

Lord Justice Hobhouse delivered a concurring judgment and Lord Justice Aldous agreed.

Solicitors: Mr J. B. O. Hinchliffe, East Grinstead; Mr P. N. Crossley, Crawley.

Criminal procedure — group identification — court foyer appropriate venue

February 23, 1995

Court of Appeal

Regina v Tiplady

The foyer of a magistrates court might be an appropriate place for a group identification to take place.

It should not be equated with a police station which, in paragraph 2.9 of Code D of the *Police and Criminal Evidence Act 1984 (s.66) Codes of Practice*, was expressly disapproved.

The Court of Appeal (Lord Taylor of Gosforth, Lord Chief Justice, Mr Justice Popplewell and Mrs Justice Steel) so stated on February 14, when dismissing the appeal of Gary Steven Tiplady against his conviction on July 28, 1994 at Snaresbrook Crown Court (Judge Martineau and a jury) of two counts of applying a false trade description to goods, contrary to section 1(1)(b) of the Trade Descriptions Act 1968.

THE LORD CHIEF JUSTICE said that their Lordships saw a distinction between an identification at a police station and one at a magistrates court, where there was likely to be a great coming and going of a greater variety of people than at a police station.

In the present case there was evidence that at any one time between 20 and 30 people, including young men of an age group equivalent to the appellant's, were in court. Their Lordships did not consider the venue inappropriate for the group identification.

Lloyd's litigation — case management — future cases

February 23, 1995

Queen's Bench Division

Deeny v Littlejohn & Co and Others

The overall case management of Lloyd's litigation could only be achieved in an efficient and consistent manner if all future cases were commenced in the Queen's Bench Commercial Court.

Mr Justice Cresswell so stated in the Commercial Court of the Queen's Bench Division on February 2, in a judgment given in chambers and reported with the leave of the judge.

MR JUSTICE CRESSWELL said that on May 12, 1994 the plaintiffs issued proceedings in the Chancery Division against the first, second and third auditor defendants in action No 1994 D/2660. On November 9 the plaintiffs issued a second set of proceedings in the Chancery Division against

the broker defendants in action No 994 D/6150. On December 6, Mrs Justice Arden transferred those actions to the Queen's Bench Division. On December 21, his Lordship ordered that the two actions be assigned to the Commercial List.

By a statement dated March 18, 1992 (unreported), Mr Justice Evans, then in charge of the Commercial List, made provision for the management of "all existing and future cases concerning the conduct or management of business at Lloyd's and involving either the Society of Lloyd's or disputes between parties involved in the business of Lloyd's including underwriting members, their members and underwriting agents and brokers".

Following that statement, Mr Justice Saville initiated a detailed management plan which had been developed by the court. His Lordship wished to emphasise, however, that the overall case management of Lloyd's litigation could only be achieved in an efficient and consistent manner if all future cases concerning the conduct or management of Lloyd's and involving either the Society of Lloyd's or disputes between parties involved in the business of Lloyd's including underwriting members, their members and underwriting agents and brokers and auditors were commenced in the Commercial List.

For a further description of the Lloyd's litigation his Lordship drew attention to the six categories of cases referred to in *Lloyd's Litigation: Note* (*The Times* February 8, 1994; [1994] TLR 70) and *Lloyd's Litigation: Case Management* (*The Times* March 11, 1994; [1994] TLR 142).

Matrimonial law — ancillary relief proceedings — supplementary reserved costs award

February 23, 1995

Family Division

S v S (Family proceedings: Reserved costs orders)

Before Mr Michael Horowitz, QC

[Judgment February 13]

Judges of the Family Division had jurisdiction to make a supplementary order for the award of reserved costs which were not requested at the conclusion of the original proceedings.

Mr Michael Horowitz, QC, sitting as a deputy judge of the Family Division, so held in a reserved judgment, delivered in chambers and reported with leave, allowing the wife's application for a supplementary order to be made against her husband in relation to a costs order made on May 4, 1994 following the conclusion of ancillary relief proceedings.

Mr Nicholas Francis, who did not appear below, for the wife; Mr Timothy Scott, who did not appear below, for the husband.

HIS LORDSHIP said that, following a five day ancillary relief hearing, the wife had produced a schedule of her costs. No specific reference was made in that schedule to the numerous interlocutory orders, in several of which, particularly in connection with orders under section 37 of the