



ENSURING **QUICK JUSTICE**

in family courts

Procedural Bottlenecks

Recommendations from the
National Workshop

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Ensuring quick justice in family courts: Procedural bottlenecks**

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This publication is dedicated to all justice-seekers and changemakers working to ensure timely and fair justice for every individual in Bangladesh.

Acknowledgement



The successful completion of this report, which presents a comprehensive roadmap for reforming the Family Court system in Bangladesh, has been made possible through the collective wisdom, dedication, and collaboration of numerous individuals and institutions. We extend our heartfelt gratitude to all who generously contributed their time, knowledge, and expertise.

Foremost, we convey our sincere appreciation to the judges and legal professionals from 51 districts across Bangladesh who participated in the five divisional workshops. Their active engagement, insightful deliberations, and practical, experience-based recommendations on summons reform, decree execution, legislative amendments, and technological integration form

the cornerstone of this policy briefing. Their contributions are vital to strengthening the family justice system. We particularly acknowledge the valuable inputs of 117 judges and 10 lawyers, including District and Sessions Judges, judges of the Nari O Shishu Tribunal, and other judicial and administrative officials.

We also express our profound gratitude to the Honourable Chief Justice of Bangladesh, Justice Syed Refaat Ahmed, whose vision and guidance inspired this initiative. His thoughtful counsel to engage directly with Family Court judges laid the foundation for this pivotal series of workshops. We are equally grateful for the gracious presence and support of the Honourable Madam Justice Farah Mahbub, along with esteemed representatives from the Ministry of Law, Justice and

Parliamentary Affairs, the Supreme Court of Bangladesh, and the Law Commission.

This initiative was led by BRAC's Social Empowerment and Legal Protection (SELP) Programme. We extend our sincere thanks to Asif Saleh, Executive Director of BRAC; Shashwatee Biplob, Associate Director, SELP; and ATM Morshed Alam, Lead, Legal Aid and Policy Advocacy, for their visionary leadership and steadfast commitment to advancing access to justice for women and marginalised communities.

It is through this strong partnership among the judiciary, the legal profession and civil society that we move closer to building a more efficient, transparent, and equitable family justice system in Bangladesh.

Contents

LIST OF ACRONYMS	08
INTRODUCTION	09
POLICY BRIEF	10
SPEECHES & ADDRESSES	11
Speech by Shashwatee Biplob, Associate Director, SELP and GJD	11
Address by Asif Saleh, Executive Director, BRAC	13
Address by Special Guest – Justice Farah Mahbub, Hon’ble Justice, Appellate Division, Supreme Court of Bangladesh	16
Speech by Chief Guest – Justice Syed Refaat Ahmed, Hon’ble Chief Justice of Bangladesh	20
KEYNOTE PRESENTATIONS	23
Key Findings from Divisional Workshops – Mr. Md. Tarikul Islam	23
Key Findings from Divisional Workshops – Ms. Sonali Rani Upadhaya	25
ANNEXURE	26
Media Coverage Highlights	27
Moments from the National Judges’ Workshop	28
Photos from Zone wise Judges Workshop	30

LIST OF ACRONYMS

- ADR – Alternative Dispute Resolution
- CEDAW – Convention on the Elimination of All Forms of Discrimination Against Women
- CPC – Code of Civil Procedure
- CrPC – Code of Criminal Procedure
- DLAC – District Legal Aid Committee
- DLR – Dhaka Law Reports
- FIR – First Information Reports
- GJD – Gender Justice and Diversity
- ID – Identification
- L/W – Levy Warrant
- NGO – Non-Governmental Organization
- NLASO – National Legal Aid Services Organization
- NOST – Nari O Shishu Tribunal
- PP – Public Prosecutor
- SELP – Social Empowerment and Legal Protection
- SMS – Short Message Service
- Tk – Taka (Bangladeshi currency)
- UDHR – Universal Declaration of Human Rights
- UNDP – United Nations Development Programme

Introduction

Access to timely and equitable justice in family matters remains a significant challenge in Bangladesh. The Family Courts in Bangladesh were originally established under the Family Courts Ordinance, 1985 (now replaced by the Family Courts Act, 2023), with the intent of delivering swift and accessible justice in family-related disputes. However, despite nearly four decades of operation, these courts continue to face significant challenges. Case backlogs remain a major concern, with over 72,202 pending cases, including 4,618 that are more than five years old. This sluggishness in the judicial process disproportionately affects those seeking justice, particularly women and marginalised communities, causing prolonged distress and systemic inequality.

Recognising the urgent need for reform, BRAC's Social Empowerment and Legal Protection (SELP) programme organised divisional workshops across the country, bringing together representatives from districts nationwide. Participants included judges, lawyers, and key judicial and administrative officials. Among them were Joint Secretaries, District and Sessions Judges, judges from the Nari O Shishu Tribunals, Additional District and Sessions Judges, Assistant Judges, and District Legal Aid Officers, who shared their insights and recommendations to help strengthen the justice system.

The workshops provided a platform to identify procedural bottlenecks, share practical experiences, and develop actionable recommendations to strengthen the Family Court system. Key discussions focused on improving the summons process, ensuring that notices are served efficiently through digital tools like SMS and email, involving local authorities, and appointing trained process servers. Participants emphasised the importance of pre-trial Alternative Dispute Resolution (ADR) mechanisms with legal enforceability and compliance with provisions enabling inter-district and international service of summons when necessary.

The execution of decrees was another major focus. Participants recommended streamlining procedures so that decrees can be enforced within the same suit, replacing levy warrants with arrest warrants in appropriate cases, clarifying allowances and exemptions, ensuring the finality of court judgements, and establishing mechanisms for direct deposit of decreed amounts to beneficiaries' accounts. Legal reforms discussed included establishing specialised Family Courts in each district, creating separate appellate courts for family matters, expanding the jurisdiction of Family Courts to cover inheritance, domestic violence, and dowry disputes, codifying Hindu family laws, and improving post-trial procedures to

reduce unnecessary delays. The workshops also highlighted the need to allow parties to manage cases through representatives or powers of attorney to enhance access to justice.

Technology and database integration emerged as a critical area for reform. Recommendations included digitalising marriage and divorce registration systems to prevent fraud and child marriages, linking databases across relevant state agencies, and creating a dedicated family court database accessible to judges and court staff. Participants viewed digital systems as essential for efficient case management, transparent procedures, timely dispute resolution, and supporting courts in evidence collection and monitoring compliance with judicial orders.

The insights from these workshops provide a comprehensive roadmap for policy advocacy and systemic reform. They are expected to guide legislative improvements, strengthen prosecution and enforcement mechanisms, and contribute to building a more efficient, transparent, and people-centred family justice system in Bangladesh.

ATM Morshed Alam

*Lead, Legal Aid & Policy Advocacy
Social Empowerment and Legal
Protection (SELP)*

Policy Brief

ADDRESSING PROCEDURAL BOTTLENECKS IN BANGLADESH FAMILY COURTS TO ENSURE QUICK JUSTICE

Key Challenges Identified

Delays in Summons Service: Significant time lost due to inefficiencies in issuing and returning summons.

Prolonged Decree Execution: Unnecessary procedural steps delay execution of court decrees.
Resource Gap: Shortage of specialised staff and courts exclusively dealing with family matters.

Inadequate Legal Framework: Gaps in the Family Courts Act and procedural laws limiting efficiency.
Technological Gaps: Absence of digital case tracking, marriage registration, and inter-agency database linkages.

Key Recommendations:

1. IMPROVING THE SUMMONS PROCESS

- Pre-trial ADR should be mandatory and legally binding for both parties
- Involve local elected authorities to ensure accurate addresses and send summons through them.
- Allow inter-district and international summons via special messengers, couriers, and embassies.
- Appoint dedicated process servers with proper training and logistics, and involve law enforcement agencies in the execution of summons and warrants.

2. REDUCING BOTTLENECKS IN DECREE EXECUTION

- Abolish distinct execution suits; permit execution within the same suit. Allow power to issue arrest warrants instead levy warrant.
- A judgment debtor should be exempted from paying allowances if there is an order for civil imprisonment.

3. LEGAL REFORMS

- Introduce %50 deposit to file an appeal and restrict further appeals from the Appellate Court.
- A definite time frame should be set for the disposal of suits, ensuring that cases are disposed of within a reasonable period.
- Expand the jurisdiction of family courts to include all family-related issues (e.g., inheritance, domestic violence, dowry).
- Establish separate Family Courts and Courts of Appeal with adequate resources.
- Codified Hindu family laws with mandatory provisions of Hindu marriage registration.

4. DIGITALISATION OF MARRIAGE REGISTRATION SYSTEM

- Digitise the marriage registration system and integrate with other databases (marriage, NID, etc.).



BRIDGING JUSTICE GAPS: ADDRESSING PROCEDURAL BOTTLENECKS IN FAMILY COURTS

Shashwatee Biplob

Associate Director

Social Empowerment and Legal Protection (SELP) Programme
and Gender Justice and Diversity (GJD) Programme



Sustainable reform is possible when judges, lawyers, and institutions work together.

The Honourable Chief Justice of Bangladesh Mr. Justice Syed Refaat Ahmed, The Honourable Justice Madam Farah Mahbub, esteemed representatives from the Ministry of Law, Supreme Court, and Law Commission, respected members of the judiciary, learned Judges and Lawyers, distinguished guests, representatives of the media, Ladies and Gentlemen, Assalamu Alaikum and good afternoon.

It is both a great honour and a privilege to address this gathering on behalf of BRAC's Social Empowerment and Legal Protection (SELP) Programme. Before going into the details of today's workshop, I would like to

take a moment to talk briefly about my programme.

BRAC operates one of the largest front-line justice services, providing around 15,000 legal supports, including legal advice and counselling, alternative dispute resolution, and court case support via dedicated panel lawyers for survivors of violence and referrals to District Legal Aid Committees and partner NGOs through the Social Empowerment and Legal Protection Programme. We also work to enhance the capacity of justice sector actors at the local level.

Our mission is to strengthen the prosecution system in Bangladesh, with a focus on gender equality and empowerment. We aim to eliminate gender-based violence and harmful practices by changing societal attitudes. Through ensuring social empowerment and access to justice, the SELP programme is committed to defending the rights of vulnerable groups, especially women and girls.

SELP is currently active in 268 Upazilas across 33 districts. In 2024, we received over 20 thousand disputes and resolved over 15 thousand of them through both ADR mechanisms and formal court cases. Most of these cases involved family matters and gender-based violence. This is worth mentioning that we recovered more than 33 crores Taka only in these 31 districts, which is a very significant amount compared to the national data.

Distinguished Guests, While assisting the violence survivors to get justice, we encountered several challenges. One of them was prolonged court proceedings. In 2023, we conducted a comprehensive analysis to identify the root causes of delays in Family Court proceedings. The findings were revealing: the most significant delay stemmed from the return of summons. Often, process servers failed to deliver them on time, leading to prolonged case timelines. Another critical bottleneck was the examination

of witnesses, frequently slowed down by procedural inefficiencies.

In some districts, we observed that decree execution could be significantly expedited by continuing the original case through petitions, rather than initiating separate Execution Suits. This approach has proven to be more cost-effective, timely, and victim-friendly. It is evident that these issues arise not only from legal complexities but also from systemic limitations and institutional capacity gaps within our court system.

On 12 September 2024, we had the privilege to meet the Hon'ble Chief Justice, where we took the opportunity to share our findings with him. The Hon'ble Chief Justice generously provided advice to collect recommendations from the judges of the Family Court. Acting on his valuable advice, we organized five

workshops across Bangladesh involving respected Family Court Judges.

I am proud to report that 117 Learned Judges and 10 Learned Lawyers from 51 districts participated in these workshops. Their thoughtful contributions and practical recommendations have helped us chart a path toward sustainable reforms.

While we will soon be presenting the detailed recommendations from those workshops, I would like to highlight a few key areas, such as the need to streamline the summons issuance and delivery process, reform decree execution practices, introduce necessary legislative and institutional changes, and integrate appropriate technologies to support efficient case management.

Esteemed participants, Your feedback and insights on these recommendations are vital. Together, we are not just addressing procedural bottlenecks—we are reinforcing trust in the justice system, restoring dignity to survivors, and paving the way for a more just and equitable society.

Thank you for your presence, your partnership, and your steadfast commitment to justice and human rights.

Thank you.



JUSTICE BEYOND DELAY: BRAC'S COMMITMENT TO FAMILY COURT REFORMS

Asif Saleh
Executive Director, BRAC

A dedicated and professional process server system for Family Courts is no longer a luxury — it is a necessity.

Hon'ble Chief Justice of Bangladesh Mr. Justice Syed Refaat Ahmed, Hon'ble Justice Madam Farah Mahbub, respected representatives from the Ministry of Law, Supreme Court, and Law Commission, Members of the subordinate judiciary, learned Judges and Lawyers, distinguished guests, members of the media, Ladies and Gentlemen — Assalamu Alaikum and good afternoon.

It is an honour and a privilege to address you today at this

significant gathering, as we reflect on the outcomes of the Judges' Workshops held across five zones-Barishal, Bogura, Dinajpur, Sreemangal, and Cumilla.

These workshops brought together over a hundred judges and legal professionals from 51 districts. Their goal was simple but urgent: to identify and address the bottlenecks in our Family Courts that continue to delay justice for those who need it most—especially women and children.

Ladies and Gentlemen,
At BRAC, we believe that a just and equitable society is only possible when every woman and girl is free to realise her full potential, unshackled by harmful socio-cultural norms.

Our efforts—whether through community mobilisation, capacity building, or policy advocacy—aim to dismantle the structural barriers that keep justice out of reach for too many.

Let me bring this closer to home with a story.

A few months ago, in a village just outside Mymensingh, a young woman named Aklima came to one of our legal aid clinics. She had been abandoned by her husband while she was pregnant. She had no income, no knowledge of her legal rights, and no family support.

But what she did have was courage.

With the help of our para-legal volunteers, she learned about her rights under the Family Court Ordinance. She filed a case for maintenance. It took months, repeated court visits, and support from our field team—but eventually, the court ruled in her favour. She now receives regular maintenance and has the confidence to rebuild her life.

But here's the truth: Aklima's case was the exception, not the norm. For every woman like her, there are hundreds who give up—defeated by the stigma, the cost, the procedural delays, and the fear of facing an intimidating and male-dominated court environment.

Distinguished Guests,
Since 1986, BRAC's Human Rights and Legal Aid Services—now part of the Social Empowerment and Legal Protection (SELP) programme—has worked to close this justice gap.

We provide legal education, court representation, alternative dispute resolution, and psychological support. Our grassroots networks—from girl brigades to community theatre—are helping challenge gender norms and promote legal awareness.

In 2023 alone, SELP resolved over 23,000 disputes, recovered Tk 47 crore, and provided legal assistance to over 16,000 survivors of gender-based violence.

Even during crises like COVID-19 or in humanitarian settings like Cox's Bazar, we adapted using radio, remote counselling, and digital tools to ensure that justice remained within reach.

Ladies and Gentlemen,
Despite these efforts, the Family Court system remains difficult to navigate — particularly for women seeking maintenance, dower, or child custody. The reasons are well-known:

- Delays in serving summons.
- Complex decree execution procedures
- Lack of standardisation across districts
- Manual, error-prone marriage registration
- Deep-rooted social stigma.

Our workshops surfaced these challenges and pointed to practical, immediate reforms.

Let me highlight a few key recommendations:

1. **Summons Reform:**

Delays in serving summons are one of the largest contributors to case backlogs. We recommend accurate verification of addresses, engagement of trained local government representatives, use of digital tools, and where appropriate, private courier services. A dedicated and professional process server system for Family Courts is no longer a luxury — it is a necessity.

2. **Streamlining Decree Execution:**

The requirement to file a separate execution suit after a judgment adds needless delay. Decrees should be enforceable within the same suit. Courts must also be empowered to issue arrest warrants in cases where judgments are persistently ignored.

We also call for standardisation of practices across districts. A Practice Direction from the Hon'ble Chief Justice could provide a uniform framework and ensure consistency nationwide.

3. **Digital Marriage Registration:**

Today, manual marriage records are vulnerable to errors, fraud, and manipulation — including the registration of underage marriages. A centralised, digital marriage registration system, integrated with the National ID and birth/death registries, would allow

real-time verification of age and marital status.

This isn't just about efficiency. It's about protecting women's rights, enabling the courts to function effectively, and preventing exploitation before it begins.

We urge the Ministry of Law, Registrar's Office, and policymakers to make this a priority. Civil society is ready to support this transformation.

Distinguished guests,
None of these changes are beyond reach. What is needed is collective will, coordinated action, and commitment to equity. The contributions made by the judges and legal professionals in these workshops reflect a deep understanding of the system and a shared desire to see it serve justice better and faster. I thank each of you for your insight, honesty, and dedication.

From BRAC, we stand ready to support the implementation of these recommendations — including digital marriage registration reform — through partnership, technical assistance, and field-level implementation. In closing, let me return to Aklima the young woman from Mymensingh. She still visits our clinic sometimes—not as a client, but as a volunteer. She wants to help others like her who don't know where to turn. That is the power of justice. Once someone feels heard, seen, and supported—it ripples outwards. It transforms not just lives, but entire communities. Now is the time to act.

When I met the newly appointed Chief Justice recently who handed

me a speech of Sir Fazle Hasan Abed given in 2007 in the speech titled «Development as a right making the case of keeping A 2007 in late Barristeilnah leclire to justice as an integral part of development, he wrote the following with which I will end this speech.

This simple, strong, eloquent message is the kernel of all that is required to make our society a just one. It is for governments, organisations and us as individuals to practise as a daily act of social justice. When a single member of our neighbourhood lives in poverty and squalor, we

are all impoverished. We must therefore take up every acceptable implementation, whether social, legal, scientific, economic or political to make human development the enterprise of all humanity.

Kofi Annan, the former United Nations Secretary-General, sums up this message well, «The right to development is the measure of respect for all other human rights. That should be our aim: a situation in which all individuals are enabled to maximize their potential, and to contribute to the evolution of society as a whole.»

Let us work together to ensure that no woman has to choose between silence and suffering. Let us make justice a reality — not just in principle, but in every courtroom, in every village, for every person.

Thank you.



ELIMINATING PROCEDURAL BARRIERS: TOWARDS SWIFT AND COMPASSIONATE FAMILY JUSTICE

Justice Farah Mahbub

Hon'ble Justice, Appellate Division, Supreme Court of Bangladesh

F Family justice is not about winning or losing. It is about healing.

Bismillahir Rahmanir Rahim
National Workshop on Eliminating
Procedural Barriers of the Family
Courts to Ensure Quick Justice.
The Honourable Chief Justice of
Bangladesh, Mr. Justice Dr. Syed
Refaat Ahmed, Mr. Asif Saleh,
Executive Director, BRAC.
Distinguished representatives
from the Ministry of Law,
Justice and Parliamentary
Affairs, Supreme Court Registry,
Judicial Officers from across
the country, Law Commission,
Judicial Administration Training
Institute, National Legal Aid
Services Organization, Members
of the print and electronic media,
Representatives of Civil Society
and NGOs.

Distinguished dignitaries, ladies
and gentlemen,

Assalamu Alaikum and good
afternoon.

It is an honour to address this
National Workshop dedicated to
eliminating procedural barriers
in our Family Courts. I thank
the organisers for convening
this crucial discussion and for
assembling a diverse group of
stakeholders committed to justice
reform.

Family Courts do not function like
conventional legal institutions.
They are guardians of society's
most personal relationships. These
courts handle disputes involving
marriage, divorce, maintenance,
custody, and guardianship —
issues that affect the lives of
women, children, and families at
their most vulnerable moments.

Yet, despite the compassionate
vision that underlies their creation,
Family Courts often operate under
the weight of procedural rigidity,
infrastructure deficits, and delayed
justice.

Dear Guests,
It is important to revisit the

foundational legal framework
of family courts. Following the
implementation of the Muslim
Family Laws Ordinance, 1961,
the legislature of the then West
Pakistan passed the West
Pakistan Family Courts Act, 1964.
However, no equivalent legislation
was enacted in East Pakistan
at that time. After Bangladesh
gained independence, the Law
Reforms Commission strongly
recommended establishing family
courts to address family-related
disputes.

The Family Courts, later
introduced through the Family
Courts Ordinance, 1985,
were intended to ensure swift,
compassionate, and effective
resolution of family disputes.
These courts were not meant to
follow the traditional adversarial
model; instead, they were
designed as problem-solving
institutions aimed at reducing
stress, particularly for women and
children.

The Preamble of the 1985
Ordinance clearly reflects the
legislative intent to facilitate

the prompt resolution of family matters. Presently, family courts in Bangladesh operate under the Family Courts Act, 2023, which has repealed the earlier Ordinance while introducing certain amendments.

However, procedural rigidity often stands in contradiction to the flexible, informal, and humane spirit that family courts are meant to embody. While the Family Court Act empowers family courts to adopt summary procedures, in practice, we often see a replication of the same adversarial processes and formalities of the civil courts. This must change.

In the newly enacted Family Court Act there is a lack of strict enforcement of timelines and provisions relating to adjournments. Adjournments, at present, are often granted on weak grounds, especially in maintenance or custody cases. The indefinite delays in producing witnesses, incomplete pleadings, and the reluctance of lawyers contribute to the backlogs.

In the context of Bangladesh, procedural complexities within the legal system persist. Many litigants lack the capacity to navigate these processes independently, which leads to a strong reliance on legal professionals and representatives.

Furthermore, there is currently no central database to manage family law cases, which often leads to duplicate or overlapping proceedings. Additionally, Family Courts lack dedicated courtroom facilities. As a result, litigants—especially women and children—are frequently forced to wait in overcrowded spaces, with limited access to proper sanitation or breastfeeding facilities.

Ladies and Gentlemen, Family justice must also be assessed in the light of international legal standards. Article 16 of the Universal Declaration of Human Rights (UDHR) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) obligate State Parties to guarantee equal rights and protections in matters of marriage, divorce, child custody, and maintenance. As a signatory to CEDAW,

Bangladesh has a duty to ensure that justice in family matters is accessible, fair, and free from discrimination. Timely access to justice is a fundamental element of the rule of law and is intrinsically linked to the constitutional guarantees enshrined in Articles 27 and 31 of the Constitution. Family courts are fully subject to these constitutional protections and cannot be treated as exceptions.

Respected audience, While the Family Courts Act recognises ADR as a practical mechanism to reduce the backlog of cases, the actual implementation has seen limited success. According to statistical data, between October and December 2024, the family courts in all 64 districts dealt with 83,615 cases. Out of these, only 8,075 cases were disposed of during that period—and notably, just 316 were resolved through ADR. This places the ADR disposal rate at less than %0.4 for the quarter.

The limited reliance on alternative dispute resolution highlights a pressing need to simplify procedural frameworks and strengthen ADR mechanisms, ensuring family disputes are

resolved more swiftly and effectively.

Respected Audience, As South Asian neighbors there is an inherent similarity in the culture and religion of the litigant people of the countries of this region. However, there are differences in the mechanisms of the existing laws and court procedures among the regional laws of Bangladesh, India, Pakistan, Sri Lanka. India's Family Courts, under the Family Courts Act, 1984, cover a wide range of disputes, including family-related property matters.

Bangladesh's family courts, however, focus narrowly on core issues like marriage, divorce, custody, and maintenance only. Pakistan allows the government to establish Family Courts in each district and requires at least one woman judge per district. Bangladeshi law lacks any such gender-sensitive provision. In India, Family Courts are mandatory in cities with over one million residents, with one or more judges depending on need. Regarding judge's qualifications, India requires at least seven years of legal experience in judicial service, tribunals, or High Court practice, with preference for women or those with expertise in family welfare. Pakistan follows a similar model, allowing appointments from experienced District Judges, Civil Judges, or Qazis. Bangladesh, however, appoints Assistant Judges in family courts, with less emphasis on specialization in family law.

On judicial authority, Indian Family Courts have full civil court powers and operate under the CPC, with flexibility in evidence rules. Bangladesh's Family Court judges, mostly Assistant Judges, have

limited powers, except under the Guardians and Wards Act, 1890. Pakistan operates under a separate legal framework, excluding both the CPC and the Evidence Act, allowing simplified procedures but with fewer procedural details.

Ladies and Gentlemen,
In the last decades, there has been a positive shift in family jurisprudence through some groundbreaking decisions and landmark judgements of the apex court. In the historic case of *Pochon Rikissi Das v Khuku Rani Das* [50 DLR 47], the jurisdiction of Family Courts in Bangladesh was clarified, and it was affirmed that the Family Courts Ordinance applies to all citizens regardless of religion. In *Jamila Khatun vs. Rustam Ali*, 48 DLR (AD) 110 the court found that the wife is entitled to claim her maintenance for the past 6 years.

In *Abdul Jalil V. Sharon Laily Begum*, 50 DLR (AD) 55, the court while citing the quote of Syed Ameer Ali, a prominent jurist, that, ‘the milk of a muslim mother is not more nutritious than that of a christian mother’, granted full custody of four minor children to the mother, a British christian citizen. With an evolving situation, the order of any court granting custody of a child cannot be a finality. For this purpose, in *Amena Chowdhury Kheya vs Bangladesh* 74 DLR (AD) 116, our apex court observed that the court must monitor the situation of the child with his/her parents with the help of probation officers from the Department of Social Services.

However, significant progress is still needed to address the complex challenges that span both legal and administrative

domains. In recent years, the Supreme Court has encountered cases involving conflicts of laws and cross-border elements, particularly in matters of child custody and visitation rights. Yet, the amended Act remains silent on the transnational nature of such family disputes. It contains no provisions for the recognition or enforcement of foreign judgments, nor does it offer guidance on the participation of foreign nationals in family proceedings.

Family courts, already overburdened with cases, suffer from a lack of logistical and infrastructural support. There are no dedicated courtrooms for family matters; instead, hearings are conducted alongside civil cases by a single judge, leading to delays and increased workload. Additionally, the absence of digitised records for marriage and divorce documents poses significant challenges during case management hearings. This lack of accessible documentation and procedural clarity hampers timely case resolution and prevents adherence to a defined timeframe for disposal.

In the current socio-economic landscape, a significant number of litigants remain unfamiliar with the legal procedures required to initiate and pursue family cases, which often deters them from accessing the justice system. Those who do attempt to seek legal redress—frequently driven by urgency or desperation—are at risk of being exploited by intermediaries. While Legal Aid Services are in place, their impact remains limited due to multiple systemic challenges, including insufficient logistical support, inadequate infrastructure,

constrained budgets, and low participation from legal professionals owing to inadequate compensation.

Respected Audience,
Now, I would like to draw attention to some inherent shortcomings within the law itself—deficiencies that have consistently obstructed the prompt and specialized resolution of family disputes in our courts. Section 4 of the Family Courts Ordinance, 1985 states that all courts of Assistant Judges shall serve as Family Courts for the purposes of the Ordinance. This means that no separate courts were established exclusively to handle family disputes. Instead, the responsibility was placed on Assistant Judges who are already managing a wide spectrum of civil litigation.

The Family Courts Act, 2023, has replaced the 1985 Ordinance. Section 4 of the new Act provides that the government may establish one or more Family Courts in every district. Similarly, Section 18 empowers the government to set up one or more Family Appellate Courts per district. However, despite this clear legislative framework, no separate Family Courts or Appellate Courts have been established to date. Just as before, family matters continue to be heard within the already burdened civil courts, progressing at the same measured and congested pace. Without dedicated judicial forums, the very spirit of reform remains unrealised.

To translate legislative intent into meaningful access to justice, it is now essential to move beyond statutory possibility and toward institutional implementation—by establishing specialised, fully

functional Family and Appellate Courts equipped to deliver focused, timely, and humane adjudication of family disputes.

In recent times, the government has amended the Legal Aid Act, 2000, and incorporated nine additional statutes into its schedule, including the Family Courts Act, 2023. As a result, the District Legal Aid Office will bear the weight of a growing caseload. While the full impact of this reform is yet to unfold, without a meaningful rise in the number of judicial officers in the District Legal Aid Office, the volume of family cases will overwhelm the system.

Distinguished presence, Justice in family courts is not about winning or losing. It is about healing. And as a part of this system, we must make it accessible, empathetic, and swift. Drawing from comparative insights and normative frameworks, I propose the following five key recommendations to strengthen the effectiveness and accessibility of family justice.

1. Establishment of Specialised Family Courts

A designated number of specialized family courts should be established in each jurisdiction, vested with concurrent civil and criminal authority to adjudicate all family-related matters within a single forum. This would ensure procedural coherence and reduce fragmentation.

2. Clarification and Reform of Procedural Ambiguities

The procedural gaps and ambiguities identified in the

Family Courts Act should be addressed through targeted amendments, with an emphasis on ensuring streamlined procedures and the summary disposal of cases.

3. Institutionalising Mediation Mechanisms

Mandatory mediation should be introduced at the pre-trial stage, facilitated by trained mediators and female counselors. Additionally, the legal framework should permit the use of alternative dispute resolution at the appellate stage, allowing for resolution even during appeal proceedings.

4. Integration of Multi-Disciplinary Support

Judges should be supported by multidisciplinary teams—including psychologists, social workers, and family welfare officers—in complex or sensitive matters. Moreover, judges and advocates should undergo mandatory training in family law, with a focus on trauma-informed and child-sensitive approaches.

5. Digitisation and Technological Integration

A comprehensive digital system should be adopted, incorporating a centralised database for family cases, case-tracking dashboards, online notice delivery, and video conferencing facilities—particularly to accommodate migrant families and working women. The digital framework should also permit litigants to submit digital evidence

during both pre-trial and trial proceedings.

Respected guests, Article 7 of our Constitution makes it clear that all laws and institutions must conform to the principles of justice, equality, and dignity. When a child's custody is left undecided for years, when a destitute woman's claim for maintenance remains unresolved, when parties are left entangled in prolonged litigation, the social cost is profound and maybe irreversible.

May this workshop serve as a catalyst for coordinated and sustained action, driven by our shared vision of a fair, efficient, and people-centered family justice system. I would like to express my sincere gratitude to the Honourable Chief Justice for his visionary leadership and unwavering support in making this workshop a reality.

I also extend my deepest appreciation to the organizers for convening such a timely and important forum. Bringing together distinguished members of the judiciary, government institutions, legal aid services, development partners, and the media, underscores our collective commitment to strengthening access to justice for families across Bangladesh. A justice system worthy of all, must be built on the pillars of access and compassion

Thank you!



OVERCOMING PROCEDURAL BOTTLENECKS: THE JUDICIARY'S COMMITMENT TO TIMELY JUSTICE

Justice Syed Refaat Ahmed
Hon'ble Chief Justice of Bangladesh

Every procedural reform, every digital innovation, every human initiative is about one thing: delivering timely justice to our people.

Hon'ble Judge of Appellate Division of the Supreme Court of Bangladesh Madam Justice Farah Mahbub.

Executive Director of BRAC, Mr Asif Saleh BRAC dignitaries, and officials,

Dear participants
Members of Print and Electronic media,

Ladies and gentlemen,
Good Afternoon
We gather today in the solemn aftermath of a profound national transformation. The months of

July and August 2024 will remain etched in our collective memory as a time when the conscience of a generation took to the streets, not in pursuit of power, but in defence of principle. That student-led revolution, born of anguish and ignited by the longing for justice, dismantled the remnants of a compromised order and brought forth a mandate that could not be denied, a mandate for the restoration of the rule of law and the rebuilding of a judiciary grounded in integrity, independence, and public service.

Ladies and Gentlemen,
It was not by personal design but by public demand that I assumed office as the 25th Chief Justice of Bangladesh. From the very first day, I recognised that symbolic appointments alone would not suffice. What the nation demanded was a new compact, a roadmap of reform that would move beyond rhetoric to the reconstruction of judicial ethos and structure. On 21 September 2024, I declared such a roadmap before the judiciary and the nation. It was, and remains, a framework for a judiciary that is autonomous

in its administration, transparent in its appointments, efficient in its proceedings, and empathetic in its conduct.

This workshop today, focusing on procedural bottlenecks in family courts, is a direct extension of that reform mission. It is not isolated in scope. It is woven into the broader project of judicial renewal. Nowhere is the human cost of delay and dysfunction more acute than in the family courts, where every adjournment prolongs a child's uncertainty, every inefficiency compounds a woman's vulnerability, and every procedural lapse undermines the very promise of justice.

And yet, I have seen firsthand that our judiciary is responding with purpose. I have visited district Judgeships and Magistracy in all eight divisions. I have engaged directly with our District Judges, our Senior Assistant Judges, our Chief Judicial and Metropolitan Magistrates. I have witnessed with pride how the district judiciary has risen to the challenge, embracing the reform roadmap, implementing the twelve-point

directive against corruption and delay, and calling their colleagues to a higher standard. This is not a top-down movement; it is being carried forward with courage and conviction from the districts upward.

And the Bar, too, has taken charge. Local Bar Associations have convened consultations, facilitated court-user dialogues, and collaborated with judges in monitoring pendency, disposing of aging cases, and institutionalising mediation. This alignment of the Bench and Bar at the district level marks a decisive break from inertia. Together, they are not only applying the law but restoring faith in it.

It is in this context that we must read the recent statistics from our family courts. As of 31 March 2025, there are 74,259 pending cases. Of these, 5,034 have been pending for more than five years, a sobering figure. But the very same system has also delivered 10,089 disposals in the first quarter of 2025 alone. This is not a coincidence, it is a consequence. It is the result of judges taking initiative, Bar leaders acting responsibly, and our institutional focus shifting from process to people.

Distinguished Guests,
The legal landscape of Bangladesh is undergoing a profound transformation. Recent legislative and procedural reforms have been designed not merely to modernise the justice system, but to reorient it towards efficiency, accountability, and citizen-centric service. One of the most consequential developments in this regard is the amendment to the Legal Aid Act, which now

mandates pre-case compulsory mediation. This single change embodies a broader institutional shift from adversarial litigation to consensual dispute resolution and has been a catalyst in fostering early settlement and relieving the burden on over extended dockets.

Complementing this, the recent amendments to the Civil Procedure Code have introduced crucial stage reductions, integrated execution proceedings within the original case framework, and imposed stricter limits on adjournments. These changes address long-standing procedural bottlenecks that have historically enabled unnecessary delay and complexity. By inserting provision of giving testimony on affidavit, the reforms now aim to prioritise substance over form and minimize courtroom congestion through efficient documentary evidence.

Equally significant are the amendments to the Code of Criminal Procedure (CrPC) through the recent Ordinance. These revisions now obligate the investigating officer to submit a pre-investigation report before the initiation of proceedings, a mechanism that is expected to filter frivolous allegations, streamline prosecutorial resources, and reinforce the rights of the accused in line with constitutional safeguards.

Ladies and Gentlemen,
To deepen this reform, our institutional collaboration with BRAC has been exemplary. The five workshops convened in Barishal, Bogura, Dinajpur, Moulvibazar, and Cumilla provided empirical insights that no central policy alone could produce. Judges, lawyers, mediators, court

staff, and litigants participated with honesty and urgency. They identified persistent choke points, the outdated and inefficient process of serving summons; the unregulated granting of adjournments; the absence of structured case management; the unavailability of psychological support and professional mediation; and, critically, the lack of inclusive facilities for those who spend hours waiting in our court complexes.

These workshops were more than diagnostic exercises. They were acts of civic participation, and I thank BRAC for facilitating them with such professionalism. But BRAC's support has gone beyond policy. Their installation of two fully accessible, hygienic, and gender-sensitive toilet zones within the Supreme Court premises stands as a symbol of dignity for every litigant who walks through our gates. I have also instructed to replicate this initiative across all major court facilities in metropolitan and divisional cities, with maintenance budgets to be secured through the judiciary's administrative planning.

At the national level, we are advancing reform through institutional, procedural, and legislative pathways. The proposal for a separate Supreme Court Secretariat, submitted to the Government, remains our highest priority. No justice system can manage timelines, workloads, or personnel without autonomy over its own administrative structure. That structural autonomy is indispensable for sustaining reform not only for the judiciary, but in every other reform initiatives that have been undertaken by the interim government.

On the procedural front, we have embraced digital innovation. Our efforts to digitise cause lists, track adjournments, and introduce SMS-based summons notifications have already shown positive impact in pilot districts. These digital systems will now be extended to family courts. In near future, digital summons, authenticated through the National ID system and supported by a judicial helpdesk, will ensure that service of process no longer becomes a pretext for delay.

On the legislative front, we need targeted amendments to the Family Courts Ordinance to match the pace of reform already underway across other domains of justice. These amendments should include fixed timelines for the disposal of cases, mandatory case management conferences, and court-annexed mediation for matters deemed appropriate. Equally important is the need to empower family court judges with the authority to issue electronic summons and to conduct hybrid hearings where the circumstances allow. Such reforms will not only expedite proceedings but also ensure greater accessibility and responsiveness to litigants, many of whom are women, children, and vulnerable members of society.

It is encouraging to note that our development partners have already begun to align with this vision. The United Nations Development Programme (UNDP), in a testament to its enduring partnership with the judiciary of Bangladesh, has now approached us with a proposal to extend technical support for the establishment of two paperless family courts, one in Chottogram and other one in Dhaka. This

initiative, if realised, would be a landmark in our journey toward a digitised justice system enabling seamless case management, reducing clerical burden, and enhancing transparency and user confidence. The digital family court, when integrated with legislative reform, has the potential to serve as a national model for inclusive, technology-driven justice delivery.

Dear Participants,
Beyond law and structure, we are investing in the human capacity of the judiciary. More than 2,000 judges and magistrates now serve across the country. Over 1,200 are between the ages of 24 and 35. Among them, 625 are women. These judges are not awaiting instruction, they are taking initiative. In 36 districts, the rate of disposal now exceeds the rate of new filing. This transformation—led by youth, grounded in merit, is one of the proudest features of our post-revolutionary reform landscape.

I must also highlight the role of legal aid and public access mechanisms. The capacity-based eligibility standard I introduced ensures that legal representation is now provided not only to the poor, but to those who cannot, for cognitive or physical reasons, conduct their own defence. Our judicial helplines operational 5-9 receive thousands of calls every month, the majority from women and rural litigants. With UNDP's support and with new funding from our development partner the Embassy of Sweden, we will soon link these services directly at the peripheral level, creating a holistic network of legal protection and psychosocial support.

International partnerships continue to reinforce our journey. I place on record our gratitude to the UNDP, the European Union, the Government of Sweden, UK, and the Commonwealth Secretariat. The recent study visit to South Africa deepened our understanding of how justice can serve not only law but national healing. A Memorandum of Understanding signed between Sweden and UNDP has launched a 24x7 judicial helpline to expand access and responsiveness. These partnerships are not peripheral, they are integral to our reform vision.

I conclude by returning to where we began. The revolution of 2024 was not only a repudiation of injustice, it was a mandate for institutional rebirth. That mandate now rests with us. The Judiciary stands today as the lone fully functioning constitutional organ of the State, unyielding in its independence, steadfast in its integrity, and active in its service. But none of the reform initiatives of the interim Government, however noble, can be sustained without the deep institutional reform of the Judiciary itself.

Together, let us ladies and gentlemen ensure that the judiciary is not merely preserved, but empowered, renewed, and firmly established.

Thank you all.

Keynote Presentations

KEY FINDINGS FROM DIVISIONAL WORKSHOPS



Md. Tarikul Islam
Senior Assistant Judge, Satkhira

Hon'ble Chief Justice of Bangladesh Mr. Justice Syed Refaat Ahmed, Hon'ble Justice Madam Farah Mahbub, esteemed representatives from the Ministry of Law, the Supreme Court, and the Law Commission, respected members of the judiciary, learned Judges and Lawyers, distinguished guests, representatives of the media, Ladies and Gentlemen, Assalamu Alaikum.

For your kind information, through BRAC's Social Empowerment and Legal Protection (SELP) programme, five divisional workshops were held across Bangladesh. These workshops brought together representatives from 51 districts, with the participation of 117 Judges and 10 Lawyers. Among them were:

- 1 Joint Secretary
- 3 District and Sessions Judges
- 1 Judge from the Nari O Shishu Tribunal

- 3 Additional District and Sessions Judges
- 105 Assistant Judges
- 4 DLAC Officers and
- 10 Lawyers

In total, 234 participants attended the workshops.

Today, I will share some of the key recommendations that emerged from these five divisional workshops.

Key Recommendations

1. Improving the Summons Process

- A copy of the summons should be sent to the local Chairman/UP Member/Ward Councilor of the defendant's residence.
- Process served digitally through SMS, email, etc.
- Revision of the Fees for the process servers
 - Appoint dedicated process servers with proper training and logistics, and involve law enforcement agencies in

the execution of summons and warrants.

- Allow inter-district and international summons via special messengers, couriers, and embassies.
- Include Order 5, Rule 15 of the CPC—deals with the service of summons on an adult member of a defendant's family when the defendant is absent from their residence.
- Pre-trial ADR should be mandatory and legally binding for both parties (Partly implemented this recommendation through amending the Legal Aid Act 2000)
- If any respondent wants to initiate a Sani suit for an ex-parte decree, at least One-Fourth of the Decree amount should be deposited before filing the case.

- If anyone refuses to accept a summons willingly, that should be considered contempt of court.
- In special cases, the Court should have the power to issue an arrest warrant along with a summons.

2. Reducing bottlenecks in Decree Execution

- A process of execution through application in the same suit may be a more suitable way of ensuring that the decree is enforced within the shortest possible time. (The amendment to the CPC has already established the framework and requires a Practice Direction from the Supreme Court)
- A practice should be established regarding the issuance of an Arrest Warrant instead of a Levy Warrant (L/W), improving section (5) 17 of the Family Courts Act 2023.
- A judgment debtor should be exempted from paying allowances if there is an order for civil imprisonment.
- There should be clear provisions for further conviction of the defendant if he/she fails to pay the amount specified in the decree.
- The Decree or Judgment of the Court of Appeal should be considered final. No further appeal/revision should be allowed.

- %50 of the decreed amount should be deposited during the filing of an appeal. (Similar provision already exists in the Negotiable Instrument Act)
- The decreed amount could be directly sent to the personal account of the Decree-holder.
- There can be a separate bank account in the name of the Family Court to help with the process.

3. Legal Reforms

- A separate Family Court needs to be established in each district. More than one court could be established based on the volume of cases.
- The Court of Appeal should also be separated.
- A definite time frame should be set for the disposal of suits, ensuring that cases are disposed of within a reasonable period.
- Expand the jurisdiction of family courts to include all family-related issues (e.g., inheritance, domestic violence, dowry).
- Codified Hindu family laws with mandatory provisions of Hindu marriage registration.
- The post-trial procedure should be initiated within one or two working days from the completion of taking evidence.
- Once it is determined that no

settlement or compromise is achievable, the court should move directly to judgment without additional procedural steps.

- There should be an option available to the parties to manage their case through a representative by power of attorney

The remaining recommendations will be shared by my colleague, Senior Judicial Magistrate, Ms. Sonali Rani Upadhaya.



Sonali Rani Upadhaya

Senior Judicial Magistrate, Kustia

I would like to express my sincere thanks to Md. Tarikul Islam. With his presentation concluded, I will now take the opportunity to share the Miscellaneous Recommendations.

Hon'ble Chief Justice of Bangladesh, Mr. Justice Syed Refaat Ahmed; Hon'ble Justice Madam Farah Mahbub; esteemed representatives from the Ministry of Law, the Supreme Court, and the Law Commission; respected members of the judiciary; learned judges and lawyers; distinguished guests; representatives of the media; ladies and gentlemen — Assalamu Alaikum, Adab.

Here, I would like to present the Miscellaneous Recommendations.

Technological Development & Database

- Marriage registration system should be digitalized to avoid fraudulent registration of marriage and child marriage. The Court should have access to the digital system to validate the marriage registration.

- There should be a link-up between different databases of the state agencies, such as marriage and divorce registration, birth and death registration, national identity card offices, police stations, and court-related offices.
- A separate database for family suits will be essential.
- In the plaint, the financial situation of the defendant should be mentioned, especially in cases deciding maintenance is in question.
- In cases regarding Divorce, even if Talaq is not proven, the court should have the power to declare Talaq.
- There should be a provision of an interim order at the execution level.
- The Family Court should have a bailiff who will exclusively deal with matters arising out of the Family Court.
- Most of the judges in our family courts are newly appointed. There should be a balance of newly appointed and senior judges in the courts.

That's all from my side. Finally, I would like to thank everyone once again and conclude my presentation here.

ব্র্যাকের কর্মশালায় প্রধান বিচারপতি ২৪-এর বিপ্লবছিল প্রাতিষ্ঠানিক পুনর্জাগরণের স্পষ্ট ম্যান্ডেট

■ খাদিম ভেত

প্রধান বিচারপতি ড. সৈয়দ রেফাত আহমেদ বলেছেন, ২০২৪ সালের বিপ্লব ছিল শুধু অন্যান্যকে প্রত্যাখ্যান করা নয়, এটি ছিল প্রাতিষ্ঠানিক পুনর্জাগরণের একটি স্পষ্ট ম্যান্ডেট। বিচার বিভাগ এখন দেশের একমাত্র পূর্ণরূপে কার্যকর সাংবিধানিক প্রতিষ্ঠান হিসেবে দায়িত্ব পালন করছে। একই সঙ্গে তিনি সব অংশীদারকে আহ্বান জানান বিচার বিভাগকে শুধু সংরক্ষণ নয়- ক্ষমতায়িত, নবায়িত ও দৃঢ়ভাবে প্রতিষ্ঠিত করতে এক সঙ্গে কাজ করার জন্য।

সোমবার ঢাকার ব্র্যাক সেন্টার অডিটোরিয়ামে আয়োজিত 'ন্যায় বিচারে সমন্বয়যোগ্যতা' নিশ্চিত করতে পারিবারিক আদালতের অগ্রগতিতে প্রতিবন্ধকতা দূরীকরণ' শীর্ষক জাতীয় কর্মশালায় প্রধান অতিথির বক্তব্যে তিনি এগানবক্তা করেন। ব্র্যাকের সামাজিক জমতায়ন ও আইনগত সুরক্ষা (SELP) কর্মসূচির আওতায় কর্মশালাটি আয়োজিত হয়। এতে বিশেষ অতিথি ছিলেন অর্পন বিচারের বিচারপতি ফারাহ মাহবুব। এ ছাড়া উপস্থিত ছিলেন ব্র্যাকের নির্বাহী পরিচালক আশিফ সাঈদ এবং ব্র্যাকের SELP ও জেন্ডার জািস্টস এন্ড ডাইভারসিটি (GJD) প্রোগ্রামের সহযোগী পরিচালক শাহীয়া বিপ্লব। কর্মশালায় জানানো হয়, বাংলাদেশের

প্রধান বিচারপতি বলেছেন ন্যায়বিচার সহজ করাই আইনি সংস্কারের লক্ষ্য

নিবন্ধ প্রতিবেদক

ন্যায়বিচারকে সহজগোপ্য করে তোলাই আইনগত সংস্কারের লক্ষ্য বলে মন্তব্য করেছেন প্রধান বিচারপতি ড. সৈয়দ রেফাত আহমেদ। তিনি আরও বলেছেন, বিচার বিভাগের রায়সমূহকে পূরণের মানদণ্ডের হার সংহার রক্ষণ অঙ্গীকার্য।

গতকাল সোমবার রাজধানীর মহাখালীর ব্র্যাক সেন্টার মিনাকুরালায় প্রধানমন্ত্রীর বিচার-নিশ্চিত করতে পারিবারিক আদালতের পদ্ধতিতে জালিয়াত নিরসন' শীর্ষক জাতীয় কর্মশালায় প্রধান অতিথির বক্তব্যে এগান বক্তা করেন তিনি। সামাজিক ক্ষমতায়ন ও আইনি সুরক্ষা (সেলপ) কর্মসূচির সৌভাগ্যে এ কর্মশালায় আয়োজন করে ব্র্যাক। এতে বিশেষ অতিথির বক্তব্য দেন সুপ্রিম কোর্টের অধিন বিচারের বিচারপতি ফারাহ মাহবুব।

প্রধান বিচারপতি বলেন, 'প্রশাসনিক রায়সমূহের মধ্য সেনে বিচারমানরা

ন্যায়বিচার সহজ করাই আইনি

(সেপ পৃষ্ঠার পর)
সুচ্যাবে পরিচালনা করা সক্ষম না। এই কাঠামোগত দুর্বলতা বিচার বিভাগের অভ্যন্তরীণ সংস্কার এবং বৃহত্তর শাসনব্যবস্থার সংস্কার বক্ষায় অগ্রগতি।

তিনি আরও বলেন, 'ব্যবসায়িক পরিচালনা সেরা নিশ্চিত করতে বাংলাদেশের বিচারব্যবস্থা ও রায়সমূহের মধ্য সেনে ব্র্যাক। সামাজিক ক্ষমতায়ন ও আইনি সুরক্ষা (সেলপ) কর্মসূচির সৌভাগ্যে এ কর্মশালায় আয়োজন করে ব্র্যাক। এতে বিশেষ অতিথির বক্তব্য দেন সুপ্রিম কোর্টের অধিন বিচারের বিচারপতি ফারাহ মাহবুব।

প্রধান বিচারপতি বলেন, ৩১ মার্চ পর্যন্ত ৭৪ হাজার ২৫৯টি মামলা পরিচালিত, যার মধ্যে ৪ হাজার ৩৪টি মামলা পাঁচ বছরের বেশি সময় ধরে নিষ্পত্তির অপেক্ষায়। তবে, একই সময়ে ২০২৪ সালের প্রথম ত্রৈমিক ১০ হাজার ৯৩টি মামলা নিষ্পত্তি হয়েছে। এটিকে বিচারক এবং বার বেতারে ইতিবাচক জনস্বীকৃতির ফল বলে উল্লেখ করেন তিনি।

অর্পন বিচারক বক্রব মনোজের নির্বাহী পরিচালক আশিফ সাঈদ, ব্র্যাকের সামাজিক ক্ষমতায়ন ও আইনি সুরক্ষা (সেলপ) ও জেন্ডার জািস্টস এন্ড ডাইভারসিটি (জিজেডি) কর্মসূচির সহযোগী পরিচালক শাহীয়া বিপ্লব মনুষ।



Chief justice stresses reform of family courts for timely justice

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Chief Justice Syed Rezaat Ahmed has emphasized the need to remove procedural complexities from family courts to make Bangladesh's judicial system more efficient, humane, and citizen-friendly.

While speaking at a national workshop titled 'Addressing Procedural Bottlenecks in Family Courts for Timely Justice' organised by Brac's Social Empowerment and Legal Protection (SELP) Programme on Monday at the Brac Centre Auditorium in Dhaka, the chief justice said Bangladesh's judiciary is now undergoing a significant transformation as part of an ambitious reform agenda aimed at enhancing efficiency, accountability and citizen-centric service delivery.

'The legal landscape of Bangladesh is being reoriented to better serve its people,' noted the chief justice, highlighting that recent legislative reforms go beyond modernisation to prioritise accessibility and responsiveness.

Chief Justice Syed Rezaat Ahmed attended the event as the chief guest. Justice Farah Mahbub of the Appellate Division participated in the program as a special guest.

https://www.dhaka.tribune.com.bd/3093642-justice-stresses-reform-procedural

(প্রথম পৃষ্ঠার পর)

পরিবারিক আদালতগুলোতে বর্তমানে ৭২ হাজারের বেশি মামলা জমে আছে। এর মধ্যে চার হাজার ৩০০টিরও বেশি মামলা পাঁচ বছরের বেশি সময় ধরে নিষ্পত্তিহীন অবস্থায় রয়েছে। এই দীর্ঘসূত্রিতা হাজার হাজার পরিবারের ওপর বিরূপ প্রভাব ফেলছে, বিশেষত নারী ও প্রান্তিক জনগোষ্ঠী এতে বিশেষভাবে ক্ষতিগ্রস্ত শিকার হয়েছে।

কর্মশালায় উপস্থাপিত প্রধান সুপারিশগুলোর মধ্যে ছিল: প্রাক-বিচার বিরোধ নিষ্পত্তি (ADR) বাধ্যতামূলক করা, তিনু তথ্যের করার প্রক্রিয়া সহজ করা এবং বিয়ের রেজিস্ট্রেশন ডিজিটালাইজ ও মামলার অগ্রগতি ট্র্যাক করতে প্রকৃতির ব্যবহার বাড়ানো।

অংশগ্রহণকারীরা উত্তরাধিকার ও পার্শ্বস্থ সহিংসতা সম্পর্কিত বিষয়গুলোর বিচারিক এখতিয়ার সম্প্রসারণ এবং পৃথক পারিবারিক আদালত ও অর্পন বেঞ্চ স্থাপনের পক্ষে মত দেন। তারা প্রস্তাবিত সংস্কার কার্যকর করতে এবং বাংলাদেশের পারিবারিক আদালতে সময়মতো, সমতা-চিহ্নিতকৃত বিচারপ্রাপ্তি নিশ্চিতের দৃঢ় প্রতিশ্রুতি ব্যক্ত করেন।

প্রধান বিচারপতি জানান, দায়িত্ব গ্রহণের পর গত বছর ২১ সেন্টের তিনি বিচার বিভাগ সংস্কারের রোড ম্যাপ ঘোষণা করেন। এর উদ্দেশ্য-একটি রায়ত শাসিত, স্বচ্ছ, দক্ষ ও মানবিক বিচার ব্যবস্থার ডিজি নির্মাণ করা। তিনি বলেন, পরিবারিক আদালতের এই কর্মশালা বিচার সংস্কার রোড ম্যাপের অংশ। প্রধান বিচারপতি পরিবারিক আদালতের জটিলতা ও বিলম্বের কারণে নারীদের দুর্ভোগ, শিশুদের অনিশ্চয়তা ও প্রান্তিক জনগণের ওপর বিরূপ প্রভাবের কথা তুলে ধরেন। এ সময় তিনি বিচার বিভাগের সর্বত্র ১২ দফা নির্দেশনা বাস্তবায়ন, মামলার জট নিরসন এবং বিচারের মানোন্নয়নে সবার অংশগ্রহণের প্রশাসনা করেন।

তিনি জানান, চলতি বছরের ৩১ মার্চ পর্যন্ত ৭৪ হাজার ২৫৯টি মামলা পরিবারিক আদালতে বিচারধীন আছে। এর মধ্যে পাঁচ হাজার ৩৪টি মামলা পাঁচ বছরের বেশি সময় ধরে নিষ্পত্তিহীন। তবে একই সময় প্রথম ত্রৈমিক ১০ হাজার ৯৩টি মামলা নিষ্পত্তি হয়েছে, যা বিচারকদের সক্রিয় ভূমিকা এবং বার কাউন্সিলের সহযোগিতার ফল। এ ক্ষেত্রে গৃহীত বিভিন্ন সংস্কার প্রক্রিয়ার কথা জানান প্রধান বিচারপতি।

তিনি সুপ্রিম কোর্ট প্রায়শে ব্র্যাকের দুটি লিঙ্গ-সংবেদনশীল ও স্বাস্থ্যসম্মত টয়লেট জেনে স্থাপনকে মর্যাদার প্রতীক হিসেবে উল্লেখ করেন এবং দেশব্যাপী এমন উদ্যোগ বাস্তবায়নের নির্দেশ দেন।

তিনি জানান, ডিজিটাল কন্সলিট, এসএমএস ভিত্তিক সনদ প্রেরণ মামলার অগ্রগতি ট্র্যাকিং প্রকল্পে পাইলট পর্যায়ে কার্যকর হয়েছে। এ ব্যবস্থায় পারিবারিক আদালতের ও সম্প্রসারণ হবে। এ ছাড়া হস্তস্ত সুপ্রিম কোর্ট সচিবালয় প্রতিষ্ঠা সংক্রান্ত প্রস্তাব সরকারের কাছে পেশ করা হয়েছে।

তিনি জানান, ইউএনডিপি সহায়তায় ঢাকা ও চট্টগ্রামে দুই 'পেপারলেস' পরিবারিক আদালত প্রতিষ্ঠার প্রস্তাব বাস্তবায়নের পথে। এটি হবে ডিজিটাল বিচার প্রক্রিয়ায় একটি যোগ্যতাকরী মাইলফলক।

প্রধান বিচারপতির দেয়া তথ্য অনুসারে, বর্তমানে দেশে দুই হাজারের বেশি বিচারক রয়েছে। তাদের মধ্যে এক হাজার ২০০ জনের বয়স ২৪ থেকে ৩০ বছরের মধ্যে এবং ৬২৫ জন নারী। দেশের ৩৬টি জেলায় মামলার নিষ্পত্তির হার দায়েরের হারের চেয়ে বেশি।

কর্মশালায় বিচার বিভাগের সনদ, নীতিনির্ধারণ, জ্যেষ্ঠ সুরকারি কর্মকর্তা এবং অভিজ্ঞ আইনজীবীরা অংশগ্রহণ করেন। অনুষ্ঠানে দেশের ৫১টি জেলার ১১৭ জন বিচারক ও ১০ জন আইনজীবীর অংশগ্রহণে পাচটি আঞ্চলিক পরামর্শ সভার মূল সুপারিশ সমূহ পর্যালোচনা করা হয়।

বনিব্বাড়া

বাংলাদেশ
কর্মশালায় প্রধান বিচারপতি
পারিবারিক আদালতে বিচারধীন
৭৪ হাজারের বেশি মামলা

নিবন্ধ প্রতিবেদক
প্রকাশ: ১৫ জুলাই ২০২৫, ১৫:৩৫



প্রধান বিচারপতি রেফাত আহমেদ, প্রধান অতিথির বক্তব্যে প্রধান বিচারপতি সৈয়দ রেফাত আহমেদ।

পারিবারিক বিচারের ক্ষতি ও সহজ বিচার নিশ্চিত করার লক্ষ্য নিয়ে প্রতিষ্ঠিত বাংলাদেশের পরিবারিক আদালতে বর্তমানে ৭৪ হাজারের বেশি মামলা বিচারধীন।

পারিবারিক বিচারের ক্ষতি ও সহজ বিচার নিশ্চিত করার লক্ষ্য নিয়ে প্রতিষ্ঠিত বাংলাদেশের পরিবারিক আদালতে বর্তমানে ৭৪ হাজারের বেশি মামলা বিচারধীন। এর মধ্যে পাঁচ হাজারের বেশি মামলা পাঁচ বছরের বেশি সময় ধরে নিষ্পত্তিহীন। এ দীর্ঘসূত্রিতা সংস্কারে দেশে বৃহত্তর জনগোষ্ঠীর মনুষ।

রাজধানীর মহাখালীর ব্র্যাক সেন্টার মিনাকুরালায় প্রধানমন্ত্রীর বিচার-নিশ্চিত করতে পারিবারিক আদালতের পদ্ধতিতে জালিয়াত নিরসন' শীর্ষক জাতীয় কর্মশালায় প্রধান অতিথির বক্তব্যে তিনি বলেন, 'ব্যবসায়িক পরিচালনা সেরা নিশ্চিত করতে বাংলাদেশের বিচারব্যবস্থা ও রায়সমূহের মধ্য সেনে ব্র্যাক। সামাজিক ক্ষমতায়ন ও আইনি সুরক্ষা (সেলপ) কর্মসূচির সৌভাগ্যে এ কর্মশালায় আয়োজন করে ব্র্যাক। এতে বিশেষ অতিথির বক্তব্য দেন সুপ্রিম কোর্টের অধিন বিচারের বিচারপতি ফারাহ মাহবুব।

এতে প্রধান অতিথি ছিলেন প্রধান বিচারপতি সৈয়দ রেফাত আহমেদ। বিশেষ অতিথি ছিলেন সুপ্রিম কোর্টের অধিন বিচারের বিচারপতি ফারাহ মাহবুব। এ সময় ঘোষণা করা হয়, প্রধান বিচারপতি সৈয়দ রেফাত আহমেদ, ব্র্যাকের সামাজিক ক্ষমতায়ন ও আইনি সুরক্ষা (সেলপ) কর্মসূচির সৌভাগ্যে এ কর্মশালায় আয়োজন করে ব্র্যাক। এতে বিশেষ অতিথির বক্তব্য দেন সুপ্রিম কোর্টের অধিন বিচারের বিচারপতি ফারাহ মাহবুব।

প্রধান বিচারপতি বলেন, প্রধান বিচারপতি সৈয়দ রেফাত আহমেদ বলেছেন, 'প্রশাসনিক রায়সমূহের মধ্য সেনে বিচারমানরা সুচ্যাবে পরিচালনা করা সক্ষম না। এই কাঠামোগত দুর্বলতা বিচার বিভাগের অভ্যন্তরীণ সংস্কার বক্ষায় অগ্রগতি।

তিনি আরও বলেন, 'ব্যবসায়িক পরিচালনা সেরা নিশ্চিত করতে বাংলাদেশের বিচারব্যবস্থা ও রায়সমূহের মধ্য সেনে ব্র্যাক। সামাজিক ক্ষমতায়ন ও আইনি সুরক্ষা (সেলপ) কর্মসূচির সৌভাগ্যে এ কর্মশালায় আয়োজন করে ব্র্যাক। এতে বিশেষ অতিথির বক্তব্য দেন সুপ্রিম কোর্টের অধিন বিচারের বিচারপতি ফারাহ মাহবুব।

প্রধান বিচারপতি আরো বলেন, 'প্রশাসনিক রায়সমূহের মধ্য সেনে বিচারমানরা সুচ্যাবে পরিচালনা করা সক্ষম না। এই কাঠামোগত দুর্বলতা বিচার বিভাগের অভ্যন্তরীণ সংস্কার বক্ষায় অগ্রগতি।

তিনি আরও বলেন, 'ব্যবসায়িক পরিচালনা সেরা নিশ্চিত করতে বাংলাদেশের বিচারব্যবস্থা ও রায়সমূহের মধ্য সেনে ব্র্যাক। সামাজিক ক্ষমতায়ন ও আইনি সুরক্ষা (সেলপ) কর্মসূচির সৌভাগ্যে এ কর্মশালায় আয়োজন করে ব্র্যাক। এতে বিশেষ অতিথির বক্তব্য দেন সুপ্রিম কোর্টের অধিন বিচারের বিচারপতি ফারাহ মাহবুব।

বিচারপতি সৈয়দ রেফাত আহমেদ বলেছেন, বিচার প্রক্রিয়াকে পদ্ধতিতে জালিয়াত নিরসন' শীর্ষক জাতীয় কর্মশালায় প্রধান অতিথির বক্তব্যে প্রধান বিচারপতি সৈয়দ রেফাত আহমেদ।

ব্র্যাকের কর্মশালায় প্রধান বিচারপতি মামলা শুরু আগ বাধ্যতামূলক মধ্যস্থতা বিচারের দীর্ঘসূত্রতা কমাতে

নিবন্ধ প্রতিবেদক
প্রকাশ: ১৫ জুলাই ২০২৫, ২০:১০



'মামলায় বিচার নিশ্চিত করতে পরিবারিক আদালতের পদ্ধতিতে জালিয়াত নিরসন' শীর্ষক কর্মশালায় প্রধান অতিথির বক্তব্যে সেনে প্রধান বিচারপতি সৈয়দ রেফাত আহমেদ।

কিন্তু ক্ষেত্রে মামলা শুরু আগে বাধ্যতামূলক মধ্যস্থতা করা যায়। তাকে মামলার দীর্ঘসূত্রতা ও আদালতের ওপর চাপ কমাতে বলা হয়। প্রধান বিচারপতি সৈয়দ রেফাত আহমেদ।

আজ সোমবার রাজধানীর মহাখালীতে ব্র্যাক সেন্টার মিনাকুরালায় আয়োজিত এক জাতীয় পর্যায়ে কর্মশালায় প্রধান অতিথির বক্তব্যে প্রধান বিচারপতি এ কথা বলেন। 'ব্যাসমায় বিচার নিশ্চিত করতে পরিবারিক আদালতের পদ্ধতিতে জালিয়াত নিরসন' শিরোনামে ব্র্যাকের সামাজিক ক্ষমতায়ন ও আইনি সুরক্ষা (সেলপ) কর্মসূচি এই কর্মশালায় আয়োজন করে।

Moments from the National Judges' Workshop





Photos from Zone wise Judges Workshop **KHULNA ZONE**



Judges Wokshop Khulna Zone at Barishal BLC held on 19th October 2024

RANGPUR ZONE



Judges Wokshop Rangpur zone at Dinajpur BLC held on 16th November 2024

RAJSHAHI ZONE



Judges Workshop Rajshahi Zone at Bogura BLC held on 2nd November 2024

MYMENSINGH ZONE



Judges Workshop Mymensingh Zone at Sreemangal BLC held on 30th November 2024

SIRAJGANJ ZONE



Judges Wokshop Cumilla Zone at Cumilla BLC held on 25th January 2024

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