THE UK SUPREME COURT: TAKING STOCK TWO YEARS ON
18 NOVEMBER 2011
PROGRAMME

UCL JUDICIAL INSTITUTE
The United Kingdom Supreme Court: Taking Stock Two Years On
This UCL Judicial Institute Special Event is held to mark the second anniversary of the opening of the United Kingdom Supreme Court. In the first two years of its existence, the court has firmly established itself as an independent final court of appeal for the country. But its decisions have not been without controversy.

The Focus of the Seminar
This invitation-only event is designed to take stock of how the UK Supreme Court has created an identity for itself in its early years and what challenges it still faces. Two main issues will be covered:

1. Internal Workings
2. External Relations

Chatham House Rule:
This seminar will operate strictly under the Chatham House Rule.

“When a meeting is held under the Chatham House Rule participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed.”

Launch of the UCL Judicial Institute’s UK Supreme Court Project
The UCL Judicial Institute has created a detailed, large-scale database of all UK Supreme Court cases. This forms the basis of research aimed at understanding the work of the court in a comprehensive and empirically sound manner. The UCL UK Supreme Court Project will grow with the Court’s output, and it will provide the material for a continuing longitudinal study of the UK Supreme Court as it develops over time.

Analysis Document on the Internal Workings of the UK Supreme Court
The UCL Judicial Institute has published in this programme a short Analysis Document on the Internal Workings of the UK Supreme Court, providing a background analysis of some of the main issues being discussed at the event. This is the first analytical work to come out of the UCL Judicial Institute’s new UK Supreme Court Project and it is a Working Document. This initial analysis is designed to provide a starting point for a more contextual discussion of the internal workings of the Court.
THE SUPREME COURT OF THE UNITED KINGDOM

The Supreme Court of the United Kingdom (UKSC) was created by the Constitutional Reform Act 2005 and came into being on 1 October 2009. The UKSC inherited the jurisdiction of the Appellate Committee of the House of Lords and is the highest Court of Appeal for civil cases throughout the United Kingdom and for criminal cases from England and Wales and Northern Ireland. In addition, as at 1 October 2009, the UKSC assumed the devolution jurisdiction formerly exercised by the Judicial Committee of the Privy Council (JCPC). This jurisdiction allows Bills, or Acts, of the devolved Assemblies/Parliaments to be referred to the Supreme Court for a ruling on whether they are within the legislative competence of that Parliament or Assembly. In addition there can be appeals or references from the superior courts or the Law Officers on cases which raise devolution issues.

Aside from civil cases in Scotland, which can come to the Court as of right, parties generally have to apply for permission to appeal to the Supreme Court. The test applied in considering whether permission should be granted is whether the case raises an arguable point of law of general public importance which should be considered by the Supreme Court at this time. For criminal cases from England and Wales and Northern Ireland the Court of Appeal must certify a point of law as being of general public importance before the UKSC can consider a permission application. In addition to sitting in the UKSC, Justices of the Supreme Court sit in the Judicial Committee of the Privy Council (JCPC) to determine appeals from the Crown Dependencies, the British Overseas Territories and a number of countries in the Commonwealth.

THE UCL JUDICIAL INSTITUTE

The UCL Judicial Institute (JI) is the first and only centre of excellence for research and teaching about the judiciary in the UK. The Institute’s purpose is to provide evidence-based understanding and intellectual leadership about the judiciary as a critical social institution and the about the process of judicial decision-making. The Institute carries out leading-edge research on the judiciary and provides outstanding educational opportunities for students, practitioners, judges and those performing quasi-judicial roles. The Judicial Institute is led by Co-Directors Professor Dame Hazel Genn and Professor Cheryl Thomas and guided by a distinguished Advisory Board. The Judicial Institute launched in November 2010 with a high profile debate on The Future of Judging between Lord Neuberger Master of the Rolls, Professor Richard Susskind and the Institute Directors. The launch seminar attracted an audience of over 200 including senior judiciary, policy makers, practitioners, third sector professionals and academics from a range of disciplines. For further information on the Institute please see the JI website: www.ucl.ac.uk/laws/judicial-institute

UCL JUDICIAL INSTITUTE’S UK SUPREME COURT PROJECT

The UCL Judicial Institute has established a new research programme on the UK Supreme Court. Its starting point is a detailed, large-scale database of all UK Supreme Court decisions. This forms the basis of research aimed at establishing an understanding of the work of the Court as it grows. Its aim is not to reduce the work of the Court only to a statistical analysis of decisions. Instead the aim is to use empirical analysis of Court decisions as the basis for a more detailed contextual analysis of the work of the Court. The UCL UK Supreme Court Project will grow with the Court’s output, and provide the material for a continuing longitudinal study of the UK Supreme Court as it develops over time.
PROGRAMME

9:00  Registration  
Cissy Chu Common Room (1-2 Endsleigh Street entrance)

9:30  Welcome  
Denys Holland Lecture Theatre (basement level)  
Professor Dame Hazel Genn  
Dean, UCL Faculty of Laws, and Co-Director, UCL Judicial Institute

UCL Judicial Institute UK Supreme Court Project  
Professor Cheryl Thomas  
Professor of Judicial Studies and Co-Director, UCL Judicial Institute

9:40  Session 1: Internal Workings of the UK Supreme Court  
PANEL:  
Lady Hale, Justice of the UK Supreme Court  
Lord Dyson, Justice of the UK Supreme Court  
Lord Mance, Justice of the UK Supreme Court  
Lord Neuberger, Master of the Rolls  
Mr. Olivier Dutheillet de Lamothe, member French Conseil d'Etat, former member French Conseil Constitutionnel

Professor Dame Hazel Genn (Chair)

Permissions to appeal and hearings:  
Findings of analysis: Professor Cheryl Thomas  
Comment: Lord Dyson, Justice of the UK Supreme Court  
Lord Neuberger, Master of the Rolls

Panel size and composition:  
Findings of analysis: Professor Cheryl Thomas  
Comment: Lady Hale, Justice of the UK Supreme Court

Judgment writing:  
Findings of analysis: Professor Cheryl Thomas  
Comment: Lord Mance, Justice of the UK Supreme Court

11:15  Coffee break
11:30  Session 2: External Relations
PANEL:
Lord Phillips, President of the UK Supreme Court
The Right Hon Lord Justice Carnwath, Senior President of Tribunals
The Hon Lord Hodge, Judge of the Court of Session, Scotland
The Hon Mrs Justice Fidelma Macken, Justice of the Supreme Court of Ireland
The Right Hon the Baroness Scotland of Asthal, former Attorney General
The Right Hon the Lord Bach of Lutterworth, Shadow Spokesperson for Justice
Professor Dame Hazel Genn (Chair)

Relation to European Court of Human Rights and Court of Justice of the European Union
Comments:
Lord Phillips, President of the UK Supreme Court
The Hon Mrs Justice Fidelma Macken, Justice of the Supreme Court of Ireland

Relations with Courts of England & Wales, Scotland and Northern Ireland
Comments:
Lord Justice Carnwath, Senior President of Tribunals
Lord Hodge, Judge of the Court of Session, Scotland

Relations with Government
Comments:
Baroness Scotland of Asthal, former Attorney General
Lord Bach of Lutterworth, Shadow Spokesperson for Justice

13:00  Closing Remarks

13:00 - 14:00  Lunch: Cissy Chu Common Room

Office Facilities Available to Attendees
Special office and contact facilities are available during the event for any attendee who may need to access email or print any documents. In addition, as there is no mobile phone reception in the Lecture Theatre, an assistant is available to take calls for any attendees as well as make calls, order taxis, etc. during the seminar.
HOSTS
Directors, UCL Judicial Institute
Professor Dame Hazel Genn
Professor Cheryl Thomas

The Rt Hon the Lord Phillips  President of the UK Supreme Court
The Rt Hon the Lord Walker  Justice of the UK Supreme Court
The Rt Hon the Lady Hale  Justice of the UK Supreme Court
The Rt Hon the Lord Mance  Justice of the UK Supreme Court
The Rt Hon the Lord Kerr  Justice of the UK Supreme Court
The Rt Hon the Lord Clarke  Justice of the UK Supreme Court
The Rt Hon the Lord Dyson  Justice of the UK Supreme Court
The Rt Hon the Lord Wilson  Justice of the UK Supreme Court
The Rt Hon the Lord Saville  retired Justice, UK Supreme Court
The Rt Hon the Lord Collins  retired Justice, UK Supreme Court

The Rt Hon The Lord Judge  The Lord Chief Justice of England & Wales
The Rt Hon The Lord Neuberger  The Master of the Rolls, Head of Civil Justice
The Rt Hon Lord Justice Carnwath  Senior President of Tribunals

The Rt Hon Lord Justice Rix  Court of Appeal
The Rt Hon Lady Justice Arden DBE  Court of Appeal
The Rt Hon Lord Justice Moore-Bick  Court of Appeal, Deputy Head of Civil Justice
The Rt Hon Lord Justice Hughes  Court of Appeal, Vice President CACD
The Rt Hon Lord Justice Burnton  Court of Appeal
The Rt Hon Lord Justice Etherton  Court of Appeal
The Rt Hon Lord Justice Jackson  Court of Appeal
The Rt Hon Lord Justice Goldring  Court of Appeal, Senior Presiding Judge
The Rt Hon Lord Justice Elias  Court of Appeal
The Rt Hon Lord Justice McFarlane  Court of Appeal

Olivier Dutheillet de Lamothe  former Justice, French Conseil Constitutionnel,
current member French Conseil d’Etat
The Hon Lord Hodge  Judge of the Court of Session, Scotland
The Hon Mrs Justice Macken  Supreme Court of Ireland, former Justice ECJ
The Hon Mr Justice Cranston  High Court of England and Wales

Hayley Amoss  Office of Baroness Scotland
William Arnold  Director Corporate Services, UK Supreme Court
Robin Allen QC  Cloisters
Andrew Arden QC  Arden Chambers
The Rt Hon the Lord Bach  House of Lords, Shadow Spokesperson for Justice
Alex Bailin QC  Matrix Chambers
Eddie Craven  UKSC Judicial Assistant
Jonathan Crow QC
Professor Brice Dickson
Anna Donovan
Richard Drabble QC
Tim Eicke QC
Nick Fluck
Antoine Garapon

Manjit Gill QC
Edwin Glasgow QC
Penelope Gorman
Richard Hermer QC
Stephen Hockman QC
Richard Keen QC
Robert Khan
Jeff King
Jacqueline Kinghan
Patrick Lawrence QC
Professor Andrew Le Seur
Yael Levy Ariel
Peter Lodder QC
Charles McCall
Frances McClennenagh
Chris Maile
Louise di Mambro
Alexandra Marks
Paul Mendelle QC
Gavin Millar QC
Professor Paul Mitchell
The Rt Hon Frank Mulholland QC
Colm O’Cinneide
Femi Oguntunde
Professor Dawn Oliver
Professor David Ormerod
Tim Owen QC
Professor Alan Paterson
Nigel Pleming QC
David Pope
Professor Rick Rawlings
Professor Genevra Richardson
Maria Roche
Jenny Rowe
Richard Salter QC
The Rt Hon the Baroness Scotland
Paul Skinner
Hugh Southey QC
Professor John Tasioulas
Colin Troup
Sharon Witherspoon
James Wolfe QC
Diana Wood

4 Stone Buildings
School of Law, Queen’s University Belfast
UCL Judicial Institute
Landmark Chambers
Essex Court Chambers
Deputy Vice President, The Law Society
Secretary-General, Institute des Haute Etudes sur la Justice (IHEJ), France
No 5 Chambers
39 Essex Street
UKSC Judicial Assistant
Doughty Street Chambers
6 Pump Court
Axiom Advocates
Head of Law Reform, The Law Society
Senior Lecturer in Law, UCL
Director Clinical Legal Education, UCL
4 New Square
Queen Mary School of Law
UCL Judicial Institute
Chairman, Bar Council
Head of Judicial Policy, Ministry of Justice
UKSC Judicial Assistant
Head of Human Resources, UK Supreme Court
Registrar, UK Supreme Court
Linklaters LLP, UCL JI Advisory Board
Criminal Bar Association
Doughty Street Chambers
Professor of Law, UCL
Lord Advocate of Scotland
Reader in Law, UCL
Director of Finance, UK Supreme Court
Professor of Public Law, UCL
Law Commissioner
Matrix Chambers
University of Strathclyde
39 Essex Street
Teaching Fellow in Advocacy, UCL
Professor of Public Law, UCL
King’s College London
UKSC Judicial Assistant
Chief Executive, UK Supreme Court
3 Verulam Buildings
House of Lords, former Attorney General
UKSC Judicial Assistant
Tooks Chambers
Quain Professor of Jurisprudence, UCL
Legal Secretary to the Lord Advocate of Scotland
Deputy Director, Nuffield Foundation
Axiom Advocates
UK Supreme Court Reporter
An Initial Empirical View of Decision-Making by the
United Kingdom Supreme Court in Its First Two Years (2009-11)

UCL Judicial Institute's UK Supreme Court Project
The following provides a brief initial look at some of the information collected in the UCL Judicial Institute's new
database on all UK Supreme Court decisions. This initial analysis is designed to provide a starting point for a more
contextual discussion of the internal workings of the Court.

Permissions to Appeal
The Supreme Court generously provided information to the UCL UK Supreme Court Project on applications for
permissions to appeal (PTA) in 2009-11, and data on 431 applications in these two years have been incorporated
into the Project database and analysis.

UCL Judicial Institute UK Supreme Court Database
The Project database includes 120 judgments issued by the UK Supreme Court in its first two years (including 9
cases heard before October 2009) and all the permissions to appeal data provided by the Court. The database
covers a wide range of aspects of the Court's work including:

Permissions to appeal
• Jurisdiction
• Court appealed from
• Legal issues raised
• UKSC panel composition for PTA
• Outcome of PTA applications (granted or refused)

Cases heard
• Jurisdiction appealed from
• Court appealed from
• Appellant type
• Respondent type
• Legal issues raised

Hearings
• Panel size
• Panel composition
• Length of hearing
• Appellant(s) legal representative(s)
• Respondent(s) legal representative(s)
• Intervener(s)
• Intervener type
• Level of intervention (written submission or oral argument)

Case Outcomes and Judgments
• Outcome of appeal (allowed, dismissed, referred)
• Time from hearing to judgment
• Type of judgment (unanimous, majority)
• Author of unanimous/majority judgments
• Author of main dissenting opinion
• Contribution to judgment by Justice
• Frequency of dissents by Justice
• Citation of non-UK jurisprudence
• Citation of academic work

This represents the first stage of the UCL Judicial Institute's organisation of information on UK Supreme Court
cases, and what follows is an initial analysis of some main topics. We hope the discussion during the seminar will
generate further ideas and recommendations for how the UCL Judicial Institute's UK Supreme Court Project may
approach its analysis in future.
PART 1: Permissions to Appeal

By Jurisdiction

Figure 1: Jurisdiction of all applications for permission to appeal 2009-11 (n=431)

![Jurisdiction of all applications for permission to appeal 2009-11 (n=431)](image)

Figure 2: Outcomes of all applications for permissions to appeal by jurisdiction (n=431)

![Outcomes of all applications for permissions to appeal by jurisdiction (n=431)](image)

NOTE: Scottish civil appeals come to the UK Supreme Court as of right, with the exception of cases that fall within the Tribunals and Inquiries Act 1992
**Type of Court Appealed from**

Figure 3: Type of court appealed from: all applications to appeal 2009-11 (n=429)

![Pie chart showing the distribution of appeals by type of court: Civil (n=351, 81%), Criminal (n=50, 12%), Admin (n=28, 7%).]

**Note:** The total number (429) reflect 2 appeals where the court appealed from was not indicated in the data.

Figure 4: Outcome of applications to appeal by type of court appealed from (2009-11)

![Bar chart showing the outcome of appeals by type of court: Civil (n=351), Criminal (n=50), Administrative (n=28).]

- Civil (n=351): 61% Granted, 38% Refused, 1% Other
- Criminal (n=50): 64% Granted, 32% Refused, 4% Other
- Administrative (n=28): 61% Granted, 32% Refused, 7% Other
Permissions to Appeal and ECHR issues
28% (120 of 431) applications for permission to appeal raised an ECHR issue

Figure 5: Proportion of Permissions to Appeal with ECHR issues by jurisdiction (n=431)

% of applications in each jurisdiction with ECHR issue

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>England &amp; Wales</td>
<td>23%</td>
</tr>
<tr>
<td>Scotland (n=20)</td>
<td>95%</td>
</tr>
<tr>
<td>Northern Ireland</td>
<td>47%</td>
</tr>
</tbody>
</table>

Figure 6: Permissions to Appeal with ECHR issue by court appealed from (n=431)

% of applications for appeal with ECHR issue

<table>
<thead>
<tr>
<th>Type of Court appealed from</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil (n=82)</td>
<td>23%</td>
</tr>
<tr>
<td>Criminal (n=25)</td>
<td>50%</td>
</tr>
<tr>
<td>Administrative (n=12)</td>
<td>43%</td>
</tr>
</tbody>
</table>
Justices and Permissions to Appeal

Figure 7. UKSC Justices frequency of membership on Permission to Appeal panels (n=431)

<table>
<thead>
<tr>
<th>Justice</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kerr</td>
<td>32%</td>
</tr>
<tr>
<td>Hope</td>
<td>31%</td>
</tr>
<tr>
<td>Phillips</td>
<td>30%</td>
</tr>
<tr>
<td>Clarke</td>
<td>29%</td>
</tr>
<tr>
<td>Collins</td>
<td>29%</td>
</tr>
<tr>
<td>Mance</td>
<td>26%</td>
</tr>
<tr>
<td>Hale</td>
<td>26%</td>
</tr>
<tr>
<td>Brown</td>
<td>24%</td>
</tr>
<tr>
<td>Walker</td>
<td>24%</td>
</tr>
<tr>
<td>Rodger</td>
<td>22%</td>
</tr>
<tr>
<td>Dyson</td>
<td>18%</td>
</tr>
<tr>
<td>Saville</td>
<td>6%</td>
</tr>
<tr>
<td>Wilson</td>
<td>4%</td>
</tr>
</tbody>
</table>

Note: Frequency of membership on PTA panels will be affected by length of tenure on UKSC
PART 2. CASES HEARD

Jurisdictions

Figure 8: Jurisdiction of all cases heard by UKSC 2009-11 (n=117)

![Jurisdiction of all cases heard by UKSC 2009-11](image)

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Cases (n)</th>
</tr>
</thead>
<tbody>
<tr>
<td>England &amp; Wales</td>
<td>97</td>
</tr>
<tr>
<td>Scotland</td>
<td>17</td>
</tr>
<tr>
<td>Northern Ireland</td>
<td>3</td>
</tr>
</tbody>
</table>

83% England & Wales (n=97)
14% Scotland (n=17)
3% Northern Ireland (n=3)

Courts

Figure 9: Type of court appealed from for all cases heard by UKSC 2009-11 (n=118)

![Type of court appealed from](image)

- Civil (n=100) 85%
- Criminal (n=13) 11%
- Admin (n=5) 4%
Figure 10: Proportion of all cases heard by UKSC with ECHR issue (n=120)

ECHR issues in all UKSC cases 2009-11

- No ECHR issue (n=88) 73%
- ECHR issue (n=32) 27%
PART 3: PANEL SIZE & COMPOSITION

PANEL SIZE
Most cases (73%) are heard by panels of 5 Justices. There is virtually no change in the
proportion of 7 person panels from Year 1 to Year 2, and only a small increase in 9 person panels.

Figure 11: Panel size by year for all cases heard by UKSC
Characteristics of cases with 7 and 9 panels

Figure 12: Relationship between panel size and government involvement in case

- **Government as party**
  - 5 member panels (n=87): 66%
  - 7 & 9 member panels (n=33): 85%
- **Government not party**
  - 5 member panels (n=87): 34%
  - 7 & 9 member panels (n=33): 15%

Figure 13: Relationship between panel size and ECHR issues raised in cases

- **ECHR**
  - 5 member panels (n=87): 76%
  - 7 & 9 member panels (n=33): 24%
- **No ECHR**
  - 5 member panels (n=87): 24%
  - 7 & 9 member panels (n=33): 36%
Figure 14: UKSC Justices frequency of sitting on cases heard 2009-11 (n=119)

<table>
<thead>
<tr>
<th>Justice</th>
<th>Number of cases heard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hope</td>
<td>77</td>
</tr>
<tr>
<td>Brown</td>
<td>72</td>
</tr>
<tr>
<td>Hale</td>
<td>67</td>
</tr>
<tr>
<td>Walker</td>
<td>66</td>
</tr>
<tr>
<td>Rodger</td>
<td>64</td>
</tr>
<tr>
<td>Kerr</td>
<td>55</td>
</tr>
<tr>
<td>Phillips</td>
<td>53</td>
</tr>
<tr>
<td>Clarke</td>
<td>52</td>
</tr>
<tr>
<td>Mance</td>
<td>50</td>
</tr>
<tr>
<td>Collins</td>
<td>49</td>
</tr>
<tr>
<td>Dyson</td>
<td>39</td>
</tr>
<tr>
<td>Saville</td>
<td>15</td>
</tr>
<tr>
<td>Wilson</td>
<td>4</td>
</tr>
</tbody>
</table>

**Note:** The number of cases heard by a UKSC Justice is affected by the number of Judicial Committee of the Privy Council cases heard and by length of tenure on the UKSC

### Panels with non-UK Supreme Court Justices sitting

In all the cases heard in the UKSC (ie, from 1/10/09) (113 in the database), 11 cases (10%) used panels with a judge who is not a Justice of the UK Supreme Court.

Four different non-UK Supreme Court judges sat on panels:

1. The Lord Chief Justice (5 cases)
2. The Master of the Rolls (4 cases)
3. Lord Reed (1 case)
4. Lord Clarke (Matthew) (1 case)

Lord Reed and Lord (Matthew) Clarke sat on panels involving an appeal from Scotland in the absence of Lord Rodger (but with Lord Hope sitting).

All the cases where the Lord Chief Justice sat were cases involving a criminal appeal.

The four cases where the Master of the Rolls sat involved a range of issues such as housing, land use and finance.
PART 4: HEARINGS

Length of hearings

Figure 15: Length of hearings in all cases heard by UKSC 2009-11
**Interveners**
There was a single intervener in 49% of all cases with interveners and multiple interveners in 51% of the intervener cases.

![Pie chart showing distribution of interveners](image)

**Type of Interveners**

Figure 17: Type of interveners and frequency of appearance in all hearings 2009-1

<table>
<thead>
<tr>
<th>Type of Intervener</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>NGO (n=31)</td>
<td>41%</td>
</tr>
<tr>
<td>Government (n=27)</td>
<td>36%</td>
</tr>
<tr>
<td>Statutory Board (n=11)</td>
<td>15%</td>
</tr>
<tr>
<td>Individual (n=3)</td>
<td>4%</td>
</tr>
<tr>
<td>Company (n=3)</td>
<td>4%</td>
</tr>
</tbody>
</table>
PART 5: OUTCOME OF CASES

Note: The number of total outcomes (120) reflects multiple decisions in some cases and the inclusion of cases heard before 1 October 2009 but issued by the UK Supreme Court after 1 October 2009.

Figure 18: Proportion of appeals allowed, dismissed and referred 2009-11

Figure 19: Outcome of appeals by court appealed from (2009-11)
Figure 20: Outcome of appeals by jurisdiction appealed from 2009-11

<table>
<thead>
<tr>
<th></th>
<th>England &amp; Wales (n=98)</th>
<th>Scotland (n=18)</th>
<th>Northern Ireland (n=3)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allowed</td>
<td>46%</td>
<td>50%</td>
<td>100%</td>
</tr>
<tr>
<td>Dismissed</td>
<td>50%</td>
<td>50%</td>
<td>0%</td>
</tr>
<tr>
<td>Referred</td>
<td>4%</td>
<td>17%</td>
<td>0%</td>
</tr>
</tbody>
</table>
Time from hearing to Judgment

Figure 21: Time from hearing to Judgment in all cases heard 2009-11 (n=119)

Average days to Judgment:
- Year 1 and 2 combined: 85 days
- Year 1 (2009-10): 79 days
- Year 2 (2010-11): 91 days
PART 6: JUDGMENTS

Type of Judgment

Figure 22: Proportion of Unanimous and Majority Judgments 2009-11

Note: A split decision refers to a single case where the court reached a unanimous decision on some issue(s) and majority decision on at least one other issue.

Figure 23: Type of Judgments issued by UKSC by year (n=120)
Figure 24: Frequency of Dissents by Justice (n=120)

Note: Frequency is calculated as dissents per cases heard for each individual Justice

<table>
<thead>
<tr>
<th>Justice</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kerr</td>
<td>15%</td>
</tr>
<tr>
<td>Brown</td>
<td>14%</td>
</tr>
<tr>
<td>Hale</td>
<td>9%</td>
</tr>
<tr>
<td>Walker</td>
<td>9%</td>
</tr>
<tr>
<td>Hope</td>
<td>8%</td>
</tr>
<tr>
<td>Rodger</td>
<td>8%</td>
</tr>
<tr>
<td>Clarke</td>
<td>8%</td>
</tr>
<tr>
<td>Mance</td>
<td>6%</td>
</tr>
<tr>
<td>Phillips</td>
<td>4%</td>
</tr>
<tr>
<td>Collins</td>
<td>2%</td>
</tr>
<tr>
<td>Dyson</td>
<td>0%</td>
</tr>
</tbody>
</table>

Figure 25: Type of judgment in relation to panel size 2009-11 (n=120)

Note: A split decision refers to a single case where the court reached a unanimous decision on some issue(s) and majority decision on at least one other issue.

- **Unanimous decisions**
  - 5 member (n=87): 80%
  - 7 member (n=22): 64%
  - 9 member (n=11): 45%

- **Majority decisions**
  - 5 member (n=87): 18%
  - 7 member (n=22): 27%
  - 9 member (n=11): 45%

- **Split decisions**
  - 5 member (n=87): 2%
  - 7 member (n=22): 9%
  - 9 member (n=11): 10%
Figure 26: Main Author of Unanimous/Majority opinions 2009-11 (n=120)
Note: calculated as proportion of main opinions authored per times in majority/unanimity

Figure 27: Main Author of Dissenting opinions 2009-11 (n=31)
Note: calculated as proportion of main dissenting opinions authored per times dissenting
Your Notes: