

100 YEARS OF WOMEN IN LAW: HIGHLIGHTS

At the end of 2022, England and Wales celebrated the centenary of the first qualified women solicitors entering the profession. This International Women's Day, we look back on some of the key developments in these first 100 years in our jurisdiction and also within Haynes Boone.



1920s: The Firsts

- On 18 December 1922, **Carrie Morrison, Maud Crofts, Mary Pickup** and **Mary Sykes** led the way for us by becoming the first women to pass the Law Society examinations and be admitted to practice as solicitors.
- This important year also saw the first women to be called to the English Bar: **Helena Normanton**, who became the first woman to practice as a barrister in England and **Ivy Williams** (who never practiced).

The passing of the Sex Qualification (Removal) Act in 1919 enabled women to join the Civil Service and the judiciary, which they previously were prevented from, by virtue of them being women or married. Women were not even classified as "persons" under the Solicitors Act 1843! The 1919 Act was short but had profound effects on the abilities of women to participate fully in society.

1930s: Progress...?

The Bar Council allowed women barristers to practice under their maiden name, so that women were "*not deprived of the professional reputation acquired as spinsters.*"

1940s: Kings Counsel

- The first women to be appointed as King's Counsel at the English Bar were **Dame Rose Heilbron** and **Helena Normanton** in 1949.

Dame Rose Heilbron had been in practice for 10 years and was only 34 years of age with a baby daughter when she was appointed King's Counsel. The silk's dress code had to be changed to suit women's attire. Many of her cases, which were high-profile, gripped the public's attention, particularly the murder trials, where the death penalty was still an option.

In 1945, she became the first woman to win a case at the Old Bailey, and in 1949, she became the first woman to lead in an English murder case, when she defended the gangster George Kelly, accused of shooting dead the deputy manager of the Cameo cinema in Liverpool. This case gripped the nation and led to the Daily Mirror naming Dame Rose as "Woman of the Year." It was, of course, incredibly rare for a woman to be so successful in her field,

at the same time as being a wife and mother, and this led to Dame Rose's widespread fame and coverage in the media, although she was never permitted to talk to the press or give an interview herself. For most of the 1950s and for part of the 1960s she was the only female practicing silk in England and Wales.



Dame Rose Heilbron
by Elliot & Fry, 1949
© National Portrait Gallery,
London

HAYNES BOONE

1950s: Another First

- Just like the rest of her career, almost everything **Dame Rose Helibron** did was a first. In 1956, she became the first woman appointed to the senior judiciary in England when she was appointed Recorder of Burnley.

1960s: Crossing the Bench

- **Dame Elizabeth Lane** was appointed first female judge in the County Court in 1962, but she appeared in the official calendar as "Mr. Commissioner, Elizabeth Kathleen Lane QC." At this time, it was normal for women in the legal profession to be referred to as "Mr.," "My Lord" and "Lord Justice." Dame Elizabeth was also the first woman to be appointed as a judge of the High Court (Family Division) in 1965. Due to prevailing gender stereotyping, many of the first women judges appointed to the High Court were allocated to the Family Division, despite their expertise often lying elsewhere.
- It took many years for the titling to be fully updated. Initially, female justices were addressed as "Mrs." regardless of marital status or preference. The term "Lady Justice" began to be used in practice soon after women were promoted to sit as judges of the Court of Appeal (although when Elizabeth Butler-Sloss (**Baroness Butler-Sloss**) was appointed as the first woman to the Court of Appeal in 1988, she became the first female "Lord Justice of Appeal"). It was only in 2014 that Alison Russel, QC, became the first judge to be officially addressed as **The Hon Ms Justice Russell**.

1970s: Slow Progress

- Fifty years after the first female solicitors were admitted to the roll, over 1,500 women were practicing as solicitors (10% of all new admissions to the roll in 1970). At this point, the majority of women solicitors joined small practices or became family lawyers, as very few large City law firms in London were receptive to employing women.

On the other side of the pond, Haynes Boone was founded in 1970, and it was distinguishing itself from its competitors by hiring women. In the mid-1970s, most large law firms in Texas would not even interview female students, but Haynes Boone had no such reservations. **Nina Cortell** was the first female associate at Haynes Boone in 1976, having completed a summer clerkship the previous year. Many female associates followed Nina in the late 1970s.

1980s: Female Momentum

- The mid-1980s was a time of expansion and a turning point for women becoming partner in both London and the U.S. **Nina Cortell** became the first woman and second-youngest person at Haynes Boone to make partner, as she spearheaded the firm's appellate practice in the U.S. Nina also played a crucial role as the first of several women hired in the late 1970s who dubbed themselves the "Women's Executive Committee," had lunch together regularly and leant on each other for support. Nina took the lead at Haynes Boone to create the firm's first maternity leave policy for herself, as one had never been required before. She also pioneered the firm's flexible working policy.

1990s: Equality?

- Patricia Scotland (**Baroness Scotland of Asthal**) became the first Black woman to be appointed to Queen's Counsel in 1991. At age 35, she was also the youngest person in over 200 years to take silk. She went on to become the first woman appointed Attorney General for England and Wales and Advocate General for Northern Ireland in 2007.
- It was also the tipping point where female solicitors began edging their way towards parity and proportionality at the lower levels of the profession, with most law firms taking as many (if not more) females as male trainee solicitors. The absolute number of white females admitted as

HAYNES BOONE

solicitors exceeded that of white male entrants from the mid-1990s, and peaked at 60% in 2016.

2000s: Reigning Supreme

- Having been the first woman appointed to the Law Commission in 1985, Brenda Hale (**Lady Hale of Richmond**) became the first woman to join the House of Lords as a Lord of Appeal in Ordinary in 2005. She then went on to become the first woman justice of the U.K. Supreme Court in 2009 (when it was formed), and in 2017, she became the first woman appointed as president of the UK Supreme Court.

2010s: The Lady's Majority

- Following in the steps of Lady Hale, in 2017 and 2018 respectively, the second and third women Justices of the Supreme Court were appointed, Jill Black (**Lady Black of Derwent**) and Mary Arden (**Lady Arden of Heswall**). Together in 2018, Lady Hale, Lady Black and Lady Arden sat as three of the five judges to hear the case Re D, making it the first majority female panel to hear a case at the U.K. Supreme Court.

2020s: The Future?

- Despite the parity at the junior end of the legal profession, in most large law firms in London and the U.S. alike and at the Bar, the number of women reaching partnership and making silk has fluctuated around 20% well into the 21st century. Haynes Boone has seen an increase from 22% female partners in 2018 to 26% in 2022 and is continuing to show vast efforts to improve in this regard, with 69% of the new partnership class of 2022 being female (as well as 62% being composed of racial and ethnic minorities).

As women enter their second century in the law, they still face the challenge of achieving true equality in all roles in the profession. However, we can be proud of the progress that has been made over the past century and the contributions that women have made and continue to make to the legal profession.