

Kate Malleson
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Current and previous full-time employment
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Department of Law, Queen Mary, University of London
Professor of Law 2005 to date

Department of Law, London School of Economics
Senior Lecturer in Law 2002 to 2005

Department of Law, London School of Economics
Lecturer in Law 1997-2002

School of Law, University of Westminster
Lecturer in law 1996 - 1997

Peters and Peters Solicitors, 2 Harewood Place, Hanover Square, London
Trainee Solicitor 1986 - 1988

Degrees, qualifications and awards

Elected Academic Bencher of Middle Temple 2009

PhD. University of London (Department of Law, LSE) 1996

M.Phil. Criminology. Cambridge (Institute of Criminology) 1989

Qualified as solicitor 1988

Law Society Final Examination 1986

Common Professional Examination 1985

Ancient World BA (Hons) First Class. University of London (University College London) 1984

Current Professional activities

Academic Bencher, Middle Temple 2009 to date

Chair of the Undergraduate Laws Committee of the University of London International Programmes LLB 2002 to date

Member of Executive Committee of Equal Justices Initiative 2009 to date

Member of JUSTICE Governing Council 2003 to date

Member Executive Committee of UK Constitutional Law group 2009 to date

Member Law Society Reference Group on Constitutional Affairs 2009 to date

Executive Committee member, Research Committee on Comparative Judicial Studies, IPSA, 2007 to date

Past professional activities

Adviser to Northern Ireland Judicial Appointment Commission 2006-2008

Academic Adviser to MORI research project on the strengths and skills of the judiciary in the Magistrates' Courts of England and Wales. 2009 to 2011
Commissioned by the Ministry of Justice

Chair of JUSTICE committee on 'A Bill of Rights for Britain' 2006-2007
Funded by a grant from Joseph Rowntree Trust to examine the constitutional changes currently underway in the UK

Member of working party on diversity in the legal profession set up by Commission for Judicial Appointments 2005

Specialist Adviser to the House of Commons Select Committee on Constitutional Affairs 2003-2004
Providing advice in relation to the committee's review of Government proposals for establishing a judicial appointments commission and new Supreme Court.

Oral evidence to Justice Committee of the Canadian Parliament 2004
Invited to give evidence to the Canadian Parliament on the current constitutional changes in the UK and the potential lessons for the current Canadian reform of the appointments process for Supreme Court Justices.

Academic adviser to PricewaterhouseCoopers on 'Job Evaluation of the UK Judiciary' project commissioned by Senior Salaries Review Body 2004 to 2005.
Assisting in the formulation of the PwC bid and providing training on the judiciary and the legal system to the PwC project team.

Consultant to EU gender Evaluation Project, LSE and DeLoitte 2004 -2005
Undertaking evaluation of EU gender programme.

Member of the Commission on Women in the Criminal Justice System 2003 to 2004

Commission established by the Fawcett Society. Report published in March 2004.

Academic adviser to PricewaterhouseCoopers on 'International comparison of salary determination machinery for the judiciary' 2003

Conducting comparative review of five different judicial systems. Project commissioned by Senior Salaries Review Body.

Member of Joint Working Party on Equal Opportunities in Judicial Appointments and Silk set up by the Lord Chancellor's Department 2001 to 2003

This working party of policy-makers, civil servants, lawyers and academics formulated ideas for reforming the judicial appointments process in order to promote greater diversity. The outcome of its work is reflected in much of the current government consultation process on that subject.

Member of Editorial Committee, Modern Law Review 2002 to 2008

Case Notes Editor, Modern Law Review 2002 to 2005

External Examiner University of Westminster 2006-9

Society of Legal Scholars member of Society's Academic Purposes Fund Committee 2008 to 2011

Commissioned research

The Politics of Judicial independence in Britain's Changing Constitution 2011-2014

(with Robert Hazell and Graham Gee)

AHRC three year large grant. The general objective of the research is to develop a better understanding of the respective roles of government, parliament and the judiciary in upholding judicial independence, in principle and in day-to-day practice and their respective roles in upholding and implementing judicial accountability.

Promoting Equality and Diversity through Economic Crisis' 2010-2012

(with Al James, Lizzie Barmes, Geraldine Healy and Hazel Conley)

AHRC funded Network Grant. The Network is a Queen Mary joint initiative between the School of Law, Geography Department and the Centre for Research in Equality and Diversity. The aim of the Network is to advance understanding of the effects of the economic downturn on equality and diversity policies across places, sectors, and social groups; and of the possibilities for resisting negative outcomes and effecting positive change.

'Process and legitimacy in the nomination, election and appointment of international judges' 2006-2009

(With Philippe Sands, Ruth Mackenzie and Penny Martin)

AHRC funded three-year project to identify the processes that states use to nominate and elect international judges and to generate proposals for enhancing the transparency and legitimacy of international judicial selection processes.

‘Appointing judges to the international courts: the role of the Regional Judicial and Legal Services Commission of the Caribbean Court of Justice’ 2007-8

British Academy funded project to review the role and effectiveness of the new JLSC.

‘The Effect of the Constitutional Reform Act 2005 on the Relationship between the Judiciary, Parliament and the Executive’ 2006

Research report commissioned by the House of Lords Constitution Committee for its review on the changing nature of the constitution

‘The Regulation of Legal Services: A Scoping Study’ 2003

(With Robert Baldwin and Martin Cave). Commissioned by the Lord Chancellor’s Department (as was) to be used by the LCD to inform and structure the full review of the regulation of legal services undertaken in 2003-2004.

‘Factors Affecting the Decision to Apply for Silk and Judicial Office’ 2000

(with Fareda Banda). Commissioned by the Lord Chancellor’s Department to identify why lawyers from non-traditional legal backgrounds were not applying for Silk and judicial office. Published as Lord Chancellor’s Department Research Series No. 2/00, July 2000.

‘A Bill of Rights for Britain: Incorporating the European Convention on Human Rights’ 1999

Commissioned by the Canadian Institute for Research into Public Policy. Published as part of the Institute’s Courts and Legislatures series.

‘Promoting Judicial Independence in Europe’ 1998

Commissioned by the Lord Chancellor’s Department for presentation by UK representative at a meeting of the Council of Europe on judicial independence in June 1999.

‘The use of Judicial Appointments Commissions: A Review of the US and Canadian Models’ 1997

Commissioned by the Lord Chancellor’s Department (as was). Published by Lord Chancellor’s Department Research Series No. 6/97 December 1997.

Publications

Books

Selecting International Judges: Principle, Process and Politics (with Mackenzie, Martin and Sands) (2010) Oxford University Press.

The Legal System, (with Richard Moules) Oxford University Press, (2010) 4th edition (sole author of 3rd edition 2007, 2nd edition 2005, 1st edition 2003).

Appointing Judges in an Age of Judicial Power: Critical Perspectives from Around the World, (co-editor with Peter Russell) (2006), Toronto University Press.

The New Judiciary: The Effects of Expansion and Activism, (1999) Ashgate Press.

Refereed journal articles

'The Evolving Role of the UK Supreme Court' *Public Law*, October 2011. pp. 754-772

'The Legal Profession as Gatekeepers to the Judiciary: Design Faults in Measures to Enhance Diversity' *Modern Law Review*, 2010 vol 74, Issue 2, pp 245

'Promoting Judicial independence in the international Courts: Lessons from the Caribbean' *International and Comparative Law Quarterly* Volume 58, Issue 3, July 2009, pp. 671-697.

'Diversity in the judiciary: The case for Positive Action' *Journal of Law and Society*, Volume 36, Number 3, September 2009, pp. 376-402(27)

'Parliamentary scrutiny of Supreme Court nominees: A view from the UK' *Osgoode Hall Law Journal* issue 44. no 3 Fall 2006

'Rethinking the Merit Principle in the Judicial Appointments Process' *Journal of Law and Society* February 2006 pp. 126-140

(with Robert Baldwin and Martin Cave) 'The Regulation of Legal Services: Time for the Big Bang?' *Modern Law Review*, September 2004, 67(5) pp. 787-817.

'Creating a Judicial Appointments Commission: Which Model Works Best?' *Public Law*, Spring 2004.

'Modernising the Constitution: Completing the Unfinished Business' *Legal Studies* Spring 2004.

'Gender Equality in the Judiciary: Why Difference Won't Do' *Feminist Legal Studies*, vol 11 No 1 2003.

'Streamlining and Rationalising the Criminal Appeal Process' *Criminal Law Review* April 2002.

'Safeguarding Judicial Impartiality' *Legal Studies*, vol. 1, 2002.

'Judicial Bias and Disqualification after *Pinochet (no 2)*', *Modern Law Review*, vol 63, January 2000.

Assessing the Performance of the South African Judicial Service Commission *South African Law Journal* ,1999, vol. 116, part 1.

'Judicial Training and Performance Appraisal: The Problem of Judicial Independence' *Modern Law Review* September 1997 vol. 60.

Contributions to edited collections

'Gender Quotas for the Judiciary in England and Wales' in U. Shultz and G Shaw (eds) 'Gender and the Judiciary' Hart Publishing (forthcoming 2012)

'Appointment, Discipline and Removal of Judges – Fundamental Reforms in the United Kingdom' in HP Lee (ed) (2011) *Judiciaries in Comparative Perspective* Cambridge University Press

'The Rehabilitation of Separation of Powers in the UK' in L.E. de Groot-van Leeuwen, W. Rombouts (eds) (2010) *Separation of Powers in Theory and Practice: An International Perspective*, Wolf Publishing, Nijmegen.

'Who Goes Upstairs: Appointments to the Appellate Committee of the House of Lords' in Blom-Cooper, Drewry and Dickson (eds) (2009) *The Judicial House of Lords*, OUP

(with A Le Sueur) 'The Judiciary' in R. Hazell (ed) *Constitutional Futures Revisited: Britain's Constitution to 2020*, Palgrave Press (2008)

'Judicial Reform in the UK: The Emergence of the Third Branch of Government' in A. McDonald (ed) (2007) *Constitutional Reform in the UK* Methuen-Politicos.

'Modernizing the Constitution: Completing the Unfinished Business' in Canivet, G, Andenas, M and Fairgrieve D (eds) (2006) *Independence, Accountability and the Judiciary* British Institute of International and Comparative Law, London

'The Judicial Appointments Commission in England and Wales: New Wine in New Bottles?' In Malleson and Russell (eds) (2006). *Appointing Judges in an Age of Judicial Power: Critical Perspectives from Around the World* Toronto University Press,

'Judicial Selection' in Tate, V and C. Neal, (eds) (2006) *Governments of the World: A Global Guide to Citizens' Rights and Responsibilities*, Detroit, MI: Macmillan Reference USA.

'Selecting Judges in the Era of Devolution and Human Rights' in A. Le Sueur (ed) (2004) *Building the UK's New Supreme Court* Oxford University Press.

'Judging Judicial Review: Criteria for Judicial Appointment' in Richard Gordon (ed) (2003) *Judicial Review in the New Millennium*, Sweet & Maxwell. pp. 19-31.

'Prospects for Parity: The Position of Women in the Judiciary in England and Wales' in Shaw, G and Shultz, U (eds) (2003) *Women in the World's Legal Professions* Hart Publishing.

'A British Bill of Rights: Incorporating the European Convention on Human Rights', in: Peter Russell and Paul Howe (eds) (2001) *Judicial Power and Canadian Democracy*, McGill-Queen's University Press pp. 27-54.

'Promoting Diversity in the Judiciary: Reforming the Judicial Appointments Process' in: Phil Thomas (ed) (2000) *Discriminating Lawyers*, Cavendish Press.

Conferences organised

'The selection of Judges to the International Courts' 2010

Conference organised at Chatham house, London to discuss completed findings of International courts project.

'The selection of Judges to the International Courts' 2008

Organised jointly with New York University at NYU.

'Crafting Effective Intervention in Pursuit of Equality and Diversity' 2008

Organised jointly with the Centre for Research into Equality and Diversity, School of Business and Management at QM.

Judicial Selection around the World 2004

Organised international conference at LSE on judicial selection at which 28 leading experts from 18 countries gave papers. The key note speech was given by the Lord Chief Justice, Lord Woolf. The papers formed the basis of the edited collection which published by UTP (see publications).

The Development of a Human Rights Culture: experiences in the UK and Canada 2001

The conference was held at Canada House and brought together academics, practitioners, judges and policy-makers from Canada and the UK to discuss the development of human rights in both countries

Recent selected invited conference papers and presentations

'The Judicialisation of Politics in the UK: what difference will the New Supreme Court make?'

International Political Science Association (research committee on comparative judicial studies) Bologna, Italy June 21-23, 2010 *Judicial review as 'insurance policy': horizontal and vertical accountability in democratic and transitional states*

'The Role of Gender Quotas in the Judicial Appointments Process'

Law and Society, Working Group on the Legal Profession, Onati, Spain, 11 – 12 June 2009 *Gender and Judging*

'Rethinking Judicial Accountability' Wilton Park conference on democratic accountability, 2009

'Diversity in the Judiciary: The Case for Positive Action' Irish Institute for Civil Liberties, Dublin, September 2008.

'The limits of Judicial Power' Queen University Belfast, March 2008

'Terrorism, the Courts and Separation of Powers in the UK'

Research Committee on Comparative Judicial Studies 2006, Arizona State University.

Media

Regular contributions on the legal system and the judiciary to:

Law in Action (BBC Radio 4)

Unreliable Evidence (BBC Radio 4)

Woman's Hour (BBC Radio 4)

Times and Guardian newspaper law pages