

16 February 2018

Report title	Creation of the Role of Honorary Recorder of the City of Wolverhampton	
Cabinet member with lead responsibility	Councillor Milkinder Jaspal, Governance	
Wards affected	All	
Accountable director	Kevin O'Keefe, Director of Governance	
Originating service	Legal Services	
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Report to be/has been considered by		

Recommendation(s) for decision:

The Standards Committee is recommended to recommend that Council:

1. Convene an extraordinary meeting to consider the report on the Creation of the Role of Honorary Recorder of the City of Wolverhampton;
2. Approve the creation of the position of Honorary Recorder of the City of Wolverhampton;
3. Appoint His Honour Judge James Burbidge QC as the first Honorary Recorder of the City of Wolverhampton; and
4. Thereafter that the title of Honorary Recorder of the City of Wolverhampton shall pass automatically to the Senior Residing Judge of Wolverhampton Crown Court upon their appointment by the Lord Chief Justice.

1.0 Purpose

- 1.1 To consider the creation of the honorary post of 'Honorary Recorder of the City of Wolverhampton' and thereafter to consider the appointment to the position of His Honour Judge James Burbidge QC, the Senior Resident Circuit Judge at Wolverhampton Crown Court.

2.0 Background

- 2.1 The position of Recorder has a long history, dating to the Middle Ages, During the medieval period, the duties of the Recorder were to act as a general legal advisor to the City, to be responsible for keeping accurate records and seeing that true judgments were made at Quarter Sessions and Assizes.
- 2.2 The Courts Act 1971 ('the Act') abolished both Quarter Sessions and Assizes, replacing them with Crown Courts staffed principally by Circuit Judges.
- 2.3 Section 54 of the Act confers a power to Councils to bestow the titled of Honorary Recorder of the Borough or City upon a Circuit Judge or Recorder (a part-time Circuit Judge.) It is established practice that when this title is bestowed upon a Judge, they are usually the most senior Judge to sit at the Crown Court within the Council's area.
- 2.4 An Honorary Recorder is an unpaid, ceremonial office created to maintain and develop close links between Councils and the Judiciary and to encourage an understanding of the judicial system among the community. The functions of Honorary Recorder include attending ceremonial and civic functions and inviting Members of the Council to attend judicial events.
- 2.5 The head of the Judiciary, the Lord Chief Justice is keen for City Councils to consider using the power available to them under the Act to appoint Honorary Recorders. The creation of such a post and the appointment of an individual does not require the approval of either the Lord Chancellor or the Lord Chief Justice. A council may create such a post and appoint an individual by passing a Resolution of the Council.

3.0 The Office of Honorary Recorder

- 3.1 In accordance with the Lord Chief Justice's guidance, informal consultation has been carried out with the Senior Resident Circuit Judge at Wolverhampton Crown Court, His Honour Judge Burbidge QC, who has confirmed his interest and willingness to accept an Honorary Recordership of the City of Wolverhampton, should the Council seek to confer that title. In addition, the Senior Presiding Judge of the Midlands Circuit, Mrs Justice Carr, has also confirmed she would welcome such an appointment.
- 3.2 It is proposed that the title shall automatically pass to whomever is appointed as the Senior Residing Judge at Wolverhampton Crown Court by the Lord Chief Justice.

4.0 Financial implications

4.1 There are no financial implications arising from the recommendations in this report.

[GE/09022018/N]

5.0 Legal implications

5.1 Any borough or city Council may make such an appointment pursuant to Section 54 of the Courts Act 1971.

[RP/07022018/K]

6.0 Equalities implications

6.1 There are no equalities implications arising from the recommendations in this report.

7.0 Environmental implications

7.1 There are no environmental implications arising from the recommendations in this report.

8.0 Human resources implications

8.1 There are no human resource implications arising from the recommendations in this report.

9.0 Corporate landlord implications

9.1 There are no corporate landlord implications arising from the recommendations in this report.