



TO NO ONE
WILL WE SELL
RIGHT
OR
JUSTICE

The Supreme Court
Annual Report and Accounts

2011-2012

The Supreme Court Annual Report and Accounts 2011–2012

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

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foreword

BY THE PRESIDENT
OF THE SUPREME COURT
LORD PHILLIPS




This will be the last occasion on which I write a Foreword to an Annual Report of the Supreme Court of the United Kingdom, and the Judicial Committee of the Privy Council, as I retire in September 2012.

It has been both an honour and a pleasure to be the first President of the UKSC. Much has been achieved since the move from Parliament in October 2009 to create an institution which is a worthy successor to the Law Lords. Having been freed from the constraints of Parliamentary rules, we have been able to look afresh at the way the Justices do their work and have introduced some different ways of working and, for example, a different approach to the compilation and delivery of judgments. I would like to acknowledge with gratitude the assistance that I have had from my Deputy, Lord Hope, in leading the Court during the first three years.

The period since October 2009 has seen a number of retirements and new appointments. Whilst we are always sad to see colleagues retire, I have greatly welcomed the new Justices who have brought a fresh perspective to many issues. This year has, however, been overshadowed by the tragic illness and untimely death of Alan Rodger. All of those who had the pleasure of working with him continue to miss him greatly. His contribution to the jurisprudence of the

highest court in the United Kingdom will continue to be felt for many years to come.

I wish to thank, not only the Justices with whom I have sat since October 2009, but also colleagues in the Courts of Appeal of England and Wales, Scotland and Northern Ireland. Judges from all these jurisdictions have been willing to assist, particularly in sitting in the Judicial Committee of the Privy Council from time to time and I am grateful to the Lord Chief Justices of England and Wales and Northern Ireland, and the Lord President of the Court of Session, for making their colleagues available for this work.

The move to the Supreme Court provided for the first time adequate accommodation for Judicial Assistants. We have taken advantage of that and have been rewarded each year by Assistants of the highest calibre, who have played a vital and integral role in the life of the Court.

Finally, I thank Jenny Rowe, our outstanding Chief Executive, and all the staff of UKSC and the JCPC for their hard work over the past year, and in previous years. The Justices have been fortunate in having loyal and hard working officials who, not only help us in our everyday tasks, but also seek to buttress and support the independence of the Judges of the highest court in the United Kingdom.

introduction

BY THE CHIEF EXECUTIVE
JENNY ROWE

J. Rowe



I have pleasure in presenting the Annual Report and Accounts. For the first time, these cover both the UKSC and the JCPC.

This report presents a picture of how we have navigated considerable changes in the court's administration over the year. We completed our review of staffing which identified some opportunities for delivering greater efficiency. In addition, a number of staff took early retirement during the year, two of whom have been replaced by staff at a lower grade. On 1 April 2011 we welcomed the staff who support the JCPC as fully fledged members of the Supreme Court team.

Changes of structure such as this can sound simple on paper, but that belies the significant amount of extra work and flexibility they demand of the people involved. I wish to place on record my thanks to all the staff who worked hard to ensure we continued to deliver a high quality service to our users throughout the year, and I would also like formally to welcome those new staff who have joined the Court. They work alongside a range of dedicated, professional contractors who support our core functions and often perform roles that really make a difference to the experience we are able to offer our visitors and court users.

A number of these external contracts were reviewed over the course of the year to ensure optimum value for money. This is particularly important at a time when our resources are declining. As a consequence a new finance system has been successfully introduced, and we have re-let the contract for security guarding of the building. These developments are referred to in more detail elsewhere in the report.

I am pleased that, during the year, we have been successful in consolidating our education and outreach work, and in targeting schools and organisations outside London and the South East. As I have said before, we take our responsibilities as a United Kingdom Supreme Court very seriously and will continue seeking to underpin this in various ways.

I would like to pay my own tribute to Lord Rodger, who very sadly died last June and is much missed. He took a lively interest in many issues and was always willing to provide me with valuable advice.

I would also like to thank Lord Phillips for his unfailing support over the past three and a half years and on behalf of the whole team I wish him the very best for the future.



section one

a focused court: mission, values and objectives

Our Mission

The mission of the Supreme Court of the United Kingdom (UKSC) is to ensure that the President, Deputy President and Justices of the Court can deliver just and effective determination of appeals heard by the Court, in ways which also best develop the Rule of Law and the administration of justice.

Our Strategic Objectives

1	The UKSC will create an environment, which effectively maintains the independence of the Justices, in which they can carry out their work protected from external pressures and which empowers them to develop the Rule of Law.
2	The UKSC will maintain and increase confidence in the administration of justice throughout the United Kingdom. It will promote transparency in, accessibility to and knowledge of the ways in which justice should be rightly administered. It will thereby promote knowledge of the importance of the Rule of Law, not least as a guarantee of democratic freedom.
3	The UKSC will run an efficient and effective administration, which enables both the UKSC and the JCPC to secure the effective determination of justice, while demonstrating the best possible value for the resources with which they are provided. In particular it will operate case management systems, which provide appropriate measurable monitoring of the throughput of applications and cases, thereby enabling the most effective support of the Justices in their work.
4	The UKSC will promote good relations with all the individual jurisdictions, legislatures and governments in the different parts of the United Kingdom.
5	The UKSC and, as appropriate, the JCPC will similarly develop appropriate relationships with courts in Europe, throughout the Commonwealth and in other countries, especially those which share their common law heritage.
6	The UKSC will demonstrate appropriate corporate social responsibility. In particular it will promote diversity amongst its staff, ensuring they are also representative of all the jurisdictions of the United Kingdom. It will also both source its supplies and consume its resources in ways which contribute as much as possible to sustainable development and the conservation of the world's natural resources.
7	The UKSC, as the statutory custodian of its own records, will provide the most appropriate environment it can for the organisation, preservation and future inspection of those records.
8	The UKSC, as occupant of the former Middlesex Guildhall, will promote knowledge of, and interest in, this historic building, the works of art it houses, especially the Middlesex Art Collection, and more generally the history of the County of Middlesex.

These objectives have informed the the business plan for 2011–12.

Our Values

Whilst the mission and strategic objectives on the preceding page inform our Business Plans, and individual objectives, the way in which we carry out these tasks is underpinned by our values. All staff are expected to follow the core values and behaviours set down in the Civil Service Code. In addition, the values shown below have been the subject of consultation with the staff during the last year, both in all-staff meetings, and in subsequent team meetings. Through that consultation process we have aimed to reflect a shared understanding across the administration of the way in which we approach all our work. Each member of staff is expected to understand and demonstrate these values and we hope they are evident in all that we do.

Impartiality

We will respect judicial independence and deal with all casework fairly and objectively.

Clarity and Openness

We will undertake our work without prejudice in an open and transparent manner.

Professionalism

We will seek to understand other people's pressures and give support to each other. We will treat our colleagues, court users and visitors with respect, and work professionally and co-operatively with outside organisations.

Accountability

We will be responsible for delivering a high quality service to Justices, court users and to the public.

Efficiency

We will use our time, finances and resources effectively and efficiently. We will invite and listen to feedback and continuously look to improve our processes and the services we provide.

Accessibility

We will provide a service that meets the reasonable needs and expectations of users. We will positively promote awareness and understanding of the Supreme Court and interest in the history of the building and the works of art.

Influence

We will be ambassadors for the court, and we will maintain good relations, and share our knowledge and experience, with individual jurisdictions and governments in the UK, and with other courts around the world.

Maintaining Effective Relationships with all Jurisdictions in the United Kingdom

We take our responsibilities as a United Kingdom Court very seriously. It is one of our strategic priorities to maintain effective relationships with the Judges, devolved administrations, and other organisations throughout the United Kingdom. The importance of these strands of activity has been emphasised by the outcome of elections, particularly in Scotland. The position of the UKSC has been both acknowledged and criticised in a way which has brought home to a wider range of people the influence decisions of this Court can have.

Building and maintaining these relationships involve both Justices and staff. It is an expectation that Justices who originate from either Scotland or Northern Ireland will keep in touch with Judges and lawyers in those jurisdictions. Lord Hope has done this throughout the year for Scotland, and since Lord Reed's appointment in January 2012 he also is fulfilling this role. Lord Kerr plays a similar role in relation to Northern Ireland.

Lord Hope is a member of the Judicial Council for Scotland, which meets once a term in Edinburgh.

As has been mentioned elsewhere in the Report, we have been greatly assisted this year, following the tragic illness and death of Lord Rodger, by senior Judges from around the United Kingdom who have sat in the Judicial Committee of the Privy Council and as Acting Judges in the Supreme Court. In all, four Judges from Scotland and four Judges from Northern Ireland, as well as nine from the Court of Appeal of England and Wales and seven retired Judges have assisted in this way.

The Chief Executive visited Scotland in November 2011 when she had meetings with Scottish Government officials, the Faculty of Advocates and the Director of the Judicial Office, as well as attending a Memorial Service for Lord Rodger. UKSC officials were also involved in providing factual evidence to the McCluskey Review team as was Lord Hope, and we have met with officials from the Scottish Government, the Scottish Court Service, the Scotland Office and the Advocate General's Office in London.

The Chief Executive visited Northern Ireland on 5 and 6 September 2011. In addition to attending the ceremonies at the Royal Courts of Justice, Belfast for the call to the Bar and to mark the Opening of the Legal Year, she had meetings with the Lord Chief Justice, the Chief Executive of the Courts and Tribunal Service; the Chief Executive of the Bar Council and colleagues; the Chief Executive of the Law Society; the Chief Executive of the Judicial Appointments Commission; the Chief Executive of the Legal Services Commission; and the Solicitor to the Attorney General and one of his colleagues.

On 7 June 2011 the President of the Supreme Court and the Chief Executive attended the Royal Opening of the Fourth Welsh Assembly in Cardiff. In February 2012 the Chief Executive visited Wales for discussions with the Counsel General, Theodore Huckle QC and with Hugh Rawlings the Director of Constitutional Affairs and Inter-governmental relations. UKSC officials have also met with officials from the Wales Office.

We have welcomed a number of official visitors to the Supreme Court building, including David Ford MLA, the Minister for Justice (Northern Ireland), David Jones MP, Parliamentary Under Secretary of State for the Wales Office and Theodore Huckle QC, the Counsel General for Wales. We also welcomed a number of school, college and university groups from the UK over the year and our work in encouraging more such groups from beyond London and the South East is touched upon in Section Four of this Report.

The UKSC continues to provide a quarterly report on performance, casework and expenditure to representatives of the jurisdictions and the senior judiciary around the United Kingdom. These reports contain information on key areas of activity – operational, customer service, finances, and learning and development. They also include statistics on cases, with details of devolution cases from Scotland and Northern Ireland, non devolution appeals, and performance against a number of targets.

Our Audit Committee includes one representative from Scotland and one from Northern Ireland; and there are representatives from Scotland and Northern Ireland on the User Group, as well as practitioners who practice in the Courts of England and Wales.

Transfer of the Administration of the Judicial Committee of the Privy Council (JCPC)

On 1 April 2011 the UKSC assumed formal responsibility for the administration of the JCPC, and staff who were formerly members of the Ministry of Justice became UKSC staff.

The JCPC remains an entirely separate Court from the UKSC, though largely staffed by the same Justices. But the transfer of administrative responsibility has enabled us to look afresh at the way we provide support services to both Courts. In particular we have now amalgamated the Registries and are part way through a programme of staff training, which will ensure that all Registry staff are capable of dealing with issues arising in either the JCPC or the UKSC. In so doing we were assisted by an independent review conducted by a former member of Her Majesty's Courts and Tribunals Service, and our actions have subsequently been validated through an internal audit.

Details of the JCPC's caseload over the reporting year can be found in Section Three.



Top: The Counsel General for Wales, Theodore Huckle QC, with a group from Bassaleg School, who visited the court in March 2012.

Above left: The Prime Minister of Mauritius, far left, with Lord Phillips, Jenny Rowe and Lord Hope, during a visit in July 2011.

Above right: David Ford MLA, the Minister for Justice (Northern Ireland), on the right, with William Arnold and Jenny Rowe of the Supreme Court during a visit in January 2012.

Left: Lord Hope judged the Edinburgh Primary Schools mooting competition final, organised by Chamberlain McBain, February 2012.



section two

a meritocratic court: the Supreme Court Justices

Judicial appointments during the year

There are twelve Justices of the Supreme Court, including the President and the Deputy President. Two of the Justices are from Scotland and one from Northern Ireland. As well as sitting in the UKSC, the Justices sit in the Judicial Committee of the Privy Council.

For much of the year the Court has operated with only ten full time Justices. The tragic illness and death of Lord Rodger in June 2011 left a significant gap in the Court. At a special sitting of the Court held on 28 June 2011, tributes were paid to Lord Rodger by Lord Phillips and Lord Hope on behalf of the Justices; and by the Lord Advocate, Frank Mulholland QC and by Gordon Jackson QC on behalf of the legal profession. The Dean of the Faculty of Advocates was present, as were a number of other lawyers from Scotland, and from England and Wales.

In addition Jonathan Sumption QC was unable to take up his appointment to succeed Lord Collins, until January 2012. Lord Justice Wilson was sworn in as a Justice of the Supreme Court, to replace Lord Saville, on 26 May 2011.

In July 2011 a Selection Commission was established to recommend a successor to Lord Rodger, and a successor to Lord Brown who was due to retire in April 2012. The Selection Commission comprised Lord Phillips as President of the Court and Lord Hope as Deputy President; Lord Justice Coghlin representing the Judicial Appointments Commission in Northern

Ireland; Sir Muir Russell representing the Judicial Appointments Board in Scotland; and Christopher Stephens representing the Judicial Appointments Commission for England and Wales. The legislation requires at least one member of a Selection Commission to be a lay member – in this instance there were two. The representatives from England and Wales, Scotland and Northern Ireland, were nominated by the Judicial Appointments bodies in the individual jurisdictions, as required by the Constitutional Reform Act 2005.

The legislation does not prescribe the process that a Selection Commission has to follow, although certain requirements are set out in Section 27 of the Act, including that selection must be on merit.

The Selection Commission decided that the vacancy should be advertised and interested and qualified people invited to apply. An information pack was drawn up for potential applicants, which was made available on our website, or by request. The extensive consultation required under the Act, along with the application process itself, does make for a lengthy selection process, but, in this instance, the timetable was shortened so far as possible.

On 20 December 2011, a formal announcement was made by the Prime Minister that Lord Reed would replace Lord Rodger. He was sworn in as a Justice of the Supreme Court on 6 February 2012. In addition it was announced on the same day that Lord Justice Carnwath would replace Lord Brown. He was sworn in during April 2012.

Tribute to Lord Rodger of Earlsferry

An edited version of the tribute paid to Lord Rodger by Lord Hope during a special hearing of the Supreme Court on 28 June 2011.

Two things in particular stand out above all others about Lord Rodger's career. The first was his abiding interest in Roman Law, developed at Oxford, under Professor David Daube. He carried this interest and learning with him throughout his life and from time to time passages from Gaius, Justinian, or the other civilian jurists would appear in his judgments. On one occasion he expressed his entire judgment in Latin. The quality and depth of his scholarship was widely respected, especially in Germany and the Netherlands.

The other was his experience as a Law Officer, of the process of government and of statutory law making. As Lord Advocate he sat in the House of Lords and obtained a unique insight into some of the most acute problems that come before the Court. It is now virtually impossible for former Law Officers to be appointed to the bench. One regrets that, and the contribution that Lord Rodger could make to our debates has gone for ever.

Lord Rodger was by training a Scots lawyer. But he never took anything at face value, and it was never his position that what Scots law says must always be right. He subjected it to the same searching criticism as any other system. The contribution that he made to this Court's recent judgment in *Fraser*, which was the last case on which he sat, and has caused some controversy in Scotland, was entirely in character and should be more widely appreciated.



Lord Rodger at the Opening of the Legal Year, 2010

Lastly, I should like to say something about Lord Rodger's interest in young people. He gave up much of his spare time to travelling about, speaking to law students and academics of all ages. He encouraged them as they developed their careers to adopt the same restless enthusiasm for the subject as he had. Eleven Judicial Assistants passed through his hands in the House of Lords and then in this Court. He spent many hours with them talking about the law, and took a close interest in their welfare. None of them will forget the experience of working with him. Nor indeed will we.

Reviewing the selection process

During the course of this year a number of steps have been taken to review the selection process for judicial appointments generally, including those to the UKSC. In November 2011 the Ministry of Justice (MoJ) issued a consultation paper on judicial appointments and diversity. Copies were sent to the President and Deputy President and a submission was made about those recommendations which impacted on the UKSC. At the time of writing this report the MoJ had not yet announced its conclusions.

In May 2011 the Constitution Committee of the House of Lords instituted an inquiry into judicial appointments. Although they were concentrating on the appointments system in England and Wales, the Committee also examined the process of appointments to the UKSC. Lord Phillips, Lady Hale and Lord Kerr all gave oral evidence to the Committee, and Lord Mance provided written evidence. The Committee's report was published on 28 March 2012.

There has also been continued academic interest in the process of appointments and the relationship with judicial independence and accountability.

Justices' involvement in selection process for international courts

Over the past year the UK Government has had to establish selection processes to nominate a United Kingdom Judge for the European Court of Human Rights, and a United Kingdom Judge for the European Court of Justice. Justices of the Supreme Court have assisted in this process as members of selection panels. Lord Mance, along with Lord Reed when he was a Senator of the College of Justice in Scotland participated in the preliminary stages of the selection process for the UK Judge at the European Court of Human Rights. Lord Mance's place was subsequently taken by Lord Dyson; but Lord Reed continued following his appointment to the UK Supreme Court.

Lord Clarke formed a member of the selection panel to recommend to the Lord Chancellor a candidate to take the post of a UK Judge at the European Court of Justice.

Lord Phillips: appointing the next President of the Supreme Court

On 23 April 2011, Her Majesty The Queen announced that Lord Phillips was to be appointed a Knight Companion of the Most Noble Order of the Garter, the most senior and the oldest British Order of Chivalry. Knights of the Garter are chosen personally by the Queen, and the Order honours those who have held public office or made a particular contribution to national life. Lord Phillips' investiture was held at Buckingham Palace on 13 June 2011.

In October 2011 Lord Phillips announced that he would be retiring as a Justice, and President of the Supreme Court, with effect

from 30 September 2012. This is three and a half months earlier than his statutory retirement date. At the time of writing this report, the Selection Commission to recommend a successor to Lord Phillips had met for its initial planning meeting and the vacancy had been advertised. That Selection Commission comprises Lord Phillips and Lord Hope as President and Deputy President of the Court respectively; Professor Nichola Rooney representing the Judicial Appointments Commission in Northern Ireland; Sir Muir Russell representing the Judicial Appointments Board in Scotland; and Christopher Stephens representing the Judicial Appointments Commission for England and Wales.

Justices of the Supreme Court as at 31 March 2012



Back (left to right): Lord Sumption, Lord Dyson, Lord Clarke, Lord Kerr, Lord Mance, Lord Wilson, Lord Reed
Front (left to right): Lady Hale, Lord Hope, Lord Phillips, Lord Walker, Lord Brown





section three

a court serving the UK and beyond: Jurisdiction and casework

(A) The UKSC

Overview and jurisdiction

The UKSC is the UK's highest court of appeal. It hears appeals on arguable points of law of general public importance, concentrating on cases of the greatest significance. The UKSC is the final court of appeal for all United Kingdom civil cases, and criminal cases from England, Wales and Northern Ireland.

The Court plays an important role in the development of United Kingdom law. The impact of UKSC decisions extends far beyond the parties involved in any given case, helping to shape our society. Its judgments directly affect everyday lives.

The UKSC hears appeals from the following courts in each jurisdiction:

England and Wales

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

Scotland

- The Court of Session

Northern Ireland

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

The devolution jurisdiction of the JPCP transferred to the USKC on its establishment. The UKSC can be asked to give judgments on questions which relate to whether the acts of the devolved administrations in Scotland, Wales and Northern Ireland are within the powers given to them by the UK Parliament. These administrations were established by the Scotland Act 1998, the Government of Wales Acts 1998 and 2006 and the Northern Ireland Act 1998.

The UKSC can also be asked to scrutinise Bills of the Scottish Parliament (under section 33 of the Scotland Act), Bills of the Northern Ireland Assembly (under section 11 of the Northern Ireland Act) and proposed Orders in Council and proposed Assembly Measures and Bills under sections 99 and 112 of the Government of Wales Act.

Devolution cases can reach the UKSC in four ways:

- A question is referred by a court
- An appeal is made against a judgment by certain courts in England and Wales, Scotland and Northern Ireland
- A devolution issue is referred by certain appellate courts
- A devolution issue is directly referred whether or not the issue is the subject of litigation

The UKSC has to consider and rule on the compatibility of United Kingdom legislation with the law of the European Union and the European Convention on Human Rights. In these and some other respects it represents a constitutional court.

Rules and Practice Directions

The underlying procedure of the Court is in many respects the same as that of the Appellate Committee of the House of Lords, but section 45 of the Constitutional Reform Act 2005 imposes upon the President a specific duty in relation to the rule-making power bestowed upon him under section 45(3).

The Constitutional Reform Act 2005 requires that the Rules are ‘simple and simply expressed’ and that the Court is ‘accessible, fair and efficient’ and many of the rigid and detailed requirements in the House of Lords Practice Directions have been dispensed with. The Court 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’. Rule 9(6) provides that, if any procedural question is not dealt with by the Rules, the Court or the Registrar ‘may adopt any procedure that is consistent with the overriding objective, the Act and these Rules’. These words are very important in underpinning the approach adopted by the Court.

The Rules are kept under review and feedback from users is welcomed – both formally through our User Group, or informally in other ways. The Rules and Practice Directions have generally worked well during the Court’s first two years of operation: minor revisions have been made to the Practice Directions to reflect suggestions made by practitioners and to effect a number of improvements.

The Rules, Practice Directions and forms for the UKSC can be accessed on the Court’s website.

www.supremecourt.gov.uk

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

In nearly all cases (except for Scotland) an appellant requires permission to appeal before he or she can bring a case to the UKSC. The court appealed from may grant permission, but where that court refuses permission, the appellant can then apply to the UKSC which has to rule on whether the permission should be granted. Such applications are generally decided on paper by a panel of three Justices, without an oral hearing. There have been two oral permission hearings during the year.

Once the required papers have been filed, an application for permission will normally be determined within eight sitting weeks. In urgent cases, a request for expedition may be made and an expedited application can be determined within 14 days or even less (see Table 1 below).

Applications Received	249
Applications Granted	64
Applications Refused	156
Applications with other result	5

Appeals

Once permission to appeal has been granted, a hearing date is fixed using the time estimate provided by the parties, and the views of the panel considering the application. Hearings last for an average of two days.

Between 1 April 2011 and 31 March 2012:

- 69 appeals were heard, and
- 85 judgments were given.

Sitting Days

Over the year, the UKSC sat for 117 days out of a maximum of 138 possible sitting days (the Court does not sit on Fridays, which are reserved for case preparation and judgment writing, and some other days are unavailable due to official judicial engagements).

The Court's target remains for all appeals to be heard within nine months of the grant of permission. The Court, however, seeks to arrange hearings according to the availability

of parties' legal representatives. In practice it is this factor alone which can prolong the 'life' of an appeal as instructing new Counsel if their Counsel of choice is not available within the target period involves the parties in considerable extra expense.

The UKSC can and has arranged hearings within weeks of the grant of permission in a number of urgent cases (for example, family cases). The Court deliberately allows some gaps in its listing to enable such cases to be heard. The following table indicates urgent cases determined by the UKSC during the year, and the timescales within which they were handled.

TABLE 2 – Urgent appeal cases

Name	Permission to Appeal Application Filed	Hearing (permission to Appeal & Appeal)	Judgment
HK (Children)	10 Oct 2011	Permission refused on 7 November	
Dawn Hill House Limited v Samerenko	7 Dec 2011	Permission refused on 8 December	
Her Majesty's Attorney General (Respondent) v Dallas	25 January 2012	Permission refused on 26 January	
Assange v The Swedish Judicial Authority	15 Dec 2011	Permission granted on 16 December; appeal heard on 1 - 2 February 2012	

section three

a court serving the UK and beyond: Jurisdiction and casework

TABLE 3 – Total UKSC statistics, including all jurisdictions: 1 April 2011 – 31 March 2012

	Total
PTA applications received	249
PTA applications referred to Justices	221
PTA applications not yet referred to Justices	27
PTA applications granted	64
PTA applications refused	156
PTA applications other result	5
PTA fee remissions	13
PTA fee deferred	4
Appeals filed as of right	28
Number of Appeals heard	69
Number of Appeals allowed	37
Number of Appeals dismissed	33
Number of Appeals other result	19
Number of Appeals referred to ECJ	2
Number of sitting days	117
Number of possible sitting days	138
Number of Judgments given	85

TABLE 4 – PTAs from Scotland and Northern Ireland: 1 April 2011 – 31 March 2012

	Total
Permission to Appeal applications received	
Scotland	6
Northern Ireland	17
Permission to Appeal applications granted (some of these were filed during 2010-11)	
Scotland	0
Northern Ireland	2
Permission to Appeal applications refused (some of these were filed during 2010-11)	
Scotland	8
Northern Ireland	8
Appeals/references lodged as of right	
Scotland	16
Northern Ireland	1

Size of panels hearing cases

The Supreme Court Justices usually sit in panels of five, but sometimes in panels of seven or nine. When a panel decides to grant permission to appeal, a recommendation is made if the panel considers more than five Justices should sit. The criteria for making such a recommendation are available on our website, and a notable feature of the UKSC's short history so far is the frequency with which panels recommend the Court sits in larger constitutions.

Easter term

(2 May 26 May 2011):

Seven Justices sat on the following cases:

- R v Waya
(*Heard 5 May 2011*)
- Gale and another v Serious Organised Crime Agency
(*Heard 23–24 May 2011*)

Trinity term

(6 June to 28 July 2011):

Seven Justices sat on the following cases:

- AXA General Insurance Limited and others v The Lord Advocate and others (Scotland)
(*Heard 13–15 June 2011*)
- Edwards v Chesterfield Royal Hospital NHS Foundation Trust, and
- Botham (FC) v Ministry of Defence
(*Heard 22–23 June 2011*)
- R v Gnango
(*Heard 11–12 July 2011*)

Nine Justices sat on the following case:

- Manchester City Council (Respondent) v Pinnock (Appellant)
(*Heard 5–July 2010*)

Michaelmas term

(3 October to 21 December 2011):

Seven Justices sat on the following cases:

- Berrisford v Mexfield Housing Co-operative Limited
(*Heard 5–6 October 2011*)
- Ministry of Defence v AB and others
(*Heard 14–17 November 2011*)

Hilary term

(9 January to 4 April 2012):

Seven Justices sat on the following cases:

- Assange v The Swedish Judicial Authority
(*Heard 1–2 February 2012*)
- R (on the application of KM) (by his mother and litigation friend JM) v Cambridgeshire County Council
(*Heard 7–8 February 2012*)
- R (on the application of ST) (Eritrea)(FC) v Secretary of State for the Home Department
(*Heard 13–14 February 2012*)
- Test Claimants in the Franked Investment Income Group Litigation v Commissioners of the Inland Revenue and another
(*Heard 19–21 February 2012*)
- BH (AP) and another v The Lord Advocate and another (Scotland), and
- KAS or H (AP) v The Lord Advocate and another (Scotland) (*Heard 5–6 March 2012*)
- R (on the application of HH) v Deputy Prosecutor of the Italian Republic, Genoa, and
- R (on the application of PH) v Deputy Prosecutor of the Italian Republic, Genoa
(*Heard 20–22 March 2011*)

Nine Justices sat on the following cases:

- Perry and others v Serious Organised Crime Agency, and
- Perry and others No.2 v Serious Organised Crime Agency (*Heard 27–29 March 2012*)
- R v Waya (Additional hearing)
(*Heard 27–29 March 2012*)

Cases and judgments

While every appeal heard by the UKSC is of legal importance, many also attract considerable public interest owing to their impact on wider society. Some of the particularly high profile cases determined by the Court this year include:

R (on the application of Adams) v Secretary of State for Justice [2010] UKSC 18

In a case in which nine Justices sat, the Supreme Court was asked to determine the circumstances in which compensation would be paid for a miscarriage of justice.

Section 133 of the Criminal Justice Act 1988 provides that compensation should be paid where a conviction has been reversed on the ground that a new or newly discovered fact shows beyond reasonable doubt that there has been a miscarriage of justice. The Supreme Court recognised that the primary object of this was to compensate someone who had been punished for a crime which he did not commit, but it was also an object not to compensate someone who had in fact committed the crime. The court was divided as to whether the right to compensation was restricted to those cases where the new evidence showed that a defendant was in fact innocent of the crime. Five justices held that the ambit of s 133 should extend to defendants whose conviction was quashed because the new or newly discovered fact so undermined the evidence against them that no conviction could possibly be based upon it. It should not however extend to convictions which were simply quashed because they were unsafe.

Four justices, however, dissented on this interpretation, considering that compensation should be reserved to those who were shown to be truly innocent.

Mr Adams was unable to qualify for compensation even under the expanded test laid down by the majority, but the convictions of two other defendants in a related case from Northern Ireland, which were based on impugned confessions to police officers, were held to have met the test.

R (on the application of GC) v The Commissioner of Police of the Metropolis [2011] UKSC 21

In this case the Supreme Court was asked to consider the issue of the retention of DNA samples taken from those who had been investigated in connection with, but not convicted of, a crime.

In 2004 the House of Lords had ruled that the statutory provision giving police forces a discretion not to destroy such data – s 64 (1A) Police and Criminal Evidence Act 1984 – which had led to guidance from the Association of Chief Police Officers (ACPO) that the data should be retained other than in exceptional circumstances – did not constitute an interference with the subjects' rights to privacy under article 8 of the European Convention on Human Rights. The European Court of Human Rights at Strasbourg in 2008 had disagreed that an almost blanket retention policy was compatible with article 8 and the Government had opened a consultation period to consider the appropriate legislative reform. In the meantime, two claimants whose data had been taken and retained despite their not being convicted of any charge, issued proceedings for judicial review.



It was common ground that the earlier House of Lords decision should be overruled in the light of the Strasbourg judgment. The issue was whether the legislation could be interpreted compatibly with that judgment or whether a declaration of incompatibility under the Human Rights Act 1998 needed to be made in respect of s 64(1A). Five of the seven justices hearing this case held that the statute already permitted police to act compatibly with the article 8 rights of those from whom samples were taken and new guidelines could be drawn up.

An interesting issue arose as to the appropriate relief to be granted to the claimants following this finding. As the government intended to bring new legislation into force within a year, it was held to be sufficient to grant a declaration that the present ACPO guidelines were unlawful, without making an order for the destruction of the claimants' biometric data.

Al Rawi and others v The Security Service and others [2011] UKSC 34

The Supreme Court was asked to decide whether a 'closed material procedure' could be ordered in the trial of a civil claim for damages. Such a procedure would permit the Security Service to rely on evidence alleged to be security sensitive, without such evidence being disclosed to the claimants. Instead the claimants' interests would be represented by Special Advocates, who could not take instructions from them, as was familiar from the statutory scheme for hearings by the Special Immigration Appeals Commission. The question arose in the context of claims brought by a number of those suffering detention, rendition and mistreatment by foreign authorities with the alleged complicity of the British security services.

By a majority, the court held that there was no power at common law to introduce such a procedure: only Parliament could make such a change. It involved a departure from the principles of open and natural justice, which were essential features of a fair trial. It could not properly be regarded as a development of public interest immunity, by which a court can rule that certain material can be excluded from the hearing altogether where the public interest requires this.

Ambrose v Harris (Procurator Fiscal, Oban) (Scotland) [2011] UKSC 43

These important appeals arose from the decision of the Supreme Court in *Cadder v Lord Advocate* [2010] UKSC 43, which held that it would infringe the right to a fair trial if the Crown could rely on admissions made by a suspect who had no access to a lawyer while he was being questioned at a police station. The issue in these appeals was whether the right to access to a lawyer prior to questioning applied also at earlier stages, before a person was taken into police custody. These cases involved, variously, admissions made by the roadside, in a police car and during a search of a suspect's home.

Lord Kerr, dissenting, would have held that the evidence was admissible in none of these cases. The majority ruled this was only necessarily so in the last case, when the defendant was definitely in police custody (handcuffs) at the time of his questioning. They were reluctant to lay down a rule which would have far reaching consequences for the investigation of crime by the authorities when the European Court of Human Rights had not yet spoken clearly on the issue. The Supreme Court's role on devolution issues was to identify where the Strasbourg court stood on the issue, not to expand the scope of the right to fair trial further.

R (on the application of Quila and another) v Secretary of State for the Home Department;

R (on the application of Bibi and another) v Secretary of State for the Home Department [2011] UKSC 45

In these cases the Supreme Court was asked to rule on the lawfulness of the ban on entry for settlement of foreign spouses under the age of 21 in the Immigration Rules, a measure intended to deter or prevent forced marriages. The challenges were brought by two spouses who had entered consensual marriages with UK citizens, who argued that the application of the ban in their cases infringed their right to family life, protected by article 8 of the European Convention on Human Rights.

The Supreme Court held (by a majority of 4 to 1) that the Secretary of State had failed to establish that this interference with the appellants' rights was justified. Although the ban had a legitimate aim and was rationally connected to the objective of protecting those at risk of forced marriages, its efficacy was highly debateable. No robust evidence had been adduced that the measure had any deterrent effect. The effect on bona fide couples vastly exceeded those deterred from forced marriages, and the Secretary of State had failed to exercise her judgment on this unbalance, to ensure the ban was necessary to accomplish the objective.

Lord Brown would have held that government policy in such a sensitive context should not be frustrated except in the clearest cases, of which this was not one.

AXA General Insurance Limited and others v The Lord Advocate and others [2011] UKSC 46

Insurance companies indemnifying employers' liability for negligence sought to challenge the lawfulness of an act of the Scottish Parliament, the Damages (Asbestos-related Conditions) (Scotland) Act 2009 ('the Act'). The Act was intended to reverse a decision of the House of Lords which held that the development of pleural plaques in the lungs as a result of exposure to asbestos did not constitute injury which could give rise to a claim for damages. As a result of the Act, insurers continued to be at risk in Scotland, when they were not in other parts of the UK.

The insurers argued that the Act was incompatible with the right to the peaceful enjoyment of property protected by Article 1 of Protocol 1 of the European Convention on Human Rights, and was also open to judicial review as an unreasonable, irrational and arbitrary exercise of the legislative authority of the Scottish Parliament.

The Supreme Court agreed that the liability to pay compensation was a possession protected under the Convention, and that the Act therefore had to be pursuing a legitimate aim and be reasonably proportionate to the aim pursued. On issues involving questions of social policy, the elected body's judgment should be respected unless it was manifestly without reasonable foundation, which this was not. The balance here was correctly struck, as claims against employers could only succeed if there had been negligence, and the Act could be seen as preserving the status quo before the House of Lords' decision. Thus it was within the legislative competence of the Scottish Parliament.

(B) The JCPC

Overview and jurisdiction

The JCPC is the Court of final appeal for the British Overseas Territories and Crown Dependencies and for those Commonwealth Countries that have retained the appeal to Her Majesty in Council or, in the case of Republics, to the Judicial Committee. A list of the relevant Countries is at Annex A (page 94). Although the Judicial Committee was instituted by a United Kingdom Act, the substantive law which it applies is the law of the Country or Territory from which the appeal comes. The Judicial Committee therefore plays an important role in the development of law in the various constituent jurisdictions and the impact of its decisions extends far beyond the parties involved in any given case, and often involves questions arising out of the relevant Constitution and/or the fundamental rights and freedoms of the inhabitants of the Country or Territory.

In October 2009 the JCPC moved to Parliament Square to be co-located with the Supreme Court.

Rules and Practice Directions

The underlying procedure of the JCPC is in many respects the same as that of the UKSC. The Rules are kept under review and feedback from users, whether formally through the User Group or informally in other ways, is welcomed. The Rules, Practice Directions and forms for the JCPC can be accessed on the JCPC website at: www.jcpc.gov.uk

The Procedure for Appealing

Unlike in the UKSC where, in most cases, an Appellant requires permission to appeal before he can bring an appeal, the Judicial Committee hears a number of appeals ‘as of right’.

The right of appeal to the JCPC is largely regulated by the Constitution and legislation of the relevant jurisdiction or by Order in Council. In broad terms, provision for leave ‘as of right’ is made where the value of the dispute is more than a specified amount or where the appeal raises questions as to the interpretation of the Constitution of the Country concerned. In other civil cases, leave may be granted by the Court appealed from or, on application, by the JCPC itself. The JCPC has, since 2010, clarified the position in relation to appeals as of right and the granting of leave in two decisions: *E Anthony Ross v Bank of Commerce (St Kitts and Nevis) Trust and Savings Association Limited* [2010] UKPC 28 and *Dany Sylvie Marie Dhojaven Vencadasmy and 103 others v. The Electoral Commissioner (Mauritius)* [2011] UKPC 45.

The JCPC receives a number of applications for permission to appeal in criminal cases including ‘death row cases’. Permission to appeal is granted in criminal cases for applications where, in the opinion of the Board, there is a risk that a serious miscarriage of justice may have occurred.

The timescale for dealing with applications for permission to appeal in the JCPC is often dependent on the actions of local Attorneys or of the relevant court from which the appeal is brought. Although the JCPC can, and has, dealt with applications for permission to appeal quickly, an application for permission would normally be determined with 12 sitting weeks.

Applications Received	65
Applications Granted	6
Applications Refused	41
Applications with other result	1

Appeals

As in the Supreme Court, the hearing date for an appeal is fixed using the time estimate provided by the parties or by the Panel which granted permission to appeal, and appeals are almost invariably listed to the convenience of the parties involved, particularly if they are having to travel long distances.

Between 1 April 2011 and 31 March 2012:

- 49 appeals were heard, and
- 32 judgments were given.

Sitting Days

Over the year, the JCPC sat for 65 out of a possible 138 sitting days. The JCPC usually sits as a Board of five although it has in the past sat as a Board of seven (e.g. the references in relation to the Chief Justice of Gibraltar and Madam Justice Levers).

Following an invitation from the Mauritian Government, five Justices travelled to Mauritius to hear seven appeals to the JCPC between 26–30 March 2012. This follows a similar visit in 2009 and reflects practice before the JCPC was co-located with the UKSC, and is arranged for the convenience of the parties who would otherwise have to travel to London to have their appeals heard.

TABLE 6 – Total JCPC statistics, including all jurisdictions: 1 April 2011 – 31 March 2012

	Total
PTA applications received	65
PTA applications referred to Justices	46
PTA applications not yet referred to Justices	12
PTA applications granted	6
PTA applications refused	41
PTA applications other result	1
PTA fee remissions	10
PTA fee deferred	0
Appeals filed as of right	36
Number of Appeals heard	49
Number of Appeals allowed	11
Number of Appeals dismissed	28
Number of Appeals other result	1
Number of Appeals referred to ECJ	0
Number of sitting days	65
Number of possible sitting days	138
Number of Judgments given	32

Cases and judgments

A number of JCPC cases attracted particular public interest over the course of the year, including:

Deenish Benjamin and Deochan Ganga v The State of Trinidad and Tobago [2012] UKPC 8

Benjamin and Ganga were convicted on 4 December 2006 of the murder of Sunil Ganga on 12 July 2003. The mandatory sentence of death was imposed on both and upheld on appeal. They appealed to the JCPC against their conviction and sentence.

Part of the prosecution case relied on confessions made by the two men at the police station, which they denied making. They claimed that the judge should have directed the jury to disregard these statements if they considered they had been obtained by oppression. The JCPC agreed, on the basis that the jury might have concluded that they had in fact made the statements but as a result of improper conduct by the police. However, the weight and strength of the other evidence against the men meant that a miscarriage of justice had not occurred, as the direction would not have made a difference.

The men raised for the first time before the JCPC their fitness to plead, relying on new expert evidence concerning their low intelligence. The JCPC repeated its grave concern about the production of such evidence at such a late stage but accepted that the reports raised a substantial issue about the fairness of the trial and the safety of the convictions. It decided to

remit the appeals to the Court of Appeal of Trinidad and Tobago to consider which issues need to be reviewed in the light of this fresh evidence, but as it currently stood consideration could be given to fitness to plead, the reliability of the confessions and the availability of a defence of diminished responsibility.

Dany Sylvie Marie and Dhojaven Vencadsamy and others v The Electoral Commissioner, The Electoral Supervisory Commission and The State of Mauritius [2011] UKPC 45

The appellants in this appeal from Mauritius had proposed to stand as candidates in the general election of May 2010. Their nomination papers were, however, rejected as invalid on the ground that they had failed to make the required declaration as to the community to which they belonged. The appellants challenged these decisions by a notice of motion in the Supreme Court of Mauritius. The judge refused their application and, under the Constitution of Mauritius, 'the determination of the judge shall not be subject to appeal'. An application for special leave was therefore made to the JCPC.

The JCPC held that the Constitution had preserved the jurisdiction to grant special leave of the JCPC, but other provisions of the Constitution or Mauritian law could limit or abrogate this power. In election cases it was clear that the intention of Parliament had been to permit only one local challenge to decisions of returning officers within a tight time scale in order to ensure that a final determination was made before the election. Thus the JCPC did not have power to grant special leave in such cases.

The JCPC went on to advise that it would not have granted special leave in this case in any event as it remained open to the appellants to mount a constitutional challenge to the electoral system, if the issues could not be resolved politically. Such a challenge would be based on evidence put before the Supreme Court and the Court of Appeal in Mauritius, and any appeal to the JCPC thereafter would have the benefit of the views of these courts.

Max Tido v The Queen [2011] UKPC

On this appeal from the Bahamas, the JCPC considered the appeal of Max Tido against his conviction and sentence to death for the murder of Donnell Conover on 30 April 2002. There were two main issues before the JCPC: whether the judge should have permitted a dock identification of the appellant, and whether his case fell within the wholly exceptional category of killing that warranted the imposition of the death penalty.

Donnell Conover was a 16 year old girl who was persuaded by a telephone call to leave her house at about 1.20am. She was found dead later that morning, having suffered severe head injuries. An attempt had been made to burn her body. The appellant was identified as a man who made a telephone call at 1.20am at the restaurant from which the call to Ms Conover had been made, both before and during the trial, when the appellant was in the dock. The JCPC reiterated that dock identifications were not inadmissible in themselves, but a judge must consider whether a fair trial will be imperilled and give the jury careful directions as to the danger of relying on such evidence. In

this case, the judge had failed to address or consider why an identification parade had not been held and had not properly exercised her discretion. However, the other evidence against the appellant was overwhelming and no miscarriage of justice had taken place.

The principles governing the imposition of the death penalty were reaffirmed by the JCPC:

- (i) it should be reserved for extreme and exceptional cases ('the worst of the worst'), and
- (ii) for cases where there was no prospect of reform of the offender, and the object of punishment could not be achieved by any other means than the ultimate sentence of death. Both had to be satisfied.

This case involved a dreadful crime but it was not within the wholly exceptional category. It was not planned, nor was it accompanied by unusual violence. Thus the appeal was allowed and the matter remitted by the JCPC to the Supreme Court of the Bahamas for the imposition of the appropriate sentence. It was not necessary to consider the second principle; but the JCPC indicated that in cases in which the death penalty was being contemplated, a sentencing court should always have a psychiatric report on the appellant before being able to determine whether there was any prospect of reform.



section four

an open and engaged court

One of the UKSC's key objectives is to be open and accessible, presenting the United Kingdom with a clear demonstration of justice being delivered at its highest domestic court.

This year, the second full year of our existence, has involved us in concentrating on providing a more in-depth experience to visitors, particularly students, and enhancing the service we provide the media, including successfully managing some very high profile cases.

Improving our welcome to visitors

The establishment of the Supreme Court gave us many opportunities to show the wider public how justice is delivered at the highest level.

The court building is open to the public from 9.30 am to 4.30 pm Monday to Friday.

During the year we received almost 75,000 visitors, compared with 72,000 last year (a 4% rise). As part of our commitment to reducing the net cost of the court, we introduced a small charge for guided group tours of the building, where the party is not in full-time education. During these tours, which are generally conducted on Fridays, visitors see a welcome film from the President of the Supreme Court explaining how the Justices perform their role, as well as gaining access to parts of the building not normally open to the public, such as the Library. These tours have generated much positive feedback.

We have also re-organised our leaflets, consolidating the information in the previous three leaflets into one new guide, with easier to understand maps and information. For those people wishing to find out more, we have, for a small charge, a more comprehensive brochure covering in

more detail the historical and architectural features of the court.

We took part in the 'Open House London' weekend for a second time, providing architect-led tours for pre-booked groups with the kind assistance of Hugh Feilden, the lead architect of the refurbishment project. We also held four other informal open days and improved the visitor experience on these occasions by extending the range of information about the building's artwork, setting up children's activities and placing on show objects such as a Justices' ceremonial gown.

Educating and inspiring

We welcomed 318 educational groups for visits to the court over the year, a reduction of 11% against the 358 conducted during 2010-11. This is largely explained by our reserving Fridays for 'paid for' guided tours and other activities.

We have sought to develop further what we offer students. As well as providing educational tours of the building and an opportunity to sit in on a hearing, our exhibition area gives information about our work and the legal system in the UK. It also includes interactive displays about cases and constitutional milestones. We ask group leaders to complete a questionnaire in advance so that we can tailor our tour content to their particular curriculum requirements. We have also designed a UKSC quiz sheet for younger visitors, who receive a certificate for correctly completed answers.

As it has always been among the UKSC's principal objectives to educate and inspire people about the UK justice systems and the rule of law, we are always seeking to

identify new areas of work to achieve this. Last year we formalised our partnership with the National Council for Citizenship and the Law (www.nccl.org.uk) and now provide one day workshops for selected Sixth Form groups. We produce background briefing notes on a previous appeal case for the students so they can study the detail of an appeal; upon arrival they are arranged into different teams and are then helped by our Judicial Assistants and other volunteer lawyers to prepare their arguments. A debate is then staged in our main courtroom, judged by a group of their peers. These days are always popular with both students and staff, and feedback from the sessions suggests an increase in the students' knowledge and understanding of how the justice system works and of the role of the courts.

We have also continued our support for 'Big Voice London', a student led project involving young people from a range of educational institutions across London, who might not have traditionally considered a career in law. The project gives the students the opportunity to engage in issues of legal and political advocacy over 11 months, with participants giving up their own time to be involved. The 2011 cohort produced an independent report, 'Equality and the law', based on their research and experiences over the year. Lord Kerr took part in a panel discussion on equality issues and a Judicial Assistant gave a talk about legal careers to the 2011 cohort, and Jenny Rowe welcomed the 2012 group at a launch event held at UKSC.

We are pleased to report that we have welcomed an increased number of educational groups from beyond England over the year. These included groups from: Aberdeen University; Edinburgh Academy; Glasgow High School; Bathgate Academy; Downs High School; Sacred Heart School, Newry;

Yale College, Wrexham; Cardiff University; Glamorgan University; Croesyceileiog School, Cwmbran; Bassaleg School; Cardiff High School and Crickhowell School. This is a considerable increase on the number of schools and colleges from outside England that we welcomed in 2010–11. However, the vast majority of our visits are still from London and the South East, and we will continue to explore ways of encouraging schools from the other UK jurisdictions to visit the Court.

Enhancing our exhibitions

The Court has a dedicated exhibition area which provides opportunities for visitors to find out in an engaging way about the UK's legal systems, the role of the UKSC and that of the JCPC. During the year we introduced several enhancements including a wider range of cases and judgments in our interactive displays, exhibiting a Justice's ceremonial gown and displaying an animated film about the history and work of the JCPC. We again created a temporary exhibition for the summer recess: the subject was supreme courts from around the world, comparing the function and buildings of several overseas supreme courts.

Consolidating media relations

Having built close relationships with many media organisations, this year we have worked at consolidating those, to help us communicate the work of the UKSC to the widest possible range of audiences. To coincide with our second anniversary, The Guardian ran a major feature about the court, and to facilitate this we arranged interviews with four Justices, including the President and Deputy President. This resulted in a double page spread in the printed version of the newspaper with much more, including recordings of the interviews, on The Guardian's website.

Top: Court 1 hosted an evening event arranged by Inspirational You, an organisation that encourages professional development among young adults predominantly from minority ethnic groups.

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Below left: A live web stream of UKSC proceedings is now available through the Sky News website.

Below right: The High Sheriff of London held two awards ceremonies at the court during the year, each attended by Justices. The awards give judges the opportunity to reward witnesses whose contribution led to the successful conviction of criminals.

Bottom: The Big Voice London 2011 concluding event, held in the Lawyers' Suite in December 2011, gave participants a chance to share their experiences and findings with each other



There was significant media interest in a number of appeal hearings over the year, with the most notable being Julian Assange's appeal against extradition to Sweden. We arranged accreditation for up to 90 journalists, many of whom were from foreign media outlets, and provided overflow working facilities for those unable to secure a seat in the courtroom. As many members of the media were unfamiliar with our proceedings we produced a more detailed summary of the case, giving more explanation of the history and providing contacts for further information.

We have been more proactive in issuing decisions on Permission to Appeal applications. We now issue media alerts whenever there is a decision on an application of wide public interest.

The swearing-in of three new Justices during the year also provoked interest from a variety of newspapers and specialist magazines, and several interviews were conducted.

We have continued to keep a wide range of media contacts updated about the programme of forthcoming judgments, and issue press summaries to accompany judgments when they are handed down. We also issue a list of cases likely to be of particular interest, at the beginning of each legal term.

In February we launched our own profile on the microblogging site, Twitter – the first Supreme Court in the world to do so – to enhance our communication with a range of external stakeholders. The tool provides a way of communicating judgments and other key news very concisely and quickly to a large

number of people. This has provoked a great deal of interest among the legal profession and beyond, with approximately 7,000 users now 'following' the Court on Twitter.

Strengthening our online presence

We received almost 390,000 distinct visitors to the UKSC website over the year, from virtually every country in the world. This is a very significant increase on the previous year, representing 64% growth. We want to take all reasonable steps to ensure that the UKSC and JCPC websites are as accessible as possible to those who are blind or partially sighted, and so during the year we arranged for them to be audited by the RNIB. Although they confirmed that we complied with accessibility regulations, they made several recommendations for reasonable adjustments which have since been implemented throughout the year. We also carried out our first survey of website users, which indicated that more than 85% of visitors are 'satisfied' or 'very satisfied' with the websites, and that they can readily find the material they need. We will be reviewing some specific areas of feedback over the next year.

GOING LIVE ONLINE

Another key innovation launched over the course of the year was live video streaming from the Supreme Court, available via the Sky News website. This service essentially makes available to the public, in real time, the footage which has always been available to mainstream broadcasters. The fact that court proceedings can be viewed over the internet – from the comfort of one's home or office – has been extremely popular with journalists, legal professionals and students in particular. Since launch, the service has been receiving an average of 25,000 unique users a month.

Listening to our users

We have established a joint User Group covering both the UKSC and the JCPC. User Group meetings are chaired by Lady Hale and attended by the Chief Executive and the Registrar. Other Justices/officials attend when particular issues are being discussed.

The User Group meets twice a year, once in January and a second meeting in June or July. A variety of users are involved, including Barristers clerks, solicitors and members of the Bar from around the UK. Agendas and papers are circulated to a wide range of users, with meetings typically attended by between 20 and 30 people. Minutes of the meetings are placed on our website.

Over the past year issues discussed by the User Group have included amendments to the Practice Directions; preparation of authorities and core volumes; timetabling of pre-hearing submission of papers; pro bono costs; the implication of legal aid reform; Court dress; and a range of IT related issues. We have held a general awareness-raising seminar for Court users on electronic presentation of material, and a special awareness raising event for the parties involved in the Trigger litigation, which took place in December 2011.

A number of members of the User Group, and their colleagues, have assisted us with the educational work we are taking forward with the NCCL and we are extremely grateful to them.

Maintaining links with Middlesex

The Justices and staff of the Supreme Court value the historical relationship with Middlesex which is evident throughout the Court building

– from the position of the Middlesex Regiment Memorial to the left of the entrance hall, to the Middlesex County emblem which can be found on light fittings and carvings, and Middlesex memorabilia in the exhibition area.

The building houses the majority of the Middlesex art collection. This is managed by a set of Trustees entirely separately from the Court, but, at our invitation the Trustees have resumed the practice of holding their quarterly meetings in the Supreme Court building. We have also worked with the Trustees this year to facilitate the inclusion of information on the collection in the Public Art Foundation Catalogue, which we expect to be published within the next reporting year.

We maintain close links with the successors to the Middlesex Regiment. On 7 May 2011 the Chief Executive attended the annual Service of Remembrance at St Paul's Cathedral to mark Albuhera Day, and on 12 November 2011 the Middlesex Regimental Association held their annual Service of Remembrance in the building. Wreaths were laid by Colonel Rex Cain, the President of the Middlesex Regimental Association and Lord Kerr, one of the Justices of the Supreme Court. The Chief Executive of the Supreme Court read one of the lessons. After the ceremony refreshments were provided for those attending, who were also given a tour of the building.

Tours have also been arranged for a number of groups specifically from Middlesex over the course of the year – including approximately fifty members of the Womens' Institute, who came to see the court and enjoy an afternoon tea to mark the centenary of their founder chairing the county Institute's first meeting in this very building.



section five

a court on an international stage

The Court's Business Plan for 2011–12 described how international interest in the organisation has increased as the Court has become a more established feature of the constitutional and judicial landscape.

Developing appropriate relationships with courts in Europe, throughout the Commonwealth and in other countries provides a means of deepening and broadening shared understanding of common law jurisprudence. It also creates a platform for sharing good practice in the development of an independent judiciary as an essential pillar of state.

As well as the thousands of overseas tourists who have passed through the building, we have welcomed a range of visitors in professional capacities from many countries, including the following:

Judicial visitors

DELEGATIONS

30 Judges and officials from the *Municipal & District Courts of Beijing* (headed by Mr Zhang Xiaokun, senior judge of the Beijing High People's Court)

Judges from the *Egyptian Court of Cassation*
Judges from *Ethiopia* (including the President of the Supreme Court and the Minister of Justice)

Judges Association of the *Court of Appeal in Turku, Finland*

24 Judges from the *Law Commission of Jiangsu Province in China*

Judges from the *Nigerian Supreme Court* and *Court of Appeal*

25 Judges and officials from *Thailand*
Leonid Fesenko (President of *The High Specialized Court of Ukraine* for Civil and Criminal Cases), Mykhailo Vilgushynskyi (Deputy President), Judge Boris Hylko and Judge Roman Sakhno
Judge Natalia Liaschenko, Judge Bohdan Poshva and Judge Volodymyr Pyvovar from the *Ukrainian Supreme Court* as part of a study visit.

Plus small groups of judges from *Lesotho, Singapore, Spain, and Sudan*

INDIVIDUALS

Justice Rosalie Abella (*Supreme Court of Canada*)
Chief Justice of Afghanistan

Mr Justice Ahn (*Korean Supreme Court*)

Justice James Allsopp
(*President of the Court of Appeal of New South Wales*)

Dr Chen (*Justice Constitutional Court of Taiwan*)
Judge Jacek Chlebny (*Supreme Administrative Court of Poland*) as part of the *Association of the Councils of State and Supreme Administrative Jurisdictions of the EU's Judicial Exchange Programme 2011*

Judge Dr Ricardo Costa and Santiago Quián Zavalía (*Argentina*)
Justice Martin Daubney
(*Supreme Court of Queensland*)
Honourable J Ernest Drapeau
(*Chief Justice of New Brunswick*)
Judge (Dr) Rhona Fetzter (*German Federal Court of Justice*) as part of the exchange scheme run by the Network of Presidents of the Supreme Courts of Europe
Justice Abel Fleming (*Argentina*)
District Judge Foote (*United States*)
Lawrence Gidudu (*Ugandan High Court Judge*)
Dr Aldo Grassi (*Italy*)
Justice Pauline Koskelo (*Supreme Court of Finland*)
Judge Brian McKenzie (*British Columbia*)
Madam Justice Larlee (*New Brunswick Court of Appeal*)
Honourable Justice Geoffrey Ma (*Chief Justice of the Court of Final Appeal of Hong Kong*)
Chief Justice of Mauritius
Judge Pavel Simon (*Supreme Court of the Czech Republic*) as part of the exchange scheme run by the Network of Presidents of the Supreme Courts of Europe
Mr Justice Skweyiya (*Constitutional Court of South Africa*)
Jim Spigelman (*Former Chief Justice of New South Wales*)
Chief Justice Warren (*Chief Justice of Victoria*)
Justice Margaret White (*Queensland Court of Appeal*)
Justice Hong Woo-Park (*South Korea*)

Lawyers and Academics

British-German Jurists Association
State Bar of California
Six Russian Lawyers
US Temple Bar Scholars
Yves Laurin (*lawyer and academic from Paris*)

Diplomats, Ministers and other officials

Dr David Collins QC (*Solicitor General of New Zealand*)
David Ford MLA (*Minister of Justice, Belfast*)
Governors General of British Overseas Territories
Professor Dr Erik Kerševan (*Secretary General of the Constitutional Court of Slovenia*)
Simon Kwang (*Registrar of the Court of Final Appeal of Hong Kong*) and staff
Wilbert Mandinde (*Deputy Executive Secretary Law Society of Zimbabwe*)
Saed Mirza (*General Prosecutor of Lebanon*)
Professor Githu Muigai (*Attorney General of Kenya*)
Dr Navinchandra Ramgoolam (*Prime Minister of Mauritius*), and the High Commissioner of Mauritius
Qatari Prosecutors
Romanian Justice Minister
Minister of Justice, Trinidad & Tobago
Vice Chairmen of the National Assembly of Vietnam



Top: Lord Phillips and other members of the UK party with some of their hosts during the official visit to China, September 2011.

Above left: Judges of the High Specialized Court of Ukraine for Civil and Criminal Cases, alongside some of the Supreme Court Justices, Feb 2012.

Above right: Lord Phillips receiving flowers at a ceremony during which he was presented with the Kalinga Institute of Social Sciences Humanitarian Award, Bhubaneswar, April 2011.

Right: Members of the State Bar of California in Court 1 during their week-long visit to the UK, May 2010.



Sharing good practice globally: Justices' international links

A number of the Justices have participated in international meetings and associations dealing with judicial and legal issues. They include the following.

Visit to China

In September 2011 four of the Justices (the President, the Deputy President, Lord Mance and Lord Clarke), together with Lady Justice Arden, representing the judiciary of England and Wales, paid an official visit to the Republic of China at the invitation of the President of the Supreme People's Court and the Chief Justice of the Final Court of Appeal of Hong Kong.

The Justices spent three days in Beijing, three in Shanghai and three in Hong Kong visiting criminal, civil and family courts; and having a range of discussions with the senior judiciary and senior legal academics about human rights and the rule of law. Lord Phillips and Lord Hope also each gave

lectures to university law students and Lord Mance and Lord Clarke gave a seminar on commercial law. There were also discussions with British lawyers working in those jurisdictions hosted by the British Chamber of Commerce in both Shanghai and Hong Kong.

The Supreme People's Court bore the in-country costs in China. The UKSC paid for the flights to Beijing, from Shanghai to Hong Kong and back to London from Hong Kong and also bore the costs of accommodation and travel within Hong Kong. The total amount born by the UKSC for this trip was £27,564.

Lord Phillips invited the President of the Supreme People's Court to pay a return visit

to the UK in 2013; and UKSC Justices will continue to sit by invitation for up to a month in the final court of Appeal of Hong Kong.

Immediately before the visit, Lord Phillips went to Mongolia where he delivered a speech to an audience of judges, prosecutors and lawyers – the first occasion on which such an event had taken place in Mongolia.

Lord Phillips went to Doha, Qatar on a judicial exchange with the Qatar judiciary. Lord Phillips also attended a meeting of the Network of Presidents of the Supreme Courts of the EU in Sofia, Bulgaria. As part of the anniversary of the Constitutional Court of Russia, Lord Phillips attended a conference in Moscow and St Petersburg.

Summary of Justices' international visits



Lord Phillips and Lord Clarke spoke at the American Inns of Court in Washington, USA and they both met and spoke to the judiciary and KISS & KITT University, in Bhutan and India.

Lord Phillips attended the opening of the legal year at the European Court of Human Rights in Strasbourg, and separately attended a seminar with visiting judges from the same court.

Lord Phillips gave an address to the American Law Institute in San Francisco.

Lord Walker gave the Sultan Azlan Shah Law Lecture lecture in Malaysia, and separately visited the same country as part of a training seminar with Lincoln's Inn.

Lady Hale attended Yale Law School's 15th Global Constitutional Seminar 4-day conference in September and was part of the Women in Judiciary panel that took place.

As part of his duties as a member of a seven member panel set up by the Treaty of Lisbon, Lord Mance made three trips to

Brussels. He also attended and spoke at a conference for Georgian, Armenian and Azerbaijani judges in Tbilisi in April.

At the invitation of Reinier van Zutphen, the President of the Dutch Association for the Judiciary, Lord Mance visited Utrecht, Netherlands and spoke at a meeting about the Magna Carta of Judges.

In July, Lord Mance attended a conference in Buenos Aires, Argentina organised by New York University.

In January and in February Lord Mance gave talks at the Law School academic ceremony for the University of Muenster and the University of Heidelberg, Germany respectively.

Lord Mance also attended the Senate Meeting of the European Law Institute in Vienna.

Lord Clarke went to Malaysia where he gave a speech at the Maritime Shipping Conference, which was hosted by the

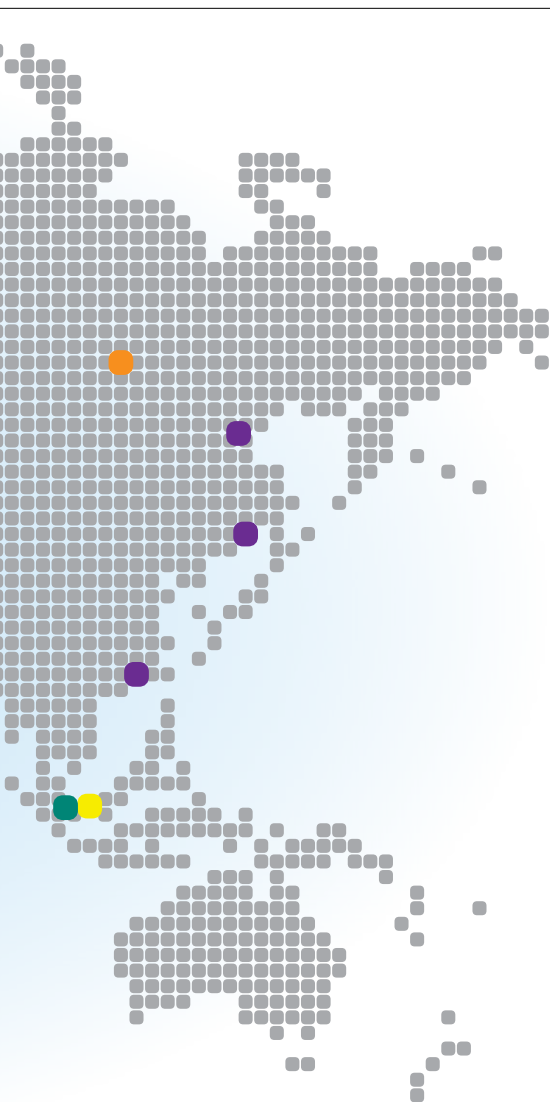
Maritime Institute of Malaysia.

Lord Dyson represented the UK at the annual meeting of the Association of the Councils of State and Supreme Administrative Jurisdictions of the EU annual meeting in Madrid as UK representative.

Costs

As a general rule, all international travel and accommodation costs were paid for by the host country or institution.

As noted in Section Three, following an invitation from the Mauritian Government, Lord Hope, Lord Brown, Lord Mance, Lord Dyson and Lord Sumption travelled to hear seven appeals in Mauritius during the last week of March 2012. International travel and accommodation costs for this judicial business were paid for by the Mauritian Government; the court bore the cost of UK travel and freighting of papers totalling £4,353.54.



- Official visit to Republic of China by four Justices and Arden LJ – Sept 2011
- Lord Phillips in Mongolia – Sept 2011
- Lord Phillips at a judicial exchange in Doha, Qatar – Dec 2011
- Lord Phillips attends Network of Presidents meeting in Sofia, Bulgaria – Oct 2011
- Lord Phillips attends conferences in Moscow and St Petersburg – Oct 2011
- Lord Phillips and Lord Clarke at American Inns of Court, Washington – March 2011
- Lord Phillips and Lord Clarke at KISS and KITT University, Bhutan and India – April 2011
- Lord Phillips at opening of the ECtHR legal year, Strasbourg – Jan 2012
- Lord Phillips at American Law Institute, San Francisco – May 2011
- Lord Walker spoke in Malaysia – Nov 2011
- Lady Hale at Yale Law School – Sep 2011
- Lord Mance in Brussels for Treaty of Lisbon panel
- Lord Mance spoke in Tbilisi, Georgia – April 2011
- Lord Mance spoke in Utrecht, Netherlands – June 2011
- Lord Mance attends conference in Buenos Aires, Argentina – July 2011
- Lord Mance spoke at Universities of Meunster and Heidelberg, Germany – Jan-Feb 2012
- Lord Mance attends meeting in Vienna – Feb 2012
- Lord Clarke spoke in Malaysia – Sep 2011
- Lord Dyson represented UK in Madrid, Spain – May 2011



section six

a well supported court: corporate services

Like any public organisation, the administration of the Supreme Court (and, by extension, that of the JCPC, which it also supports) has in place structures and safeguards to ensure proper accountability and clear lines of responsibility. We are keen to ensure we maintain a culture where these structures facilitate the efficiency and innovation that we need to display in order to deliver our objectives, set out in Section One.

We know our people, whether Justices or administrative staff, need to be properly supported and resourced, and have the right IT infrastructure, in order to meet the challenging goals we have set. They also need the right environment in which to do this. This year, we have continued to invest prudently to create an infrastructure fit for our stretching purpose as the highest court in the land.

Our governance

The administration of the Supreme Court is a non-ministerial Department, established by the Constitutional Reform Act 2005 (CRA). The Court is supported by a Chief Executive, Jenny Rowe. She holds a statutory office created by s48 of the CRA; and she must carry out her functions in accordance with any directions given to her by the President of the Court, to whom she reports, although she may not act inconsistently with the standards of behaviour required of a civil servant, or with her responsibilities as Accounting Officer. The Chief Executive was appointed, initially in advance of the creation of the UKSC in 2008, by the then Lord Chancellor after consultation with the then Senior Law Lord (Lord Bingham). The President of the Court appoints the officers and staff of the Court, but under s48(3) of the CRA the President of

the Court may delegate to the Chief Executive this function and all other non-judicial functions of the Court; and the present President, Lord Phillips, has indeed chosen so to delegate them.

The Chief Executive, officers and staff of the Court are all civil servants. They have their pay, terms and conditions determined as such, although the CRA provides that the Chief Executive may determine the number of officers and staff of the Court and the terms on which they are appointed, with the agreement of the Lord Chancellor. Some staff transferred from the House of Lords to become civil servants at the same time as the Law Lords became the Justices of the new Court. Some staff moved with the Judicial Committee of the Privy Council from 9 Downing Street: these became UKSC staff on 1 April 2011, when the administration of the two courts (which remain separate courts) was merged (see Section One). Other members of staff came from the Ministry of Justice and some from other Government Departments.

Under the CRA the Lord Chancellor must ensure the Court is provided with such accommodation and other resources as he thinks are appropriate for the Court to carry on its business. The Chief Executive is placed under a parallel statutory duty to ensure that the Court's resources are used to provide an efficient and effective system to support its business. This is why the administration of the Court is as a non-ministerial Department. It is not part of the Ministry of Justice and does not report to the Lord Chancellor.

The Justices regard maintaining tangible independence from both the Legislature and

The Supreme Court is symbolically situated close to the heart of government, on Parliament Square, but it is an independent body



the Executive (in the shape of the Ministry of Justice) as a key constitutional objective. This is particularly important because the Government is in practice a party in slightly more than half the cases in which an application is made or a hearing takes place before the Court. The Chief Executive is therefore also an Accounting Officer in her own right, accountable directly to the House of Commons Public Accounts Committee.

The Chief Executive has two immediate deputies, the Director of Corporate Services (William Arnold), who is also the deputy Accounting Officer, responsible for the institutional and organisational side of the Court; and the Registrar (Louise di Mambro), who is the Court's senior lawyer and responsible for the progress of cases and the Court's business.

Corporate Services cover broadly:

- accommodation & health and safety
- finance
- human resources
- communications, publicity, events and educational outreach; and
- records, IT and library services.

The Registry functions cover:

- the listing and progress of applications for permission to appeal
- the actual hearing of appeals
- the issuing of judgments, and
- the resolution of disputed costs issues.

The Registrar has management responsibility for the Justices' personal support staff – their legally qualified Judicial Assistants and personal secretaries.

Who's who: Membership of Management Board and Committees

To support the Chief Executive both in her statutory responsibilities, and her responsibilities as an Accounting Officer, an internal governance structure has been established which comprises a Management Board, an Audit Committee, and a Health and Safety Committee. More details can be found in the Governance Statement in Section Eight.



Back (left to right): Paul Brigland, Olufemi Oguntunde, Martin Thompson, Sian Lewis, Chris Maile.

Front (left to right): Philip Robinson, William Arnold, Jenny Rowe, Louise di Mambro, Alex Jablonowski.

Membership of Management Board and Committees	Maximum number of meetings possible to attend	Number of meetings attended
Management Board		
Jenny Rowe – Chief Executive	11	11
William Arnold – Director of Corporate Services	11	11
Louise di Mambro – Registrar	11	9
Olufemi Oguntunde – Director of Finance	11	10
Martin Thompson – Building/Health and Safety Manager	11	9
Caroline Smith (to 7 Sept 2011)	4	4
Chris Maile (from 8 September 2011) – Head of Human Resources	7	6
Sian Lewis – Head of Communications	11	10
Ann Achow – (to 12 August 2011)	4	4
Paul Brigland (from 15 August 2011) – Records Manager	8	7
Alex Jablonowski – Non-Executive Director	11	10
Philip Robinson – Non-Executive Director	11	11
Audit Committee		
Philip Robinson – Chairman		
Alex Jablonowski		
Elaine Noad (to 31 Dec 2011), Charles Winstanley (from 1 January 2012) – Representative from Scotland		
Laurene McAlpine – Representative from Northern Ireland		
Health and Safety Committee		
William Arnold		
Martin Thompson		
Caroline Smith/Chris Maile		
Trade Union H&S representative		
James Noone – Security Manager		
Clive Brown – Building Engineer		
Georgina Isaac – Head of Judicial Support		
Jackie Lindsay – JCPC Chief Clerk		
Ann Achow/Paul Brigland		

Meetings of the Health and Safety Committee are open to staff to attend and raise issues or observe; and minutes of Management Board and Health and Safety Committee meetings are published on our website and staff intranet.

Our People

MANAGING A COMMITTED TEAM

Staff are appointed to the Court in accordance with the Civil Service Commission Recruitment Principles. We currently receive transactional Human Resources and Payroll services from the HR Shared Service provider used by the Ministry of Justice and staff at present are on terms and conditions of service which mirror those of employees at the Ministry of Justice. Pension benefits are provided through the Civil Service pension arrangements and administered by Capita Hartshead.

On 31 March 2012 there were 48 UKSC and JPCPC employees (47.5 full-time equivalents) on our payroll. These were made up of 39 permanent staff, 1 on loan from another court, and 7 Judicial Assistants on fixed-term appointments. Approximately 40 further staff are employed through services provided under contract covering broadcasting, security, building maintenance, catering and cleaning.

We positively monitor and manage sick absence for staff and this year had an average absence rate of less than 4 days per member of staff. This is well below the Civil Service annual target of 7.5 days per employee and the private sector average of 6.4 days. Sick absence and turnover are monitored by the Management Board and there have been no concerning trends to note during the period covered by this report.

Staff turnover has been relatively stable throughout the year, though five staff chose to accept the option of a voluntary early

departure under the same terms as those offered by the Ministry of Justice. The costs of these departures were met by the Ministry of Justice. Following these departures, two senior posts were successfully filled at lower grades to create annual savings on staff salary costs while retaining the same responsibilities. This helped create an opportunity to recruit an additional ICT Officer on loan from another court to support the IT provision for staff and the Justices. We continue to review the overall staffing structure with a view to allow more flexibility of roles across the court in the future.

The annual Judicial Assistant (JA) recruitment campaign was launched in February 2012 and generated much interest, with a high number of applications submitted for consideration. The JAs support the Justices by carrying out research in connection with appeals and summarising applications for permission to appeal. We continue to advertise the scheme widely across the UK jurisdictions and on several websites, including our own. This year the application process was revised to include competency based selection criteria, and to include feedback from previous and current JAs.

CREATING A GREAT PLACE TO WORK

We want the Supreme Court to be a place where people positively enjoy working and where staff engagement is high. To measure our performance in this area an annual staff survey was conducted again in October 2011. We received a very good response from staff, with a 90% completion rate. The results were very positive and gave an overall employee engagement score of 79%. Staff said that they were proud of the work that

they did at the Supreme Court, and that they enjoyed their work. There were some also very positive comments about the friendly people who work here and the environment in which people work.

Management effectiveness had increased since the previous year's survey, though there were still some areas where improvements could be made such as further staff development opportunities and better communications between different sections across the court. A 'Results into Action' team was established in January 2012 with staff from different working areas looking at the survey results and developing an action plan which has been published on the Court's intranet. Progress with the action plan will be measured in light of the 2012 staff survey results.

We have invested in learning and development and will continue to develop each member of staff's training plan to allow for both individual development and for future succession planning. Development activities in 2011-12 included an increased annual average of 8 training days per person, ranging from training on new IT packages to bespoke courses delivered in-house, such as stress awareness and disability awareness events. The majority of training solutions provided were specific to individual roles but we have also delivered generic training on equality and diversity, health & safety and information assurance which were applicable to all. As a small independent department we employ professional leads in a number of areas such as the library, finance, human resources, ICT, communications, and health and safety. We also continue to support staff with professional membership in these areas where possible.

Over the course of the year we have further developed and improved our intranet site, providing staff with a portal for accessing regularly used forms and documentation, and an effective way of sharing news about corporate developments and staff events. The intranet is refreshed almost every day to help encourage colleagues to keep up-to-date with relevant news stories and information about their colleagues, and is recognised as a valuable resource which helps build a strong sense of belonging across staff at the Court.

VALUING EQUALITY AND DIVERSITY

Our aim is to create an organisation that fully reflects the diversity of the society it serves, valuing the contribution that staff, court users and the public make to our work. We want to tackle any behaviours and attitudes that might contribute to, or reinforce any perceived or real threat of inequality and discrimination and deliver services that are accessible and meet the needs of all court users and members of the public.

We have made progress with our Equality and Diversity strategy, a copy of which can be found on our website, by achieving the following:

- Equality and diversity training for all staff, including visual awareness training completed by the RNIB in August 2011 to help staff assist partially sighted and blind visitors.
- Maintaining physical accessibility across the building and responding positively to comments or suggestions for improvements.
- Pro-active encouragement for tours and visits from all sections of society,

from youth groups to Women's Institute groups and members of the Civil Service Retirement Fellowship.

- Some changes to our websites following an accessibility audit conducted by the RNIB, noted in Section Four.
- The internal publication of the UKSC conduct policy which provides information on the behaviour and conduct we expect from all staff and clear processes and policies for staff to follow if they feel they are being treated unfairly.
- Ensuring our shared values reflect that all staff, court users, and visitors are treated with respect at all times.

Our information and resources, and how we manage them

INFORMATION ASSURANCE, FREEDOM OF INFORMATION AND DATA PROTECTION

The Court holds an array of information, including case papers and financial and administrative records. Information assurance policies and procedures were followed throughout the year so that the information entrusted to the Court, or generated by it, was properly used, managed and protected.

All staff have personal responsibility for making sure they are aware of and understand the Court's information risk-related policies and procedures and handle information accordingly. All new staff complete the National School of Government's e-learning package 'Protecting information' shortly after their appointment, with refresher assessments taking place annually. This year refresher assessments were completed in March.

The annual Security Risk Management Overview assessment and accreditation identified no significant weaknesses in the systems we follow for handling our information. There were no recorded breaches concerning protected personal data reported either to the Information Commissioner or recorded centrally in the Court.

A total of thirty five Freedom of Information (FOI) requests were received in addition to the many general enquiries which the Court receives daily about its work, rules and procedures and public access arrangements. All FOI requests were handled within their respective statutory deadlines. The FOI requests generated two requests for internal review and one complaint to the Information Commissioner. This complaint was not upheld.

USING INFORMATION TECHNOLOGY TO CREATE A MORE EFFICIENT COURT

An electronic document presentation system was introduced during this year, and used fully in one case. The volume of paper and time required to handle the case was significantly reduced, and feedback from court users was positive. Although it may be some years before advocates and justices feel fully comfortable with the idea of an entirely electronic document management system, the pilot demonstrated to a range of stakeholders that it was a viable alternative to paper bundles. This is an important contribution towards reducing any eventual off-site storage costs.

A far ranging review of IT provision is in progress. The report from this review will be delivered early in the next financial year. It is hoped that the recommendations in this report will lead to a more efficient and cost effective IT system.

Right: Our Reception desk is staffed whenever the building is open, providing a warm welcome to the court.

Below: Stewardship of our high-profile, Grade II listed building brings both challenges and opportunities.

© Greg Allen



STOCKING A LIBRARY FIT FOR OUR PURPOSE

The Library continued to support the research needs of the Justices, Judicial Assistants, and court staff by providing publications, databases and information on legal topics.

The book collection has been kept up-to-date and relevant by acquiring copies of key works published during the year, as well as 'back list' titles to add depth to the collection. The Library also began to identify gaps in the serials collection and has started to fill the gaps either via donations from other libraries or by purchasing missing volumes.

New contracts for the commercial legal databases started this year, negotiated by the Ministry of Justice and available to other Government departments.

A Library newsletter has been produced monthly throughout the year. It is a 'current awareness' service bringing together journal articles about the UKSC and its cases, as well as summaries of judgments from a selection of other supreme courts, plus lists of books added to the Library.

The Library continued to attract great interest among the library profession and it has received many visits during the year from librarians from various sectors. The Librarian has actively developed contacts with law librarians and Government librarians in both the UK and overseas. During the year she chaired one of the meetings of the Government Law Librarians Forum, and initiated their project to map Government library holdings of law serials. The Assistant Librarian represented the Library at the annual BIALL conference (British & Irish Association of Law Librarians), and continued her work as

a member of the Moys editorial board who are preparing the new edition of the the Moys classification scheme.

Our building, your building

HEALTH AND SAFETY

Like all employers, the Supreme Court has a legal duty to ensure the health, safety and welfare of employees. Our commitment goes further than this. In our health and safety policy we commit the Court to aim to set and maintain exemplary standards of health and safety performance.

In addition to our health and safety policy, Justices and staff are given, upon appointment, an introduction to health and safety at the Court. Building contractors engaged by the Court have to sign up to an induction booklet of safety procedures before commencing any work. The intention throughout is to have a comprehensive health and safety management system which engages Justices, staff and visitors and encourages them to observe sensible and proportionate precautions.

A Health and Safety Committee created by the Management Board meets quarterly, with approved minutes then published on the intranet for the information of staff. The Head of Accommodation, who is also the Health and Safety Manager, reports quarterly to the Board on health and safety.

The Committee's membership, in addition to Court staff, also includes representatives from contractors providing security, catering and facilities management services. In addition, the cleaning contractor's contract manager is consulted in the run up to each

meeting to identify any potential issues for discussion. In this way, the Committee is able to promote good practice in health and safety at the Court, and to enhance communication between Justices, staff, Trade Unions and management without an artificial divide being drawn between the safety of those directly employed by the Court and contractors.

The Committee also monitored health and safety performance against targets set in a Health and Safety Corporate Plan which was adopted for 2011–12, and has implemented a matrix of mandatory and recommended health and safety training for staff and the security contractor.

The Court has been inspected quarterly by Safety Representatives appointed by the PCS Trade Union under the Safety Representatives and Safety Committees Regulations 1977. To date there have been no 'Immediate Action Notices', '7-day Action Notices' or 'TU Remedial Action Notices' so there have been no urgent issues to address.

BUILDING A SUSTAINABLE COURT

We are committed to achieving continual improvement in our environmental performance. The Court renewed its Display Energy Certificate and, although there was

an improvement in the points score over the previous year, we were again given an 'F' rating rather than a 'D' or an 'E' said to be typical for this type of building. However, the Court is difficult to operate at theoretical peaks of efficiency because, although there are now modern heating and cooling installations, they are within a century old building which is open for long hours and welcomes large numbers of visitors.

The Court came into existence in October 2009 so we compare our current energy consumption against the data for 2010–11. Over the reporting year, there was a 12% decrease in consumption of electricity compared with 2010–11; and there was a decrease of 33% in kWh of gas consumed.

Energy conservation measures were introduced during the course of 2011–12 and we will continue to commission projects where there is a likelihood of achieving energy savings: the most recent example being the installation of presence detectors in Justices' rooms so they are only heated or cooled when occupied.

MAINTAINING OUR ACCOMMODATION

The Court is Grade II* listed. Only 5.5% of listed buildings are given this protection and it is also quite rare for post-1900 buildings to be listed. Grade II* listing embraces 'particularly important buildings of more than special interest'.

The Listed status means the architectural and historic interest of the building is protected and alterations, either outside or inside, are carefully scrutinised. As such, the Court continued during 2011–12 the six-monthly meetings with English Heritage and Westminster City Council to discuss necessary work on the building, and there have been no contentious issues.

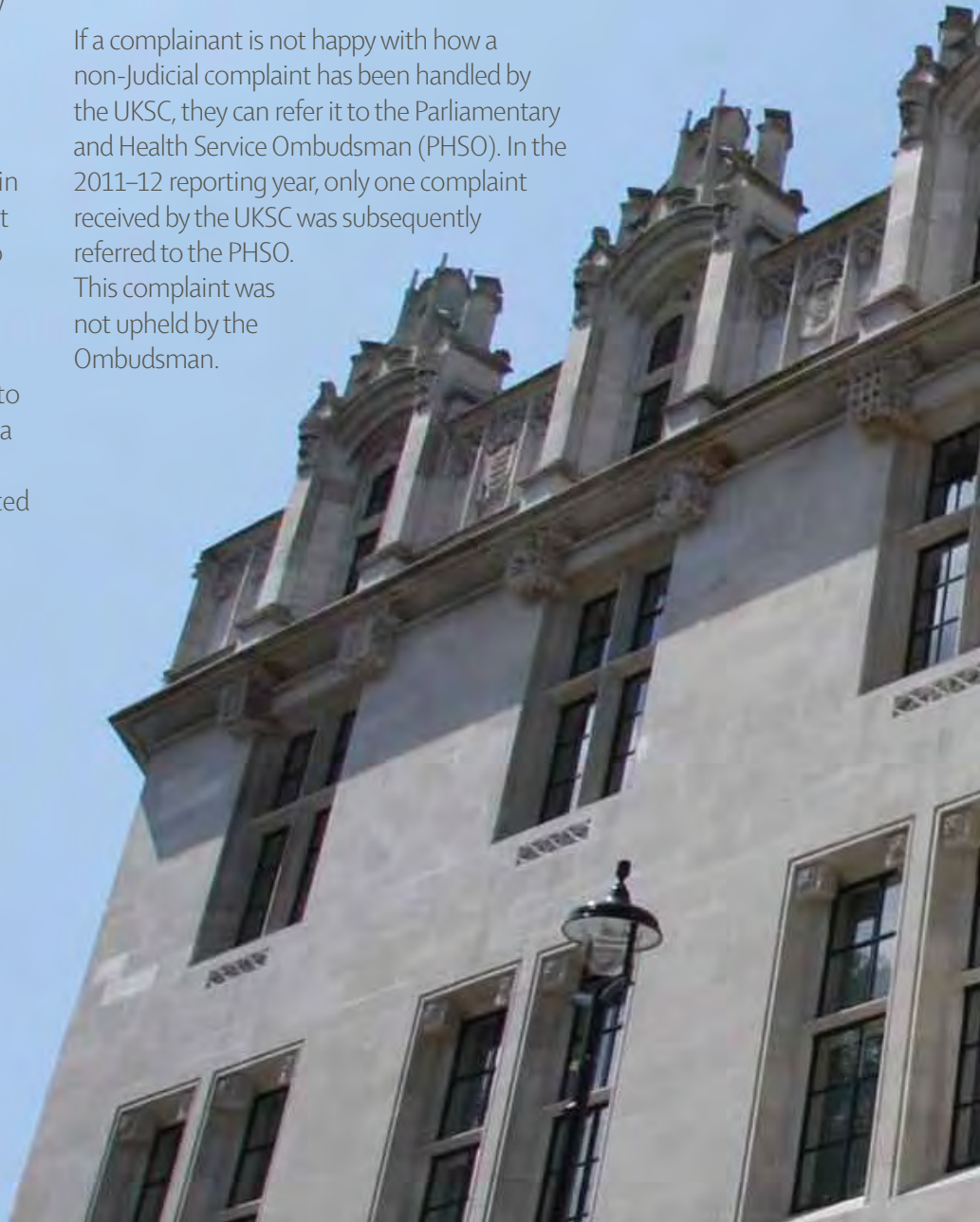
KEEPING THE BUILDING SECURE

Following the termination by the Ministry of Justice of their security guarding contract which the Court had held from its establishment, a tender exercise under the Public Procurement Regulations was conducted during 2011–12. This resulted in the Court awarding a stand alone contract which commenced on 1 February 2012 to run for four years with options to extend for a further two periods each of up to 12 months duration. Following a review of the preceding arrangements undertaken to inform the tender process, and following a risk assessment, changes to shift patterns were also introduced which have generated significant savings.

Dealing with Complaints

The UKSC has established procedures in place to deal with complaints. There are separate procedures for complaints about members of staff exercising their administrative functions and about the Justices and the Registrar in the performance of their judicial function. Full details of the Judicial and non-Judicial complaints procedures, including details of how a complaint will be handled, can be found on our websites.

If a complainant is not happy with how a non-Judicial complaint has been handled by the UKSC, they can refer it to the Parliamentary and Health Service Ombudsman (PHSO). In the 2011–12 reporting year, only one complaint received by the UKSC was subsequently referred to the PHSO. This complaint was not upheld by the Ombudsman.







section seven

management commentary

Financial Position (Statement of Financial Position)

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

The Court's Statement of Financial Position consists primarily of assets transferred from the Ministry of Justice (MoJ) at the inception of the UK Supreme Court on 1 October 2009. These were Property, Plant & Equipment and Intangible Assets totaling £28m. Of this, £26m represents land and buildings with the remainder being Office Equipment, Furniture and Fittings, Robes and Software Licenses.

A liability of £36m was also transferred from the Ministry of Justice. This represents the minimum value of the lease payments for the UK Supreme Court building until March 2039.

There have been no substantial movements in the Gross Assets and Liabilities since the date of the transfer from MoJ.

Results for the Year (Statement of Comprehensive Net Expenditure)

The Operating Cost Statement represents the net total resources consumed during the year by Request for Resources. The results for the year are set out in the Operating Cost Statement. These consist of:

- Net Operating Costs amounted to £6.05m
- Justices and Staff costs of £5.5m
- Other Administration Costs of £0.3m
- Other Programme Costs of £7.2m, and
- Operating Income of £6.9m.

The Court employed an average 48 (Full Time Equivalent) staff during the year ending 31st March 2012. Because of the death of Lord Rodger, and a delay in one new Justice taking up appointment, the number of Justices varied between 10 and 12 over the same period. Accommodation costs and Finance Lease costs account for over 66% of non pay costs. Depreciation charges, IT charges, Library and Broadcasting costs were responsible for the majority of other non pay costs.

The Court had operating income of £6.94m which was used to support the administration of justice. Out of this, £5.97m was received by way of contribution from the various jurisdictions i.e. £5.25m from HMCTS, £0.48m from the Scottish Government and £0.24m from Northern Ireland Court Service.

UKSC Court fee income received during the year was £0.7m whilst JCPC Court fee income received was £0.14m. The court also had income of about £0.1m from Wider Market Initiatives such as Event Hire and Sales of Gift Items.

There were Prior Period Adjustments in the accounts to reflect the transfer of Judicial Committee of Privy Council (JCPC) from MoJ to UKSC on 1 April 2011; the impact of revaluing the UKSC's land and buildings to depreciated replacement costs; and the restatement of prior year expenditure between Administration and Programme costs. The net impact of all these adjustments was a reduction of £0.25m on the Operating Cost Statement.

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 the Treasury 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 Supreme Court 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 Treasury control totals against which it is

monitored. This information is supplemented by Note 2 which represents Resource Outturn in the same format as the Supply Estimate.

In the year ended 31 March 2012, the UK Supreme Court met all of its control totals. At £6.05m the net resource outturn was £0.98m less than the 2011–12 Estimate of £7.03m. The principal reason for this variance was the marginal utilization of £1m AME provision for diminution in the value of the building. Although the value of the building went down by £0.5m, only £0.09m was chargeable to the Operating Cost Statement.

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

Statement of Cash Flows

The Statement of Cash Flows provides information on how the UK Supreme Court finances its ongoing activities. The main sources of funds are from the Consolidated Fund.

Reconciliation of resource expenditure between Estimates, Accounts and Budgets

	2011–2012
	£'000
Net Resource Outturn (Estimates)	3,512
Adjustments to additionally include:	
Non-voted expenditure in the OCS	2,541
Net Operating Cost (Accounts)	6,053
Adjustments to additionally include:	
Resource consumption of non departmental public bodies	0
Resource Budget Outturn (Budget) Of which	6,053
Departmental Expenditure Limits (DEL)	5,978
Annually Managed Expenditure (AME)	75

The Statement of Cash Flows shows a net cash outflow from operating activities of £5.2m.

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.

Sickness Absence

The average number of sick days per member of staff was 3.93.

Data Incidents

No recorded breaches concerning protected personal data were reported (see page 52).

Principal risks and uncertainties

The key risks and uncertainties facing the Court are detailed in its Risk Register.

Payment within 10 working days

The Department seeks to comply with the '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.

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 by Sir Gus O'Donnell for Government Departments to pay suppliers within 10 working days, the UK Supreme Court achieved 98% prompt payment of invoices within 10 working days. The average time taken to pay invoices from suppliers during the year was 3.6 days

Auditors

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

The audit of the financial statements for 2011-12 resulted in an audit fee of £43,000. This fee is included in non staff programme costs, as disclosed in Note 8 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 is contained in Section Six of this report.

Disclosure to Auditor

As far as I am aware, there is no relevant audit information of which the Department's auditors are unaware. I confirm that 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 the Department's auditors are aware of that information.



Jenny Rowe
Accounting Officer
Date: 14 May 2012



section eight

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Remuneration Report

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 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 services;
- 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

Civil Service Commissioners

Civil service appointments are made in accordance with the Civil Service Commissioners' Recruitment Code. The Code requires appointment to be on merit on the basis of fair and open competition but also includes the circumstances when appointments may otherwise be made.

Unless otherwise stated below, the officials covered by this report hold appointments which are open ended. Early termination, other than misconduct, would result in the individual receiving compensation as set out in the Civil Service Compensation Scheme.

Staff are appraised annually against a set of competencies and individually targeted objectives. Bonuses, which form only a small percentage of total salaries, are the only form of remuneration subject to performance conditions.

Further information about the work of the Civil Service Commissioners can be found at:
www.civilservicecommissioners.gov.uk

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, other than for misconduct, would 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

Salary and Pension entitlements

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

A – Remuneration

Name and Title	2011-2012			2010-2011		
	Total Remuneration	Of which Bonuses	Benefits in kind	Total Remuneration	Of which Bonuses	Benefits in kind
	£'000	£'000	£'000	£'000	£'000	£'000
Jenny Rowe Chief Executive	105-110	-	-	105-110	-	-
William Arnold Director of Corporate Services	80-85	-	-	80-85	-	-
Louise di Mambro Registrar	70-75	0-5	-	65-70	-	-
Olufemi Oguntunde Director of Finance	65-70	0-5	-	65-70	-	-
Sian Lewis Head of Communications	70-75	-	-	65-70	-	-
Martin Thompson Building Manager	55-60	-	-	60-65	-	-
Ann Achow Records Manager (until 30/09/2011)	25-30 (FYE: 55-60)	-	-	55-60	-	-
Paul Brigland Records Manager (from 27 June 2011)	25-30 (FYE: 35-40)	-	-	-	-	-
Caroline Smith Head of Human Resources (until 30 Sept 2011)	25-30 (FYE: 50-55)	-	-	45-50	-	-
Chris Maile Head of Human Resources (from 23 Aug 2011)	10-15 (FYE: 35-40)	-	-	-	-	-
Alex Jablonowski Non Executive Director	5-10	-	-	5-10	-	-
Philip Robinson Non Executive Director	5-10	-	-	5-10	-	-

*FYE – Full Year Equivalent

Reporting bodies are required to disclose the relationship between the remuneration of the highest-paid director in their organisation and the median remuneration of the organisation's workforce.

The banded remuneration of the highest-paid director in UK Supreme Court in 2011-12 was £105,000 to £110,000 (2010-11, £105,000 to £110,000). This was 3.47 times (2010-11, 3.47 times) the median remuneration of the workforce, which was £30,843 (2010-11, £30,828).

In 2011-12, 0 (2010-11, 0) employees received remuneration in excess of the highest-paid director. Remuneration ranged from £17,273 to £81,808 (2010-11 £16,504 to £81,808)

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

Remuneration

'Remuneration' includes gross salary; performance pay or bonuses; 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 UK taxation. This report is based on accrued payments made by the Department and thus recorded in these accounts.

Philip Robinson, non-executive director, supplies his services under the terms of a contract, which commenced on 1 August 2009. He is remunerated by the way of a daily attendance fee. As non-executive director, there are no entitlements to pension or other contributions from the Supreme Court.

Alex Jablonowski, non-executive director, supplies his services under the terms of a contract, which commenced on 1 August 2009. He is remunerated by the way of a daily attendance fee. As non-executive director, there are no entitlements to pension or other contributions from the Supreme Court.

Benefits in kind

The monetary value of benefits in kind covers any benefits provided by the department and treated by HM Revenue and Customs as a taxable emolument.

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. The bonuses reported in 2011-12 relate to performance in 2010-11 and the comparative bonuses reported for 2010-11 relate to the performance in 2009-10.

B – Pension Benefits (Audited)

Name and Title	2011-2012						
	Real Increase/ (Decrease) in Pension at age 60	Total Accrued Pension at age 60 31 March 2012	Real Increase/ (Decrease) in Lump sum at age 60	Total Accrued Lump Sum at age 60 31 March 2012	CETV at 31 March 2012	CETV at 31 March 2011	Real Increase/ (Decrease) in CETV
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Jenny Rowe Chief Executive	(0-2.5)	45-50	(2.5-5.0)	135-140	917	863	(21)
William Arnold Director of Corporate Services	(0-2.5)	35-40	(2.5-5.0)	115-120	867	819	(22)
Louise di Mambro Registrar	(2.5-3.0)	25-30	(7.5-10.0)	85-90	611	620	(61)
Olufemi Oguntunde Director of Finance	0-2.5	5-10	0-2.5	0-5	100	86	6
Sian Lewis Head of Communications	(0-2.5)	25-30	0-2.5	0-5	509	476	(8)
Martin Thompson Building Manager	(0-2.5)	25-30	(0-2.5)	75-80	547	507	(3)
Ann Achow Records Manager (until 30 Sept 2011)	0-2.5	20-25	2.5-5	65-70	455	429	3
Paul Brigland Records Manager (from 27 June 2011)	0-2.5	5-10	0-2.5	20-25	128	116	2
Caroline Smith Head of Human Resources (until 30 Sept 2011)	0-2.5	15-20	0-2.5	0-5	171	159	3
Chris Maile Head of Human Resources (from 23 Aug 2011)	0-2.5	0-5	0-2.5	10-15	65	56	4

							2010–2011
Name and Title	Real Increase in Pension at age 60	Total Accrued Pension at age 60 31 March 2011	Real Increase in Lump sum at age 60	Total Accrued Lump Sum at age 60 31 March 2011	CETV at 31 March 2011	CETV at 31 March 2010	Real Increase in CETV
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Jenny Rowe Chief Executive	0–2.5	40–45	0–2.5	130–135	908	802	(1)
William Arnold Director of Corporate Services	0–2.5	35–40	0–2.5	115–120	864	771	(3)
Louise di Mambro Registrar	0–2.5	25–30	2.5–5.0	85–90	630	540	20
Olufemi Oguntunde Director of Finance	0–2.5	5–10	0–2.5	0–5	76	57	9
Sian Lewis Head of Communications	0–2.5	25–30	0–2.5	0–5	487	423	3
Martin Thompson Building Manager	0–2.5	25–30	2.5–5.0	75–80	531	448	23
Ann Achow Records Manager	0–2.5	20–25	2.5–5.0	65–70	449	374	22
Caroline Smith Head of Human Resources	0–2.5	10–15	0–2.5	0–5	137	107	13

Civil Service Pensions

Pension benefits are provided through the Civil Service pension arrangements. From 30 July 2007, civil servants may be in one of four defined benefits schemes; either a final salary scheme (classic, premium or classic plus); or a whole career scheme (nuvos). 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 and nuvos are increased annually in line with changes in the Retail Prices Index (RPI). Members joining from October 2002 may opt for either the appropriate defined benefits arrangements or a good quality 'money purchase' stakeholder pension with a significant employer contribution (partnership pension account).

Employee contributions are set at the rate of 1.5% of pensionable earnings for classic and 3.5% for premium, classic plus and nuvos. Increases to employee contributions will apply from 1 April 2012. Benefits in classic accrue at the rate of 1/80th of final pensionable earnings for each year of service. In addition, a lump sum equivalent to three years' pension is payable on retirement. For premium, benefits accrue at the rate of 1/60th of final pensionable earnings for each year of service. Unlike classic, there is no automatic lump sum. Classic plus is essentially a hybrid with benefits in

respect of service from 01 October 2002 calculated broadly as per classic and benefits for service from October 2002 calculated as in premium. In nuvos a member builds up a pension based on his pensionable earnings during their period of scheme membership. At the end of the scheme year (31 March) the member's earned pension account is credited with 2.3% of their pensionable earnings in that scheme year and the accrued pension is updated in line with Pensions Increase legislation. In all cases members may opt to give up (commute) pension for lump sum up to the limits set by the Finance Act 2004.

The partnership pension account is a stakeholder pension arrangement. The employer makes a basic contribution of between 3% and 12.5% (depending on the age of the member) into a stakeholder pension product chosen by the employee from a panel of three 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 employers basic contribution). Employers also contribute a further 0.8% of pensionable salary to cover the cost of centrally-provided risk benefit cover (death in service and ill health retirement).

The accrued pension quoted is the pension the member is entitled to receive when they reach pension age, or immediately on ceasing to be an active member of the scheme if they are already at or over pension age. Pension age is 60 for members of classic, premium and classic plus and 65 for members of nuvos.

Further details about Civil Service pension arrangements can be found at the website <http://www.civilservice.gov.uk/pensions>

Cash Equivalent Transfer Values

A Cash Equivalent Transfer Values (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 individual has transferred to the Civil Service pension arrangements. They also include any additional pension benefit accrued to the member as a result of their purchasing additional pension benefits at their own cost. CETVs are worked out in accordance with The Occupational Pension Scheme (Transfer Values) (Amendment) Regulations 2008 and do not take account of any actual 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 effectively funded by the employer. It does not include the increase in accrued pension due to inflation, contribution 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.

Signed on behalf of the UKSC by



Jenny Rowe
Chief Executive
14 May 2012

Statement of Accounting Officer's Responsibilities

1. Under the Government Resources and Accounts Act 2000, the Supreme Court of the United Kingdom (the Department) is required to prepare resource accounts for each financial year detailing the resources acquired, held or disposed of during the year and the use of resources by the Department during the year. The 2011–12 accounts are to be prepared in the form and on the basis set out in the Accounts Direction given by the Treasury dated 20 December 2011.
2. The resource accounts are prepared on an accrual basis and must give a true and fair view of the state of affairs of the Department, and of its the net resource outturn, resources applied to objectives, changes in taxpayers equity, and cash flows for the financial year.
3. HM Treasury has appointed the Chief Executive as Accounting Officer of the Department with overall responsibility for preparing the Department's accounts and for transmitting them to the Comptroller and Auditor General.
4. In preparing the accounts, the Accounting Officer is required to comply with the Financial Reporting Manual (FRoM) prepared by HM Treasury, and in particular to:
 - a. observe the accounts direction issued by Her Majesty Treasury including relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis;
 - b. make judgement and estimates on a reasonable basis;
 - c. state whether applicable accounting standards, as set out in the FRoM, have been followed, and disclose and explain any material departures in the accounts; and
 - d. prepare the accounts on a going-concern basis.
5. The responsibilities of an Accounting Officer (including responsibility for the propriety and regularity of the public finances for which the accounting officer is answerable, for keeping proper records and for safeguarding the Department's assets) are set out in the Accounting Officers Memorandum issued by HM Treasury and published in Managing Public Money.

Governance Statement

Introduction

The UKSC is a non-Ministerial department established by the Constitutional Reform Act 2005 which came into existence on 1 October 2009. The role of the Court is to determine arguable points of law of general public importance arising from civil cases throughout the United Kingdom; and from criminal cases in England and Wales and Northern Ireland. The Court also hears cases to determine issues relating to the legislative competence of the devolved administrations, Parliaments and Assemblies.

On 1 April 2011 the UKSC administration assumed responsibility for the administration of the Judicial Committee of the Privy Council (JCPC). The JCPC hears appeals from a number of Commonwealth countries, Crown Dependencies and British Overseas Territories.

Scope of responsibility

As Accounting Officer, I have responsibility for maintaining a sound system of internal control that supports the delivery of the UKSC's policies, aims and objectives, whilst safeguarding the public funds and departmental assets for which I am personally responsible, in accordance with the responsibilities assigned to me in Managing Public Money.

I was appointed Accounting Officer by HM Treasury with effect from 1 October 2009 in accordance with section 5, subsection (6) of the Government Resources and Accounts Act 2000. I am responsible for the non-judicial functions of the Court which have all been delegated to me by the President, in accordance with the Constitutional Reform Act 2005, section 48 (3).

There have been no adverse comments from either internal or external audit sources on the way in which these responsibilities are being managed.

The governance framework of the organisation

The UKSC has established a robust governance framework, appropriate for an organisation of its size. More details about this can be found in Section Six of the annual report.

The key elements in place are:

Management Board

- The Management Board is chaired by me and comprises two Non-Executive Directors & all Heads of Division.
- The Board normally meets monthly and considers as standing agenda items:
 - Scorecard report of key performance indicators
 - Finance and fees incorporating financial performance reports
 - Media and communications update
 - Human Resources update
 - Parliamentary Questions and Freedom of Information requests; and
 - Case Update (on appeals before the UKSC/ JCPC)
- Minutes of the Management Board meetings are posted on the website and made available to staff on the intranet.
- The attendance records of individual board members are disclosed in Section Six of the annual report.

I have reviewed the effectiveness of the Board against the NAO's compliance checklist for corporate governance in central government departments and no significant weaknesses in Board effectiveness were identified. Individual members of the Board are held properly accountable for decisions and the Non-Executive Directors play a full role in challenging and supporting the Executive members of the Board.

The Board receives regular reports from sub-committees and has sight of the Risk Register at each of its meetings.

Board papers are generally distributed in good time and minutes and matters arising are dealt with at each meeting. The Board plays a full part in developing Strategic and Business Plans and exercises a monitoring role throughout the year.

Taking all the above factors into account I am satisfied that the governance structure complies with the Code of Practice for Corporate Governance in Central Government Departments in so far as it is relevant to us. Areas of the Code which require the involvement of Ministers do not apply to us because we are a non Ministerial department. The size of the UKSC means that we do not require a separate nominations committee.

Audit Committee

- The Audit Committee is constituted in line with HM Treasury's Audit Committee Handbook, to advise me as Accounting Officer. It is chaired by one of the Non-Executive Directors.
- The Audit Committee meets four times a year and includes representatives from Scotland and Northern Ireland.
- It considers regular reports by internal audit, to standards defined in the Government Internal Audit Standards, which include the Head of Internal Audit's independent opinion on the adequacy and effectiveness of the UKSC's system of internal control together with recommendations for improvements
- It also reviews the adequacy of management responses to the external auditors' management letter.

A review of audit committee effectiveness was carried out by the Committee Chair and agreed by the Audit Committee in October 2011. The review was carried out using the framework laid out in "The Audit Committee Self-Assessment Checklist" published by the National Audit Office in November 2009. The NAO recognises that organisations and their Audit Committees vary considerably in their size and in the complexity of the issues with which they deal. They have therefore provided a reduced number of more important questions to consider in their checklist which might apply to smaller and simpler organisations. The Court, despite the complexity of the issues with which it deals, is in operational terms a small organisation, with easily understood processes and structures so the review focussed on the NAO's key questions. The review concluded that the Audit Committee met in full the criteria for good practice, but a number of administrative improvements were identified and have been fully implemented.

Health and Safety Committee

- The Health and Safety committee is chaired by the Director of Corporate Services.
- It meets four times a year and includes representatives of the Trade Unions, and of the Facilities Management and Security Guarding providers.

Members of the Health and Safety Committee are named in section 6.

UKSC Court User Group

The User Group is a standing body which provides a forum for practitioners and staff to review the operation of the Court and to make recommendations for changes to the Court's procedure and practice. More details are in Section Four (Listening to our users) of the Annual Report.

Performance against Business Plans

The UKSC publishes an annual Business Plan and the objectives of individual members of staff are derived from that Business Plan. The Business Plan is reviewed regularly and a formal review is conducted by the Management Board at the half-year point. The detailed account of performance against the preceding year's Business Plan is contained in the Annual Report for that year and quarterly reports are also provided to the jurisdictions, detailing performance over the reporting period.

Other elements of the Court's Corporate Governance arrangements include:

- provision of relevant Corporate Governance pages on the UKSC intranet linked to all available guidance and instructions. These are reviewed and updated regularly.
- business and financial planning processes which explicitly take into consideration business risk;
- formal letters of delegated financial authority supported by a system of central budgetary control;
- signed annual reports from divisional Heads on how they manage budgets within their delegated authority, in order to meet their objectives and comply with their corporate governance responsibilities.

Risk assessment

The UKSC is committed to high standards of corporate governance including the need for an effective risk management system and internal control environment. The Management Board has created an environment whereby risk management operates effectively. The Audit Committee advises me and the Management Board on the strategic process for risk, control and governance. The UKSC Management team, under my leadership, incorporates risk management as a monthly Management Board meeting agenda item. Members of the Management Board are responsible for owning, monitoring and managing risks and controls within their areas of direct responsibilities. Risk owners formally review risks on a monthly basis and report back to the Management Board and Audit Committee.

The main new risk identified in the 2011–12 financial year was the the impact of a referendum on Scottish Independence. If that led to Scotland withdrawing from the jurisdiction of the UKSC, there would be a consequent impact on our finances.

The risk and control framework

A Risk Register that identifies, assesses, and sets out mitigating actions to significant risks is in place across the Court. Management and review of the risks identified is carried out at Board level during the Management Board monthly meetings.

Over this period, the UKSC has continued to:

- identify and prioritise the principal risks to the achievement of the court's policies, aims and objectives;
- evaluate the likelihood of those risks being realised and the impact, should they be realised; and
- manage them efficiently, effectively and economically.

The key elements of the UKSC's risk management strategy for identifying, evaluating and controlling risk include:

- The establishment of appropriate committees to maintain strategic oversight of the court's business and activities.
- The Departmental "Whistle Blowing" policy for confidential reporting of staff concerns.
- Business Continuity Plans (BCP) to manage the risk of disruption to business, which have been developed and subjected to one significant test. Further tests are being planned.
- Maintenance of the Risk Register whereby new or emerging risks are identified throughout the year. The Management Board always consider risks when decisions are taken or as the risk environment changes. Risks that have a high impact and high likelihood are given the highest priority.
- The Court's IT infrastructure and application services which are provided by Atos Origin and Logica CMG under MoJ contract. This minimises the risk of IT failure as Atos and Logica have robust infrastructures.
- Regular engagement with key stakeholders, particularly through the Users' group.
- Establishment of the role of Senior Information Risk Owner (SIRO). This is one of the several requirements to strengthen controls around information security set out in the report of the Data Handling Review, which was carried out in 2008 for the Cabinet Office. A range of information assurance policies and procedures have been put in place either in advance of or since the Court opened in October 2009. An Information Security policy, information asset register and risk assessment procedure is in place alongside guidance on protective marking and handling documents. Information Asset Owners' roles have been delegated with appropriate guidance rolled out.
- Information assurance training for all staff by means of the National School for Government's on-line e learning 'protecting information' package. This package is refreshed annually and is mandatory for all new staff to complete upon joining the Court. There were no loss of data incidents during the year.

Review of the effectiveness of risk management and internal control

At least once a year and sometimes twice, the UKSC holds a special Management Board session which looks at the strategic context in which the administration is operating and the potential risks. Outcomes of these sessions are reflected in the Risk Register as appropriate.

The UKSC makes stringent efforts to maintain and review the effectiveness of the system of internal control. Some of these processes are:

- periodic review by Internal Auditors;
- regular review of the Risk Register;
- signed assurance statements from Heads of Division on how they have discharged their corporate governance responsibilities;
- quarterly meetings of the Audit Committee; and
- monthly Management Board meetings with a financial planning report review as a standing item.

Any additional measures to strengthen controls will be incorporated if gaps are identified.

As Accounting Officer, I have responsibility for reviewing the effectiveness of the system of internal control. My review is informed by the work of the internal auditors and the managers within the Court who have responsibility for the development and maintenance of the internal control framework, and comments made by the external auditors in their management letter and other reports. I have been advised on the implications of the effectiveness of the system of internal control by the Board and the Audit Committee and where any weaknesses have been identified, plans have been put in place to rectify them.

Significant Issues

Although there were no significant internal control issues during the year, there were however, important management planning issues. Some of these were:

■ Building Maintenance

We continue to experience a longer than expected tail of building related issues, an example of which is issues with the lifts, including the entrapment of an individual. We are doing all we can to manage these issues effectively and ensure that there is minimal disruption to the business of the court.

- **Business Continuity planning**
We attach considerable importance to this and have carried out a major test of our business continuity plans. This identified some gaps which are being addressed.
- **Re-tendering of contracts to Achieve Better Value for Money**
We are committed to achieving value for money in all aspects of our operations. We have started a programme which includes a rolling review of all inherited contracts which are nearing the end of their contractual term. During the 2011–12 Financial Year, we entered into new arrangements for our Finance System and Security Guarding. These new arrangements should deliver savings without adversely impacting the quality of service delivery.
- **Succession Planning for the Justices**
Responsibility for making recommendations for the appointment of Justices of the Supreme Court rests with an independent adhoc selection commission established under the CRA 2005. Where vacancies arise because a Justice is approaching retirement age, a selection commission can be established in good time. These arrangements cannot take account of unexpected vacancies, for example, the death of a Justice in service.
- **JCPC and UKSC Integration**
During the year, we successfully managed the integration of both JCPC & UKSC registries. This has delivered some operational efficiencies.



Jenny Rowe
14 May 2011

Audit Certificate

The Certificate and Report of the Comptroller and Auditor General to the House of Commons

I certify that I have audited the financial statements of the United Kingdom Supreme Court for the year ended 31 March 2012 under the Government Resources and Accounts Act 2000. The financial statements comprise: the Department's Statement of Comprehensive Net Expenditure, Financial Position, Cash Flows, Changes in Taxpayers' Equity; and the related notes. I have also audited the Statement of Parliamentary Supply and the related notes. These financial statements have been prepared under the accounting policies set out within them. I have also audited the information in the Remuneration Report that is described in that report as having been audited.

Respective responsibilities of the Accounting Officer and auditor

As explained more fully in the Statement of Accounting Officer's Responsibilities, the Accounting Officer is responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view. My responsibility is to audit, certify and report on the financial statements in accordance with the Government Resources and Accounts Act 2000. I conducted my audit in accordance with International Standards on Auditing (UK and Ireland). Those standards require me and my staff to comply with the Auditing Practices Board's Ethical Standards for Auditors.

Scope of the audit of the financial statements

An audit involves obtaining evidence about the amounts and disclosures in the financial statements sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. This includes an assessment of: whether the accounting policies are appropriate to the Department's circumstances and have been consistently applied and adequately disclosed; the reasonableness of significant accounting estimates made by the Accounting Officer; and the overall presentation of the financial statements. In addition I read all the financial and non-financial information in the Annual Report, Management Commentary, Remuneration Report and Governance Statement

to identify material inconsistencies with the audited financial statements. If I become aware of any apparent material misstatements or inconsistencies I consider the implications for my certificate.

I am required to obtain evidence sufficient to give reasonable assurance that the Statement of Parliamentary Supply properly presents the outturn against 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 that govern them.

Opinion on Regularity

In my opinion, in all material respects:

- the Statement of Parliamentary Supply properly presents the outturn against voted Parliamentary control totals for the year ended 31 March 2012 and shows that those totals have not been exceeded; and
- 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.

Opinion on Financial Statements

In my opinion:

- the financial statements give a true and fair view of the state of the Department's affairs as at 31 March 2012 and of its net operating cost for the year then ended; and
- the financial statements have been properly prepared in accordance with the Government Resources and Accounts Act 2000 and HM Treasury directions issued thereunder.

Opinion on other matters

In my opinion:

- the part of the Remuneration Report to be audited has been properly prepared in accordance with HM Treasury directions made under the Government Resources and Accounts Act 2000; and
- the information given in the Annual Report, Management Commentary and Governance Statement for the financial year for which the financial statements are prepared is consistent with the financial statements.

Matters on which I report by exception

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

- adequate accounting records have not been kept or returns adequate for my audit have not been received from branches not visited by my staff; or
- the financial statements and the part of the Remuneration Report to be audited are not in agreement with the accounting records and returns; or
- I have not received all of the information and explanations I require for my audit; or
- the Governance Statement does not reflect compliance with HM Treasury's guidance.

Report

I have no observations to make on these financial statements.

Amyas C E Morse

Comptroller and Auditor General
National Audit Office

157–197 Buckingham Palace Road
Victoria, London, SW1W 9SP

Date: May 2012

Statement of Parliamentary Supply

SUMMARY OF OUTTURN 2011-2012

								Restated	
		Estimate			Outturn			2011-2012	2009-2010
		Voted	Non-voted	Total	Voted	Non-voted	Total	Voted outturn compared with Estimate: saving/ (excess)	Outturn Total
Request for Resources	Note	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Departmental Expenditure limit									
Resources		3,498	2,530	6,028	3,437	2,541	5,978	61	5,670
Capital		101	-	101	16	-	16	85	217
Annual Managed Expenditure	3								
Resource		1,000		1,000	75	-	75	925	-
Total Budget		4,599	2,530	7,129	3,528	2,541	6,069	1,071	5,887
Non Budget	3	-	-	-	(360)		(360)	360	
Total		4,599			3,168		5,709	1,431	5,887
Total Resources		4,498	2,530	7,028	3,152	2,541	5,693	1,346	5,670
Total Capital		101	-	101	16	-	16	85	217
Total		4,599	2,530	7,129	3,168	2,541	5,709	1,431	5,887

NET CASH REQUIREMENT 2011-2012

		2011-2012			Restated 2010-2011	
		Estimate	Outturn	Outturn compared with Estimate: saving/(excess)	Outturn	
		£'000	£'000	£'000	£'000	
	Note					
Net cash requirement	4	2,517	2,441	76	2,147	

ADMINISTRATIVE COSTS 2011-2012

		2011-2012			Restated 2010-2011	
		Estimate	Outturn	Outturn compared with Estimate: saving/(excess)	Outturn	
		£'000	£'000	£'000	£'000	
	Note					
		1,109	867	242	855	

Figures in the areas outlined in bold are voted totals or other totals subject to Parliamentary control.

Explanations of variances between Estimate and Outturn

Explanations of variances between Estimates and outturn are given in Note 2 and in the Management Commentary.

The notes on pages 75 to 96 form part of these accounts.

Statement of Comprehensive Net Expenditure

FOR THE YEAR ENDED 31 MARCH 2012

	Note	2011-2012		Restated 2010-2011	
		Staff Costs	Other Costs	Income	
		£'000	£'000	£'000	£'000
Administration Costs					
Staff costs	6	682			700
Other administration costs	7		285		219
Income	9			(100)	(64)
Programme Expenditure					
Staff costs	6	4,825			5,042
Other administration costs	8		7,199		6,771
Income	9			(6,838)	(7,046)
Net Operating Cost for the year ended 31 March 2012		5,507	7,484	(6,938)	5,622
Total Expenditure		5,507	7,484	12,991	12,732
Total Income				(6,938)	(7,110)
Net Operating Cost for the year ended 31 March 2012				6,053	5,622
Other Comprehensive Expenditure					
Net gain/(loss) on revaluation of property, plant and equipment		-	(615)	-	(1,859)
Net gain/(loss) on revaluation of intangible assets		-	(1)	-	34
Net gain/(loss) on revaluation of available for sale financial assets		-	0	0	0
Total Comprehensive Expenditure for the year ended 31 March 2012			(616)	5,437	3,797

The notes on pages 75 to 96 form part of these accounts.

Statement of Financial Position

AS AT 31 MARCH 2012

	Note	As at 31 March 2012		Restated as at 31 March 2011		Restated as at 31 March 2010	
		£'000	£'000	£'000	£'000	£'000	£'000
Non-current assets:							
Property, Plant & Equipment	10	28,076		28,372		26,969	
Intangible assets	11	748		910		987	
Total non-current assets:			28,824		29,282		27,956
Current assets:							
Assets classified as held for sale							
Inventories	14	21		7		7	
Trade and other receivables	15	800		804		736	
Other current assets							
Cash and cash equivalents		76		69		629	
Total current assets			897		880		1,372
Total assets			29,721		30,162		29,328
Current liabilities:							
Trade and other payables	17	(780)		(1,061)		(1,576)	
Total current liabilities			(780)		(1,061)		(1,576)
Non current assets plus/less net current assets/liabilities			28,941		29,101		27,752
Non current liabilities:							
Other payables	17	(36,245)		(35,991)		(35,760)	
Total non current liabilities			(36,245)		(35,991)		(35,760)
Total Assets less liabilities			(7,304)		(6,890)		(8,008)
Taxpayers' equity and other reserves							
General fund			(10,894)		(9,884)		(9,188)
Revaluation reserve			3,590		2,994		1,180
Total taxpayers' equity			(7,304)		(6,890)		(8,008)



Jenny Rowe
Chief Executive and Accounting Officer
14 May 2012

The notes on pages 75 to 96 form part of these accounts.

Statement of Cash Flows

FOR THE YEAR ENDED 31 MARCH 2012

		2011–2012	Restated 2010–2011
	Note	£'000	£'000
Cash flows from operating activities			
Net operating cost		(6,053)	(5,622)
Adjustment for non-cash transactions	8	1,133	766
(Increase)/Decrease in trade and other receivables	15	4	(68)
less movements in receivables relating to items not passing through the SCNE		3	(1)
(Increase)/Decrease in inventories	14	(14)	0
(Increase)/Decrease in trade payables	17	(281)	(517)
less movements in payables relating to items not passing through the SCNE		(12)	560
Net cash outflow from operating activities		(5,220)	(4,882)
Cash flows from investing activities			
Purchase of property, plant and equipment	10	(16)	(112)
Purchase of intangible assets	11	0	(105)
Net cash outflow from investing activities		(16)	(217)
Cash flows from financing activities			
From the Consolidated Fund (Supply) – current year		2,496	1,587
From the Consolidated Fund (Supply) – prior year			0
From the Consolidated Fund (non-Supply)		2,541	2,719
Capital element of payments in respect of finance leases and on-balance sheet PFI contracts		254	233
Net financing		5,291	4,539
Net increase / (decrease) in cash and cash equivalents in the period before adjustment for receipts and payments to the Consolidated Fund			
		55	(560)
Payments of amounts due to the Consolidated Fund		(48)	-
Net increase/(decrease) in cash and cash equivalents in the period after adjustment for receipts and payments to the Consolidated Fund			
		7	(560)
Cash and cash equivalents at the beginning of the period	16	69	629
Cash and cash equivalents at the end of the period	16	76	69

The notes on pages 75 to 96 form part of these accounts.

Statement of Changes in Taxpayers' Equity

FOR THE YEAR ENDED 31 MARCH 2012		2011-2012		
		General Fund	Revaluation Reserve	Total Reserves
	Note	£'000	£'000	£'000
Balance as at 31 March 2010		(9,418)	1,180	(8,238)
Building Revaluation Adjustment		230		230
Restated balance at 1 April 2010		(9,188)	1,180	(8,008)
Net Parliamentary Funding – drawn down		1,587		1,587
Net Parliamentary Funding – deemed		629		629
Consolidated Fund Standing Services		2,719		2,719
Supply (payable)/receivable adjustment		(21)		(21)
Excess Vote – Prior Year		-		-
CFERs payable to the Consolidated Fund		(48)		(48)
Comprehensive Expenditure for the Year		(5,622)		(5,622)
Non-Cash Adjustments				
Non-cash charges – auditors remuneration	8	41		41
Movement in Reserves				
Movement in Revaluation Reserve	10,11		1,833	1,833
Recognised in Statement of Comprehensive Expenditure		-	-	-
Transfer between reserves		19	(19)	-
Balance at 31 March 2011		(9,884)	2,994	(6,890)
Net Parliamentary Funding – drawn down		2,496		2,496
Net Parliamentary Funding – deemed		21		21
Consolidated Fund Standing Services		2,541		2,541
Supply (payable)/receivable adjustment		(76)		(76)
Excess Vote – Prior Year				-
CFERs payable to the Consolidated Fund		-		-
Comprehensive Expenditure for the Year		(6,053)		(6,053)
Non-Cash Adjustments				
Non-cash charges – auditors remuneration	8	43		43
Movement in Reserves				
Movement in Revaluation Reserve			614	614
Transfer between reserves		18	(18)	
Balance at 31 March 2012		(10,894)	3,590	(7,304)

The notes on pages 75 to 96 form part of these accounts.

Notes to the Departmental Resource Accounts

Statement of Accounting Policies

1.1 Basis of Preparation

The financial statements have been prepared in accordance with the 2011–12 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 (UKSC) are described below. They have been applied consistently in dealing with items which are considered material to the accounts.

In addition to the primary statements prepared under IFRS, the FReM also requires the Department to prepare two additional primary statements. The Statement of Parliamentary Supply and supporting notes show outturn against Estimate in terms of the net resource requirement and the net cash requirement.

The figures for 2010–11 in these accounts have been restated where necessary to reflect the transfer of Judicial Committee of Privy Council (JCPC) from MoJ to UKSC on 1 April 2011; to reflect the impact of revaluing the UKSC's land and buildings to depreciated replacement costs; and to reflect the restatement of prior year expenditure between Administration and Programme costs. The details of these restatements and their impact on the current year's net operating cost are included in Note 28.

1.2 Accounting Convention

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

1.3 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. This was based on the assumption that the property could be sold as part of the continuing enterprise in occupation. On the basis of the above assumption, Fair Value under IAS is identical to Existing Use Value under UK GAAP. The year end valuation was carried out by the Westminster Valuation Office (VOA) using 31 March 2012 and 31 March 2011 as valuation dates.

ii. Other Plant & Equipment

These were included at cost and are restated at the end of the year using Price Index Numbers for Current Cost accounting.

Any upward revaluation shall be recognised in other comprehensive income and accumulated in equity under the heading of revaluation surplus. However, the increase shall be recognised in profit or loss to the extent that it reverses a revaluation decrease of the same asset previously recognised in profit or loss. Any downward revaluation shall be recognised in profit or loss. However, the decrease shall be recognised in other comprehensive income to the extent of any credit balance existing in the revaluation surplus in respect of that asset. The decrease recognised in other comprehensive income reduces the amount accumulated in equity under the heading of revaluation surplus.

1.4 Intangible Fixed Assets

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

1.5 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	7 years
Furniture and fittings	4-7 years
Robes	50 years

Intangible assets:

Computer Software and software licences	7 Years
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1.6 Inventory

Closing stocks of gift items for re-sale are included at cost. 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.

1.7 Operating Income

Operating income is income which relates directly to the operating activities of the UKSC. Operating Income includes judicial receipts, sale of gift items, hire of court facilities for corporate events and contributions from the Jurisdictions (Her Majesty's Courts Service, Northern Ireland Court Service and Scottish Parliament). Judicial receipts are payable at different stages that fairly reflect status of cases. UKSC recognises all fees received in each reporting period as income.

1.8 Administration and Programme Expenditure

The Statement of Comprehensive Net Expenditure is analysed between administration and programme costs. The classification of expenditure and income as administration or as programme follows the definition of administration costs set out in Managing Public Money by HM Treasury. All UKSC expenditure, including staffing and administrative costs, were regarded as programme costs for the purposes of resource accounting in 2010–11.

1.9 Pensions

UKSC employees are covered by the provisions of the Principal Civil Service Pension Scheme (PCSPS), which is a defined benefit scheme and is unfunded and non-contributory except in respect of dependants benefits. The Department recognises the expected cost of providing

pensions on a systematic and rational basis over the period during which it benefits from employees' services by payment to the PCSPS of amounts calculated on an accruing basis. Liability for payment of future benefits is a charge on the PCSPS. In respect of the defined contribution schemes, the department recognises the contributions payable for the year.

The contributions to PCSPS are set out in note 6.

1.10 Leases

Where substantially all risks & rewards of ownership are borne by the UKSC, 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 operating cost statement 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 6.88%. Other leases are charged to the operating cost statement as a straight-line item over the terms of the lease.

1.11 Audit Costs

A charge reflecting the cost of the audit is included in the operating costs. The UKSC is audited by the Comptroller and Audit General. No charge by the C&AG is made for this service but a non cash charge representing the cost of the audit is included in the accounts.

1.12 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.

1.13 Provisions

The Department provides for legal or constructive obligations which are of uncertain timing or amount on the balance sheet date on the basis of the best estimate of the expenditure required to settle the obligation.

Provisions are recognised in the accounts where:

- a) there is a present obligation as a result of a past event;
- b) it is probable that a transfer of economic benefits will be required to settle the obligation, and;
- c) a reliable estimate can be made of the amount.

Provisions have not been discounted, as the resulting adjustment is not considered material to these accounts.

Contingencies are disclosed in the notes to the accounts unless the possibility of transfer in settlement is remote.

1.14 Contingent Liabilities

In addition to contingent liabilities disclosed in accordance with IAS 37, the Department discloses for parliamentary reporting and accountability purposes certain statutory and non-statutory contingent liabilities where the likelihood of a transfer of economic benefit is remote, but which have been reported to Parliament in accordance with the requirements of Managing Public Money.

Where the time value of money is material, contingent liabilities which are required to be disclosed under IAS 37 are stated at discounted amounts and the amount reported to Parliament separately noted. Contingent liabilities that are not required to be disclosed by IAS 37 are stated at the amounts reported to Parliament.

1.15 Significant Accounting Estimates and Assumption

There are no significant estimates or accounting judgements used in the preparation of these accounts.

1.16 Changes in Accounting Policies

There are no changes to accounting policies arising from new IFRSs and any new or amended standards announced but not yet adopted. There are also no voluntary changes to accounting policies that have had an impact in these accounts.

2. Net outturn

2.1 Analysis of net resource outturn by section

										2011- 2012	2010- 2011	
							Outturn		Estimate		Net total compared to Estimate:	Prior Year Outturn
	Administration			Programme			Total	Net Total	Net total compared to Estimate:	Prior Year Outturn		
	Gross	Income	Net	Gross	Income	Net					Net Total	Net total compared to Estimate:
£'000		£'000		£'000		£'000		£'000		£'000		
Spending in Departmental Expenditure limit												
Voted	967	(100)	867	9,408	(6,838)	2,570	3,437	3,498	61	2,951		
Non Voted	0	0	0	2,541	0	2,541	2,541	2,530	(11)	2,719		
Annually Managed Expenditure												
Voted	0	0	0	75	0	75	75	1,000	925	0		
Total	967	(100)	867	12,024	(6,838)	5,186	6,053	7,028	975	5,670		

2.2 Analysis of net capital outturn by section

							2011- 2012	2010- 2011	
				Outturn		Estimate		Net total compared to Estimate:	Total compared to Estimate:
				Gross	Income	Net	Net Total		
				£'000	£'000	£'000	£'000	£'000	£'000
Expenditure Limit									
Voted				16	0	16	101	85	217

3. Reconciliation of outturn to net operating cost and against Administration Budget

3.1 Reconciliation of net resource outturn to net operating cost

	2011-2012	2010-2011
	Outturn	Outturn
	£'000	£'000
Total Resource Outturn in Statement of Parliamentary Supply	5,693	5,670
Non Budget	360	0
Less Income payable to the Consolidated Fund	0	(48)
Net operating cost in Consolidated Statement of Comprehensive Net Expenditure	6,053	5,622

3.2 Outturn against final Administration Budget and Administration net operating cost

	2011–2012	2010–2011
	Outturn	Outturn
	£'000	£'000
Estimate - Administration costs limit	1,109	0
Outturn - Gross Administration Costs	967	919
Outturn - Gross Income relating to administration costs	(100)	(64)
Outturn - Net administration costs	867	855
Reconciliation to operating costs		
Less: provisions utilised (transfer from Programme).	0	0
Administration Net Operating Costs	867	855

4. Reconciliation of net cash requirement to increase/(decrease) in cash

	2011–2012	2010–2011
	£'000	£'000
Net Cash Requirement	(2,441)	(2,147)
From the Consolidated Fund (Supply) - current year	2,496	1,587
From the Consolidated Fund (Supply) - prior year		-
Amount due to the Consolidated Fund received and not paid over		
Amount due to the Consolidated Fund received in prior year and paid over	(48)	
Increase/(decrease) in cash	7	(560)

5. Analysis of income payable to the Consolidated Fund

In addition to Appropriations in Aid, the following income relates to the department and is payable to the Consolidated fund.

	2011–2012 Outturn		2010–2011 Outturn	
	Income	Receipts	Income	Receipts
	£'000	£'000	£'000	£'000
Operating income outside the ambit of the Estimate	-	-	-	-
Excess Cash surrenderable to the Consolidated Fund			(48)	
Total Income payable to the Consolidated Fund	-	-	(48)	-

6. Staff/Justices numbers and related costs

	A – STAFF/JUSTICES COSTS COMPRISE				2011–2012	2010–2011
	Justices	Permanent		Other	Total	Total
		Front Line Staff	Administrative Staff	Judicial Assistants/ Agency		
	£'000	£'000	£'000	£'000	£'000	£'000
Wages & salaries	2,245	1,025	506	179	3,955	4,085
Social security costs	295	83	48	15	441	449
Supplementary Judges & Special Advisers	62	0	0	0	62	14
Other pension costs	722	169	104	30	1,025	1,083
Sub-total	3,324	1,277	658	224	5,483	5,631
Inward secondments	0	0	0	0	0	0
Agency staff	0	0	24	0	24	134
Total	3,324	1,277	682	224	5,507	5,765
Less recoveries in respect of outward secondments	0	0	0	0	0	(23)
Total net costs	3,324	1,277	682	224	5,507	5,742

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.

B. PRINCIPAL CIVIL SERVICE PENSION SCHEME

The Principal Civil Service Pension Schemes (PCSPS) is an unfunded multi-employer defined benefit scheme but the UK Supreme Court is unable to identify its share of the underlying assets and liabilities. A full actuarial valuation was carried out as at 31 March 2007. Details can be found in the resource accounts of the Cabinet Office: Civil Superannuation and at www.civilservice.gov.uk/pensions.

For 2011–12, employer's contributions £303,543 were payable to the PCSPS (2010–11 £282,024) at one of four rates in the range of 16.7 to 24.3 per cent of pensionable pay, based on salary bands. The scheme's Actuary reviews employer contributions every four years following a full scheme valuation. The contribution rates were last revised in 2008–09 but the salary bands were revised from 1 April 2010.

The contribution rates reflect benefits as they are accrued, not when the costs are actually incurred, and reflect past experience of the scheme.

Employees can opt to open a partnership pension account, a stakeholder pension with an employer contribution. Employers' contributions of £NIL (2010–11 £NIL) were paid to one or more of a panel of three appointed stakeholder pension providers. Employer contributions are age-related and range from 3.0 to 12.5 per cent (2010–11 3.0 to 12.5 per cent) of pensionable pay. Employers also match employee contributions up to 3 per cent of pensionable pay. In addition, employer contributions of £NIL, 0.08 per cent (2010–11: £NIL 0.08 per cent) of pensionable pay, were payable to the PCSPS to cover the cost of the future provision of lump sum benefits on death in service and ill health retirement of these employees.

Contributions due to the partnership pension providers at the balance sheet date were £Nil

There were no early retirements on ill health grounds in 2011–12. (2010–11 None)

C. AVERAGE NUMBER OF PERSONS EMPLOYED AND JUSTICES THAT SERVED

The average number of whole-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.

THE SUPREME COURT OF THE UNITED KINGDOM					2011–2012	2010–2011
	PERMANENT			OTHER	Total	Total
	Justices	Frontline Staff	Administrative Staff	Judicial Assistants/ Agency		
	11	31	10	7	59	64
Total	11	31	10	7	59	64

7. Other Administration Costs

	2011–2012		Restated 2010–2011	
	£'000	£'000	£'000	£'000
Catering Costs	58		69	
Other Staff Costs	42		35	
Staff Travel	6		6	
Hospitality and Events	14		5	
Printing, Postage, Stationery and Publications	142		100	
Internal Audit and Governance Expenses	23		4	
		285		219
Total Administration Costs		285		219

8. Programme costs

	Note	2011–2012		Restated 2010–2011	
		£'000	£'000	£'000	£'000
Accommodation costs		2,347		2,426	
Finance costs		2,538		2,407	
Library costs		256		239	
IT costs		388		365	
Publicity and communications		98		188	
Broadcasting costs		215		166	
Repairs and maintenance		66		22	
Recruitment and judicial appointment costs		19		52	
Transportation costs		107		128	
International Judicial travel		32		12	
			6,066		6,005
Non-cash items:					
Depreciation	10	854		846	
Amortisation	11	161		150	
Impairment	10, 11	75		(271)	
Auditors' remuneration and expenses		43		41	
Total non cash			1,133		766
Total programme costs			7,199		6,771

In 2010–11, all of UKSC's expenditure was classified as Programme. The account have been restated to reflect the new HM Treasury's cost control regime which depicts some UKSC expenditure as Administration.

9. Income

OPERATING INCOME, ANALYSED BY CLASSIFICATION AND ACTIVITY, IS AS FOLLOWS:

	2011–2012		Restated 2010–2011
	£'000	£'000	
All operating income is included within public expenditure:			
Contribution from HMCS	(5,253)		(5,253)
Contribution from Scottish Government	(478)		(478)
Contribution from Northern Ireland Court Service	(239)		(239)
Total contributions		(5,970)	(5,970)
Court fees – UKSC		(727)	(934)
Court fees – JCPC		(141)	(142)
Wider Market Initiatives		(100)	(64)
Total income		(6,938)	(7,110)

	2011–2012				2010–2011	
	Income	Full Cost	Surplus/ (Deficit)	Surplus/ (Deficit) Income	Full Cost	Surplus/ (Deficit)
	£'000	£'000	£'000	£'000		
Total Court fees	(868)	12,891	(12,022)	(1,076)	12,777	(11,701)
Wider Market Initiatives	(100)	100	0	(64)	64	0
	(968)	12,991	(12,022)	(1,140)	12,841	(11,701)

These are provided for fees' & charges' purposes & not for IFRS 8.

The UK Supreme Court does not recover its full cost of operations from Court fees as this might impede access to Justice.

The UK Supreme Court has complied with the cost allocation and charging requirements set out in HM Treasury and Office of Public Sector Information guidance.

10. Property, Plant and Equipment

	Land	Building	Office Equipment	Furniture and Fittings	Robes	Total
	£'000	£'000	£'000	£'000	£'000	£'000
Cost or valuation						
At 1 April 2011	9,000	17,667	999	1,835	152	29,653
Additions	-	-	-	16	-	16
Revaluations	1,000	(477)	(1)	25	2	549
Disposals	-	-	-	-	-	-
Donations	-	-	-	-	-	-
At 31 March 2012	10,000	17,190	998	1,876	154	30,218
Depreciation						
At 1 April 2011	-	(656)	(206)	(415)	(6)	(1,283)
Charged in year	-	(431)	(141)	(279)	(3)	(854)
Revaluations	-	-	4	(9)	-	(5)
Disposals	-	-	-	-	-	-
At 31 March 2012	-	(1,087)	(343)	(703)	(9)	(2,142)
Net book value at 31 March 2012	10,000	16,103	655	1,173	145	28,076
Asset financing						
Owned	1,973					
Finance leased	26,103					
On-balance sheet	28,076					
PFI contracts	-					

	Restated 2010–2011					
	Land	Building	Office Equipment	Furniture and Fittings	Robes	Total
	£'000	£'000	£'000	£'000	£'000	£'000
Cost or valuation						
At 1 April 2010	7,500	16,920	955	1,898	141	27,414
Transfers inward	-	-	75	37	-	112
Revaluations	1,500	747	(31)	(100)	11	2,127
Disposals	-	-	-	-	-	-
Donations	-	-	-	-	-	-
At 31 March 2011	9,000	17,667	999	1,835	152	29,653
Depreciation						
At 1 April 2010	-	(230)	(68)	(146)	(1)	(445)
Charged in year	-	(426)	(140)	(277)	(3)	(846)
Revaluations	-	-	2	8	-	10
Disposals	-	-	-	-	-	-
At 31 March 2011	-	(656)	(206)	(415)	(4)	(1,281)
Net book value at 31 March 2011	9,000	17,011	793	1,420	148	28,372
Asset financing						
Owned	2,361					
Finance leased	26,011					
On-balance sheet	28,372					
PFI contracts	-					

11. Intangible assets

Intangible non-current assets comprise software licences		Purchased software licences
		£'000
Cost or valuation		
At 1 April 2011		1,134
Additions		-
Revaluations		(1)
Disposals		-
Donations		-
At 31 March 2012		1,133
Amortisation		
At 1 April 2011		(224)
Charged in year		(161)
Revaluations		-
Disposals		-
At 31 March 2012		(385)
Net book value at 31 March 2012		748

		Purchased software licences
		£'000
Cost or valuation		
At 1 April 2010		1,063
Additions		105
Revaluations		(34)
Disposals		-
Donations		-
At 31 March 2011		1,134
Amortisation		
At 1 April 2010		(76)
Charged in year		(150)
Revaluations		2
Disposals		-
At 31 March 2011		(224)
Net book value at 31 March 2011		910

12. 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 majority of financial instruments relate to contracts for non-financial items in line with the Department's expected purchase and usage requirements and the Department is therefore exposed to little credit, liquidity or market risk.

13. Impairments

		2011–2012	2010–2011
	Note	£'000	£'000
The total impairment charge for the year is analysed below:			
Amount charged direct to the statement of comprehensive net expenditure	8	75	(271)
Amount taken through the revaluation reserve	12, 13	380	73
Total		455	(198)

£15k impairment losses (F&F – £14k, Software Assets – £1k) already charged to Operating Cost Statement in 2010–11 were reversed in 2011–12.

14. Inventories

		2011–2012	2010–2011
		£'000	£'000
Opening balances		7	7
In year movement		14	-
Total		21	7

15. Trade Receivables and other current assets

A – ANALYSIS BY TYPE		2011–2012	2010–2011
		£'000	£'000
Amounts falling due within one year:			
Trade receivables		29	3
VAT recoverable		183	163
Staff receivables		14	14
Prepayment and accrued income		574	624
Total		800	804

B – INTRA-GOVERNMENT BALANCES		2011–2012	2010–2011
		£'000	£'000
Balances with other central government bodies		183	163
Subtotal: intra-government balances		183	163
Balances with bodies external to government		617	641
Total debtors at 31 March		800	804

16. Cash and Cash Equivalents

		2011–2012	2010–2011
		£'000	£'000
Balance at 1 April		69	629
Net changes in cash and cash equivalent balances		7	(560)
Balance at 31 March		76	69

<i>Cash and cash Equivalents continued</i>	2011-2012	2010-2011
	£'000	£'000
The following balances at 31 March were held at:		
Government Banking Service (RBS & Citibank)	76	69
Balance at 31 March	76	69

17. Trade Payables and other current liabilities

A – ANALYSIS BY TYPE	2011-2012	2010-2011
	£'000	£'000
Amounts falling due within one year:		
Other taxation and Social Security	(110)	(78)
Trade payables	(170)	(15)
Amounts issued from the Consolidated Fund for supply but not spent at year end	(76)	(21)
Consolidated Fund extra receipts due to be paid to the Consolidated Fund	-	(48)
Accruals and deferred income	(424)	(899)
Amounts falling due after more than one year:	(780)	(1,061)
Finance leases	(36,245)	(35,991)
	(37,025)	(37,052)

B – INTRA-GOVERNMENT BALANCES	2011-2012	2010-2011
	£'000	£'000
Balances with other central government bodies	(187)	(414)
Subtotal: intra-government balances	(187)	(414)
Balances with bodies external to government	(36,838)	(36,638)
Total creditors at 31 March	(37,025)	(37,052)

18. Provisions for Liabilities and Charges

There were no provisions or claims during the year and in 2011-12.

19. Capital Commitments

There were no capital commitments.

20. Commitments under leases

20.1 – OPERATING LEASES	2011–2012	2010–2011
Total future minimum lease payments under operating leases are given in the table below for each of the following periods	£'000	£'000
Obligations under operating leases comprise:		
Other		
Not later than 1 year	30	30
Later than 1 year and not later than 5 years	-	-
Later than 5 years	-	-
Total	30	30
20.2 – FINANCE LEASES	2011–2012	2010–2011
Total future minimum lease payments under finance leases are given in the table below for each of the following periods	£'000	£'000
Obligations under finance leases comprise:		
Land		
Not later than 1 year	893	771
Later than 1 year and not later than 5 years	3,802	3,280
Later than 5 years	28,992	26,680
	33,687	30,731
Less: Interest Element	(19,802)	(18,278)
Net total	13,885	12,453
Building		
Not later than 1 year	6,122	6,200
Later than 1 year and not later than 5 years	46,688	50,428
Later than 5 years	54,248	58,085
Less: Interest element	(31,888)	(34,547)
Net total	22,360	23,538
Grand total	36,245	35,991
	2011–2012	2010–2011
Present Value of obligations under finance lease for the following periods comprise	£'000	£'000
Land		
Not later than 1 year	836	750
Later than 1 year and not later than 5 years	3,022	2,710
Later than 5 years	10,027	8,993
	13,885	12,453
Building		
Not later than 1 year	1,347	1,418
Later than 1 year and not later than 5 years	4,866	5,122
Later than 5 years	16,147	16,998
	22,360	23,538
Grand total	36,245	35,991

21. Commitments under PFI contracts

There were no commitments under PFI contracts.

22. Other financial commitments

UKSC has not entered into any non-cancellable contracts (which are not operating leases or PFI contracts).

23. Contingent liabilities disclosed under IAS 37

UKSC has entered into a loan agreement with the Middlesex Guildhall Collection Trust in respect of Works of Arts located in the building. The department agreed to indemnify the Trust against loss or damage occasioned to the items and has put an insurance policy in place to cover any incidental financial loss.

None of these is a contingent liability within the meaning of IAS 37 since the possibility of a transfer of economic benefit in settlement is too remote.

24. Losses and Special Payments

No exceptional kinds of expenditure such as losses and special payments, that require separate disclosure because of their nature or amount, have been incurred.

25. 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.

UKSC had a number of significant transactions with other government departments and other central government bodies.

The Ministry of Justice provide shared services for UKSC. There were no outstanding balances as at 31 March 2012.

26. 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 other receipts and payments are entered on the 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.

	2011-2012	2010-2011
	£'000	£'000
Balance as at 1 April	325	500
Add: Receipts - lodgements by appellants	-	-
Less: Repayments to appellants/ respondents	-	(175)
Total as at 31 March	325	325

27. Post Balance Sheet Events

There are no disclosable post balance sheet events.

28. Prior Period Adjustment - Consolidation of JCPC and Revaluation of Building Adjustments

The tables below show the impact of the Depreciated Replacement Cost (DRC) revaluation of UKSC Building and the transfer of JCPC on 01 April 2011 on the Statement of Comprehensive Net Expenditure and the Statement of Financial Position for the following periods

	As reported 31 March 2011	DRC Valuation Adjustment	Transfer of JCPC	Admin/ Programme Split	Restated 31 March 2011
	£'000	£'000	£'000	£'000	£'000
Restated Statement of Comprehensive Net Expenditure					
Administration Costs					
Staff Costs	-			700	700
Other Administration Costs	-			219	219
Income	-			(64)	(64)
Programme Expenditure					-
Staff Costs	5,542		200	(700)	5,042
Other Programme Costs	7,297	(360)	53	(219)	6,771
Income	(6,968)		(142)	64	(7,046)
Net operating Costs					
Net (gain)/loss on revaluation of property, plant and equipment		(1,859)			(1,859)
Net (gain)/loss on revaluation of intangible assets	(89)	123			34
Total Comprehensive Expenditure for the year	5,782	(2,096)	111	-	3,797

	As reported 31 March 2010	DRC Valuation Adjustment	Transfer of JCPC	Admin/ Programme Split	Restated 31 March 2010
	£'000	£'000	£'000	£'000	£'000
Restated Statement of Financial Position					
Property, Plant & Equipment	26,739	230			26,969
Intangible Assets	987				987
Current Assets					-
Inventories	7				7
Trade and other receivables	736				736
Cash and Cash Equivalents	629				629
Trade and other Payables	(1,576)				(1,576)
Other Liabilities					-
Non Current Liabilities	(35,760)				(35,760)
Total Assets less Total Liabilities	(8,238)	230			(8,008)
General Fund	(9,418)	230			(9,188)
Revaluation Reserve	1,180				1,180
Total Taxpayers Equity	(8,238)	230			(8,008)

	As reported 31 March 2011	DRC Valuation Adjustment	Transfer of JCPC	Admin/ Programme Split	Restated 31 March 2011
Restated Statement of Financial Position	£'000	£'000	£'000	£'000	£'000
Property, Plant & Equipment	27,716	656			28,372
Intangible Assets	910				910
					-
Current Assets					-
Inventories	7				7
Trade and other receivables	804				804
Cash and Cash Equivalents	69				69
Trade and other Payables	(1,061)				(1,061)
Other Liabilities					
Non Current Liabilities	(35,991)				(35,991)
Total Assets less Total Liabilities	(7,546)	656			(6,890)
General Fund	(10,474)	590			(9,884)
Revaluation Reserve	2,928	66			2,994
Total Taxpayers Equity	(7,546)	656			(6,890)

annex

Jurisdictions where the Privy Council is the final Court of Appeal

Overseas jurisdictions

Anguilla
Antigua and Barbuda
Bahamas
Bermuda
British Virgin Islands
Cayman Islands
Cook Islands and Niue
Dominica
Falkland Islands
Gibraltar
Grenada
Guernsey
Isle of Man
Jamaica¹
Jersey
Kiribati
Mauritius
Montserrat
Pitcairn Islands
Saint Christopher and Nevis²
St Helena and dependencies
St Lucia
St Vincent and the Grenadines
Sovereign Base of Akrotiri and Dhekelia
Trinidad and Tobago²
Turks and Caicos Islands
Tuvalu

Brunei
Civil Appeals from the Court of Appeal to the Sultan and Yang di-Perchian for advice to the Sultan

UK jurisdictions

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
Power to refer any matter to the Judicial Committee under section 4 of the Judicial Committee Act 1833

1 During the year, the Prime Minister of Jamaica indicated that the Government would bring forward proposals to withdraw Jamaica from the jurisdiction of the JCPC, and accede to the Caribbean Court of Justice.

2 Since 31 March 2012, the Prime Ministers of these jurisdictions have set out proposals to withdraw from all or part of the jurisdiction of the JCPC, and accede to the Caribbean Court of Justice.



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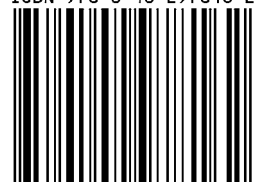
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