

Annual Report - 2020

**National Authority for the Protection of Victims of Crime and
Witnesses**

No: 428/11A, 1st Floor, Denzil Kobbekaduwa Mawatha,
Battaramulla.
Telephone: +94112879539 Fax: +94112879540
E-mail: witness.protection.srilanka@gmail.com

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Message from Chairman

The unanimous passing of the bill ASSISTANCE TO AND PROTECTION OF VICTIMS OF CRIME AND WITNESSES ACT, NO. 04 OF 2015 can be considered as a milestone in the Sri Lankan judicial history. Introducing a formal procedure to protect the infringement of rights and entitlements of the victims and witnesses due to secondary victimization, coercion and intimidation by criminals when participating in the criminal justice process is significant to Sri Lanka and globally as well. Thus, on 08th January 2016, our Authority was established as per the enforcement of the Act ASSISTANCE TO AND PROTECTION OF VICTIMS OF CRIME AND WITNESSES and was established as an institution which comes under the Minister of Justice from 18th May 2016 via a gazette extraordinary No. 1967/8.



As a newly established institution in the years of 2016 and 2017 which is in its primary stages, we consider it as a privilege that we could carry out our services efficiently and productively in the years of 2018, 2019 and also in the year 2020 even amidst the Covid 19 pandemic. Currently, the National Authority for the Protection of Victims of Crime and Witnesses and the Police Protection and Assistance Division which were established to carry out the duties and functions of the act is actively involved in this process on behalf of the citizens of the country. Our sole purpose is to move forward with the progress achieved within this short period and via the experience gained by collaboratively working with other institutions.

It is with utmost pleasure I recall the contribution of the government towards creating the structural environment of our institution and towards its' functionality and the financial assistance provided by the United Nations Development Programme (UNDP) in order to conduct the awareness programmes promoting this law and to improve the infrastructure facilities of the Authority.

I am delighted to give this message to the Annual Report of 2020 and hereby respectfully recall the Board of Management, the Director General and the staff including of the Authority who are enthusiastically involved in the process of making Sri Lanka a country which protects victims and witnesses of a crime.

Suhada K. Gamalath

The Chairman of the National Authority for the Protection of Victims of Crime and Witnesses

Message from Director General

It is with my utmost pleasure I give this brief message to the Annual report of the National Authority for the Protection of Victims of Crime and Witnesses and I consider this as a special opportunity to recall the achievements of the major goals of the Authority during the year of 2020.



It should be mentioned that our authority has accomplished commendable progress within the short period spent since the commencement of the National Authority for the Protection of Victims of Crime and Witnesses on 18th May 2016 enforcing the ACT, NO. 04 OF 2015 of ASSISTANCE TO AND PROTECTION OF VICTIMS OF CRIME AND WITNESSES.

The Authority was able to increase the number of employees in the staff from 31 to 36, from 2018 to 2020 respectively. In my opinion, establishing the new designations which contribute to technical and administrative operations of the Authority and initiating the functions which assist in achieving the goals of the Authority even amidst the Covid 19 pandemic, also immensely contribute to the progress of the Authority.

The number of complaints received by the Authority during 2017,2018 and 2019 are 49, 86 and 252 respectively and comparatively the number of complaints received were decreased to 157 by 2020 due to Covid 19 Pandemic. The receiving of complaints alike was as a result of displaying of the posters regarding the services provided by the Authority and the awareness programmes conducted by our Authority island wide. At the same time, it is a considerable fact that receiving of 841 calls to the Authority during 2020 owing to introduction and promotion of 1985, Authority hotline number.

Moreover, I would like to appreciate that our Authority has been able to achieve the goals by collaboratively working with the local and foreign institutions such as United Nations Development Programme (UNDP), United Nations Children's Fund (UNICEF), National Child Protection Authority (NCPA), Transparency International, Attorney General's Department, Ministry of Education, Police Department and Ministry of Mass Media.

We would like to specially mention that the future prospect of our Authority is to improve the positive attributes of a democratic society by providing necessary assistance and protection to Victims of Crime and Witnesses, in a manner which their rights are protected and the legal sovereignty is assured and that we are fully dedicated to provide our maximum contribution in this regard.

Udayakumara Amarasinghe

Director General

✓ **Vision**

A Sri Lanka towards Protection of Victims of Crime and Witnesses

✓ **Mission**

Uphold and Enforce the Rights and Entitlements of Victims of Crime and Witnesses, and Promote, Protect, Enforce and Exercise such Rights and Entitlements



Executive Summary

Enforcing the Act, No.04 of 2015 of ASSISTANCE TO AND PROTECTION OF VICTIMS OF CRIME AND WITNESSES, National Authority for the Protection of Victims of Crime and Witnesses was established in the year of 2016, at First Floor, No. 428/11A, Denzil Kobbekaduwa Mawatha, Battaramulla. The board of management of the Authority from November 2020 consist of five members (05) appointed by his excellency the president namely Presidential Counsel Mr Suhada K. Gamalath, Mr. Udaya Kumara Amarasinghe, Dr.Ajith Thennakoon, Dr. Neil Fernando, Mr. Saman Senadheera and officially appointed seven members (07) such as Presidential Counsel Mr. Susantha Balapatabandi, Mr. L.S. Pathinayake, Mr. H.G.Hussain/Dr. Nimal Karunasiri, Mrs. Piyumanthi Peris, Ms. N.H.M.W.N.Herath Kumari and Mrs. M.S.P. Sooriyapperuma. Presidential Counsel Mr. Suhada K. Gamalath was appointed by his excellency the president as the chairman of the Authority.

By 2020, out of the approved cadre of 56, 36 employees were recruited and the approval for the recruitment procedures of another Legal Officer position and two other positions such as Director (Protection) and Director (Assistance Services) were obtained from the Management Services Department. The staff was sent to Skill Development Workshops in related fields in order to improve the skills of the Authority staff. Since, the Board of Management was appointed in November 2020, only two Board Meetings were able to be held during the period and 10 Senior Management Meetings were held with the participation of directors.

During the year of 2020, 157 complaints were received to the Authority. When comparing it with the complaints received during 2019, there is a 60% decline of complaints due to the Covid 19 pandemic situation. Among them, 34 complaints were sent to the Police division or other Police stations to investigate by the Legal Division, 53 complaints sent to the Protection Division of the Authority by the Legal Division, 11 complaints were provided with the protection and those are being provided with protection after receiving to the Authority and also there were 48 compliants requested multi assistance which are not coming under the scope of the ACT. Out of the complaints received to the Authority during 2020, the number of complaints closed are 44. At the same time, assisting the victims to obtain compensations via courts by filing the victim impact statements, assisting to operate evidences of the ongoing cases in the courts from distance via contemporary audio visual linkages and taking necessary legal actions in the cases filed by different people against the Authority were done by the Legal and Law Enforcement Division. Since the Hotline Number 1985 was set up from March 2019 onward to contact the Authority from the Telecommunication Regulatory Commission, 814 calls were received during 2020 via Hotline to the Authority.

Out of 53 complaints forwarded to the Protection Division from 01st January 2020 to 31st December 2020, 36 complaints were investigated, 14 complaints were provided with the protection, and 02

were closed. As per the Section 24 of the Act, 38 commission orders and 05 court orders were received to the Authority for the same period of time. Out of them, 09 commission orders are being provided with the protection, 17 orders were forwarded to the police protection division for threat assessments and advice to provide interim protection, 02 orders are being provided with protection since a threat was found as per the threat assessment records, 02 orders were laid down after providing the protection and 11 have been laid down. In addition, it was decided to pay not exceeding the limit of maximum 5000 LKR from the Authority Protection Fund when a request is made by the Court to pay the expenses incurred for food, accommodation and transport as a result of participation in any judicial or quasi-judicial proceedings before a court, as per the Article 4(1) at the Board Meeting held on 11.15.2019. Two such requests were made during the year 2020 and the measures were taken to issue money for them.

40 Million Rupees grant was given by the United Nations Development Programme (UNDP) in 2018 and it was spent to achieve the goals of our Authority in 2018 and 2019. As per the Section (13) of the Act, the awareness programmes were conducted to improve the technical knowledge of the officers of the Authority and the officers of Police Protection Division and awareness and sensitization programmes for Child Protection Officers, Officers of Police Special Investigation Unit (SIU), Lawyers of the Bar Associations (BASL), State Counsellors of Attorney General Department, Officers of Civil Society Organizations, Zonal Educational Officers of Department of Education, Government Officers of Hambantota and Galle districts, and newly recruited officers of the National Authority and Police Protection Division, Probation and Child Right Promotion Officers of Western Province, Officers in Charge (OICs) of Crimes and Minor Offence of Western Province. In addition, a workshop on protecting child victims and witnesses of a crime was organized by the Authority for the officers of the technical divisions of the National Authority and higher officials of the Police using the direct funds from UNICEF. An awareness programme on the Act No. 04 of 2015 was organized by the Authority on 9th January 2020 at Waters' Edge Hotel, Battaramulla with the participation of 86 Heads of Media Institutions and journalist. A Board of Management for the Authority was appointed on November 2020 and a technical workshop was conducted on 19th December 2020 with the participation of the Board members, Directors of the Technical Divisions and the higher officials of the Police Protection Division in order to continue the functions of the Authority smoothly. The chairman of the Authority, members of the Board of Management and the Technical Specialist of UNDP contributed as the resource persons for this workshop by conducting lectures. It has been improved the awareness of the Act through these training programmes to the law enforcement officers who directly involved participating these special series of lectures conducted by the Board of Management. In all these programmes, simple

and concise leaflets and handouts containing technical functions of our Authority and the handbooks which were provided by the Transparency International were distributed.

Moreover, it was expected to conduct awareness programmes for the Community Based Correction, Child Rights Promotion, Probationary Officers and for Police OICs of Crime, Minor Offence, Women and Children in Western Province. Those plans were in vain due to the Covid – 19 pandemic situation and absence of a Board of Management at that time. However, the posters prepared by our Authority in Sinhala and Tamil languages were distributed among all the National Schools (353) Island-wide while creating awareness at the Principals' Conference and 13,000 Sinhala and Tamil posters were distributed while meeting the Provincial Education Directors in all local government schools (10,366) (except the Northern Province) creating awareness among them. 2,000 Sinhala and Tamil posters were distributed in all the Police Stations Island-wide (492) after meeting with Senior Deputy Inspector Generals of Police (Except the Northern Province) creating awareness among them. About 800 Sinhala and Tamil posters were distributed among 185 court complexes (District Courts, Magistrate Courts, etc.) and they are now being displayed at Notice Boards in Court premises. Researching on assisting and protection of victims of a crime and witnesses and also purchasing necessary books for the Research Centre have been done during the year. The Authority contributed for the research conducted by UNDP in collaboration with the Department of Criminology, University of Sri Jayawardenapura. Concept paper, proposal and Terms of Reference (ToR) has been done to develop the website for the Authority and the Sri Lanka Telecom has been selected for the purpose.

Moreover, as per the section 29 of the Act, the Authority Protection Fund was established and by 31st December 2020 it was increased to 10.87 Million Rupees. When considering the financial progress of 2020, 100% of Government Recurrent Expenditure, 35% of Government Capital Expenditure were reached.



Introduction

The National Authority for the Protection of Victims of Crime and Witnesses has been established under the Assistance to and Protection of Victims of Crime and Witnesses Act No. 4 of 2015 passed by Parliament in order to introduce a formal work-plan with a legal framework for the protection of victims of crime and witnesses and thereby enhancing justice for them. This Authority is located at No.428/11A, first floor of the building comprising about 5300 square feet of the extent on Denzil Kobbekaduwa Mawatha, Battaramulla. This Authority was officially declared opened on 08.01.2016 by His Excellency the President. Thereafter, in pursuance of Article 43(2) of the Constitution, this has been assigned to the Hon. Minister of Justice with effect from 27.04.2016, by a gazette notification in a Gazette Extraordinary No.1966/02 dated 09.05.2016. Therefore, all sections and provisions of the Act No. 4 of 2015 of Assistance to and Protection of Victims of Crime and Witnesses have come into operation, enforced with effect from 18.05.2016 through a gazette notification published by the Minister of Justice in Gazette Extraordinary No. 1967/08 dated 16.05.2016.

The Board of Management of the Authority has been appointed in terms of section 12(b) of the said Act, by His Excellency the President and this Board consists of seven (7) members who are officially appointed namely the Secretary to the Ministry of Justice, the Secretary to the Ministry under which the Police Department comes, the Secretaries of both Ministries of Women and Children Affairs or their representatives, and one from Human Rights Commission, a representative of the Attorney General, a senior Deputy Inspector General of Police who is a representative of the Inspector General of Police, and including five members elected by His Excellency the President, among persons who are academically or professionally qualified and have experience in professions or fields of professional activity associated with criminology, the criminal justice system, the promotion and protection of human rights or medicine appointed by the President. Suhada K. Gamalath, PC, Solicitor General appointed to the Board of Management by His Excellency the President, has been appointed as the Chairman of this Authority with effect from November 2020.

The Objectives of the Protection and Assistance of Victims of Crime and Witnesses Act are as follows:

[Section (2) of the said Act]

1. Set out, uphold and enforce the rights and entitlements of victims of crime and witnesses, and to provide for a mechanism to promote, protect, enforce and exercise such rights and entitlements.
2. Provide assistance and protection to victims of crime and witnesses.
3. Enable victims of crime to obtain compensation from persons convicted of having committed an offence against them.
4. Provide for obtaining redress by victims of crime, including restitution, compensation, reparation and rehabilitation of such victims.
5. Set out duties and responsibilities of the state, judicial officers and public officers towards the promotion and protection of the rights and entitlements of victims of crime and witnesses.
6. Stipulate offences that may be committed against victims of crime and witnesses and the penal sanctions that may be imposed on persons who commit such offences.
7. Provide the adoption and implementation of best practices relating to the protection of victims of crime and witnesses.

Rights and Entitlements of Victims of Crime and Witnesses

A victim of crime shall have the right: [Section (3) of the said Act]

1. To be treated with equality, fairness and with respect to the dignity and privacy of such victim - (section 3 (1) (a))
2. Where the victim is a child, to be treated in a manner which ensures the best interest of such child - (section 3 (1) b))
3. In accordance with procedures as may be prescribed, to receive prompt, appropriate and fair redress, including reparation, restitution, for and in consideration of any harm, damage or loss suffered as a result of being a victim of a crime - (section 3 (1) (c))
4. To be medically treated for any mental or physical injury, harm, impairment or disability suffered as a victim of a crime - (section 3 (1) (e))
5. To be appropriately protected from any possible harm, including threats, intimidations, reprisals, or retaliations - (section 3 (1) (c))
6. Upon a request made by such victim to be informed by the Authority or other Division, of legal remedies available for the redress of any harm which he has suffered including civil remedies available for obtaining damages, information regarding ongoing investigations being carried out, court proceedings, and necessary medical and social services, and any other services - (section 3 (1) (f))
7. To present, either orally or in writing, a complaint pertaining to the commission of an offence and to have such complaint recorded by any Police Officer and to have such complaint impartially and comprehensively investigated by the investigation authority - (section 3 (1) (g))
8. Without prejudice to any ongoing investigation, to be represented by an Attorney-at-Law during an investigation - (section 3 (1) (h))
9. Without prejudice to any ongoing or concluded investigation, to obtain certified copies of the reports which should be filed in Magistrate's Court by Police - (section 3 (1) (i))
10. To present written communications or make representation through a legal counsel to the Attorney General, before, during and after the investigation into the offence committed against such victims of crime, and to be entitled to receive a response in regard to such communications or representations made - (section 3 (1) (j))
11. Make communications to the relevant Investigation Officer or representations and receive the response for such representations - (section 3 (1) (k))
12. Keep the court informed of the manner in which an offence committed had impacted on the life of a victim of a crime, in person or by an Attorney-at-Law after having convicted an offender and before determining the punishment for such offence - (section 3 (1) (l))

13. Where an offender has made an appeal or revision, keep the court informed of the manner in which an offence committed had impacted on the life of a victim of a crime, in person or by an Attorney-at-Law - (section 3 (1) (J))
14. In the event of any person in authority considering the grant of a pardon or remission of sentence imposed on any person convicted of having committed an offence, to receive notice thereof and submit through the Authority to the person granting such pardon or remission, the manner in which the offence committed had impacted on his life, in person or by Attorney-at-Law - (section 3 (1) (q))

A victim of a crime shall be entitled to receive (section (4) of the said Act):

1. A sum of money from the Authority, in consideration of the expenses incurred as a result of the offence committed and his participation in any judicial or quasi-judicial proceedings before a Court or Commission - (section 4 (1))
2. To claim and obtain from the State any required appropriate medical treatment and counselling in respect of physical or mental injury caused to - (section 4 (2))
3. Where the State is unable to provide such medical treatment or counselling service, to request from the Authority to be received such service through private sector - (section 4 (3))

Entitlements of a Witness: (section (5) of the said Act)

1. To be treated with equality, fairness and with respect to the dignity and privacy of such witness - (section 5 (1))
2. A witness shall not be harassed or intimidated, coerced or violated during or thereafter due to or as a consequence of providing information relating to the commission of offence or to the infringement of any right or violation of any human right, and volunteering to make a statement during an investigation or any offence or an investigation or inquiry into the infringement of any right or the violation or any human right, and providing testimony in a court or before a Commission relating to the alleged commission of an offence or an alleged infringement of a right. A witness has a right to receive protection against such actions - (section 5 (1))

Entitlements of a person giving information (section (6) of the said Act)

A witness or an ordinary person who is not a witness has a right to give information with regard to an offence committed in his/her working place or to make a complaint on such offence or be entitled to receive a protection against any injury or loss of employment caused upon an evidence given by such person in a court of law - (section 6)

Duties and functions of the Authority (section13))

1. Promote the recognition of and respect for the rights of victims of crime.
2. Promote the recognition of and respect for the entitlements of witnesses.
3. Protect or caused to be protected the rights of victims of crime and entitlements of witnesses.
4. On receiving a complaint or any information regarding an alleged infringement or imminent infringement of any right or entitlement of a victim of a crime or a witness, investigate and inquire into such alleged infringement or imminent infringement and to request any relevant authority to take such appropriate corrective measures in that regard, in order to ensure the protection and promotion of the rights and entitlements of victims of crime and witnesses, provided by this Act.
5. Provide necessary assistance to victims of crime and witnesses, including appropriate measures for their treatment, reparation, restitution and rehabilitation.
6. Make an award for payment of compensation to a victim and for that purpose develop and implement a scheme for the grant of compensation to victim of crime from the Victims of Crime and Witnesses Assistance and Protection Fund established under section 29 of this Act.
7. Create awareness among the public regarding the rights and entitlements of victims of crime and witnesses, provided by this Act.
8. Advice and make recommendations to the Sri Lanka Police Department and any other government department, statutory institutions and to public officers, either generally or on a case by case basis, on appropriate and specific measures that should be adopted or implemented to give effect the rights and entitlements of victims of crime and witnesses and in particular regarding the provision of -
 - i. Effective protection
 - ii. Necessary treatment, rehabilitation, counseling, and
 - iii. other appropriate assistanceto victims of crime and witnesses.
9. Review existing policies, legislations and the practices and procedures being adopted and followed by various authorities, to ensure their conformity with recognized standards and best practices relating to the promotion and protection of the rights and entitlements of victims of crime and witnesses, and based on such review, to make recommendations regarding the adoption, amendment and application of appropriate policies, legislation and practices.
10. Make available on request to any court or a Commission or any other person information on best practices pertaining to the reception of evidence of victims of crime or witnesses through contemporaneous or near contemporaneous audio-visual linkage.

11. Take measures to sensitize public officers involved in the enforcement of the law, including officers of the Sri Lanka Police, the Prison Department, government medical officers and public officers associated with probation and social services, on the needs of victims of crime and witnesses and on any special needs of particular categories of victims of crime, arising as a result of the harm inflicted or possible harm that may be inflicted on them due to their age, gender, religion, language, cultural beliefs and practices, ethnic or social origins or disabilities or any other reason.
12. Promote and ensure the observance and application of codes of conduct and recognized norms and best practices relating to the protection of the rights and entitlements of victims of crime and witnesses, by Courts, Commissions, any other tribunals, public officers and employees of statutory bodies involved in the enforcement of the laws, including officer of the Sri Lanka Police, the Prison Department, government medical officers and officers of government social service institutions.
13. Conduct or promote the conduct of research into ways and means in which—
 - (i) incidents of crime can be reduced;
 - (ii) impact of specific crimes on victims could be minimized or prevented;
 - (iii) victims of crime can be effectively treated, rehabilitated, counseled, assisted, compensated and protected;
 - (iv) a conducive environment could be created for witnesses to make statements before the law enforcement authorities or to testify fearlessly at proceedings before courts, any Commissions and other tribunals; and
 - (v) assistance and protection could be provided to victims of crime and witnesses;
14. Recommend to appropriate government institutions, social, health, educational, economic and crime prevention policies that may be adopted by such institutions for the reduction of incidents of crime and for facilitating assistance and protection being provided to victims of crime and witnesses;
15. Promote the development, adoption and implementation of measures of restitution to victims of crime as a sentencing option in the criminal justice system;
16. Promote the development and implementation of measures of restorative justice as a method of administering criminal justice and as a sentencing option in the criminal justice system;
17. Develop, adopt and implement a scheme for providing assistance and protection to victims of crime and witnesses;

18. Issue guidelines pertaining to the establishment and maintenance of the Victims of Crime and Witnesses Assistance and Protection Division;
19. Present annually to Parliament, a report on the:—
- (i) manner in which the Authority has given effect to the objects of this Act;
 - (ii) performance and discharge of the duties and functions of the Authority; and
 - (iii) proposals for necessary policy and legislative reforms.
20. Do or perform any further functions and activities that may be necessary to achieve the objects of this Act.

Powers and functions of this National Authority established under section 11 of the said Act can be set out as follows:

- **Responsibility of Implementation**

Identifying the rights and entitlements of victims of crime and witnesses, respecting and promoting such rights and entitlements and creating awareness on such things.

- **Semi Judicial Responsibilities**

Carrying out inquiries and hearings on the complaints made regarding the infringement of rights and entitlements of victims of crime and witnesses, and giving directives to the relevant government officials and government institutions on such infringements.

- **Responsibilities on Services**

Providing assistance and protection to victims of crime and witnesses, and taking action to pay compensation.

- **Regulatory Responsibilities**

Giving advice on regulatory matters, supervising, carrying out research and promoting appropriate arrangements which could reduce crimes, and give recommendations on the policies which prevent crimes.



POLICE ASSISTANCE AND
PROTECTION DIVISION

This is a Special Division established by Act No.4 of 2015 under the Sri Lanka Police which is known as ‘the Division for Assistance and Protection of Victims of Crime and Witnesses. A Senior Superintendent of Police functioning under the supervision of a Senior Deputy Inspector General of Police officially appointed to the Board of Management under section 19 (2) of the said Act has been appointed to this Division as an Officer-in-Charge. This Division has commenced its functions from 03rd November 2016.

The said ‘Division’ shall be administered following the regulatory advice of this National Authority. Giving protection to victims of crime and witnesses, making arrangements to investigate on any complaint, charge made or information given with regard to the threats carried out or damages caused against them and their properties, through the said Division with the assistance of a Police Officer are some of the duties of this Division. Necessary programs have to be implemented to make required arrangements to take efficient action based on the guidelines given by this Authority in order to provide assistance and protection to such victims and witnesses.

Board of Management of the Authority¹

The board members who have been appointed by His Excellency the President are as follows:

1. Chairman: - Mr. Suhada K. Gamalath, PC,
Retired Solicitor General,
Attorney General's Department



2. Mr. Udayakumara Amarasinghe,
Senior Lecturer of Criminology,
University of Sri Jayewardenepura



3. Dr. Ajith Thennakoon,
Chief Judicial Medical Officer



4. Dr. Neil Fernando,
Psychiatrist



5. Mr. Saman Senadheera
Attorney at-Law



The members who have been officially appointed are as follows:

1. Mr. Susantha Balapatabandi, PC,
Additional Solicitor General,
Attorney General's Department



2. Mr. L.S.Pathinayaka,
Senior Deputy Inspector General of Police,
Police Head Quarters



3. Mr. H.G. Husain²,
Attorney at-Law,
Commissioner,
Human Rights Commission



- Mr. Nimal Karunasiri³
Commissioner
Human Rights Commission



¹ Appointed from November 2020

² Appointed from November to December 2020

³ Appointed from December 2020

4. Mrs. Piyumanthi Peiris,
Attorney at-Law,
Additional Secretary (Legislation),
Ministry of Justice



5. Mrs.N.H.M.W.N.Herath Kumari ,
Additional Secretary (Development),
Ministry of Women & Child Affairs and Social Security

6. Mrs. M.S.P. Sooriyapperuma,
Additional Secretary (Law and Order) (Acting)
Ministry of Defence

Observer (Treasury Representative)

Mrs. S.A.C.Kulathilaka

Director General,

Management Audit Department

Ministry of Finance, Economy and Policy Development

Members of Audit and Management Committee - 2020

1. Mrs. S.A.C.Kulathilaka- Chaiman
Director General,
Management Audit Department
Ministry of Finance, Economy and Policy Development
2. Mrs. Piyumanthi Peiris - Member
Additional Secretary
Ministry of Justice
3. Mrs. M.S.P. Sooriyapperuma - Member
Additional Secretary (Law and Order) (Acting)
Ministry of Defence
4. Mr. Saman Senadheera- Member
Attorney at-Law

5. Mrs. Sujeeva Perera- Representative
National Audit Office

Mrs. Champa Balasooriya - Observer
Ministry of Justice

Staff Details - 2020

• **Senior Management Staff**

1. Director General - Mr. Udayakumara Amarasinghe,
2. Director
(Legal and Law Enforcement) - Ms. S.S.K. Kasthuriarachchi
3. Director
(Policy and Programmes) - Mr. I. Siriwardena
4. Director
(Administration and Management) - Mr. W.G.N. Fernando
5. Director
(Finance) - Mrs. G.D.R. Perera
6. Assistant Director
(Finance) - Mrs. R.A.D. Chamila Dishani
7. Assistant Director
(Legal and Law Enforcement) - Mrs. P.N.U. Pattiarachchi
8. Assistant Director
((Administration and Management)) - Mr. W.M. Ajith Bandara
9. Secretary to the Board of Management - Mrs. B.G.M.S.R.W. Goonawardene

• **Tertiary Staff**

1. Legal Officer - Ms.S.S. Dikkumbura
Mrs. T.M.P.D. Thennakoon
2. Internal Audit Officer - Mrs. M.P. Jayawardene
3. Investigation Officer - Ms.H.M.S.P. Herath
Mr.H.S.Wijenayaka
Ms.W.P.K.Wickramasinghe
Mrs. T.A.B.S.Jayasekara

4. Information Officer

5. Translator

Mr.L.C.K.Liyanage

- Mr.M.A.S.T.Munasinghe

- Ms.T.J.Gurugamage

- **Subordinate Staff**

Management Assistants (Non-technical) - 06

1. Mr.Sahan Harshana Athukorala
2. Mrs. S.N.H. Nadheesha Madumali Nanayakkara
3. Ms.P.A. Dilini Darshika Pererra
4. Mrs. M.P. Sachithra Dulashani Gunasekara
5. Ms.I.A. Harshani Ileperuma
6. Mr. Dharshan Rajeev Jayamaney

- **Primary Staff**

Drivers

Number of Drivers-06

1. Mr.U.W. Wimanga Pathum
2. Mr.D.M. Sampath Nishantha Bandara
3. Mr.A. Prabath Nishantha
4. Mr.S.B. Bagya Pradeep Madhushanka
5. Mr.K. Kasun Madushan
6. Mr.S. Gamini Vimukthi Wijekumara

- **Office Aides**

Number of Office Aides- 05

1. Ms.T.W. Nadheeshani Fernando
2. Mrs. J.G. Chamali Malkanthi Wijewickrama
3. Mr.W.M. Wimala Buddhika
4. Mr.A.A. Pradeep Kumara Perera
5. Mr.Kasun Madusanka Yakkupittiya

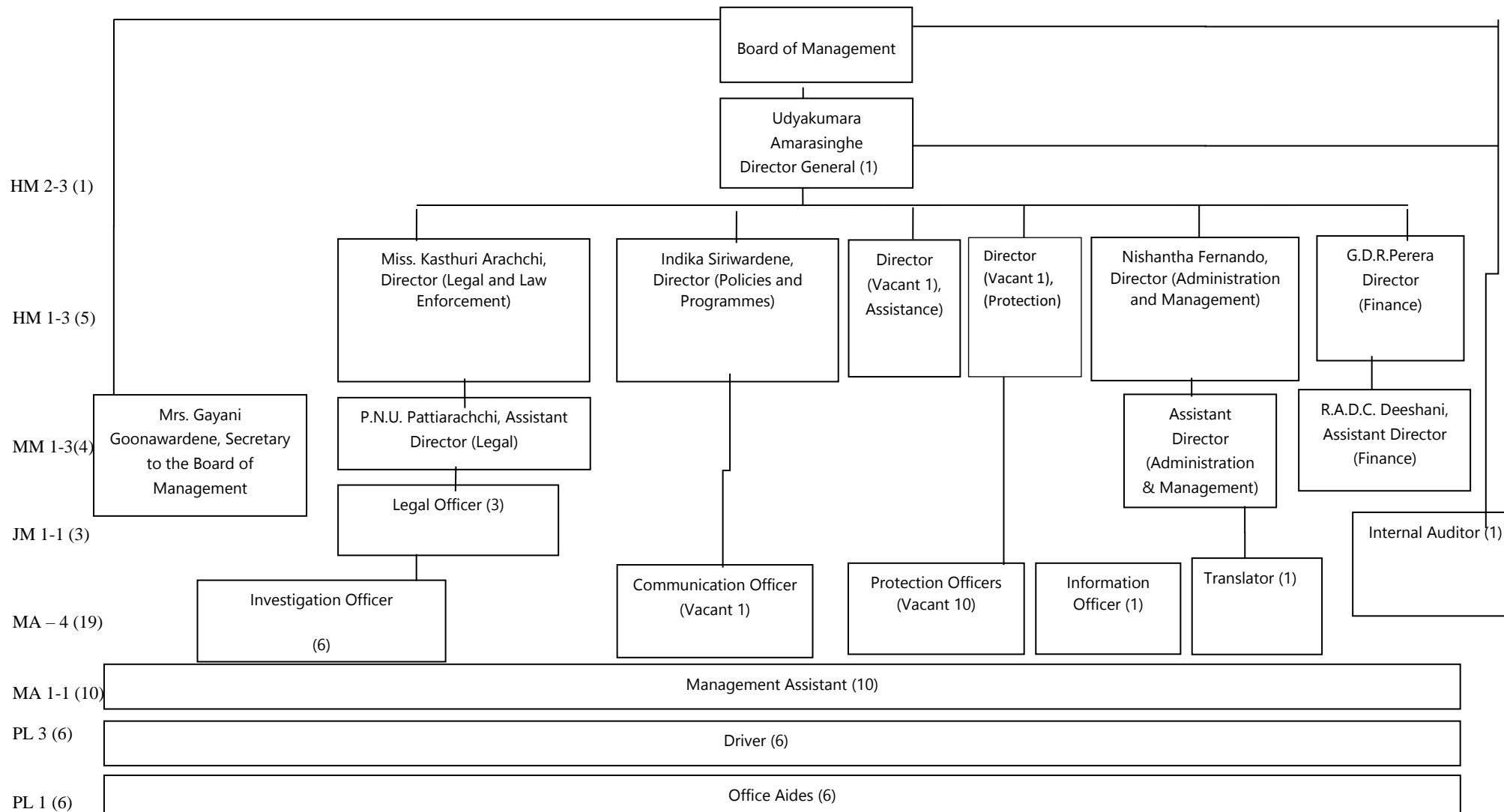
National Authority for the Protection of Victims of Crime and Witnesses

Details of the Staff – 31st December 2020

Table Number 01

Group	Salary Code	Approved Cadre by D.M.S.	Existing Cadre	Vacant
<u>Senior Level</u>				
Director General (Acting)	HM 2-3	1	1	0
Director	HM 1-3	6	4	2
Assistant Director	MM 1-3	3	3	0
Secretary to the Board of Management	MM 1-3	1	1	0
<u>Tertiary Level</u>				
Legal Officer	JM 1-1	3	2	1
Internal Auditor	MA 4	1	1	0
Investigation Officer	MA 4	6	5	1
Protection Officer	MA 4	10	0	10
Communication Officer	MA 4	1	0	1
Information Officer	MA 4	1	1	0
Translator	MA 4	1	1	0
<u>Secondary Level</u>				
Management Assistant (Non-technical)	MA 1-1	10	6	4
<u>Primary Level</u>				
Driver	PL 3	6	6	0
Office Aides	PL 1	6	5	1
Total		56	36	20

Approved Cadre of National Authority for the Protection of Victims of Crime and Witnesses by Department of Management Services





PERFORMANCE

Performance Report (From January 2020 to December 2020)

Attention: With the prevailing Covid- 19 epidemic situation in the country, the preplanned activities could not be implemented within the time frame during the year 2020 as per the Action Plan and Procurement Plan. At the same time, the absence of the Board of Management from November 2019 to November 2020 also affected on the performance of the Authority too.

Administrtrtion and Management division	28-31
Legal and Law Enforcement division	32-37
Protection division	38-40
Policy and Programmes division	41-44
Finance division	45-46



ADMINISTRATION & MANAGEMENT
DIVISION

1. Local/Foreign Training

No foreign trainings were done during the relevant period and the local trainings have been done. They were as follows.

Name of the Training Programme	Institute	Names of the Participants	Duration
Supervisor Development Programme	Chartered Institute of Personnel Management (CIPM)	Sureni Dikkumbura Prabashi Dinelka	2020.01.21,22, 23
How to Prepare Action Plan & Procurement plan	Skills Development Fund Ltd. (SDFL)	W.M. Ajith Bandara P.N.U. Pattiarachchi	2020.02.24,25, 26
Workshop on Event Management	Skills Development Fund Ltd. (SDFL)	Thathmini Gurugamage Rajeev Jayamaney	2020.09.17, 18
Preparation of Cabinet Paper	Skills Development Fund Ltd. (SDFL)	W.M. Ajith Bandara Chamila Dishani	2020.09.21
Leadership Development Programme	Skills Development Fund Ltd. (SDFL)	Thathmini Gurugamage	2020.09.28, 29
Inventory Control And Inventory Management	Skills Development Fund Ltd. (SDFL)	Harshani Ileperuma Nadeesha Madhumali	2020.09.24, 25

The training plan for the year 2021 is being prepared by identifying necessary training for the staff. Induction trainings and capacity building programmes for the new recruitments have been done.

Procurement

The expected procurements have not been done due to Covid-19 pandemic situation of the country. However, the following procurements have been done.

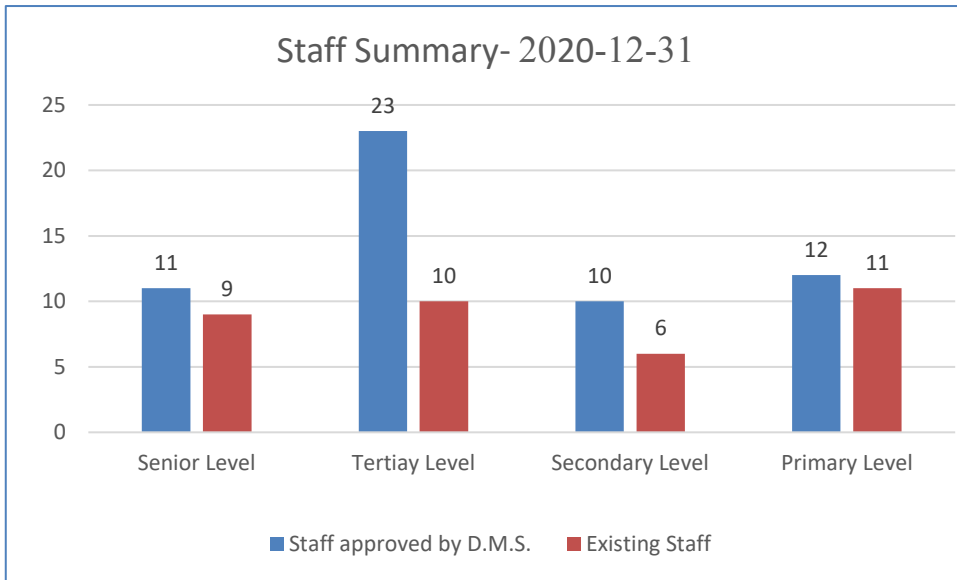
- ✓ The procurement related to testifying via Audio Visual media are already finished.
- ✓ Server preparation has been completed
- ✓ Have purchased the office equipment, wood/ steel
- ✓ Partitioning the Board room premises.
- ✓ Called for quotations to develop the Authority website and given the contract to relevant institutions.
- ✓ The rest of the procurements are still in progress.

Human Resource Management

- ✓ One cadre position for a legal officer was approved by the Department of Management Services.
- ✓ Received the approval of Department of Management Services for the recruitment process related to the positions of Director (Protection) and Director (Assistance).
- ✓ A paper advertisement was published on 06th December 2020 to fill the vacancies available and the applications received for the said vacancies are being short listed reaching to the final stage.
- ✓ Introducing an Internal Administration System (HR Information System) to the National Authority.

The details of the staff recruited to the National Authority by 31st December 2020 are as follows.

Service Category	Approved Cadre by D.M.S.	Existing Cadre
<u>Senior Level</u> Director General Director Assistant Director Secretary to the Board of Management	11	9
<u>Tertiary Level</u> Legal Officer Internal Auditor Investigation Officer Protection Officer Communication Officer Information Officer Translator	23	10
<u>Secondary Level</u> Management Assistant (Non-technical)	10	6
<u>Primary Level</u> Driver Office Aid	12	11
Total	56	36



Board Meetings and Other Meetings

- Only 02 Board of Management meetings were held during 2020 since the Board of Management was appointed in November 2020.
- 10 Senior Management meetings were held with the participation of the Directors of the Authority.



LEGAL & LAW ENFORCEMENT
DIVISION

During the year 2020 NAPVCW received 157 complaints from general public and various institutions. However, 221 Complaints done by previous year has been already remained and remaining. Therefore, number of complaints which should be inquired during year 2020 are 368. According to the nature of the complaints Authority had taken numerus actions and steps to resolve those issues. Those steps and nature of the complaints can be categorized as follows.

1. Total number of complaints received by the Authority – 157
2. Number of complaints relating to the R & E violations -54
3. Number of complaints connected to the Offences under Section 8 & 9 – 34
4. Number of complaints forwarded to the protection division – 53
5. Number of complaints seeking Assistance -11
6. Number of applications which are not coming under the purview of the Authority -48
7. Number of inquiries concluded by the Legal Division -44

However, each & every complaint received by the Authority included more than 01 Applications. Therefore, number of steps should be taken by the Authority are 200.

Categorization of the complaints

Type of the complaint	Number
Complaints on the infringement of rights and entitlements	38
Complaints on the offences coming under sections 8,9	05
Requests for protection	20
Requests for assistance	10
Complaints on the infringements of rights and entitlements and complaints on the offences coming under sections 8,9	03
Complaints on the offences coming under sections 8,9 and requests made seeking Protection	20
Complaints on the infringements of rights and entitlements, Requests made seeking assistance and requests made seeking protection	05
Complaints on the infringements of rights and entitlements and complaints on the offences coming under sections 8,9 and requests made seeking assistance	07

Complaints on the infringements of rights and entitlements and complaints on the offences coming under sections 8,9 and requests made seeking assistance and requests made seeking protection	01
Other requests	48
Total	157

Although, some of the complaints are still in progress, some requests in those complaints have been already fulfilled by the Authority.

Moreover, Victims who need compensation from the perpetrators, have been assisted by the Authority through filing victim impact statements before the court of law.

More than that Authority has provided Assistance to the court of Law to lead evidence through contemporaneous audio visual linkage from remote locations.

Moreover, cases which have been filed against the Authority by the various parties are also handled by the L& LE Division and various steps have been taken including court appearances.

Categorization of the close complaints

Year	No. Complaints received	No. of Complaints closed by the Legal Division
2016	12	8
2017	49	38
2018	86	51
2019	252	125
2020	157	44
	----- 556 =====	----- 266 =====

The summary of investigations closed complaints during 2020

Complaints on the infringement of rights and entitlements

No.	Ref. Number	Reasons for Closing
01	VWPA/L&LE/RE/07/20	First complaint has been settled by the mediation Board and therefore complaint against the police station done by the complainant. On improper and biased treatment had been closed.
02	VWPA/L&LE/RE/15/20	According to the findings of the investigation Authority realize that, complaint cannot be inquire under the purview of the Assistance to and Protection of Victims of Crime and Witnesses Act, No of 4 of 2015.
03	VWPA/L&LE/RE/22/20	Police could not found any threat after inquiry
04	VWPA/L&LE/RE/23/20	Case has been filed against the suspect.
05	VWPA/L&LE/RE/34/20	Case has been filed against the suspect.
06	VWPA/L&LE/RE/37/20	Case has been filed against the perpetrator.
07	VWPA/L&LE/RE/16/20	According the police report the complainant is a psychiatric patient and he does not have a permanent Address.

Requests made seeking protection

No.	Ref. Number	Reasons for Closing
08	VWPA/L&LE/P/21/20	Closed as per the Complaint's Request

Complaints only on the offences

No.	Ref. Number	Reasons for Closing
09	VWPA/L&LE/O /09/20	Offence under section 8 /9 has not been disclosed
10	VWPA/L&LE/O /39/20	Complainant did not provide sufficient details to the Authority to inquire the issue and Authority unable to contact him.

Complaints on the infringements of rights and entitlements, complaints on the offences and requests made seeking protection and assistance

No.	Ref. Number	Reasons for Closing
11	VWPA/L&LE/O/01/20 VWPA/L&LE/P/02/20 VWPA/L&LE/RE/04/20	Offence has not been disclosed through the police investigation. But protection is continuously providing.
12	VWPA/L&LE/O /10/20 VWPA/L&LE/P/16/20 VWPA/L&LE/RE/12/20	Case has been filed against the perpetrator

Complaints on the offences and requests made seeking protection

No.	Ref. Number	Reasons for Closing
13	VWPA/L&LE/O /03/20 VWPA/L&LE/P/04/20 VWPA/L&LE/A/04/20	Did not disclose the offence after the police investigation.

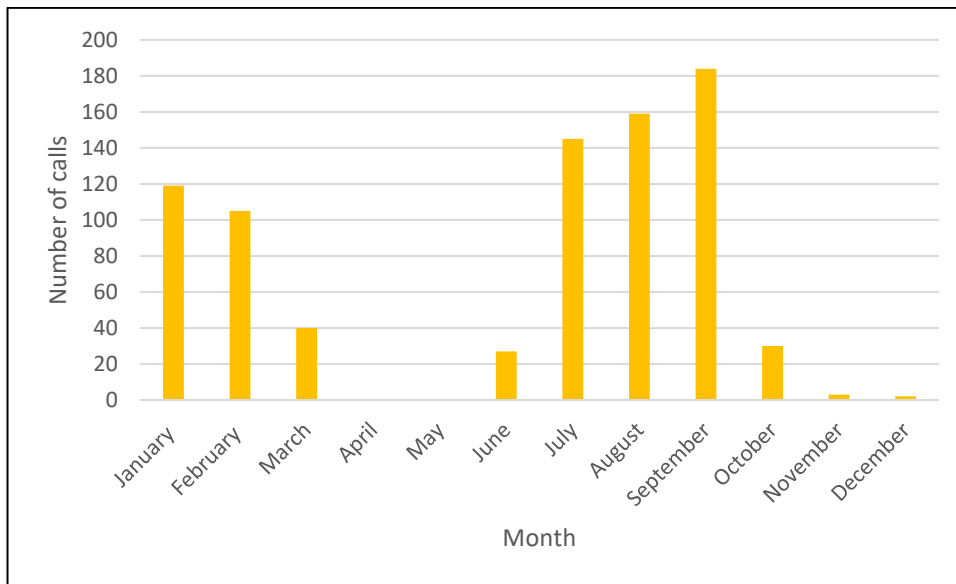
Other Requests

No.	Ref. Number	Reasons for Closing
15	VWPA/L&LE/O.COM/01/20	Authority cannot intervene since the case is hearing at Magistrate Court Gampaha.
16	VWPA/L&LE/O.COM/04/20	Not coming under the purview of the Act No 4 of 2015
17	VWPA/L&LE/O.COM/03/20	Not coming under the purview of the Act No 4 of 2015
18	VWPA/L&LE/O.COM/06/20	Not coming under the purview of the Act No 4 of 2015
19	VWPA/L&LE/O.COM/08/20	Not coming under the purview of the Act No 4 of 2015
20	VWPA/L&LE/O.COM/10/20	Not coming under the purview of the Act No 4 of 2015
21	VWPA/L&LE/O.COM/12/20	Not coming under the purview of the Act No 4 of 2015
22	VWPA/L&LE/O.COM/13/20	Advices has been given
23	VWPA/L&LE/O.COM/16/20	Not coming under the purview of the Act No 4 of 2015
24	VWPA/L&LE/O.COM/17/20	Not coming under the purview of the Act No 4 of 2015
25	VWPA/L&LE/O.COM/15/20	Not coming under the purview of the Act No 4 of 2015
26	VWPA/L&LE/O.COM/14/20	Further action cannot be taken under the Act No. 4 of 2015
27	VWPA/L&LE/O.COM/18/20	Since the complainant is a perpetrator Authority cannot interfere.
28	VWPA/L&LE/O.COM/19/20	Not coming under the purview of the Act No 4 of 2015
29	VWPA/L&LE/O.COM/20/20	Not coming under the purview of the Act No 4 of 2015
30	VWPA/L&LE/O.COM/21/20	Not coming under the purview of the Act No 4 of 2015
31	VWPA/L&LE/O.COM/22/20	Ongoing court case. Cannot interfere
32	VWPA/L&LE/O.COM/23/20	Not coming under the purview of the Act No 4 of 2015
33	VWPA/L&LE/O.COM/26/20	Not coming under the purview of the Act No 4 of 2015
34	VWPA/L&LE/O.COM/30/20	Not coming under the purview of the Act No 4 of 2015
35	VWPA/L&LE/O.COM/31/20	Not coming under the purview of the Act No 4 of 2015
36	VWPA/L&LE/O.COM/34/20	Not coming under the purview of the Act No 4 of 2015
37	VWPA/L&LE/O.COM/35/20	Not coming under the purview of the Act No 4 of 2015
38	VWPA/L&LE/O.COM/36/20	Not coming under the purview of the Act No 4 of 2015
39	VWPA/L&LE/O.COM/11/20	This complaint is based on the misunderstanding of actions taken to handover summon by police. Therefore Authority cannot interfere.

40	VWPA/L&LE/O.COM/28/20	Not coming under the purview of the Act No 4 of 2015
41	VWPA/L&LE/O.COM/29/20	Not coming under the purview of the Act No 4 of 2015
42	VWPA/L&LE/O.COM/33/20	Not coming under the purview of the Act No 4 of 2015
43	VWPA/L&LE/O.COM/38/20	This complaint is coming under the section 66 of primary Court Procedure Act and therefore Authority cannot interfere.
44	VWPA/L&LE/O.COM/41/20	Not coming under the purview of the Act No 4 of 2015

The details of the calls received to 1985, the hotline number to contact the Authority from January 2020 to December 2020 are as follows.

Month	No. of Calls
January	119
February	105
March	40
April	0
May	0
June	27
July	145
August	159
September	184
October	30
November	3
December	2
Total	814





PROTECTION DIVISION

From 1st January 2020 to 31 December 2020 , the number of complaints and requests forwarded to the Protection division from Legal and Law Enforcement division of National Authority for the Protection of Victims of a Crime and Witnesses are 52. Similarly, the Protection Division has taken necessary measures regarding the requests seeking protection which are not closed, received to the Authority from 2016 to 2019. The measures taken regarding the said complaints are as follows.

Year	Number of complaints	Ongoing Investigations	Number of complaints providing protection & protection provided		Closed Complaints		Laid by complaints		Referred to AG advice
			Number of complaints providing protection	Number of complaints protection provided	Number of complaints protection provided and closed	Closed Complaints	Number of complaints protection provided and Laid by	Laid by complaints	
2016	08	0	-	01	01	04	-	01	01
2017	15	0	01	-	01	11	-	02	-
2018	27	04	07	-	01	12	02	01	-
2019	91	25	25	02	01	32	01	05	-
2020	52	36	14	-	-	02	-	-	-
Total	193	65	47	03	04	61	03	09	01

The measures were taken to provide interim protection to the complaints which are being investigated out of the above complaints, until receiving the threat assessment reports regarding them.

As per the Act No.04 of 2015 of ASSISTANCE TO AND PROTECTION OF VICTIMS OF CRIME AND WITNESSES, the necessary actions regarding the Court and Commission orders are taken by the Protection division and for the year 2020, 38 commission order and 5 Court orders have been received to the Authority. At the same time, the necessary measures were taken in 2020 as well ,regarding the court and commission orders which are not closed, received from 2017 to 2019. The measures taken regarding the said orders are as follows.

Year	Number of Commissions orders	Number of Courts orders	Number of orders providing protection	Number of orders, advised to provide protection and forwarded for Threat Assessment Reports	Number of orders forwarded to Police Division for Threat Assessment Reports	Number of orders being providing protection since a threat has been revealed as per the threat assessment report	Number of orders, protection provided and Laid by	Number of orders, Laid by	Number of orders, reopened after Laid by	Number of orders, reopened after closing	Protection provided and closed
2016	-	-	-	-	-	-	-	-	-	-	-
2017	01	-	-	-	-	-	-	-	-	01	-
2018	02	-	-	-	-	-	-	-	01	-	01
2019	10	01	05	-	-	-	05	-	-	-	01
2020	38	05	09	17	02	02	02	11	-	-	-
Total	51	06	14	17	02	02	07	11	01	01	02

- In addition, as per the section 4(1) of the Act Act No:4 of 2015 on Assistance to and protection of victims of crime and witnesses, when a request was made by the Court to the Authority to pay the expenses incurred as a result of participating in judicial or quasi judicial proceedings from the protection fund, it was decided to pay not exceeding the maximum amount of five thousand Rupees, at the Management Board Meeting of the Authority, which was held in 15th November 2019. Two such requests were made in 2020 and money was provided for them.



POLICY & PROGRAMME DIVISION

In order to achieve the Mission and the Vision of the National Authority for the Protection of Victims of Crimes and Witnesses under the Act, No. 4 of 2015 (Section 13) Assistance To And Protection of Victims of Crime and Witnesses, the contribution of the Policy and Programme in providing special assistance regarding creating agendas to conduct awareness programmes for public including students about rights and entitlements of victims and witnesses during the year of 2020 are as follows.

1. Conducting Awareness Programmes

- An awareness programme on our Act No. 04 of 2015 was held on 9th January 2020 at Waters' Edge Hotel, Battaramulla with the participation of 86 Journalists and Heads of Media Institutions. The main sponsor of the event was UNDP and the our Authority did the organizing in collaboration with the Ministry of Mass Media and the event was held throughout the day with the resource contribution of the expertise in the field.
- Eventhough it was expected to conduct awareness programmes for Community correction, Child Right Development, Probationary Officers and for Police OICs of Crime, Minor Complaints, Women and Child in Western Province, those plans were in vain due to the Covid – 19 epidemic situation and absence of a Board of Management.
- A Board of Management for the Authority was appointed on November 2020 and a technical workshop was conducted on 19th December 2020 with the participation of the Board members, Directors of the Technical Divisions and the higher officials of the Police Protection Division in order to continue the functions of the Authority, smoothly. The chairman of the Authority, Board members and the Technical Specialist of UNDP contributed as the resource persons for this workshop by conducting lectures.

2. Distribution and Exhibition of posters to Schools, Police Stations and Court Premises

- 862 Posters in Sinhala and Tamil languages were distributed among all the National Schools (353) Island wide while creating awareness at the Principals' Conference and they are currently displayed at the School notice boards. In addition, 13,000 Sinhala and Tamil posters were distributed while meeting the Provincial Education Directors in charge of all local government schools (10, 366) (Except the Northern Province) and creating awareness among them and they are now on display at School Notice Boards.
- 2000 Sinhala and Tamil posters were distributed among all the Police stations island wide(492) after meeting Senior Deputy Inspector Generals (Except the Northern Province) and creating awareness, currently they are being displayed at the notice boards of those Police Stations.

- About 800 Sinhala and Tamil posters were distributed among 185 court complexes (District Courts, Magistrate Courts, etc.) and they are now on display at Notice Boards in Court premises.

3. Preparing the Annual Reports and presenting them to the parliament

- 40 hard copies and 260 Soft copies (CDs) of the 2017 Annual Report were sent to the parliament on January.
- The Annual Report of 2018 was prepared and presented to the Ministry of Justice and to the Cabinet in August.
- The Annual Report of 2019 was prepared and presented to the Cabinet in October 2020 via Ministry of Justice

4. Establishing Call Centre facility for 1985 Hotline Service

- The required facilities to establish the Call Center facility of the Authority are already prepared and UNDP has agreed to provide financial sponsorship for basic software and hardware items. However, it's necessary to get approval of the Board of Management of the Authority in this regard. Thus, it was decided to temporarily terminate this process.

5. Conducting research regarding Protecting and Assisting the Victims and Witnesses and Establishing a research centre

- Purchased necessary books and journals to establish a Research Centre.
- Contributed to the research conducted by UNDP in collaboration with the Department of Criminology, University of Sri Jayawardenapura.

6. Developing a website for the Authority

- A Concept Note, Proposal and Terms of Reference were prepared and given the technical contribution for the purpose.

An awareness programme for Journalists and Heads of Media Institutions on Act NO. 04 of 2015

Date - 9th January 2020

Venue - Waters' Edge Hotel, Battaramulla

Number of Officers - 86





FINANCE DIVISION

Financial Progress from 01st January 2020 to 31st December 2020

As per the Section 29 of the Act No. 04 of 2015 on Assistance To And Protection of Victims of a Crime and Witnesses, the Protection Fund of the Authority has been established and it was increased up to 10.87 Million Rupees by 31st December 2020.

The Summary Report on Capital & Recurrent Expenditures at 31st December 2020

Expenditure & Description	2020 Budget Estimation (January - December) (Rs.)	Amended Estimation at 2020.12.31 (Rs.)	Expenditure at 2020.12.31 (Rs.)	Balance / Exceedings (Rs.)	Balance / Exceedings (%)
1503 (Recurrent)	45,790,000.00	35,790,000.00	36,193,581.00	(403,581.00)	1.12%
2201 (Capital)	4,000,000.00	4,000,000.00	1,389,005.00	2,610,995.00	65.27%

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31.12.2020

ACCOUNTING POLICIES

1. CORPORATE INFORMATION

1.1. Domicile and Legal Form

National Authority for the Protection of Victims of Crime & Witnesses established by Assistance to and Protection of Victims of Crime & Witnesses Act No. 04 of the year 2015 by the parliament of Democratic Socialist Republic of Sri Lanka and expanding its area of services further, under the Ministry of Justice. The head office is located at No. 428/11 A, Denzil Kobbekaduwa Mawatha, Battaramulla, Sri Lanka.

1.2 Principal Activities and Nature of Operations

With the aspect of achieving the objects of the Act, the duties and the functions of the Authority are enlisted under Section 13 of Assistance to and Protection of Victims of Crime & Witnesses Act No. 04 of 2015.

1.3 The Number of Employees

The number of employees at the end of the year 2020 was 36.

2 BASIS OF PREPARATION

2.1 Statement of Compliance.

The financial statements of National Authority for the Protection of Victims of Crime & Witnesses comprise the Statement of Financial Position, Statement of Financial Performance, Statement of Cash Flow, Statement of Changes in Equity and Notes to the Financial Statements and other explanatory information. These statements are prepared in accordance with the Sri Lanka Public Sector Accounting Standards (SLPSAs) laid down by the Institute of Chartered Accountants of Sri Lanka (ICASL).

2.2. Basis of Measurement

The financial Statements have been prepared on the historical cost Basis.

No adjustments have been made for inflationary factors in the financial statements

2.2 Functional and presentation Currency.

These financial Statements are presented in Sri Lankan Rupees, which is the National Authority for the Protection of Victims of Crime & Witnesses functional currency.

3 SIGNIFICANT ACCOUNTING POLICIES

These accounting policies set out bellow have been applied consistently to all periods presented in these financial statements.

3.1. Property, Plant and Equipment

The cost of Property, Plant and Equipment is the cost of acquisition or construction together with any expenses incurred in bringing the asset to its working condition for its intended use. Subsequent to the initial recognition as an asset at cost, revalued assets are carried at revalued amount less any subsequent depreciation thereon. All other Property, Plant and Equipment are stated at cost less accumulated depreciation. Where an item of Property, plant and equipments comprises major components having different useful lives, they are accounted for as separate item of Property, plant and equipments.

The asset's residual values, useful lives and methods of depreciation are reviewed, and adjusted if appropriate, at each financial year end.

Property, Plant and Equipment- Received as Grant

Property, Plant and Equipment acquired under any grant are capitalized at cost.

Property, Plant and Equipment other than freehold land are stated at cost less accumulated depreciation. Free hold land is stated at cost.

Depreciation is charged on all Property, Plant and Equipment other than freehold land to write off the cost over the estimated useful lives.

Depreciation has been provided for the year on pro-rata basis.

Property, Plant and Equipment are depreciated on straight line method as mentioned below, further, that the all Property, Plant and Equipment have been accounted at cost method as prescribe in the **SLPSAS 7 - Property, Plant & Equipment**.

1. Computer & Accessories	25%
2. Furniture & Office Equipment	10%
3. Office Premises	4%
4. Soft Ware	25%
5. Others	10%.

An item of Property, Plant and Equipment is derecognized upon disposal or when no future economic benefit is expected from its use or disposal. Any gain or loss arising on de-recognition of the asset (Calculated as the difference between the net disposal proceeds and the carrying amount of the asset) is included in the income statement in the year the asset is derecognized.

Expenditure incurred on repairs or maintenance of Property, Plant and Equipment in order to restore or maintain future economic benefit expected from originally assessed standard of performance is recognized as an expense when incurred.

3.2 Inventories

The inventories used during the financial year had been charged to the income & expenditure statement at cost.

Balance stock has been valued at cost, selling price or net realizable value whichever is lower.

3.3. Cash and Cash equivalents

Cash and cash equivalents comprise cash in hand and held at bank.

3.4. Cash flow Statement

Cash flow Statement has been prepared using the indirect method.

3.5. Liabilities and Provisions

Liabilities are recognized in the balance sheet when there is a present obligation as a result of past events, the settlement of which is expected to result in an outflow of resources embodying economic benefits. Obligations payable at the demand of the creditors or within one year of the balance sheet date are treated as current liabilities in the Balance sheet.

Provision is recognized if, as a result of a past event, the National Authority for the Protection of Victims & Crime Witnesses has a present legal or constructive obligation that can be estimated reliably, and it is probable that an outflow of economic benefit will be required to settle the obligation.

3.6. Taxation

Tax expenses reported in the financial statement and computed in accordance with the provision of the Inland Revenue Act No.24 of 2017 and its amendments thereto.

3.7. Employee Benefits

I. Define Contribution Plan.

Obligation to define contribution plan are recognized as an expenses in the income statement as incurred. National Authority for the Protection of Victims of Crime & Witnesses contributes 12% and 3% of gross emoluments of employees to Provident Fund and Trust Fund respectively.

II. Define Benefit Plan

Gratuity is a define benefit plan. National Authority for the Protection of Victims of Crime & Witnesses is liable to pay gratuity in terms of the relevant statute. In order to meet this liability, a provision is carried forward in the balance sheet, equivalent to an amount calculated base on a half month's salary of the last of the financial year of all employees for each completed year of service, commencing from the first year of service.

Provision is made for retirement gratuity for all employees in respect of gratuity payable under the payment of gratuity Act No. 12 of 1983. This item is grouped under non current liabilities in the balance sheet.

According to The Treasury, a fund is not necessary, as they will grant the funds when required.

3.8. Funds of the Authority

As per Section 18 and Section 29 of the Act, the Authority has two (2) Funds.

1. Fund of the Authority

This fund should be credited

- all such money as may be voted from time to time by Parliament for the use of the authority and
- all such sums of money as may be received by the authority by way of donations, gifts, bequests, and grants from sources within or outside Sri Lanka.

Expenditure incurred by the Authority in the exercise and performance of its duties and functions under the Act, shall be paid out of Fund of the authority.

2. Protection Fund

There shall be paid into the Protection Fund

- all such sums as may be voted by the parliament for such fund;
- all such sums as may be received by the Authority to be remitted to the Protection Fund by the way of any gift, donation, contribution, bequest and grant from any local or foreign sources and
- all such monies remitted by the Court under subsection (1) (a) (ii) of section 28.

There shall be paid out of the Protection Fund as may be determined by the Board for the payments under subsection (4)(a) and (b) of section 29.

3.9. Revenue Recognition

3.9.1 Revenue Recognition

All such monies remitted by a Court under subsection (1) (a) (ii) of section 28 are accounted on receipt basis whilst interest and all other income are accounted on accrual basis.

3.9.2 Expenditure

All expenditure incurred in the running of the board has been accounted on accrual basis and all expenditure incurred in the acquisition, extension or improvement of assets of a permanent nature in order to carry on or increase the earning capacity of the Board has been treated as capital expenditure.

3.10. Comparative information

Where necessary, comparative figures have been rearranged to conform to the current year presentation.

3.11. Events occurring after balance sheet date

All material post balance sheet events have been considered and where appropriate adjustment or disclosures have been made in respective note to the financial statement.

3.12. Commitments and contingencies

Contingencies are possible assets or obligations that arise from a past event and would be confirmed only on the occurrence or non-occurrence of uncertain future events, which are beyond the Board's control.

3.13. Accounting of Grants

i. Government Grants

The accounting policy adopted for Government Grants including the methods of presentation are as follows.

- a. Government Grants for purchase of assets are recognized as income over the periods of useful life of the assets.
- b. Other grants received as well as expenses thereon have been incorporated in the Profit & Loss.

3.14. Investment

Under subsection (b) of section 14 describes, invest monies lying to the credit of its Fund in an appropriate and secure manner and open and maintain current, savings, or deposit accounts in bank.

In compliance with the Act, monies lying to the credit of its Fund will be invested in appropriate and secured financial instruments. Those investments will be accounted on cost basis while income generated from such investments will be accounted on accrual basis.

NATIONAL AUTHORITY FOR THE PROTECTION OF VICTIMS OF CRIME AND WITNESSES
STATEMENT OF FINANCIAL POSITION
AS AT 31ST DECEMBER 2020

	NOTE	2020 Rs	2019 Rs
ASSETS			
CURRENT ASSETS			
CASH IN HAND AND BANK	08	3,022,818	4,749,968
DEPOSITS	09	30,000	30,000
OTHER ASSETS	10	1,436,940	1,578,031
TOTAL CURRENT ASSETS		4,489,758	6,357,999
NON CURRENT ASSETS			
INVESTMENT	11	10,036,192	2,163,300
PROPERTY PLANT & EQUIPMENT	12	17,274,667	19,657,940
TOTAL NON CURRENT ASSETS		27,310,859	21,821,240
TOTAL ASSETS		31,800,617	28,179,239
LESS:			
LIABILITIES			
CURRENT LIABILITIES			
CURRENT LIABILITIES	13	1,571,290	1,238,653
TOTAL CURRENT LIABILITIES		1,571,290	1,238,653
NET CURRENT ASSETS		2,918,467	5,119,347
NON CURRENT LIABILITIES			
NON CURRENT LIABILITIES	14	1,999,175	1,033,949
TOTAL LIABILITIES		3,570,465	2,272,601
TOTAL NET ASSETS		28,230,151	25,906,638
FINANCED BY			
ACCUMULATED FUND	15	(1,687,777)	1,031,566
AUTHORITY PROTECTION FUND	16	30,870,309	3,963,140
GOVERNMENT GRANTS	17	14,475,118	14,800,284
UNDP GRANTS	18	4,572,501	6,105,648
		28,230,151	25,906,638


"The Accounting policies on pages 1 to 5 and notes on pages 10-15 form an integral part of these Financial Statements. The Board of Management is responsible for the preparation of presentation of these Financial Statements. These Financial Statements were approved by the Board of Management and signed on their behalf".


G.D.R. Perera
 Director (Finance)
 National Authority for the Protection of
 Victims of Crime and Witnesses


Dr. Neil Fernando
 Board Member


Udayakumar Amarasinghe
 Director General
 National Authority for the Protection of
 Victims of Crime and Witnesses


N.H.M.W.W.N. Herath
 Board Member


Suhada K. Gamalath, PC
 Chairman
Suhada K. Gamalath
 Chairman
 National Authority for the Protection of
 Victims of Crime and Witnesses

NATIONAL AUTHORITY FOR THE PROTECTION OF VICTIMS OF CRIME AND WITNESSES
STATEMENT OF FINANCIAL PERFORMANCE
FOR THE YEAR ENDED 31ST DECEMBER 2020

	NOTE	2020 Rs	2019 Rs
REVENUE	1		
GRANTS	1.1	34,498,500	38,964,130
OTHER INCOME	1.2	3,794,313	18,749,310
TOTAL REVENUE		38,292,813	57,713,440
OPERATING EXPENSES			
PERSONAL EMOLUMENTS	2	29,871,329	28,155,264
TRAVELLING EXPENSES	3	206,025	242,668
SUPPLIES & CONSUMABLE ITEMS	4	2,683,763	4,193,854
MAINTENANCE	5	2,555,493	3,458,610
CONTRACTUAL SERVICES	6	2,256,233	18,400,264
DEPRECIATION	7	3,439,313	2,719,015
TOTAL EXPENSES		41,012,156	57,169,675
SURPLUS / (DEFICIT) FOR THE PERIOD		(2,719,343)	543,765

NATIONAL AUTHORITY FOR THE PROTECTION OF VICTIMS OF CRIME AND WITNESSES
STATEMENT OF CASH FLOW FOR THE YEAR ENDED 31.12.2020

	2020	2019
	Rs	Rs
CASH FLOW FROM OPERATING ACTIVITIES		
SURPLUS/(DEFICIT) FOR THE YER	(2,719,343)	543,765
LESS : PROFIT ON SALE OF FIXED ASSETS	-	-
AMORTIZATION OF CAPITAL GRNT	(3,624,313)	(18,500,810)
ADD : DEPRECIATION FOR THE YEAR	3,439,313	2,719,015
PROVISION FOR GRATUITY	965,226	593,544
OPERATING SURPLUS/(DEFICIT) BEFORE WORKING CAPITAL	(1,939,117)	(14,644,486)
INCREASE/(DECREASE) OF INVENTORIES	327,997	(365,876)
INCREASE/(DECREASE) OF TRADE & OTHER RECEIVABLES	(186,906)	(52,435)
INCREASE OF PREPAYMENTS	-	(15,000)
INCREASE OF ACCRUED EXPENCES & PAYABLES	332,638	992,138
GRATUITY PAID DURING THE YEAR	-	-
	473,729	558,827
NET CASH FLOW FROM OPERATING ACTIVITIES	(1,465,388)	(14,085,658)
CASH FLOW FROM INVESTING ACTIVITIES		
PURCHASE OF FIXED ASSETS	(1,056,040)	(6,894,213)
PROCEEDS FROM SALE OF FIXED ASSETS	-	-
INVESTMENT	(7,872,892)	(2,163,300)
NET CASH FLOW FROM INVESTING ACTIVITIES	(8,928,931)	(9,057,513)
CASH FLOW FROM FINANCING ACTIVITIES		
NET RECEIPT OF INTERNAL FUNDS	6,907,169	3,407,340
CAPITAL GRANT	1,760,000	23,930,000
NET CASH FLOW FROM FINANCING ACTIVITIES	8,667,169	27,337,340
NET CASH USED	(1,727,150)	4,194,168
CASH & CASH EQUIVALENTS AS AT 01/01/2020	4,749,968	555,800
CASH & CASH EQUIVALENTS AS AT 31/12/2020	3,022,818	4,749,968

NATIONAL AUTHORITY FOR THE PROTECTION OF VICTIMS OF CRIME AND WITNESSES
STATEMENT OF CHANGES IN EQUITY
FOR THE YEAR ENDED 31ST DECEMBER 2020

	FUNDS	GRANTS	ACCUMILATED FUND & RESERVES	TOTAL
	(RS)	(RS)	(RS)	(RS)
BALANCE AS AT 1ST JANUARY 2019	555,800	15,482,742	487,801	16,526,343
CHARGED DURING THE YEAR	-	23,930,000	543,765	24,473,765
TRANSFERS DURING THE YEAR	3,407,340	(18,500,810)	-	(15,093,470)
BALANCE AS AT 31ST DECEMBER 2019	3,963,140	20,911,932	1,031,566	25,906,638
BALANCE AS AT 1ST JANUARY 2020	3,963,140	20,911,932	1,031,566	25,906,638
CHARGED DURING THE YEAR	-	1,760,000	(2,719,343)	(959,343)
TRANSFERS DURING THE YEAR	6,907,169	(3,624,313)	-	3,282,856
BALANCE AS AT 31ST DECEMBER 2020	10,870,309	19,047,619	(1,687,777)	28,230,151

NOTES TO THE FINANCIAL STATEMENTS

NOTE 01	2020	2019
INCOME	RS	RS
1.1- GRANTS		
<u>GOVERNMENT GRANT - RECURRENT</u>		
RECEIVED DURING THE YEAR	34,498,500	38,964,130
RETURNED DURING THE YEAR	-	-
	34,498,500	38,964,130
1.2 - OTHER INCOME		
<u>SUNDRY INCOME</u>		
RECEIVED DURING THE YEAR	170,000	248,500
RETURNED DURING THE YEAR	-	-
	170,000	248,500
<u>DIFFERED REVENUE</u>		
DIFFERED REVENUE-GOVT.GRANT	2,091,166	4,063,684
DIFFERED REVENUE-UNDP GRANT	1,533,147	14,437,126
	3,624,313	18,500,810
TOTAL INCOME	38,292,813	57,713,440

**** The "Authority" was allocated Rs. 45,790,000.00 as Recurrent Allocation for 2020. But only Rs.35,790,000.00 was required as recurrent expenses during the year 2020 and the balance amount of Rs.10,000,000.00 was reallocated to the Line Ministry.**

NOTE 02	2020	2019
EXPENCES	RS	RS
PERSONAL EMOLUMENTS		
SALARIES & WAGES	17,748,718	14,269,541
EPF	2,465,150	2,095,156
ETF	616,287	523,789
OVERTIME & HOLIDAY PAYMENT	442,605	1,156,276
GRATUITY	965,226	593,544
ACTING ALLOWANCE	-	52,210
TRAVELLING ALLOWANCE	2,561,000	1,833,871
FUEL ALLOWANCE	1,198,902	1,135,290
COST OF LIVING ALLOWANCE	3,258,840	3,055,516
ADJUSTED ALLOWANCE	-	391,921
PROFESSIONAL ALLOWANCE	275,600	288,000
BOAR ALLOWANCE	229,000	1,828,000
OTHER ALLOWANCE	-	832,151
TRAINEE ALLOWANCE	110,000	100,000
TOTAL	29,871,329	28,155,264

NOTE 03	2020	2019
TRAVELLING EXPENCES	RS	RS
DOMESTIC TRAVELLING	206,025	214,217
FOREIGN TRAVELLING	-	28,451
TOTAL	206,025	242,668

NOTE 04	2020	2019
SUPPLIES & CONSUMABLE ITEMS	RS	RS
PRINTING & STATIONERY	526,887	1,297,649
FUEL & LUBRICANT	987,979	1,483,234
UNIFORM	36,000	36,000
ENTERTAINMENT	264,547	552,912
ADVERTISING	648,961	736,362
NEWS PAPERS	14,350	14,520
SUPPLY OTHERS	205,039	73,177
TOTAL	2,683,763	4,193,854

NOTE 05	2020	2019
MAINTANANCE	RS	RS
MAINTENANCE EXPENDITURES - VEHICLES	1,811,849	2,282,640
MAINTENANCE EXPENDITURES - PLANT, MACHINERY & EQUIP.	700,155	841,708
MAINTENANCE EXPENDITURES - BUILDING & STRUCTURE	43,489	334,262
TOTAL	2,555,493	3,458,610

NOTE 06	2020	2019
CONTRACTUAL SERVICES	RS	RS
TRANSPORT	17,650	24,548
TELECOMMUNICATION	744,213	764,853
POSTAL CHARGES	66,555	74,210
BANK CHARGES	-	8,511
CLEANING CHARGES	808,117	970,507
SERVICE OTHERS-GOVT. AWARENESS PROGRAMMES	-	2,869,192
SERVICE OTHERS-UNDP. AWARENESS PROGRAMMES	-	12,912,603
SERVICE OTHERS - AUDIT CHARGES	321,278	744,941
SERVICE OTHERS-OTHERS	298,419	30,899
TOTAL	2,256,233	18,400,264

NOTE 07	2020	2019
DEPRECIATION	RS	RS
OFFICE PREMISES REHABILITATION-GOVT. GRANT	91,855	81,685
FURNITURE & OFFICE EQUIPMENT-GOVT. GRANT	940,885	753,979
FURNITURE & OFFICE EQUIPMENT-UNDP GRANT	341,507	341,507
COMPUTERS . & ACCESSORIES-GOVT. GRANT	702,120	299,524
COMPUTERS . & ACCESSORIES-UNDP GRANT	1,162,900	1,162,900
SOFTWARE DEVELOPMENT-GOVT. GRANT	171,307	59,305
OTHERS-UNDP GRANT	28,740	20,116
TOTAL	3,439,313	2,719,015

NOTES TO THE FINANCIAL STATEMENTS

NOTE 08	2020	2019
CASH IN HAND AND BANK	RS	RS
BOC-C/A-81479591	2,270,578	2,927,563
BOC-AUTHORITY FUND C/A-81624249	752,240	1,822,405
PETTY CASH	-	-
TOTAL	3,022,818	4,749,968

NOTE 09	2020	2019
DEPOSITS	RS	RS
REFUNDABLE DEPOSITS - FUEL	30,000	30,000
TOTAL	30,000	30,000

NOTE 10	2020	2019
OTHER ASSETS	RS	RS
INTEREST RECEIVABLE -FIXED DEPOSIT	81,877	52,435
ADVANCE -WEB DESIGNING	157,464	-
STOCKS	1,197,599	1,525,596
TOTAL	1,436,940	1,578,031

NOTE 11	2020	2019
INVESTMENTS	RS	RS
INVESTMENT - FIXED DEPOSITS	10,036,192	2,163,300
TOTAL	10,036,192	2,163,300

NOTE 12

NATIONAL AUTHORITY FOR THE PROTECTION OF VICTIMS OF CRIME AND WITNESSES
FIXED ASSETS AS AT 31ST DECEMBER 2020

PARTICULARS	OFFICE PREMISES	FURNITURE & OFFICE EQUIPMENT	COMPUTERS	SOFTWARE	OTHERS	TOTAL
	RS	RS	RS	RS	RS	RS
COST AS AT 01 JANUARY 2020	2,285,878	12,822,013	7,458,600	685,226	287,397	23,539,114
ADDITIONS	85,050	323,321	539,997	-	107,672	1,056,040
DISPOSALS	-	-	-	-	-	-
COST AS AT 31 DECEMBER 2020	2,370,928	13,145,334	7,998,597	685,226	395,069	24,595,153
ACC. DEP. AS AT 01 JANUARY 2020	114,117	1,652,955	2,030,516	63,470	20,116	3,881,174
DEPRECIATION	91,855	1,282,392	1,865,020	171,307	28,740	3,439,313
DISPOSALS	-	-	-	-	-	-
ACC.DEP. AS AT 31 DECEMBER 2020	205,972	2,935,347	3,895,536	234,776	48,855	7,320,487
W.D.V AS AT 01 JANUARY 2020	2,171,761	11,169,058	5,428,084	621,756	267,281	19,657,940
W.D.V AS AT 31 DECEMBER 2020	2,164,956	10,209,987	4,103,061	450,450	346,213	17,274,667

** REHABILITATION AND IMPROVEMENTS TO THE BUILDING AND STRUCTURE UNDER FIXED ASSETS HAS BEEN RENAMED AS REHABILITATION AND IMPROVEMENTS TO THE OFFICE PREMISES

** MOTOR VEHICLES, PLANT & MACHINERY DETAILS ARE NOT REPRESENTED UNDER FIXED ASSETS SINCE THE "AUTHORITY" DOESN'T HAVE THEM ITS OWN.

NOTES TO THE FINANCIAL STATEMENTS

NOTE 13	2020	2019
OTHER LIABILITIES	RS	RS
ACCURED EXPENSES - OTHER ALLOWANCE	14,500	-
ACCURED EXPENSES - OVERTIME	77,270	76,966
ACCURED EXPENSES - TRAVELLING DOMESTIC	34,625	26,850
ACCURED EXPENSES - FUEL	53,026	114,324
ACCURED EXPENSES - TELECOMMUNICATION	70,847	63,640
ACCURED EXPENSES - HOLIDAY PAYMENTS	3,873	21,866
ACCURED EXPENSES - NEWS PAPER	-	2,400
ACCURED EXPENSES - VEHICLE REPAIRS	44,655	13,927
ACCURED EXPENSES - CLEANING	76,720	82,858
ACCURED EXPENSES - TRANSPORT	-	1,200
ACCURED EXPENSES - ENTERTAINMENT	5,080	-
ACCURED EXPENSES - ADVERTISING	535,075	-
ACCURED EXPENSES - OTHERS	-	3,000
REFUNDABLE DEPOSITS	11,680	86,680
PROVISION-AUDIT CHARGES	643,939	744,941
TOTAL	1,571,290	1,238,652

NOTE 14	2020	2019
NON CURRENT LIABILITIES	RS	RS
GARUAIITY PAYABLE (Note 14 (1))	1,999,175	1,033,949
TOTAL	1,999,175	1,033,949

NOTE 14(1)	2020	2019
GRATUITY	RS	RS
BALANCE AT THE BEGINNING OF THE YEAR	1,033,949	440,404
CHARGE FOR THE YEAR	965,226	593,544
GRATUITY PAID DURING THE YEAR	-	-
TOTAL	1,999,175	1,033,948

NOTES TO THE FINANCIAL STATEMENTS

NOTE 15	2020	2019
ACCUMILATED FUND	RS	RS
OPENING BALANCE	1,031,566	487,801
SURPLUS / (DEFICIT) FOR THE YEAR	(2,719,343)	543,765
TOTAL	(1,687,777)	1,031,566

NOTE 16	2020	2019
AUTHORITY PROTECTION FUND	RS	RS
OPENING BALANCE	3,963,140	555,800.00
TRANSFER DURING THE YEAR	6,907,169	3,407,340
TOTAL	10,870,309	3,963,140

NOTE 17	2020	2019
GOVERNMENT CAPITAL GRANTS	RS	RS
OPENING BALANCE	14,806,284	8,139,968
RECEIVED DURING THE YEAR	1,760,000	10,730,000
RETURNED DURING THE YEAR	-	-
DIFFERED DURING THE YEAR	(2,091,166)	(4,063,684)
TOTAL	14,475,118	14,806,284

NOTE 18	2020	2019
UNDP CAPITAL GRANTS	RS	RS
OPENING BALANCE	6,105,648	7,342,774
RECEIVED DURING THE YEAR- UNDP FIXED ASSETS GRANT	-	287,397
RECEIVED DURING THE YEAR- UNDP CAPITAL GRANT	-	12,912,603
RETURNED DURING THE YEAR	-	-
DIFFERED DURING THE YEAR	(1,533,147)	(14,437,126)
TOTAL	4,572,501	6,105,648

NATIONAL AUTHORITY FOR THE PROTECTION OF VICTIMS OF CRIME AND WITNESSES
INVESTMENT SCHEDULE
AS AT 31.12.2020

INVESTEE/ BANK	CERTIFICATE NO.	INVESTMENT										INTEREST RECEIVABLE (RS)							
		DATE OF		Maturity	NEW INVESTMENT		FACE VALUE (OLD) (RS)	INVESTED AMOUNT (RS)	PERIOD	INT. RATE P.A	TOTAL INTEREST RECEIVABLE (RS)	MATURITY VALUE (RS)	NET INTEREST RECEIVABLE (RS)	NET MATURITY VALUE (RS)	2020		2021		TOTAL
		INVESTMENT			NEW INTEREST RECEIVED (RS)	NEW COLLECTION (RS)									2020	2021			
SMIB	F/010/04/0023102	5-Oct-2020	5-Oct-2021	214,400	1,822,405	2,163,300	4,200,105	12months	6.25%	262,507	4,462,612	262,507	4,462,612	62,570	199,937	62,570	199,937	262,507	
SMIB	F/010/04/0023263	10-Dec-2020	10-Dec-2021	-	5,836,087	-	5,836,087	12months	5.75%	335,575	6,171,662	335,575	6,171,662	19,307	316,268	19,307	316,268	335,575	
				214,400	7,658,492	2,163,300	10,036,192			598,082	10,634,273	598,082	10,634,273	81,877	516,204	81,877	516,204	598,082	

NATIONAL AUTHORITY FOR THE PROTECTION OF VICTIMS OF CRIME AND WITNESSES
INCOME & EXPENDITURE STATEMENT- AUTHORITY PROTECTION FUND
YEAR ENDED 31ST DECEMBER 2020

DESCRIPTION	TOTAL RS.
<u>INCOME FROM COURT PROCEEDURES</u>	
PENALTY COLLECTION	6,681,270
TOTAL COLLECTION (A)	6,681,270
ADD - INTEREST INCOME	243,842
TOTAL INTEREST (B)	243,842
LESS- EXPENDITURE	
BANK CHARGES	-
COMPENSATION	(17,943)
WHT EXPENCE	-
TOTAL EXPENDITURE (C)	(17,943)
NET BALANCE (A) + (B) + (C)	6,907,169

NATIONAL AUTHORITY FOR THE PROTECTION OF VICTIMS OF CRIME AND WITNESSES
STATEMENT OF FINANCIAL POSITION- AUTHORITY PROTECTION FUND
AS AT 31ST DECEMBER 2020

	2020 Rs	2019 Rs
ASSETS		
CURRENT ASSETS		
CASH IN HAND AND BANK- C/A 81624249	752,240	1,822,405
FIXED DEPOSIT INTEREST RECEIVABLE	81,877	52,435
TOTAL CURRENT ASSETS	834,117	1,874,840
NON CURRENT ASSETS		
INVESTMENT	10,036,192	2,163,300
TOTAL NON CURRENT ASSETS	10,036,192	2,163,300
TOTAL ASSETS	10,870,309	4,038,140
LESS:		
LIABILITIES		
CURRENT LIABILITIES		
REFUNDABLE DEPOSIT	-	75,000
TOTAL CURRENT LIABILITIES	-	75,000
NET CURRENT ASSETS	834,117	1,799,840
NON CURRENT LIABILITIES	-	-
TOTAL LIABILITIES	-	75,000.00
TOTAL NET ASSETS	10,870,309	3,963,140
FINANCED BY		
AUTHORITY PROTECTION FUND	10,870,309	3,963,140
	10,870,309	3,963,140

Director General,

National Authority for the Protection of Victims of Crime and Witnesses

Report of the Auditor General on the Financial Statements and Other Legal and Regulatory Requirements of the National Authority for the Protection of Victims of Crime and Witnesses for the year ended 31 December 2020 in terms of Section 12 of the National Audit Act, No. 19 of 2018.

1. Financial Statements

1.1 Opinion

The audit of financial statements of the National Authority for the Protection of Victims of Crime and Witnesses for the year ended 31 December 2020 comprising of the statement of financial position as at 31 December 2020 and the statement of financial performance, statement of changes in equity and cash flow statement for the quarter then ended, and a summary of significant accounting policies and other explanatory information, was carried out under my direction in pursuance of provisions in Article 154(1) of the Constitution of the Democratic Socialist Republic of Sri Lanka read in conjunction with provisions of the National Audit Act No. 19 of 2018 and Finance Act No. 38 of 1971. My report to Parliament under the provisions in Article 154(6) of the Constitution will be tabled in due course

In my opinion, the accompanying financial statements give a true and fair view of the financial position of the Authority as at 31 December 2020 and of its financial performance and its cash flows for the year then ended in accordance with *Sri Lanka* Public Sector Accounting Standards.

1.2 **Basis for Opinion**

I conducted my audit in accordance with Sri Lanka Auditing Standards (SLAuSs). My responsibilities, under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of my report. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion

1.3 **Other Information Included in the Annual Report 2020 of the Authority**

The other information means the information included in the 2020 Annual Report of the Authority which I obtained prior to the date of this report, but not contained in the Financial Statements and my audit report thereon. Management is responsible for this other information.

My opinion on financial statements does not cover the other information and I do not express any assurance or opinion about them.

My responsibility in connection with my audit of financial publications is to study the above identified other information and evaluate whether the other information is substantially mismatched with the financial statements or my knowledge gained in auditing or another manner.

Based on the information I received prior to the date of this auditor's report and the measures I have taken, if I conclude that this other information is substantially incorrect, I should report that matter. I have found nothing to report in this connection.

1.4 **Responsibilities of Management and Those Charged with Governance for the Financial Statements**

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

In preparing the financial statements, management is responsible for assessing the Authority's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intend to liquidate the Authority' or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Authority's financial reporting process.

As per Sub-section 16(1) of the National Audit Act No. 19 of 2018, the Authority is required to maintain proper books and records of all its income, expenditure, assets and liabilities, to enable annual and periodic financial statements to be prepared of the Authority.

1.5 Auditor's Responsibilities for the Audit of the Financial Statements

My objective is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Sri Lanka Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Sri Lanka Auditing Standards, I exercise professional judgment and maintain professional scepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those

risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the management.
- Conclude on the appropriateness of the management's use of the going concern basis of accounting and based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Authority's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the Authority to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with those charged with governance regarding, among other matters, significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

2. Report on Other Legal and Regulatory Requirements

2.1 National Audit Act, No. 19 of 2018 includes specific provisions for following requirements.

2.1.1 I have obtained all the information and explanation that required for the audit and as far as appears from my examination, proper accounting records have been kept by the Authority as per the requirement of *Section* 12 (a) of the National Audit Act, No. 19 of 2018.

2.1.2 The financial statements presented is consistent with the preceding year as per the requirement of section 6 (1) (d) (iii) of the National Audit Act, No. 19 of 2018.

2.1.3 The financial statements presented includes all the recommendations made by me in the previous year as per the requirement of section 6 (1) (d) (iv) of the National Audit Act, No. 19 of 2018.

2.2 Based on the procedures performed and evidence obtained were limited to matters that are material, nothing has come to my attention;

2.2.1 to state that any member of the governing body of the Authority has any direct or indirect interest in any contract entered into by the Authority which are out of the normal cause of business as per the requirement of section 12 (d) of the National Audit Act, No. 19 of 2018.

2.2.2 to state that the Authority has not complied with any applicable written law, general and special directions issued by the governing body of the Authority as per the requirement of section 12 (f) of the National Audit Act, No. 19 of 2018 except for the following observations.

(a) In terms of Section 2 (i) of the Assets Management Circular No.02/2017 dated 21 December 2017, action should be taken to solve the issues relating to the registered

ownership of the vehicles owned by the Government. Nevertheless, action had not been taken accordingly in connection with 08 vehicles given to the Authority by the Ministry of Justice.

- (b) For the development of human resources in the Government Sector, a human resource development plan had not been prepared in terms of Public Administration Circular No.02/2018, training opportunities not less than minimum of 12 hours had not been ensured for each member of the staff.

2.2.3 to state that the Authority has not performed according to its powers, functions and duties as per the requirement of section 12 (g) of the National Audit Act, No. 19 of 2018 except for the following observation.

- (a) In terms of Section 13 (1) (f) of the Assistance to and Protection of Victims of Crime and Witnesses Act, although a scheme for payment of compensation to the victims from the Fund established under section 29 of the Act should be developed and implemented, action had not been taken accordingly.

- (b) Further, in terms of Section 13 (1) (q) of the Act, although a scheme should be developed, adopted and implemented for providing assistance and protection to victims of crime and witnesses, action had not been taken accordingly.

2.2.4 to state that the resources of the Authority had not been procured and utilized economically, efficiently and effectively within the time frames and in compliance with the applicable laws as per the requirement of section 12 (h) of the National Audit Act, No. 19 of 2018.

3. Other Matters

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- (a) The total number of complaints received by the Authority during the period from 2016 to 2020 was 556 and total of 226 complaints had been concluded. The number of complaints that remained uncompleted by the end of 05 years was 290 and it represented 52 per cent of the total number of received complaints.
- (b) In terms of Section 29 (4) of the Assistance to and Protection of Victims of Crime and Witnesses Act, the compensation to victims of crime and the compensation to dependents on a victim of crime is considered as the expenditure, and to enable victims of crime to obtain compensation from persons convicted of having committed offences against them is considered as one of the objects of the Authority. Nevertheless, the fines collected during the year under review was Rs.6,681,270 and a sum of Rs.17,943 only had been paid to 04 persons as expenditure for the protection of victims and witnesses in terms of Section 29 (4) of the Act. Accordingly, it was problematic as to whether the procedure related to the protection of victims and witnesses was implemented properly.
- (c) According to the Action Plan,2019, plans had been drawn to develop and establish an automated management system in the Authority, whereas it had not been implemented even by 27 April 2020. Similarly, although the task relating to the recruitment of necessary staff for the Assistance and Protection Division which is essential for the achievement of objectives of the Authority had been included in the Action Plans of the year 2019 and 2020, relevant recruitments had not been made.
- (d) The Citizens'/Clients' Charter introduced by the Ministry of Public Administration and Management Circular No.05/2008 dated 06 February 2008 as amended by the Circular No.05/2008(1) dated 24 January 2018 had not been implemented even by 20 April 2021.

- (e) There was a possibility to receive financial assistance from the UNDP to purchase necessary software and hardware for the establishment of Call Centre facilities for the 1985 speed dial service currently operated in the Authority and as a Board of Management had not been appointed for the period from 2019 to 2020 and approval could not be obtained, the Authority had been deprived of that financial assistance.

- (f) The development of guidelines for the establishment and maintenance of Assistance and Protection Division scheduled to be completed in the year 2019 under the second phase of the United Nations Development Programme and assisting the Authority to formulate a standardized protocol for the assistance and protection programmes had not been carried out even by the end of the year under review.

- (g) The approved cadre of the Authority was 56 and the actual cadre as at 31 December 2020 was 31. Accordingly, the Authority had failed to recruit officers for 15 posts which are directly influential for the performance of functions of the Authority

W.P.C.Wickramaratne
Auditor General.