



SRI LANKA JUDGES' INSTITUTE

COMMITTED TO IMPROVE QUALITY OF JUSTICE

ANNUAL REPORT

FOR THE YEAR ENDING 31.12.2013

**Presented to the Parliament Pursuant to section 10 of the
Sri Lanka Judges' Institute Act No. 46 of 1985**

CONTENTS

Page 2

1.	Director's Statement.....	03-04
2.	About the Sri Lanka Judges' Institute	05
3.	Establishment of the Sri Lanka Judges' Institute	06
4.	History of the Sri Lanka Judges' Institute.....	06-14
5.	Management & Staff of the Sri Lanka Judges' Institute	14-16
6.	Funs of the Institute.....	17
7.	Training Programmes.....	17-25
8.	2013 at a Glance	26
9.	Activities of the Sri Lanka Judges' Institute in 2013	27-29
10.	Guest Lectures	30
11.	Research Activities	31-34
12.	International Cooperation	34-35
13.	Future Courses	36
14.	Significant Accounting Policies	36
15.	Appreciation.....	36
16.	Balance Sheet.....	37
17.	Income and Expenditure Account.....	38
18.	Cash Flow Statement	39-42
19.	Fixed Assets.....	43
20.	Auditor General's Report 2013	43

1. DIRECTOR'S MESSAGE



On behalf of the Board of Management of the Sri Lanka Judges' Institute, I am pleased to present to you the annual report and final audited accounts of the Sri Lanka Judges' Institute for the financial year ended December 31, 2013. The Annual Report outlines the conclusions drawn about operations, prospects and the financial ability of the future Annual Reports and Accounts provided, snap sheet view of the performance of the Sri Lanka Judges' Institute in the past year. It also illustrates how the Institute achieved its stated objectives in the best possible way in the past one year.

The continues judicial training for the professional development of judges and enhancement their knowledge have come a long way since the establishment of the Sri Lanka Judges' Institute in 1986 by an Act of Parliament. The year 2013 was a year of change for Sri Lanka Judges' Institute, as we attempted to expand the academic and research activities of the Institute and reposition ourselves as a significant provider of services to judicial officers in training and other facilities with a view to improving the professional expertise of judges and advancing their knowledge in the administration of justice.

The past year has been an important period in the Judges' Institute of Sri Lanka, having regard to five major developments. First, the Judges' Institute was given a section of the Ministry of Justice New Building in the 5th Floor to be used as its secretariat at the request His Lordship the Chief Justice Hon. Mohan Peiris, P.C. Secondly, the year was a challenging one with the increasing number of training programs, both local and foreign. Thirdly, the demand for the use of technology in the Institute, namely the launching of the website and the e-library of the Institute to reach the judicial officers and establishing the video conferencing facility linking the Institute with the Chief Justice's Office, Jaffna High Court and the Tangalle High Court. Fourthly, the granting of the approval by the Department of management Services for the Cadre of the Institute and fifthly, the appointment of a consultant to the Judges' Institute to train Judges of the High Court, District Court, Magistrates Court and Presidents of Labour Tribunals. .

Progress has been made during the past year from June 2013 to December 2013 in implementing the strategic goals and identifying priority projects as set out in the action plan for June 2013- December 2013. The priorities were also given to conduct in-service

training for High Court Judges, District Judges, Magistrates and President of Labour Tribunals, web-based education by disseminating legal information and legal materials to judges, publishing unreported judgments and course materials in the e-library of the Institute, conducting guest lectures by foreign judges, conducting lectures by university academics, legal luminaries and other professionals, amending the Sri Lanka Judges' Institute Act, preparing scheme of recruitment and promotion in the Institute, development of long term training manual for in-service judicial officers, establishing partnerships with foreign judges institutes and other academies, obtaining membership of the International Organization of Judicial Training (IOJT) and organizing foreign training for judges.

The academic activities of the Institute was however, hampered by the shortage of staff, in particular a qualified librarian, technicians and other support personnel. The Institute will take all possible steps to recruit the necessary staff in 2014 to provide a very efficient service to judicial officers.

Our achievements this past year was possible because of the support of the Members of the Board of Management and several other personalities. First, I wish to record my thanks and appreciation to the Chairman of the Board of Management of the Sri Lanka Judges' Institute His Lordship the Chief Justice the honourable Mohan Peiris, P.C., and other Members of the Board of Management the honourable Gamini Amaratunga (up to August 2013), honourable Shiranee Tilakawardane (from August 2013) and the honourable Saleem Marsoof, P.C. Without their vision, determination and guidance, none of the achievements would have happened.

I also wish to pay tribute to the active support of our consultant, Hon. Justice Ranjith Ranaraja, retired judge of the Court of Appeal and all resource persons who contributed immensely to the advancement of judicial education of Sri Lankan Judges. I will be failing in my duty if I do not mention the wholeheartedly support given by Mrs. Kamalini de Silva, the Secretary to the Ministry of Justice and her staff, especially the administrative and accounting officers of the Ministry and I wish to pay a special tribute to them all.

Our achievements this past year was possible because of the support of our staff at the Institute. They worked tirelessly to achieve the goals of the Institute several people amidst many difficulties. I would like to extend my appreciation to the officers of the Sri Lanka Judges' Institute for their dedicated efforts and cooperation.

We are certain to grow in strength in the coming year.

Ruwan Fernando

LL.M (Cardiff), U.K., Post Attorney Diploma in Intellectual Property Rights (S.L)

High Court Judge &

Director, Sri Lanka Judges' Institute

02.05.2014

2. ABOUT THE SRI LANKA JUDGES' INSTITUTE

Vision

We will serve as an institute of excellence for the judicial training and providing most advanced training and research facilities for Judges with a view to improving the professional expertise of judges and advancing their knowledge to achieve the justice system that is credible, impartial, independent, user-friendly and accessible to all.

Mission

We will work towards achieving our vision by providing judicial officers with advanced knowledge and skills to improve the professional expertise of judicial officer and the quality of justice through various programs and activities. The Sri Lanka Judges' Institute will seek to fulfill its **MISSION** by contributing to the following goals:

- providing continuous training for judicial officers ;
- providing support for judicial officers through research, publications and technical assistance;
- providing facilities for the exchange of views and ideas on judicial and legal matters by judicial officers
- organizing and holding seminars, conferences, lectures, workshops with a view to improving the professional expertise of judicial officers and advancing their knowledge and skills
- contributing to the development of guidelines for best practices in delay reduction by way of case management and case flow management
- conducting research activities on various aspects of administration of justice
- providing library and web-based educational facilities and dissemination of legal information and material for judges
- maintaining interact with international judicial institutions
- contributing to the law reforms towards providing redress to litigants in order to uphold public trust and confidence in the judicial system
- contributing to the development and implementation of national policy and procedures regarding administration of justice and access to justice

3. ESTABLISHMENT OF THE SRI LANKA JUDGES' INSTITUTE

The Sri Lanka Judges' Institute was established by an Act of Parliament titled "Sri Lanka Judges' Institute Act" No. 46 of 1985 to provide for the establishment of a Judges' Institute and for matters connected therewith or incidental thereto.

Objectives

The objectives of establishing the Sri Lanka Judges' Institute are as follows:

1. providing facilities for the exchange of views and ideas on judicial and legal matters by judicial officers;
2. organizing and holding meetings, conferences, lectures, workshops and seminars with a view to improving the professional expertise of judicial officers and advancing their knowledge and skills;
3. formulating and conducting training and research courses in various aspects of the administration of justice; and
4. providing library facilities and other educational material for judicial officers.

4. HISTORY OF THE SRI LANKA JUDGES' INSTITUTE

Sri Lanka Judges' Institute holds the rare distinction of being the only judicial institution in Sri Lanka in providing judicial education and training for Sri Lankan Judicial officers and enhancing their professional standards.

Before the Judges' Institute was established, the only training the judicial officers had, before they assumed their judicial duties, was a few weeks of court observation sitting with the presiding judge. It was strongly felt that judges who administer justice must have the training not only before they commence their judicial career, but that the training be a continuous process throughout their judicial career. It was then realized that an in-depth and a regular training institute for judicial officers should be designed and set up where judicial officers of all ranks would get judicial training on regular basis.

The idea of a Judge's Institute was first mooted by Mr. P.B. Herath, then Secretary, Ministry of Justice who having seen such an institute in France had written an article to the Newsletter of the Bar Association of Sri Lanka in 1982. But, as is usual, nothing was done about it and it was a voice in the wilderness. Mr. P.B. Herat who was the first to think of the Judges Institute as Secretary, Justice was a steady source of encouragement to the Institute and became a very strong ally of the Institute.

In about September, 1983, the Justice Ministry was able to lure the dynamic Dr. A.R.B. Amerasinghe, then adorning a place in the Supreme Court Bench, to take over as Secretary, Ministry of Justice. Towards the end of 1984, the then Chief Justice Mr. Neville D.M. Samarakoon, Q.C., invited Justice J.F.A Soza who had just retired as a Judge of the Supreme Court for a meeting with the then Chief Justice and Dr. A.R.B. Amerasinghe, the then Secretary, Ministry of Justice.

Together they mooted the forming of a Judge's Institute for the provision of in-service continued legal education for Judges and Justice J.F.A. Soza was appointed the Director of the Sri Lanka Judges' Institute on 02 May, 1984. The question of funding had already been discussed with Mr. John Guyer, the Resident Representative of Asia Foundation. The first thing to be done was to find premises to house the new Institute. After looking at various alternatives, the Annex of Sri Lanka Foundation was taken on rent for one year. Steps were taken to furnish it. This was all done through the munificence of Asia Foundation. Some Seminars were held thereafter but only ad hoc programs could be put through as approval of the Government had to be obtained. A Cabinet Paper was prepared, but it was not clear whether the Government's approval was available.

In early 1985 a direction was received that action should be stayed in regard to the establishment of the Judges Institute. Thereafter steps were taken to enact legislation on the subject. In the meantime in view of the Cabinet direction, the Judicial Service Commission took over the arrangement of seminars. One such was arranged for November, 1985, and Justice J.F.A Soza was invited to preside at that seminar on Bail, and the country's leading lawyers were also invited. Among them were Dr. Colvin R. de Silva, Mr. A.H.C. de Silva, Q.C. and from the Attorney-General's Department Mr. Sunil de Silva, the then Attorney-General, Hon. P. Ramanathan who later became a Judge of the Supreme Court and Hon. Priyantha Perera who later became a Judge of the Supreme Court.

Some excellent addresses were delivered and the discourses were of a very high standard. A Guest Speaker at this Seminar was Judge Clifford Wallace, Asia Foundation's Senior Advisor on Legal Systems and Judicial Administration and a distinguished Judge of the 9th circuit of United States Court of Appeals.

The nascent Judge's Institute had its birth pangs. It was fortunate that Dr. A.R.B. Amerasinghe an outstanding intellect and a man of vision was there to espouse its cause. His name has to be writ large in the genesis of the Judge's Institute as efforts resulted in the eventual establishment of the Sri Lanka Judges Institute by an Act of Parliament titled "Sri Lanka Judges' Institute Act No. 46 of 1985 which was certified on the 20th November, 1985. Justice Soza was formally appointed the Director with effect from 1st January, 1986. Since then the Judges' Institute has by organizing Seminars, Workshops, Practice Notes, and with an on-going Advisory Service served the Judges in every possible way. In 1990, Justice Soza was fortunate to be given the assistance of Justice K. Viknarajah, who joined as Deputy

Director and Mr. P. Neville A. de Silva who joined the Institute as its Secretary on retirement from the Chief Justice's Secretariat.

The Judges Institute is run by a Board of Management headed by the Chief Justice as Chairman ex-officio, and two appointed members, generally the two most senior Judges of the Supreme Court. The Administration and management of the Judges' Institute was vested in the Board of Management.

The objectives of the Institute are –

1. to provide facilities for the exchange of views and ideas on judicial and legal matters by judicial officers;
2. 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;
3. to formulate and conduct training and research courses in various aspects of the administration of justice;
4. to provide library facilities and other educational material for judicial officers.

The first Chairman of the Board of Management of the Judges' Institute was Chief Justice S. Sharvananda who was a keen supporter of the Institute. He was followed by Chief Justice Parinda Ranasinghe. He had himself been a member of the Judiciary and he threw himself wholeheartedly into the affairs of the Institute. He participated in all its seminars and activities. He held discussions with Lawyers and Surveyors at the seminars and set up Monitoring Committees with a view to establishing cordial relations between bench and bar. The Institute will always remember him.

Thereafter Justice H.D. Tambiah became the Chairman of the Board of Management having being appointed the Chief Justice who by that time had already served as a member of the Board of Management and made an important contribution in the progress of the Institute. Mr. A.S.Wijetunga who as the then Secretary of the Judicial Service Commission also played a key role in the pioneering efforts of the Institute to get on its feet. He was then the President of the Court of Appeal and still evinced an abiding interest in the Institute. His successor Mr. Lal Peiris and his assistant Mr. S. Withanachchi also maintained an unflagging interest in the Institute. They have bestowed a solicitous concern for the welfare of the Institute and they are a tower of strength to the Institute.

Judges' Institute expresses our gratitude to Asia Foundation earlier headed by Mr. John Guyer and thereafter by Mr. Nick Langton to whose support the Institute owes its very existence. Our Institute, we are proud to say, is one of the prime concerns of the Foundation and a beneficiary of its largesse. The Institute was thereafter located in the premises of the Supreme Court at Hulftsdorp and the expenses of the maintenance were borne by the State.

The Institute has drawn on the expertise and experience of Senior Judges of the appellate Courts on judicial matters and Senior Officials of the Ministry of Justice on Administrative matters in formulating Training programmes for trial court Judges. In November 1990 Dr. Paul M. Li, Executive Director, California Centre for Judicial Education and Research visited Sri Lanka and formulated a project to enable the Sri Lanka Judges' Institute to provide, on a three-year pilot basis, a comprehensive educational training system for the judiciary as follows:

- (1) A six-month, professional education program for new members of the Sri Lanka Judiciary, with later continuing education to update and enhance their judicial knowledge and skills;
- (2) Separate one-month, in-service orientation programs for judges newly elevated to District Courts and High Courts;
- (3) Annual in-service continuing education conferences for, respectively, Magistrates, District Court Judges, High Court Judges, and Appellate Court Judges, to assist them in keeping up-to-date on new legal developments, meeting common and individual court problems, and standardizing local court practices and procedures.
- (4) Periodic one-week, advance judicial studies programs on such important judicial subjects as court management, communication skills, courtroom fairness to women and minorities, judicial fact finding and decision-making and jurisprudence and the humanities and in handling specialized court duty assignments involving matters of family law, juvenile law, criminal law, civil law, probate and mental health law, land and partition law, and human rights law;
- (5) The initiation of comprehensive set of everyday working tools (bench books, checklists with spoken words and written forms, manuals, and other reference materials) for the judiciary, including audio and video taped educational materials (with basic library facilities for Judges in the Courts);
- (6) An effective judicial faculty development program for Judge-teachers;
- (7) On-going research and development programs for improving court operations and overcoming court delay, and for enhancing the ethical conduct and public accountability of judges;
- (8) The design and possible rental or future construction of a training facility, with appropriate classrooms, offices, audio-visual equipment and other resources, to implement the above judicial education system.

The purpose of this project was to promote quality justice and strengthen the rule of law as for the fair, speedy and effective administration of justice it is an imperative that the members of the judiciary be properly equipped for their roles and responsibilities. This required not only proper training for judges at the time of assuming office, but also continuing education throughout their tenure of office. The quality of justice will depend on how good the judges are. Laws alone are not enough. The justice administered will be

lonely as good as the Judges who administer it. Counties all over the world committed to the rule of law have realized this and have training and education programmes for the Judges.

During this period, the Institute was accommodated in the premises of the Supreme Court in Room No. 1308. The Board of Management of the Sri Lanka Judges' Institute appointed Justice K. Viknarajah, retired Judge of the Court of Appeal as the Deputy Director who along with Justice J.F.A. Soza conducted in-service training for judicial officers. After Justice K. Viknarajah left the Institute, Justice S.J.D. de S. Wijeyeratne, retired Judge of the Court of Appeal assumed duties as the Deputy Director In 1986. Thereafter Justice P.H.K. Kulathilake, retired Judge of the Court of Appeal was appointed as the Deputy Director in 2002, who with his immense knowledge and experience as a member of the Attorney-General's Department, a High Court Judge and a Judge of the Court of Appeal was an asset to the Judges' Institute and a mentor to judicial officers.

After the retirement of Chief Justice G.P.S. de Silva, Justice Sarath N. Silva was appointed as the Chief Justice in 2000. Chief Justice Sarath N. Silva was a tower of strength to the Judges' Institute. He permitted his official Bungalow at Wijerama Mawatha to be used as the Judges' Institute and made the funds of the Legal and Judicial Reforms Project available for conducting training for judicial officers.

Chief Justice Sarath N. Silva initiated long term judicial training by initiating foreign scholarships for judicial officers with the support of the Legal and Judicial Reforms project of the Ministry of Justice, Law Reforms and National Integration in association with the World Bank. One of the objectives of this Project was to establish a modern judicial system capable of efficiently and competently adjudicating disputes. The integral part of the project was to fund, training for the judiciary and to develop comprehensive training program for both new and in-service judges, with special focus on commercial law. To this end, the project funded the total costs of studying for a LL.M programme for 3 members of the Judiciary per year including tuition, travel, accommodation and reasonable costs of subsistence.

Chief Justice Sarath N. Silva also initiated computer training for judicial officers and the court staff at the Institute which was located at that time in his official Bungalow at Wijerama Mawatha. During his period the construction of a new building to the Ministry of Justice was made and the Institute was allotted the 5th floor and a part of the 4th floor was allotted as the Judges' Residences. The Institute is grateful to Chief Justice Sarath Silva for supporting the Institute and throwing himself wholeheartedly into the affairs of the Institute during his tenure of office from 2000 to 2009. The Institute always remembers him.

Justice J.F.A. Soza who was the founder Director and served the Institute as its Director for more than 21 years retired in 2008 having rendered a yeoman service to the Judges' Institute and Judicial officers. Justice J.F.A. Soza continues to be our inspiration and he will be in our memories for ever.

After the retirement of Justice Soza, Justice Nissanka Udalgama, retired Judge of the Supreme Court was appointed as the Director in 2008 and Justice Udalgama functioned as the Director till 2011. During his period, Justice Nissanka Udalgama initiated the first web site of the Sri Lanka Judges' Institute. Justice J.F.A. Soza, Justice Udalgama and Justice P.H.K. Kulatilake were instrumental in publishing more than 10 Course materials on criminal, civil, commercial matters, Case Management and Alternative Dispute Resolution for judicial officers with the assistance of Judges of the Supreme Court, Court of Appeal and High Court. Justice Nissanka Udalgama! We salute you for all you did to the Institute.

After the retirement of Chief Justice Sarath Silva, Justice Asoka Silva was appointed the Chief Justice in 2009. During his period, Justice P.H.K. Kulatilake was appointed the Additional Director in 2009 and in 2011 he was appointed as Co-Director with Justice T.B. Weerasuriya, retired Judge of the Supreme Court. Justice T.B. Weerasuriya and Justice Kulatilake served the Institute with distinction and trained both civil and criminal judges with their immense experience and knowledge as judges of the Superior Courts. The Institute takes this opportunity to pay tribute to both of them for rendering a yeoman service to the Institute and the Judiciary. We always remember them as our great mentors.

Chief Justice Asoka Silva concentrated more on judicial education and training. Chief Justice Asoka Silva restructured training programmes and training contents with the assistance of the Institute. Several workshops were conducted for High Court Judges and Judicial Officers. Chief Justice Asoka Silva himself participated in several such seminars and supported all activities of the Institute. During this period several training modules were published and Chief Justice Asoka Silva obtained the services of both in-service judges and retired judges as resource persons for judicial training. Chief Justice Asoka Silva instructed the Institute to invite High Court Judges to train trainee judges.

Also during this period the Judges' Institute was located in the New Building of the Ministry of Justice and the Institute is grateful to Mr. Suhada Gamlath, the then Secretary to the Ministry of Justice for taking steps to establish a Judges' Institute with a new auditorium, a computer lab, a library and Judges' Residences. The Institute will remember you for your efforts to provide the judicial officers with a new Judges' Institute. The Institute is indebted to the UNDP for donating all equipment required for the computer lab, auditorium and the library and providing furniture for the Judges' Residences.

After the retirement of Chief Justice Asoka Silva, Justice Shirani A. Bandaranayaka was appointed as the Chief Justice in 2011 and she became the Chairperson of the Board of Management of the Institute. Justice T.B. Weerasuriya and Justice P.H.K. Kulathillake also functioned as Co-Directors of the Institute till May 2012. Thereafter the Board of Management of the Judges' Institute appointed Mr. Ruwan Fernando, a sitting High Court Judge as the Director of the Judges' Institute in June 2012 and appointed Mr. Mahie Wijeweera, a sitting Magistrate as the Academic Coordinator of the Judges' Institute.

The Board of Management headed by Chief Justice Shirani A. Bandaranayaka supported the affairs of the Institute and made an important contribution to the progress of the Institute. During this period the Accountant of the Judicial Service Commission was appointed as the Acting Accountant of the Judges' Institute on an acting basis. Also a Court Registrar and 3 Management Assistants were appointed to the Judges' Institute to efficiently perform the functions of the Judges' Institute. The Institute is also grateful to Mr. Suhada Gamlath, the then Secretary to the Ministry of Justice for attaching 2 minor employees from the Ministry of Justice to the Judges' Institute.

In 2012, the Institute prepared a Corporate Plan and an Action Plan and got the approval for the delegation of Authority in respect of income and expenditure under Financial Regulations of the Sri Lanka Judges' Institute. The Institute submitted annual reports to Parliament, prepared the Cadre of the Institute and extended training programs to the presidents of Labour Tribunals. During this period, the Institute began restructuring the training programs and modernization of the available facilities at the Institute to make the Institute a well-equipped modern training and research facility.

The priorities were given to find a suitable place to locate the secretariat of the Institute, extension of training programs, improving the library facility by making the library a fully equipped computer lab with Wi-Fi facility, reactivation of the Web site with the assistance of the Information and Communication Technology Agency (ICTA), collection of unreported judgments of the Superior Courts, providing residential facilities to Judges within the Institute, commencement of the work on developing a training Manual for Judicial officers at the request of the UNDP, recruiting required staff, providing the required physical resources such as Computer server and commencing print outs and photocopying facility and putting the administrative matters in order by complying with the requirements of the Public Administration and Financial Circulars.

The Institute wishes to pay tribute to the Members of the Board of Management of the Judges' Institute in this regard and wishes to express its sincere gratitude to the Staff of the Institute especially Academic Coordinator Mr. Mahee Wijeeeweera and Mr. Gnanapala, the Registrar of the Institute in this regard.

In January 2013, Hon. Mohan Peiris was appointed the Chief Justice of Sri Lanka and Chief Justice Mohan Peiris became the Chairman of the Board of Management of the Sri Lankan Judges' Institute. Chief Justice Mohan Peiris threw himself wholeheartedly into the affairs of the Institute from the very outset and is a tower of strength to the Judges' Institute. In April 2013, the Institute got a section of the New Building of the Ministry of Justice to be used as its office and the Institute is thankful to Chief Justice Mohan Peiris for taking initiative in this regard. The Institute is also indebted to the Secretary, Ministry of Justice Mrs. Kamalini de Silva for providing the building of the Ministry of Justice to be used as the Office of the Institute. Chief Justice Mohan Peiris expanded training programs of the Institute to High Court Judges, Judges of the Kathie Courts and Court Registrars. Chief Justice Mohan Peiris

expanded the Cadre of the Institute from 9 to 23 and invited Academics, professionally qualified legal personalities and experts in various fields to share their knowledge and experience with Judges. Chief Justice Mohan Peiris regularly invited foreign Judges and legal experts to address Judges at the Institute and thereby giving the opportunity to Judges to interact with them on legal and judicial issues. Chief Justice Mohan Peiris himself participated in many seminars, lectures, presentations at the Institute and other places and actively shared his knowledge and experience with judges.

During this period, two committees were appointed to update the Bench Book on Law of Evidence and Civil Law reforms. Chief Justice Mohan Peiris is at present in the process of formulating law reforms to the civil justice system in the area of case management with the assistance of eminent foreign Judges. The Institute takes the pleasure in supporting the efforts of the Chief Justice Mohan Peiris in bringing the required law reforms to the civil justice system.

After the Chief Justice Mohan Peiris assumed Office, over 200 judges have been given foreign training in Malaysia, India, Singapore and India mainly on case management, court administration and judicial ethics. During this period the Institute got the services of Mr. Lakmal Wickremasuriya as its Academic Coordinator who dedicated himself in finding foreign training opportunities to Judges and organized all foreign training programs of the Institute. The Institute wishes to take this opportunity to thank him for his dedication and commitment in organizing and coordinating all foreign training programs on behalf of the Institute. We are proud to say, that the Judges' Institute is progressing rapidly during the period of Chief Justice Mohan Peiris.

We have to express our gratitude to all Judges of the Superior Courts, High Court, Academic Community and professionals for extending their support to the Institute as resource persons and other activities of the Institute. We must also mention Mr. Sisira Ratnayake who as the Secretary of the Judicial Service Commission plays a key role in supporting the training programmes of the Institute.

Today, the Institute is a member of the International Organization for Judicial training (IOJT). It has its own web site with an E-library in order to disseminate legal and judicial information to judicial officers. The Institute has a video conferencing facility linking the Institute with the High Court of Jaffna, Tangalle and the Chief Justice's Chambers. The Institute has purchased the Indian web site "Manupatra," the first international data base which has access to more than million judgments from the Indian Supreme Court and High Court, USA Supreme Court and the judgments of the House of Lords. The Institute wishes to place on record the support extended by the Federal Judicial Center of the U.S.A, Judges Institute of Malaysia, Singapore and India for training Sri Lanka judicial officers and providing training modules including electronic training material to the Institute.

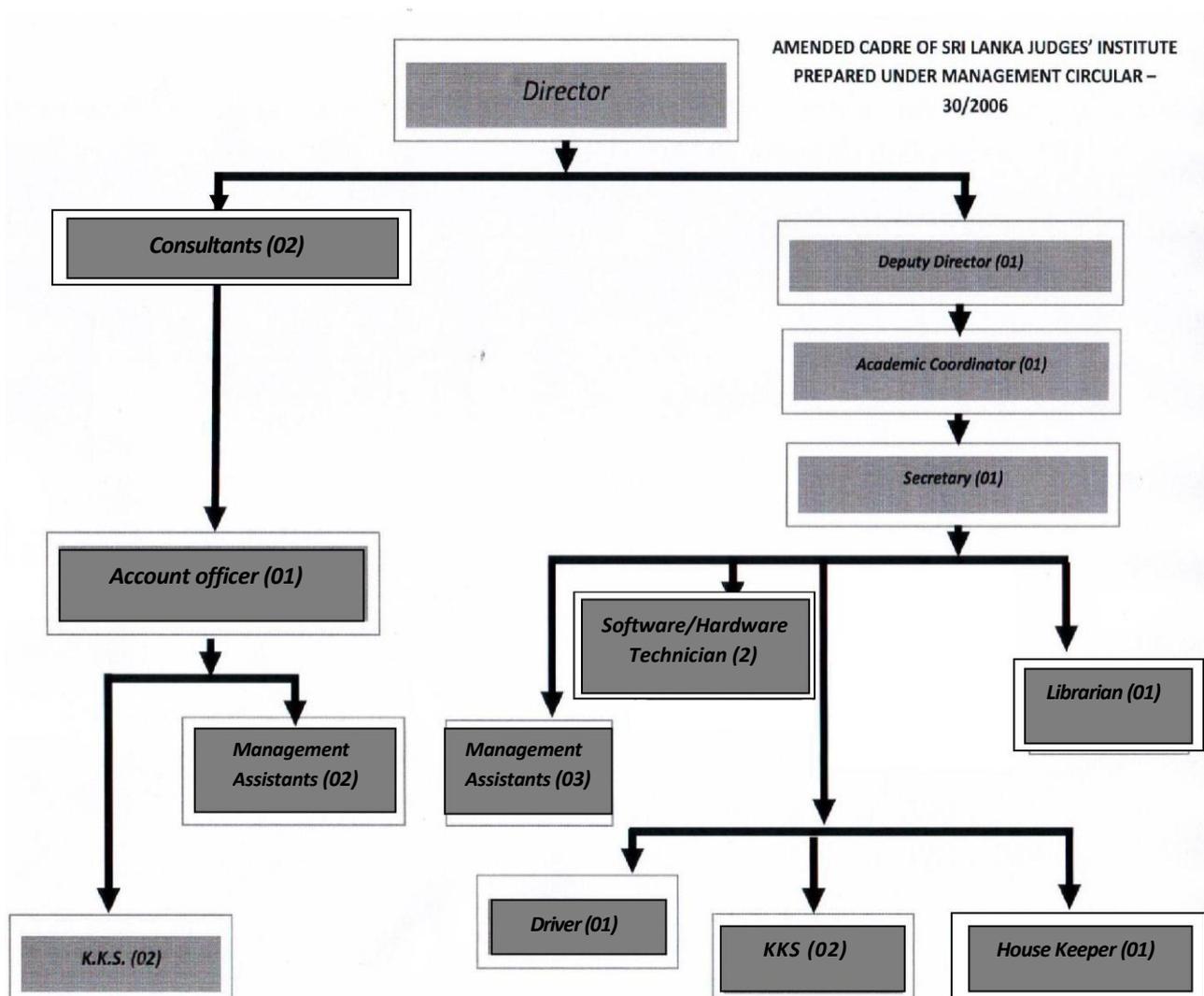
The Institute wishes to thank the Board of Management of the Institute, Secretary, Ministry of Justice and her staff, the UNDP, Asia Foundation, Asian Development Bank and other funding agencies and also the Staff of the Institute for contributing to the progress of the Sri Lanka Judges' Institute.

(History from 1985-1991 (Courtesy Judges' Journal Vol. 1)

5. MANAGEMENT AND THE STAFF OF THE SRI LANKA JUDGES'

The Institute is a body corporate with perpetual succession and a common seal and its administration and management is vested in the Board of Management. The Board of Management comprises of the Chief Justice and two Judges of the Supreme Court appointed by the President and the Chief Justice is the chairman of the Board of Management. After the re-structuring plan of the Institute, the organizational structure of the Institute will be as follows:

The organizational structure of the Institute in the year 2013 was as follows



Section 3 of the Sri Lanka Judges' Institute Act provides that the administration and management of the Institute is vested in the Board of Management which comprises of the Hon. Chief Justice *ex officio* and two Judges of the Supreme Court appointed by His Excellency the President.

Board of Management of the Sri Lanka Judges' Institute-2013

Board of Management

The Board of Management of the Sri Lanka Judges' Institute for the year 2013 consists of:

The Chief Justice of Sri Lanka, Hon. Mohan Peiris, P.C. Chairman

Hon. Gamini Amaratunga, Member (up to April 2013)

Hon. Justice Saleem Marsoof, Member

Hon. Shiranee Tilakawardane, Member (from August 2013)

Staff of the Institute

The Board appoints the Institute's Director and such other officers and servants, in its necessary for carrying out the objects of the Institute and to exercise disciplinary control (including the power of dismissal) over the Director, officers and servants of the Institute. The Board also has the power to determine the remuneration and terms of service of the Director, officers and servants of the Institute.

Staff of the Institute

1. Director- Mr. Ruwan Fernando, High Court Judge
2. Consultant- Hon. Ranjith Ranaraja, Retired Judge of the Court of Appeal
3. Academic Coordinator- Mr. Lakmal Wickremasooriya, District Judge
4. Accountant - Mr. G. Meddagodage
5. Management Assistants:
Mrs. Dilini Gannoruwa
Mr. Kapila Jayasri
Miss. S.C. P. Lakmali
Miss. K.A.C.P.P. Gunawardane
6. Minor Employees
Mr. D. Lakshan Welikala
Mr. R.L.A.P. Malinda
7. Driver: Mr. G.W. Ranjith

Staff Photograph of the Sri Lanka Judges' Institute



6 FUNDS OF THE INSTITUTE

The Institute has its own fund which is administered by the Board of Management of the Institute. The Institute is mainly financed from the treasury grants channeled through the Ministry of Justice both for its capital and recurrent expenditure. The Ministry of Justice /Treasury places the ceiling for this expenditure and the Institute has to operate within these ceilings.

In terms of the provisions of the Sri Lanka Judges' Institute Act No. 46 of 1985, the Institute has authority to accept donations, gifts and grants from any source approved by the President and all such donations, gifts and grants received by the Institute from any source shall be paid into the Fund. All expenses incurred in the administration and management of the Institute (including the payment of remuneration) shall be paid out of the Fund of the Institute.

The Treasury has granted through the Ministry of Justice Rs. 6 million as capital expenditure and Rs. 18 million as the recurrent expenditure for the current year so far. With the expansion of its training and research activities especially, technology-based training methods and foreign training programmes and also maintenance of services including the web-site, library, video conferencing, residential facility, publications and purchasing of vehicles to the Institute, the Institute is expected to receive Rs. 6 Million more in year 2015 for capital expenditure and Rs. 25 Million for recurrent expenditure.

7. TRAINING PROGRAMMS

Since the establishment of the Judges' Institute in 1985, a number of training courses and events have been held in the Institute. However, with the expansion of the Institute in 2012, the programs of the Institute are intended to cater to High Court Judges, original Court Judges and Presidents of Labour Tribunals, Judges of the Kathie Courts (Quazis) and Court Registrars. In order to achieve the aforesaid objectives, the Judges' Institute is committed to ensuring a high standard of judicial performance through programs designed with the focus on judicial education, capacity enhancement (including skills development), attitudinal change and social commitment. It is also committed to further developing and adopting improved judicial administration and management through education and research. The programs of the Institute are intended to cater to original court judges and Presidents of Labour Tribunals who come within the purview of the Judicial Service Commission.

Training requirements vary depending on the training modules and the types of training participants, although there are common training programs relevant to all participants. A training program can be mandatory, voluntary or optional depending on the type of training

and the experience of the judicial officer or his acquired knowledge at earlier training sessions. It also covers the question of who has the authority to control the training and how training programs are financed, target groups and the time of training.

In Sri Lanka, all judicial officers are required to take part in mandatory in-service training as a means of improving the professional expertise of judicial officers and advancing their knowledge throughout their judicial careers. They are required to attend in-service training programs conducted by the Judges' Institute on each Saturday in the Judges' Institute of Sri Lanka and in case of any inability; they are required to inform the authorities of their inability to attend mandatory in-service training sessions.

In the case of newly recruited trainee judicial officers, introductory and preliminary training programs are conducted on a day to day basis and such training programs are mandatory. They do not have any option of not attending training sessions conducted by the Judges' Institute. The other type of training requirement arises in the case of a decision taken by the Judicial Service Commission to attach an in-service judicial officer to the Judges' Institute for further training.

Nature of Training

1. Mandatory training

The existing continuing mandatory judicial training for in-service and trainee judicial officers would continue and optional and voluntary training programs would be enhanced for in-service judicial officers as indicated above. However, new approaches for judicial training would be introduced taken into consideration the needs of the judicial officers and the changes taking place in other jurisdictions which now concentrate on technology based face to face distance learning and technology based self-learning judicial training.

2. Optional training

The need for support courses in other jurisdictions such as English writing for judicial work, personality development, computer training, health development are regarded as optional courses depending on the standard and the requirements of judicial officers. Support courses such as the Mentoring Program are optional program for in-service judicial officers.

3. Training Period

In Sri Lanka, judicial officers are drawn from lawyers who have completed the initial mandatory period of practice as an attorney-at-law either in the private bar or official bar unlike in other countries where a significant proportion of judges are drawn from academia where self-development or training is well established. The Sri Lanka experience shows that

the judicial training has been confined to usually 6 months, compared to civil law jurisdiction where an extended period of initial training is given, followed by an evaluation system. It has been proposed in this module that the training should be extended to a period of 1 year with mandatory presentations, research work and presentation of a thesis.

4. Training Authorities

Judicial training at present is delivered by the Sri Lanka Judges' Institute. However, the Board of Management of the Judges' Institute grants permission to conduct some specialized training programs by Governmental agencies or Universities when such programs are relevant and useful for judicial officers. In the case of foreign training, such training sessions are conducted either by a foreign university, judicial academy or specialized training institution.

5. Judicial Trainers

At present, training programs are conducted mainly by the Judges of the Sri Lankan Supreme Court and Court of Appeal. However, senior members of the Attorney-General's Department also conduct certain types of training programs. Eminent jurists and academics are also invited to conduct judicial training programs taking into consideration of their knowledge, experience and their specialty relevant to judicial officers. As far as trainee judicial officers are concerned their courses would be mainly conducted by the Judges of the Court of Appeal, High Court Judges, both in-service and retired and senior members of the Attorney-General's Department. For practical training such as identification parades, inquests and recording statements, senior Magistrates would also be invited to conduct such practical training and moot court sessions. Furthermore, support courses such as computer courses, electronic court filing, mental development, forensic science courses would be conducted by outside trainers who are the experts in their respective support courses.

Training Resources and Facilities

The Institute presently has a State of the art training facilities to deliver judicial training courses as identified in this manual including:

1. State of the art auditorium;
2. State of the Art Library with Wi-Fi facilities-open from Monday to Saturday;
3. Web site;
4. Video Conferencing
5. Photocopying and Print out facility;

6. Reference Law Books;
7. Course Materials;
8. Reference Materials;
9. Law Reports;
10. Unreported Judgments;
11. Residential Facilities;
12. Legal Information Data Bases



LIBRARY



AUDITORIUM



Training Sessions for Judicial Officers- Justice Ranjith Ranaraja, Retired Judge of the Court of Appeal



Seminars for High Court Judges

Types of Training Courses

- 1) In-service Courses for Judicial Officers- District Judges and Magistrates;
- 2) In-service Courses for Presidents of Labour Tribunals;
- 3) In-service Courses for High Court Judges;
- 4) Orientation Course for Trainee Judicial officers
- 5) Orientation/Preliminary Courses for newly appointed trainee Presidents of Labour Tribunals;
- 5) In-service Courses for Presidents of Quasis;
- 6) Computer Courses for In-service and Trainee Judicial Officers;
- 7) Computer Courses for In-service Presidents of Labour Tribunals;
- 8) Research Methodology and On-line Research Courses- for Judicial Officers, Presidents of Labour Tribunals and High Court Judges;
- 9) English Writing Skills and Latin for Judicial Work Courses for judicial officers;
- 10) English Writing Skills Development and Latin Courses for Presidents of Labour Tribunals;
- 11) Court Behavior, Attitudinal Changes and Court Craft Development Courses for judicial officers;
- 12) Court Behavior, Attitudinal Changes and Court Craft Development Courses for Presidents of Labour Tribunals;
- 13) Personality Development and Health Development Courses for judicial officers;
- 14) Personality Development and Health Development Courses for Presidents of Labour Tribunals;
- 15) Personality Development and Health Development Courses for Presidents of Labour Tribunals;
- 16) Judgment writing courses for judicial officers and Presidents of Labour Tribunals;
- 17) Personality Development and Health Development Courses for High Court Judges;
- 18) Forensic Science and Toxicology course;
- 19) Alternative Dispute Resolution Training Courses- for judicial officers and Presidents of Labour Tribunals;
- 20) Provincial Courses for judicial officers serving in Provinces-District Judges and Magistrates;
- 21) Colloquiums for all Judicial Officers-District Judges, Magistrates and trainee Judicial Officers;
- 22) Colloquiums for Presidents of Labour Tribunals;
- 23) Colloquiums for High Court Judges;

Aim and objectives of the courses include:

- 1) to understand the prestige of judicial office and role of judges in the administration of justice;
- 2) to understand the importance of a code of ethics for judicial officers in the administration of justice to minimize erosion of public confidence in their judicial and extra judicial activities;
- 3) to understand the basic norms for the management of personal affairs, beyond the suspicion of the litigants and the public;
- 4) to understand the rules of Court behavior and Court craft including dealings with officers of courts, litigants and public etc.
- 5) to develop code of ethics for judicial officers (whether under a written code of conduct or unwritten self- imposed code of ethics).

TRAINING CONTENT FOR IN-SERVICE COURSES

1. Judicial Behaviour, Ethics and Conduct;
2. Core Legal Knowledge (substantive and Procedural Law- Criminal, Civil, Constitutional, Commercial Law, Criminal and Civil Procedure, Law of Evidence);
3. Special Laws and Acts;
4. Personal Laws;
5. Human Rights;
6. Anti-corruption laws;
7. Computer skills and Information Technology;
8. Intellectual Property;
9. Court Administration and Court Management;
10. Case Management and Case Flow Management;
11. Accounts & Finance;
12. Disciplinary Procedure;
13. Juvenile justice;
14. Access to Justice and Legal Aid;
15. Forensic Science and Forensic Medicine;
16. Judgment writing;
17. Sentencing Policy and exercises;
18. Research Methodology and Online Research Methodology;
19. Alternative Dispute Resolution;
20. Personality and Skills Development;
21. Health Development and Stress Management;

22. Practical Training-judgment writing exercises, drafting of issues, framing of charges, identification parades, holding of inquests, recording confessions and statements, Preparation of inspection notes.

TYPES OF TRAINING METHODS INCLUDE:

1. Centralized face-to-face method;
2. Decentralized/Provincial based face to face method;
3. Court-based Mentoring method;
4. Centralized Mentoring method by appointed Mentors (appointed Resource Persons);
5. Streamed methods for individual officers;
6. IT and web-based distance learning methods;
7. Everyday working tools, bench books, audio and video taped educational materials;
8. Modules;
9. Course materials;
10. Reference materials;
11. Research papers;
12. Video-conferencing;
13. Practical- methods-moot courts;
14. Visits;
15. Presentations;
16. Essay Writing;
17. Research work;
18. Preparation of individual course materials;
19. Foreign training methods
20. Mentoring-

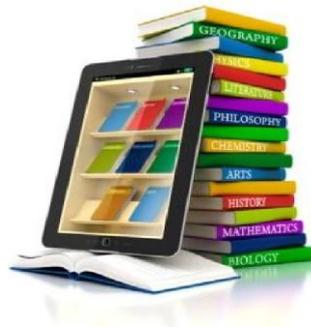
The Mentoring Training consists of two types of programs, both court-based mentoring programme by the Chief Judge, and centralized mentoring programme by resource persons. It is common knowledge that mentoring is used in this country as training at a personal level without any official recognition. The new training manual however, introduces a Mentoring training programme by which 2 eminent resource persons who are either retired Supreme Court Judges or Court of Appeal Judges, advise judicial officers, High Court Judges and Presidents of Labour Tribunals. The mentors (Consultants) deal with the following functions:

- (1) Criminal Law and Evidence- Original and Appeals- 1 Mentor (Consultant)- Retired Judge of the Supreme Court or Court of Appeal

- (2) Civil Law and Labour Law- Original and Appeals- 1 Mentor (Consultant) - Retired Judge of the Supreme Court or Court of Appeal

This type of training method will be conducted mainly through pre-arranged telephone calls, e-mails, web-based methods as well as pre-arranged face-to-face institutional sessions.

21. E- Library



E-Library offers...

Course Materials	Circulars	Unreported Judgments	Judges' Manual	Acts from 2006
FAQ Data Base	SLJI Training Manual 2013	Reports	Practice Notes	Resource Packs
Training Modules	Foreign Judgments	E Books	Latin Maxims	Trainee Judges
Gazettes	Presentation a-z			

8. 2013 AT A GLANCE

In 2013, the Institute

- ❖ Located the secretariat in the new section of the Ministry of Justice Building
- ❖ conducted 26 in-service seminars for 1315 Judicial officers District Judges & Magistrates)
- ❖ Conducted 1 seminars for 67 High Court Judges
- ❖ Conducted 3 seminars for 105 Presidents of Labour Tribunals
- ❖ 3 Workshops was conducted for 217 Judicial Officers on Case Management and Electronic Banking and Electronic Contacts
- ❖ Launched the web site www.judgesinstitute.lk
- ❖ E-Library was launched www.judgesinstitute.lk-e-library
- ❖ The cadre of the Institute was approved by the Department of Management Services
- ❖ Video Conferencing Facility was launched
- ❖ Air-conditioning facility of the Auditorium was fully restored
- ❖ Course materials and Reference materials were prepared with the assistance of trainee Judicial officers
- ❖ Unreported judgments of the Supreme Court and Court of Appeal were collected and kept in the library for reference
- ❖ Procurement Committee of the Judges' Institute was established and the several meetings were held during this period
- ❖ Distributed 750 printed and photocopies of handouts and reference materials among Judicial officers
- ❖ Reference library was modernized
- ❖ Training programs were extended to High Court Judges
- ❖ Corporate Plan and Action plans were amended
- ❖ 1 Guest Lecture by a Foreign Judge was conducted
- ❖ 1 Guest Lecture by a foreign University Lecturer was conducted
- ❖ Judges' Training Manual was prepared
- ❖ Membership of the International Organization of Judicial training was obtained
- ❖ Attended the 6th international Conference on Judicial Training held in Washington
- ❖ Purchased Electronic Equipments and Furniture to upgrade the library and technology-based training programmes
- ❖ Organized 2 foreign training programmes for 80 Judges in the Malaysia Judicial Training Institute and Indian Judicial Academy in Bhopal
- ❖ Purchased Criminal Procedure Digest and distributed to all Magistrates.
- ❖ Purchased Law Reports to the Library

9 . ACTIVITIES OF THE SRI LANKA JUDGES' INSTITUTE FOR THE PERIOD 01.01.2013- 31.12.2013

1. Saturday Programs for In-service Judges

Saturday seminars had been held for the period beginning from 01.01.2013 to 31.12.2013 with the participation of 67 High Court Judges, 1315 judicial officers and 70 Presidents of Labour Tribunals. The following were some of the major activities carried out by the Institute in the year 2013:

26 Saturday Seminars were conducted for Magistrates and District Judges as follows:

No.	Date	Speaker	Topic	Judges
1	2013.01.12	Hon. Justice Ranjith Silva - Retired Judge of the Court of Appeal	Admissibility of Documentary Evidence in Court Proceedings	53
2	2013.01.19	Hon. Justice Saleem Marsoof – Judge of the Supreme Court	Admissibility of Electronic Evidence in Court Proceedings	47
3	2013.02.09	Hon. Justice Ranjith Silva – Retired Judge of the Court of Appeal	Admissibility of Documentary Evidence in Court Proceedings	55
4	2013.02.16	Hon. Justice A.W.A.Salam – Judge of the Court of Appeal	Pre – Trial Steps in Civil Proceedings	48
5	2013.03.02	Hon. Justice A.W.A.Salam – Judge of the Court of Appeal	Pre – Trial Steps in Civil Proceedings	47
6	2013.03.09	Hon. Justice Saleem Marsoof – Judge of the Supreme Court	Admissibility of Electronic Evidence in Court Proceedings	49
7	2013.03.23	Mr. Buwaneka Aluvihare – Deputy Solicitor General	Rule Against Hearsay & Exceptions	53
8	2013.03.30	Mr. Buwaneka Aluvihare – Deputy Solicitor General	Hearsay & Exceptions	53

9	2013.05.04	Hon.Justice Saleem Marsoof – Judge of the Supreme Court	Admissibility of Electronic Evidence in Court Proceedings	55
10	2013.06.01	Hon.Justice K.T.Chitrasiri – Judge of the Court of Appeal	Statutes Relating to Recovery of Money	47
11	2013.06.08	Hon.Justice K.T.Chitrasiri – Judge of the Court of Appeal	Statutes Relating to Recovery of Money	44
12	2013.06.15	Hon. Justice Ranjith Silva - Retired Judge of the Court of Appeal	Administration of the courts & Disciplinary Procedure	51
13	2013.06.22	Hon. Justice Ranjith Silva - Retired Judge of the Court of Appeal	Administration of the courts & Disciplinary Procedure	54
14	2013.07.06	Hon. Justice Chandra Ekanayake – Judge of the Supreme Court	Writing Judgments in civil Cases	52
15	2013.07.13	Hon. Justice Chandra Ekanayake – Judge of the Supreme Court	Writing Judgments in civil Cases	44
16	2013.08.03	Hon. Justice Shiranee Tilakawardena – Judge of the Supreme Court	Domestic Violence Act & Violence against Women	55
17	2013.08.31	Dr.Wickrema Weerasooriya	Third Party Motor Insurance & Legal Issues	45
18	2013.09.07	Mr.Vijith Malalgoda – Additional Solicitor General	Legal Issues under Poisons, Opium & Dangerous Drugs Act	51
19	2013.09.14	Dr.Wickrema Weerasooriya	Third Party Motor Insurance & Legal Issues	50
20	2013.09.21	Mr.Vijith Malalgoda – Additional Solicitor General	Legal Issues under Poisons, Opium & Dangerous Drugs Act	54

21	2013.10.05	Dr.K.M.Karunaratne	Criminal enforcement of Intellectual Property	51
22	2013.10.12	Dr.Ruwan Illeperuma	DNA technology in Criminal Investigation	54
23	2013.10.19	Hon.Justice Saleem Marsoof – Judge of the Supreme Court	Admissibility of Electronic Evidence in Court Proceedings	52
24	2013.10.26	Dr.Ruwan Illeperuma	DNA technology in Criminal Investigation	50
25	2013.11.23	Dr.K.M.Karunaratne	Criminal enforcement of Intellectual Property	54
26	2013.12.07	Dr.K.M.Karunaratne	Intellectual Property Law	45
26				1315

WORKSHOPS

2 Workshops were conducted on Contemporary Practices for Effective Case Management and Avoiding Laws Delays for 91 Judicial Officers at Hotel Eden Gardens on 08th-10th August 2013 & 16th- 18th August 2014 at Eden Resort & Spa, Kaluwamodara, Athuthgama. One workshop on electronic banking and electronic contracts was held for 126 District Judges on 30.11.2013 at Miloda Hall, Colombo.

FOREIGN TRAINING PROGRAMMES

A foreign training programme for 39 Sri Lankan Judges was held at Judicial and Legal Training Institute (ILKAP), Malaysia from 28th October to 1st November 2014 to enhance the knowledge of the participants in judicial ethics, court administration, case management and automation of court and strengthen judicial skills for effective court and case management. The training programme was coordinated by the Sri Lanka Judges' Institute.

10. GUEST LECTURES BY FOREIGN JUDGES & FOREIGN RESOURCE PERSONS

On 16.09.2013, Judge Michael Baumaan, Judge of the Federal Circuit Court of Australia addressed 60 Judges of the Colombo Judicial Zone on “Measurers currently in Place in Australia with regard to more Effective Court Management” Recent Developments in Case Management” at the Auditorium of the Sri Lanka Judges’ Institute.



On 04.10.2014, Dr. Paul Hughes, Senior Lecturer of the University of Essex made a presentation to 44 Judges of the Colombo Zone on ‘The Development of Competition Law in the Context of Commercial Law’.

On 14.10.2013, Justice John Muri, Judge of the Supreme Court of Queensland addressed the Judges of the Colombo Judicial Zone on “Recent Developments in Case Management” at the Auditorium of the Sri Lanka Judges’ Institute.



11. RESEARCH ACTIVITIES

01). Law reforms for modernizing the civil justice system

During this period an updated research paper with recommendations on civil law reforms in the judiciary in Sri Lanka was prepared and submitted to his Lordship the Chief Justice. The Manual is available on the Institute's website <http://judgesinstitute.lk>. The summary of the recommendation for the modernization of the civil justice system are as follows:

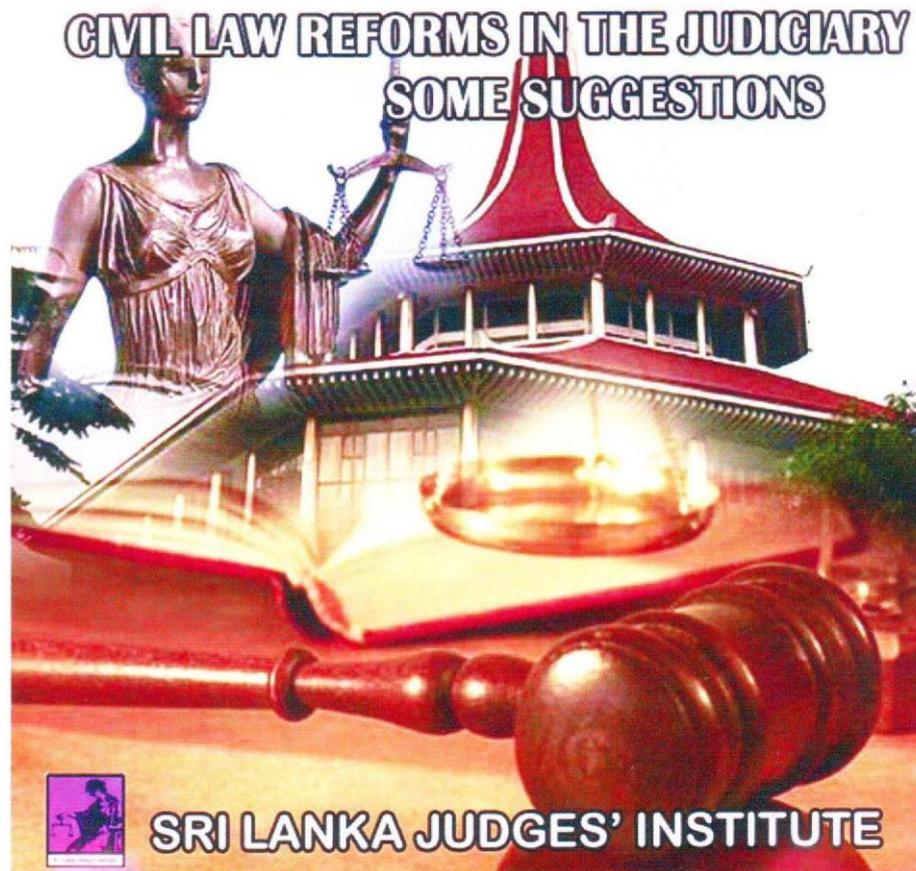
- a. ensuring that cases are dealt with expeditiously and fairly;
- b. saving expense and reducing delays in litigation;
- c. encouraging court-based or out of court settlements;
- d. encouraging the parties to attempt alternative dispute resolution (ADR);
- e. improving the current practices to avoid delays for effective case management mechanism; and
- f. introducing new legislative, procedural rules and norms in the civil justice system
- g. the use of the technology in court proceedings.
- h. amending the Civil Procedure Code:-
- i. Introduce service summons to be made by registered post, courier services or by any other means of transmission of documents (including fax message or electronic mail service in the first place and consider serving summons on adult member of defendant's family;
- j. Introduce time limitations for the filing of the answer by the defendant;
- k. Introduce pre-trial procedure (a) to assist the parties to arrive at a settlement, compromise or other agreement including the right of the court to suggest terms of a settlement in appropriate cases (b) attempt ADR by way of court-assisted or court referred mediation such as Community Mediation or Commercial Mediation under the existing Acts; and (c) preliminary hearing for summary judgment to be further expanded where a party has no real prospect of succeeding the action or defending the claim or issue;
- l. Affidavit evidence to be received for oral examination in chief subject to other safeguards and limitations giving the judge the right to exercise his discretion when either affidavits are not filed or new matters arise during the trial which are not covered by the original affidavit;
- m. Repeal the present Commercial Mediation Centre Act of Sri Lanka No 44 of 2000 and replace it with a new Commercial Mediation Centre Act of Sri Lanka, making provisions for the referral of commercial disputes to the Commercial Mediation Centre, providing for enforcement mechanism in the Act with other safeguards,

- n. making provisions for the conduct of commercial mediations, making provisions for training lawyers and other professionals as mediators and establishing Commercial Mediation branches in outstations for effective settlement of Commercial disputes in outstations;
- o. Introduce Practice Directions on identified areas to be followed by all Courts of First Instance;
- p. Use the technology in Courts of first instance by allowing the lawyers, Judges and the Court staff to use computers (desktops, laptops and tablets) in court proceedings (for entering data of case flow and daily steps, making notes, citing cases, reference purposes and by allowing the use of audio recording devices for recording court proceedings by the Court staff;
- q. Introduce E-filing system initially in the Superior Courts, Commercial High Court and the District Court of Colombo;
- r. Establish Commercial High Courts in major commercial areas.

In order to facilitate some of the above mentioned recommendations, a draft Amendment to the Civil Procedure Code, prepared by the Sri Lanka Judges' Institute was submitted incorporating some of the suggestions referred to above. In order to facilitate some of the above mentioned recommendations, a new Commercial Mediation Centre Act to replace the Commercial Mediation Centre Act No. 44 of 2000 and the Amendment Act No. 37 of 2005 were prepared and submitted to his Lordship the Chief Justice.

In order to facilitate some of the above mentioned recommendations, 3 Practice Directions were submitted herewith with a view to reducing delays, facilitating parties in certain special actions and using the technology by the Court staff and the lawyers-

- Practice Direction of Family Disputes
- Practice Direction on Partition Actions
- Practice Direction on the Use of the Electronic Devices and Electronic Equipment in Court Proceedings.



2). Judges Training Manual

For the first time in the history of the Judges' Institute, a comprehensive training Manual has been prepared at the request of the UNDP. It contains training courses, training contents, training methods and training curriculum in detail. After obtaining the approval of the Board of Management of the Judges' Institute, the training Module will be published in June 2013. The Training Manual is available on the Institute's website <http://judgesinstitute.lk>.

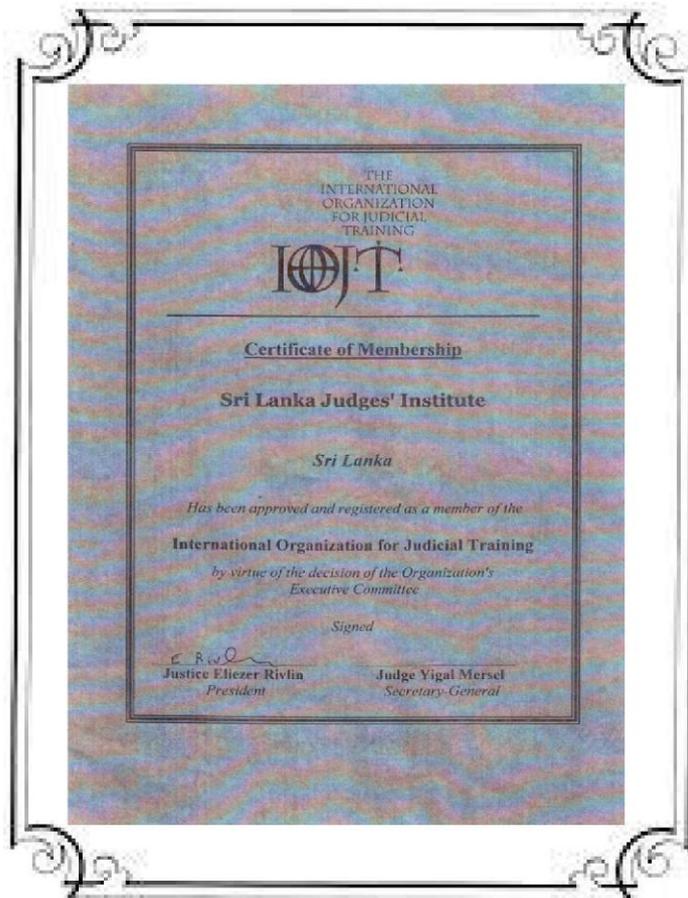
The long term Training Manual for Judicial Officers was designed and developed by the Judges' Institute to respond to the evolving training needs of Sri Lankan Judicial Officers, having taken into consideration the future challenges to be faced by the Sri Lanka Judiciary. The resources of the Manual reflect the substantive law such as civil, criminal, commercial, family law and also new training resources such as judicial administration, case law and case flow management, alternative dispute resolution, skills development, research methodology, mental and physical health, information technology and a host of other topics for judicial officers.

3). Updating Judges' Manual

The Judges' Manual has not been updated for the last 20 years. The Institute is in the process of updating the Manual under the guidance of the Consultant Justice Ranjith Ranaraja, Retired Judge of the Court of Appeal.

12. INTERNATIONAL COOPERATION

The Sri Lanka Judges' Institute obtained membership of the International Organization for Judicial Training (IOJT) by virtue of the decision of the Organization's Executive Committee in November 2014.



The Institute also received assistance of the World Intellectual Property Organization by way of sending training DVDs and Books and Training Materials on Intellectual Property Rights.



IOJT Conference on Judicial Training November 2013 in Washington

The Institute also visited senior officials of the Federal Judicial Center in November 2013 and discussed possibility of having partnership with the two Institutes. The Institute received a number of training materials and training DVDs on Case Management donated by the United States Federal Judicial Center.



With Director (Administration) Federal Judicial Center, Washington in November 2013

13. FUTURE COURSES

- Case Management & Mediation
- Language Training
- DNA Evidence
- Forensic Science
- Extradition Law
- Negation and Mediation
- Admiralty Law
- Court of Appeal (Appellate Procedure) Rules
- Judgment Writings
- Sentencing Guidelines

14. SIGNIFICANT ACCOUNTING POLICIES

The financial statements are prepared in accordance with generally accepted Accounting principles and the Accounting Standard laid down by the of Accountant of the Sri Lanka Judges' Institute of Sri Lanka.

15. APPRECIATION

The Sri Lanka Judges' Institute appreciates the assistance and cooperation given by the following:

1. The Secretary and Staff of the Ministry of Justice.
2. Judicial Service Commission
3. The Secretary to the Treasury and Staff of the Treasury.
4. The UNDP
5. The Auditor-General and his staff
6. The Audit Superintendent and his staff
7. Registrar of the Supreme Court
8. Registrar of the Court of Appeal
9. Marshall of the Supreme Court

Ruwan Fernando
High Court Judge &
Director,
Sri Lanka Judges' Institute

On this 10th Day of August 2014
at Colombo, Sri Lanka

16.

SRI LANKA JUDGES' INSTITUTE BALANCE SHEET AS AT 31.12.2013

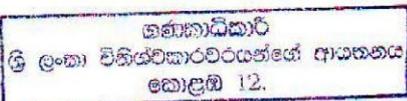
Sri Lanka Judges' Institute Balance Sheet as at 31.12.2013

	Notes	2013		2012
		Rs.cts	Rs.cts	Rs.cts
Assets				
Non Current Assets	1		6,047,338.40	536,298.76
Current Assets				
Stock (Office stationery)		8,000.00		25,000.00
Savings Account balance		247,300.99		403,631.17
Cash as at 31.12.2012				501.04
Cash in bank 31.12.2013		156,217.35		-
			411,518.34	
			6,458,856.74	965,430.97
Financed by				
Accumulated Fund	5	4,302,360.93		5,929,170.76
Add/(Less) :Excess/(Shortfall)		2,131,220.81		(5,340,625.79)
			6,433,581.74	
Current Liabilities				
Provision for Audit fee		24,800.00		92,000.00
Provision for Stamp duty		475.00		
Accrued expences to Sri-Lanka-Telecom			25,275.00	284,886.00
			6,458,856.74	965,430.97

The financial statements of the Sri Lanka Judges' Institute have been prepared and presented in accordance with Sri Lanka public sector accounting standards.


 Prepared by
 Mr.G.Meddegodage
 Accountant (Acting)
 Sri Lanka Judges' Institute


 Hon M.R.C.Fernando
 Director
 Sri Lanka Judges' Institute


 සහකාරාධිකාරී
 ශ්‍රී ලංකා විනිශ්චයකරුවන්ගේ ආයතනය
 කොළඹ 12.

Ruwan Fernando
 Director / High Court Judge
 Sri Lanka Judges' Institute
 Colombo - 12.

17. SRI LANKA JUDGES' INSTITUTE
INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR ENDED 31.12.2013

Sri Lanka Judges' Institute
Income and Expenditure Account for the year ended 31.12.2013

	Note	(Rs.Cts)		(Rs.Cts)
		2013		2012
		Rs.cts	Rs.cts	Rs.cts
Income				
Imprest from Ministry			10,303,501.87	894,802.98
Interest income from Savings Account			11,470.32	15,843.08
Photocopy fee income	06		8,592.00	-
Lodge facilities charges			4,000.00	-
From Supreme Court			2,000.00	-
Total Income			10,329,564.19	910,646.06
Less-Expenditure				
Salary & wages with EPF / ETF		511,866.57		888,081.24
Overtime		70,723.82		77,234.90
Allowance on seminars & training programmes		3,133,800.00		3,316,050.00
Office Stationery expenses		468,890.58		180,701.40
Retirement Gratuity		167,800.00		-
Travelling Expenses		2,240.00		-
Fuel		153,915.40		262,500.00
Uniform allowances		4,000.00		13,640.00
Other Supplies		126,361.24		-
Vehicle maintenance		53,083.25		535,498.27
Plant Machinery & equipment maintenance		151,297.38		-
Postal & Communication/internet		495,692.68		232,669.88
Other Services with cleaning service		2,299,527.00		232,767.00
Bank Fee		3,000.00		750.00
Provision for Depreciation:-	01	556,144.96		12,555.25
Lecture Allowance		-		195,000.00
Running Expenses		-		299,323.91
Staff Welfare		-		4,500.00
			(8,198,343.38)	
Excess/(Shortfall) to the Accumulated Fund			2,131,220.81	(5,340,625.79)

[Handwritten Signature]

ගණකාධිකාරී
 ශ්‍රී ලංකා විනිශ්චයකරුවන්ගේ ආයතනය
 කොළඹ 12.



18. SRI LANKA JUDGES' INSTITUTE CASH FLOW STATEMENT FOR THE YEAR ENDED 31.12.2013

Sri Lanka Judges' Institute Cash Flow Statement for the year ended 31.12.2013

	Notes	(Rs. cts)		
		2013		2012
		Rs.Cts	Rs. cts	Rs. cts
Operating Activities				
Impest from Ministry		10,303,501.87		894,802.98
Refund from the Supreme Court		2,000.00		-
Photocopy Fees Income	6	8,592.00		-
Lodge Facilities charges		4,000.00		-
			10,318,093.87	
Cash Payment for operating activities	2	7,525,122.92		6,293,213.10
	3	2,636,753.60		191,272.25
			(10,161,876.52)	(5589682.37)
Net Cash flow in operating Activities			156,217.35	
Investing Activites				
Interest from Savings Account		11,470.32		15,843.08
Reinvest interest at Savings Accounts		(11,470.32)		(15843.08)
Net Cash Flow in Investing Activities			-	
Net increase/(Decrease) in cash/cash equivalents				
Cash/cash equivalents at beginning of the year			-	
			156,217.35	5,590,183.41
Cash/cash equivalents at the end of the year			156,217.35	501.04


 අධ්‍යක්ෂවරයා
 ශ්‍රී ලංකා විභින්නකරුවන්ගේ සභාව
 කොළඹ 12.

Note 01Sri Lanka Judges' Institute
Non Current Assets

Description	Cost !Beginning of the year	Additions During the year	Depreciation for the year	Accumulated Depreciation as at 31.12.2013	Net Value
Office Equipment	444,005.00	758,602.09	89,988.59	407,744.09	794,863.00
Furniture	1,141,549.50	627,390.51	117,683.32	188,186.81	1,580,753.20
Library Books	111,989.85	239,000.00	13,626.06	91,090.91	259,898.94
Computer Equipment	3,044,496.00	695,515.00	316,041.51	507,890.51	3,232,120.49
Electrical Insrument	85,639.00	31,360.00	10,654.56	10,654.56	106,344.44
Pantry Items	61,409.25	-	6,140.92	6,140.92	55,268.33
Travelling Bags	20,100.00	-	2,010.00	2,010.00	18,090.00
	4,909,188.60	2,351,867.60	556,144.96	1,213,717.80	6,047,338.40

Depriciation the year 2013

for 01.01.2013	Office equipment	444,005.00 X 10%	44,400.50
30.04.2013	Acquisition	(556,233.09 X 10%) X9/12	41,717.48
26.06.2013	Acquisition	(9,184X10%) X 6/12	459.20
02.09.2013	Acquisition	(11,500X10%) X 4/12	383.33
14,21/10/2013	Acquisition	(181,685X10%) X 2/12	3,028.08
			<u>89,988.59</u>
01.01.2013	Furniture	1141549.50 X 10%	114,154.95
30.10.2013	Acquisition	(211,702.40 X 10%) X 2/12	3,528.37
11,20/12/13	Acquisition	(415,688.11 X10%) X 0/12	
			<u>117,683.32</u>
01.01.2013	Library Books	111,989.85 X 10%	11,198.98
08.10.2013	Acquisition	(72,250 x 10%) X 2/12	1,204.16
19.11.2013	Acquisition	(14,6750 X 10%) X 1/12	1,222.92
11.12.2013	Acquisition	(20,000 X 10%) X 0/12	
			<u>13,626.06</u>
01.01.2013	Computer Fuinment	3.044.496.00X 10%	304,449.60
08.10.2013	Acquisition	(695,515 X 10%) 2/12	11,591.91
			<u>316,041.51</u>
01.01.2013	Electrical Insrument	(85.639 X 10%)	8,563.90
29.04.2013	Acquisition	(31,360 X 10%) X8/12	2,090.66
			<u>10,654.56</u>



m65maza5

egm a550-:zt-Aost=55t:35. cyzonc.,
.z.mc& 12

Note 02 - Expenditure for Operating Activities

Salary & wages	511,866.57
Tavelling	2,240.00
Overtime Payment	70,723.82
Stationery	451,890.58
Fuel	153,915.40
Uniform	5,000.00
Other Suplies	126,361.24
Allowances (Seminar & Training)	3,133,800.00
Vehicle Maintenance	53,083.25
Plant,Machinery & Equipment Maintenance	151,297.38
Postal and Communication	495,692.68
Other Services	2,299,527.00
Bank Fees	3,000.00
Audit Fees	67,200.00
	<u>7,525,597.92</u>
(-) Provision for stamp duty	(475.00)
	<u><u>7,525,122.92</u></u>

Note 03

Acquisition of office furniture & equipment	2,081,507.60
Acquisition of Plant Machinery	31,360.00
Acquisitor books	239,000.00
Payment for Computer server	284,886.00
	<u>2,636,753.60</u>

Note 04

Cash flow statement prepared on direct method

Note 05 - Adjustment to the accumulated Fund

Balance as at 01.01.2013	588,544.97
Adjustment (I) Error Cash Balance 31.12.2012	(501.04)
	<u>588,043.93</u>
(II) Uniform allowance at last year	(1,000.00)
	<u>587,043.93</u>
(III) Assets, Received from Ministry	3715317.00
	<u><u>4302360.93</u></u>


 ගණකාධිකාරී
 ශ්‍රී ලංකා විනිශ්චිතාචාර්යවරුන්ගේ ආයතනය
 කොළඹ 12.

Note 06

(I) Imprest from Ministry

January	1,744,176.78
March	878,698.31
April	1,087,593.09
June	918,379.91
July	800,000.00
September	1,963,514.78
October	1,491,139.00
November	100,000.00
December	1,320,000.00
	<u>10,303,501.87</u>

(II) photocopy Fee

February	2,516.00
March	1,603.00
May	120.00
June	1,175.00
July	1,498.00
August	140.00
September	108.00
October	1,020.00
November	340.00
December	72.00
	<u>8,592.00</u>

(III) Refund from Supreme Court

September	<u>2,000.00</u>
-----------	-----------------

(IV) Lodge Facilities Charges

December	<u>4,000.00</u>
----------	-----------------


 සේනාධිකාරී
 ශ්‍රී ලංකා විනිශ්චයාධිකරණයේ ආයතනය
 කොළඹ 12.

Sri Lanka Judges' Institute

Statement of changes in Net Assets

	Stated Capital	Reserve Fund	Revaluation Reserve	General Reserve	Total (Rs)
Balance as at 01.01.2013					4,302,360.93
Capital Grant Received for the year					
Excess/(Deficit) During the year					2,131,220.81
Balance as at 31.12.2013					6,433,581.74


 ගණකාධිකාරී
 ශ්‍රී ලංකා විනිශ්චිතාරච්චරයන්ගේ පාලනකම
 කොළඹ 12.

19. FIXED ASSETS AS AT - 31 DECEMBER 2013

As per the Fixed Assets Register

20. AUDITOR GENERAL'S REPORT 2013



විගණකාධිපති දෙපාර්තමේන්තුව
கணக்காய்வாளர் தலைமை அபிபதி திணைக்களம்
AUDITOR GENERAL'S DEPARTMENT



මගේ අංකය
எனது இல.
My No.

JP/C/SLJI/01/13/06

ඔබේ අංකය
உமது இல.
Your No.

දිනය
திகதி
Date

28 November 2014

Director
Sri Lanka Judges' Institute



Report of the Auditor General on the Financial Statements of the Sri Lanka Judges' Institute for the year ended 31 December 2013 in terms of Section 14 (2) (c) of the Finance Act, No. 38 of 1971.

The audit of financial statements of the Sri Lanka Judges' Institute for the year ended 31 December 2013 comprising the balance sheet as at 31 December 2013 and the statement of income and expenditure, statement of changes in net assets and cash flow statement for the year then ended and a summary of significant accounting policies and other explanatory information was carried out under my direction in pursuance of provisions in Article 154(1) of the Constitution of the Democratic Socialist Republic of Sri Lanka read in conjunction with Section 13 (1) of the Finance Act, No. 38 of 1971 and Section 10(3) of the Sri Lanka Judges' Institute Act, No. 46 of 1985. My comments and observations which I consider should be published with the annual report of the Institute in terms of Section 14 (2) (c) of the Finance Act, appear in this report. A detailed report in terms of Section 13(7) (a) of the Finance Act, was issued to the Director of the Institute on 20 November 2014.

1.2 Management's Responsibility for Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Sri Lanka Public Sector Accounting Standards and for such internal control as the management determines is necessary to enable the preparation of financial statements that are free from material misstatements, whether due to fraud or error.

7

.10.101ff A1151117 Roam [rat
d ■ Eur Gen era Is Department

1.3 Auditors' Responsibility

My responsibility is to express an opinion on these financial statements based on my audit. I conducted my audit in accordance with Sri Lanka Auditing Standards consistent with International Standards of Supreme Audit Institution (ISSAI 1000-1810). Those Standards require that I comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatements.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Institute's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Institute's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of financial statements. Subsections (3) and (4) of Section 13 of the Finance Act, No. 38 of 1971 give discretionary powers to the Auditor General to determine the scope and extent of the audit.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my qualified audit opinion.

1.4 Basis for Qualified Opinion

My opinion is qualified based on the matters described in paragraph 2.2 of this report.

2. Financial Statements

2.1 Qualified Opinion

In my opinion, except for the effects of the matters described in paragraph 2.2 of this report, the financial statements give a true and fair view of the financial position of the Sri Lanka



සri ලංකා විනිසුරු විද්‍යාලයේ සභාපතිවරයාගේ
 කාර්යාලයේ සභාපතිවරයාගේ දුරකථන අංකය
 Auditor General's Department

Judges' Institute as at 31 December 2013 and its financial performance and cash flows for the year then ended in accordance with Sri Lanka Public Sector Accounting Standards.

2.2 Comments on Financial Statements

Accounting Deficiencies

The following observation is made.

All assets including office equipments, furniture, library books, computers, computer accessories and electrical items belongs to the Institute had been depreciated by 10 per cent per annum without being considered the useful lifetime of those assets.

2.3 Non-compliance with Laws, Rules, Regulations and Management Decisions

The following non-compliance with Laws, Rules, Regulations etc. were observed in audit.

Reference to Laws, Rules and Regulations

Non-compliance

(a) Financial Regulations

- | | | |
|-----|---------------------------|---|
| i. | Financial Regulation 228 | Details of the respective expenditure account had not been stated in the body of the payment vouchers. |
| ii. | Financial Regulation 1646 | Daily running charts and monthly performance summaries had not been furnished to the Auditor General in respect of the pool vehicle of the Institute. |



සිංහලයාධිපති දෙපාර්තමේන්තුව
සාමාන්‍යාධිකාරී කොමසාරිස් ජනරාල් ක්‍රියාදාමය
Auditor General's Department

(b) Circular provisions

Section 3.1 of the National Library and Documentation Services Board's Circular No. 2004/Lib/1 of 26 January 2004

Although an Annual Board of Survey relating to the library books should be carried out by the Institute, it had not been done accordingly.

3 Financial Review

3.1 Financial Results

According to the financial statements presented, the operations of the Institute for the year ended 31 December 2013 had resulted in a surplus of Rs.2,131,221 as against the deficit of Rs.5,340,626 for the preceding year, thus indicating an improvement of Rs.7,471,847 in the financial results as compared with the preceding year. The increase of receipts for the year by Rs. 9,418,918 as against the increase of total expenditure by Rs.1,947,071 had been mainly attributed for this improvement.

4. Operating Review

Performance

The following observations are made.

- i. Although the physical and financial targets had been set out in the Action Plan of the Institute for the year under review, the financial performance had not been made available for audit.
- ii. According to the physical performance of the Institute, the achievement of the targets by the end of the year under review is given below.



S
1:17151.CALICA",44,1755
17Bios)nt41(1:1011.501E%.1711.1;ATEMall A
Auditor General's Department

Item Number as per Action Plan	Description	Targets		Achievement
		Financial Rs.	Physical	
01	Training Program for Newly Appointed Judges.	1,500,000	30 Judges	Not conducted
03	Training Program for Presidents of Labor Tribunals (Wi-Fi internet facility)	808,000	385 Presidents of Labor Tribunals	Trained only 105 Presidents of Labor Tribunals
05	Construction of Wash Rooms to the Auditorium.	1,000,000	2 Rooms	Not constructed
08	Computer and Web Based Research Courses.	100,000	20 Courses	Not conducted

According to the above information it was revealed that the achievement of the targets set out in the Action Plan was at very weak level.

05. Accountability and Good Governance

Presentation of Financial Statements

According to the section 10(4) of the Sri Lanka Judges' Institute Act, No.46 of 1985, the accounts of the Institute for each financial year should be submitted to the Auditor General within one month after the closer of the financial year. Nevertheless, the financial statements for the year under review had been submitted only on 10 June 2014.



විගණකාධිපති කළමනාකරණ
සාමාන්‍ය සේවා දෙපාර්තමේන්තුව
Auditor General's Department

6. Systems and Controls

Deficiencies in systems and controls observed during the course of audit were brought to the notice of the Director of the Institute from time to time. Special attention is needed in respect of the following areas of controls.

- a. Accounting.
- b. Planning.

A handwritten signature in blue ink, appearing to read 'W.P.C. Wickrearatne'.

W.P.C. Wickrearatne
Acting Auditor General



