

COUNCIL

17 MARCH 2022

**REPORT OF DIRECTOR OF GOVERNANCE AND LEGAL SERVICES
AND MONITORING OFFICER**

APPOINTMENT OF HONORARY RECORDER OF CARDIFF

Reasons for the Report

1. To consider the appointment of the Honorary Recorder of Cardiff.

Background

2. The Recordership of Cardiff is an ancient office that is mentioned in text as long ago as 1570. Since the implementation of the Courts Act 1971 and the establishment of the Crown Court for England and Wales, city/borough councils have had the power to appoint a Circuit Judge as Honorary Recorder under Section 54 of the 1971 Act. The appointment of an Honorary Recorder is intended to maintain and develop close links between councils and the judiciary and involve the city's senior judge sitting in the Crown Court in civic affairs and events.
3. It has been the practice of most councils to appoint the Resident Crown Court Judge to be Honorary Recorder of the city/borough during his/her tenure of the office. In larger city court centres in England and Wales, including Cardiff, the Resident Judge is usually a Senior Circuit Judge who is recruited and appointed specifically to that post.

Issues

4. The Council has been informed by the Judicial Office that the Lord Chief Justice has appointed Her Honour Judge Tracey Lloyd-Clarke as the Senior Circuit Judge and Resident Judge at Cardiff Crown Court with effect from 29 November 2021 following a competition run by the Judicial Appointments Commission. Her Honour Judge Lloyd-Clarke was called to the Bar (Middle Temple) in 1988, before being appointed as a Recorder in 2009 and a Circuit Judge in 2016.
5. Her Honour Judge Lloyd-Clarke replaces the previous Senior Circuit Judge and Resident Judge at Cardiff Crown Court, Her Honour Judge Eleri Rees, who retired from office in December 2019 having held the title of Honorary Recorder of Cardiff since June 2012.

6. The Judicial Office has invited the Council to follow past custom and practice in such matters and to confer the title of Honorary Recorder of Cardiff upon Her Honour Judge Lloyd-Clarke as the Senior Circuit Judge and Resident Judge at Cardiff Crown Court.
7. The Honorary Recorder of Cardiff is primarily an unpaid ceremonial role and the functions of the position include attending ceremonial and civic functions. The office holder is also entitled to wear red court/ceremonial robes. Correspondence between HM Courts & Tribunal Service and the Council's Monitoring Officer has confirmed that the payment for these robes will be funded by HM Courts & Tribunal Service.

Legal Implications

8. Councils may appoint an Honorary Recorder pursuant to powers conferred under section 54 of the Courts Act 1971 or powers conferred by Charter. It is understood that there is a long standing tradition in Cardiff of conferring this honorary title on the Senior Circuit Judge and Resident Judge at Cardiff Crown Court. The appointment is an honorary and ceremonial title and confers no substantive powers or duties.
9. The Lord Chief Justice of England and Wales has issued Guidelines for the Appointment of Honorary Recorders, encouraging councils to make such appointments and promoting a consistent approach throughout England and Wales. The recommendations of this report are consistent with these Guidelines.
10. The appointment of individuals to any office, other than an employee of the authority, is a function which is reserved to full Council.

Financial Implications

11. There are no financial implications directly arising from this report.

RECOMMENDATION

Council is recommended to approve the appointment of Her Honour Judge Lloyd-Clarke as the Honorary Recorder of Cardiff with immediate effect and for the duration of her tenure as the Senior Circuit Judge and Resident Judge at Cardiff Crown Court.

DAVINA FIORE

Director of Governance & Legal Services and Monitoring Officer

11 March 2022

Background Papers

- Email to Monitoring Officer from HM Courts & Tribunal Service (dated 7 January 2022)
- Letter to Chief Executive from the Judicial Office (dated 24 November 2021)
- The Lord Chief Justice's Guidelines for the appointment of Honorary Recorders