

Here is the full text of the speech titled ‘Minds That Matter – From Courtrooms and Universities’ delivered by Judge of the Supreme Court, Justice Janak De Silva as Chief Guest at the inauguration of the 22nd Annual Academic Sessions of the Sri Lanka College of Psychiatrists.

When I received the invitation, my first thought was: They must have mistaken me for someone with a psychiatrist’s ability to cure.” But then I remembered – I am a lawyer. We cause the stress that psychiatrists treat. So perhaps this is poetic justice.

The work you do is not just noble – it is essential to the mental health, stability, and ultimately the justice of our society.

A topic that is close to my profession is judicial well-being. We often imagine judges as stoic, wise, unshakeable figures, armed with gavels and an unflinching sense of right and wrong. But the reality is, under those robes are human beings – vulnerable, overworked and often isolated due to the demands of office. They have to face the crossfire of stressors on a daily basis from distressing case content to hostile media and public criticism sometimes lacking awareness of the true facts and the correct legal position.

We speak often about justice being blind – but rarely about justice being stressed, isolated or emotionally burdened. Judges, by the very nature of their office, are expected to embody impartiality, wisdom and resilience. But they are also human. They endure long hours, harrowing decisions, public scrutiny and often a deep sense of solitude.

Recently Australia conducted its first empirical research measuring judicial stress and well-being with the participation of 152 judges and magistrates from five Australian courts. On a widely-used measure of psychological distress, 52.9% of judges reported levels of distress in the moderate to very high ranges compared to 43.8% of barristers, 63.6% solicitors and 32.7% of the general population. On a validated measure of secondary traumatic stress, 30.4% of Australian judges scored in the range suggestive of likely post-traumatic stress disorder (PTSD) compared with the 12-month population prevalence of PTSD in Australia being 4.4%.

Empirical research from other parts of the world shows similar patterns. In the 2024 Judicial Attitudes Survey of the United Kingdom, all members of the judiciary were asked: How much stress connected with your job as a judicial office holder have you experienced over the past two years? Only 1% of salaried judges; 6% of fee-paid judicial office holders and 0.6% of coroners reported experiencing no stress connected to their job as a judge. Within the salaried judiciary and coroners, Senior Coroners reported the highest stress levels (46% in the extreme stress range), followed by Circuit Judges and High Court (Family) Judges (32% with extreme stress); High Court (King's Bench) Judges (28% extreme stress) and Senior Circuit Judges (27%). Almost a quarter of Area Coroners, District Judges, First Tier Tribunal and Upper Tribunal Judges also reported extreme stress levels due to their work in the last two years. Amongst fee-paid office holders, the highest rates of self-declared stress were amongst First Tier Tribunal Judges and Upper Tribunal Judges with both at 10% high/extreme stress rating.

These findings collectively suggest that judicial officers experience elevated occupational stress, symptoms of burnout and secondary trauma. In South Asia, we are not immune. Our judicial system is under constant pressure: backlog of cases, limited resources, public scrutiny and the emotional burden of decision-making.

Imagine having to decide daily which parent loses custody of a child, which child gets the property of the deceased parents, who goes to prison, how much should a person be paid for serious injuries suffered due to an accident or whether the termination of the services of an employee is just and equitable. Judges are expected to carry the burden of others' traumas, while suppressing their own. The robes do not come with armour.

The Nauru Declaration on Judicial Well-being played a pivotal part in raising international awareness on judicial well-being. It was drafted by an international committee of judges and experts and adopted at a Regional Conference on Integrity and Judicial Well-being.

The declaration contained seven principles of judicial well-being. They are: judicial well-being is essential and must be recognized and supported; judicial stress is not a weakness and must not be stigmatized; judicial well-being is a responsibility of individual judges and judicial institutions; judicial well-being is

supported by an ethical and inclusive judicial culture; promoting judicial well-being requires a combination of awareness-raising, prevention and management activities; judicial well-being activities must suit the unique circumstances and requirements of national jurisdictions; and judicial well-being is enhanced by human rights.

This initiative led to a resolution being moved in the UN General Assembly led by Nauru and co-sponsored by 70 countries resulting in the GA voting on March 4, 2025 to declare July 25 as the International Day for Judicial Well-being. It sent out a strong signal to the world that judicial well-being is important enough that it should be commemorated annually in an official international day.

Let me now shift focus to another form of trauma – ragging in academic institutions. If the judiciary shapes the rules of society, the university shapes its citizens.

For a nation that takes pride in academic excellence, it is a national shame that brilliant young minds enter universities with dreams and too often leave with scars. One of the ironies of our time is that universities, which should be the safest spaces for free thinking and growth, are sometimes where the deepest wounds are inflicted never to be healed.

I once heard a student say, “Ragging taught me to be strong.” That’s like saying drowning teaches you how to swim. No – it teaches you how to choke. Ragging is not character-forming. It is, in most cases, structured humiliation, coercive conformity, and sometimes, outright psychological and physical abuse.

Law can act as a tool of social change. The Prohibition of Ragging and Other Forms of Violence in Educational Institutions Act No. 20 of 1998 was enacted to eliminate ragging and other forms of violence and cruel, inhuman and degrading treatment, from educational institutions. More than a quarter of a century after its enactment, we still continue to hear stories – some whispered, some screamed – of brutalization in the name of ragging.

We need a cultural shift in the seats of higher learning – where seniors earn respect through mentorship not fear, where human dignity replaces inferiority complexes and where human love drowns the screams of the fiends.

Ragging in any form is not ‘team-building’ and must be condemned in the strongest terms. Ragging is not a rite of passage. It is a rite of pain.

As psychiatrists, you often see the aftermath. As a society, we must prevent the cause. We need multi-pronged reforms:

- Institutional accountability – universities must be held responsible, not just students.
- Legal action – we must use the Prohibition of Ragging and other Forms of Violence in Educational Institutions Act No. 20 of 1998 not just as a deterrent but as a declaration of zero tolerance.

We need mental health first responders in campuses, trained peer support and anonymous complaint channels.

The Supreme Court recently in ‘Priyadarshani Silva and Another v. University Grants Commission and Others’ observed that one of the reasons ragging in universities continued for several years is the silence of the university staff members. It went on to set out several guidelines to combat ragging in higher educational institutions. One guideline was to establish a victim support committee for victims of ragging including a qualified counsellor and/or clinical psychologist.

Judges in their chambers and students in their hostels might seem worlds apart, but the common thread is this: mental health is not a luxury – it is a right.

In both courts and campuses, we are fighting silent battles – unspoken depression, repressed trauma, systemic neglect.....and to all the psychiatrists in the room, I say: you are not just treating individuals. You are safeguarding the conscience of our nation.

I urge the college to partner with the judiciary for mental wellness training. Work with the UGC and the Higher Education Ministry to create anti-ragging mental health protocols. Offenders need psychological evaluation, not just suspension. Victims need therapy, not just token reassurance.

Advocate publicly. Speak not just in journals but on media platform. We need the psychiatric voice in public policy. We need research that links public

systems to psychological outcomes. And most of all, we need the courage to speak where silence has ruled for too long.

Mental health does not belong in the shadows of the clinic. It belongs in Parliament, in courthouses, in lecture halls, in families.

In lighter vein, a judge, a psychiatrist and a professor walk into a bar. The bartender says: “What’s this, a trauma support group?”

Well, perhaps it should be! The truth is, we are all dealing with something. And the work you do allows so many of us to breathe, to heal, to live.

So, thank you for your service. Thank you for the lives you protect – not just with pills or papers, but with compassion and courage. And may we build a Sri Lanka where justice is not a burden, but a joy; where education is not a trauma, but a triumph; and where mental health is not whispered, but celebrated.