



General Purposes Urgency Sub-Committee

Date:	10 May 2012
Status:	For General Release
Title:	Appointment of Honorary Recorder of the City of Westminster
Wards Affected:	All Wards
Policy Context:	Ceremonial
Financial Summary:	The cost of a set of red robes for the Honorary Recorder, which is expected to be in the region of £1,500, will be met from the budget held by Legal and Democratic Services and the cost of recognising the appointment at an appropriate civic ceremony, which is expected to be in the region of £2,000, will be met from the mayoralty budget.
Report of:	Head of Legal and Democratic Services

1. Executive Summary

- 1.1 Under the Courts Act 1971 borough Councils have the power to appoint an Honorary Recorder of the borough concerned. The appointment 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.
- 1.2 As a result of 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 are determined at Southwark Crown Court.
- 1.3 On 26th February 2008, General Purposes Committee resolved that the Senior Resident Judge of Southwark Crown Court at that time, HH Judge Geoffrey Rivlin QC, should be appointed Honorary Recorder of the City of Westminster during his tenure and Judge Rivlin was duly appointed.
- 1.4 Judge Rivlin retired from the Bench on 1st September 2011 and HH Judge Alastair William McCreath was duly appointed Senior Resident Judge of Southwark Crown Court, with effect from 12th September 2011.
- 1.5 This report concerns the proposed appointment of HH Judge Alastair William McCreath as Honorary Recorder of the City of Westminster.

2. Recommendations

2.1 That the Committee resolves -

- (a) that pursuant to section 54 of the Courts Act 1971, HH Judge Alastair William McCreath be appointed to the office of Honorary Recorder of the City of Westminster during his tenure as Senior Resident Judge at Southwark Crown Court; and
- (b) that the appointment be formally recognised at an appropriate civic ceremony

3. Reasons for Decision

3.1 The appointment is intended to further the link between the City Council and the criminal courts and the involvement of the borough's senior judge sitting in the Crown Court in civic affairs and events. The decision is sought via the Urgency Procedures to allow arrangements to be made for the formal appointment rather than delay this with the next programmed meeting.

4. Background to the Report

4.1 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.

4.2 The Lord Chief Justice's Guidelines for the Appointment of Honorary Recorders state that 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.

4.3 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.

4.4 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.

4.5 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. In 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.

4.6 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. Those Honorary Recorders who are also Senior Circuit Judges are

authorised by the Lord Chancellor to wear red robes when sitting in court. HH Judge Alastair William McCreath is a Senior Circuit Judge.

- 4.8 His Honour Judge McCreath was called to the Bar by Inner Temple in 1972 and practiced from chambers in Birmingham. He was appointed an Assistant Recorder in 1986, a Recorder in 1990 and a Circuit Judge in 1996, sitting at Birmingham Crown Court. He became Resident Judge at Worcester Crown Court in April 2006 and in 2007 became Honorary Recorder of Worcester. He was a Tutor Judge and Deputy Course Director for JSB Criminal Induction Seminars from 1998 to 2007, since when he has been Course Director for Criminal Continuation. He has also been Course Director for Long and Complex Cases. In March 2010 he was appointed to the Sentencing Council for England and Wales, the independent body set up to support greater consistency in sentencing.

5. Financial Implications

- 5.1 The cost of a set of red robes for the Honorary Recorder, which is expected to be in the region of £1,500, will be met from the budget held by Legal and Democratic Services and the cost of recognising the appointment at an appropriate civic ceremony, which is expected to be in the region of £2,000, will be met from the mayoralty budget.

6. Legal Implications

- 6.1 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.
- 6.2 The Senior Presiding Judge for England and Wales, The Rt. Hon, Lord Justice Goldring was duly consulted and in a letter, dated 16th February 2012, he confirmed that he agrees the appointment.

7. Other Implications:

None

If you have any queries about this Report or wish to inspect any of the Background Papers please contact Gary Blackwell, Head of Contentious, Legal and Democratic Services, 0207 641 2718

BACKGROUND PAPERS

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