

Dilemma on Ensure Criminal Justice Through Rehabilitation: Critically Evaluation the Legitimate Expectations of the Drug Depended Persons Treatment & Rehabilitation Act No 54 of 2007

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Abstract

Drug addiction has become a serious issue in relation to ensuring criminal justice in Sri Lanka. According to the Sri Lanka legal regime drug addicts are sent to compulsory rehabilitation through competent courts by utilizing Treatment & Rehabilitation Act No. 54 of 2007. Drug dependent persons are expected to be sent to rehabilitation centers by competent courts after due process. According to the Rehabilitation Act, there is a voluntary based admission for drug addicts who wish to be rehabilitated, yet most of the rehabilitation centers are not ready to accommodate such admissions in real ground. Even though legal authority has specifically allowed for such admission, the process of admitting drug dependents for rehabilitation on voluntary basis is not properly utilized. Law enforcement agencies and judicial authorities have applied the legislation for their advantage but have failed to cater for justice and legitimate expectations of the Act. In this back ground the objective of this research paper is to critically evaluate the practical implementation and legitimate expectations of the Treatment & Rehabilitation Act No 54 of 2007 in real grounds. This research is carried out primarily as a desk research, utilizing primary and secondary sources such as statutory authorities, case laws, text books and journals. Professional experience as a legal officer in the Bureau of Rehabilitation practicing in criminal courts was utilized in analyzing data.

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