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From The Times

May 13, 2008

Lord Chief Justice and his funky new gown

Frances Gibb, Legal Editor

For 300 years the wig and gown have symbolised the authority of the court. All that will change in October, when judges in civil and family cases will ditch their horsehair wigs and instead be dressed by a designer whose trademark is “funky British clothes for aspiring funky British girls”.

The new look – a simple gown fastened with poppers – was modelled yesterday by Britain’s most senior judge, the Lord Chief Justice, Lord Phillips of Worth Matravers.

Since his appointment three years ago, Lord Phillips has wanted to be rid of wigs. He has complained of having to change into “five different outfits” depending on the season or occasion. He said that he was very pleased with the result. Of his fellow judges he said: “I’ve not got 100 per cent support but I have the majority. I hope that after wearing the new gown for a while everyone will be happy.”

The robe, designed by Betty Jackson, replaces the wig, wing collar and bands and black gown. Lord Phillips said that it was “very comfortable” and easier to get on and off, removing the need to remove collars and ties to put on wing collars and bands.



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Not having to wear a wig, especially in hot weather, would be very welcome, he added. The gown is made of a dark navy gaberdine and wool mix, trimmed with velvet on the cuffs and facings. The version for women has a pleated white removable ruff.

Coloured bands incorporated in the outfit are a nod to tradition and denote seniority. There is gold for the Court of Appeal judges and heads of High Court divisions; red for the High Court judges; lilac for circuit judges when they sit as deputy High Court judges; blue for the district judges. The colour for masters and registrars has yet to be decided.

Lord Phillips, who will become the new senior law lord from the autumn, said: “Quite a lot of judges are not in favour of change at all because it is a break with tradition.” He had not yet heard of any “refuseniks”, but added: “I shan’t be in charge of enforcement.”

Ms Jackson, who was appointed CBE last year, worked without a fee after she was approached by a friend married to an appeal judge. She said: “We’ve tried to keep a link with tradition. The

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idea of collar bands is retained in the coloured bands. It's quite a big thing after 300 years of history". The state will no longer pay for full-bottomed wigs for circuit judges on ceremonial occasions such as the start of the legal year, although they can continue to wear them if they wish.

Last year a public consultation found that the majority of barristers and members of the public found were in favour of keeping full legal dress in the higher courts. That raises the prospect of barristers wearing wigs but judges going wigless.

More than 800 robes are being made by Ede & Ravenscroft in London, William Northam in Cambridge, Taylors of Oxford and Gray & Son, Durham. It will cost £450,000 to supply all judges in civil cases, after which it is estimated that there will be about £200,000 in annual savings.

A spokesman for Lord Phillips said: "They will be replaced after ten years. At present they get one set of robes and they have to keep them for life, however flea-ridden."

Itching for change

— Lawyers did not wear wigs until the 17th century. Previously they were expected to appear in court with short hair and a beard

— Wigs came into fashion when worn in court in Charles II's reign

— It took some time to convince judges of the merits of wigs; portraits show them defiantly sporting their own natural hair

— By the reign of George III wigs were out of fashion, but were still worn by bishops, coachmen and the legal profession. Bishops stopped wearing them in the 1830s

— Judges wore full-bottomed wigs until the 1780s when the "bob wig", with frizzed sides and a short tail, was adopted for civil trials

— The full-bottomed wig, used for criminal trials until the 1840s, is now only for ceremonial dress but will no longer be paid for as part of the judges' allowance

— Smaller wigs are used daily except in family proceedings or in chambers. They will be retained in criminal courts

— Pros of the wig: worldwide emblem of legal profession; anonymity from criminals; liked by public and defendants.

— Cons of the wig: itchy, dirty (often), hot and old-fashioned; add to perception of judges as out-of-touch and fuddy duddy



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HAVE YOUR SAY

Will counsel now have the right to say to the bench "I can't hear you" ?

David Hodgkinson, Derby,

The robe in the picture looks like a dressing gown that Noel Coward might have worn, and is wholly inappropriate for judicial office. Lord Phillips' personal taste in clothing should not be permitted to destroy centuries of tradition of judicial dignity.

James E. Petts, Burnham, England

Reminds me of the symbolism and costume of V for Vendetta. Nice.
V, London, England

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