassing various disciplines such as Defence and Strategic Studies; Medicine; Engineering; Management, Social Sciences and Humanities; Law; Built Environment and Spatial Sciences; Allied Health Sciences; Basic and Applied Sciences; Computing; Criminal Justice and Technology to present their research to fellow scholars, professionals, and students.

In this context, we have assembled excellent thought-provoking scientific sessions under the conference theme of this year, and it is remarkable to highlight your participation, at this conference through a highly competitive selection process. In addition, world-renowned invited speakers will deliver keynote and plenary speeches while covering a wide range of important sessions with great networking opportunities and providing solutions using science, technology, and innovation. It is the esteem of the conference to bring together a diverse group of people to disseminate high-quality and novel research results, which will assist to chart our journey forward to reach new heights.

Finally, I would like to extend my best wishes to all the presenters, authors and participants, joining the KDU IRC 2022 on site or online, and I hope that all of you will find this conference informative, enjoyable, and encouraging to feel the experience of KDU hospitality during these two fruitful days.

DR KALPA W SAMARAKOON

PhD, MSc, BSc, MACS (USA), M.I.Biol (SL), C.Biol (SL)
Conference Chair
General Sir John Kotelawala Defence University

Message from the Conference Secretary



Together with the committees and participating academia of this university, I share the immense pleasure and honour of perseverance with the 15th International Research Conference of KDU (KDU IRC 2022), amidst many challenges, under the patronage of our Vice Chancellor and Deputy Vice Chancellor.

The timely congregation for IRC 2022, of all our staff, students and contributors from faculties all over the world, under the theme “Economic Revival, National Security, and Sustainability through Advancement of Science, Technology, and Innovation”, is of paramount importance in this current climate of the global recession.

Whilst thanking all of you, I express my sincere hope that this would be an ideal platform for academia and professionals to discuss economically viable intelligent solutions for diverse problems for the nation to emerge stronger out of the recession, with the ability to provide equitable health, food, and social security, quality education, and enforcement of law and order in our country, for the betterment of our society.

DR PANDULA ATHAUDA-ARACHCHI

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ORAL PRESENTATIONS

Probation as a Sentencing Method in Criminal Justice Administration in Sri Lanka: A Critique

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In the field of criminal justice, probation means a sentence whereby a convict is released from confinement but is still under Court supervision. The development of community sentences reflects the search for non-prison punishment. The desire for such punishment has been justified by arguments based on cost-effectiveness, just deserts philosophy, and rehabilitation of the offender than the punishment of offenders. Probation can also be considered as an opportunity given to the offender to correct him/herself whilst in the society. Therefore, probation may be identified as a form of community correction. Probation as a community sentence was introduced to the legal system in Sri Lanka by enacting the Probation of Offenders Ordinance, No. 42 of 1944 to reduce the cost incurred, rehabilitate the offender, and reduce the crime rate. However, there is a question as to whether the law relating to Probation successfully achieved that intention of the legislature. The objective of this study is to ascertain the effectiveness of the law relating to probation in achieving its main goals. Both qualitative and quantitative modes are employed in this research. Secondary data such as published and unpublished printed and online literature, case law, and statutory provisions are critically and qualitatively analysed whilst the information received from Probation Officers is statistically analysed. In this study, it was found that dilemmas in the law relating to probation and the gap between the law and implementation/practice have led to the ineffectiveness of probation as a community sentence in Sri Lanka. Therefore, it is suggested to reform the Act to meet the objectives of probation as a community sentence.

Keywords: *community sentence, probation, rehabilitation of the offender, Sri Lanka*

Evolution of Community Policing in Sri Lanka from Imperialist Era to the Present

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Community Oriented Policing is not necessarily new to Sri Lanka Police Service and its popularity has grown significantly over the recent past. This concept of community-oriented policing has been found and started in England's metropolitan Police era, and the imperialist police system in Sri Lanka has facilitated the use of this concept in the performance of police duties to a certain extent even though it is not so advanced and technical. This concept often has broad and varied objectives, depending on public and police interrelationship and on their mutual understanding. Best evidence for this matter can be seen in the Police Orders and Ordinances that were used in the past to primarily give orders and instructions to the police such as Police Orders A-18, A-19, A-20, C-21, E-08 and Police Ordinance section 56. These objectives can be used to crime prevention productively. But due to lack of an implementing process by the Police service, it appears that it has not evolved as expected. Sri Lanka Police attempts have been made to implement this old concept in a new way. This has been introduced again as a new concept. These new programmes that build the relationship between the Police and communities, working together to resolve root causes for preventing and reducing crimes, the fear of crime, insecurity and safety issues from the society. This philosophy promotes organisation strategies tailored to meet the changing needs of local communities. Sri Lanka's traditional Policing aims to stop crime primarily through punishment, and at present this community policing models are used as a set of crime prevention techniques. This concept is closer to the public and has set its sights on that. With this philosophy and achieving the vision of the Sri Lanka Police that is closer to the community it serves can become closer to reality.

Keywords: *community policing, police public relationship, crime prevention*

Applicability of Surveillance in Crime Prevention through Environmental Design (CPTED)

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Crime prevention through environmental design (CPTED) is a crime prevention measure that demonstrates how the physical environment can be designed for crime prevention by minimising opportunities for crime. Sri Lanka has not seen a decline in crime rates against the backdrop of various crime prevention measures. Hence, the prime objective of the study is to determine the applicability of Surveillance in CPTED for Crime Prevention. Purposive sampling and structured interviews were used to obtain data. Secondary data was collected from literature surveys and case studies. Fifteen New Zealand and US research articles from 2005 to 2020 that used CPTED were reviewed. Ten criminal cases from 2015 to 2019 in Modara Police Division were analysed utilising structured interviews with 12 Sri Lankan authorities. Police Patrol is the main formal surveillance system in Sri Lanka, and the inadequacy of Police officers and lack of proper transport facilities have contributed to the rise of crimes. In Sri Lanka, the installation of CCTV in public parks is legally prohibited. But in the USA and New Zealand, it has led to a reduction in crime along with the use of night-time lighting, implementation of neighbourhood watch programmes, and the use of alternative route signs in public areas. Police officers' 24-hour patrols and CCTV operations in New Zealand and the US have decreased property crime. It is recommended that providing adequate police officers and transport facilities on patrols, improving lighting, installing, CCTV, and establishing a CPTED Division in the Urban Development Authority contribute towards prevention of crime.

Keywords: *crime prevention, environmental design, surveillance*

Accountability of the Combatant in Asymmetric Warfare with Special Reference to Findings in the Darusman Report

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Sri Lanka having fought a thirty year internal war has achieved many victories apart from the victory on the battle ground in the aftermath of the conflict. Such include the preservation of territorial integrity, racial harmony and restorative justice to victims of war. However, as a state, SL has failed to counter any of the allegations made by the international community on the events happened during the last stages of the war against the LTTE. Accountability of a combatant on the battlefield is a process which needs to be done after careful consideration of all aspects. This paper discusses the IHL violations alleged by the Darusman Report and issues relating to accountability. Data were collected through a sample of 30 officers and other ranks from the Sri Lanka Army using snowball method to select officers and other ranks who were directly engaged in the battle field during the final stages of the war. In-depth and semi-structured interviews were held to ascertain their views on the aspects of war crimes allegations, the role of officers in battlefield and issues of command responsibility and issues relating to accountability of foot soldier viz a viz superior orders as a defence, and to ascertain the training needs of the combat troops in light of laws relating to conduct of hostilities. A descriptive analysis was done on the findings and suitable recommendations were discussed.

Keywords: *war crimes, accountability, command responsibility, superior orders*

A Study on the Effectiveness of Vocational Training Programmes for Prisoners in Sri Lanka

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The Prisons Service rehabilitates, and reforms offenders and the vocational training programmes (VTP) help offenders improve their economic and social conditions. VTP aims to reduce incarcerated populations' poor educational achievement and employability. Despite considerable facilities, the impact of VTPs on Sri Lankan prisoners is dubious. Accordingly, the study is aimed to examine the efficiency of VTPs for offenders in Sri Lanka by concentrating on trainers' experiences and perspectives. The sample consisted of five trainers who provided VTPs for inmates, using the purposive sampling method, and the data was gathered through structured interviews. Thematic analysis was used to analyse the data of the research. Inmate reactions may reflect learning desires. Participation, willingness, and motivation are evaluated. This study found that inmates were more involved, willing, and motivated to participate in vocational programmes. Attendance, punctuality, and the ability to endure long sessions can be used to evaluate participation. Even though many offenders lacked a fundamental understanding of these procedures, all inmates who participated in the training sessions were able to learn everything fast and readily, as indicated by the items they produced. Prisoners provide mutual respect for their leaders during training sessions, listen to and support them, and vocational training reduces alienation. Effective organisational support for VTPs, positive response from inmates to take the training, creating opportunities for inmates to expand their learning and assisting ex-inmates to find self-employment opportunities, learning and behavioural changes among the inmates, promoting interrelationships among the inmates, providing an effective incentive system for inmates, and cost avoidance in the prison. Findings suggested that the successful implementation of VTPs for offenders is advantageous for inmates, prison administration, and eventually the society.

Keywords: *vocational training, rehabilitation, prisoners, effectiveness*

Reasons and Roadmap for Integrating the Arts and Humanities into Criminal Justice Education

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In light of the need of building greater trust and improving service delivery on the part of criminal justice professionals, serious thought needs to be put towards promoting and developing empathetic responses of criminal justice students during training and education. The approaches towards training and education of criminal justice professionals must also be adapted with an eye to their future conduct and the complexities of social issues they will encounter. It is argued that in order for future criminal justice professionals trained at university to provide a more empathetic and community-oriented service, the arts and humanities must play a vital supportive role. This paper is an analytical review of current findings in pedagogical research and practical implementation, drawing also from the comparative findings in medical humanities, with a view to supporting the arguments for integrating arts and humanities in the teaching and learning of criminal justice. The recommendations are to develop modules, seminars, assignments, and guidelines for teaching methods into the criminal justice teaching curriculum, and also to provide support for additional academic and extracurricular activities in the arts and humanities as a part of the degree programme's annual plan. The teaching and activities must be student centred and planned with their participation. Developing creative and reflective practices, including maintenance of reflective portfolios for empathetic and critical thinking in the formation of professional identity, is also recommended.

Keywords: *criminal justice education, arts and humanities, teaching and learning*

Online Privacy Awareness and Cyber Victimization among State University Undergraduates in Sri Lanka

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The internet has both positive and negative consequences for its users. The higher education today is inseparable from technology, and students must be able to navigate cyberspace. However, it appears that many undergraduates lack awareness of online privacy and become vulnerable to cyber victimization. Consistent with this stream of research, this study aims to ascertain whether there is a relationship between privacy awareness and sex of the undergraduate and determine the nature of online safety measures practiced among undergraduates. For this purpose, data were collected through a survey questionnaire from a random sample of 148 undergraduates, including all faculties from a metropolitan university in Sri Lanka. SPSS and excel were utilized for data analysis where the one-way ANOVA test and regression analysis were applied to determine the difference between variables. The regression analysis concluded with a negative relationship between privacy awareness and the female undergraduates. Findings of the research established that 31.5% of female undergraduates were concerned about security on social media accounts. Though 16.4% of female undergraduates were exposed to unusual activities such as unauthorized access on their social media accounts, for male undergraduates it was 13.3%. To avoid such activities conducting awareness programmes from Faculty IT centres, organising awareness programmes parallel to cybersecurity weeks, and workshops by Sri Lankan Emergency Readiness Team (SLCERT) would help to improve the knowledge of the students on online privacy.

Keywords: *online privacy awareness, state university, undergraduates, Sri Lanka*

Pre-Menstrual Syndrome and Women Criminality: Applicability of Pre-Menstrual Syndrome as a Criminal Defence in the Sri Lankan Context

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Pre-Menstrual Syndrome (PMS) is a group of psychological and physical symptoms experienced by reproductive-aged women before their menstruation. Its aetiology is unknown and the prevalence is varying from woman to woman. Various researchers have been working for about 30 years and revealed that the nature of behavioural changes of severe PMS and female criminality has a close relationship. Many criminal justice systems allow female suspects to plead PMS as a diminish responsibility to mitigate their punishments. The main purpose of this research is to study the applicability of PMS as a criminal defence in the Sri Lankan context. Further, the researcher will explore the utilisation of substantive laws such as the Penal Code of Sri Lanka relating to PMS as a diminish responsibility/mitigatory factor. This research is mainly based on the normative method and qualitatively retrieved internet documentary analysis. Through this work, it is revealed that the national jurisdiction is in backwater to address PMS as a criminal defence although, in the light of the Penal Code, the defence of PMS could be applied in court houses of Sri Lanka. Further, it found that none of the reported cases addresses the issue of PMS so far in Sri Lanka. Through this research, it is recommended that the defence counsels and expert medical personnel should take immediate actions to introduce PMS as a criminal defence and /or mitigating factor in the Criminal Justice System of Sri Lanka. Further, the judiciary needs to apply the defence of PMS when delivering judgments in order to bring justice to female suspects severely suffering from this syndrome.

Keywords: *pre-menstrual syndrome, criminal defence of insanity, diminish responsibility*

Workplace Harassment: Identifying the Nature and Impact on Society

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Harassment in the workplace includes any conduct that demeans or threatens an individual employee or group of employees. It has become vital for practitioners and researchers to focus on workplace harassment, as it is one of the most delicate issues in effective workplace management as aggressive workplace behaviours are a significant source of stress. There is an ongoing debate about whether workplace harassment affects employees' job satisfaction, is detrimental to their personal lives, and contributes to various social issues. Hence, the prime intention of the study is to determine the nature of workplace harassment and its impact on society. Method of status quo review and rapid review method was used to select relevant articles. Moreover, using the status quo review method, secondary resources of 2021 to 2022 research studies on workplace harassment were applied to the rapid review process; using the rapid review strategies of identification, screening, and eligibility. Eleven prior empirical research studies were selected for systematic synthesis. In line with the study, it is revealed that harassment can affect anyone in any workplace. While generalisations about harassers and organisational risk factors can foster a culture of harassment, toxic behaviours and harassment are not mutually exclusive. Also, when employees fear retaliation, the culture is inculcating this message. Employees will remain silent and permit the behaviour to fester and intensify.

Keywords: *bullying, workplace harassment, mobbing, workplace mistreatment*

