

Your Legal Questions

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Q I recently bought a size 14 dress from a respectable high street chain however it does not fit me. All other size 14 clothes from that particular shop fit so I want to return the dress. Can I do this?

A Many High Street shops have their own 28 day (or equivalent) returns policy so it is worth checking with the shop to see whether they have one. If the shop does have a returns policy it means that if you have not worn the dress and wish to return it within the time specified from purchase you will be able to do so.

If the shop does not have a returns policy you may wish to try and rely upon the Sale of Goods Act 1979 (as amended). This Act protects consumers and lays down important requirements for sellers of goods. When an individual purchases an item it must be as described, of a satisfactory quality and fit for purpose. As you have stated that all other size 14 dresses from the shop you brought the dress from fit you, it is possible that the dress was not as described and was instead wrongly labelled. If this is correct you can simply return the dress to the shop and request a refund under the Sale of Goods Act. You must return the dress quickly otherwise you will be deemed to have accepted the dress and any refund may be apportioned, meaning you will receive less than you paid. It is however difficult to prove that an item of clothing has been incorrectly labelled as there are no unified sizes within the United Kingdom which specify the exact size a size 14 dress should be. You may therefore prefer to rely on the individual shop's returns policy, assuming it has one.

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