

PERFORMANCE REPORT

MINISTRY OF JUSTICE

JANUARY - DECEMBER 2016

**Superior Courts Complex
Colombo 12**

Web Site: www.moj.gov.lk

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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

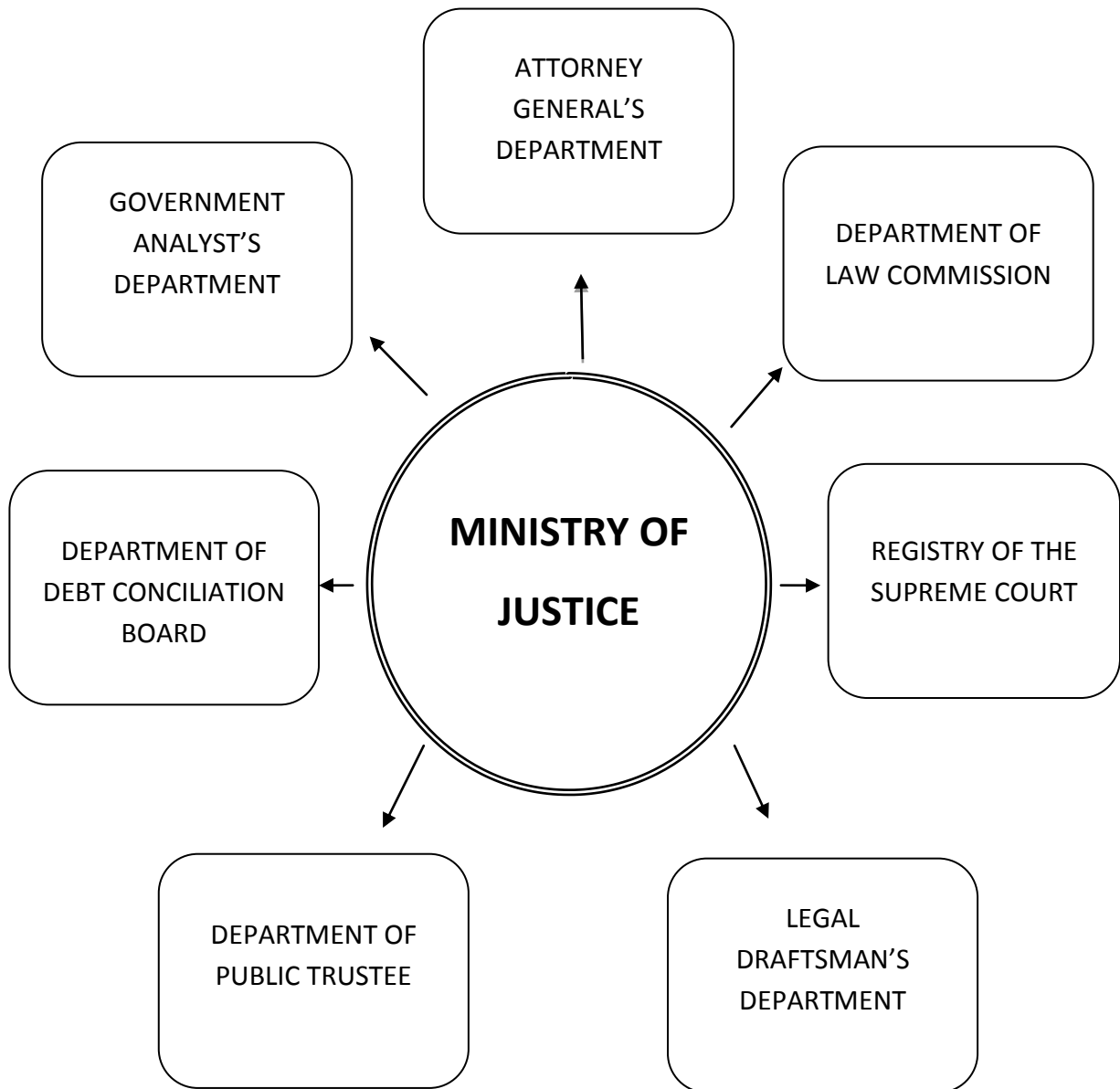
- Formulation and implementation of policies, plans and programmes aimed at the efficient and meaningful administration of justice;
- Law reform for greater recognition, protection and promotion of the rights of the citizens.

02. Functions of the Ministry of Justice

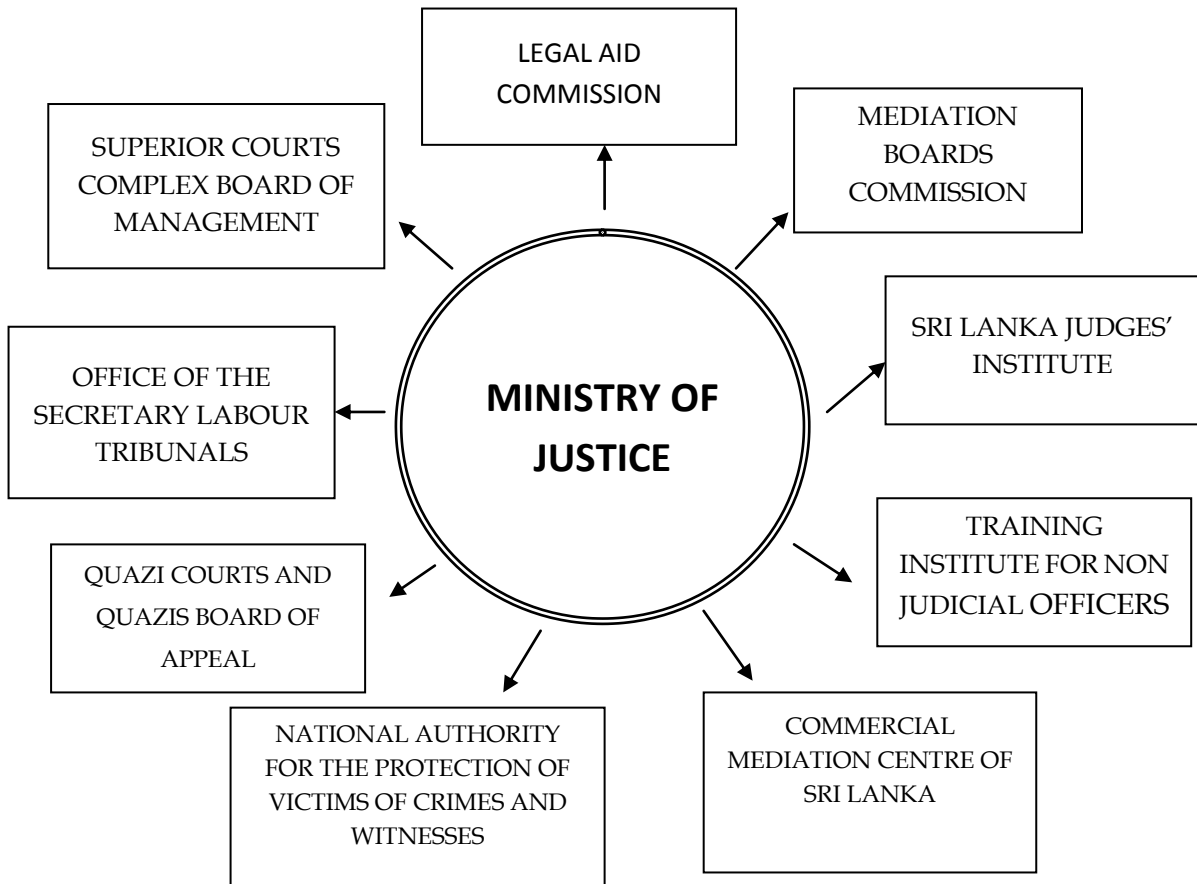
- Formulation of policies, plans and programmes in respect of the machinery for administration of justice.
- Implementation and direction of such policies, plans and programmes within the time limit agreed with the national planning authorities and within budgeted resources.
- Matters relating to the administration of justice which have not been assigned to any other Institution in terms of the Constitution.
- Implementation of reforms to the legal system taking into consideration societal needs and global trends.
- Implementation of all matters systematically and efficiently in relation to overall administration, including prevention of delays in the administration of justice within the court system.
- Criminal prosecutions and civil proceedings on behalf of the government.
- Tender legal advice to the government and to all government departments.
- Drafting of legislation.
- Make recommendations to grant pardons, commutations, remissions, respites, and suspensions in relation to sentences passed on any offender.
- Formulation and implementation of an appropriate programme to enhance the effectiveness and efficiency of the overall Quazi system.
- Administration of Labour Tribunals and any other Matters relating thereto.
- Documentation and consolidation of laws.
- Preparation of legal glossaries.
- Publication of Law Reports.
- Supervision of Departments/Institutions that come under the purview of the Ministry of Justice and all other subjects that comes under the purview of these Departments/Institutions.
- Assistance to and Protection of Victims of Crime and Witnesses Act and related activities.
- Commercial Mediation Center of Sri Lanka Act No. 44 of 2000 and related activities.

03. DEPARTMENTS AND INSTITUTIONS COMING UNDER THE PURVIEW OF THE MINISTRY OF JUSTICE

DEPARTMENTS COMING UNDER THE PURVIEW OF THE MINISTRY OF JUSTICE



INSTITUTIONS COMING UNDER THE PURVIEW OF THE MINISTRY OF JUSTICE



04. FUNCTIONS OF THE DIVISIONS UNDER THE MINISTRY

- The functions of the Ministry are carried out by the following divisions,
 - I. Legal Division
 - II. Establishment Division
 - III. Accounts Division
 - IV. Infrastructure Division.
 - V. Development Division
 - VI. Planning Division
 - VII. Internal Audit Division

I. Legal Division

Formulation of policies regarding the laws relating to and instrumental in the administration of Justice, publication of law reports and promotion of Legal Aid. The functions of Central Authority for the Mutual Assistance in Criminal, Civil and Commercial matters and the Civil Aspects of International Child Abduction. Transferring of Prisoners under Transfer of Sentence Persons. Functions of the Cabinet Sub Committee on Legislation and Recommendations on Grant of Pardons.

II. Establishments Division

Establishment matters of all officers of the Ministry and the Departments which are coming under the Ministry (other than Scheduled Public Officers appointed by the Judicial Service Commission)

III. Accounts Division

Financial Planning, Management and Control of financial aspects of the Ministry, Department and Courts.

IV. Infrastructure Division

Construction of Court-houses, Judges' Quarters and Labour Tribunals and other affiliated buildings and any additions and improvements to them.

V. Development Division

Development Division coordinates and carries out development activities of the Ministry of Justice and the Departments coming under the purview of the Ministry of Justice.

VI. Planning Division

Project Planning, Progress control and Monitoring of activities of the Ministry and departments that come under the Ministry.

VII. Internal Audit

Auditing of accounts of the Ministry, departments and court-houses.

05. PROGRESS OF THE MINISTRY OF JUSTICE

5.1 LEGAL DIVISION

5.1.1 A brief outline of the Acts passed in Parliament and the proposed Bills to be submitted in Parliament by the Ministry of Justice with special reference to the period from 01st January to 31st December 2016

5.1.1.1 Acts Passed

01. Prescription (Special Provisions) Act.

This Act may be cited as the Prescription (Special Provisions) Act, No. 5 of 2016 and was passed in Parliament on 26.04.2016. This Act enables legal provisions to be made in respect of persons who were unable to pursue their rights in court for the recovery of any immovable property including land due to the activities of any militant terrorist group during the period commencing on May 01st, 1983 ending on May 18th 2009.

02. Mediation Boards (Amendment) Act.

This Act may be cited as the Mediation Boards (Amendment) Act, No.9 of 2016 and was passed in Parliament on 08.07.2016. The Mediation Board Act, No.72 of 1988 provides for the value of the dispute to be referred for mediation as two hundred and fifty thousand rupees. By way of an amendment to the principal enactment this new Act provides for the increase of the limit of the monetary value of a dispute to be referred for mediation up to five hundred thousand rupees.

03. Code of Criminal Procedure (Amendment) Act.

Sections 431 and 432 of the Code of Criminal Procedure Act provide for the delivery and disposal of articles being produced before courts as court productions. Accordingly, in case of unclaimed articles, the Magistrate shall publish a notification requiring any person to come before him, to establish his claim. The period given to establish the claim, by this amendment is reduced to two months from the date of such public notice against six months as provided for in the Principal Enactment. Further, it requires that such notification may also be published at least once in newspapers considering the value of the unclaimed property, the value of such a property by this Amendment to the Principal Enactment is increased up to one hundred thousand rupees against the two thousand five hundred rupees as provided for in the Principal Enactment. This new Amendment was passed in Parliament 04.10.2016.

04. Amendment to the Law Commission Act, No.03 of 1969

This Amendment to the Act provides for the appointment of *ex-officio* members to the Law Commission comprising the Secretary to the Ministry of the Minister-in-Charge of the subject of Justice or his nominee not below the rank of Senior Assistant Secretary, an officer not below the rank of Deputy Solicitor General appointed by the Attorney-General and Legal Draftsman or his nominee not below the rank of Senior Assistant Legal Draftsman. This Amendment was passed in Parliament on 04.10.2016.

5.1.1.2 Proposed Bills

01. Increase of Minimum Age Limit of Criminal Responsibility

a. Penal Code (Amendment) Bill

The proposed amendment specifies that nothing is an offence which is committed by a child under 12 years of age. The Bill provides that as regards a child, above 12 years and under 14 years it is accepted that it is appropriate to confer discretion on a Magistrate to determine as to whether such child has the required degree of cognitive maturity to form the requisite intent or to entertain requisite knowledge which serves as the *mensrea* of the impugned offence committed by the relevant child. This amendment was sent to the Cabinet of Ministers on 24.10.2016. The decision of the Cabinet of Ministers has been given on 01.11.2016. The proposed amendment has now been sent to the Attorney General' Department for its observation before the same being published in the Gazette and then be presented in Parliament for its approval.

b. Code of Criminal Procedure (Amendment) Bill

In addition to the above amendment to the Penal Code, this amendment is introduced to provide for the Magistrate to refer the child to a Government Medical Officer to examine and to have a report to the police indicating the Government Medical Officer's opinion on whether the child has attained sufficient maturity of understanding to judge of the nature and consequence of his conduct on the occasion of his committing an alleged offence and whether the child is in need of any therapeutic intervention.

02. Children (Judicial Protection) Bill

With the ratification of the UN Convention on the Rights of the Child, need has arisen on the part of Sri Lanka to formulate immediate and long term responses to overcome the barriers impeding the way for the child care and the protection of juvenile justice system. Presently, Children and Young Persons Ordinance, No.48 of 1939 applies pertaining to these matters. In order to give effect to the anticipated objectives, approval of the Cabinet of Ministers was granted on 18.02.2015 to repeal the Part I, II, V and VI of the above Ordinance and to draft an internationally recognized bill incorporating the norms and standards embodied in the UN Convention on the Rights of the Child and in compliance with representations made at the discussions had with the line Ministries, Department of Probation and Child Care, UNICEF in Sri Lanka, Police, Judicial Medical Officers and NGOs. The Bill identifies how legal proceedings would be initiated and had and maintained in compliance with international standards as regards children. The proposed amendments, upon completion of drafting by the Legal Draftsman have been sent to the Hon. Attorney General to obtain his certificate stating its constitutionality and legal consequences.

03. Obscene Publication Bill

The present law relating to obscene publications is contained in the Obscene Publications Ordinance as amended by the Acts enacted in 1983 and 1995. The provisions laid down in these laws are totally inadequate to deal with the matters more particularly relating to crimes committed against the children. Considering the absence of legislation to combat cyber crimes committed against the children and as well as the urgency to trace the perpetrators, on 09.03.2016, the approval of Cabinet of Ministers was granted to draft this Bill. In the circumstances, the Bill has now been sent to the Legal Draftsman's Department to incorporate observation to be concluded after further discussions to be had with the ICTA and CERT.

04. Amendment to the Code of Criminal Procedure Act No. 15 of 1979.

The proposed Bill that was published in the Government Gazette in 2016 was withdrawn consequent to the objections being raised by the Opposition. In the meantime, the Committee chaired by the Hon. Attorney General appointed by the Hon. Minister of Justice proposed to halt the proposed Bill already published in the Government Gazette and to bring an amendment anew to the Criminal Procedure (Special Provisions) Act.

In this background, on 06.01.2017, a Cabinet Memorandum was submitted seeking approval to amend the Criminal Procedure (Special Provisions) Act in order to strengthen the right of access to a lawyer for a suspect in Police Custody. The bill is to be presented in parliament shortly.

05. Proposed amendments to the Assistance to and Protection of Victims of Crime and Witnesses Act.

The primary objective of the above Act, No.04 of 2015 is to provide assistance and protection to victims of crimes and witnesses. In order to further expand its objectives, in compliance with the approval dated 05.07.2016 of the Cabinet of Ministers, amendments were drafted. The proposed amendments intends to provide a person who is abroad with an opportunity to give evidence from the relevant Embassy of Sri Lanka in the country in which he resides, without returning to Sri Lanka in compliance with the due procedure and with adequate safeguards to ensure the evidence. The proposed Bill which has been sent by the Legal Draftsmen's Department on 14.12.2016, has now been submitted to the Cabinet of Ministers prior to publishing the same in the Gazette and to be presented in Parliament for its approval.

06. Amendment to the Muslim Marriages and Divorce (Amendment) Act.

Based on the approval of the Cabinet of Ministers, given in response to the Cabinet Memorandum dated 08.10.2016 submitted by the Hon. Minister of Justice, a Cabinet Sub-Committee has been appointed to consider amendments to the Muslim Marriages and Divorce Act. The Cabinet Sub Committee is to consider necessary amendments.

07. Powers of Attorney (Amendment) Bill.

The alarming increase in the incidence of land fraud has given rise to a public outcry for measures to prevent such frauds. Hence, the pressing need to rectify the imperfections identified in the principal enactment in addressing such fraudulent acts has necessitated amendments including the use of bio metric signatures and the requirement to provide photographs of the grantor and principal of the Power of Attorney. The Cabinet Memorandum seeking amendment to the principal enactment was jointly submitted by the Ministry of Justice and Ministry of Home Affairs and it was given approval by the Cabinet of Ministers on 31.05.2016. The initial Bill drafted by the Legal Draftsman Department was sent to the Ministry of Home Affairs On 09.11.2016, the Registrar General has declared his consent in respect of proposed amendments for which the Ministry of Home Affairs has also agreed upon.

08. Amendment to the Civil Procedure Code to include Pre-trial Procedure

The long and undue delay encountered by the litigants in the course of administration of justice seriously undermines and subverts the public confidence towards the judicial process. Financial difficulties experienced by the litigants aggravates the desperate plight even further. Taking all these as matters of concern, to expedite trials, the Civil Procedure Code is sought to be amended to introduce pre-trial procedure.

The pre-trial procedure provides for the trial judge to reach certain inferences and take viable measures by which the procedure itself speeds up the disposal of trial proceedings. Such inferences are reached by obtaining recognition of facts and documents material to the case, refraining from redundant proof and undue delay, consolidation of two or more pending cases and any such other and further measures that becomes appropriate for quick disposal at low cost.

The proposed Bill was initially submitted to the Cabinet Sub-Committee on Legislation. Upon incorporating its recommendations, the Legal Draftsman has sent the Bill for which the certificate of the Attorney General has been obtained stating its constitutionality. The Bill for which the approval of the Cabinet of Ministers to present same in Parliament has been granted was sent to the Sectoral Supervisory Committee on 04.04.2016.

09. Amendment to the Prevention of Crimes Ordinance.

Prevention of Crimes Ordinance, No.02 of 1926 contains provisions to amend and consolidate the law relating to the identification and supervision of criminals and to take finger prints before the trial of the person accused of a "crime".

It is obvious that new laws to rule and combat certain categories of crimes have been enacted by the Parliament with the passage of time after the operation of the principal enactment. The proposed amendment is to include provisions in compliance with the provisions contained in the existing Ordinance to take finger prints of a person accused of certain categories of crimes specified in the new laws.

Hence, the proposed amendment basically intends to expand the list of offences specified in the Schedule in respect of which the accused finger prints are required to be taken and to grant to the court such powers to direct that the convicted person serving a sentence suspended be subjected to the supervision of police until the expiration of the period during which such sentence takes effect. On 30.09.2016, the Legal Draftsman has sent the draft Bill to the Hon. Attorney General for observation and certificate stating its constitutionality.

10. Amendments to Partition Act.

The proposed draft intends to amend the Partition Act to enable the "Paraveni Nilakaraya" to initiate a partition action or to bring an action with regard to a land belonging to "Panguwa". The draft Bill containing amendments has been referred to the Hon. Attorney General and further discussions into this are in progress.

11. Revocation of Irrevocable Deed of Gifts (Special Provisions) Bill.

In terms of the approval granted by the Cabinet of Ministers on 11.11.2015, this Bill was drafted to provide that "Irrevocable Deed of Gifts" may be revoked only on the order of the competent court. Based on the approval dated 04.10.2016 of the Cabinet of Ministers to the Cabinet Memorandum dated 09.09.2016, the Bill contains provisions to the effect that, irrevocable Deeds of Gift which may be revoked on grounds of gross ingratitude may be revoked On 21.12.2016, the Bill was sent to the Government Printer to print and publish in the Government Gazette.

12. Trust Ordinance.

In order to reduce the risk involved with money laundering and raising funds in favour of terrorism, the Asia Pacific Group, by its evaluation, and the Financial Intelligent Unit, by its observations, have emphasized the urgent need to amend the Trust Ordinance No.09 of 1917 to suit the requirements of international norms and to expand the scope of the contents. The Cabinet Memorandum submitted by the Ministry of Justice seeking approval to amend the Trust Ordinance in line with the concerns mentioned above, was granted approval by the Cabinet of Ministers on 30.03.2016. The proposed Bill drafted by the Legal Draftsman has been submitted to the Hon. Attorney General seeking his Certificate observing the constitutionality of the draft.

13. Registration of Electors (Special Provisions) Act.

This Act contains provision enabling internally displaced persons and their children eligible to vote to exercise their right to franchise in the electoral district in which their permanent places of residence were situated. As a result of any actions of the internal armed conflict in the recent past, certain citizens of Sri Lanka who were permanently resident in the Northern Province or Eastern Province and who were forced or obliged to leave their original residence at any time prior to May 18, 2009, currently reside in Sri Lanka outside his original place of residence in Northern Province or Eastern Province or had re-settled in their original place of residence.

This Act shall be in operation for a period of two years commencing from the date of operation of this Act. As it was considered that this Act shall not be in operation with effect from June, 2013 due to the lack of provisions to protect their right to franchise as provided for in the Act, the Cabinet granted its approval to the Legal Draftsman to draft legislation.

14. Notaries Ordinance (Amendment) Bill.

Fraudulent transactions to perpetrate land frauds by forged attestation, sale upon forged instruments have become increasingly prevalent. To discourage the acts of fraud and swiftly bring the perpetrators, to justice, the need has arisen to make amendment to the Notaries Ordinance for which approval of the Cabinet of Ministers has been granted. Accordingly, the proposed Bill drafted incorporating the requirement for the use of bio-metric signatures at the time of attestation to prevent frauds has already been submitted to the Ministry of Home Affairs for further steps immediately upon the approval of the Cabinet Sub-Committee on Legislation being given to the proposed draft. On 01.11.2016, the Legal Draftsman has submitted the final version of the proposed Bill which is now at the Attorney General's Department for observation.

15. Mutual Assistance in Criminal Matters (Amendment) Act.

To amend the Mutual Assistance in Criminal Matters Act, No. 25 of 2002 passed in Parliament in 2002, a Cabinet Memorandum was submitted seeking approval of the Cabinet of Ministers to amend the Act considering the recommendations of the Asia Pacific Group, UN convention for Anti-Corruption and as well as the international obligations of the Budapest Convention Upon the approval being granted on 22.11.2016, drafting legislation to amend the Act is now in progress at Legal Draftsman's Department.

5.1.2 Implementation of International Obligations

5.1.2.1 National Task Force (NTF) Set up to Relieve the Congestion in the Prisons.

The NTF which was formed to look into the legal and judicial concerns conducive to make the prisons crowded with inmates, is headed by the Secretary to the Ministry of Justice and the Secretary to the Ministry of Prison Reforms, Rehabilitation, Resettlement and Hindu Religious Affairs as Co-chairmen. The NTF is represented by the Judicial Services Commission, Attorney General's Department, Government Analyst's Department; Department of Community based Corrections, Legal Draftsman Department, Police Department, Sri Lanka Judges' Training Institute and the Ministry of Law and Order.

The ICRC facilitates the activities carried out by the NTF and provides guidance concerning international norms prescribed for prison system reforms. The scope of the NTF envisage reforms to reduce heavily crowded prisons and formulation of a pragmatic approach to develop and advance the potential areas of prisons. To achieve these anticipated goals, it is intended to draw up an action plan and to put it in place expeditiously.

Wherefore, in line with the admitted requirement specified by the NTF, it is expected to put forward proposals incorporating guidelines and reforms so that the prisons which are now heavily congested may be relieved considerably.

The First Report compiled in three languages by the National Task Force to look into the legal and judicial causes affecting the law reforms and prison congestion has been referred to be presented in Parliament.

5.1.2.2 Service of Foreign Court Processes and Summons

By virtue of the authority provided for by two Acts, to wit Mutual Assistance in Civil and Commercial Matters Act, No. 39 of 2000 and Mutual Assistance in Criminal Matters Act, No. 25 of 2002, 379 summons issued by the Courts throughout the country during the period from 01st January, 2016 to 31st December, 2016 have been served to the addresses appeared in such court processes through the Ministry of External Affairs as enumerated below.

Country	Number of summons issued	Country	Number of summons issued
Australia	19	Malaysia	08
Bahrain	05	Maldives	03
Bangladesh	02	Malta	-
Canada	16	Mauritius	-
China	04	Netherland	01
Cyprus	05	New Zealand	05
Denmark	03	Norway	01
Doha Qatar	15	Oman	04
Finland	-	Pakistan	05
France	10	Philippines	01
German	04	Russia	08
India	17	Seychelles	-

Indonesia	01	Singapore	02
Ireland	-	Spain	01
Israel	06	Sweden	01
Italy	58	Switzerland	05
Japan	12	United Arab Emirates	22
Jordan	09	United Kingdom	61
Korea	07	USA	16
Saudi Arabia	12	Vietnam	02
Kuwait	19	Lebanon	02
Belgium	02	Czechoslovakia	02
Greece	01	Luxemburg	02
Total			379

72 requests from foreign countries for the service of documents under the Mutual Assistance in Civil and Commercial Matters Act, No.39 of 2000 have been received. Meanwhile, the number of requests sent by foreign countries to Sri Lanka complied with the Mutual Assistance in Criminal Matters Act, No. 25 of 2002 amounted to 51.

5.1.2.3 Treaties Pertaining to Mutual Assistance in Criminal Matters.

With the objective to give effect the provision of mutual assistance in criminal matters, Sri Lanka has ratified and signed treaties with countries that include China, United Arab Emirates, India, Thailand, Belarus, Pakistan and Russia. The scope of the Act specifies the rendering of assistance in criminal matters to each State parties in term of investigation, prosecution, hearing of cases and implementation of the outcome of legal proceedings. The state parties, by ratifying these MOUs, intend to create, develop and strengthen a mechanism for international cooperation in the form of legal framework in strict adherence with the legal systems of each State party and as well as the treaties signed by the respective countries to better address issues which slow the revamp and development of State institution and constitution of legislation and thereby reaping maximum and potential benefits.

The order that was issued in terms of Section 2 of the Act No.25 of 2002 and published in the Gazette Extraordinary No. 1926/446 dated 06.08.2015 was passed in Parliament.

Similarly, Sri Lanka signed a further MOU with Ukraine on 25.06.2016 and the order No. 1992/78 dated 11.11.2016 that was issued in terms of Section 2 of the Act No.25 of 2002 is expected to be passed in Parliament.

5.1.2.4 A committee appointed by the Hon. Minister of Justice for the commutation of death sentence to life imprisonment.

The convicts sentenced to death after the conclusion of their all judicial proceedings as at 26.09.2013 are eligible to be present before the Committee that takes the charge for the commutation of death sentence to life imprisonment.

His Excellency the President, by virtue of the powers vested in him by Article 34 of the Constitution, on three occasions, granted pardon by commuting the death sentence to life imprisonment, the details of which are as follows -

Date	No of Prisoners
2015.12.11	34
2016.04.20	83
2016.05.20	70
Total	187

5.1.2.5 International Child Abduction Act, No.10 of 2001

As the Act provides for necessary grounding, the Ministry was in receipt of 05 applications relating to the incidence of child abuse. In respect of one of which, the child was taken to the original place of residence in which he ordinarily resides based on the consent being declared by the parents of the child. The other applications in respect of the two incidents of child abuse have been referred to the Attorney General's Department. In the two applications referred during the previous years, the child taken from Japan in one such case and two children taken from Australia in another such case were sent to the countries from which they have brought without going to legal proceedings.

5.1.2.6 Transfer of Offenders

The Transfer of Offenders Act, No. 05 of 1995 provides for the transfer of a citizen of Sri Lanka who is convicted and sentenced to for his committing of an offence in a specified country to Sri Lanka to serve his sentence. Similarly, a citizen of a specified country who is convicted and sentenced to for his committing of an offence in Sri Lanka, may be as per the provisions of the Act, transferred to such specified country to serve his sentence. Accordingly, 23 offenders of Indian National, 50 offenders of Pakistan National and 01 offender of Maldivian National have been transferred to their own countries. 10 Sri Lankan prisoners in Maldives were taken to Sri Lanka and send to jail to serve the balance portion of the sentence. Two Sri Lankans convicted and sentenced in Britain have been brought back to Sri Lanka to serve the remaining portion of the sentence in a prison in Sri Lanka. Three Indian Nationals convicted and meted out punishments in Sri Lanka were sent back to India with the approval of the Minister of Justice to serve the balance portion of the sentence imposed by Sri Lanka in India.

5.1.2.7 The National Task Force (NTF) against Human Trafficking

In 2010, the Ministry of Justice set up the NTF against human trafficking. The NTF act as a National Coordination Body in taking charge of advisory and supervisory role in respect of activities against human trafficking. The objective of the NTF is to strengthen the coordination among the State agencies so as to expedite the institution of prosecutions and to tighten the security and protection of the victims. The NTF represents all most all State agencies identified to be accountable for addressing issues pertaining to incidences of human trafficking.

The NTF has developed standard operational procedures pertaining to identification of victims of human trafficking, reference for counseling, enhancement of protection of victims and were implemented in March, 2015 based on the approval of the Cabinet of Ministers.

In the awareness programmes conducted by the NTF to enlighten the general public and public officials, the NTF supervises the member state agencies. Further the NTF has given emphasis and has paid special attention to the capacity building training programme to be conducted for the Sri Lanka Police.

The NTF is now in its progress through expeditious disposal of court cases relating to human trafficking, establishment of a special police unit to deal with the matters in respect thereof, Expansion of awareness programmes etc.

5.1.2.8 11th Senior Officials meeting of the Bali Process Ad hoc – group

The Ministry of Justice conducted this meeting on 15th and 16th of November, 2016. Sri Lanka; being one of an initial members of the Bali Process Ad hoc -group, attend at this meeting with the objective to enhance international cooperation and as a measure on its part to protest against the human trafficking.

5.1.2.9 Eighth Session of the Conference of Parties to the UNTOC

It is planned to launch a programme on “International Cooperation on Combining Transitional Organized Crime” in parallel with the “UN Conference on Transitional Organized Crime” conducted during the period from 17 to 21 October, 2016 in Vienna, Austria. This amply demonstrates that the measures taken by the Sri Lanka to combat transitional organized crimes were even expedited by a broad based programme that even included the raising of international cooperation. Additional Solicitor General and Senior Official representing the Sri Lanka Police, Foreign Employment Bureau, Department of Immigration and Emigration attended at this programme.

5.1.3 Other Functions

5.1.3.1 The Committee appointed by the Minister of Justice to make amendments to the Civil Procedure Code

A Committee presided over by Hon. Priyasad Dep, Supreme Court Judge has been appointed to look into the matters relating to the Civil Procedure Code and to make periodical amendments in line with the international Legal norms and standards. The Committee consists of senior lawyers in the civil society and senior officials attached to the Ministry of Justice, the Attorney General’s Department and the Legal Draftsman’s Department. The Committee has convened seven meetings as of date. The Committee is expected to submit report in the near future.

5.1.3.2 The Committee appointed by the Minister of Justice to make amendments to the Criminal Procedure Code Act and the Penal Code

A committee presided over by Hon. Buwanaka Aluvihare, Supreme Court Judge, has been appointed by the Minister of Justice to recommend periodical amendments to the Criminal Procedure Code Act and the Penal Code in keeping with the international legal standards. The Committee consists of officials of the Ministry of Justice, experts in criminal justice system, official of the Attorney General’s Department and Senior Police Officers.

This Committee has already forwarded two interim reports to the Hon. Minister of Justice.

5.1.3.3 The Cabinet Sub - Committee on Legislation

The Cabinet Sub-Committee on Legislation chaired by the Hon. Minister of Justice was appointed to carefully scrutinize study and make recommendations to the Cabinet on proposed legislation and policy papers to be submitted to the Cabinet of Ministers. An Official Committee that was appointed under the Cabinet Sub-Committee on Legislation holds responsible to carefully scrutinize and study the vast flow Legislation and policy papers and report its findings and recommendations to the Cabinet Sub-Committee on Legislation. The Secretary to the Ministry of Justice is the Convener of the Cabinet Sub-Committee on Legislation. The careful scrutiny, study and analysis and formation of recommendations at

official level are done at the Ministry of Justice. Very often, these recommendations are made in the form of draft legislation.

Subsequently, the Cabinet Sub-Committee goes through these recommendations of the Official Committee and makes its recommendations. The Ministry of Justice compiles these recommendations and send them to the relevant Ministry for necessary action. All draft Bills and policy papers to be submitted to the Cabinet Sub-Committee on Legislation have been processed and recommendations have been sent expeditiously.

5.1.3.4 Establishment of a Legal Research Unit

Absence of extensive research into law for a prolonged period of time has resulted in bare sufficiency of information freely available for making of legislation. Manifestly, this exists a bar in the way of development of the sphere of law. Identification of legal issues most commonly and frequently affected to the local community and accumulation of information pertaining to the matters relating thereto are thus of greater significance to reap the goals of the process administration of justice. In the accomplishment of the intended targets characterized by such initiative, plans are being drawn up to establish a Legal and Research Unit by the Ministry of justice jointly with the University of Colombo with the financial provisions under Budgetary Proposals-2016.

The MOU in this regard was signed between the Ministry of Justice and the University of Colombo on 06th October 2016. Accordingly, the Research Unit is expected to be established in January, 2017.

5.1.3.5 Publication of Sri Lanka Law Reports

The Legal Division takes the charge of the publication of Sri Lanka Law Reports. These Law Reports incorporating judgments of landmark rulings delivered by the Court of Appeal and the Supreme Court of Sri Lanka are printed in two volumes annually. The publication of Volume 2012 (I) and Volume 2013 (I) was completed in 2016 and printing Volume (II), Volume (III) and Volume (I) 2014 was commenced.

5.1.3.6 International Arbitration Centre

International Arbitration Centre (IAC) enables local and international companies to resolve their commercial disputes by arbitration. The Government aims to position Sri Lanka as an international arbitration hub in the region. The IAC was established on the 22nd Floor of the World Trade Centre.(WTC) This was as a result of the fact that the WTC is standing within the commercial hub of the city. Additionally, star class hotels, restaurants, many more tourist attractions and the existence of supporting facilities incidental to the arbitration are close proximity to the WTC.

The IAC was inaugurated in May 2015. Steps have been taken to incorporate a company to run the IAC. The drafting of Articles of Association to form a company has been finalized. The IAC is now open for arbitral proceedings including related matters which *inter alia* include conducting of awareness programmes on arbitration and training for the arbitrators etc. The proposed Articles to form a company to run the IAC have already been sent to the Registrar of Companies for approval.

5.1.3.7 Establishment of Commercial Mediation Boards

The Commercial Mediation Centre of Sri Lanka Act, No. 44 of 2000 (as amended by the Act, No.37 of 2005) shall come into operation to promote the wider acceptance of mediation and conciliation for the resolution and settlement of commercial disputes and to encourage parties to resolve commercial disputes by mediation and conciliation. Accordingly, by the order published in the Gazette Extraordinary No.18/1979 dated 08.08.2016, His Excellency the President has proclaimed the Commercial Mediation Centre of Sri Lanka established by the Act to be within the purview of the Minister in charge of the subject of Justice.

Accordingly, actions are being taken to set up the Commercial Mediation Centre of Sri Lanka. The Act, in that Section 5 thereof provides for the appointment of the Board of Management for the administration and management of the affairs of the Centre for which arrangement are now in progress.

5.1.3.8 Drug Prevention Programme

With the use of the funds granted to the Ministry by the UNDP, a workshop on “The role of the investigator in narcotic raids” was conducted on 26.04.2016 to raise awareness among the Police Officers, Custom Officers and Officers attached to Immigration and Emigration. A further workshop was conducted on 21.06.2016 with the participation of all the Departments and Institutions that come within the purview of the Ministry of Justice in parallel with the “World No Tobacco Day” and in commemoration of the National Substance Abuse Prevention Month. Two Officers from the Presidential Task Force on Drug Prevention Programme were present at the workshop as resource persons.

A further one day workshop was conducted in November, 2016 with the participation of 145 officials representing Sri Lanka Police, Custom Officers and certain officials attached to the Drug Prevention Programme.

5.1.4 Special Projects Implemented under the Ministry of Justice

5.1.4.1 CSI, ROL/USAID Projects

A MOU was entered into on 26.05.2010 by and between the Ministry of Justice and the Representative Agencies established in Sri Lanka for the International Development Work of the United State of America in order to relieve and ease the activities implemented under this project.

The following activities have been carried out with the collaboration of the USAID.

- 1) Submission of a case management evaluation report incorporating recommendations to design case management and court automation system so as to prevent the delay in hearing and disposal of court cases and to cope with the backlog of court cases;
- 2) Assurance of cooperation and assistance in terms of financial allocations to advance the new training courses and to offer such training courses at the Non-Judicial Officers’ Training Institute for the benefit of the Stenographers employed in the courts in Sri Lanka;
- 3) Support to assist in the extension of training courses presently offered by the Non-Judicial Officers’ Training Institute;

- 4) Submission of an evaluation report on the existing training course offered to the Non-Judicial Officers;
- 5) Provision of assistance in the process of creation and advancement of the Law Net and as well as the Web Site of the Ministry of Justice;

5.1.4.2 Strengthening Enforcement of Law, Access to Justice and Social Integration Project (SELAJSI/UNDP)

a. Measures to expeditiously cope with the backlog of court cases in the Attorney General's Department.

As an assistance to clear the backlog of court cases in the Attorney General's Department, the Project granted funds enabling the eight Counsels to assist to speedy disposal of narcotics and child abuse cases. This has paved the way for greater reduction in the backlog. The methodology newly introduced to quick access and to identify the case record become praiseworthy.

b. National Legal Aid Policy

The legal aid policy which was formed by way of an action plan was then submitted to the reference of the stakeholders and the comprehensive policy adopted incorporating their observations was granted approval of the Cabinet of Ministers on 31.03.2016.

In the formation of the policy, a feasibility study was carried out to recognize the challenges encountered in the proper management methodologies by the state agencies involved in the administration of justice. This study report was presented to the Hon. Minister of Justice and Hon. Attorney General at a discussion held at B.M.I.C.H. on 08th August, 2016.

c. Extension of assistance to the National Authority for the Protection of Victims of Crime and Witnesses.

Based on a request made by the Authority, financial assistance was granted enabling the Authority to have the expertise of a Management Consultant employed to regularize the administration and management affairs of the Authority. In addition, a training session was organized on 03rd and 04th November, 2016 with the participation of 200 police officers.

d. Measures taken to regularize the granting of legal aid for prisoners.

By the Project, assistance was granted to conduct programmes to raise awareness among the prisoners relating to legal concerns on gender violence at the open prison camps in Pallekele and Weeravila. Assistance was also provided to conduct a series of radio and television discussions on selected legal topics with the participation of resource persons representing the Legal Aid Commission, Sri Lanka Bar Association and other Stakeholders.

e. Consolidation and translation of core legal texts.

Consolidated Penal Code, Criminal Procedure Code Act, Evidence Ordinance, and Judicature Act were referred for printing (in three languages) at present, the consolidation of Civil Procedure Code is in progress.

f. Comprehensive study into sentencing patterns in Sri Lanka

The findings of the study into the legal proceedings carried out covering High Courts and Court of Appeal in 08 Districts, to identify tendencies and practices, are being categorized and analyzed in terms of qualitative and quantitative perspective. The study will consider the appropriateness of certain penal practices with an eye to submit a need for a comprehensive sentencing policy.

5.1.4.3 Child Protection and Juvenile Justice Project assisted by UNICEF

- a. A police curriculum was drawn up by Professor Ravindra Fernando to train WCD Police Officers and was printed in three languages.
- b. The Programme titled “Support for District Development Programme” under the “Child Protection and Juvenile Justice Project” assisted by UNICEF was implemented covering Police Divisions of seven districts of Anuradhapura, Vavuniya, Mannar, Batticaloa, Ampara, Monaragala and Puttalam etc. to train police officers referring the prescribed curriculum.
- c. Under the Child Protection and Juvenile Justice Project, an additional supportive training course for police officers was held in collaboration with UNICEF and under the patronage of Sri Lanka Foundation Institute. The training mainly focused on the importance of counseling Psychology and juvenile protection.
- d. Amendment to the minimum age limit in criminal responsibility - A meeting to discuss matters pertaining the minimum age limit in criminal responsibility was held where it was decided to increase the minimum age limit up to 12 years age and, a Cabinet Paper drafted incorporating the representations made thereat was approved by the Cabinet of Ministers on 9th Nov. 2016.
- e. A banner representing the logo of the Ministry of Justice was prepared for future trainings programmes and was printed with the funds of the UNICEF during the early part of the year.
- f. At present, with the assistance of the Child Protection and Juvenile Justice Project, extensive renovations were decided to be effected in five areas in Anuradhapura, Mannar, Ampara, Monaragala and Puttalam with the intention to create the courts to be child friendly courts. In 2016, renovations were carried out in respect of few courts.

5.2 ESTABLISHMENT DIVISION

The Establishment Division carries out establishment functions in respect of the Ministry of Justice, Courts and other Departments that are within the purview of the Ministry of Justice. This Division also takes charge for the assurance of trained and skillful human resource, provision of facilities necessary for efficient administration of justice and coordination of such other related activities. These among other matters include arrangement for approval of cadres, preparation of recruitment procedures, selection for eligible recruitments, appointments, trainings, transfers, promotions and disciplinary control, overtime payments, provision of loan and advances, coordination activities relating to disposal of court productions and issuance of circulars as and when necessary.

The Division performs all establishment activities pertaining to 263 officers attached to the Ministry of Justice in addition to 3,819 officers who are serving in the courts throughout the island. The latter is not in the Scheduled Service appointed by the Judicial Service Commission.

The aforementioned functions are discharged through the Internal Administration Division, Courts Administration Division, Justice of the Peace Division, Inquirer into Sudden Deaths and Judicial Medical Officers Division, Justice of the Peace and Unofficial Magistrate’s Division, Commissioner for Oaths Division, Sworn Translator Division, Transport Division and Departments Division.

5.2.1 Internal Administration Division

5.2.1.1 Creation of Posts

- Creation of a post of Additional Secretary

5.2.1.2 Preparation of schemes of recruitment and submission of same for approval

All maintenance activities of 183 courts throughout the island are carried out by the Infrastructure Division. To effect the maintenance activities more efficient and smooth, a Maintenance Unit consisting of carpenters, masons and labourers was established and for this purpose, following new schemes of recruitment have been prepared and approved.

- Schemes of recruitment for carpenters and masons.
- Schemes of recruitment for labourers.

5.2.1.3 Recruitments

- Recruitments have been made for 10 categories of post.

Category of post	Executive	Tertiary	Secondary	Primary	Total
Additional Secretary (Judge)	01	-	-	-	01
Assistant Secretary (Legal)	01	-	-	-	01
Technical Officer	-	-	02	-	02
Plumber	-	-	-	03	03
Electrician	-	-	-	03	03
Total	02	-	02	06	10

(Table No.01)

- ❖ Necessary arrangements are now in progress to recruit 03 Plumbers, 03 Electricians, 05 Carpenters and 05 Masons.

5.2.1.4 Trainings and Skill Development

All officers covering from staff grade to minor staff attached to the Ministry of Justice were offered training, the description of which are given below.

5.2.1.4.1 Training (Local)

Nature of the training offered	Number of officers attended	Total expenditure incurred (Rs.)
Post Graduate Degree Course (including LLM for Judges)	24	8,597,700
Language training	16	226,500
Tamil Language Course		44,000
Level II	97	
Level III	60	
Productivity Promotion and Computer Training	06	30,000
Leadership Training	46	6,252,500
Case Study Training	05	783,500
Salary Management	02	12,000

Training Programme for Technical Officers	11	38,500
Training Programme for Plumbers and Electricians	06	18,000
Three days Training Programmes for Technical Officers	18	300,000
Efficiency Bar Related Training Programme for Technical Officers	02	35,000
Procurement (Bidding Document)	02	12,000
Procurement (Milotha)	04	400,000
Procurement for Staff Grade Officers	50	360,000
E-Filing Project	21	780,000
Total	370	17,889,700

(Table No.02)

- ❖ In addition, 06 month practical training was offered to 28 trainees referred to the Ministry of Justice by certain Vocational Training Institutions affiliated to the Government and at present, a further group of 28 trainees are undergoing training.

5.2.1.4.2 Training (Foreign)

Nature of the training offered	Number of officers attended	Total expenditure incurred(Rs.)
Judges - Trainings and conferences	177	92,059,054
Ministry officers - conferences	11	4,395,896
Ministry officers - Trainings	07	4,525,794
Total	195	100,980,745

(Table No.03)

5.2.1.5 Disciplinary Action

During the period from 01.01.2016 to 31.12.2016, 30 preliminary inquiries have been conducted and 09 of them have been concluded. As it was not disclosed *prima facie* evidence to take disciplinary action against the suspected officer, the said 04 preliminary inquiries have been terminated as it has been not disclosed the officers held responsible for the incident, four preliminary inquiries were conducted. One preliminary inquiry upon issuing a letter.

5.2.1.6 Approval of Loan

Category of loan	Number of officers	Amount (Rs.)
Property/house	08	10,757,460
Distress	123	10,171,613
Festival	203	2,030,000
Special	68	272,000
Bicycles	03	18,000
Total	405	23,249,073

(Table No.04)

5.2.2 Court Administration Division

5.2.2.1 Creation of new posts

Pursuant to the request, the Department of Management Services has approved 108 employees to the cadre of the minor staff for the newly established courts.

5.2.2.2 Preparation of Schemes of Recruitment and Submission of same for Approval.

- Schemes of recruitment for the Process Server and Writ Executor, Crier and Usher
- Schemes of recruitment for Court Security, Fiscal Peon, Fiscal Matron

5.2.2.3 Recruitments

290 Recruitments to different categories of posts have been made.

Category of post	Executive	Tertiary	Secondary	Primary	Total
K.K.S.	-	-	-	115	115
Fiscal Peon	-	-	-	61	61
Fiscal (Fiscal Matron)	-	-	-	28	28
Court Security	-	-	-	86	86
Total	-	-	-	290	290

(Table No.05)

- ❖ Arrangements are now in progress to recruit 341 officers to the post of Process Server and Writ Executor, Crier and Usher.

5.2.2.4 Auction of confiscated productions

The Ministry of Justice takes the charge for the coordination relating to auction of confiscated and unclaimed court productions. Accordingly, proceeds of the auction are as follows:-

Number of Auctions conducted	Proceeds received (Rs.)
155	38,972,747

(Table No.06)

The Ministry of Justice Circular No.05/2016 was issued for the purpose of release of confiscated sand and timber to places of religious worships at concessionary rates. Accordingly, under this initiative, 379 licenses have already been issued authorizing the release of sand.

5.2.2.5 Quazi Courts

In response to the requests made Quazi Judges, a Cabinet Memorandum number 16/2269/731/043 dated 30th Nov. 2016 approval was granted to increase the allowances.

Allowance	Allowance paid since 2007 (Rs.)	From 1 st December 2016 to be paid (Rs.)
For Quazi Judges	6,000	7,500
For attendant services and stationery	5,000	6,250
Total	11,000	13,750

(Table No.07)

5.2.2.6 Provision of facilities for courts and Judges

5.2.2.6.1 Provision of communication facilities

- Provision of Rs.2,818,548/= has been allocated for installation of internal telephone system to 16 courts including communication facilities.
- The Ministry of Justice Circular No. 03/2016 was issued authorizing the increase of communication allowance of Superior Court Judges.

Designation	Official Telephone		Allowance for official Quarters, Mobile Phones & Internet Facilities	
	Before (Rs.)	After (Rs.)	Before (Rs.)	After (Rs.)
Supreme Court Judges	5,000.00	1,500.00	15,000.00	18,500.00
Appeal Court Judges	5,000.00	1,500.00	15,000.00	18,500.00

(Table No.08)

5.2.2.6.2 Book Allowance

The Ministry of Justice Circular No.07/2016 has been issued immediately upon obtaining approval of Cabinet of Ministers for the payment of a book allowance at a rate of Rs.20,000 per month for High Court Judges and all Judges in the court of first instance.

5.2.3 Justice of the Peace Division

By the Gazette Extraordinary No.1954/34 dated 18.02.2016, it was declared that the Grama Niladhari Officers are appointed to be ex-officio Justices of the Peace within such Divisional Secretary's Divisions under which such Grama Niladhari Officers perform duties.

- Appointment of Justices of the Peace within this year.

Nature of appointment	Number of appointment
For Whole Island	3,793
For a specified Judicial Zone	1,576
Ex-officio (Grama Niladhari Officers)	14,022
Total	19,391

(Table No.09)

- 1,897 Justice of the Peace Identity Cards have been issued.

5.2.4 Inquirer into Sudden Deaths and Judicial Medical Officers' Division

- 564 Inquirers into Sudden Deaths are engaged in duties covering 674 Inquirer into Sudden Deaths Divisions Island wide. 16 Inquirer into Sudden Deaths were appointed this year covering 16 further Inquirer into Sudden Deaths Divisions. Moreover, at present, action has been taken to fill the vacancies in 04 Districts.
- Based on the requests submitted by the Specialized Judicial Medical Officers, a further Circular No.04/2016 was issued by the Ministry of Justice to increase the allowance of the Specialized Judicial Medical Officers.

Allowance	Allowances previously paid		New Allowances	
	For Specialized Judicial Medical Officers	For Non-Specialized Judicial Medical Officers	Special inquest Rs	Regular inquest Rs
1. For post mortem supervision For a post mortem examination conducted by the order of the Magistrate.	- -	- -	1,000 3,000	750 1,500
2. For a post mortem examination conducted on the request of the Inquiry into Sudden Deaths	-	-	2,000	1,000
Monthly fuel allowance	140 Liters	Nil	170 Liters	Nil
Submissions of Inquest report	Rs. 250	Rs. 250	Rs. 500	Rs. 500

(Table No.10)

5.2.5 Justice of the Peace and Un-official Magistrate and Commissioner for Oaths' Division

- 67 Attorneys-at-Law completed 15 years of professional experience have been appointed during the year under review to be the Justice of the Peace and Un-Official Magistrate.
- 1844 Attorneys-at-Law taken oath and enrolled at the Supreme Court have been appointed as the Commissioner for Oaths as at 31st December 2016.

5.2.6 Sworn Translators

1,663 Sworn Translators are working throughout the country. To have the documents translated by Sworn Translators authenticated and certified, a considerable crowd gathers at the Ministry more particularly in the recent past. As this has put a considerable inconvenience on the general public, an arrangement was concluded based on the lengthy discussion with the Ministry of External Affairs according to which it has been decided that all translation works into Sinhala, English and Tamil that require sworn translation be authenticated and certified by the Ministry of External Affairs.

5.2.7 Transport Division

This Division facilitates transportation that among other matters includes the provision of motor vehicles to the Judicial Officers including all High Court Judges. Insurance, repair and maintenance of such vehicles are also carried out by the Transport Division.

5.2.7.1 Insurance of office vehicles

Description	Number of office vehicles		Amount (Rs.)
Minister's Staff	19	(Full)	1,745,951
Judicial Officer's Official Vehicles	149	(Full)	6,896,126
Office Vehicles of the Ministry	46	(Full)	1,759,411
	01	(Third party)	745
Total	215		10,402,234

(Table No.11)

- In terms of Trade Duties and Investment Policies Circular No.01/2016, vehicle permits were granted to 78 Judicial Officers for the purchase/import of motor cars.
- In terms of National Budget Circular No.01/2016 (Operation and Lease), request has been forwarded to the Department of National Budget seeking approval for obtaining 24 vehicles for the Judicial Officers including High Court Judges and 89 vehicles for Attorney General's Department.
- By the Ministry of Justice Circular No.08/2016, the monthly transport allowance accorded to the Judicial Officers including High Court Judges have been increased in that in case of the High Court Judges and Special Grade Judicial Officers, it is up to Rs.60,000/= and the Judicial Officers in the courts of first instance, Rs.50,000/=.
- When considering the sum payable by the external parties in the course of purchase of vehicles under operational leasing system embodied in National Budget Circular No. 01/2016, it was informed the Secretary to the President to consider the increase of the said sum up to Rs. 200,000 per month in case of High Court Judges and Judicial Offices in Special Grade and Rs. 135,000 per month in case of other Judicial Offices who are using their private vehicles.

5.2.8. Departments Division

5.2.8.1 Creation of new posts

Department	Executive	Tertiary	Secondary	Primary	Total
Legal Draftsman's Department	-	-	02	-	02
Government Analyst's Department	01	-	-	-	01
National Authority for the Protection of Victims of Crime and Witnesses	08	22	10	12	52
Total	09	22	12	12	55

(Table No.12)

5.2.8.2 Approval for the Scheme of Recruitment

- Scheme of recruitment for the post of Deputy Public Trustee in the Executive Service Category has been approved.
- Scheme of recruitment in the Supervisory Management Technical Assistant's Service Category of the Government Analyst's Department has been approved.
- Scheme of recruitment for the post of Additional Legal Draftsman of the Legal Draftsman's Department has been approved.
- Scheme of recruitment for the post of Research Officer of the Sri Lanka Judges' Institute has been approved.

- Scheme of recruitment and promotion in respect of the approved cadre of the Superior Courts Complex Board of Management has been approved as follows
 - Primary-non technical
 - Primary -technical
 - Management Assistant (non-technical)
 - Junior Manager
 - Manager

5.2.8.3 Appointments

Department	Post	Number of appointments
Attorney General's Department	State Counsel	17
Legal Draftsman's Department	Assistant Legal Draftsman	05
Labour Tribunal Secretariat	Assistant Secretary	21
Mediation Board Commission	Mediation Training Officer	14

- Despite an interview was conducted in respect of two eligible applicants after calling for applicants to fill vacancy in the post of secretary to the Law Commission, the Interviews Board reached a conclusion that both of whom laves not fulfilled the basic requirement to be appointed to the post.
- Applicants were called to fill the vacancy in the post of secretary to the Debt Conciliation Board, there i.e. open and limited bases and as per the cabinet decision. However, any application with the minimum requirements was not received.
- One officer attended to the Legal Draftsman's Department was promoted a post of Deputy Legal Draftsman.
- Applications have been called for two posts of Assistant Secretary to the Department of Law Commission. Arrangements are now in progress to fix a date to hold the interview in respect of the 31 application received in response to the notice calling for application.
- In response to the notice calling for applications to fill 07 vacancies in the pose of the interpreter in the Labour Tribunals, 584 applications have received from eligible applicants.
- Practical Tests were conducted on the 05th, 06th and 07th December on 2016, to fill 17 posts of Stenographer in the Labour Tribunal and 03 posts of Stenographer in the Department of Debt Conciliation Board.

5.3. 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 year 2016, for the improvement of the efficiency and the effectiveness of the accounting functions of the Ministry of Justice.

In making financial allocations to the Ministry of Justice, it is executed in the following manner.

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

5.3.1 Financial Progress (From 1st of January 2016 to 31st of December 2016) Ministry Administration - 110-1, 2, 3

Description	Allocation (Rs. Mn.)	Expenditure (Rs. Mn.)
Recurrent Expenditure	841.49	746.63
Capital Expenditure	505.50	320.25
Total	1,346.99	1,066.88

5.3.2 Courts Administration 228-1, 2

Description	Allocation (Rs. Mn.)	Expenditure (Rs. Mn.)
Recurrent Expenditure	5,433.03	5,267.03
Capital Expenditure	1,454.65	1,213.86
Total	6,887.68	6,480.89

5.4 .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, Judge's Bungalows and acquisition of land etc.,

The following three categories of projects are being implemented by the Ministry.

- Construction of Major Projects
- Construction of Small Scale Projects
- Rehabilitation of Courts Projects

5.4.1 Construction of Major Projects

Detail	TEC Rs. Mn	Allocation 2016 Rs.Mn	Financial Progress 31/12/2016		Physical Progress 31/12/2016
			Amount Rs. Mn	%	
Galle Court Complex	822.15	45.127	45.122	100%	44%
Homagama Court Complex	470.81	212.44	212.44	100%	100%
Wattala Court Complex (Stage I)	194.11	63.70	58.82	92%	94%
Wattala Court Complex (Stage II)	170.54	22.70	22.70	100%	10%
Galagedara Court Complex	70.11	34.64	34.64	100%	90%
Matara Court Complex	1119.55	229.63	229.63	100%	12%
Total	2,847.27	608.23	603.35	-	-

5.4.2 Construction of Small Scale Projects

Detail	Allocation 2016 Rs.Mn	Financial Progress 31/12/2016	
		Amount Rs.Mn	Percentage
Construction of Small Scale Projects (25 Projects)	158.88	158.53	100%

5.4.3 Rehabilitation of Courts

Detail	Allocation 2016 Rs. Mn	Financial Progress 31.12.2016	
		Amount Rs. Mn	Percentage
Rehabilitation of Courts	200.00	197.46	99%

5.4.4 Construction of Major Projects are being implemented from 01.01.2016 to 31.12.2016

1. Construction of Galle Court Complex



2. Construction of Wattala Court Complex



3. Construction of Court Complex at Galagedara



4. Construction of Court Complex Matara



5.4.5 Construction of Major Projects which were Completed from 01.01.2016 to 31.12.2016

Homagama Court Complex



5.4.6 Construction of Small Scale Projects which were Completed from 01.01.2016 to 31.12.2016

	Project	TEC (Rs.Mn)	Allocation- (Rs. Mn)	Expenditure (Rs. Mn)
01	Construction of District Magistrate's Court Mutur	37.14	20.08	20.08
02	Construction of Proposed Building and Play Area for the Children's of Magistrate Court, Puttalam	2.28	1.59	1.50
03	Construction of Buddhist court and record room for District court Kandy	4.35	3.99	3.76
04	Construction of New Building for Courts Complex and Canteen Badulla	8.50	3.55	2.47
05	Construction of the 2nd Floor of the Civil Appellate High Court at Kegalle	12.80	3.33	1.47
06	Construction Of Circuit Magistrate Court Building At Kalpitiya	22.67	2.62	0.41
07	- Construction of New Record Room and the Production Room of Magistrate's Court Nikawaratiya -Construction of New Record Room and the Production Room Magistrate's Court Galgamuwa -Construction of New Record Room and the Production Room Magistrate's Court Anamaduwa	95.15	50.64	44.83
08	Construction of Record Room for Court House, Wellawaya	19.16	5.92	1.31
09	Construction of New Magistrate Court, Building Boundary Wall and the Magistrate's Quarters Embilipitiya	68.57	22.98	26.27

10	Construction Works & Other Renovation Works for High Court, District Court, Magistrate Court, Gampaha	3.61	3.21	-
11	Partition Work to Registrar's Room, Construction of Security Hut and Motor Cycle Yard DC/MC - Minuwangoda	0.92	0.83	0.08
12	Construction of Quazi Court, Saindamaruthu	5.39	0.91	0.57

5.4.6 Construction of Small Scale Projects are being implemented from 01.01.2016 to 31.12.2016

	Project	TEC (Rs.Mn)	Allocation for (Rs.Mn.)	Expenditure (Rs. Mn)	Physical Progress
01	Construction of New Record Room and Production Room Kalawanchikudy	20.96	12.07	3.90	79%
02	Construction of the Side Parapet Wall and the Building for Dining Room of the District Court Galle	6.69	3.27	0.75	60%
03	Construction of New Record Room DC/MC Thissamaharamaya	12.03	7.04	5.41	98%
04	Construction of Office Building for Court House Elpitiya	10.73	8.73	7.86	83%
05	Supply and Installation of Racks for Record Room and Production Room of Magistrate's Court Wellawaya, Embilipitiya Racks	9.15	6.75	0.76	40%
06	Construction Of High Court Judge's Bungalow At Polonnaruwa. Construction Of Magistrate Bungalow at Bibila	32.98	10.69	7.82	Bibila 45% Polonnaruwa 53%
07	Construction of Record Room and Production Room Kesbewa DC/MC	25.63	14.60	13.52	98%

08	Construction of Proposed Building & Play Area for the Magistrate Court, Ampara	4.67	1.06	-	20%
09	The Production Room DC/ MC, Point Pedro	22.75	12.84	5.10	85%

5.4.7 Court Buildings that were extensively renovated from 01.01.2016 to 31.12.2016

	Court	Total Allocation (Rs. Mn)	No. of Projects	Total Expenditure 2016.12.31 (Rs. Mn)
1	Ministry	31.57	15	31.57
2	Colombo	12.96	34	12.96
3	Kalutara	11.34	44	11.19
4	Galle	4.05	23	4.05
5	Matara	1.42	09	1.28
6	Batticaloa	6.94	10	6.94
7	Jaffna	6.43	18	6.43
8	Negambo	0.60	05	0.60
9	Gampaha	1.81	14	1.73
10	Kurunegala	4.62	29	4.62
11	Kandy	5.64	24	5.64
12	Awissawella	1.99	05	1.99
13	Ratnapura	9.10	32	8.84
14	Badulla	1.44	15	1.43
15	Anuradhapura	8.66	22	8.61
16	Kegalle	13.90	26	13.30
17	Chilaw	0.67	09	0.67
18	Vavuniya	1.80	14	1.80
19	Ampara	0.57	09	0.57
20	Trincomalee	3.78	30	3.78
21	Nuwareliya	0.26	08	0.26
22	Monaragala	3.31	10	2.97
23	Polonnaruwa	3.85	04	3.85
24	Kalmunai	0.19	06	0.19
25	Tangalle	9.02	21	9.02
26	Building Department	51.15	09	50.51
27	Other Department	2.79	02	2.66
	Total	200.00	447	197.46

5.5 DEVELOPMENT DIVISION

5.5.1. Function discharged by the Development Division from 01.01.2016 to 31.12.2016.

5.5.1.1. Clearance of title to lands that are within the purview of the Ministry of Justice.

The Development Division was involved in the following activities relating to clearance of title to the lands from 01.01.2016 to 31.12.2016.

1. Arrangements have been put in place to acquire suitable lands to construct permanent buildings for establishment of new courts, official quarters and circuit courts.
 - a) By the Cabinet Decision No. Cab/16/0597/731 dated 20.04.2016, approval has been granted to obtain an allotment of land containing in extent of six acres (1.80618 hectares) in and out of the land belonging to the BCC (Lanka)Ltd. for the construction of the Colombo New Court Complex. Further steps relating to the transfer of the land are now in progress. Request letter has been sent to the Surveyor Department to measure the land.
 - b) By the Cabinet Decision No. Cab/16/0787/731/023 dated 15.06.2016, approval has been granted to obtain a sufficient block of land in and out of the lands in Boosa presently possessed by the Sri Lankan Army and the Navy to construct the Court Complex in Galle. Further action is being taken in respect of acquisition of the said land.
2. Arrangements have been put in place to collect information to clear the title to the lands on which the courts have already established.
 - a) To facilitate this initiative, information were called from the courts throughout the country. Thereupon, a register for the purpose has been prepared incorporating particulars of lands already sent by 56 courts. It is expected to complete the Register by 31.03.2017 with the inclusion of the information in respect of all courts island wide.
3. In order to speed up the assistance given by the Divisional Secretaries in the process of title clearance, a two day conference was held on 14th &15th July 2016 with the participation of District Secretaries to make them aware of the expeditious activities to be carried out by the Divisional Secretaries in settling of title disputes. Pursuant thereto, requests calling for necessary assistance have been dispatched to 14 District Secretaries.

Accordingly, by 31.12.2016, 11 District Secretaries have given relevant instructions to 22 Divisional Secretaries emphasizing whose participation in this endeavor. The particulars of which are as follows -

District Secretary	Relevant Divisional Secretariat Division at which the land is situated	Progress achieved as at 31.12.2016
1.Colombo	Dam Street, Colombo	-
2. Gampaha	Mahara	A discussion was held on 09/11/2016 headed by District Secretary. A request has been made to survey the land and mark the boundaries.
3. Monaragala	Butthala	Relevant instructions have been referred on 26/08/2016
4. Kegalle	Ruwanwella	Relevant instructions have been referred on 23/08/2016
5.Badulla	Bibila, Thanamalwila	Letter has been sent to expedite the transfer of land.
6.Kurunegala	Kuliyapitiya- West Kurunegala, Rideegama Polgahawela	- - A request has been sent to the Commissioner of Buddhist Affairs. They agreed to transfer the land dated on 05/10/2016. -
7.NuwaraEliya	Walapane, Hanguranketha Hatton, Kothmale	Relevant instructions have been referred on 26/08/2016
8. Kandy	Thumpane Delthota	Records have been sent to the Land Commissioner General, Central Province related to the transfer of land, Circuit Magistrate's Court, Galagedara to the Ministry of Justice dated on 10/11/2016 A letter has been sent on 10/11/2016 there is no land to the Ministry of Justice within the Delthota Divisional Secretariat Division.
9.Batticaloa	Valachchenai, Verugal	-
10.Ampara	Potuvil, Ampara, Lahugala	Relevant instructions have been referred on 08/08/2016 A letter has been sent on 14/09/2016 there is no suitable land. Reminder has been sent
11. Galle	Hikkaduwa, Baddegama, Tawalama	Relevant instructions have been referred on 10/08/2016 and 22/09/2016 Letter has been sent to the NBR on 28th Oct.2016

12.Ratnapura	Embilipitiya, Ratnapura	Relevant instructions have been referred on 18/08/2016
13.Kalutara	Kalutara, Bandaragama	The Ministry of Land has called upon recommendations for amendment to be made on acquisition. 30.11.2016 -
14 Matara	Mulatiyana	Relevant instructions have been referred on 03/08/2016

5.5.1.2. Acquisition of buildings on lease or rent for the institutions coming under the purview of the Ministry of Justice and for the Judges Official Quarters.

1. Acquisition of buildings on lease or on rent for the institutions coming under the purview of the Ministry of Justice.

- a. In terms of the Cabinet Decision No. Cab/16/0765/731/022 dated 18/05/2016, a Lease Agreement was signed on 09/08/2016 for a term of 03 years to establish the International Arbitration Centre on 22nd Floor of the World Trade Centre.

2. Obtaining buildings on lease to house Labour Tribunals.

- a. From 01/01/2016 to 31/12/2016, 03 Lease Agreements were prepared anew to obtain buildings on rent to house Labour Tribunals in Ratmalana, Wattala, Matara & Thalawakale.

3. Obtaining Official Quarters for Judges on lease

- a. At present, 94 Lease Agreements are in operation and for 74 official quarters, following Lease Agreements have been prepared during the period commencing from 01.01.2016 and ending on 31.12.2016.

District	Number of Lease Agreements prepared			
	Official Quarters for Civil Appellate High Court Judges/ High Court Judges	Official Quarters for District Judges/ Additional District Judges	Official Quarters for Magistrates/ Additional Magistrates	Total
Colombo	2	7	6	15
Ratnapura	3	4	2	9
Kurunegala	1	-	3	4
Kandy	-	2	-	2
NuwaraEliya	1	2	2	5
Badulla	-	-	1	1
Matara	2	3	3	8
Galle	3	3	1	7
Anuradhapura	1	-	1	2
Polonnaruwa	-	1	-	1
Kalutara	1	1	3	5
Puttalam	1	3	2	6

Monaragala	1	-	1	2
Ampara	1	1	-	2
Trincomalee	-	-	1	1
Kegalle	-	2	1	3
Matale	-	-	1	1
Total	17	29	28	74

5.5.1.3 Opening Ceremonies of Court Buildings

Opening of District / Magistrate Court Building, Muthur on 29.07.2016



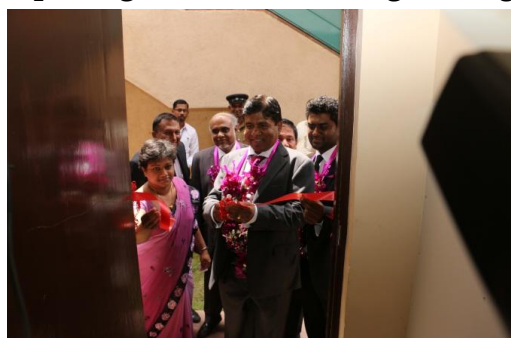
Opening of office Building of Magistrate Court Anamaduwa on 13.09.2016



Opening of Office Building of District/ Magistrate Court Nikawaratiya on 13.09.2016



Opening of office Building of Magistrate Court Galgamuwa on 13.09.2016



Opening of Labour Tribunal, Jaffna on 27.05.2016.



5.6 PLANNING DIVISION

5.6.1 Introduction

The Planning Division discharges the functions relating to planning and follows up activities of the projects in the Ministry and the Departments coming under it, including the following functions:-

- Preparation of annual Capital Budget Estimates for the Ministry
- Preparation of Annual Action Plan for Capital Expenditure
- Progress Reviews against the Capital expenditure
- Preparation of Progress Reports and Annual Performance Reports and submission to the Parliament.
- Collecting statistics in respect of court cases and Preparing Annual Statistics Report
- Preparation of project reports and obtaining recommendations of the National Planning Department.
- Co-coordinating the development activities implemented by the Ministry of Justice at Divisional and District level with District Secretariats and Divisional Secretariats.
- Execution of co-ordination activities of the Parliamentary Consultative Committee, Sectoral Oversight Committee and Parliament Questions with Parliament
- Monitoring the Information and Technology Unit

5.6.2 Progress from 1st January 2016 to 31st December 2016

5.6.2.1 Preparation of annual Capital Budget Estimates for the Ministry.

Capital Expenditure Budget Estimate for year 2017 was submitted to the National Budget Department on 15th Aug. 2016.

5.6.2.2 Preparation of Annual Action Plan for Capital Expenditure.

- a) Annual Action Plan was prepared and submitted to the President Office, Prime Minister's Office, Ministry of National Policies and Economic Affairs and Department of National Budget on 20th Jan. 2016.
- b) Action Plan prepared for the Budget Proposal 2016 has submitted to the Department of National Budget.
- c) Draft Action Plan for 2017 was prepared.

5.6.2.3 Progress Reviews against the Capital expenditure

Description	Numbers
Quarterly Progress Report Submitted	04
Monthly Progress Report prepared for Development Projects (Major Projects 05, Small scale Projects 21 and Rehabilitation Projects 447)	12
Progress Review Meetings were held	04
Follow up activities for Development Projects	473

5.6.2.4 Submission of Progress Reports

Reports	Institution
According to the National Budget Circular No 6/2015 financial and Physical progress of Development Projects	Financial Progress twice a week and Physical Progress once a month submitted to the National Budget Department
According to the National Budget Circular No 6/2015 Other Capital Expenditure	Monthly submitted to the National Budget Department
Local and Foreign funded Development Projects and Budget Proposal Progress	Quarterly Progress Report had sent to the Department of Project Management and Monitoring, President Office, Prime Minister's Office and Department of Government Information -Information sent to the Central Bank of Sri Lanka
Progress Report for the District Coordinating Committee	Reports have been sent to the Kegalle, Ratnapura, Gampaha and Hambanthota District Secretaries.

5.6.2.4.1 Progress for the Development Projects online updated (4 Quarters) to the Website which has been established by the Department of Project Management Monitoring Unit.

5.6.2.5 Submitting the Annual Reports

Institution	Report	Progress
Sri Lanka Judges' Institution	2013 Annual Report	Submitted to the Parliament on 25.04.2016
	2014 Annual Report	Submitted to the Parliament on 19/12/2016
Ministry of Justice	2015 Performance Report	Submitted to the Parliament on 26.05.2016
Government Analyst's Department	2015 Performance Report	Submitted to the Parliament on 16.06.2016
Department of Public Trustee	2015 Performance Report	Submitted to the Parliament on 05.07.2016
Department of Law Commission	2015 Performance Report	Submitted to the Parliament on 05.07.2016
Attorney General's Department	2014/2015 Performance Report	Submitted to the Parliament on 02.08.2016
Department of Legal Draftsman	2012, 2013, 2014 & 2015 Performance Report	Submitted to the Parliament on 10.08.2016

5.6.2.6 Parliament Questions and Sectoral Oversight Committee

Description	Number
Parliament question answered	13
Coordination work for the Sectoral Oversight Committee	08

5.6.2.7 Maintain Statistical Records on Cases

a. it was prepared Annual Statistics Report and Summary is as follows

Case Statistics 1st January 2016 to 31st December 2016

Courts	Number of Cases Brought forward from 2015	Number of Filed Cases	Number of Concluded Cases	Number of Pending Cases end of 2016
Supreme Court	3,589	1,863	1,886	3,566
Court of Appeal	4,681	1,296	1,140	4,837
Civil Appellate High Courts	6,403	2,601	3,031	5,973
High Courts	16,259	9,265	9,158	16,366
Commercial High Court	2,783	1,590	615	3,758

District Courts	133,382	53,787	44,420	142,749
Magistrates' Courts	520,314	311,951	296,621	535,644
Labour Tribunals	5,031	2,281	2,281	5,031
Board of Quazis	189	97	98	188
Quazi Courts	7,153	8,743	8,064	7832
Total	699,784	393,474	367,314	725,944

5.6.2.8 Submission of Project Proposal

	Project Proposal	Institution	Date
01	Construction of - District Magistrate's Court Gampola, Ruwanwella and Mullaitivu - Passara Magistrate's Court - Mankulam, Khatagasdigiliya and Madavachiya Circuit Magistrate's Courts	National Planning Department	10.08.2016
02	Establishment of National Law Center	KOICA	13.05.2016
03	Forensic Training Programme for Prosecutors	KOICA	02.06.2016
04	Construction of House of Justice	Department of External Resources	09.06.2016
05	Judicial Infrastructure Development Project	Department of External Resources	14.10.2016
06	Feasibility Report of the Judicial Infrastructure Development Project	Department of External Resources	30.08.2016
07	Enhancing the Efficiency of the Justice Sector	Asian Development Bank	20.09.2016

5.6.2.9 Submission of Cabinet Papers

	Detail	Approved Date
01	Consultancy Services for the Construction of House of Justice Project	31.05.2016
02	Construction of New Judicial Infrastructure Development Project (Courts Building of Gampola, Ruwanwella, Mankulam, Mullaitivu, Passara)	16.08.2016

5.6.2.10 Coordination of Government Development Programmes and Exhibition

- a. Headed by the H.E. President “NILAMEHEWARA” Mobile Service has been held in Royal College, Polonnaruwa on 30.07.2016. Ministry of Justice displayed the Stall.
- b. Now the action has been made to coordinate the “NILAMEHEWARA” President’s People Service - Galle District.

5.6.2.11 Information Technology

Redeveloped the Lawnet website and Ministry website.

- Lawnet website URL - www.lawnet.gov.lk
- Ministry website URL - www.moj.gov.lk

5.7 INTERNAL AUDIT DIVISION

Auditing of accounts of the Ministry, the departments under it and the 03 Statutory institutions i.e. Superior Courts Complex Management Board, Judges Institute and Legal Aid Commission, the Mediation Board Commission which is functioning as a support project under the expenditure head of Ministry Administration, the office of the Labour Tribunal which is functioning as a support project under the expenditure head of Courts Administration and High Courts, Civil Appeal High Courts, District Courts and Magistrate’s Courts which are under the expenditure head of Courts Administration are carried out by the Internal Audit Division.

This division is headed by a Chief Internal Auditor and supported by 05 Financial Assistants, 03 Management Assistants and 05 Development Officers.

These officers are conducting internal audits at the above organizations with special emphasis on system audit. Considering the Period from 1st January 2016 to 31st December 2016, this division has completed a total of 78 audit inspections including at 09 High Courts, 09 District/Magistrate’s Courts, 10 District Courts, 11 Magistrate’s Courts, 01 Labour Tribunals, 01 Court of Appellate and 21 Departments and Institutions including 16 special audit inspections.

06. PROGRESS OF THE DEPARTMENTS AND INSTITUTIONS UNDER THE MINISTRY

6.1. ATTORNEY - GENERAL'S DEPARTMENT

Vision

- To be the bastion of the Public Service of Sri Lanka in responding effectively to the course of justice in the interest of Sri Lanka.

Mission

- To serve the people of Sri Lanka to our utmost endeavor and work with honour, dignity and integrity to fulfill Sri Lanka's promise.
- The Attorney General's Department will strive to enforce laws of Sri Lanka on the premises of fairness and independence, to ensure justice, safety and liberty for the people of Sri Lanka, in a bid to encourage social and economic prosperity, equal opportunity and tolerance.

Objective

- To provide expert legal services and advice to the Sri Lankan Government Institutions, Corporations and Statutory Boards and to play a pivotal role in the delivery of the Governments' broader objectives.

6.1.1. Introduction

The Hon. Attorney General is the Chief Legal Advisor representing the Democratic Socialist Republic of Sri Lanka. He performs the duties as the Head of the Department and Accounting Officer in the Department. The Attorney General's Department falls under the category of A Grade Department and by the proclamation published in the Gazette No. 1933/13 dated 21.09.2015, it came under the purview of the Ministry of Justice.

The Attorney General's Department tenders legal advice, either upon being advice sought or on its own initiative to the Central Government, Provincial Councils, Government's Departments, Statutory Boards and such other semi government institution with regard to criminal and civil matters including constitutional and commercial jurisdictions etc. Further, the Counsels attached to the Department appear before the Superior Courts, Provincial Appellate High Courts, High Courts and Courts of first instance including Labour Tribunals for the Government and Government Establishments in litigation.

Three main Divisions named Civil Division, Criminal Division and State Attorney Division have been established in the Department for Civil and Criminal cases. The Administration Division and the Accounts Division carry out the activities relating to Administration and Accounts. Additionally, Corporation Branch, EER Unit to deal with the matters in respect of Emergency Regulations and Preventions of Terrorism Act, Unit to deal the matters in respect of Child Abuse Cases, Immigration and Emigration Unit, Public Complaints Unit and Supreme Court Branch play an important role for the efficient discharge of the duties of the Department.

6.1.2 Role of the Attorney General's Department

- To provide instructions to the Government and Governmental Institutions on Civil, Criminal, Constitutional and Commercial matters, International legal activities and the matters of the United Nations, Human Rights Commission
- To represent the Government and Governmental Institutions for the cases, instituted in the Supreme Court, Other Court & Labour Tribunals.
- To provide necessary legal advice with regard to enactment of new laws and amendments to the existing laws.

Following Divisions of the Department assist in performing the above functions:-

- ✦ Criminal Branch
- ✦ Civil Branch
- ✦ State Attorney's Branch
- ✦ Supreme Court Branch
- ✦ Corporation Branch

Further, for the smooth functioning of the Department there are special units, vested with specially recognized responsibilities. Namely,

- ✦ Public Petitions Unit (This Division handles cases regarding public petitions)
- ✦ Child Abuse Unit (This Division has been established to handle cases, regarding the child abuses)
- ✦ EER Unit (Engaged in dealing with matters relating to the cases initiated under the Emergency Regulations and Prevention of Terrorism Act)
- ✦ Immigration and Emigration Unit (Engaged in dealing with matters relating to cases instituted under the Immigration and Emigration Law)

Aforesaid Divisions and units handle main functions of the Attorney General's Department and the Accounts Division and the Establishment Division have been established for the administrative work of the Attorney General's Department.

6.1.3 Performance of each Division from 1st January 2016 to 31st December 2016 is as follows:

Division	No. of Case Files Opened	No. of Indictments sent	No. of instructions given	No. of Acquitted	No. of cases Closed
* Civil Branch		-	184	-	301
Criminal Branch	4,812	2,495	1364	333	4,192
* State Attorney's Branch	219	-	-	-	2,473
Supreme Court Branch	493	-	-	-	138
Corporation Branch	2,202	-	-	-	1,750
Women and Child Abuse Unit	3,651	1,374	463	517	2,354
Public Petitions Unit	690	-	-	-	258
Total	15,000	3,869	2,011	850	11,466

* Please note that a large number of records opened by the Civil Division are handled by the State Attorney Division.

6.1.4 The following major projects are being implemented by the Attorney General's Department

Project	TEC Rs. Mn	Allocation 2016 Rs. Mn	Financial Progress 31/12/2016		Physical Progress 31/12/2016 (Cumulative)
			Amount Rs. Mn	%	
Const. of New Office Complex at Attorney General's Department	1,182.00	530.00	234.55	44%	15%
Const. of Official Residence - Mannar	26.50	20.00	4.55	23%	30%
Const. of Official Residence -Vavuniya	26.50	10.80	3.91	36%	80%
Total	1,235.00	560.80	243.01	43%	

6.1.5 Financial Progress from 01.01.2016 to 31.12.2016

Description	Allocation (Rs.)	Expenditure (Rs.)	% 31.12.2016
Recurrent Expenditure	671.14	657.42	98%
Capital Expenditure	606.30	286.56	47%
Total	1,277.44	943.98	74%

6.2 LEGAL DRAFTSMAN'S DEPARTMENT

Vision

- To ensure good governance by assisting the Government to transform the policies of the Government into legislation.

Mission

- In transforming Government policies into legislation, the drafting of such legislation to be done in accordance with the Constitution in Sinhala, Tamil and English languages.

6.2.1 Introduction

The Legal Draftsman's Department is an "A" Grade Government Department. This Department is functioned under the direct supervision of the Ministry of Justice as per the *Gazette* Extraordinary No. 1933/13 of 21.09.2015.

The main function of the Legal Draftsman's Department is the transformation of the Government policies on diverse subjects into legislation in line with the Constitution and in accordance with the decisions approved by the Cabinet of Ministers. In this process, the Department drafts Bills to enact new legislation and to amend existing legislation, and it also revises the subordinate legislation submitted by various Government Ministries. The other duties entrusted to this Department include participating at Parliamentary Select Committee Meetings convened to review draft Bills and being present in Parliament and co-coordinating with the Parliament when the Bills are taken up for debate. This Department provides services to all Government Ministries and Departments including the State Corporations and Statutory Bodies. The Department also provides legal advice to Government Ministries and Departments with regard to the preparation of various Bills and subordinate legislation.

6.2.2 Functions of the Legal Draftsman's Department in relation to legislative drafting:-

- (1) Drafting of Bills to enact new legislation and to amend existing legislation in all three languages.
- (2) Revision and, (where necessary), drafting of subordinate legislation in all three languages.
- (3) Attending to Parliamentary duties in connection with drafting of legislation.
- (4) Drafting of Provincial Council Statutes.
- (5) Revision of Private Members' Bills (draft Bills of Incorporation) in all three languages.

This department also provides legal advice in respect of drafting of Acts, subordinate legislations and Provincial Council Statutes.

The unique feature of this Department is that it does not have a structured work programme of its own. This is because the work programme of the Department is of necessity, structured on the legislative needs of the Ministries of the Government and the various Departments under such Ministries, at a given time, upon the required policy being approved by the Cabinet of Ministers. The performance record of the Legal Draftsman's Department is therefore structured on the basis of the successful completion of the requests made for primary and amending legislation and subordinate legislation submitted to it by the respective line Ministries throughout any particular year. Any form of legislation which comes under the scope of legislative drafting, which is the primary function of the Department, has to be completed in all three languages before it can be released to the requesting Ministry or Department.

6.2.3 Progress from 01.01.2016 to 31.12.2016

6.2.3.1 Description of files which has been completed

Detail	No. of requests pending as at Jn. 2016	No of requests made by the parties during the period	Total	No. of drafts handed over to the relevant parties as at 30 th sept 2016	Closed Files	Completed bills awaiting for the observations AG's, MoJ	No. of requests pending as at 31 st Dec. 2016
Drafting Acts (Preliminary and amended)	194	73	267	54	54	138	21
Amendment of regulations (Subsidiary regulations)	124	132	256	119	01	119	17
Statutes of Provincial Councils	23	3	26	1	-	23	02
Total	341	208	549	174	55	280	40

6.2.3.2 Description of files which has been completed - 2016

Drafting of Acts - New and Amendments of Acts	24
Acts sent in All three languages	27
Total	51

In accordance with the instructions given by the Sub Committee of Cabinet of Ministers Private Members' Bill are temporarily discontinued.

6.2.3.3 The following Acts were finalized and passed by the Parliament as at 31st December 2016

01	Local Authorities Elections (Amendment) Act	L.D.O.50/2015
02	Fisheries and Aquatic Resources (Amendment) Act	L.D.O.46/2015
03	National Minimum Wage of Workers Act	L.D.O.51/2015
04	Budgetary Relief Allowance of Workers Act	L.D.O.27/2015
05	Prescription (Special Provisions) Act	L.D.O.21/2010
06	Microfinance Act	L.D.O.32/2012
07	Asian Infrastructure Investment Bank Agreement (Ratification) Act	L.D.O.04/2016
08	Registrations of Persons (Amendment) Act	L.D.O.33/2013
09	Mediation Board (Amendment) Act	L.D.O.60/2015
10	Homoeopathy Act	L.D.O.46/2005
11	National Research Council Act	L.D.O.28/2014
12	Right to Information Act	L.D.O.04/2015
13	Fiscal Management (Responsibility)(Amendment) Act	L.D.O.16/2016
14	Office on Missing Persons(establishment, administration and Discharge of Functions) Act	L.D.O.32/2016
15	Animal Feed Act	L.D.O.69/2006
16	Registration of Deaths(Temporary Provisions) (Amendment)	L.D.O.41/2015
17	Universities (Amendment) Act	L.D.O.35/2013
18	Code of Criminal Procedure (Amendment) Act	L.D.O.44/2015
19	Law Commission (Amendment) Act	L.D.O.52/2015
20	Value Added (Amendment)Tax Act	L.D.O.27/2016
21	Ports and Airport Development Levy (Amendment) Act	L.D.O.15/2016
22	Nation Building Tax (Amendment) Act	L.D.O.28/2016
23	Appropriation (Amendment) Act	L.D.O.34/2016
24	Appropriation Act	L.D.O.53/2016

6.2.3.4 The following drafts were Finalized as at 31st December 2016

25	Foreign Exchange management Bill (Amendment)	L.D.O 42/2003
26	Transfers of Powers (Divisional) Secretaries (Amendment) Act	L.D.O 44/2006
27	Wages Board (Amendment)	L.D.O 55/2008
28	Expressway Authority of Sri Lanka Act	L.D.O 42/2007
29	Medical Ordinance (Amendment)	L.D.O 64/2007
30	Establishment of Engineering Council Sri Lanka Act	L.D.O 35/2011
31	Registration on Therawada Bikkhu Kathikawatha	L.D.O 15/2014
32	Buddhist Temporalities Ordinance (Amendment)	L.D.O 20/2014
33	Intellectual Property Act (Amendment)	L.D.O 37/2014
34	National Institute of Plantation Management (Amendment) Act	L.D.O 38/2014
35	National Audit Act	L.D.O 03/2015
36	Provincial Council Elections (Amendment)	L.D.O 30/2015

37	Directors of Animal Production and Health (Change of Designation) Act	L.D.O 32/2015
38	Provincial Council Elections (Amendment) Act	L.D.O 30/2015
39	Civil Procedure Code (Amendment) Act	L.D.O 48/2015
40	State Land (Special Provisions) Act	L.D.O 49/2015
41	Revocation of Irrevocable Deeds of Gifts (Special Provisions)	L.D.O 53/2016
42	Registration of Electors (Special Provisions) Bill	L.D.O 56/2015
43	Divineguma (Amendment) Act	L.D.O 58/2015
44	Sri Lanka Sustainable Development Act	L.D.O 1/2016
45	Criminal Procedure Act (Amendment)	L.D.O 2/2016
46	Office on Missing Persons (Establishment, Administration and Discharged of Functions) Act	L.D.O 32/2016
47	Land (Restriction on Alienation)	L.D.O 14/2016
48	National Transport Commission (Amendment)	L.D.O 18/2016
49	Fisheries and Aquatic Resources (Amendment) Act	L.D.O 21/2016
50	Criminal Procedure Code (Amendment) (Section 431, 432)	L.D.O 44/2016
51	Development (Special Provisions) Act	L.D.O 41/2016

6.2.3.5 Actions taken fill the cadre vacancies

Senior Level

- Action has been taken to call applications fill the 01 post of Deputy Legal Draftsman.

Tertiary Level

- A letter has been sent to the Director General, Combined Services regarding the vacancy of Administrative Officer.
- The written examination to fill in the vacancies in the posts of Translators was held on 4th Sept. 2016 and 16 Sinhala and Tamil medium have passed out and only 13 Officers assumed the duty.

Secondary Level

- The Director General of Combined services was informed on 11.10.2016 to provide with two Development Assistant Officers.
- Appointment letters have been issued to recruit 08 officers to the post of Documentation Assistant and 08 officers for the post of Editor with effect from 15.09.2016.

Primary Level

- There is 01 vacancy for the post of Driver. The Director General of Combined Services has been informed in this regard.

6.2.3.6 Financial Progress from 01.01.2016 to 31.12.2016

Description	Allocation (Rs. Mn.)	Expenditure (Rs. Mn.)	% 31.12.2016
Recurrent Expenditure	86.56	76.90	89%
Capital Expenditure	31.30	15.87	51%
Total	117.86	92.77	79%

6.3 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 recommends legal reforms. The Department of Law Commission is constituted to extend administrative and research support.

Vision

- To promote reform of the Law for good governance.

Mission

- Implementation of the functions prescribed in the Law Commission Act No. 03 of 1969 for the promotion of the reform of the law.

6.3.1 Objectives and Functions

The main objective of the Law Commission is to promote the reform 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.

- ix. To keep under constant review the exercise by bodies, other than parliament, of the power to legislate by subsidiary legislation with a view to ensuring that they conform to well established principles and to the rule of law.
- x. To formulate programmes for rationalizing and simplifying legal procedures including procedures of an administrative character connected with litigation.
- xi. To formulate programmes for the codification of the law in Sinhala, Tamil and English

6.3.2 Progress from 01.01.2016 to 31.12.2016

1) Protection of National Security from Terrorism Act	
Background	Identify the Acts of Terrorism, types of liability, powers of arrest, entry, search and seizure, order of custody, trial procedure, confessions, priority for trials and appeals, corporate liability, protection of officers etc.
Current Status	Forwarded the final draft to the Hon. Minister of Justice on 17.02.2016. A meeting was held at the Ministry with the relevant stakeholders and decided to prepare a separate draft with Ministry of Defense. The Secretary of Ministry of Justice is a member of the Committee.
2) Amendment to the existing Divorce, Custody and Alimony Law	
Background	<p>The existing Laws and Statutes presently dealing with Divorce, Alimony and Custody on irretrievable breakdown of marriage to be codified in one single integrated statute, in order to introduce a systemized and conveniently ascertainable, single law on the above subjects.</p> <ul style="list-style-type: none"> • A consensual situation • A situation where there is no Mutual consent because one party does not want a Divorce <p>Custody: Best Interest of the Child Alimony: Just and equitable Jurisdiction Maintenance: Jurisdiction to be vested in the District Court and not the Magistrate Court and as a complimentary adjunct there to, adequate enforcement and punitive powers to be vested with the District Court</p>
Current Status	The law Commission finalized the above draft on 18.11.2016.
3) Amendments to the Convention on the Civil Aspects of International Child Abduction Act No. 10 of 2001 and in particular section 11 thereof	
Background	To advance the protective measures on the law relating to the International Child Abduction.
Current Status	The Law Commission suggested to reform section 11 (1) of Civil Aspects of International Child Abduction Act No. 10 of 2001 as follows at the Law Commission meeting held on 08.09.2016.

	<ul style="list-style-type: none"> • Repeal of the provision “ (b) there is grave risk that the child’s return would expose the child to physical or psychological harm of otherwise place the child in an intolerable situation” and replace it with the provision “ (b) child’s return would not be in the best interest of the child”, or • Retain (a) and (b) and insert “ (c) child’s return would not be in the best interest of the child”, or • Amend (b) to read: “ (b) the child’s return would not be in the best interest of the child or there is grave risk that the child’s return would expose the child to physical or psychological harm of otherwise place the child in an intolerable situation” <p>The Law Commission finalized the above draft on 18.11.2016.</p>
4) The Present Law Relating to Arrest and to Consider Necessary Amendments.	
Background	To amend the existing Arrest Procedures.
Current Status	<p>The draft research paper on Arrest Procedures in other Jurisdictions prepared by Mr. Sanjeewa Jayawardena, P.C was tabled and discussed at the meeting.</p> <p>It was discussed in view of the Criminal Justice Code of India and the Indian Case Law at the Law Commission meeting held on 27.10.2016.</p> <p>The above draft was finalized by the Law Commission at the Law Commission meeting held on 18.11.2016.</p>

6.3.3 Financial Progress as at 31st December 2016

Description	Allocation (Rs. Mn.)	Expenditure (Rs. Mn.)	% 31.12.2016
Recurrent Expenditure	14.63	12.14	83%
Capital Expenditure	2.03	1.43	71%
Total	16.66	13.57	81%

6.4 GOVERNMENT ANALYST'S DEPARTMENT

Vision

To form a fair and law abiding society.

Mission

Providing Analytical Advisory and Consultancy Service in the fields of Forensic and Food Sciences to Law Courts, Law Enforcement Agencies and other Institutions.

6.4.1 Functions

The Government Analyst's Department, being the only forensic laboratory in Sri Lanka, consists of two major Divisions namely Food Science and Forensic Science. Food Science Division includes four laboratories namely Food, Liquor, Milk and Water. Forensic Science Division has seven major disciplines as Forensic Ballistics Section, Forensic Serology and DNA Section, Forensic Toxicology Section, Explosives and Fire Investigation Section, Narcotic Drugs Section, Forensic Questioned Document Section, and Forensic Miscellaneous Section.

This Department proves to be a service providing institution in that it provides advisory, consultancy and scientific service. The Government Analyst's Department issues analytical reports upon scientific examination and analysis on productions referred to it by the law Courts of the country, Department of Police, Department of Customs, Department of Excise, Port Authority, Local Government Institutions, Ministry of Health as well as other Government Departments and Statutory Bodies. Further, it carries out analysis to ensure quality of food, liquor, milk, and dairy products with the samples being referred to the Department by the various government departments and state sponsored bodies. Additionally, the samples received from the Department of Customs are also analyzed for both quality and tariff categorization purposes. The Department also prepares analytical reports after examination of the Questioned documents forwarded by the law courts throughout the country.

All productions submitted for testing are referred to relevant tests according to various acts and ordinances such as the Food and Drugs Act, National Environment Act, Excise Ordinance, Tobacco and Alcohol Act, Cosmetics, Drugs and Devices Act, Control of Pesticides Act, Fire Arms Ordinance, Poisons, Opium and Dangerous Drugs Ordinance, The Explosives Act, Offensive weapons Act, Motor Traffic Act, Criminal Procedure Code, Civil Proceeding Code, Evidence Ordinance etc.

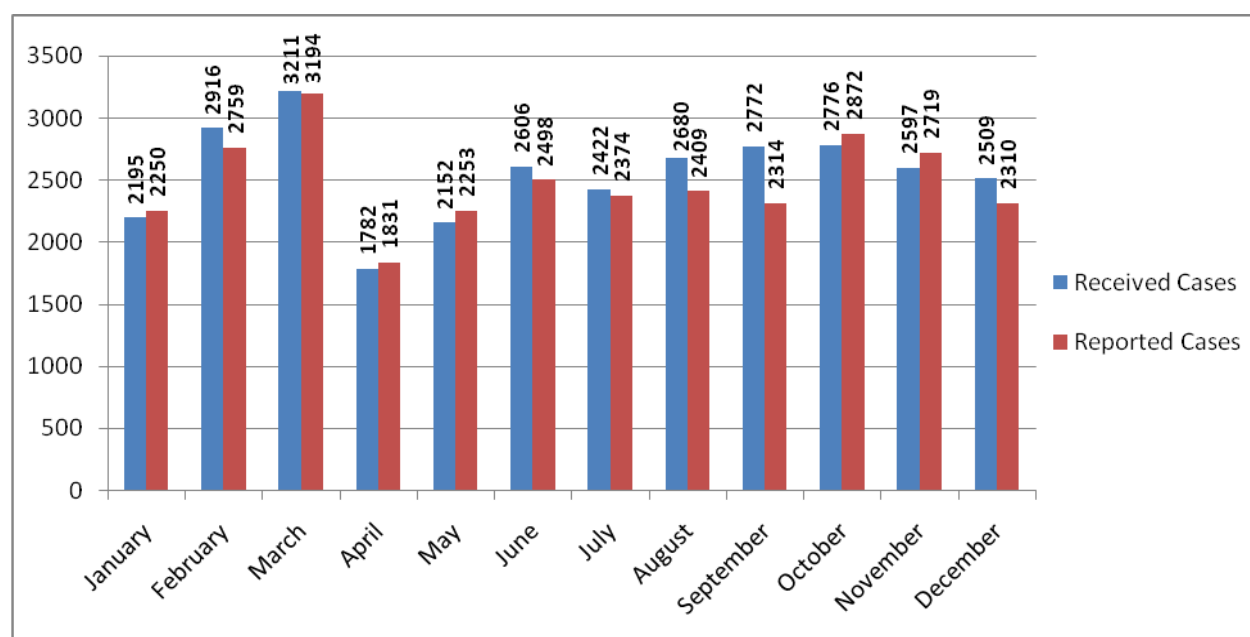
The Department of Police is given assistance of the specialized officers for investigation of scenes of crimes relating to vicious incidents such as shooting and fatal accidents.

Our officers give evidences as expert evidence before the relevant courts regarding the reports issued by the Department of Government Analysts.

This Department also functions as the scientific consultant to other government departments and Government sponsored institutions. Specially, the contribution given by these experts to Sri Lanka Standard Institute in making standards provides an important service. These Experts assist the Technical Evaluation Committee of the Ministry of Defense for purchasing Weapons and Equipment.

6.4.2 Progress from 1st of January 2016 to 31st December 2016

Section	Pending cases on 01.01.2016	No. of cases Received	No. of cases Reported	No. of cases not reported on 31.12.2016
Narcotics and other Drugs	617	8,041	7,448	1,210
Firearm & Ammunition	379	520	507	392
Explosives & Fires	162	406	373	195
Poisons	1,065	2,186	2,218	1,033
Blood & Other Physiological Fluids	1,284	1,384	1,091	1,577
Questioned Documents	266	770	735	301
Forensic Miscellaneous - CM	147	342	340	149
Head Office Court Samples - CL	01	2,151	2,102	50
Miscellaneous - Liquors & Tobacco	23	2,355	2,375	3
Liquors -CL- Kurunegala	0	2,675	2,675	0
Food Samples under food Act	07	8,606	8,582	31
Food Miscellaneous	04	1,336	1,337	3
Total	3,955	30,772	29,783	4,944



6.4.3 Laboratory Accreditation

A team of Assessors has visited to monitor as to whether the laboratory testing are done in compliance with the ISO 17025. Accordingly, accredited test reports issued by the said laboratories are internationally acclaimed.

6.4.4 Skilled Development

- Two officers have arrived in the Island after successful completion of Post Graduate Degree on Forensic Science while another officer reading for the Post Graduate Degree in Firearms in UK.
- Further 02 officers are following a Post Graduate Degree in Drug Analyst at Strathclyde in Scotland.
- 24 staff officers and 32 non staff officers have been send for local trainings, 23 officers have participated in foreign trainings and seminars.

6.4.5 Digital Forensic Laboratory

With the completion of basic requirements of the project successfully Digital Forensic Laboratory and the upgraded DNA Laboratory have been opened on 19th December 2016.

6.4.6 Upgrading the DNA laboratory

A fully functional DNA Laboratory with competency of performing all kinds of DNA analysis through developing necessary techniques in addition to the analysis performed previously with samples of tooth, bones, hair shaft.

The Departments' efficiency has been increased vastly by receiving equipment such as; Real Time PCR which has the capacity to extract 96 DNA samples and a Genetic Analyzer with the capacity to extract 24 samples at a time.

6.4.7 ICT Project

The Memorandum of Understanding has been signed in May 2016 in relation to networking of all the functions of the Laboratories and the establishment section in the Department, under the project worth Rs. 18 Million funded by the ICTA. Its' main activities are being performed currently and the project is expected to end in 2017. Additionally ICTA Institute has agreed to provide Wi-Fi facilities to the Department and actions have been taken to fulfill its basic requirements.

6.4.8 Pesticide residual analysis of fruits and vegetables.

As an initial step, the vegetables fetched from Dambulla have been tested and the first report of the analysis has been issued on 24.11.2016.

6.4.9 Financial Progress as at 31st December 2016

Description	Allocation (Rs. Mn.)	Expenditure (Rs. Mn.)	% 31.12.2016
Establishment of Digital Multi Media & Crime Investigation Center (KOICA)	342.00	296.47	85%

Description	Allocation (Rs. Mn.) 2016	Expenditure (Rs. Mn.) 31.12.2016	% 31.12.2016
Recurrent Expenditure	248.25	244.65	99%
Capital Expenditure	70.25	69.23	98%
Total	318.50	313.88	98%

6.5 DEPARTMENT OF PUBLIC TRUSTEE

Vision

To ensure the trust extended to the Public Trustee by the Donors and/or Settlers of Charitable Trusts/Their Estates (Money and/or Property) with a view to upheld their final wishes and/or purposes within a legal framework for the utmost benefit of beneficiaries and/or General Public.

Mission

Administration of Trusts and Estates of deceased persons which are entrusted to this Department so as to provide an excellent service through the resources and skills of the Department with a view to satisfy all the relevant parties subjected to those estates including the beneficiaries.

6.5.1 General Powers and Duties of the Public Trustee

The Public Trustee shall, subject to the provisions of Public Trustee Ordinance, Civil Procedure Code, Judicature Act and other enactments and rules made there under, be capable of being appointed and of acting under that name

1. As an ordinary trustee, as a custodian trustee,
2. As collector of estates under an order to collect,
3. As curator of the estate of a minor, as the next friend or guardian, (When entrusted by the District Court)
4. As a Manager of the estate of a person of unsound mind, (When entrusted by the District Court)
5. As manager of immovable property upon a contract on terms and conditions as may be mutually agreed upon. (Where the Public Trustee is appointed as custodian

trustee he is obligated to exercise of the powers of management or any other power of discretion vested in such board of Managing Trustees.)

6. As attorney for persons absent from Sri Lanka for the purpose of receiving and paying money.
7. Under the Civil Procedure Code the Public Trustee shall be deemed to be a suitable person as a manager of an estate.
8. As an administrator of an intestate estate under the Civil Procedure Code.
9. As a custodian trustee of properties of person who is serving a sentence in prison.
10. The Public Trustee may accept the custody for the purpose of safe keeping a Last will of any living person.
11. Public Trustee as a trustee of the compensation given to the acquisition of temple property.

6.5.2 Powers and duties vested in Public Trustee underwritten Laws and Amendments to the Public Trustee Ordinance

Under the provisions of other written laws and amendments made to the public trustee ordinance, following Powers and duties are being vested on Public Trustee.

- Under the Sec. 10 A of the Public Trustee Ordinance as amended by Act No. 61 of 1988, Public Trustee shall act as the body who distributes any compensation received upon the death of persons while in overseas employment among their dependents and/or heirs. Further, any Sri Lankan citizen proceeding for employment outside Sri Lanka may register with the Public Trustee for the purpose of regulating and ensuring efficient distribution of any compensation which shall be payable in the event of their death while in employment.
- Implementation of Vihara Lands (Compensation) Ordinance No 42 of 1944.
- Execution of functions assigned under the Buddhist Temporalities Ordinance, No. 19 of 1931 as amended by Act, No. 42 of 1981.
- Under the Associated Newspapers of Ceylon Limited (Special Provisions) Law, No. 28 of 1973, the shares of the Associated Newspapers of Ceylon, Limited shall vest with the Public Trustee for the benefit of the Government.

6.5.3 Services of the Public Trustee

Public Trustee serves the public in accordance with the objectives of Trusts and Last Wills or decisions and/or directions of Court.

- Awarding scholarships to skilled children who are facing financial difficulties in their studies.
- Provision of medical assistance to needy patients for their essential medical treatments.
- Provide with financial assistance to maintain and development of Religious Places according to the objectives of trusts and/or Last wills.

- Provide Charities for needy persons and/or institutions.
- Providing donations to persons who are in need due to various reasons and for their religious activities.
- Management of the Trust or Estate Properties.
- Appointment of two Directors and Chairman of the Associated Newspapers Of Ceylon Limited.
- Distribution of Foreign Compensation.
- Based on the recommendations of the Commissioner General of Buddhist Affairs, distribution of compensation to be recovered consequent to the acquisition of immovable properties by the government under the Buddhist Temporalities Ordinance.
- Grant to the general Treasury a percentage from the income earned as Public Institution.

6.5.4 Trust Estate

Year	Number of Trusts	Number of Estates
2012	999	126
2013	1019	130
2014	1034	134
2015	1044	137
2016	1067	140

6.5.5 Sum of Money sent to the General Treasury

Capital investments, Revenue fees and other charges recovered under the Public Trustee Ordinance in respect of trusts and estate vested in or instituted at the Department of Public Trustee have been sent to the General Treasury.

Year	Rs.
2011	3,783,187.40
2012	6,543,360.52
2013	6,396,102.51
2014	6,675,487.77
2015	10,188,334.08
2016	14,986,797.37

6.5.6 Financial Progress from 01.01.2016 to 31.12.2016

Description	Allocation (Rs. Mn.)	Expenditure (Rs. Mn.)	% 31.12.2016
Recurrent Expenditure	45.02	44.47	99%
Capital Expenditure	2.35	2.31	98%
Total	47.37	46.78	99%

6.6 DEPARTMENT OF DEBT CONCILIATION BOARD

Vision

To provide a relief arrangement for the aggrieved public for the repayment of loans involving immovable property.

Mission

Provision of legal protection and relief for the debtors to enable them to get back their immovable property such as agricultural land, housing property placed as security for a loan obtained on a Mortgage, Deed of Conditional Transfer, or Deed of transfer executed solely in respect of a loan transaction, by making payment in installment with a low rate of interest.

Objective

To assist parties to arrive at a settlement on the repayment of loans on Mortgage Bonds, Deeds of Conditional Transfer and Deeds of transfer executed solely for a loan transaction in respect of immovable property.

6.6.1 Introduction

This Department was established under the Debt Conciliation Ordinance No. 39 of 1941 with the objective of introducing relief measures to save from indebtedness the people who are indebted on secured loans obtained on Conditional help the public to get over their indebtedness caused by 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, Cheque, along with such secured loans.

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

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. 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 proceedings before this Board are different from those before an ordinary court of law. The settlement arrived at between the parties is not an agreement imposed by the Boards but one arrived at voluntarily by the parties, before the Debt Conciliation Board. However, the Board has the power to reduce the unreasonable rates of interest charged

or in case of failure on the part of the parties to accept the just suggestions made by the Board to issue a certificate under the Ordinance to the debtors. Further, if the creditors fail to appear before the Board at the final hearing in response to the notice issued, an expert hearing is held after which a certificate is issued to the debtor. However, only if the Board is satisfied that the creditor has intentionally failed to attend the inquiry to be held after notice is issued through registered post and the Grama Niladhari. On such occasions, the benefit of the issue of such a certificate will accrue to the debtor. If this certificate is produced to a court before which a trial is being held on the same matter, that court is empowered under the Debt Conciliation Ordinance to allow a period subject to a maximum of 10 years for the settlement of the loan and reduce the interest to the minimum rate and not to recover any costs from the debtor.

6.6.2 Progress from 01.01.2016 to 31.12.2016:-

Details	Numbers
No. of pending applications brought forward - 01.01.2016	834
No. of new applications	366
No. of applications received for review	28
Total No. of applications	1,228
No. of applications settled	185
No. of applications dismissed	163
No. of applications reviewed	36
No. of applications cleared from roller	01
No. of applications on which certificates were issued	07
No. of applications withdrawn	11
Total No. of Applications (Actions Taken)	403
No. of Applications pending by the end of the Year	825

6.6.3 Financial Progress as at 31st December 2016

Description	Allocation (Rs. Mn.)	Expenditure (Rs. Mn.)	% 31.12.2016
Recurrent Expenditure	15.89	14.96	94%
Capital Expenditure	0.80	0.56	70%
Total	16.69	15.52	93%

6.7. MEDIATION BOARDS COMMISSION

6.7.1 Introduction

Mediation Boards Act. No. 72 of 1988 provides for the establishment of Mediation Boards. Immediately upon the introduction of the Mediation Boards by the operation of the Act, arrangements were made to commence the establishment of Mediation Boards throughout the country covering all most all the Divisional Secretary's Divisions Island wide. In particular, the establishment of these Mediation Boards has offered a unique opportunity for speedy settlement of minor disputes in which it operates as a strong mechanism for the settlement of disputes as an alternative mean to litigation. At present, there are 329 Mediation Boards throughout the island and approximately 8266 mediators are assisting people on voluntary basis enabling them to reach an amicable settlement to their dispute some of which have dragged upon for years.

The Mediation Boards Commission comprises of 05 (five) members. Three of them are statutorily required to be retired judges of the Superior Courts. All these members are appointed by His Excellency the President. The administration activities of the Mediation Panel Boards *viz.* appointment, transfers, dismissal and disciplinary control are charged by the Mediation Boards Commission.

Mediators act as a third party in settlement of disputes among the parties. Efficiency of the Mediation Panel Boards may be evaluated on the basis of the number of disputes which such Boards receive per annum.

Upon widely acclaiming the mediation by the community as a convenient and low cost mechanism in resolving their disputes. The interest shown by the public towards the mediation becomes on the increase at an unprecedented level. This amply demonstrates by the fact that more than 100000 disputes have been referred to the Mediation Boards annually.

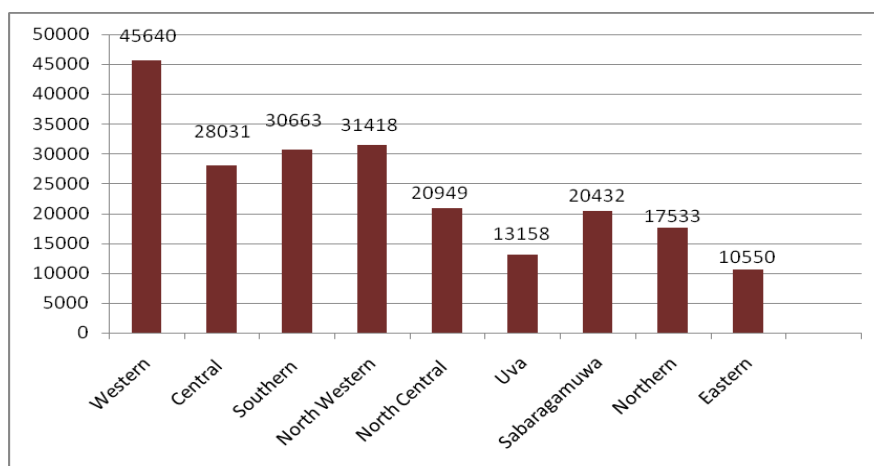
6.7.2. Progress from 1st January to 31st December 2016

Description	No. of Disputes
Reference of Disputes to Mediation	223,116
Settlement of Disputes by Mediation	93,059
Percentage of Settlement of Disputes	41.7%

6.7.3. Detailed of the Reported Disputes from 01.01.2016 – 31.12.2016

Details of the Disputes	No. of Reported Disputes	%
Court	17,712	7.94%
Police	52,336	23.46%
Bank/ Financial Institute	128,703	57.68%
from Disputers	3,653	1.64%
Breach of settlements previously agreed upon	20,712	9.28%
Total	223,116	-

6.7.4. Disputes received at Provincial Level from 01.01.2016 to 31.12.2016



- 68 Five Days Training Workshops have been conducted; thereby nearly 3046 mediators have been trained from 01.01.2016 to 31.12.2016.
- 02 One day Training Workshops have been conducted for Mediators.
- Community mediation, school mediation and other awareness programmes are also being conducted by Program Assistants. They have conducted 38 five days school mediation programmes, 116 one day school mediation programmes and one day other mediation programmes

6.7.5. Special Land Mediation Boards

- Jaffna
- Kilinochchi
- Baticaloa
- Tricomalee
- Anuradhapura

6.7.6. Financial Progress from 01.01.2016 to 31.12.2016

Description	Allocation (Rs. Mn.)	Expenditure (Rs. Mn.)	Percentage %
Recurrent Expenditure	277.16	247.76	89%
Capital Expenditure	1.25	1.03	83%
Total	278.41	248.79	89%

6.8 OFFICE OF THE SECRETARY LABOUR TRIBUNAL

Vision

Realization of better employment security in respect of the employees attached to non-government institutions."

Mission

"Realization of the better employment security in respect of the employees attached to non-government institutions through a just and efficient mechanism of administration of justice by the involvement of dynamic and trained staff."

6.8.1 Introduction

The main functions assigned to the Labour Tribunals are to hear and dispose of the applications received in respect of disputes in terms of the Section 31(b) of the Industrial Disputes Act No.43 of 1950. Labour Tribunals can be defined as an institution which provides justice in respect of matters such as termination of employment of employees of the non-governmental institutions etc. and is considered a great privilege restored to such parties. 39 Labour Tribunals are functioning under the head office and they are listed as follows:-

Colombo - 01	Embilipitiya (Circuit)	Gampaha	Ratmalana
Colombo - 02	Balangoda	Panadura	Maharagama
Colombo - 08	Tricomalee	Matara	Kotapola
Colombo - 13	Awissawelle	Anuradhpura	Bandarawela
Battaramulla 1/ Addi.	Kandy	Nawalapitiya	Thalawakale
Battaramulla 2/ Addi.	Galle	Kegalle	Palapathwala
Ratnapura	Badulla	Chilaw	Ampara
Nuwaraeliya	Negombo 21	Baticaloa	Jaffna
Hatton	Negombo 21/ Addi.	Kaduwela	Kuliyapitiya
Kaluthara	Kurunegala	Wattala	

6.8.2 Progress from 01.01.2016 to 31.12.2016

Number of Cases Pending as at 01.01.2016	During the Period from 01.01.2016 to 31.12.2016		No. of Cases Pending as at 31.12.2016
	No. of Cases Filed	No. of Cases Concluded	
5031	2281	2281	5031

- A Labour Tribunal was established in Jaffna district on 01.06.2016 and commenced to continue its functions.
- Applications were invited through a gazette notification and a test was conducted for qualified candidates to fill 27 vacancies in the post of Stenographers.
- Applications were invited through a gazette notification and preliminary arrangements were initiated to recruit 07 Interpreters.
- An interview was conducted by the Ministry of Justice to fill 25 vacancies presently fallen in the post of Assistant Secretary to the Labour Tribunals and 15 officers have already been recruited.

6.8.3 Financial Progress from 01.01.2016 to 31.12.2016

Description	Allocation (Rs. Mn.)	Expenditure (Rs. Mn.)	% 31.12.2016
Recurrent Expenditure	305.43	285.74	94%
Capital Expenditure	13.05	11.27	86%
Total	318.48	297.01	93%

6.9 TRAINING INSTITUTE FOR NON JUDICIAL OFFICERS

Mission

Enhancement of efficiency and quality in the judicial service through training of scheduled and Non - Scheduled officers in the judicial service except for judicial officers so as to cope with the delay in the process of hearing and disposal of court cases with the prime object of providing the general public with a speedy and better service.

6.9.1 Introduction

This institute was established in 2010 in the court building in Palawatte, Battaramulla to fulfill the training requirements of Non-Judicial Officers who work at Courts. Accordingly, this training institute has conducted a number of programmes for the non-judicial officers in order to achieve the following objectives.

1. Development of attitudes and discipline
2. Awareness of and understanding the duties
3. Modernization and innovation
4. Elimination of bribery and corruption

6.9.2 Conducting Programmes

From 1st of January 2016 to 31st of December 2016, the following training programmes were conducted.

No	Training Programme	No. of Programmes Conducted	No. of Emp. Participated
01	KKS	01	29
02	Maintenance of Personal File	01	40
03	Training Programme on Payment Procedures	01	40
04	Training Programme on Procurement	01	34
05	Training Programme on Human Resources	11	403
06	Training Programme on Office Procedures	01	40
07	Training Programme for Criminal Procedure	11	394
08	Training Programme on Civil Procedure	12	437
09	Training Programme on Legal Systems and Constitutional Law	12	430
10	Training for the new entrants to Public Service.	01	38
11	Training Programme on Computer Literacy	04	97
12	Training Programme for Family Counselors in Courts	02	58
13	Training Programme on Maintenance of Personal Files for Assistant Secretaries of Labour Tribunal	01	39
14	Training Programme on Language (Tamil and English) for six month Course started on December.	01	61
15	Three months English Language Training Programme (commenced on May, 2016) this course was conducted by the Open University of Sri Lanka.	01	50
16	Regional level Training Programmes conducted in Jaffna, Anuradhapura, Polonnaruwa, Nuweraeliya and Kalmunai.	05	439
Total		66	2629

07. PROGRESS OF THE PUBLIC ENTERPRISES UNDER THE MINISTRY OF JUSTICE

7.1 LEGAL AID COMMISSION (LAC)

The Legal Aid Commission (LAC) was established by the Legal Aid Law No. 27 of 1978, the main Objectives of the LAC is to provide Legal Aid to deserving persons to Sri Lanka. The role of the LAC is to provide legal advice and free legal assistance to low income groups and to create awareness in the entire society on legal procedures. Many activities inclusive of representation in courts of law and other forum by implemented under the following divisions during the year.

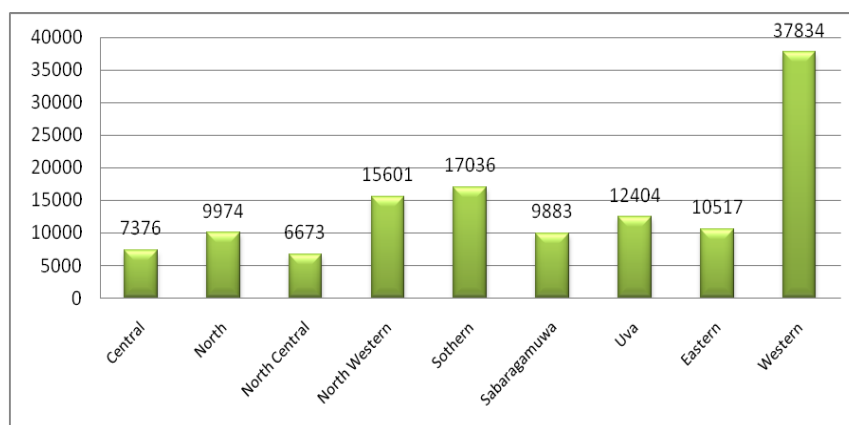
- Legal Division
 1. Representation in courts on behalf of deserving persons.
 2. Offer legal advices to the public.
 3. Assisting in advisory activities to the government in implementing new law and order.

In addition to the Colombo Legal Aid Center, which functions directly under the purview of the head office, there are 77 Regional Legal Aid Centers. Client who seeks legal representation in courts have to justify that their monthly income though the Grama Niladari of the relevant division, for the Maintenance cases it is not taken in to an account.

7.1.1 Litigation Progress of the Legal Aid Commission in the Year 2016.

No.	Details	Number of Cases
01	Number of cases brought forward from in 2015	23,609
02	Number of new cases newly filed from January to 31 st December, 2016	10,964
03	Number of Pending cases January to 31 st December, 2016	34,573
04	Number of Concluded cases January to 31 st December, 2016	8,485
05	Number of cases carried forward on 1 st January 2017	26,088
06	Number of total legal consultations during the period of January to 31 st December, 2016	92,725
07	Total number of services provided	127,298

7.1.2 Total Number of dispute settled by the Legal Aid Commission



7.1.3 Programmes and Project Division

7.1.3.1 Media Programmes

- a. Creating awareness for general public through different Television and Radio channels. Most of these programmes were by invitations.

Television Programmes - 109

Radio Programmes - 06

- b. The Question and answer page in News Papers is another initiative taken by the Lac to assist the public to resolve their problems and as well as to improve their legal awareness.

“Lankadeepa Nithi sarana page” - 26

“Daily News Legal Aid Page” - 26

7.1.3.2 Awareness and Outreach Programmes

	Programme	Numbers
01	Providing legal knowledge, Protection of Rights and Support Programmes to gain privileges	236
02	Providing legal knowledge, access to Quality and Effective government services	42
03	Identifying disputes, easy access to dispute resolution and expansion of Legal Aid Service.	30
04	Apprentice Training programme (10 workshops)	01
05	Certificate course in Legal studies (10 workshops)	01
06	Awareness programme for migrant workers and minimizing their legal problems	01
07	Programmes participated by the Legal Officers as resource persons	63
08	Awareness programmes for the fishing community	03
09	Awareness programmes for estate workers	03
10	Programmes on land dispute Resolutions	02
11	Conducted Legal Aid Clinics - Prison Programmes	35
	Total	417

7.1.4 Development Legal Aid Units

7.1.4.1 Migrant Workers - Unit

The unit carried out consultations with migrant workers who faced problems. Subsequent to the consultations, such persons referred either to consular division of the Ministry of external affairs or to Sri Lanka bureau of foreign employment. Establishment of 17 Units of "Gami Sansadaya" Island wide at the divisional Secretariat Level.

7.1.4.2 Prisoners Unit

The kith and kin of any prison inmate who needs legal aid could seek assistance from any of the Legal Aid Centers. Bail application submitted for 244 Prisoners and accused have been granted bail with the intervention of the LAC Lawyers. UNDP project sponsored to the Prisoners project.

7.1.4.3 Tanning for Newly - Enrolled Attorneys-at-Law

This initiative is a self-funded project and implemented jointly with the Sri Lanka Law College. The objective of this programme is to train the Attorneys-at-Law newly enrolled annually. During the year under review, a batch consisting of 1010 newly enrolled Attorneys-at-Law was given training under this project.

7.1.4.4 Certificate Course in Legal Education

This is a self-financing programme and the participants are levied a nominal sum to cover the co- expenses, like hall charges, preparation of Literature for the course. The first group was commenced on 23.07.2016 and there were 40 participants for the year 2016.

7.1.4.5 Awareness Programmes for Indigenous, Inhabited People.

Conducted an awareness programme at Rathugala.

7.1.4.6 Disaster Management Programme.

A Legal Aid Mobile Clinic was conducted to provide legal assistance to the victims of the landslide in the Aranayake, Samasara Hill. The follow up programmes are expected to be carried on.

7.1.5 Training of Officers

No.	Category of Officers	Number of Officers
01	Attorneys at law	120
02	Accountant	03
03	Management Assistants	08
04	Drivers	02

7.1.6 Financial Progress Report from 01-01-2016 to 31-12-2016

Description	Allocation (Rs. Mn.)	Expenditure (Rs. Mn.)	% 31.12.2016
Recurrent expenditure	191.00	188.81	99%
Capital expenditure	25.00	20.82	83%
Total expenditure	216.00	209.63	97%

7.2 SUPERIOR COURTS COMPLEX BOARD OF MANAGEMENT

Vision

- To develop the Superior Courts Complex Board of Management into the Best managed statutory Board in the Country.

Mission

- The Mission of the Superior Courts Complex Board of Management is to maintain and further develop the existing building facilities and Infrastructure so that all involved in Judiciary and Legal Profession using these facilities may be provided a very conducive environment which will help them to perform their activities with a view to bring out efficient, fair and justice services for the litigants and thereby to achieve the above vision.

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 include 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 Hon Chief Justice.
- A Judge of the Supreme Court appointed by the Hon 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 Justice.
- The Secretary to the Ministry of Local Government Housing & Construction.
- The President of the Bar Association of Sri Lanka.
- The Municipal Commissioner of the Colombo Municipal Council.
- A Representative from the Ministry of Finance.
- Two members appointed by HE the President of Democratic Socialist Republic of Sri Lanka.

7.2.1 Performance during the period from 01.01.2016 - 31.12.2016

Activities conducted by the Board of Management of the Superior Courts Complex were given below.

Development of Building Facilities

- Repairs to Pantry Cupboard in 3rd floor Lawyers cafeteria.
- Repairs to timber doors and windows in Civil Appeal Building.
- Repairs to timber doors and windows in building No 211 of Superior Courts Complex.
- Repair to staff Quarters of Superior Courts Complex.
- Repairs to timber doors and windows of the Ministry of Justice
- Repairs and paintings of judges' quarters.

Purchasing and Installation of Machinery -

- Purchase of 04 Nos single door Mini Refrigerators.
- Purchase of 04 Nos of Split type air condition machines for Superior Courts building.
- Upgrading P.A.B.X. system of Superior Courts Complex.

7.2.2 Financial Progress from 01.01.2016 to 31.12.2016

Description	Allocation (Rs. Mn.)	Expenditure (Rs. Mn.)	% 31.12.2016
Recurrent Expenditure	184.40	150.25	81%
Capital Expenditure	20.00	10.91	55%
Total	204.40	161.16	79%

7.3 SRI LANKA JUDGES' INSTITUTE

7.3.1 Introduction

Sri Lanka Judges' Institute was established by 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.

Subjects and 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 training and research courses in various aspects of the administration of justice.

IV. Providing library facilities and other educational material for judicial officers.

7.3.2 Progress from 01.01.2016 to 31.12.2016

Name of the Seminar	No. of Programme	No. of Judges
Role of the Government Analyst in the Analysis of Dangerous Drugs	02	123
The Development of the National Sentencing Guidelines	01	36
Outsourcing	01	31
Partition Law - A brief discussion on the nature, scope and content of the partition law and analysis of the steps leading up to trial stage and ancillary matters.	02	87
Judicial Behavior, Court Craft and Judges Role in Court Management	03	127
NATA Workshop	01	55
Trial and subsequent steps and significance of interlocutory and final decrees	02	84
Pragmatic Approach in writing Crime judgments in the trial court	03	133
Discussion on the law relating to prescription among co-owners, by Justice Salam	01	55
The Introductory Cybercrime and Electronic Evidence Seminar	01	49
Appellate Court Rules	01	79
Best Practices in adjudicating Terrorism Trails	01	21
Trust Ordinance	02	108
Total	21	988

7.3.3 Residential Programmes

Name of the Seminar	No. of Programme	No. of Judges
Legal Issues relating to State Land At Peacock beach Hotel , Hambanthota	1	24
Forensic Medicine and Science At Grand Kandyan Hotel, Kandy	1	63
Forensic Medicine and Science At Grand Kandyan Hotel, Kandy	1	63
Total	3	150

7.3.4 Foreign Training Programmes for Judges

Name of the Training Programme	Name of the Institute	No. of Judges
Training Programme	New Delhi Judicial Training Academy, India	30
Training Programme	National Judicial Academy, Bhopal of India	95
Training Programme	Judicial Training, Chandigarh	28
	Total	153

7.3.5 Special Achievements

1. All law reports published in India was purchased for the use of the Library of the Sri Lanka Judges' Institute.
2. The database known as 'Westlaw' was purchased for the use of the Judicial Officers receive the training at the Sri Lanka Judges' Institute.
3. The Manuputra Legal database was revised for the use of the Sri Lanka Judges' Institute.
4. One Workshop was held for 71 Judges on Forensic Medicine on 7th and 8th May 2016 at Taj Samudra Hotel, Colombo.
5. Purchased Lloyd's Law reports for the Library of the Sri Lanka Judges' Institute.
6. A Memorandum of understanding was signed between Sri Lanka Judges' Institute and Millennium DPI Partners, LLC for Civil Society Initiatives to promote the Rule of Law (CSI.Rol) Program, on 5th October 2016, to make advances in building the capacity of judges.
7. Agreement for the Building of a legal Database for the use of the Judges' In Sri Lanka was signed by the Bell Solutions (Private) Limited and Sri Lanka Judges' Institute on 27th October 2016.

7.3.6 Financial Progress from 01.01.2016 to 31.12.2016

Description	Allocation (Rs. Mn.)	Expenditure (Rs. Mn.)	% 31.12.2016
Recurrent Expenditure	26.00	*27.63	100%
Capital Expenditure	7.00	*8.18	100%
Total	33.00	35.81	100%

* Rs. Mn. 1.63 of recurrent expenditure has been brought forwarded from funds.

* Rs. Mn. 1.18 of capital expenditure has been brought forwarded from funds.

7.4 THE NATIONAL AUTHORITY FOR THE PROTECTION OF VICTIMS OF CRIMES AND WITNESSES

7.4.1. Introduction

The Assistance to and Protection of Victims of Crime and Witnesses Act, No.04 of 2015 provides for the establishment of National Authority for the Protection of Victims of Crime and Witnesses in order to protect the victims of crime and witnesses. The objective of this Act is to strengthen the course of administration of justice by identifying a proper legal framework to protect the rights of the victims of crime and witnesses. The Authority located at No.428/11A, Denzil Kobbekaduwa Mawatha, Battaramulla was ceremonially declared opened on 08/01/2016 by His Excellency the President.



Subsequently, by notice published in the Gazette Extra Ordinary No.1966/02 dated 09/05/2016, the subject that lies with the scope of the Authority was entrusted with the Hon. Minister of Justice with effect from 27/04/2016. Accordingly, the Hon. Minister of Justice, by order published in the Gazette Extra Ordinary No.1967/8 dated 16/05/2016, directed that the provisions specified in the Assistance to and Protection of Victims of Crime and Witnesses Act, No.04 of 2015 be implemented with effect from 18.05.2016.

In compliance with the provisions specified in Section 12(1) of Part IV of the Act, the Board of Management of the Authority was appointed with effect from 11/08/2016 consisting of five members appointed by His Excellency the President from among persons who are academically or professionally qualified and have experience in professions or fields of professional activity associated with the criminology, the criminal justice system, the promotion and protection of human rights or medicine and seven other ex-officio members viz. the Secretary to the Ministry of the Minister-in-Charge of the subject of Justice, the Secretary to the Ministry of the Minister-in-Charge of the Police Department, the Secretary to the Ministry of the Minister-in-Charge of the subject of Women Affairs, the Secretary to the Ministry of the Minister-in-Charge of the subject of Children, a member of the Human Rights Commission of Sri Lanka, a nominee of the Attorney-General and a nominee of the Inspector General of Police or their representatives respectively.

7.4.2. Duties and functions

Duties and functions of the Authority established under Section 11 of the Act may be summarized as follows -

a. Enforcement functions -

To identify, promote, protect and make aware of the rights and entitlements of the victims of crime and witnesses;

b. Quasi judicial functions -

To investigate and monitor the infringement of rights and entitlements of the victims of crime and witnesses and make recommendations to state institutions, public officers and courts of law;

c. Operational functions -

To guarantee protection of the victims of crime and witnesses;

d. Regulatory functions

To issue guidelines and to supervise;

7.4.3. The Victims of Crime and Witnesses Assistance and Protection Division

The Assistance to and Protection of Victims of Crime and Witnesses Act, No.04 of 2015 provides for the establishment and maintenance of a Division to be called "The Victims of Crime and Witnesses Assistance and Protection Division" under the direction and guidance of National Authority. In terms of Section 19(2) of the Act, a Senior Superintendent of Police, who comes under the supervision of the nominee of the Inspector General of police *ex-officio* appointed as a member of the Board, shall be placed in charge of the Division.

7.4.4. Victim and a Witness crime may request protection from institutions

Under the Act, a victim and a witness of a crime may request protection from institutions under mentioned. *viz.*

- The National Authority for the Protection of victims of Crime and Witnesses;
- The Victims of Crime and Witnesses Assistance and Protection Division;
- Courts of law
- The Commissions (The Human Rights Commission of Sri Lanka, The Commission to Investigate Bribery or Corruptions, Investigations Commissions or a Special President's Commission of Inquiry or any other Commission appointed under the Commission of Inquiry Act.)
- Officer-in-Charge of the Police in the area.

7.4.5 Progress from 01.01.2016 to 31.12.2016

The Board of Management appointed with effect from 12.08.2016, to the National Authority for the Protection of Victims of Crimes and Witnesses convened its first meeting on 01.09.2016 in order to implement where special attention was paid towards the administration affairs for the smooth functioning of the authority for which was proposed to held at least 3 committee sessions per month. Accordingly, director General of Management Services has approved a cadre consisting of officials under 18 categories as its initial staff and further arrangements for recruitments are being carried out.

The Department of Management Services has approved a cadre consisting of 52 officers under 18 categories. In addition to the afore staff, following posts were approved on 10.11.2016 by the Department of Management Services on the request made by the Authority.

- Director (Administration and Management)
- Director (Finance)

A two days training programmes was held on 03rd and 04th November 2016 at the Water's Edge Hotel, Battaramulla with the participation of 200 Police Officers, local and foreign journalist, Chairman and members of the Board of Management and it was presided over by Hon. Minister of Justice and Buddhadasana.

"The Victims of Crimes and Witnesses Assistance and Protection Division" was established on 03rd November 2016 under the direction of Inspector General of Police.

Designing of the action plans for the protection of Victims of Crime and Witnesses has been initiated by the members of the Board of Management utilizing their wealth of experience secured in their fields. Board of Management has conducted 07 sessions as at 31.12.2016. Twelve (12) complaints have been received to the authority as to that date and they have been referred to relevant parties for future actions.

The first auditing and management meeting of the authority was held on 28.12.2016. Board of Auditing and Management consists of 05 members and Mr. Udayakumara Amarasinghe, Senior Lecturer at the Sri Jayawardanepura University is the Chairman of the Board of Auditing and Management.

7.4.6. Financial Progress from 01.01.2016 to 31.12.2016

Description	Allocation (Rs. Mn.)	Expenditure (Rs. Mn.)	% 31.12.2016
Recurrent expenditure	3.00	2.80	93%
Capital Expenditure	1.00	0.99	99%
Total	4.00	3.79	95%

Provisions left remained are intended to be utilized for the projects that are planned to be implemented in this year.

08. COURTS OF LAW

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

- Supreme Court
- Court of Appeal
- High Courts
- Commercial 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, 20 Provincial Civil Appellate High Courts, 31 High Courts, Commercial High Court, 52 District and Magistrate's Courts, 30 District Courts, 49 Magistrate's Courts, 2 Children Magistrate's Courts, 23 Circuit Magistrates' Courts, 39 Labour Tribunals, 65 Quazi Courts and Board of Quazis. The expenditure is disbursed through 24 High Court Accounting Centers.

8.1 THE REGISTRY OF THE SUPREME COURT

8.1.1 Introduction

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 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 vest or ordain.

The Registry of the Supreme Court assists the Supreme Court to carry out its functions for which the Ministry of Justice by the Head 234 grants provisions. The functions of the Registry of the Supreme Court includes:-

- Maintenance of the Record of the Supreme Court.
- Arrangements for sittings and schedule of applications.
- Record of Court Orders and Judgments.
- Enrolment of Attorneys-at-Law at the Supreme Court.
- Preparation of briefs received from the Court of Appeal and the assessment of legal costs.

8.1.2 Progress from 01.01.2016 to 31.12.2016

Type	No. of Cases Pending as at 01.01.2016	No. of Cases Registered as at 31.12.2016	Total No. of Cases as at 31.12. 2016	No. of Cases Leave to Proceed as at 31.12.2016	No. of Cases Concluded as at 31.12.2016	No. of Cases pending as at 31.12.2016
Fundamental Rights Applications	973	467	1440	-	528	912
Special Applications	504	276	780	66	232	482
Orders of the Supreme Court in respect of Parliamentary Bills	-	39	39	-	39	-
Appeal Cases	401	250	651	-	231	420
SC CHC Appeal	210	34	244	-	47	197
High Courts Leave Applications	162	92	254	24	78	152
Writ Applications	05	06	11	-	03	08

Provincial Appellate High Courts cases	1300	653	1953	160	467	1326
Revision Cases	11	11	22	-	06	16
Reference Cases	01	-	01	-	01	-
Miscellaneous	09	10	19	-	-	19
SC TAB Appeal	01	01	02	-	01	01
SC Special	12	-	12	-	-	12
SC Acceleration	-	01	01	-	01	-
SC Contempt	02	21	23	-	2	21
Total	3,591	1,861	5,452	250	1,636	3,566

8.1.3 Financial Progress from 01.01.2016 to 31.12.2016

Description	Allocation (Rs. Mn.) 2016	Expenditure (Rs. Mn.) 31.12.2016	% 31.12.2016
Recurrent Expenditure	92.84	86.28	92.9%
Capital Expenditure	8.40	4.26	50.7%
Total	101.24	90.54	89.4%

8.2 THE REGISTRY OF 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 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.

8.2.1 Performance of disposal cases from 01.01.2016 to 31.12.2016

Cases	Pending as at 1 st Jan. 2016	No. of Registered	No. of Decided	Pending as at 31 st Dec. 2016
Writ Application	1,424	446	365	1,505
High Court Appeal (Criminal REM)	875 02	311 02	129 -	1,057 04
Provincial High Court Appeal	1,060	237	294	1,003
Civil Appeal	773	-	133	640

High Court Revision Application	311	166	119	358
Revision (Civil) and Leave to Appeal Application	64	51	51	64
Other Application	172	83	49	206
Total	4,681	1,296	1,140	4,837

8.2.2 Financial Progress as at 31st December 2016 (234-01-02)

Description	Allocation (Rs.) 2016	Expenditure (Rs.) 31.12.2016	% 31.12.2016
Recurrent Expenditure	60.08	56.81	94.5%
Capital Expenditure	1.00	0.31	31.0%
Total	61.08	57.12	93.51%

8.3 QUAZI COURTS AND QUAZI BOARD OF APPEAL

8.3.1 Introduction

Quazi Courts are a 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 followers of Islam 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. At present, 65 Quazi Courts and 01 Quazi Board of Appeal are in operation.

8.3.2 Quazi Courts

Addalaichenai	Kattankudy (Manmunaipattu)	Sainthamaruthu
Akkaraipattu	Kegalle	Sammanthurai
Akurana	Kinniya	Thambalagamuwa&Kantale
Anuradhapura	Kuliyapitiya	Tangalle
Avissavella	Kurunagala	Trincomalee
Badulla	Maho	Thumpane
Balapitiya & Elpitiya	Mannar	UdapalathaGampola
Beruwela	Matale	Udathalawinna (Pahathadumbara)
Bhora Community	Matara	Udunuwara
Biyagama	Mawanella	Valaichenai
Colombo East	Memon Community	Vavuniya
Colombo North	Moneragala	Yatinuwara
Colombo South	Muthur	Jaffna
Colombo West	Navalapitiya	

Eravur	Negombo	
Galle	Nintavurpattu	
Gampaha (Thihariya)	Nuwera_Eliya	
Hambantota	Oddamavady	
Harispattuwa & Pujapitiya	Pahatha-Hewaheta	
Hatton	Panandura	
Horana	Polonnaruwa	
Irakkamam	Pothuvil (Panampattuwa)	
Kalmunai	Pulmude	
Kalpitiya	Putlam&Chilaw	
Kalutara	Ratnapura	
Kandy	Refugee Population (Kalpitiya/ Puttalam)	

8.3.3 Progress of Quazi Board of Appeal Court 2012 -2016 (January to December 2016)

Year	Total Complaints	No. of Complaints disposed	Complaints to be disposed
2012	206	69	137
2013	219	65	154
2014	244	60	184
2015	266	112	154
2016	286	98	188

8.3.4 Progress of Quazi Courts 2012 - 2016 (January to December 2016)

Year	Total Complaints	No. of Complaints disposed	Complaints to be disposed
2012	13,226	8,651	4,575
2013	12,735	7,660	5,075
2014	13,479	8,479	5,005
2015	12,042	7,032	5,010
2016	15,896	8,064	7,832

09. RELATED INSTITUTIONS

9.1 SRI LANKA LAW COLLEGE

9.1.1 Introduction

The Sri Lanka Law College functions under the Incorporated Council of Legal Education Ordinance No. 2 of 1900 to administer legal education to persons who desire to be enrolled in the Sri Lankan Bar. The Incorporated Council of Legal Education consists of the Chief Justice (who presides over it), two other Supreme Court Judges, the Attorney-General, the Secretary to the Ministry of Justice, the Solicitor-General, six members appointed by the Minister of Justice and two members nominated by the Bar Association of Sri Lanka.

The Law College course of study consists of three and a half years. At the end of each year, the college conducts examinations for students of all 3 batches i.e. Preliminary, Intermediate and Final Years. After passing these examinations, a student is required to undergo a period of six months apprenticeship under an Attorney-at-Law with not less than 8 years of experience.

Sri Lanka Law College is a self-financed institution. Visiting lecturers are drawn from both the Official and Unofficial Bar. All of them are either President's Counsel or experience lawyers who are academically qualified.

9.1.2 Progress from 01.01.2016 - 31.12.2016

1323 candidates sat the 2016 April Examination and 724 students were passed.

2229 candidates sat the 2016 October Examination. For the academic year 2016, up to 31st December 2016, 1114 students were admitted to Law College including those who have obtained Law Degrees from Sri Lankan and foreign universities and those were admitted on passing the Law Entrance Examination.

5132 applicants have applied for the entrance examination for the year 2017 which was held in 25th of Sept. 2016.