

	<b>General Purposes</b>
<b>Date:</b>	<b>26<sup>th</sup> February 2008</b>
<b>Subject:</b>	<b>Appointment of Honorary Recorder of Westminster</b>

## Summary

Under the Courts Act 1971 borough Councils have the power to appoint an Honorary Recorder of the borough concerned.

The appointment of an Honorary Recorder is intended to further the link between a Council and the criminal Courts and the involvement of the borough's senior judge sitting in the Crown Court in civic affairs and events.

Following the closure of the Crown Court at Middlesex Guildhall to make way for the construction of the Supreme Court, the City Council's criminal prosecutions that are tried in the Crown Court are determined at Southwark Crown Court.

The Senior Resident Judge at Southwark Crown Court is HH Judge Geoffrey Rivlin QC.

## Recommendations

That the Committee resolves -

1. that pursuant to section 54 of the Courts Act 1971, HH Judge Geoffrey Rivlin QC be appointed to the office of Honorary Recorder of Westminster during his tenure as Senior Resident Judge at Southwark Crown Court; and
2. that the appointment be formally recognised at an appropriate civic ceremony.



City of Westminster

# General Purposes Urgency Committee

Item No:

Date:

Classification:

Title of Report:

Report of:

Wards involved:

Policy context:

Financial summary:

Report Author:

Contact details

26<sup>th</sup> February 2008

**For General Release**

**Appointment of Honorary Recorder of  
Westminster**

**The Director of Legal and Administrative Services**

**All**

**Ceremonial**

**There are no financial implications, save for the cost of recognising the appointment at an appropriate civic ceremony. However, it is expected that this would be included in a ceremonial event already programmed.**

**Gary Blackwell**

**Tel: 020 7641 2718  
Fax: 020 7641 2251  
Minicom: 020 7641 5912  
Email: gblackwell@westminster.gov.uk**

## **1 Background to this Report**

- 1.1 Since the implementation of the Courts Act 1971 and the establishment of the Crown Court for England and Wales, the Councils of boroughs have had the power to appoint a Circuit Judge or a Recorder of the Crown Court as Honorary Recorder of the borough concerned.
- 1.2 According to the Lord Chief Justice's Guidelines for the Appointment of Honorary Recorders, it has been the practice of most large City Councils to appoint the Resident Judge to be Honorary Recorder of the city during his tenure of office, thereby continuing the link between the city and its criminal Court, which has existed throughout the history of the Courts of Quarter Sessions, which were abolished by the Courts Act 1971.
- 1.3 The Guidelines also state that the involvement of the City's Senior Resident Judge in civic affairs and events have been found to be valuable and are generally enjoyed and appreciated on both sides.
- 1.4 As head of the Judiciary, following the Constitutional Reform Act 2005, the Lord Chief Justice is keen to encourage those City and borough Councils which have not made such appointments to consider doing so.
- 1.5 At each Crown Court centre a particular judge appointed "Resident Judge" leads the team of judges who sit there and provides the essential link between the judiciary and the administration.
- 1.6 In the larger City Court centres, the Resident Judge is usually a Senior Circuit Judge who is recruited and appointed specifically to that post. Such a judge holds office as a Resident Judge, (if appointed), as Honorary Recorder until his retirement from the post.
- 1.7 It is customary for an Honorary Judge, when sitting in the Crown Court in the City where he holds office, to be described as such in the published court lists.
- 1.8 Those Honorary Recorders who are also Senior Circuit Judges are authorised by the Lord Chancellor to wear red robes when sitting in court.
- 1.9 HH Judge Geoffrey Rivlin QC is a Circuit Judge.
- 1.10 Whilst at the Bar, HH Judge Rivlin QC was a well known, highly respected criminal advocate and he has maintained the same reputation as the Senior Resident Judge at Southwark Crown Court.
- 1.11 Whilst practising at the Bar, he was a member of chambers at 4 Paper Buildings. These chambers subsequently moved to 9/12 Bell Yard and are one of the leading sets of criminal chambers in the country. The current Head of Chambers is Lord Carlile of Berriew QC. In fact, the City Council instructs these chambers in the majority of its criminal prosecutions.

- 1.12 HH Judge Rivlin QC is a Master of the Bench of the Middle Temple and has devoted much of his time assisting with the training of young advocates and newly appointed judges. He is the author of respected texts on the law, such as, "First Steps in the Law" and "Understanding the Law", and as Senior Resident Judge at Southwark he presides over the most serious cases, particularly those concerning complex fraud. He is one of a limited number of judges in the country to try cases of rape and is a member of the Crown Court Rules Committee. Moreover, he has been seconded to the High Court on occasions to sit in the Court of Appeal (Criminal Division) as an Appellate Judge.

## **2 Legal Implications**

- 2.1 The appointment of an Honorary Recorder is made by the borough Council concerned and does not require the approval of the Lord Chancellor or the Lord Chief Justice, but the Lord Chief Justice encourages boroughs to first consult the Senior Presiding Judge for England and Wales.
- 2.2 The Senior Presiding Judge for England and Wales, The Rt. Hon. Lord Justice Leveson has been duly consulted and he has confirmed in a letter that, "I can think of no judge more worthy of the honour of being appointed Recorder of Westminster. I would not only not have any objection: I would welcome it".

## **3 Staffing Implications**

- 3.1 There are no staffing implications

## **4 Human Rights Act 1998**

- 4.1 There are no human rights considerations.

## **5 Financial Implications**

- 5.1 There are no financial implications, save for the cost of recognising the appointment at an appropriate civic ceremony. However, it is expected that this event would be included in a ceremonial event already programmed.

## **6 Reasons for Decision**

- 6.1 To continue the link between the City Council and the criminal Courts and further the involvement of the City's Senior Resident Judge in civic affairs and events.

<p>If you have any queries about this report or wish to inspect any of the background papers please contact Gary Blackwell on 0207 641 2718 (Fax 0207 641 2251) e-mail address: <a href="mailto:gblackwell@westminster.gov.uk">gblackwell@westminster.gov.uk</a> or Peter Large on 0207 641 2711 (Fax 020 7641 3325) e-mail address: <a href="mailto:plarge@westminster.gov.uk">plarge@westminster.gov.uk</a></p>
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## **Background Papers**

The Lord Chief Justice's Guidelines for the Appointment of Honorary Recorders