



The Law Lords How Britains Top Judges See Their Role

Brendan G. Carr



The Law Lords How Britains Top Judges See Their Role:

Markesinis and Deakin's Tort Law Simon F. Deakin, Zoe Adams, Basil Markesinis, 2019 Markesinis and Deakin's Tort Law is an authoritative analytical and well established textbook now in its eighth edition The authors provide a variety of comparative and economic perspectives on the law of tort and its likely development placing the subject in its socio economic context giving students a deeper understanding of tort law

Markesinis and Deakin's Tort Law Simon Deakin, FBA, Angus Johnston, Basil Markesinis, 2012-10-18 Fully updated to cover developments including the Protection from Harassment Act 1997 the Human Rights Act Regina vs Ireland and Regina vs Burstow this book provides comprehensive commentary on tort law The authors provide a variety of comparative and economic perspectives upon the area

The Politics of Judicial Independence in the UK's Changing Constitution Graham Gee, Robert Hazell, Kate Malleson, Patrick O'Brien, 2015-03-12 Judicial independence is generally understood as requiring that judges must be insulated from political life The central claim of this work is that far from standing apart from the political realm judicial independence is a product of it It is defined and protected through interactions between judges and politicians In short judicial independence is a political achievement This is the main conclusion of a three year research project on the major changes introduced by the Constitutional Reform Act 2005 and the consequences for judicial independence and accountability The authors interviewed over 150 judges politicians civil servants and practitioners to understand the day to day processes of negotiation and interaction between politicians and judges They conclude that the greatest threat to judicial independence in future may lie not from politicians actively seeking to undermine the courts but rather from their increasing disengagement from the justice system and the judiciary

Conducting Law and Society Research Simon Halliday, Patrick Schmidt, 2009-05-25 This book provides students and scholars with a candid look at how empirical research projects actually happen Focusing on the interdisciplinary Law and Society field more than twenty interviews with authors of classic projects from sociology anthropology psychology political science law and history the chapters are unique in their honesty They help readers to understand the choices challenges and uncertainty that go into even some of the best research projects

How Judges Judge Brian M. Barry, 2020-11-26 A judge's role is to make decisions This book is about how judges undertake this task It is about forces on the judicial role and their consequences about empirical research from a variety of academic disciplines that observes and verifies how factors can affect how judges judge On the one hand judges decide by interpreting and applying the law but much more affects judicial decision making psychological effects group dynamics numerical reasoning biases court processes influences from political and other institutions and technological advancement All can have a bearing on judicial outcomes In *How Judges Judge* Empirical Insights into Judicial Decision Making Brian M Barry explores how these factors beyond the law affect judges in their role Case examples judicial rulings judges own self reflections on their role and accounts from legal history complement this analysis to contextualise the research make it more accessible and enrich the reader's understanding and appreciation of

judicial decision making Offering research based insights into how judges make the decisions that can impact daily life and societies around the globe this book will be of interest to practising and training judges litigation lawyers and those studying law and related disciplines **The Changing Constitution** Jeffrey Jowell,Colm O'Cinneide,2019 The Changing Constitution provides concise scholarly and thought provoking essays on the key issues surrounding the UK s constitutional development and the current debates around reform Modern Methods of Teaching Political Science Prem Lata Sharma,2002

Judicial Individuality on the UK Supreme Court Lewis Graham,2025-02-06 This book presents an empirical analysis of the UK Supreme Court s output over its first ten years with a specific focus on each individual judge s contribution to each case It shows that judges like all of us are human it would be difficult to imagine that any of us even in our most professional capacity could act completely independently of our predilections motivations and biases The same is true for the judges sitting on the UK s highest court Drawing on insights from a bespoke dataset of judgments this work discerns trends and tendencies across each judge s voting patterns and the reasoning they adopt when disposing of cases It not only highlights areas of divergence but also shows how each of the judges tended to vote in different contexts including which were more likely to overturn appeals from lower courts side with certain parties such as the state or underdogs and find liability in various areas tort contract criminal EU immigration and tax law with a special focus on human rights cases Another section illustrates the differences between the judges when it comes to judicial reasoning such as their approach to precedent and preferred methods of statutory interpretation This work shows that different judges exercise their power in different ways Some are more comfortable with pushing boundaries whilst others are more restrained Some grant the state a lot of leeway whilst others apply heavy scrutiny Some are as Lord Denning suggested bold spirits whilst others are timorous souls It shows at least when it comes to the Supreme Court that it matters who our judges are *Exploring British Politics* Mark Garnett,Philip Lynch,2014-06-03 Concise comprehensive and accessible Exploring British Politics presents an insightful approach to British politics with a special emphasis on developments since the 2010 general election and the formation of Britain s first coalition government since 1945 Designed to stimulate critical analysis and provoke lively debate it provides new perspectives on two key themes the health of British democracy and the transition from traditional models of government to more flexible forms of governance **Building the UK's New Supreme Court** Andrew P. Le Sueur,2004 In the context of the far reaching reforms proposed for the Appellate Committee of the House of Lords and the Judicial Committee of the Privy Council Building the UK s New Supreme Court considers the operation and reform of courts at the apex of the UK s legal systems The chapters are linked by broad and overlapoping themes The first of these is the complexity of accommodating national differences within the UK into the institutional design of the new supreme court Not only will it be a court for the UK s three legal systems and simultaneously a national institution of the whole UK but it is also likely to be called upon to resolve division of powers disputes within the emerging system of multi level government A second theme is

the scope for comparative lesson learning from top courts in other legal systems the Supreme Court of Canada the US federal courts system and the constitutional courts in Germany and Spain are considered Finally the connections between the UK's top level courts and other courts especially intermediate courts of appeal the European Court of Justice and the European Court of human rights are examined *The Politics of Justice* Cornell W. Clayton, 2015-06-18 First Published in 2015 This series on American Political Institutions and Public Policy intends to examine contemporary US political developments and to discern their impact on issues of public policy Cornell W Clayton's *The Politics of Justice* The Attorney General and the Making of Legal Policy is the second publication in the series It is a fascinating study of politics and governance how one government affects the other and how both affect public policy Surveying the historical evolution of the office of the Attorney General Clayton sees significant recent changes in the role position and influence of the person who holds that office

A Court of Specialists Chris Hanretty, 2020-03-03 This book offers the first quantitative study of decision making on the UK Supreme Court Covering the court's first ten years it examines all stages of the court's decision making process from permission to appeal to the decision on the final outcome The analysis of these distinct stages shows that legal factors matter The most important predictor of whether an appellant will succeed in the Supreme Court is whether they've been able to convince judges in lower courts The most important predictor of whether a case will be heard at all is whether it has been written up in multiple weekly law reports But legal factors mattering doesn't mean that judges on the court are simply identical expressions of the law The nature of the UK's court system means that judges arrive on the court as specialists in one or more areas of law such as commercial law or family law or even systems of law the court's Scottish and Northern Irish judges These specialisms markedly affect behavior on the court Specialists in an area of law are more likely to hear cases in that area and are more likely to write the lead opinion in that area Non specialists are less likely to disagree with specialists and so disagreement is more likely to emerge when multiple specialists end up on the panel Although political divisions between the justices do exist these differences are much less marked than the divisions between experts in different areas of the law The best way of understanding the UK Supreme Court is therefore to see it as a court of specialists

The Law-Making Process Michael Zander KC, 2020-06-25 As a critical in depth analysis of the law making process this book has no equal It deals with all the stages and forms of law making the preparation of legislation its passage through Parliament statutory interpretation the operation of the rules of precedent in judicial decision making the many facets of judicial law making the machinery of law reform The new eighth edition covers the operation of EU law in the UK after Brexit It also covers pre Brexit events such as the unprecedented legislation by backbench MPs to stop a No Deal Exit from the EU and the two great Supreme Court decisions over the triggering of Brexit and the prorogation of Parliament The book draws on a wide range of sources including important new empirical research such as Lord Sumption's 2019 Reith lectures *Trials of the State* Law and the Decline of Politics and the work of Sir Geoffrey Palmer former Prime Minister and

Justice Minister of New Zealand on The Law Reform Enterprise There are new sections on the attempt to control the size of the House of Lords on whether Parliament should have a role in the selection of senior judges and on the topical question whether decisions of the courts on constitutional questions are legal or political **Sitting in Judgment** Penny

Darbyshire, 2011-09-30 The public image of judges has been stuck in a time warp they are invariably depicted in the media and derided in public bars up and down the country as privately educated Oxbridge types usually out of touch and more often than not as old men These and other stereotypes the judge as a pervert the judge as a right wing monster have dogged the judiciary long since any of them ceased to have any basis in fact Indeed the limited research that was permitted in the 1960s and 1970s tended to reinforce several of these stereotypes Moreover occasional high profile incidents in the courts elaborated with the help of satirists such as Private Eye and Monty Python have ensured that the old white Tory judge caricature not only survives but has come to be viewed as incontestable Since the late 1980s the judiciary has changed largely as a result of the introduction of training and new and more transparent methods of recruitment and appointment But how much has it changed and what are the courts like after decades of judicial reform Given unprecedented access to the whole range of courts from magistrates courts to the Supreme Court Penny Darbyshire spent seven years researching the judges accompanying them in their daily work listening to their conversations observing their handling of cases and the people who come before them and asking them frank and searching questions about their lives careers and ambitions What emerges is without doubt the most revealing and compelling picture of the modern judiciary in England and Wales ever seen From it we learn that not only do the old stereotypes not hold but that modern baby boomer judges are more representative of the people they serve and that the reforms are working But this new book also gives an unvarnished glimpse of the modern courtroom which shows a legal system under stress lacking resources but facing an ever increasing caseload This book will be essential reading for anyone wishing to know about the experience of modern judging the education training and professional lives of judges and the current state of the courts and judiciary in England and Wales The Myth of Judicial

Independence Mike McConville, Luke Marsh, 2020-06-28 Through an examination of the history of the rules that regulate police interrogation the Judges Rules in conjunction with plea bargaining and the Criminal Procedure Rules this book explores the Westminster Model under which three arms of the State parliament the executive and the judiciary operate independently of one another It reveals how policy was framed in secret meetings with the executive which then actively misled parliament in contradiction to its ostensible formal relationship with the legislature This analysis of Home Office archives shows how the worldwide significance of the Judges Rules was secured not simply by the standing of the English judiciary and the political power of the empire but more significantly by the false representation that the Rules were the handiwork of judges rather than civil servants and politicians The book critically examines the claim repeatedly advanced by judges that judicial independence is justified by principles arising from the rule of law and instead shows that the rule of law

depends upon basic principles of the common law including an adversarial process and trial by jury and that the underpinnings of judicial action in criminal justice today may be ideological rather than based on principles *Judicial Independence Under Threat* Dimitrios Giannouloupoulos, Yvonne McDermott, 2022-08-11 *Judicial Independence Under Threat* seeks to situate contemporary challenges to judicial independence in their proper legal philosophical political and historical contexts It asks how threats to judicial independence can be protected against *The Canadian Journal of Law and Jurisprudence*, 1989 *Human Rights in the UK and the Influence of Foreign Jurisprudence* Hélène Tyrrell, 2018-09-20 Longlisted for the 2022 Inner Temple Main Book Prize *Human Rights in the UK and the Influence of Foreign Jurisprudence* represents the first major empirical study of the use of foreign jurisprudence at the UK Supreme Court This book focuses on the patterns of use and non use of rulings from foreign domestic courts in human rights cases before the UK Supreme Court Results are drawn from quantitative and qualitative research presenting data from the first eight years of Supreme Court activity The evidence includes interviews with active and former members of the senior judiciary as well as a focus group including some of the Supreme Court Judicial Assistants It is argued that foreign jurisprudence is more intimately woven into the fabric of judicial reasoning and serves a wider range of functions than the term persuasive authority might imply Foreign jurisprudence is used mainly as a heuristic device providing judges with a fresh analytical lens Foreign jurisprudence is also important when interpreting a common legislative scheme supporting dialogue between the Supreme Court and supranational courts such as the European Court of Human Rights The perspectives offered by foreign jurisprudence can also support a stronger conception of domestic human rights In these ways this book addresses a broader political question about the source of human rights in the UK *Justice for Everyone* Rosemary Hunter, Erika Rackley, 2022-05-26 As the first woman to be appointed President of the UK Supreme Court Brenda Hale was one of the UK's most high profile and influential judges and she is among the most powerful women leaders of our time For almost half a century she pioneered as an educator reformer and decision maker leaving a distinct mark on the law and the lives of many In commemoration of her recent retirement from the Supreme Court this collection celebrates her long and illustrious career Organised by thematic chapters and featuring original research from leading academics judges and lawyers this book offers a comprehensive account of Lady Hale's achievements and enduring impact The contributors many of whom were her peers and colleagues demonstrate how Hale forged her own path within male dominated institutions carved a space for herself and others and ultimately endeavoured to promote justice for everyone *Britain Unwrapped* Hilaire Barnett, 2002-06-27 *Britain Unwrapped* provides a wide ranging discussion of the contemporary system of government It takes apart the constitutional framework the current system and the workings of government Parliament and the legal system The relationship between Britain and the EU the domestic legal systems and the law of the EU are also covered Written in a period that has witnessed extensive and on going constitutional reform the text discusses the major areas of reform and looks in detail at such key

issues as the Human Rights Act reform of the House of Lords devolution and voting reform Britain Unwrapped is succinct readable and a key book both for general readers and students wishing to understand how Britain is really run

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