Double-hatting has nothing to do with Lewis Carroll and tea parties.

It is the phrase used to describe the pilot scheme introduced after First-tier Tribunal judges became empowered to sit as county court judges under section 5(2)(t) & (u) of the Crime & Courts Act 2013.

It is also fair to say that the scheme came a little unstuck in *Avon Ground Rents Ltd v Child* [2018] UKUT 204(LC), a case involving the vexed issue of legal costs.

The difficulty arose when the First-tier Tribunal exercised its county court powers to assess legal costs whilst wearing its First-tier Tribunal hat. On appeal, the Upper Tribunal held that in double-hatting cases, it was imperative that the tribunal and county court powers be clearly and separately exercised, particularly because whereas the court has the power to assess costs under section 51 Senior Courts Act 1981, the First-tier Tribunal does not.