

LAWSG132: Judges, Courts and Judicial Decision-Making: Cheryl Thomas

[View Online](#)

1

Maveety N. The pioneers of judicial behavior [electronic resource]. Ann Arbor: : University of Michigan Press 2003.

2

Sheldon Goldman. Voting Behavior on the United States Courts of Appeals Revisited. *The American Political Science Review* 1975;69:491–506.<http://www.jstor.org/stable/1959082>

3

Epstein L, Knight J. A Strategic Account of Judicial Decision-Making. In: *The Choices Justices Make*. Washington, D.C.: : CQ Press 1998.

4

Feeley M, Rubin EL. Judicial Policy-Making and the Modern State. Cambridge: : Cambridge University Press 1998.

5

Cameron C, Cummings C. Diversity and Judicial Decision-Making: Evidence from Affirmative Action Cases in the Federal Courts of Appeal 1971-1999.

6

Review by: Anne Bloom. The 'Post-Attitudinal Moment': Judicial Policymaking through the Lens of New Institutionalism. *Law & Society Review* 2001;35:219-30.<http://www.jstor.org/stable/3185391>

7

Baum, Lawrence. *Judges and their audiences: a perspective on judicial behavior*. Princeton, N.J.: Princeton University Press 2006.

8

Schauer F. Is There a Psychology of Judging? In: *The psychology of judicial decision making*. New York: Oxford University Press 2010.
https://ucl.primo.exlibrisgroup.com/view/action/uresolver.do?operation=resolveService&package_service_id=14455024690004761&institutionId=4761&customerId=4760&VE=true

9

Sunstein CR. Are Judges Conformists Too? In: *Why societies need dissent*. Cambridge, Mass: Harvard University Press 2003.
<https://www-jstor-org.libproxy.ucl.ac.uk/stable/j.ctv1pncntj.12>

10

Knight J. Are Empiricists Asking the Right Questions about Judicial Decisionmaking. *Duke law journal* 2009;58:1531-56.<http://scholarship.law.duke.edu/dlj/vol58/iss7/9/>

11

Baum L. Motivation and Judicial Behaviour: Expanding the Scope of Inquiry. In: *The psychology of judicial decision making*. New York: Oxford University Press 2010.
https://ucl.primo.exlibrisgroup.com/view/action/uresolver.do?operation=resolveService&package_service_id=14455024690004761&institutionId=4761&customerId=4760&VE=true

12

Powell, HJ. A RESPONSE TO PROFESSOR KNIGHT, ARE EMPIRICISTS ASKING THE RIGHT

QUESTIONS ABOUT JUDICIAL DECISIONMAKING?
<http://scholarship.law.duke.edu/dlj/vol58/iss7/>

13

Guarnieri, Carlo, Pederzoli, Patrizia, Thomas, C. A., et al. The power of judges: a comparative study of courts and democracy. Oxford: : Oxford University Press 2002.
<http://dx.doi.org/10.1093/acprof:oso/9780198298359.001.0001>

14

Guarnieri C, Pederzoli P, Thomas CA. The Judicial System. In: The power of judges: a comparative study of courts and democracy. Oxford: : Oxford University Press 2002.
<http://dx.doi.org/10.1093/acprof:oso/9780198298359.001.0001>

15

Multiple Constraint Satisfaction in Judging. In: The psychology of judicial decision making. New York: : Oxford University Press 2010.
https://ucl.primo.exlibrisgroup.com/view/action/uresolver.do?operation=resolveService&package_service_id=14455024690004761&institutionId=4761&customerId=4760&VE=true

16

Klein, David E., Mitchell, Gregory. The psychology of judicial decision making. New York: : Oxford University Press 2010.
<https://doi-org.libproxy.ucl.ac.uk/10.1093/acprof:oso/9780195367584.001.0001>

17

Vidmar N. A Historical and Comparative Perspective on the Common Law Jury. In: World jury systems. Oxford: : Oxford University Press 2000.
<https://doi-org.libproxy.ucl.ac.uk/10.1093/acprof:oso/9780198298564.001.0001>

18

Cheryl Thomas. Exposing the myths of jury service. Criminal Law Review 2008;:415–30.<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp>.

ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I11381A7114F711DD9CE4E82430A3B777/View/FullText.html?skipAnonymous=true

19

Thomas C. Are juries fair. London%20%3A: : Ministry%20of%20Justice%2C 2010.
<http://copac.ac.uk/search?title=Are%20juries%20fair&sort-order=rank&rn=1>

20

Lord Chief Justice. Judges, Tribunals and Magistrates | 2010 | NI Judicial Studies Board Lecture, Belfast: Jury trials.
<http://www.judiciary.gov.uk/media/speeches/2010/speech-by-lcj-jsb-lecture-jury-trials>

21

Sutton Trust. Research - Sutton Trust.
<http://www.suttontrust.com/our-work/research/item/law-educational-backgrounds/>

22

Thomas C. Review of Judicial Diversity in the UK and Other Jurisdictions: parts 1 and 2. Published Online First: 2006.<http://www.ucl.ac.uk/laws/judicial-institute/publications.html>

23

Hale B. The Appointment and Removal of Judges: Independence and Diversity. International Association of Women Judges Published Online First: 2006.<http://www.iawj.org/InternationalConferences.html>

24

Genn, Hazel. The attractiveness of senior judicial appointment to highly qualified practitioners: report to the Judicial Executive Board. Published Online First: 2008.<http://copac.ac.uk/search?title=The%20attractiveness%20of%20senior%20judicial%20appointment%20to%20highly%20qualified%20practitioners&sort-order=rank&rn=1>

25

House of Lords Select Committee on the Constitution. Judicial Appointments Process - UK Parliament.

<http://www.parliament.uk/business/committees/committees-a-z/lords-select/constitution-committee/inquiries/judicial-appointments-process/>

26

House of Lords, Select Committee on the Constitution. Judicial Appointments: 25th Report of Session.

2010. <http://www.parliament.uk/business/committees/committees-a-z/lords-select/constitution-committee/publications/>

27

Judith R. Judicial Selection and Democratic Theory: Demand, Supply, and Life Tenure. 26 Cardozo Law Review 597 Published Online First:

2005. http://digitalcommons.law.yale.edu/fss_papers/759/

28

Farber D, Sherry S. Building a Better Judiciary. In: The psychology of judicial decision making. New York: : Oxford University Press 2010.

https://ucl.primo.exlibrisgroup.com/view/action/uresolver.do?operation=resolveService&package_service_id=14455024690004761&institutionId=4761&customerId=4760&VE=true

29

Prashar U. Translating Aspirations into Reality: Establishing the Judicial Appointments Commission. In: Judicial appointments: balancing independence, accountability and legitimacy. S.I.: : s.n. 2010.

<http://copac.ac.uk/search?title=Judicial%2520Appointments%253A%2520Independence%252C%2520Accountability%2520and%2520Legitimacy&sort-order=rank&rn=1>

30

Sumption J. The Constitutional Reform Act 2005. In: Judicial appointments: balancing independence, accountability and legitimacy. S.I.: : s.n. 2010.

<http://copac.ac.uk/search?title=Judicial%2520Appointments%253A%2520Independence%252C%2520Accountability%2520and%2520Legitimacy&sort-order=rank&rn=1>

52C%2520Accountability%2520and%2520Legitimacy&sort-order=rank&rn=1

31

Sedley, Stephen. When should a judge not be a judge? London Review of Books Published Online First: 6 January 2011.<http://www.lrb.co.uk/contributors/stephen-sedley>

32

Geyh CG. The Dimensions of Judicial Impartiality. SSRN Electronic Journal Published Online First: 2012. doi:10.2139/ssrn.2016522

33

Wistrich A. Defining Good Judging. In: The psychology of judicial decision making. New York: : Oxford University Press 2010.
https://ucl.primo.exlibrisgroup.com/view/action/uresolver.do?operation=resolveService&package_service_id=14455024690004761&institutionId=4761&customerId=4760&VE=true

34

Hickinbottom G. What Makes a Good Judge. In: Judicial appointments: balancing independence, accountability and legitimacy. S.l.: : s.n. 2010.
<http://copac.ac.uk/search?title=Judicial%2520Appointments%253A%2520Balancing&sort-order=rank&rn=1>

35

Sedley S. Judicial Politics. London Review of Books 2012;**34**
<http://www.lrb.co.uk/contributors/stephen-sedley>

36

Sentencing guidelines in England and Wales: an evolutionary approach. London: : Sentencing Commission Working Group 2008.
<http://copac.jisc.ac.uk/id/1878814?style=html&title=Sentencing%20guidelines%20in%20England%20and%20Walesan%20evolutionary>

37

Roberts JV. Sentencing Guidelines and Judicial Discretion: Evolution of the Duty of Courts to Comply in England and Wales. *British Journal of Criminology* 2011;51:997-1013.
doi:10.1093/bjc/azr044

38

Jacobson, Jessica. Mitigation: the role of personal factors in sentencing. London: : Prison Reform Trust 2007.
<http://copac.jisc.ac.uk/id/24551221?style=html&title=Mitigationthe%20role%20of%20personal%20factors%20in%20sentencing>

39

Austin Lovegrove. Public opinion, sentencing and lenience: an empirical study involving judges consulting the community. *Criminal Law Review* 2007;:769-81.<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I393E8AB1529F11DCB2ABCD1148869588/View/FullText.html?skipAnonymous=true>

40

Judge SI. The Sentencing Decision. 2005.

41

Gibb F. Judges fear prisons will burst under new rules. *The Times* Published Online First: 2010.<http://www.lexisnexis.com/uk/nexis/docview/getDocForCuiReq?lni=7Y08-2FX0-Y9M1-H0N5&csi=10939&oc=00240&perma=true>

42

Callaway E. Justice may be hard-wired into the human brain. *New Scientist* Published Online First: 2008.<http://www.newscientist.com/article/dn16256-justice-may-be-hardwired-into-the-human-brain.html#.Umk0Olv1D6U>

43

Judges, Tribunals and Magistrates | 2012 | The Queen (on the application of Tony Nicklinson) -v- Ministry of Justice.

<http://www.judiciary.gov.uk/media/judgments/2012/tony-nicklinson-judgment-16082012>

44

Court of Appeal (Criminal Division). R. v. Twomey. 2009.

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I72178E105D4011DE87E28F67B42D8222/View/FullText.html?skipAnonymous=true>

45

Court of Appeal (Criminal Division). R. v Thompson (Benjamin)R. v Crawford (Jason)R. v Gomulu (Ahmed)R. v Allen (Christopher)R. v Blake (David)R. v Kasunga (Kamulete). 2010.
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/IB1183210905F11DFA138B71712AA6103/View/FullText.html?skipAnonymous=true>

46

Dwoell K. Dinah Rose QC hailed for actions that led her to apologise in torture hearing.

Lawyer 2010;**24**

<https://search-ebscohost-com.libproxy.ucl.ac.uk/login.aspx?direct=true&AuthType=ip,shib&db=bth&AN=49868416&site=ehost-live&scope=site&cusid=s8454451>

47

European Court of Human Rights (Grand Chamber). Taxquet v Belgium (926/05). 16AD.

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I6A0C1310836411E1BC298D03BA33194/View/FullText.html?skipAnonymous=true>

48

King's Bench Division. R. v Sussex Justices Ex p. McCarthy. 1924.

<http://login.westlaw.co.uk/maf/wluk/ext/app/document?docguid=I6D7D1670E42811DA8FC>

2A0F0355337E9&crumb-action=reset&entityID=https://shib-idp.ucl.ac.uk/shibboleth

49

Court of Appeal (Criminal Division). R. v Hughes (Michael). 17AD.
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I30DBAEE09D2111E09B45D883AEA2A88A/View/FullText.html?skipAnonymous=true>

50

Court of Appeal (Civil Division). Binyam Mohamed v Secretary of State for Foreign and Commonwealth Affairs EWCA Civ 65. 2010.
<http://login.westlaw.co.uk/maf/wluk/ext/app/document?docguid=IDC00550016C211DF970C9D47B1B6D882&crumb-action=reset&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

51

Court of Appeal (Civil Division). Binyam Mohamed v Secretary of State for Foreign and Commonwealth Affairs(Approved Judgment) EWCA Civ 158. 2010.
<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I7ABDB6D0235511DFB9AA9F265CBD0413&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

52

Norton-Taylor R. Judges 'irresponsible' for wanting CIA torture files disclosed. The Guardian Published Online First:
<http://www.lexisnexis.com/uk/nexis/docview/getDocForCuiReq?lni=7X9Y-P7V1-2R54-209J&csi=138620&oc=00240&perma=true>

53

Aston J, Gordon C. Minister's lawyers attack 'torture' case judges The Independent. The Independent Published Online First:
<http://www.independent.co.uk/news/uk/home-news/ministers-lawyers-attack-torture-case-judges-1840649.html>

54

Hirsch ARBIC, Booth R, Cobain I. Government fury after judges attack security services.
The Guardian Published Online First:
2010. <http://www.lexisnexis.com/uk/nexis/docview/getDocForCuiReq?lni=7XXC-R5N1-2R54-201V&csi=138620&oc=00240&perma=true>

55

Gibb F. Supreme ambition, jealousy and outrage. The Times Published Online First:
2010. <http://www.lexisnexis.com/uk/nexis/docview/getDocForCuiReq?lni=7XPT-31W0-Y9M1-H0CN&csi=10939&oc=00240&perma=true>