



The Role and Appointment of High Sheriffs in England and Wales

The Role of the High Sheriff Today

The role of High Sheriffs these days is largely ceremonial and representative. They are appointed for a year and their work is voluntary and unpaid, except for a nominal court attendance allowance. The general expenses of the office are borne personally by the holder. The sole legal requirement for appointment as High Sheriff is to own property in the County.

Whilst the role of the High Sheriff varies from County to County, generally speaking they will work to support and promote the work of voluntary organisations; and support the judiciary by attending High Court Judges on circuit.

The Selection of Future High Sheriffs in England and Wales

The selection of people suitable to serve as High Sheriff in the future is a personal responsibility of the serving High Sheriff. In order to make the appointment process more transparent, and to ensure that a wider range of individuals are considered than perhaps was the case in the past, all counties have established their own county nomination panels, to act as a consultation board. These panels generally consist of around six to eight individuals and can include: the serving High Sheriff, immediate past and future High Sheriffs; a representative of the Lord Lieutenant; and two or three members who are not connected with the Shrievalty, but who nonetheless have (or have had) a significant role within, and good knowledge of, the county or, as the case may be, have special links with local communities. The task is to choose someone to become High Sheriff in four years' time; someone whom the panel considers to be of 'standing in the county'; someone who will perform all the required duties well and someone who can afford the time and expense involved. The choice is made entirely on the calibre of the person being considered. Once the panel has identified a suitable candidate, the High Sheriff approaches the person in question, briefs that person about the role of the High Sheriff and asks them whether they would be prepared to take on the Office.

The Nomination and Appointment Process

The High Sheriff is a direct appointment of the Sovereign by Royal Warrant, and takes office by making the statutory Declaration, as set out in the Sheriffs Act 1887 (which is traditionally made within one month of appointment).

On 12th November, each year (or, if a Sunday, on the following day), three persons are nominated (their names are 'read out' by the King's Remembrancer) for the Office of High Sheriff, in Court 4 (the Lady Chief Justice's Court) in the Royal Courts of Justice, before certain of the "Great Officers" of state, as directed by the Sheriffs Act 1887 (Section 6). These are the Lady Chief Justice, a member of the Privy Council (usually a Lord Justice of Appeal) and two Judges of the High Court. The Clerk of the Privy Council also attends to witness the event.

This practice does not apply to Lancashire, Greater Manchester, Merseyside or Cornwall where, for historical reasons, the Duchies of Lancaster and Cornwall have similar but independent arrangements.

In March of each year the Roll of High Sheriffs in Nomination is submitted to the King in Council who "pricks" i.e. appoints the High Sheriffs for the ensuing year. The names are then published in the London Gazette and usually in The Times and the Daily Telegraph. Those appointed receive their Warrants of Appointment from the Privy Council Office.

Background: Office of High Sheriff

The Office of High Sheriff is the oldest secular Office in the United Kingdom after the Crown, and dates from Saxon times. The exact date of origin is unknown but the Office has certainly existed for over 1,000 years, since the Shires were formed. The word 'Sheriff' derives from 'Shire-Reeve' or the Anglo-Saxon 'Scir-gerefa'. Probably the Office derived from the King's Reeve also known as the 'High' Reeve. It began as a Saxon Office and some Sheriffs led contingents at the Battle of Hastings. The Normans continued the Office and added to its powers, and also to its rewards. During the 11th and 12th Centuries the Sheriffs' powers were very extensive and, for example, they:

1. judged cases in the monthly court of the hundred (a sub-unit of the Shire);
2. had law enforcement powers and would raise the 'hue and cry' in pursuit of felons within their Shire;
3. could summon and command the 'posse comitatus' – the full power of the Shire in the service of the Sovereign;
4. collected taxes and levies and all dues on Crown lands on behalf of the Crown;
5. were in charge of Crown property in the Shire;
6. were the principal representatives and agents for the Crown;

Of the 63 clauses in the Magna Carta of 1215, 27 of these relate to the role of the Sheriff;

From 1254 the Sheriff supervised the election to Parliament of two Knights of the Shire;

These powers were steadily eroded over succeeding centuries. Henry I organised the Exchequer to take over tax collection and also to audit the Sheriff's accounts. Henry II introduced the system of Itinerant Justices from which evolved the Assizes. The Sheriff was responsible for issuing Writs, having ready the Court, prisoners and juries, and then executing the sentences which were pronounced. It was also the Sheriff's responsibility to ensure the safety and comfort of the Judges. This is the origin of the High Sheriff's modern day duty of care for the well-being of High Court judges. In the middle of the 13th Century, Coroners and Justices of the Peace were created. Under the Tudors, Lord Lieutenants were created as personal representatives of the Sovereign. Queen Elizabeth I is generally believed to have originated the practice that continues to this day of the Sovereign choosing the High Sheriff by pricking a name on the Sheriffs' roll with a bodkin. It is said that she did this whilst engaged in embroidery in the garden. This is likely a myth since there is a Sheriffs' Roll of the reign of Henry VII (1485–1508) where the names are pricked through vellum. The real reason for pricking through vellum was that the choice was not always a welcome honour. A mark with a pen could easily be erased with a knife, but a hole in the vellum could never be repaired or removed. By Acts of 1856 and 1865 all the Sheriff's powers concerning police and prisons passed to the Prison Commissioners and local Constabulary; and under an Act of 1883 the care of Crown Property was transferred to the Crown Commissioners.

The Sheriffs Act 1887 consolidated the Law relating to the Office of High Sheriff and the Act remains in force to this day.