CONTENTS

List of figures and tables page viii
Preface ix
List of abbreviations xi

1 Introduction 1
The nature of the politics of judicial independence 2
The old and the new politics of judicial independence 5
The future politics of judicial independence 8

2 The politics of judicial independence and accountability 9
Judicial independence 9
Judicial accountability 16
The political lens 22
The ‘old’ and ‘new’ politics 27
Conclusion 29

3 The new Lord Chancellors and the executive 31
Comparing old and new Lord Chancellors 32
The evolving partnership between the judiciary and the executive 41
Defending judicial independence 50
Judicial accountability to the executive 55
Conclusion 61
TABLE OF CONTENTS

4 The Courts Service, salaries and pensions 64
   Three models of court administration 65
   The Courts Service: from an executive to a partnership model 67
   Judicial remuneration 78
   Conclusion 90

5 Relations between judges and Parliament 92
   Judges as parliamentarians 92
   Judges as account-givers 99
   Judges as witnesses 101
   Select committees as guardians of judicial independence 112
   Parliamentary proceedings 118
   Conclusion 122

6 Judicial leadership and the internal governance of the judiciary 126
   From individualism to corporatism 127
   The multiple leadership roles of the Lord Chief Justice 130
   The institutional architecture of judicial governance 138
   Judicial training 147
   Judicial management and appraisal 149
   Conclusion 155

7 Judicial appointments 159
   Judicial appointments in the twentieth century 160
   The Judicial Appointments Commission 163
   JAC selection exercises 170
   Senior appointments 182
Table of Contents

8 The UK Supreme Court
   Organisation, management and leadership
   Financial independence
   Administrative independence
   Appointments
   Conclusion

9 Scotland and Northern Ireland
   Judges in devolved politics
   The Court Service in Scotland
   The Courts Service in Northern Ireland
   Judicial complaints and discipline
   Judicial appointments
   Conclusion

10 Conclusion
   The new politics: formalised and fragmented
   Political retreat and judicial advance
   The challenges ahead

Bibliography
Index