

<b>Subject:</b>	<b>Appointment of an Honorary Recorder of Brighton &amp; Hove</b>		
<b>Date of Meeting:</b>	<b>13<sup>th</sup> December 2018</b>		
<b>Report of:</b>	<b>Monitoring Officer</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Abraham Ghebre-Ghiorghis</b>	<b>Tel:</b> <b>01273 291500</b>
	<b>Email:</b>	<b>Abraham.Ghebre-Ghiorghis@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT:**

- 1.1 This report proposes that the role of Honorary Recorder of Brighton & Hove be continued following the resignation of Her Honour Shani Barnes as Resident Judge at Lewes Crown Court, and offered to the new Resident Judge: Her Honour Christine Laing, QC.

**2. RECOMMENDATIONS:**

That Council –

- 2.1 Agree the continuation of the role of Honorary Recorder of Brighton & Hove;
- 2.2 Appoint Her Honour Judge Christine Laing QC as Honorary Recorder of Brighton & Hove Council during her tenure as Resident Judge at Lewes Crown Court;
- 2.3 Delegate authority to the Monitoring Officer to write to Her Honour Judge Christine Laing QC to notify her that she has been formally appointed.

**3. CONTEXT / BACKGROUND INFORMATION**

- 3.1 An Honorary Recorder is an unpaid ceremonial office created by the Local Government Act 1972. It aims to facilitate close links between councils and the judiciary and to enhance understanding of the judicial system among the community. The functions of Honorary Recorder may include attending ceremonial and civic functions and inviting Members of the council to attend judicial events.
- 3.2 The role of Honorary Recorder is to be distinguished from that of Recorder. Recorders are appointed by the Queen on the recommendation of the Lord Chancellor after a competition administered by the Judicial Appointments Commission. Recorders hold paid, part-time judicial posts, which entail sitting as judge in the crown or county court. Honorary Recorders on the other hand are unpaid, purely honorary and appointed solely by local authorities.

- 3.3 The role of Honorary Recorder is normally reserved to Senior Circuit Judges or Resident Judges. The usual approach is for the position to be attached to a specific judge, continuing for as long as they remain the Senior Circuit or Resident Judge for the area, at which point the tenure ceases.
- 3.4 The council's community leadership role amongst other things gives it a responsibility to seek to develop understanding of the justice system among all sections of the community. The role of Honorary Recorder may assist by supporting a close relationship between the Council and the courts. This is also key because the Council takes enforcement action through the courts for example in relation to community safety, environmental protection, animal welfare, trading standards, benefit fraud, community care and child protection.
- 3.5 Following the retirement of the Senior Circuit Judge in Sussex in June 2013, the Resident Judge at Lewes Crown Court (which sits at Lewes, Brighton and Hove), Her Honour Shani Barnes, was appointed Honorary Recorder at this Council. The role of 'Resident Judge' brings with it leadership and management duties. It entails providing support and guidance to the judiciary in the relevant judicial centre and provides a link between them, the Presiding Judges and the administration. The holder of this post is considered to be best placed to continue and develop the role of Honorary Recorder. That role has now been assumed at Lewes by HH Christine Laing QC.
- 3.6 To meet the community objectives mentioned in paragraph 3.4, the Honorary Recorder may seek an active role in developing civic links with the judiciary. This may include attending meetings and events to enhance her awareness of the political, financial and constitutional framework in which the local authority operates. Additionally, the council could help the Honorary Recorder develop links with other public bodies in Brighton & Hove with whom we have well established connections, such as health trusts and the police.
- 3.7 Any Honorary Recorder must maintain his/her judicial independence and neutrality. In view of this, any involvement in the activities referred to above would be on a strictly non-political basis.
- 3.8 On behalf of the Council, and on HH Judge Barnes' recommendation, the Monitoring Officer approached HH Judge Christine Laing QC to seek an indication of her interest in the role. She has stated that she would accept the appointment in a letter which forms [Appendix 1](#). She has described one of her major motivations as being that of disrupting the cycle of crisis and crime. She highlights her strong interest in facilitating a close relationship with the Council, as well as signalling her interest in promoting better understanding.
- 3.9 HH Judge Laing QC was a criminal barrister for 30 years, becoming a Recorder in 2004 and taking silk in 2006. She was appointed to the bench full-time in 2014 when she was assigned to Woolwich Crown Court, although she maintained a home on the Sussex coast. HH Judge Laing QC has long been involved with her local community in Sussex, including as a volunteer with a large homelessness charity.

#### **4. ANALYSIS AND CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The council is not obliged to appoint an Honorary Recorder or fill the role when (as now) the post becomes vacant. However good liaison between the judiciary and the local community is considered key for the reasons given above. It is therefore recommended that the post be continued and offered to the current Resident Judge at Lewes Crown Court as the person best qualified to fulfil that role.

#### **5. CONSULTATION**

- 5.1 The council's Group Leaders have been consulted on the proposal in this report, and support the recommendation at paragraph 2 above.

#### **6. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 6.1 The role of Honorary Recorder is an unpaid position. There are no direct financial implications arising from this report.

*Finance Officer Consulted: Peter Francis*

*Date: 29/11/18*

##### Legal Implications:

- 6.2 Section 54 of the Courts Act 1971 gives the council power to appoint an Honorary Recorder for Brighton & Hove. The appointment does not require the approval of the Lord Chancellor or Lord Chief Justice.

*Lawyer Consulted: Victoria Simpson*

*Date: 26/11/18*

##### Equalities Implications:

- 6.3 The continued appointment of an Honorary Recorder is considered to have potential to facilitate an understanding of the justice system among all sections of the community.

##### Sustainability Implications:

- 6.4 None.

##### Any Other Significant Implications

- 6.5 Improved liaison between the judiciary and the community, facilitated by the council, should support crime reduction and community safety initiatives across Brighton & Hove.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

Appendix 1 – copy email from HHJ Christine Laing QC.

### **Documents in Members' Rooms**

None.

### **Background Documents**

None.

**Appendix 1 – extract from an email communication from HHJ Laing QC**

sent in response to an approach about assuming the role of Honorary Recordership of Brighton and Hove.

[ .. ]

'I would be honoured if the council would consider appointing me to the role now that I have taken over as Resident Judge in Sussex. I feel very strongly that there needs to be open lines of communication and close links between the courts and the civic administration in any county. Public confidence in the criminal justice system needs to be maintained and the more open we can make the process, the better. I would really welcome the opportunity to develop a close relationship with the Council that assists both sides to better understand the needs of the community as far as the justice system is concerned. Additionally, one of my major interests is in finding ways to cut the cycle of crisis and crime - I was trustee of a charity that makes governmental proposals in this area – and I would really hope this is something that a close link with the Council could foster and improve, as it encompasses housing, benefits and health and social services.

I was at the criminal bar for 30 years, becoming a recorder in 2004 and taking silk (becoming a QC) in 2006. I practised primarily in Sussex, prosecuting and defending numerous murder trials and serious child sexual abuse cases. I was appointed to the Bench full-time in 2014, assigned to Woolwich Crown Court, where I gained very useful experience in a wide range of cases including terrorism, although I badly missed my home on the Sussex coast! I have always been closely involved with my local community in Sussex, including as a volunteer with a large homeless charity both on the fundraising committee and as a breakfast cook.

Please do not hesitate to let me know if you require any further information.

Kind regards

*Christine K Laing Q.C.*

HHJ Christine K Laing QC  
Resident Judge  
Lewes Crown Court  
182 High Street  
Lewes BN7 1YB

