

## LSLA

### Response to 2 November 2006 consultation on Court dress

This is the response of the London Solicitors Litigation Association (LSLA). The LSLA is over 50 years old and represents the interests of a wide range of litigators in London handling a broad range of civil and commercial litigation. Through its 950 solicitor members and strong links with a wide number of professional bodies, it represents nearly all civil litigation practices in London. The LSLA operates through a Committee of some 15 members, which includes members of the Civil Justice Council, Civil Procedure Rules Committee, Law Society Civil Litigation Committee and local Law Societies. The Association has a long track record of responding to consultation papers, and has drawn on a range of views in responding to the current consultation paper.

The LSLA Committee considered the issues to be raised in the proposed practice direction on the topic of Court dress. Members of the Committee consulted with their respective firms.

The following summarises the views of the Association:

1. There is a general belief that apart from the obvious cases such as fraud and committal, the remaining practices of wearing wing collars, bands and wigs should be ended.
2. There are mixed views as regards the proposal to dispense with robes. The majority favours continuing the practice. It is unclear from those respondents whether they favoured robes in all cases or only at the instigation of the parties or the trial Judge. Our view is that there ought to be a general practice at trials, which should be in favour of robes, with no robes for interlocutory hearings (except for the exceptional cases referred to above).
3. In reaching this view it was apparent from a number of respondents that their clients, in particular overseas clients, tended to expect a degree of formality from the English Commercial Court, and retention of robes would be consistent with this aspect of the Court which is probably a desirable feature from the point of view of winning work from other jurisdictions.
4. It is acknowledged that there was a certain irony in this point in that the higher Courts, in the form of the Appellate Committee of the House of Lords and the Judicial Committee of the Privy Council, have no formal Court dress. Despite this, the reasons for favouring the retention of robes for trials in the Commercial Court probably remains good.

6 December 2006