

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

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Aston, J. and Gordon, C. (2008) 'Minister's lawyers attack "torture" case judges The Independent', The Independent [Preprint]. Available at:
<http://www.independent.co.uk/news/uk/home-news/ministers-lawyers-attack-torture-case-judges-1840649.html>.

Austin Lovegrove (2007) 'Public opinion, sentencing and lenience: an empirical study involving judges consulting the community', *Criminal Law Review*, (Oct), pp. 769–781. Available at:
<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>.

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

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

Callaway, E. (2008) 'Justice may be hard-wired into the human brain', *New Scientist* [Preprint]. Available at:
<http://www.newscientist.com/article/dn16256-justice-may-be-hardwired-into-the-human-brain.html#.Umk0Olv1D6U>.

Cameron, C. and Cummings, C. (no date) 'Diversity and Judicial Decision-Making: Evidence from Affirmative Action Cases in the Federal Courts of Appeal 1971-1999'.

Cheryl Thomas (2008) 'Exposing the myths of jury service', *Criminal Law Review*, (6), pp. 415–430. Available at:
<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>.

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

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

Court of Appeal (Criminal Division) (17AD) R. v Hughes (Michael), Court of Appeal (Criminal Division) | June 17, 2011 | 2011 WL 883594. Available at: <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>.

Court of Appeal (Criminal Division) (2009) R. v. Twomey. Available at: <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>.

Court of Appeal (Criminal Division) (2010) R. v Thompson (Benjamin) R. v Crawford (Jason) R. v Gomulu (Ahmed) R. v Allen (Christopher) R. v Blake (David) R. v Kasunga (Kamulete), Court of Appeal (Criminal Division) | July 14, 2010 | 2010 WL 2754137. Available at: <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>.

Dwoell, K. (2010) 'Dinah Rose QC hailed for actions that led her to apologise in torture hearing', *Lawyer*, 24(8). Available at: <https://search-ebshost-com.libproxy.ucl.ac.uk/login.aspx?direct=true&AuthType=ip,shib&db=bth&AN=49868416&site=ehost-live&scope=site&custid=s8454451>.

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

European Court of Human Rights (Grand Chamber) (16AD) Taxquet v Belgium (926/05). Available at: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I6A0C1310836411E1BC298D03BAA33194/View/FullText.html?skipAnonymous=true>.

Farber, D. and Sherry, S. (2010) 'Building a Better Judiciary', in *The psychology of judicial decision making*. New York: Oxford University Press. Available at: https://ucl.primo.exlibrisgroup.com/view/action/uresolver.do?operation=resolveService&package_service_id=14455024690004761&institutionId=4761&customerId=4760&VE=true.

Feeley, M. and Rubin, E.L. (1998) *Judicial Policy-Making and the Modern State*. Cambridge: Cambridge University Press.

Genn, Hazel. (2008) 'The attractiveness of senior judicial appointment to highly qualified practitioners: report to the Judicial Executive Board'. Available at: <http://copac.ac.uk/search?title=The%20attractiveness%20of%20senior%20judicial%20app>

ointment%20to%20highly%20qualified%20practitioners&sort-order=rank&rn=1.

Geyh, C.G. (2012) 'The Dimensions of Judicial Impartiality', SSRN Electronic Journal [Preprint]. Available at: <https://doi.org/10.2139/ssrn.2016522>.

Gibb, Frances (2010) 'Judges fear prisons will burst under new rules', The Times [Preprint]. Available at: <http://www.lexisnexis.com/uk/nexis/docview/getDocForCuiReq?lni=7Y08-2FX0-Y9M1-H0N5&csi=10939&oc=00240&perma=true>.

Gibb, Francis (2010) 'Supreme ambition, jealousy and outrage', The Times [Preprint]. Available at: <http://www.lexisnexis.com/uk/nexis/docview/getDocForCuiReq?lni=7XPT-31W0-Y9M1-H0CN&csi=10939&oc=00240&perma=true>.

Guarnieri, C., Pederzoli, P. and Thomas, C.A. (2002) 'The Judicial System', in The power of judges: a comparative study of courts and democracy. Oxford: Oxford University Press. Available at: <http://dx.doi.org/10.1093/acprof:oso/9780198298359.001.0001>.

Guarnieri, Carlo et al. (2002) The power of judges: a comparative study of courts and democracy. Oxford: Oxford University Press. Available at: <http://dx.doi.org/10.1093/acprof:oso/9780198298359.001.0001>.

Hale, B. (2006) 'The Appointment and Removal of Judges: Independence and Diversity', International Association of Women Judges [Preprint]. Available at: <http://www.iawj.org/InternationalConferences.html>.

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

Hirsch, A.R.B.I.C., Booth, R. and Cobain, I. (2010) 'Government fury after judges attack security services', The Guardian [Preprint]. Available at: <http://www.lexisnexis.com/uk/nexis/docview/getDocForCuiReq?lni=7XXC-R5N1-2R54-201V&csi=138620&oc=00240&perma=true>.

House of Lords and Select Committee on the Constitution (2010) 'Judicial Appointments: 25th Report of Session'. Available at: <http://www.parliament.uk/business/committees/committees-a-z/lords-select/constitution-committee/publications/>.

House of Lords Select Committee on the Constitution (no date) Judicial Appointments Process - UK Parliament. Available at: <http://www.parliament.uk/business/committees/committees-a-z/lords-select/constitution-committee/inquiries/judicial-appointments-process/>.

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

Judge, S.I. (2005) 'The Sentencing Decision'.

Judges, Tribunals and Magistrates | 2012 | The Queen (on the application of Tony Nicklinson) -v- Ministry of Justice (no date). Available at:
<http://www.judiciary.gov.uk/media/judgments/2012/tony-nicklinson-judgment-16082012>.

Judith, R. (2005) 'Judicial Selection and Democratic Theory: Demand, Supply, and Life Tenure', 26 Cardozo Law Review 597 [Preprint]. Available at:
http://digitalcommons.law.yale.edu/fss_papers/759/.

King's Bench Division (1924) R. v Sussex Justices Ex p. McCarthy. Available at:
<http://login.westlaw.co.uk/maf/wluk/ext/app/document?docguid=I6D7D1670E42811DA8FC2A0F0355337E9&crumb-action=reset&entityID=https://shib-idp.ucl.ac.uk/shibboleth>.

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

Knight, J. (2009) 'Are Empiricists Asking the Right Questions about Judicial Decisionmaking', Duke law journal, 58, pp. 1531–1556. Available at:
<http://scholarship.law.duke.edu/dlj/vol58/iss7/9/>.

Lord Chief Justice (no date) Judges, Tribunals and Magistrates | 2010 | NI Judicial Studies Board Lecture, Belfast: Jury trials. Available at:
<http://www.judiciary.gov.uk/media/speeches/2010/speech-by-lcj-jsb-lecture-jury-trials>.

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

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

Norton-Taylor, R. (2009) 'Judges "irresponsible" for wanting CIA torture files disclosed', The Guardian [Preprint]. Available at:
<http://www.lexisnexis.com/uk/nexis/docview/getDocForCuiReq?lni=7X9Y-P7V1-2R54-209J&csi=138620&oc=00240&perma=true>.

Powell, HJ (no date) 'A RESPONSE TO PROFESSOR KNIGHT, ARE EMPIRICISTS ASKING THE RIGHT QUESTIONS ABOUT JUDICIAL DECISIONMAKING?' Available at:
<http://scholarship.law.duke.edu/dlj/vol58/iss7/>.

Prashar, U. (2010) 'Translating Aspirations into Reality: Establishing the Judicial Appointments Commission', in Judicial appointments: balancing independence, accountability and legitimacy. S.I.: s.n. Available at:
<http://copac.ac.uk/search?title=Judicial%2520Appointments%253A%2520Independence%252C%2520Accountability%2520and%2520Legitimacy&sort-order=rank&rn=1>.

Review by: Anne Bloom (2001) 'The "Post-Attitudinal Moment": Judicial Policymaking

through the Lens of New Institutionalism', *Law & Society Review*, 35(1), pp. 219–230. Available at: <http://www.jstor.org/stable/3185391>.

Roberts, J.V. (2011) 'Sentencing Guidelines and Judicial Discretion: Evolution of the Duty of Courts to Comply in England and Wales', *British Journal of Criminology*, 51(6), pp. 997–1013. Available at: <https://doi.org/10.1093/bjc/azr044>.

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

Sedley, S. (2012) 'Judicial Politics', *London Review of Books*, 34(4). Available at: <http://www.lrb.co.uk/contributors/stephen-sedley>.

Sedley, Stephen (2011) 'When should a judge not be a judge?', *London Review of Books* [Preprint]. Available at: <http://www.lrb.co.uk/contributors/stephen-sedley>.

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

Sheldon Goldman (1975) 'Voting Behavior on the United States Courts of Appeals Revisited', *The American Political Science Review*, 69(2), pp. 491–506. Available at: <http://www.jstor.org/stable/1959082>.

Sumption, J. (2010) 'The Constitutional Reform Act 2005', in *Judicial appointments: balancing independence, accountability and legitimacy*. S.I.: s.n. Available at: <http://copac.ac.uk/search?title=Judicial%2520Appointments%253A%2520Independence%2520Accountability%2520and%2520Legitimacy&sort-order=rank&rn=1>.

Sunstein, C.R. (2003) 'Are Judges Conformists Too?', in *Why societies need dissent*. Cambridge, Mass: Harvard University Press. Available at: <https://www-jstor-org.libproxy.ucl.ac.uk/stable/j.ctv1pncntj.12>.

Sutton Trust (no date) Research - Sutton Trust. Available at: <http://www.suttontrust.com/our-work/research/item/law-educational-backgrounds/>.

Thomas, C. (2006) 'Review of Judicial Diversity in the UK and Other Jurisdictions: parts 1 and 2'. Available at: <http://www.ucl.ac.uk/laws/judicial-institute/publications.html>.

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

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

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