



Ministry of Justice

2011

Annual Performance Report

MINISTRY OF JUSTICE

***HON .MINISTER OF JUSTICE
RAUF HAKEEM***

**SECRETARY TO MINISTRY OF JUSTICE
*MRS.KAMALINI DE SILVA***

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MINISTRY OF JUSTICE

THE VISION

- Efficient system of administration of justice;
- Law reform to respond to societal needs in keeping with global advancements and the aspirations of the people;

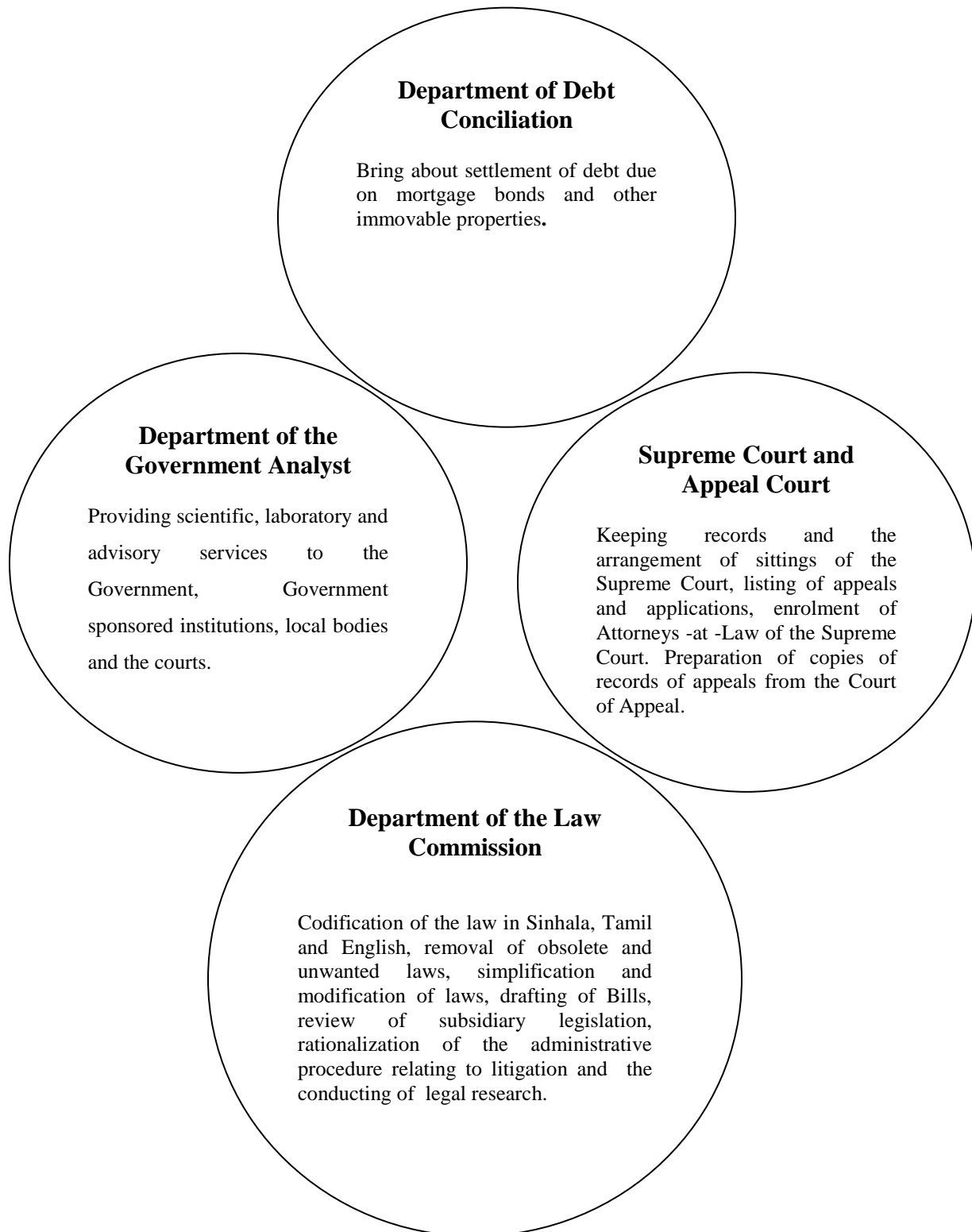
THE MISSION

- Formulation and implementation of policies, plans and programmes aimed at the efficient and meaningful administration of justice;
- Law reform for greater recognition, protection and promotion of the rights of the citizens.

Functions of the Ministry of Justice

- 1) Formulation of policies, plans and programmes in respect of the machinery for administration of justice
- 2) Implementation and direction of such policies, plans and programmes within the time limit agreed with the national planning authorities and within budgeted resources.
- 3) Matters relating to the administration of justice which have not been assigned to any other person in terms of the constitution.
- 4) Courts Administration
- 5) Advice in respect of granting of pardons, community, remissions, respites, suspensions of sentences passed on any offender.
- 6) Matters relating to labour tribunals
- 7) The restatement and codification of law.
- 8) Law reforms
- 9) Preparation and issue of legal glossaries
- 10) Formulation and implementation of a scheme to enhance the efficacy and efficiency of the quasi system.
- 11) Formulation and implementation of programmes for elimination of delays in the administration of justice in consultation with the judiciary,

Functions of the Departments under the Ministry



Functions of the Divisions under the Ministry

- The functions of the Ministry are carried out by following divisions,
 - 1. Legal Division
 - 11. Administration/ Establishment Division
 - 111. Infrastructure Division.
 - IV Accounts Division
 - V .planning Division
 - VI .Internal Audit division
 - I. Legal Division
 - (a) Consolidation and Revision of Legislative Enactments,
 - (b) Publication of Law Reports,
 - (c) Legal Aid.
 - Mediation Boards Commission
 - Labour Tribunals
 - II. Administration/ Establishments Division
 - Establishment matters of all officers; other than Scheduled Public Officers appointed by the Judicial Service Commission.
 - III. Infrastructure Division
 - (a) Construction of Court-houses, Judges' Quarters and Labour Tribunals and other affiliated buildings.
 - (b) Additions and improvements to Court-houses, Judges Quarters, Labour Tribunals and other affiliated buildings.
 - IV. Accounts Division
 - Financial Planning, Management and Control of financial aspects of the Ministry and its sub- departments
 - VI. Planning Division
 - Project Planning, Progress control and Monitoring of activities of the Ministry and its sub- departments.
 - Vi. Internal Audit
 - Auditing of accounts of the Ministry, sub- departments and court-houses.

Performance of the Ministry of Justice

Legal Division

01. JUDICATURE (AMENDMENT) ACT

The Act was passed by the Parliament and bears No. 10 of 2010. The Act provides for the increase of High Court Judges to 75.

02. CIVIL PROCEDURE CODE (AMENDMENT) ACT

This Act was passed by the parliament, and bears No. 11 of 2010. It provides for the reduction of fees payable by heirs for the publication of the notice under section 529. It also raises the administrable level of an estate to Rupees 4 Million.

03. OFFENSIVE WEAPONS (AMENDMENT) ACT

This Act seeks to give authority to the High Court to grant bail for offences under the Act instead of the Court of Appeal. The Act was passed by parliament. The Act bears No.2 Of 2011.

04. MEDIATION BOARDS (AMENDMENT) ACT

This Act seeks to increase the monetary limit of disputes which should be compulsorily referred to mediation to Rupees 250,000/=. The Act also provides that an offence committed in respect of property to the value of Rs.5, 000/= or below when committed by a person under the age of 18 years, should be compulsorily referred to mediation. The Act was passed by Parliament. The Act bears No.4 Of 2011.

05. JUSTICE IN MATTERS RELATING TO CHILD VICTIMS AND WITNESSES OF CRIME BILL

This Bill provides for assistance to child victims and witnesses within the justice process. It enables several special measures to be taken to assist the child when giving evidence such as giving evidence through video recording or through live link. The Bill was submitted to the Cabinet and the Cabinet has deferred it. However, it is expected that the Bill will be taken up again.

06. CHILD PROTECTION BILL

This Bill seeks to provide for contemporary realities relating to Child Protection and repeals the antiquated Children and young Persons Ordinance. It seeks to increase the collaboration between the Court, the police and probation. The best interest of the child is given paramount consideration. The Bill was submitted to the Cabinet and the Cabinet has deferred it. However, it is expected that the Bill will be taken up again.

07. PRESCRIPTION (AMENDMENT) BILL

The Bill seeks to give relief to persons who are displaced or disadvantaged from the provisions of the Prescription Ordinance. The Legal Draftsman has forwarded the Bill to the Ministry of Justice. The Law Commission wanted to review the Bill and it is before the Law Commission now. The Law Commission has recommended that a separate act should be enacted in respect of the 30 years old conflict. The bill is with the legal Draftsman.

08. OBSCENE PUBLICATIONS BILL

A section which dealt with child pornography, in the Computer Crimes Bill was removed, on the understanding that it would be included in the New Obscene Publications Bill. The Bill is being reviewed.

09. PRISONS ADMINISTRATION BILL

This Bill provides for a new regime for the administration of prisons. The Bill is drafted and is being revised by a committee of experts appointed by the Hon. Minister of Justice.

10. ASSISTANCE AND PROTECTION TO VICTIMS AND WITNESS BILL

This Bill makes provision for providing assistance and protection to victims and witnesses. Certain new amendments are being drafted to the Bill and Bill is now with the Legal Draftsman.

11. PARENTAGE TESTS IN CIVIL PROCEEDINGS BILL

The Bill provides for DNA tests to be done to determine paternity or maternity. The Bill would be of great assistance in matters such as custody of children, maintenance proceedings and inheritance. The Bill was submitted to the Cabinet, and the Cabinet has deferred it.

12. NOTARIES (AMENDMENT) BILL

Due to the high prevalence of land frauds, it is sought to amend the Notaries Ordinance to provide biometric signature to deeds at the time of signing. The Bill incorporates certain other provisions designed to prevent fraud. The Bill is ready to be submitted to the Cabinet. However a Joint Cabinet Memorandum with the Minister of Public Administration has to be submitted.

13. MUSLIM MARRIAGE AND DIVORCE (AMENDMENT) BILL

Amendments to the Muslim Marriage and Divorce Act are being discussed at a Committee appointed by the Hon. Minister of Justice and amendments are being drafted.

14. PENAL CODE (AMENDMENT) BILL

The Bill seeks to give relief in cases where the girl and boy in statutory rape cases have been conducting a close consensual relationship. A preliminary draft of the Bill has been prepared.

15. INDUSTRIAL DISPUTES (AMENDMENT) BILL

The Bill seeks to empower the Presidents of Labour Tribunals to enforce their awards. The provisions of the Bill have been objected to by certain Trade Unions. Discussions with trade unions are in progress.

16. RECIPROCAL ENFORCEMENT OF FOREIGN JUDGMENTS

The Bill is being drafted.

17. CONTEMPT OF COURT BILL

The Bill seeks to provide a comprehensive law on the contempt of law in Sri Lanka. The Bill is being drafted.

18. CIVIL PROCEDURE CODE (AMENDMENT) BILL

The Bill has been prepared and submitted to Cabinet.

19. CRIMINAL PROCEDURE CODE (SPECIAL PROVISIONS) BILL

The Bill has been drafted, in place of the existing Criminal Procedure Code (special Provisions) Bill.

Drafting of legislation is also being considered to give effect to the recommendations of the committees on Juvenile Justice and family Law

Administration and Establishments Division

Functions relating to recruitment, appointment, training, transfer, approval of loans, disciplinary control, administration of human resources and all other establishment matters required for the smooth functioning of the activities of the Ministry of Justice and the departments and units under the Ministry, are performed by the Administrative and Establishment Division.

- **Recruitments**

Following recruitments were made during the period concerned

Department	Designation	Number
Ministry & Government Analyst's Department	Driver	05
Ministry of Justice	Accounts Assistant	14
Labour Tribunals	Translator	09
Government Analyst's Department	Lab Assistant	08
Government Analyst's Department	Labourer (Casual)	21
Government Analyst's Department	Stenographer (Casual)	03
For High courts	Translators	13
For Courts	Writ Executors	65
Ministry of Justice	KKS	855
Ministry of Justice	Typist	10

- **Efficiency Bar Exams**

Efficiency bar exams were held for process servers, writ executors, criers and ushers, fiscal peons, fiscal matrons, court caretakers and officers of the graduate scheme.

- **Interviews**

Interviews for the appointment of two Assistant Secretaries (Legal, have been held and recommendations thereon have been made to the Public Service Commission for its approval.

- **Calling Applications for recruitments**

Applications have been called to recruit stenographers for the office of Labour Tribunal. During the period concerned, applications have also been called to recruit 10 financial Assistants, a Development Assistant and a superintendent of Translations.

- **Appointments**

150 Commissioners for Oaths and 38 Unofficial Magistrates and Justices of the Peace were appointed. In addition, 07 Inquirers into Sudden Deaths were also appointed and a gazette notification was published for recruitment of Inquirers for the divisions in which vacancies are existed in the Districts of Hambanthota and Gampaha. Written Examination and interviews were held for the appointment of and accordingly recommendations have been made to the courts on appointment of 51 Sworn Translators.

Qualifying at the G.C.E. (A/L) Examination is a compulsory requirement for the appointment of Justices of the Peace and 3295 Justices of the Peace were appointed under this regulation. Justices of the Peace appointments were given to 231 members of Mediation Panel Boards and 1561 digital identity cards were issued.

- **Training Programmes for officers**

Local training was provided for 232 officers at the Training Institute for Public Services, Institute of Government Accounts and Finance and Sri Lanka Institute of Development Administration Training Centre. Foreign training was provided for 15 staff officers of the Ministry.

- **“Suwa Sampatha” Insurance Scheme for the Judges**

189 Judges have obtained membership of the “Suwa Sampatha Insurance Scheme” which is the health insurance scheme initiated for the benefit of the judges, and 75% of the premium of each judge is paid by the government.

- **Donation of sand and wood for the 2600 Sambuddha Jayanthi Ceremony**

Ministry has obtained the Cabinet approval to donate confiscated sand and wood on the requests of charity institutions for the 2600 Sambuddha Jayanthiya. During the period 669 applications accepted by Ministry.

- **Functions relating to Vehicles of the Ministry**

During the period 60 brand new Toyota vehicles have been provided to the Judges of High Courts, District Courts and Magistrates courts, 47 Vehicles which were leased from Central Finance have been returned back.

- **Functions relating to the Telephones of the Ministry**

During the relevant period 60 new telephone connections and 18 telephone connections with CLI facility were given to Courts.

The details of loan approved, auctions and disciplinary management held in 2011 are given in following tables :-

- **Approval of Loans**

Category	Number
Property	117
Vehicle	01
Distress	112
Festival Advance	166
Special Advance	40
Cycle Loan	01

- **Auctions**

Item	1st Quarter Income(Rs)	2nd Quarter Income(Rs)	3rd Quarter Income(Rs)	4th Quarter Income(Rs)	Total Income (Rs)
Auction of confiscated items	4,162,060	1,751,265	6,667,485	5,015,175	17,595,985

- **Disciplinary Management**

Disciplinary Management	Number
Number of inquiries completed	15
Number of new inquiries	10

The Infrastructure Division

The Infrastructure division of the Ministry of Justice plays a major role in this Ministry as the facilitator of the judicial system in Sri Lanka by providing Infrastructure facilities, such as construction and maintenance of courts buildings, and acquisition of lands etc. In working financial allocations to the Ministry of Justice, it is executed in the following manners.

1. Hon. Minister's Office
2. Administration of the Ministry
3. Courts Administration
4. Mediation Boards Commission
5. Legal Aid Commission/ Sri Lanka Judges' Institute

Courts being built up



Negombo Courts Complex- Construction works are in progress.



Kadawatha Courts Complex – scheduled to be declared open in 2012



Vavuniya Civil Appeal High Court – Construction work is nearing completion.



Thambuthegama Magistrate's Court Building



Mannar High Court Building

The following projects were implemented under the ADB funds in 2011

Area	Project	TEC US\$(Mn)	Financial Progress up to 31/12/2011 Rs. Mn	Physical progress up to 31/12/2011
Chawakachcheri	Court Building and Judges Quarters	1.62	70.5	42%
Mallakam	Court Building and Judges Quarters	1.78	39.8	08%
Kaytes	Court Building and Judges Quarters	1.30	51.5	18%

The courts entrusted to the public in 2011

Arrangements have been made to entrust the Children Magistrate's Court to the Public in Jaffna. This Court was specially built up as per the Mahinda Chinthana Manifesto, with a view to protect the privacy of the children.



The Children's Magistrate's Court- Jaffna

Innitiating the functions of restoration of Judicial process, arrangements have been also made to entrust the following courts to the public.



Point-Pedro DC/MC



Kilinochchi DC/MC

The renovated Kilinochchi District Court which was not functioning nearly 30 years, was declared open recently by the Chief Justice Her Ladyship Dr. Shirani Bandaranaike with the participation of Hon. Rauff Hakeem, Minister of Justice.

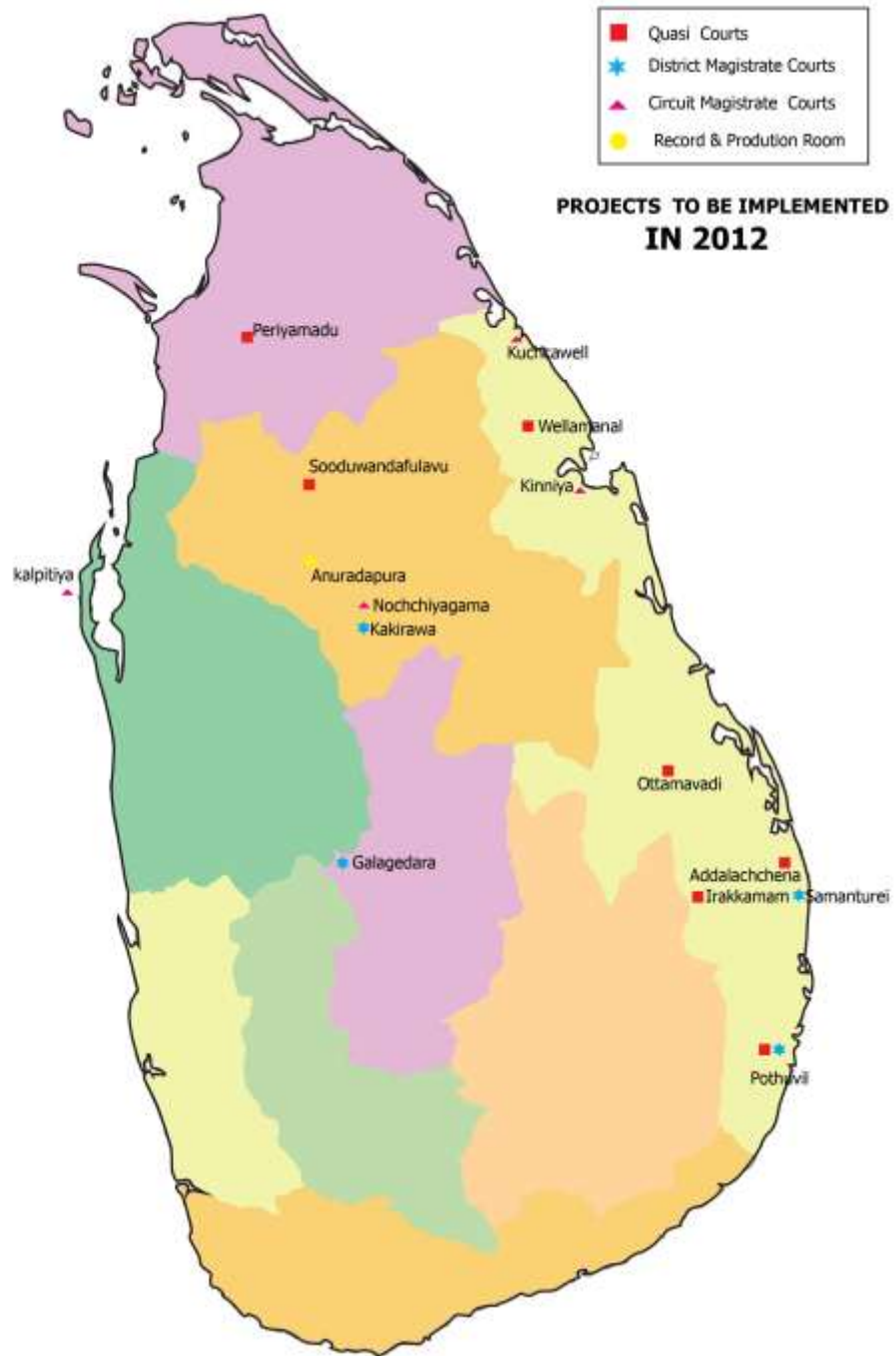


Padaviya Circuit Magistrate Court – for the people living in Padaviya area



Minuwangoda Magistrate Court

Following projects are scheduled to be implemented in 2012



Accounts Division

Functions of regularizing the accounts under the expenditure heads of the Ministry Administration and Courts Administration have been initiated as indicated below during the 2011, for the improvement of the efficiency and the effectiveness of the accounting functions of the Ministry of Justice.

01. As per the Circular No.200/2009, dated 29.01.2009 of the Department of Public Accounts, introduction of the CIGAS Computer Programme to the courts (District/Magistrates) in High Court Zones in order to regularize the Deposit Accounts and the regularizing of the accounting functions of such accounts were carried out.
02. Action for the settlement of unsettled loan balances of Advance B Accounts under Ministry Administration and Courts Administration, maintenance of 80% of individual loan balances of Advance B Accounts under the Ministry.
03. Functions of computerizing of the Assets Registers of the Ministry have been completed and action for the commencement of computerizing the Assets Registers of other Courts in future.
04. Necessary action for the provision of Law Reports and Legal documents to all High Courts and action for the commencement of provisions of law reports and legal documents to other courts in future.
05. Commencement of functions to make the Tangalle High Court Zone into a new Accounting Zone in order to expand the financial and administration coordination relating to the Courts Administration.

Following functions were carried out by the Supply Division

- Supply of furniture and home appliances for the Negombo Judges Bungalow Complex which consists in 9 bungalows;
- Supply of 35 photocopiers, 172 computers and accessories and 89 fax machines for the courts islandwide
- Supply of new office furniture and equipment for the Kadawatha Courts Complex opened recently
- Supply of furniture and home appliances for the District Judges' Bungalows at Avissawella, Maho, Anuradhapura, Galle, Kegalle, Nuwara-Eliya, Kurunegala, Kilinochchi.

Financial Progress
Ministry Administration- 110-1, 2, 3

Description	Allocation (Rs)	Expenditure (Rs)	Progress (%)
Recurrent Expenditure	336,235,000	287,329,827	85
Capital Expenditure	107,287,904	96,822,682	90
Total	443,522,904	384,152,509	86

Courts Administration 228-1, 2

Description	Allocation (Rs)	Expenditure (Rs)	Progress (%)
Recurrent Expenditure	2,996,704,508	2,989,750,702	99
Capital Expenditure	651,950,000	598,013,880	92
Total	3,648,654,508	3,587,764,582	98

Internal Audit Division

The Internal Audit Division of the Ministry is responsible for auditing of accounts of the Ministry, and of the departments under it, High Courts, District Courts, Magistrate's Courts, Primary Courts and Labour Tribunals.

The division is headed by an Accountant and supported by Eight Management Assistants. These officers are conducting internal audits at the above organizations with special emphasis on System Audit. The Division has completed a total of 29 audit inspections at 01 High Court, 08 District/Magistrate Courts, 05 District Courts, 06 Magistrate Courts, 01 Labour Tribunal, 03 Department and 05 special audits .

E-Governance and Website

www.justiceministry.gov.lk

The Ministry web site contains information on the performance of the Ministry and the important judgments delivered by the Supreme Court.

Performance of the Departments and Institutions under the Ministry

Government Analyst's Department

The Government Analyst's Department consists of the only judicial laboratory in the Whole Island and also the main food laboratory. This department is a service providing department and performs the functions of conducting scientific testing on productions referred to it by courts, police, custom, excise, local government institutions, health, and harbour, other government departments and statutory institutions and issuing of reports thereon. In addition to the above functions testing of samples referred by the various state departments and Government sponsored institutions for quality control purposes and testing of samples referred by the Sri Lanka Customs for quality control purposes and for categorization of tariff are carried out by this department. Further, examining of questioned documents forwarded by relevant authorities to the courts and submitting reports on such documents are also carried out by this department.

All productions submitted for testing will be referred to relevant tests according to various ordinances such as the Code of Criminal Procedure, Petroleum, Evidence, Custom, Excise and Factory Ordinances, Poisons, Opium and Dangerous Drugs Act, Pesticide Act, Environmental Protection Act, Fire Arms Ordinance, Explosives Act, Oppressive Weapons Act, Colombo Harbor (Administration) Act, Perfume Act, Methodologies and Drugs Act, Food Act, Fertilizer Act.

This department performs an important role in the process of Administration of Criminal Justice and its functions have a direct impact on the hearing and disposal of criminal cases.

This department also functions as the scientific consultant of other government departments and Government sponsored institutions on required occasions. On occasions where expert assistance is required, scientific officers engage in the task of examining the scene of the crime. The officers of the Department appear before courts and other commissions to give evidence on reports issued, when it is necessary. At present this department functions in a dilapidated building with great difficulty. It is expected to complete the construction works of the new building consisting of modern equipment in 2012.

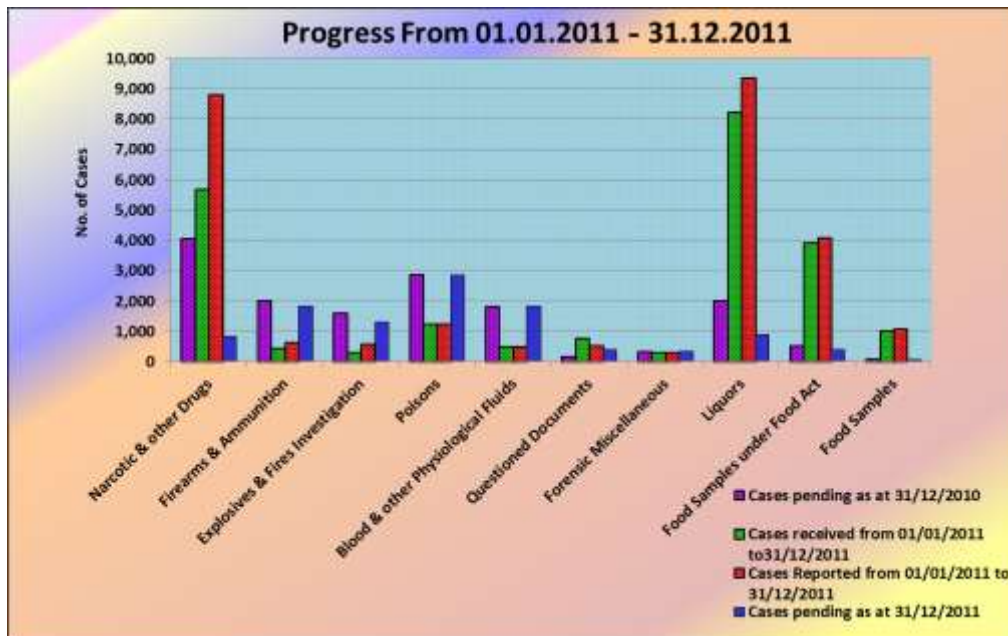


New Building Complex-Construction works are in progress

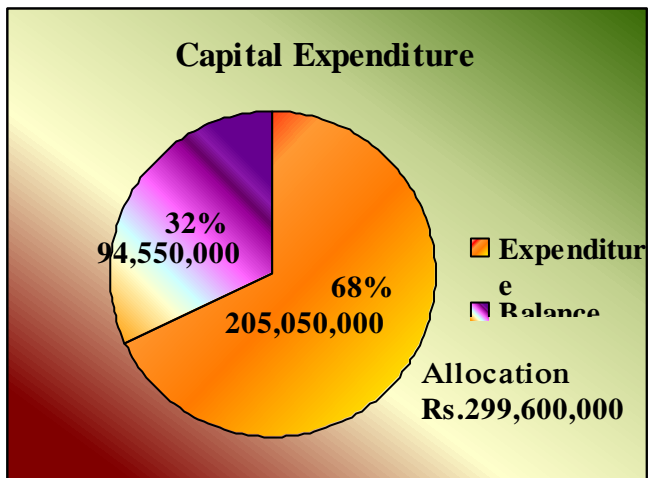
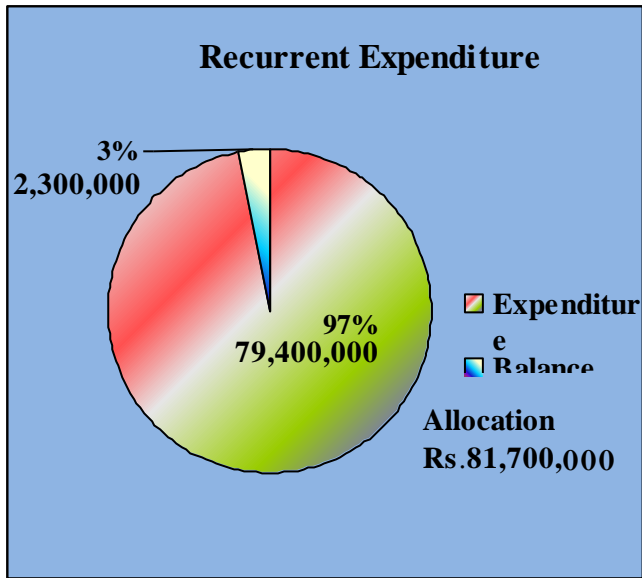
The Cadre

Designation	Approved Cadre	Present Cadre	Vacancies/Excess
Senior Level	80	59	21
Tertiary Level	05	02	03
Secondary Level	67	62	05
Primary Level	62	57	05
Total	214	180	34

Annual Performance



Performance of the Expenditure



Department of Law Commission

The Law Commission of Sri Lanka was established under the Law Commission Act No. 03 of 1969, and it is the main government Institution which undertakes legal reforms. The main function of the Department of Law Commission is to extend necessary administration and research support.

The main objective of the Law Commission is to promote the reforms of the law. Following functions are performed by the Law Commission for the purposes of such promotion.

- I. The codification of law
- II. The elimination of anomalies
- III. To take and keep under review the law, both substantive and procedural with a view to its systematic development and reform.
- IV. The repeal of obsolete and unnecessary enactments
- V. The simplification and modernization of the law
- VI. To receive and consider any proposals for the reform of the law
- VII. To prepare and submit to the Minister, from time to time, programmes for the examination of different branches of the law with a view to reform,
- VIII. To obtain such information as to the legal systems of other countries.

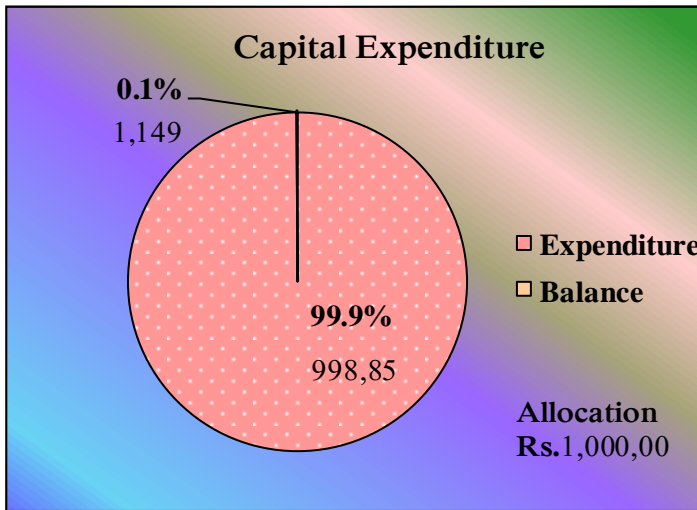
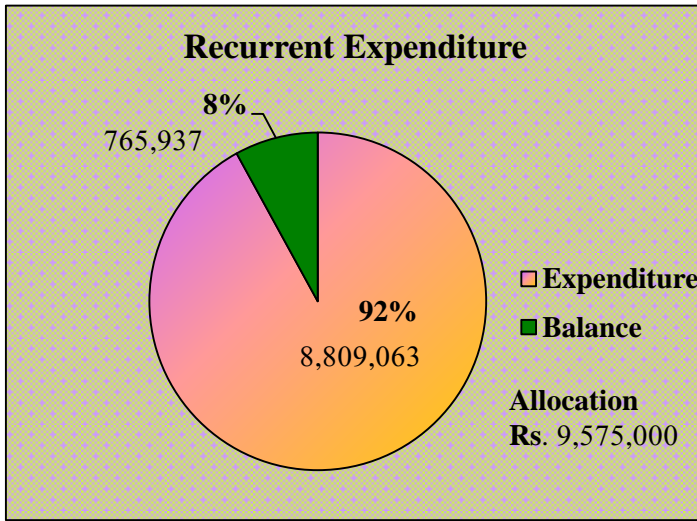
The Cadre

Category	Approved Cadre	Present Cadre	Vacant/Excess
Senior Level	04	02	02
Tertiary Level	01	02	01
Secondary Level	10	06	04
Primary Level	08	07	01
Total	23	17	06

Annual Performance

The members of the law Commission have been appointed in July by His Excellency the President for a period of five years. The members are Mr. Nihal Jayamanna PC(Chairman),Mr. Shibly Aziz PC, Dr.Lakshman Marasingha, Ms.Theres Perera PC, Mr.Manohara De Silva PC, Dr.Harsha Cabral PC ,Mr.Palitha Feranando PC, Ms. Darani Wijethilaka, Mr. M.U.M.Ali Sabri, Dr. Mario Gomes, Mr. K.Neelakandan, Mr. Kushan De Alwis, Dr. Camena Gunarathna, Mr. Ananda Lal Nanayakkara, Mr. J.M. Swaminathan.

Performance of the Expenditure



Department of Debt Conciliation Board

This Department was established under the Debt Conciliation Ordinance No. 39 of 1941 with the objective of introducing a some sort of relief to rid the public of their indebtedness caused by on loans obtained on the security of deeds on conditional transfer of immovable property such as land, paddy fields, estates, houses, unsecured loans obtained on documents such as promissory notes, cheques, along with such secured loans.

In addition thereto, the Amendment Act No.29 of 1999 enables the Board of intervene in respect of transfer deeds executed purely for a loan transaction, resulting in further expansion of its relief support.

No fee is charged for the applications submitted to the Board and the proceedings before the Board are free of any stamp duty. A very small amount is charged as Gazette and notice fees, and as such an immense service is afforded to the average persons suffering under indebtedness.it is a great relief to the public that it is not compulsory for the applicants to be represented by a lawyer.

The Debt conciliation Board consists of five (05) members appointed by the Minister one of whom shall be nominated by the Minister to be chairman of the Board.

The proceedings before this Board are different from those before a Court of law. The agreements arrived before the Board are voluntary on the part of the parties, and they do not amount to any implementation of direction of the Board.

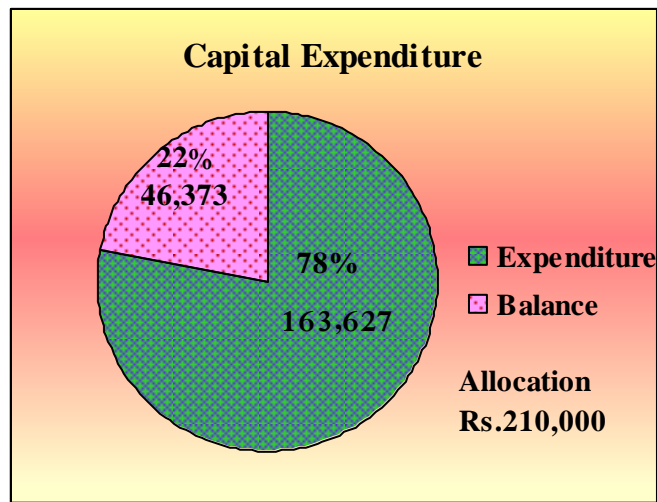
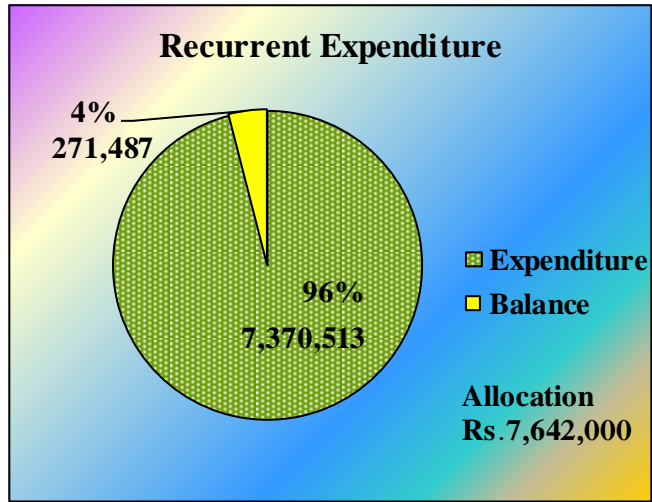
The Cadre

Designation	Approved Cadre	Present Cadre	Vacancies/Excess
Secretary	01	01	-
PMA	09	08	01
Stenographer	02	01	01
Book binder	01	-	01
K.K.S.	02	03	01
Driver	01	01	-
Total	16	14	04

Annual Performance

No. of applications brought forward	New applications from 01/01/2011-31/12/2011	No. of applications settled as at 31/12/2011	No. of applications dismissed as at 31/12/2011	No. of applications revised as at 31/12/2011	No. of applications issued certificates as at 31/12/2011	Total Balance As at 31/12/2011
604	330	293	160	36	03	493

Performance of the Expenditure



Sri Lanka Legal Aid Commission

The Legal Aid Commission was established by the Legal Aid (Act) Law No.27 of 1978. The main objective of this Commission is to provide free legal assistance to communities to whom Justice is not meted out owing to financial difficulties and other influences. The role of this Commission is to provide legal advice and free assistance of lawyers to low income groups and to create awareness in the entire society on legal procedure. Many programmes were held under the following divisions during the year.

- **Court Representations (litigation) of the Legal Aid Commission**

64 Legal Aid Centers are in operation island wide. Jaffna LAC covers Mallakam, Chavakachcheri and Pointpedro courts. Kurunegala LAC covers Wariyapola, Pilessa, Rambadagalla, Nikaweratiya, Galgamuwa and Polgahawela. Kalmunai LAC covers Samanthurai courts.

Cases handled by the Legal Aid Commission.

Description	No. of Cases
Brought forward from 2010	18,976
New cases added (Jan to December)	8,686
No. of cases concluded (Jan to December)	3,784
Carried forward to the next year	23,878
No of clients serviced by LAC in the January to December in 2011 (Inclusive of consultations)	69,685

- **Prisoner's Rights**

The Kith and Kin of any prison inmate who need legal aid could seek assistance from any of the Legal Aid Centers. Under this, legal aid was provided as follows:-

Type	Welikada	Magazine	Colombo Remand Prison	Anuradapura/Matara Batticaloa & Jaffna	Total
Consultations	246	321	267	466	1300
Cases filed(on completion of documentation)	106	125	121	163	515
Cases to be filed	77	119	101	224	521

- **Migrant Worker's Desk**

During the period, the following activities have been carried out.

- Consultations on legal matters have been provided for 75 migrant workers
- Problems of 50 employees were resolved with the assistance of SLFEB
- Compensations were provided for 10 migrant workers with the corporation of Foreign Ministry.

- **Disable & Documentation Desk**

- Birth and death certificates, identity cards and passports were obtained for 30 disabled persons from government institutions.
- Court representation for 05 disabled persons.
- Ten disabled persons were provided with assistance, regarding their pensions.
- Disabled clients were referred to government institutions with referral letters for assistance in various matters.

- **Human Rights Bureau**

The following activities have been done in the period under reviewed.

- Total number of Consultations by the bureau 498
- Fundamental Rights Cases Filed 07
- Letters sent by Human Rights Commission 37
- Letters sent by the Supreme Court 15

- **Violence Against Women Programme**

Sticker campaign in Buses and Awareness Programmes have been held under this programme.

- **Media Programmes**

Television Programmes

Channel	No of Programmes
T.N.L	04
Sri	01
Swarnawahini	02

News papers

Name	Language	The day on which the legal aid page is published	Minimum no. of legal problems resolved during the period concerned
Daily News	English	Every Friday	480
Lakadeepa	Singhala	Every fortnight Tuesday	245
Thinakaran	Tamil	Every fortnight Wednesday	150

- **Legal Recovery of the Northern Province (Funded by the Norwegian Refugee Council)**

In addition to the two centers at Jaffna and Vavuniya, 03 legal aid centers were established by establishing centers at Killinocchi, Mullaitivu and Mannar. These centers conducted consultations, legal clinics, assisted in getting civil documentations for persons in these areas and court representations for deserving persons including the obtaining of bail for prison inmates.

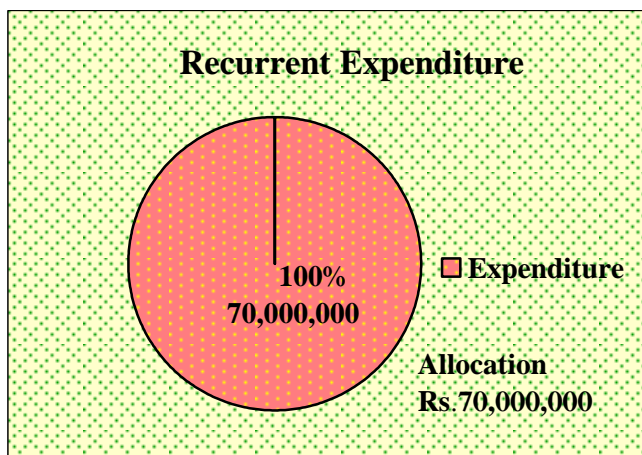
Following activities have been carried out by Legal Aid Commission Centers in **Northern Province**

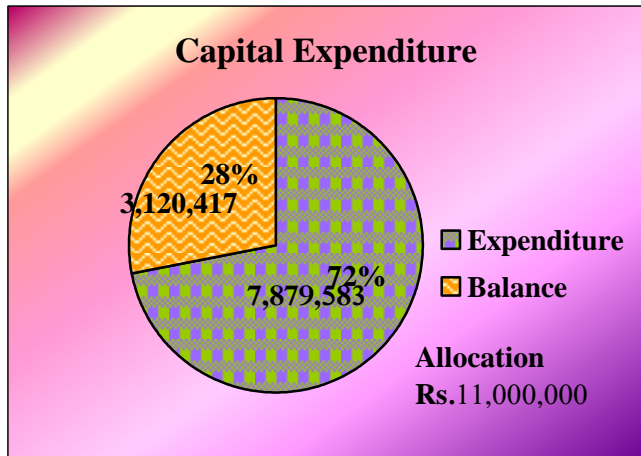
Legal Aid Center	Programme	No of Programmes
Jaffna	Awareness Programme	21
Jaffna	Mobile Clinics	27
Mullaitivu	Awareness Programme	16
Mannar	School Programme	01
Mannar	Awareness Programme	08
Mannar	Training Programmes	04
Kilinochchi	Awareness Programme	05
Kilinochchi	Mobile Clinics	04

- **Equal access to Justice Project (United Nations Development Programme)**

Under this programmes, 12 programmes were held for Attorneys-at-Law, Police Officers, Apprentice Attorneys-at-Law, Teachers, Principals, Grama Niladharis, Disable persons and general public.

Performance of the Expenditure





Mediation Boards Commission

Mediation Boards established under the Mediation Boards Act No. 72 of 1988. This Act provides a mechanism for the settlement of disputes as an alternative to litigation. At present, there are 302 Mediation Boards throughout the island and approximately 7000 mediators are assisting people on voluntary basis.

The Mediation Boards Commission which is vested with the power of appointment, transfer and disciplinary control of mediators, comprises of five members. Three of them are statutorily required to be retired judges of the Superior Courts and they are appointed by His Excellency the President for a period of 3 years.

The appointments to the panels of Mediation Boards are made from among the persons nominated by a non-political organization, head of a place of religious worship, head of a school or a Government official. The persons selected to be appointed as mediators are required to follow training programmes on techniques and skills in mediation. The term of these Panels of Mediators, are three years. According to the Mediation Boards Act, mediators are selected at an interview. After a 5 day training, the Mediation Boards Commission appoints the suitable candidates as mediators taking into consideration the reports of mediator trainers.

The Cadre

Designation	Approved Cadre	Present Cadre	Vacancies/ Excess
Secretary	1	1(Act)	1
Ass.Secretary	1	-	1
State Management Assistant	17	11	6
K.K.S.	5	3	2
Drivers	2	1	1
Total	26	15	11

Annual Performance

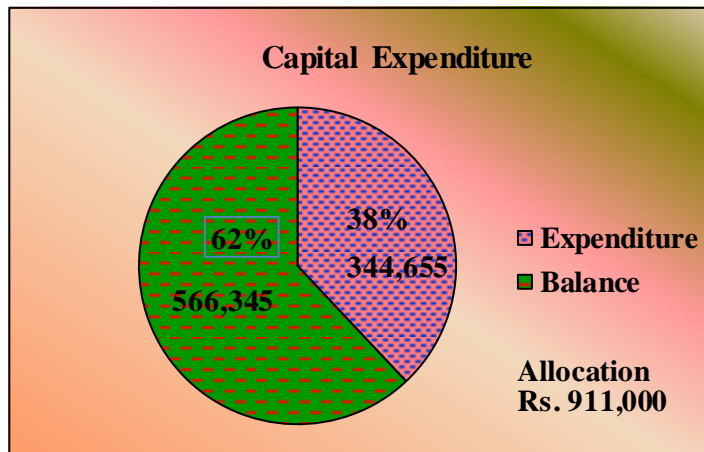
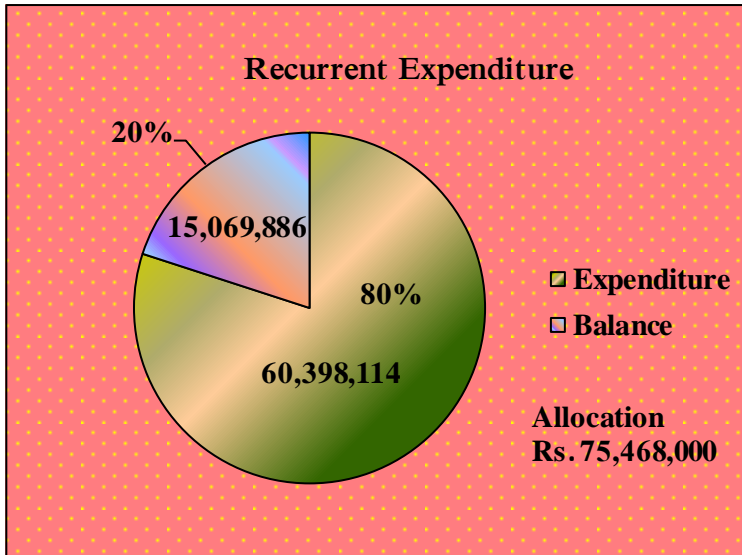
Interviews have been completed in order to appoint Mediators for the following Mediation Boards

<u>District</u>	<u>Mediation Board</u>
Colombo	Colombo, Padukka
Puttalam	Chilaw, Madampe, Mahakumbukkadawala
Anuradhapura	Galenbindunuwewa, Palugaswewa, Kekirawa, Galnewa, Rambewa, Thalawa, Thirrapane, Medawachchiya
Matale	Laggala
Kegalle	Deraniyagala
Kalutara	Walallawita, Bandaragama, Bulathsinghala, Panadura, Dodangoda, Madurawala, Baduraliya, Millaniya
Matara	Pitabedara, Welipitiya, Kirindapuhulwella, Akurassa, Athuraliya, Akmeemana
Jaffna	Marundankeni, Kareinagar, Sandilipai, Uduwil, Karaweddi, Chankanei, Delft
Ratnapura	Embilipitiya
Kurunegala	Pannala, Rasnayakapura, Nikaweratiya, Hettipola, Galgamuwa, Weerambagedara, Udubaddawa, Bingiriya, Polgahawela, Mawathagama
Hambantota	Walasmulla, Thissamaharamaya, Sooriyawewa
Kilinochchi	Karachchi
Mannar	Manthai East,
Mullaitivu	Manthai west
Galle	Welivitiyadiwithura
Kandy	Yatinuwara
Vavuniya	Vavuniya, Vengalachchettikulam
Trincomalee	Seruwila

Mediators have been appointed to the following Mediation Boards during the period

<u>District</u>	<u>Mediation Board</u>
Colombo	Hanwella
Gampaha	Kelaniya, Biyagama, Negombo
Kalutara	Aglawattha, Mathugama, Horana, Bulathsinghala
Kandy	Doluwa, Nawalapitiya
Nuwara-Eliya	Nuwara-Eliya
Kegalle	Mawanella
Anuradhapura	Kahatagasdigiliya, Palagala, Medawachchiya, Horowpathana
Matale	Pussella, Matale
Ratnapura	Kuruwita, Opanayaka, Ehaliyagoda, Ayagama
Galle	Neluwa, Thawalama, Hikkaduwa
Hambantota	Sooriyawewa, Walasmulla
Kurunegala	Narammala, Kobeigane, Nikaweratiya, Galgamuwa,
Monaragala	Buttala, Bibila, Kataragama, Medagama, Thanamalwila
Puttalam	Wanathawilluwa
Matara	Malimbada, Thihagoda, Dikwella
Polonnaruwa	Hingurakgoda, Thamankaduwa
Badulla	Mahiyanganaya
Jaffna	Jaffna, Nallur, Welanei, Kayts, Karaweddi, Delft, Thelippalei, Marudankeni, Kareinagar

Performance of the Expenditure



SUPERIOR COURTS COMPLEX BOARD OF MANAGEMENT

The Board of Management was established under the Superior Courts Complex Board of Management Act.No.50 of 1987 to control, administer and manage the Superior Courts Complex and the Buildings thereon which includes the making of such additions, alterations and improvements as may be necessary to enhance the amenities of the complex

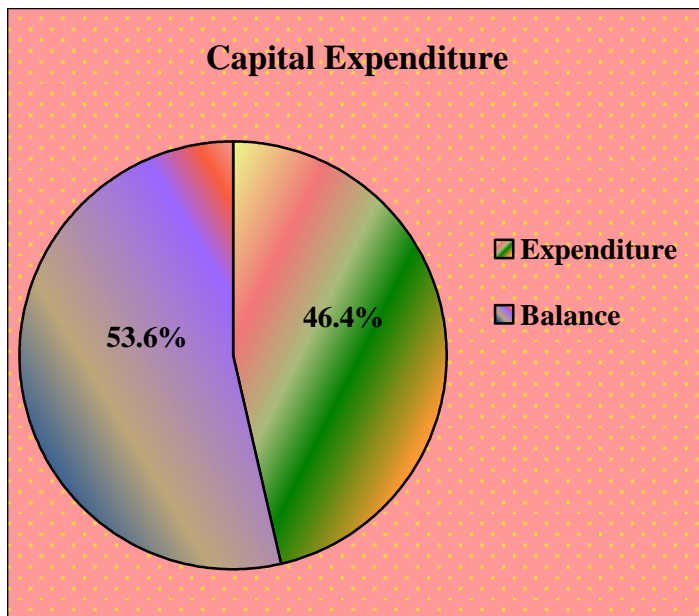
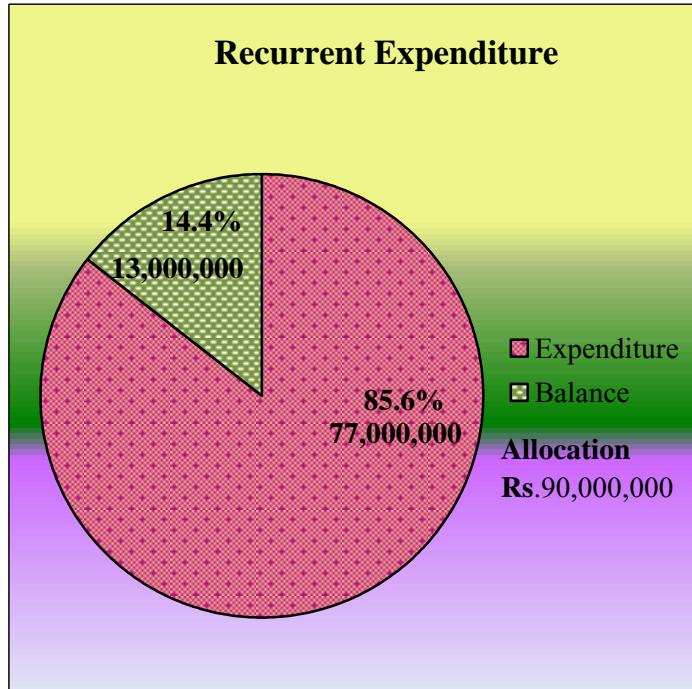
The Board consists of the following members:-

- The Chief Justice
- A Judge of the Supreme Court appointed by the Chief Justice
- The President of the Court of Appeal
- A Judge of the Court of Appeal appointed by the President of the Court of Appeal
- The Secretary to the Ministry of the Minister incharge of the subject of Justice
- The Secretary to the Ministry of the Minister incharge of the subject of Local Government , Housing, & Construction
- The President of the Bar Association of Sri Lanka
- The Municipal Commissioner for the Colombo Municipal Council
- A Representative of the Ministry of the Minister incharge of the subject of Finance
- Two members appointed by the President of Sri Lanka

Annual Performance

Installation of Air Conditioners in the chambers of the Judges of the Supreme Court, renovation and maintenance of the Superior Courts Complex, maintenance of security services and landscaping in the complex and provision of security services for the official quarters of the judges were effected by the Superior Courts Complex Board of Management.

Performance of the Expenditure



Courts of Law

The votes of this Ministry include provision for the following courts –

Supreme Court
Court of Appeal
High Courts
Provincial Civil Appellate High Courts
District Courts
Magistrate's Courts
Labour Tribunals
Quazi Courts and Board of Quazis

The Ministry exercises accounting responsibility in respect of Supreme Court, Appeal Court, 34 High Courts, 18 Provincial Appellate High Courts, 84 District Courts, 104 Magistrate's Courts, 22 Circuit Magistrates' Courts, 38 Labour Tribunals, 64 Quazi Courts and Board of Quazis.. The expenditure is disbursed through 23 High Court Accounting Centers.

Supreme Court

The Supreme Court is the highest Court of the judicial system in Sri Lanka. The Supreme Court, which consists of 11 Judges including the Hon. Chief Justice appointed by His Excellency the President, hears all applications received by it.

The Constitution of the Democratic Socialist Republic of Sri Lanka recognizes jurisdiction of the Supreme Court as follows: -

- Jurisdiction in respect of Constitutional matters,
- Jurisdiction in respect of Fundamental Rights,
- Final Appellate Jurisdiction,
- Consultative Jurisdiction,
- Jurisdiction in Elections Petitions (Presidential election),
- Jurisdiction in respect of any breach of Privileges of the Parliament, and
- Jurisdiction in respect of such other matters which Parliament may by Law vests or ordain.

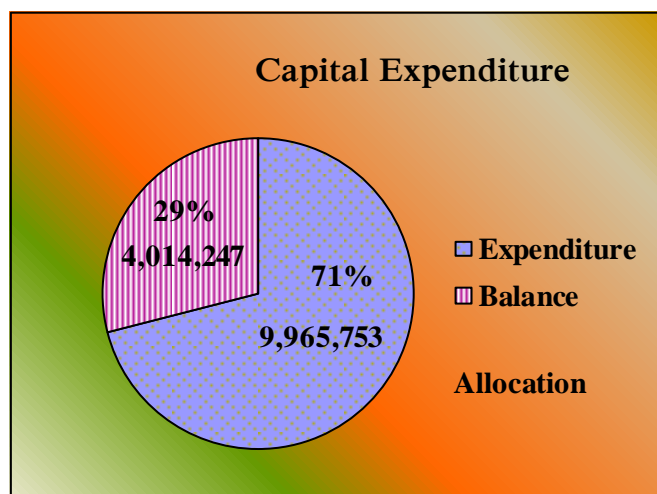
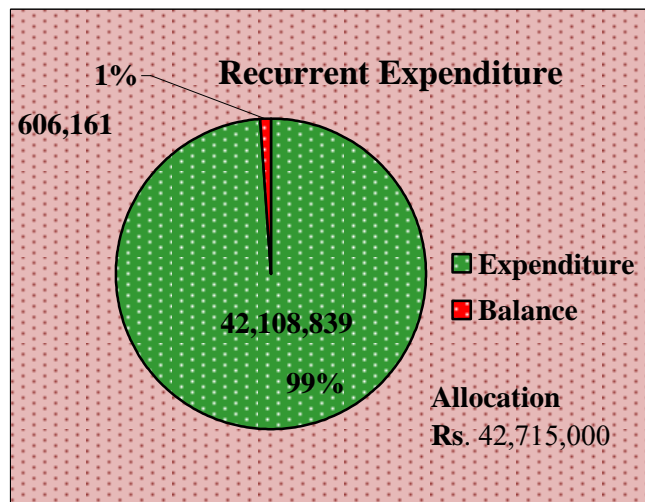
The Cadre

Status	Approved Cadre	Present Cadre	Vacant	Excess
Senior level	31	30	1	-
Secondary level	129	138	-	9
Primary level	118	120	-	2
Total	278	264	1	11

Annual Performance

Type	No. of cases pending as at 31/12/2010	No. of cases registered as at 31/12/2011	Total No. of cases pending as at 31/12/2011	No. of cases concluded as at 31/12/2011	No. of cases pending as at 31/12/2011
Fundamental Rights Applications	628	602	1230	280	950
Special Applications	04	-	04	04	-
Special Leave Applications	139	233	372	58	314
Orders of the Supreme Court in respect of Parliamentary Bills	-	03	03	01	02
Appeal cases	282	199	481	13	468
High Courts Leave Applications	65	123	188	35	153
Writ Applications	-	03	03	01	02
Provincial Appellate High Courts cases	595	551	1146	98	1048
Total	1713	1714	3427	490	2937

Performance of the Expenditure



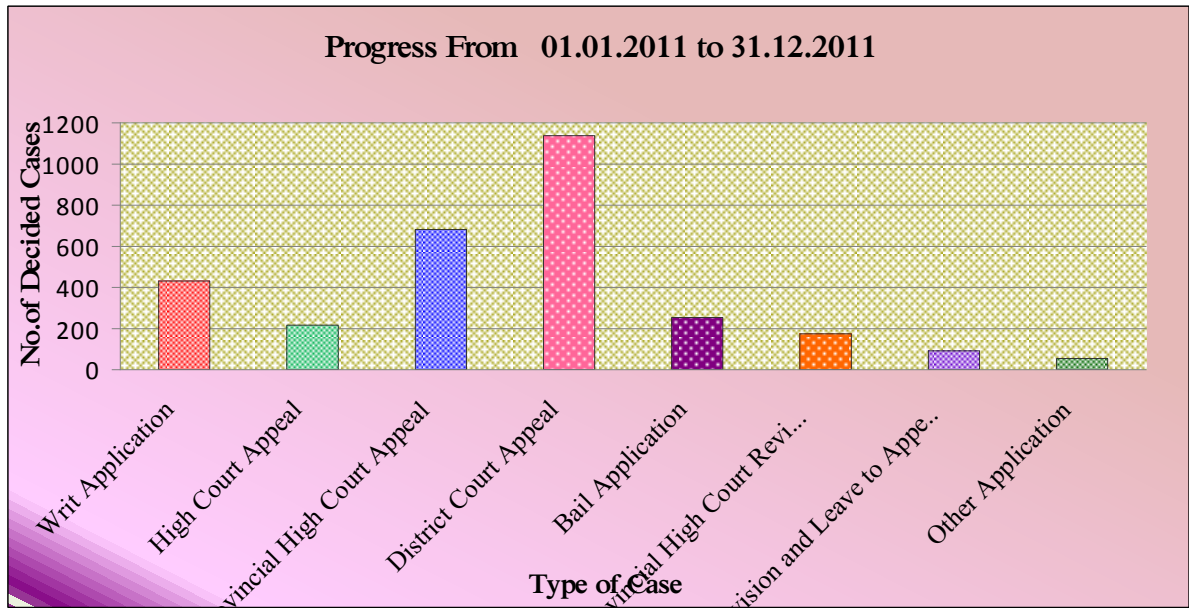
Court of Appeal

The Court of Appeal was established under the Constitution of Sri Lanka. It has appellate and revisionary jurisdiction over the decisions of the courts of first instance, Jurisdiction of Labour Tribunals and other statutory bodies are following within the powers of Court of Appeal. The Court of Appeal also has a Writ jurisdiction. For the purposes of the Mutual Assistance in Criminal Matters Act No.25 of 2002 and Mutual Assistance in Civil and Commercial Matters Act No.39 of 2000, also terms under the provision of the Court of Appeal issues for the necessary orders and directions. The election petitions are also heard in the Court of Appeal. The Court of Appeal has the power and authority to inspect and examine the records of any court of First instance or Labour Tribunal or any other legal institution.

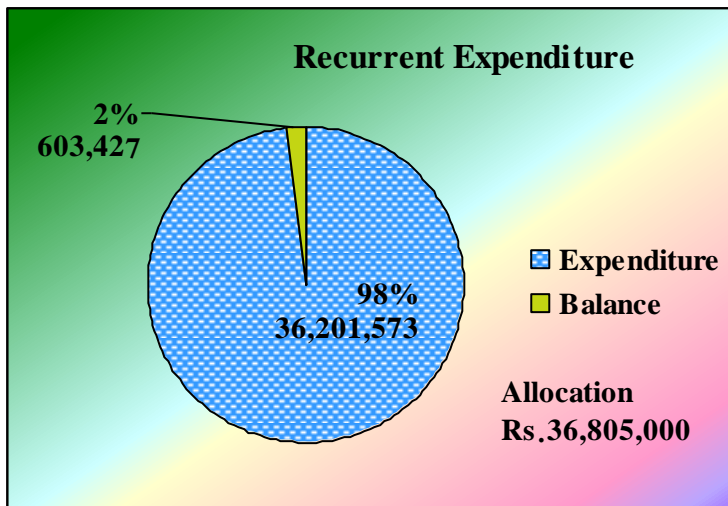
The Cadre

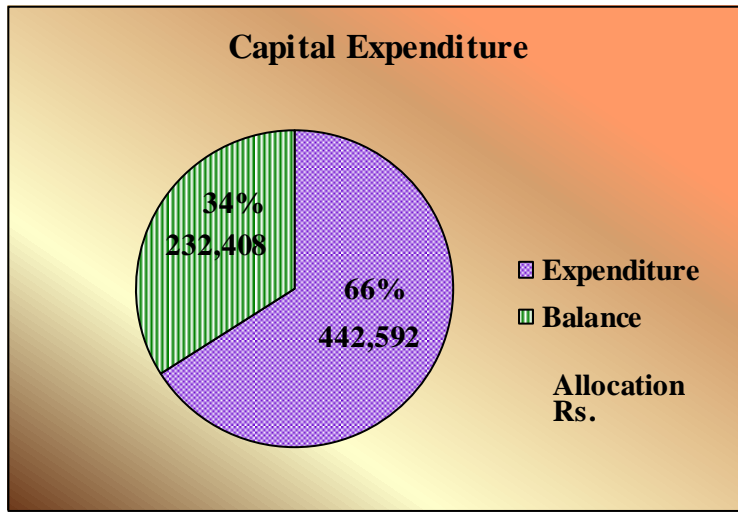
Designation	Approved Cadre as at 1995	Present Cadre	Number of vacancies
Registrar	01	01	-
Deputy Registrar	03	01	02
Programme Assistant	-	06	-
Clerk	21	13	08
Stenographer	13	18	-
Typist	15	09	06
Record Keeper	01	-	01
Translator	02	01	01
Private Secretaries to the Hon. Judges	13	12	01
Book Binder	03	06	-
Photostat Machine Operator	07	-	07
Head KKS	01	01	-
KKS	19	30	15
Laborers	10		
Cycle Orderly	02	-	02

Annual Performance



Performance of the Expenditure





Office of the Labour Tribunal

The Labour Tribunals head office is located in the building of Ministry of Justice on the 1st floor at A/, No.428/11, Densil Kobbekaduwa Mawatha, Battaramulla.

The main functions assigned to the Labour Tribunals are to hear and dispose the applications received in respect of disputes in terms of the Section 31(b) of the Industrial Disputes Act No.62 of 1957. Labour Tribunals can be defined as an institution which provides justice in respect of matters such as expulsion from the employment the employees of the non-governmental institutions etc. and is considered a great privilege restored to such parties. The aspirations of the public are fulfilled by practical decisions as the Presidents of the Labour Tribunals have been vested with the right and the discretion to make fair and justifiable decisions.

38 Labour Tribunals are functioning under the head office and they are listed as follows:-

Colombo	-	06	Kandy	-	01
Avissawella	-	01	Palapathwela	-	01
Rathmalana	-	01	Nawalapitiya	-	01
Kaduwela	-	01	Hatton	-	01
Maharagama	-	01	Thalawakele	-	01
Wattala	-	01	Nuwara Eliya	-	01
Gampaha	-	01	Badulla	-	01
Negombo	-	02	Bandarawela	-	01
Mathugama	-	01	Panadura	-	01
Balangoda	-	01	Kuliyapitiya	-	01

Kalutara	-	01	Ampara	-	01
Galle	-	01	Batticaloa	-	01
Matara	-	01	Trincomalee	-	01
Kotapola	-	01	Chilaw	-	01
Ratnapura	-	01	Anuradhapura	-	01
Kegalle	-	01			
Kurunegala	-	01			

It is expected to establish the Jaffna and Tangalle Labour Tribunals very soon.

The provisions and management of the human resources, collective resources and financial resources required to maintain the Labour Tribunals are the main functions of the Office of the Labour Tribunals. Accordingly, establishment and administrative functions of all officers excluding the Presidents of the Labour Tribunals and all financial administration and accounting functions including payments of salaries and allowances of the staff including the Presidents of the Labour Tribunals are dealt with by the Office of the Labour Tribunals.

The Cadre

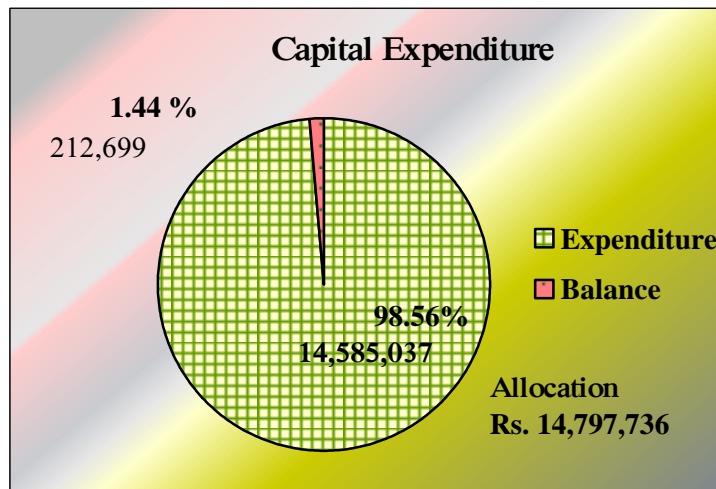
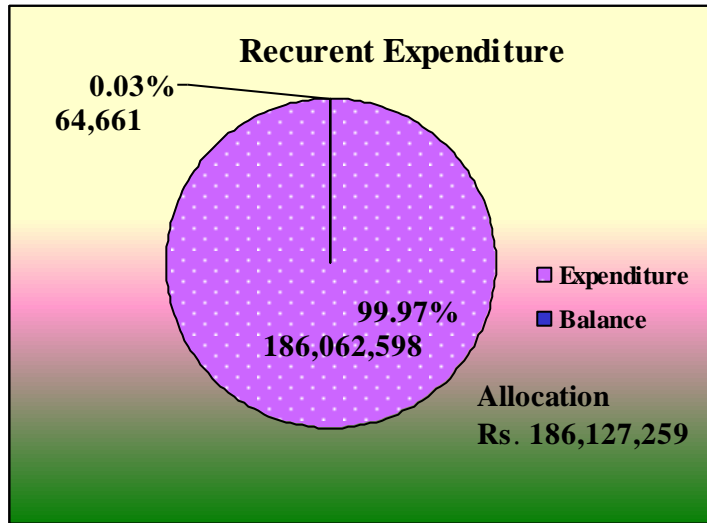
Designation	Approved Cadre	Present Cadre	Vacancies
Secretary	01	01(Act)	01
President/ Addl. Magistrates	39	36	03
Accountant	01	01	-
Administrative Officer	01	01(Act)	01
Assistant Secretary	39	37	02
Accounts Assistant	02	02	-
Public Management Assistant	149	138	11
Stenographers	117	70	47
Interpreter	39	24	15
K.K.S. (including sanitary labour)	108	97	11
Watcher	38	20	18
Driver	01	01	-

Annual Performance

Number of cases pending as at 01.01.2011	Number of applications received during the period from 01/01/2011 to 31/12/2011	Number of cases concluded during the period from 01.01.2011 to 31/12/2011	No. of cases pending as at 31/12/2011
9,605	3,339	6,160	6,784

- Rs.227,342.50 have been spent for Awareness Programmes and capacity building programmes for officers of Labour Tribunal Secretariat and Labour Tribunals island wide
- Training programmes have been conducted for newly appointed Interpreters and Stenographers.

Performance of the Expenditure



Quazi Courts and Quazi Boards of Appeal

Quazi Courts are special type of courts which were established under Section 12 (1) of the Registration of Muslim Marriages and Divorce Act No. 13 of 1951 for the Islamic people to conduct their judicial activities according to their customs. Quazi Board of Appeal consisting of 5 Muslims are in operation to hear appeals of the Quazi Courts. The administration of the Quazi Courts and the Quazi Boards of Appeal was assigned to the Ministry of Justice by the gazette notification dated 8th October 2005 and Quazi Courts of Appeal earlier functioned under the Ministry of Home Affairs. At present, 64 Quazi Courts and one Quazi Board of Appeal are in operation.



64 Quazi Courts are functioning under the Board of Quazis and they are listed as follows:-

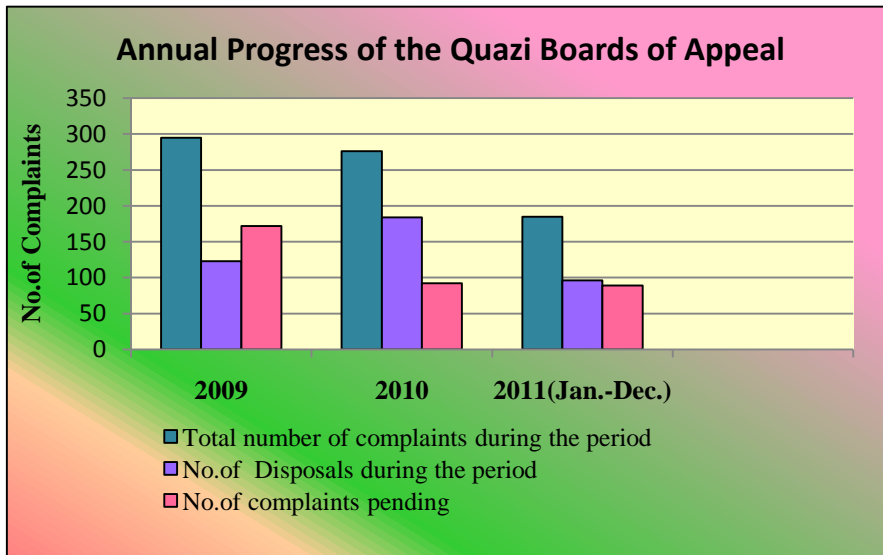
Addalacheani	Kalmuani & Karawahupattu(North)	Pahatha –Hewaheta
Akkaraipattu	Kalpitiya	Panadura
Akurana	Kaluthara	Polonnaruwa
Anuradapura	Kandy	Pothuvil-panampathu
Avissawella	Kathankudy Manmunaipattu	Pulmodai
Badulla	Kegalle	Puttalam & Chilaw
Balapitiya & Elpitiya	Kinniya	Rathnapura
Beruwala	Kuliyapitiya	Refugees population - Puttalam
Bhora Community	Kurunegala	Sainthamaruthu (Kara. South)

Biyagama	Maho	Sammanthurai wewagam pattu
Colombo East	Mannar	Thambalagamuwa & Kanthale
Colombo North	Matale	Tangalle
Colombo South	Matara	Trincomalee
Colombo West	Mawanella	Tumpane
Eravur	Memon Community	Udawalatha Gampola
Galle	Monaragala	Udathalawinna-Pahatha Dumbara
Gampaha	Muttur (Kodiyapattu)	Udunuwara
Hambanthota	Nawalapitiya	Valaichenai Koralaipattu
Haraipattuwa & Pujapitiya	Negombo	Vavuniya
Hatton	Ninthavurpattu	Yatinuwara
Horana	Nuwara Eliya	
Irakkamam	Oddamawadi	

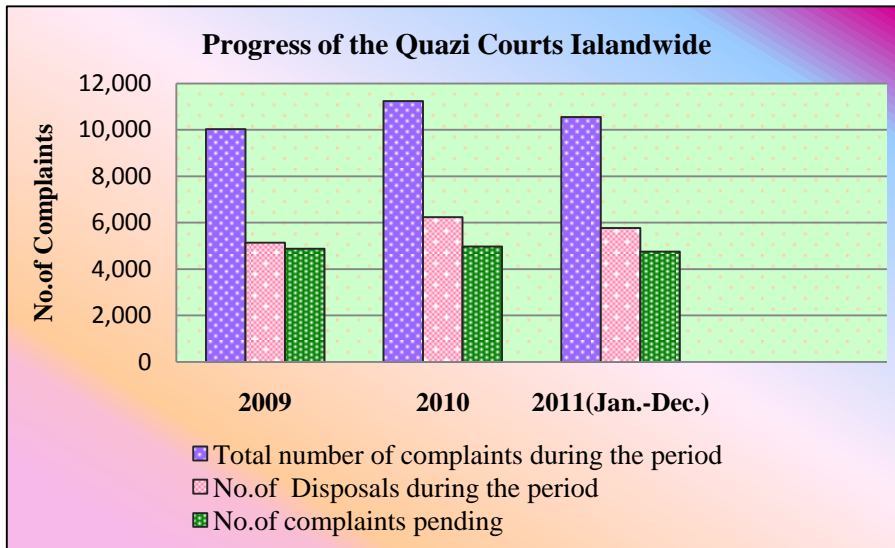
The Cadre (Staff of the Board of Quazis and the Kalmunei Office)

Designation	Approved Cadre	Present Cadre	Vacancies/Excess
Secretary	2	-	2
Clerk	4	1	3
Steno/typist	2	1	1
Interpreter	2	1	1
Book Binder	2	2	-
K.K.S.	2		2
Total	14	5	9

Performance of the Quazi Boards of Appeal (2009-2011)



Performance of the Quazi courts Island wide (2009-2011)



Completed Quasi Courts Buldings

- Sammanthurai,
- Biyagama
- Puttalam
- Kalmuani
- Kathankudy
- Kinniya
- Akkaraipattu

Quasi Courts scheduled to be built up in 2012

- Addalachchena
- Wellamanal
- Suduwandapulavu
- Potuwil
- Ottamawadi
- Irakkaman
- Periyamadu

Related Institutions

Sri Lanka Law College

The Council of Legal Education, established under the Council of Legal Education Ordinance as amended in 1990 is responsible for the management of the Sri Lanka Law College. The functioning of the College is, in terms of Rules of the Council of Legal Education, which are made by the Council with the concurrence of the Minister of Justice. The Council is chaired by Her Ladyship the Chief Justice and consists of 10 nominated/appointed members (representatives of the Chief Justice, the Minister of Justice and the Bar Association) and three ex-officio members (the Hon. Attorney General, the Secretary to the Ministry of Justice and the Solicitor General).

The Law College conducts 3 1/2 years course which leads to the Final examination for the admission of Attorneys-at-Law, after which successful candidates are required to follow a Practical Training Course and an apprenticeship of 6 months with a senior lawyer of at least 8 years at the Bar, prior to applying to the Supreme Court to be admitted and enrolled as an Attorneys-at-Law.

This institute runs on as a self financed Organization. Lectures are conducted by well qualified and experienced resource persons from the legal Profession.

Annual Performance

Admission to Law College is based on the results of an entrance examination conducted each year by the Department of examinations. The Council admits approximately 225 students in any one year, Apart from that, LL.B. Graduates are directly admitted. The Entrance Examination for the Academic year 2012 was held on 06.08.2011 and 241 candidates who had scored 70 marks and above were admitted. The process of introducing English as the sole medium of instruction commenced in 2008 with the preliminary year. This was extended to the intermediate year in 2009 and for the final year 2010. Examinations for October 2010, the students were allowed to answer in any medium of their choice. However, the Assignments test for each subject should be answered in English medium only.

Sri Lanka Judges Institute

Sri Lanka Judges Institute was established by the Act No. 46 of 1985. This institute is managed by a Board of Management which consists of 5 members including the Hon. Chief Justice and two judges of the Supreme Court appointed by His Excellency the President. The required provisions to this institute are allocated by the Ministry.

Subject and the Functions of the Institute:-

- I. To provide facilities for the exchanging of views and ideas on judicial and legal matters among judicial officers.
- II. To organize and hold meetings, conferences, lectures workshops and seminars with a view to improving the professional expertise of judicial officers and advancing their knowledge and skills.
- III. To formulate and conduct research courses in various aspects of the administration of justice and to provide library facilities and other educational material for judicial officers.

Annual Performance

1. A colloquium on the subject of “Human Trafficking in Sri Lanka.” was conducted for High Court Judges and judicial officers.
2. A colloquium on the subject of “Child protection and victim-friendly court process.” was conducted for High Court Judges
3. A colloquium and a Training Workshop were held for judicial officers of the Northern and Eastern Provinces.
4. A colloquium was held for Labour Tribunal Presidents on the subject of “The Impact of ILO conventions on the adjudication of disputes before Labour Tribunals”.
5. A colloquium was held for Judges and Judicial officers, on the subject of “Crime Investigations.”
6. A two day colloquium was held for Magistrates on the Subject of “Human Trafficking and Forced Labour.”
7. Additional telephone facilities have been provided for the Judges of all provinces in the island including Northern and Eastern Provinces.
8. In addition to above ,training classes and workshops for newly appointed Judges were held every weekends.