

Emails relating to Lord Sumption's resignation from the supplementary panel:

Email from Lord Sumption to Lord Reed, 30/1/2021:

Dear Robert,

I am, as you know, still on the supplementary list of justices available to hear cases in the Supreme Court. I have not sat since the spring of 2019 and in September 2019 I asked Brenda not to be listed to hear appeals in view of public criticisms which I was making of the government. I very much doubt whether it will be appropriate for me to sit again at any time in the next three years which remain before I reach the age of 75. Unless you disagree, I think that the time has come for me to withdraw from the supplementary list.

(Line removed from email because it does not relate to this FOI request)

Jonathan

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Response from Lord Reed to Lord Sumption, 30/1/2021:

Dear Jonathan,

I think that is the right decision, given your high public profile in relation to controversial questions of public policy.

(Several sentences removed from email as they do not relate to the FOI request).

Best wishes,

Robert

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Email forwarded by Lord Reed to Vicky Fox, Chief Executive and Lord Hodge, Deputy President on 30/1/2021:

Dear Vicky,

I have accepted Jonathan's resignation from the supplementary list. The website should be amended accordingly.

Robert

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Response from Vicky Fox to Lord Reed – 1/2/2021:

Thank you for letting me know. I will ensure the website is amended.

Vicky

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Email from Lord Hodge to Lord Reed and Vicky Fox – 30/1/2021:

That is a relief. *(Line removed as does not relate to FOI request).*

Patrick

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Email discussion between Vicky Fox and Head of Communications, 1/2/2021:

Hi,

Lord Sumption has resigned from the supplementary panel – L Reed has accepted his resignation. Please could you ensure the website is updated. Is any other follow up work needed?

thanks

Vicky

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Email response from Head of Communications, 1/2/2021:

Morning Vicky,

Thank you for the update.

We have removed him from the webpages on both the [UKSC](#) and [JCPC](#) websites.

I do not think we need to proactively alert anyone to this, or make an announcement. However, we ought to have a line-to-take at the ready on an 'if asked' basis. I would be inclined to keep it short and sweet – not going into the why. That said, it would be helpful to know what he would say if he were asked the reason for resigning.

Lord Sumption was a member of the Supplementary Panel between [start date – day after last day in office?] and [date of resignation] 2021. He resigned from the Panel.

Thank you for confirming. Our reactive line will be:

Lord Sumption was a member of the Supplementary Panel between 13 December 2018 and 30 January 2021. He resigned from the Panel.

We may need to cover this – and other changes to the panel – off in the Annual Report too. Have made a note!

(Name removed)

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Response from Vicky Fox – 1/2/2021:

L Sumption said that he thought it was inappropriate to remain on the panel given that he has publicly criticised the government.

Vicky

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Response from Head of Communications – 1/2/2021:

OK – in that case, we won't expand on the why. If he gives that reason, it won't be unhelpful for us – in terms of creating separation.

On date of resignation, do you know when L Sumption handed it in?

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Response from Vicky Fox – 1/2/2021:

I agree.

The resignation was in an email dated 30 January.

Vicky

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Email sent from Head of Communications to Media and Communications Manager and Education and Visitor Services Manager on 1/2/2021:

Hello both,

If you receive any public or media enquiries about the fact L Sumption is no longer listed as a member of the Supplementary Panel, our agreed line is:

Lord Sumption was a member of the Supplementary Panel between 13 December 2018 and 30 January 2021. He resigned from the Panel.

Please do keep me/(name removed) posted if you receive anything on this topic. We're not planning to say anything proactively, so interested to see if anyone notices.

Best wishes,

(Name removed)

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Email sent from Education and Visitor Services Manager to Information Officers, 1/2/2021:

Hi All

If you are asked, please say:

Lord Sumption was a member of the Supplementary Panel between 13 December 2018 and 30 January 2021. He resigned from the Panel.

Please let me know if you do receive enquiries.

Thanks

(Name removed)

Email sent from Media and Communications Manager to Head of Communications on 10/2/2021:

Morning,

Someone on Twitter has picked up about Lord Sumption no longer being on the supplementary panel: <https://twitter.com/i/timeline>

(Image of tweet removed as already in the public domain.)

Thanks

(Name removed)

Response from Head of communications – 10/2/2021:

Good, in a way, that it's getting out there.

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Response from Head of Communications – 10/2/2021:

Thanks for flagging. Interesting that people pick up these things through independent detecting. Let's see if it goes wider. At this point, don't think we need to respond or clarify that he resigned.

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Email discussion regarding a request from a member of the public in relation to Lord Sumption's resignation from the supplementary panel:

Email received by a member of the public on 26 April 2021:

Dear Colleague,

Please can you let me know on what date Lord Sumption ceased to be a member of the Supplementary Panel.

Many Thanks

(Name removed)

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Email sent by an Information Officer to the Registrar on 29/4/2021:

(Name removed)

We have had a request from *(name removed)* about when Lord Sumption ceased to be a member of the Supplementary Panel. Can you let me know the date please?

(Sentence removed as does not relate to this FOI request)

Thanks

(Name removed)

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Email from Head of Communications to Chief Executive, 29/4/2021:

Dear Vicky

We've had an enquiry from someone who says they are an independent researcher, someone who has previously asked questions about the supplementary panel. He tweeted this back in February:

(Image of tweet removed as already in the public domain)

He has asked when Lord Sumption ceased to be on the SP. I know there were some discussions around this, but are we able to give, say, a month when he ceased to be on the panel? The follow up question might be whether he withdrew or was asked to leave.

Can you give us any guidance, as you might know what was agreed between Lord Reed and Lord Sumption?

Thanks

(Name removed)

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Response from Chief Executive – 29/4/2021:

L Sumption wrote to L Reed to resign – *(Name removed)* should have a note of the date that the letter was received and on that basis we can say that L Sumption resigned (just check with *(name removed)* that's what the letter said because I haven't seen it – L Reed reported it to me).

Vicky

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Email from Head of Communications to Lord Reed's PA – 29/4/2021:

Hi *(name removed)*

Hope you're doing OK.

Can you dig out Lord Sumption's resignation from the Supplementary Panel letter for me? Vicky has suggested you will have it. Thanks

(Name removed)

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Response from Lord Reed's PA – 30/4/2021:

Hi,

I am awaiting to hear from Lord Reed on this as I am not aware any letter was received only an email.

Will revert when I have talked to him.

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Response from Head of Communications to Lord Reed's PA – 30/4/2021:

Thanks. An email would be fine I guess.

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Response from Lord Reed's PA to Head of Communications – 30/4/2021:

We may need a formal letter for the records though as they have a formal letter of invitation to sit.

The email to Lord Reed contains other matters as well so is not one that can be used for that purpose.

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Response from Head of Communications to Lord Reed's PA – 30/4/2021:

Thanks for the info. What the requester is asking for is a date he resigned. If we can backdate the formal resignation letter to the date of the email that could work. We took him off the website earlier in the year.

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Response from Lord Reed's PA to Head of Communications – 11/5/2021:

Hi,

The date Lord Sumption resigned from the supplementary panel is 30th January 2021.

Many thanks

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Email from Information Officer to member of the public – 11/5/2021:

Dear *(name removed)*,

Thank you for your e-mail.

The date Lord Sumption resigned from the supplementary panel was 30th January 2021

Regards

(Name removed)

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**Email from Media and Communications Manager to Head of Communications,
14/6/2021**

Hi,

I've just had a call from The Daily Mail about Lord Sumption no longer being on the supplementary panel. He wants to know why he is no longer on the panel i.e. was he kicked off? As I understand he stood down in January 2021 out of his own choice. Is this correct? if so would be ok to say something like....

"Lord Sumption chose to step down from the UK Supreme Court supplementary panel in January 2021."

The journalist (*name removed*) said he would be grateful for a response asap.

Thanks

(*Name removed*)

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**Email from Head of Communications and Media and Communications
Manager, 14/6/2021:**

Yes – so let's go with existing line:

Lord Sumption was a member of the Supplementary Panel between 13 December 2018 and 30 January 2021. He resigned from the Panel.

If (*name of journalist removed*) asks *why* he resigned, direct to L Sumption. We cannot speculate on reasons.

(*Sentence removed which does not relate to FOI request*).

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**Email sent from Media and Communications Manager to journalist on
14/6/2021:**

Dear (*name removed*),

Further to our conversation just now, I have looked into this for you. Please see our response below:

Lord Sumption was a member of the UK Supreme Court Supplementary Panel between 13 December 2018 and 30 January 2021. He resigned from the Panel.

Hope that helps.

Thanks,

(*Name removed*)

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Email discussion between Media and Communications Manager and Head of Communications on 14/6/2021:

Hi,

FYI Lord Sumption just rang me as the Daily Mail have been in touch with him about the supplementary panel stuff. He is going to respond to them to say that he last sat on the Court in April 2019, in September 2019 he asked not to be listed so he was free to comment on constitutional matters. Late last year, he decided it was inappropriate for him to remain a member so he asked to be removed from the panel.

I said this all sounded fine and told him the line we had given (which fits in with what he is saying so that's good). He was already aware of what we had said. He just wanted to keep us posted.

Hope this is all ok?

Thanks

(Name removed)

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Email discussion between Media and Communications Manager and Head of Communications on 14/6/2021:

Email from Media and Communications Manager to Head of Communications:

Hi,

Lord Sumption has forwarded me his response to The Daily Mail. He did not tell me about the final sentence he has added in since I spoke to him, hope that's not going to cause any problems? It might look as though we were happy to have him as a member of the panel despite everything he has been saying.

Thanks

Email from Lord Sumption to Media and Communications Manager – 14/6/2021:

See below. JS

I retired in December 2018 and last sat on an appeal in April 2019. In September 2019, I asked not to be listed to hear appeals until further notice so that I should be free to comment on public affairs (at that time constitutional issues over Brexit). Late last year I concluded that the continuing controversy over Covid made it inappropriate for me to sit for the foreseeable future. I therefore asked the President of the Court to remove me from the Supplemental List. I have at no time been placed under any pressure to take these steps.

Jonathan SUMPTION

Email from journalist to Lord Sumption:

Lord Sumption:

There's a Twitter ripple today suggesting you have been levered off the Supreme Court supplementary panel. This is said to be because you are a lockdown dissident

Supreme Court has not yet given an account but is suggesting you stood down of your own accord.

Could you guide please? Either on record or background basis would be fine.

Thanks

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Response from Head of Communications to Media and Communications Manager – 14/6/2021:

Think this is fine; he is essentially making sure The Daily Mail can't say we forced him to resign. It's also helpful that he explains he asked not to be listed. It all points in the right direction, to my read.

Let's see what the coverage is...

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Email discussion between the Head of Communications and Vicky Fox, Chief Executive on 15 June 2021:

Afternoon Vicky,

For your awareness, since yesterday we have fielded a small number of media enquiries related to Lord Sumption and why he is no longer on the supplementary panel. The Daily Mail was in touch yesterday (no coverage as yet) and The Spectator ran a piece (see below). We have made clear L Sumption resigned and have been clear that he was not forced out.

Our line is:

Lord Sumption was a member of the Supplementary Panel between 13 December 2018 and 30 January 2021. He resigned from the Panel.

Lord Sumption's statement (he shared with us):

I retired in December 2018 and last sat on an appeal in April 2019. In September 2019, I asked not to be listed to hear appeals until further notice so that I should be free to comment on public affairs (at that time constitutional issues over Brexit). Late last year I concluded that the continuing controversy over Covid made it inappropriate for me to sit for the foreseeable future. I therefore asked the President of the Court to remove me from the Supplemental List. I have at no time been placed under any pressure to take these steps.

Best wishes,

(Name removed)

(Copy of article from The Spectator entitled 'Lord Sumption reclaims his liberty' published on 14/6/2021 removed from email chain as this information is already in the public domain).

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Response from Vicky Fox to Head of Communications:

Thanks for bringing this to my attention – it's helpful to see it. There's really no story here given our line and L Sumption's are the same, so even the niche interested are likely to lose interest pretty quickly.

Vicky

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Response from Head of Communications to Vicky Fox:

Indeed. It's a bit of a non story, given that L Sumption has said it was his choice - and so are we.

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ENDS