



Starting the month with a splash

A swimmer about to join the birds for a dip in the Serpentine in Hyde Park, London, yesterday morning. Photograph: Toby Melville/Reuters

Law

Report highlights lack of diversity and low morale

The dilapidated state of some courts, a shortage of support staff and heavy administrative burdens are depressing the judiciary's morale, a parliamentary report has warned.

The Lords constitution select committee has also suggested that the mandatory retirement age of 70 for judges should be lifted to ease the problems of recruitment and retention.

Progress on improving diversity on the bench has been limited, the peers say. Law firms, the report suggests, are often barriers to progress since solicitors find it difficult to pursue judicial aspirations openly as it could "result in being

marginalised within their firm". The peers also, in effect, rebuked the former lord chancellor Liz Truss for failing to criticise the Daily Mail headline that branded judges in the article 50 Brexit court case "enemies of the people". Future office holders must defend the independence of the judiciary, the committee said. **Owen Bowcott**

Transport

Black cab shape is not distinctive, judges rule

New-style taxis could appear on city streets after two court of appeal judges ruled that the shape of a traditional London black cab was not distinctive.

The London Taxi Company wanted to claim an exclusive right to the black cab

shape and thwart a rival firm. But Lord Justice Kitchin and Lord Justice Floyd have upheld a ruling made last year by a high court judge.

In 2016, Mr Justice Arnold ruled that the shape was not a "valid registered trademark" after a high court hearing in London. Appeal judges dismissed a challenge by the taxi company yesterday - although Floyd indicated that supreme court justices might be asked to consider the case. Ecotive, a rival to the London Taxi Company, said it could now put its electric Metrocab into production.

The food multinational Nestlé lost a similar trademark fight this year over the shape of a Kit Kat chocolate bar.

Mike Gardner, a lawyer at Wedlake Bell, said: "The court of appeal has dashed the notion that there is any trademark protection for the classic design." **PA**

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