

## Graham Gee

Senior Lecturer

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### Contact details

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### About

Graham Gee is a senior lecturer in law. His research and teaching focus on the British constitution.

### Feedback and office hours

My office and feedback hours in semester 1 are Thursdays 1-2 and Fridays 9-10 (except week one when they are Thursdays 1-2 and Fridays 11-12). Students are welcome to see me during these hours without an appointment. If you need to meet with me outside of these hours, please email to arrange an appointment ([g.d.s.gee@bham.ac.uk](mailto:g.d.s.gee@bham.ac.uk)).

### Qualifications

- LLB (Exeter)
- LLM (Harvard)
- MSt (Oxford)

### Biography

Graham is a graduate of Exeter, Harvard and Oxford Universities. After completing his undergraduate studies, Graham worked at the London office of Freshfields Bruckhaus Deringer, qualifying as a solicitor in 2002.

### Teaching

- Public Law
- Advanced Constitutional Law

### Postgraduate supervision

- Constitutional law
- Constitutional Theory
- Judicial Independence, Judicial Appointments and Court Administration

### Current doctoral supervision

Graham is currently supervising three postgraduate students undertaking research in the following areas:

- Independence Constitutionalism in the Caribbean
- Commonwealth Constitutionalism and Political Rights Review
- Extra-Judicial Speeches

### Research

Graham's primary research interests lie in constitutional law and he has worked with UCL's Constitution Unit, including as the coordinator of an ESRC-funded project on Law and Devolution. Together with colleagues from UCL and Queen Mary, he has been awarded AHRC Large Grant funding for a 3-year project on *The Politics of Judicial Independence in Britain's Changing Constitution*. The project runs from January 2011 to December 2013.

### Other activities

Graham heads the School's Public Law and Human Rights Research Cluster, co-convenes the PL&HR Discussion Group (with Jane Norton) and convenes the CEPLER-sponsored "Perspectives on Public Law" lecture series. He is also Co-Director (with Marianne Wade) of the School's Institute of Judicial Administration and, from January 2014, is Deputy Director (PGR) at the CAL Graduate School.

### Publications

#### Books

- *The Politics of Judicial Independence in the UK's Changing Constitution* (Cambridge: CUP, forthcoming) [with R. Hazell, K. Maleson and P. O'Brien].

#### Chapters in Books

- 'The Persistent Politics of Judicial Selection' in A Seibert-Fohr (ed) *Judicial Independence in Transition* (New York: Springer, 2012) 121-145.
- 'The Politics of Judicial Appointments in Canada' in ***Judicial Appointments: Balancing Independence, Accountability and Legitimacy*** ([http://jac.judiciary.gov.uk/static/documents/JA\\_web.pdf](http://jac.judiciary.gov.uk/static/documents/JA_web.pdf)) 99-114 (London, 2010). A collection of essays prepared under the auspices of the Judicial Appointments Commission.
- 'Defending Judicial Independence in the British Constitution' in A. Dodek and L. Sossin (eds) *Judicial Independence in Context* (Toronto: Irwin Law, 2010) 381-410.
- 'Devolution and the Courts' in R. Hazell and R. Rawlings (eds) *Devolution, Law Making and the Constitution* (Exeter: Imprint, 2005) 252-294.

#### Journals

- 'What are Lord Chancellors For?' [2014] *Public Law* 11-27.
- 'A Grammar of Public Law' (2013) 14 *German Law Journal* 2137-2155 (with Grégoire C.N. Webber) [Special Issue on Political Constitutions].
- 'Rationalism in Public Law' (2013) 76 *Modern Law Review* 708-735 (with Grégoire C.N. Webber).
- 'Guarding the Guardians: The Chief Executive of the UK Supreme Court' [2013] *Public Law* 538-554.
- 'Same-Sex Marriage and Perry: A Case for Judicial Minimalism?' (2013) 37 *N.Y.U. Review of Law & Social Change* 265-275.
- 'What is a Political Constitution?' (2010) 30 *Oxford Journal of Legal Studies* 273-299 (with Grégoire C.N. Webber).
- 'The Political Constitutionalism of J.A.G. Griffith' (2008) 28 *Legal Studies* 20-45.
- 'Regulating Abortion in the United States after Gonzales v Carhart' (2007) 70 *Modern Law Review* 979-992.
- 'A Confused Court: Equivocations on Recognizing Same-Sex Relationships in South Africa' (2006) 69 *Modern Law Review* 631-642 (with Grégoire C. N. Webber).

'Same-Sex Relationships in Canada: Contributions from the Courts, the Executive and Parliament' (2005) *Kings College Law Journal* 132-143 (with Grégoire C. N. Webber).

- 'Same-Sex Marriage in Massachusetts: Judicial Interplay between Federal and State Courts' [2004] *Public Law* 252-265.

#### Book Reviews

- *Final Judgment: The Last Law Lords and the Supreme Court* by A. Paterson (2015) 78 *Modern Law Review* (forthcoming).
- *Sitting in Judgment: The Working Lives of Judges* by P. Darbyshire (2012) *Legal Studies* 680-682.
- *The Limits of Judicial Independence* by Tom S. Clark (2012) *Public Law* 374-377.
- *The Inception of Modern Professional Education: C.C. Langdell 1826-1906* by Bruce A. Kimball (2010) 62 *Educational Review* 487-489.
- *Inside and Outside Canadian Administrative Law: Essays in Honour of David Mullan* by G Huscroft and M Taggart (eds) [2008] *Public Law* 401-403.
- *Judicial Integrity* by A. Sajó (ed) [2006] *Common Law World Review* 828-831.
- *Same-Sex Marriage and the Constitution* by E. Gerstmann [2005] *Common Law World Review* 85-89
- *The Rehnquist Court: A Retrospective* by M. Belsky (ed) [2004] *Common Law World Review* 182 - 185.

#### Reports and Evidence

- **Submission** (<https://www.ucl.ac.uk/constitution-unit/research/judicial-independence/responsetoukscselectionreview/>) to the UK Supreme Court's Review of the Process for Appointing Justices of the UK Supreme Court (with Hazell, Malleeson and O'Brien)
- **Written** ([http://www.ucl.ac.uk/constitution-unit/research/judicial-independence/Constitution\\_Committee\\_on\\_the\\_Office\\_of\\_Lord\\_Chancellor\\_july\\_2014](http://www.ucl.ac.uk/constitution-unit/research/judicial-independence/Constitution_Committee_on_the_Office_of_Lord_Chancellor_july_2014)) and **Oral** (<http://www.parliament.uk/documents/lords-committees/constitution/lord-chancellor-inquiry/ucCC160714ev1.pdf>) Evidence to the House of Lords Constitution Committee's Inquiry on the Office of Lord Chancellor.
- **Submission** (<http://www.ucl.ac.uk/constitution-unit/research/judicial-independence/jac-review-submission/>) to the Ministry of Justice's Triennial Review 2014 of the Judicial Appointments Commission (with Hazell, Malleeson and O'Brien).
- **Response** (<http://www.ucl.ac.uk/constitution-unit/research/judicial-independence/response-to-JAC-consultation/>) to the Judicial Appointments Commission's Consultation on *Changes to the Judicial Appointments Process resulting from the Crime and Courts Act 2013: Consultation on Diversity Considerations where Candidates are of Equal Merit* (with R. Hazell, K. Malleeson and P. O'Brien).
- Written Evidence to the House of Lords Constitution Committee **Inquiry on the Judicial Appointment Process** (<http://www.parliament.uk/documents/lords-committees/constitution/JAP/JAPCompiledEvidence28032012.pdf>) (pp97-102).
- **Submission** (<http://www.ucl.ac.uk/constitution-unit/research/judicial-independence/moj-submission.pdf>) to the Ministry of Justice Consultation Paper *Appointments and Diversity: A Judiciary for the 21st Century* (with Robert Hazell and Kate Malleeson).

#### Other Publications

- **'Selecting the Justices: Four Suggestions'** (<http://uksblog.com/selecting-the-justices-four-suggestions/>) UKSC Blog (13<sup>th</sup> October 2014) (With Kate Malleeson).
- **'Do Lord Chancellors defend judicial independence?'** (<http://www.ucl.ac.uk/constitution-unit/research/judicial-independence/do-lord-chancellors-defend-judicial-independence/>) U.K. Const. L. Blog (18th August 2014).
- **'Judicial Appointments, Diversity and the Equal Merit Provision'** (<http://ukconstitutionallaw.org/2014/05/06/graham-gee-and-kate-malleeson-judicial-appointments-diversity-and-the-equal-merit-provision/>), UK. Const. L. Blog (6th May 2014)
- **'The Lord Chief Justice and Section 5 of the Constitutional Reform Act'** (<http://ukconstitutionallaw.org/2014/04/14/graham-gee-the-lord-chief-justice-and-section-5-of-the-constitutional-reform-act/>) U.K. Const. L. Blog (14th April 2014).
- **'Who should have the final say in lower level judicial appointments?'** (<http://ukconstitutionallaw.org/2013/01/30/kate-malleeson-and-graham-gee-who-should-have-the-final-say-in-lower-level-judicial-appointments/>) UK Const. L. Blog (30th January 2013) (with Kate Malleeson).
- **'The Crime and Courts Bill and the JAC'** (<http://ukconstitutionallaw.org/2012/11/01/graham-gee-the-crime-and-courts-bill-and-the-jac/>) UK Const. L. Blog (1st November 2012).
- **'What the Supreme Court Won't Hear'** (<http://www.theguardian.com/law/2011/nov/02/when-the-supreme-court-says-no>) *The Guardian* (2<sup>nd</sup> November 2011) (with Robert Hazell).
- **'Rights, Independence of Mind and Conservatives'** ([http://ukconstitutionallaw.org/2011/05/02/rights\\_courts/](http://ukconstitutionallaw.org/2011/05/02/rights_courts/)) UK Const. L. Blog (2<sup>nd</sup> May 2011).
- **'Are Executive-Judicial Relations Strained?'** (<http://ukconstitutionallaw.org/2011/04/06/graham-gee-are-executive-judicial-relations-strained/>) UK Const. L. Blog (6<sup>th</sup> April 2011).

