

Towards Effective Judicial Review Mechanism: Comparative Insights into Supreme Court Contempt Decisions

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The Contempt of Court, Tribunal, or Institution Act, No. 8 of 2024 was introduced to standardise procedures and clarify punitive measures for contempt convictions in Sri Lanka. However, critical deficiencies persist within the Act, particularly the lack of avenues for judicial remedies against Supreme Court verdicts on contempt charges, which remains a pivotal issue. Drawing on comparative analysis with the legal frameworks of the United Kingdom and India, the research underscores the effectiveness of their review mechanisms in ensuring accountability and preventing potential miscarriages of justice in contempt convictions. The research proposes constitutional amendments in Sri Lanka to institute a similar review mechanism tailored to the nation's legal landscape. By adopting such provisions, Sri Lanka can mitigate the risk of miscarriages of justice, uphold judicial integrity, and reinforce public confidence in the judiciary. This paper examines the feasibility and implications of introducing these reforms, emphasizing their potential to enhance the judiciary's credibility and contribute to a more equitable legal system. Methodologically, the study employs a comparative approach, analysing legislative enactments, case law, and scholarly literature from Sri Lanka, the UK, and India. It evaluates the operational aspects and institutional requirements necessary for implementing a strong review mechanism, offering insights into achieving a balanced judicial framework conducive to justice and accountability.

Keywords: *Contempt of Court, Appeal, Judicial Review, Miscarriage of Justice, Fairness*