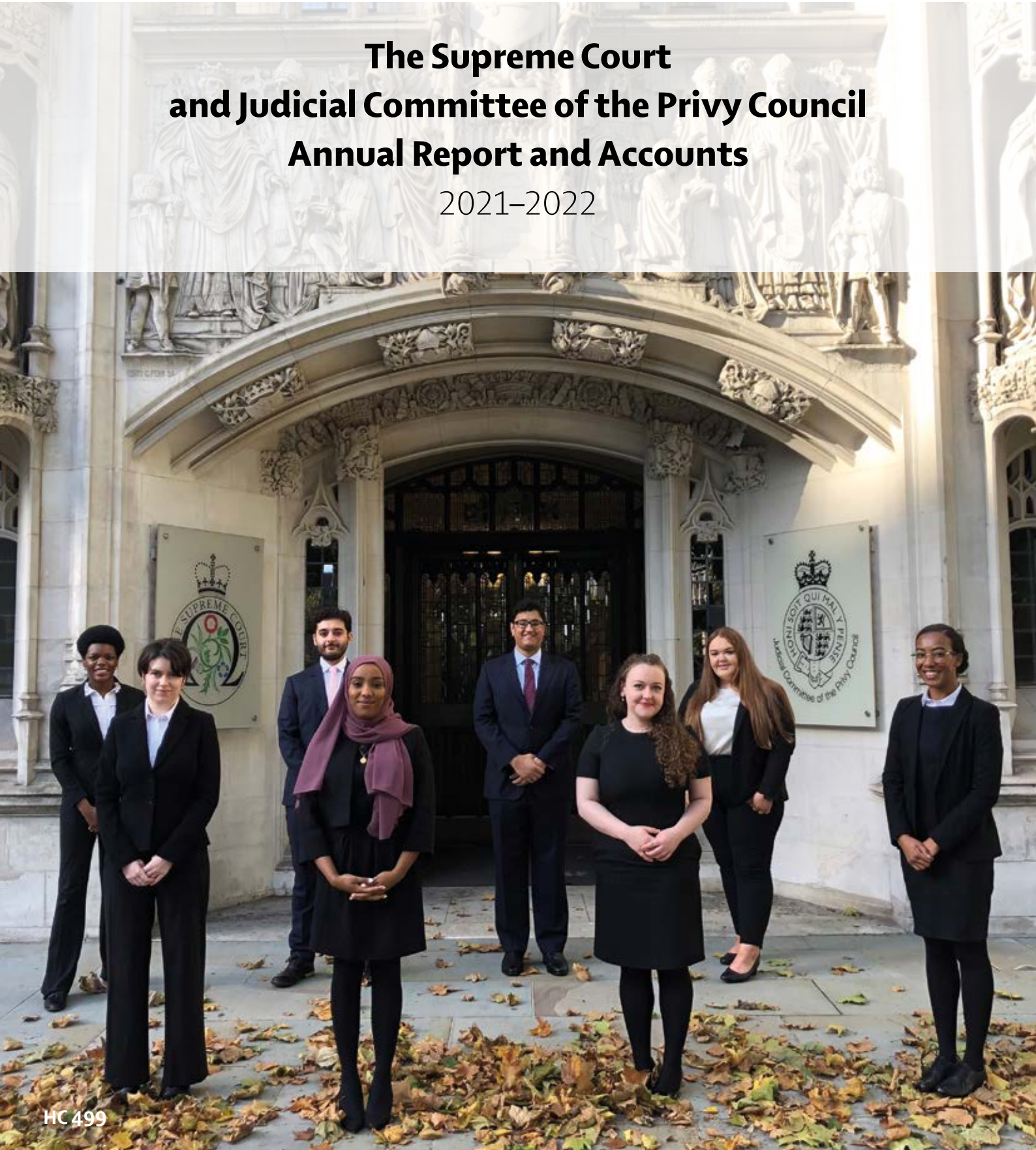
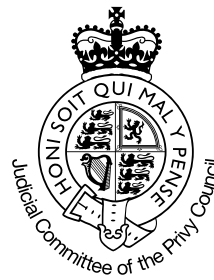
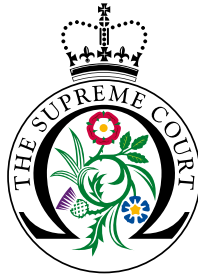


# The Supreme Court and Judicial Committee of the Privy Council Annual Report and Accounts 2021–2022





# **The Supreme Court and Judicial Committee of the Privy Council Annual Report and Accounts 2021–2022**

Annual Report presented to Parliament pursuant to Section 54(1) of the Constitutional Reform Act 2005.

Accounts presented to the House of Commons pursuant to Section 6(4) of the Government Resources and Accounts Act 2000.

Accounts presented to the House of Lords by Command of Her Majesty.

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# Overview

## By the President of the Supreme Court

The Right Hon The Lord Reed of Allermuir



It is my pleasure to introduce the Supreme Court of the United Kingdom's (UKSC) Annual Report and Accounts for 2021-22, which set out the key achievements and progress towards our strategic objectives during the last financial year.

In what has undoubtedly been another challenging year for us all, the Court has focused on resilience during the pandemic and recovery after it, and has managed to thrive despite the uncertainty that the Covid-19 pandemic has presented. It has been wonderful for Justices, staff and litigants to return to in-person hearings for the majority of our cases, whilst retaining the flexibility of virtual sittings if needed. It is important to us that members of the public can walk into our beautiful building and listen to a hearing, as well as watch online.

Despite not always being able to meet in person, we have remained outward-looking throughout the last year, building new connections and strengthening longstanding ones. Nowhere is this more true than in our new approach to international bilateral work where we have welcomed our counterparts from the French Conseil d'Etat and the US Marshall Forum, amongst others. These meetings allow us to exchange differing perspectives on the law and help strengthen the UK's role in the international community. The UK retains a vital role as a global centre of legal excellence, supporting the rule of law here and abroad and providing a stable environment for economic prosperity. We have continued to play our part in this, having heard cases of international importance in the UKSC and Judicial Committee of the Privy Council (JCPC) this year, which you can read about in section three.

We were also pleased to welcome to the Court, the Speaker and the Lord Speaker for meetings, members of the House of Commons Justice Select Committee, and to hold seminars and meetings with officials to look at ways we can better understand our respective roles in the constitution.

The UKSC has a significant role to play in increasing diversity in the legal profession. The introduction of the Court's judicial diversity and inclusion strategy ([www.supremecourt.uk/docs/uksc-judicial-diversity-and-inclusion-strategy.pdf](http://www.supremecourt.uk/docs/uksc-judicial-diversity-and-inclusion-strategy.pdf)) this year has been a significant step forward in ensuring the Court helps widening participation from under-represented groups in the legal sector. In that regard, our intern scheme for young lawyers, established in partnership with Bridging the Bar, and our career pathways webinar, aimed at early- to mid-career lawyers interested in the possibility of a judicial career, were particularly significant initiatives. You can learn what other initiatives the Court is taking on diversity later in the report.

I would like to conclude by paying tribute to the colleagues who have retired from the Court this year, and to welcome a new colleague to the Court. Lord Lloyd-Jones and Lady Arden retired this year after long and distinguished judicial careers, and after making important contributions to the work of the Court. We were fortunate enough to have a small swearing-in ceremony for Lady Rose of Colmworth, who joined us from the Court of Appeal last April.

Looking ahead, my priorities remain to build the reputation of the UKSC as one of the world's leading courts, with a robust approach to independence and diversity, and enhanced relationships with fellow courts. By strengthening relationships internationally and domestically, we can look forward to a year of opportunity for the UKSC and JCPC.



# Introduction

## By the Chief Executive

Vicky Fox



This report sets out how the UKSC and JCPC have performed this year, and I am very proud of the work staff have done to deliver on our priorities.

We began this financial year with a clear vision to be a world leading court, with new values and these three strategic objectives:

- Recovery: emerging from the pandemic and learning lessons
- Readiness: continuing our journey of improvement by reviewing strategies and processes
- Responsiveness: upholding the rule of law and building strong relationships with Parliament, government and other courts across the UK and overseas and playing a role in the UK's recovery from the pandemic.

Despite the continuing uncertainties and challenges of the pandemic, we have made significant progress in all three areas. Throughout this report, we explain how we have delivered against our strategic priorities. The case studies demonstrate the impact our work is having.

We have learned lessons from the way we responded to the pandemic which have enabled us to improve our processes and ways that we work. We have continued to prioritise the safety and wellbeing of Justices, staff and visitors, providing a safe working environment so that we could return to the Court building and in-person hearings at the earliest opportunity. We have heard cases in person since July 2021 and are able to offer hybrid hearings where parties have been unable to attend in person.

The Court building remains the primary place of work for us, to enable hearings to take place and to welcome court users and visitors. Time spent with colleagues in person is invaluable to the way we work. We have learnt from the experience of last year and have introduced hybrid working for our staff so that we are offering a more flexible and technology-enabled way of working than prior to the pandemic.

It has been a delight to welcome visitors back to the Court. A practical and essential part of a diverse and inclusive culture means that our building should be accessible to everyone. I am delighted that we have partnered with AccessAble to provide detailed disabled access information so that the building is welcoming to everyone. Visitor numbers are low compared to pre-pandemic but are slowly increasing. Our education offer continues successfully and we are widening participation and reaching underrepresented groups, including those located far from London. The launch of our first free, online course in collaboration with Royal Holloway University has been very popular, with over 2000 people signed up for its initial launch. This work is an important part of our commitment to transparency and accessibility to enhance the public's understanding of the work that we do.

We continue to strengthen relationships with Parliament and government and alongside regular meetings, this has included running a training session with Parliamentary clerks, taking part for the first time in Parliament Week and the event with members of the Justice Select Committee of the House of Commons (see photo on page 15 and further details on page 42).

We remain committed to the wellbeing, inclusion and equality of our staff and it has been a personal priority this year to work on the delivery of our new diversity, inclusion and belonging strategy ([www.supremecourt.uk/docs/uksc-diversity-inclusion-and-belonging-strategy-2021.pdf](http://www.supremecourt.uk/docs/uksc-diversity-inclusion-and-belonging-strategy-2021.pdf)). This strategy is helping us realise our vision to be a true reflection of the society we live in, and it demonstrates our collective commitment to ensuring the Court is a workplace in which every member of staff can bring their best self to work and flourish.

This work complements the Court's judicial diversity and inclusion strategy mentioned by Lord Reed. The aims of this judicial strategy are to support the progress of underrepresented groups into judicial roles and further build an inclusive and respectful working environment for Justices where differences are valued. Diversity brings richness to the judiciary and helps us understand and better serve the public. Do read more later in the report about the first paid internship at the Court, launched in partnership with Bridging the Bar.

Our aim is to provide an excellent and efficient service to court users, Justices and visitors – a world class service for those interacting with the UKSC and JCPC. Being world class has meant learning from our colleagues in other countries through our international work, and building relationships with people across the Court system, Parliament and government. Sharing knowledge and gaining different perspectives has helped us grow as an organisation. We will build on this work in 2022-23.

A modern and effective justice system is a central tenet to the rule of law and essential for public confidence in the rule of law and in the Court itself. Over the next three years we will be embarking on a change programme that will provide a modern and excellent service for national and international litigants, delivering online services that court users rightly expect and need and promoting the reputation of the UK as a global centre for international dispute resolution.

Alongside the important core work of hearing and deciding appeals, this Annual Report shows the work we have been doing to deliver our strategic objectives and vision. The Court is a small organisation with exceptionally dedicated staff. I want to thank them for their commitment to delivering our objectives throughout the year. I am confident that the work we are doing contributes to our ability to become a world leading court in a way that adds value and contributes to the UK, the public and the economy. I hope you enjoy reading about our achievements this year and we look forward to another successful year.

# A year in the UKSC and JCPC

**11**

hybrid hearings supported

**37**

virtual hearings supported



**49**

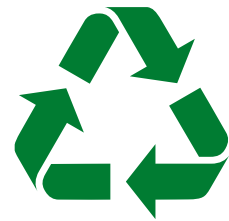
in-person hearings supported

**48**

test sessions run to ensure successful hearings

**10,250kg**

of paper recycled



This is paper that has been disposed of within the Court, generated by the organisation as well as Court users (legal teams) and visitors to the building.

**17,630**

in person visitors to the UKSC



**2,538%**

up from 2020–21 (658)



UKSC and JCPC website users

**1,930**



students from schools, colleges, and universities participated in virtual tours of the UKSC

162

total number of days spent on training activities per month across all business areas



20,406

individual publication titles available internally through our library catalogue

456

enquiries dealt with



370,000

live and on-demand views of UKSC and JCPC cases and judgments on our website



227

tours of the Court building were delivered in person and virtually, reaching 4,678 people



Instagram  
@uksupremecourt



audience growth since 2020-21



Twitter  
@UKSupremeCourt



audience growth since 2020-21



280,700

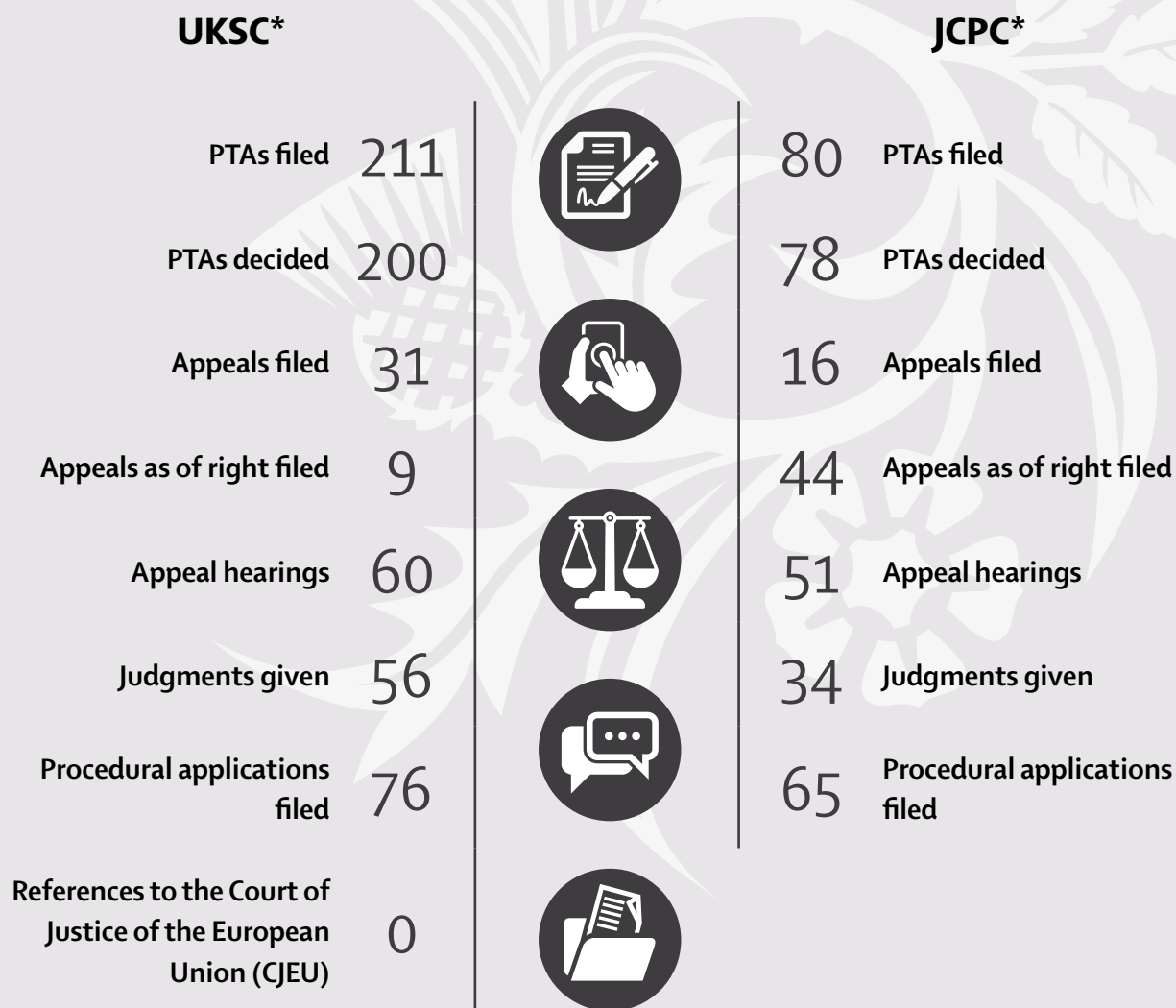
people watched videos on our YouTube channel UKSupremeCourt





# A year in the UKSC and JCPC

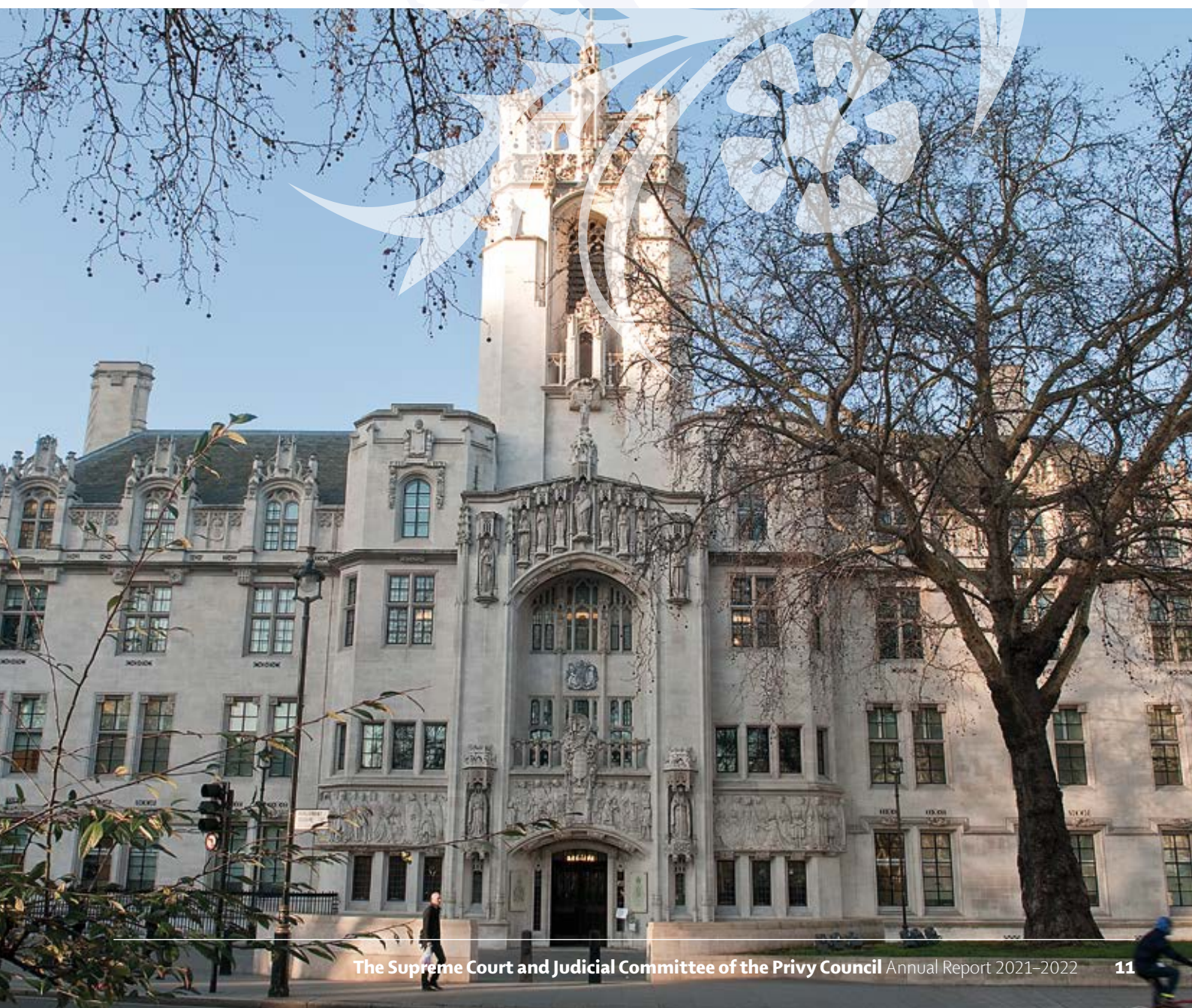
## Overview of work done in the Court in 2021–22



\* Figures apply to outcomes during the working year: some work will have come into the Registry in the previous year.

## Section 1

# Justices and their work





## Retiring Justices

Two Justices retired during the year.

Lord Lloyd-Jones retired as a Supreme Court Justice in January 2022. Lord Lloyd-Jones joined the Court in October 2017. On his retirement Lord Lloyd-Jones was appointed to the Supplementary Panel of the Supreme Court.

### **On his appointment to the Supplementary Panel of the Supreme Court Lord Reed said:**

*“We look forward to welcoming Lord Lloyd-Jones back to sit on the Supplementary Panel following his retirement as a Justice. He will be of particular assistance to the Court in dealing with appeals in the field of international law and criminal law, and we look forward to him sitting with us on a wide range of cases.”*

Lady Arden retired as a Supreme Court Justice in January 2022.

Due to the changes in the rules regarding the pandemic we were able to host a valedictory service for Lady Arden in the Supreme Court building. The service was unique in that it was the first time that the UKSC had screened a valedictory virtually to a worldwide audience with people watching live in Australia, the USA, the Cayman Islands, Japan and France alongside an in-person event.

### **Lord Reed paid tribute, saying:**

*“We come together to say goodbye to our colleague and friend Lady Arden, to celebrate her remarkable achievements as counsel, as chair of the Law Commission and as a judge, and to recognise, and thank her for, the valuable contribution that she has made to the law, to the courts, and to the progress of women at the Bar and in the judiciary.*

*“The Supreme Court will miss a colleague who has stood out for her independence of mind, her careful attention to all aspects of a case, and her encyclopaedic knowledge of company law, and who has been an inspiring pioneer and a valued friend.”*

- **Watch Lady Arden’s valedictory** [www.supremecourt.uk/watch/valedictory/lady-arden.html](http://www.supremecourt.uk/watch/valedictory/lady-arden.html)
- **Biographies of former Justices** [www.supremecourt.uk/about/former-justices.html](http://www.supremecourt.uk/about/former-justices.html)

## New appointment

One new Supreme Court Justice was sworn in during the year. On Monday 19 April 2021, a special ceremony was held for the swearing-in of Lady Rose as a new Justice of the UK Supreme Court.

As a result of the pandemic, the format of the swearing-in ceremony was modified to ensure that the Government guidance on social distancing was observed. The ceremony was held in Courtroom 1, in the presence of the President of the Supreme Court, all Justices, some of Lady Rose's family members, and a few guests.

- **Watch Lady Rose's swearing in ceremony** [www.youtube.com/watch?v=25637NgOXAg&t=95s](https://www.youtube.com/watch?v=25637NgOXAg&t=95s)
- **Biographies of current Justices** [www.supremecourt.uk/about/biographies-of-the-justices.html](https://www.supremecourt.uk/about/biographies-of-the-justices.html)

## Justices' public engagement work across the UK

In addition to their work in hearing and deciding cases, the Justices are committed to enhancing public understanding of the role of the Court and its work.

Despite variable levels of restrictions being in place, due to the pandemic, Justices have continued to take part in conferences and events in-person and virtually, reaching audiences around the world.

Their activities have included delivering speeches, talks and lectures, as well as attending conferences, bilateral engagements, and judicial exchanges. These activities have been supplemented by writing journal articles, participating in media and academic interviews, featuring in webinars and podcasts, and holding appointments at universities.

**Lord Reed** gave a number of talks on judgment writing in October and November to the Judicial Institute in Scotland. He also gave a talk on judgment writing to the Court of Appeal. Continuing his longstanding relationship with Oxford, Lord Reed gave two lectures in Oxford University. He gave a lecture on Commerce and the Law at the Oxford Centre for Islamic Studies and the All Souls College Neill Lecture on 'Time Present and Time Past: Legal Development and Legal Tradition in the Common Law'. Lord Reed also gave the Macfayden Lecture on Law and Commerce for the Scottish Council of Law Reporting. Lord Reed spent a day at the University of Kent with law students and staff. Lord Reed was also interviewed by Counsel Magazine the specialist legal publication in November 2021. He gave a talk on the Rule of Law to a City audience at the Walbrook Club in December 2021.

**Lord Hodge** undertook a number of virtual events during the year. With the pandemic still affecting 'in person' events, Lord Hodge gave two virtual lectures on the impact of the pandemic on the work of the court. The lectures were for the Judicial Office Business and Property Courts Conference and the Clark Foundation for Legal Education. Both lectures were entitled 'Beyond Covid: Technological Change and Access to Justice'. The Law Society of Scotland had two virtual visits from Lord Hodge. He gave a lecture on Appellate Advocacy in the Supreme Court and the keynote speech at their Annual Conference. As part of their annual conference, Lord Hodge provided a pre-recorded speech for the Expert Witness Institute. In keeping with the collaborative work between the Judiciary and the various legal services, Lord Hodge also gave a lecture to the Government Legal Service for Scotland on 'Statutory Interpretation: A Collaboration between Democratic Legislatures and the Courts?' Lord Hodge gave the vote of thanks for a lecture at the Policy Exchange on Judicial Independence. Lord Hodge also wrote an article for the journal *Judicial Review* on 'The scope of Judicial Law Making in Constitutional Law and Public Law', where he drew from three lectures he had given during the year.



**Lord Lloyd-Jones** delivered several lectures including the 43rd F A Mann Lecture ('International Law before United Kingdom Courts: A Quiet Revolution') and the 2nd Frances Patterson Memorial Lecture ('Waiting for the Greek Calends: The Law Commission, the Courts and Law Reform'). He spoke at the annual conference of the Bar European Group, to the Law Society of Queens' College, Cambridge, at a graduation ceremony at Bangor University Law School and, in Welsh, at the conference of Coleg Cymraeg Cenedlaethol (Welsh National College). He was interviewed for Counsel magazine. He chaired the inaugural event of Constitutional Law Matters for the Cambridge University Centre for Public Law and Lord Pannick's second Hamlyn Lecture for the Institute of Advanced Legal Studies at the Senedd. On St David's Day he spoke online to an audience of civil servants on the subject of 'Wales and the Law'.

**Lord Briggs** had a virtual conversation for the International Council for Online Dispute Resolution (ICODR) with Master Victoria McCloud where they discussed the latest developments in the UK's court modernisation project and the role of online dispute resolution in the future of the UK's civil justice system. Lord Briggs also gave a virtual talk entitled 'National Experience – Change of Civil Procedure Rules in the UK to the International Council for Online Disputes' as part of the Cyprus Judicial Conference

**Lady Arden** gave a virtual talk to the Society of English and American Lawyers on 'The Importance of Dialogue: International Judicial Dialogue and the Contribution of Women to the Judiciary'. She also gave a talk at the Army Generalship Course. The Sixth Queens College Cambridge Distinguished Lecture in Law was given by her as well with the title of the lecture being 'Does English law have a problem with dignity?'.

**Lord Kitchin** contributed to an article for Gray's Magazine on the 'Dos and Don'ts of Advocacy in the Supreme Court'. He also took part in a virtual discussion on patents as part of a Global International Patents Roundtable. Lord Kitchin also judged the grand final of the Faculty of Law, Oxford University Oxford International IP Mooting Competition.

**Lord Sales** gave a keynote talk on the topic of Proprietary Estoppel to 'Modern Law Studies in Property Law' at Oxford University. Lord Sales gave a lecture to Goodenough College on the topic of 'Religion and the Law of the United Kingdom'.

**Lord Hamblen** and Lord Leggatt took part in a roundtable discussion with the Law Commission on 'Good faith in contract law'.

**Lord Leggatt** gave the 4th Jonathan Hirst QC lecture on 'What is the Point of Commercial Law'. Lord Leggatt also gave an interview to the UKSC blog which was published in November 2021 and talked about being a judge in a podcast with Harry Matovu QC.

**Lord Burrows** gave a talk at the Annual Conference of Judges of the Superior Courts in Ireland, offering a personal perspective on judgment writing. He also chaired one of Lord Pannick's Hamlyn Lectures on Advocacy. Lord Burrows reflected on his transition from the lecture hall to the Supreme Court in a talk at the Manchester Business and Property Court Forum and again when he gave the annual Halsbury Society Lecture at Oxford with the title 'Dreaming Spires to Supreme Court: Some Insights'. He gave the Lionel Cohen Lecture (virtually), speaking on 'Judges and Academics, and the endless Road to Unattainable Perfection', and he gave a talk at a workshop for Scholars of Contract law on the work of Professor Sir Guenter Treitel. He also gave the Staughton Lecture 2022 at the University of Hertfordshire under the title 'Statutory Interpretation in the Courts Today'.

**Lord Stephens** gave several virtual lectures during the year on the Court's adaptation to the pandemic, including one to the Council of Employment Judges and another as part of the Franco-British-Irish Colloquium. The lecture was entitled 'Justice in the Pandemic: Lessons Learned and the Future'. For the Departmental Solicitor's Office (DSO) Training Northern Ireland the lecture that he gave was entitled 'Supreme Courts: experiences and learning through the pandemic and beyond'. The Sir Anthony Hart Memorial Lecture on Legal History was also given by Lord Stephens. The title of the lecture was '1798: A Tale of Two Barristers'. On the invitation of the President of the Family Division Lord Stephens attended the Family Division Judges and Family Lord Justices Residential Conference where he gave a speech on the 'View from the Supreme Court'. Lord Stephens also gave a Commencement Address for a Queen's University Belfast Workshop entitled 'Law for All: Widening Access to Legal Education in the UK and Ireland'.

**Lady Rose** was the keynote speaker at the Administrative Bar Association Summer Conference where she gave a lecture entitled 'A Numbers Game: The Use of Statistics in Public Law'. Lady Rose was invited by Mr Justice Waksman on behalf of The Association of Jewish Lawyers and Jurists to give a talk followed by a Q&A. The talk was entitled 'Judicial Decision-Making: Case Studies from Biblical Times and Now'. She also chaired an online session at the Bar European Group annual conference on Competition Law and the Digital Economy. Lady Rose spoke at a number of events for employed barristers and solicitors and students. She was a panel member at an evening webinar for students organised by the Bar Association for Commerce, Finance & Industry (BACFI) when she spoke about her career, and she took part in a conversation with the Solicitor General for an online audience of lawyers in the Government Legal Department. As part of the organisation Justice's three-day event on women in the law Lady Rose gave a virtual talk on 'Inspiring Women: Inspiring Careers in the Law'. Lady Rose gave a public lecture at the University of Reading entitled 'The Modern Judiciary: Journey and Arrival' and she was the guest speaker at the annual Alanbrooke Club lunch for current and former members of the Royal Regiment of Artillery.



*A meeting for all justices with members of the Justice Select Committee took place at the Court in January 2021. L-R: The Rt Hon Lord Sales; The Rt Hon Lord Stephens of Creevloughgare; The Rt Hon Lady Rose of Colmworth; The Rt Hon Lord Hamblen of Kersey; The Rt Hon Lady Arden of Heswall DBE; Kate Hollern MP; The Rt Hon The Lord Reed of Allermuir, President of the Supreme Court of the United Kingdom; The Rt Hon Lord Briggs of Westbourne; Sir Robert Neill MP, Chair of the Justice Select Committee of the House of Commons; The Rt Hon Lord Hodge, Deputy President of the Supreme Court of the United Kingdom; Maria Eagle MP; The Rt Hon Lord Burrows; Rob Butler MP; Laura Farris MP; Dr Kieran Mullan MP; The Rt Hon Lord Kitchin; and The Rt Hon Lord Leggatt.*

## Justices' international work

In-person international engagement at the UKSC has gradually recommenced over the last twelve months.

The pandemic had an impact on the Court's international aspirations but, as detailed in this Annual Report, we quickly found meaningful ways to engage online. Since then, we have continued to build strong relationships with courts around the world.

This has included virtual meetings and exchanges. In 2021-22 we focused on the following key three areas which enabled us to emerge stronger than before and contribute to the UK's economic recovery post-Covid, and its new international role after leaving the European Union.

The Court's first in-person bilateral visit since 2019 saw a delegation from the Conseil d'Etat led by Vice-President, Mr Bruno Lasserre, visit London in November 2021 (see case study on page 20).

Justices have maintained international relationships through a range of channels, both virtually and in-person, including bilateral meetings, conferences, and lectures. These included:

- In September 2021, the Association of Marshall Scholars and American College of Trial Lawyers co-hosted a day-long online meeting that brought together distinguished American and British Judges, lawyers, and legal experts to discuss the Rule of Law. The topics discussed included Covid and the Courts, Free Speech and the Internet, and Separation of Powers.
- In October 2021, the President and Deputy President of the UKSC met with the Chairman of the Constitutional Council of Kazakhstan and the Ambassador of Kazakhstan to the UK.
- UKSC continues to support and participate in supranational organisations including the Network of the Presidents of the Supreme Judicial Courts of the European Union, ACA-Europe (Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union), and the ECtHR (European Court of Human Rights) Superior Courts Network.

On 30 March 2022, Lord Reed and Lord Hodge resigned as non-permanent judges of the Hong Kong Court of Final Appeal. Read Lord Reed's statement on this decision: [www.supremecourt.uk/news/role-of-uk-judges-on-the-hong-kong-court-of-final-appeal-update-march-2022.html](http://www.supremecourt.uk/news/role-of-uk-judges-on-the-hong-kong-court-of-final-appeal-update-march-2022.html)



*L-R: Mr Erlan Idrissov, Ambassador of Kazakhstan to the United Kingdom; Mr Kairat Mami, Chairman of the Constitutional Council of Kazakhstan; The Rt Hon The Lord Reed of Allermuir, President of the Supreme Court of the United Kingdom; and The Rt Hon Lord Hodge, Deputy President of the Supreme Court of the United Kingdom.*

## Examples of Justices' engagements overseas

### Lord Reed

- Lord Reed attended a multilateral meeting of European Supreme Courts, hosted virtually by the Cour de Cassation, in April 2021, with Lord Sales.
- Lord Reed met the Japanese Ambassador to the UK for a discussion on UK-Japanese legal cooperation, in July 2021.
- Lord Reed sat virtually on the Hong Kong Court of Final Appeal as a visiting overseas Judge at the end of August and beginning of September 2021.
- Lord Reed met with the Chairman of the Constitutional Council of Kazakhstan and the Ambassador of Kazakhstan to the UK, in October 2021.
- Lord Reed attended an online conference of the Network of the Presidents of the Supreme Judicial Courts of the European Union, discussing the effects of the Covid-19 pandemic on the work of Supreme Courts, and the functioning of the judicial system in general, in October 2021.
- Lord Reed met with the Chief Justice of the Republic of Ireland in October 2021.



- Lord Reed led the bilateral visit of the Conseil d'Etat to UKSC at the end of November 2021. Lord Reed spoke at a Conference at the French Embassy, during the visit, alongside the Vice-President of the Conseil d'Etat, on the subject of The Rule of Law and Covid-19.
- During 2021, Lord Reed held three meetings with Judges, including the President of the European Court of Human Rights.

### **Lord Hodge**

- Lord Hodge co-chaired the Marshall Forum Online Precursor Dialogue on the Rule of Law, alongside US counterparts from the US Supreme Court, presenting papers virtually on 'Covid and the Courts', 'The Rule of Law and an Independent Judiciary', and 'The Separation of Powers', at the end of September 2021.
- Lord Hodge met with the Chairman of the Constitutional Council of Kazakhstan and the Ambassador of Kazakhstan to the UK, in October 2021.
- Lord Hodge sat in Hong Kong on the Hong Kong Court of Final Appeal as a visiting overseas Judge at the end of November 2021.

### **Lord Lloyd-Jones**

- Lord Lloyd-Jones participated in the bilateral visit of the Conseil d'Etat to UKSC, presenting a paper with Lord Hamblen on the Coronavirus Crisis and Administrative Justice, at the end of November 2021.

### **Lord Briggs**

- Lord Briggs joined an International Council for Online Dispute Resolution in-conversation event, as a panellist, speaking about the modernisation of UK Courts and the role of online dispute resolution in the future of the UK's civil Justice system, in May 2021.
- Lord Briggs participated in the bilateral visit of the Conseil d'Etat to UKSC, presenting a paper on Virtual Justice, at the end of November 2021.

### **Lady Arden**

- Lady Arden was a member of the panel for the Justice KT Desai Memorial roundtable webinar, hosted by the Bombay Bar Association, India, entitled Judiciary – Its Independence and Integrity, in July 2021.
- Lady Arden participated in the Marshall Forum Online Precursor Dialogue on the Rule of Law, alongside US counterparts from the US Supreme Court, presenting papers virtually on The Rule of Law and an Independent Judiciary, Human Rights and Civil Liberties, and the Separation of Powers, at the end of September 2021.
- Lady Arden participated in the bilateral visit of the Conseil d'Etat to UKSC, presenting a paper together with Lord Leggatt on the Immigration Justice System and Recent Jurisprudence, at the end of November 2021.

### **Lord Kitchin**

- Lord Kitchin presided over the final of the Oxford International Intellectual Property Moot, in March 2022.

### **Lord Sales**

- Lord Sales gave a speech virtually to a Cour de Cassation seminar, in April 2021, on the subject of law and the digital world.
- Lord Sales gave a speech virtually to the New Zealand Senior Courts Judges' Conference on the implications of Brexit and Covid-19 for UK law, in April 2021.
- Lord Sales attended a virtual session of ACA-Europe in April 2021 on common protocols for reporting cases and compilation of a database of judicial decisions, and also attended its virtual general assembly meeting in May 2021.
- Lord Sales was a panellist, taking part in a National University of Singapore Faculty of Law virtual seminar on the subject of 'Artificial Intelligence and Electronic Evidence', in September 2021.
- Lord Sales attended the Global Constitutionalism Seminar virtually on behalf of the Court, in September 2021, hosted by Yale Law School, USA.

### **Lord Hamblen**

- Lord Hamblen participated in the bilateral visit of the Conseil d'Etat to UKSC, presenting a paper together with Lord Lloyd-Jones on the Coronavirus Crisis and Administrative Justice, at the end of November 2021.

### **Lord Leggatt**

- Lord Leggatt participated in the bilateral visit of the Conseil d'Etat to UKSC, presenting a paper together with Lady Arden on the Immigration Justice System and Recent Jurisprudence, at the end of November 2021.

### **Lord Burrows**

- Lord Burrows gave a speech virtually, to the Annual Conference of Judges of the Superior Courts in Ireland, entitled Judgment-Writing: A Personal Perspective, in May 2021.
- Lord Burrows gave the Lionel Cohen Lecture virtually to The Hebrew University of Jerusalem, entitled Judges and Academics, and the Endless Road to Unattainable Perfection, in October 2021.

### **Lord Stephens**

- Lord Stephens attended a virtual meeting of the Franco British Irish Colloque in June 2021, comprised of Judges from across the UK and Europe, on the subject of 'Justice in the Pandemic: Lessons Learned and the Future'.

### **Lady Rose**

- Lady Rose met a delegation from the Zambian Supreme Court and the Zambian High Court, in February 2022.

**Case study****Conseil d'Etat Bilateral Visit | 28 – 30 November 2021***UK Delegation*

- The Rt Hon The Lord Reed of Allermuir
- The Rt Hon Lord Lloyd-Jones
- The Rt Hon Lord Briggs of Westbourne
- The Rt Hon Lady Arden of Heswall
- The Rt Hon Lord Hamblen of Kersey
- The Rt Hon Lord Leggatt

*French Delegation*

- Chief Justice Mr Bruno Lasserre
- Justice Mrs Martine de Boisdeffre
- Justice Mr Yves Doutriaux
- Justice Mr Yves Gounin
- Justice Mrs Bénédicte Fauvarque-Cosson

In November 2021, the UKSC welcomed the Conseil d'État to the Court's building on Parliament Square for a fruitful exchange of knowledge and views on key topics of interest.

The first session, led by Lord Hamblen, Lord Lloyd-Jones and Justice Mr Yves Gounin discussed the enduring principles of the Rule of Law and legal issues that have arisen during the exceptional circumstances of the pandemic. The second session led by Lord Briggs and Justice Mrs Bénédicte Fauvarque-Cosson touched on matters such as the development of digital Justice and the online court.

The final session at the Court, led by Lady Arden, Lord Leggatt and Justice Mr Yves Doutriaux, was a comparative discussion considering the Immigration Justice System, looking particularly at refugee status determination.

Following the day's discussions, the delegations attended a conference on the Rule of Law and Covid-19 (as referred to above), hosted by Ambassador Catherine Colonna, French Ambassador to the UK, at the Résidence de France.

This bilateral visit contributed to the long-lasting tradition between the Supreme Court and the Conseil d'État. For more than 30 years, members of both Courts have regularly visited one another in Paris and London, sharing views, analysis and expertise on their jurisprudence and the issues and challenges they have encountered, be they legal, political or social.

**Lord Reed, President of the Supreme Court, said,**

*"It was a pleasure and an honour to host the Conseil d'État at the Court for the series of stimulating sessions on the law and jurisprudence. The strength and depth of the relationship between the two countries on judicial matters has only been enhanced further by this high-quality, meaningful exchange of ideas. We look forward to repeating this event in due course".*



Delegation of UK and French Justices, pictured in Courtroom One in the Supreme Court building © UK Supreme Court, Kevin Leighton



Vice-president du Conseil d'Etat, Mr Bruno Lasserre and President of Supreme Court of the United Kingdom, The Rt Hon The Lord Reed of Allermuir © UK Supreme Court, Kevin Leighton



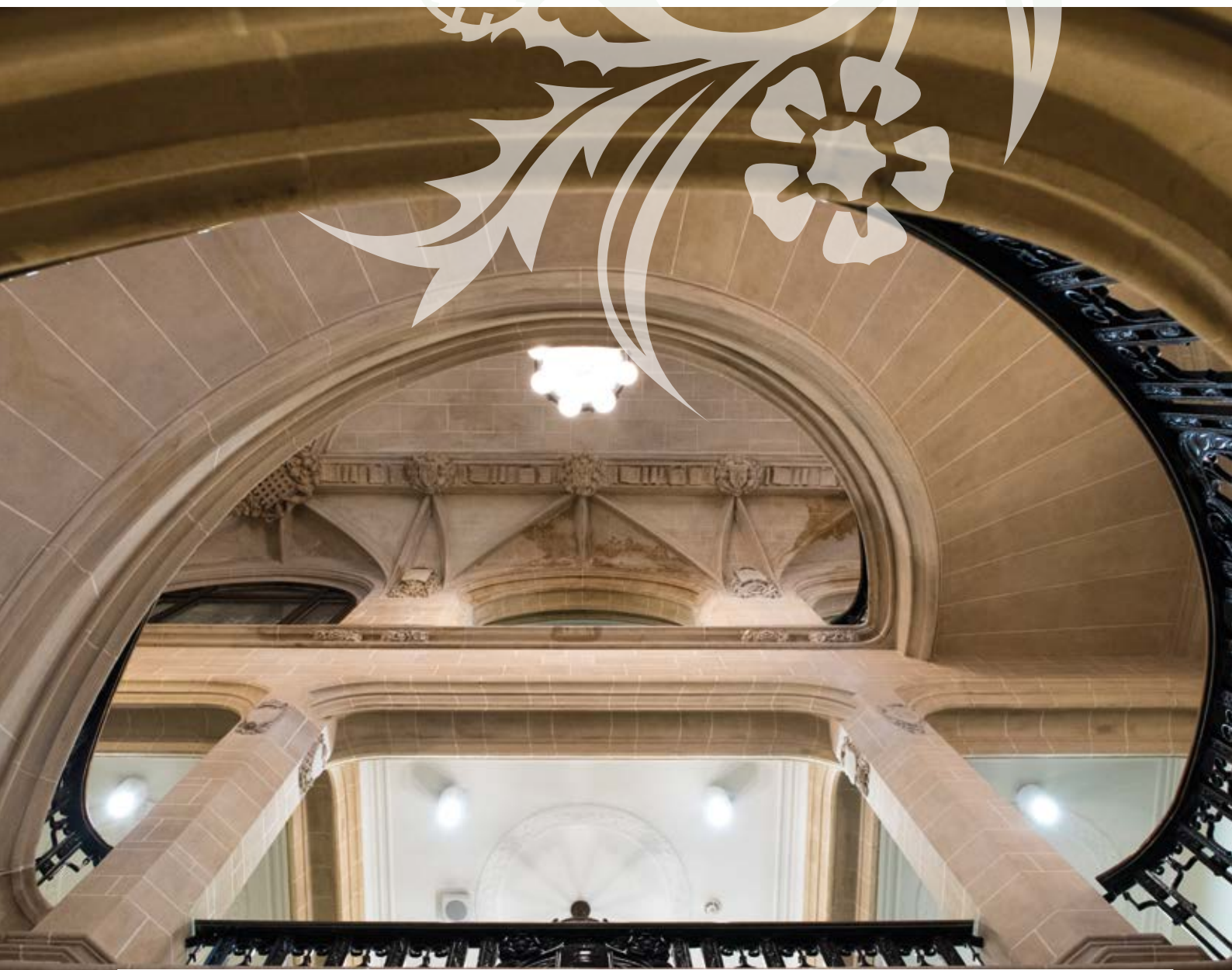
Mr Bruno Lasserre and Lord Reed in conversation at the French Embassy © French Embassy in the UK





## Section 2

# Our performance





## About us: who we are and what we do

The UKSC is the final court of appeal in the United Kingdom, deciding arguable points of law of general public importance arising from civil cases throughout the UK and from criminal cases in England and Wales, Northern Ireland and, in a limited number of cases from Scotland.

The UKSC also hears cases to determine devolution issues relating to the powers of the devolved administrations, Parliaments and Assembly.

The JCPC is a separate Court from the UKSC and is the final Court of appeal for the UK Overseas Territories and Crown Dependencies, as well as Commonwealth countries that have retained procedures for appealing to Her Majesty in Council, or in the case of the Republics, to the Judicial Committee. The JCPC also has jurisdiction in some Church of England, regulatory and maritime areas.

The role of the administration is to provide an environment which enables the justices to carry out their duties in an effective, visible and accessible way.

## Our vision

We will be a world-leading Court. This means we will:

- deliver the highest quality judgments
- deliver an excellent, efficient service to our users and justices, through our highly skilled staff who live our values and are equipped with high-quality tools and training
- serve the public by ensuring that our work is visible and accessible and that our role in applying the law is understood as an essential part of a healthy democracy
- ensure our culture and building are fully inclusive, respecting and valuing the diversity of our Court users, visitors, justices and staff
- build strong relationships with Parliament, the government, the devolved institutions and the Courts in all the jurisdictions in the UK
- enhance the international reputation of the UK as a global legal centre

## Our strategic priorities

We aimed to deliver our vision through the following four strategic priorities in 2021-22:



**Recovery and resilience**



**Aspiring to be world class**



**Diversity**



**Serving the public**



**Strategic priority 1**  
**Recovery and resilience**

We will emerge from the pandemic stronger, having learned lessons, improved our processes and identified areas of ongoing improvement.

We will continue to prioritise the safety and wellbeing of the justices and staff and provide, as far as possible, a Covid secure environment when we can safely return to the Court building and resume in-person hearings.

We will contribute to the economic recovery as the flagship of the UK legal sector and develop our international strategy to enable as wide a reach as possible.



### **Strategic priority 2**

#### **Diversity**

Developing a diverse and inclusive Court and culture will run through the heart of the Court in 2021-22 and beyond. Diversity will be lived and championed by all justices and staff. We have refreshed our values and will embed them in everything we do. Through our values we will embed what it means to be a modern, representative department that is a true reflection of the society we live in, as well as respecting our differences and supporting equal opportunity for everyone.

We will be ambitious. We want every single member of staff to feel a sense of belonging at the Court, to know that everyone can contribute their views and that these will be valued. We know that the more diverse organisations are, the more productive they are. Such organisations make better decisions, have a higher sense of wellbeing and are more reflective of the society we are all part of.



### **Strategic priority 3**

#### **Aspiring to be world-class**

We will strive for continuous improvement and learn lessons to ensure we provide an excellent service to all our Court users and visitors.

We will support the justices and the Court to be as efficient and effective as possible, ensuring value for money in all activities.

We will review our governance, our processes and our systems to support the development of an organisation wide Change Programme and through that we will also equip our staff to perform at their best.



### **Strategic priority 4**

#### **Serving the public**

We will support the justices to uphold the rule of law and maintain the Court's independence.

We will promote transparency and accessibility to enhance the public's understanding and engagement in the work we do.

We will work with other Courts, government and Parliament to maintain and build good relationships and to increase understanding and awareness of the Court's work.

## Delivery of 2021-22 Business Plan

Throughout 2021-22 our staff not only delivered the Business Plan but went above and beyond, changing the way they worked and connected with Court users and one another in unprecedented ways. This success demonstrated the importance of resilience and adaptability.

Below are the Court's key activities and progress against delivery, all of which have been delivered whilst managing the risks identified and covered in more detail in section 4 of this report. Where delivery has been only partially achieved or not achieved, this has been due to pandemic-related pressures unless otherwise stated.

The following tables set out what our key strategic priorities were and how we performed throughout 2021-22.

### Key:

Key: ■ Delivered ■ Underway ■ Not completed

Where areas are marked as amber, these deliverables are in progress. Some deliverables have taken longer than planned or have been delayed due to in-year changes to our priorities.



### Strategic priority 1 – Recovery and resilience

We said	We did	RAG
Carefully plan for the return to the Court building and resume physical hearings	<p>We have successfully overseen the return of UKSC Justices and staff to the building. Through this process we have been able to develop our knowledge and understanding of the role of the wider Court teams and how we can collaborate. We have also begun to apply hybrid working creating a balance between supporting the business needs of the organisation and providing staff with flexibility.</p> <p>Ongoing work throughout 2021-22 has allowed the UKSC to restart hearing cases in the Court building. It has also increased the Court's capability to hold hybrid hearings with all three Court rooms now being compatible for hybrid hearings (see case study on page 29).</p>	Delivered
Develop a visitor recovery plan so we can safely welcome schools, universities, others from the legal profession, visitors and, when permitted, tourists to the UKSC	By pivoting our education programme to a virtual offering we have been able to continue to provide rich, interactive educational experiences for learners throughout the pandemic. The delivery/evaluation cycle allows us to build on experience of previous years.	Delivered

We said	We did	RAG
<p>Support staff to return to the building and to strive for continuous improvement through lessons learned from the pandemic, living our values and high-quality training</p>	<p>Through the development of the hybrid working model and principles to allow flexibility in an operational court that supports a good work – home balance, and allows the Court to improve for the future.</p> <p>We have embedded new Staff Values to support a shared understanding and appreciation of working together and shared aspirations (see section 2 – Embedding Our Staff Values).</p> <p>There was a strong focus on wellbeing for all staff throughout the year and targeted support and training was provided across the Court (see section 2 – Wellbeing &amp; Recovery)</p>	
<p>Review business continuity arrangements, including staff resilience and availability</p>	<p>A full review of the arrangements was undertaken. This has enabled an increased understanding of what the Court considers to be our critical activities and what is needed to deliver them.</p> <p>Recommendations for how to implement these improvements will be made and actioned through 2022-23.</p>	
<p>Work to maintain and strengthen the UK’s reputation as an international centre of legal excellence and as a global champion of the rule of law</p>	<p>UKSC justices have maintained international relationships through a range of channels, both virtually and in-person, including bilateral meetings, conferences, and lectures (see section 1 - Justices’ international work).</p>	
<p>We will work with other Courts in the UK to play our role in the UK’s economic recovery post-Covid 19 and its new international role after leaving the European Union</p>	<p>Lord Reed meets regularly with Lord Chief Justice (Head of the judiciary of England and Wales), Lady Chief Justice of Northern Ireland (Head of the judiciary of Northern Ireland), and the Lord President of the Court of Session (Head of Scotland’s judiciary).</p> <p>We have worked in partnership with the Royal Courts of Justice to deliver a number of international events and meetings.</p>	
<p>We will continue to build strong relationships with Courts and international judicial organisations around the world to promote the rule of law internationally, share good practice and enhance the reputation of the UK judiciaries</p>	<p>As an open and transparent public organisation, we seek to engage with a wide range of institutions, partners and individuals to ensure that the Court’s work is widely known about and fully explained.</p> <p>We have been able to continue to deliver stakeholder engagement opportunities by promoting virtual options for speeches and events, including the preparation of video clips in lieu of live appearances (see section 1, pages 13-21).</p> <p>Administratively we have developed a contact network with Court libraries in Scotland Northern Ireland, over the last year and will continue to develop relations with overseas libraries (see case study on page 44).</p>	



**Case study****How cases were heard in 2021-22**

This year, the Court has gradually returned to a mixture of hearings in Court, remote hearings via a web-based platform and “hybrid hearings”. In Easter term 2021 (13 April – 28 May 2021) all hearings were remote. Increasingly, there has been greater demand to hold hybrid hearings.

In both the UKSC and the JCPC we have used technology to improve access to justice by having remote hearings, in which counsel can address the Court while being absent from the Court building, and hybrid hearings, at which some counsel may attend the Court in person and others address the Court remotely.

The hybrid Court has enabled appeals to be heard when a Justice or legal representative has had to self-isolate with Covid 19 but has taken part in the appeal remotely, while the other Justices and legal representatives have been in the Courtroom.

We have successfully facilitated 13 hybrid hearings in 2021-22, 85% of which have been from within the JCPC jurisdiction with the remaining 15% being from the UKSC.

We aim to be flexible about the times we hear cases: this year we have had remote hearings at different times of day to accommodate parties as well as different time zones. *Framhein (Appellant) v Attorney-General of the Cook Islands (sued on behalf of the Crown) (Respondent) (Cook Islands)* was a JCPC case from the Cook Islands and the Court sat at 7pm (9am for the local legal teams in the Cook Islands). This hearing also shows how new ways of working offer greater flexibility: a hearing at 7pm would have been considerably more difficult and expensive to arrange without advances in remote working practices.

Lord Hodge has shared his personal reflection on how hybrid hearings have positively impacted the Court *‘Increasing our capability to hold remote and hybrid hearings in the UKSC and JCPC has given much greater flexibility to counsel, who have been able to take part in appeals from within their jurisdiction. As a result, throughout the pandemic no case has been adjourned because the Court or the JCPC was unable to provide a hearing. This has ensured that we can continue to deliver access to Justices in ever changing circumstances.’*



Avis Jones,  
Listing Manager

**Case study****Providing resilience in Library services**

***“We needed to make it simple and painless for our users to get access to what they need”***

One of the main lessons we derived from the experience of the pandemic lockdowns was that we needed to simplify the user experience for accessing our electronic research databases. We had already made some steps along this road in previous years, but we had concentrated on the experience of those working within the Court building. We had discovered through engaging with our users that they did almost as much research from home – at the weekends and on days when there were no Court hearings – as they did from the Court itself.

Consequently, we knew that the improvements we could make would be of long-standing benefit even if older patterns of work returned once the pandemic receded.

So far as possible, we wanted our users only to need to remember one set of passwords regardless of which individual database they happened to need to use. We conducted some research into services that might be able to help us with this goal and discussed what other libraries of similar size and scale had set up. We needed the service to be simple to set up, be easy for our users to adjust to, and one where ongoing maintenance was low impact. We opted for the EZproxy service from OCLC, a service that is in widespread use across a large part of the library sector for just this very need.

*“You often need to use many different databases when answering a research question, especially when looking for varied international materials. Needing only one set of login details makes it so much quicker and easier to help the Justices with their research tasks.”*

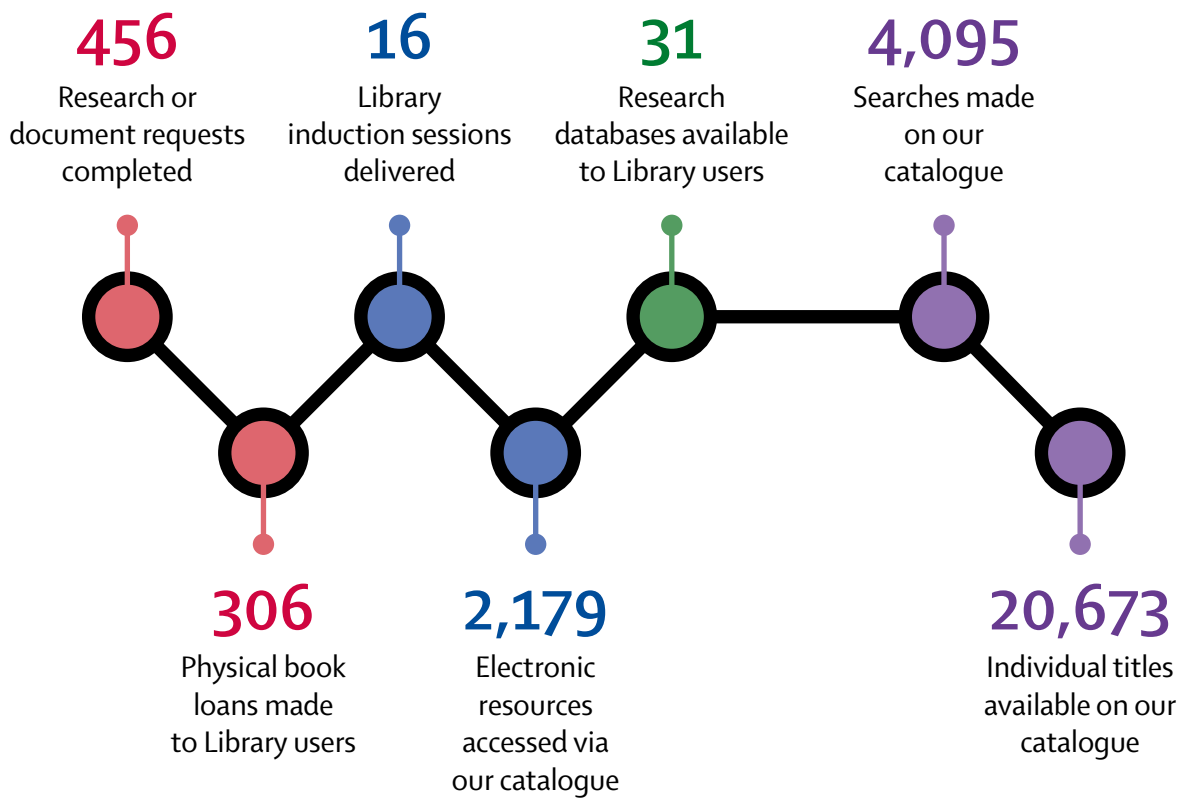
*Robert Bellin, Judicial Assistant, 2021-2022*

We now have a much-improved experience for our users, where the journey to the information they require has far fewer barriers, irrespective of where they happen to be working from. We hope that this will mean that we see increased usage of the new services we subscribed to at the start of the pandemic in March 2020 so that we can be assured that they provide good value for the investment. Above all, we hope that our users will have more time to concentrate on working with the material they are using rather than spending time merely trying to access it.



*Paul Sandles,  
Librarian and  
Departmental  
Records Officer*

## Key stats from the Library in 2021–22

Strategic priority 2 –  
Diversity

We said	We did	RAG
Introduce and deliver the Action Plan which supports the UKSC Diversity, Inclusion and Belonging Strategy.	<p>We successfully launched the strategy and action plan to all staff and promoted each month through engagement and the delivery of the activities identified in the Court's Diversity, Inclusion and Wellbeing Calendar.</p> <p>A new Diversity, Inclusion and Belonging Champion was appointed to support the strategy and action plan and provide challenge for the organisation on any relevant issues that may be raised by our staff.</p> <p>We delivered a series of forums which considered different aspects of diversity from the impact of micro-aggressions in the workplace to parenting neuro diverse children.</p> <p>For more detail please see section 2 – Diversity, Inclusion &amp; Belonging.</p>	RAG

We said	We did	RAG
<p>Introduce the Judicial Diversity and Inclusion Strategy 2021 – 2025.</p>	<p>The successful launch of the Judicial Diversity and Inclusion Strategy, including a link up with the Times newspaper on the launch of our paid internship programme with Bridging the Bar (see case study on pages 34–35), has put down a marker in the legal community that the UKSC is serious about addressing diversity and inclusion within the legal profession. This has been followed up with media appearances, social media videos and webinars for greater impact.</p> <p>To support the Judicial Diversity &amp; Inclusion Strategy the justices attended Bias Awareness training. In January 2022, the Careers Pathway session featured Lord Reed, Lady Rose, Liz Burnley CBE, who is a Lay Member of the Judicial Appointments Board for Scotland, and the UKSC Chief Executive. It was a successful event, attended by approximately 400 people.</p>	
<p>Implement the next phase of the Court’s Visitor Access Strategy which includes:</p> <ul style="list-style-type: none"> <li>● Setting up a Disabled Access User Group with whom we can work to shape our programmes of visits.</li> <li>● Increasing our offer to disabled users by devising a new programme of tours which will include BSL interpreted tours and tactile/touch tours.</li> <li>● Considering further measures and improvements through participation with the Business Disability Forum’s ‘Disability Standard’.</li> </ul>	<p>Year Two of the Visitor Access Strategy was delivered over the course of the year.</p> <p>The delivery of a range of initiatives have made the Court more accessible for people with additional needs.</p> <p>We delivered two fully-booked British Sign Language (BSL) tours (end of February and beginning of March).</p> <p>We have made small but impactful changes within the Court building, for example introducing chairs with arms in public spaces, so people with mobility spaces have chairs to sit in that they can get out of again.</p> <p>We have partnered with AccessAble; the UK’s leading provider of detailed disabled access information to create a Detailed Access Guide. The Guide is made up of facts, figures, and photographs to help visitors plan their visit to the UKSC covering everything from lifts and hearing loops, to walking distances and accessible toilets. We know everyone’s accessibility needs are different, so having detailed, accurate information is very important. <a href="http://www.accessable.co.uk/the-supreme-court/access-guides/the-supreme-court">www.accessable.co.uk/the-supreme-court/access-guides/the-supreme-court</a></p>	

We said	We did	RAG
<p>Aim to meet the requirements of the Public Sector Bodies Accessibility Regulations 2018 through making sure the Court:</p> <ul style="list-style-type: none"> <li>● Takes steps to enable websites and applications to be perceivable, operable, understandable and robust.</li> <li>● Publishes an accessibility statement.</li> </ul>	<p>All UKSC and JCPC court forms (10 in total) were redesigned to support users. All forms are now significantly more accessible. A new Judgments template was developed incorporating best practice in terms of accessibility for readers.</p> <p>Press summaries were redesigned to be more accessible</p> <p>Through the creation of more accessible websites, including the main UKSC and JCPC sites as well as our web shop and events microsite, we can reach more people with additional needs, such as users of screen readers, as well as being compliant with legislation (see case study on page 43).</p>	<p>RAG</p>



*Bridging the Bar interns pictured on a balcony in Courtroom One in the Supreme Court building.*



Case study



## Bridging the Bar Paid Internship



In the first week of November 2021, we worked in partnership with Bridging the Bar to offer the opportunity for eight lawyers to join the Court for a pilot internship programme.

The purpose of the scheme is to encourage and support lawyers from underrepresented groups and non traditional backgrounds to pursue a career in law by providing them with an unparalleled insight into the work of the Court and access to the Justices. This linked directly with the aspirations of the Court's Judicial Diversity and Inclusion strategy.

The objectives of the scheme were to:

1. Provide participants with an insight into the work of the UKSC.
2. Intellectually stimulate and challenge participants.
3. Facilitate reverse mentoring.
4. Encourage and support participants to pursue a career in law.

Of the 121 candidates who applied for the internship, 73% were women – higher than the level of female entrants to the legal profession as a whole, which stands at just over 50%. Nearly 80% of the applicants went to state schools and 58% were the first in their families to go to university.

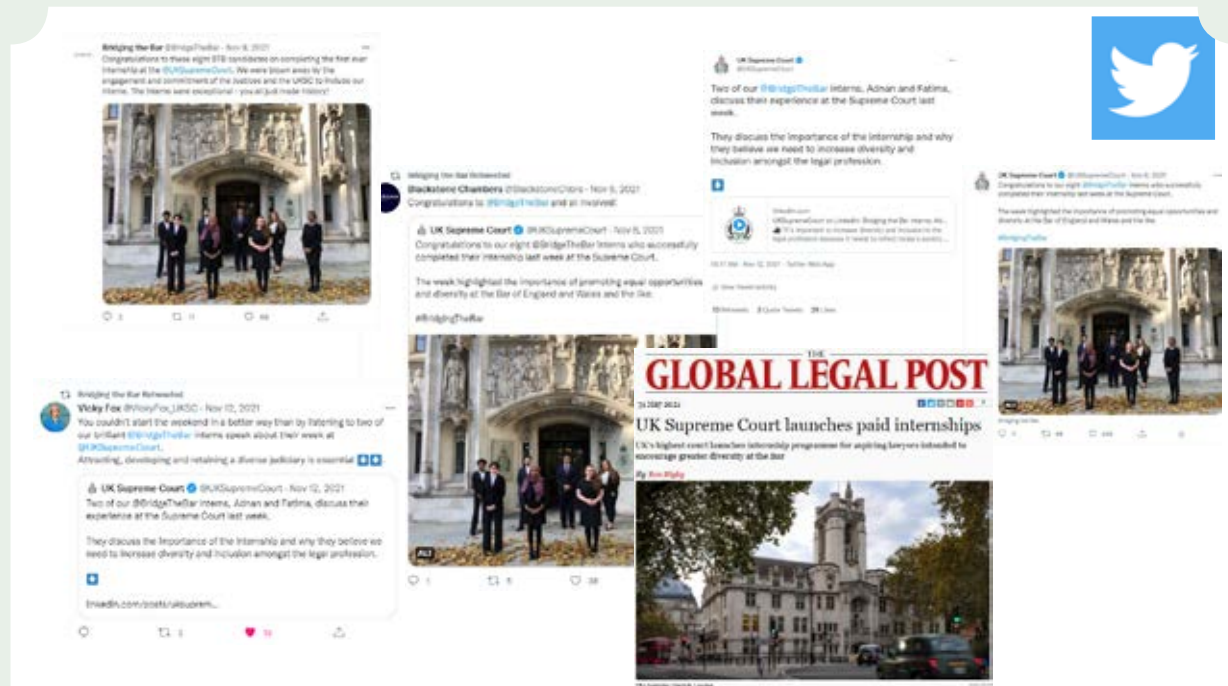
Eight interns (six women and two men) were chosen for the five-day paid programme, which took place in November 2021. Since completing the programme, six of the eight interns have gone on to be offered pupillage.

The Communications team produced a short video ([www.youtube.com/watch?v=lagFuUUh62I&t=25s](https://www.youtube.com/watch?v=lagFuUUh62I&t=25s)), which involved two of the interns discussing key lessons from their internship and highlighting their views on the importance of diversity within the legal profession.

This was shared on the UKSC's website and across our social media channels. It was warmly received, attracting positive comments.

## Engagement scores for this video

Bridging the Bar produced a brochure which provides an in-depth overview and review of the scheme, including testimonials from the interns and people who helped make the week a huge success. Read the brochure (PDF) via: [https://drive.google.com/file/d/186BLPTjodHRgkSRIzxE9Rr\\_AXPlmmyK/view](https://drive.google.com/file/d/186BLPTjodHRgkSRIzxE9Rr_AXPlmmyK/view).



**1,700** views and **160** reactions on LinkedIn

**550+** views on YouTube

**14,559** impressions

(i.e., the total amount of times the video was seen),

**488** reactions and **98** shares on Twitter.

The UKSC will run the paid internship again in 2022-23.

Case study



## Reflections from a Bridging the Bar intern

### Olivia Bennett, who was one of the 2021 interns, shares her experience:

"I am an aspiring barrister from a working-class background in Burton on Trent. I'm proudly a third-generation migrant from Jamaica. I went to a state school and was the first in my family to attend university. I was motivated to participate in the internship for three reasons.

First, I recognised it was an opportunity to be intellectually challenged, discuss legal issues and gain an insight into the Justices' decision-making process. Second, I was enthused by the reverse mentoring component of the programme. I believed that sharing first-hand experiences behind disappointing diversity statistics with Supreme Court Justices had the potential to stimulate discussion and further positive change. Third, as the first cohort to complete the internship, I knew it would be a unique experience on my CV and give me confidence applying for pupillage.

My favourite part of the internship was the meetings we had with Lord Reed at the end of each day of the trial. It was a privilege to hear his legal analysis and thoughts on the advocacy we had observed.

This experience has intensified my love for law and desire to be a barrister. It has raised my aspirations and given me self-belief. It has also provided me with a fantastic support network in my fellow interns and wider Bridging the Bar family, I've never felt so supported to achieve my legal goals! Most importantly it has demonstrated that it is not merely lip service when the profession speaks on improving diversity and inclusion."



*Olivia Bennett*



### Strategic priority 3 – Aspiring to be world class

We said	We did	RAG
Undertake and implement the agreed findings of an internal governance review to ensure effective support and decision making is in place.	A review of the Court’s governance arrangements is underway and improvements will be implemented over the next 12 months (see section 4).	Yellow
Assess and define the future HR operating model to support business as usual and to support the changes to come.	<p>As part of an ongoing series of internal policy reviews to ensure the right basis for business as usual and change, the Whistleblowing Policy was reviewed and bitesize learning and awareness delivered to ensure understanding (see section 4).</p> <p>Further planned reviews of internal policies and arrangements were delayed but will be included as part of the Court’s readiness for change priority in 2022-23.</p>	Yellow
Identify what IT systems, processes and platforms the Court needs to operate now and improve in the future.	<p>Both the ICT Acceptable Usage Policy and the Buildings and IT Disposal Policy have been reviewed and the former implemented this year.</p> <p>As with HR above, having the key arrangements in place to support delivery has been considered as priority and will continue into next year.</p>	Yellow
Assess and define a forward-looking finance model focusing on systems, processes and capabilities.	<p>All finance systems and processes have been considered this year with an ongoing plan of enhancements and improvements developed which include:</p> <p>Providing an enhanced business partnering model and financial reporting to CEO/Accounting Officer.</p> <p>Training and system improvements/enhancements have been delivered through existing supplier relationships at no extra cost, resulting in the automation of the month end process, management accounts and balance sheet production.</p> <p>System enhancements for PO, Expenses, Invoices and Credit/Debit card electronic payments will now be delivered in the next Financial Year.</p>	Yellow



We said	We did	RAG
Ensure every member of staff has a supported development path	Each member of staff discussed their development plan and objectives with their Line Manager and added a development pathway to the performance management system. This included mandatory learning from Civil Service Learning and more specific training needs linked to individual roles.	Green
Define the Court's Data Strategy to enhance understanding of all Court processes and increase transparency.	Competing priorities including work on the (SR21) and the planned Change Programme have led to this workstream being carried over to 2022-23. However as a supporting area of work, the UKSC Information Management Policy was launched in September 2021, with bitesize learning opportunities delivered to embed the adoption of the policy into working practices across the Court to start to familiarise all staff with an understanding of the importance of information.	Yellow
Ensure the justices and staff have access to the best tools available to enable them to undertake their role	<p>Through robust engagement the Court secured a positive SR21 outcome which will result in an overall increase in real terms. In addition, the Court received budget cover for the Change Programme spread across the next three years. This will enable the staff and justices to have access to the best tools to enable them to undertake their role of the next three years (see case study on page 39).</p> <p>Implementation of streamlined access to electronic resources for anyone working away from the Court building (EZproxy) was implemented to support a more hybrid way of working.</p>	Green

**Case study****In focus: Spending Review 2021****Sanj Bhumber, Finance Director  
(with the Finance team)**

The Spending Review 2021 (SR21), which sets the budgets up to 2024–25, was announced by the Chancellor of the Exchequer (three financial years on resource and capital) on the 27th of October 2021. The Spending Review was conducted over the summer of 2021 to extremely tight timescales.

The finance team worked with colleagues across the UKSC, Ministry of Justice (MoJ) and Her Majesty's Treasury (HMT) to deliver the Spending Review. We brought together a panel of experts from different business areas within the UKSC to assess the departmental Spending Review proposals. We wanted to ensure we could bring the right insight to ensure that our spending decision and proposal were linked to our strategic objectives.

Following these sessions, we analysed the findings and presented recommendations to senior management to help them work out where best to target funding. Doing this meant that we were prioritising our spending on what really mattered to deliver our strategic objectives and what best fits the vision of the Court. We presented our final bid to MOJ, and through the Lord Chancellor's office our bid was submitted. HMT then scrutinised the Court's bid and through a period of negotiations with us, the Court's overall financial expenditure for the Spending Review was approved.

Although we did not receive all requested funding and some prioritisation will be required on how we utilise our settlement for future years, we have negotiated and agreed a budget increase on resource and have sufficient capital budget to cover business as usual spend.

The Court has also received funding for the Change Programme, spread across the next three years. This includes funding to develop a detailed plan prior to introducing changes.

Given the post-pandemic economic context where the government has provided billions of direct support for the economy over the past year, this represents an excellent outcome for the Court. The Court's overall spending will increase in real terms because of SR21 and as a direct result we are now able to progress with our plans and vision to make the us a world-leading Court.

***“Overall, given the economic climate to increase the Court's overall spending with additional budget cover for the Change Programme represents an extremely good outcome for the Court. We can now proceed as planned and deliver our strategic objectives, including the wholesale transformation the Court needs to undertake”.***



*L-R: Ashar Ali Syed (Finance Manager),  
Oliver Webster (Finance Fast Streamer),  
Sanjeet Bhumber (Finance Director),  
Francisco Soares De Almeida (Finance Officer).*

## Case study

### Finance Systems

In the spirit of continuous improvement, the finance team have critically examined its processes to ensure a reduction in error rates and an increase in processing speed by automating, wherever possible. Costs have been reduced because less human intervention is required.

This has led to greater focus on business partnering and value-adding activities for the finance team rather than production of monthly and yearly accounts

For example, we have worked with existing finance system provider to automate the monthly management accounts and balance sheet by setting up an automated process in the system to generate the required reports. This represents a move away from “data dumping” into Microsoft Excel and producing the reports, which was prone to human error and required substantial production and reconciliation time. More focus is now being placed on the forecast accuracy and variance analysis.

Additionally, the finance team have automated the way we put data into the finance system, moving away from manual human input, which was again very time consuming, by converting the data into the required format for upload, again eliminating the time spent on processing.

The journals are now converted to a CSV (comma-separated values) file; which allows data to be saved in a table-structured format and uploading directly into our finance system. The time and cost saved has again led to improvements in our ability to analyse the data, provide insight, problem solve and improve decision making.

*“The time we have taken to automate our month end process and financial reporting is now paying dividends. My time has moved away from data input and processing to being able to work alongside the business areas, supporting and advising their strategic and operational decision-making through insights that drive better outcomes. Finance can now be seen as a source of insight, advice, constructive challenge about money, planning, performance, risk and governance”.*



Ashar Ali Syed,  
Finance Manager



## Strategic priority 4 – Serving the public

We said	We did	RAG
Provide skeleton arguments online to increase transparency and support accessibility	Early work has been undertaken to develop and produce accessible documents for parties. Wider changes to the Rules and Practice Directions have also been considered, and this work will continue next year.	Amber
Increase accessibility of information by providing The National Archives with all appropriate records and recordings	Work commenced to review and plan for the transfer of 2009 paper and video records to The National Archives (TNA) has been agreed and started. This is an ongoing area of work  We have worked with colleagues in the MoJ, the Judicial Office and TNA to prepare for the introduction of the new judgments service being established by the TNA which is due to launch in April 2022. This was an additional project that arose during the year. The Librarian provided support to Lord Sales who represented the Court on the Judicial Working Group that was established to provide judicial input into the project.	Amber
Implement the Court's stakeholder engagement approach	Relationship building has increased knowledge and understanding of our stakeholders and of the Court. Initiatives such as the production of a series of short videos about the Court allow our audiences to better understand our priorities and values in a digestible way. For example, we released this 'Introduction to the UKSC' video in December 2021: <a href="https://www.youtube.com/watch?v=lz1NSeazk7g">www.youtube.com/watch?v=lz1NSeazk7g</a>	Green
Explore the option of the Court sitting outside London, subject to pandemic restrictions, to increase visibility and engagement with the four nations of the UKSC	As a result of the pandemic, this did not take place in 2021-22 but will be considered next year.	Red
Continue to enhance the partnership with Royal Holloway (outreach and education) and through that develop UKSC Studies module (year 1) and MOOC (year 1).	This new project broadens our online education capability significantly. Upon the launch of the free online course in March 2022 we reached 2,000 learners, with the potential to reach many more. The course allows learners to better understand the history, cases and purpose of the Court in an easy-to-access way. The collaboration with Royal Holloway means this has been delivered at minimal cost to the Court.	Green

We said	We did	RAG
<p>Run a series of events including webinars, seminars and visits for Members of Parliament and House of Commons staff to increase understanding of the two institutions.</p>	<p>Lord Reed continues to hold meetings with the Speaker of the House and the Lord Speaker.</p> <p>We hosted a meeting for all justices with members of the Justice Select Committee in January 2022. This was an opportunity to build relationships and increase understanding of each other's roles. The Committee have indicated that they wish to follow up with further meetings in the future.</p> <p>We held two seminars with Parliamentary Counsel on statutory construction, which gave the Court a better understanding of the process of parliamentary drafting.</p> <p>As part of our efforts to strengthen relationships with Parliament, we participated in Parliament Week as an official partner for the first time in November last year. Parliament Week is an annual event which encourages people to engage with Parliament. The UKSC took part, emphasising the importance of the rule of law in a democracy. Our programme comprised tours for staff from the Department of Education, virtually and in person, and a Debate Day with a school, organised in partnership with Just Like Us, which is an LGBT+ charity for young people.</p> <p>Relations have also developed between officials. In May 2021, our Chief Executive and Head Judicial Assistant delivered a seminar to Parliamentary Clerks on the work and role of the Court and its relationship with Parliament. And, in February 2022, our Head of Communications delivered a presentation on Communicating the work of the UKSC to the House of Commons' Communications Academy.</p>	<p>RAG</p>
<p>Continue with remote and in person international bilaterals meetings including those with the Cour de Cassation, Conseil d'Etat and the Court of Justice of the European Union.</p>	<p>We have built capability in delivering virtual bilaterals, meaning there is a potential for greater interaction in future through a mix of in-person and virtual bilaterals.</p> <p>See section 1 for further information.</p>	<p>RAG</p>



**Case study****Making the Supreme Court and JCPC accessible online**

In the UK we know that at least one in five people has a long-term illness, impairment, or a disability. With this in mind, we are committed to ensure that our websites are accessible to all users.

Over the past 12 months we have reviewed the current active websites and following on from a recent website audit, we have set out a roadmap to making our websites accessible. With the work being completed we can make sure all our websites are more inclusive and improve the web experience.

With the completion of phase one for the website accessibility project in 2020-21, which saw us audit, test and make essential changes to the main UKSC and JCPC websites, our key focus for this year was to ensure that the accessibility issues on the Supreme Court Shop and Supreme Court Events microsites were fixed from a web accessibility perspective.

From retrieving the accessibility audits for both microsites, we had a comprehensive list of the issues which needed to be resolved.

Some of the key issues which we were able to fix included text descriptions on current images, all colours visible on the websites meet accessible colour standards, resolve the heading structure on pages across the website which is beneficial for potential screen readers to navigate through the page content.

Testing was a key part of this overall work. I set sufficient time within the project plan to ensure the work was tested thoroughly which included using just my keyboard to narrate through various pages and using a colour contrast tool which indicates if the combination colours are accessible. It was an essential part of the testing to most used assertive technologies such as a screen reader to test the websites.

Once we were satisfied with the outcomes and that both websites complied with level AA of The Web Content Accessibility Guidelines, we updated both website accessibility statements to show the changes which have been completed. For further information please visit the following statements [Supreme Court Shop Accessibility Statement](#) and [Supreme Court Events Accessibility Statement](#).

More broadly, as an organisation, we continue to look at ways to make our online content accessible for all website users. We have provided guidelines for content managers on how to ensure the documents they publish to the website are accessible.

Wherever possible, we always try to publish some of our content in HTML. Some of the current examples include the UKSC and JCPC judicial term listings and Justices' expenses which were previously uploaded as PDF documents.



*Gareth McKetty,  
Digital  
Communications  
and Website  
Content Manager*

## Case study

### Sharing best practice with libraries across the public sector

No library will have everything it needs. To counter this, librarians need to develop networks with colleagues in other organisations to ensure that local expertise can be sought when it is needed.

Each year, we focus on improving relationships with at least a couple of institutions to broaden our organisational network. We do this because, as a relatively new library service, we find that we need to borrow items from colleagues on a reasonably frequent basis. We also need to call upon the knowledge of fellow professionals who may be more familiar with the legal information resources in certain fields of the law, or from specific jurisdictions, than we are.

This year we decided to foster and deepen relationships with our counterparts in Scotland. We held two virtual roundtable seminars: the first was with the Library Services department for the Scottish Courts and Tribunals Service. The second was with colleagues at the Solicitor's Legal Information Centre within the Scottish Government Legal Directorate.

The purpose of these sessions was to introduce ourselves and the work that we do, to share best practice, and to discuss how each of us had responded to the challenges thrown up by the Covid 19 pandemic. These conversations were extremely useful in offering up new approaches to consider or in providing reassurance that we had all been embarking on similar journeys and had come up with similar solutions.

Over the course of the year, we have had several queries where our users needed access to older Scottish textbooks that we found difficult to source either electronically or from other lending services within London. We were able to call upon our Scottish colleagues for help and they were able to lend us the material that was needed. We have also been able to learn from their experience of producing internal training guides for their users. We have been able to emulate the best features of their product without having to 'reinvent the wheel'.

*"My colleagues and I found these sessions very beneficial. Gaining an understanding of the usefulness of the digital resources being used by the Supreme Court has enabled us to explore the potential of these for our own service. We have also had several new staff join during the pandemic who have been new to the legal sector. Building productive relationships with those with advanced expertise outside of Scots law has been a positive professional support for these new information professionals."*

*Jennifer Findlay, Librarian of the Library Services department for the Scottish Courts and Tribunals service*

The networking has also offered benefits to both sides as we have been able to reciprocate this help. The Librarian has committed to speak at two virtual training events aimed at Scottish librarians that are coming up April and May 2022.



*Rachel Watson,  
Assistant Librarian*

## Sustainability

The UKSC has continued to work throughout 2021-22 to support delivery of the Government Greening Commitment (GGC) and the recommendations of the sustainability report developed in 2019. The ongoing Covid 19 pandemic has slowed the progress of this work as staff have commonly been working from home. However, we are optimistic that as we move to a hybrid working model, we can monitor the building's energy usage and waste control and set realistic and achievable targets. We also recognise that for us to be more sustainable we must look to change the culture and behaviour of building users through education and engagement on topics such as energy usage and recycling.

In line with our reporting responsibilities, we have evaluated our GGC performance in the following areas:

- We have worked closely with all our contractors to ensure that their practices and procedures support the UKSC's vision to be more sustainable. An example of this is examining and reporting on what happens to the waste produced by the UKSC.
- We have moved to ensure that all case papers are submitted electronically with only the key facts of the case being submitted physically on paper.
- We are developing a policy which will ensure that all the UKSC assets are disposed of in a safe and sustainable way.
- We have installed a replacement lighting control system that enable us to monitor and trim usage.
- We have and continue to interrogate energy usage through the building management system (BMS) making sure that areas not in use are not using energy.

For 2022-23 we are committed to:

- Ensuring all project work is done in a sustainable way and looks to improve the buildings efficiency.
- Ensuring all procurement processes considers the sustainability targets of the UKSC.
- Continuing with our programme of works to remove or replace low efficiency lighting with more sustainable alternatives (both regarding energy usage and materials used).
- Ensuring that all staff are aware of our commitments regarding sustainability and educate them as to their duty to carry out their work in line with these commitments whilst providing the tools necessary for them to do so.
- Ensuring that we have a reporting mechanism in place to ensure all data about the disposal of IT equipment is available.
- Ensuring that our travel supplier is committed to sustainable means of travel and that all journeys and their costs are reported on through the annual report.

**Case study**

**Sustainability**

It is important to the UKSC that we work closely with our contractors to ensure the best possible services are delivered.

Alongside this we also want to understand how our work and the work of our contractors are affecting the environment, with the aim of becoming more sustainable.

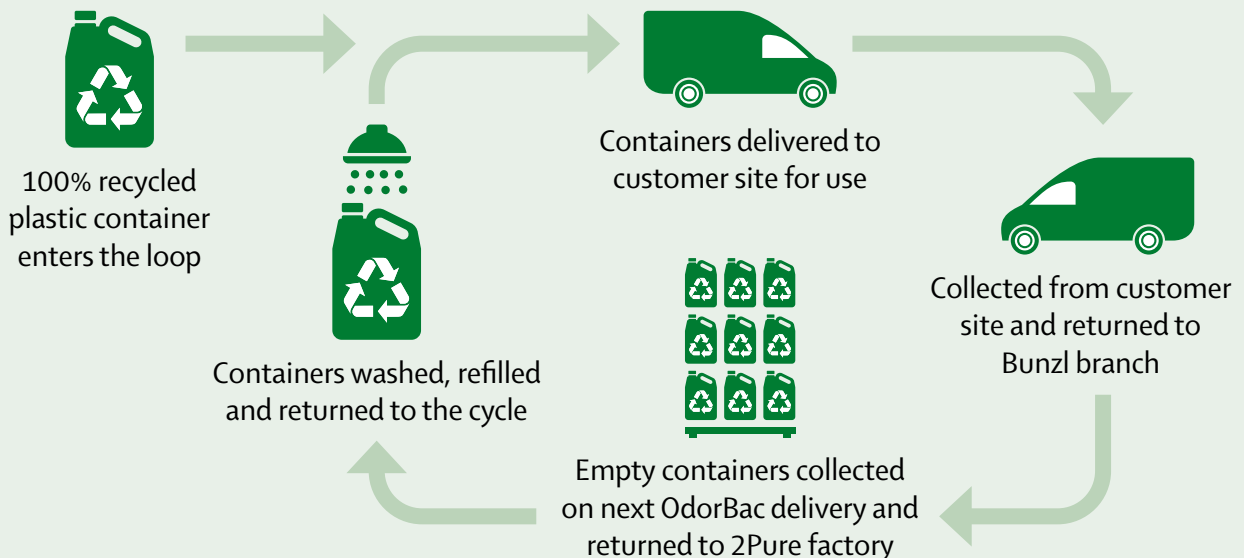
We have been working with Julius Rutherford & Co (JR&Co), who provide cleaning services to the UKSC, to build on our vision to become more sustainable.

JR&Co have achieved ISO14001 status for their environmental management system, and they work with Planet Mark to externally audit and assess the positive impacts of their operations.

We are collaborating with JR&Co to understand how their operations and procedures have changed to positively impact the UKSC sustainability goals and the wider environment. To provide an example of this we are currently looking to reduce the amount of waste that the UKSC generates.

Work is ongoing to implement a circular plastic economy across a range of typical single use plastics used by JR&Co at the UKSC. To achieve this, certain products will be dispatched to the UKSC building as a full 5 litre concentrate. The product will then be distributed into spray bottles that are made of 100% recycled plastic. Once the 5-litre concentrate is used, the container will be sent to be refilled and returned to site. This is known as a closed loop practise and will help the UKSC reduce the amount of single use plastic which is on site.

JR&Co have shared that they are dedicated to supporting the Court in delivering against its sustainability targets and welcome the opportunity to collaborate on areas that are of great importance to both organisations.



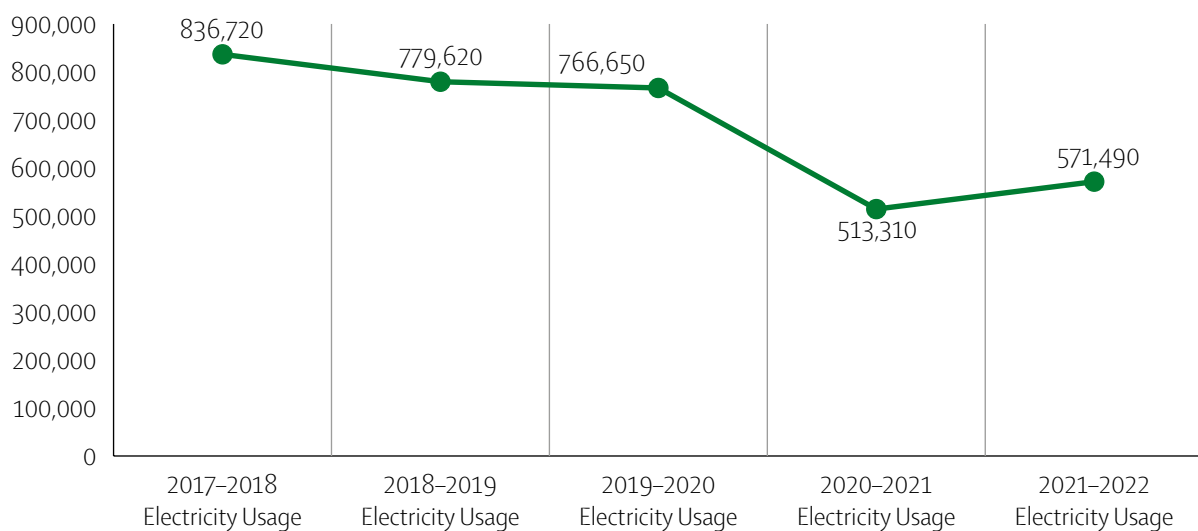
## Greenhouse Gas Emissions

A headline target in the commitment to mitigating climate change is to reduce the overall Greenhouse Gas emissions from a 2017-18 baseline.

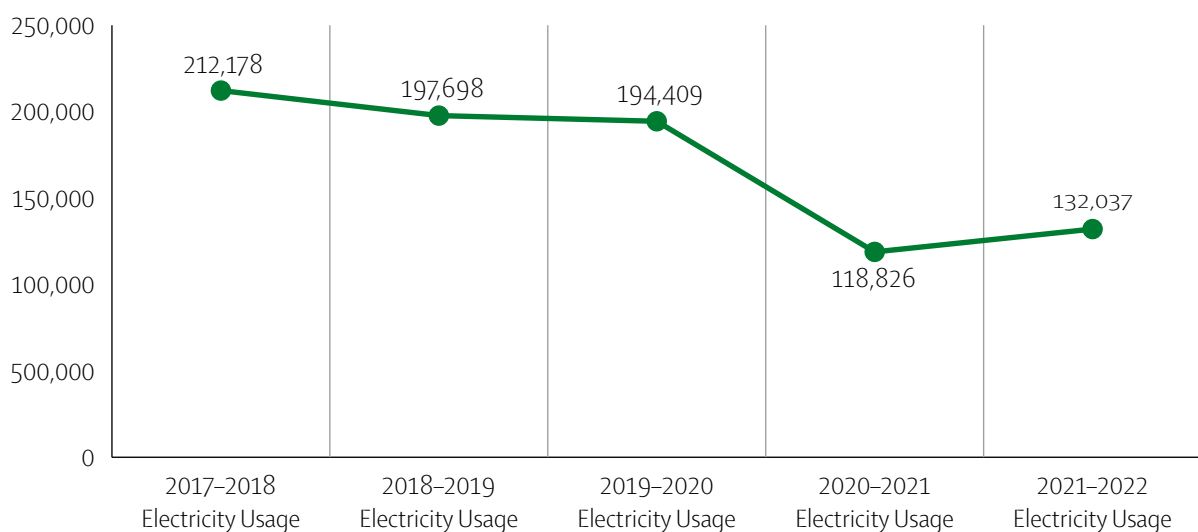
The information provided below is based on the usage between the period of 2017-2022. You will see from these graphs that the energy usage across the UKSC building has dropped. These figures are reflective of the decreased building use through the pandemic and our efforts now will be focussed on maintaining our energy consumption below pre-pandemic levels.

### Annual report on electricity, gas, and water consumption and equivalent CO<sub>2</sub> emission.

#### Total Electric KWH

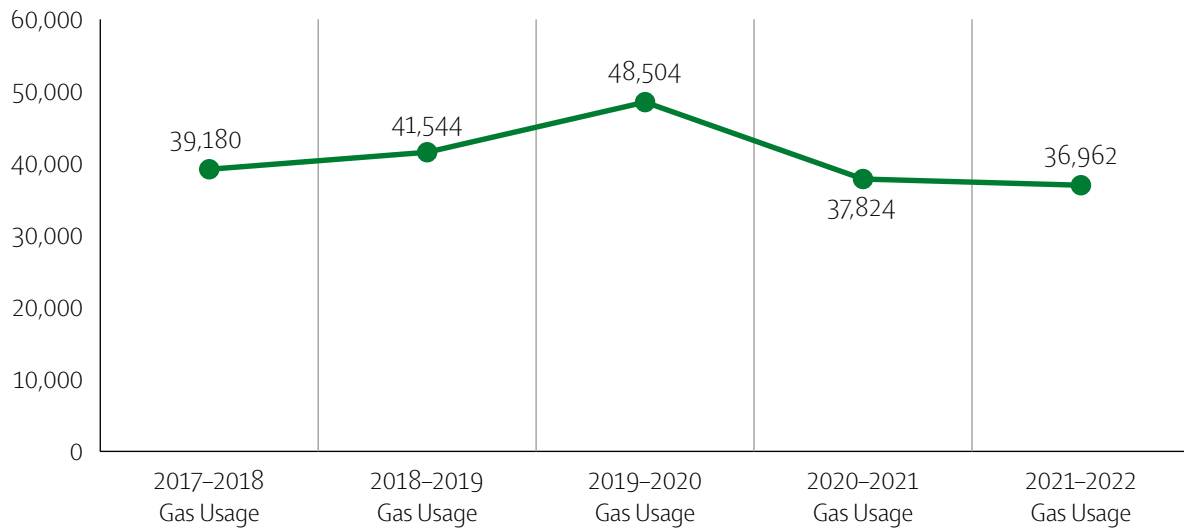


#### Total Electric CO<sub>2</sub>

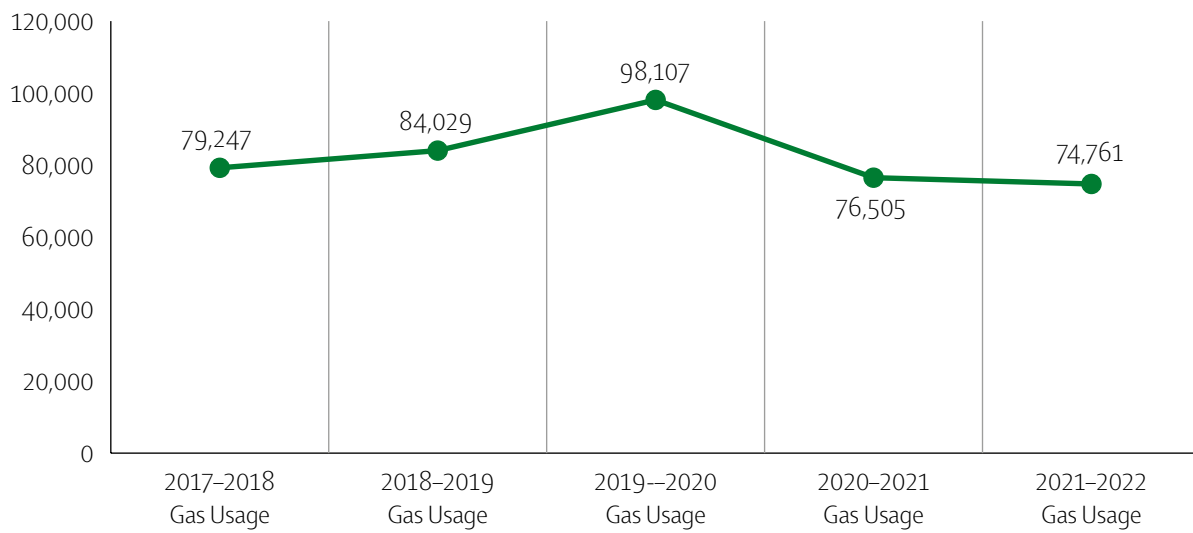


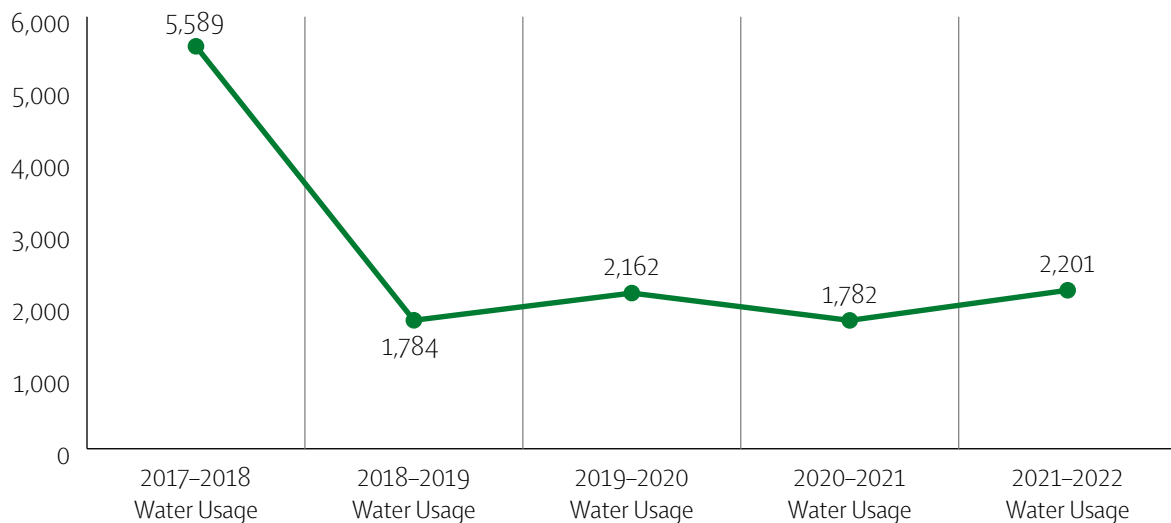


### Total Gas KWH

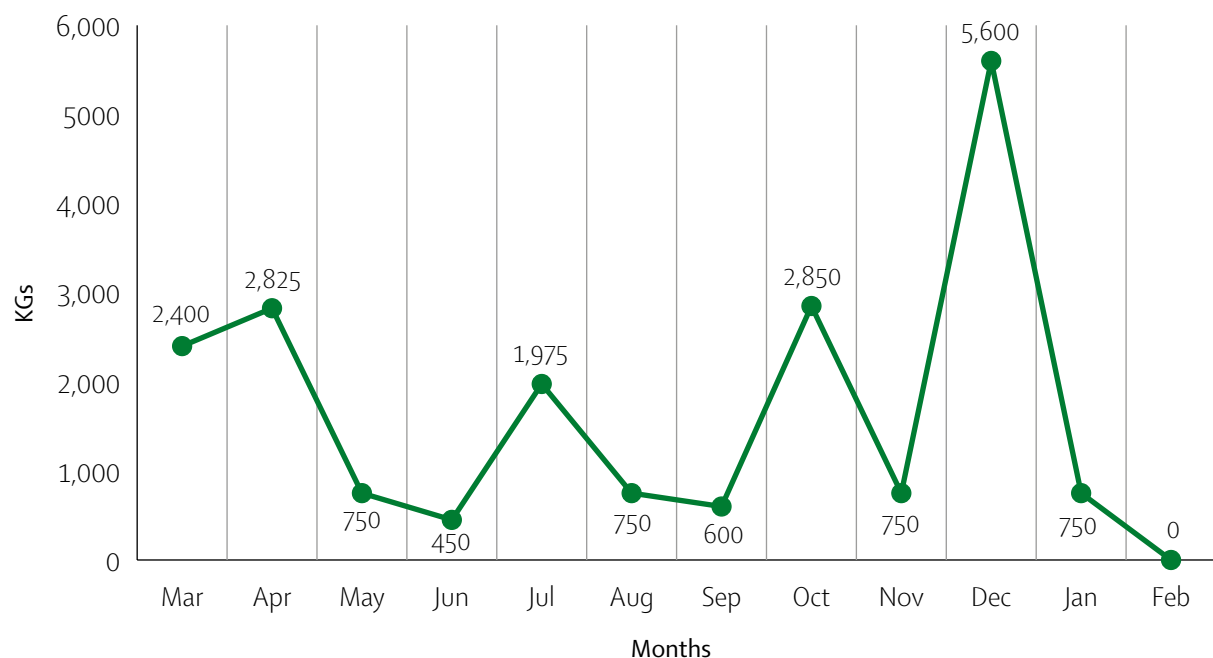


### Total Gas CO<sub>2</sub>

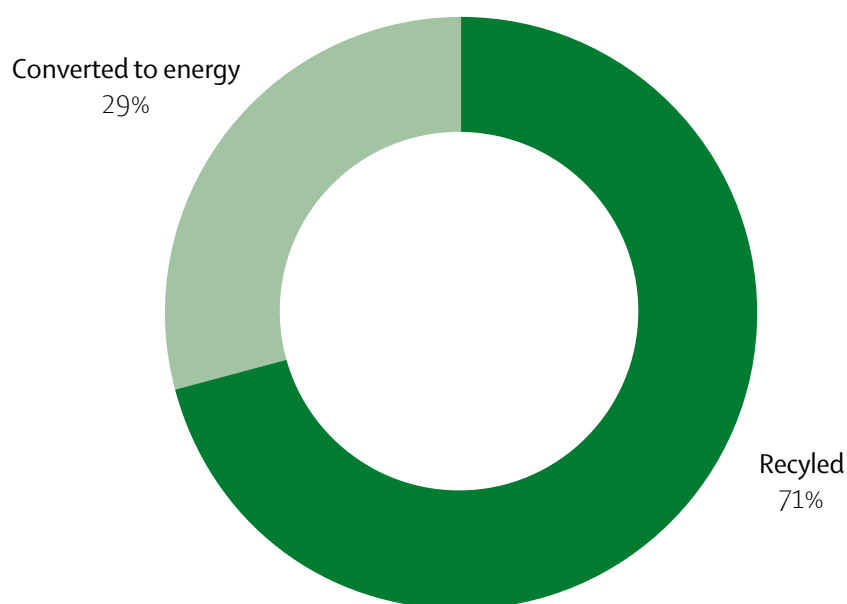


**Total Water Usage****Waste minimisation and management**

We have been working closely with our cleaning contractor who provide us with a waste management service through First Mile. First Mile are committed to a zero-to-landfill approach. Since March 2021, we have been collating details of the waste which First Mile collects on behalf of the UKSC. These figures are reflected in the graph below.

**Total waste produced**

In 2021-22 the Court produced 20.5 tonnes of waste of which 71% was recycled and 29% converted to energy.

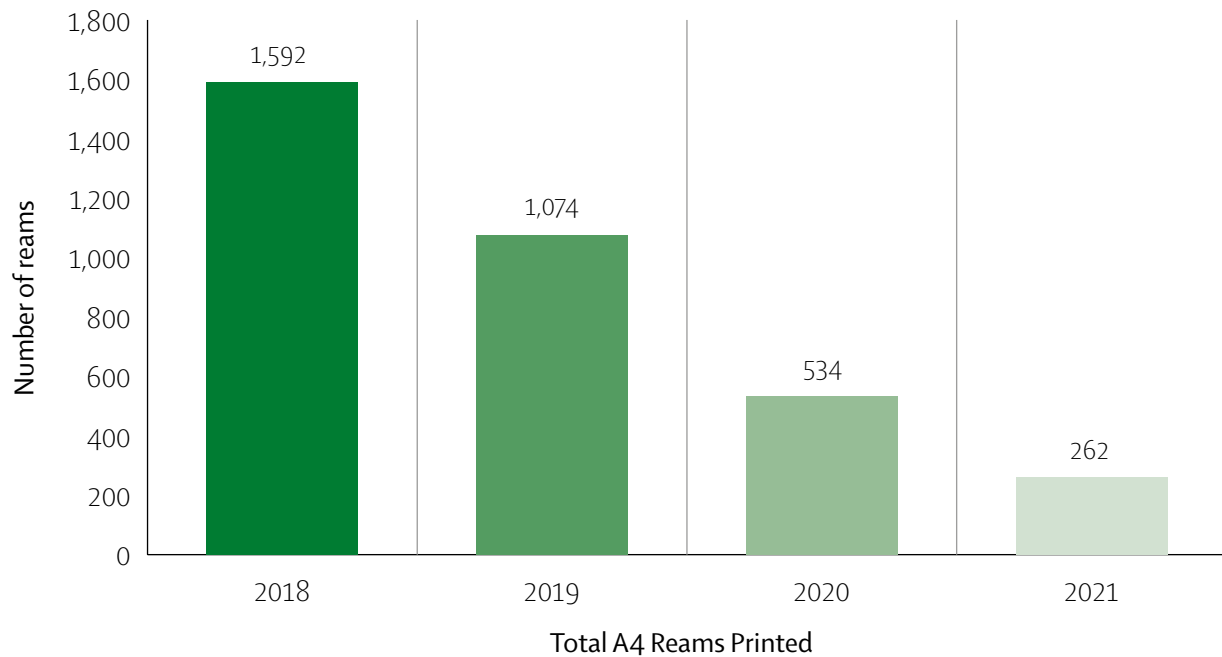


Currently the Court sends 0% of its waste to landfill and it matches the target of recycling at least 70% of overall waste. Anything that can't be recycled or reused is incinerated in a process that generates electricity and heat which is used to power homes. Any remains that can't be burnt are salvaged to become building materials.

Our waste service provider is certified under ISO 14001 and ISO 9001 and their vehicles meet Euro 6 Vehicle emission standards which is the highest standard outlined by the European Union.

### **Paper usage**

As the Court moves away from printed matter towards the use of digital files, our reported paper consumption has dropped substantially. The circumstances surrounding the Covid 19 pandemic and our new hybrid working model will have had an exaggerated effect on this, however our target now will be to maintain our paper usage as low as possible, ideally below pre-pandemic levels.

**UKSC Paper Usage**

In addition to the reduction in the amount of paper we use, our contracted supplier of printers and associated consumables is committed to sustainability as part of their corporate social responsibility. Some of the ways they enable us to support sustainability are:

- Use of organic toner versus chemically grown
- Xerox products all conform to highest global energy star ratings.
- Xerox divert 100% of returned cartridges from landfills
- Advanced UK currently achieve approximately 50% of remote fixes reducing the amount of visits engineers have to make, saving across all clients 2021 – 32,000 KGs CO<sub>2</sub>
- Xerox won the inaugural HRH Prince of Charles Terra Carta Award 2021 presented at COP26

## Case study

### Lighting upgrade

This year, we chose to upgrade the Court's lighting system. This was due to the age, failure rates and the growing costs involved with maintaining and repairing the current system. We were also eager to find ways to light the building in a more sustainable way.

We researched several systems on the market, with our sustainability goals at the forefront of our focus. We decided early on, to concentrate on modular systems that use wireless technology to save on the vast number of cables and works that would otherwise be required for such a fit out.

The installation of the system started in November and concluded in February; since then we have been able to, and continue to, adapt and fine tune the set up.

Within the system, we have a central controller which gathers data from every light in the building. This shows us clearly which spaces are being used regularly, and which areas have less usage. This, in turn, allows us to adapt the way we light each area in the building, enabling us to be as efficient and proactive as we possibly can. We can also monitor natural lighting levels in some of our areas, allowing the system to dim or even turn off the lights completely, so that we are not overly lighting an already well-lit area.

Because of the wireless nature of the system, it also allows us to remotely monitor and adapt the system. This supports the Courts hybrid working philosophy, saving us time and allowing us to be more efficient in the way we work.

In the areas that were completed in the earlier stages of the project, we are now using 30% less energy to light the building. This reduction is based on comparisons with data usage before the upgrade project had been completed.



*Clive Brown, Senior Building Engineer*

## Our people

On 31 March 2022 the Court employed 55 staff (53.3 Full Time Equivalents). This includes seven Judicial Assistants (JAs) on fixed term contracts from September 2021 to July 2022, two temporary members of staff covering maternity leave and one member of staff on secondment from the Court of Appeal for a fixed time. We also secured a Fast Streamer from the Cabinet Office to support the Finance Team for 12 months from September 2021. We have a number of staff working part time hours, including a successful job share at senior level, and compressed hours working arrangements.

The Court recruited 18 new starters in total from 1 April 2021 to 31 March 2022 and had both in-person and virtual interviews when restrictions were in place.



## Embedding Our Staff Values

In 2021 we reviewed our Staff Values and asked all our employees to reflect on what really matters to them. We held a series of workshops with each team across the Court and were able to highlight the four values here:



### Accountable

**Sanjeet Bhumber, Finance Director**



*“When we say we will do something, we get it done. It’s about taking individual personal responsibility and ownership for our decisions, our actions and our behaviours”.*

### Aspiring

**Rachel Watson, Assistant Librarian**



*“We aspire to improve our services by learning from the experiences of our users. To do this we survey the Judicial Assistants to identify any improvements they might suggest. We then act on their suggestions”.*

**Collaborative**

**Yasmin Rahman, Human Resources Officer**



*“Working in a small team means that you work closely together on all sorts of interesting projects but what we do relish the most, is an opportunity to branch out and collaborate with other members of staff across the Court. Consistently, the annual staff engagement survey has always had positive feedback about the staff at the Court being the highlight of the job and how we all enjoy working together”.*

**Dedicated**

**Simon Frais, Events & International Manager**



*“I am going to work hard to live the values of being a world-leading Court – being transparent and open. I can’t wait to show the public the beautiful building, the historic art and the wonderful architecture... and work with judges and people from across the world and show them our fantastic organisation.”*

## Diversity, Inclusion & Belonging

The Diversity, Inclusion and Belonging Strategy for 2021-25 was launched with support across the Court at all levels and linked to the Judicial Diversity and Inclusion Strategy.

[www.supremecourt.uk/docs/uksc-diversity-inclusion-and-belonging-strategy-2021.pdf](http://www.supremecourt.uk/docs/uksc-diversity-inclusion-and-belonging-strategy-2021.pdf)

[www.supremecourt.uk/docs/uksc-judicial-diversity-and-inclusion-strategy.pdf](http://www.supremecourt.uk/docs/uksc-judicial-diversity-and-inclusion-strategy.pdf)

This Strategy is helping the Court to realise our vision to be a true reflection of the society we live in, to respect our differences and support equal opportunity for everyone. We want every single member of staff to feel a sense of belonging at the Court, to know that everyone can contribute their views and that these will be valued. We also know that the business case for this is overwhelming: more diverse organisations are more productive, make better decisions, have a higher sense of wellbeing and are more reflective of the society we are all part of.

The Strategy sets out how we intend to deliver on this ambition and builds on the good work we have done previously. It also shares the Civil Service ambition to be recognised as one the UK's most inclusive employers and supports the actions and activities that deliver the Civil Service Diversity and Inclusion Strategy.

The Strategy focuses on becoming a Court that truly reflects our diverse society in every way possible by:

- Creating and maintaining a culture of respect for diversity, inclusion and belonging.
- Attracting, developing, retaining and fully engaging staff, making the most of our unique backgrounds and differences.
- Taking responsibility for creating that inclusive environment and will work with respect and empathy for colleagues and everyone else that we work with.
- Challenging all inappropriate behaviour and feel supported when we do.
- Regular events for staff including training on Bias Awareness and forum events.





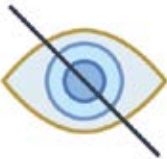




New Reverse Mentoring Program launched in February 2022 to focus on the voices of underrepresented groups, from less senior grades, being heard.



The UKSC Book Club selected books that tied into the theme of Diversity and Inclusion.



We celebrated Pride month with links to various events across the Civil Service and reading lists from an LGBTQ perspective.

	<p>We arranged a course for staff with the charity The Royal National Institute for Deaf People (RNID) to support deaf awareness in January 2022.</p>
	<p>We offered staff a short British Sign Language Webinar to help increase knowledge and encourage further learning.</p>
	<p>An event with Vision and Hearing Support arranged in February 2022 to support greater understanding for those with partial or complete loss of vision.</p>
	<p>We hosted a mental health awareness event with MIND / WELL AT WORK, to support the development of staff in customer facing roles.</p>
	<p>There were two events delivered by Strategic Wellbeing. One for World Mental Health Day, where a personal, lived experience was shared with staff to raise awareness and develop understanding. The second one was a Beat Burnout webinar for all staff to attend.</p>
	<p>We built on the momentum from the year before and continued holding diversity forum events that were engaging, though provoking and often very moving. All events were well attended by our staff and really demonstrated how much we all care about learning more and truly making a positive impact where we can. Bias Awareness training sessions were offered to all justices and staff.</p>
	<p>An annual Diversity Calendar was introduced, through which we marked significant religious festivals, memorial days and awareness days.</p>

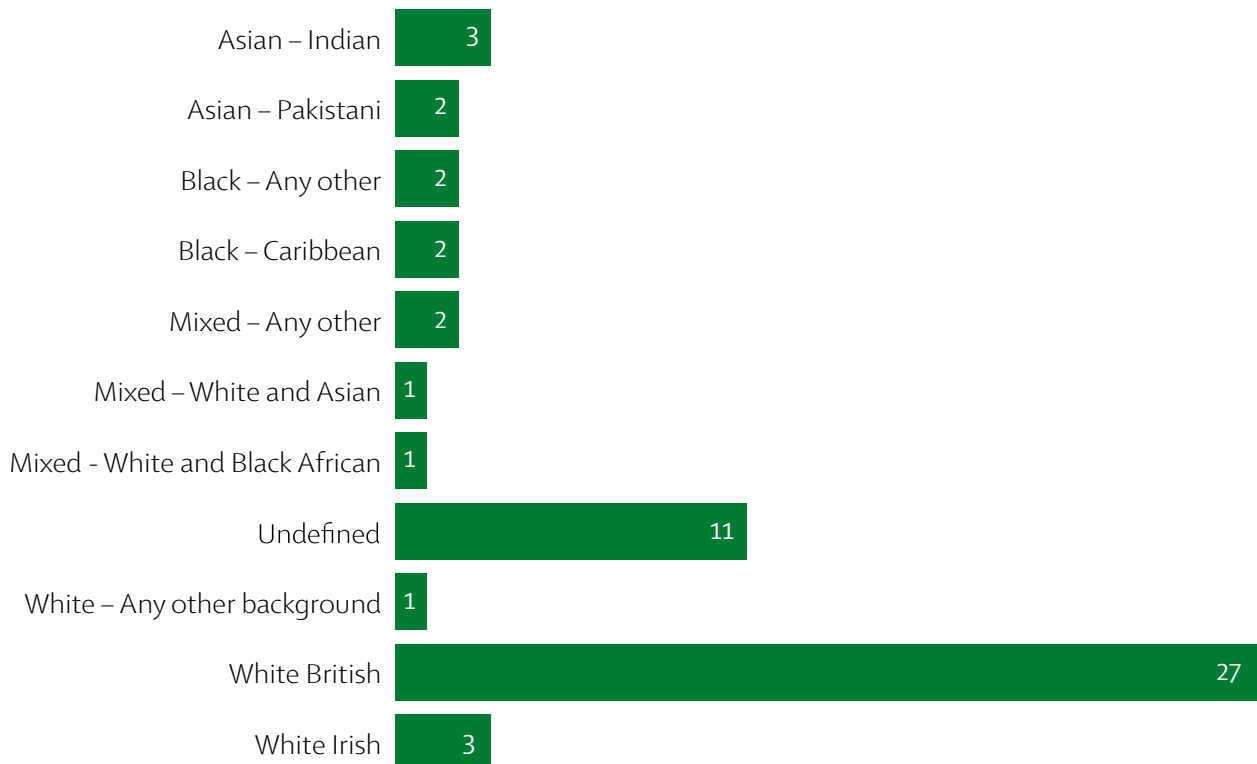
## Diversity Statistics – UKSC Staff

The following graphs and charts present data about the current formation of UKSC staff, as at 31 March 2022.

### Staff Headcount as at 31 March 2022

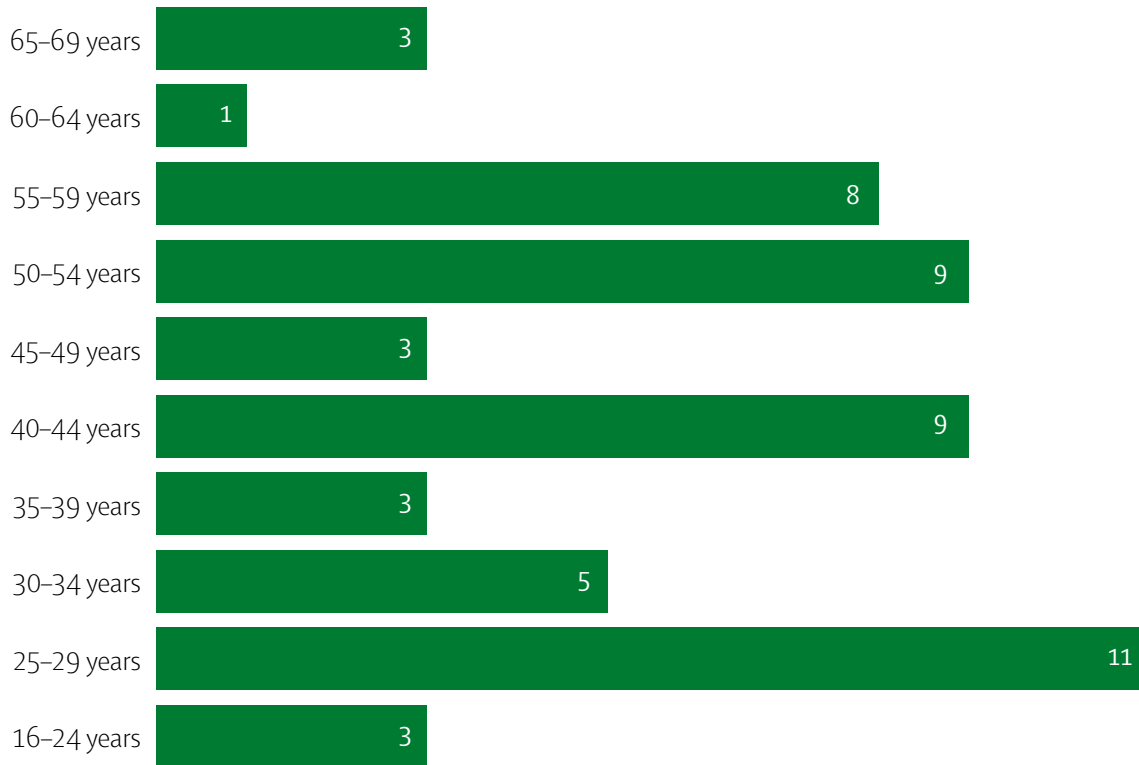


### Ethnicity Profile UKSC Staff as at 31 March 2022





### Age Profile UKSC staff as at 31 March 2022



**Case study****Reverse Mentoring experience by a member of UKSC Staff**

The following statement has been contributed anonymously by one of the volunteers taking part in the Reverse Mentoring Scheme.

“Experience, by definition, is something that takes a long time to acquire through years of dedication and effort. But the flip side of experience is a bias against change. People’s strengths are what we look at and as a result we rely on them for getting things done that are expected of them but in doing so we restrict progression and change for people get “stuck in their ways”. I signed up and am enthusiastic about “reverse mentoring” for it gives us as individuals the opportunities to learn and grow from a different perspective and helps to build a deeper understanding across generations and embeds diversity, humility, creativity, and imagination into the culture of any organisation.

To be given this opportunity within our organisation is a gift that is going to provide me with not only a chance to work with a colleague who is my senior, not by age but through hierarchy, who is willing to work with me on equal terms. Reverse mentoring provides a safe environment for the free exchange of ideas, the concept that toleration, diversity of thought and inclusiveness to have those thoughts heard and not just listened to, provides the pathway to truth and openness to learn from someone from another walk of life. This provides me with opportunities of fulfilment and acceptance that through learning/teaching, I open my experiences up to critique by someone coming from a different viewpoint and by deepening my understanding within the confines of confidential mini workshops, the playing field is levelled through compassion and diminished fear of what someone might think if you were open and honest.”

## Case study

### Women in Law exhibition and walking tour



Janet Coull Trisic,  
Head of  
Communications

Description: Lady Hale, former UKSC President, standing in front of the Women in Law exhibition

The Supreme Court took part in the Inside Out Westminster Festival designed by Westminster Council.

The Court's offer included a pop-up exhibition on Women in Law and a ten-minute free guided tour of the exterior, architecture of the building.

The exhibition and related tours served to both encourage people to visit and engage with the Court building, externally, at a time when many people were still limiting internal social interactions. Furthermore, the subject matter links to the Court's diversity and inclusion action plan, spotlighting gender representation at the UKSC.

The Women in Law pop-up exhibition is outside the Court building and is based on artist Catherine Yass' work Legacy. It features portraits of three female legal pioneers. The first pioneer is Cornelia Sorabji, the first woman to sit the Bachelor of Civil Laws exam at Oxford University, and who often acted without charge to represent poor women in India. The second panel portrays Dame Rose Heilbron, one of the first two women to gain a first-class honours degree in law in 1935 and who secured the right of women to withhold their identity in rape cases. The third panel features the first woman President of the Supreme Court Baroness Hale of Richmond DBE. A fourth image shows an unnamed student, representing the potential of the next generation of women lawyers to shape our society through their practice and reforms.

This work was originally commissioned by Spark 21 to celebrate one hundred years of women in law and to commemorate the centenary of the Sex Disqualification (Removal) Act in 2019.

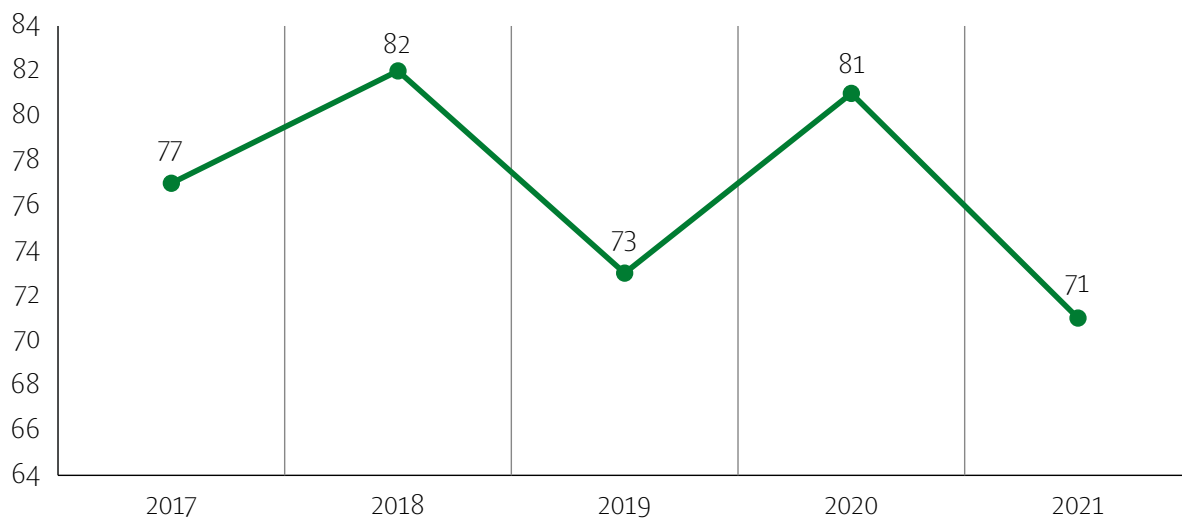
“A person shall not be disqualified by sex or marriage from the exercise of any public function, or from being appointed to or holding any civil or judicial office or post, or from entering or assuming or carrying on any civil profession or vocation, or for admission to any incorporated society (whether incorporated by Royal Charter or otherwise), and a person shall not be exempted by sex or marriage from the liability to serve as a juror”.

The pop-up exhibition puts Catherine Yass’ work in the context of the history of these extraordinary women in law. Visitors are also welcome to view the original artwork, which is displayed in Courtroom 2.

## Staff engagement survey results and response

In November 2021 we completed the annual staff engagement survey and achieved a 96% response rate. The overall engagement score decreased from 81% in 2020 to 71%. The Court will be taking a more targeted approach to specific business areas than in previous years as a direct result of these scores.

### UKSC Staff Engagement Scores 2017-2021



## Wellbeing & Recovery

Recovery and resilience were the key areas of focus for driving staff wellbeing initiatives at the Court. During the first half of the year, whilst restrictions were still in place, the Court continued to provide a variety of online opportunities. Managers were given bespoke, in-house training on the stress toolkits that managers can use to support their staff and avoid any long-term absences. A “Beat Burnout” webinar was delivered by Strategic Wellbeing to explore burnout triggers, common behaviours, and tools to support staff.



“I have used **Benenden Health** for their physio service this year, and they have been responsive and helpful. Knowing that I could use the service to support my wellbeing has provided added value to working at the Court, and it has helped me recover from my injury.”

*UKSC Member of Staff*



“During lockdown we really looked forward to our **Friday Afternoon Tea** virtual get together. While not in the same room, it was still lovely to chat and relax with our colleagues – much needed and enjoyed.”

*Angela Chandler and  
Grainne Hawkins, Personal Assistants*



“The Money Matters and financial wellbeing pages of the **Charity for Civil Servants** website are useful for our staff, especially with the rising cost of living and the need for everyone to raise awareness of improving how we budget. The services available are promoted on a regular basis using our Intranet and signposted throughout the year.”

*Chris Maile, Head of Human Resources*



“During the pandemic, having a school-aged child presented a logistical and emotional challenge. Not only did I have the adjustment in terms of my own work to make but I had the added complication of supporting my son with his. The Court recognised the unique nature of the challenges this brought to parents. We were encouraged to come together as a virtual group, called **Parent to Parent**, to share our experiences and to support each other through it. Being able to talk to those going through similar issues was a real boost to my wellbeing.”

*Paul Sandles, Librarian and Departmental  
Records Officer*

## Smarter Working and Hybrid Working Principles



On returning to the Court building at the start of Michaelmas Term in October 2021, all staff were asked to follow the principles of Hybrid Working. These principles are as follows:

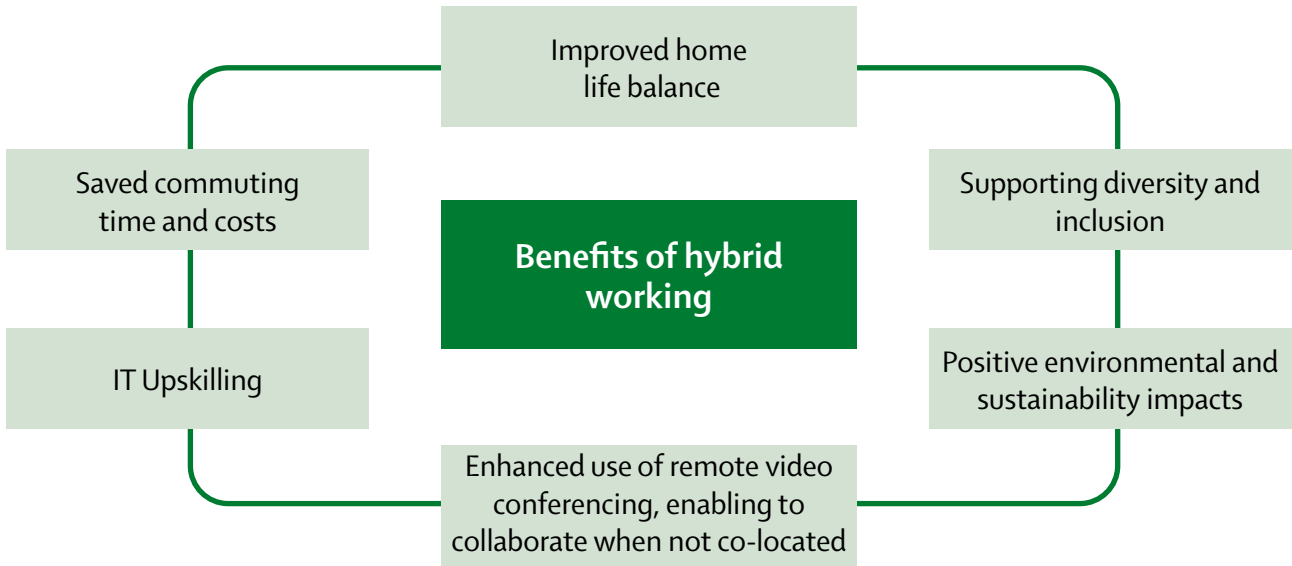
- Principle 1 – The Court is our primary place of work, staff are expected to work in the building at least three days a week including a Wednesday
- Principle 2 – Work patterns are agreed with line managers and arrangements are subject to business needs
- Principle 3 – Teams work collaboratively to ensure cover throughout the week for their business area
- Principle 4 – Staff role model UKSC values and behaviours

These principles were primarily developed to support the requirements of an operational Court while still ensuring flexibility and a good work-life balance. This approach also supported what we were already doing as part of the Smarter Working Accreditation with the Government Property Agency, also the wider Future Ways of Working Blueprint for Civil Service Departments by encouraging smarter, hybrid working as the usual way of working.

In line with the Smarter Working Agenda, the Court has had a continued focus throughout the year to increase capability for hybrid working. This has included utilising the technology to successfully support hybrid hearings where these are required, and enabled meetings and collaboration using technology, developing our people as we adapted to new ways of communicating and at times working in different spaces.



## Hybrid Working impact



### Case study

#### Hybrid working principles

Our hybrid working principles have enabled us to create a working environment in which the Court can function and operate successfully and safely whilst supporting all staff to have a more flexible work/home balance. My colleagues and I have been able to remain dedicated to the business needs of the Court and we have been able to respond to changes in government guidance efficiently and successfully.

Our innovative IT solutions have allowed us to continue to collaborate through a combination of online and ‘in person’ meetings, a good example being our weekly all-staff meeting which we regularly have contributions from both those in the building and those working remotely.

We are committed to creating a more flexible and creative working space in the building. By way of an example, our meeting room facilities have been upgraded and each now has video conferencing equipment to support those meetings and conversations where everyone isn’t or doesn’t need to be physically present. This allows for greater flexibility in how we support the functions of the Court, and it means we can offer world class service to legal teams and visitors using those rooms.

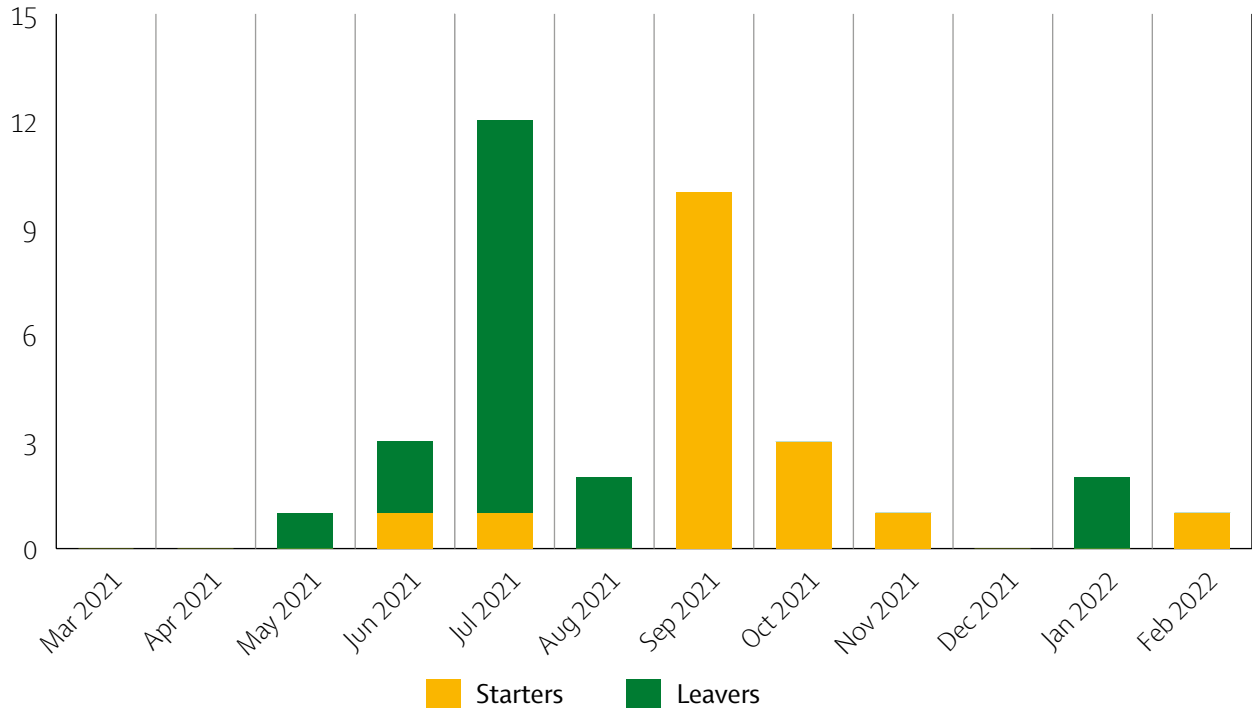
Like many organisations, we embrace the benefits such as improved engagement and wellbeing which hybrid-working has to offer. Our hybrid working principles ensure that we can do this in a consistent and well managed fashion.



*Oliver Sheridan,  
Deputy Building  
Manager*

## The UKSC

### Monthly starters/leavers



Staff Turnover was slightly higher than previous years in 2021-22, with a total of 18 staff leaving – though 11 of these were JAs employed on fixed term contracts that finished in July 2021. We recruited a new selection of JAs in May 2021, interviewing remotely, and appointed seven who started in September 2021 to support the Justices in researching cases and assist with our education and outreach programme.

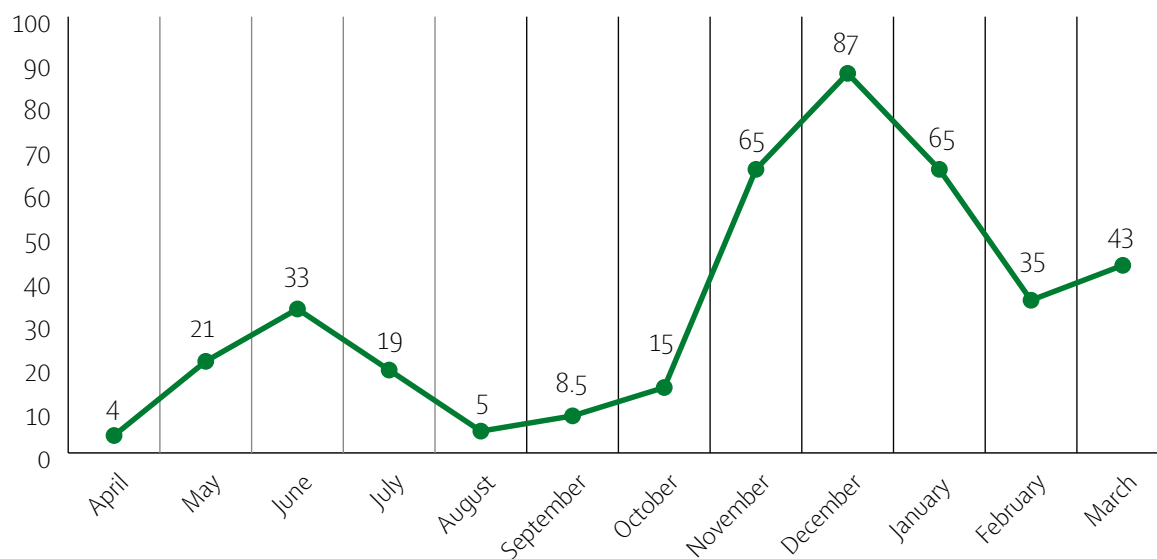
As the year progressed, we were able to offer in-person interviews again and recognised the value in allowing candidates familiarisation tours before taking up appointment.

Other recruitment included new roles such as a Senior Policy Officer and a Senior Governance and Business Manager with responsibility for governance at the Court.

## Staff Sick Absence

In 2021-22 the Court was affected by some staff becoming unwell with Covid 19 and some long-term absences which impacted on the overall sick absence rates (see table below). Support has been in place in each situation to help a smooth return to work and contingency plans have covered absences effectively where necessary.

### Total Days lost to staff sickness absence 2021-2022



Approximately 75% of the workforce were impacted by Covid 19 in 2021-22 and sick absence reflects this. The Court also had three members of staff on long term sick absence for significant periods of time.

## Complaints

The Parliamentary and Health Service Ombudsman (PHSO) investigated no complaints against the UKSC in 2021-22. Complaints are received and dealt with at two levels, at the appropriate point of contact:

- Level one: first contact – at the point where the problem arose; and
- Level two: review and appeal – by the UKSC Complaints and Data Protection team or other nominated person

Most complaints are resolved at level one and we do not record the number of those dealt with. The table below details the number of level two complaints received and outcome.

### Level two complaints

**(1 April 2021 – 31 March 2022)**

Total number of complaints received	20
Upheld	0
Partially upheld	2
Not upheld	18
Withdrawn	0

Complainants who remain dissatisfied after the review and appeal stage can complain to the PPHSO. The Court is not aware of any such complaints being made in 2021-22.

## Engaging with our audiences

Since the beginning of the new legal year (October 2021), the UKSC building reopened to the public after being closed due to the pandemic. Judgments and hand-downs started taking place in person again, with some hearings still being held in a hybrid format.

This allowed the communications team to offer embargoed copies of the judgments to members of the media shortly before the hand-down, as we have done in previous years. We have also been able to welcome journalists to work in our media room during hearings.

**THE UK SUPREME COURT AND ITS RELATIONSHIP WITH PARLIAMENT**

### THE UK SUPREME COURT: WHAT IS ITS ROLE, AND WHAT IS ITS RELATIONSHIP WITH THE UK PARLIAMENT?

**Introduction**

In 2005, the UK Parliament created the UK Supreme Court by passing the Constitutional Reform Act 2005. Until then, the highest court in the UK was not a court at all, but a Parliamentary Committee: the Appellate Committee of the House of Lords. Its proceedings were theoretically open to the public, but in practice very few members of the public penetrated to Committee Room 6, where the appeals were heard. In addition to hearing and deciding cases, the Law Lords (as the members of the Appellate Committee were known) were able to debate and vote on legislation.

The Law Lords also comprised the Judicial Committee of the Privy Council, which is the highest court of appeal for many Commonwealth countries, as well as the UK's Overseas Territories, Crown Dependencies and Sovereign Military Base areas. The Privy Council, as it shall call it for short, sat at that time in a court room at 9 Downing Street, subsequently converted into the government's press briefing room.

The site of the judicial House of Lords was not well understood by the public. Justice was done, but it was not very effectively seen to be done. Having Parliamentarians simultaneously acting as judges and law makers was increasingly felt to be in conflict with the idea that the Judiciary should be visibly independent of the Executive and the Legislature.

When the replacement of the Law Lords by a Supreme Court of the United Kingdom was proposed by the government in 2003, its consultation paper said: "[The changes will] cut the relationship between the executive, the legislature and the judiciary on a modern footing, which takes account of people's expectations about the independence and transparency of the judicial system."

The UK Government also explained that the court would be fundamentally different from the Supreme Court of the United States. Lord Falconer, then the Secretary of State for Constitutional Affairs and Lord Chancellor, said in a parliamentary debate: "The UK Supreme Court, which will sit separately from the legislature, will not be a supreme court of appeal such as the one in the United States of America, which has the power to strike down legislation because there is a written constitution that is superior to it. We are not going down that route. We are setting a system to be developed where the way in which the courts operate and the way in which the legislature operates will be much closer to the public."

Through the Constitutional Reform Act, the UK Parliament moved that the highest court in the UK was independent, and was seen to be independent, of the other branches of government. All those who appeared before the court, and the wider public, could be confident that cases were decided fairly and free from external influence. So the members of the Appellate Committee became judges of the UK Supreme Court and moved across Parliament Square into the former Middlesex Guildhall. This building had housed courts for many years, but was refurbished so as to provide three court rooms, a law library, offices for the judges and staff, and a reception area, café, shop and exhibition centre for members of the public. It opened to the public on 17 October 2009.

**Twelve years on**

It is now 12 years since the provisions establishing the court were brought into force, and the court opened for business. How has it developed?

It was only in 2020 that the last of the Law Lords retired. The court is now composed entirely of judges appointed in accordance with the procedures laid down by the UK Parliament in 2005. A recommendation is made to the Lord Chancellor by an independent selection commission comprising a majority of non-legal members, who must consult the government, the devolved governments in Scotland and Wales, and the Northern Ireland Judicial Appointments Commission, as well as senior members of the judiciary. The Lord Chancellor then carries out further consultations, and can accept or reject the recommendation.

The court has developed public access and education, far beyond anything that would have been possible in Parliament. The court's hearings are normally (when not in lockdown) packed with members of the public, especially school children and students on educational visits. In a normal year, the court receives over 100,000 visitors. Its hearings are broadcast online, and cases in which there is a high level of public interest are viewed by hundreds of thousands of people. The court also communicates with the public through its Twitter and Instagram accounts, its YouTube channel, and its RSS feeds. It also engages with schools and universities, not only through events held in the court building, and through the judges travelling to universities, but also by holding online events with schools and universities which cannot bring their students to London. Ask a Justice, for example, is a series of half-hour conversations between a judge and a class of school students, typically in Scotland, Northern Ireland, Wales or south-west or northern England. The court has also made a point of sitting not only in London, but also at venues throughout the UK.

The move has also made it easier for the court to promote diversity and inclusion, both internally and more widely. The court has devised a strategy which takes full advantage of its facilities, for example by enabling law students from under-represented groups to work alongside the judicial assistants as paid interns, and by providing judges from the lower appellate courts with opportunities to work at the court, gaining experience and encouraging them to consider applying for appointment when vacancies occur.

The Privy Council can now offer virtual hearings to parties in lieu of its more distant jurisdictions, allowing them cheaper and more convenient access to the court. Its in-person hearings are well attended by members of the public, British students and schoolchildren, many from families which came to Britain from Privy Council countries, learn about the UK's role in the administration of justice in those countries. The Privy Council sits in those

**Rt Hon. The Lord Reed of Allermuir** is the President of the UK Supreme Court since 13 January 2020. Upon this appointment, Lord Reed became a life peer. Prior to this, he was a Deputy President of the UK Supreme Court and was originally appointed as a Justice on 6 February 2012. He served as a senior judge in Scotland for 13 years and he practised at the Scottish Bar in a wide range of civil cases, and also prosecuted serious crime. He is also the Visitor of Balliol College, Oxford.

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The communications team continues to build a good working rapport with the media and has worked to ensure that, despite challenges during past lockdowns, journalists continue to be kept up to date with the work of the Court in an accurate, timely and accessible manner. This has promoted widespread coverage of many judgments throughout the year, with particularly high-profile ones including:

- Her Majesty's Attorney General (Respondent) v Crosland (Appellant)
- REFERENCE by the Attorney General and the Advocate General for Scotland – European Charter of Local Self-Government (Incorporation) (Scotland) Bill
- Lloyd (Respondent) v Google LLC (Appellant)
- R (on the application of Elan-Cane) (Appellant) v Secretary of State for the Home Department (Respondent)

- Maduro Board of the Central Bank of Venezuela (Respondent/Cross-Appellant) v Guaidó Board of the Central Bank of Venezuela (Appellant/Cross-Respondent)
- Bloomberg LP (Appellant) v ZXC (Respondent).

As mentioned above, the President and other Justices have promoted the Court through a range of interviews. For example, Lord Reed's interview in *The Parliamentarian*, where the President spoke about the role of the UKSC and its relationship with the UK Parliament. Lord Reed also conducted an interview with *Counsel Magazine*.



The UKSC collaborated with *The Times* to run a feature article on the Bridging the Bar internship that the Court ran as a pilot scheme for the first time. This attracted media interest and was reported widely across several specialist legal publications, including *Legal Cheek* and *The Law Society Gazette* – all publications targeting individuals with a particular interest in the legal sector. *The Times* issued a follow up article around the UKSC running the internship programme for a second year, thus encouraging more applicants to apply.



## Welcoming visitors, education and outreach

During the pandemic we developed virtual education tours which increased the access to the Court. In September 2021, we recommenced in person educational tours but continued to offer virtual tours to education groups to extend our reach. We also developed a virtual public tour in response to the pandemic and then as the situation improved, we reintroduced in person public tours from October 2021.

In addition, our education team developed a virtual JCPC tour, aimed at schools located in UK Crown dependencies, UK territories overseas and Commonwealth countries whose final Court of appeal is the JCPC. The virtual tour covers the history and role of the JCPC and the UKSC, how Justices are appointed and there is also a discussion of a JCPC case.

We are in the second year of a four-year Visitor Access Strategy. The UKSC has partnered with AccessAble; the UK's leading provider of detailed disabled access information to create a Detailed Access Guide.

The Guide is made up of facts, figures, and photographs to help visitors plan their visit to the UKSC covering everything from lifts and hearing loops, to walking distances and accessible toilets. This will enable visitors with disabilities to plan their visit to the Court.

We have also commenced a programme of British Sign Language (BSL) tours, following a pilot in 2019. These tours aim to increase the accessibility of the Court to visitors.



*A UKSC guide delivers a tour, with a British Sign Language interpreter, in February 2022*

Customer facing staff have received training in Deaf Awareness; Visual Impairment Awareness and Mental Health Awareness, in order to raise the awareness of staff and to improve the visitor experience.

**13****Moots in the education programme (2020-21 academic year), delivered in person and online**

*"The experience was truly incredible, and we are very grateful. All four finalists were extremely pleased with the experience, as were all the spectators."*

University of Manchester

*"The entire experience was brilliant."*

Queen's University, Belfast

**15****Ask a Justice sessions (2021-22 academic year)**

*"It was a really eye-opening experience for many students whose only experience of the legal system has been through a textbook during their studies. This opportunity really showed students how interesting law is, and can be, and how many careers and possibilities that can come from studying law. We would also like to note how important this was to show working-class students that they are not limited due to their social class and Lady Rose allowed us to take the students beyond their own experience."*

Lewis Girls' School, Wales

**5****In person Debate Day sessions****100%**

**Schools shortlisted for the 2021-22 academic year from state schools compared to 75% in the 2020-21 academic year**

*"Thank you for organising a fantastic day for our students. They really enjoyed the day and said that it would motivate them to do better in their studies and many are even more eager to pursue a career in law now."*

George Monoux College

**30%**

**From areas of multiple deprivation in England**

**2,083****Learners on the free online course, "Inside the Supreme Court"**

## Improving access and diversity to our programmes

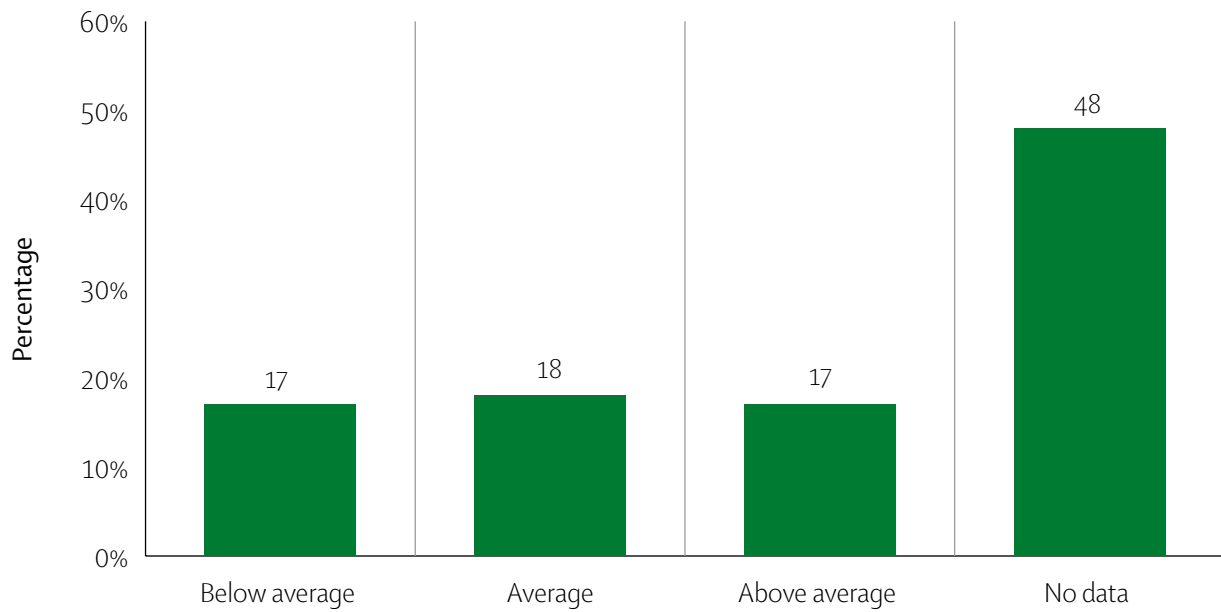
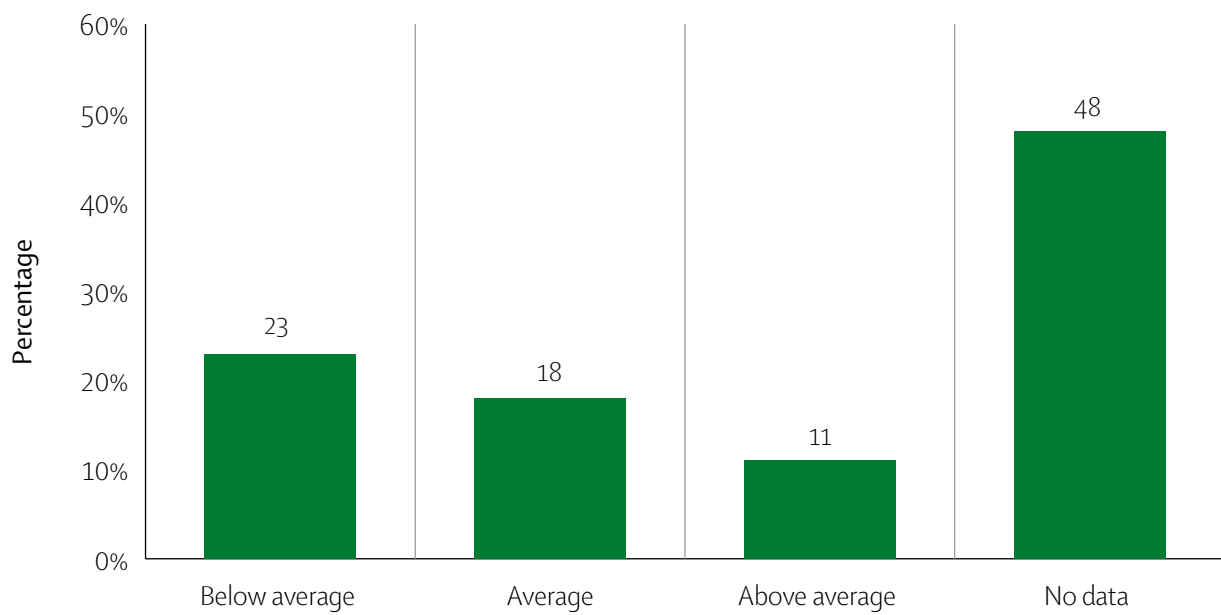
At the beginning of the year the Education and Outreach department, examined how considerations of diversity are taken into account in the UKSC's current education programme and that of its partners and made recommendations to improve widening participation in the future. By doing this, linked to our diversity and inclusion action plan, we hope to ensure that the people we engage with are representative of the UK population and that there is equality of access to our services and programmes.

In the Ask a Justice programme in which twelve schools are selected for the programme each year, the new criteria targeted schools from all four regions and in England the top ten areas of multiple deprivation. The emphasis on promoting the programme to Scotland, Wales and Northern Ireland was successful, resulting in an increase in selected schools to five from Scotland; three from Wales, two from Northern Ireland and two from areas of multiple deprivation in England. In the previous year there had been no applications from Wales or Northern Ireland, so the difference was significant. We also began measuring the schools' category for free school meals and 58.3% of selected schools had average or above average numbers of students eligible for free school meals. These results show that introducing criteria can widen the participation of programmes.

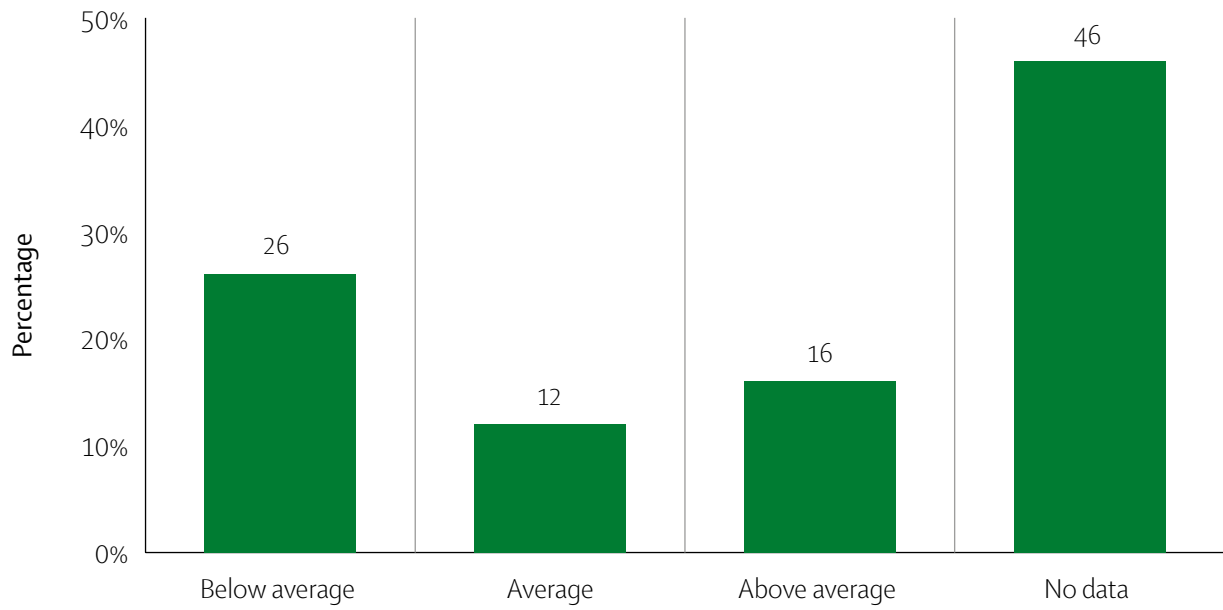
The new diversity criteria for Debate Days were used and it produced some really good results. A new criterion was to target the top ten areas of deprivation in England aiming for these to make up 20% of selected schools and 30% was achieved. We also added the requirement that 90% of selected schools should be state schools. Last year, 75% of schools were from state schools and with the new criteria this increased to 100%. This has demonstrated that introducing new criteria can improve diversity in programmes.

In addition, we run a free tours programme, for schools, colleges and universities in the UK. We have begun measuring a number of new categories for schools attending which are all included in Ofsted reports. These are the categories include: Free School Meals; numbers of SEND pupils and the numbers of pupils who do not have English as a first language. Ofsted measures these as below average, average or above average. These new measures were introduced in October 2021 and 63 schools have visited during the period.

These bar charts show data for schools we have engaged with in England only, as we have not been able to access equivalent data for schools in Wales, Northern Ireland or Scotland. It is also worth noting that partial data is available for some schools, and in many instances no data is available for independent or academy schools. For example, we can find out the number of SEND pupils or pupils for whom English is not a first language, but no information is available about free school meals. For this reason, the 'no data available' percentage is not always the same across all charts.

**Free School Meals****SEND Pupils**

### English not first language pupils



**Case study****Inside the Supreme Court**

We have collaborated with Royal Holloway, University of London on a free learning course, “Inside the Supreme Court”, which is hosted by the platform FutureLearn.

Over two weeks, the course explores the current workings and history of the UKSC and wider aspects of the law and the UK Constitution.

Learners hear from the Supreme Court’s Justices and staff and learn about some of the Court’s landmark rulings.

The course covers the role of Justices as members of the JCPC and how the Committee’s work relates to the Commonwealth. Learners also discover how the UKSC works in relation to the European Court of Human Rights and how the UKSC compares to the Supreme Court of the United States.

Learners take a closer look at routes into the legal profession. If a learner is considering a career in law or would like to understand more about the Court, then this course gives an insight into the legal role of the Court. Some feedback we received from those who took part in the course included:

*“Excellent course. Very clear, succinct, and engaging.”*

*“I found the interviews with the various judges very interesting. The cases studied gave a good insight into how legal reasoning works.”*



*Natasha Bennett,  
Education and Visitor  
Services Manager*



## Our vision, priorities and values for 2022-23

### Our vision

We will be a world leading court.

This means we will:

- deliver the highest quality judgments.
- deliver an excellent, efficient service to our users and Justices, through our highly skilled staff who live our values and are equipped with highquality tools and training.
- serve the public by ensuring that our work is visible and accessible and that our role in applying the law is understood as an essential part of a healthy democracy.
- ensure our culture and building are fully inclusive, respecting and valuing the diversity of our court users, visitors, Justices and staff.
- build strong relationships with Parliament, the Government, the devolved institutions and the courts in all the jurisdictions in the UK.
- enhance the international reputation of the UK as a global legal centre.

### Our priorities

Our four strategic priorities are:



#### **Recovery and Readiness for Change**

Whilst the legal restrictions have eased and we are moving to living with Covid, the longer-term impact of the pandemic continues to be uncertain. We have learnt lessons from our changed ways of working and will retain our flexibility with the focus on embedding these improvements to support our vision to be a world leading court.

We will continue to prioritise the safety and wellbeing of the Justices and staff and provide a safe environment which reflects the impact of Covid and ensures a safe and secure environment for all those who work or visit the Court.

We will continue to contribute to the economic recovery as the flagship of the UK legal sector and develop our international strategy to maintain the UK's position as a global centre for court-based dispute resolution and international arbitration.

As a Court, we will also prepare ourselves for the Change Programme which will start this year and take the opportunity to review all processes to ensure that services we offer put the customer at the heart of everything we do. The Change Programme will be a key thread in delivering all our priorities for the next three years.

This will be achieved by:

- Embedding the Court’s hybrid working policy (complementing the Smarter Working agenda and principles to ensure that all staff are empowered to deliver their best and have the tools, environment and support to do so.
- Continuing to offer a range of wellbeing awareness, training, engagement and support to all staff.
- Implementing and embedding a culture of safety at the Court where risks are identified and managed effectively.
- Implementing the findings of the Court’s fundamental review of its business continuity arrangements.
- Working to maintain and strengthen the UK’s reputation as an international centre of legal excellence and as a global champion of the rule of law.
- We will work with other courts in the UK to play our role in the UK’s economic recovery post-Covid and its new international role after leaving the European Union.
- Reviewing and aligning all internal processes, information and policies to ensure that the Change Programme can encapsulate the right information, in the right way, to put our customers at the heart of everything we do.
- Developing and implementing a People Strategy to provide all staff with a clear understanding of what is expected of them and what should be delivered in return including a review of culture and belonging to prepare for change



## **Diversity, Inclusion and Belonging**

Our work on diversity, inclusion and belonging demonstrates our collective commitment to ensuring the Court is a workplace in which every member of staff can bring their best self to work and flourish. We will continue our drive to be an organisation that is a true reflection of the society we serve by continuing to deliver our diversity, inclusion and belonging strategy. This work does not only feed into our own people and culture but looks outwards through the Judicial Diversity and Inclusion Strategy. After a strong start last year, we will start delivery of year two of the Court’s Judicial Diversity and Inclusion Strategy 2021–25. The aims of this strategy are to support the progress of underrepresented groups into judicial roles and further build an inclusive and respectful working environment for Justices where differences are valued.

This will be achieved by:

- Continuing to deliver the action plan which supports the UKSC Diversity, Inclusion and Belonging Strategy.
- Delivering year two of the Judicial Diversity and Inclusion Strategy 2021 – 2025.
- Through these Strategies we will:
  - Provide consistent and timely training to all to ensure that diversity and inclusion remains a continuing priority for all of the Court’s activities
  - Support and build an inclusive and respectful culture and working environment

- Support the progression of underrepresented groups into judicial roles and encourage a wide range of applications for every role in the Court including in the role of fixed term Judicial Assistants
- Support an increase in the number of well qualified applicants from underrepresented groups for the role of justice.
- Proactively advertise the Court’s support for diversity and inclusion to the legal profession and the public and promote the Court to others.
- Fulfill our obligations under the Equality Act 2010 and the Public Sector Equality Duty (PSED).
- Implementing the next phase of the Court’s Visitor Access Strategy which includes implementing the findings of the accessibility survey undertaken in 2021-22 and delivering a more diverse and accessible range of tours, for example British Sign Language tours.
- Continuing to develop an inclusive user experience of all of the Court’s web pages to comply, as far as possible, with the WC3 Accessibility Guidelines.
- Developing an action plan to attract apprentices to the Court.



## **World class**

Our vision remains to provide an excellent service to court users, Justices and visitors. Through our three-year Change Programme we will make the changes to processes, technology and culture that will make us a world leading court which is both customer focused and digital. We will be better equipped to provide a modern and excellent service to both national and international litigants, playing our part, as the flagship court of the legal sector, in supporting economic growth. The Change Programme will support our international strategy to maintain the UK’s position as a global centre for court-based dispute resolution and international arbitration.

This will be achieved by:

- Embedding the improvements identified by reviews carried out in 2021-22 to support the Court’s business-as-usual activities (e.g. finance, HR, governance).
- Developing Digital and Data Strategies to inform how the Court uses and understands information as well as ensuring the right information is available for the Change Programme.
- Ensuring the Justices and staff have access to the best tools available to enable them to undertake their roles.
- Ensuring every member of staff has a continuously evolving development path which takes into account what is needed now and in the immediate future.
- Establishing the Change Programme team and the development of the Final Business Case, governance structure and readiness for delivery.
- Ensuring we have a deep understanding of Court users’ needs through our Court User group.

- Ensuring that all contracts and services used by the Court are the best available, offer consistent value for money and support the Justices and staff to deliver. In 2022-23, we will be re-tendering our security and broadcasting contracts.



## Serving the public





We serve the public through the administration of justice, upholding the rule of law and maintaining the Court's independence. Transparency and accessibility are at the heart of the way we work. We will continue to broaden and extend our education and outreach, making this more accessible. We will work with Parliament, government and other courts in order to play our role and contribute to the UK's economic recovery post-Covid, and its international role after leaving the European Union.

This will be achieved by:

- Reviewing and revising the Court's procedural rules to better support Court users.
- Providing skeleton arguments online to increase transparency and support accessibility.
- Reviewing the Court's fee structure to implement in 2024-25 whilst safeguarding equal and fair access to our services.
- Exploring the option of holding court hearings elsewhere in the country to increase visibility and engagement.
- Exploring the option of sitting overseas to increase visibility and engagement across the JPC jurisdictions.
- Working collaboratively with other institutions and third sector organisations to provide a series of exhibitions to highlight the rule of law and increase transparency of the role of the Court in the wider justice system.
- Continuing to develop and promote the UKSC Studies Module and Massive Open Online Course (MOOC) developed in partnership with Royal Holloway, University of London.
- Continuing to provide historic records to The National Archives as part of an ongoing programme to ensure all court records are publicly available, which will include working collaboratively with other legal institutions and the House of Lords.
- Continuing to deliver the Court's stakeholder engagement work.
- Continuing with virtual and in-person international bilateral meetings (e.g. with the Republic of Ireland) as well as overseas visits and seminars.

## Our values

Our new values will continue to be embedded in 2022-23 and will drive and support everything we do and how we deliver the Court's strategic priorities.

 <p><b>Accountable</b></p>	<p><b>When we say we will do something, we will get it done by each of us taking personal responsibility and ownership for our decisions, actions, results and behaviours. We will hold ourselves accountable to the Court, its users, and the public, and always work openly and transparently.</b></p>
 <p><b>Dedicated</b></p>	<p><b>We are proud to work for the Court and dedicated to its purpose. We are dedicated to excellent customer service, in welcoming everyone that visits our building and in supporting the role of the Court and the Justices.</b></p>
 <p><b>Aspiring</b></p>	<p><b>We want to achieve our vision of being world class and will be ambitious in setting goals that will challenge ourselves to improve so that that we continue to develop our organisation for the future.</b></p>
 <p><b>Collaborative</b></p>	<p><b>The way we work together really matters to us. We will work supportively, respecting and valuing the contributions from others. We value diversity and know that we achieve more when we work together</b></p>

## Management commentary

### Financial Position and Results for the Year Ended 31 March 2022

#### Financial Position (Statement of Financial Position)

The Court's activities are financed mainly by Supply voted by Parliament, contributions from various jurisdictions and financing from the Consolidated Fund.

The Court's Statement of Financial Position consists primarily of assets transferred from the MoJ at the inception of the UKSC on 1 October 2009. These were Property, Plant and Equipment and Intangible Assets totalling £30m. Of this, £29m represents land and buildings with the remainder being Office Equipment, Furniture and Fittings, Robes and Software Licenses. The current value of land and buildings is £39m.

A liability of £36m was also transferred from MoJ. This represents the minimum value of the lease payments for the UKSC building until March 2039.

There have been no substantial movements (apart from the revaluation of land and building) in the Gross Assets and Liabilities since the date of the transfer from MoJ.

#### Results for the Year (Statement of Comprehensive Net Expenditure)

The Statement of Comprehensive Net Expenditure represents the net total resources consumed during the year. The results for the year are set out in the Statement. These consist of:

Net Expenditure amounted to £6.2m (2020-21, £6.3m)

Justices and staff costs of £7.3m (2020-21, £7.3m)

Administration Costs of £0.1m (2020-21, £0.2m)

Programme Costs of £6.4m (2020-21, £6.4m)

Operating Income of £7.6m (2020-21, £7.7m)

The UKSC employed an average 53 (Full Time Equivalent) staff during the year ended 31 March 2022 (2021-22, 55 FTE). There was also an average of 12 Justices (2020-21, 12 Justices) who served during the same period.

Accommodation costs and finance lease costs account for about 65% of non-pay costs (2021-22, 67%).

Depreciation charges, library, repairs and maintenance and broadcasting costs were responsible for the majority of other non-pay costs.

The UKSC had operating income of £7.6m which was used to support the administration of justice. Out of this, £6.63m was received by way of contribution from the various jurisdictions i.e. £5.91m from Her Majesty's Courts and Tribunals Service (HMCTS), £0.48m from the Scottish Government and £0.24m from Northern Ireland Court Service.



UKSC Court fees during the year were £0.53m whilst £0.36m was generated as Court fees for JCPC and £0.08m from Wider Market Initiatives such as event hire and tours.

## Comparison of Outturn against Estimate (Statement of Parliamentary Supply)

Supply Estimates are a request by the Court to Parliament for funds to meet expenditure. When approved by the House of Commons, they form the basis of the statutory authority for the appropriation of funds and for HMT to make issues from the Consolidated Fund. Statutory authority is provided annually by means of Consolidated Fund Acts and by an Appropriation Act. These arrangements are known as the 'Supply Procedure' of the House of Commons.

The UKSC is accountable to Parliament for its expenditure. Parliamentary approval for its spending plans is sought through Supply Estimates presented to the House of Commons.

The Statement of Parliamentary Supply provides information on how the Court has performed against the Parliamentary and HMT control totals against which it is monitored. This information is supplemented by Note 1 which represents Resource Outturn in the same format as the Supply Estimate.

In the year ended 31 March 2022, the UKSC met all of its control totals. At £6.2m the net resource outturn was £1.8m less than the 2021-22 Estimate of £8m. £1m of this reported variance was due to non-utilization of the RAME provision for diminution in the value of the building. The remaining element of this variance was £0.8m and due to savings made against Resource Department Expenditure Limit (RDEL) budget for staff vacancies held in-year and contracts.

A reconciliation of resource expenditure between Estimates, Accounts and Budgets can be found below.

Reconciliation of Resource Expenditure between Estimates, Accounts and Budgets	2021-22
	£
<b>Net Resource Outturn (Estimates)</b>	<b>3,143</b>
Adjustments to additionally include: non-voted expenditure in the OCS	3,075
<b>Net Operating Cost (Accounts)</b>	<b>6,218</b>
Adjustments to additionally include: Resource consumption of non-departmental public bodies	0
<b>Resource Budget Outturn (Budget) of which</b>	<b>6,218</b>
Departmental Expenditure Limits (DEL)	6,218
Annually Managed Expenditure (AME)	0

## Statement of Cash Flows

The Statement of Cash Flow provides information on how the UKSC finances its ongoing activities. The main sources of funds are from the Consolidated Fund.

The Statement of Cash Flow shows a net cash outflow from operating activities of £5m.

## Pensions Costs

Details about the Department's pensions costs policies are included in the notes to the accounts. Details of pension benefits and schemes for Management Board members are included in the remuneration report.

## Staff turnover and redeployment

Excluding fixed term contracts, the UKSC had eight leavers in the 2021-22, indicating a staff turnover percentage of 12%.

No UKSC staff were loaned out in 2021-22. We 'hosted' one member of staff on a short-term basis in February and March 2021 to cover the absence of the Registrar.

## Data incidents

No recorded breaches concerning protected personal data were reported and there have been no significant lapses of protective security (eg data loses) during 2021-22.

## Principal risks and uncertainties

The key risks and uncertainties facing the Court are detailed in its risk register and on pages 118-119 of the Governance and Accountability Report.

## Payment within 10 working days

The Department seeks to comply with the Better Payments Practice Code for achieving good payment performance in commercial transactions. Further details regarding this are available on the website [www.payontime.co.uk](http://www.payontime.co.uk)

Under this Code, the policy is to pay bills in accordance with the contractual conditions or, where no such conditions exist, within 30 days of receipt of goods and services or the presentation of a valid invoice, whichever is the later.

However, in compliance with the guidance issued for Government Departments to pay suppliers within 10 working days, the UKSC achieved 92% prompt payment of invoices within 10 working days. The average payment day of invoices from suppliers during the year was 6 days.

## Auditors

The financial statements are audited by the Comptroller and Auditor General (C&AG) in accordance with the Government Resource and Accounts Act 2000. He is the head of the National Audit Office. He and his staff are wholly independent of the UKSC, and he reports his findings to Parliament.

The audit of the financial statements for 2021-22, resulted in an audit fee of £50K. This fee is included in non-cash item costs, as disclosed in Note 3 to these accounts. The C&AG did not provide any non-audit services during the year.

## Other Elements of the Management Commentary

Information on the Management Board and committees, information assurance, data protection and sustainability are contained in the Our Performance and Governance and Accountability Report sections of this report.

A handwritten signature in black ink, appearing to read 'V. C. Fox', written in a cursive style.

Vicky Fox  
Chief Executive and Accounting Officer  
7 July 2022

## Section 3

# The work of the UKSC and JCPC



Technical phrases and abbreviations used in this section:

<b>Appeal as of right</b>	An appeal where permission to appeal is not required or has been granted by a lower court
<b>CJEU</b>	Court of Justice of the European Union
<b>PTA</b>	(Application for) permission to appeal to the UKSC or JCPC: required where the lower court has refused permission to appeal to UKSC or JCPC
<b>Procedural application</b>	An application made while a case is ongoing such as for an extension of time to file documents
<b>Practice directions</b>	Practical guidance about procedures which supplement the rules
<b>Jurisdiction</b>	This refers to the courts or countries from which the UKSC or JCPC can accept cases
<b>Legal year</b>	The legal year is divided into 4 'terms' which run from October to July.
Michaelmas	October to December
Hilary	January to Easter
Easter	Easter to May
Trinity	June to July
Registry	The department in the court which processes cases

## UKSC jurisdiction

The UKSC hears civil appeals from England and Wales, Scotland and Northern Ireland; and criminal appeals from England and Wales, Northern Ireland and in certain circumstances from Scotland. The UKSC's jurisdiction is set out more fully here:

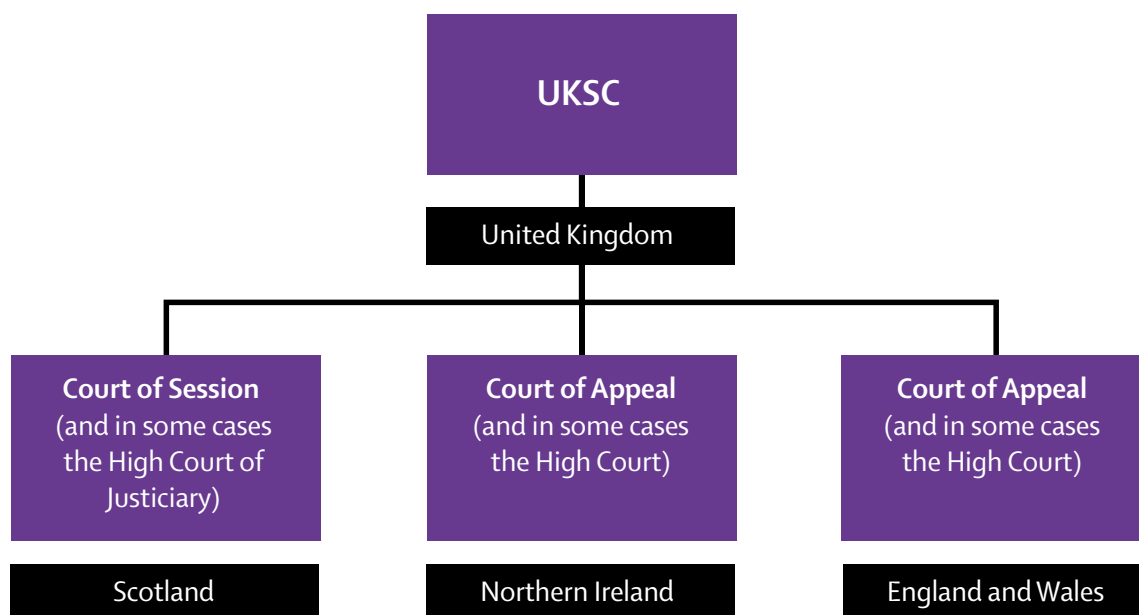
[www.supremecourt.uk/procedures/practice-direction-01.html](http://www.supremecourt.uk/procedures/practice-direction-01.html)

The UKSC **only** hears appeals that involve a point of law of general public importance.

The UKSC hears appeals from the following courts in each part of the United Kingdom:



## Jurisdiction of the UKSC



### JCPC jurisdiction

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 procedure for appealing to Her Majesty in Council or, in the case of republics, to the JCPC itself. The JCPC also has jurisdiction in a number of areas such as appeals from the Disciplinary Committee of the Royal College of Veterinary Surgeons, certain maritime disputes and some Church of England matters.

Information about the different JCPC jurisdictions can be found in JCPC Practice Direction 1: [www.jcpc.uk/procedures/practice-direction-01.html](http://www.jcpc.uk/procedures/practice-direction-01.html) and in **Annex 1** to this report.

The JCPC applies the law of the country or territory from which a case comes. The JCPC therefore plays an important role in the development of law in the various jurisdictions and the impact of its decisions extends far beyond the parties involved in any given case. Cases often involve constitutional questions and/or the fundamental rights and freedoms of the inhabitants of the country or territory.

### Rules and Practice Directions

The UKSC has its own Rules and Practice Directions (practical guidance about procedures which supplement the rules) and it must interpret and apply the rules with a view to securing that the Court is “accessible, fair and efficient, and that unnecessary disputes over procedural matters are discouraged”. The UKSC’s Rules and Practice Directions can be found here: [www.supremecourt.uk/procedures/rules-of-the-court.html](http://www.supremecourt.uk/procedures/rules-of-the-court.html)

The JCPC procedures are very similar to those of the UKSC. The JCPC Rules and Practice Directions can be found here: [www.jcpc.uk/procedures/rules-of-the-committee.html](http://www.jcpc.uk/procedures/rules-of-the-committee.html)

and here: [www.jcpc.uk/procedures/practice-directions.html](http://www.jcpc.uk/procedures/practice-directions.html)



We keep our procedures under regular review, monitoring their impact on Court users and aiming where possible to make accessing the court easier. We also apply rules flexibly where possible, again so that Court users' experience is as smooth as possible. We welcome feedback from users – both through our user group, and from other court users and interested citizens.

The pandemic has continued to impact our processes this year as new ways of working such as electronic filing of all documents were bedded down. At the same time, staff were for considerable portions of the year working from home so all areas of Registry and judicial support work were carried out remotely.

## Devolution

The UKSC has a particular jurisdiction relating to devolution issues which is set out here:

[www.supremecourt.uk/procedures/practice-direction-10.html](http://www.supremecourt.uk/procedures/practice-direction-10.html)

This year, two references to the UKSC have been made under the devolution jurisdiction. Three PTAs involving devolution issues were determined this year. A further two PTAs involving devolution issues were filed during the year but have not yet been determined.

The two references made to the UKSC concerning legislation made by the Scottish Parliament were:

**REFERENCE** by the Attorney General and the Advocate General for Scotland – European Charter for Local Self-Government (Incorporation) (Scotland) Bill

**REFERENCE** by the Attorney General and the Advocate General for Scotland – United Nations Convention of the Rights of the Child (UNCRC) (Incorporation) (Scotland) Bill (see also the case summary on page 104)

Information about these References can be found here:

[www.supremecourt.uk/cases/uksc-2021-0080.html](http://www.supremecourt.uk/cases/uksc-2021-0080.html)

and here:

[www.supremecourt.uk/cases/uksc-2021-0079.html](http://www.supremecourt.uk/cases/uksc-2021-0079.html)

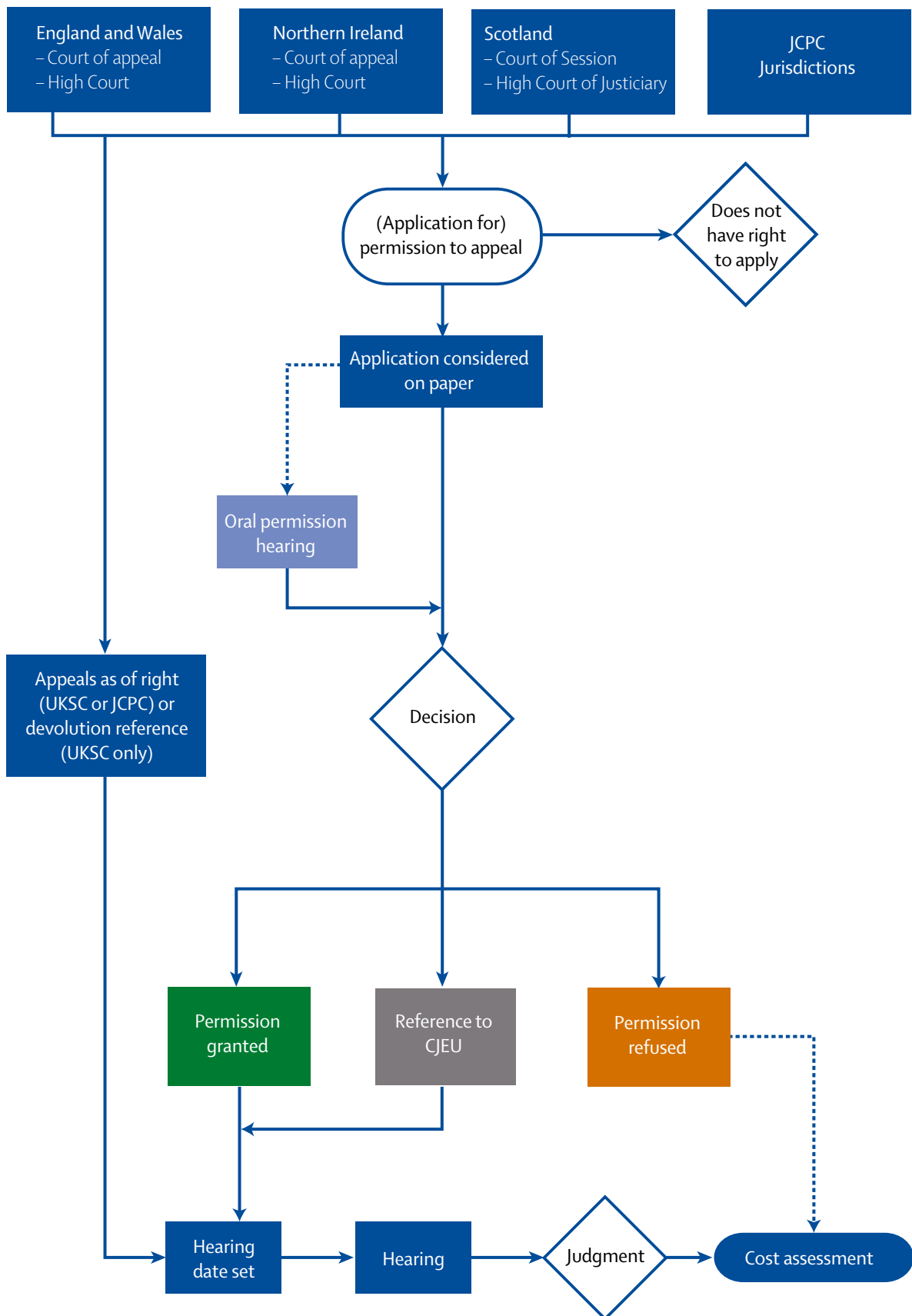
## Permission to appeal (“PTA”)

In most UKSC cases an appellant requires permission to appeal before they can bring a case to the UKSC and these applications are generally decided on paper by a panel of three justices. The procedures are set out here:

[www.supremecourt.uk/procedures/practice-direction-03.html](http://www.supremecourt.uk/procedures/practice-direction-03.html)

In the JCPC, many appeals are appeals as of right. This is because the right of appeal to the JCPC is often set out in the constitution or in legislation. The JCPC may also grant PTA itself. Usually half the appeals finally heard are appeals as of right, with the rest having been granted permission.

## Life of a Case



**UKSC filings 2017-22**

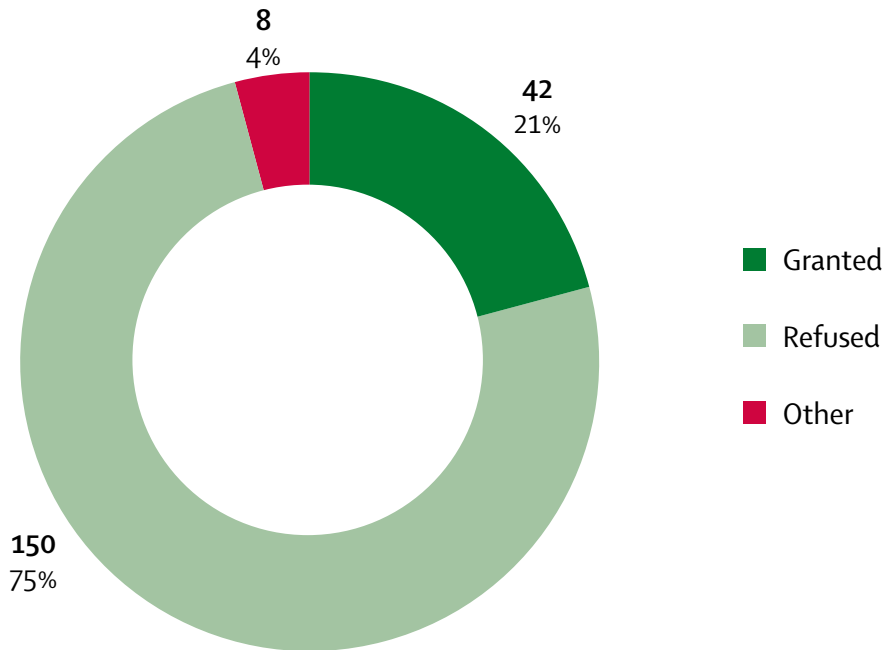
<b>UKSC</b>	<b>PTAs</b>	<b>Appeals as of Right</b>	<b>References</b>	<b>Appeals</b>	<b>Procedural applications</b>
2017-18	229	6	1	62	174
2018-19	234	7	3	61	137
2019-20	232	10	0	70	170
2020-21	217	7	0	42	133
2021-22	211	9	2	31	76

**JCPC filings 2017-22**

<b>JCPC</b>	<b>PTAs</b>	<b>Appeals as of Right</b>	<b>Appeals</b>	<b>Procedural applications</b>
2017-18	76	44	22	36
2018-19	64	49	7	63
2019-20	58	57	10	67
2020-21	58	34	5	35
2021-22	80	44	16	65

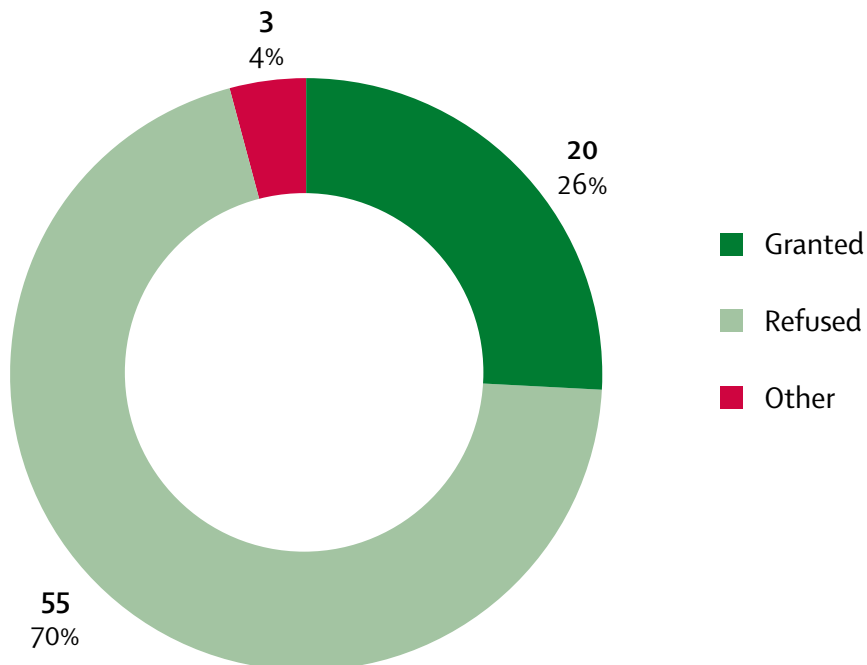
Appeal filings are PTAs where permission has been granted (by the UKSC/JCPC) and the parties have filed a notice of intention to proceed confirming continuation of the case. The initial PTA may have been filed before the start of the reporting year.

**UKSC PTA results 2021-22**



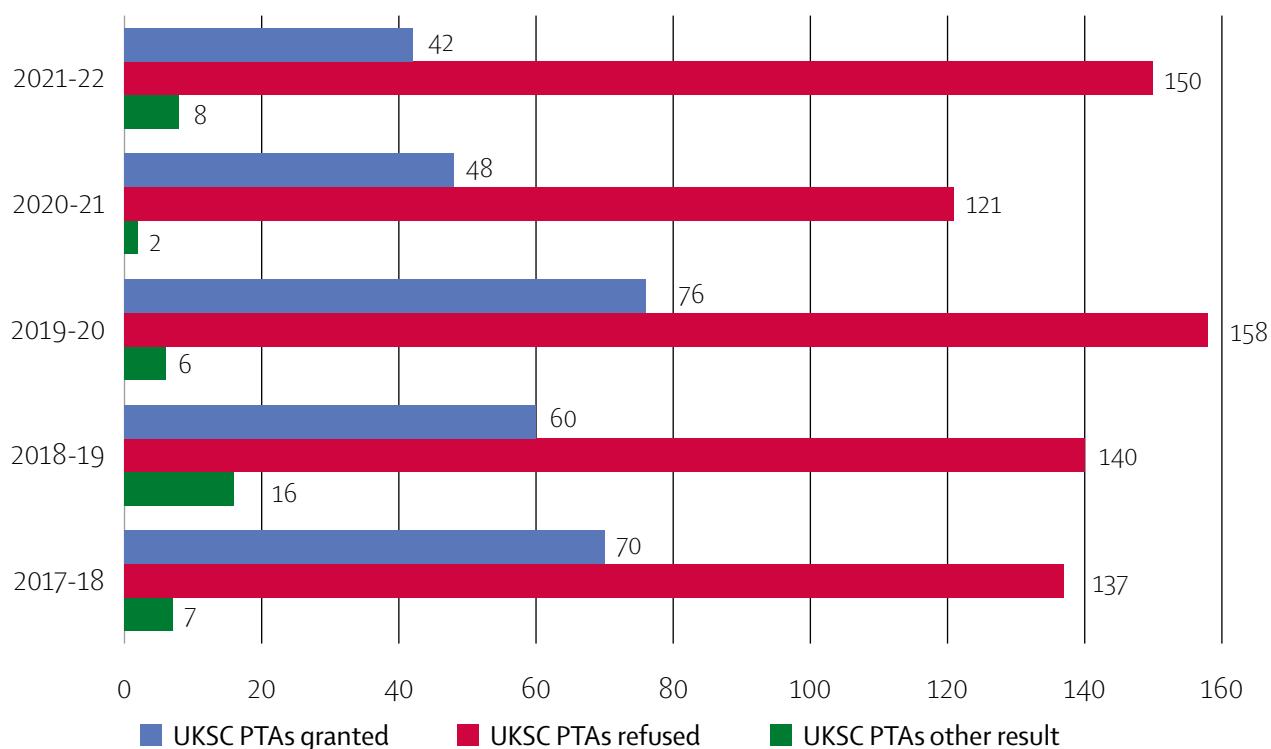
'Other' includes PTAs that were struck out or withdrawn

**JCPC PTA results 2021-22**



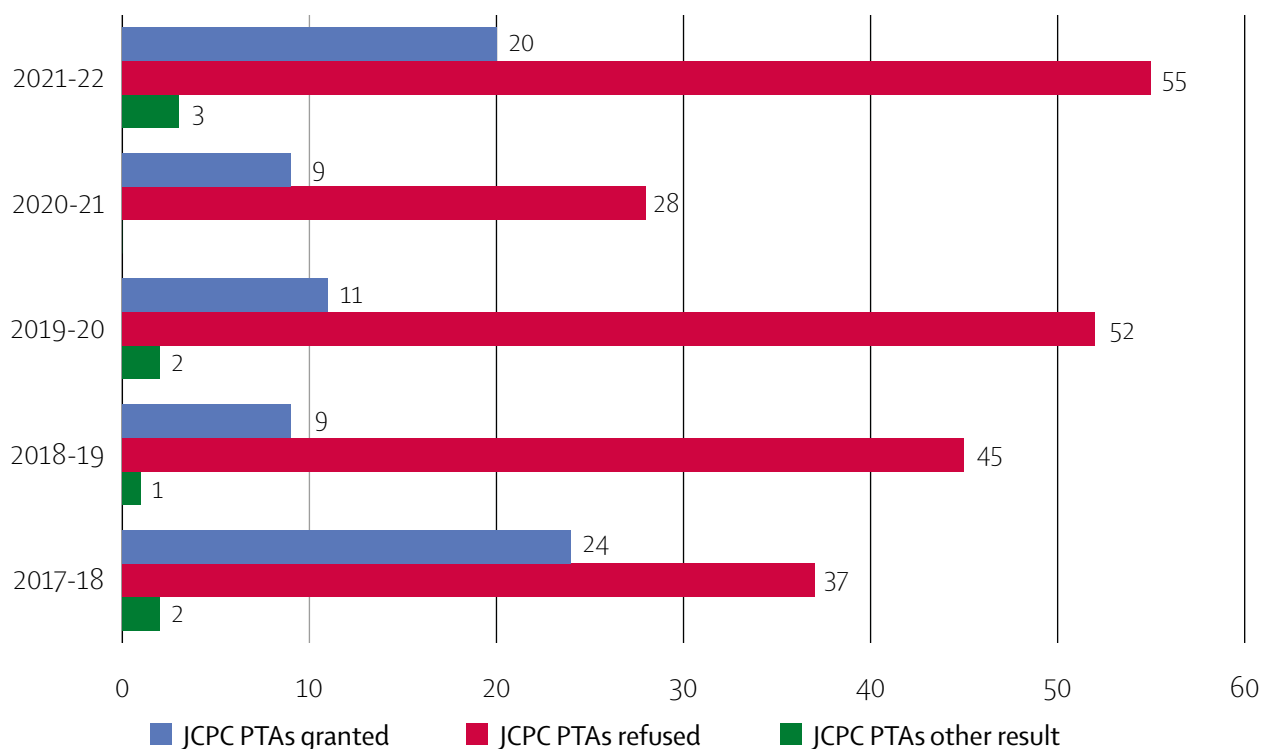
'Other' includes PTAs that were struck out or withdrawn

### UKSC PTA results: 2017-22

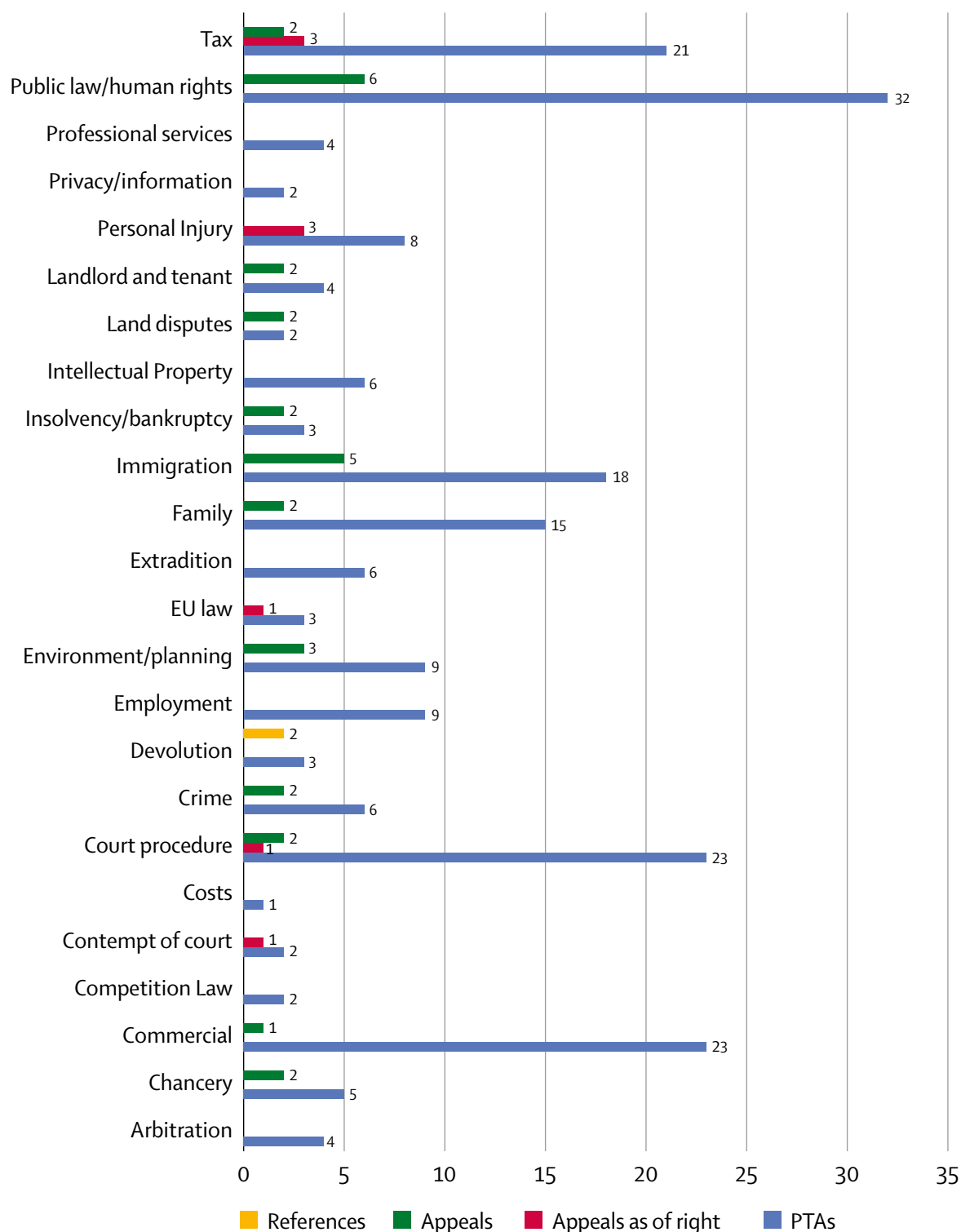


“Other result” includes PTAs that were withdrawn or for failure to progress (ie filing bundle, or lack of jurisdiction).

### JCPC PTA results 2017-22



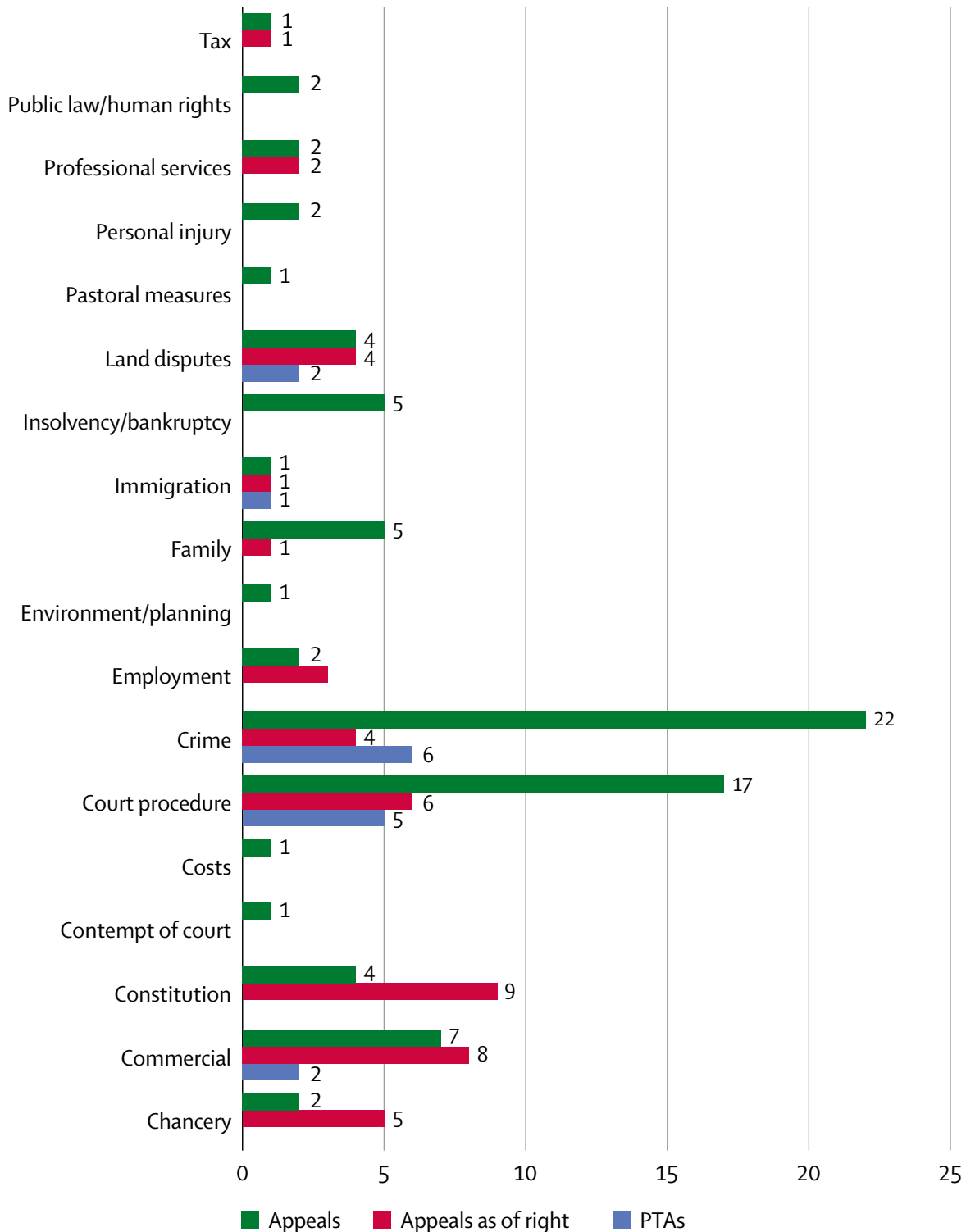
“Other result” includes PTAs which were withdrawn or for failure to progress (ie filing bundle, or lack of jurisdiction).

**UKSC cases filed in 2021-22 by applications subject**

This year we have rationalised the number of categories so as to give a better picture of the broad range of cases the UKSC hears. Also, in previous years this report has included judicial review as case subject but this year for the first time judicial review cases are categorised by the legal subject matter for consistency with other Judicial review cases this year: 41 PTAs and 5 appeals. “Chancery” refers to cases involving wills, probate, trusts and other subjects that would typically first be heard in the Chancery Division of the High Court in England and Wales.



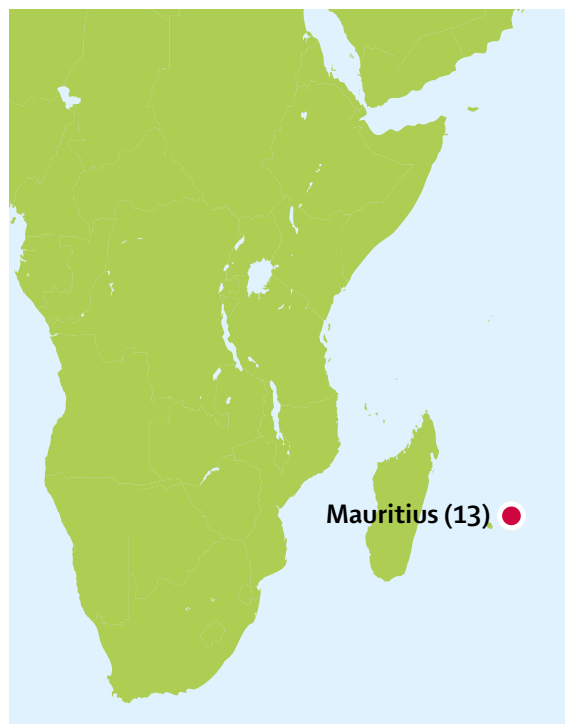
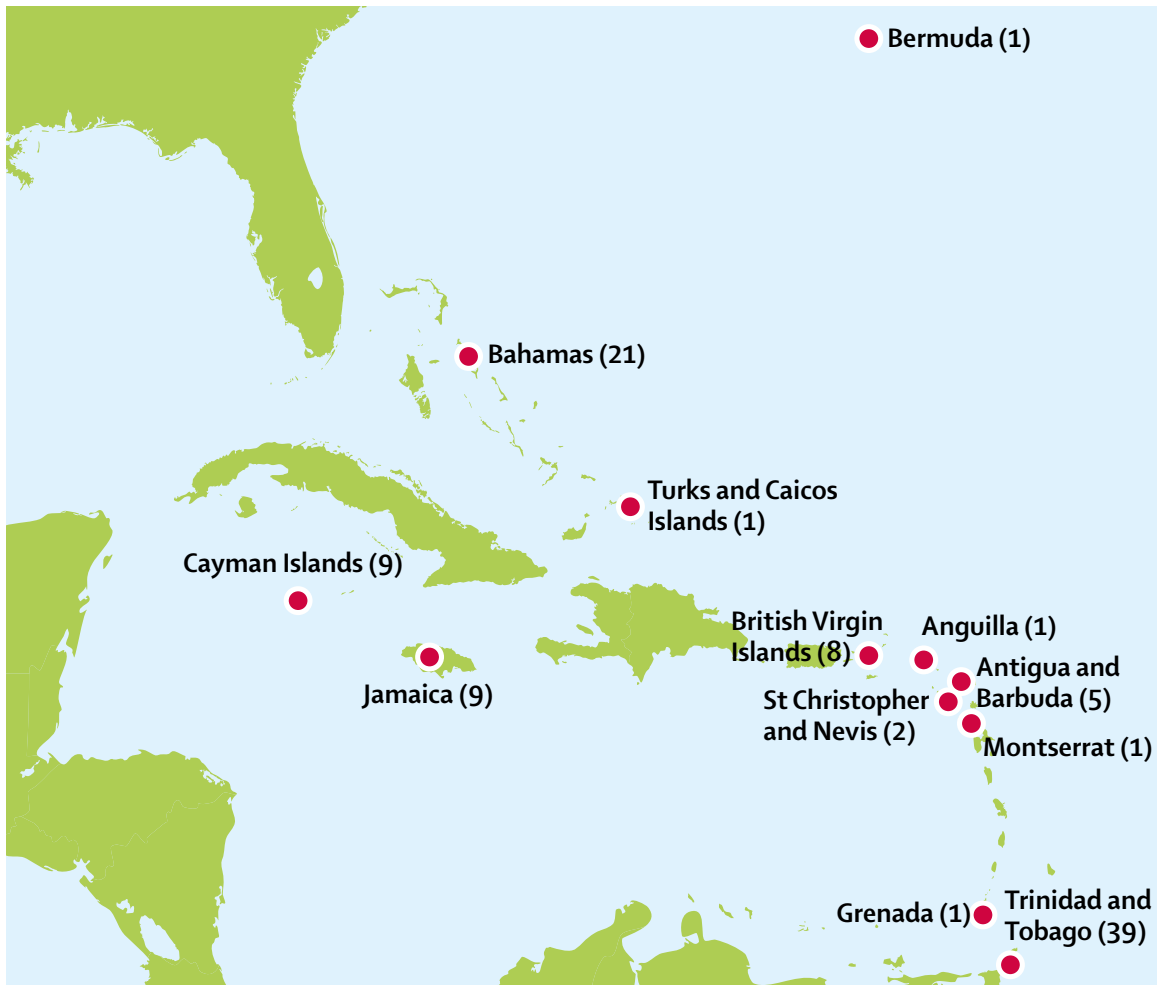
**JCPC cases filed in 2021-22 by applications subject**



This year we have rationalised the number of categories so as to give a better picture of the broad range of cases the JCPC hears. Also, in previous years this report has included judicial review as case subject but this year for the first time judicial review cases are categorised by the legal subject matter for consistency with other cases.

Appeal filings are PTAs where permission has been granted and the parties have filed a notice of intention to proceed confirming continuation of the case. The initial PTA may have been filed before the start of the reporting year.

JCPC cases filed by jurisdiction 2021-22

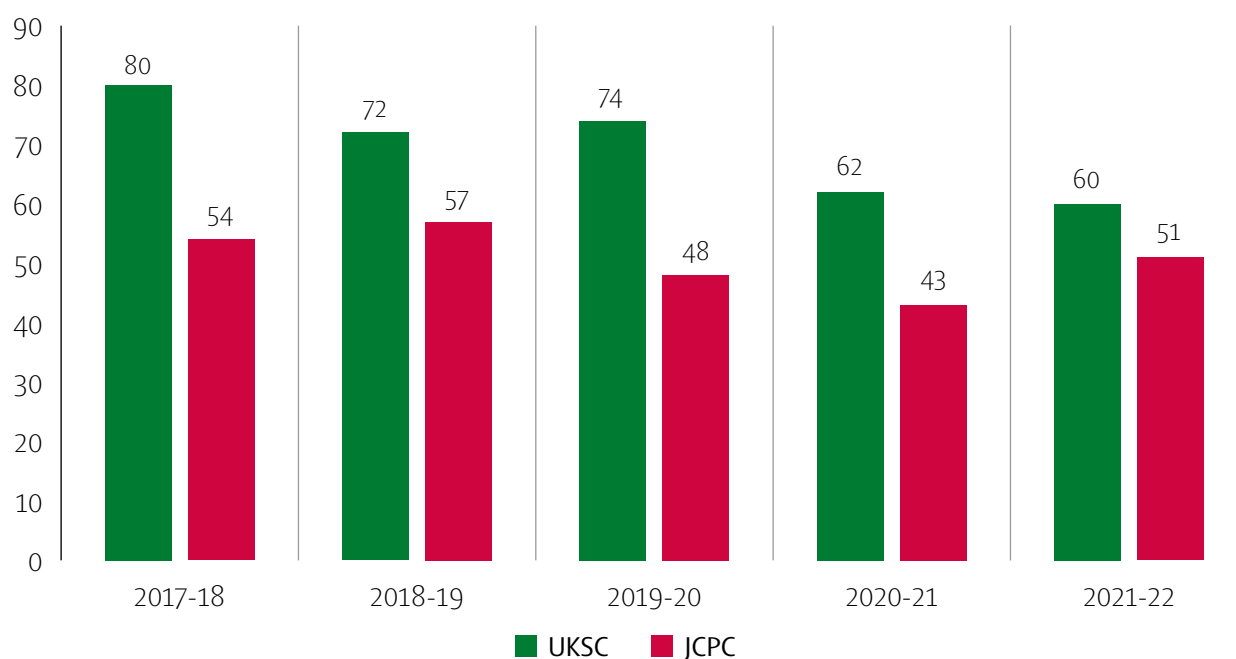


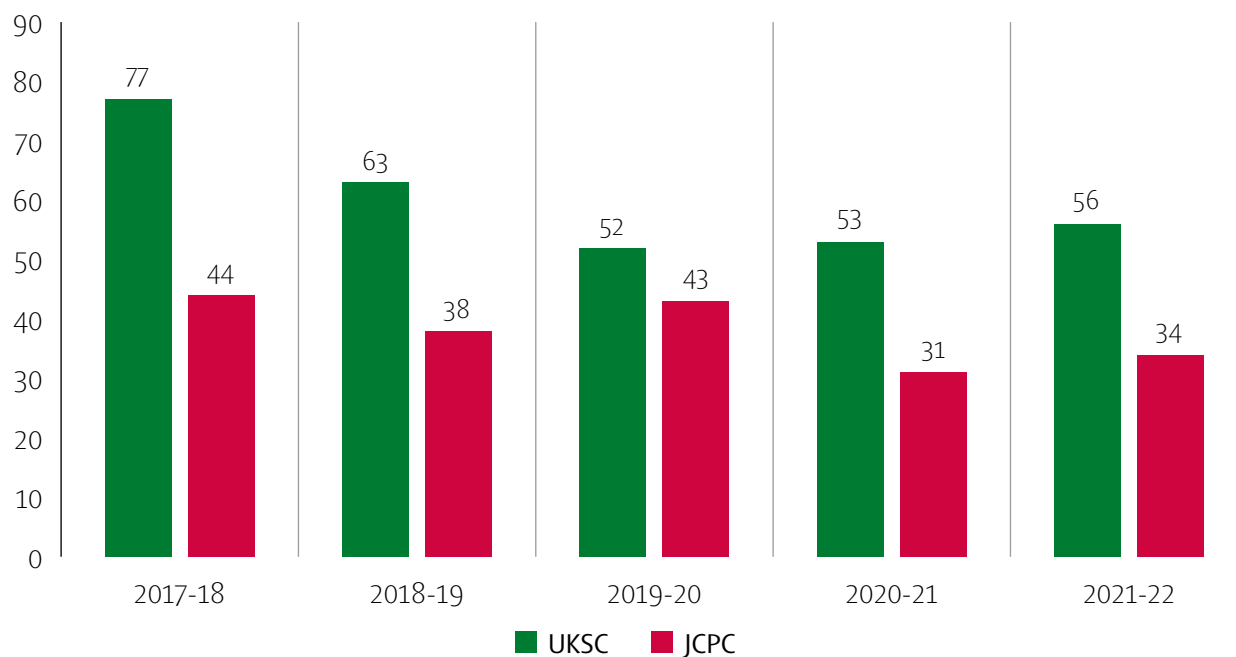
Country	Count
Anguilla	1
Antigua and Barbuda	5
Bahamas	21
Bermuda	1
British Virgin Islands	8
Cayman Islands	9
Gibraltar	1
Grenada	1
Guernsey	2

Country	Count
Isle of Man	3
Jamaica	9
Jersey	4
Mauritius	13
Montserrat	1
St Christopher and Nevis	2
Trinidad and Tobago	39
Turks and Caicos Islands	1
UK	3

### Comparisons with previous years

**Number of appeals heard 2017-22**



**Judgments given 2017-22**

## Appeals and judgments

Once permission to appeal has been granted, or an appeal as of right is filed, we aim to set a hearing date within nine months. We try very hard to arrange cases when it is convenient for the parties.

The procedures for UKSC appeals are set out in practice directions 5 and 6, see:

[www.supremecourt.uk/procedures/practice-direction-05.html](http://www.supremecourt.uk/procedures/practice-direction-05.html)

[www.supremecourt.uk/procedures/practice-direction-06.html](http://www.supremecourt.uk/procedures/practice-direction-06.html)

The procedures for JCPC appeals are set out in practice directions 4, 5 and 6, see:

[www.jcpc.uk/procedures/practice-direction-04.html](http://www.jcpc.uk/procedures/practice-direction-04.html)

[www.jcpc.uk/procedures/practice-direction-05.html](http://www.jcpc.uk/procedures/practice-direction-05.html)

[www.jcpc.uk/procedures/practice-direction-06.html](http://www.jcpc.uk/procedures/practice-direction-06.html)

**Case study****Visiting Justices**

The UKSC and JCPC are committed to widening the numbers of judges sitting on cases, both in terms of providing a more diverse bench and broadening and cementing better relations with the appellate courts below from which our cases come. In 2021-22 we were very happy to receive 15 judges from other jurisdictions who joined the Justices on UKSC and JCPC cases. They were:

**From the Court of Session (Scotland):**

Lord Malcolm

Lord Pentland

**From the Court of Appeal in Northern Ireland**

Dame Siobhan Keegan  
(Lady Chief Justice of Northern Ireland)

Sir Declan Morgan  
(former Lord Chief Justice of Northern Ireland)

**From the Court of Appeal of England and Wales**

Sir Julian Flaux  
(Chancellor of the High Court)

Dame Nicola Davies

Sir David Richards

Dame Julia Macur

Sir Nicholas Patten

Sir Tim Holroyde

Sir Nigel Davis

Sir Adrian Fulford

Dame Kate Thirlwall

Sir David Bean

Dame Eleanor King

Some of the cases these judges joined us for were necessarily heard remotely but we were very pleased that several were able to join us in the building, where a dedicated space is provided along with the necessary papers and equipment to carry out hearings using electronic papers.



*I was privileged to sit on two cases. One was in relation to voter ID pilot schemes and the other in relation to the proportionality of care orders. I was aided by excellent technology and staff support. The courtroom atmosphere was dynamic allowing for questioning of counsel by the justices. This brought the core points in the cases into clear focus. I also enjoyed the interaction with the justices as part of the decision making process to decide on important points of law of general importance. Overall my experience of the Supreme Court was very positive.*

**Dame Siobhan Keegan**



*I was invited by the President to sit for the first time in the Judicial Committee of the Privy Council on a criminal appeal in a murder case. The trial had been delayed for ten years, and there was also important new evidence before the JCPC showing that a miscarriage of justice had occurred. It was fascinating for me to sit on an appeal from another jurisdiction (Jamaica), with four Justices of the Supreme Court who could not have been more welcoming. The decision-making process was highly collegiate and I was privileged to be asked to draft the judgment of the Board. It is a very positive development that senior judges of the Courts of Appeal in England and Wales and Northern Ireland and the Inner House of the Court of Session are being asked to sit from time to time in Parliament Square.*

**Sir David Bean**

## Size of panels hearing cases

Both the UKSC and JCPC usually sit with panels of five justices, but for particularly difficult or important appeals they can sit in panels of seven, nine or, exceptionally, eleven. The criteria for sitting in a larger panel are here: [www.supremecourt.uk/procedures/panel-numbers-criteria.html](http://www.supremecourt.uk/procedures/panel-numbers-criteria.html)



This year there were five cases which involved panels of more than five justices:

## UKSC

Secretary of State for Health and others (Appellants) v Servier Laboratories Ltd and others (Respondents) (seven justices).

More information about this case can be found here:

[www.supremecourt.uk/cases/uksc-2019-0172.html](http://www.supremecourt.uk/cases/uksc-2019-0172.html)

The following cases were heard together:

In the matter of an application by Margaret McQuillan for Judicial Review (Northern Ireland) (Nos 1, 2 and 3)

In the matter of an application by Francis McGuigan for Judicial Review (Northern Ireland) (Nos 1, 2 and 3)

and

In the matter of an application by Mary McKenna for Judicial Review (Northern Ireland) (Nos 1 and 2) (seven justices)

More information about these cases can be found here:

[www.supremecourt.uk/cases/uksc-2020-0029.html](http://www.supremecourt.uk/cases/uksc-2020-0029.html)

## JCPC

Chandler (Appellant) v The State (Respondent) No 2 (Trinidad and Tobago) (nine justices)

More information about this case can be found here:

[www.jcpc.uk/cases/jcpc-2020-0051.html](http://www.jcpc.uk/cases/jcpc-2020-0051.html)

ITG Ltd and others (Respondents) v Fort Trustees Ltd and another (Appellants) (Guernsey) (seven justices)

More information about this case can be found here:

[www.jcpc.uk/cases/jcpc-2021-0002.html](http://www.jcpc.uk/cases/jcpc-2021-0002.html)

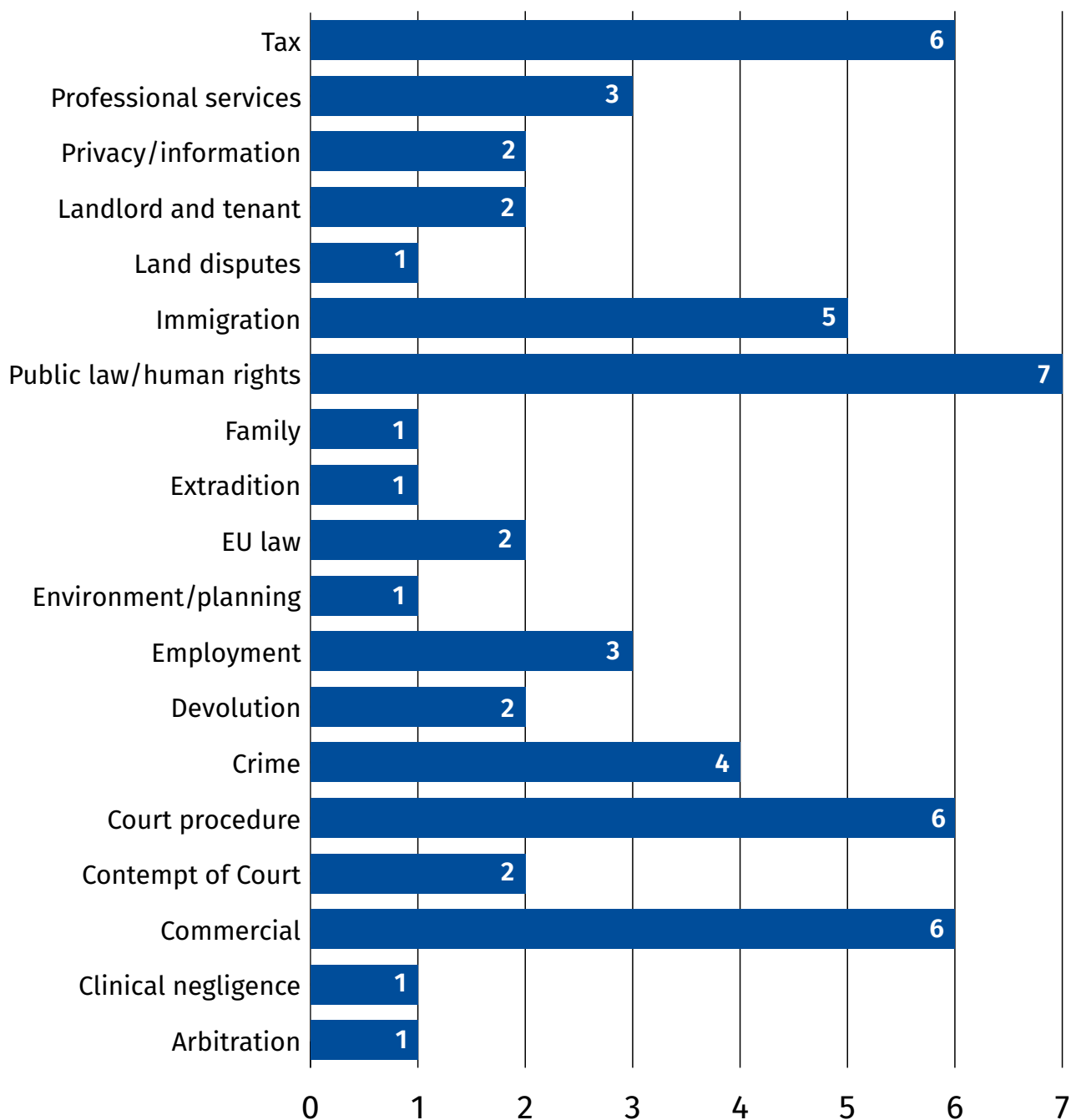
## UKSC cases in 2021-22

The UKSC and JCPC publish all their decided cases as soon as judgments have been handed down. Judgments are handed down as soon as possible after completion, with time provided for law reporters attached to the court and the parties' own legal teams to check drafts and for the justices to consider any proposed amendments.

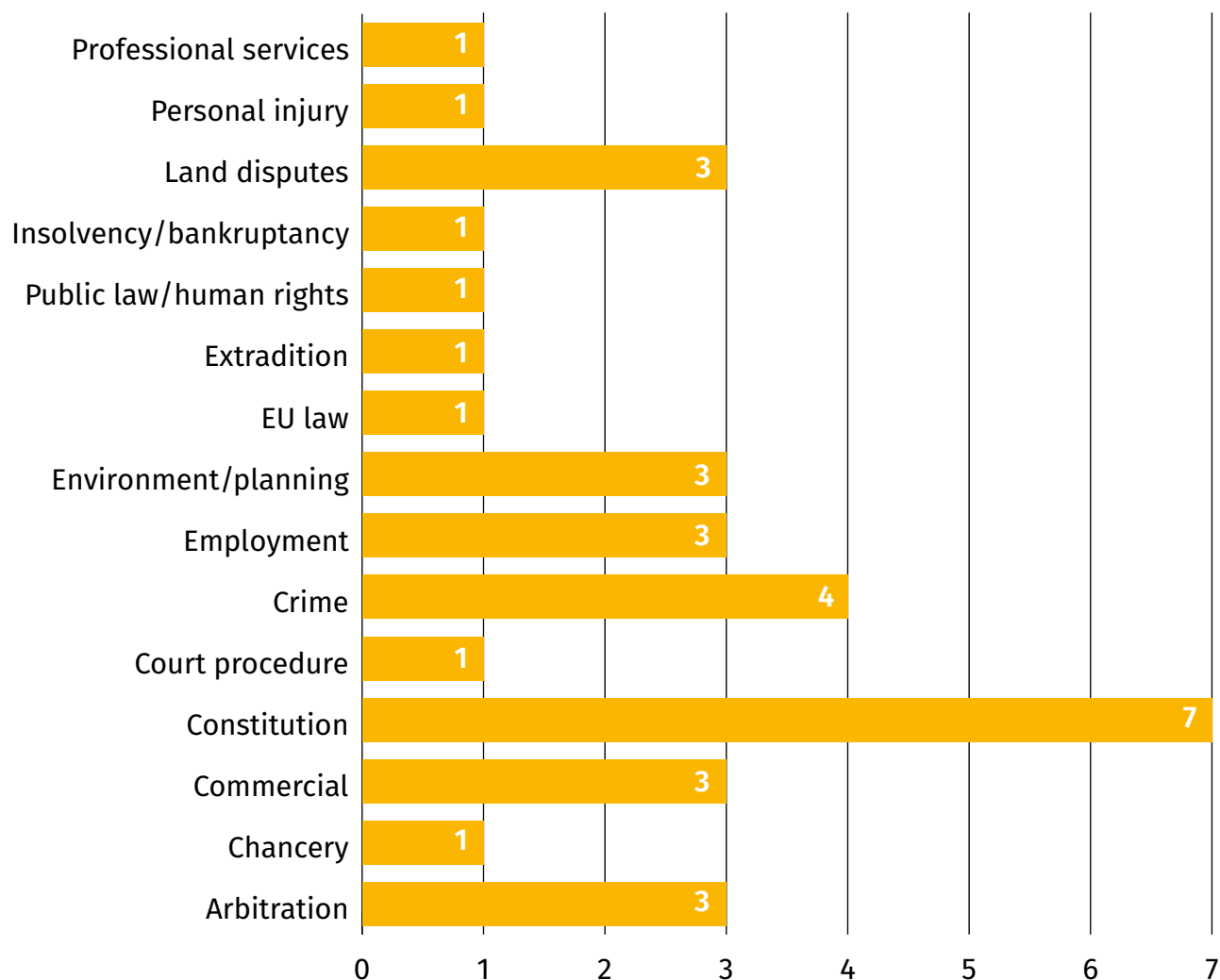
Judgments are not always unanimous. There were seven dissenting judgments (where one or more justices disagree with the decision of the majority. Increasingly), judgments are now being written collaboratively: this year 22 judgments were written by more than one justice with five judgments being written collaboratively by more than two justices.

Judgments took on average 149 days from hearing to hand down in the UKSC\* and 109 days in the JCPC.

\*Excluding appeals referred to the CJEU.

**UKSC judgments by subject 2021-22**

This year we have rationalised the number of categories so as to give a better picture of the broad range of cases the UKSC hears. Also, in previous years this report has included judicial review as case subject but this year for the first time judicial review cases are categorised by the legal subject matter for consistency with other cases. Thirteen of the judgments given by the UKSC this year related to judicial reviews.

**JCPC judgments by subject 2021-22**

This year we have rationalised the number of categories so as to give a better picture of the broad range of cases the JCPC hears. Also, in previous years this report has included judicial review as case subject but this year for the first time judicial review cases are categorised by the legal subject matter for consistency with other cases.

## Costs

Both the UKSC and the JCPC offer the chance for parties to have their legal costs assessed. Where an order is made against a party that it must pay the other side's legal costs and the parties cannot agree how much those costs are, the costs can be assessed, either on the papers or in the case of large or complex matters, at a hearing in front of one or two costs officers. The pool of costs officers are appointed by the President and always include the Senior Costs Judge for England and Wales and two other Costs Judges. More details about the UKSC costs procedures can be found here: [www.supremecourt.uk/procedures/practice-direction-13.html](http://www.supremecourt.uk/procedures/practice-direction-13.html) and JCPC procedures here: [www.jcpc.uk/procedures/practice-direction-08.html](http://www.jcpc.uk/procedures/practice-direction-08.html).

In this reporting year 60 bills of costs were filed, and 40 paper assessments were carried out.

## Case summaries

### UKSC

Every appeal heard by the UKSC raises an arguable point of law of general public importance. The following examples show the breadth and significance of the cases decided this year:

#### Manchester Building Society v Grant Thornton UK LLP [2021] UKSC 20

The Supreme Court examined the approach to ascertaining the scope of a defendant's duty of care in the context of professional advice. Manchester Building Society's appeal was allowed on the basis that it had suffered a loss falling within the scope of duty of care assumed by its accountant Grant Thornton.

The scope of a duty of care assumed by a professional adviser is governed by the purpose of the duty, judged on an objective basis based on the reason why the advice is given. The risk the duty was supposed to guard against should be ascertained, and a loss will fall within the scope of the duty if it represents the fruition of that risk.

Alongside its judgment in *Khan v Meadows* [2021] UKSC 20, the Supreme Court provided guidance on the much-debated place of the scope of duty principle within the general framework of the law of the tort of negligence.

Read the judgment [www.supremecourt.uk/cases/uksc-2019-0040.html](http://www.supremecourt.uk/cases/uksc-2019-0040.html)

#### R (on the application of SC, CB and 8 children) v Secretary of State for Work and Pensions and others [2021] UKSC 26

Section 9 of the Tax Credits Act 2002 provides that the individual element of child tax credit is limited to the amount payable in respect of two children. The Supreme Court rejected the claimants' claim that this "two child limit" is discriminatory and so incompatible with article 14 of the European Convention on Human Rights, when read with article 8. The Court recognised that the two child limit results in differences in treatment: it affects more women than men, and it treats children living in households containing more than two children differently from children living in households containing one or two children. The Court decided that these differences in treatment are, however, justified. The two child limit pursues a legitimate aim, namely to protect the economic wellbeing of the country. There was no basis, consistent with the separation of powers under our constitution, on which the Court could overturn Parliament's judgment that the two child limit was an appropriate means of achieving that aim. The claimants' claim was therefore properly dismissed.

Read the judgment [www.supremecourt.uk/cases/uksc-2019-0135.html](http://www.supremecourt.uk/cases/uksc-2019-0135.html)

## Royal Mail Group Ltd v Efobi [2021] UKSC 33

Mr Efobi, who identifies as black African and Nigerian, alleged that he had not been promoted by Royal Mail due to racial discrimination. On appeal, his case was that the Equality Act 2010 had altered the burden of proof in such claims so that he no longer had the burden of raising a prima facie case of unlawful discrimination on the facts before his employer was obliged to show that there had not been any unlawful discrimination.

The Supreme Court dismissed Mr Efobi's appeal. The Equality Act had not altered the burden of proof in employment discrimination cases. Under the previous legislation, a tribunal would consider evidence adduced by the employer to decide whether the claimant had made out a prima facie case. The Equality Act's current wording simply confirmed that approach. It was still for Mr Efobi to make out a prima facie case of unlawful discrimination on the facts.

Read the judgment [www.supremecourt.uk/cases/uksc-2019-0068.html](http://www.supremecourt.uk/cases/uksc-2019-0068.html)

## Pakistan International Airline Corporation v Times Travel (UK) Ltd [2021] UKSC 40

When Times Travel, a travel agent, brought a claim against Pakistan International Airline for unpaid commission payments, the airline gave notice it would terminate their contract. This would have put Times Travel out of business, so it accepted a new contract by which it waived its claim. Later, Times Travel tried to rescind the new contract, arguing it had entered it under economic duress.

The Supreme Court decided that a claimant can rescind a contract if it was entered into due to illegitimate threats or pressure and it had no reasonable alternative but to give in. Illegitimate pressure includes the other party threatening to reveal criminal activity of the claimant's family or manoeuvring the claimant into a position of vulnerability to force them to waive a civil claim. In the context of commercial negotiations, circumstances amounting to illegitimate pressure will be rare. They were not established in this case and Times Travel could not rescind the contract.

Read the judgment [www.supremecourt.uk/cases/uksc-2019-0142.html](http://www.supremecourt.uk/cases/uksc-2019-0142.html)

## REFERENCE by the Attorney General and the Advocate General for Scotland – United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill [2021] UKSC 42

On a reference made by the Attorney General and the Advocate General for Scotland, the Supreme Court decided that four provisions of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill would fall outside the legislative competence of the Scottish Parliament. These included a provision which would require the courts to give statutory provisions a meaning and effect which conflicts with that intended by the UK Parliament, a provision which would enable the courts to strike down and invalidate provisions of Acts of the UK Parliament, and a provision which would confer on the courts the power to declare that an Act of the UK Parliament is incompatible with the UNCRC. The Court decided that these provisions would affect the power of the UK Parliament to make laws for Scotland and would therefore breach the limitation on the Scottish Parliament's competence imposed by section 29(2)(c) of the Scotland Act 1998.

The Bill was accordingly returned to the Scottish Parliament, so that these issues could receive further consideration.

Read the judgment [www.supremecourt.uk/cases/uksc-2021-0079.html](http://www.supremecourt.uk/cases/uksc-2021-0079.html)

### FS Cairo (Nile Plaza) LLC v Brownlie (as dependant and executrix of Professor Sir Ian Brownlie, CBE, QC) [2021] UKSC 45

Lady Brownlie went on holiday with her family to Egypt in 2010. She booked a guided tour through her hotel. The vehicle crashed during the tour, killing her husband, Sir Ian Brownlie QC, and his daughter, Rebecca. Lady Brownlie and Rebecca's two children were seriously injured.

Lady Brownlie sued the hotel for damages in contract and tort. The hotel challenged the jurisdiction of the English courts, arguing that Lady Brownlie failed to satisfy the jurisdictional rules.

The Supreme Court held 4-1 that Lady Brownlie established that damage was sustained in England. Damage was not limited to direct damage at the time and place of the accident.

The Supreme Court unanimously held that Lady Brownlie could, at this stage of the proceedings, where evidence of Egyptian law is incomplete, rely on a presumption of similarity with English law to establish that her claims had reasonable prospects of success.

Read the judgment [www.supremecourt.uk/cases/uksc-2020-0164.html](http://www.supremecourt.uk/cases/uksc-2020-0164.html)

### Alize 1954 and another v Allianz Elementar Versicherungs AG and others (Respondents) [2021] UKSC 51

The case concerned a shipowner's obligations and responsibilities in relation to voyage passage planning. The main issue before the Supreme Court was whether negligent passage planning which caused a vessel to ground rendered the vessel unseaworthy in breach of article III rule 1 of the Hague Rules. The Hague/Hague-Visby Rules are widely applicable to shipping contracts around the world. The Appellant shipowner argued that there is a distinction between seaworthiness, which concerns the attributes and equipment of the vessel, and the navigation and management of the vessel, which concerns how the crew operates the vessel, and that defective passage planning fell within the "nautical fault" exception in article IV rule 2(a) of the Hague Rules. Alternatively due diligence had been exercised by putting in place proper systems for passage planning.

The Supreme Court dismissed the shipowner's appeal. Seaworthiness and the navigation of a vessel were not mutually exclusive. Unseaworthiness may arise from negligent navigation, including a vessel beginning her voyage with a defective passage plan, and was not confined to physical defects in the vessel or her equipment. Negligence in the preparation of the plan involves a failure to exercise due diligence to make the vessel seaworthy even though proper systems for passage planning may have been put in place.

Read the judgment [www.supremecourt.uk/cases/uksc-2020-0071.html](http://www.supremecourt.uk/cases/uksc-2020-0071.html)

## A Local Authority v JB (by his Litigation Friend, the Official Solicitor) [2021] UKSC 52

This case raised issues of profound significance under the Mental Capacity Act 2005. JB is an adult male with a complex diagnosis of autism spectrum disorder and impaired cognition. The local authority sought declarations as to JB's capacity to consent to sex from the Court of Protection. The central issue for the Supreme Court to decide was whether JB, in order to have capacity to engage in sex, must not only understand that he can give or withhold consent, but must also understand his potential sexual partner must be able to consent, and gives and maintains consent throughout sex. The Supreme Court unanimously found that it was relevant to consider whether a person understood that another person must be able to consent, and whether in fact consent is given and maintained, when determining their capacity to engage in sex.

Read the judgment [www.supremecourt.uk/cases/uksc-2020-0133.html](http://www.supremecourt.uk/cases/uksc-2020-0133.html)

## Maduro Board of the Central Bank of Venezuela v Guaidó Board of the Central Bank of Venezuela [2021] UKSC 57

The central issue in this case was who has authority to act on behalf of the Central Bank of Venezuela: the board appointed by Mr Maduro, or the board appointed by Mr Guaidó. The case raised fundamental issues as to the recognition of a foreign head of state, the act of state doctrine and their inter-relationship.

The Supreme Court held that courts in this jurisdiction are bound to accept the statements of Her Majesty's Government which establish that Mr Guaidó is recognised as the constitutional interim President of Venezuela. Courts in this jurisdiction will not question the lawfulness or validity of the appointments to the board of the Central Bank of Venezuela made by Mr Guaidó. However, the Supreme Court held that it remained necessary to consider what effect is to be given to certain judgments of the Venezuelan Supreme Tribunal of Justice. The case was remitted to the Commercial Court for it to do so.

Read the judgment [www.supremecourt.uk/cases/uksc-2020-0195.html](http://www.supremecourt.uk/cases/uksc-2020-0195.html)

## Bloomberg v ZXC [2022] UKSC 5

This case concerned the tort of the misuse of private information. The media organisation Bloomberg had published an article containing information almost exclusively drawn from a confidential letter of request sent by a UK law enforcement body to a foreign state's authorities seeking assistance in an investigation. The article identified ZXC and the reasons why he was being investigated. ZXC brought a successful claim against Bloomberg for misuse of private information. Bloomberg appealed.

The UKSC unanimously dismissed the appeal and held that, as a legitimate starting point, a person under criminal investigation has, prior to being charged, a reasonable expectation of privacy in respect of information relating to that investigation. It is widely accepted as a matter of public policy that there is a negative effect on an innocent person's reputation in publishing that he or she is being investigated by the police or another state organisation, as reflected in the uniform general practice by state investigatory bodies not to identify those under investigation prior to charge and several first instance judgments. That is not an unqualified right to privacy during an investigation but is the legitimate starting point because of the potential that the publication of such information would ordinarily cause substantial damage to the person's reputation, and other damage.

Read the judgment [www.supremecourt.uk/cases/uksc-2020-0122.html](http://www.supremecourt.uk/cases/uksc-2020-0122.html)



## JCPC

The following examples illustrate the breadth of the cases decided this year:

### Broad Idea International Ltd v Convoy Collateral Ltd [2021] UKPC 24

Convoy sued Dr Cho in Hong Kong (where he resides). Dr Cho controls Broad Idea, a BVI company. Convoy applied to the BVI court for orders freezing assets of Dr Cho and Broad Idea. The Court of Appeal held that there was no power to make such orders.

On Convoy's appeal, the JCPC held that, under the BVI procedural rules, a claim could not be brought in the BVI courts against a foreign defendant such as Dr Cho solely for an interim injunction. On the other hand, the court has power to grant a freezing injunction (or other interim injunction) against a party subject to its jurisdiction to assist enforcement through the court's process of a prospective (or existing) foreign judgment. This meant that the court had power to grant a freezing order against Broad Idea, although on the facts of the case the order had rightly been set aside.

Read the judgment [www.jcpc.uk/cases/jcpc-2020-0073.html](http://www.jcpc.uk/cases/jcpc-2020-0073.html)

### Gibfibre Ltd v Gibraltar Regulatory Authority [2021] UKPC 31

The JCPC considered whether the European Union Access Directive gave the Gibraltar Regulatory Authority ("GRA") with the power to require Gibtelecom, a state-owned provider of telecoms services in Gibraltar, to provide access to its Mount Pleasant data centre to a competitor, Gibfibre.

The JCPC concluded that the requested access fell outside the scope of the Access Directive. The data centre lay beyond the "network termination point", meaning that it did not form part of Gibtelecom's "electronic communications network or associated facilities". Private networks and equipment lying beyond the network termination point were not subject to regulation under the Access Directive. The GRA accordingly did not have the power to require Gibtelecom to provide access.

Read the judgment [www.jcpc.uk/cases/jcpc-2020-0014.html](http://www.jcpc.uk/cases/jcpc-2020-0014.html)

### Integrity Commission v Kikivarakis (as official liquidator TCI Bank Ltd (in liquidation)) [2021] UKPC 33

The Integrity Commission is an independent anti-corruption agency, established to protect good governance in the Turks and Caicos Islands. The JCPC had to decide whether the Commission has the power to issue a summons to a third party requiring them to produce documents as part of an informal investigation, or whether that power can be exercised only in connection with a formal inquiry. This issue arose in the context of the Commission's request for information from a bank in respect of accounts held by several public officials. The JCPC found that the power to issue a summons to a third party to produce documents could only be exercised in connection with a formal inquiry, based on the location of the power within the structure of the Commission's establishing ordinance and the overall context of the statutory scheme.

Read the judgment [www.jcpc.uk/cases/jcpc-2020-0080.html](http://www.jcpc.uk/cases/jcpc-2020-0080.html)

## Ciel Ltd and another v Central Water Authority [2022] UKPC 2

This appeal concerned the collection of water charges by the Central Water Authority of Mauritius. The Court of Civil Appeal of Mauritius had upheld the claim of the Authority. The principal ground of appeal was that the appellants were entitled under an order of the Supreme Court of Mauritius of 1888 to a share of the waters of the River Tatamaka, which had been abstracted via a private canal and then used by them. There were other issues about the rights of riparian owners and those who built the canal. The main issues were governed by the Civil Code of Mauritius, which is based on French law, and case law under it. The JCPC also applied Mauritian statute law. The JCPC dismissed the appeal. Mauritian counsel appeared for the parties.

Read the judgment [www.jcpc.uk/cases/jcpc-2019-0042.html](http://www.jcpc.uk/cases/jcpc-2019-0042.html)

## Day and another (Appellants) v the Government of Cayman Islands and another (Respondents) (Cayman Islands) [2022] UKPC 6

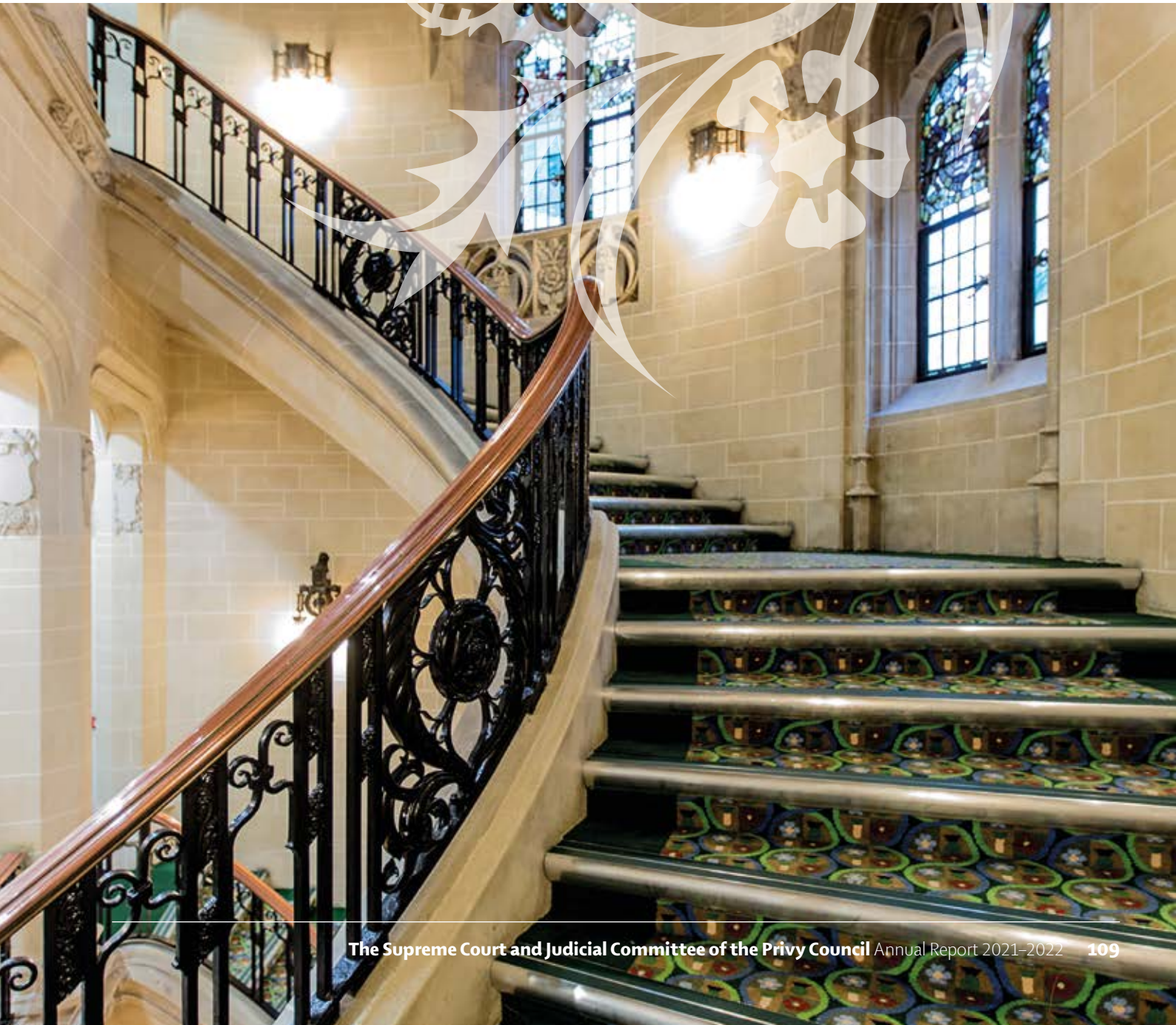
This case concerned whether the Cayman Islands Constitution included a constitutional right to legal recognition of same-sex marriages.

The JCPC unanimously concluded that it did not. The Constitution contained an express right to marry which was limited specifically to marriage between a man and a woman. In that context it was not possible to interpret other general provisions in the Constitution, such as a right to a private and family life, as providing a constitutional right to same-sex marriage. The Constitution had to be read as a coherent whole, meaning that the express right to marry was definitive as to the scope of constitutional protection.

Read the judgment [www.jcpc.uk/cases/jcpc-2020-0033.html](http://www.jcpc.uk/cases/jcpc-2020-0033.html)

## Section 4

# Governance and Accountability Report



## Statement of Accounting Officer's Responsibilities

Under the Government Resources and Accounts Act 2000, HMT has directed the UKSC (the Department) to prepare, for each financial year a statement of accounts (the Accounts) in the form and on the basis set out in the Accounts Direction issued on 05 January 2022.

The Accounts are prepared on an accruals basis and must give a true and fair view of the state of affairs of the Department and of its income and expenditure, Statement of Financial Position and cash flows for the financial year.

In preparing the Accounts, the Accounting Officer is required to comply with the requirements of the Government Financial Reporting Manual and to:

- observe the accounts direction issued by HMT, including relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis
- make judgements and estimates on a reasonable basis
- state whether applicable accounting standards as set out in the Government Financial Reporting Manual have been followed and disclose and explain any material departures in the accounts
- prepare the accounts on a going concern basis
- take personal responsibility for the annual report and accounts and the judgments required for determining it is fair, balanced and understandable

As the Accounting Officer, I have taken all the steps that I ought to have taken to make myself aware of any relevant audit information and to establish that UKSC's auditors are aware of that information. So far as I am aware, there is no relevant audit information of which the auditors are unaware.

I also confirm that the annual report and accounts as a whole is fair, balanced and understandable.

The responsibilities of an Accounting Officer, including responsibility for the propriety and regularity of public finances for which the Accounting Officer is answerable, for keeping proper records and for safeguarding the UKSC's assets as set out in the Accounting Officer's Memorandum issued by HMT and published in Managing Public Money.



## Governance Statement by the Chief Executive

As Chief Executive and within the directions given by the President, I work with the Management Board, that has responsibility for overseeing the leadership and administrative direction of the Supreme Court. This Board is chaired by me and comprises senior managers and the Non-Executive Board Members. The Audit and Risk Assurance Committee is an advisory body that supports me and the Management Board in its responsibilities for risk management, control and governance. The Remuneration Committee is an advisory body that supports me and the Management Board in its responsibilities for staff pay, terms and conditions and performance management

There is also a Strategic Advisory Board. This Board, chaired by the President and comprising two additional justices, senior members of the Management Board and the Non-Executive Board Members, considers the strategic direction of the Court and the ongoing strategic issues and opportunities. It has no role in directing the administration or the judicial functions of the Court.

As Accounting Officer and working with my management team, I have responsibility for maintaining effective governance in all parts of the organisation as well as a solid system of internal controls that supports the achievement of UKSC policies, aims and objectives whilst safeguarding the public funds and assets for which I am personally accountable.

The UKSC takes a three-lines-of-defence approach to assurance which makes clear the key UKSC management functions, roles and responsibilities. The three lines are:

- first line of defence: operational day-to-day management
- second line of defence: management oversight and internal review
- third line of defence: independent review

We continue to review and continuously improve the assurance around the activities we undertake. The UKSC promotes a supportive risk environment culture which encourages openness and transparency. Our policy is updated on an annual basis to ensure the risk management framework and approach to risk tolerance is clearly defined and remains effective with a particular focus on risk tolerance and embedding risk management in leadership and decision-making.

Risks are managed at two levels within the UKSC. There is an established process whereby risks and issues are escalated to the corporate risk register which is reviewed by the Management Board bi-monthly and the Audit and Risk Assurance Committee three times a year – with targeted deep dives on different risks each meeting.

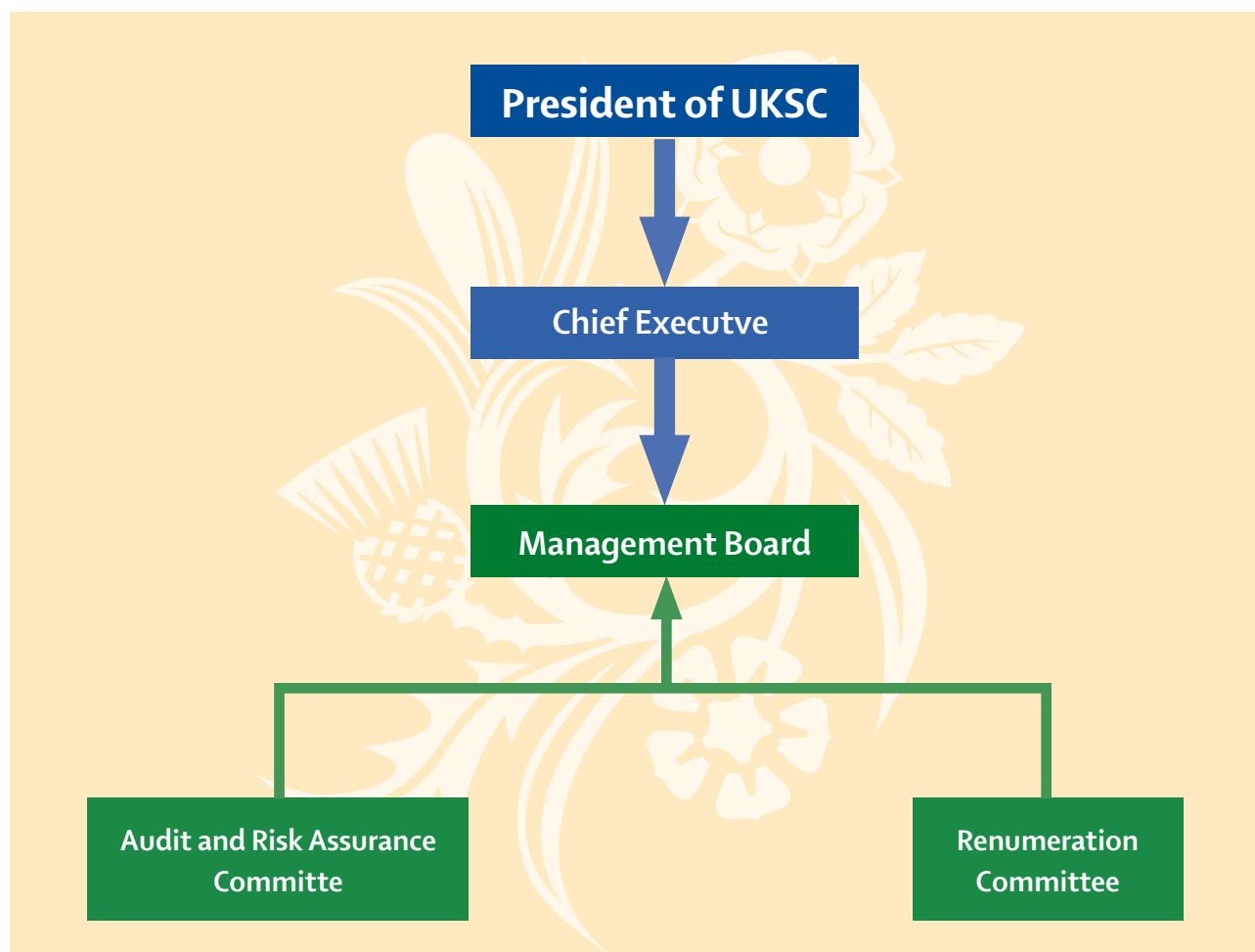
On a day-to-day basis senior managers are responsible for ensuring risk management is in place across their business area by providing leadership and direction and ensuring the management of risk is seen as good governance and embedded in all our activities.

### The governance framework

The UKSC has in place control processes to provide me, as Accounting Officer, with assurance over financial and operational risks. This governance framework is commensurate with the size of the organisation and

complements our approach to risk management. The framework and the processes are subject to continuous improvement and review to ensure that they remain current, effective and relevant.

### UKSC governance framework



### HM Treasury corporate governance in central government departments – code of good practice

This code applies to the UKSC and the UKSC has adopted key principles as best practice. Governance arrangements for the organisation are overseen by the Audit and Risk Assurance Committee and the Management Board as well as by the executive on a day-to-day basis. We remain compliant with material requirements with the exception of the Nominations Committee. Instead, the Accounting Officer, following advice from the Remuneration Committee considers the performance, talent, development and succession planning of the UKSC’s leadership.

	<b>Management Board</b>	<b>Audit and Risk Assurance Committee</b>	<b>Remuneration Committee</b>
Terms of Reference*	These were reviewed and agreed in September 2019.	These were reviewed and agreed in May 2019.	These were reviewed and agreed in November 2019.
Roles and responsibilities	<p>Has responsibility for overseeing the leadership and administrative direction of the Supreme Court, as well as ensuring it is delivering its aim and objectives. It also advises and provides scrutiny to the Chief Executive in relation to the strategy of the agency, and production of the annual report and accounts.</p> <p>The Board meets at least six times a year.</p>	<p>This is an advisory body supporting the Chief Executive as Accounting Officer and the Management Board in its responsibilities for risk management, control and governance and production of the annual report and accounts.</p> <p>The Committee meets at least three times a year.</p>	<p>This is an advisory body supporting the Chief Executive and Management Board in its responsibilities for staff pay, terms and conditions and performance management.</p> <p>The Committee meets when required but at least once a year. In 2021/22 it met three times.</p>
Chair	Vicky Fox, Chief Executive	Kathryn Cearns, Non-Executive Board Member	Tim Slater, Non-Executive Board Member
Issues covered	<ul style="list-style-type: none"> <li>● Discussed and agreed the risk exposure for the business including the level of risk tolerance with a strong focus on the response to the pandemic</li> <li>● Discussed performance of each administrative business area at each meeting as well as progress against business plan objectives</li> <li>● Discussed the financial position at each meeting as well as approving the annual budget</li> <li>● Reviewed operational policies and guidance including health &amp; safety as well as whistleblowing</li> <li>● Received regular updates from the chairs of each respective sub-committee</li> <li>● Considered the Court's strategic direction in relation to Diversity, Inclusion and Belonging</li> </ul>	<ul style="list-style-type: none"> <li>● Held substantive discussion at each meeting on corporate risks including targeted deep dives to challenge management controls and effectiveness of mitigation</li> <li>● Held substantive discussions on the findings and implementation of recommendations from internal audit reports</li> <li>● Discussed adequacy of management response to issues identified by audit activity, including external audit's management letter</li> <li>● Acted on the delegated authority of the Management Board to approve the annual report and accounts (2020-21)</li> </ul>	<ul style="list-style-type: none"> <li>● Reviewed and discussed Pay Award and Staff end of year performance payments and SCS Performance for 2021-2022</li> <li>● Reviewed and oversaw the application of performance awards to Judicial Assistants.</li> <li>● Discussed staff retention and attracting the very best candidates to UKSC roles</li> </ul>



\* Terms of reference remain in place for all Boards and Committees and have not been considered during the reporting period. An organisation wide Governance Review Commenced in March 2021 looking at not only the governance structure in place and how it meets the required standard but the responsibilities of the main groups. This concluded in March 2022 and the recommendations, including a full review of the terms of reference will take place in quarters 1 and 2 of 2022-23

## The Management Board and Sub-Committee membership

As at 31 March 2022, there are 11 members of the UKSC Management Board comprising executives and Non-Executive Board Members. In addition to Non-Executive Board Members, the work of the Audit and Risk Assurance Committee is supported by independent members.

Our executive members and Non-Executive Board Members can be found here:

[www.supremecourt.uk/about/executive-team.html](http://www.supremecourt.uk/about/executive-team.html)

and here:

[www.supremecourt.uk/about/non-executive-directors.html](http://www.supremecourt.uk/about/non-executive-directors.html).

Management Board members are asked to declare any personal, business, or related party interests that may, or may be perceived by a reasonable member of the public to, influence their judgments in performing their obligations to the organisation.

The below table outlines any declared interests:

<b>Board Member</b>	<b><u>Interest</u></b>
Vicky Fox	Trustee – New North London Synagogue Director – Vapstar Ltd
Kathryn Cearns	Director – Kathryn Cearns Consultancy Ltd Board Member – UK Endorsement Board Board Member – Press Recognition Panel DfT Representative – Elizabeth Line Committee Lay Member of the ARC, BMA Trustee – Royal Mencap Society Chair – Office of Tax Simplification Vice Chair – The Property Ombudsman Non-Executive Director – National Highways Ltd GARAC Member – DfT Non-Executive Director – Emperor Design Consultants Ltd Trustee – Royal British Legion Industries Member – IPSASB Consultative Advisory Committee Non-Executive Board Member – Companies House (Retired 31/12/2021)

Tim Slater	Director – Futures Housing Group Ltd Director – Futures Homeway Ltd Director – Futures Homescape Ltd Director – Futures Finance Ltd Director – Futures Treasury Plc
Sam Clark	None
Louise di Mambro	N/A*
Sanjeet Bhumber	None
Sophia Linehan Biggs	None
Janet Coull Trisic	None
Paul Brigland	None
Chris Maile	None
Ian Sewell	None

\* Unable to provide this data because staff member was on long term sick at the time the data was gathered.

### The attendance schedule for the Management Board and its sub-committees

	Management Board	Audit & Risk Assurance Committee	Remuneration Committee
	Attendance at meetings – expressed as number of meetings attended out of number eligible to attend		
Vicky Fox – Chief Executive	5/6	4/4*	3/3
Kathryn Cearns - Non-Executive Board Member	6/6	4/4	3/3
Tim Slater – Non-Executive Board Member	6/6	4/4	3/3
Sam Clark – Director of Corporate Services	6/6	3/4*	1/1*
Louise di Mambro - Registrar	3/6		
Sanjeet Bhumber – Director of Finance	6/6	4/4*	3/3
Sophia Linehan-Biggs – Head of Communications (job share)	3/6		
Janet Coull-Trisic – Head of Communications (job share)	3/6		
Paul Brigland – Head of Office and Building Services	2/6		
Chris Maile – Head of Human Resources	6/6		3/3
Ian Sewell – Deputy Registrar	4/6		
Charles Winstanley – Representative from Scotland		4/4	

\* Regular attendee as opposed to a substantive member of the Committee

## Quality of Information and board effectiveness

The UKSC ensures the Management Board and sub-committees receive good quality management information, analysis and sound advice to facilitate informed decisions and effective advice to the Chief Executive as Accounting Officer.

During 2021-22 the Finance team provided a comprehensive board secretariat service to the Board and its committees to ensure the effective and efficient administration of the Board and its activities. The Board was provided with high-quality board papers prior to each meeting to aid informed decision making. The papers were structured to ensure risks and resource implications are highlighted and to ensure sufficient engagement and challenge during discussions.

The structure of, and information contained within, regular performance-related agenda items has been reviewed and improved to meet emerging requirements over the course of the year.

Following a governance review of the court which has looked at the terms of reference of the boards, performance and membership, a full board effectiveness review will be happen in the next reporting period.

## Health and safety

I am also supported in my role as Accounting Officer, for all health and safety related matters, by the Security and Safety Committee. The Committee is overseen by the Audit and Risk Committee but accountable to me as Chief Executive and the Management Board. The Chair, the Director of Corporate Services, provides a report to the Management Board and ARAC after each meeting, with at least three meetings taking place each year or more often if required.

The UKSC is committed to protecting the health, safety, security and general wellbeing of our staff, justices, contractors and all visitors to our court as well as fully meeting its statutory health and safety responsibilities.

Through 2021-22 the Committee has continued to oversee the UKSC's response to the pandemic and ensured it is a key agenda item for all meetings. While this has been at the heart of the safety work undertaken this year, we have made positive progress in providing the UKSC with updated policies, guidance, and procedures.

The UKSC launched a new Health and Safety Policy which has been the foundation for the suite of documents that followed. The success in this area of work has been evidenced with increased people engagement scores for 2021-22 in these areas. Our focus for 2022-23 will be to continue developing and reviewing guidance to ensure it stays fit for purpose and relevant. We will also be working to build the capability of all staff in managing risks related to safety and security.

## Risk management

The UKSC Risk Strategy was introduced in 2019 and is reviewed annually and is embedded across the organisation. It conforms to the Orange Book government standard.

The Strategy sets out how the UKSC should manage the risks associated with the delivery of our strategic priorities and objectives as well as supporting the organisation to manage risks associated with the delivery of business-as-usual activities.

## Risk assessment 2021-22

The Management Board held a risk workshop in March 2021 to identify the risks to our strategic priorities and objectives and what controls and mitigation would need to be in place to manage those risks. We use a scoring methodology for impact and likelihood to determine the level of risk.

The Management Board also approved the refreshed Risk Strategy for the UKSC which supports the UKSC to incorporate risk management across all parts of the business yet remain proportionate to the size and the activities it undertakes. The Risk Strategy was updated to reflect the challenge of the pandemic and the exit of the UK from the EU. This reflects the work that has already taken place in mitigating risks over the last year. The strategy also reflects the ambition of UKSC in proactively addressing and mitigating risks.

This provides a 'very high, high, medium and low' risk rating which ensures we assess our risks in a consistent way and focuses resources on the most significant risks to delivery. Through this process of the risks being reviewed in the light of the strategic priorities and objectives, the risk we either refocused or new risk were identified.

The Management Board regularly reviewed the risk register, and the Audit and Risk Assurance Committee undertook deep dives on specific risks including Relationships which enabled more targeted and individual attention to the risks.

At the start of the year there were two very high risks, three high risks, one medium risk being managed. At the end of the year, and following a risk review, we have now one very high risk, three high risk, and two medium risks. Any issues are being proactively managed through robust engagement.

The day-to-day management of the pandemic has been treated as an ongoing issue during 2021-22. Whilst the core business of the Court moved to a virtual setting and continued to be delivered, the closure of the building did have an impact on some of the risks. For example, the safety risk to justices and staff was minimal whilst not in the building. As justices and staff return to the building, this risk was managed as before.

## Risk Register

Risk Theme	Strategic priorities	Key Activities to manage the risk	Risk Movement
<b>Financial Sustainability –</b> The UKSC is not financially sustainable to continue business as usual or change (Diversity, World Class and Serving the Public).	2,3,4	The UKSC has received funding as part of the Spending Review 20 and therefore could manage the budget for 2021-22.  The medium and long-term risk is also more certain due to funding for 2022-23, 2023-23 and 2024-25 having been agreed as part of Spending Review 21.	The risk lowered from high to medium during the year before reaching target by the end of the year.
<b>Relationships –</b> The UKSC does not effectively manage internal and external relationships (World Class and Serving the Public).	3,4	The Court responded to the call for evidence by the Independent Review of the Human Rights Act Review and offered technical advice to the Ministry of Justice. <sup>1</sup>  The Constitutional Reform Act review has been pushed back by government and the launch date is unconfirmed.  Ongoing engagement with the UK Government to monitor the situation related to UK Judges sitting on the Hong Kong Court of Final Appeal.	This risk will continue to be on the register in 2022-23 and is currently very high.
<b>People and Planning –</b> The UKSC does not have the right people in post who are supported through a robust path, nor are there appropriate plans in place for skills transfer, succession planning or change (Resilience/Recovery, Diversity, World Class and Serving the Public).	1,2,3,4	Due to long term staff sick absence during the year the initial impact assessment for this risk has been increased.  Priority continues to be given to staff support, wellbeing and ensuring staff have the required digital skills for any future changes.  Ongoing training and development have had a positive impact on the overall risk strategy.	This risk is currently medium and will be carried forward into 2022-23.

1 The UKSC continued to work closely with the UK government throughout the year to monitor the situation relating to UK judges sitting on the Hong Kong Court of Final Appeal (HKCFA). Lord Reed and Lord Hodge had the support of the Lord Chancellor and Foreign Secretary when they choose to resign as non-permanent judges from the HKCFA on 30 March 2022.

<b>Risk Theme</b>	<b>Strategic priorities</b>	<b>Key Activities to manage the risk</b>	<b>Risk Movement</b>
<b>Performance</b> – The court does not deliver satisfactory performance in the UKSC and JCPC (Resilience/Recovery, Diversity, World Class and Serving the Public).	1,2,3,4	<p>The advent of hybrid working has ensured continued performance and the Court’s ability to hold hearings.</p> <p>During the year this risk was realised and increased from on target at the beginning of the year to high as a result of the identification of a number of PTAs which had not been considered. Changes in process were put in place and the issue managed in line with the proposed controls but work continues in this area.</p>	This risk remains high and will be carried forward into 2022-23.
<b>Change</b> – The UKSC does not have in place the resources, processes, systems or structure/culture to support an organisation wide change programme, nor is it adequately prepared (Resilience/Recovery, Diversity, World Class and Serving the Public).	1,2,3,4	<p>The development of the final business case remains ongoing.</p> <p>Funding has been made available as part of SR21. Focus therefore will be placed on the development of a range of viable, costed options to deliver the core objectives of the transformation programme, whilst quantifying the benefits that these options will deliver.</p>	This risk remains high and will continue into 2022-23.
<b>Security and Safety</b> – The UKSC does not manage security and safety effectively (Resilience and Recovery, World Class and Serving the Public).	1,2,3,4	<p>There continues to be a focus on Covid-19 recovery and the safe operation of the Court.</p> <p>Whilst the Court is open there will continue to be a collateral risk to the Court. This is managed as part of the ongoing business management.</p>	This risk remains high and will be carried into 2022-23.

## Current control challenges

Throughout 2021-22 the UKSC had appropriate governance in place to mitigate control challenges and issues.

There were no incidents or events that would indicate a trend or any significant control challenge, however, one of the Court's risk (Performance) was realised following the identification of a number of PTAs which had not been considered within expected time frames. Changes in process were put in place and the issue managed in line with the proposed controls but work continues in this area.

Furthermore, there were no significant findings from the internal audits undertaken by the Government Internal Audit Agency. The UKSC has received an Moderate audit opinion from the Government Internal Audit Agency which is an acceptable level of assurance on the adequacy and effectiveness of the system of governance, risk management and internal control.

The NAO have certified the 2021-22 financial statements with an unqualified audit opinion, without modification in respect of both regularity and the true and fair view on the group financial statements.

## Managing the risk of fraud, bribery and corruption

The UKSC has a zero tolerance of fraud, bribery and corruption. We have in place clear policies and procedures which are commensurate with the size of the department and ensure that we take a continuous improvement approach to managing risks in this area.

In 2021-22 we have undertaken a fraud risk assessment, which will be used to strengthen our existing controls. Our Fraud Policy has been updated and will be launched in 2022-23.

There were no reported incidents of fraud, bribery or corruption in the financial year 2021-22.

## Whistleblowing Policy

The UKSC Whistleblowing Policy was reviewed and updated in 2021 and approved by Management Board in January 2022. The Policy allows staff to raise any concerns confidentially regarding the conduct of others in relation to any potential suspected fraud, security or risk of personal data disclosure.

The Court's two Non-Executive Board Members are the named nominated officers who will take forward any required investigation, with alternative routes outlined and explained. In addition to publishing there was an awareness session and bitesize learning made available to all staff to ensure understanding of the policy and where to go if any concerns were identified.

No concerns have been raised in this reporting period.

## Information assurance

Each Information Asset Owner oversees the information assets for which they are responsible and must provide regular assurance statements to the Senior Information Risk Owner (SIRO) stating that the management of these assets has been in accordance with the Information Management Policy.



The Policy itself was updated and approved by the Management Board during 2021-22 to refresh and enhance the approach and controls in place. Training on new aspects of the policy was offered to all staff to ensure consistent application across the team.

All staff, and on appointment, new starters are required to complete an annual training course on information security and data protection to ensure our staff have an up-to-date understanding of their responsibilities to manage information appropriately.

The annual Cyber Essentials accreditation was carried out in October 2021. The independent assessors were content with the measures the court has in place and accreditation was awarded without any recommendations for further improvement.

Cyber Essentials is an accreditation recognised by the National Cyber Security Centre (NCSC) and the Cabinet Office. As part of the accreditation exercise the independent assessors examined the measures, we have in place to guard against the most common cyber threats and demonstrate commitment to cyber security. This assessment includes considering how the UKSC:

- secures its internet connections
- secures devices and software
- controls access to data and services
- protects from viruses and other malware
- keeps devices and software up to date

The assessors were content that clear processes exist to ensure any information security breaches are identified promptly and reported appropriately.

It was noted that there were no reported successful incidents. The UKSC will continue to monitor and review the measures we have in place to ensure that the security they are kept up to date and under constant review. The Court's IT team continued work with the NCSC, and the Government Digital Service to ensure we keep our system as safe as is possible.

A number of recommendation have been put forward following a Government Internal Audit Agency review of Cyber Security which will be worked through in the next reporting period.

## Governance and risk assurance oversight arrangements

Through the Management Board I gain assurance through:

- up-to-date and comprehensive reports from executives of performance and finance at all Board meetings
- financial and administrative procedures which includes segregation of duties on key financial processes
- Audit and Risk Assurance Committee (ARAC) overseeing the adequacy and effectiveness of risk management and the system of internal control for the organisation
- robust and effective challenge, from Non-Executive Board Members and Independent Members of our governance processes
- the Remuneration Committee overseeing the adequacy of pay, terms and conditions and performance management systems for the organisation
- regular review of the risk profile and effectiveness of the control systems through receipt of minutes from ARAC and Remuneration Committee meetings, review of performance reports and through direct feedback from the chairs of both ARA and the Remuneration Committees
- internal and external audit reports and management letters

## Internal Audit and annual audit opinion

There were no significant findings from the internal audits undertaken by the Government Internal Audit Agency.

The UKSC has received a moderate internal audit opinion which is an acceptable level of assurance on the adequacy and effectiveness of the system of governance, risk management and internal control.

## Remuneration and staff report

### Service contracts

The Constitutional Reform and Governance Act 2010 requires Civil Service appointments to be made on merit on the basis of fair and open competition. The Recruitment Principles published by the Civil Service Commission specify the circumstances when appointments may be made otherwise.

Unless otherwise stated below, the officials covered by this report hold appointments which are open-ended. Early termination of employment, other than for misconduct or poor performance, may result in the individual receiving compensation as set out in the Civil Service Compensation Scheme.

Further information about the work of the Civil Service Commission can be found at [www.civilservicecommission.org.uk](http://www.civilservicecommission.org.uk)

### Remuneration policy

The remuneration of senior civil servants is set by the Prime Minister following independent advice from the Review Body on Senior Salaries.

The Review Body also advises the Prime Minister from time to time on the pay and pensions of members of Parliament and their allowances; on peers' allowances; and on the pay, pensions and allowances of ministers and others whose pay is determined by the Ministerial and Other Salaries Act 1975.

In reaching its recommendations, the Review Body has regard to the following considerations:

- the need to recruit, retain and motivate suitable able and qualified people to exercise their different responsibilities
- regional/local variations in labour markets and their effects on the recruitment and retention of staff
- government policies for improving the public services including the requirement on departments to meet the output targets for the delivery of departmental service
- the funds available to departments as set out in the government's departmental expenditure limits
- the government's inflation targets

The Review body takes account of the evidence it receives about wider economic considerations and the affordability of its recommendations.

Further information about the work of the Review body can be found at [www.ome.uk.com](http://www.ome.uk.com)

Judicial salaries are decided following the recommendation of the Senior Salaries Review Body (SSRB), and are a matter of public record. The SSRB provides independent advice to the Prime Minister, the Lord Chancellor on the remuneration of the judiciary. The Justices pay is paid out from the consolidated fund, and the UKSC have no control over Justices pay and pension policy.

**Staff/justices numbers and related costs (Audited)**

Staff/Justices Costs comprise:	2021-22					2020-21
	Justices	Front line staff	Permanent	Others	Total	Total
			Administrative staff	Judicial assistants		
£000	£000	£000	£000	£000	£000	
Wages and Salaries	2,676	1,278	462	312	4,728	4,763
Social security costs	385	130	53	36	604	608
Apprentice Levy	13	0	0	0	13	13
Supplementary Judges	73	0	0	0	73	68
Other pension costs	1,373	323	125	33	1,854	1,869
<b>Sub Total</b>	<b>4,520</b>	<b>1,731</b>	<b>640</b>	<b>381</b>	<b>7,272</b>	<b>7,321</b>
Inward secondments	0	29	0	0	29	24
Agency Staff	0	2	0	0	2	0
Voluntary exit costs	0	0	0	0	0	0
<b>Total</b>	<b>4,520</b>	<b>1,762</b>	<b>640</b>	<b>381</b>	<b>7,303</b>	<b>7,345</b>
Less recoveries in respect of outward secondments	0	0	0	0	0	0
<b>Total Net Costs</b>	<b>4,520</b>	<b>1,762</b>	<b>640</b>	<b>381</b>	<b>7,303</b>	<b>7,345</b>

**Judicial Pension Scheme (JPS) (Audited)**

The JPS is an unfunded multi-employer defined benefit scheme which prepares its own Accounts, but for which UKSC is unable to identify its share of the underlying assets and liabilities. Details can be found in the Resource Accounts of the Judicial Pension Scheme at [www.official-documents.co.uk](http://www.official-documents.co.uk)

Judicial pensions are paid by the UKSC. Contributions to the JPS is at a rate of 51.35% (2020-21, 51.35%). The amount of these contributions is included in the table shown above. Although the JPS is a defined benefit scheme, in accordance with FReM 6.2, UKSC accounts for the scheme as a defined contribution scheme and recognises employer contributions payable as an expense in the year they are incurred.

## Principal Civil Service Pension Scheme (PCSPS) and the Civil Service and Other Pension Scheme (CSOPS) (Audited)

The Principal Civil Service Pension Schemes (PCSPS) and the Civil Servant and Other Pension Scheme – known as ‘Alpha’ – are unfunded multi-employer defined benefit schemes, therefore, the UKSC is unable to identify its share of the underlying assets and liabilities. Details can be found in the resource accounts of the Cabinet Office:

Civil Superannuation ([www.civilservicepensionscheme.org.uk/about-us/resource-accounts](http://www.civilservicepensionscheme.org.uk/about-us/resource-accounts)).

For 2021-22, employer’s contributions totalling £440,855 were payable to the PCSPS, (2020-21, £462,670) at one of four rates in the range of 26.6% to 30.3% (2020-21, 26.6% to 30.3%) of pensionable pay, based on salary bands. The scheme’s Actuary reviews employer contributions every four years following a full scheme valuation. The salary bands and contribution rates were revised in 2020-21 and remained unchanged for 2021-2022. The contribution rates are set to meet the costs of the benefits accruing during 2021-22, to be paid when the member retires and not the benefits paid during this period to existing pensioners.

Employees can opt to open a partnership pension account, a stakeholder pension with an employer contribution. Employers’ contributions of £35,659 (2020-21, £48,015) were paid to the appointed stakeholder pension provider. Employer contributions are age-related and range from 8% to 14.75% (2020-21, 8% to 14.75% of pensionable pay). Employers also match employee’s contributions up to 3% of pensionable pay. Contributions due to the partnership pension providers at the balance sheet date were £0 (2020-21, £0). Contributions prepaid at that date were NIL.

There were no early retirements on ill health grounds in 2021-22.

## Salary and Pension entitlements for Directors

Full details of the remuneration and pension interests of the Management Board are detailed below and are subject to audit:

### a) Single Total figure of remuneration (Audited)

Name	Title	Salary (£'000)		Performance Related Pay (£'000)		Pension Benefits (£'000)		Total (£'000)	
		2021-22	2020-2021	2021-22	2020-2021	2021-22	2020-2021	2021-22	2020-2021
Vicky Fox	Chief Executive	110-115	55-60 (FTE 110-115)	0-5	-	37	35	150-155	90-95 (FTE 145-150)
Kathryn Cearns	Non-Executive Director	5-10	5-10	-	-	-	-	5-10	5-10
Tim Slater	Non-Executive Director	5-10	10-15	-	-	-	-	5-10	10-15
Louise Di Mambro	Registrar	70-75	70-75	0-5	0-5	(7)	30	65-70	100-105
Samantha Clark	Director for Corporate Services	70-75	70-75	0-5	-	21	34	95-100	100-105
Paul Brigland	Head of IT and Building Services	50-55	50-55	-	0-5	14	27	65-70	80-85
Christopher Maile	Head of Human Resources	50-55	50-55	0-5	0-5	17	25	70-75	75-80
Ian Sewell	Deputy Registrar and Costs Clerk	50-55	50-55	0-5	0-5	22	22	70-75	70-75
Sophia Linehan-Biggs**	Head of communications	35-40 (FTE 70-75)	35-40 (FTE 60-65)	0-5	0-5	14	14	50-55 (FTE 80-85)	50-55 (FTE 80-85)
Janet Coull-Trisc**	Head of communications	30-35 (FTE 60-65)	30-35 (FTE 60-65)	0-5	0-5	12	12	40-45 (FTE 70-75)	40-45 (FTE 70-75)
Sanjeet Bhumber	Director of Finance	65-70	65-70	0-5	0-5	19	29	85-90	95-100

\*\*Job Share from January 2020

## Salary

'Salary' includes gross salary; overtime; reserved rights to London weighting or London allowances; recruitment and retention allowances; private office allowances and any other allowance to the extent that it is subject to United Kingdom taxation. This report is based on accrued payments made by the Department and thus recorded in these accounts.

The Non-Executive Board Members supply their services under the terms of a contract and are remunerated monthly. There are no entitlements to pension or other contributions from the UKSC.

## Benefits in kind

There were no benefits in kind.

## Bonuses

Bonuses are based on performance levels attained and are made as part of the appraisal process. Bonuses relate to the performance in the year in which they become payable to the individual.

## Pay Multiples (Audited)

These following sections are subject to audit.

Reporting bodies are required to disclose the relationship between the remuneration of the highest paid director in their organisation and the 25th percentile's, median's and 75th percentile's remuneration of the organisation's workforce.

In 2021-22 the banded remuneration of the highest paid director in the UKSC was £115,000 - £120,000 (2020-21 £110,000 - £115,000), the below table outlines the ratio of this remuneration to the remuneration of the 25th, median and 75th percentile employees, respectively.

<b>2021-22</b>	25th Percentile	Median	75th Percentile
Pay (£)	30,637	37,230	37,430
Salary component	29,562	37,230	37,230
Ratio	3.84:1	3.16:1	3.14:1

The median remuneration for 2020-21 was £32,772 and the ratio of the highest paid director to the median employee was 3.43:1. The increase in median remuneration and decrease in ratio is due to fulfillment of previously vacant senior posts and pay uplifts in year.

In 2021-22, 0 (2020-21, 0) employees received remuneration in excess of the highest-paid director. Full time equivalent remuneration ranged from £22,781 to £117,500 (2020-21, £22,031 to £112,500).

The % change in the remuneration of the highest paid director from 2020-21 is +4.44%. The average % change in overall employee remuneration from 2020-21 is -0.23%.



Total remuneration includes salary, non-consolidated performance-related pay, benefits-in-kind. It does not include severance payments, employer pension contributions and the cash equivalent transfer value of pensions.

### Exit Packages (Audited)

There were no payments for exit packages in 2021-22 or 2020-21.

### Pension Benefits (Audited)

Name	Title	Accrued Pension at age as at 31 March 2022 and related lump sum	Real increase in pension and related lump sum at pension age	CETV at 31 March 2022	CETV at 31 March 2021	Real Increase/ (Decrease) in CETV	Employer contribution to partnership pension account
		£'000	£'000	£'000	£'000	£'000	Nearest £100
Vicky Fox	Chief Executive	35-40 plus a lump sum of 60-65	0-2.5 plus a lump sum of 0	632	578	19	-
Louise di Mambro	Registrar	40-45 plus a lump sum of 125-130	0 plus a lump sum of 0	824	823	(6)	-
Samantha Clark	Director of Corporate Services	25-30 plus a lump sum of 45-50	0-2.5 plus a lump sum of 0	393	363	7	-
Paul Brigland	Head of IT and Building Services	20-25 plus a lump sum of 45-50	0-2.5 plus a lump sum of 0	458	427	6	-
Christopher Maile	Head of Human Resources	15-20 plus a lump sum of 25-30	0-2.5 plus a lump sum of 0	301	277	9	-
Ian Sewell	Deputy Registrar and Costs Clerk	0-5	0-2.5	63	45	13	-
Sophia Linehan-Biggs	Head of communications	5-10	0-2.5	70	62	5	-
Janet Coull-Trisic	Head of communications	5-10	0-2.5	98	88	6	-
Sanjeet Bhumber	Director of Finance	25-30	0-2.5	342	318	5	-

## Civil Service Pensions

### Civil Service Pensions

Pension benefits are provided through the Civil Service Pension arrangements (CSP). On 1 April 2015 a new pension scheme for civil servants was introduced – Alpha. This new scheme provides benefits on a career average basis with a normal pension age equal to the member’s State Retirement Pension Age (or age 65 if higher). From that date all newly appointed civil servants and the majority of those already in service joined the Alpha scheme. Prior to that date, civil servants participated in the Principal Civil Service Pension Scheme (PCSPS). The PCSPS has four sections: three providing benefits on a final salary basis (classic, premium or classic plus) with a normal pension age of 60; and one providing benefits on a whole career basis (nuvos) with a normal pension age of 65. The details of the remedy in the public sector pension arrangements following the McCloud Judgment have yet to be finalised, though all civil servants will move to the Alpha Scheme on 1 April 2022 and those that were previously in the PCSPS schemes will have options at retirement to decide how their service from 1 April 2015 to 31 March 2022 should be treated.

These statutory arrangements are unfunded with the cost of benefits met by monies voted by Parliament each year. Pensions payable under classic, premium, classic plus, nuvos and alpha are increased annually in line with Pensions Increase legislation. Employee contributions are salary-related and range between 4.6% and 8.05% of pensionable earnings for members of classic, premium, classic plus, nuvos and alpha. Details of the different schemes can be found on the Civil Service Pension website at

[www.civilservicepensionscheme.org.uk/employers/employer-pensionguide/section-3-civil-service-pensionarrangements/](http://www.civilservicepensionscheme.org.uk/employers/employer-pensionguide/section-3-civil-service-pensionarrangements/)

The partnership pension account is an alternative to the Civil Service Pension Schemes and provides greater flexibility for staff on fixed-term or temporary contracts. The employer makes a basic contribution of between 8% and 14.75% (depending on the age of the member) into a stakeholder pension product chosen by the employee from a panel of providers. The employee does not have to contribute, but where they do make contributions, the employer will match these up to a limit of 3% of pensionable salary (in addition to the employer’s basic contribution). Employers also contribute a further 0.5% of pensionable salary to cover the cost of centrally provided risk benefit cover (death in service and ill health retirement).

Full details about the Civil Service Pension arrangements can be found at the website

[www.civilservicepensionscheme.org.uk](http://www.civilservicepensionscheme.org.uk)

### Cash Equivalent Transfer Values

A Cash Equivalent Transfer Value (CETV) is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member’s accrued benefits and any contingent spouse’s pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits accrued in their former scheme. The pension

figures shown relate to the benefits that the individual has accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies.

The figures include the value of any pension benefit in another scheme or arrangement which the member has transferred to the Civil Service pension arrangements. They also include any additional pension benefit accrued to the member as a result of their buying additional pension benefits at their own cost. CETVs are worked out in accordance with The Occupational Pension Schemes (Transfer Values) (Amendment) Regulations 2008 and do not take account of any actual or potential reduction to benefits resulting from Lifetime Allowance Tax which may be due when pension benefits are taken.

### Real increase in CETV

This reflects the increase in CETV that is funded by the employer. It does not include the increase in accrued pension due to inflation, contributions paid by the employee (including the value of any benefits transferred from another pension scheme or arrangement) and uses common market valuation factors for the start and end of the period. Average number of persons employed and justices that served (Audited) The average number of full-time equivalent persons employed and justices that served during the year is shown in the table below. These figures include those working in the UKSC (including senior management) as included within the departmental resource account.

### Staff composition

The table below shows the split between male and female employees, employed by UKSC at the end of 31st March 2022.

The UKSC	Justices	Frontline Staff	Administrative staff	Judicial assistants	Board Members	SCS 1 or Equivalent	SCS 2 or Equivalent	2021-22	2020-21
Female	1	19	2	3	3	1	1	30	33
Male	9	13	2	5	4	0	0	33	34
Total	10	32	4	8	7	1	1	63	67

### Off-Payroll Engagements and Consultancy Costs

The UKSC entered three off-payroll engagements to deal with staff shortages. There were no off-pay engagements in 2020-21. The UKSC used the service of 1 consultant to understand what digital skills are needed for the future in 2021-22. The UKSC used five consultants for an organisational effectiveness review in 2020-21.

### Trade Union Facility Time

The Trade Union (Facility Time Publication Requirements) Regulations 2017 came into force on 1 April 2017. These regulations place a legislative requirement on relevant public sector employers to collate and publish,

on an annual basis, a range of data on the amount and cost of facility time within their organisation. Within the financial year, the PCS nominated a contact for the Court, however, no hours were spent on facility time.

**Table 1** – Relevant Union Officials. Total number of employees who were relevant union officials between 1 April 2021 and 31 March 2022

Number of employees who were relevant union officials during the relevant period	Full-time equivalent employee number
0	0

**Table 2** – Percentage of time spent on facility time. For employees who were relevant union employees employed between 1 April 2020 and 31 March 2022, percentage of their working hours spent on facility time.

Percentage of time	Number of employees
0%	–
1-50%	–
51%-99%	–
100%	–

**Table 3** – Percentage of pay bill spent on facility time. For employees who were relevant union officials employed between 1 April 2021 and 31 March 2022, percentage of pay bill spent on facility time.

Facility Time and Paybill	Figures
Total cost of facility time	£0
Total pay bill (see note 2 and excludes agency and Justices pay bill)	£2,509,973
Percentage of the total pay bill spent on facility time, calculated as: (Total cost of facility time ÷ total pay bill) x 100	0.00%

**Table 4** – Paid trade union activities for employees who were relevant union officials employed between 1 April 2021 and 31 March 2022, percentage of time spent on paid trade union activities.

<b>Time spent on paid trade union activities as a percentage of total paid facility time hours calculated as: (Total hours spent on paid trade union activities by relevant union officials during the relevant period ÷ total paid facility time hours) x 100</b>	0.0%
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## Parliamentary Accountability Report

In addition to the primary statements prepared under International Financial Reporting Standard (IFRS), the Government Financial Reporting Manual (FReM) requires the UKSC to prepare a Statement of Outturn Against Parliamentary Supply (SoPS) and supporting notes.

The SoPS and related notes are subject to audit, as detailed in the Certificate and Report of the Comptroller and Auditor General to the House of Commons.

The SoPS is a key accountability statement that shows, in detail, how an entity has spent against their Supply Estimate. Supply is the monetary provision (for resource and capital purposes) and cash (drawn primarily from the Consolidated fund), that Parliament gives statutory authority for entities to utilise. The Estimate details supply and is voted on by Parliament at the start of the financial year.

Should an entity exceed the limits set by their Supply Estimate, called control limits, their accounts will receive a qualified opinion.

The format of the SoPS mirrors the Supply Estimates, published on GOV.UK, to enable comparability between what Parliament approves and the final outturn.

The SoPS contain a summary table, detailing performance against the control limits that Parliament have voted on, cash spent (budgets are compiled on an accruals basis and so outturn won't exactly tie to cash spent) and administration.

The supporting notes detail the following: Outturn by Estimate line, providing a more detailed breakdown (note 1); a reconciliation of outturn to net operating expenditure in the SOCNE, to tie the SoPS to the financial statements (note 2); a reconciliation of outturn to net cash requirement (note 3).

## Statement of Outturn Against Parliamentary Supply for the year ended 31 March 2022

### Summary of Resource and Capital Outturn 2021-22

	SoPs Note	Estimate			Outturn			2021-22	2020-21
		Voted	Non-Voted	Total	Voted	Non-Voted	Total	Voted Outturn compared with Estimate: saving/ (excess)	Outturn Total
		£000	£000	£000	£000	£000	£000	£000	£000
<b>Departmental Expenditure Limit</b>									
– Resources	1.1	4,020	3,000	7,020	3,143	3,075	6,218	877	6,335
– Capital	1.2	500	–	500	460	–	460	40	333
<b>Annually Managed Expenditure</b>									
– Resource	1.1	1,000	–	1,000	–	–	–	1,000	–
<b>Total Budget</b>		<b>5,520</b>	<b>3,000</b>	<b>8,520</b>	<b>3,603</b>	<b>3,075</b>	<b>6,678</b>	<b>1,917</b>	<b>6,668</b>
<b>Non Budget</b>		<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	
<b>Total</b>		<b>5,520</b>	<b>–</b>	<b>–</b>	<b>3,603</b>	<b>–</b>	<b>6,678</b>	<b>1,917</b>	<b>6,668</b>
Total Resource		5,020	3,000	8,020	3,143	3,075	6,218	1,877	6,335
Total Capital		500	–	500	460	–	460	40	333
<b>Total</b>		<b>5,520</b>	<b>3,000</b>	<b>8,520</b>	<b>3,603</b>	<b>3,075</b>	<b>6,678</b>	<b>1,917</b>	<b>6,668</b>

Figures in the areas outlined cover the voted control limits voted by Parliament.

Refer to the Supply Estimates guidance manual, available on gov.uk, for detail on the control limits voted by Parliament.

**Net cash requirement 2021-22**

	2021-22			2020-21
	£000 Outturn compared with Estimate: saving/(excess)			Outturn
SoPS Note	Estimate	Outturn		
2	3,070	2,708	362	2,826

**Administration Costs 2021-22**

	2021-22			2020-21
	£000 Outturn compared with Estimate: saving/(excess)			Outturn
	Estimate	Outturn		
	1,120	698	422	929

Although not a separate voted limit, any breach of the administration budget will also result in an excess vote.

Figures in the areas outlined in thick line cover the voted control limits voted by Parliament. Refer to the Supply Estimates guidance manual, available on gov.uk, for detail on the control limits voted by Parliament.

Explanations of variances between Estimates and Outturn are given in Note 1 and in the Management Commentary.



## Explanations of Variances between Estimates and Outturn

Explanations of Variances between Estimates and Outturn are given in Note 1 and in the Management Commentary.

### SOPS 1 Net Outturn

#### SOPS 1.1 Analysis of resource outturn by Estimate line

								2021-22	2020-21	
								Estimate	Outturn	
	Adminstration			Programme				Net Total compared to Net Estimate	Total	
	Gross	Income	Net	Gross	Income	Net	Total			
£000	£000	£000	£000	£000	£000	£000	£000	£000		
Spending in Departmental Expenditure Limits (DEL)										
Voted Expenditure										
A – United Kingdom Supreme Court	785	(87)	698	9,978	(7,533)	2,445	<b>3,143</b>	4,020	877	<b>3,264</b>
Non-voted expenditure:										
B – United Kingdom Supreme Court Non-Voted	0	0	0	3,075	0	3,075	<b>3,075</b>	3,000	(75)	<b>3,071</b>
Annually Managed Expenditure										
Voted Expenditure										
A – United Kingdom Supreme Court	0	0	0	0	0	0	<b>0</b>	1,000	1,000	<b>0</b>
<b>Total Spending in DEL</b>	<b>785</b>	<b>(87)</b>	<b>698</b>	<b>13,053</b>	<b>(7,533)</b>	<b>5,520</b>	<b>6,218</b>	<b>8,020</b>	<b>1,802</b>	<b>6,335</b>

Administration budgets capture any expenditure not included in programme budgets. They are controlled to ensure that as much money as practicable is available for front line services. Programme budgets capture expenditure on front line services.

**SOPS 1.2 Analysis of capital outturn by Estimate line**

	2021-22					2020-21
	Outturn			Estimate		Outturn Net £000
	Gross £000	Income £000	Net £000 Net	Net Total £000	Net Total compared to Estimate £000	
Spending in Departmental Expenditure Limits (DEL)						
Voted Expenditure						
A – United Kingdom Supreme Court	460	0	460	500	40	333
<b>Total Spending in DEL</b>	<b>460</b>	<b>0</b>	<b>460</b>	<b>500</b>	<b>40</b>	<b>333</b>

**SOPS 2 Reconciliation of outturn to net operating expenditure**

The total resource outturn in the SOPS is the same as net operating expenditure in the SoCNE therefore no reconciliation is required.

**SOPS 3 Reconciliation of Net Resource Outturn to Net Cash Requirement**

	SoPS Note	2021-22			2020-21
		Estimate £000	Outturn £000	Net total outturn compared with Estimate: saving/ (excess) £000	Outturn £000
<b>Resource Outturn</b>	1.1	8,020	6,218	1,802	6,335
<b>Capital Outturn</b>	1.2	500	460	40	333
<b>Accruals to cash adjustments</b>					
Adjustments to remove non -cash items:					
Depreciation		(2,450)	(1,156)	(1,294)	(1,169)
Other non-cash items			(50)	50	(44)
Adjustments to reflect movements in working balances:					
Decrease in receivables		–	340	(340)	(362)
Increase in payables		–	(379)	379	367
Changes in payables falling due after more than one year		–	350	(350)	437
<b>Removal of non-voted budget items:</b>					
Non Voted Expenditure		(3,000)	(3,075)	75	(3,071)
<b>Net cash requirement</b>		<b>3,070</b>	<b>2,708</b>	<b>362</b>	<b>2,826</b>

As noted in the introduction to the SoPS above, outturn and the Estimates are compiled against the budgeting framework, not on a cash basis. Therefore, this reconciliation bridges the resource and capital outturn to the net cash requirement.

**Parliament accountability disclosures**

The following sections are subject to audit

**Losses and Special Payments**

No losses and special payments that require separate disclosure in accordance with the principles of Managing Public Money, have been incurred (2020-21: nil)

**Fees and Charges**

	2021-22			2020-21		
	£000	£000	£000	£000	£000	£000
	Income	Full Cost	Surplus/ (Deficit)	Income	Full Cost	Surplus/ (Deficit)
Total Court Fees	(901)	13,750	(12,849)	(1,043)	14,010	(12,967)
Wider Market Initiatives	(87)	87	0	(2)	2	0
	<b>(988)</b>	<b>13,837</b>	<b>(12,849)</b>	<b>(1,045)</b>	<b>14,012</b>	<b>(12,967)</b>

These are provided for fees' and charges' purposes and not for International Financial Reporting Standard (IFRS) 8: Operating Segments.

The UKSC does not recover its full cost of operations from Court fees as this might impede access to justice.

Any changes to the UKSC fee structure is dependent on the Lord Chancellor (MOJ) for the laying of the necessary fees orders in Parliament and the consultation exercise that should precede it.

The deficit is covered by the Spending review settlements with HMT.

The Fees and Charges disclosure reflects the full cost for criminal and civil cases, as the the number of criminal applications received were immaterial.

The UKSC continues to monitor the number of criminal applications and will take the necessary steps where there is a material change, to ensure full compliance with the cost allocation and charging requirements set out in HM Treasury and Office of Public Sector Information guidance.

**Conclusion**

I am satisfied that we have effective governance, risk management and assurance arrangements in place as set out in this report.

Our arrangements are subject to regular review at a variety of levels: internally through our governance arrangements; through our Non-Executive Board Members and independent Members: and through external audit. This meets the changing needs of the court and the environment in which we operate.

I agree there are no significant control issues within the UKSC and the JCPC at the current time and we strive to continually improve our arrangements to ensure that any matters which do come to light are responded to proportionately and effectively.

Signed on behalf of the UKSC by



Vicky Fox  
Accounting Officer

7 July 2022

## Section 5

# The Certificate and Report of the Comptroller and Auditor General to the Houses of Commons



## Opinion on financial statements

I certify that I have audited the financial statements of the Supreme Court of the United Kingdom for the year ended 31 March 2022 under the Government Resources and Accounts Act 2000. The financial statements comprise: the Supreme Court of the United Kingdom's

- Statement of Financial Position as at 31 March 2022;
- Statement of Comprehensive Net Expenditure, Statement of Cash Flows and Statement of Changes in Taxpayers' Equity for the year then ended; and
- the related notes including the significant accounting policies.

The financial reporting framework that has been applied in the preparation of the Supreme Court of the United Kingdom's financial statements is applicable law and UK adopted international accounting standards.

In my opinion, the financial statements:

- give a true and fair view of the state of the Supreme Court of the United Kingdom's affairs as at 31 March 2022 and its net expenditure for the year then ended; and
- have been properly prepared in accordance with the Government Resources and Accounts Act 2000 and HM Treasury directions issued thereunder.

## Opinion on regularity

In my opinion, in all material respects:

- the Statement of Outturn Against Parliamentary Supply properly presents the outturn against voted Parliamentary control totals for the year ended 31 March 2022 and shows that those totals have not been exceeded; and
- the income and expenditure recorded in the financial statements have been applied to the purposes intended by Parliament and the financial transactions recorded in the financial statements conform to the authorities which govern them.

## Basis for opinions

I conducted my audit in accordance with International Standards on Auditing (UK) (ISAs UK), applicable law and Practice Note 10 *Audit of Financial Statements of Public Sector Entities in the United Kingdom*.

My responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of my certificate.

Those standards require me and my staff to comply with the Financial Reporting Council's *Revised Ethical Standard 2019*. I have also elected to apply the ethical standards relevant to listed entities. I am independent of the Supreme Court of the United Kingdom in accordance with the ethical requirements that are relevant to my audit of the financial statements in the UK. My staff and I have fulfilled our other ethical responsibilities in accordance with these requirements.



I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

## Conclusions relating to going concern

In auditing the financial statements, I have concluded that the Supreme Court of the United Kingdom's use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

Based on the work I have performed, I have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on the Supreme Court of the United Kingdom's ability to continue as a going concern for a period of at least twelve months from when the financial statements are authorised for issue.

My responsibilities and the responsibilities of the Accounting Officer with respect to going concern are described in the relevant sections of this certificate.

The going concern basis of accounting for the Supreme Court of the United Kingdom is adopted in consideration of the requirements set out in HM Treasury's Government Financial Reporting Manual, which requires entities to adopt the going concern basis of accounting in the preparation of the financial statements where it anticipated that the services which they provide will continue into the future.

## Other information

The other information comprises information included in the Annual Report, but does not include the financial statements nor my auditor's certificate thereafter. The Accounting Officer is responsible for the other information.

My opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in my certificate, I do not express any form of assurance conclusion thereon.

If I identify such material inconsistencies or apparent material misstatements, I am required to determine whether this gives rise to a material misstatement in the financial statements themselves. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact.

I have nothing to report in this regard.

## Opinion on other matters

In my opinion the part of the Remuneration and Staff Report to be audited has been properly prepared in accordance with HM Treasury directions made under the Government Resources and Accounts Act 2000.

In my opinion, based on the work undertaken in the course of the audit:

- the parts of the Accountability Report subject to audit have been properly prepared in accordance with HM Treasury directions made under the Government Resources and Accounts Act 2000;
- the information given in the Performance and Accountability Reports for the financial year for which the financial statements are prepared is consistent with the financial statements and is in accordance with the applicable legal requirements.



## Matters on which I report by exception

In the light of the knowledge and understanding of the Supreme Court of the United Kingdom and its environment obtained in the course of the audit, I have not identified material misstatements in the Performance and Accountability Report.

I have nothing to report in respect of the following matters which I report to you if, in my opinion:

- I have not received all of the information and explanations I require for my audit; or
- adequate accounting records have not been kept by the Supreme Court of the United Kingdom or returns adequate for my audit have not been received from branches not visited by my staff; or
- the financial statements and the parts of the Accountability Report subject to audit are not in agreement with the accounting records and returns; or
- certain disclosures of remuneration specified by HM Treasury's Government Financial Reporting Manual have not been made or parts of the Remuneration and Staff Report to be audited is not in agreement with the accounting records and returns; or
- the Governance Statement does not reflect compliance with HM Treasury's guidance.

## Responsibilities of the Accounting Officer for the financial statements

As explained more fully in the Statement of Accounting Officer's Responsibilities, the Accounting Officer is responsible for:

- maintaining proper accounting records;
- the preparation of the financial statements and Annual Report in accordance with the applicable financial reporting framework and for being satisfied that they give a true and fair view;
- ensuring that the Annual Report and accounts as a whole is fair, balanced and understandable;
- internal controls as the Accounting Officer determines is necessary to enable the preparation of financial statements to be free from material misstatement, whether due to fraud or error; and
- assessing the Supreme Court of the United Kingdom's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Accounting Officer anticipates that the services provided by the Supreme Court of the United Kingdom will not continue to be provided in the future

## Auditor's responsibilities for the audit of the financial statements

My responsibility is to audit, certify and report on the financial statements in accordance with the Government Resources and Accounts Act 2000.

My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue a certificate that includes my opinion.

Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

### **Extent to which the audit was considered capable of detecting non-compliance with laws and regulations including fraud**

I design procedures in line with my responsibilities, outlined above, to detect material misstatements in respect of non-compliance with laws and regulations, including fraud. The extent to which my procedures are capable of detecting non-compliance with laws and regulations, including fraud is detailed below.

### **Identifying and assessing potential risks related to non-compliance with laws and regulations, including fraud**

In identifying and assessing risks of material misstatement in respect of non-compliance with laws and regulations, including fraud, we considered the following:

- the nature of the sector, control environment and operational performance including the design of the Supreme Court of the United Kingdom's accounting policies, key performance indicators and performance incentives.
- Inquiring of management, internal audit and those charged with governance, including obtaining and reviewing supporting documentation relating to the Supreme Court of the United Kingdom's policies and procedures relating to:
  - identifying, evaluating and complying with laws and regulations and whether they were aware of any instances of non-compliance;
  - detecting and responding to the risks of fraud and whether they have knowledge of any actual, suspected or alleged fraud; and
  - the internal controls established to mitigate risks related to fraud or non-compliance with laws and regulations including the Supreme Court of the United Kingdom's controls relating to the Supreme Court of the United Kingdom's compliance with the Government Resources and Accounts Act 2000 and Managing Public Money;
- discussing among the engagement team regarding how and where fraud might occur in the financial statements and any potential indicators of fraud.

As a result of these procedures, I considered the opportunities and incentives that may exist within the Supreme Court of the United Kingdom for fraud and identified the greatest potential for fraud in the following areas: revenue recognition, posting of unusual journals, complex transactions and bias in management estimates. In common with all audits under ISAs (UK), I am also required to perform specific procedures to respond to the risk of management override.

I also obtained an understanding of the Supreme Court of the United Kingdom's framework of authority as well as other legal and regulatory frameworks in which the Supreme Court of the United Kingdom operates, focusing on those laws and regulations that had a direct effect on material amounts and disclosures in the financial statements or that had a fundamental effect on the operations of the Supreme Court of the United Kingdom. The key laws and regulations I considered in this context included Government Resources and Accounts Act 2000, Managing Public Money; Supply and Appropriation (Main Estimates) Act 2021; and relevant employment and taxation law.

### **Audit response to identified risk**

As a result of performing the above, the procedures I implemented to respond to identified risks included the following:

- reviewing the financial statement disclosures and testing to supporting documentation to assess compliance with provisions of relevant laws and regulations described above as having direct effect on the financial statements;
- enquiring of management, the Audit and Risk Committee concerning actual and potential litigation and claims;
- reading and reviewing minutes of meetings of those charged with governance and the Board and internal audit reports;
- in addressing the risk of fraud through management override of controls, testing the appropriateness of journal entries and other adjustments; assessing whether the judgements made in making accounting estimates are indicative of a potential bias; and evaluating the business rationale of any significant transactions that are unusual or outside the normal course of business; and
- other audit procedures responsive to the risk of fraud, non-compliance with laws and regulation or irregularity as appropriate

I also communicated relevant identified laws and regulations and potential fraud risks to all engagement team members including and remained alert to any indications of fraud or non-compliance with laws and regulations throughout the audit.

A further description of my responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website at: [www.frc.org.uk/auditorsresponsibilities](http://www.frc.org.uk/auditorsresponsibilities). This description forms part of my certificate.

### **Other auditor's responsibilities**

I am required to obtain appropriate evidence sufficient to give reasonable assurance that the Statement of Outturn against Parliamentary Supply properly presents the outturn against voted Parliamentary control totals and that those totals have not been exceeded. The voted Parliamentary control totals are Departmental Expenditure Limits (Resource and Capital), Annually Managed Expenditure (Resource and Capital), Non-Budget (Resource) and Net Cash Requirement.

I am also required to obtain evidence sufficient to give reasonable assurance that the expenditure and income recorded in the financial statements have been applied to the purposes intended by Parliament and the financial transactions recorded in the financial statements conform to the authorities which govern them.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

## Report

I have no observations to make on these financial statements.

### **Gareth Davies**

Comptroller and Auditor General

National Audit Office

157-197 Buckingham Palace Road

Victoria

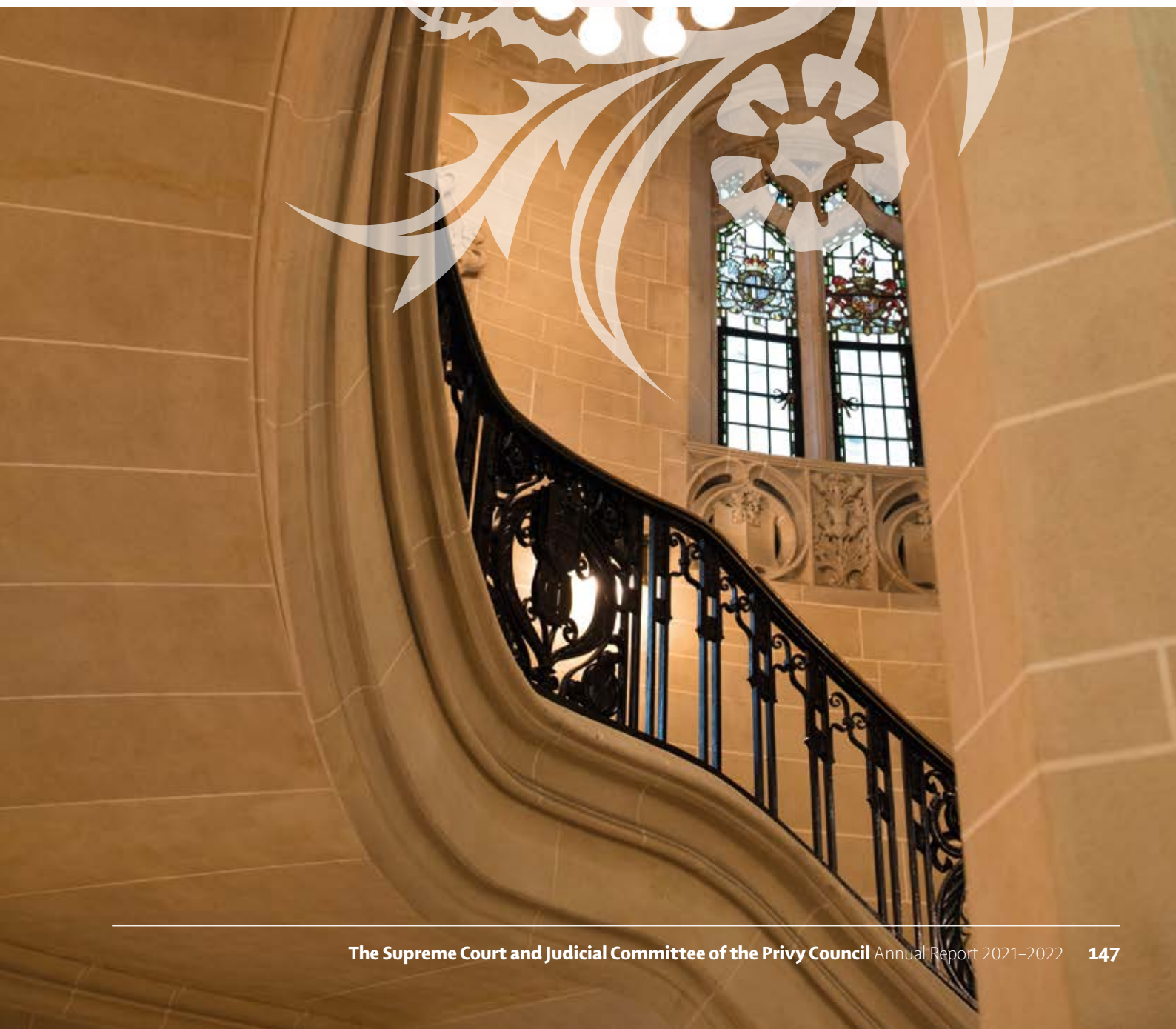
London

SW1W 9SP



## Section 6

# Financial Statements



## Statement of Comprehensive Net Expenditure

for the year ended 31 March 2022

		2021-22	2020-21
	Note	£000	£000
Income from sale of goods and services	4	(7,533)	(7,675)
Other operating income	4	(87)	(2)
<b>Total operating income</b>		<b>(7,620)</b>	<b>(7,677)</b>
Staff costs	2	7,303	7,345
Purchases of goods and services	3	5,379	5,498
Depreciation and amortisation charges	3	1,156	1,169
<b>Total Expenditure</b>		<b>13,838</b>	<b>14,012</b>
<b>Net Operating Expenditure for the year ended 31 March</b>		<b>6,218</b>	<b>6,335</b>
<b>Other Comprehensive Net Expenditure</b>			
Net (gain)/loss on revaluation of property, plant and equipment		(788)	1,303
<b>Total Comprehensive Net Expenditure for the year ended 31 March</b>		<b>5,430</b>	<b>7,638</b>

The notes on pages 152 to 168 form part of these accounts.



## Statement of Financial Position

as at 31 March 2022

		as at 31 March 2022	as at 31 March 2021
	Note	£000	£000
<b>Non-current assets:</b>			
Property, Plant & Equipment	5	40,217	40,125
Intangible assets	6	1	1
<b>Total non-current assets</b>		<b>40,218</b>	<b>40,126</b>
<b>Current assets:</b>			
Inventories		1	1
Trade and other receivables	8	1,295	955
Cash and cash equivalents	9	41	244
<b>Total current assets</b>		<b>1,337</b>	<b>1,200</b>
<b>Total assets</b>		<b>41,555</b>	<b>41,326</b>
<b>Current liabilities:</b>			
Trade and other payables	10	(1,039)	(711)
Finance Lease	10	(2,799)	(2,730)
<b>Total current liabilities</b>		<b>(3,838)</b>	<b>(3,441)</b>
<b>Total assets less current</b>		<b>37,717</b>	<b>37,885</b>
<b>Non current liabilities:</b>			
Finance leases	10	(32,568)	(32,918)
<b>Total non current liabilities</b>		<b>(32,568)</b>	<b>(32,918)</b>
<b>Total Assets less liabilities</b>		<b>5,149</b>	<b>4,967</b>
<b>Taxpayers' equity and other reserves</b>			
General fund		(18,813)	(18,207)
Revaluation reserve		23,962	23,174
<b>Total Equity</b>		<b>5,149</b>	<b>4,967</b>

The notes on pages 152 to 168 form part of these accounts.

The Accounting Officer authorised these financial statements for issue.



Vicky Fox

Chief Executive and Accounting Officer

7 July 2022

## Statement of Cash Flows

for the year ended 31 March 2022

		<b>2021-22</b>	<b>2020-21</b>
	Note	<b>£000</b>	<b>£000</b>
<b>Cash flows from operating activities</b>			
Net operating cost		(6,218)	(6,335)
Adjustment for non-cash transactions	3	1,206	1,213
Decrease/(Increase) in trade and other receivables		(340)	362
(Decrease)/Increase in current trade payables		328	(461)
less movements in payables relating to items not passing through the SCNE		(18)	27
<b>Net Cash outflow from operating activities</b>		<b>(5,042)</b>	<b>(5,194)</b>
<b>Cash flows from investing activities</b>			
Purchase of property, plant and equipment	5	(460)	(333)
<b>Net Cash outflow from investing activities</b>		<b>(460)</b>	<b>(333)</b>
<b>Cash flows from financing activities</b>			
From the Consolidated Fund (Supply)		2,726	2,799
From the Consolidated Fund (non-Supply)		3,043	3,071
Decrease in respect of finance leases		(470)	(370)
<b>Net Financing</b>		<b>5,299</b>	<b>5,500</b>
<b>Net increase in cash and cash equivalents in the period after adjustment for receipts and payments to the Consolidated Fund</b>	9	<b>(203)</b>	<b>(27)</b>
<b>Cash and cash equivalents at the beginning of the period</b>	9	<b>244</b>	<b>271</b>
<b>Cash and cash equivalents at the end of the period</b>		<b>41</b>	<b>244</b>

The notes on pages 152 to 168 form part of these accounts.

## Statement of Changes In Taxpayers' Equity

for the year ended 31 March 2022

		<b>General Fund</b>	<b>Revaluation Reserve</b>	<b>Total Reserves</b>
	Note	<b>£000</b>	<b>£000</b>	<b>£000</b>
<b>Balance as at 31 March 2020</b>		<b>(17,813)</b>	<b>24,477</b>	<b>6,664</b>
Net Parliamentary Funding – drawn down		2,799		<b>2,799</b>
Net Parliamentary Funding – deemed		271		<b>271</b>
Consolidated Fund Standing Services		3,071		<b>3,071</b>
Supply (payable)/receivable adjustment		(244)		<b>(244)</b>
Net Operating cost for the year		(6,335)		<b>(6,335)</b>
<b>Non-Cash Adjustments</b>				
Non-cash charges – external auditors remuneration	3	44		<b>44</b>
<b>Movement in Reserves</b>				
Movement in Revaluation Reserve	5	–	(1,303)	<b>(1,303)</b>
<b>Balance at 31 March 2021</b>		<b>(18,207)</b>	<b>23,174</b>	<b>4,967</b>
Net Parliamentary Funding – drawn down		2,726		<b>2,726</b>
Net Parliamentary Funding – deemed		244		<b>244</b>
Consolidated Fund Standing Services		3,043		<b>3,043</b>
Supply (payable)/receivable adjustment		(262)		<b>(262)</b>
Net Operating cost for the year		(6,218)		<b>(6,218)</b>
Non-cash charges – external auditors remuneration	3	50		<b>50</b>
Movement in Revaluation Reserve	5	–	788	<b>788</b>
Finance lease liability adjustment		(189)	–	<b>(189)</b>
<b>Balance at 31 March 2022</b>		<b>(18,813)</b>	<b>23,962</b>	<b>5,149</b>

The notes on pages 152 to 168 form part of these accounts.

# Notes to the Departmental Resource Accounts

## 1 Statement of Accounting Policies

### 1.1 Basis of Preparation

The financial statements have been prepared in accordance with the 2021-22 Government Financial Reporting Manual (FReM) issued by HM Treasury. The accounting policies contained in the FReM apply International Financial Reporting Standards (IFRS) as adapted or interpreted for the public sector context. Where the FReM permits a choice of accounting policy, the accounting policy which is judged to be most appropriate to the particular circumstances of the Supreme Court of the United Kingdom (UKSC) for the purpose of giving a true and fair view has been selected. The particular policies adopted by the Supreme Court of the United Kingdom are described below. They have been applied consistently in dealing with items which are considered material to the accounts.

### 1.2 Accounting Convention

These accounts have been prepared on a accruals basis under the historical cost convention modified to account for the revaluation of property, plant and equipment, intangible assets and inventories.

### 1.3 Going Concern

The financial statements for the UKSC have been prepared on the basis that the Department is a going concern. Financial provision for its activities is included in the 2021 Spending Review which set out budgets for 2022-23 until 2024-25 and parliament has authorised spending for 2022-23 in the Central Government Main Supply Estimates 2022-23. The Constitutional Reform Act 2005 sets out the purpose and role of the Supreme Court and there is no intention to abolish the courts service. Therefore, the UKSC can continue to operate and carry out its commitments, obligations, and objectives.

### 1.4 Property Plant and Equipment

The minimum level for the capitalisation of Property, Plant & Equipment is £5,000.

#### i. Land & Building

The UKSC Land & Building were deemed to be specialised operational properties and fair value was arrived at using DRC methodology. The DRC valuation of the building has been prepared using as a base a MEA (Modern Equivalent Asset) beacon for a crown court of very good quality. The valuation has been prepared in accordance with the professional standards of the Royal Institution of Chartered Surveyors: RICS Valuation – Global Standards and RICS UK National Supplement, commonly known together as the Red Book. The year end valuation was carried out by the Valuation Office Agency (VOA), using professionally qualified valuers, who are also members of the Royal Institution of Chartered Surveyor; using 31 March 2022 as valuation date. The VOA and its staff are independent of the UK Supreme Court. The Revaluation Surplus balance at year end was

£24M; with £200k increase in the land value and an increase of £584k in the building value during the financial year.

## ii. Other Plant & Equipment

These were valued at depreciated cost. The Department has decided not to apply Modified Historic Costs Accounting for Other Plant & Equipment as the adjustments would be immaterial.

## 1.5 Intangible Fixed Assets

Computer software licences with a purchased cost in excess of £5,000 (including irrecoverable VAT and delivery) are capitalised at cost.

## 1.6 Depreciation and Amortisation

Freehold land and assets in the course of construction are not depreciated. All other assets are depreciated from the month following the date of acquisition. Depreciation and amortisation is at the rates calculated to write-off the valuation of the assets by applying the straight-line method over the following estimated useful lives.

Property, Plant & Equipment:

Building	40 years
Office Equipment	3-7 years
Furniture and fittings	4-7 years
Robes	50 years

Intangible assets:

Computer Software and software licences	7 Years
---	---------

## 1.7 Inventory

Closing stocks of gift items for re-sale are held at the lower of cost and net realisable value. Cost of consumables stores held by the Department are not considered material and are written off in the operating cost statement as they are purchased.

## 1.8 Operating Income

The UKSC has three distinct streams of income, namely:

- 1) Contributions from HM Treasury via the Ministry of Justice, Northern Ireland and Scotland;
- 2) Wider Market Initiatives which includes fees from courtroom hire, tours and from justices sitting in other jurisdictions and sale of gift items; and
- 3) Court fees.

The contributions are fixed income payments paid quarterly. The contributions are for the ongoing operation of the court and are recognised in full in the year to which the funding relates.

For the Wider Market Initiatives, contracts are issued for courtroom hire and the income is recognised in the financial period of the event. Similarly, income from tours, justices sitting in other jurisdictions and sales of gift items are recognised when the performance obligation has been fulfilled. Court fees are charged at the point they are accepted through the defined system of processing cases. The condition under which fees are paid are based on legislation and regulation.

Therefore for all streams, income is recognised under International Financial Reporting Standard (IFRS) 15: Revenue from Contracts with Customers.

## **1.9 Pensions**

UKSC employees are covered by the provisions of the Principal Civil Service Pension Scheme (PCSPS), which is a multi-employer defined benefit scheme. UKSC's share of any assets and liabilities are not separately identifiable and accordingly UKSC accounts for the pension scheme in the same manner as defined contribution schemes, recognising contributions payables for the year.

## **1.10 Leases**

Where substantially all risks and rewards of ownership are borne by the UKSC, the lease is classified as a finance lease, the asset is recorded as a tangible asset and the debt is recorded to the lessor over the minimum lease payment discounted by the interest rate implicit in the lease. The finance cost of the finance lease is charged to the SoCNE over the lease period at a constant rate in relation to the balance outstanding and a liability is recognised equal to the minimum lease payments discounted by an annual rate of 6.7%.

## **1.11 Value Added Tax**

The net amount of Value Added Tax (VAT) due to or from Her Majesty's Revenue and Customs is shown as a receivable or payable on the Statement of Financial Position. Irrecoverable VAT is charged to the Operating Cost Statement, or if it is incurred on the purchase of a fixed asset it is capitalised in the cost of the asset.

## **1.12 Significant Accounting Estimates and Assumption**

Other than the valuation of the Land and Building, there are no significant estimates or accounting judgements used in the preparation of these accounts.

## **1.13 Third Party Assets**

The UKSC holds, as custodian, certain assets belonging to third parties. These assets are not recognised in the Statement of Financial Position and are disclosed within note 13 as the UKSC or Government does not have a direct beneficial interest in them.

## 1.14 Changes in Accounting Policies

### International Financial Reporting Standards (IFRS) 16: Leases

IFRS 16 provides a single lessee accounting model under which the UKSC will assess at contract inception whether the contract is, or contains, a lease. A contract is, or contains, a lease if the right to use an asset is given in exchange for consideration. This is expanded in the FReM to include contracts with nil consideration.

On classification as a lease the UKSC will recognise a right-of-use asset and corresponding liability at the date the asset is made available for use.

The lease will be separated between the lease and non-lease components if:

- the lessee can benefit from use of the underlying asset either on its own or together with other resources that are readily available to the lessee and,
- the underlying asset is neither highly dependent on, nor highly interrelated with, the other underlying assets in the contract.

The lease liability is measured at the payments for the lease term, net of irrecoverable value added tax, discounted either by the rate implicit in the lease or, where the implicit rate is not readily definable, using the HM Treasury discount rates as outlined in the Public Expenditure System papers.

Right-of-use assets are measured at the value of the liability adjusted for: any payments made, or amounts accrued before commencement; incentives received; costs of obtaining the lease or any disposal costs at lease end. Following initial recognition, the lease liability is adjusted based on payments made and interest incurred, and the right of use asset depreciated over the term of the lease or the useful life of the asset if shorter. The lease term shall include the period of an extension option where it is likely to be exercised.

The assets are subsequently measured using the fair value model. The UKSC will use the cost model in instances where cost is a reasonably proxy for fair value. For leases where the cost model would not be appropriate the asset will be measured on a revaluation model.

The UKSC will remeasure the lease liability and make a corresponding adjustment to the right-of-use asset when a reassessment or modification of the lease terms occurs.

These changes are measured by re-discounting any revised cash flows and the impact reflected in the liability and asset as appropriate.

In implementing IFRS 16 the UKSC has made the determination to use the available practical expedient and adopt IFRS 16 prospectively and not to reassess the classification of contracts that were previously classified as leases under International Accounting Standard Leases (IAS 17).

The UKSC currently only has one lease that does not fall under the exemption for short-term or low-value leases, the lease for the land and building. This lease is represented on the balance sheet as a right-of-use asset and a lease liability. The lease commenced in March 2009 for a term of 30 years with no extension option. The value of the asset at 31 March 2022 is £39,130,000.



As the existing lease was classified a finance lease under IAS 17 and the practical expedient has been applied the finance lease will be transferred at existing value and the impact of IFRS 16 on the 2022-23 opening balances is expected to be nil.

### **International Financial Reporting Standard (IFRS) 17: Insurance Contracts**

IFRS 17 comes into effective for accounting periods commencing on or after 1 January 2023 and requires a discounted cash flow approach to accounting for insurance contracts.

IFRS 17 applies to any insurance contracts or investment contracts with discretionary participation features issued by the UKSC and reinsurance contracts. In preparation for the implementation of IFRS 17 the UKSC has reviewed its contracts, none of which meet the definition for treatment under IFRS 17.

The management assessment of IFRS 17 on the UKSC accounts is there will be nil impact.

## 2 Staff/Justices related costs

	<b>2021-22</b>	<b>2020-21</b>
	<b>Total £000</b>	<b>Total £000</b>
Staff/Justices Costs comprise:		
Wages and Salaries	4,728	4,763
Social security costs	604	608
Apprentice Levy	13	13
Supplementary Judges	73	68
Other pension costs	1,854	1,869
<b>Sub Total</b>	<b>7,272</b>	<b>7,321</b>
Inward secondments	29	24
Agency Staff	2	0
Voluntary exit costs	0	0
<b>Total</b>	<b>7,303</b>	<b>7,345</b>
Less recoveries in respect of outward secondments	0	0
<b>Total Net Costs</b>	<b>7,303</b>	<b>7,345</b>

No salary costs have been capitalised. Judicial Salaries and Social Security costs are paid directly from the Consolidated Fund while the Pension costs are paid for by the UKSC. Further details are provided in the Remuneration and Staff Report from page 123.

### 3 Purchases of Goods and Services

	Notes	2021-22		2020-21	
		£000	£000	£000	£000
Accommodation Costs		1,790		1,989	
Finance Costs		2,444		2,470	
Library Costs		274		262	
IT Costs		287		292	
Publicity & Communications		98		9	
Broadcasting Costs		201		122	
Repairs & Maintenance		93		53	
Recruitment & Judicial Appointment Costs		8		63	
Transportation Costs		21		27	
Other Staff Costs		53		48	
Hospitality & Events		5		4	
Printing, Postage, Stationery & Publications		15		98	
Internal Audit & Governance Expenses		22		18	
International Judicial Travel		18		-	
<b>Sub Total</b>			<b>5,329</b>		<b>5,455</b>
<b>Non-cash items:</b>					
Depreciation	5	1,156		1,157	
Amortisation	6	-		12	
External Auditors' Remuneration*		50		44	
<b>Total Non Cash</b>			<b>1,206</b>		<b>1,213</b>
<b>Total Costs</b>			<b>6,535</b>		<b>6,668</b>

\* No remuneration has been received by the external auditors in respect of non-audit services.

## 4 Income

Operating income, analysed by classification and activity, is as follows:	2021-22	2020-21
	£000	£000
Contribution from HMCTS	(5,915)	(5,915)
Contribution from Scottish Government	(478)	(478)
Contribution from Northern Ireland Court and Tribunal Service	(239)	(239)
<b>Total Contributions</b>	<b>(6,632)</b>	<b>(6,632)</b>
Court Fees – UKSC	(533)	(751)
Court Fees – JCPC	(368)	(292)
Wider Market Initiatives	(87)	(2)
<b>Total Income</b>	<b>(7,620)</b>	<b>(7,677)</b>

## 5 Property Plant & Equipment

2021-22	Land	Building	Office Equipment	Furniture and Fittings	Robes	Total
	£000	£000	£000	£000	£000	£000
<b>Cost or valuation</b>						
At 1 April 2021	18,500	20,475	2,478	3,094	155	<b>44,702</b>
Additions	–	142	34	284	–	<b>460</b>
Revaluations	200	(188)	–	–	–	<b>12</b>
Disposals	–	–	–	–	–	–
<b>At 31 March 2022</b>	<b>18,700</b>	<b>20,429</b>	<b>2,512</b>	<b>3,378</b>	<b>155</b>	<b>45,174</b>
<b>Depreciation</b>						
At 1 April 2021	–	–	(1,799)	(2,742)	(36)	<b>(4,577)</b>
Charged in year	–	(776)	(208)	(170)	(3)	<b>(1,156)</b>
Revaluations	–	776	–	–	–	<b>776</b>
Disposals	–	–	–	–	–	–
<b>At 31 March 2022</b>	<b>–</b>	<b>–</b>	<b>(2,007)</b>	<b>(2,912)</b>	<b>(39)</b>	<b>(4,957)</b>
<b>Carrying amount at 31 March 2022</b>	<b>18,700</b>	<b>20,429</b>	<b>505</b>	<b>467</b>	<b>116</b>	<b>40,217</b>
<b>Asset Financing</b>						
Owned	<b>1,088</b>					
Finance Leased	<b>39,129</b>					
On-balance sheet	<b>40,217</b>					

The Land and Buildings value is the finance lease. Office equipment, furniture and fittings and robes are all owned by the UKSC for 2021-22 and 2020-21.

2020-21						Total
	Land	Building	Office Equipment	Furniture and Fittings	Robes	
	£000	£000	£000	£000	£000	
<b>Cost or valuation</b>						
At 1 April 2020	18,500	22,360	2,314	3,117	155	<b>46,446</b>
Additions	–	192	164	(23)	–	<b>333</b>
Revaluations	–	(2,077)	–	–	–	<b>(2,077)</b>
Disposals	–	–	–	–	–	–
<b>At 31 March 2021</b>	<b>18,500</b>	<b>20,475</b>	<b>2,478</b>	<b>3,094</b>	<b>155</b>	<b>44,702</b>
<b>Depreciation</b>						
At 1 April 2020	–	–	(1,594)	(2,567)	(33)	<b>(4,194)</b>
Charged in year	–	(774)	(205)	(175)	(3)	<b>(1,157)</b>
Disposals	–	774	–	–	–	<b>774</b>
At 31 March 2021	–	–	(1,799)	(2,742)	(36)	<b>(4,577)</b>
<b>Carrying amount at 31 March 2021</b>	<b>18,500</b>	<b>20,475</b>	<b>679</b>	<b>352</b>	<b>119</b>	<b>40,125</b>

**The negative balance on the furniture and fitting line relates to an incorrect fixture and fittings addition in the prior financial year**

Asset Financing

Owned	<b>1,150</b>
Finance Leased	<b>38,975</b>
On-balance sheet	<b>40,125</b>

**Revaluation movements for the Building have been restated on a gross basis between cost and accumulated depreciation to be consistent with IAS 16.**

**There is no impact on the carrying value, depreciation charge or revaluation reserve.**

## 6 Intangible non-current assets

Intangible fixed assets comprise software licences. All intangible assets are owned by the UKSC for both 2021-22 and 2020-21

<b>2021-22</b>	<b>Purchased software licences</b>
	<b>£000</b>
<b>Cost or valuation</b>	
At 1 April 2021	210
Additions	–
Impairment	–
Donations	–
<b>At 31 March 2022</b>	<b>210</b>
<b>Amortisation</b>	
At 1 April 2021	(209)
Charged in year	–
Impairment	–
<b>At 31 March 2022</b>	<b>(209)</b>
<b>Net book value at 31 March 2022</b>	<b>1</b>



<b>2020-21</b>	<b>Purchased software licences</b>
	<b>£000</b>
<b>Cost or valuation</b>	
At 1 April 2020	210
Additions	–
Revaluations	–
Impairment	–
Donations	–
<b>At 31 March 2021</b>	<b>210</b>
<b>Amortisation</b>	
At 1 April 2020	(197)
Charged in year	(12)
Revaluations	–
Impairment	–
<b>At 31 March 2021</b>	<b>(209)</b>
<b>Net book value at 31 March 2021</b>	<b>1</b>

## 7 Financial Instruments

As the Cash requirements of the department are met through the Estimates process, financial instruments play a more limited role in creating and managing risk than would apply to a non-public sector body of a similar size. The department does not hold any financial instruments.

## 8 Trade and other receivables

	2021-22	2020-21
	£000	£000
<b>Amounts falling due within one year:</b>		
Trade Receivables	7	2
VAT Recoverable	172	95
Staff Receivables	6	4
Prepayment & Accrued Income	1,110	854
<b>Total</b>	<b>1,295</b>	<b>955</b>

## 9 Cash and Cash Equivalents

	2021-22	2020-21
	£000	£000
Balance at 1 April	244	271
Net changes in cash and cash equivalent balances	(203)	(27)
<b>Balance at 31 March</b>	<b>41</b>	<b>244</b>
<b>The following balances at 31 March were held at:</b>		
Government Banking Service (RBS)	41	244
<b>Balance at 31 March</b>	<b>41</b>	<b>244</b>

## 10 Trade and other payables and finance lease liabilities

	<b>2021-22</b>	<b>2020-21</b>
	<b>£000</b>	<b>£000</b>
<b>Analysis by type</b>		
<b>Amounts falling due within one year</b>		
Other taxation and social security	(123)	(129)
Trade payables	(327)	(58)
Amounts issued from the Consolidated Fund for supply but not spent at year end	(262)	(244)
Accruals and Deferred Income	(327)	(280)
Finance leases	(2,799)	(2,730)
	<b>(3,838)</b>	<b>(3,441)</b>
<b>Amounts falling due after more than one year</b>		
Finance leases	(32,568)	(32,918)
<b>Total</b>	<b>(36,406)</b>	<b>(36,359)</b>

## 11 Commitments under leases

### 11.1 Finance leases

Total future minimum lease payments under finance leases are given in the table below for each of the following periods.

	2021-22	2020-21
	£000	£000
<b>Obligations under finance leases comprise:</b>		
Land		
Not later than 1 year	1,426	1,382
Later than 1 year and not later than 5 years	6,071	5,883
Later than 5 years	22,279	23,457
<b>Sub-total</b>	<b>29,776</b>	<b>30,722</b>
Less: Interest Element	(13,845)	(14,974)
<b>Net Total</b>	<b>15,931</b>	<b>15,748</b>
Building		
Not later than 1 year	1,558	1,530
Later than 1 year and not later than 5 years	6,633	6,511
Later than 5 years	24,341	25,961
<b>Sub-total</b>	<b>32,352</b>	<b>34,002</b>
Less: Interest Element	(15,126)	(16,573)
<b>Net Total</b>	<b>17,406</b>	<b>17,429</b>
<b>Grand Total</b>	<b>33,337</b>	<b>33,177</b>

<b>Present Value of Obligations under finance lease for the following periods comprise:</b>	<b>2021-22</b>	<b>2020-21</b>
	<b>£000</b>	<b>£000</b>
Land		
Not later than 1 year	1,461	1,296
Later than 1 year and not later than 5 years	5,302	4,699
Later than 5 years	11,702	10,926
<b>Sub-total</b>	<b>18,465</b>	<b>16,921</b>
Building		
Not later than 1 year	1,338	1,434
Later than 1 year and not later than 5 years	4,853	5,200
Later than 5 years	10,711	12,093
<b>Sub-total</b>	<b>16,902</b>	<b>18,727</b>
<b>Grand Total</b>	<b>35,367</b>	<b>35,648</b>

## 12 Related-Party Transactions

None of the Non-Executive Board Members, President, Key managerial staff or related parties have undertaken any material transactions with UKSC during the year other than the pay information disclosed in the Remuneration Report.

UKSC had a number of significant transactions with the Ministry of Justice and Her Majesty's Revenue and Customs Service.

## 13 Third Party Assets

In all civil cases where an Appeal lay to the House of Lords under the provisions of the Appellate Jurisdiction Act 1876, Appellants must provide security for the costs of such Appeals. This payment was made to the House of Lords Security Fund Account which recorded the receipt, payment and disposition of the lodgements for each financial year. The balance on this Security Fund Account was transferred to The Supreme Court on 1st October 2009 and is now operated as The Supreme Court Security Fund Account. No interest is paid on the lodgements, nor are any fees deducted. Security Fund monies are payable to the relevant party, usually on the issue of the Final Judgement or Taxation of the Bill of Costs.

Securities held on behalf of third parties are not included in UKSC's Statement of Financial Position.

	<b>2021-22</b>	<b>2020-21</b>
	<b>£000</b>	<b>£000</b>
Balance as at 01 April	560	725
Add: receipts – Lodgements by Appellants	156,749	90
Less: Repayments to Appellants/ Respondents	(135)	(255)
<b>Balance as at 31 March</b>	<b>157,174</b>	<b>560</b>

The increase in variance across the financial years relates to one case: for Shanghai Shipyard Co. Ltd (Respondent) v Reignwood International Investment (Group) Company Ltd, a higher deposit was required because the case is of significant value.

## 14 Events after the reporting period date

In accordance with the requirements of IAS 10 'Events after the Reporting Period', events are considered up to the date on which the financial statements are authorised for issue, which is interpreted as the date of the certificate and report of the Comptroller and Auditor General. There are no subsequent events to report.

## Annex

# Jurisdictions where the JCPC 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 and Niue

Falkland Islands

Gibraltar

Grenada

Guernsey

Isle of Man

Jamaica

Jersey

Kiribati

Mauritius

Montserrat

Pitcairn Islands

Saint Christopher and Nevis

St Helena

St Lucia\*

St Vincent and the Grenadines

Sovereign Base of Akrotiri and Dhekelia

Trinidad and Tobago

Tristan da Cunha

Turks and Caicos Islands

Tuvalu

## United Kingdom

Royal College of Veterinary Surgeons

Church Commissioners

Arches Court of Canterbury

Chancery Court of York

Prize Courts

Court of the Admiralty of the Cinque Ports

## Brunei

Civil Appeals from the Court of Appeal to the Sultan and Yang di-Perchian for advice to the Sultan Power to refer any matter to the Judicial Committee under section 4 of the Judicial Committee Act 1833.

\*The government of St Lucia has previously communicated its intention to accede to the Caribbean Court of Justice's appellate jurisdiction. This has yet to take effect.

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