



**THE SUPREME COURT OF THE  
UNITED KINGDOM AND THE  
JUDICIAL COMMITTEE OF THE  
PRIVY COUNCIL**

**BUSINESS PLAN**

**1 April 2015 – 31 March 2016**

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# Section 1

## Introduction and Summary

## **Introduction**

1. The Supreme Court of the United Kingdom (UKSC) was established by the Constitutional Reform Act 2005 (CRA) and came into being on 1 October 2009. Its mission and strategic objectives, which can be found in the next section, remain essentially the same as those set out at its launch, although they have been slightly broadened to encompass, where relevant, the work of the Judicial Committee of the Privy Council. This Business Plan covers the UKSC's sixth full financial year of operation and sets out our key aims and objectives for that period and how we plan to achieve them. Our key Performance Indicators (PIs) are set out in Annex C to this Business Plan.

## **The Judicial Committee of the Privy Council (JCPC)**

2. From 1 April 2011 the UKSC took over from the Ministry of Justice (MOJ) responsibility for the administration of the Judicial Committee of the Privy Council (JCPC), which has been co-located with the UKSC since the UKSC's inception in October 2009.

3. The Judicial Committee of the Privy Council is a separate court from the Supreme Court of the United Kingdom but its permanent Judges are the Justices of the Supreme Court. The JCPC is the court of final appeal for the UK Overseas Territories and Crown Dependencies and for those Commonwealth Countries that have retained the appeal to Her Majesty in Council or, in the case of Republics, to the Judicial Committee. A list of the relevant countries is at Annex B to this plan. The JCPC normally sits in London, although in previous years hearings have taken place in Mauritius and in the Caribbean. Although the Judicial Committee was instituted by a United Kingdom Act, the substantive law which it applies is the law of the country or territory from which the appeal comes.

## **Managing within the Spending Review (SR) Settlement**

4. This year is covered by the one year settlement which resulted from the 2013 Spending Review (SR) and which was itself carried out to extend the previous 2010 four year Spending Review settlement, which covered the years 2011 - 2015. This one year SR was undertaken in order to enable a fresh full Spending Review to be carried out after the General Election which is set for Thursday 7 May 2015. So the UKSC currently knows its resource allocation only until 31 March 2016. This year continues, as under the previous four year settlement, to be a period of declining resources for the UKSC / JCPC. We have now completed the re-tendering of all our support services. This has enabled us to break away from the large MOJ contracts we inherited in 2009 and to replace them with tailored UKSC contracts, which have delivered better service at substantially reduced cost. We have, however, now achieved all the expected benefits of this approach, so that future opportunities of this kind will be extremely limited at best.

5. How the Court more broadly envisages it will manage within its resources this year is set out in the UKSC's Strategic Priorities document for 2015 – 2016, which the UKSC Management Board approved at its meeting on 18 December 2014 and which has set the parameters for this Business Plan. After the completion of the expected full four year Spending Review which will follow the May 2015 General Election, the UKSC will seek to

settle by 31 March 2016 a revised set of Strategic Priorities to cover the next full Spending Review period which we expect will run from 1 April 2016 to 31 March 2020.

## **Background and Context**

6. The UKSC's creation in 2009 marked the visible separation of the United Kingdom's highest court from both the executive and the legislature. It was designed both to increase the transparency of the judicial process and to clarify the relationship between the Judiciary, the Executive and Parliament. The role of the Court and the Justices is to act as the final Court of Appeal for arguable points of law of general public importance arising from civil cases throughout the United Kingdom; and from criminal cases in England & Wales, Northern Ireland and, in certain cases only, from Scotland. The Court also hears cases to determine issues relating to the legal competence of the devolved administrations, Parliaments and Assemblies. (This jurisdiction transferred to the UKSC on 1 October 2009 from the JCPC.)

7. The UKSC is completely independent of the Ministry of Justice and of the separate Court Services in England & Wales, Scotland and Northern Ireland. As an administration it is a non-Ministerial department headed by a Chief Executive who is also the Accounting Officer. The CRA (as amended by the Crime and Courts Act 2013) sets out the statutory framework and defines the responsibilities of the Lord Chancellor, the President of the Court and the Chief Executive. An ongoing task for the Court is to ensure that the separate roles of the Judiciary, Executive and Legislature are clear and widely publicly recognized.

## **Ongoing aims for 2015 – 2016**

8. (i) We will safeguard the constitutional position of the UKSC as the apex of the judicial branch of the State and support its independence from the Executive, in reality as well as in theory. Since the Executive is a party in over half the cases which come before the court, it is particularly important that this both is, and is seen to be, the case.

(ii) A key outcome will therefore be that the UKSC will continue to be publicly recognized as unequivocally independent of political influence and interference; and it will remain visibly separate from both the executive and the legislature and be publicly acknowledged to be such.

(iii) It will also continue to be recognized as the apex of the UK's civil law and, apart from Scotland, for criminal law as well. A key indicator will be that there will therefore be no successful challenges in the European Court of Human Rights on the grounds that a lack of judicial independence in the UKSC has compromised the Article 6 Requirement for a fair trial.

(iv) The UKSC will also devote effort to demonstrating that, although London based, it is truly a UK institution. The Justices reiterate that, if suitable cases arise, they would be prepared, if and when appropriate, to sit in Edinburgh, Belfast or Cardiff.

## **Section 2**

### **Securing the Justices' Constitutional And Financial Independence**

## **Relations with UK Ministers, Parliament and the Devolved Administrations**

9. The President, the Deputy President and other Justices have occasional bilateral meetings with the Lord Chancellor, the UK Law Officers and, as appropriate, the Law Officers of the devolved jurisdictions, in order to discuss matters of mutual concern, although neither the Lord Chancellor nor any other Ministers are in any way involved in the running of the Court, the administration of which is a fully independent Non – Ministerial Department in its own right. These meetings will continue in 2015 – 2016. (Rather, pursuant to section 48(4) of the Constitutional Reform Act 2005 (CRA), the Chief Executive of the Court must carry out her functions in accordance with any directions given by the President.) Since 2013 the President and Deputy President have also made an annual appearance before the House of Lords Constitution Committee to give evidence on topical issues which may impact upon the Court. We currently expect them to appear again before that Committee before the end of July 2015.

## **Financial Independence**

10. The main interface with the Lord Chancellor is that the CRA (Section 50(1) (b)) places upon the Lord Chancellor the duty of providing the UKSC with such resources as he thinks are appropriate for the Court to carry on its business. In practice this duty is discharged via the Spending Reviews conducted Government wide by the Treasury, which normally determine Departmental budgets for the following three or four years. The next Spending Review is expected to take place in 2015 starting immediately after the General Election on Thursday 7 May and likely concluding sometime in the autumn of 2015. It is expected to settle the Court's resources for the four fiscal years running from 1 April 2016 to 31 March 2020.

11. The duty on the Lord Chancellor to provide the Court with adequate resources to carry on its business is balanced by a duty on the Chief Executive to ensure that the Court uses those resources to provide an efficient and effective system to support the Court in carrying on its business (CRA Section 51).

12. The UKSC has remained within its budget in every financial year since its inception and will aim to do so again in 2015 - 2016.

13. The UKSC / JCPC's resources actually comprise four different elements. The first is an amount directly voted by Parliament in accordance with the terms of the Spending Review settlement.

14. The other three elements comprise:

(1) fees paid directly by UKSC / JCPC litigants. The amount the UKSC / JCPC expects to receive from these is obviously a forward projection, based on fee levels and the volume of cases the two courts have historically received in recent years.

Although we can control fee levels, we cannot control demand. Indeed to the extent that fee levels increase, they may tend to operate as a small disincentive to demand, although the larger drivers of demand are likely to be factors in the wider economy and in society determining the propensity and ability to litigate and over which the UKSC / JCPC has no control.

(2) income derived from so called ‘wider market initiatives’, which in our case means the income the UKSC / JCPC can generate from hiring out parts of the building and from the sale of gifts and souvenirs. We have some control over this by means of promoting the marketing of the building as a suitable venue for events and from offering a suitable range of souvenirs for sale at attractive prices.

(3) the largest of these three elements (about 85%) is annual contributions from the judicial systems of the three jurisdictions from which cases come to the UKSC - England and Wales, Scotland and Northern Ireland. In turn the lion’s share of these (88%) inevitably comes from England and Wales, since the contributions are based on the proportions of civil cases which come from each jurisdiction. This last element is intended to reflect the benefits to all civil litigants of judgments given here. This is a regime agreed by Ministers as part of the funding arrangements after the passage of the CRA.

15. In 2015 – 2016 the UKSC / JCPC will continue to seek to secure the resilience of each of these three elements. In respect of UKSC fees in 2014 – 2015 we reviewed the relative staff costs of the various elements of case processing with a view to determining how closely the fee structure matches this staff costs structure. In the light of this we then consulted our UKSC User Group on possible changes to our fees structure and, as a result of this consultation, we are likely in 2015 – 2016 to propose to the Lord Chancellor, who under the CRA has the statutory responsibility for determining the UKSC’s fees, a number of changes in structure and quantum to take effect from the following financial year (i.e. from 1 April 2016).

16. It is also particularly important that we can continue in 2015 – 2016 to rely on receiving the annual contributions from the three jurisdictions, and especially that from England and Wales, since these, and especially this last one, form such a high proportion of the income the UKSC receives which does not come directly from Parliament.

## **Section 3**

### **Promoting the Rule of Law**

## Casework

17. This is the core work of both the UKSC and the JCPC and it will continue to be given the highest priority. The jurisdiction of the UKSC and the permission to appeal (PTA) requirements are set out in Annex B to this Plan, as are the jurisdictions from which cases come to the JCPC.

18. In cases where PTA is required from the UKSC (or, more rarely, the JCPC), once the required papers have been filed with the Court, the Court's target is, and in 2015 – 2016 will continue to be, to determine that application within twelve sitting weeks. In urgent cases, a request for expedition may be made and the Court can often determine an expedited application within 14 days or even less.

## Appeals

19. Appeals are normally heard in open court before five Justices, although in cases which meet the criteria set out below seven or even nine Justices will sit. The criteria to be used when considering whether more than five Justices should sit on a panel are:

- If the Court is being asked to depart, or may decide to depart from a previous decision.
- A case of high constitutional importance.
- A case of great public importance.
- A case where a conflict between decisions in the House of Lords, Judicial Committee of the Privy Council and /or the Supreme Court has to be reconciled.
- A case raising an important point in relation to the European Convention on Human Rights.

## Sitting Days

20. Once permission to appeal has been granted, a hearing date is fixed taking into account the time estimates provided by the parties. The Court's target is that all hearing dates will be offered within four sitting weeks of the grant of permission for UKSC cases and within eight sitting weeks of the grant of permission for JCPC cases. Hearings in the UKSC usually last for two days. It remains the Court's target that all appeals should be heard within nine months of the grant of permission.

21. The Court is, however, sensitive to the needs of a particular case and of its parties. It therefore seeks to arrange hearings according to the availability of parties' legal representatives; and this is the only factor which causes hearings to be delayed beyond nine months from the grant of permission on the occasions when this happens. The Court would not be accessible if it insisted on parties instructing new counsel if their existing counsel was not available; and it would be expensive for parties to have to instruct new counsel simply in order to expedite a hearing. In practice the Court can and has arranged hearings within weeks of the grant of permission in a number of urgent cases (e.g. family and extradition cases).

## Policy Developments

22. The UKSC/JCPC will aim to keep in touch with relevant policy developments, both from the United Kingdom Government and from the devolved Governments, which might impact on our business. The range of likely policy developments is inevitably dependent to some extent on the outcome of the May 2015 General Election. Issues we have highlighted here are changes which are already in hand. Others will probably need to be added during the year.

23. During 2013 and 2014 the Ministry of Justice introduced changes to the legal aid schemes in England and Wales. We will continue to monitor the impact of these changes to see how far they affect the flow of cases, and the type of cases, in which permission is sought to appeal to the Supreme Court. There have also been changes to the legal aid schemes in both Scotland and Northern Ireland. As this work continues, we will monitor their effects.

24. The cost of litigation continues to be a concern for all of those who work in and use the courts. We will continue to monitor developments in the lower courts in all the United Kingdom jurisdictions to ensure that we are responding in the most appropriate way to new developments.

25. The recently passed Criminal Justice and Courts Act introduced changes to judicial review in England and Wales. These included a provision extending the range of cases which can leapfrog appeals to the UKSC. We will be monitoring closely the practical impact of these and other changes: our expectation is that this will lead to more applications for permission to appeal.

26. One area where there may be significant implications for the UKSC is in the area of human rights. Notwithstanding who forms the next Government, we anticipate there may be changes in the relationship between this Court and the European Supranational Courts, and possibly, in respect of the jurisdiction exercised by the Supreme Court and its relationship with Parliament. We cannot yet anticipate what those changes may be, but we will be alive to any implications for the nature and volume of our caseload.

27. We expect the relevant sections of the Courts Reform (Scotland) Act 2014, which introduced a permission to appeal mechanism for civil cases from Scotland, to come into effect during 2015. We have been discussing the detail of this with colleagues in the Scottish Government and will be monitoring carefully the impact these changes have on Scottish cases coming to the Court.

28. We are also in discussion with colleagues from Scotland about revised bail provisions introduced in the Crime and Courts Act 2013. There are implications in those provisions for the detailed way in which we do our work in extradition cases involving someone on bail in Scotland. We hope to find a satisfactory solution to the issues raised during the first quarter of the financial year.

29. On 22 January 2015 the UK Government produced a Command paper setting out its proposals for how effect will be given to the heads of agreement reached by the Smith Commission for further devolution to Scotland. As the legislation flowing from that makes its way through the UK Parliament after the General Election, we will be assessing what, if any, implications there may be for the Supreme Court. We have also noted the proposals for further devolution to Wales announced by the UK Government on 27 February 2015. We will similarly monitor any implications for the UKSC, which may flow from the implementation of those proposals. The President has already stated- that, wherever a UKSC case involves an appeal relating to Welsh devolved issues, the Court will, if possible, always include a judge who has Welsh experience and knowledge.

### **A court and procedures which users find clear and easier to use**

30. Another key objective for the UKSC is that it should be an accessible court for users with procedures which are clear, simple and understandable, providing an efficient and effective service to all court users:

- We will continue the regular meetings we hold with court users to ensure that the procedural regime we have in place continues to achieve our objectives. We will make any revisions to our procedures, which appear to be necessary, and consider any recommendations for changes which promote service improvements. The User Group includes representatives from all the UK jurisdictions and from users of the JCPC and the minutes of the User Group meetings can be found on the UKSC website.
- In February 2014 we published a guide to appealing to the Supreme Court on the UKSC website, which was designed to assist those without legal representation. Although the number of parties seeking permission to appeal (PTA) to the UKSC without legal representation is relatively small, as we anticipated, the proportion has grown. The guide was written to help answer the most common questions asked by those who approach the UKSC to appeal a decision, rather than to serve as a comprehensive guide to court procedures or advocacy skills. We shall continue to monitor its use and how helpful it is to those seeking PTA without legal representation.

### **Use of modern technology to improve court functions**

31. In January 2014 a new Information Technology (IT) system was installed, supporting both the conduct of cases in court and back office case management, library services and office work. It also allowed Justices and staff to have more efficient and easier remote access when working away from the Court building and for the in – house IT team better to assist remote users. There are separate UKSC and JCPC websites as well as an intranet for Justices and staff.

- The UKSC and the JCPC have now started a pilot programme to test the viability of court users being able to prepare and submit case bundles on-line. This pilot will be

evaluated in the first months of 2015 – 2016 with a view to the permanent future introduction of such a system. This work is part of a larger body of work, the eventual aim of which is to allow court users to download, complete and submit court forms, make payments and submit case bundles on-line.

## **Public Access, Education & Outreach**

32. A continuing objective of the UKSC / JCPC is to present the two Courts' activities in the most clear and accessible ways possible, to the widest range of audiences. We expect to welcome more than 90,000 visitors to the building over the next year, and approximately 40,000 distinct visitors will visit the UKSC website and 7,000 distinct visitors the JCPC website on average each month.

33. By welcoming visitors, providing educational opportunities and working with the media to communicate news about the Courts' work, we aim to increase understanding of the role played by the UKSC and JCPC in promoting and sustaining the Rule of Law across the jurisdictions we serve. The 800<sup>th</sup> anniversary of the sealing of Magna Carta provides a particularly strong platform for this during 2015.

## **Access to the Court**

34. The UKSC and JCPC building is easily accessible by the public who are able to visit and attend hearings. We will continue to offer a dedicated reception/information desk service every day the Court is open, to welcome visitors and deal with enquiries. Details of any planned building closures will be published online.

35. We will continue to film all proceedings of the court (subject to any exceptions ordered by the Justices) and, on request, make recordings available to educational establishments and to the main public broadcast organisations for use in news or current affairs programmes. Since October 2014 we have live streamed all proceedings (again subject to any exceptions ordered by the Justices) via the UKSC and JCPC websites. We will continue to explore ways of enhancing this service within our current resource limitations.

36. The UKSC / JCPC will continue to ensure our websites are accessible for partially sighted users, and better optimized for those viewing on mobiles and tablet devices (which now accounts for 20% of all our web traffic).

37. We will continue to provide training for our staff on how appropriately to assist visitors with access difficulties. Audio booster loops are available for those with hearing difficulties joining guided tours, and Braille versions of our visitor guide complete with tactile maps and illustrations are available to borrow from Reception.

38. In 2015 – 2016 we will again open the Court for seven 'Open Days'. These are designed to give members of the public the opportunity to see some private areas of the building, and to provide additional explanatory material about the artwork on display. The dates (which will include the popular 'Open House London' weekend in September) will be publicized on the Court's website, via social media channels and through clear external signage.

39. Following the sell-out success of last year's pilot, we plan again to open late into the evening on 14 May 2015 as part of the 'Museums at Night' initiative. Ticket holders will be able to enjoy a range of entertainment alongside talks about the work of the UKSC/JCPC, while exploring the building in a relaxed and social atmosphere.

## **Media liaison**

40. We will continue to distribute alerts about forthcoming judgments, and to issue judgments to media contacts by email as soon as they are delivered in Court. We will continue to supplement this with forward planning lists highlighting the forthcoming cases likely to be of the most public interest before each legal term.

41. We will respond to media requests promptly, continue to develop our database of media contacts and identify proactive opportunities to highlight aspects of the Court's work, particularly focusing on forthcoming cases and through a more systematic approach to publishing 'permission to appeal' decisions. We will also continue to manage the steady flow of requests for interviews with Justices, making arrangements as necessary.

42. We have so far attracted more than 118,000 'followers' (as at February 2015) on the UKSC's official Twitter feed – which we use to alert users to judgments and other announcements – and during 2015/16 we will continue to engage with users according to our published policy.

## **Education and Outreach**

43. We aim to continue to increase the number of visits from school, college and university groups during 2015 - 2016, especially from the state sector and from schools in Wales, Scotland and Northern Ireland, and we will continue to review how we can best meet demand for tours (particularly in light of plans by the UK Parliament Education Service to increase considerably its capacity for visits to the Palace of Westminster during this year).

44. Demand for our 'debate days', which offer school groups the opportunity to consider the issues behind past UKSC cases and debate them in front of a panel of their peers, continues to grow. We are grateful for the support offered by lawyers who attend on a voluntary basis to help the students prepare for these debates. During 2015 - 2016 we will provide at least the same number of such sessions as in 2014/15 (i.e. one per month, except in August). In addition, during 2015 we will again host the final rounds of mooting (mock legal debate) competitions for 12 different university groups.

45. After a successful pilot last year, we will provide continued support for the 'Magna Carta Convention' project (led by Egham Museum and Royal Holloway University) involving Y10 and Y12 students debating fundamental rights, scheduled for April 2015. For the fifth year running, we will also offer use of the building and other elements of practical support to the 'Big Voice London' project (an independent student-led initiative exploring themes around legal and political advocacy, aimed at engaging AS Level students who might not usually consider a career in law).

## **Arts Trust**

46. There has been a proposal since before the inception of the Court that, when circumstances permitted, it would be helpful to create a UKSC / JCPC Arts Trust, whose purpose would be to develop the UKSC's /JCPC's use of works of art in order to promote visually to visitors education about and knowledge of the development of justice and the Rule of Law within the context of the UK's and the Commonwealth's legal systems. Although we have not been able to take this forward earlier, we have now reached a position where early in 2015- 2016, we hope to bring such a Trust into being.

47. We are on the point of recruiting, as unpaid volunteers, independent (i.e. not Justices or members of staff of the Court) trustees and creating such a Trust as a legal entity entirely separate from the UKSC and the JCPC. This is because we do not think we could justify spending public money on the sort of projects the Trust might wish to take forward. The Trust's purposes will therefore broadly be to advance the education of the public, in particular in relation to art and to the connection between art and the legal institutions of, or associated with, the United Kingdom and the history and operation of such legal institutions. For that purpose it will be able to acquire (and if appropriate dispose of), maintain and manage works of art for the UKSC's collection, similarly to accept or decline gifts of appropriate works of art, as well as to commission appropriate new works of art. It will be able to raise (from willing donors) and hold funds to be used for these purposes. It will not have access to any funds from the UKSC or JCPC itself to use for these purposes.

## **Exhibition Development**

48. We have curated a temporary exhibition in the Court's main Lobby space during each summer recess since 2010, to offer visitors information about an aspect of our work or the Supreme Court building. In 2015 we will mark the 800<sup>th</sup> anniversary of the sealing of Magna Carta with an exhibition highlighting the principal legal rights the original charter was intended to protect, and how its legal significance developed over time. The installation will also encourage visitors to reflect on the legacy of the charter across the UK and how various rights are protected today. We are grateful to the Magna Carta 800<sup>th</sup> Anniversary Grant Allocation Committee for approving a bid for a proportion of the costs associated with mounting this exhibition.

49. In our permanent exhibition space, we intend to place supplementary interpretation material for a younger audience (broadly speaking of primary school age). This follows a growth in the number of families visiting the Court, especially during the summer months. In future years we hope the UKSC Arts Trust (mentioned in paragraphs 46 – 47 above) may also be able to play a role in supporting both our permanent and our temporary exhibitions.

## **Guided tours and other revenue generation activity**

50. We will continue to provide guided tours (on Fridays during term time and other occasional days during the recesses), aimed predominantly at groups from membership and professional organisations. We charge for these tours, which offer visitors a chance to see an

introductory video from the President of the Court as well as a number of areas not usually open to the public. We aim to deliver at least the same number of ‘paid for’ guided tours as we did in 2014-15 (approximately 120).

51. As part of the Court’s objective to take opportunities to develop appropriate revenue streams, we will continue to hire out some of the building’s larger rooms for corporate events when the court is not sitting. We will aim to strengthen our focus on this area during 2015-16 in order markedly to increase the income achieved during 2014-15, enabling us to reduce our overall burden on public finances. Our plans include greater investment in marketing activity and a widening of our offer to the corporate market, including hire of smaller meeting rooms where this will not disrupt the core work of the Court.

52. We will also continue to work closely with our catering concessionaires (Zafferano’s, which took over in-house catering operations in April 2014) both to ensure that they are meeting the expectations of the full range of court users and visitors, and also to quality-assure the range of souvenir items bearing the Courts’ branding. As with corporate venue hire, once certain thresholds are met, revenue raised by the café and associated activities helps reduce our overall call upon other sources of funding.

## **Section 4**

### **Providing Efficient and Effective Administration**

## **Governance Arrangements**

53. To support the Chief Executive both in her statutory responsibilities, and her responsibilities as an Accounting Officer, an internal governance structure was established in 2009, which comprised a Management Board, an Audit & Risk Assurance Committee, and a Health and Safety Committee. A Remuneration Committee was added in July 2013 following the repeal by the Crime and Courts Act 2013 of the need for the Chief Executive to seek the formal agreement of the Lord Chancellor to staff terms and conditions of service (although they must continue to be in line with the arrangements for the Civil Service as a whole).

54. Philip Robinson's term of appointment as a Non – Executive Director came to an end after five years' service on 31 July 2014 and he was replaced by Kenneth Ludlam on a three year appointment to 31 July 2017 with effect from 1 August 2014. Alex Jablonowski's term of office as a Non – Executive Director will end after six years' service on 31 July 2015; and he will similarly be replaced by Stephen Barrett on a three year appointment to 31 July 2018 with effect from 1 August 2015, although we expect Stephen will start attending some relevant meetings as part of an informal handover from earlier in the 2015 – 2016 financial year.

55. The Management Board meets monthly, and the Audit & Risk Assurance Committee, the Remuneration Committee and the Health and Safety Committee meet approximately quarterly. The two Non-Executive Directors are members of the Management Board, one of whom also chairs the Audit and Risk Assurance Committee and the other of whom also chairs the Remuneration Committee. The Audit & Risk Assurance Committee also includes representatives from Scotland and Northern Ireland. The membership of these committees as at 31 March 2015 is as follows:

### **Management Board**

Jenny Rowe – Chief Executive (Chair)

William Arnold – Director of Corporate Services

Louise di Mambro – Registrar

Olufemi Oguntunde – Director of Finance

Martin Thompson – Building / Health and Safety Manager

Ben Wilson – Head of Communications

Chris Maile – Head of Human Resources

Paul Brigland – Head of ICT and Records Manager

(Secretary)

Alex Jablonowski – Non-Executive Director

Kenneth Ludlam – Non-Executive Director

## **Audit & Risk Assurance Committee**

Alex Jablonowski – Chair  
Kenneth Ludlam  
Charles Winstanley – Representative from Scotland  
Ronnie Armour – Representative from Northern Ireland

## **Remuneration Committee**

Kenneth Ludlam - Chair  
Alex Jablonowski  
Jenny Rowe (Chief Executive) OR in her absence William  
Arnold

## **Health and Safety Committee**

William Arnold (Chair)  
Martin Thompson – Building / H&S Manager  
Toyin Soley – Deputy Building / H&S Manager  
Chris Maile – Head of Human Resources  
Ian Sewell - Trade Union H&S representative

James Noone – Security Manager – Carlisle Security  
Clive Brown – Building Engineer – MJ Ferguson -Hard FM  
Contractors  
Caroline Hutchins – General Manager for Julius Rutherford  
– Cleaning Contractor  
David Winter – Director Zafferano’s – Café Concessionaire

## **Finance**

56. The Finance Division supports the Chief Executive and the Management Board in order to enable effective corporate decision making, to assist in the shaping of the Court’s future direction and to ensure that its finance & procurement systems and processes meet the needs of the Court, the Justices and the Court’s staff, as well as those of all Court users and visitors.

57. Its main priorities in 2015 – 2016 will be to

- Achieve a satisfactory outcome for the Court for the years 2016 – 2020 from the full four year Spending Review expected to be launched after the General Election on 7 May 2015.

- Continue to seek more efficient ways of delivering value for money in the finance, procurement and payroll functions by fully optimizing the opportunities presented by the finance system.
- Maintain the effectiveness of the contract with Liberata UK Limited, which provides payroll services via our in-house HR System, and make the best use of the independence now established from the previous contracts run by the Ministry of Justice in achieving greater efficiency and cost savings.
- Continue to maintain a robust framework of financial planning, management and reporting (including value for money) in the court; and
- Respond to requirements from key external Departmental stakeholders (e.g. the Treasury, Cabinet Office, the MOJ and both Internal & External Auditors etc.) in a timely manner.

## Resources

58. The division also manages UKSC / JCPC finances overall and ensures that none of the control limits imposed by the Treasury is breached.

59. The UKSC's 2013 Spending Review Budget Settlement for 2015 - 2016 is summarised below:

	£ '000
<b>Judicial Pay &amp; Expenses</b>	<b>3,917</b>
<b>Depreciation</b>	<b>1,081</b>
<b>Other Costs</b>	<b>7,770</b>
<b>Total Gross Costs</b>	<b>12,768</b>
<b>Contributions from Jurisdictions</b>	<b>(6,632)</b>
<b>Fees &amp; wider Market Initiatives</b>	<b>(1,075)</b>
<b>Net Resource DEL</b>	<b>5,061</b>
<b>Capital DEL</b>	<b>150</b>

60. The main finance objectives of the UKSC / JCPC over the period covered by this plan are:

- Achieving a satisfactory outcome from the 2015 Spending Review for the years 2016 – 2020.
- Operating within the agreed budget control limits and ensuring value for money, propriety and regularity are demonstrated in all financial decisions.

- Ensuring all processes are in place to make timely and accurate financial payments.
- Producing an unqualified set of 2014 - 2015 Resource Accounts and ensuring they are laid before the summer 2015 Parliamentary Recess.
- Ensuring an adequate system is in place to monitor spending and report it regularly to the Management Board.
- Ensuring timely and appropriate Supplementary Estimates are agreed with the Treasury.
- Producing IFRS compliant resource accounts at the end of 2015 - 2016 in accordance with a timetable agreed with the external auditors.

## **Accountability for Public Funding**

61. The UKSC's last five sets of accounts demonstrate that proper financial systems and controls are in place with clear accountability for all funding and services and that efficiency and value for money are being delivered from the resources consumed through the UKSC's improved facilities (and its co-location with the JCPC). The aim is that this will continue in 2015 - 2016. We will also continue in 2015 - 2016 with regular audits which form part of a rolling three year programme we agree with our Internal Auditors (the MOJ's Internal Auditors, whom we employ on an agency basis to carry out audits for us).

62. We will therefore also endeavor to ensure that there continue to be no adverse National Audit Office (NAO) comments on the annual accounts, which both our internal auditors and the NAO examine; and that these and the Annual Report are produced and published before the Summer Parliamentary Recess.

63. Details of Justices and Senior Management remuneration will be published in the Annual Report together with the details of Justices' expenses, which will also continue to be published annually on the UKSC website.

## **JCPC Fees**

64. As a separate court the JCPC continues to have its own fee regime and the fee income it receives is identified separately in the UKSC Accounts. This provides the necessary transparency between the two courts. During 2013 the JCPC fee regime was rationalized, so that JCPC fees might better reflect the marginal additional costs of bringing cases before the JCPC.

65. In the financial year 2015 – 2016 we shall continue to be monitor carefully what impact this has on both JCPC workload and the overall income generated by JCPC fees.

## **Risk**

66. Risk is an inherent part of doing business. The management team has the responsibility for managing principal risks on a day to day basis and has a robust process in place for identifying, evaluating and managing the risks faced by the UKSC. In 2015 – 2016 the Management Board will continue its practice of reviewing the UKSC Risk Register and Performance Dashboard on a monthly basis with a more detailed review taking place every quarter. Ownership of each risk is allocated to an individual member of the Management Board who is responsible to the Board for managing the actions devised to reduce the likelihood and impact of that risk.

67. There is also a Business Continuity Plan in place to support the continued operation of the UKSC (and / or the JCPC, as the case may be) and in particular its casework. The BCP is tested at regular intervals using different hypothetical scenarios.

68. Additionally, the Audit & Risk Assurance Committee reviews and advises how the UKSC / JCPC should identify, model and manage risks. This committee comprises two non executive directors and two members from the contributing jurisdictions of Scotland and Northern Ireland.

69. In relation to internal risks the UKSC / JCPC has a clear set of rules and procedures. This covers all aspects of finance, HR, procurement, information security and general areas of governance. In relation to external risks the UKSC conducts an annual review of what these might be and how it might mitigate their impact upon the conduct of the business of the court.

## **People**

70. In line with the wider Civil Service Reform Programme in 2015 – 2016 our challenge will be to find imaginative ways of maintaining our commitment to developing our staff and to build on the achievements made since the Court opened in 2009 while ensuring that all new initiatives and existing services offer value for money and are the right decisions for the long term future of the Court.

71. In November 2014, our fifth annual staff survey was completed. There was another excellent response rate and the overall engagement score was a very good 77%, which is consistent with recent years. Given that average scores are around 60% in both the public and private sectors, this shows that our staff continue to value the Court. In 2015 – 2016 the Results into Action Team, which comprises four members of staff from different parts of the Court, will continue to develop ways to bring different areas of the Court together by identifying opportunities for staff to share common interests outside work. It will continue to organize diverse lunchtime events, such as the Supreme Court Book Club and the Friday Football. A Results into Action Plan will be published on the Intranet alongside the survey results to help address the areas for improvement during 2015-16. Progress with the action plan will be measured against the staff survey results, when the next staff survey takes place in late calendar 2015.

72. The court will continue to demonstrate its corporate social responsibility by encouraging members of staff to undertake voluntary activities to help others outside the office and by continuing to support and collect for a number of charities, such as the St

Andrew's Westminster youth club and the various charities for the homeless for whom we collect at our annual Christmas carols concert.

73. In order that we make the best use of the range of skills and experience that we have, we will continue to keep our staffing structure under review in 2015 – 2016, to ensure that it continues to provide an effective and efficient service.

74. The UKSC now has direct control of all HR contractual and pay issues, subject to the framework set by the Treasury and Cabinet Office; and we are thus now in a good position to react positively and creatively to challenges in the future. Our direct contract with Liberata for payroll and our new HR System allow a greater sense of independence and have created not only monetary and efficiency savings, but also an opportunity for us to lead and develop the department further in 2015 – 2016 and respond effectively to challenges in the future.

### **A place where people want to work**

75. The Court has maintained a low staff turnover rate, although a number of changes have naturally occurred in some sections owing to the limited opportunities for promotion within a small department. In the last 12 months there was one retirement and six staff left or transferred to other government departments. After five years of operation it is expected that turnover will increase, although in key areas a stable core set of knowledge and experience remains. We intend to ensure the high level of staff engagement continues in 2015 – 2016 and that we continue to encourage the development of individuals. On the whole, staff consistently indicate that they take pride in working at the Supreme Court and generally enjoy their work and understand how their role fits with the strategic objectives of the Court.

76. The annual Judicial Assistants (JAs) Campaign successfully continues to attract a wide range of lawyers interested in one of the seven opportunities to work closely with the Justices and assist in researching appeals. Candidates apply from across the United Kingdom and we actively encourage applications from all the jurisdictions in the United Kingdom. The annual campaign allows us to promote the profile of the Court within the legal profession and on average we attract around 300 lawyers to apply for the JA positions each year. We shall again be recruiting 7 JAs in the spring of 2015 to work in the UKSC for 11 months from September 2015 to July 2016.

### **Complaints, correspondence and core standards**

77. The UKSC / JCPC deals with complaints in accordance with our complaints policy covering staff and administrative procedures. The policy was amended in January 2013 to provide greater clarity around the steps involved in investigating a complaint, and to make clearer the role of the Chief Executive and Parliamentary and Health Service Ombudsman in the process. We monitor the level of complaints, using them as a tool to improve our performance. We have begun to register an increasing volume of general correspondence and requests to the UKSC, which in 2015 – 2016 could lead to a pressure for additional

staffing resource to enable them to continue to be handled in line with the relevant performance indicators (as set out in Annex C).

78. All staff at the UKSC / JCPC operate under a set of agreed core office standards which deal with external contacts and communications, together with internal issues such as staff management, Information Technology, use of resources, health and safety, security and team-working.

## **Library services**

79. Access to relevant and up-to-date legal information is important to the Justices and their Judicial Assistants. We will continue to ensure that the Library contains, identifies, acquires and catalogues material that supports the work of the Justices – both print and electronic. In respect of print material, the Library contains some 100 sets of law reports and journals, and approximately 2,000 textbooks. Some 300 textbooks are added each year. In February 2015 we issued a questionnaire to the Justices to seek their views on what they would like to see in the library; and in 2015 -2016 we will continue to review the stock to ensure it meets the needs the Justices have identified. We will also continue to identify areas for improvement in the collection, that is, to fill gaps in our sets of law reports and journals, to broaden and deepen the textbook collection, and to build up a collection of old editions of key textbooks. During 2015-16 we will complete the cataloguing of the Library's collection of antiquarian 'Nominate' reports, comprising some 400 volumes. We will continue to identify items for binding, both monographs and serials.

80. In respect of electronic resources, the Library will continue to provide the Justices and JAs with access to a range of subscription databases and will explore new databases. We will encourage greater use of the electronic databases by publicising their contents and by providing guidance and training on their use. For the JAs' induction programme in September we will arrange presentations by the most important databases, as we have done since 2009. The current contract with the major databases ends March 2015 and a new 3-year contract will start in April 2015, negotiated by the Ministry of Justice.

81. In order to provide Justices and JAs with detailed information on legal materials and resources we will update the *Library Handbook* as and when required, usually annually. We place similar information on the UKSC intranet and this will also be reviewed and updated regularly.

82. The Library will continue to assist the Justices, JAs, and court staff with information and research. This may be in the form of ad hoc enquiries or regular monitoring of certain subject areas. We will continue to alert Justices, JAs, and the court to relevant books, journal articles, and court judgments via a monthly newsletter. In order to assist the Justices and JAs in keeping up-to-date with current legal thinking we continue to disseminate contents pages of law journals, a service recently expanded to include a wider range of journals plus summaries of articles. The gathering of news on JCPC Caribbean countries is an ongoing activity, as is the monitoring of legislation passed by the devolved assemblies. The Library has recently started to monitor parliamentary activity on areas of interest to the Court.

83. Copyright compliance: Following a recent agreement between the Cabinet Office and the Copyright Licensing Agency (CLA) regarding the copying of print material, we will participate in a pan-government contract with the CLA. The Library will continue to provide basic guidance on copyright compliance for print material via the intranet and the *Library Handbook*.

84. The Library will continue to build upon its relationships with other law libraries, both in the UK and abroad, with a view to sharing information, expertise and resources. The Librarian will continue to be a member of various professional library bodies and in June 2016 will represent the Library at the annual conference of the British & Irish Association of Law Librarians (BIALL). She is a founder member of the Government Law Librarians Forum (GLLF) where she led a project to produce a union list of law serials held in government libraries and now oversees the maintenance and development of the list. She has proposed a similar project for electronic resources and this has been agreed by the GLLF for 2015-16.

## **Security Guarding Contract**

85. Security guarding is an area of significant expenditure and great operational significance. As of 1 February 2012, and following an open competition, the UKSC has had a direct contract with Carlisle Security Services Limited. The contract period is four years with an option to extend by up to two years. We will continue to monitor the performance of the contractor to ensure that exemplary levels of security are maintained.

86. We also recognise that the guards are in the front line of interaction with professional court users and members of the public visiting the Court. We have received a number of compliments in past years on their attitude to these groups, and we intend to continue to pass on such compliments in order to motivate and encourage the behaviours that are working in this regard.

## **Building and Accommodation**

87. Subject to the availability of funds we will continue to operate the building at the best efficiency we can achieve, and to maintain it in excellent condition as befits such an important public building. As a Listed Building the court must secure consent for any work affecting the historic fabric, and to this end we maintain a close working relationship with English Heritage and Westminster City Council Planning Department through annual liaison meetings and ad hoc consultation when required for a project under consideration.

88. Maintenance, repairs and building projects were until 2012 – 2013 undertaken by a Facilities Management company operating under two Ministry of Justice (MOJ) contracts:

- Planned Preventative Maintenance (PPM) for day-to-day running of the building
- Measured Term Contract (MTC) for repairs and alterations as needs arise

The elements of these MOJ contracts for servicing the Court came to a conclusion in March 2013 when M. J. Ferguson commenced a direct contract (with PPM and MTC combined) to

run the services, termed Hard Facilities Management (Hard FM), for an initial period of 5 years.

89. The direct contract is delivering PPM services at a lower cost than under the MOJ contract. Expenditure on building projects with individual values exceeding £2,500 under the MTC component of the contract in 2014 - 2015 was around £500k, and similar expenditure subject to the availability of funds is likely to be necessary in 2015-16.

90. Cleaning services are being undertaken by a company called Julius Rutherford under a direct contract that commenced on 1 May 2013 for an initial period of 5 years. The standard of cleaning services delivered under the new contract in 2014 - 2015 was to the entire satisfaction of the Court and we will ensure that at least such a level of performance is maintained consistently in 2015 - 2016.

91. Similarly, the contract for operating the café and in-house catering provision was re-tendered during 2013-14 to replace the MOJ contract in place from the Court's implementation phase. Zafferano Concessions Ltd were the successful bidders, and commenced operations on 31 March 2014. In addition to an improved product and service offer, as mentioned in paragraph 52 above, the new arrangements create opportunities for revenue generation for the UKSC/JCPC once certain commercial thresholds are met. Over 2015-16 we will continue to work closely with the concessionaires to ensure they are meeting the needs of our wide range of court users and visitors.

92. As of 1 May 2013, no member of any contractor's staff based in the building has been paid less than the London Living Wage, and we will continue in 2015 - 2016 to require any annual increase in the LLW to be honoured. Without exception for each contract concerned there has been a reduction in the contract price relative to the previous MOJ contract despite the move to pay at least the LLW. This has been achieved as a result of running effective competitive tender exercises and in some instances modifying our requirements in the light of experience.

## **Information and Communication Technology**

93. Since 5 January 2014 the UKSC and JCPC has operated its own, in-house controlled, IT system. Previously the Ministry of Justice's DOM1 network was used. The transformation of our IT arrangements was fully in line with the Government's digital agenda, using SMEs where possible and utilizing cloud storage and improved licensing arrangements to make financial savings.

94. The new arrangements have given greater flexibility and control over ICT provision. This means that over the 2015-16 financial year we will consider a number of possible enhancements. These include developing the Case Management System (Dynamics CRM) to act as a correspondence management and tracking system. This would include the handling of FOI requests and 'treat official' correspondence. It is also envisaged that Dynamics CRM will be used as an improved records management system.

95. Other potential enhancements being considered are the introduction of online filing of cases to reduce the amount of paper records, for which the Court has to find storage, the

use of video links for some hearings where this is considered suitable and a possible upgrade to internet telephony. These measures have the potential to deliver further financial savings and also allow easier access to services for court users.

## **Section 5**

### **Maintaining Relationships with All the UK Jurisdictions**

## **Managing Relationships with all the UK jurisdictions**

96. The Court takes seriously its position as a Court of the United Kingdom and we naturally therefore seek to keep in touch with political and legal developments in all parts of the UK.

97. The context is regularly changing. In a referendum in March 2011 the people of Wales voted in favour of greater legislative powers for the National Assembly for Wales (NAW); and since then the UKSC has received three formal references testing the validity of legislation enacted by the NAW under its enhanced powers. In Scotland the election of a majority SNP Government in May 2011 led to a referendum on independence in September 2014; and, even though this resulted in a NO vote, the outcome still accelerated the pressure for change in the relationship of Scotland with the rest of the UK which is still developing.

98. Key issues for 2015 – 2016 are therefore to be ready for any further increase in work, which may result from the greater legislative powers of the National Assembly for Wales, and the devolution of further powers to the Scottish Parliament.

99. During 2015 - 2016 particular priorities will be to:

- Maintain effective communications with all the territorial authorities and courts.
- Continue regular visits by the Chief Executive to Scotland, Northern Ireland and Wales and to enable Justices similarly to visit them reasonably frequently.
- Continue to invite appropriate Judges from Scotland and Northern Ireland as well as from England and Wales to sit in suitable cases in the UKSC and JCPC.
- Continue in the annual recruitment of Judicial Assistants to seek those whom have expertise in the laws of Scotland and Northern Ireland
- Monitor any implications for the Supreme Court of the legislative programme being pursued by the Welsh Government, and any further devolution of powers to the National Assembly for Wales.
- Similarly to monitor any implications for the Supreme Court of any further devolution of powers to the Scottish Parliament following the NO vote in the referendum for Scottish independence in September 2014.
- Monitor and prepare for any changes or developments in the powers of the devolved government in Northern Ireland.
- Continue to encourage visits from schools and educational institutions from around the UK, particularly encouraging those from Scotland, Wales and Northern Ireland.

## **Section 6**

### **Maintaining International Relationships**

## Maintaining International Relationships

100. The UK Supreme Court has attracted a good deal of international interest since its creation. That interest has increased since the Court has become a more established feature of the constitutional and judicial landscape. The overall volume of visitors and length of visits has also increased and the member of staff who devotes about half of his time to international liaison work has seen a marked rise in the number of requests received.

101. The Judicial Committee of the Privy Council is almost solely concerned with cases from overseas jurisdictions. We are keen to maintain and develop relationships with the judges and court officials in those countries which use the JCPC. To this end, we launched an e-newsletter in 2014 and we will continue to issue this twice a year during 2015/16, to keep stakeholders informed of various developments. We are looking forward to visits from representatives of a number of JCPC jurisdictions over the year, including the Chief Justice of Bermuda and the Chief Justice of Bahamas.

102. We will continue to monitor the potential impact on the JCPC's work-load and fee income of those countries in the Caribbean which may be contemplating replacing the JCPC with the Caribbean Court of Justice as their final court of appeal.

103. The UKSC receives frequent requests for information on and for visits to the Supreme Court and the JCPC, combined with discussions with both Justices and administrators. We do our best to accommodate these requests and during 2015 - 2016 we already have the following visits in the programme:

- A visit by the Chief Justice of Bermuda in April 2015.
- The Chief Justice of South Korea will be visiting in June 2015.
- Involvement in the UK / US Legal Exchange, organized with the American College of Trial Lawyers, in September 2016.
- There is a possibility that we will also be hosting a judicial delegation from China at some point in the year.

104. With the agreement of the President of the Court, designated Justices will continue to sit as additional judges in the Court of Final Appeal in Hong Kong. These sittings form part of an agreement reached by the UK Government and the Government of China at the time of the handover of Hong Kong in 1997. All expenses are paid by the Hong Kong Government. We expect two Justices to spend a month sitting in the Court of Final Appeal during the course of 2015 – 2016.

105. We will continue to work with colleagues in the Foreign Office to ensure that the JCPC meets the needs of the British Overseas Territories and other Commonwealth countries and also discuss with them the best way to co-ordinate visit requests from overseas members of the judiciary.

106. As part of our ongoing commitment and membership of the Network of Presidents of the Supreme Judicial Courts of the European Union and ACA Europe Exchange of Judges we will continue to host visits from fellow members. Our work will also continue with the Slynn Foundation and other NGOs to assist on building relationships with other jurisdictions, particularly those in Eastern Europe.

107. Justices will continue their regular international activities, giving lectures at and attending a range of international legal conferences. By way of examples, two Justices are speaking at the Commonwealth Law Conference in Glasgow in April 2015; and Lady Hale is due to attend the Commonwealth Magistrates' and Judges' Association's conference in Wellington, New Zealand in September 2015.

108. We will continue to support the JAs' annual visit to the US and to welcome the Temple Bar Scholars here, in order to help maintain good working relationships with the US judicial system.

## **Section 7**

### **Delivering Corporate Responsibilities**

## **Diversity and equality**

109. The UKSC / JCPC strives to be an organisation that reflects fully the diversity of the society we serve and truly values the contributions which employees from all sections of society make to our work.

110. We are committed to providing fair and open access to justice for everyone. We want to ensure that we do not discriminate against anyone using our services and address any real or perceived disadvantage experienced by the public and/or professional court users.

111. In 2015-2016 we will continue to make progress with the actions set out in the UKSC Equality and Diversity Strategy. These will include:

- ensuring compliance with the provisions contained in the Equality Act 2010 including the Public Equality Duty;
- publishing our Equality and Diversity Strategy on both the intranet and the external website.
- encouraging a diverse range of people to visit the Court and addressing any relevant concerns raised by the Court User Group.
- ensuring our website conforms to all recommended accessibility requirements;
- training staff in Diversity and Equality issues to increase awareness and encourage respect for individual differences.
- continuing to seek ways to achieve experience among the staff from all the jurisdictions of the United Kingdom; and
- actively encouraging diversity among the appointment of Judicial Assistants in the annual recruitment campaign, provided this remains consistent with the requirements of fair and open competition and appointment on the basis of merit.

## **Information Assurance, Freedom of Information and Data Protection**

112. Reliable and accurate information is critical to proper decision making. This makes information a vital business asset that needs to be protected. Procedures for the storage, handling, transmission and disposal of information are in place. Staff complete mandatory annual e-learning modules on information protection and use so that the UKSC's (and JCPC's) information is accurate, available only to the right people, in order to protect its confidentiality, and easily accessible for those with a right to see it.

113. In 2015 – 2016 we will start to develop the new Dynamics CRM case management system to act as a user friendly records management and correspondence tracking system.

As well as providing easy access to information for internal administrative purposes this will aid the preparation of prompt replies, where applicable, to Freedom of Information (FOI) and Data Protection (DP) requests. In addition the system will be used to implement the records retention and disposal schedule which is in place, ensuring that records are destroyed or retained at the correct times according to their administrative or historical worth, in line with public records legislation. Members of staff will be trained to use the new system and it will form an integral part of our daily operations.

114. Work has commenced on preserving UKSC / JCPC records for future reference, in accordance with the requirements of the Public Records Act. Off-site storage facilities are now being used for older case records to ensure the UKSC / JCPC is able to meet the requirement of its retention schedule to retain records for the appropriate period. Work has commenced on reviewing the first batch of paper records that will be transferred to The National Archives (TNA) for permanent preservation. It is expected the transfer will take place during 2015.

115. Advanced discussions are ongoing with TNA about the transfer of digital recordings of UKSC and JCPC cases. TNA have indicated they would want to take all recordings of UKSC cases and a selection of JCPC cases for permanent preservation. TNA have now developed a digital storage facility and we expect to start transferring digital records to TNA in 2015 - 2016.

116. Information assurance processes are in place with the allocation of responsibilities to Information Asset Owners and regular reviews of the Information Asset Register and associated Risk Register. As the UKSC is now directly responsible for the provision of its own ICT services and systems, UKSC/JCPC specific Risk Management and Accreditation Document Sets (RMADS) have been produced. Previously these were provided by the MOJ.

117. Our FOI Publication Scheme is available on our website and is reviewed annually in September. The Data Protection Notification is in place and will be reviewed and renewed in September 2015.

## **Sustainable development**

118. Sustainable development provides a framework for redirecting economies to enable everyone to meet their basic needs and improve their quality of life while ensuring that the natural resources on which they depend are maintained and enhanced, both for their benefit and for that of future generations. The UKSC has a role in this scheme and will continue to seek to source its supplies with sustainability as a key consideration.

119. Our building also consumes resources. However, compared to our first full year of operations (2010-2011), the UKSC there has been a significant decrease in the consumption of gas, electricity and water over the past three years. Given the age of the building and the fact that it is open to the public and has an increasing number of visitors each year, no significant further reductions are envisaged. We will, of course, monitor this carefully to ensure that we operate in the most energy efficient way possible.

## **Health & Safety (H&S)**

120. The health and safety of Justices, our staff (including our contractors) and visitors is paramount and robust management procedures will continue to be applied. All statutory requirements will be met and compliance is regularly monitored by a Health and Safety Committee which reports quarterly to the Management Board. During 2015 - 2016 we will monitor our performance against targets set in the annually updated Health and Safety Corporate Plan.

121. An independent H&S audit in October 2013 found that:

- the Court is operating to a very high standard with regards to its own H&S requirements;
- the Court has a well-defined safety management system with clear evidence that it is effective in controlling risk; and
- its record keeping is good, with no statutory non-compliances identified.

The auditor also endorsed the H&S systems relevant to the Court of the four facilities management contractors.

122. We will aim to maintain at least such standards of performance during 2015 – 2016, and continue to work with our contractors to ensure they do likewise.

## **Business Continuity**

123. We have a Business Continuity Plan, which has been audited and deemed satisfactory. This will be kept up to date throughout 2015 – 2016, and an annual BCP test will be conducted.

**The Supreme Court of the United Kingdom  
Parliament Square  
London SW1P 3BD**

**1 April 2015**

# ANNEX A

## Aim and Objectives

### Our Aim

Our aim is to provide an environment which enables the Justices of the Supreme Court to carry out their duties in an effective, visible and accessible way, and which best develops the rule of law and the administration of Justice, both in the UK and in the countries which use the JCPC.

### Strategic Priorities for 2015 – 2016

The UKSC intends to do this by:

- Continuing to secure the Justices' constitutional and financial independence
- Promoting the importance of the Rule of Law and its role in securing democratic freedom
- Providing an efficient and effective administration
- Maintaining effective relationships with all jurisdictions in the UK
- Maintaining effective international relationships
- Ensuring the effective delivery of all UKSC corporate responsibilities

### Continuing Objectives for 2015 – 2016 for the Administration of the UKSC

1. The UKSC will create an environment, which effectively maintains the independence of the Justices, in which they can carry out their work protected from external pressures and which empowers them to develop the Rule of Law.
2. The UKSC will maintain and increase confidence in the administration of justice throughout the United Kingdom. It will promote transparency in, accessibility to and knowledge of the ways in which justice should be rightly administered. It will thereby promote knowledge of the importance of the Rule of Law, not least as a guarantee of democratic freedom.
3. The UKSC will run an efficient and effective administration, which enables both the UKSC and the JCPC to secure the effective determination of justice, while demonstrating the best possible value for the resources with which they are provided. In particular it will operate case management systems, which provide

appropriate measurable monitoring of the throughput of applications and cases, thereby enabling the most effective support of the Justices in their work.

4. The UKSC will promote good relations with all the individual jurisdictions, legislatures and governments in the different parts of the United Kingdom.
5. The UKSC and, as appropriate, the JCPC will similarly develop appropriate relationships with courts in Europe, throughout the Commonwealth and in other countries, especially those which share their common law heritage.
6. The UKSC will demonstrate appropriate corporate social responsibility. In particular it will promote diversity amongst its staff, ensuring they are also representative of all the jurisdictions of the United Kingdom. It will also both source its supplies and consume its resources in ways which contribute as much as possible to sustainable development and the conservation of natural resources.
7. The UKSC, as the statutory custodian of its own records, will provide the most appropriate environment it can for the organisation, preservation and future inspection of those records.
8. The UKSC, as occupant of the former Middlesex Guildhall, will promote knowledge of, and interest in, this historic building, the works of art it houses, especially the Middlesex Art Collection, and more generally the history of the County of Middlesex.

# ANNEX B

## Jurisdiction of the UKSC

The jurisdiction of the UKSC is the same as that of the Appellate Committee of the House of Lords, with the addition of devolution matters. These issues were formerly determined by the Judicial Committee of the Privy Council and have been transferred to the UKSC. As the final court of appeal, the UKSC hears appeals from the following courts in each jurisdiction:

England and Wales

- The Court of Appeal, Civil Division
- The Court of Appeal, Criminal Division
- (in some limited cases) the High Court

Scotland

- The Inner House of the Court of Session
- (in some limited cases) The High Court of Justiciary

Northern Ireland

- The Court of Appeal in Northern Ireland
- (in some limited cases) the High Court

## The procedure for appealing: permission to appeal (PTA) applications

In nearly all cases an appellant requires permission to appeal before he or she can appeal to the UKSC. The court appealed from may grant permission, but where that court refuses permission, the appellant can then apply to the UKSC itself for permission. Such applications are generally decided on paper without an oral hearing.

## Jurisdiction of the JCPC

The jurisdiction of the JCPC depends largely on local legislation and/or the Constitution of the country from which the appeal is brought or, in some cases, on the relevant Order in Council. In many cases, there is an appeal 'as of right'; in other cases permission may be sought from the JCPC if refused by the courts below.

## **Jurisdictions where the Privy Council is the final Court of Appeal**

Anguilla  
Antigua and Barbuda  
Ascension  
Bahamas  
Bermuda  
British Antarctic Territory  
British Indian Ocean Territory  
British Virgin Islands  
Cayman Islands  
Cook Islands  
Falkland Islands  
Gibraltar  
Grenada  
Guernsey  
Isle of Man  
Jamaica  
Jersey  
Kiribati  
Mauritius  
Montserrat  
Niue  
Pitcairn Islands  
Saint Christopher and Nevis  
St Helena  
St Lucia  
St Vincent and the Grenadines  
Sovereign Bases of Akrotiri and Dhekelia  
Trinidad and Tobago  
Tristan da Cunha  
Turks and Caicos Islands  
Tuvalu

### **Brunei**

Civil Appeals from the Court of Appeal to the Sultan and Yang Di-Pertuan for advice to the Sultan

### **UK**

Royal College of Veterinary Surgeons  
Church Commissioners  
Arches Court of Canterbury  
Chancery Court of York  
Court of Chivalry  
Prize Courts  
Court of the Admiralty of the Cinque Ports  
Power to refer any matter to the Judicial Committee under section 4 of the Judicial Committee Act 1833

# ANNEX C

## **Performance Indicators (PIs)**

Section 51 of the CRA places a duty on the Chief Executive of the UKSC to ‘ensure that the Court’s resources are used to provide an efficient and effective system to support the Court in carrying on its business.’ The UKSC Rules also provide statutory time limits for certain steps and processes. The UKSC Executive team is therefore committed to seeing that the administration of casework and other non-judicial activities are carried out as efficiently and effectively as possible, whilst fully respecting and upholding the independence of the judiciary.

## **Overarching**

- The UKSC will continue to be publicly recognized as unequivocally independent of political influence and interference; and it will remain visibly separate from both the executive and the legislature and be publicly acknowledged to be such.

## **Casework**

Consultation with the UKSC User Committee and comparison with statistical data from the work of the Appellate Committee of the House of Lords has suggested the following PIs for the administration of the Court’s casework.

## **Independence and Fairness**

- There will be no successful Article 6 challenges at the European Court of Human Rights.

## **Permission Applications**

- All decisions will be made within 12 sitting weeks of the receipt by the Court of all necessary documentation.

## **Appeal Hearings**

- All hearing dates will be offered within 4 sitting weeks of the grant of permission for UKSC cases and within 8 sitting weeks of the grant of permission for JCPC cases.

## **Costs**

- All provisional assessments of costs (which are conducted on paper) will be completed within 2 months of the filing of the bill of costs.

## **Public Access, Education and Outreach**

- The UKSC will continue to ensure that film of court hearings, particularly the delivery of judgments, is made available for news and current affairs broadcasting and for educational purposes promptly and efficiently (and by prior request for live transmission), subject always to the Court's overriding right to withhold this, if it would not be appropriate.
- We will ensure press summaries of UKSC and JCPC judgments are published on the relevant website promptly (and on the same morning) after they have been handed down, and that these are simultaneously distributed to media contacts. . We will additionally ensure that films of the judgment summaries are published on the Court's YouTube channel on the day they are delivered in court.
- We will continue to open for seven 'open access' days over the course of the year, and, through a dedicated Reception desk, we will continue to offer a welcome to court users and visitors from across the world to the building on all working days.
- We will continue to offer a programme of educational 'debate days' to groups of A-level students for at least 10 separate days over the course of the year; and a programme of hosting 'moot finals' for university groups.

## **Finance**

- The UKSC will produce and publish (as part of its Annual Report), by 31 July 2015, IFRS compliant resource accounts for the financial year that ended on 31 March 2015, without attracting any adverse National Audit Office (NAO) comments.
- The UKSC's Annual Report for 2014 – 2015 will demonstrate that it is using its resources efficiently and effectively.
- The UKSC will manage within its budget during the financial year 2015 – 2016, so that it is in a position to produce similar accounts in its Annual Report after the end of the present financial year.

## **Human Resources**

- All staff performance appraisals will be completed within deadline.
- We will achieve at least a 70% overall engagement score measured by the annual staff survey.
- All vacancies will be filled in a reasonable timescale following the appropriate recruitment procedures in line with the Civil Service Recruitment Code.
- Provided resources permit, we will ensure that all training and development needs identified as required for staff are delivered.

## **Correspondence and Core Standards**

The following service standards apply in dealings with both court users and members of the general public:

- The UKSC will write in plain English and structure and tailor its communications to the recipient. It will aim to reply (or send a holding letter) to 90% of enquiries within 10 working days of receipt (or to an agreed timetable).
- UKSC staff will aim to answer 90% of telephone calls within 5 rings or as soon as possible if the line is engaged dealing with another caller.

## **Data Protection & Freedom of Information Requests**

- Freedom of Information (FOI) and Data Protection (DP) requests will be dealt with in accordance with the timings set out in the relevant legislation – within 20 working days for FOI and 40 calendar days for DP requests.