

<b>Item No.</b> 5.2	<b>Classification:</b> Open	<b>Date:</b> 29 November 2011	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Appointment of an Honorary Recorder of Southwark	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Strategic Director of Communities, Law & Governance	

## RECOMMENDATION

1. That Council Assembly agree that, pursuant to section 54 of the Courts Act 1971, His Honour Judge Roger Chapple be appointed to the office of Honorary Recorder of Southwark during his tenure as Senior Resident Judge at Inner London Crown Court.
2. That the appointment be formally recognised at an appropriate civic ceremony.

## BACKGROUND INFORMATION

3. 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.

## KEY ISSUES FOR CONSIDERATION

4. 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.
5. The guidelines also state that the involvement of the boroughs' Senior Resident Judge in civic affairs and events have been found to be valuable and are generally enjoyed and appreciated on both sides.
6. 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.
7. 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.
8. 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 and, if appointed, as Honorary Recorder until his retirement from the post.

9. 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.
10. Those Honorary Recorders who are also Senior Circuit Judges are authorised by the Lord Chancellor to wear red robes when sitting in court.
11. His Honour Judge Roger Chapple is a Senior Circuit Judge.
12. Judge Chapple was called to the Bar in 1974; and as a barrister specialising in general common law at Francis Taylor Buildings from 1974 to 1994. He became a circuit judge (South Eastern Circuit) in 2004 and was previously resident judge at Middlesex Guildhall Crown Court from 2005 to 2007. He became resident judge at Inner London Crown Court in 2007.

#### **Resource implications**

13. The proposed appointment in members support does not have resource 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 planned and it is expected that these will be contained within existing budgets.

#### **Legal implications**

14. 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.
15. The Senior Presiding Judge for England and Wales, The Rt. Hon. Lord Justice Goldring has been duly consulted and he has confirmed in a letter that he agrees to the appointment.

#### **Community impact statement**

16. The involvement of the borough's Senior Resident Judge in civic affairs and events has been found to be valuable and appreciated on both sides and of value to the borough.

#### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Lord Chief Justice's Guidelines for the Appointment of Honorary Recorders	Governance Team, 160 Tooley Street, London SE1 2QH	Norman Coombe 020 7525 7678

## AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Communities, Law & Governance		
Report Authors	Norman Coombe, Senior Lawyer		
Version	Final		
Dated	15 November 2011		
Key Decision?	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments included	
Strategic Director of Communities, Law & Governance	Yes	Incorporated	
Finance Director	Yes	Incorporated	
Cabinet Member	No	No	
Date final report sent to Constitutional Team		15 November 2011	