

# Report – Freedom Applications Committee

## The Honorary Freedom

*To be presented on Thursday, 13<sup>th</sup> September 2018*

*To the Right Honourable The Lord Mayor, Aldermen and Commons  
of the City of London in Common Council assembled.*

### SUMMARY

At the meeting of the Court of Common Council on 12 October 2017, a Motion was considered in relation to the award of the Honorary Freedom. As a consequence of these discussions, the Freedom Applications Committee was instructed to undertake a review of the processes associated with the award of the Honorary Freedom, as well as the introduction of a process by which the Honorary Freedom might be rescinded.

This report updates the Court on the deliberations of the Freedom Applications Committee regarding the Court of Common Council's processes in relation to the award of the Honorary Freedom.

### RECOMMENDATION

The Court of Common Council is recommended to:

- Note that the Freedom Applications Committee has deliberated over the processes for awarding and removing the Honorary Freedom as instructed by the Court; and
- Endorse the respective procedures for the award and revocation of the Honorary Freedom agreed by the Freedom Applications Committee, as set out in the report.

### MAIN REPORT

#### **Background**

1. The Honorary Freedom is the highest honour which the City of London can confer on an individual and, for over two centuries, the City of London Corporation has offered the award to certain internationally important people as a mark of highest distinction for extraordinary achievement.
2. The Honour is not often conferred. Recipients have included individuals who have made an exceptionally significant mark on the national and international stage. Historically, recipients were drawn from the Royal Family, the military (following major campaigns) and international statesmen. Awards in recent years have marked a conscious departure from criteria used previously and reflect a renewed desire to recognise individuals' outstanding contribution to society across a wider field of endeavour.

3. Following an urgent motion put to the Court of Common Council, and subsequent discussion of that motion at its meeting on 12 October 2017, the Freedom Applications Committee was instructed by the Court of Common Council to review the process by which proposals for the Honorary Freedom are promulgated and brought before the Court; and to ensure that any future procedure should allow for wide informal and confidential consultation with Members prior to any proposal being made officially, and certainly before the proposed recipient is sounded out about the honour.
4. The Committee was also instructed to establish whether, once awarded, this Honorary Freedom may be removed, and if so, by what procedure; and in the event the Court does not currently have a procedure to revoke an Honorary Freedom once granted, then the relevant steps are taken to address this, and consideration is given to implementing and documenting such a procedure.
5. The relevant extract from the Motion as approved by the Court is set out in an appendix to this report.

#### **Current Position**

6. A Sounding Board, comprised of a small number of relevant Chairmen, Deputy Chairmen and Chief Officers, is the traditional method by which consideration has been given in confidence to potential candidates for the Honorary Freedom. For international figures, the advice of the Foreign and Commonwealth Office is also routinely sought. Other relevant external parties have also been consulted where appropriate.
7. Once the Sounding Board has come to a view, contact is made with the intended recipient. If the response is positive, a report is submitted to the Hospitality Working Party for the associated hospitality and, once agreed, reported to a meeting of the Common Council in non-public session (with the Chief Commoner putting forward a recommendation and inviting the Court's agreement).
8. The removal of the Honorary Freedom of the City of London is unprecedented and there is currently no arrangement in place that would allow for it. At an informal meeting of the Court of Common Council in February 2018, the Honorary Freedom was discussed, and it was felt that in the case which had inspired the original urgent Motion, no action should be taken.

#### **Proposal**

9. The Committee was asked to consider options to provide greater transparency in relation to the consideration of candidates for the award, as well as to implement a formal process for removing Honorary Freedoms.
10. Two of the significant points of discussion at the Court were used to inform the Freedom Application Committee's deliberations around the processes for awarding and removing the Honorary Freedom. It was recognised that several Members had expressed concerns over the lack of transparency in the process, with it being suggested that the process was concentrated amongst too small a group of Members. It was also noted that the informal Sounding Board process currently in place did not produce minutes or formal decisions.

11. The Honorary Freedom was recognised as a rare and special award and, as a consequence, Members agreed that consideration of its award merited convening a larger group. It was felt that moving towards a committee-driven process would add legitimacy and increase accessibility to the process for Members of the Court.
12. An initial proposal for removal of the Honorary Freedom was presented to the Freedom Applications Committee in a report of the Remembrancer, produced in consultation with the Comptroller and City Solicitor. The Committee, in considering the process, noted that removal of the Honorary Freedom from a recipient would theoretically always be open to initiation via a Motion in accordance with Standing Order No. 12.
13. It was proposed that the ultimate method for removing Honorary Freedoms should be by a simple majority vote of the Court of Common Council. If the removal of an individual's Honorary Freedom were proposed, in order to reduce the risk of challenge to such a decision, any such vote should comply with the rules of procedural fairness, one of which is the right to a fair hearing.
14. The nature of the Honorary Freedom is such that only the basic features of the right to a fair hearing are likely to be required i.e. that the person affected by the decision is given prior notice of what is proposed and why, with the opportunity afforded to make representations before the decision is taken.
15. Thus, it was agreed by the Freedom Applications Committee that the process for agreeing the award of an Honorary Freedom should be: -

That candidates for the Honorary Freedom, following initial consultations by the Remembrancer, should be considered by a Freedom Applications Committee meeting with additional, broader representation it believed appropriate to the case, before considerations are put forward to an informal meeting of the Court convened for the purpose before transmission to a formal meeting of the Common Council.

16. It was agreed by the Freedom Applications Committee that the process to remove an Honorary Freedom should be: -
  - a) The Freedom Applications Committee considers the initial proposal to remove and either rejects it, or resolves to inform the Honorary Freeman of the proposal to remove the Freedom, together with the reasons for the proposal, and invites their comments on it. The Freeman must be provided with sufficient information to permit them to give proper consideration to the proposal and make representations and they must be given a reasonable time to respond e.g. 28 days.
  - b) The Freedom Applications Committee then considers the Freeman's response, if any, together with all other relevant considerations and decides whether to proceed. The Freeman should be notified of the Committee's

decision and of the date the matter will be considered by the Court where appropriate.

- c) Taking account of the Committee's deliberations, all the relevant matters are put before a confidential meeting of Common Council for its consideration. While it is suggested that the power to decide not to recommend removal should rest with the Committee, it has an inherent discretion to refer such a decision to Court in particularly sensitive cases or where it is otherwise desirable to do so. Whilst the Freeman will not be invited to make further representation at this stage, should any be made they should be submitted to the Court.

### **Conclusions**

17. The Committee agreed that, having discussed the matter at length and acknowledged the valid points raised by Members of the Court, its recommendations should be taken forward, hoping that the proposed processes move to address concerns about the procedure for awarding the Honorary Freedom, and to establish a procedurally fair and democratic process by which the Court of Common Council may decide to remove the award if necessary.

DATED this 26<sup>th</sup> day of July 2018.

SIGNED on behalf of the Committee.

**Sir David Wootton, Alderman**  
Chairman, Freedom Applications Committee

**Extract from Resolution of the Court of Common Council, 12 October 2017**

*Further resolved* – That:-

- (a) The Freedom Applications Committee be instructed to review the process by which proposals for the Honorary Freedom are promulgated and brought before the Court;
- (b) Measures be taken to ensure that any future procedure allows for wide informal and confidential consultation with Members prior to any proposal being made officially, and certainly before the proposed recipient is sounded out about the honour;
- (c) To establish whether, once awarded, this Honorary Freedom may be removed, and if so, by what procedure;
- (d) In the event the Court does not currently have a procedure to revoke an Honorary Freedom once granted, then the relevant steps be taken to address this lacuna and consideration is given to implementing and documenting such a procedure.