INFORMATION PACK - VACANCY FOR APPOINTMENT AS

A JUSTICE OF THE SUPREME COURT

Introduction

As a result of the retirement of Lord Lloyd-Jones in January 2027, applications are sought for the appointment of a Justice of the Supreme Court of the United Kingdom. The selection commission welcomes applications from the widest range of applicants eligible to apply. Information about the Court can be found on the Court's website. Applicants and potential applicants are welcome to contact Vicky Fox, the secretary to the selection commission, to arrange to discuss the role of a Justice in greater detail with one of the current Justices of the Court and to visit the Court. Contact details can be found at the end of this pack.

Statutory selection process

Justices are selected in accordance with the provisions of the Constitutional Reform Act 2005, as amended ("the Act"). The Act requires the Lord Chancellor to convene a selection commission, the membership of which is prescribed in the statute and in the Supreme Court (Judicial Appointments) Regulations 2013. There is a full description of the process on the Court's website.

For this competition, the selection commission comprises:

Lord Reed of Allermuir (Chair)	President of the UK Supreme Court
Baroness Carr of Walton-on–the-Hill	Lady Chief Justice of England and Wales

Mrs Wilma Canning	Judicial Appointments Board for Scotland
Dr Uchechi Igbokwe	Judicial Appointments Commission, England and Wales
Lord Justice Treacy	Northern Ireland Judicial Appointments Commission

UK Supreme Court

The Court was created by the Constitutional Reform Act 2005. Under the Act, there are 12 Justices, including the President and Deputy President.

The Court sits as the final Court of Appeal for civil cases in England and Wales, Scotland and Northern Ireland and for criminal appeals in England and Wales and Northern Ireland and exercises the devolution jurisdiction formerly exercised by the Judicial Committee of the Privy Council (JCPC). Justices of the Supreme Court also sit in the JCPC which forms the final Court of Appeal for a number of Commonwealth countries, Crown Dependencies and Overseas Territories.

The Court is located in Parliament Square, London. The JCPC sits in the same building. The Court may, from time to time, choose to sit in other parts of the United Kingdom to hear particular cases. The JCPC occasionally sits outside the United Kingdom.

The role

The responsibilities and functions of a Justice include:

- Sitting as a judge in the highest appeal court in the United Kingdom, hearing very complex and high-profile cases, with significant importance across the United Kingdom. Similarly, hearing cases in the JCPC, often with significant importance to overseas jurisdictions.

- Participating fully and collegially in discussions and decisions on cases heard before the Court and applications for permission to appeal.

- Writing, with appropriate dispatch, judgments of the highest quality, commanding the confidence and respect both of colleagues and the legal world generally and commensurate with the importance of the decisions of the highest appellate Court.

- Promoting understanding of the justice system, the Supreme Court and the rule of law both inside and outside the Court, for example through lectures, visits to schools and universities etc.

- Representing the UKSC at judicial conferences and meetings in the UK and abroad.

- Working with colleagues and the administration of the Court in a professional and respectful manner at all times.

Statutory Eligibility Requirements

To be eligible for appointment applicants must, under section 25 of the Act, meet the following requirements:

Either: applicants must have held high judicial office for at least two years.
"high judicial office" means office as a judge of any of the following courts: the Supreme Court; the Court of Appeal of England and Wales; the High Court of England and Wales; the Court of Session; the Court of Appeal of Northern Ireland; the High Court in Northern Ireland;

Or: applicants must satisfy the judicial-appointment eligibility condition on a 15-year basis or have been a qualifying practitioner for at least 15 years.

A person is a qualifying practitioner if s/he is an advocate in Scotland or a solicitor entitled to appear in the Court of Session and the High Court of Justiciary; or s/he is a member of the Bar of Northern Ireland or a solicitor of the Court of Judicature of Northern Ireland.

A person satisfies the judicial-appointment eligibility condition on a 15-year basis if s/he has been a solicitor of the senior courts of England and Wales, or barrister in England and Wales, for at least 15 years; and has been gaining experience in law during the post-qualification period.

The meaning of "gaining experience in law" is set out in section 52(2) to (5) of the Tribunals, Courts and Enforcement Act 2007 and relates to a period engaged in law-related activities, which are defined as the following:

- The carrying out of judicial functions of any court or tribunal

- Acting as an arbitrator
- Practice or employment as a lawyer
- Advising (whether or not in the course of practice of employment as a lawyer) on the application of the law
- Assisting (whether or not in the course of such practice) persons involved in proceedings for the resolution of issues arising under the law
- Acting (whether or not in the course of such practice) as mediator in connection with attempts to resolve issues that are, or if not resolved could be, the subject of proceedings
- Drafting (whether or not in the course of such practice) documents intended to affect persons' rights or obligations
- Teaching or researching in the law; or
- Any activity that in the relevant decision-maker's opinion (this means the Lord Chancellor or his designated official) is of broadly similar nature to an activity with paragraphs (a) to (h).

The Commission will expect applicants to have substantial judicial or equivalent experience. The candidate must also have knowledge of, and experience of practice in, the law of England and Wales.

The successful applicant will be selected on merit. In accordance with section 27(5A) of the Act, if the Commission considers two persons to be of equal merit, it may prefer one of them over the other for the purpose of increasing diversity within the Court. Subject to the principle of selection on merit, the Commission will also take into account the need for an appropriate balance of expertise and professional experience within the Court.

Additional criteria for appointment

The cases dealt with by the Supreme Court include the most complex and important in the courts of the United Kingdom and demand the deepest level of judicial knowledge and understanding, combined with the highest intellectual capacity. Applicants will be expected to demonstrate the following to an exceptional degree:

1. Intellectual capacity, knowledge and expertise

- Intellectual and legal ability, with a significant capacity for analysing and exploring legal problems creatively and flexibly, together with an appreciation of the role of the Court in contributing to the development of the law

- Knowledge and experience of a range of legal subjects, and the ability to address problems in unfamiliar areas of the law
- Clarity of thought and expression, reflected particularly in written work
- Appreciation of the developing nature of the constitution and law in England, Scotland, Northern Ireland and Wales

2. Judicial and personal qualities

- Integrity and independence of mind
- Sound judgment and decisiveness
- Ability to contribute to the collegiate decision-making of the Court through working collaboratively and creating an inclusive environment
- Objectivity
- An ability to work under pressure and to produce work with reasonable expedition
- Self-awareness and the capacity to develop in response to it

3. Understanding and fairness

- Sensitivity to the needs of different communities and groups
- Understanding of the role of the Supreme Court in the constitution and its relationship with Parliament, the Executive and the rest of the judiciary.
- Ability to consider difficult and sensitive issues fairly and dispassionately

4. Communication skills

- Excellent written and oral skills
- Ability to work courteously in and out of Court, respecting the views of others.
- Ability and willingness to engage in the wider representational and leadership role of a Supreme Court Justice, including internationally, for example, delivering lectures, participating in conferences, and talking to students and other groups
- Willingness to embrace new technology

The successful applicant will be expected to serve for a reasonable amount of time and ideally a minimum of three years.

Flexible working

The Supreme Court supports flexible working, subject to the needs of the Court. Further information can be obtained from Vicky Fox – contact details can be found at the end of this pack.

Part-time or job share working

The Supreme Court supports part-time working, or a job share arrangement, subject to the needs of the Court and the requirements and integrity of a Supreme Court Justice.

Part-time appointees would not be permitted to practice as a lawyer or advocate or arbitrator when not working as a Supreme Court Justice. There are also other roles and activities that would be inappropriate and individual requests to work part-time would be considered carefully by the President of the Court with due regard to their nature and appropriateness, including the potential for any conflict of interest. Applicants should refer to the Judicial conduct - UK Supreme Court for further guidance.

Applicants interested in working on a part-time basis should state their desired working pattern on the application form. Applicants interested in working as part of a job share should set out the proposed arrangement on the application form. This information will not be used when assessing whether the criteria for appointment have been met for the purpose of shortlisting or inviting for interview. Any request to work on a part-time or job share basis will be considered after the short-listing stage of the process.

Further information can be obtained from Vicky Fox – contact details can be found at the end of this pack.

Age

Subject to the statutory requirements above, there is no lower age limit for this appointment.

The judicial mandatory retirement age is 75 years. The selection commission will consider applications from candidates who can offer a reasonable length of service before reaching the retirement age of 75 following recommendation. For this selection exercise a reasonable length of service is usually three years.

Salary

Salary levels are set by the Senior Salaries Review Body. The current annual salary for a Justice of the UKSC is £290,122.

Pension

Supreme Court Justices are eligible for membership of the Judicial Pension Scheme 2022 (JPS 2022) and any further amendments to the scheme at the time of appointment. JPS 2022 was established under the Public Service Pensions Act 2013, with the rules of the scheme set out in the Judicial Pensions Regulations 2022.

Further information about the scheme is available here.

Disqualification

The House of Commons Disqualification Act 1975 applies to this office.

Nationality

Applicants need to fulfil one of the following nationality requirements – they must be a citizen of:

- the United Kingdom;
- another Commonwealth country;
- the Republic of Ireland; or
- hold dual nationality, one of which falls in one of the above categories.

Health

If recommended for appointment, applicants must be able to fulfil the duties of the judicial role to which they are appointed and may be required to undergo a medical examination. Reasonable adjustments will be made if they have a disability as defined in the Equality Act 2010.

The selection process

Applications need to be submitted by **5pm on 2nd November.** They should be sent by email to grainne.hawkins@supremecourt.uk. Applications will only be accepted electronically.

Applicants must provide the following:

- A completed application form and the diversity monitoring form, both available from Grainne Hawkins (grainne.hawkins@supremecourt.uk tel: 020 7960 1906).

- A curriculum vitae

- A short supporting statement of no more than 1,500 words, giving clear evidence to support how they meet each of the additional criteria for appointment

- Applicants should submit five significant pieces of writing that demonstrate (i) the candidate's breadth of experience and ability to address legal problems in different areas of the law and (ii) how they meet the additional criteria for appointment. Candidates should include a brief explanation of why these have been chosen, drawing attention to the salient points for the commission. The five pieces of writing should include judgments, articles, opinions or other relevant material.

- The names of two people who can provide an independent assessment against the additional selection criteria set out above. Assessments may be of most assistance to the selection commission if they do not come from the statutory consultees (Annex A) who are consulted as a matter of course and if they cover areas not likely to be known to the statutory consultees.

The successful applicant will be selected on merit. In accordance with section 27(5A) of the Constitutional Reform Act, if the Commission considers two persons to be of equal merit, it may prefer one of them over the other for the purpose of increasing diversity within the Court. Subject to the principle of selection on merit, the Commission will also take into account the need for an appropriate balance of expertise and professional experience within the Court.

The commission will undertake the statutory consultations set out under section 27 of the Constitutional Reform Act before short-listing applicants. Short-listing is likely to take place in early November.

The full range of available evidence will be taken into account in making the short-listing decision. The commission may also undertake other non-statutory consultations as it deems appropriate.

Short-listed applicants will be invited to an interview that will take place on either the week of 7th or 14th December. Applicants will be updated as soon as the date is confirmed. Interviews will be conducted in person.

Applicants should note that the statutory consultation process following interview can be lengthy and that the final outcome of the competition is unlikely to be known before January 2027. Following the announcement of the successful candidate, feedback will be available to those applicants short-listed for interview but not recommended for appointment. Those not called to interview will receive feedback in writing, if requested.

Reasonable adjustments

We provide reasonable adjustments to ensure candidates with a disability are not placed at a disadvantage. We will also consider making reasonable adjustments for those candidates with a short-term injury or temporary illness. You may request a reasonable adjustment in your application.

Data Protection Act

When writing to the statutory consultees and any non-statutory consultees, the selection commission will wish to send the consultees copies of the application papers submitted by applicants. If there is any information that should be redacted before it is copied and sent to consultees, applicants should indicate this when submitting their application.

Contact details and further information

For further information or to arrange a visit to the Court, please contact Vicky Fox, Secretary to the Commission: tel: 020 7960 1976 or by email at: vicky.fox@supremecourt.uk.

Annex A

Statutory Consultees under section 27(1) of the 2005 Act

- Such of the following who are not members of the commission and who are not willing to be considered for selection:

  Justices of the Supreme Court (Lord Reed is a member of the commission)
  Lady Chief Justice of England and Wales (a member of the commission)
  Master of the Rolls
  Lord President of the Court of Session
  Lady Chief Justice of Northern Ireland
  Lord Justice Clerk
  President of the King's Bench Division
  President of the Family Division
  Chancellor of the High Court

- Lord Chancellor
- First Minister of Scotland
- First Minister of Wales
- Northern Ireland Judicial Appointments Commission