



The Supreme Court Annual Report and Accounts 2020–2021



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Cover image: UK Supreme Court judicial assistants, 2020-21, socially distanced outside the Supreme Court building

The Supreme Court
Annual Report and Accounts
2020–2021

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Overview

BY THE PRESIDENT OF THE SUPREME COURT
THE RIGHT HON THE LORD REED OF ALLERMUIR



I am pleased to introduce the 2020-21 Annual Report and Accounts, setting out the Supreme Court of the United Kingdom's (UKSC) key achievements and progress towards our strategic objectives during the last financial year.

As a result of the coronavirus pandemic, the UKSC and Judicial Committee of the Privy Council (JCPC) have operated entirely virtually throughout this reporting year, with the justices working from their homes and counsel either in their homes or in their offices. We were able to adapt working practices quickly and to hear almost all planned appeals. No case has been adjourned because the UKSC or JCPC was unable to provide a hearing. A few cases had to be adjourned at the parties' request, early in the first lockdown period, because their counsel was ill or because (in some of the JCPC jurisdictions) they were initially unable to make use of the web facilities which were offered to them. Fifty-four judgments were delivered in the UKSC and 31 in the JCPC. It is a tribute to the hard work of fellow justices and the staff of the court, in particular the IT team, that we have been able to continue to deliver a high level of service to the public, to litigants and to the legal profession.

We are conscious that participating in a virtual hearing is a different experience from taking part in a hearing in court. Counsel have reported that virtual hearings are more tiring, and that it can be more difficult to involve junior counsel

and to take instructions during the hearing. We have responded by introducing a short break mid-morning and by allowing adjournments when instructions have to be taken. The justices are also conscious that there is not the same spontaneous interaction between the participants in a virtual hearing as there is in a courtroom, and the experience for litigants and members of the public is also very different. Accordingly, we look forward to returning to hearings in the court building when it is possible to do so.

It is important that the public can see and understand how and why decisions are made, so that they have confidence in the justice system. All UKSC and JCPC cases and judgments have continued to be live streamed and available to view, on demand, on their respective websites.

Following the UK's withdrawal from the European Union, on 31 December 2020, the relationship between the UKSC and the Court of Justice of the European Union has changed. The details of what this means for the Court are explained later in this report. As part of the UKSC's contribution to the new international role for the country, as a flagship for the UK's commitment to the rule of law, we have continued to build strong relationships with courts around the world which share that commitment. This has included virtual meetings and exchanges with Ireland and Japan. Furthermore, the UKSC and JCPC regularly consider cases with important international implications.

I would like to conclude by paying tribute to the colleagues who have retired from the Court this year, and to welcome those who have joined.

Lord Wilson of Culworth retired in May, followed by Lord Kerr of Tonaghmore in September, and Lady Black in January. Later in this report, there are excerpts from my remarks in tribute to their achievements while on the bench and in the UKSC. Lord Leggatt joined the Court in May, followed by Lord Burrows in June, and most recently Lord Stephens of Creevyloaghgare in October. Their swearing-in ceremonies were quite different to those held in 'normal' times, due to social distancing measures, but all were special and momentous occasions.

It was with great sadness that we learnt the news of Lord Kerr's death, on 1 December 2020. He made an enormous contribution to the legal profession and bench, throughout his career, and will be deeply missed. You can read an excerpt from my tribute to him later in this report and in full on the UKSC website.

As we emerge from this crisis, it is important that we learn lessons from the pandemic and use them to continue improving for the future. We must not waste the opportunity to take what we can from the innovations which have been made.

My priorities continue to be maintaining the standing of the Court as one of the world's leading courts, maintaining the Court's independence, improving the diversity on the Court, strengthening the relationship between the Court and the Courts of Appeal in England and Wales, Scotland and Northern Ireland, developing an international strategy, and strengthening the relationship between the Court and Parliament.

I look forward to leading the Court as it continues to fulfil its important role both domestically and at a global level.

Introduction

BY THE CHIEF EXECUTIVE
VICKY FOX



This is my first introduction to the Annual Report as Chief Executive of the UKSC, following the retirement of Mark Ormerod in September 2020. I would like to start by paying tribute to Mark's dedicated service to the Court and to recognise his significant contribution to the successful delivery of this year's priorities and strategic objectives.

This report sets out how the UKSC and JCPC have performed this year.

As for every organisation, this year has been dominated by the uncertainties and challenges brought about by the pandemic, lockdowns and restrictions. Despite this impact on lives, personally and professionally, our focus has remained unchanged. We have been committed to providing an environment which enables the justices to carry out their duties in an effective, visible and accessible way, whilst safeguarding the health and wellbeing of everyone who works at or visits the Court. As the President has explained, we successfully and quickly adopted new ways of working in order to continue to deliver the business of the Court at our usual high standard.

Justices and members of staff have been encouraged to work from home, unless it has been essential for them to come into the court building, which has been made COVID-secure. Everyone was provided with the equipment and IT training they required. All cases were heard, and judgments handed down, virtually. We welcomed three new justices to the Court in hybrid swearing-in ceremonies – with those involved attending in person and guests watching live online.

All of this was a significant shift in our operating model, and I am grateful to all justices and staff for their flexibility in quickly transitioning to working in a virtual world.

The UKSC and JCPC building in central London has been closed to the public for much of this year. As a result, papers could not be delivered by the parties to appeals, and everyone moved to the use of documents in electronic form only. This saw the justices adapt to working almost entirely on a screen, with only essential documents being printed. It accelerated the achievement of a long-term objective to minimise the environmental impact of printing large volumes of paper and to modernise the way we work.

Some planned activities had to be curtailed this year. The Court was not able to sit outside of London, as we have done in previous years. Many international engagements were postponed or had to take place virtually. We were unable to offer education sessions or tours of the court building in the usual way. In lieu of these, we found meaningful ways to engage the public in the online world. We have reshaped our education programmes, making them deliverable online, and have prepared a suite of learning resources that are freely available on our website.

The pandemic changed the way we live and work almost overnight, and my thanks go to all our staff who have not only continued to deliver their usual work but who have gone above and beyond in responding to the pandemic. This sense of commitment and purpose is reflected in the 2020 staff engagement scores (81% engagement, 93% participation rate). Throughout this year there has been a strong emphasis on supporting our staff's mental health and wellbeing. This has included facilitating training sessions and introducing informal sessions where staff can connect and support one another.

By living the Court's values and putting wellbeing at the forefront of the way we work, staff have successfully risen to the challenge.

The pandemic has produced huge challenges for legal systems around the world. As we look towards 2021-22, we will ensure that we take forward the lessons we have learned from our response to the pandemic. Our vision is to emerge stronger than before, in order that we can both deliver our strategic priorities and contribute to the UK's recovery.

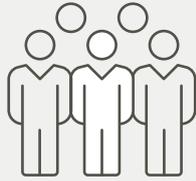
A year in the UKSC

Overview of work done in the Court in 2020–21

	UKSC		JCPC	
permission to appeals filed*	217		58	permission to appeals filed*
permission to appeals determined*	175		41	applications for permission to appeal*
appeals filed	42		5	appeals filed
appeals as of right filed	7		34	appeals as of right filed
appeals heard	61		41	appeals heard
appeals determined**	50		43	appeals determined**
judgments delivered**	54		31	judgments delivered**
procedural applications filed	133		35	procedural applications filed

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

** The difference between the number of appeals determined and the number of judgments delivered arises because some judgments involve multiple appeals, and not all appeals progress to a hearing: for instance an appeal may be withdrawn or struck out.



658

in-person visitors to the UKSC

Reduced numbers owing to the building being restricted to external visitors for most of 2020-21 due to the pandemic



85

virtual tours of the UKSC took place for student groups from UK schools, colleges and universities

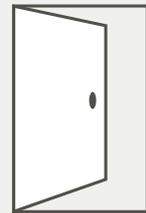
“Please convey our thanks for making it as close as it could be to an in-person tour, and most enjoyable and informative.”

Senior Teaching Fellow from King’s College London, February 2021



1,695

students attended virtual tours of the UKSC

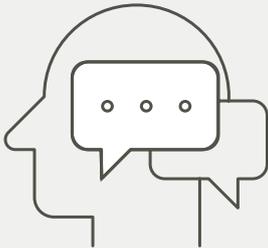


83

people attended a socially distanced open day on 18 September, which enabled visitors to learn about the work of the Court through self-guided tours, including a special talk on ‘Women in Law’

“This was my first visit to the Supreme Court; I’ve learnt a lot and left inspired for a next visit. Definitely will recommend the place to my friends and family.”

Visitor, September 2020



6

virtual ‘Ask a Justice’ sessions delivered, to help engage school and college groups from inaccessible and disadvantaged areas of the UK

“Hearing experiences and opinions regarding topics I have learned about in class because it made it more relevant to me.”

Student from Coleg Sir Gar, Wales, February 2021



**UP
69%**

on 2019-20

142

applications to our student writing competition, aimed at Year 12 or 13 students in England or Wales, S5 or S6 in Scotland or Year 13 or 14 in Northern Ireland

**DOWN
-98%**

Reduced number of open days and lower attendance owing to the pandemic



DOWN
-85.5%

481

people attended Open House London, the world's largest architectural festival in a socially distanced way

Lower attendance due to the pandemic

"We visited as part of the Open House weekend and really appreciated the efforts made to make a visit possible when so many buildings and organisations had not felt able to take part in the programme this year. It's a beautiful building and you gain a fascinating insight into how the highest court in the land works. Good cafe too!"

Visitor on TripAdvisor, September 2020



16

virtual 'Debate Days', including five during a pilot in the summer, delivered to students in years 10–13 from across the UK

"Amazing opportunity to understand further about a career in law."

Student from Judd School, Kent, January 2021

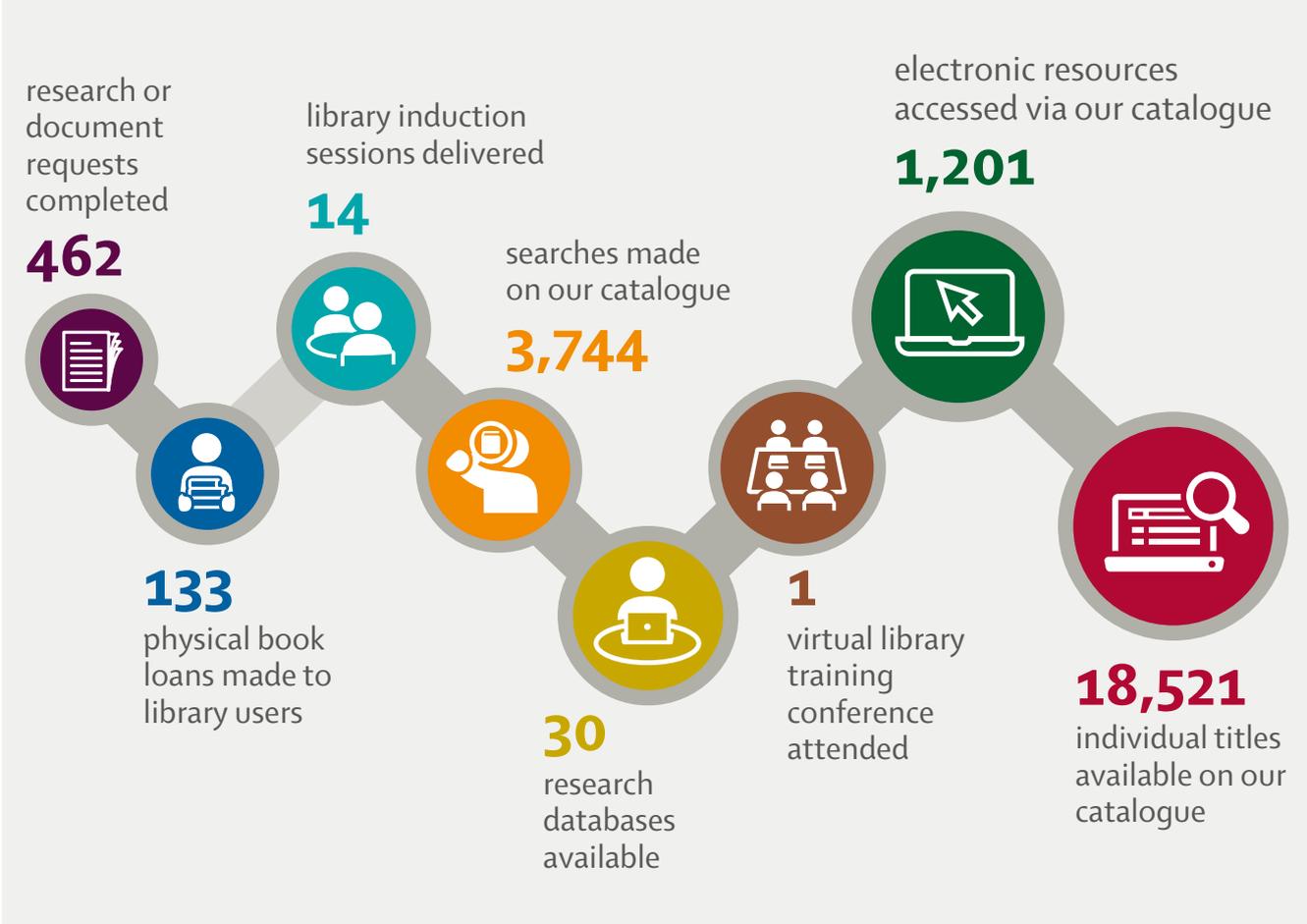


6

virtual moots hosted, for university students from across the UK

"It was a great event and everyone thoroughly enjoyed it."

Moot organiser, University of Edinburgh, March 2021



Section ONE

Justices and their work



Retiring justices

Three justices retired during the year, and whilst it was not possible to hold the traditional valedictories for them due to the pandemic, the President of the Supreme Court, Lord Reed, paid tribute to them through video messages – excerpts of which are included on the following pages.

Lord Wilson of Culworth retired as a Supreme Court justice following his 75th birthday in May 2020.

Extracts from Lord Reed’s online tribute to Lord Wilson on his retirement:

“Under ordinary circumstances his retirement would have been marked here at the Court. But these are not ordinary times, and this is not possible. Nevertheless, it’s no less important that we should celebrate his achievements as a judge during his 27 years on the bench, nine of them on the Supreme Court, and thank him for the important contribution that he has made both to the law and to the Court.

“As a man, Nicholas has brought humanity and sensitivity to the Court.

“He can always be relied on to remind his colleagues of the human reality underlying the sometimes abstract legal problems which we have to decide.”

Watch the tribute video online:

www.youtube.com/watch?reload=9&v=n2t3nfUQnQs&feature=emb_imp_woyt



Lord Wilson © Supreme Court, Kevin Leighton

Lord Kerr retired as a Supreme Court justice in September 2020.

Extracts from Lord Reed’s online tribute to Lord Kerr on his retirement:

“Brian has stood out on the Supreme Court for his sensitivity to the responsibility the judges have to ensure that the lawfulness of government incursions into individual freedoms is subject to careful scrutiny. More generally, Brian has been particularly conscious of the problems experienced by people in their ordinary lives and of the importance of developing the common law so as to respond to contemporary values and problems.

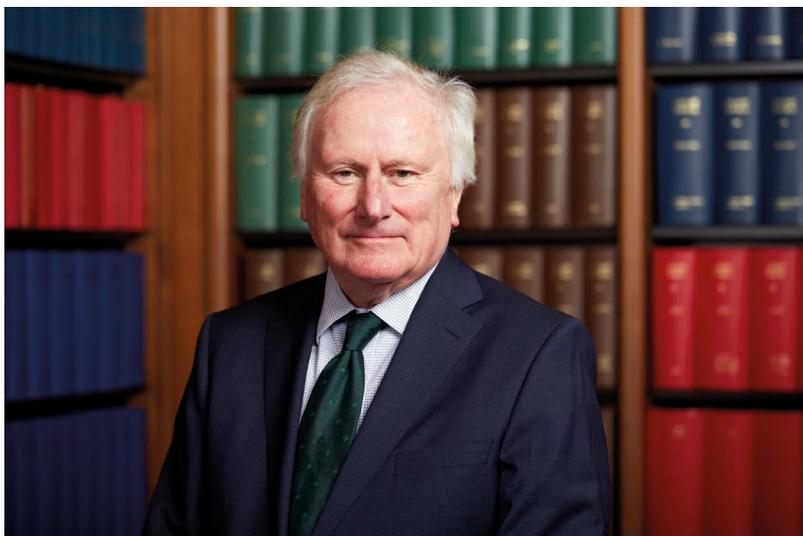
“He has left a very substantial legacy notwithstanding the fact that a significant proportion of his judgments have been dissenting, some of these may still bear fruit.”

Watch the tribute video online: www.youtube.com/watch?v=CCPgAaMigyA

Following Lord Kerr’s sad death on 1 December 2020, Lord Reed shared some further words about him:

“He became a High Court judge at the age of 44 at a time when the decision to serve as a judge in Northern Ireland required courage and a strong sense of duty.

“Through his judgments and during hearings Brian demonstrated his strong and instinctive sense of justice and his thoughtful and principled approach to resolving legal problems. He will never know the full extent of the impact which his considered, good-humoured and encouraging nature had on the Court, the staff of the court and his judicial colleagues. Nor will he ever know the full extent of the impact which his judgments had on the society we serve in Northern Ireland, in the rest of the United Kingdom, in Europe through his services as an ad hoc judge on the European Court of Human Rights and in the many jurisdictions around the world for which the Judicial Committee of the Privy Council serves as the final court of appeal. But he has left a legacy which will be drawn on well into the future. Brian was a deeply valued colleague, a kind and modest man of the upmost integrity who will be deeply missed by all those who had the pleasure of knowing him.”



Lord Kerr © Supreme Court, Kevin Leighton

Lady Black retired as a Supreme Court justice in January 2021.

Extracts from Lord Reed’s online tribute to Lady Black on her retirement:

“She has been a dedicated public servant for many years and has had an exceptionally distinguished legal and judicial career.

“Jill was appointed to the Supreme Court in October 2017 as only the second woman to serve on the country’s highest court.

“She has indeed proved to be a delightful and valued colleague and has written judgments for the Court in a wide range of important cases.

“Her judgments are always notably clear and fluent and take the greatest care to get to the bottom of problems.”

Watch the tribute video online: www.supremecourt.uk/watch/valedictory/lady-black.html



Lady Black © Supreme Court, Kevin Leighton

New appointments

Three new Supreme Court justices were sworn in during the year – Lord Leggatt on 21 April 2020, Lord Burrows on 2 June 2020 and Lord Stephens on 1 October 2020.

Swearing-in ceremonies usually take place in courtroom one and are attended by all justices, as well as by the family and friends of the new justice. As a result of the pandemic, it was not possible to hold a typical ceremony for the new justices and so the format was significantly modified to ensure that latest government guidance on social distancing was observed.

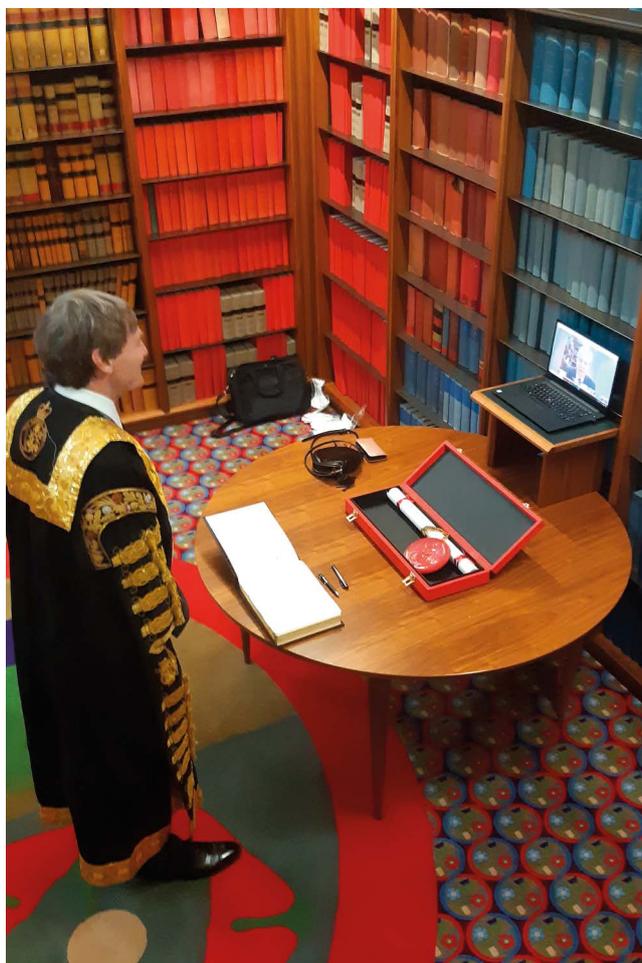
The Constitutional Reform Act 2005, which established the Supreme Court, requires that a person who is appointed as a justice must take the required oaths in the presence of the President of the Court. As such, the ceremonies could not be conducted entirely via video link.

It is hoped that a ceremony of the usual kind will be held for the new justices when circumstances allow, at which time they can renew their judicial oaths.

The swearing-in ceremonies of Lord Leggatt and Lord Burrows, which both took place at the peak of the first lockdown, were held in the Supreme Court library rather than in courtroom one. The ceremonies were closed with only the President of the Supreme Court, a few limited members of staff and one family member in attendance. The other justices all attended virtually by video link.

When Lord Stephens was sworn in in October 2020, the government restrictions had temporarily relaxed slightly and so it was possible to hold the ceremony in courtroom one with a few of Lord Stephens' family members in attendance. Again, Lord Stephens recited the judicial oath in the presence of the President of the Supreme Court, Lord Reed. Some of the Supreme Court justices attended in person, whilst others attended virtually.

Lady Rose's appointment was announced in March 2021 and she was sworn in in April. The ceremony was attended by a small number of guests, all Supreme Court justices and a few members of staff.



Lord Leggatt's swearing-in ceremony
© Supreme Court



Lord Stephens' swearing-in ceremony
© Supreme Court, Kevin Leighton



Lord Burrows' swearing-in ceremony
© Supreme Court, Kevin Leighton

Watch

Swearing-in of Lord Leggatt:

www.youtube.com/watch?v=eT2KK-Y21rc&t=10s

Swearing-in of Lord Burrows:

www.youtube.com/watch?v=eu0qT5PEJBs&t=156s

Swearing-in of Lord Stephens:

www.youtube.com/watch?v=YHq_FxxU7ss

Biographies of current justices can be found here:

<https://www.supremecourt.uk/about/biographies-of-the-justices.html>

Biographies of former justices can be found here:

<https://www.supremecourt.uk/about/former-justices.html>

Justices' public engagement work across the UK

Bringing the work of the Court to the members of the public and students across the UK is an important part of the role of justices. Justices have continued to take part in conferences and events virtually, attending more than 45 engagements and reaching audiences around the world. This includes delivering speeches, talks and lectures, as well as attending conferences, bilateral engagements, and judicial exchanges. These activities have been supplemented by writing journal articles, participating in media and academic interviews, and holding appointments at universities.

Examples of engagements

Highlights include:

Lord Reed took part in virtual events at Oxford University, University of Cambridge, University of Greenwich and Trinity College Dublin. He also gave an address at the first High Sheriff of Greater London Legal Service.

Lord Hodge delivered a number of virtual keynote speeches ranging from the British Irish Commercial Bar Association Annual Law Forum where he spoke on 'COVID, continuity and change: the courts' response to the pandemic', to the European Young Bar Association/Law Society of England and Wales on 'The Supreme Court's response to COVID', to a virtual lecture and Q&A for the Law Society of Scotland Civil advocacy on 'Appellate Advocacy in the Supreme Court'.

Lord Lloyd Jones participated in podcasts with the British Law Centre and the Institute of Advanced Legal Studies, delivered a talk to students at Downing College, Cambridge, was a member of a judging panel for the Times Law Awards essay competition, delivered an address to law students at a conference for Coleg Cymraeg Cenedlaethol; participated in an 'Ask a Justice' for Coleg Sir Gâr, judged a moot for students at Swansea University and contributed an article to the Cambridge Youth Law Journal.

Lord Briggs participated in the City Law Review second annual launch, chaired a virtual event hosted by University College London on 'The Mental Element in Equitable Accessory Liability', and delivered a lecture titled 'What can the pandemic teach us about the costs of civil litigation?' for the Association of Costs Lawyers, online seminar.

Lady Arden attended a 'Women in the Senior Judiciary' talk followed by a Q&A session at the Women's Network National Liberal Club in February 2021 and took part in an interview in Counsel Magazine entitled 'Lady Arden: Law Reformer'.

Lord Kitchin judged the final of the Oxford International Intellectual Property Moot in March 2021, recorded a message for the 40th Anniversary of the Centre for Commercial Law Studies at Queen Mary University of London in April 2020, was inducted into the Intellectual Property Hall of Fame and was subsequently interviewed by Intellectual Asset Management magazine.

Lord Sales delivered the keynote address to the Planning and Environment Bar Association Conference and delivered a speech for the Constitutional and Administrative Law Bar Association on 'Proportionality review in appellate courts: a wrong turning?'.

Lord Hamblen delivered the COMBAR lecture for the 125th Anniversary of the Commercial Court in October 2020, on ‘The Commercial Court: Past, Present, and Future’.

Lord Stephens judged a moot for Ulster University and participated in a Bar Pro Bono unit virtual roundtable.

We have continued to build constructive relationships with legislatures and legal professionals across the UK. Lord Reed and Lord Hodge have kept in touch with judges, lawyers, and legislatures in Scotland, with Lord Lloyd-Jones, Lord Kerr (until September) and Lord Stephens (from October) doing the same in Wales and Northern Ireland respectively.

Justices’ work overseas

The pandemic significantly disrupted planned international engagement, with many commitments having to be postponed or cancelled due to travel restrictions. International relationships were maintained and developed through video and telephone calls, emails, letters, and by attending meetings virtually.

Justices have participated in engagements and represented the UKSC internationally, working to foster good relations. These included:

- Online bilateral exchange between the judiciaries of the UK and Ireland in December 2020. Lord Reed, Lord Hodge, and Lord Hamblen attended the event, which was hosted by the Chief Justice of Ireland, Mr Justice Frank Clarke. The topics across the three sessions were: ‘COVID-19 and judicial review’, ‘COVID-19 and constitutional considerations, civil and human rights’, and ‘COVID-19 and commercial and employment law’. The meeting also featured a tribute to the late Lord Kerr.
- Online exchange between the judiciaries of the UK and Supreme Court of Japan in January 2021. Lord Reed and Lord Hodge attended. See case study on page 23 further details.
- Our continued membership and support of organisations such as ACA Europe (Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union), and the CMJA (Commonwealth Magistrates’ and Judges’ Association).

Examples of engagements

Lord Reed attended exchanges with the judiciaries of Ireland in December 2020, and Japan in January 2021 and participated in a Global Constitutionalism Seminar at Yale University in September 2020.

Lord Hodge attended exchanges with the judiciaries of Ireland in December 2020, and Japan in January 2021.

Lord Lloyd Jones delivered a virtual address to the Bar European Group in October 2020.

Lord Briggs delivered a speech to the Cyprus Judicial Conference on ‘National Experience – Change of Civil Procedure Rules in the UK’, in March 2021.

Lady Arden was a panel participant in the American College of Trial Lawyers in September 2020 (image below), attended the Hellenic Australian Lawyers virtual conference in October 2020, chaired an International Law Association conference in December 2020, and delivered a virtual lecture at Humbolt University, Berlin in November 2020.



Lady Arden attends the American College of Trial Lawyers Virtual Annual Meeting alongside The Rt Hon Richard Wagner PC, Chief Justice of Canada and The Honourable Stephen G Breyer, Associate Justice of the US Supreme Court. Credit – photo from ACTL

Lord Sales contributed an article to *Judicature*, the journal for judges at the Bolch Judicial Institute at the Duke University School of Law, on ‘Algorithms, Artificial Intelligence and the Law’ in March 2021.

Lord Hamblen attended the exchange between the judiciaries of the UK and Ireland in December 2020.

Lord Burrows made a contribution to *Harvard Law Today*, in June 2020.

Parliamentary engagement

Lord Reed and Lord Hodge appeared before the House of Lords’ Constitution Committee on 17 March 2021. A transcript of the evidence session can be found on the Committee’s website at: <https://committees.parliament.uk/oralevidence/1923/html/>



Chief Justice Otani (centre), Justice Hayashi (left), and Justice Tokura (right) take part in a virtual exchange with members of the UK judiciary. Lord Burnett (top left), Lord Hodge (top middle), Lord Justice Flaux (bottom left), and Lord Reed (right). Also present Mr Matsuura (bottom middle), from the Japanese Embassy in London.

A screenshot of the exchange, taken on Microsoft Teams. Chief Justice Otani (top left), Lord Reed (bottom left), Justice Hayashi (top middle), Mr Matsuura (middle), Justice Tokura (bottom middle), Lord Burnett (top right), Lord Justice Flaux (middle right), Lord Hodge (bottom right).

Case study: Judicial exchange between the UK and Japan



In January 2021, members of the UK judiciary took part in a virtual exchange with the Supreme Court of Japan, led by Chief Justice Otani. This was the first international judicial exchange of its kind between the UK and Japan, and the first virtual event held by the Supreme Court of Japan since the pandemic started.

Lord Reed and Lord Hodge were joined by the Chief Justice of England and Wales Lord Burnett and Lord Justice Flaux in a discussion in the topics ‘Overview of how justice systems have responded to COVID-19’, ‘The use of technology’, and ‘Public participation during COVID-19 (video hearings and jury trials)’. The meeting was moderated by Lord Hodge.

The meeting began with speeches by Lord Reed and Chief Justice Otani, with members of the Japanese media present in order to provide press coverage, highlighting the value that the Japanese placed on this engagement.

In the days that followed the meeting letters of thanks were exchanged between Lord Reed and Chief Justice Otani. Both expressed a desire to continue this relationship.

Section TWO

Our performance



About us: who we are and what we do

The role of the Court and the justices is to act as the final court of appeal for arguable points of law of general public importance arising from civil cases throughout the UK, and from criminal cases in England and Wales, Northern Ireland, and, in certain cases only, from Scotland. The Court also hears cases to determine issues relating to the legal competence of the devolved administrations, Parliament and Assemblies.

The JCPC is a separate court from the UKSC but its permanent judges are the UKSC justices. The JCPC is the court of final appeal for the UK Overseas Territories and Crown Dependencies and Commonwealth countries that have retained the appeal to Her Majesty in Council or, in the case of republics, to the Judicial Committee.

Our aim

Our aim, as an administration, is to provide an environment that enables the justices of the UKSC to carry out their duties in an effective, visible and accessible way, and which best

develops the rule of law and the administration of justice, both in the UK and in those countries which use the JCPC.



Continued to secure the justices' constitutional and financial independence



Promoted the importance of the rule of law and its role in securing democratic freedom



Provided an efficient and effective administration



Maintained effective relationships with all jurisdictions in the UK and international relationships



Promoted the visibility and helped to maintain the reputation of the Supreme Court and the JCPC

Delivery of 2020-21 business plan

Our business plan for 2020-21 was written before the start of the pandemic. Although some activities proved impossible to deliver

during lockdown and the continuing restrictions, the court has been successful in delivering the business plan.

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



Strategic priority 1

Continuing to secure the justices' constitutional and financial independence

Key objective 1

We will create an environment that 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.

We planned to:

maintain the building and IT systems to a level which provides the justices with an appropriate working environment



take responsibility for administrative matters, the (mis)handling of which might compromise judicial independence – finance, security, contracting, staff management, etc.



support the justices in delivering key messages through the strategic use of media opportunities and strategic engagement with parliamentarians



establish devolved budgets throughout the operational parts of the court to ensure the best use of the Spending Review 2019 settlement



develop the UKSC's bid for the Spending Review 2020 and ensure the bid is accurate and safeguards the financial independence of the justices, including options on the review of fees



promote the annual opportunity for lawyers to work as a judicial assistant and influence the reputation of the Court across the UK and secure outstanding appointments



refine and enhance access to speeches, lectures, and other non-commercially published materials, that relate to the rule of law, particularly those with an international element



Key:



Achieved



Partially achieved



Not achieved or removed



Strategic priorities 2 and 7

Promoting the importance of the rule of law and its role in securing democratic freedom, and promoting the visibility and helping to maintain the reputation of the Supreme Court and JCPC

Key objective 2

We will maintain and increase confidence in the administration of justice throughout the United Kingdom by promoting transparency in, accessibility to and knowledge of the ways in which justice should be rightly administered. We will thereby promote knowledge of the importance of the rule of law, not least as a guarantee of democratic freedom.

We planned to:

continuously improve our live streaming capability with a focus on enhancing sound quality and accessibility to support access to justice



implement the first phase of our visitor access strategy to enhance access to the court building for those with access needs



develop and test new forms of access and engagement for schools, universities and other educational establishments, with an emphasis on reaching hard-to-reach or disadvantaged groups



continuously improve our visitor experience and seek to broaden and diversify our visiting audiences, whilst enhancing the experience for our priority target audiences (young people, families, local communities)



implement the findings of the social media review to incrementally enhance social media services



introduce enhanced methods of publicising relevant academic comment from overseas jurisdictions



Key:

 Achieved

 Partially achieved

 Not achieved or removed



Strategic priority 3

Providing an efficient and effective administration

Key objective 3

We 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 we have been provided. We 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.

We planned to:

maximise commercial benefits through a combination of increased engagement with suppliers, effective governance and ensuring value for money is secured in all contracts, including the review of the security services contract



define the vision, design and plan for the UKSC's Transformation Project, creating a sustainable delivery strategy which supports business case development for consideration by HM Treasury



define the cultural change required to deliver the transformation and establish a clear and engaging route to secure that change



identify and plan for the migration of legacy systems, develop temporary solutions to meet the short-term business needs and map out scalable digital services to support access to the Court



implement user focused ways of operating through smarter processes and continuous improvement



identify and invest in the new skills needed to lead, support and adapt to change, e.g. emotional intelligence, agile project management and Lean methodology basics





Strategic priority 3

(continued)

Key objective 3 (continued)

We planned to:

continue to develop the IT infrastructure so as to become an exemplar to others of the most effective and efficient use of IT to support the administration of the Court _____



put in place effective governance through compliant 2019-20 Annual Report and Accounts, maintaining the overall 'moderate' audit assessment while continuing to improve _____



Key:

-  Achieved
-  Partially achieved
-  Not achieved or removed



Strategic priorities 4 and 5

Maintaining effective relationships with all jurisdictions in the UK, and maintaining effective international relationships

Key objective 4

We will promote good relations with all the individual jurisdictions, legislatures and governments in the different parts of the United Kingdom.

Key objective 5

We will similarly develop appropriate relationships with courts in Europe, throughout the Commonwealth and in other countries, especially those which share a common law heritage.

We planned to:

support the justices to deliver successful bilateral meetings with overseas jurisdictions _____



support the justices to enhance the Court's relationship with the jurisdictions in the UK and with courts at all levels _____



support the justices in the delivery of their international engagement strategy through the promotion of events and speeches in foreign and domestic media _____



Key:

■ Achieved

● Partially achieved

▲ Not achieved or removed



Strategic priority 6

Ensuring the effective delivery of all UKSC corporate responsibilities

Key objective 6

We will demonstrate appropriate corporate social responsibility. We will promote diversity amongst our staff, ensuring they are also representative of all the jurisdictions of the United Kingdom. We will also both source our supplies and consume our resources in ways which contribute as much as possible to sustainable development and the conservation of natural resources.

Key objective 7

As the statutory custodian of the Court's own records, we will provide the most appropriate environment we can for the organisation, preservation and future inspection of those records.

Key objective 8

As the occupants of the former Middlesex Guildhall, we will promote knowledge of, and interest in, this historic building, the works of art the building houses, especially the Middlesex Art Collection, and more generally the history of the County of Middlesex.

We planned to:

secure accreditation at Cyber Essentials level



implement the first year of the UKSC's sustainability agenda



refine and amalgamate all flexible and smarter working policies in arrangements to meet, as far as reasonably practicable, the government's Smarter Working approach



improve the level of staff engagement and scores in the 2020 People Survey. All staff to support these improvements through active participation in at least one of the groups identified to address areas of concern arising from the previous year's survey. These groups are reviewing making recommendation on: management capabilities, leadership, pay, benefits and feeling valued, and learning and development





Strategic priority 6

(continued)

Key objective 6, 7 and 8 (continued)

We planned to:

conduct an audit of all artwork displayed throughout the UKSC building, review texts and captions for all artworks, and promote through an 'artwork trail' for the public



review and refresh the UKSC's approach to health and wellbeing, learning lessons from the implementation of the 2020 wellbeing calendar and, as in previous years, seeking sources of best practice from other sectors



review and refresh the UKSC's diversity and inclusion strategy through staff engagement, reviewing best practice and ensure that upon completion staff awareness is increased



implement a transfer schedule to enable UKSC to continue to transfer paper case files to The National Archives. Only limited progress with preparing files for transfer has been possible owing to the building access restrictions experienced this year



continue to send surplus and superseded material for reuse by literacy-related charitable organisations. The material is ready, but a suitable collection date has been deferred pending the end of pandemic restrictions



Key:

 Achieved

 Partially achieved

 Not achieved or removed



Paul Brigland,
Head of IT and Building Services

Case study: Audio equipment upgrade



We had a commitment at the start of the reporting year to continuously improve our live streaming capability with a focus on enhancing sound quality and accessibility to support access to justice.

A project to deliver this was completed in February 2021. This was made more urgent by the need to replace equipment that had reached its end-of-life and was starting to develop faults.

The project involved installing upgraded audio desks in the broadcast gallery, as well as the rerouting of audio over an IP network based architecture for all three courtrooms.

The result will be improved sound quality in our live streaming and recorded footage, as well as enhanced sound quality for visitors in the courtroom itself.

The project was carried out by the in-house IT team working closely with our broadcasting contractor NEP BowTie and with a number of suppliers. This collaborative approach has ensured that we have the right equipment for now and the future, and that we purchased it at the right price to achieve value for money.

Combined with the upgrade of the in-court cameras in 2019-20, the UKSC now has a broadcast system that meets the current and planned future needs of the organisation.

As the only UK court that live streams and records all of its proceedings, this has put us in a good position to support our access to justice requirement for the foreseeable future.

Case study: Library services and the pandemic



Right from the outset, the Library team decided that this situation presented an opportunity to take enormous strides forward in moving our service away from a largely print focused offering and towards one that was almost exclusively digital. To that end, we cancelled a significant number of relatively expensive print subscriptions and diverted this expenditure into enhancing our access to e-books and other research databases. We managed to do this while still successfully achieving a reduction in our total annual spend.

We aimed not merely to replicate our existing printed collections in digital form but to grow and increase our offering with new material.

This pivot enabled the Library team to continue to support the justices and their judicial assistants throughout the period of complete homeworking. The majority of research requirements were met successfully even as most physical library collections remained closed. We also took advantage of our network of international contacts to help satisfy requests for material that could not be found in electronic form.

As a result, the library collection has grown from about 6,500 individual titles at the start of the year to 18,500 now. To make this as seamless as possible, we needed to make significant changes to our cataloguing practices so that we could simplify searching for relevant materials. We used our catalogue to create lists of key texts in each subject area as well as redesigning our subject indexing to cope with the influx of such a number of catalogue records.

We have devised new methods of delivering training and we have created resources which will enable us to repeat these sessions more efficiently when new justices and judicial assistants join in future. This has saved us time which we have then been able to divert towards providing, advertising and embedding learning and development resources that are of benefit to the entire court staff.

– Paul Sandles, Librarian and Departmental Records Officer

Finance

The UKSC remained within its budgetary limits for the financial year 2020-21. The net resource budget was £7.14 million, with actual expenditure of £6.335 million. For capital the budget was £0.5 million, with actual expenditure of £0.33 million. Further details can be found in the management commentary and the financial statements sections.

Brexit Funding

The table below illustrates EU Exit related expenditure disaggregated by areas of spend by budget category for 2020-21 with an explanation of how funds were spent, what they were spent on, and the outcome achieved. All expenditure was funded by HM Treasury, and no expenditure was self-funded out of Spending Review 2019 settlements. All spend was resource and with no requirement for capital expenditure.

Budget Category	An explanation of how funds were spent, what they were spent on, and the outcome achieved	Budget £000	Outturn £000	Net Total Outturn compared with budget saving (excess) £000	Variance
Supplementary Justices Panel	Due to increased caseloads following exit of the EU there was an requirement for greater use of retired justices from the Supplementary Panel. This would also apply if more than five justices are required to sit on cases because of their constitutional or other importance (11 sat on the Article 50 case) and the necessity to keep on top of other important work heard by the Court. The outcome was that all cases were heard and judgement delivered.	30	56	(26)	Due to the demands and volumes of cases there was a greater need for supplementary justices than originally budgeted for leading to a slight over spend, which has been absorbed within the overall funding settlement.

Budget Category	An explanation of how funds were spent, what they were spent on, and the outcome achieved	Budget £000	Outturn £000	Net Total Outturn compared with budget saving (excess) £000	Variance
Judicial assistants	Increase in fudicial assistants (JAs) by four due to the need for greater legal support from the diet of cases, constitutional and otherwise following exit of the EU. These costs includes employee-related on costs, during the legal terms they worked and changes required to office configuration and related IT and other devices. The outcome was that all cases were heard and judgement delivered.	235	159	76	The majority of the cost related to employee and related on costs, and minimum expenditure was required for office configuration and related IT and other devices, resulting in an underspend.
Access to data and legal material required by the justices and the judicial assistants	Increasing the number of fudicial assistants and greater deployment of Supplementary Panel justices had a knock-on effect on the number and use of data licences required for the UKSC library that the justices and judicial assistants use as a key resource to research the issues raised by cases. The outcome was that all cases were heard and judgement delivered.	35	31	4	Majority of the budget utilised with a slight underspend due to contractual savings made on data licences and accessing legal material.

Budget Category	An explanation of how funds were spent, what they were spent on, and the outcome achieved	Budget £000	Outturn £000	Net Total Outturn compared with budget saving (excess) £000	Variance
Increase in costs for live streaming of cases	Increase in costs for live streaming of cases. Significant constitutional and other cases heard following exit of the EU put pressure on the provision of live streaming, given the likely public interest. Live streaming is an important part of the Court's openness. The outcome was that all cases were live streamed.	20	43	(23)	Live streaming cost are demanded and were higher than expected, including hosting, licences and usage, resulting in an overspend which has been absorbed within the overall funding settlement.
Increased international engagement	The Court already has links with other courts in Europe and internationally. Following exiting the EU, the Court wanted to increase these links, in particular with common law countries not forming part of its current bilateral engagement programme and play its part in supporting the UK's contribution abroad.	10	0	10	Due to the pandemic and current restrictions on travel, this budget was not utilised resulting in an underspend.

Budget Category	An explanation of how funds were spent, what they were spent on, and the outcome achieved	Budget £000	Outturn £000	Net Total Outturn compared with budget saving (excess) £000	Variance
Sitting of the UKSC external to London	As the only UK-wide court, one of the Court's objectives is to support the rule of law by making itself accessible throughout the UK (as well as further, through live streaming, etc.). Following exit from the EU and the impact on the UK as a whole, the Court wanted to sit in other capitals apart from London and possibly major legal centres in England as well.	60	0	60	Due to the pandemic and current restrictions on travel, this budget was not utilised resulting in an underspend.
Total Resource		390	289	101	

Case study: New ways of working in Finance



In the spirit of continuous improvement, finance processes have been greatly enhanced during the financial year. This has included the introduction of a business partnering model encouraging relationships to build between Finance and the rest of the organisation. Budgets were delegated across the organisation to enhance accountability.

The result has been better planning, risk, and performance management across the organisation. We were then able to inform stakeholders such as HM Treasury about our in year financial position and future spending plans which were presented in a clear and concise manner backed up by accurate and robust data and evidence. This has greatly improved the decision-making process.

We have increased efforts to improve financial discipline across the organisation by updating processes and controls. This has resulted in better financial control and ensured a joined-up, coherent approach to meeting key business needs and improving the efficiency of end-to-end financial processes.

For example, we have moved away from using the outdated method of receiving cheques for payments made by parties to an electronic system, making payment directly from one bank account to another (BACS). We are developing this process going forward by introducing the use of debit and credit card payments in the next financial year.

In addition, we have moved away from largely paper-based systems of storing, accepting, and processing purchase orders and invoices. These are now done electronically, including the adoption of digitalised signatures which are required throughout the approval process.

Sustainability

The UKSC remains committed to meeting the targets set for government departments which are related to sustainability, reducing our environmental impact, and reducing our running costs in appropriate fashion.

Following the independent sustainability survey carried out in the last financial year, which considered the Government Greening Commitment (GGC) targets, a report was produced. We have begun to implement sustainability objectives, based on the recommendations in the report, as from 1 April 2020. This will continue until 2023 as part of a three-year plan.

The effect of the pandemic has slowed this implementation programme down, but as we increase the occupation of the building, we will be implementing the recommendations of that report.

These recommendations are:

- to use energy efficiently and, where possible, reduce energy consumption as compared to benchmark data
- to use water efficiently and, where possible, reduce water consumption as compared to benchmark organisations
- to reduce waste generated through the operation of the building, firstly through encouragement of reusable products, then secondly through raising awareness of varying waste streams
- to reduce paper waste by discouraging printing or, where printing is still needed, promoting the use of double-sided printing
- to source paper products with suitable FSC certification

The above measures are in addition to those we already have in place, which include the reduction of waste from our café products, reducing the number of bins in the building and replacement of bins with recycling stations.

Sustainability investment 2020-21

During 2020-21 we replaced the building's boilers and water heaters with more energy efficient models. Work to improve the efficiency of the heating and cooling systems was also completed. This included replacing or refurbishing all of the pumps that support this system and utilising the building management system energy conservation functionality.

A review of both our sustainability policy and our environmental waste management policy will be completed in the first half of 2021-22. Any changes will be implemented during the second half of the year. We also plan to continue with the retrofitting of existing light fittings to allow energy efficient LED lamps in each fitting throughout 2021-22.

We have also begun a review of our sustainability policy and our environmental waste management policy. This review will be completed in the first half of the next reporting year and any changes will be implemented during the second half of the year.

Year-on-year comparison of carbon, gas and water use

Our use of energy over the last three years, (those assessed within our sustainability audit reviewed period to February 2021), shows that we were achieving consistent energy use year-on-year up until February 2021.

However, the COVID-19 pandemic has meant our building has been closed to the public and has had minimal occupancy by staff in the reporting year. This has reduced our energy consumption and it is not meaningful to compare this year with the two previous years.

Our aim for FY 2021-22 is to seek to avoid any increases in key areas compared with pre-pandemic 19-20 levels.

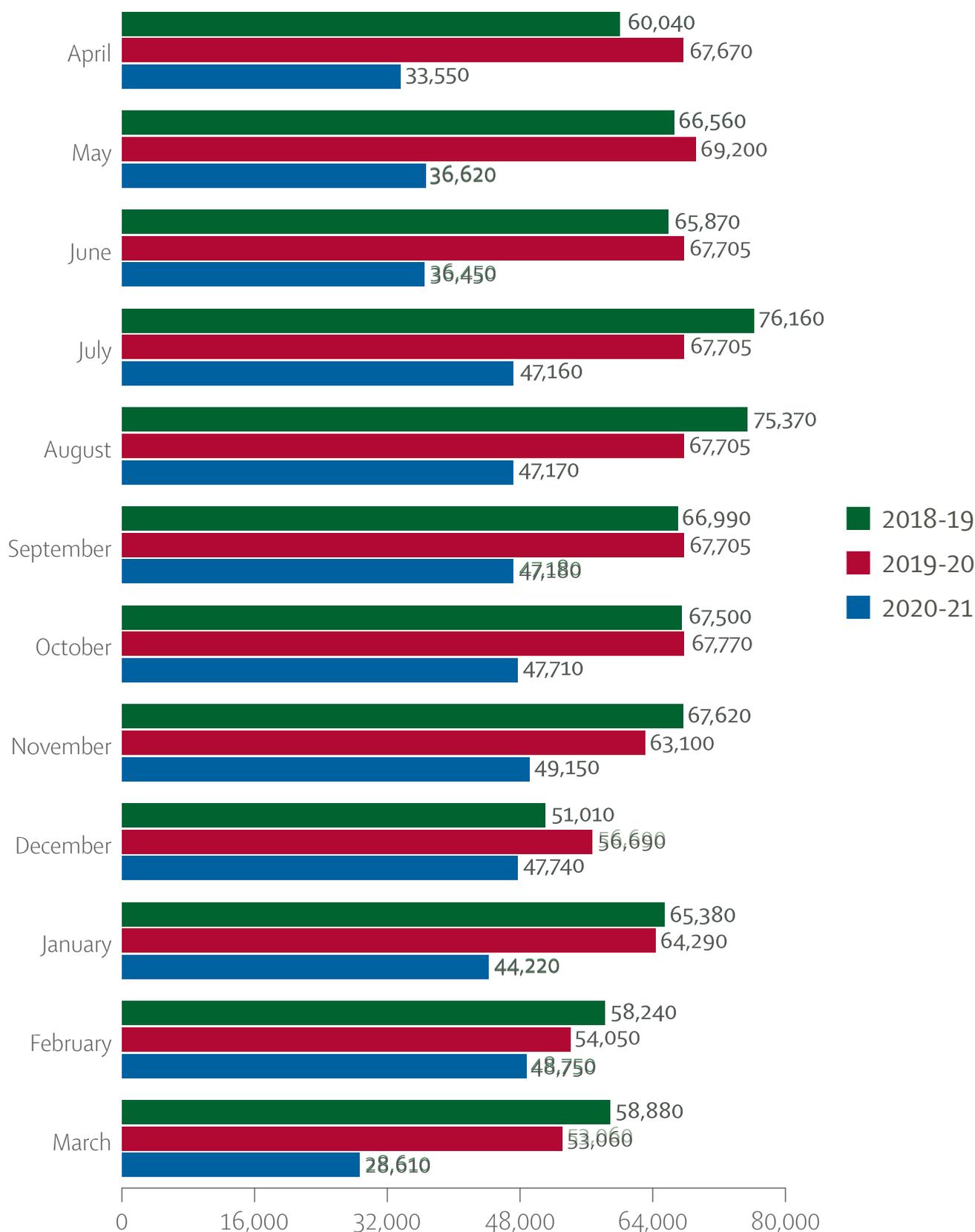
Energy consumption over the last year, and comparable figures for the last three years, are shown in the tables below.

Energy consumption and carbon emissions April 2020 – March 2021

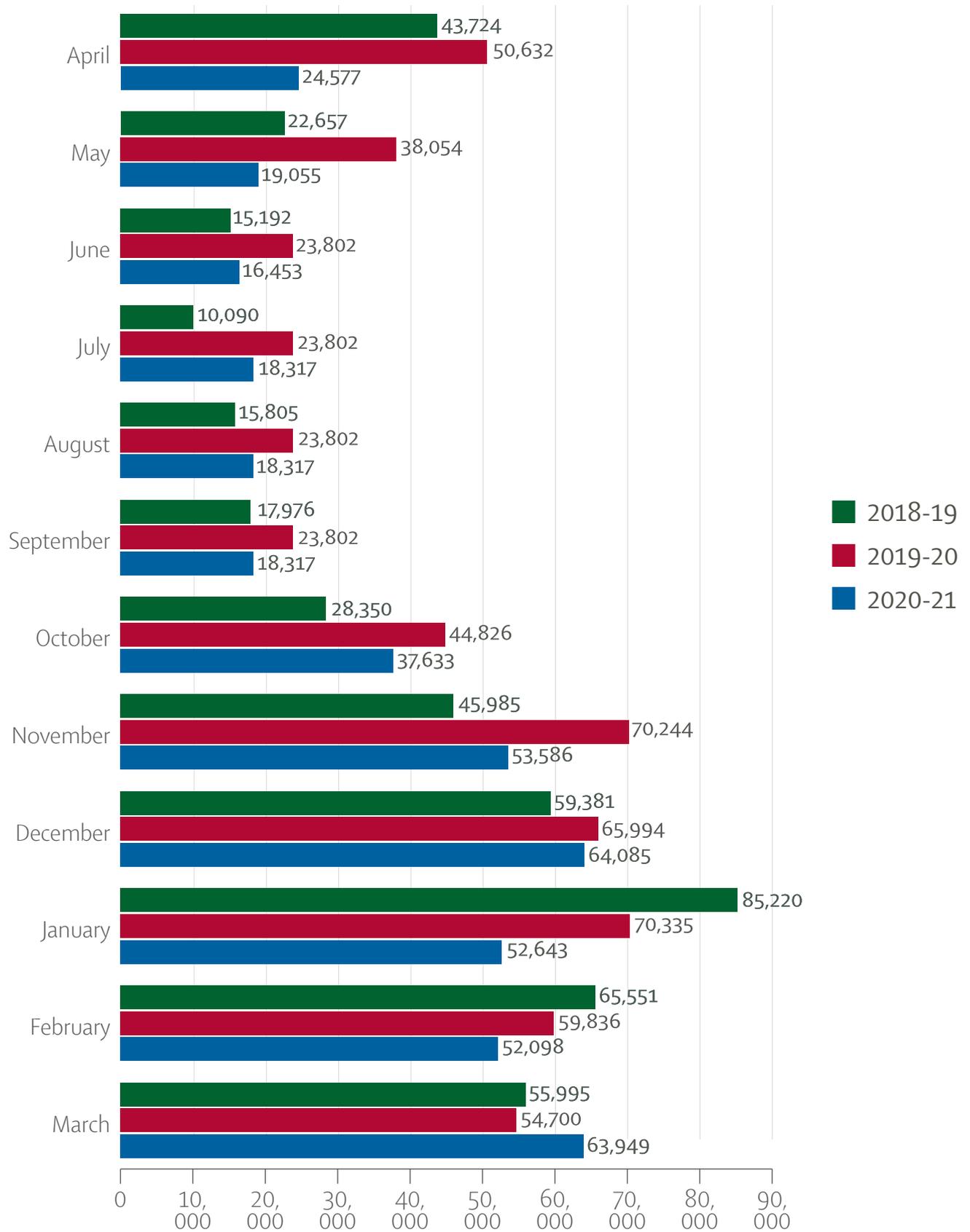
	Building usage			kgCO ₂ emissions		
	Electricity in kwh	Gas in M ³	Water in M ³	Electricity (kgCO ₂)	Gas (kgCO ₂)	Combined (kgCO ₂)
April 2020	33,550	2,163	156.5	7,751	4,367	12,118
May 2020	36,620	1,677	145	8,461	3,386	11,846
June 2020	36,450	1,448	136.5	8,421	2,923	11,345
July 2020*	47,160	1,612	90	10,896	3,254	14,150
August 2020*	47,170	1,612	90	10,898	3,254	14,153
September 2020	47,180	1,612	90	10,900	3,254	14,155
October 2020	47,710	3,312	135.5	11,023	6,687	17,709
November 2020	49,150	4,716	151	11,356	9,521	20,877
December 2020	47,740	5,640	153	11,030	11,386	22,416
January 2021	44,220	4,633	148.5	10,217	9,353	19,570
February 2021	48,750	4,585	141	11,263	9,257	20,520
March 2021	28,610	5,628	345.5	6,610	11,362	17,972
Total	514,310	38,638	1,782.5	118,826	78,005	196,832

*Estimated figures

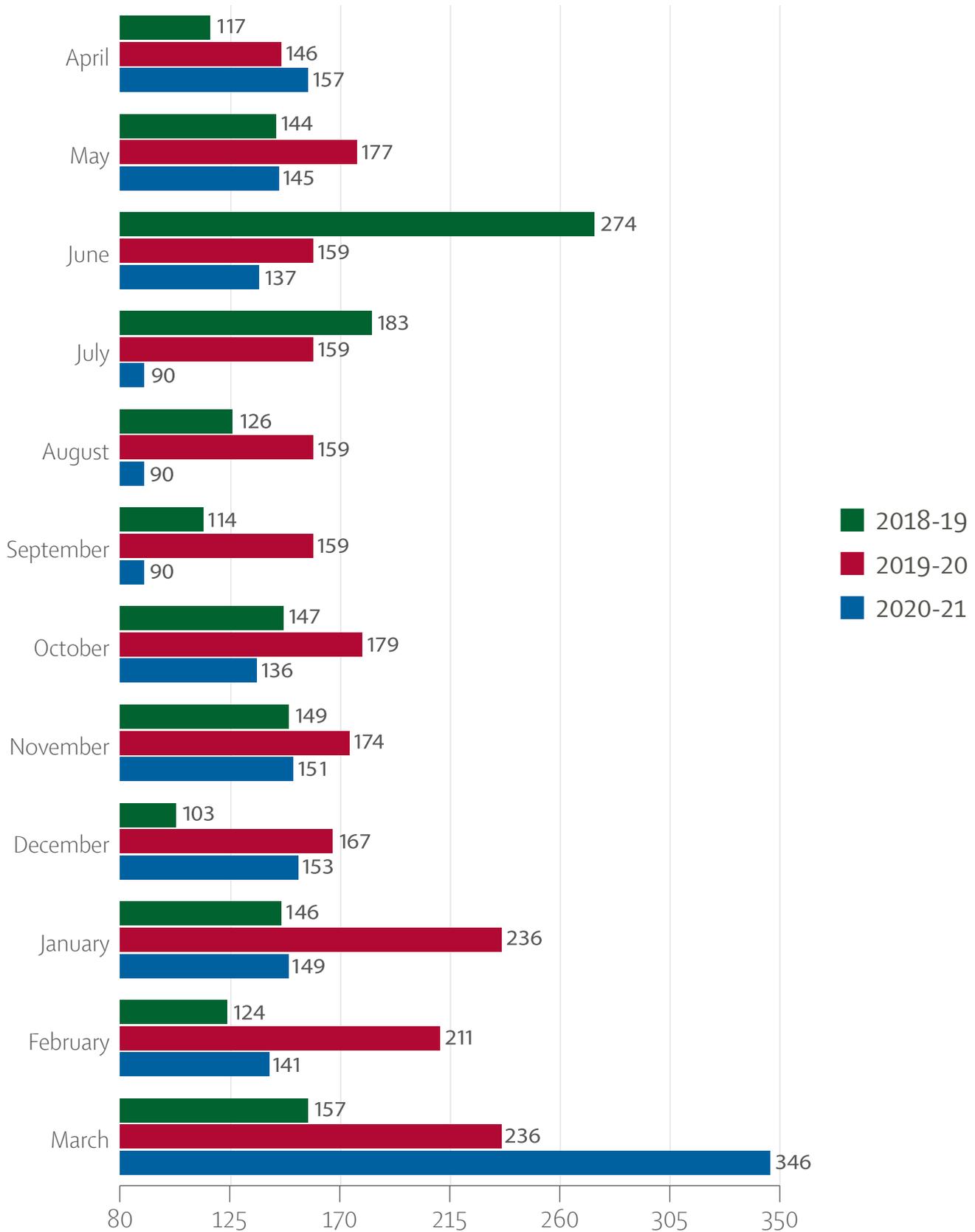
Electricity consumption



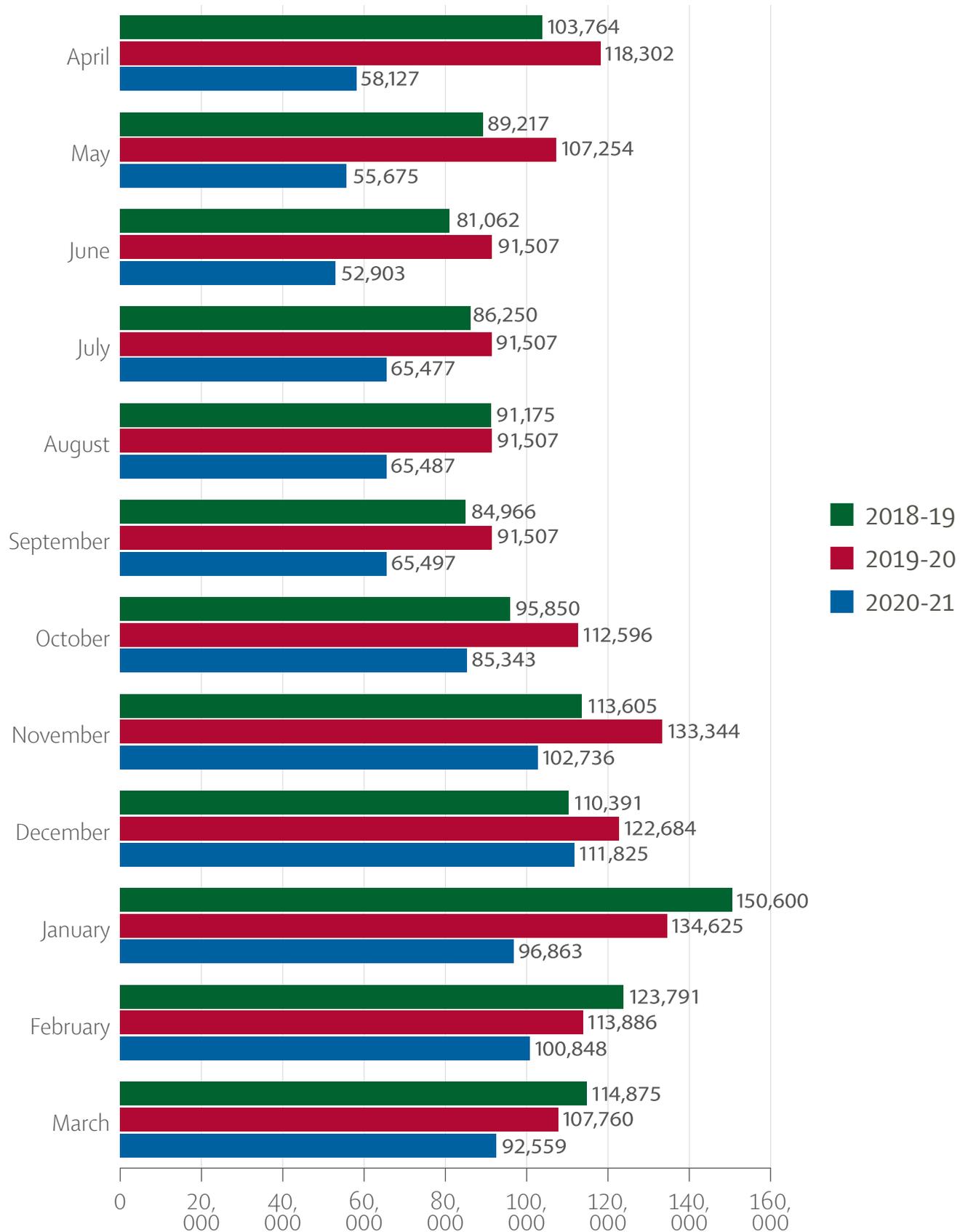
Gas consumption



Water consumption



Combined energy consumption



Our people

As at 31 March 2021, our headcount was 55 staff (52.7 FTE). This included 11 judicial assistants who started in September on fixed term contracts that will end in July 2021. From the start of the first lockdown, we knew that there needed to be a focus on health and wellbeing, ensuring support was in place especially as people adjusted to new ways of working and had little opportunity to connect with others in person.

We shifted all recruitment to a virtual setting, interviewing virtually and continuing with all the planned recruitment campaigns. Our shift to working from home and utilising technology supported the ongoing wider Smarter Working assessment that was already underway with the Government Property Agency.



Gareth McKetty, Digital Communications
and Website Content Manager

In focus: Joining the UKSC team during the pandemic



Gareth reflects on his experience:

When joining a new organisation or starting a new role for any company, it is always daunting, especially on your first day and with a global pandemic added to the equation. On my first day arriving at the Supreme Court to collect my IT equipment for my role, I felt at ease meeting Vicky (Chief Executive) and Sophia (Head of Communications). I had a tour of the Supreme Court and met the rest of the Communications team virtually for a weekly meeting.

In my opinion, technology has been the best and only solution when overcoming any potential challenges. Still being relatively new to the organisation and learning different processes within the Supreme Court, being able to reach out to staff members and ask questions within the court via Microsoft Teams or email has been very helpful.

I felt part of the team from the beginning, although my time with them has been virtual. The weekly meetings especially help to build that rapport over time. Also, having a one-to-one with the team during my induction was extremely helpful to get to know them better and their roles within the team.

Wellbeing

A key priority for last year was keeping all of our staff and the justices safe and well. We did this in a number of ways to ensure the appropriate support was in place for everyone, and we continued to provide different approaches depending on individual circumstances. At the very start of the first lockdown we set up coffee roulette to encourage different teams to keep talking to each other, advice on home working and structuring days, and then established our Friday afternoon tea sessions to allow an opportunity for staff to check in with each other at the end of each week. We also offered confidential support through our contract with Benenden Healthcare and arranged sessions that ranged from a sleep surgery to Parent-to-Parent meetings for those with children to discuss home schooling and support each other.

As restrictions relaxed in the summer of 2020 the focus was on keeping those that returned to the building safe and reassured that the court was taking all the necessary precautions to keep everyone socially distanced.

During the year we ran a number of sessions to support staff in challenging times and continued to offer one-to-one support to individuals and teams.

For example:

Learning and development became virtual by default. There was a surge in free virtual learning sessions, available through a range of reputable providers, which many staff took advantage of. Popular focuses included personal wellbeing and keeping motivated whilst working from home. We arranged in-house webinars, working with The Wellbeing Project, to help staff build their resilience and cope with ongoing uncertainty. We offered a session suitable for all staff and another that was specifically for managers, which focused on how to support their team.

MIND delivered two mental health awareness sessions for managers, giving them tools to conduct sensitive conversations and gauge how their team was feeling. UKSC mental health champions marked World Mental Health Day and Time to Talk Day with intranet articles and drop-in sessions for staff to talk about how they're feeling during successive lockdowns.

Working with Benenden Healthcare, we delivered two in-house webinars on building resilience. We shared tips about how line managers can support their team's wellbeing whilst working remotely. Strategic Wellbeing were invited to deliver a webinar on 'Navigating Uncertainty Through Resilience' for all staff. We also promoted a range of services, available to all staff, through the Civil Service Charity.

All our managers are equipped to support staff and take preventative action to avoid long term absences related to stress. As a result, our average staff sick absence reduced and individual support was quickly actioned to avoid long term absences. Feedback from staff in the last Staff Survey positively recognised the support available.



Sanjeet Bhumber,
Finance Director

Case study: Reflecting on wellbeing support during the pandemic



We always knew it, but this past year has confirmed it. We are fundamentally social creatures who rely on other people for connection, motivation and appreciation.

During the pandemic, the UKSC offered tailored wellbeing support. This included a timetable of virtual events for parents across the court, providing an open space to talk about our shared experiences of working from home with children and home-schooling.

I have two young children, and many of my colleagues have young families too. The Parent-to-Parent sessions helped me to maintain communication with others who were in a similar position, and they served as a helpful reminder that I was not alone in facing these unique challenges.

Diversity, inclusion and belonging

The new strategy for the next four years from 2021-25 was developed and published in April 2021. Regular diversity forum events were well attended and have included external guests to provide valuable insight outside of our own workforce. The action plan for the new strategy involves contributions from everyone at the court.

In addition, a new judicial and inclusion diversity strategy will complement this wider strategy, seeking to maintain and build an inclusive and respectful working environment for justices and to support the progress of underrepresented groups into judicial roles.

Overview of the UKSC’s diversity, inclusion and belonging strategy objectives



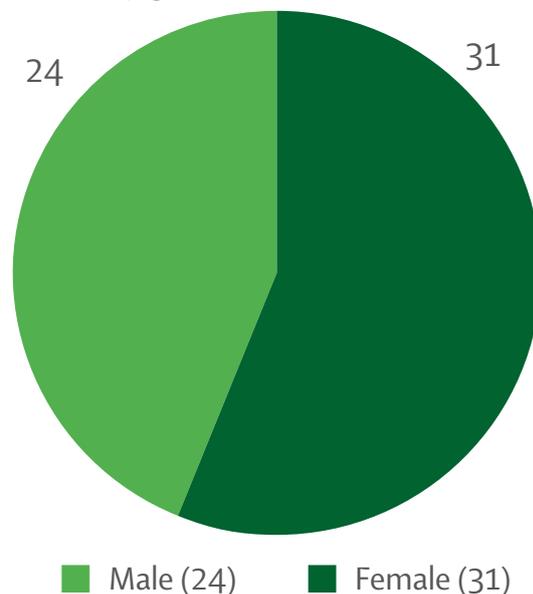
UKSC staff ethnic origins 31 March 2021

Asian – Indian	3	Mixed – White and Asian	1
Asian – Pakistani	2	Mixed – White and Black African	1
Black – Any other	2	Undeclared	15
Black – Caribbean	2	White British	24
Chinese	1	White Irish	3
Mixed – Any other	1		

Recruitment

Recruitment shifted to virtual interviewing in April 2021. We successfully recruited eleven judicial assistants in May and appointed a new Chief Executive who started in September. The challenges of the pandemic and associated restrictions meant that new staff who could work from home had limited opportunity to be in the UKSC building. Consequently, we adapted our induction and welcoming programmes to be largely virtual.

Headcount by gender



Case study: Judicial assistants' recruitment 2020-21



The recruitment of our judicial assistants (JAs) continued in 2020, though moved to remote sifting and virtual interviews in May. Last year we recruited 11 judicial assistants to start in September and we were fortunate that the restrictions at the time allowed their initial induction to be completed in the court building following social distancing rules. Since November 2020, the JAs have been working remotely and, while this has posed some challenges, the JAs report that they have all built strong working relationships with the justices and each other. The recruitment campaign for 2021 launched in January and closed at the end of March, with a number of virtual events taking place to attract a wide range of candidates from across the United Kingdom.

These have included events with Bridging the Bar and the Black Barristers' Network to help encourage and support a diverse range of candidates applying. We used social media (Twitter, Instagram and LinkedIn) to promote the JA opportunity and to share a short video featuring a conversation with Lord Lloyd-Jones and the Head JA, Rebecca Fry. During the video, Lord Lloyd-Jones and Rebecca talk about how the JAs help the justices in their work and why they would encourage someone to apply to be a JA.

Anisa Kassamali, JA to Lord Sales since September 2020:

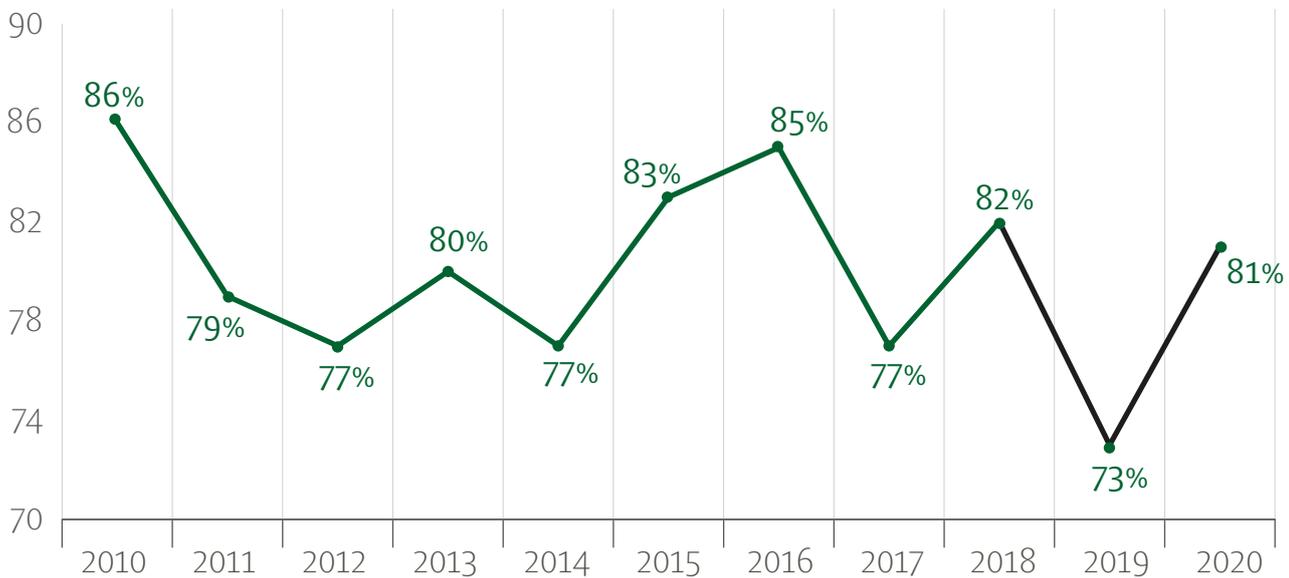
"I have very much enjoyed my time at the court as Lord Sales' judicial assistant thus far. He has been more than generous with his time and knowledge, and I have found our regular debrief discussions after hearings to be one of the best parts of the role. It is a great privilege to see how decision making takes place at the highest level of the judiciary. I have found it particularly valuable to hear the debates between justices at meetings to consider applications for permissions to appeal. Whilst current circumstances mean that we have been working at home for much of the year, I have also been impressed at how the team at the court has managed to maintain an efficient and collegiate atmosphere. The judicial assistants have also maintained close contact throughout, replicating virtually the legal (and more informal) discussions that would have otherwise taken place in the office."

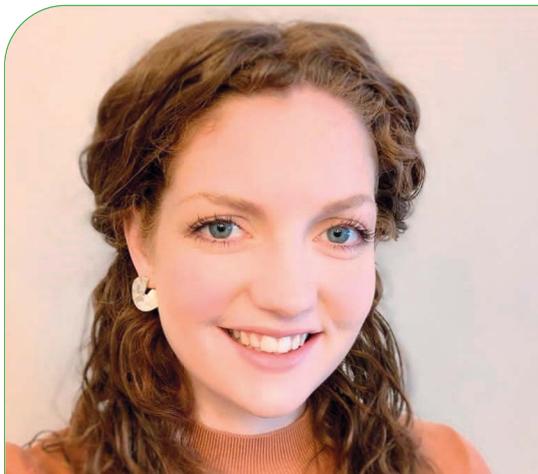
Staff engagement

We completed several pulse surveys prior to the annual staff engagement survey in November 2020 and continued to engage with staff on all aspects of working life. The annual survey gave an impressive overall 81% staff engagement score (the overall Civil Service engagement score was 65%) with an increase from 2019 in all themes.

The results were even more impressive considering the remote working and changes required by everyone to ensure business objectives were completed. The survey allowed our engagement champions to continue their good work in supporting the three groups: Learning and Development, Improved Communication and Teamwork, and Pay and Benefits.

Staff engagement survey results since 2010





Sophia Linehan Biggs

Case study: Learning and Development staff engagement group



Following a dip in engagement scores in 2019, the Learning and Development group focused their efforts on finding more engaging ways to offer learning and development to staff. They came up with three new approaches:

- We created regular intranet articles to inspire colleagues, both managers and non-managers, to invest in their learning and development. The articles included ideas for training, such as the types of training providers to consider, different forms of continuous improvement, as well as tips for planning and finding the time to learn.
- We launched a series of bitesize learning sessions. Some were led by our staff, and we also invited external experts to take part including colleagues from Historic England, Cabinet Office and Government Digital Service.
- Following a skills audit of all staff, a skills bank was published on the intranet. This enables staff across the Court to explore internal capability before looking for external support, and to better understand and use in-house expertise, in a simple and easy to access way.

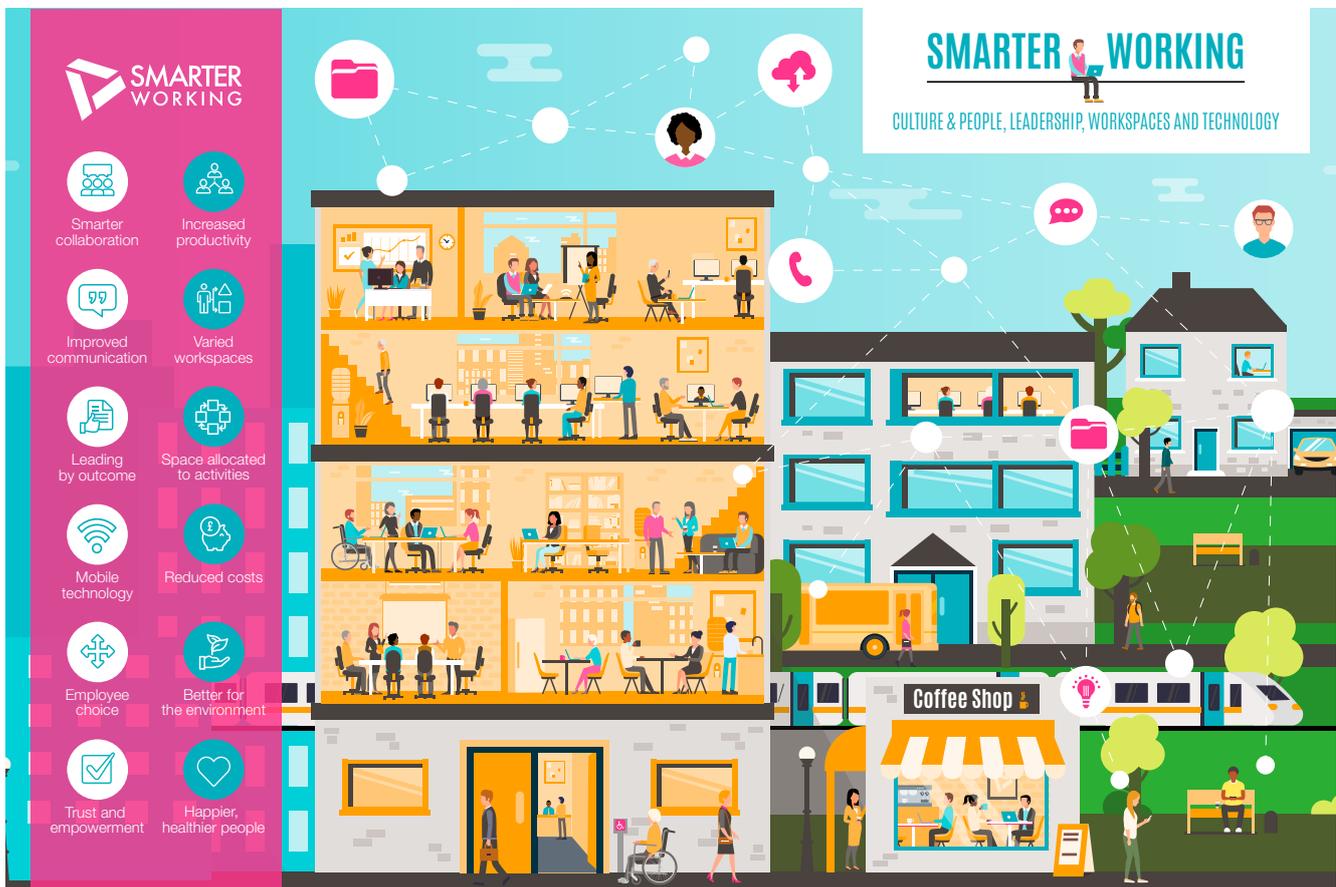
A learning hub for learning and development was created on the intranet, serving as a central, shared repository for resources, events and guidance. Bitesize sessions were all well attended and the skills bank is used by all teams.

The learning and development group worked as a team with a shared purpose and concrete outputs, not only making learning more fun and rewarding for all staff but increasing staff engagement with learning and development by 19% in the annual staff engagement survey.

Smarter Working

Prior to the lockdown in March 2020, the court was already progressing with the Smarter Working Accreditation with the Government Property Agency. The swift changes to remote working and on-line solutions accelerated the ambitions behind our Smarter Working strategy and enabled us to demonstrate how effectively the change from physical hearings in the building to virtual hearings could happen. Some staff were already familiar with working from home so adapted quickly to new ways of working, leading by example and encouraging others.

We established our Smarter Working policy which covers flexible working, use of information technology, adapting our workspace, and efficiencies in how we operate. We were assessed as 'established' and will have a further review in 2021, once staff and justices are regularly working from the UKSC building. Our ambition is to obtain the 'mature' rating by the end of 2021.



Complaints

The PHSO investigated no complaints against the UKSC in 2020-21. Complaints are received and dealt with at two levels, at the appropriate point of contact:

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

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

Level two complaints (1 April 2020 – 31 March 2021)

Total number of complaints received	21
Upheld	2
Partially upheld	2
Not upheld	15
Withdrawn	1
Other (narrative was unclear)	1

Complainants who remain dissatisfied after that review and appeal stage can complain to the Parliamentary and Health Service Ombudsman.

Engaging with our audiences

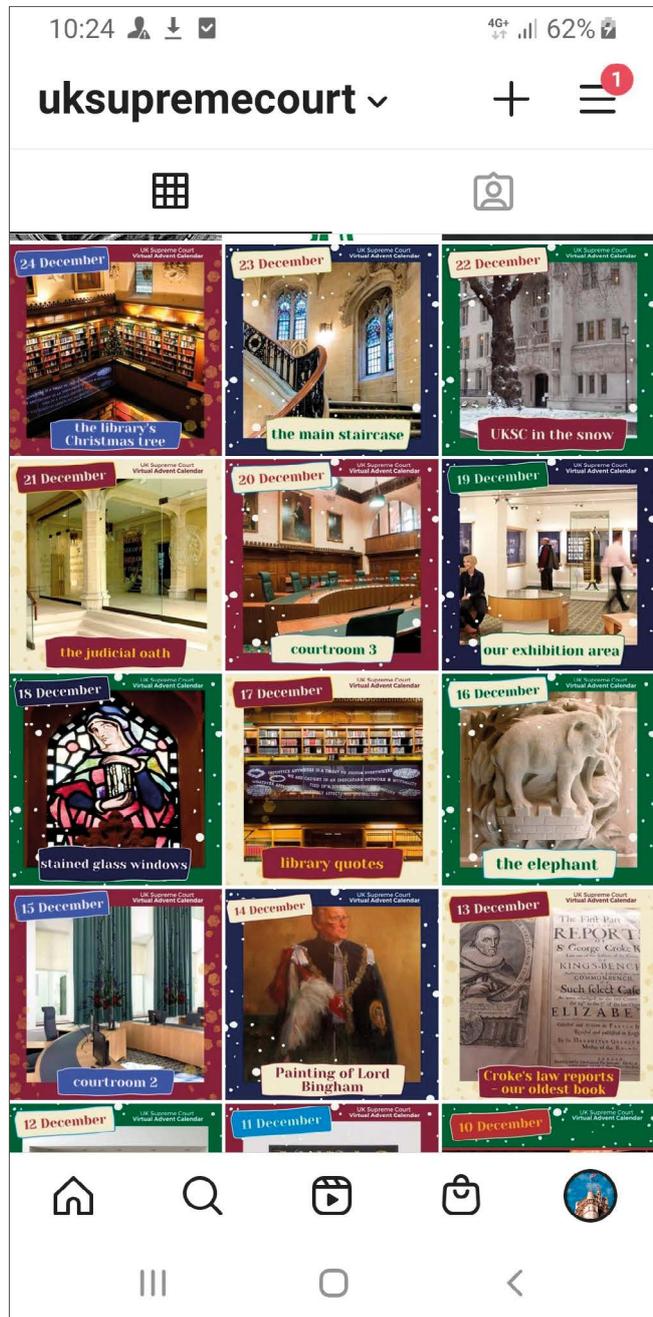
As a result of the pandemic, there have been some changes to the way that the Communications team has worked during the year. Due to the UKSC building being closed to the public and cases and judgment hand-downs taking place virtually, it has not been possible to offer embargoed copies of the judgments to members of the media shortly before the hand-down, as we have done previously. We have also not been able to welcome journalists to work in our media room during hearings.

However, the Communications team continues to enjoy good working relationships with the media and has worked to ensure that, despite the challenges, journalists continue to be kept up-to-date with the work of the Court in an accurate, timely and accessible manner.

This has prompted widespread coverage of many judgments throughout the year, with particularly high-profile ones including: R v Adams (Appellant) (Northern Ireland); Financial Conduct Authority (Appellant) v Arch Insurance (UK) Ltd and others (Respondents) (and other linked cases); R (on the application of Friends of the Earth Ltd and others) (Respondents) v Heathrow Airport Ltd (Appellant); Uber BV and others (Appellants) v Aslam and others (Respondents); and R (on the application of Begum) (Appellant) v Special Immigration Appeals Commission (Respondent) (and other linked cases).

The President and other justices have promoted the Court through a range of interviews.

For example, Lord Reed’s interview with the BBC broadcast on Radio 4’s Today Programme on 5 October 2020. During this, the President spoke about the role of the UKSC and its relationship with Parliament and diversity within the judiciary. This attracted interest and was reported widely across the BBC network, including on Radio One’s Newsbeat which is significant as it reaches younger listeners from the 16-30 age demographic. The interview prompted follow-up stories in other daily news publications such as The Guardian, The Times and The Daily Telegraph.



Screenshot of Advent calendar on Instagram

Case study: Delivering our social media strategy



As the UKSC building was closed to the public for much of year, we made a particular effort to engage people virtually with the Court's work through our social media channels instead.

Throughout December we ran a 'virtual Advent calendar' on Instagram in which we showcased a different architectural feature of the building each day. Posts ranged from a photo of the portrait of Lord Bingham in courtroom one, to the pop-art carpet and, of course, the ever-popular library. We also posted photos of the JCPC flags and the 'Women in Law' artwork in courtroom two. Each image was accompanied with a short amount of text explaining the significance of the image. This gave the posts an educational dimension to them too. For example, the image of the JCPC flags was a useful opportunity to promote the role and work of the JCPC. The posts received over 82,000 views and over 2,000 likes.

We also ran a jargon busting series in which we addressed questions like: Why do we call it the Hilary term? When we had several visiting judges sitting in the UKSC and JCPC during the Hilary term, we highlighted their work on Twitter, Instagram and LinkedIn. We also celebrated International Women's Day in style by featuring a video interview with our Chief Executive, Vicky Fox, who offered career advice. This post received over 6,000 views and more than 32,500 impressions (an impression is the number of times content is displayed in user's feeds). A series of videos posted in March to promote the judicial assistant recruitment campaign also proved popular, gaining over 14,500 views and over 104,000 impressions across our four social media channels.



Website users

1,169,491

total users of the UKSC site

113,999

total users of the JCPC site

Video

UKSC website

288,256

live stream views

238,558

on-demand views

JCPC website

30,040

live stream views

22,904

on-demand views

Social media

**[www.youtube.com/
UKSupremeCourt](https://www.youtube.com/UKSupremeCourt)**

Judgment hand-downs were viewed **77,419** times on our YouTube channel

**[www.twitter.com/
uksupremecourt](https://www.twitter.com/uksupremecourt)**

274.400
followers

3.5%
growth since previous reporting period

**[www.instagram.com/
uksupremecourt](https://www.instagram.com/uksupremecourt)**

12.600
Instagram followers

44%
growth since previous reporting period

LinkedIn

Launched LinkedIn profile (UKSupremeCourt) in October 2020. Over **3,200** followers to date

Case study: Improving website accessibility



We are committed to making our websites accessible, in order to provide equal access and opportunity to any users with a disability.

In September 2020 we undertook an accessibility audit to identify current issues with the website. We used the findings to create an accessibility improvement road map, which has guided the team's efforts in addressing a number of technical and content issues. So far, we have improved 400 of the top most viewed pages on the UKSC website.

In particular, we have focussed on publishing more content in HTML rather than in PDF format. All press summaries are now HTML by default and judgments are available, via BAILII (British and Irish Legal Information Institute), in HTML within 24 hours of being handed down. HTML is much more easily read by screen reader technology, helping more readers to access the content.

During this period we have also established a new website accessibility group, to discuss solutions and take action. This gives us a firm foundation for the work planned as part of the 2021-22 business plan.

Despite the pandemic limiting face-to-face engagement in 2020-21, the Court's public engagement work has continued, and we have reached hundreds of thousands of people online.

Welcoming visitors, education and outreach

Our education and outreach programmes inspire and engage students of all ages, across the UK, with the work and role of the UKSC and the JCPC. This year, in response to the pandemic, we worked to make our services available online.

We have developed a virtual tour for educational groups and have engaged students from Northern Ireland, Scotland, Wales and England. It has had a positive impact as we are able to reach students who may have faced barriers to travelling to the Court.

A 360° virtual tour of the building is available on the court's website. In the early stages of the pandemic, this resource was updated and enhanced to maximise its impact, resulting in an 80% increase in pageviews.

<https://www.supremecourt.uk/visiting/360-degree-virtual-tour.html>

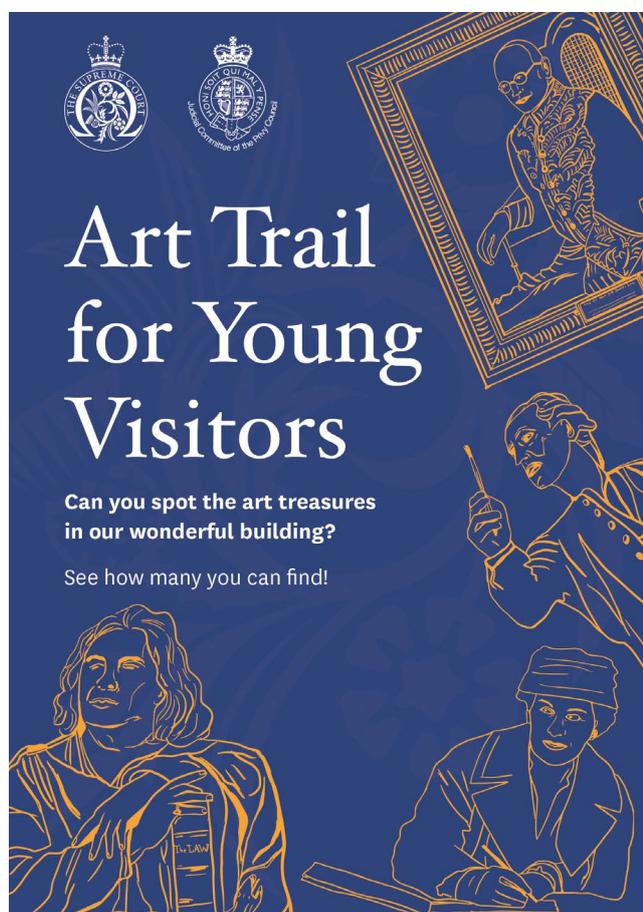
In the summer, we pivoted our education programmes, which involved planning to enable all sessions in the 2020-21 academic year to take place virtually.

Public engagement and art

We collaborated with the Legal Action Group (LAG) – an independent charity, promoting equal access to justice for all members of society who are socially or economically disadvantaged – to showcase artwork from the children’s book ‘Equal to Everything: Judge Brenda and the Supreme Court’, published in October 2019. The exhibition at the UKSC was launched in February 2020 and, due to the pandemic, has remained on display, with an end date yet to be determined.

We have completed a comprehensive audit of all artworks on display in the UKSC building. The court is home to the Middlesex Guildhall Art Collection, with keyworks including paintings by the rivals Sir Joshua Reynolds PRA and Thomas Gainsborough RA – two of the most important British artists of the 18th century. The audit also includes works owned by the UKSC, as well as those on loan from the Government Art Collection.

An art trail, primarily aimed at children aged 11 years and under, has been developed. This interactive resource aims to guide children around the UKSC building, taking them on a creative journey of discovery while they explore art treasures.



Cover artwork for new Supreme Court art trail activity leaflet

Case study: Visitor access strategy



In the last year the Communications team has started work on a three-year visitor access strategy for the Court. The aim is to improve access to the Court to a wide range of people with disabilities.

Work during the last year has been focused on improving the way in which we communicate, and the information that is provided to visitors. This has resulted in a dedicated access web page and access statement, detailing the facilities and services that are available at the court. We have developed a policy for assistance dogs, who are of course welcome at the court, and we are examining our tours booking procedure, to find ways to make it more accessible.

We are also concentrating on our staff who are delivering the improvements. We have devised a three-year training plan for the Communications team to raise awareness and give the team the tools to deliver the three-year strategy. When the court reopens, the Communications team will be wearing badges which will identify them as court staff, making them more visible to all visitors. Feedback from all visitors is important to us, so we have revised our feedback form so that the new survey is digital, which is COVID-secure and accessible.

Our vision, priorities and values for 2021-22

In 2021-22 we are adopting a shorter-term (12-18 month) strategic approach to acknowledge the continuing economic and other uncertainties as we emerge from the pandemic. During this time we will emerge from the pandemic learning lessons and reviewing our processes, embed our our vision and values and ready the organsiation for the change programme we anticipate commencing fully in 2022-23.

Our focus will be on:

- recovery – emerging from the pandemic and learning lessons
- readiness – continuing the journey towards excellence by reviewing our processes, governance and strategies in preparation for the transformation programme
- responsiveness – upholding the rule of law. Building strong relationships with Parliament, government, other courts in the UK and overseas and playing a role in the UK’s economic recovery



Our vision

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

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

Our priorities

This will be delivered through the following strategic priorities:

Recovery and resilience

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

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

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

This will be achieved by:

- carefully planning for the return to occupancy of the court building and resumption of physical hearings with the necessary safeguards in place
- developing a visitor recovery plan so we can safely welcome schools, universities, others from the legal profession, visitors and, when permitted, tourists to the UKSC building on Parliament Square
- continuing to bring staff together through the embedding of the new UKSC values
- supporting staff to prioritise activities, continue new behaviours and strive for continuous improvement through lessons learned from the pandemic
- reviewing business continuity arrangements, including staff resilience and availability
- the UK is seen as an international centre of legal excellence and as a global champion of the rule of law. We will work to maintain and strengthen that reputation thereby playing our role in the UK's economic recovery post-pandemic and its new international role after leaving the European Union
- continuing to build strong relationships with courts around the world

Diversity

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

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

We will:

- introduce and deliver the action plan which supports the UKSC diversity, inclusion and belonging policy
- introduce the judicial diversity and inclusion strategy which complements the Courts and Tribunals Judiciary's Judicial Diversity and Inclusion Strategy 2020-25

Through these policies we will:

- support and build an inclusive and respectful culture and working environment
- support the progression of underrepresented groups into judicial roles and encourage a wide range of applications for every role at the court
- support an increase in the number of well-qualified applicants from underrepresented groups for the role of justice
- pro-actively advertise the court's support for diversity and inclusion to the legal profession and the public and promote the court to others
- fulfil our obligations under the Equality Act 2010 and the Public Sector Equality Duty
- implement the next phase of the court's visitor access strategy which includes:
 - setting up a disabled access user group with whom we can work to shape our programmes of visits
 - increasing our offer to disabled users by devising a new programme of tours which will include BSL interpreted tours and tactile/touch tours
 - considering further measures and improvements through participation with the Business Disability Forum's 'Disability Standard'
- aim to meet the requirements of the Public Sector Bodies Accessibility Regulations 2018 through making sure the court:
 - takes steps to enable websites and applications to be perceivable, operable, understandable and robust
 - publishes an accessibility statement

Aspiring to be world-class

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

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

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

This will be achieved by:

- undertaking and implementing the agreed findings of an internal governance review to ensure effective support and decision-making is in place
- assessing and defining the future HR operating model to support business as usual and to support the changes to come
- identifying what IT systems, processes and platforms the court needs to operate now and improve in the future
- assessing and defining a forward-looking finance model focusing on systems, processes and capabilities
- ensuring every member of staff has a supported development path
- defining the court's Data Strategy to enhance understanding of all court processes and increase transparency
- ensuring the justices have access to the best tools available to enable them to undertake their role

Serving the public

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

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

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

This will be achieved by:

- providing skeleton arguments online to increase transparency and support accessibility
- increasing accessibility of information by providing the National Archives with all appropriate records and recordings
- implementing the Court's stakeholder engagement strategy
- exploring the option of the Court sitting outside London, subject to pandemic restrictions, to increase visibility and engagement with the four nations served by the UKSC
- continuing to enhance the partnership with Royal Holloway (outreach and education) and through that develop a UKSC Studies module (year 1) and MOOC (year 1)
- running a series of events including webinars, seminars and visits for Members of Parliament and House of Commons staff to increase understanding of the two institutions
- continuing with virtual and, later where possible in-person, international bilateral meetings including those with the Cour de Cassation, Conseil d'Etat and the Court of Justice of the European Union, and we have asked Belfast to host us

Our values

All of this will be underpinned by our new values which will be embedded in 2021-22 and will drive and support everything we do and how we deliver the court's strategic priorities.



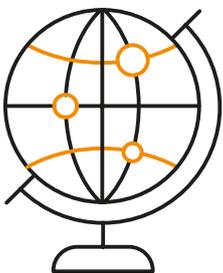
Accountable

When we say we will do something, we will get it done by each of us taking personal responsibility and ownership of our decisions, actions, results and behaviours. We will hold ourselves accountable to the Court, its users, and the public, and always work openly and transparently.



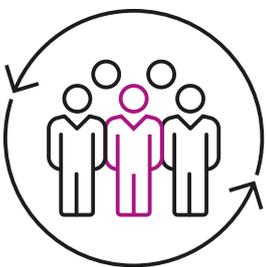
Dedicated

We are proud to work for the Court and dedicated to its purpose. We are dedicated to excellent customer service, in welcoming everyone that visits our building and in supporting the role of the Court and the justices.



Aspiring

We want to achieve our vision of being world-class and will be ambitious in setting goals that will challenge ourselves to improve so that we will continue to develop our organisation for the future.



Collaborative

The way we work together really matters to us. We will work supportively, respecting and valuing the contributions of others. We value diversity and know that we achieve more when we work together.

Management commentary

Financial Position and Results for the Year Ended 31 March 2021

Financial Position (Statement of Financial Position)

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

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

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

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

Results for the Year (Statement of Comprehensive Net Expenditure)

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

- Net Operating Costs amounted to £6.3m (2019/20, £6.1m)
- Justices and staff costs of £7.3m (2019/20, £7.2m)
- Other Administration Costs of £0.2m (2019/20, £0.3m)
- Other Programme Costs of £6.4m (2019/20, £6.8m)
- Operating Income of £7.7m (2019/20, £8.2m)

The UKSC on average employed 55 (Full Time Equivalent) staff during the year ended 31 March 2021 (2019/20, 51 FTE). There were also 12 Justices (2019/20, 12 Justices) who served during the same period.

Accommodation costs and finance lease costs account for about 67% of non pay costs (2019/20, 66%). Depreciation charges, library, repairs and maintenance and broadcasting costs were responsible for the majority of other non-pay costs.

The UKSC had an operating income of £7.7m which was used to support the administration of justice. Out of this, £6.63m was received by way of contribution from the various jurisdictions i.e. £5.91m from HMCTS, £0.48m from the Scottish Government and £0.24m from the Northern Ireland Court Service.

UKSC Court fees during the year were £0.75m whilst £0.29m was generated as Court fees for the JCPC.

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

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

In the year ended 31 March 2021, the UKSC met all of its control totals. At £6.33m the net resource outturn was £1.81m less than the 2020-21 Estimate of £8.14m. £1m of this reported variance was due to non-utilisation of the annually managed expenditure (AME) provision for diminution in the value of the building.

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

Reconciliation of Resource Expenditure between Estimates, Accounts and Budgets	2020-21
	£
Net Resource Outturn (Estimates)	3,264
Adjustments to additionally include: Non-Voted expenditure in the OCS	3,071
Net Operating Cost (Accounts)	6,335
Adjustments to additionally include: Resource consumption of non-departmental public bodies	0
Resource Budget Outturn (Budget) of which	6,335
Departmental Expenditure Limits (DEL)	6,335
Annually Managed Expenditure (AME)	0

Statement of Cash Flows

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

The Statement of Cash Flow shows a net cash outflow from operating activities of £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 for 2020-21 was 3 days (2019-20, 6 days).

Data incidents

No recorded breaches concerning protected personal data were reported.

Principal risks and uncertainties

The key risks and uncertainties facing the Court are detailed in its risk register and on pages 95 to 105 of the Governance and Accountability Report.

Payment within 10 working days

The Department seeks to comply with the Better Payments Practice Code for achieving good payment performance in commercial transactions. Further details regarding this are available on the website

www.payontime.co.uk

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

However, in compliance with the guidance issued for Government Departments to pay suppliers within 10 working days, the UKSC achieved 88% prompt payment of invoices within 10 working days. The average payment day of invoices from suppliers during the year was 6.7 days.

Auditors

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

The audit of the financial statements for 2020-21, resulted in an audit fee of £44K. This fee is included in non-cash item costs, as disclosed in Note 3 to these accounts. The C&AG did not provide any non-audit services during the year.

Other Elements of the Management Commentary

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

Signed on behalf of the UKSC by



Vicky Fox
Chief Executive and Accounting Officer
18 June 2021

Section THREE

The work of the UKSC and JCPC



INJUSTICE ANYWHERE IS A THREAT TO JUSTICE EVERYWHERE
WHATEVER AFFECTS ONE DIRECTLY AFFECTS ALL INDIRECTLY
WE ARE CAUGHT IN AN INESCAPABLE NETWORK OF DESTINY
TIED IN A SINGLE GARMENT OF MUTUALITY
*the arrest of a man
is the seeking after and the
investigation of truth*

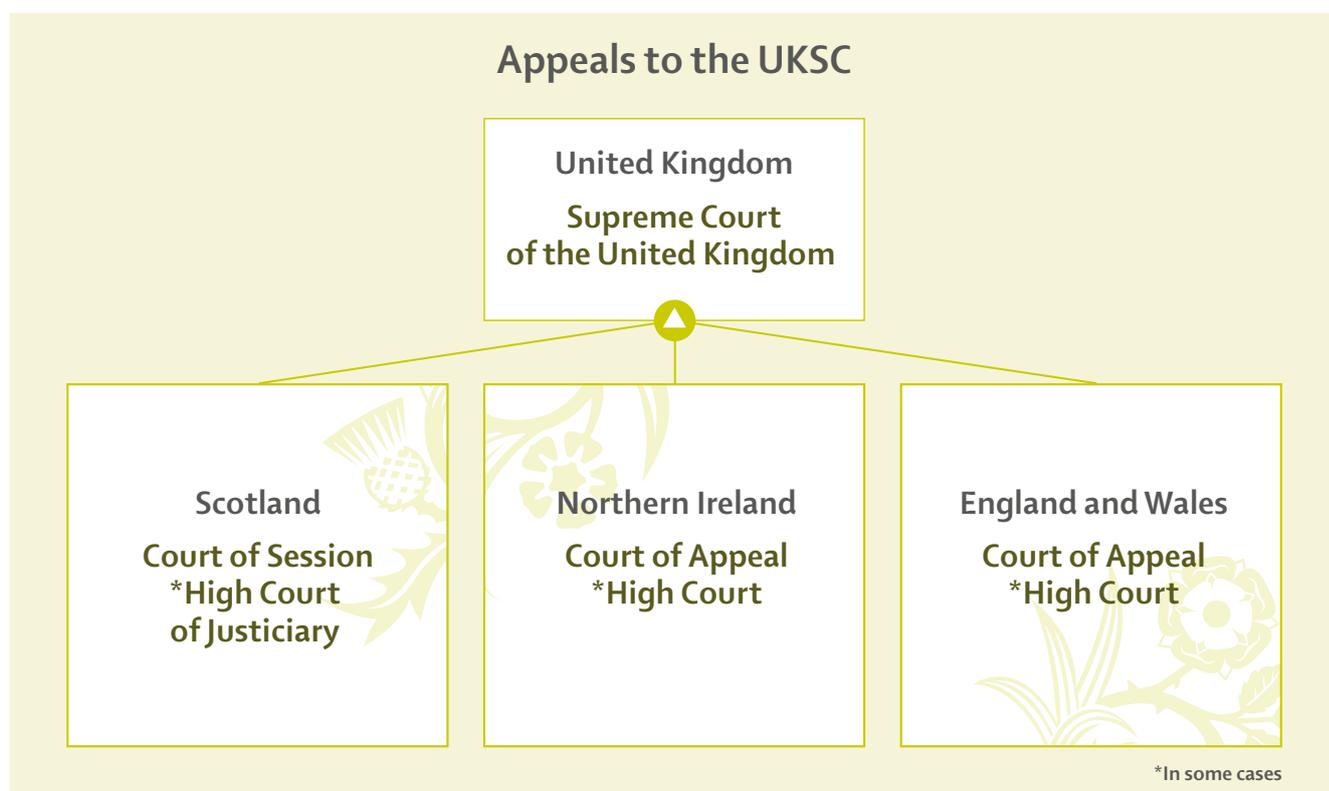
UKSC jurisdiction

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

www.supremecourt.uk/procedures/practice-direction-01.html

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

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



Terms and abbreviations used in this section:

Appeal as of right = an appeal where a lower court has granted permission to appeal

CJEU = Court of Justice of the European Union

PTA = (application for) permission to appeal

Procedural application = an application made while a case is ongoing such as for an extension of time to file documents

JCPC jurisdiction

The JCPC is the court of final appeal for the UK Overseas Territories and Crown Dependencies and for those Commonwealth countries that have retained the appeal to Her Majesty in Council or, in the case of republics, to the JCPC itself. The JCPC also has jurisdiction in a number of areas such as appeals from the Disciplinary Committee of the Royal College of Veterinary Surgeons, certain maritime disputes and some Church of England matters.

Information about the different JCPC jurisdictions can be found in JCPC practice direction 1: www.jcpc.uk/procedures/practice-direction-01.html

The substantive law which the JCPC applies is the law of the country or territory from which the appeal comes. The JCPC therefore plays an important role in the development of law in the various jurisdictions and the impact of its decisions extends far beyond the parties involved in any given case, 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.

Rules and practice directions

The UKSC has its own rules and practice directions (practical guidance which supplements the rules) and it must interpret and apply the rules with a view to securing that the Court is 'accessible, fair and efficient, and that unnecessary disputes over procedural matters are discouraged'. Links to the UKSC's rules and practice directions can be found here: www.supremecourt.uk/procedures/rules-of-the-court.html

The underlying procedure of the JCPC is in many respects the same as that of the UKSC. The JCPC rules and practice directions can be found here: www.jcpc.uk/procedures/rules-of-the-committee.html and www.jcpc.uk/procedures/practice-directions.html

The pandemic has impacted our procedures this year and the practice directions have been amended to reflect the overnight changes that were necessary to move to the remote working (for both the Courts and in many cases their users). Lord Reed set out these changes in a practice note published on the website (see www.supremecourt.uk/news/arrangements-during-the-coronavirus-pandemic.html and www.jcpc.uk/docs/Arrangements-during-the-Coronavirus-Pandemic.pdf) on 21 May 2020. The practice note was updated in September to reflect the experiences of both courts and users getting used to new ways of working and to extend the changes into Michaelmas term. There were several changes, but primarily they concerned electronic filing of documents and ensuring documents were easily navigable, and time limits for filing documents. The practice directions were formally amended in October 2020.

Both Courts' procedures are kept under review and we welcome feedback from users – both through our user group, and from other court users and interested citizens. In 2020 the impact of the pandemic and changes to our processes has meant more feedback and interaction with users than ever before. The user group met virtually in July 2020 and January 2021 and at both meetings there were full discussions about changes to procedures and how the Court and users were adapting to them. The Registry has sought to smooth practical difficulties faced by litigants coping with new procedures and processes with time limits and other procedural requirements being applied flexibly.

Devolution

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

www.supremecourt.uk/procedures/practice-direction-10.html

This year, no references have been made under the devolution jurisdiction. Two PTAs involving devolution issues were determined this year (one filed in 2019-20 and one filed this year): both were refused. Six further PTAs involving devolution issues were filed this year.

Permission to appeal

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

www.supremecourt.uk/procedures/practice-direction-03.html

In the JCPC, many appeals are appeals as of right. This is because the right of appeal to the JCPC is often regulated by the constitution and legislation of the relevant individual jurisdiction or by Order in Council. The JCPC may also grant PTA itself. Usually half the appeals finally heard are appeals as of right, with the rest having been granted permission.

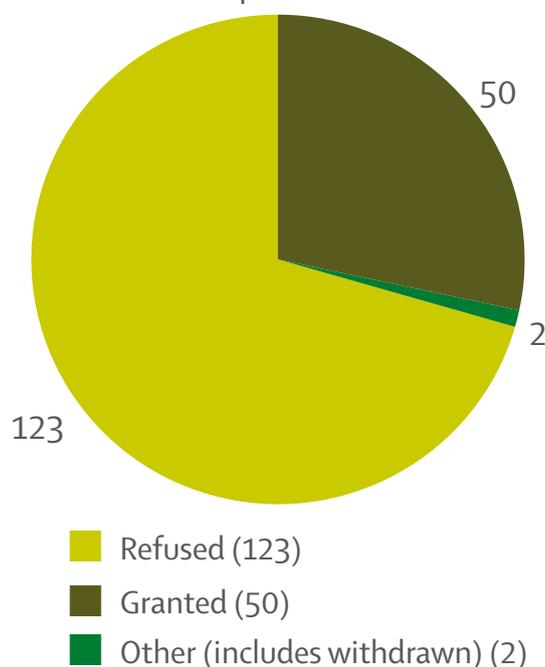
The JCPC procedures for PTA are set out here:

www.jcpc.uk/procedures/practice-direction-03.html

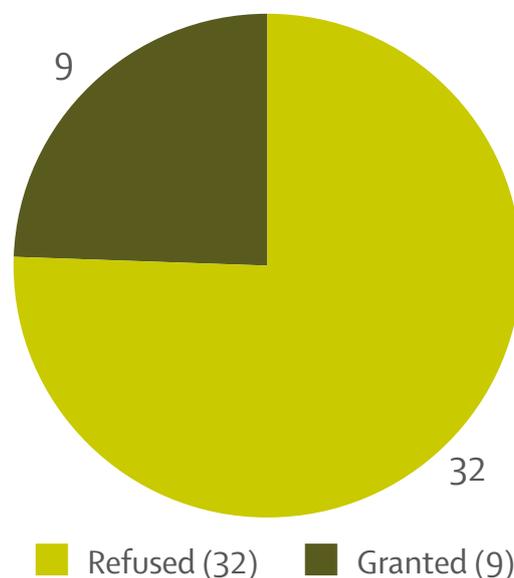
In the third week of March 2020, it became clear that the nation was heading into lockdown and like many other organisations the court began to make preparations for remote working. The Registry usually receives about 250 PTAs a year and these had almost always been dealt with using hard copy documents. A pilot scheme for 'electronic PTAs' was due to start in May 2020. By the first week of April 2020 the Registry staff

had emailed all parties who had live PTAs to request electronic versions of their documents and informed new parties about our changed procedures and timescales. From the end of March every appeal panel (the group of three justices which considers PTAs) met virtually, using only electronically filed papers and emailing their conclusions to the Registrar.

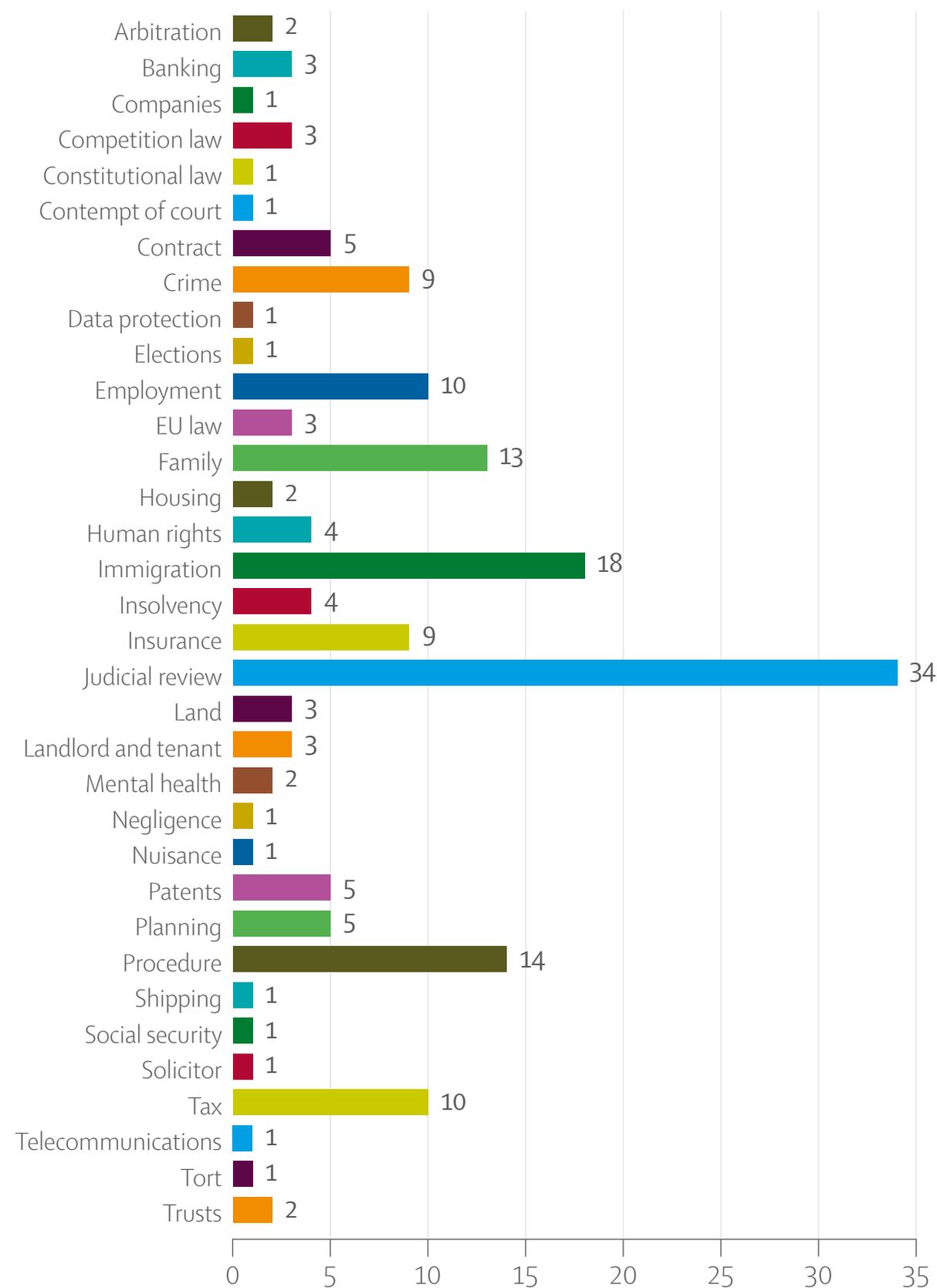
UKSC PTA results 1 April 2020-31 March 2021



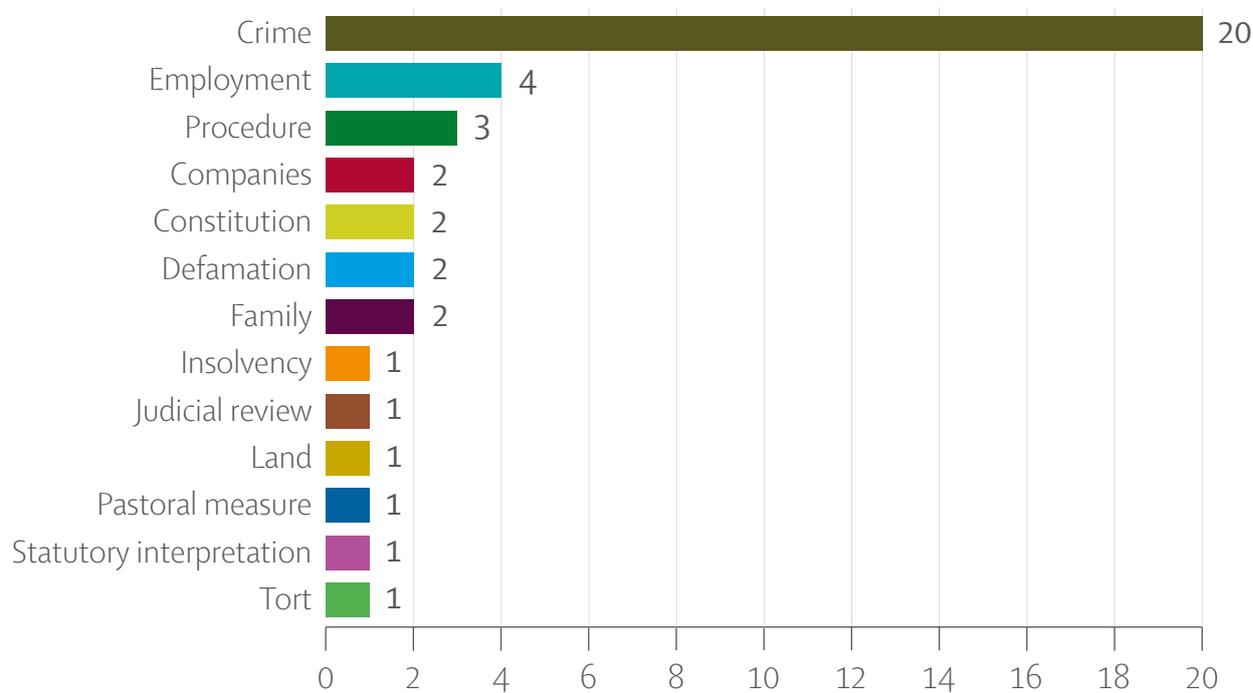
JCPC PTA results 1 April 2020-31 March 2021



UKSC PTAS determined in 2020-21 by subject



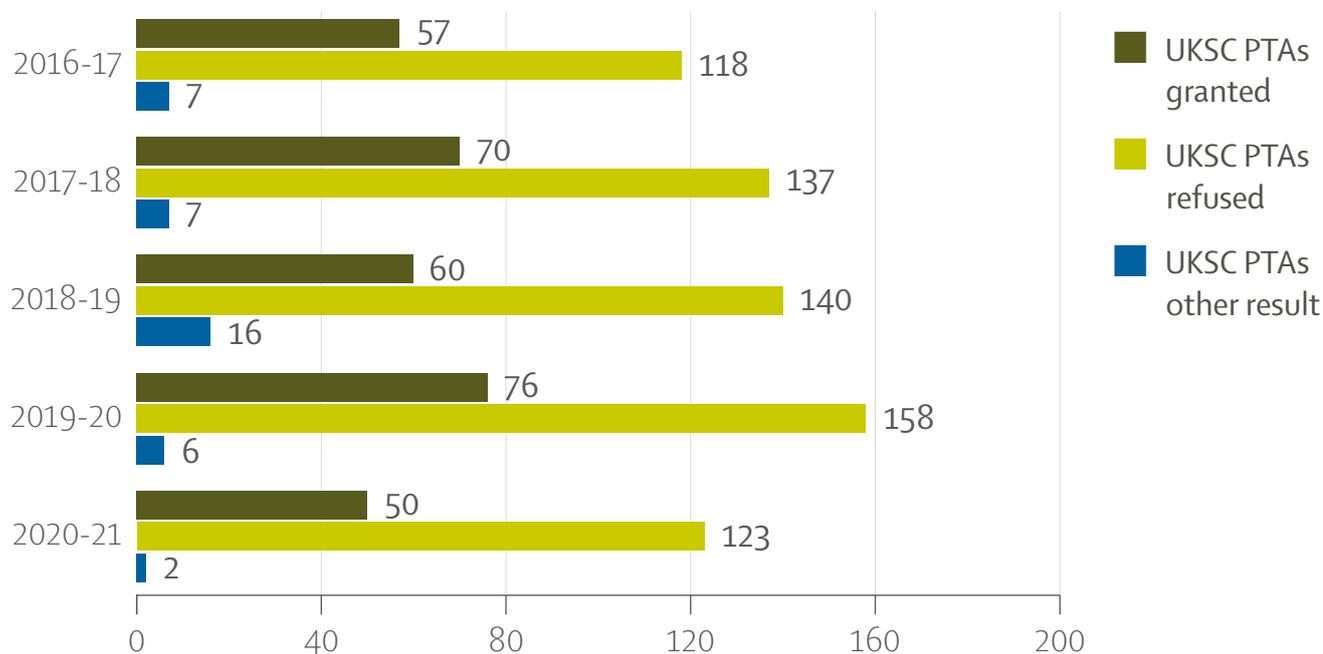
JCPC PTAS determined in 2020-21 by subject



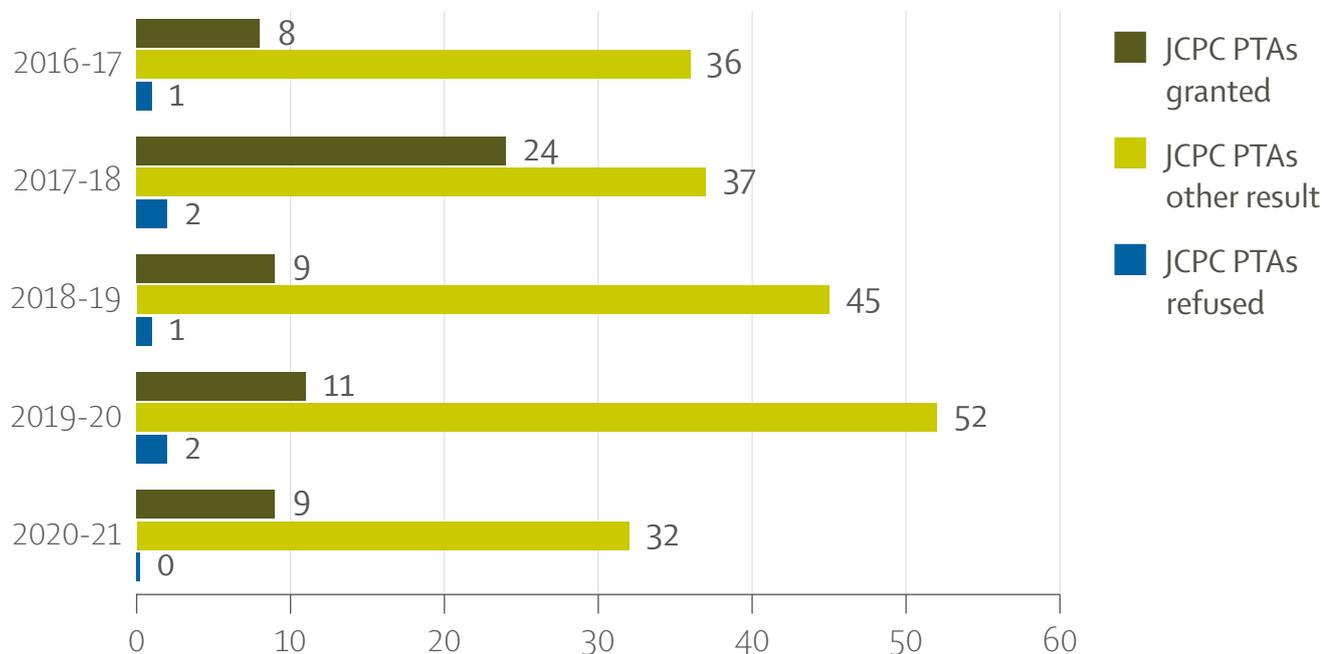
JCPC PTAs determined by jurisdiction 2020-21

Antigua and Barbuda	1	Solomon Islands	1
Bermuda	1	St Christopher and Nevis	1
Cayman Islands	1	The Bahamas	9
Isle of Man	3	Trinidad and Tobago	11
Jamaica	4	Turks and Caicos Islands	3
Jersey	2	Virgin Islands	2
Mauritius	1		

UKSC PTA results: 2016-21



JCPC PTA results: 2016-21



Appeals and judgments

Once permission to appeal has been granted, a hearing date is set and the UKSC aims to list cases within nine months. We aim to list cases when it's as convenient as possible for parties. In the JCPC in normal years parties may have to travel long distances; this year, time differences have been a factor. The procedural requirements and procedures in lower courts also mean that JCPC cases can take longer to list than UKSC cases.

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

www.supremecourt.uk/procedures/practice-direction-05.html

www.supremecourt.uk/procedures/practice-direction-06.html

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

www.jcpc.uk/procedures/practice-direction-04.html

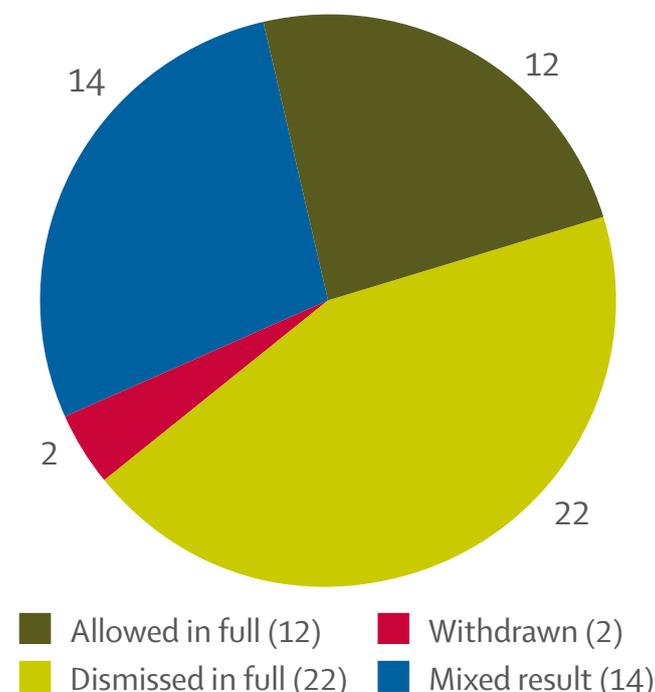
www.jcpc.uk/procedures/practice-direction-05.html

www.jcpc.uk/procedures/practice-direction-06.html

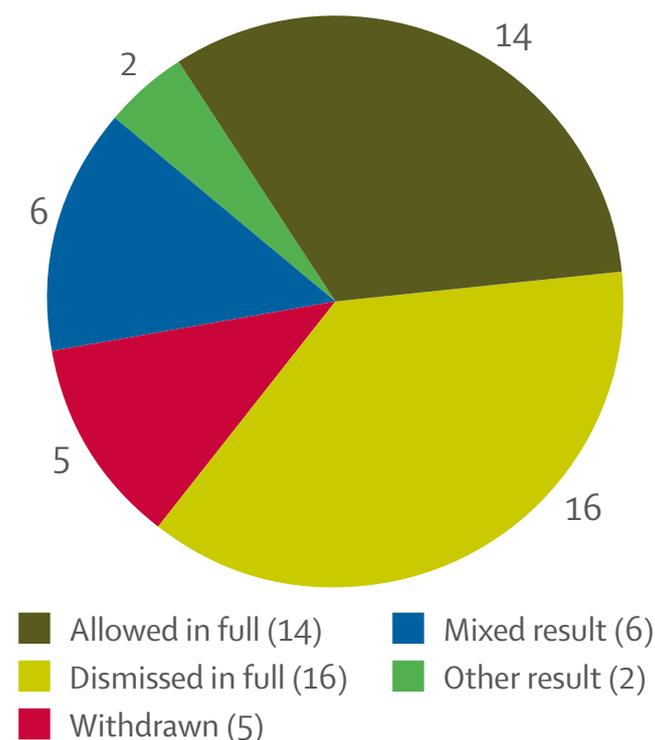
Filing by upload, cloud based storage and electronic review of documents has become the new norm during the COVID-19 pandemic and procedures have been adapted accordingly.

The first period of lockdown started in the week before the beginning of this reporting year, and the impact of the pandemic is clear in the reduced number of cases filed at both the UKSC and the JCPC

UKSC appeal outcomes
1 April 2020 – 31 March 2021



JCPC appeal outcomes
1 April 2020 – 31 March 2021



UKSC work filed in the Registry 2016-2021

	PTAs	Appeals	Appeals as of right	References*	Procedural applications
2015-16	231	73	12	0	118
2016-17	220	62	10	5	130
2017-18	229	62	6	1	174
2018-19	234	61	7	3	137
2019-20	232	70	10	0	170
2020-21	217	42	7	0	133

JCPC work filed in the Registry 2016-2021

	PTAs	Appeals as of right	Appeals	Procedural applications
2015-16	50	36	12	44
2016-17	74	32	7	38
2017-18	76	44	22	36
2018-19	64	49	7	63
2019-20	58	57	10	67
2020-21	58	34	5	35

Size of panels hearing cases

Both the UKSC and JCPC usually sit with panels of five justices, but for particularly difficult or important appeals they can sit in panels of seven or nine or, exceptionally, 11. The criteria for sitting in a larger panel are available on our website: www.supremecourt.uk/procedures/panel-numbers-criteria.html

No panels of nine or 11 sat this year.

Seven justices sat on the following UKSC appeals:

- Ecila Henderson (A Protected Party, by her litigation friend, The Official Solicitor) (Appellant) v Dorset Healthcare University NHS Foundation Trust (Respondent)
- Uber BV and others (Appellants) v Aslam and others (Respondents) UKSC 2019/0029
- Manchester Building Society (Appellant) v Grant Thornton UK LLP (Respondent) UKSC 2019/0040

- SC, CB and 8 children (Appellants) v Secretary of State for Work and Pensions and others (Respondents) UKSC 2019/0135
- Khan (Respondent) v Meadows (Appellant) UKSC 2019/0011

Seven justices sat on these JCPC appeals:

- Convoy Collateral Ltd (Appellant) v Broad Idea (Respondent) (British Virgin Island) JCPC 2020/0073
- Convoy Collateral Ltd (Appellant) v Cho Kwai Chee (also known as Cho Kwai Chee Roy) (Respondent) (British Virgin Islands) JCPC 2020/0043 (heard together at an expedited hearing on 16 and 17 February 2021)

UKSC cases in 2020-21

The UKSC publishes all its decided cases as soon as judgments have been handed down. Since it is the final court of appeal for all United Kingdom civil cases and for criminal cases from England, Wales and Northern Ireland, the appeals it hears span a wide range of issues.

UKSC judgments by subject 2020-21

Arbitration	2
Charities	1
Commons	1
Competition	2
Crime	4
Data protection	1
Defamation	1
Devolution	1
Employment	3
EU law	1
Family	3
Housing	1
Immigration	3

Insurance	1
Judicial review	4
Land	1
Landlord and tenant	2
Negligence	3
Patents	2
Planning	1
Procedure	5
Rating	1
Shipping	1
Tax	7
Tort	2

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

Whittington Hospital NHS Trust v XX [2020] UKSC 14

The claimant in this case was a 29-year-old woman who lost her ability to have children because of the defendant hospital's negligence. The claimant and her partner wanted to have four children. It was probable that they could have two children using her frozen eggs and his sperm. They also wished to have two more children using donor eggs. The claimant's preference was to enter into commercial surrogacy arrangements in California.

The UKSC unanimously held that damages were recoverable for the reasonable costs of surrogacy arrangements using both the claimant's eggs and donor eggs. Despite the complicated backdrop of UK surrogacy laws, the UKSC also held by a majority of 3-2 that damages could be recovered for the reasonable costs of lawful foreign commercial surrogacy arrangements where it was reasonable to seek the proposed foreign arrangements rather than to make arrangements in the UK.

Read the judgment www.supremecourt.uk/cases/uksc-2019-0013.html

R v Adams (Northern Ireland) [2020] UKSC 19

In 1973, Gerry Adams was detained without trial pursuant to an interim custody order ('ICO') made under article 4(1) of the Detention of Terrorists (Northern Ireland) Order 1972. On two occasions Mr Adams tried to escape from detention, and he was twice convicted of attempting to escape from lawful custody.

Under the 1972 Order, the power to make an ICO arose "where it appears to the Secretary of State" that a person was suspected of being involved in terrorism. The UKSC held unanimously that Parliament intended this power to be exercised by the Secretary of State personally. Since there was no evidence that the Secretary of State had personally considered whether Mr Adams was involved in terrorism, the ICO was invalid. Mr Adams' detention was therefore unlawful, and his convictions were quashed.

Read the judgment www.supremecourt.uk/cases/uksc-2018-0104.html

Sutherland v Her Majesty's Advocate (Scotland) [2020] UKSC 32

In this case, the UKSC held that the use in a criminal trial of evidence obtained by a so-called 'paedophile hunter' group did not give rise to any interference with the accused's right to privacy under article 8 of the European Convention on Human Rights.

The reprehensible nature of the evidence, i.e. communications between the accused and an adult member of the group acting as a decoy, meant the communications were not worthy of respect under article 8. The accused further had no reasonable expectation of privacy in relation to the communications. The public prosecutor had no additional positive obligation under article 8 to protect the accused's interests that would prevent it from making use of the evidence. Rather, the public prosecutor was under a positive obligation to ensure that the criminal law could be applied effectively to deter sexual offences against children.

Read the judgment www.supremecourt.uk/cases/uksc-2020-0022.html

Lehtimäki and others v Cooper [2020] UKSC 33

In this case, the UKSC decided a long-standing debate about whether members of charitable companies could vote in their own interests and held that, when voting, such members owed a fiduciary duty to the charitable objects. The UKSC also considered when the court could intervene in a member's exercise of his discretion to vote. The UKSC decided that, even when Parliament had held that members should approve a resolution under section 217 of the Companies Act 2006 (members' approval required for payments for loss of office), the court could direct a member of a charitable company how to vote.

Read the judgment www.supremecourt.uk/cases/uksc-2018-0150.html

Halliburton Company v Chubb Bermuda Insurance Ltd [2020] UKSC 48

The UKSC held that an arbitrator's failure to disclose further appointments breached his duty of disclosure but in the circumstances did not give rise to a real possibility of bias.

The acceptance by an arbitrator of multiple overlapping appointments involving a common party might give rise to the appearance of bias, depending on the customs and practices in the relevant field of arbitration. Where the circumstances might reasonably give rise to a conclusion of apparent bias, the arbitrator is under a duty of disclosure, stemming from the arbitrator's statutory obligations of fairness and impartiality. In this case, the arbitrator was under a duty to disclose his appointment in a subsequent reference also involving Chubb and arising from the Deepwater Horizon incident.

However, having regard to a number of factors known as at the time of the hearing to remove the arbitrator, the fair-minded and informed observer would not infer from the failure to disclose that there was a real possibility of bias.

Read the judgment www.supremecourt.uk/cases/uksc-2018-0100.html

Mastercard Incorporated and others v Walter Hugh Merricks CBE [2020] UKSC 51

This was the first collective proceedings claim for competition damages before the UKSC. Collective proceedings allow multiple individual claims to be grouped together and brought as one. However, they first need to be certified by the Competition Appeal Tribunal under section 47B of the Competition Act 1998.

Mastercard breached competition law by fixing a default interchange fee for its payment card schemes. Mr Merricks seeks to bring collective proceedings against Mastercard, claiming damages on behalf of around 46.2 million people. The Tribunal refused certification, but Mr Merricks appealed to the Court of Appeal successfully.

The UKSC dismissed Mastercard's appeal. Collective proceedings are a special form of civil procedure, designed to provide access to justice where an ordinary individual claim is inadequate. The Tribunal applied the certification test incorrectly. In particular, difficulties with interpreting data and incomplete data are not good reasons to refuse certification, and suitability for collective proceedings should be assessed relative to ordinary individual claims. The Tribunal must now reconsider certification.

Read the judgment www.supremecourt.uk/cases/uksc-2019-0118.html

R (on the application of Friends of the Earth Ltd and others) v Heathrow Airport Ltd [2020] UKSC 52

The UKSC held that the Airports National Policy Statement (the ‘ANPS’) and its accompanying environmental report were lawful. The ANPS is the framework against which future applications for consent to develop the third Heathrow runway will be considered.

The Secretary of State for Transport (the ‘SST’) had dealt sufficiently with the Paris Agreement in the ANPS and the environmental report. The SST had considered the agreement and had reasonably decided it did not need to be given further weight in the ANPS. The environmental report did not need to refer to the Paris Agreement. Such reports form a basis for informed public consultation. An unduly legalistic approach to their adequacy might cause public authorities to include so much detail that they become counterproductive.

The ANPS did not have to assess factors that the SST was still considering, and in respect of which policies were being formulated. Those policies would have to be taken into account in any further applications for consent.

Read the judgment www.supremecourt.uk/cases/uksc-2020-0042.html

Financial Conduct Authority v Arch Insurance (UK) Ltd and others [2021] UKSC 1

The UKSC substantially allowed the appeals of the Financial Conduct Authority (‘FCA’) on behalf of policyholders concerning the coverage provided by insurance policy wordings in relation to business interruption losses which resulted from the pandemic and public health measures taken in the UK from March 2020.

The UKSC heard the appeals of the FCA, six insurers and one intervener on an expedited basis in December 2020. It held that clauses covering business interruption losses resulting from the pandemic within a certain distance of the insured premises could provide coverage where a policyholder was able to show that there was at least one case within the geographical area covered. The UKSC rejected the narrow interpretation of clauses covering losses resulting from instructions issued by public authorities to close businesses. It also rejected the insurers’ interpretation of clauses which would have adjusted business interruption losses by reference to trends connected to the pandemic.

It is estimated that, in addition to the sample wordings considered, some 700 policies and 370,000 policyholders could be affected by the judgment.

Read the judgment www.supremecourt.uk/cases/uksc-2020-0177.html

Uber BV and others v Aslam and others [2021] UKSC 5

The UKSC unanimously dismissed Uber’s appeal concerning the status of two private hire drivers using the Uber app to provide their services to passengers. The appeal was the culmination of a test case to establish their employment status.

Uber had argued that its role was as a technology provider and booking agent and that the drivers were not its workers. The UKSC rejected this approach. It held that the relationship between Uber and the drivers (and the service offered to passengers) was tightly defined and controlled by Uber. Drivers were therefore in a position of subordination and dependency to Uber and were not able to improve their economic position, while using the Uber app, outside of the parameters set by Uber. The drivers were therefore workers.

The UKSC also held that the drivers’ status as workers extended to periods when they were logged onto the Uber app and were ready and willing to accept trips from passengers.

Read the judgment www.supremecourt.uk/cases/uksc-2019-0029.html

R (on the application of Begum) v Secretary of State for the Home Department [2021] UKSC 7

The Secretary of State deprived Ms Begum of her British citizenship. His reason for doing so was that, having travelled to Syria and aligned with ISIL, her return to the UK would present a risk to national security. Ms Begum applied for leave to enter the UK to participate in her appeal against that decision, but her application was refused.

The Court of Appeal decided that leave to enter must be granted to Ms Begum because she could not otherwise have a fair and effective hearing of her appeal against the deprivation of her citizenship.

The UKSC unanimously allowed the Secretary of State’s appeal. It decided that, when an individual’s right to have a fair hearing comes into conflict with the requirements of national security, it is not the case that her right to a fair hearing must prevail. The appropriate response is for Ms Begum’s deprivation appeal to be stayed until she can play an effective part in it without the safety of the public being compromised.

Read the judgment www.supremecourt.uk/cases/uksc-2020-0158.html

JCPC judgments by subject: 2020-21

Arbitration	1	Family	3
Commercial	1	Insurance	1
Companies	4	Judicial review	1
Constitution	1	Land	1
Contract	2	Mortgages	1
Crime	8	Negligence	2
Employment	2	Procedure	3

The JCPC publishes all of its decided cases.

JCPC judgments by jurisdiction 1 April 2020 – 31 March 2021

Anguilla	1	Jamaica	2
Antigua and Barbuda	2	Mauritius	2
Bahamas	3	Trinidad and Tobago	10
Cook Islands	1	Turks and Caicos Islands	1
Guernsey	1	Virgin Islands	8

JCPC cases in 2020-21

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

Bain v The Queen (Bahamas) [2020] UKPC 10

The appellant, Mr Simeon Bain, appealed against his conviction and sentence for offences of murder, kidnapping, robbery and housebreaking. Mr Bain's main ground of appeal against conviction was that, following counsel's withdrawal, he had been unrepresented for nearly all of his trial. He argued that counsel's withdrawal was mismanaged by the trial judge, resulting in an unfair trial.

The JCPC unanimously allowed the appeal on the ground that Mr Bain's lack of representation seriously prejudiced him relation to the evidence at trial and, in particular the evidence of the prosecution's key witness and of his confession. Had he been represented the evidence may well have been materially different.

Read the judgment www.jcpc.uk/cases/jcpc-2017-0088.html

Commissioner of the Independent Commission of Investigations v Police Federation and others; Dave Lewin (Director of Complaints of the Independent Commission of Investigations) v Albert Diah (Jamaica) [2020] UKPC 11

The Independent Commission of Investigations investigates police killings, and other cases in which members of the Jamaica Constabulary Force, the Jamaica Defence Force and other state agents are alleged to have caused a person's death or injury, or an abuse of their rights.

In these appeals, the JCPC was asked to decide whether the Commission can prosecute the offences it investigates. The JCPC held unanimously that the Commission's role is a purely investigative one; it has no express or implied power to prosecute offences. Offences under section 33 of the Commission's governing legislation are an exception. The Commission has an implied power to prosecute these offences because they are intended to facilitate and prevent obstruction of its investigative work.

Read the judgment www.jcpc.uk/cases/jcpc-2019-0098.html

Ciban Management Corporation v Citco (BVI) Ltd and another (British Virgin Islands) [2020] UKPC 21

Mr Byington owned Spectacular Holdings Inc. Mr Byington by his conduct represented to Spectacular's corporate director, TCCL Ltd, that it should act on the instructions from Mr Byington's associate, Mr Costa. Without Mr Byington's knowledge, Mr Costa instructed TCCL to sell Spectacular's property. Spectacular sued TCCL for breach of duty.

The JCPC held that, by choosing to remain in the shadows, Mr Byington had taken on the risk that Mr Costa might betray him. He had deliberately held Mr Costa out as having the authority to instruct TCCL. Applying what is known as the Duomatic principle, the authority conferred by Mr Byington counted as being conferred by Spectacular. Spectacular could not deny that it had authorised Mr Costa to give the instructions to TCCL, and so there was no breach of TCCL's duty of care to Spectacular.

Read the judgment www.jcpc.uk/cases/jcpc-2019-0093.html

Webb v Webb (Cook Islands) [2020] UKPC 22

This was an appeal from the Cook Islands about a dispute between estranged spouses over the matrimonial property available to be divided between them under the Matrimonial Property Act 1976 of New Zealand, as applicable in the Cook Islands pursuant to the Matrimonial Property Act 1991-92.

The main issue was whether Mr Webb's tax debt to the New Zealand revenue department was a 'debt' that should be taken into account in assessing the value of the matrimonial wealth available for division between the parties. The JCPC found that, on common law principles, Mr Webb's tax debt was unenforceable in the Cook Islands and unlikely to be paid. Interpreting the Act in a manner that reflected its context as social legislation, the JCPC held that Mr Webb's tax debt did not constitute a 'debt' for the purposes of the Act.

Read the judgment www.jcpc.uk/cases/jcpc-2019-0013.html

AG of the Turks and Caicos Islands v Misick and others (Turks and Caicos Islands) [2020] UKPC 30

In April 2020, the Governor of the Turks and Caicos Islands ('TCI') made the Emergency Powers (COVID-19) (Court Proceedings) Regulations 2020, which provided for virtual hearings of criminal and civil proceedings. Regulation 4(6) provided that "the courtroom shall include any place, whether in or outside of the Islands, the Judge or Magistrate elects to sit to conduct the business of the court".

The JCPC was asked to decide whether Regulation 4(6) breached the Constitution of the TCI, on the ground that it purports to allow the TCI Supreme Court to sit outside the TCI and it would create an inequality of arms in the criminal proceedings in question. The JCPC dismissed the appeals, as Regulation 4(6) does not permit the Supreme Court to sit outside the TCI, but merely deems wherever the judge sits physically to be part of the courtroom in the TCI. Further, the JCPC was unable to conclude that the trial's future conduct would be unfair.

Read the judgment www.jcpc.uk/cases/jcpc-2020-0072.html

Section FOUR

Accountability Report



Statement of Accounting Officer's Responsibilities

Under section 7(2) of the Government Resources and Accounts Act 2000, HM Treasury has directed the UKSC (the Department) to prepare, for each financial year a statement of accounts (the Accounts) in the form and on the basis set out in the Accounts Direction issued on 17 December 2020.

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

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

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

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

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

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

Governance Statement by the Chief Executive

As Chief Executive, I am responsible for the day-to-day operations and administration of the UKSC and leadership of its employees. I am required to carry out my functions in accordance with the directions given by the President of the UKSC and as delegated to me in accordance with s. 48(3) CRA 2005.

I was appointed as Chief Executive on 21 September and received appropriate assurance from the previous Chief Executive, Mark Ormerod on commencement of my role that effective processes were in place.

As Chief Executive and within the directions given by the President, I work with the justices through justices' meetings and the Strategic Advisory Board. This Board, chaired by the President and comprising two additional justices, senior members of the Management Board and the Non-Executive Board Members, considers the strategic direction of the Court and the ongoing strategic issues and opportunities. It has no role in directing the administration or the judicial functions of the Court.

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

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

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

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

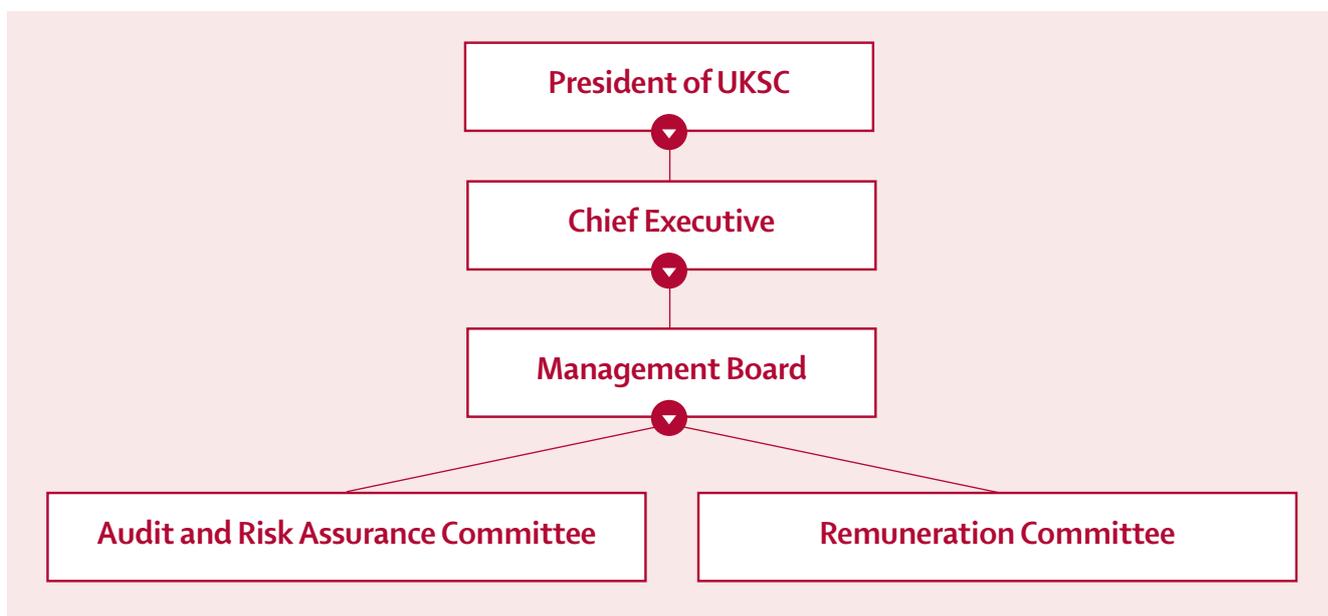
Risks are managed at two levels within the UKSC. There is an established process whereby risks and issues are escalated to the corporate risk register which is reviewed by the Management Board bi-monthly and the Audit and Risk Assurance Committee three times a year – with targeted deep dives on different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

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

The governance framework

The UKSC has in place control processes to provide me, as Accounting Officer, with assurance over financial and operational risks. This governance framework is commensurate with the size of the organisation and complements our approach to risk management. The framework and the processes are subject to continuous improvement and review to ensure that they remain current, effective and relevant.

UKSC governance framework



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

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

Responsibilities of the Management Board and its sub-committees

	Management Board	Audit and Risk Assurance Committee	Remuneration Committee
Terms of reference	Terms of reference remain in place for all Boards and Committees and have been considered during the reporting period. An organisation wide Governance Review Commenced in March 2021 and will review all terms of reference together in early 2021-22		
Roles and responsibilities	<p>Has responsibility for overseeing the leadership and administrative direction of the UKSC, ensuring it is delivering its aim and objectives.</p> <p>It also advises and provides scrutiny to the Chief Executive in relation to the strategy of the department and production of the annual report and accounts.</p> <p>The Board meets at least six times a year.</p>	<p>This is an advisory body supporting the Chief Executive as Accounting Officer and the Management Board in its responsibilities for risk management, the control framework and governance and production of the annual report and accounts.</p> <p>The Committee meets at least three times a year.</p>	<p>This is an advisory body supporting the Chief Executive and Management Board in its responsibilities for staff pay, terms and conditions and performance management.</p> <p>The Committee meets when required but at least once a year.</p> <p>In 2020-21 it met twice.</p>
Chair	Vicky Fox , Chief Executive	Kathryn Cearns Non-Executive Board Member	Tim Slater Non-Executive Board Member
Issues covered	<ul style="list-style-type: none"> ■ discussed and agreed the risk exposure for the business including the level of risk tolerance with a strong focus on the response to the pandemic ■ discussed performance of each administrative business area at each meeting ■ discussed the financial position at each meeting as well as approving the annual budget 	<ul style="list-style-type: none"> ■ held substantive discussion at each meeting on corporate risks including targeted deep dives to challenge management controls and effectiveness of mitigation ■ held substantive discussions on the findings and implementation of recommendations from internal audit reports 	<ul style="list-style-type: none"> ■ reviewed and discussed SCS performance and NED remuneration for 2021-22 ■ reviewed and oversaw the application of regular overtime/holiday pay in the relevant business areas ■ further reviewed following staff feedback the wording of the performance management markings

	Management Board	Audit and Risk Assurance Committee	Remuneration Committee
Issues covered (continued)	<ul style="list-style-type: none"> reviewed operational policies and guidance including Smarter Working received regular updates from the chairs of each respective sub-committee considered the Court's strategic direction in relation to Diversity, Inclusion and Belonging, as well as data management 	<ul style="list-style-type: none"> discussed adequacy of management response to issues identified by audit activity, including external audit's management letter acted on the delegated authority of the Management Board to approve the annual report and accounts (2019-20) 	

The Management Board and Sub-Committee membership

As at 31 March 2021, there were 11 members of the UKSC Management Board comprising executives and Non-Executive Board Members. In addition to Non-Executive Board Members, the work of the Audit and Risk Assurance Committee is supported by two independent members.

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

<https://www.supremecourt.uk/about/executive-team.html> and here:

<https://www.supremecourt.uk/about/non-executive-directors.html>.

At each meeting of the Board and its sub-committees declarations of interests are sought and none were declared in 2020-21.

As part of a department continuous improvement processes, the UKSC are developing a policy for the declaration and management of interests for all staff (not just Board members) which will set out assurance about the UKSC adherence to the requirements of the Civil Service Management Code (section 4.3) and assurance about the application of the policy to all staff.

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

	Management Board	Audit and Risk Assurance Committee	Remuneration Committee
Attendance at meetings – expressed as number of meetings attended out of number eligible to attend			
Vicky Fox – Chief Executive from 21 September 2020	4/4	1/1*	1/1
Mark Ormerod – Chief Executive to 20 September 2020	2/2	4/4*	1/1
Kathryn Cearns – Non-Executive Board Member	5/6	4/4	2/2
Tim Slater – Non-Executive Board Member	6/6	4/4	2/2
Sam Clark – Director of Corporate Services	6/6	4/4*	
Louise di Mambro – Registrar	5/6		
Sanjeet Bhumber – Director of Finance (from 1 November 2020)	6/6	4/4*	2/2*
Sophia Linehan Biggs – Head of Communications (job share)	5/6		
Janet Coull Trisic – Head of Communications (job share)	6/6		
Paul Brigland – Head of IT and Building Services	6/6		
Chris Maile – Head of Human Resources	6/6		2/2*
Ian Sewell – Deputy Registrar	6/6		4/4
Charles Winstanley – Representative from Scotland		4/4	
Peter Luney – Representative from Northern Ireland		4/4	

Attendance at meetings – expressed as number of meetings attended out of number eligible to attend

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

Quality of information

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

During 2020-21 the Board Secretary introduced a template for all papers, structured to ensure risks and resource implications are highlighted and to ensure sufficient engagement and challenge during discussions.

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

Health and safety

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

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

The responsibilities of the Committee shifted profoundly during 2020-21 as a result of the pandemic, with an increased focus on personal health, remote working and wellbeing. This report sets out examples of activities undertaken in 2020-21. In 2021-22 the focus will shift back to the development of a security and safety framework which will support regular oversight of our performance and continuous improvement.

Risk management

The UKSC risk strategy was introduced in 2019 and is now embedded across the organisation. It conforms to the Orange Book government standard.

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

Risk assessment 2020-21

The Management Board held a risk workshop in May 2020 to identify the risks to our priorities and objectives and what controls and mitigation would need to be in place to manage those risks.

We use a scoring methodology for impact and likelihood to determine the level of risk. This provides a 'very high, high, medium and low' risk rating which ensures we assess our risks in a consistent way and focuses resources on the most significant risks to delivery.

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

At the start of the year there were two very high risks, three high risks, two medium risks and one low risk being managed. At the end of the year, and following a risk review, we have closed five of the previous risks. The risks were reviewed in the light of the 2021-22 vision, purpose and strategic priorities. Two of the risks have been escalated to issues and are being managed more proactively to ensure we move forward decisively. One risk remains to be managed in 2021-22 in conjunction with newly defined risks, reflecting the court's activities and the lessons

learned from the pandemic. This approach will also support a more mature and strategic approach to risk management. The day-to-day management of the pandemic has been treated as an ongoing issue during 2020-21. Whilst the core business of the Court moved to a virtual setting and continued to be delivered, the closure of the building did have an impact on some of the risks. For example, the safety risk to justices and staff was minimal whilst not in the building. As justices and staff return to the building, this risk will be managed as before.

The risk themes identified at the beginning of 2020-21 were as follows:



Risk theme	Strategic priorities	Key activities to manage the risk	Risk movement
<p>Financial sustainability</p> <p>The UKSC is not financially sustainable within the current funding envelop.</p>	<p>1, 3</p>	<p>The risk has been lowered to medium from high during the year and the reached target.</p> <p>The UKSC received funding as part of the SR19 settlement and managed the budget for 2020-21.</p> <p>The medium-term risk is also more certain because funding has been agreed for 2021-22 (next year) as part of the SR20 settlement.</p>	 <p>This risk reached target during the year and has been closed to allow for a new risk regarding medium- and long-term financial sustainability to be developed.</p>

Risk theme	Strategic priorities	Key activities to manage the risk	Risk movement	
<p>Statutory compliance</p> <p>The UKSC does not effectively manage safety and security.</p>	3, 6, 7	<p>We have security and safety procedures in place and a fundamental review of all processes commenced in Q4 of 2020-21.</p> <p>The overall likelihood of this risk decreased significantly over the course of the year as a result of the remote working conditions and limited access to the court building (for security). Although this was balanced by an increased focus on health and safety and in particular supporting staff to work successfully at home and ensuring a COVID-secure environment when access was required.</p> <p>This risk is below target and will continue to be on the register in 2021-22.</p>	 <p>This risk will be carried forward into 2021-22.</p>	
<p>The UKSC does not effectively manage/adhere to its plans to achieve compliance with the General Data Protection Regulations.</p>	3, 6, 7	<p>Despite the Government Internal Audit undertaking a review of this area and reporting a moderate opinion, as a result of limited access to the building, limited improvements have been made in this area.</p> <p>Remote working has necessitated a focus on improved information assurance awareness, but that has been reactive as opposed to proactive.</p> <p>This risk has remained very high throughout the year as a result of slippage in the implementation plan.</p>	Escalated to an issue	<p>This risk is now being treated as an issue with a programme of improvements being delivered. The current risk as drafted has therefore been removed.</p>

Risk theme	Strategic priorities	Key activities to manage the risk	Risk movement	
<p>Service and project delivery</p> <p>The UKSC does not deliver the website project to time, cost and quality.</p>	3	<p>Funding for this project was not provided as part of SR20, which immediately increased the likelihood of this risk being realised. However, bringing together all the lessons learned from the pandemic and the various reviews which have taken place, this risk has been managed as far as it is able, and where appropriate interim steps have been put in place to mitigate the lack of investment.</p> <p>Having further considered the position, this risk will be closed and an umbrella 'change' risk will be in place which will encompass culture, finance, people, processes and systems.</p>		<p>This risk has been reviewed and refocused so will close in its current format and a wider change risk will be managed in 2021-22.</p>
<p>The UKSC does not manage high profile service delivery failure.</p>	3, 6, 7	<p>Operational service failures remained a consistently high risk throughout the reporting year and additional pressures to support remote working have identified areas of focus going forward. Whilst the risk did not materialise and there was an effective business continuity response to the pandemic combined with effective day to day operations being maintained, targeted scrutiny did not take place. This risk has now been escalated as an issue.</p> <p>This risk is above target and will continue to be on the register as an issue and closed as a risk.</p>	Escalated to an issue	<p>This risk has remained very high all year and will be managed as an issue in 2021-22.</p>

Risk theme	Strategic priorities	Key activities to manage the risk	Risk movement
<p>Communications and reputation</p> <p>The UKSC's reputation is weakened by being unable to effectively respond to reactive communications.</p>	2, 3, 4, 7	<p>Communications activity has been improved throughout the year with a great deal of baseline enabling activity put in place to enable the development and management of a more targeted risk going forward.</p> <p>Mitigation has included the development of a reputation crisis management plan and a media handling strategy, as well as bespoke support for the justices.</p> <p>It was recognised that there continued to be a high level of interest in the Court, and therefore the level of tolerance in managing this risk was reconsidered, and it was agreed in year that this risk could be tolerated at medium, so on that basis this risk has been closed.</p>	 <p>This risk is to be closed and replaced with a more externally focussed reputational risk.</p>

Risk theme	Strategic priorities	Key activities to manage the risk	Risk movement
<p>People</p> <p>The UKSC has insufficient or insufficiently experienced/competent staff to run the court effectively.</p>	<p>3, 6, 7</p>	<p>The operating model for the court shifted as a direct result of the pandemic and all staff were required and supported to develop and learn new skills and abilities to support different ways of delivering the Court's priorities, as well as considering the level of risk tolerance the court was comfortable with.</p> <p>A full skills audit was undertaken in Q2 and Q3, and that has led to a clearly defined development direction for all staff. This combined with the lessons learned from the pandemic, has shifted the overall level of impact of this risk.</p> <p>In 2021-22 this risk will be closed and a new risk focusing on people and planning will be developed to ensure better business planning and forward thinking in each team and greater clarity on all processes.</p>	 <p>This risk remained medium throughout the year; however, the lessons learned from the pandemic have supported a review of tolerance and the court is content to manage this risk at medium.</p> <p>This risk is therefore to be closed.</p>

Risk theme	Strategic priorities	Key activities to manage the risk	Risk movement
<p>Performance</p> <p>Workload volumes across the UKSC and JCPC are uncertain, leading to a decrease in efficiency.</p>	<p>3, 7</p>	<p>This risk started the year at target; however, as a result of a number of factors, increased in likelihood throughout the year, only returning to target at year-end.</p> <p>Case volumes remain within tolerance, and urgent matters can be dealt with in a timely fashion.</p> <p>Recognising this risk is at target and should be considered as business as usual, it has been agreed that this risk as drafted is to be closed and a new operational performance risk is developed.</p>	<p> This risk is to be closed and replaced with a more operationally focused performance risk</p>

Current control challenges

Throughout 2020-21 the UKSC had appropriate governance in place to mitigate control challenges and issues.

There were no incidents or events that would indicate a trend or any significant control challenge, and if identified they were quickly and appropriately managed to mitigate their impact.

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

Managing the risk of fraud, bribery and corruption

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

Whilst in 2020-21 we intended to strengthen our existing approach and awareness in this area, the impact of the pandemic and the need to move a predominantly paper-based organisation to remote working has meant we needed to prioritise delivery of our core business. This planned activity will now be undertaken in 2021-22, and we will undertake a fraud risk assessment, which will be used to strengthen our existing controls.

There were no reported incidents of fraud, bribery or corruption in the financial year 2020-21.

Whistleblowing

The UKSC has a whistleblowing policy which was last reviewed and updated in 2017. The policy allows staff to raise any concerns confidentially regarding the conduct of others in relation to any potential suspected fraud, security or risk of personal data disclosure. The court's two Non-Executive Directors are the named nominated officers who will take forward any required investigation.

No concerns have been raised in this reporting period.

Information assurance

Each Information Asset Owner oversees the information assets for which they are responsible and must provide quarterly assurance statements to the Senior Information Risk Owner (SIRO) stating that the management of these assets has been in accordance with the Information security policy. Compliance with this requirement during this year has not been fully met as a direct result of the requirement to refocus limited resources on supporting the core business of the Court virtually through the pandemic.

This policy was not reviewed during 2020-21 as widespread consultation has taken place to refresh and enhance the approach and controls in place. This will be considered by the Management Board in 2021-22.

All staff, and on appointment, new starters are required to complete an annual training course on information handling practices to ensure compliance.

The administration was assessed for Cyber Essentials accreditation during 2020, an accreditation recognised by the National Cyber Security Centre and the Cabinet Office. This accreditation exercise assesses the measures an organisation has in place to guard against the most common cyber threats and demonstrate commitment to cyber security. It does this by considering how the organisation:

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

Accreditation was achieved without any recommendations for further improvement. This will be reviewed annually to ensure continuous improvement.

Clear processes exist to ensure any information security breaches are identified promptly and reported appropriately. Cyber-attacks continued to be a threat and increased in number and frequency; however, there were no reported successful incidents. The court continues to take a rigorous approach in ensuring that the security measures deployed are kept up to date and under constant review. The court's IT team continued work with the National Cyber Security Centre, and the Government Digital Service to ensure we keep our system as safe as is possible.

Governance and risk assurance oversight arrangements

Through the Management Board I gain assurance through:

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

Internal Audit and annual audit opinion

Current control challenges

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

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

Remuneration and staff report

Service contracts

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

Unless otherwise stated below, the officials covered by this report hold appointments which are open-ended. Early termination, 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

Remuneration policy

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

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

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

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

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

Further information about the work of the Review body can be found at www.ome.uk.com

Staff/justices numbers and related costs (Audited)

Staff/justices costs comprise					2020-21	2019-20
	Permanent			Others		
	Justices	Frontline staff	Administrative staff	Judicial assistants	Total	Total
	£000	£000	£000	£000	£000	£000
Wages and Salaries	2,698	1,218	500	347	4,763	4,678
Social security costs	359	141	69	39	608	582
Apprentice Levy	13	0	0	0	13	14
Supplementary Judges	68	0	0	0	68	26
Other pension costs	1,409	298	126	36	1,869	1,832
Sub Total	4,547	1,657	695	422	7,321	7,132
Inward secondments	0	0	24	0	24	65
Agency Staff	0	0	0	0	0	22
Voluntary exit costs	0	0	0	0	0	0
Total	4,547	1,657	719	422	7,345	7,219
Less recoveries in respect of outward secondments	0	0	0	0	0	0
Total Net Costs	4,547	1,657	719	422	7,345	7,219

Judicial Pension Scheme (JPS) (Audited)

The JPS is an unfunded multi-employer defined benefit scheme which prepares its own Accounts, but for which UKSC is unable to identify its share of the underlying assets and liabilities. A full actuarial valuation was carried out as at 31 March 2016. Details can be found in the Resource Accounts of the Judicial Pension Scheme at www.official-documents.co.uk

Judicial pensions are paid by the UKSC. Contributions to the JPS is at a rate of 51.35% (2019-20, 51.35%). The amount of these contributions is included in the table shown above. Although the JPS is a defined benefit scheme, in accordance with FReM 6.2, UKSC accounts for the scheme as a defined contribution scheme and recognises employer contributions payable as an expense in the year they are incurred.

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

The Principal Civil Service Pension Schemes (PCSPS) and the Civil Servant and Other Pension Scheme – known as ‘Alpha’ – are unfunded multi-employer defined benefit schemes, therefore, the UKSC is unable to identify its share of the underlying assets and liabilities. A full actuarial valuation was carried out as at 31 March 2012. Details can be found in the resource accounts of the Cabinet Office: Civil Superannuation (www.civilservicepensionscheme.org.uk/about-us/resource-accounts).

For 2020-21, employer’s contributions totalling £462,670 were payable to the PCSPS, (2019-20, £418,968) at one of four rates in the range of 26.6% to 30.3% (2019-20, 26.6% to 30.3%) of pensionable pay, based on salary bands. The scheme’s Actuary reviews employer contributions every four years following a full scheme valuation. The salary bands and contribution rates were revised for 2020-21 and will remain unchanged for 2021-2022. The contribution rates are set to meet the costs of the benefits accruing during 2020-21, to be paid when the member retires and not the benefits paid during this period to existing pensioners. Employees can opt to open a partnership pension account, a stakeholder pension with an employer contribution. Employers’ contributions of £48,015 (2019-20, £24,120) were paid to the appointed stakeholder pension provider. Employer contributions are age-related and range from 8% to 14.75% (2019-20, 8% to 14.75% of pensionable pay). Employers also match employee’s contributions up to 3% of pensionable pay.

Contributions due to the partnership pension providers at the balance sheet date were £0 (2019-20, £0). Contributions prepaid at that date were NIL.

There were no early retirements on ill health grounds in 2020-21, (2019-20, none).

Salary and Pension entitlements for Directors

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

a) Single Total figure of remuneration (Audited)

Name and title	2020-21	2019-20	2020-21	2019-20	2020-21	2019-20	2020-21	2019-20
	Salary (£000)		Performance Related Pay (£000)		Pension benefits (£000)		Total (£000)	
Vicky Fox (from 21 September 2020) Chief Executive	55-60 (FTE 110-115)	–	–	–	35	–	90-95 (FTE 145-150)	–
Mark Ormerod (until 30 September 2020)* Chief Executive	50-55 (FTE 100-105)	80-85 (FTE 95-100)	0-5	–	16	31	70-75 (FTE 115-120)	110-115 (FTE 130-135)
Louise Di Mambro Registrar	70-75	70-75	0-5	0-5	30	17	100-105	90-95
Samantha Clark Director for Corporate Services	70-75	70-75	–	–	34	27	100-105	100-105
Paul Brigland Head of IT and Building Services	50-55	50-55	0-5	0-5	27	21	80-85	75-80
Christopher Maile Head of Human Resources	50-55	50-55	0-5	0-5	25	21	75-80	75-80
Kenneth Ludlam (until 31 August 2019) Non-Executive Director	–	0-5	–	–	–	–	–	0-5
Kathryn Cearns Non-Executive Director	5-10	0-5	–	–	–	–	5-10	0-5
Tim Slater (from 29 July 2019) Non-Executive Director	10-15	5-10	–	–	–	–	10-15	5-10
Ian Sewell Deputy Registrar and Costs Clerk	50-55	50-55	0-5	0-5	22	21	70-75	70-75

Name and title	2019-20		2020 2019		2020 2019		2020-21 2019-20	
	2020-21	20	-21	-20	-21	-20	2020-21	2019-20
	Salary (£000)		Performance Related Pay (£000)		Pension benefits (£000)		Total (£000)	
Sophia Linehan Biggs** Head of Communications	35-40 (FTE 60-65)	35-40 (FTE 60-65)	0-5	0-5	14	14	50-55 (FTE 80-85)	50-55 (FTE 80-85)
Janet Coull Trisic** (from 14 January 2019) Head of Communications	30-35 (FTE 60-65)	45-50 (FTE 55-60)	0-5	0-5	12	19	40-45 (FTE 70-75)	65-70 (FTE 80-85)
Joyti Mackintosh (until 30 September 2019) Director of Finance	-	-	-	-	-	-	-	20-25 (FTE 85-90)
Sanjeet Bhumber (from 1 November 2019) Director of Finance	65-70	25-30 (FTE 65-70)	0-5	-	29	9	95-100	35-40 (FTE 85-90)

* Part time from May 2019

**Job Share from January 2020

Salary

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

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

Benefits in kind

There were no benefits in kind.

Bonuses

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

Pay Multiples

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 UKSC in the financial year 2020-21 was £115,000 to £120,000 (2019-20, £95,000 to £100,000). This was 3.59 times (2019-20, 3.08 times) the median remuneration of the workforce, which was £32,772 (2019-20, £31,649).

In 2020-21, 0 (2019-20, 0) employees received remuneration in excess of the highest-paid director. Remuneration ranged from £14,479 to £76,804 (2019-20, £14,478 to £75,297).

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

Exit Packages

There were no payments for exit packages in 2020-21 and 2019-20.

Pension Benefits (Audited)

Name and title	Accrued Pension at pension age as at 31 March 2021 and related lump sum	Real increase in pension and related lump sum at pension age	CETV at 31 March 2021	CETV at 31 March 2020	Real Increase/ (Decrease) in CETV	Employer contribution to partnership pension account
	£'000	£'000	£'000	£'000	£'000	Nearest £100
Vicky Fox Chief Executive	30 – 35 plus a lump sum of 60 – 65	0 – 2.5 plus a lump sum of 0 – 2.5	578	534	23	–
Mark Ormerod Chief Executive	10 – 15	0 – 2.5	192	169	13	–
Louise di Mambro Registrar	40 – 45 plus a lump sum of 120 – 125	0 – 2.5 plus a lump sum of 2.5 – 5	823	810	25	–
Samantha Clark Director of Corporate Services	20 – 25 plus a lump sum of 45 – 50	0 – 2.5 plus a lump sum of 0 – 2.5	363	330	18	–
Paul Brigland Head of IT and Building Services	20 – 25 plus a lump sum of 45 – 50	0 – 2.5 plus a lump sum of 0 – 2.5	427	393	19	–
Christopher Maile Head of Human Resources	15 – 20 plus a lump sum of 25 – 30	0 – 2.5 plus a lump sum of 0 – 2.5	277	250	15	–
Ian Sewell Deputy Registrar and Costs Clerk	0 – 5	0 – 2.5	45	29	13	–

Name and title	Accrued Pension at pension age as at 31 March 2021 and related lump sum	Real increase in pension and related lump sum at pension age	CETV at 31 March 2021	CETV at 31 March 2020	Real Increase/ (Decrease) in CETV	Employer contribution to partnership pension account
Sophia Linehan Biggs Head of Communications	5 – 10	0 – 2.5	62	53	5	–
Janet Coull Trisic (from 14 January 2019) Head of Communications	5 – 10	0 – 2.5	88	78	6	–
Sanjeet Bhumber (from 1 November 2019) Director of Finance	25 – 30	0 – 2.5	318	293	11	–

Civil Service Pensions

Civil Service Pensions

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

These statutory arrangements are unfunded with the cost of benefits met by monies voted by Parliament each year. Pensions payable under classic, premium, classic plus, nuvos and alpha are increased annually in line with Pensions Increase legislation.

Employee contributions are salary-related and range between 4.6% and 8.05% of pensionable earnings for members of classic, premium, classic plus, nuvos and alpha. Details of the different schemes can be found on the Civil Service Pension website at

<https://www.civilservicepensionscheme.org.uk/employers/employer-pension-guide/section-3-civil-service-pension-arrangements/>

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

Full details about the Civil Service Pension arrangements can be found at the website www.civilservicepensionscheme.org.uk

Cash Equivalent Transfer Values

A Cash Equivalent Transfer Value (CETV) is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member’s accrued benefits and any contingent spouse’s pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits accrued in their former scheme. The pension figures shown relate to the benefits that the individual has accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies.

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

Real increase in CETV

This reflects the increase in CETV that is funded by the employer. It does not include the increase in accrued pension due to inflation, contributions paid by the employee (including the value of any benefits transferred from another pension scheme or arrangement) and uses common market valuation factors for the start and end of the period.

Average number of persons employed and justices that served (Audited)

The average number of full-time equivalent persons employed and justices that served during the year is shown in the table below. These figures include those working in the UKSC (including senior management) as included within the departmental resource account.

The UKSC					2020-21	2019-20
	Permanent			Other		
	Justices	Programme staff	Administrative staff	Judicial assistants	Total	Total
Total	12	34	11	10	67	63

Staff composition

The table below shows the split between male and female employees, employed by UKSC during 2020-21.

The UKSC					2020-21	2019-20
	Permanent			Other		
	Justices	Programme staff	Administrative staff	Judicial assistants	Total	Total
Female	2	20	6	5	33	31
Male	10	14	5	5	34	32
Total	12	34	11	10	67	63

Employment Policy for Disabled Persons

The UKSC is committed to creating an inclusive workplace and values diversity. It demonstrates commitment to the recruitment and retention of people with disabilities. UKSC advertises for vacancies on the Civil Service Jobs website and offers a guaranteed interview to those candidates who declare themselves disabled and meet the minimum criteria for each vacancy. UKSC will always make reasonable adjustments to all stages of the recruitment process to help encourage applications from disabled candidates.

Disabled staff have access to the Civil Service Learning 'Positive Action Pathway' and managers can use the on-line resources to help be responsive in leading inclusive teams. All staff are encouraged to attend disability awareness training sessions throughout the year, including lunchtime events covering hidden disabilities. UKSC is committed to the 'Time to Change' pledge to reduce stigma around mental health issues and has worked closely with MIND to support a greater understanding across the organisation.

UKSC encourages all staff to declare any disabilities and seek support if required by creating a positive and open working environment. Learning and development conversations take place on a regular basis throughout the year and staff are coached and developed to progress with their job and seek promotion when opportunities arise.

Off-Payroll Engagements and Consultancy Costs

The UKSC did not enter into any off-payroll engagements neither did it use the service of five consultant in 2020-21 and one in 2019-20.

The use of consultants has increased due to the need to provide solutions that reflect the circumstances and aspirations of the UKSC, which included, but was not limited to, reviewing our organisation design, processes and assessing our change culture.

Trade Union Facility Time

The Trade Union (Facility Time Publication Requirements) Regulations 2017 came into force on 1 April 2017. These regulations place a legislative requirement on relevant public sector employers to collate and publish, on an annual basis, a range of data on the amount and cost of facility time within their organisation. Within the financial year, the current union official relinquished their post, and we were provided support from MOJ, however no hours were spent on facility time.

Table 1 – Relevant Union Officials

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

Table 2 – Percentage of time spent on facility time

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

Table 3 – Percentage of pay bill spent on facility time

For employees who were relevant union officials employed between 1 April 2020 and 31 March 2021, percentage of pay bill spent on facility time.

First Column	Figures
The total cost of facility time	£0
The total pay bill (see note 2 and excludes agency and Justices paybill)	£2,797
The percentage of the total pay bill spent on facility time, calculated as: $(\text{total cost of facility time} \div \text{total pay bill}) \times 100$	0.00%

Table 4 – Paid trade union activities

For employees who were relevant union officials employed between 1 April 2020 and 31 March 2021, percentage of time spent on paid trade union activities.

First Column	Figures
Time spent on paid trade union activities as a percentage of total paid facility time hours calculated as: $(\text{total hours spent on paid trade union activities by relevant union officials during the relevant period} \div \text{total paid facility time hours}) \times 100$	0.0%

Parliamentary Accountability Report

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

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

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

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

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

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

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

Summary of Resource and Capital Outturn 2020-21

		Estimate			Outturn			2020-21	2019-20
		Voted	Non-Voted	Total	Voted	Non-Voted	Total	Voted outturn compared with Estimate: saving/ (excess)	Outturn Total
Request for Resources	SoPs Note	£000	£000	£000	£000	£000	£000	£000	£000
Departmental Expenditure Limit									
■ Resources	1.1	4,060	3,080	7,140	3,264	3,071	6,335	796	6,133
■ Capital	1.2	500	-	500	333	-	333	167	454
Annually Managed Expenditure									
■ Resource	1.1	1,000	-	1,000	-	-	-	1,000	-
Total Budget		5,560	3,080	8,640	3,597	3,071	6,668	1,963	6,587
Non Budget		-	-	-	-	-	-	-	-
Total		5,560	-	-	3,597	-	6,668	1,963	6,587
Total Resource		5,060	3,080	8,140	3,264	3,071	6,335	1,796	6,133
Total Capital		500	-	500	333	-	333	167	454
Total		5,560	3,080	8,640	3,597	3,071	6,668	1,963	6,587

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

Net Cash Requirement 2020-21

	2020-21			2019-20
	Estimate	Outturn	Outturn compared with Estimate: saving/(excess)	Outturn
SoPs Note	£000	£000	£000	£000
2	3,070	2,826	244	1,885

Administration Costs 2020-21

	2020-21			2019-20
	Estimate	Outturn	Outturn compared with Estimate: saving/(excess)	Outturn
Note	£000	£000	£000	£000
	1,120	929	191	901

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

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

Explanations of variances between Estimate and Outturn

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

SoPS 1. Net Outturn

SoPS 1.1 – Analysis of resource outturn by Estimate line

							2020-21		2019-20	
	Administration			Programme			Outturn	Estimate	Outturn	
	Gross £000	Income £000	Net £000	Gross £000	Income £000	Net £000	Total £000	Net Total £000	Net Total compared to Estimate £000	Total £000
Total Spending in Departmental Expenditure Limit (DEL)										
Voted Expenditure										
A – United Kingdom Supreme Court	931	(2)	929	10,011	(7,675)	2,336	3,264	4,060	796	3,048
Non-Voted Expenditure										
B – United Kingdom Supreme Court Non-Voted	0	0	0	3,071	0	3,071	3,071	3,080	9	3,085
Annually Managed Expenditure										
Voted Expenditure										
A - United Kingdom Supreme Court	0	0	0	0	0	0	0	1,000	1,000	0
Total spending in DEL	931	(2)	929	13,082	(7,675)	5,407	6,335	8,140	1,805	6,133

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

SoPS 1.2 – Analysis of capital outturn by Estimate line

	2020-21					2019-20
	Outturn			Estimate		Outturn
	Gross £000	Income £000	Net £000	Net Total £000	Net Total compared to Estimate	Net Total £000
Total Voted Spending in Departmental Expenditure Limit (DEL)						
Voted Expenditure						
A – United Kingdom Supreme Court	333	0	333	500	167	454
Total spending in DEL	333	0	333	500	167	454

SoPS 2. Reconciliation of Outturn to net operating expenditure

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

SoPS 3. Reconciliation of Net Resource Outturn to Net Cash Requirement

			2020-21	2019-20	
		Estimate	Outturn	Net total outturn compared with Estimate: Saving/ (excess)	Outturn
	SoPs Note	£000	£000	£000	£000
Resource Outturn	1.1	8,140	6,335	1,805	6,133
Capital Outturn	1.2	500	333	167	454
Accruals to cash adjustments					
Adjustments to remove non-cash items:					
■ Depreciation		(2,450)	(1,169)	(1,281)	(1,257)
■ Other non-cash items		(40)	(44)	4	(49)
Adjustments to reflect movements in working balances:					
■ Decrease in inventories			(0)	0	(2)
■ Decrease in receivables		–	(362)	362	(128)
■ Increase in payables		–	367	(367)	(524)
■ Changes in payables falling due after more than one year		–	437	(437)	343
Removal of Non-Voted budget items:					
Non-Voted expenditure		(3,080)	(3,071)	(9)	(3,085)
Net cash requirement		3,070	2,826	244	1,885

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

Parliament accountability disclosures

The following sections are subject to audit.

Losses and Special Payments

No losses and special payments that require separate disclosure in accordance with the principles of Managing Public Money, have been incurred (2019-20: nil).

Fees and Charges

	2020-21			2019-20	
	Income	Full Cost	Surplus/ (Deficit)	Income	Full Cost
	£000	£000	£000	£000	£000
Total court fees	(1,043)	14,010	(12,967)	(1,133)	14,205
Wider market initiatives	(2)	2	0	(108)	108
	(1,045)	14,012	(12,967)	(1,241)	14,313

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

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

Any changes to the UKSC fee structure is dependent on the Lord Chancellor (MOJ) for the laying of the necessary fees orders in Parliament and the consultation exercise that should precede it. The deficit is covered by the Spending Review settlements with HM Treasury.

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

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

Conclusion

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

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

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

Signed on behalf of the UKSC by



Vicky Fox
Accounting Officer
18 June 2021

Section FIVE

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



Opinion on financial statements

I certify that I have audited the financial statements of the Supreme Court of the United Kingdom for the year ended 31 March 2021 under the Government Resources and Accounts Act 2000. The financial statements comprise: the Statements of Comprehensive Net Expenditure, Financial Position, Cash Flows, Changes in Taxpayers' Equity; and the related notes, including the significant accounting policies. These financial statements have been prepared under the accounting policies set out within them. The financial reporting framework that has been applied in their preparation is applicable law and International Accounting Standards as interpreted by HM Treasury's Government Financial Reporting Manual.

I have also audited the Statement of Parliamentary Supply and the related notes, and the information in the Accountability report that is described in that report as having been audited.

In my opinion, the financial statements:

- give a true and fair view of the state of the Supreme Court of the United Kingdom's affairs as at 31 March 2021 and of its net operating expenditure for the year then ended; and
- have been properly prepared in accordance with the Government Resources and Accounts Act 2000 and HM Treasury directions issued thereunder.

Opinion on regularity

In my opinion, in all material respects:

- the Statement of Parliamentary Supply properly presents the outturn against voted Parliamentary control totals for the year ended 31 March 2021 and shows that those totals have not been exceeded; and
- the income and expenditure recorded in the financial statements have been applied to the purposes intended by Parliament and the financial transactions recorded in the financial statements conform to the authorities which govern them.

Basis for opinions

I conducted my audit in accordance with International Standards on Auditing (ISAs) (UK), applicable law and Practice Note 10 'Audit of Financial Statements of Public Sector Entities in the United Kingdom'. My responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of my certificate.

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

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

Conclusions relating to going concern

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

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

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

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

Other Information

The other information comprises information included in the Annual Report, but does not include the parts of the Accountability report described in that report as having been audited, the financial statements and my auditor's certificate thereon. The Accounting Officer is responsible for the other information.

My opinion on the financial statements does not cover the other information and except to the extent otherwise explicitly stated in my certificate, I do not express any form of assurance conclusion thereon. In connection with my audit of the financial statements, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or my knowledge obtained in the audit or otherwise appears to be materially misstated. If I identify such material inconsistencies or apparent material misstatements, I am required to determine whether this gives rise to a material misstatement in the financial statements themselves. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact.

I have nothing to report in this regard.

Opinion on other matters

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

- the parts of the Accountability report to be audited have been properly prepared in accordance with HM Treasury directions made under the Government Resources and Accounts Act 2000; and
- the information given in the Our performance and Accountability report sections of the Annual Report for the financial year for which the financial statements are prepared is consistent with the financial statements.

Matters on which I report by exception

In the light of the knowledge and understanding of the Supreme Court of the United Kingdom and its environment obtained in the course of the audit, I have not identified material misstatements in the Annual Report. 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 parts of the Accountability report to be audited are not in agreement with the accounting records and returns; or
- certain disclosures of remuneration specified by HM Treasury's Government Financial Report Manual are not made; 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.

Responsibilities of the Accounting Officer for the financial statements

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

- the preparation of the financial statements in accordance with the applicable financial reporting framework and for being satisfied that they give a true and fair view;
- internal controls as the Accounting Officer determines is necessary to enable the preparation of financial statement to be free from material misstatement, whether due to fraud or error; and

- assessing the Supreme Court of the United Kingdom's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Accounting Officer anticipates that the services provided by the Supreme Court of the United Kingdom will not continue to be provided in the future.

Auditor's responsibilities for the audit of the financial statements

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

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

I design procedures in line with my responsibilities, outlined above, to detect material misstatements in respect of non-compliance with laws and regulation, including fraud.

My procedures included the following:

- Inquiring of management, the Supreme Court of the United Kingdom's head of internal audit and those charged with governance, including obtaining and reviewing supporting documentation relating to the Supreme Court of the United Kingdom's policies and procedures relating to:
 - identifying, evaluating and complying with laws and regulations and whether they were aware of any instances of non-compliance;
 - detecting and responding to the risks of fraud and whether they have knowledge of any actual, suspected or alleged fraud; and
 - the internal controls established to mitigate risks related to fraud or non-compliance with laws and regulations including the Supreme Court of the United Kingdom's controls relating to the Government Resources and Accounts Act 2000, the Supply and Appropriation (Main Estimates) Act 2020 and Managing Public Money;
- discussing among the engagement team regarding how and where fraud might occur in the financial statements and any potential indicators of fraud. As part of this discussion, I identified potential for fraud in the following areas: revenue recognition, posting of unusual journals and potential bias in accounting estimates;
- obtaining an understanding of the Supreme Court of the United Kingdom's framework of authority as well as other legal and regulatory frameworks that the Supreme Court of the United Kingdom operates in, focusing on

those laws and regulations that had a direct effect on the financial statements or that had a fundamental effect on the operations of the Supreme Court of the United Kingdom. The key laws and regulations I considered in this context included the Constitutional Reform Act 2005, the Government Resources and Accounts Act 2000, the Supply and Appropriation (Main Estimates) Act 2020, Managing Public Money, Employment Law and tax legislation;

- reviewing the Supreme Court of the United Kingdom's accounting policies; and
- using analytical procedures to identify any unusual or unexpected relationships and transactions.

In addition to the above, my procedures to respond to identified risks included the following:

- reviewing the financial statement disclosures and testing to supporting documentation to assess compliance with relevant laws and regulations discussed above;
- reading minutes of meetings of those charged with governance and the Board; and
- in addressing the risk of fraud through management override of controls, testing the appropriateness of journal entries and other adjustments; assessing whether the judgements made in making accounting estimates are indicative of a potential bias; and evaluating the business rationale of any significant transactions that are unusual or outside the normal course of business.

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

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

I am required to obtain evidence sufficient to give reasonable assurance that the Statement of Parliamentary Supply properly presents the outturn against voted Parliamentary control totals and that those totals have not been exceeded. The voted Parliamentary control totals are Departmental Expenditure Limits (Resource and Capital), Annually Managed Expenditure (Resource and Capital), Non-Budget (Resource) and Net Cash Requirement. I am also required to obtain evidence sufficient to give reasonable assurance that the expenditure and income recorded in the financial statements have been applied to the purposes intended by Parliament and the financial transactions recorded in the financial statements conform to the authorities which govern them.

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

Report

I have no observations to make on these financial statements.

Gareth Davies
Comptroller and Auditor General
18 June 2021

National Audit Office
157-197 Buckingham Palace Road
Victoria
London
SW1W 9SP

Section SIX

Financial statements



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Statement of Comprehensive Net Expenditure

		2020-21	2019-20
	Note	£000	£000
Income from sale of goods and services	4	(7,675)	(8,082)
Other operating income	4	(2)	(108)
Total operating income		(7,677)	(8,190)
Staff costs	2	7,345	7,219
Purchases of goods and services	3	5,498	5,847
Depreciation and amortisation charges	3	1,169	1,257
Total Expenditure		14,012	14,323
Net Operating Expenditure for the year ended 31 March		6,335	6,133

Other Comprehensive Net Expenditure

Net loss on revaluation of property, plant and equipment		1,303	107
Total Comprehensive Net Expenditure for the year ended 31 March		7,638	6,240

The notes on pages 138 to 152 form part of these accounts.

Statement of Financial Position

	Note	As at 31 March 2021		As at 31 March 2020	
		£000	£000	£000	£000
Non-current assets					
Property, Plant and Equipment	5	40,125		42,252	
Intangible assets	6	1		13	
Total non-current assets			40,126		42,265
Inventories		1		1	
Trade and other receivables	8	955		1,317	
Cash and cash equivalents	9	244		271	
Total current assets			1,200		1,589
Total assets			41,326		43,854
Current liabilities					
Trade and other payables	10	(711)		(1,172)	
Finance Lease	10	(2,730)		(2,663)	
Total current liabilities			(3,441)		(3,835)
Total assets less current liabilities			37,885		40,019
Non current liabilities:					
Finance leases	10	(32,918)		(33,355)	
Total non-current liabilities			(32,918)		(33,355)
Total assets less liabilities			4,967		6,664
Taxpayers' equity and other reserves					
General fund			(18,207)		(17,813)
Revaluation reserve			23,174		24,477
Total Equity			4,967		6,664

The notes on pages 138 to 152 form part of these accounts.

The Accounting Officer authorised these financial statements for issue.



Vicky Fox
Chief Executive and Accounting Officer
18 June 2021

Statement of Cash Flows

		2020–21	2019–20
	Note	£'000	£'000
Cash flows from operating activities			
Net operating cost		(6,335)	(6,133)
Adjustment for non-cash transactions	3	1,213	1,325
Decrease in trade and other receivables		362	128
Decrease in Inventories		0	2
(Decrease) / Increase in current trade payables		(461)	687
Less movements in payables relating to items not passing through the SCNE		27	(228)
Net Cash outflow from operating activities		(5,194)	(4,219)
Cash flows from investing activities			
Purchase of property, plant and equipment	5	(333)	(473)
Purchase of intangible assets	6	0	0
Net Cash outflow from investing activities		(333)	(473)
Cash flows from financing activities			
From the Consolidated Fund (Supply)		2,799	2,113
From the Consolidated Fund (non-Supply)		3,071	3,085
Decrease in respect of finance leases		(370)	(278)
Net Financing		5,500	4,920
Net increase in cash and cash equivalents in the period before adjustment for receipts and payments to the Consolidated Fund		(27)	228
Net increase in cash and cash equivalents in the period after adjustment for receipts and payments to the Consolidated Fund		(27)	228
Cash and cash equivalents at the beginning of the period	11	271	43
Cash and cash equivalents at the end of the period	11	244	271

The notes on pages 138 to 152 form part of these accounts.

Statement of Changes in Taxpayers' Equity

		General Fund	Revaluation Reserve	Total Reserves
	Note	£000	£000	£000
Balance as at 31 March 2019		(16,699)	24,584	7,885
Net Parliamentary Funding – drawn down		2,113		2,113
Net Parliamentary Funding – deemed		43		43
Consolidated Fund Standing Services		3,085		3,085
Supply (payable)/receivable adjustment		(271)		(271)
Net Operating cost for the year		(6,133)		(6,133)
Non-Cash Adjustments				
Non-cash charges – external auditors' remuneration	3	49		49
Movement in reserves				
Movement in revaluation reserve	5	–	(107)	(107)
Balance at 31 March 2020		(17,813)	24,477	6,664
Net Parliamentary Funding – drawn down		2,799		2,799
Net Parliamentary Funding – deemed		271		271
Consolidated Fund Standing Services		3,071		3,071
Supply (payable)/receivable adjustment		(244)		(244)
Net Operating cost for the year		(6,335)		(6,335)
Non-cash charges – external auditors remuneration	3	44		44
Movement in revaluation reserve	5	–	(1,303)	(1,303)
Balance at 31 March 2021		(18,207)	23,174	4,967

The notes on pages 138 to 152 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 2020–21 Government Financial Reporting Manual (FReM) issued by HM Treasury. The accounting policies contained in the FReM apply International Financial Reporting Standards (IFRS) as adapted or interpreted for the public sector context. Where the FReM permits a choice of accounting policy, the accounting policy which is judged to be most appropriate to the particular circumstances of the Supreme Court of the United Kingdom (UKSC) for the purpose of giving a true and fair view has been selected. The particular policies adopted by the Supreme Court of the United Kingdom are described below. They have been applied consistently in dealing with items which are considered material to the accounts.

1.2 Accounting Convention

These accounts have been prepared on a 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 Going Concern

The financial statements for the UKSC have been prepared on the basis that the Department is a going concern. Financial provision for its activities is included in the 2020 Spending Review which set out budgets for 2021–22 and Parliament has authorised spending for 2021–22 in the Central Government Main Supply Estimates 2021–22. Therefore the UKSC can continue to operating and carry out its commitments, obligations and objectives.

1.4 Property Plant and Equipment

The Minimum level for the capitalisation of Property, Plant and Equipment is £5,000.

i. Land and 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 for such assets under the FReM is the equivalent of Existing Use Value according to RICS guidance. The year end valuation was carried out by the Valuation Office Agency (VOA), using professionally qualified valuers, who are also members of the Royal Institution of Chartered Surveyor; using 31 March 2021 and 31 March 2020 as valuation dates. The VOA and its staff are independent of the UK Supreme Court. The Revaluation Surplus balance at year end was £23 million; with no change in the Land value and an decrease of £1.3 million in the building value during the financial year.

ii. Other Plant and Equipment

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

1.5 Intangible Fixed Assets

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

1.6 Depreciation and Amortisation

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

Property, Plant and Equipment:

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

Intangible assets:

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

1.7 Inventory

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

1.8 Operating Income

The UKSC has three distinct streams of income, namely: 1) contributions from HM Treasury via the Ministry of Justice, Northern Ireland and Scotland; 2) Wider Market Initiatives which includes fees from courtroom hire, tours and from justices sitting in other jurisdictions and sale of gift items; and 3) Court fees. The contributions are receivable based on a Memorandum of Understanding with the jurisdictions and MoJ, which means it is outside of the scope of IFRS 15. For the Wider Market Initiatives, contracts are issued for courtroom hire and the income is recognised in the financial period of the event.

Similarly, income from tours, justices sitting in other jurisdictions and sales of gift items are recognised when the performance obligation has been fulfilled. Court fees are charged at the point they are accepted through the defined system of processing cases. The condition under which fees are paid are based on legislation and regulation. Therefore for these streams, income is recognised under IFRS15.

1.9 Pensions

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

1.10 Leases

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

1.11 Value Added Tax

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

1.12 Significant Accounting Estimates and Assumption

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

1.13 Changes in Accounting Policies

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

The UKSC assessed the impact of IFRS 16 – Leases, which will become effective from the 2021–22 financial year. The results indicate that it will not affect any material balances in the financial statements. The only lease held is classified as a finance lease and its treatment will not change under IFRS 16. Also, no further disclosures will be required.

2. Staff/Justices Related Costs

Staff/justices costs comprise	2020-21	2019-20
	Total	Total
	£000	£000
Wages and salaries	4,763	4,678
Social security costs	608	582
Apprentice levy	13	14
Supplementary judges	68	26
Other pension costs	1,869	1,832
Sub-total	7,321	7,132
Inward secondments	24	65
Agency staff	0	22
Voluntary exit costs	0	0
Total	7,345	7,219
Less recoveries in respect of outward secondments	0	0
Total Net Costs	7,345	7,219

No salary costs have been capitalised. Judicial Salaries and Social Security costs are paid directly from the Consolidated Fund while the Pension costs are paid for by the UKSC. Further details are provided in the Remuneration and staff Report from page 106.

3. Purchases of Goods and Services

	Note	2020-21		2019-20	
		£000	£000	£000	£000
Accommodation costs		1,989		1,956	
Finance costs		2,470		2,508	
Library costs		262		305	
IT costs		292		168	
Publicity and communications		9		46	
Broadcasting costs		122		173	
Repairs and maintenance		53		227	
Recruitment and judicial appointment costs		63		48	
Transportation costs		27		86	
Other staff costs		48		33	
Hospitality and events		4		19	
Printing, postage, stationery and publications		98		153	
Internal audit and governance expenses		18		18	
Other costs		0		4	
International judicial travel		0		35	
Sub-total			5,455		5,779
Non-cash items:					
Depreciation	5	1,157		1,244	
Amortisation	6	12		13	
Realised gain from building		-		-	
Loss on disposal of non-current asset		-		19	
External auditors' remuneration*		44		49	
Provisions provided for in year		-		-	
Total Non-cash			1,213		1,325
Total Costs			6,668		7,104

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

4. Income

Operating Income, analysed by classification and activity, is as follows:	2020-21		2019-20	
	£000	£000	£000	£000
Contribution from HMCTS	(5,915)		(6,232)	
Contribution from Scottish Government	(478)		(478)	
Contribution from Northern Ireland Court and Tribunal Service	(239)		(239)	
Total Contributions		(6,632)		(6,949)
Court fees – UKSC		(751)		(867)
Court fees – JCPC		(292)		(266)
Wider market initiatives		(2)		(108)
Total Income		(7,677)		(8,190)

5. Property, Plant and Equipment

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

The negative balance on the Furniture and fittings line relates incorrect fixture and fittings addition from the prior financial year.

Asset Financing

Owned	1,150
Finance leased	38,975
On-balance sheet	40,125

Land and Building is finance lease and office equipment, furniture and fittings and robes are owned for both 2020–21 and 2019–20.

5. Property, Plant and Equipment (continued)

	Land	Building (Restated)	Office equipment	Furniture and fittings	Robes	Total
2019–20	£000	£000	£000	£000	£000	£000
Cost or valuation						
At 1 April 2019	19,700	21,885	2,261	2,912	155	46,913
Additions	–	141	127	205	–	473
Revaluations	(1,200)	334	–	–	–	(866)
Disposals	–	–	(74)	–	–	(74)
At 31 March 2020	18,500	22,360	2,314	3,117	155	46,446
Depreciation						
At 1 Apr 2019	–	–	(1,467)	(2,267)	(30)	(3,764)
Charged in year	–	(759)	(182)	(300)	(3)	(1,244)
Revaluations	–	759	–	–	–	759
Disposals	–	–	55	–	–	55
At 31 March 2020	–	–	(1,594)	(2,567)	(33)	(4,194)
Carrying amount at 31 March 2020	18,500	22,360	720	550	122	42,252
Asset Financing						
Owned	1,392					
Finance leased	40,860					
On-balance sheet	42,252					

Revaluation movements for the Building have been restated on a gross basis between cost and accumulated depreciation to be consistent with IAS 16. There is no impact on the carrying value, depreciation charge or revaluation reserve.

6. Intangible Non-current Assets

Intangible fixed assets comprise software licences

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

6. Intangible Non-current Assets (continued)

Intangible fixed assets comprise software licences

	Purchased software licences
2019–20	£000
Cost or valuation	
At 1 April 2019	210
Additions	–
Revaluations	–
Impairment	–
Donations	–
At 31 March 2020	210
Amortisation	
At 1 April 2019	(184)
Charged in year	(13)
Revaluations	–
Impairment	–
At 31 March 2020	(197)
Net book value at 31 March 2020	13

All intangible assets are owned by the UKSC for both 2020-21 and 2019-20.

7. Financial Instruments

As the Cash requirements of the department are met through the Estimates process, financial instruments play a more limited role in creating and managing risk than would apply to a non-public sector body of a similar size. The 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.

8. Trade and other Receivables

	2020-21	2019-20
	£000	£000
Amounts falling due within one year		
Trade receivables	2	6
VAT recoverable	95	137
Staff receivables	4	17
Prepayment and Accrued Income	854	1,157
Total	955	1,317

9. Cash and Cash Equivalents

	2020-21	2019-20
	£000	£000
Balance at 1 April	271	43
Net changes in cash and cash equivalent balances	(27)	228
Balance at 31 March	244	271

The following balances at 31 March were held at:

Government Banking Service (RBS)	244	271
Balance at 31 March	244	271

10. Trade and other payables and finance lease liabilities

Analysis by type	2020-21	2019-20
	£000	£000
Amounts falling due within one year		
Other taxation and Social Security	(129)	(105)
Trade payables	(58)	(465)
Amounts issued from the Consolidated Fund for supply but not spent at year-end	(244)	(271)
Accruals and deferred income	(280)	(331)
Finance leases	(2,730)	(2,663)
	(3,441)	(3,835)
Amounts falling due after more than one year		
Finance leases	(32,918)	(33,355)
	(36,359)	(37,190)

11. Commitments Under Leases

Total future minimum lease payments under finance leases are given in the table below for each of the following periods.

11.1 – Finance leases	2020–21	2019–20
	£000	£000
Obligations under finance leases comprise:		
Land		
Not later than 1 year	1,382	1,286
Later than 1 year and not later than 5 years	5,883	5,475
Later than 5 years	23,457	23,830
Sub-total	30,722	30,591
Less: Interest Element	(14,974)	(14,284)
Net Total	15,748	16,307
Building		
Not later than 1 year	1,530	1,555
Later than 1 year and not later than 5 years	6,511	6,617
Later than 5 years	25,961	28,803
Sub-total	34,002	36,975
Less: Interest element	(16,573)	(17,264)
Net Total	17,429	19,711
Grand Total	33,177	36,018

11. Commitments Under Leases (continued)

11.1 – Finance leases	2020–21	2019–20
	£000	£000

Present Value of Obligations under finance lease for the following periods comprise:

Land

Not later than 1 year	1,296	1,206
Later than 1 year and not later than 5 years	4,699	4,369
Later than 5 years	10,926	10,733
Sub-total	16,921	16,308

Building

Not later than 1 year	1,434	1,457
Later than 1 year and not later than 5 years	5,200	5,281
Later than 5 years	12,093	12,972
Sub-total	18,727	19,710
Grand Total	35,648	36,018

12. Related-Party Transactions

None of the Non-Executive Board Members, President, Key managerial staff or related parties have undertaken any material transactions with UKSC during the year other than the pay information disclosed in the Remuneration Report.

UKSC had a number of significant transactions with the Ministry of Justice and Her Majesty's Revenue and Customs Service.

13. Third Party Assets

In all civil cases where an Appeal lay to the House of Lords under the provisions of the Appellate Jurisdiction Act 1876, Appellants must provide security for the costs of such Appeals. This payment was made to the House of Lords Security Fund Account which recorded the receipt, payment and disposition of the lodgements for each financial year. The balance on this Security Fund Account was transferred to The Supreme Court on 1st October 2009 and is now operated as The Supreme Court Security Fund Account. No interest is paid on the lodgements, nor are any fees deducted. Security Fund monies are payable to the relevant party, usually on the issue of the Final Judgement or Taxation of the Bill of Costs.

Securities held on behalf of third parties are not included in UKSC's Statement of Financial Position.

	2020-21	2019-20
	£000	£000
Balance as at 01 April	725	558
Add: receipts – Lodgements by Appellants	90	185
Less: Repayments to Appellants/Respondents	(255)	(18)
Balance as at 31 March	560	725

14. Events after the reporting period date

In accordance with the requirements of IAS 10 'Events after the Reporting Period', events are considered up to the date on which the financial statements are authorised for issue, which is interpreted as the date of the certificate and report of the Comptroller and Auditor General. There are no subsequent events to report.

Annex

Jurisdictions where the JCPC is the final Court of Appeal

Anguilla

Antigua and Barbuda

Ascension

Bahamas

Bermuda

British Antarctic Territory

British Indian Ocean Territory

British Virgin Islands

Cayman Islands

Cook Islands and Niue

Falkland Islands

Gibraltar

Grenada

Guernsey

Isle of Man

Jamaica

Jersey

Kiribati

Mauritius

Montserrat

Pitcairn Islands

Saint Christopher and Nevis

St Helena

St Lucia*

St Vincent and the Grenadines

Sovereign Base of Akrotiri and Dhekelia

Trinidad and Tobago

Tristan da Cunha

Turks and Caicos Islands

Tuvalu

United Kingdom

Royal College of Veterinary Surgeons

Church Commissioners

Arches Court of Canterbury

Chancery Court of York

Prize Courts

Court of the Admiralty of the Cinque Ports

Brunei

Civil Appeals from the Court of Appeal to the Sultan and Yang di-Perchian for advice to the Sultan Power to refer any matter to the Judicial Committee under section 4 of the Judicial Committee Act 1833.

*The government of St Lucia has previously communicated its intention to accede to the Caribbean Court of Justice's appellate jurisdiction. This has yet to take effect.

