



**RIGHTS OF VICTIMS OF CRIME IN
SRI LANKA: A COMPARATIVE LEGAL ANALYSIS.**

I hereby declare that the work described in this dissertation was exclusively carried out by
me under the guidance of the supervisor(s) given below and I certify that the report on this
work has not been submitted or published in part to any other university or institution for
another degree or Diploma.

SURENI SANDIKA DIKKUMBURA

The Dissertation submitted to

**GENERAL SIR JOHN KOTELAWALA DEFENCE
UNIVERSITY
SRI LANKA**

*In partial fulfillment of the requirement for the award of the
degree of*

Master of laws (LLM)

15th of July 2022

PERMANENT REFERENCE

DECLARATION

I hereby declare that the work described in this dissertation was exclusively carried out by me under the guidance of the supervisor given below and I certify that the report on this work has not been submitted in whole or in part to any other university or institution for another degree or Diploma.

Date: 19-09-2022



Sureni Sandika Dikkumbura

(Name of the candidate)

I certify that the above statement made by the candidate is true.

Certified by;

Supervisor: Ms. Lihini De Silva,
Attorney-at-law,
MPhil (Colombo),
LL.B (Hons) (Colombo)

Signature:



Date: 23.09.2022

ACKNOWLEDGEMENT

ABSTRACT

Since the victims become key witnesses of the particular crime, their cooperation with law enforcement and judicial authorities is essential to prosecute crimes successfully. Therefore, the Victims, who suffered from the crime, are also playing vital role in every criminal justice system. On the other hand, if the impact of crime is left untreated, especially in cases of severe trauma, can come at a high cost not only for the affected individual but for the society as a whole. Therefore, providing and Protecting rights of the crime victims, is essential to uphold the rule of law in a particular society. However, before last three decades, victims of crime had not any rights at the participation in the criminal justice system and they remained as the “forgotten party” in the criminal justice system. Due to the emergence of the new theory called “Restorative Theory”, it was more focused on the rights of the victims of crime and established them as an essential aspect of the criminal justice system. Present day, Many Countries have passed laws guaranteeing the rights of crime victims to participate in the criminal justice process and Sri Lankan government also introduced specific legal framework strongly address the rights of the victims of crime by enacting the Assistance to and Protection of Victims of Crime and Witnesses Act, No.04 of 2015. However, due to the inadequacy enforcement mechanisms on basic rights such as Right to receive information and notifications on every release of the offender; Right to receive legal assistance; Right to submit victim impact statements; and Right to receive prompt and appropriate redress for the harm they have suffered, the implementation of the said law in Sri Lanka has been patchy, and therefore the current level of protection on the rights of the Victims of Crime, is inadequate. This study aims to explore these challenges and examine possible recommendations for the Sri Lankan context in light of the relevant practices that used in Australia and United Kingdom.

Key words; Victims, Criminal Justice System, Restorative Theory, Victims’ Rights, Challenges, Sri Lanka.