



## **Appointment of Honorary Recorder**

### **RECOMMENDATIONS**

- 1.1 To revive the title 'Recorder of Derby' as 'Honorary Recorder of Derby' and invite His Honour Judge John Burgess to be the first to hold office, for the length of his tenure as Resident Judge at Derby Crown Court, with his successors in that role to serve thereafter.
- 1.2 To instruct the Corporate Director of Corporate and Adult Services to create a suitable ceremony, to involve Members of the Council and representatives of the judiciary, to formally present His Honour Judge Burgess with a scroll of admission as 'Honorary Recorder of Derby'.

### **SUPPORTING INFORMATION**

- 2.1 At the Annual Meeting of the Council on 20 May 2009, Council resolved to 'approve in principle, to revive the title 'Recorder of Derby' as an honorary position, thereby bringing the judiciary and local elected Members closer together.'

Council instructed that a further report be brought to a future meeting on the implementation of that proposal. Research has now been completed and we are able to proceed.

- 2.2 Since the implementation of the Courts Act 1971 and the establishment of the Crown Court for England and Wales, Borough and City Councils have had the power to appoint a Circuit Judge as Honorary Recorder. The power was established to enable an area to continue a link between it and its criminal court, which had existed throughout the history of the Courts of Quarter Sessions which were abolished by the Act.
- 2.3 Following the Constitutional Reform Act 2005, the Lord Chief Justice issued guidelines for such appointments, to encourage Councils that had not already done so, to consider creating, and appointing to, the post of Honorary Recorder.
- 2.4 The guidelines suggest that the Resident Judge of a Crown Court be appointed and that it be made clear that the appointment is concurrent with that individual's term of office and passes, on transfer or retirement, to the successor Resident Judge

- 2.5 Whilst it is for the Council to make the appointment and no permission is required, the Lord Chief Justice requests that a Council considering such an appointment consults the Senior Presiding Judge of England and Wales. The current holder of that office is Lord Justice Leveson and he has written a letter of support for our proposal.
- 2.6 The Resident Judge at Derby Crown Court is His Honour Judge John Burgess. Judge Burgess has stated that he would be pleased and honoured to accept the role of Honorary Recorder of Derby.

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<b>Background papers:</b>	None
<b>List of appendices:</b>	Appendix 1 – Implications

<b>IMPLICATIONS</b>
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**Financial**

- 1.1 The Council resolution on 20 May 2009 was specific that no additional expenditure should be incurred in the creation of the post.
- 1.2 Any costs incurred in the production of a scroll of admission and the presentation ceremony will be contained within the Mayor's Delegation Allowance.

**Legal**

- 2.1 The Council is the sole body with the power to create the post of Honorary Recorder of Derby

**Personnel**

- 3.1 None

**Equalities Impact**

- 4.1 A stated aim of the creation of the post is to bring members of the judiciary, which will include the Magistracy, and elected Members closer together. These institutions share a commitment to public service and the widening of their membership to include those from minority groups.