

Kate Malleson  
Professor of Law  
School of Law, Queen Mary University of London

#### **Current and previous permanent employment**

**Professor of Law** School of Law, Queen Mary, University of London 2005 to date  
**Senior Lecturer in Law** School of Law, London School of Economics 2002 to 2005  
**Lecturer in Law** School of Law, London School of Economics 1997-2002  
**Lecturer in law** School of Law, University of Westminster 1996 - 1997  
**Trainee Solicitor** Peters and Peters Solicitors, 2 Harewood Place, Hanover Square, London 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 Cantab (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**

Co-director of Centre for Research in Law, Equality and Diversity (LEAD) 2014 to date  
Founding Member of Executive Committee of Judicial Diversity Initiative (JDI) 2009 to date

#### **Past professional activities**

Member of HEFCE Research Excellence Framework 2014 law panel 2012 to 2014  
Director of the London Social Science Doctoral Training Centre 2014 to 2017  
Member of JUSTICE Governing Council 2003 to 2012  
Chair of the Undergraduate Laws Committee of the University of London International Programmes LLB 2002 to 2014  
Member of the Board of the International Academy, University of London 2008 to 2014  
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  
Chair of JUSTICE committee on 'A Bill of Rights for Britain' 2006-2007  
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  
Oral evidence to Justice Committee of the Canadian Parliament 2004  
Academic adviser to PricewaterhouseCoopers on 'Job Evaluation of the UK Judiciary' project commissioned by Senior Salaries Review Body 2004 to 2005  
Consultant to EU gender Evaluation Project, LSE and DeLoitte 2004 -2005

Member of the Commission on Women in the Criminal Justice System 2003 to 2004  
Academic adviser to PricewaterhouseCoopers on 'International comparison of salary determination machinery for the judiciary' 2003  
Member of Joint Working Party on Equal Opportunities in Judicial Appointments and Silk set up by the Lord Chancellor's Department 2001 to 2003  
Member of Editorial Committee, Modern Law Review 2002 to 2008

#### **Funded research**

**How can the Judicial Appointments Commission make a difference to Judicial Diversity?** 2019-2022 (with Graham Gee and Erika Rackley) British Academy.

**The Politics of Judicial independence in Britain's Changing Constitution** 2011-2015 (with Robert Hazell, Patrick O'Brien and Graham Gee)  
AHRC 3 year Large Grant.

**Promoting Equality and Diversity through Economic Crisis'** 2010-2012  
(with Al James, Lizzie Barmes, Geraldine Healy and Hazel Conley)  
AHRC Network Grant.

**'Process and legitimacy in the nomination, election and appointment of international judges'** 2006-2009  
(With Philippe Sands, Ruth Mackenzie and Penny Martin)  
AHRC 3 year Large Grant

**'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.

**'The Effect of the Constitutional Reform Act 2005 on the Relationship between the Judiciary, Parliament and the Executive'** 2006  
Commissioned by the House of Lords Constitution Committee

**'The Regulation of Legal Services: A Scoping Study'** 2003  
(With Robert Baldwin and Martin Cave). Commissioned by the Lord Chancellor's Department (as was).

**'Factors Affecting the Decision to Apply for Silk and Judicial Office'** 2000  
(with Fareda Banda). Commissioned by the Lord Chancellor's Department.

**'A Bill of Rights for Britain: Incorporating the European Convention on Human Rights'** 1999  
Commissioned by the Canadian Institute for Research into Public Policy.

**'Promoting Judicial Independence in Europe'** 1998  
Commissioned by the Lord Chancellor's Department.

**'The use of Judicial Appointments Commissions: A Review of the US and Canadian Models'** 1997  
Commissioned by the Lord Chancellor's Department.

## Leadership and administrative roles at Queen Mary

Director of the Institute for the Humanities and Social Sciences 2022-present  
School of Law Academic Lead for Probation and Mentoring 2019-2022  
School of Law Acting Director of Research 2021  
School of Law Doctoral Academic Advisor 2017 to 2022  
School of Law Director of Graduate Studies 2014-2017  
Queen Mary Senior Academic Lead for EDI 2018-19

## Publications

### Books

*The Politics of Judicial Independence in the UK's Changing Constitution* (with Gee, O'Brien and Hazell) (2015), Cambridge University Press.

*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 3<sup>rd</sup> edition 2007, 2<sup>nd</sup> edition 2005, 1<sup>st</sup> 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

'Values Diversity in the United Kingdom Supreme Court: Abandoning the 'don't-ask-don't-tell' Policy' *Journal of Law and Society*, Vol 49. Issue 1 March 2022 pp.3-22

'Equality Law and the Protected Characteristics' *Modern Law Review*, Vol 81 no 4 July 2018.

'Lifting the Judicial Identity Blackout' *Oxford Journal of Legal Studies* Volume 38, Issue 2, 1 June 2018.

'The Changing Institutional Politics of the UK Supreme Court' *UK Supreme Court Yearbook*, Vol 6 December 2016.

'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**

'The Disruptive Potential of Ceiling Quotas in Addressing Over-representation in the Judiciary' in E Rackley and G Gee (eds) *Debating Judicial Appointments in an Age of Diversity*, Routledge, (2017)

'Gender Quotas for the Judiciary in England and Wales' in U. Shultz and G Shaw (eds) 'Gender and the Judiciary' Hart Publishing (2013)

'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-Politics.

'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 Worlds 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.

## **REF Impact Case studies**

REF 2014 'Equality and diversity in the judiciary and legal profession'

REF 2021 'The politics of judicial independence in the UK's changing constitution'

## **Reports/evidence/submissions**

- Submission to the UK Supreme Court 'Review of the Process for Appointing Justices of the UK Supreme Court' (with R Hazell, P O'Brien & G Gee) (2014)
- Submission to the Ministry of Justice 'Triennial Review of the Judicial Appointments Commission' (with R Hazell, P O'Brien & G Gee) (2014)
- Response to the Judicial Appointments Commission Consultation on 'Changes to the Judicial Appointments Process resulting from the Crime and Courts Act 2013':

Consultation on Diversity Considerations where Candidate are of Equal Merit'  
(with R Hazell, P O'Brien you & G Gee) (2013)

## **Teaching**

### **Equality and the law**

Optional LLB

### **Research methods course**

Compulsory first year PhD

### **Advanced research methods course**

Optional second and third year PhD

### **Supervision of PhD theses**

Currently primary supervisor for 5 PhD students