

City Council – 31 October 2022

Report of the Leader of the Council

Corporate Director/ Director:

Malcolm Townroe, Director of Legal and Governance

Report Author and Contact Details:

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Title: Appointment of Honorary Recorder

Does the report form part of the Budget or Policy Framework?

Yes No

Does this report contain any information that is exempt from publication?

No

Relevant Council Plan Key Outcome:

Clean and Connected Communities	<input type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Healthy and Inclusive	<input type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>
Financial Stability	<input type="checkbox"/>
Serving People Well	<input checked="" type="checkbox"/>

1. Summary

- 1.1 Following the retirement of His Honour Judge Greg Dickinson QC, Council is asked to consider appointing Her Honour Judge Nirmal Shant KC as the Honorary Recorder for the City of Nottingham.

2. Recommendations

- 2.1 To appoint Her Honour Judge Nirmal Shant KC as Honorary Recorder for the City of Nottingham with immediate effect for the duration of her tenure as Senior Circuit Judge, Resident Judge.

3. Reasons for recommendations

- 3.1 The previous Honorary Recorder for the City of Nottingham has retired. The post is currently vacant and the Council has the power to appoint to this position if it wishes to do so.

4. Other options considered in making recommendations

- 4.1 The Council is not required to appoint an Honorary Recorder and the post can remain vacant. However, it has been practice for Nottingham City Council to consider offering the role to the Senior Circuit Judge at Nottingham Crown Court in order to support good relations between the judiciary and the wider city.

5. Consideration of Risk

- 5.1 None

6. Background (including outcomes of consultation)

- 6.1 Historically, the Recorder of a City was charged with the duties of dispensing justice within the City at the Court of Quarter Sessions. The Courts Act 1971 transferred the jurisdiction of Quarter Sessions to Crown Courts and the function of Recorder to be discharged by judges. However, in acknowledgement of the important part in the life of a city played by the judiciary, the post of Honorary Recorder was established under powers derived from section 54 of the Courts Act 1971 and by sections 245 and 246 of the Local Government Act 1972.
- 6.2 The role of Honorary Recorder is usually reserved to Senior Circuit Judges or Resident Judges for the period that they remain in that role and then the tenure ceases.
- 6.3 The role is a purely ceremonial position regarded as an important link between the City and the Courts. It does not entail any specific duties but the Honorary Recorder may be invited to be involved with civic ceremonial events. Honorary Recorders who are also Senior Circuit Judges are authorised to wear red robes when sitting in court.
- 6.4 In Nottingham, the position of Honorary Recorder has most recently been held by His Honour Judge Greg Dickinson, who was appointed in July 2016. He has now retired from the position and it is currently vacant.
- 6.5 The Lord Chief Justice appointed Her Honour Judge Nirmal Shant KC as the Senior Circuit Judge, Resident Judge at Nottingham Crown Court with effect from 1 September 2022 following a competition run by the Judicial Appointments Commission. She was appointed as a Recorder in 2001 and as a Circuit Judge in 2015. She was appointed as Resident Judge at Derby Crown Court in 2016 and is the Honorary Recorder of Derby. Her Honour Judge Nirmal Shant KC lives in Nottingham.

7. Finance colleague comments (including implications and value for money)

- 7.1 The proposals regarding the appointment have no significant financial implications for the Council as the honorary role does not attract costs or any expected expenditure.

Tania Clayton Pérez-Senior Commercial Business Partner-Oct 22

8. Legal colleague comments

- 8.1 The relevant legislation pertinent to the proposed appointment is set out in the body of the report. The recommendation of itself raises no significant legal and is supported.

9. Other relevant comments

9.1 None

10. Crime and Disorder Implications (If Applicable)

10.1 Appointment to this role supports good relations between the City and the Judiciary.

11. Social value considerations (If Applicable)

11.1 Not applicable

12. Regard to the NHS Constitution (If Applicable)

12.1 Not applicable

13. Equality Impact Assessment (EIA)

13.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because the report and recommendation does not relate to a new or changing policy or service.

14. Data Protection Impact Assessment (DPIA)

14.1 Has the data protection impact of the proposals in this report been assessed?

No



A DPIA is not required because there are no data protection implications associated with the report or recommendation.

15. Carbon Impact Assessment (CIA)

15.1 Has the carbon impact of the proposals in this report been assessed?

No



A CIA is not required because there are no carbon implications associated with the report and recommendation.

16. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

16.1 Correspondence with the Judicial Office

17. Published documents referred to in this report

17.1 Courts Act 1971

17.2 Local Government Act 1972

Councillor David Mellen
Leader of the Council