



Student Handbook

Bachelor of Laws Degree Programme 2017/18

Faculty of Law

University of Colombo

Sri Lanka

DISCLAIMER

This handbook has been compiled with information received up to November 2017. Please be informed that this handbook is only for general information and is not for official purposes. Any information contained herein should be confirmed by reference to the relevant authority.



UNIVERSITY OF COLOMBO FACULTY OF LAW

Vision Statement

The Faculty will promote the full development of individual personalities inculcating in them a commitment to justice and a sense of responsibility to the wider community

Mission Statement

The Faculty of Law is committed to legal education and research which maintains standards of excellence and responds to social challenges and needs. It is committed to achieving this mission within a university community based on academic freedom, including respect for dissent and diversity and a culture of learning

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Foreword

As you enter the Faculty of Law, University of Colombo, there may be many questions that you would like answered. In this handbook, we seek to answer some of the queries that are common to everybody as well as provide you with information on the nature of the LL. B Programme, subjects offered, methods of teaching and examinations. In addition, this handbook provides information on other activities of the Faculty.

This handbook must be read in conjunction with the handbook prepared by the University of Colombo titled "Information for Undergraduates" as well as the Bylaws of the Faculty that lay down, among other things, the criteria applicable to examinations. In the event that you have other questions or problems, you are strongly advised and encouraged to consult your lecturers, student counsellors, the Deputy Registrar, Heads of Departments or the Dean.

As the LL. B Degree Programme is offered without levying any fees from you, it is your duty to make use of the facilities and resources responsibly and efficiently. We are happy that you have chosen to follow the LL. B Degree programme at our institution when you decided to pursue higher education.

Message from the Dean

It gives me great pleasure to contribute a short message to the student handbook published by the Faculty of Law.

In the not-too-distant past, students entering the Faculty of Law were not given any instructions or support on basic matters pertaining to university life. Being drawn as they are, from many subject disciplines and from many geographical regions, many of the students entering the Faculty of Law found it difficult to adjust to university life without these support structures. The student handbook serves to address this very important need by including information and guidance on every aspect of undergraduate life, from courses and examinations to extra-curricular activities, as well as information on administrative rules and procedures, so vital for an effective undergraduate life.

The handbook has been designed with great care, taking into consideration the unique position of the law undergraduate. I believe that it is an extremely useful tool, and I encourage all of you to refer to it constantly, and plan your academic career wisely and efficiently.

I commend all those engaged in the substantial revision of this version of the handbook, which has improved greatly upon the previous versions. I conclude by wishing you all an extremely productive and fulfilling undergraduate experience and a successful study program, and hope fervently that you will embody the virtues of justice and fairness as you prepare to become the legal experts of our country.

Ms. Indira Nanayakkara
Dean
Faculty of Law
University of Colombo

1. University of Colombo

Motto

“Buddhi Sarvathra Bhrajate”,
Sanskrit for “*Wisdom Enlightens*”

Vision

Inspired by historic links to the first University College of the country and inherited intellectual traditions, the University of Colombo strives to be a world class institution promoting human development through synergizing knowledge, education, research and creativity, and entrepreneurship whilst upholding democratic values in a plural society.

Mission

To be the benchmark setting seat of higher learning and scholarship with an uncompromising commitment and dedication to providing society with human capital of high ethical standards, a proven sense of social responsibility, innovative, independent and analytical in thinking and capable in becoming partners of socio-economic, cultural and environmental development.

Background

Being the oldest university in Sri Lanka, the University of Colombo is a sprawling complex located in the heart of the capital city of Colombo. In keeping with its motto “*Buddhi Sarvathra Bhrajate*”, Sanskrit for “Wisdom Enlightens”, the University of Colombo strives to maintain academic excellence in all areas of study. The University of Colombo, which is one of the best South Asian Universities, has 8 Faculties with more than 50 Academic Departments, a Campus, a School, many Institutes and several Centres and Units. Many undergraduate and postgraduate study programmes are available in the fields of Arts, Science, Medicine, Management, Finance, Law, Education, IT, Aesthetic Studies, Molecular Biology etc. The University also offers several other services, such as library services, career guidance, and services for students with disabilities. Today, the University of Colombo with a proud history of over 120 years continues in its endeavour to meet the challenge of maintaining its position as the “Capital University, Modern and International in Outlook and Character”. The location of the University affords the student population all the advantages of a “metropolitan university”, with easy access to international information, resource centres, libraries, theatres, sports complexes etc.

Chancellor

His Grace the Most Reverend Dr. Oswald Gomis

Vice Chancellor

Senior Professor Lakshman Dissanayake

Registrar

Mr. K A S Edward

Bursar

Mrs. K.S.T.S. Jayasooriya

Librarian

Dr. (Mrs.) P. Wijetunge

2. Faculty of Law

The Faculty of Law of the University of Colombo is the only Faculty of Law in the traditional University system in Sri Lanka. Situated in the heart of Colombo, based within the Island's oldest University, the Faculty of Law offers a four-year programme of study, leading to the award of the Bachelor of Laws Degree. In addition, the Faculty of Law also offers courses leading to the Degrees of Master of Laws, Master of Philosophy and Doctor of Philosophy.

The Faculty consists of a Professor of Law, a number of Senior Lecturers, Lecturers, Probationary Lecturers and Temporary Lecturers. Apart from their teaching functions, the academic staff members also engage in research and in various welfare activities and function such as being Student Counsellors, Senior Treasurers of student bodies and Academic Wardens & Sub-wardens of undergraduate Men's and Women's hostels.

The preparation of lecture schedules, examination timetables, revision of syllabi and courses, examination criteria, etc., fall within the functions of the Faculty.

2.1 History of the Faculty of Law

As in many other countries, the early days of legal education in Sri Lanka required a prospective lawyer to study in the chambers of a senior lawyer. The next stage in legal education was that of providing a more formal-systematic instruction in legal subjects supplemented by a period of training or apprenticeship. Formal instruction was provided by the Ceylon Law College (now called the Sri Lanka Law College) mainly by part-time teachers who were also practitioners.

In 1924, it was suggested that law be introduced as a university discipline. However, this suggestion was not implemented. It was only once the University of Ceylon was established in 1942 that a course of study for a law degree was designed. In 1947 a Department of Law was established at the University of Peradeniya in the Faculty of Arts, and in 1950 the first set of Law Degrees were awarded. This Department was later shifted to the Colombo campus of the University of Ceylon. A separate Faculty of Law was established in 1968.

Initially, law was only taught in English. In 1971, the Faculty, in accordance with government policy, began to teach the law programme in all three languages. It is even now the only Faculty in the country to teach a course in all three languages.

The Faculty of Law has produced many eminent law graduates who have excelled in the field of law as well as in other related fields. Some of the well-known scholars who served the Faculty of Law and who were produced by the Faculty include Justice Soertsz Q.C., Professor T. Nadaraja, Justice H. W. Tambiah Q.C., Dr. R. K. W. Goonesekere, Dr. H L de Silva P.C., Mr. Ranjit Abeysooriya P.C., Justice S Sharvananda, Professor Savitri Goonesekere, Professor G. L. Pieris, Dr. Neelan Tiruchelvam, Justice J. A. N. de Silva, Mr. Felix R Dias Bandaranaiyake, Mr. Lakshman Kadirkamar P.C., Dr. C. F. Amerasinghe, Dr. Ranjit Amarasinghe, Justice Mark Fernando P.C., Mr. Faizs Musthapha P.C., Justice (Dr) A.R.B. Amarasinghe, Dr. Nirmala Chandrahasan, Professor M. Sornarajah, Mr. Ranil Wickremasinghe, Professor Suri Ratnapala, Justice Saleem Marsoof P.C., Mr. Ikram Mohamed P.C., Dr. Hiran Jayawardena, Professor L.J.M Cooray, Professor M. J. A. Cooray, Dr. Jayantha de Almeida Gunaratne P.C., Justice (Dr.) Shirani A Bandaranayake, Justice K T Chitrasiri and Dr. Shivaji Felix.

Former Deans of the Faculty:

Professor Nadarajah

Professor Sharya Scharenguivel

Professor G. L. Peris

Mr. N. Selvakkumaran

Dr. M. J. A. Cooray

Mr. V.T. Thamilaran

Dr. S. Bandaranayake

2.2 What is Legal Education?

The Department of Law, University of Ceylon, was established in 1947 primarily because of dissatisfaction with the quality of legal education available at the time. The original intention was that all aspiring lawyers should first obtain a law degree and thereafter proceed to the Ceylon Law College for practical training. This proposal was subsequently rejected. Professor T Nadaraja (Foundation Professor of Law and Dean of the Faculty from 1948 - 1983) has described the events leading up to the establishment of the Faculty of Law as follows:

“The next stage in the evolution of legal education in Ceylon was initiated in 1923 by Chief Justice Sir Anton Bertram, who pointed out grave defects in the education provided at the Ceylon Law College. He appears to have realised the limitations of the largely vocational training given by part-time teachers at the College and to have had in mind the broader objectives which university teachers are expected to follow and the wider horizons they can open up to students in the environment of a university. His suggestion, which the Council for Legal Education accepted in 1924 was that the major part of the instruction of law students be transferred to a Faculty of Law at the proposed University of Ceylon, leaving the Law College to provide a postgraduate course of instruction in what

were termed practical subjects, like Procedure, Evidence and Conveyancing. But eleven years later the Council went back on its earlier decision and decided that, whether the proposed Faculty of Law came into existence or not the Law College should continue to provide a complete course of study and training for prospective lawyers.”

[Professor T. Nadaraja, “Convocation Address”, University of Colombo, 1984]

Thus, while the Law College continued to provide access to the profession, the Faculty was able to provide students selected through the university admissions process with a broader orientation. This was consistent with the vision of Chief Justice Bertram and the broader outlook that university education must necessarily contain. There are, therefore, two streams through which one can enter the profession today. The stream which flows from the university system, prepares students for a life in the law differently, with an emphasis on an analytical and jurisprudential perspective. This approach has made and continues to make a unique and indispensable contribution to the legal community, legal scholarship and other areas of public life in locally and internationally.

The philosophy of legal education at the Faculty of Law, therefore, has been and is, different to that of the Law College. The philosophy is consistent with trends in modern legal education throughout the world. As Professor Nadaraja has observed:

“Modern legal education, therefore, concentrates on providing the background and the method of approach rather than on merely imparting information, believing that even for the student who is going to practise it is more important to acquire the habit of mind which can get to the bottom of an unfamiliar subject than to acquire a merely factual knowledge of details... There will, of course, be many things that a young graduate just out of law school which has fulfilled its proper functions will still have to learn, and too often critics of the law schools unfairly judge him by the tests that should be applied only to the experienced practitioner. But the law schools, as we have already pointed out, have to keep first things first and remember that, in the limited period during which they have the opportunity of moulding young minds, their object should be not to produce a short-term professional competence but to inculcate a scientific legal training which must serve as a basis for a whole lifetime in a profession calling for the most varied skills.”

[Professor T. Nadaraja, ‘Objectives in Legal Education’, 1956 University of Colombo Review (UCR).]

2.3 Programmes offered by the Faculty of Law

Undergraduate Courses:

Degree of Bachelor of Laws (LL. B)

Postgraduate Courses:

Degree of Master of Laws (LL. M)

Degree of Master of Philosophy (M.Phil.)

Degree of Doctor of Philosophy (PhD.)

The LL.M. Degree is carried out by course work and a dissertation, while the latter two degrees are carried out entirely through research. It is advised to refer to the By-laws for the admission and eligibility criteria for these Degrees.

Certificate Course in Business Law

The Department of Commercial Law offers a short course on Business Law - for three months duration to cater private and public sector employees who seek basic knowledge in Business Law.

2.4 Research

2.4.1 Publications of the Faculty

Sri Lanka Journal of International Law

The Sri Lanka Journal of International Law is a refereed journal focusing on international and comparative law, published annually by the Faculty of Law of the University of Colombo, Sri Lanka. From 2006 onwards, two issues have been published per year. Publication in this Journal is valid for purposes of academic accreditation. The Journal is listed in the periodical indexes of *Ulrich* and *Lex Opus*.

Colombo Law Review

The Colombo Law Review is a prestigious journal published by the Faculty of Law. The Editorial Board accepts submissions by legal experts, young researchers, post-graduate and undergraduate students on any contemporary legal issue.

2.4.2 Annual Academic Symposium

The Faculty accords high priority to research, both among students and teachers. To encourage research among academic staff and students, and to offer an academic forum for presentation of such research, the Faculty organizes its Annual Academic Symposium parallel to the Annual Research Symposium of the University of Colombo.

2.5 Administrative, Academic Support and Non- Academic Staff of the Faculty of Law

Administrative Staff:

Deputy Registrar - Mr. R. Logendra

Academic Support Staff

- Computer Instructor
Ms. P.A.D.S.N. Gamage

Non-Academic Staff

- Senior Staff Assistant - Examination Unit
Ms. M.K.W.H. Rajapakshaarachchi
- Stenographer
Ms. F.H.I.T. Silva
- Computer Application Assistants - Dean's Office
Mr. K.P.S. Rupasinghe
Mr. B.D.N.T. Samaraweera
Ms. K.A.H.D. Perera
- Office Clerk - Dean's Office
Mr. W.L.R. Sampath
- Office Attendants
Mr. N H T S Hewamanna

3. Academic Departments of the Faculty of Law

The Faculty of Law has three Departments. They are: Department of Commercial Law, Department of Private and Comparative Law and Department of Public and International Law. These three Departments were established at the Faculty in 2009 with the objective of facilitating the further development and deepening of expertise in the separate subject areas under the different Departments.

3.1 Department of Commercial Law

The Department of Commercial Law is one of the new and dynamic departments created in the Faculty of Law, University of Colombo. Having begun operations in December 2009 in the Faculty of Law, the Department of Commercial Law has expanded its scope to include many curricular and curricular related activities.

Currently, the Commercial Law department offers five subjects at the undergraduate level and six subjects at postgraduate level. Though the subjects handled by the Department are relatively few in number, they incorporate a vast body of law relating to the commercial field. In today's world, there is a high

demand for specialized legal academics in each of these fields such as Banking, Corporate Governance, Arbitration, Insurance, Competition Policy and other areas of the field of Commercial Law.

The Department hopes to further expand its curriculum in the near future to cater to the needs of the society. The Department consists of a highly qualified teaching faculty, whose expertise is very much in line with the demands of today's academic world and the industry.

The following subjects are currently offered by the Department of Commercial Law at the undergraduate level:

- Business Law
- International Investment Law
- Company Law
- Intellectual Property Law
- Tax Law

The following subjects are offered by the Department of Commercial Law at the postgraduate level (For Master of Law):

- Banking Law
- Company Law
- Information Technology Law
- International Commercial Arbitration
- Intellectual Property Law

- International Trade Law

Message from the Head of Department of Commercial Law

Dear students,

On behalf of the Department of Commercial Law, I have great pleasure in issuing this message to the Student Handbook 2017/18 of the Faculty of Law of the University of Colombo. It is with pride I welcome you warmly to the Faculty of Law and I take this opportunity to congratulate you on your success in the very competitive G.C.E. (A/L) examination and for gaining admission to the prestigious Faculty of Law, the one and only Law Faculty offering legal education in Sri Lanka. I would also like to congratulate the parents of the students for having seen the fruits of their hard work in raising and educating their children.

The Department of Commercial Law wish you a happy, fruitful and successful learning experience while reading for the LL. B Degree. I sincerely hope that you will have a pleasant stay at the Faculty and that you will take with you not only a degree in law but also pleasant memories from the Faculty at the end of your student career.

The objective of university education is to produce graduates who are academically strong, and who have passion, commitment, leadership skills in order to meet the legal, political and social challenges of a fast-changing world. In order to achieve this, you are expected to work hard right through the four years of your study programme.

In the third and fourth years of your university education, you get the opportunity to study commercial law subjects. It is our duty to help you to sharpen your insight into the various branches of commercial law and expand your skills as a professional who fits well into the corporate world. This will enable you to find a broad spectrum of opportunities and exciting career prospects in the commercially oriented industry.

As law students, you will have the opportunity to learn that rights do not exist on their own but corresponding to obligations. Therefore, our hope is that at the end of your four-year stay, you will be excellent graduates with a compelling desire for academic and professional excellence coupled with your social responsibilities. Also, you must not forget that you are the future of this country and the hope of your parents.

In addition to the curriculum, there are ample opportunities available in the university to develop your extracurricular interests. Students are encouraged to make good use of these opportunities to improve their talents and skills in sports, aesthetic activities, oratorical talents etc. during the coming years. This will provide you the opportunity to utilize your spare time effectively and meaningfully.

Once again, I wish you the best of luck and continued success throughout your university life and the most fruitful, interesting, stimulating and productive university life. Hope you will complete your studies successfully and contribute to the upliftment of the standards of law and justice in the country.

Dr. Shanthi Segarajasingham,
Head,
Department of Commercial Law,
Faculty of Law,
University of Colombo.

3.1.1 Academic Staff of the Department of Commercial Law

- Ms. W.I. Nanayakkara – (Dean, Faculty of Law)
Senior Lecturer
- Dr. S. Segarajasingham – (Head of the Department)
Senior Lecturer
- Dr. S.W.P. Mahanamahewa
Senior Lecturer
- Mr. H. A. Menaka
Senior Lecturer
- Dr. N. Kamardeen
Senior Lecturer
- Dr. N.S. Punchihewa
Senior Lecturer
- Ms. D.L.F. Shamila
Lecturer
- Ms. R.P.D. Pathirana
Probationary Lecturer
- Ms. I.D.L. Pathirana
Probationary Lecturer

3.1.2 Non-Academic Staff of the Department of Commercial Law

- Mr. P.J.M. De Silva - Senior Staff Assistant
- Mr. W.A.C. Pushpakumara – Office Attendant

3.2 Department of Private and Comparative Law

The mission of the Department of Private and Comparative law is (1) to provide its students with a diverse, intellectually rigorous learning environment in which to acquire knowledge of the law in its broadest sense so that they may acquire the skills to become excellent lawyers and professionals; (2) to promote knowledge, understanding and the value of comparative law; (3) to create an academic staff, committed to excellence, honesty, openness, diversity and collegiality; and (4) to support and advance through our teaching and scholarship, an institutional commitment to justice.

The Department of Private and Comparative Law seeks to be distinctive with a strong international and regional comparative focus in Private Law and aspires to providing an environment that advances scholarly discussion and debate. The Department

will encourage its staff to high standards of teaching and research. It will support programs, initiatives and innovations that will serve to further enhance the Department's performance as teachers.

Having established in December 2009, the Department of Private and Comparative Law offers twelve subjects at the undergraduate level and three subjects at the postgraduate level. Highly qualified academic staff of the Department have the necessary expertise to offer to the undergraduates. The following subjects are offered by the Department of Private and Comparative Law currently at the undergraduate level:

- Roman Law
- Legal System
- Legal Method
- Family Law
- Land Law
- Law of Contract
- Law of Equity & Trusts
- Law of Delict
- Evidence & Procedure
- Interpretation of Statutes and Documents
- Jurisprudence
- Labour Law

The following subjects are offered by the Department of Private and Comparative Law at the postgraduate level (For Master of Law);

- Labour Law
- Gender Justice and Women's Rights Law
- Law of Delict

Message from the Head of Department of Private and Comparative Law

Dear students,

I welcome you to the Faculty of Law from a perspective of personal experience. I was a student here myself (from 1986 to 1991) and I have been a member of the teaching faculty since 1995. Congratulations for making a wise choice by choosing the Faculty of Law, which remains the only Faculty of Law within the State University system in Sri Lanka. As a student in the Faculty of Law, you become a part of a proud history, which spans over 65 years. I can assure you that you are about to embark on the most intellectually challenging, and the most rewarding educational experience of your life. The knowledge and skills you gain over the next four years will form the foundation of your legal career.

You will find the learning environment at the Faculty of Law to be challenging, yet rewarding. Your batch mates will include

students from across the country, from different geographical – social – cultural - ethnic – religious backgrounds. The diversity of the student body’s backgrounds and opinions will create a rich learning environment for you. That environment is supported by faculty members who are outstanding lawyers and who are known, nationally and internationally, as outstanding scholars in their chosen fields of expertise. The Department of Private and Comparative Law, which handles the largest number of subjects taught in the LL. B programme, looks forward to provide you with a diverse, intellectually rigorous learning environment in which to acquire knowledge of the law in its broadest sense, in order for you to become an excellent professional.

With a law degree from the Faculty of Law, you become a part of an alumni network that includes eminent judges, academics, legislators, diplomats, practicing lawyers, administrative officers and bankers. When you complete your education in four years’ time and take your place in the society as a member of any of these professions, alumni from the Faculty of Law will be there to welcome you.

Best wishes!

Dr. Rose Wijeyesekera

Head

Department of Private and Comparative Law

Faculty of Law

3.2.1 Academic Staff of the Department of Private and Comparative Law

- Prof. Sharya Scharenguivel
Professor of Law
- Dr. Rose Wijeyesekera – (Head of the Department)
Senior Lecturer
- Ms. Nirmala Perera
Senior Lecturer
- Mr. A. Sarveswaran
Senior Lecturer
- Ms. M.D.M. Abeyrathne
Senior Lecturer
- Mr. M. Sivapatham
Senior Lecturer
- Ms. D.S.E.U.S. Liyanage
Senior Lecturer
- Mr. W.A.D.J. Sumanadasa
Lecturer
- Ms. M.P.S.K. Pathirana

- Lecturer (Probationary)
- Ms. A.H.M.E. Ranjan
Lecturer (Probationary)
- Ms. N. Ziyana
Lecturer (Probationary)
- Ms. G.I.D.I. Udani
Lecturer (Probationary)
- Ms. E.M.Y.G. Ekanayaka
Lecturer (Probationary)
- Ms. Thushanthiga Kumarasoorier
Lecturer (Probationary)
- Ms. Achalie Kumarage
Lecturer (Probationary)

3.2.2. Non -academic staff of Department of Private and Comparative Law

- Ms. F.H.E.T. Silva – Computer Application Assistant
- Mr. K.R.R. Prasad – Office Attendant

3.3 Department of Public and International Law

The Department of Public and International law was established in December 2009. Currently, the Department is in charge of offering nine special subjects at the undergraduate level and six subjects at the postgraduate level. The expertise of the teachers at the Department is very much in line with the demands of today's academic world and the needs of the society.

The following subjects are offered by the Department of Public and International Law:

- Constitutional Law I
- Criminal Law
- Constitutional Law II
- Public International Law
- Administrative Law
- International Humanitarian Law
- Law of the Sea
- Human Rights Law
- Environmental Law

The following subjects are offered by the Department of Public and International Law at the postgraduate level (For Master of Law):

- Administrative Law
- Constitutional Law
- Criminal Justice
- Environment Law
- Human Rights Law
- Int'l Humanitarian Law

Message from the Head of Department of Public and International Law

Dear Students,

It is my great pleasure to welcome you the 2017/2018 new entrants, to the Faculty of Law and to your new life as a university student at the University of Colombo. During the four-year LLB Degree Programme at the Faculty of Law, you will have the opportunity to study in an intellectually challenging environment and to learn how to realise your greatest potential under the guidance and supervision of a dedicated and well experienced team of academic staff.

The Department of Public and International Law offers nine Public law and International law related subjects. The teachers attached to the Department are always prepared to provide you the best educational experience to fulfil your expectation, making you as eminent legal personalities as well as to train and encourage you to upgrade the knowledge and develop skills that are required for not only to become eminent legal personalities but also to be good and effective leaders in a changing society. I take this opportunity to

request you to use the opportunities offered by the Department, Faculty and the University to achieve your future goals as distinguished persons in the field of law.

We also look forward to the contribution you would make in achieving the common goals of enriching the legal knowledge.

I conclude this message by offering you my congratulations upon your success in gaining admission to the Faculty of Law and I wish you a happy and productive university life.

Ms. Wasantha Seneviratne

Head

Department of Public and International Law

Faculty of Law

3.3.1 Academic Staff of Public International Law

- Mr. N. Selvakkumaran
Senior Lecturer
- Mr. V.T. Thamilmaran
Senior Lecturer
- Ms. Wasantha Seneviratne – (Head of the Department)
Senior Lecturer

- Ms. M.A.D.S.J.S. Niriella
Senior Lecturer
- Mr. M.A.M. Hakeem
Senior Lecturer
- Dr. D. Samararatne
Senior Lecturer
- Dr. Kokila Konasinghe
Senior Lecturer
- Ms. N. Mendis
Lecturer
- Ms. U.A.T. Udayanganie
Lecturer (Probationary)
- Ms. Chathurika Akurugoda
Lecturer (Probationary)
- Ms. D.S. Medawatta
Lecturer (Probationary)
- Mr. Isuru Liyanage
Lecturer (Probationary)

3.3.2 Non- Academic Staff of Public & International Law

- Ms. S.A.M.D. Perera – Computer Application Assistant
- Mr. L. Gurusinghe – Office Attendant

4. The LLB Degree Programme

The LL. B Degree programme is a four-year academic programme. Under the programme, a student studies nineteen (19) law subjects within a span of four academic years. The four academic years of the LL. B Degree programme are called the Bachelor of Laws Degree Year I, Year II, Year III, and Year IV respectively.

Revision of the current curriculum is in progress and will be introduced in the near future. However, the programme which was revised in 1996 has the following features:

- Several new subjects were introduced and the total number of lecture hours for certain subjects was reduced in order to enable undergraduates to carry out independent research and study.
- Legal Method was introduced in Year I to familiarise undergraduates with areas such as legal history, the legal profession, how to carry out research, how to read cases, and how to write a research paper. Undergraduates are

strongly advised to make use of the study skills and opportunities provided by this subject and to actively interact with the lecturer concerned.

- Another change was that Public International Law was made compulsory for Year III law undergraduates.
- To provide knowledge in the area of Commercial Law, new subjects such as International Investment Law, Business Law and Intellectual Property Law have been introduced under this programme.

Interpretation of Statutes and Documents, and Evidence and Procedure were made compulsory electives in the Year III; and Human Rights Law and Environmental Law have been made compulsory electives in the 4th Year. Accordingly, in the 3rd Year you must study either Interpretation of Statutes and Documents or Evidence and Procedure; and in the 4th Year you must study Human Rights Law or Environmental Law. The idea was that all undergraduates must study a course which has a practical basis in the 3rd Year and that all undergraduates in the 4th Year should study a course which will make them socially responsible citizens. Please refer the section on “Subjects Offered” for further details.

New optional subjects were introduced and teaching methodology was revised to encourage more student participation in class and to reduce the dependence on lecture notes.

4.1 Duration of the LL. B Degree Programme

The minimum period for which an undergraduate should be a registered undergraduate student is four years. Undergraduates admitted to the LL. B programme are required to complete the course before the end of 10 years from the date of their first registration. The academic year of the Faculty of Law is divided into two terms. The second term will be followed by the annual Examinations of the Faculty.

4.2 Subjects Offered

The following law subjects are available in the LL. B programme.

Year I

All subjects are compulsory.

Subject	Department which offers the Subject
Constitutional Law I	Department of Public & International Law
Criminal Law	Department of Public & International Law
Legal Method	Department of Private and Comparative Law
Legal System	Department of Private and Comparative Law
Roman Law	Department of Private and

	Comparative Law
English Level 1 – (For those who are placed in Level 1 English)	Dept of English Language Teaching

Year II

All subjects are compulsory.

Subject	The Department, which offers the Subject
Constitutional Law II	Department of Public & International Law
Family Law	Department of Private and Comparative Law
Land Law	Department of Private and Comparative Law
Law of Contract	Department of Private and Comparative Law
Law of Equity & Trusts	Department of Private and Comparative Law
English (For those who are placed in Level II English)	Dept of English Language Teaching

Year III

During the third year, undergraduates are required to study **all the compulsory subjects and take one compulsory elective and one elective subject**. An undergraduate must offer a total of five (5) law subjects at the Year III Examination.

The undergraduates are also permitted to take an additional elective, if they so desire. Where an additional elective is offered as a **sixth subject** it will be marked and the marks reflected in the

undergraduate's transcript, but these marks will not be taken into account towards computing his or her final grade.

Compulsory Subjects:

Subject	The Department, which offers the Subject
Administrative Law	Department of Public & International Law
Public International Law	Department of Public & International Law
Law of Delict	Department of Private and Comparative Law
English (for those who are placed in English Level 111)	Dept of English Language Teaching

Compulsory Electives:

Subject	The Department, which offers the Subject
Evidence & Procedure OR	Department of Private and Comparative Law
Interpretation of Statutes and Documents	Department of Private and Comparative Law

Elective Subjects:

Subject	The Department, which offers the Subject
Business Law	Department of Commercial Law
Conflict of Laws	Department of Private and Comparative Law
Humanitarian Law	Department of Public & International Law
International Investment Law	Department of Commercial Law
International Organizations	Department of Public & International Law
Law of the Sea	Department of Public & International Law

Note:

An undergraduate who offers Evidence & Procedure as a compulsory elective may select Interpretation of Statutes and Documents as well as an elective subject; likewise, an undergraduate who offers Interpretation of Statutes and Documents

as a compulsory elective may select Evidence & Procedure as well as an elective subject.

Year IV

An undergraduate must offer a total of 4 law subjects at the Year IV Examination.

The undergraduates are also allowed to take an additional elective, if they so desire. Where an additional elective is offered as a **fifth subject** it will be marked and the marks reflected in the undergraduate's transcript, but these marks will not be taken into account towards computing his or her final grade.

Compulsory Subjects:

Subject	The department, which offers the subject
Jurisprudence	Department of Private and Comparative Law

Compulsory Electives:

Subject	The department, which offers the subject
Human Rights Law <u>OR</u>	Department of Public &

	International Law
Environmental Law	Department of Public & International Law

Elective Subjects:

Subject	The department, which offers the subject
Company Law	Department of Commercial Law
Tax Law	Department of Commercial Law
Labour Law	Department of Private and Comparative Law
Intellectual Property Law	Department of Commercial Law
Law and Medicine	Department of Private and Comparative Law

Note: *An undergraduate may elect to offer both Human Rights Law and Environmental Law. Where an undergraduate offers both Human Rights Law and Environmental Law, only one more subject will have to be chosen from the electives offered by the Faculty. Where an undergraduate elects to offer either Human Rights Law or Environmental Law, two elective subjects will have to be chosen from the electives offered by the Faculty. Thus, in total, four law subjects will have to be offered by the undergraduate.*

The Faculty may not offer all the elective subjects listed in a given year. Undergraduates are advised to consult the relevant Heads of Departments about the elective subjects offered in a given year. In the past,

undergraduates have found it difficult to choose an elective from the subjects offered in a given year. You are therefore strongly advised to consult the lecturers concerned should there be any difficulty in making a final selection in this regard.

4.3 Selecting Elective Subjects

Undergraduates in the Third and Fourth years of study must register the electives they wish to offer with the Dean's office within the first two weeks of the new academic year. You must register by filling the relevant form available in the Dean's office. Both 3rd year & 4th year students can, in addition to their chosen electives, offer an additional elective subject each year. This too must be registered. Please note that the result of the additional elective subject will not be counted towards the computation of marks for the LL. B Degree.

4.4 Teaching Framework

Instruction in each subject will take place in the form of lectures, tutorials, discussions, workshops, seminars, clinical legal education projects, assignments, research, presentation of papers, self-study exercises and/or other forms approved by the Faculty Board of the Faculty of Law, which is the authority that decides the methods of teaching. A system of regular tutorials for all law undergraduates

has also been introduced.

4.5 Medium of Instruction

Students can follow lectures, and sit Examinations in Sinhala, Tamil or English.

If a student who has commenced studies in one of the three languages later decides to change to another language, it could be done, only after filling in a form available at the Dean's office before the end of the 1st Term of the academic year. If after that deadline a student wishes to change the medium of instruction, it can be done only if there are special reasons for doing so and all the lecturers teaching that student have consented to the change.

Please note that students cannot follow lectures in English and offer the exam in either Sinhala or Tamil. Students who are studying in the Tamil or Sinhala Medium can audit (sit in) lectures conducted in English. Similarly, students studying in the English Medium can audit lectures conducted in Sinhala or Tamil. Please inform the relevant lecturer when you decide to audit lectures.

4.6 Examinations and Evaluation

Evaluation and Examinations constitute an inseparable part of academic programmes conducted by any university. It is essential that the performance of law undergraduates be evaluated as objectively as possible and their level of achievement conveyed to them. In the LL. B programme, the system of evaluation takes two forms: Continuous Assessment and a Year-End Examination.

4.6.1 Continuous Assessment

Continuous assessment is carried out through the academic year. This may take different forms from year to year. At present, undergraduates are assessed twice during the academic year. Generally, they will be required to complete two pre-set assignments given during the course of the year. Classroom tests, open book exams, or presentations, report writing, group work, etc. form part of the various assignments that undergraduates may have to carry out. These will be conducted by the lecturer in charge of the particular subject or by a panel of lecturers. The continuous assessment component carries 30 per cent of the overall total marks for each subject.

4.6.2 Year-End Examination

For every subject, there is a Year-End Examination for each year of the LL. B programme, which carries seventy percent (70%) of the overall marks for that subject.

Undergraduates must sit for the written Year-End Examination at the first occasion in each year that they become eligible to take the Examination, and must successfully complete each year of the Examinations. A failure to do so will deprive them of any opportunity of graduating with honours at the end of the final Examination.

A maximum of three attempts is available to an undergraduate to complete an Examination. In exceptional cases, one further attempt - called a 'grace chance' - for a very valid reason may be granted to an undergraduate by the Senate of the university. An undergraduate who keeps away from sitting the Examination shall also be deemed to have lost an attempt at sitting the Examination except where his or her absence at the Examinations is excused by the Senate. To pass a subject, an undergraduate must obtain at least 50% of the total marks for that subject.

4.6.3 Computation of Results

The grading system adopted to compute the results is as follows:

A	-	75 – 100%	(Pass)
B	-	60 - 74%	(Pass)
C	-	50 - 59%	(Pass)
D	-	40 - 49%	(Fail)
E	-	00 - 39%	(Fail)

To pass an Examination an undergraduate must pass in all the subjects of the Examination. An undergraduate who passes in not less than half the number of subjects of an Examination can go up to the next year of the degree programme; however, he or she must sit those subjects in which he or she failed along with the subjects of the following year's Examination. An undergraduate will not be permitted to combine **more than nine subjects** at the Examinations conducted for a particular year. An undergraduate who fails in more than half the number of subjects of an Examination fails the entire Examination; he or she must remain in the same year and re-take the entire Examination. Students are eligible to get the degree with one D, **but not with an E grade**.

4.6.4 Examination Rules and Offences

Please refer to Annexure - I for the rules relating to Examination Offences and their punishments. **It is very important that the students read this Annexure - I.**

4.7 Attendance Requirement

From the rationale for a university and for the creation of the Faculty of Law outlined before, it is clear that university education is unique, and is different from education at a tutory or similar educational institution.

The distinct role of a university and its emphasis on community and the acquisition of a habit of mind, make attendance at lectures, discussions and tutorials and participation in the life of the university community essential. There can be no distance education students in a traditional university system. Full time, active and engaged undergraduates are essential for a university.

Therefore, the Faculty of Law has an attendance requirement which is enforced strictly: The Faculty requires **70% attendance** at lectures and tutorials etc. Undergraduates shall register their attendance by signing the attendance list at each lecture, tutorial,

discussion, etc. Each undergraduate is required to get his or her attendance certified by each lecturer for each subject and finally by the respective Heads of the Departments before he or she submits the application form at the Examination Branch in College House.

In the case where the student's attendance is below 70%, then it will be submitted to the Special Committee of the Faculty Board for a decision on the eligibility of the student to sit for coming year-end examination. The Committee will consist of the Dean, all Heads of Departments and the relevant subject teacher.

There is a more practical consideration for compulsory attendance. Thousands of students, supported by their parents and families, invest considerable time and money to sit university entrance Examinations and qualify for admission. Only a small fraction of those who qualify for admission is successful in obtaining a place in the university. Competition for admission to the Faculty of Law is particularly intense.

In such a context, a person who obtains a place in the Faculty of Law should be mindful of the fact that he or she is in effect depriving other students with similar marks from selecting a place in the Faculty. It is, therefore, unethical and unfair for an undergraduate selected to the Faculty to occupy such a sought-after

place and not participate as a full time undergraduate. The ‘*Mahapola*’ scholarship scheme and other undergraduate bursary and loan schemes are specially designed to alleviate the economic pressures of being full time undergraduates.

4.8 Medical Certificates and Leave of Absence

Medical Certificates

All students who are unable to appear for theory and / or practical component of examinations /lectures due to medical reasons should submit a Medical certificate issued by **the Chief Medical Officer (CMO) / University Medical Officer (UMO) of the University of Colombo or a valid Medical certificate recommended by the CMO / UMO if they seek relief.**

Such students should make a request in writing (letter/fax/email to the Dean or SAR - Examination) for relief, indicating the reasons for such absence within 3 (three) working days from the date of absence for such examinations / lectures / practical components. Students are advised to strictly adhere to the following guidelines in this regard. Failure to follow the guidelines may result in the Medical Certificates not being accepted and the absence being treated as one without a valid excuse:

(i).(a) A student who falls ill during a period of examination should report to the Chief Medical Officer (CMO) / University Medical officer (UMO) of the University of Colombo. The CMO/UMO will examine the student and issue a Medical Certificate, if necessary.

(b)Where the CMO/UMO decides to issue a Medical Certificate, She/he will be forwarding it to the Dean of the Faculty /SAR Examinations. It will be done within a period of two weeks. The student in question is advised to verify with the Dean / SAR Examinations whether the Medical Certificate had been received from the CMO /UMO.

(ii). (a) A student who resides outside Colombo city limits and falls ill during a period of examination or who finds it difficult to report to the CMO/UMO due to seriousness of the illness, should get treatment, preferably from the nearest Government Medical institution or in exceptional cases, from Registered Medical Practitioners or Institutions.

(b) In such instances, he /she should follow the procedure given below with regard to the submission of medical certificates:

(i) All Medical Certificates other than those issued by the CMO/UMO with the proof of informing the Dean / SAR

Examination, should be forwarded to the CMO/UMO along with the application form (when applicable) within 7 (seven) days from the last date of recommended medical leave.

(iii) (a) CMO/UMO shall have the discretion to decline to give her /his recommendations or observations on the Medical certificate submitted and received after the above period.

(b) The following categories of Medical Certificates will only be accepted by the UMO /CMO for consideration when they are submitted in terms of the above guidelines:

(i) Medical certificates issued by a Government Hospital/
District Medical Officer

(ii) Medical certificate issued by a Private Medical Practitioner only in the case of leave for less than five days, provided CMO/UMO may, at their discretion, in appropriate cases may consider accepting a Medical Certificate issued by a Private Practitioner where the nature and seriousness of the illness and the treatment prescribed, in the opinion of the CMO/UMO are acceptable.

(iii). The CMO/UMO may request the following documents as further proof of the illness:

- * Receipt or payment for the Medical Certificate from Government Hospital.
- * Prescriptions of the medicines taken
- * Reports of the blood tests etc.

(If the required documents are not submitted the application may be rejected)

The CMO/UMO shall not take any responsibility for the acceptance or rejection of Medical Certificates issued by any outside institution. It will be the responsibility of the student who has sought medical assistance from such institution.

If and when necessary, the University Medical Officer may arrange a Medical Board to consider a request for medical leave by a student.

4.9 Appeals / Requests made by students on other grounds

If you have a question about any academic matter speak to a lecturer, the relevant Head or/and the Dean to obtain advice. If you wish to appeal against a decision of the Faculty, e.g. Regarding the attendance requirement, the inability to meet a deadline for the submission of an assignment or if you wish to make a request for

leave of absence from studies, you should write either to the Dean or the relevant Head of Department. Your appeal/request will be studied by the Sub-Committee on Routine Matters and a recommendation will be made to the Faculty Board. Please remember that the Routine Matters Sub-Committee meets only once a month. Therefore, such requests shall be made well in advance.

5. Proficiency Course in English

The English Language Teaching Department (ELTD) of the University of Colombo offers an English programme for the students doing the LL.B. Degree programme in the Faculty of Law throughout the four years of the degree programme. The course is compulsory for all students who do not show the required level of competence in English upon entering the University. Lessons used in the programme comprise the four major skills in English, namely, speaking, listening, reading and writing. In addition, students will be equipped with a comprehensive knowledge of grammar.

5.1 The Placement Test in English

All new entrants to the University are required to sit for the Placement Test in English conducted by the ELTD. The purpose of this test is to place students in the appropriate level of English competency. The placement test paper consists of four sections with each corresponding to the four proficiency levels. Those who score more than 50% for all four sections are exempted from the Proficiency Course in English. **It is mandatory for the students to sit for the placement test so that they can be placed in a class appropriate for their proficiency level.**

5.2 The Proficiency Course in English

The students are required to follow the Proficiency Course in English of the level into which they have been grouped throughout the academic year. They can move on to the next level upon the successful completion of the end-of-year examination. Students who do not successfully complete a proficiency level in a particular academic year may progress to the next proficiency level, but they are required to complete that level before they finish their degree program. Given below are the different levels into which the students are grouped in the first year and how they can progress thereafter:

First Year	Level I	Level II	Level III	Level IV
Second Year	Level II ↓	Level III	Level IV ↓	
Third Year	Level III ↓	Level IV ↓		
Fourth Year	Level IV			

5.3 Examinations and Assignments

- Completing the Proficiency Course in English program is a prerequisite to obtain the LL. B degree.
- At the end of the academic year, students have to sit for the end-of-year written examination paper, which carries 70 marks.
- Students have to face two assignments, which carry 15 marks each. A written assignment is held at the end of the first semester and an oral assignment is held at the end of the second semester. Given below are the assignments allocated for each level:

LEVEL	WRITTEN ASSIGNMENT (15%)	ORAL ASSIGNMENT (15%)	FINAL PAPER (2 ½ Hours) (70%)
Level I	Written Test	General communication skills	Reading comprehension, Writing, Vocabulary and Grammar
Level II	Written Test (Reading Strategies)	General communication skills	Reading comprehension, Writing, Vocabulary and Grammar
Level III	Written Test (Summary)	Presentation on a given topic	Reading comprehension, Writing, Vocabulary and Grammar
Level IV	Written Test (Essay)	Job interview	Reading comprehension, Writing, Vocabulary and Grammar

Those who score less than 50 marks in total may repeat the assignments if they have obtained less than 7.5 marks out of 15.

5.4 Self Access Centre

In addition to the Proficiency Course teaching, students can use the Self Access Centre of the ELTD where they can study independently and improve their English language skills. Facilities available in the Self Access Centre include developing reading, writing, grammar and vocabulary through self-study packs, reference books, magazines, newspapers; developing listening skills through computer-aided language learning, movies, songs and audio material; developing speaking abilities through group and pair work with peers, work cards and discussions with facilitators.

5.5 Attendance

All students following the Proficiency Course in English are required to have 70% attendance in order to be eligible to sit for the final examination.

5.6 Role of English in Learning Law

The Faculty of Law provides for teaching in three languages – Sinhala, Tamil and English. Upon entering the Faculty, students can choose the medium of instruction, subject to passing a competence

test. It is one of the few law schools in the world to teach in three languages. Even in countries such as Canada, law is taught only in two languages - English and French.

The Faculty of Law requires prospective law students to show a particular level of competence in English to enter the Faculty. It is not unusual to demand a competency in a language to enter a Faculty. It should be remembered that until 1968, prospective law students had to show a competence in Latin to gain entry to the Law Faculty.

Until the early 1970s, law was taught entirely in English. However, as a result of a policy decision taken by the then Government, legal education became available in all three languages.

The Faculty, however, has always emphasized the importance of developing proficiency in English among its undergraduates. The importance of English to the study of law cannot be over-emphasised. Some of the reasons are given below:

Although instruction is offered in all three languages, it is vital that students be proficient in English as approximately 95% of all legal material – cases, legislation, textbooks and journals - are available only in English.

The Faculty promotes independent study and encourages independent and critical thinking. Law undergraduates must, therefore, have the capacity to read widely, and understand and reflect upon the prescribed legal materials, which are mostly in English.

The Faculty also promotes the comparative study of the law. Law undergraduates are exposed to trends and legal ~~ideas~~ developments from other countries. Since this comparative material is available exclusively in English, undergraduates not proficient in English would be at a disadvantage.

English is also important for accessing an increasing number of materials available on the Internet and the World Wide Web.

Though in the lower court proceedings are conducted mainly in Sinhala or Tamil, the Supreme Court and the Court of Appeal function entirely in English. Submissions and pleadings are tendered in English and arguments are made in English and judgments are also delivered in English.

In addition, those who wish to pursue postgraduate study, either in Sri Lanka or abroad will be required to be proficient in English as these courses are conducted entirely in English. Further, it is

necessary to write all dissertations for higher degrees in law in English.

6. Becoming a Lawyer

It is important to bear in mind that, after successfully completing the LL. B Degree at the Faculty, in order to enter the legal profession (i.e. to practise as a lawyer), law graduates have to pass the Final Examination conducted by the Sri Lanka Law College, which is administered by the Council of Legal Education. LL. B graduates are exempted only from the Preliminary and Intermediate Examinations. Nevertheless, LL. B graduates who did not follow Labour Law and Interpretation of Statutes and Documents as subjects for his or her LL. B Degree have to appear for the subjects; Industrial Law and Interpretation of Statutes and Documents at the Final Examination of the Sri Lanka Law College.

Once the Final Examination of the Law College is completed, students have to undergo a period of six-month apprenticeship with a senior lawyer, in addition to following the practical training programme conducted by the Law College.

7. Student Facilities

7.1 Computer Facility

The Student Computer Laboratory (SCU) with word-processing and internet facilities has been set up by the Faculty of Law for the benefit of its undergraduates. They are encouraged to register with the SCU in order to make use of the facilities available at the SCU. The registration is free of charge. All students are encouraged to submit their completed take-home assignments as word-processed documents. All undergraduates should abide by the guidelines prescribed for the use of the SCU. These guidelines will be handed over at the registration at SCU.

Wi-Fi Internet Facility is available for staff and students at the

Faculty of Law.

The Language Laboratory with 55 Computers and Internet Facility is also available for the students.

7.2 The Law Library

The Law section of the Library houses a good collection of textbooks, journals and law reports. Photocopying facilities are available at the library. A card and electronic catalogue systems are available. Certain important and expensive books are available at the permanent reference counter. These books cannot be borrowed. The copies of all past Examination papers are also available at the permanent reference counter. Only overnight borrowing of certain law books is permitted. Law reports, law journals and legislation cannot be borrowed.

Undergraduates are strongly advised and encouraged to make the maximum use of the Library and ~~also~~ to abide by the Library regulations which are contained in the University Handbook. Above

all, undergraduates must use the Library in a spirit of kinship and in an unselfish manner, always being mindful of the needs of other students. Hiding books, marking on books, defacing books or tearing off pages are strictly forbidden and punishable.

A library committee consisting of staff members has been appointed by the Faculty to look into the library needs of the undergraduates and staff, and you are encouraged to contact a member of the library committee should you have any queries. Please contact the Senior Assistant Registrar of the Faculty if you wish to contact the Committee.

7.3 Medical Centre of the University of Colombo

There are two Medical Centres in the University. The main and the largest Centre is situated at Reid Avenue (Philip Gunawardene Mawatha) next to the New Arts Theatre, while the other is at the Medical Faculty. On weekdays, these Centres are open from 8.30 a.m. to 3.45 p.m., except during the lunch interval between 12.30 p.m. and 1.30 p.m. These Centres are managed by qualified medical and nursing staff for outpatient treatment. Patients requiring special treatment or who need to be hospitalized will be directed to the University Clinics at the **Colombo General Hospital**.

Dental treatment service is available on Monday, Wednesday and

Friday morning at the University of Colombo Health Centre.

The Medical Centre offers the following services,

1. Medical Examinations
2. Vaccination
3. Medical Counselling
4. Laboratory Testing Facilities
5. Health
6. Medical Certificates
7. Illness during the University Examinations

(Please refer to the University Guidance Handbook which is published by the Vice Chancellor's Office and Student Counsellors' Office)

7.4 Counselling Services

The University provides a free counselling service to all undergraduates with regard to any problem they may have. The student counsellors, who function under the guidance of the Senior Student Counsellor, provide counselling in relation to academic matters as well as personal matters.

An undergraduate may consult either a male Counsellor or a female Counsellor of his/her choice anytime during consultation hours or at any other time with prior appointment. Strict confidentiality is assured to the undergraduates. The Student Counsellors' office is located in the building between the Arts Faculty and the Main Library. In addition, the Law Faculty has its own Student

Counsellors who can be consulted by the students for advice.

The names of the Student Counsellors for the year of 2017/2018 from the Faculty are as follows:

- Mr. M. A. M. Hakeem
(*Permanent Student Counselor of the Faculty of Law*)
- Dr. N.S. Punchihewa
- Ms. Chathurika Akurugoda
- Ms. Yashoda Ekanayake
- Ms. Udani Gammanpila
- Mr. Isuru Liyanage

7.5 Student Support Committee

The Faculty also has the Faculty Student Support Committee, which looks into matters relating to the financial, emotional and academic needs of the undergraduates.

The names of the members of this Committee are as follows:

- Ms. W.I. Nanayakkara (Dean, Faculty of Law)
- Prof. S. Scharenguivel
- Ms. M.D.M. Abeyrathne
- Mr. A. Sarveswaran
- Mrs. J. Niriella
- Dr. R. Wijesekera
- Mr. H.A. Menaka

7.6 Centre for the Study of Human Rights (CSHR)

The Centre for the Study of Human Rights (CSHR) was established as ~~a result of extensive human rights violations in Sri Lanka in 1991. It was set up as an organisation~~ within the Faculty of Law, University of Colombo, with the main objective being to make the public aware of their rights and remedies for the violation of rights. The CSHR has reached out to many groups such as secondary school students, the university community, medical and legal professionals, rural and plantation communities, armed forces, police and prison officers, civil society, quazis, media personnel, prison inmates and the general public among others. CSHR disseminates Human Rights through five main focus areas which are: Education, Research, Capacity Building, Knowledge Services and Institutional Development.

Through Human Rights Education, the following courses are offered:

- *Certificate Courses*
- *Advanced Certificate Course*
- *Six Month Distance Learning Advanced Certificate in Human Rights Approach to Prison Administration (for Prison Officers)*
- *Distance Learning Diploma in Human Rights and Democracy*
- *E Diploma in Human Rights*

- *Asia Pacific Regional Masters Degree in Human Rights and Democratisation* conducted in collaboration with Mahidol University (Thailand) and other regional universities
- *Masters Degree in Human Rights and Democratisation (Local)*.

The CSHR also facilitates local and foreign internships and study sessions for international students to assist them to broaden their knowledge and experience on human rights and related issues in Sri Lanka. Research carried out is practically applicable in relation to rights.

Some research has been carried out for other organisations, while other research has been in collaboration with other institutions, such as the Centre for Research and Training in Corrections of the Department of Prisons.

Capacity Building has focused on strengthening the capacity of those in the public sector, including the armed forces, police and prison officers as well as the non-governmental sector, with the aim of protecting and promoting their rights as well as the rights of persons with which these groups interact.

The CSHR provides Knowledge Services for students, academics, researchers and the general public by providing access to a wide range

of human rights and related materials available through its Resource Centre, located within its premises. The final focus area is Institutional Development, which aims to provide opportunities for CSHR Staff to improve their knowledge, skills and capacities towards disseminating programmes to CSHR partners effectively and efficiently.

Contact information:

Centre for the Study of Human Rights - CSHR

Faculty of Law

University of Colombo

Phone: +94 11 2500879 or +94 11 2503017

Fax: +94 11 2598462

E-mail: cshr@slnet.lk

Website: cshr.cmb.ac.lk

8. Scholarships, Prizes and Awards

The following are the main Prizes and Awards offered by the Faculty of Law:

- Bachelor of Laws examination, Year I- Scholarship- Awarded to the student who has the highest average in LLB - Year I Final Examination
- Bachelor of Laws examination, Year I- Studentship- Awarded to the student who has the second highest average in LLB - Year I Final Examination
- Grate Mudliyer Edmond Pieris Prize: Awarded to the

student who has the highest average in LLB - Year I Final Examination

- Ajitha Parathalingam Memorial Prize: Awarded to the student who has the highest average in LLB - Year I Final Examination
- Justice V.M. Fernando Memorial Prize for Constitutional Law I- Awarded to the student who has the highest competence among the students who obtained an ~~have got~~ 'A' grade pass for Constitutional Law in LLB - Year I Final Examination
- A B Cooray Memorial Prize: Awarded to the student who has the highest average in LLB Year II Final Examination.
- Chief Justice H.N.G. Fernando Memorial Prize for Constitutional Law II- Awarded to the student who has the highest competence among the students who ~~have got~~ obtained an 'A' grade pass for Constitutional Law in LLB - Year II Final Examination
- PDH Karunathilaka Memorial Prize: Awarded to the student who has the highest average in LLB Year III Final Examination.
- Justice C.G. Weeramantry Prize for Public International Law - Awarded to the student who has the highest competence among the students who ~~have got~~ obtained an

‘A’ grade pass for Public International Law in LLB - Year III Final Examination

- Justice Mark Fernando Prize for Administrative Law- Awarded to the student who has the highest competence among the students who ~~have got~~ obtained an ‘A’ grade pass for Administrative Law in LLB - Year III Final Examination
- Walter & Judith Pinto Memorial Gold Medal for Public International Law- For the best essay in Public International Law – written by an LLB – Year III student.
- Julius & Creasy Prize for Tax Law- Awarded to the student who has the highest competence among the students who obtained an ‘A’ grade pass for Tax Law in LLB Year IV Final Examination
- The Dean of the Faculty of Law Award for Jurisprudence- Awarded to the student who has the highest competence in Jurisprudence in LLB - Year IV Final Examination
- The Visuvalingam & Rajakunam Buvanasundaram Memorial Gold Medal for Bachelor of Laws, Year IV- Awarded to the student who has the highest average in LLB - Year IV Final Examination
- K. Shinya Prize in Laws- Awarded to the student who has the highest average in the LLB ~~whole~~ Examination (Years I, II, III, IV)
- Sri Ponnambalam Arunachalam Memorial Prize- Awarded

to the student who has the highest average in the LLB ~~whole~~ Examination (Years I, II, III, IV)

- Dean of the Faculty of Law Award for the Most Outstanding Student of the Faculty of Law

Student Award & Prizes (General) granted by the University

- The Student of the year award

The award is granted to a student who shows excellence in his or her academic studies and also someone with sportsmanship, an interest in aesthetic and cultural activities, with a proven leadership and exemplary conduct and character.

- The D.P.P. Samarasekera Peace Prize

The prize is given to a student who worked to foster social harmony either within the University Community or outside it through diverse activities and/or to a student who assisted those in need in a courteous, considerate, kind and understanding manner.

- The Canekeratne Prize for General Merit

This prize is limited to the student who receives First or Second-Class Upper Division in a Special Degree from any

Faculty. This student should show considerable achievements in extracurricular activities, such as holding the captaincy or getting colours in a University 'A' team; having achievements in Debating or Oratory Competitions: producing or acting as lead in plays for recognized University Societies; or winning Gold, Silver or a Bronze Medal at University cultural or similar activity. The eligible student must also have a positive academic record with good attendance and excellent conduct throughout the entire period spent at the University. The student must provide documentary evidence to prove his/her eligibility

9. Alumni Association of the Law Faculty

Graduates of the Faculty of Law have formed ~~an Association called~~ the Alumni Association of the Faculty of Law (AAFL). This was formed under the leadership of the late Justice Mark Fernando, who was its president for many years. The current president is Mr. Lasantha Salgado.

The AAFL has been actively involved in the interests of the students of the Faculty. Its activities include the organisation of

guest lectures, seminars, and discussions on a variety of subjects, conducting career guidance sessions, implementing internship programs and helping in apprenticeship placements.

10. Legal Aid Unit

The Law Faculty has taken a pioneering step in establishing the Legal Aid Unit. This Unit offers free legal advice, and some support in documentation for its clients. The Unit is the first of its kind to be established in a higher education system in Sri Lanka to provide law students with opportunities for training in client counselling, legal drafting and in conducting needs assessment for legal aid services. Moreover, due to the linguistic diversity at the Faculty, the Unit is able to offer its services in English, Sinhala or Tamil to the public. The Unit therefore is well placed to innovate in expanding the frontiers of legal education in relation to clinical legal education.

The Legal Aid Unit provides two types of regular services for clients, namely consultation clinics and an in-house aid programme. The Unit also organises workshops and conferences for students to raise awareness on and discuss pressing issues in the legal field, and to further provide students with an opportunity to hone the skills required to be effective practicing attorneys. The Unit is also implementing a project offering legal aid to deserving remand

prisoners, which includes direct legal counselling as well as a research study.

The work of the Unit has a direct impact on the undergraduates by providing them with additional training in client counselling and the practice of the law. Offering free legal aid to low-income local communities is an intrinsic component of most reputed legal programmes around the world; the Faculty of Law, University of Colombo holds the distinction as the first university in Sri Lanka to embark on this initiative.

All students at the Faculty may participate in the activities of the Unit by becoming a student volunteer of the Unit.

11. Student Elections & Faculty Board Representation

Elections to the Law Faculty Students' Union are held every year during the first term, after nominations have been received by the Dean. These elections are governed by the Bylaws of the University and undergraduates are advised to consult them.

During the past, ugly incidents, sometimes leading to physical violence, have surrounded these elections and undergraduates are reminded that elections are a democratic process and that the Faculty denounces any form of violence or intimidation, especially

on Faculty premises. Those who are found guilty of violating this rule will be subject to disciplinary action by the university authorities as well as be liable to prosecution under the normal criminal law of the land.

12. Student Societies

The following societies in the Faculty of Law provide an opportunity for undergraduates to engage in extra-curricular activities during their course of study:

- a) The Sports Society
- b) The Moot Court and Debating Society
- c) The Human Rights Society

The Sports Society provides an opportunity for undergraduates take part in activities relating to sports, while students interested in human rights issues can engage in various activities under the guidance of the Human Rights Society.

The Moot Court and Debating Society of the Faculty of Law, University of Colombo, was established in 2004 for the purpose of fostering a culture of debate, discussion and discourse within the scope of the University and society at large. The Society is currently one of the most active societies of the Faculty and enjoys the membership of undergraduates from all three media

and all parts of the Island. The society has actively participated in debating and mooting tournaments both nationally and internationally, most notably the Phillip C. Jessup International Law Moot Court Competition, the largest and most prestigious moot court competition in the world. The MCDS annually hosts the largest schools-level British Parliamentary style debating tournament in the Island, the only tournament to be held in all three media. Regular workshops on Mooting and Debating are carried out for the undergraduates of the Faculty, in order to further the Society's most fundamental goals, that of promoting advocacy, mooting and debating skills within the Faculty.

13. Creating a Peaceful Environment in the University

13.1 Prohibition of Ragging

The harassment of first year undergraduates by senior undergraduates has been a serious problem on university campuses in Sri Lanka. Described as “ragging” the practice originally involved mild teasing of groups of first year undergraduates at social functions organised during the first weeks of the new

academic year. It was rationalised and justified as a way of “getting to know” the first year students and helping them to socialise with seniors in the university community.

Over the years, “ragging” has come to mean extreme harassment and even physical and mental torture of the first year undergraduates at a time when they need friendship and support to adjust to a new environment of undergraduate life, often away from their homes and families. Ragging is described in Sinhala as "*navaka vadhaya*" and in Tamil as "*pakidi vathi*" and has all the manifestations of torture and cruel, inhuman and degrading treatment.

There is no justification whatsoever for this type of conduct on campus, either by senior or first year undergraduates. First year undergraduates who harass their batch-mates in this way are as responsible for ragging as seniors who engage in this type of conduct.

Ragging in this form is a criminal activity that violates the criminal law of the land. (Refer Ragging Act Provisions in the University Hand Book.) Any undergraduate found ragging can be reported to the police and arrest and prosecution will follow. This has already happened in some universities where ragging has been detected.

In addition, ragging is an infringement of the fundamental rights of the victims, and university authorities themselves become responsible if they fail to take action against the perpetrators. The compensation awarded by the courts has to be paid to the victim of ragging. As undergraduates and teachers engaged in the study of law, we must respect these important values and maintain them on our campus.

In the past, undergraduates have been encouraged to think that ragging is a violation of university discipline which can, at most, result in the imposition of mild sanctions by the university authorities and the governing body. Undergraduates must understand that ragging is a serious criminal offence which goes far beyond the violation of university discipline.

Due to incidents in which two undergraduates died after being ragged by seniors, the Government introduced legislation specifically on ragging in 1998. Severe penalties are embodied in this law for those who are found guilty of ragging.

The staff members of the Faculty of Law have taken a unanimous decision to respond strongly against any undergraduate who engages in ragging. These undergraduates will be reported to the

university authorities as well as to the police for appropriate action. First year undergraduates are, therefore, urged to take a positive stand against ragging. Please join with the staff and the majority of undergraduates who reject this criminal conduct and help to eliminate ragging from the Faculty and the University.

Some Salient Features of the Prohibition of Ragging and Other Forms of Violence in Educational Institutions Act No. 20 of 1998

13.1.1 Definition of ‘Ragging’

This law makes ragging a distinct and punishable offence. Any act which causes or is likely to cause physical or psychological injury, fear or mental pain in an undergraduate or a member of staff is called ragging. Not only a person who commits ragging but also those who participate in ragging are liable under the Act. Ragging can take place within or outside an educational institution.

13.1.2 Punishment for ragging

The punishment for ragging is two years rigorous imprisonment. In addition, the court can award compensation to the victim. Where ragging leads to sexual harassment or grievous hurt, the punishment is increased to ten years imprisonment and an award of compensation. The latter offence is generally non-bailable.

In addition, the court can, depending on the gravity of the offence, order the expulsion of a student from an educational institution if that person is found guilty of any of the offences contained in the Act.

13.1.3 Other offences envisaged under the Act

Acts of criminal intimidation, hostage taking, wrongful restraint and unlawful confinement committed by any person against any student or a member of the staff, are punishable offences. While the maximum imprisonment for criminal intimidation is five years, other offences each carry a maximum period of seven years imprisonment. If anyone threatens to cause injury to the person, reputation or property of any student or a member of the staff in order to compel that person to do something which that person is not legally required to do, such action will amount to criminal intimidation. Hostage taking is generally a non bailable offence.

If any person, forcibly occupies any premises of an educational institution, that person is guilty of an offence. Such person could be imprisoned for ten years or fined up to ten thousand rupees or subjected to both punishments. Similarly, anyone who causes damage to any property of an educational institution commits an offence and could be liable to imprisonment for a period not exceeding twenty years and a fine which is five thousand rupees or three times the value of the loss or damage whichever is higher.

13.1.4 Relationship with other laws

It is important to note that the offences and punishments specified in the Act are in addition to those which are to be found in the Penal Code, the Convention against Torture Act or any other law.

13.2 Other Disciplinary Measures

Students are expected to behave in a peaceful, non-violent manner in the University in order to maintain peace and harmony among the entire student body. Students who act violently or against any rules of the University will be punished according to the gravity of their act. It could result in dismissal from the University system. Students are expected to refer the respective Bylaws related to disciplinary actions.

14. Quality Assurance

The Faculty of Law is committed to the quality assurance requirements issued by the University Grants Commission. A Quality Assurance Cell is established to carry out activities in relation to raising the quality of teaching, learning, student activities, student welfare and other connected matters.

Dr. Shanthi Segarajasingham

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15. Contact Information

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