

# **Court Attire Policy**

### **Purpose**

This policy aims to ensure barristers appear before the court in attire that meets the Court's expectations.

## **Application**

This policy applies to:

- barristers appearing in proceedings before the Court of Appeal, Court of Criminal Appeal, Common Law Division, and Equity Division
- barristers attending ceremonial sittings of the Supreme Court

**Court of Appeal** 

| If appearing before a: | Robes  | Wig |
|------------------------|--|-----|
| Judge                  | Yes, except for directions hearings and Monday referrals before a single Judge | No  |
| Registrar              | No   | No  |

**Court of Criminal Appeal** 

| If appearing before a: | Robes | Wig |
|------------------------|-------|-----|
| Judge                  | Yes   | Yes |
| Registrar              | No    | No  |

#### **Common Law Division**

|   | Hearing type  | Robes                                      | Wig  |
|---|---|--|--|
|   | Bail  | No   | No   |
|   | Trial   | Yes  | Yes  |
| Crime Pre-trial mentions or application |   | No, unless the accused is present in court | No, unless the accused is present in court |
|   | Sentence proceedings                                    | Yes  | Yes  |
|   | Delivery of reserved judgment                           | Yes  | Yes  |
| Civil                                   | Pre-trial applications, mentions, callovers, directions | No   | No   |
|   | Civil trials  | Yes  | Yes  |
|   | Duty matters  | No   | No   |
|   | Delivery of reserved judgment                           | Yes  | Yes  |

**Equity Division** 

|  | Equity Division   |   |  |  |  |
|--|---|---|--|--|--|
| Hearing type/List name   | Robes   | Wig   |  |  |  |
| Trials   | Yes, including enquiries as to damages and for account of profits   | Yes, including enquiries as to damages and for account of profits   |  |  |  |
| Duty Judge   | Yes, all lists  | Yes, all lists  |  |  |  |
| Delivery of reserved judgment  | Yes, except in respect of reserved judgments on motions   | Yes, except in respect of reserved judgments on motions   |  |  |  |
| Motions in the:  |   |   |  |  |  |
| Probate List   | Yes   | Yes   |  |  |  |
| Protective List  | Yes   | Yes   |  |  |  |
| Corporations List  | Yes   | Yes   |  |  |  |
| <ul><li>Revenue List</li><li>9.30am</li><li>Other</li></ul>                              | No  | No  |  |  |  |
| motions  | Yes   | Yes   |  |  |  |
| <ul> <li>Other lists</li> </ul>  | No  | No  |  |  |  |
| Directions in the:   |   |   |  |  |  |
| Probate List   | Yes   | Yes   |  |  |  |
| Protective List  | Yes   | Yes   |  |  |  |
| <ul> <li>Corporations List</li> <li>9.30am</li> <li>Other</li> <li>directions</li> </ul> | No<br>Yes   | No<br>Yes   |  |  |  |
| Other lists  | No, except if the presiding judge is also sitting as Duty Judge or the directions hearing occurs during the course of a trial | No, except if the presiding judge is also sitting as Duty Judge or the directions hearing occurs during the course of a trial |  |  |  |

**Ceremonial sittings**Barristers are to wear robes and wigs. Senior Counsel should wear full-bottomed wigs.

# Issued by

J J Spigelman AC Chief Justice of NSW On 20 September 2007