**HILARY HEILBRON QC 28 JANUARY 2020**

Tonight’s celebration provides me with an opportunity for a retrospective review of the progress women lawyers have made over the last 100 years.

And in so doing I shall tell you a little about my mother’s contribution. My Mother, as you may know, has been the face of the First 100 Year’s Project.

But first let us cast our minds back to December 1919. Not only could women not become lawyers, but they could not vote, they did not have equal rights as parents over children, and they could not appear on juries, to name just some of their handicaps to progression.

Women had just emerged from the Victorian era, when they had been regarded as inferior beings, subjugated to their husbands and where the attitude to women is epitomised by Queen Victoria herself who in a letter to Theodore Martin wrote:

*“The Queen is most anxious to enlist everyone who can speak or write to join in checking this mad, wicked folly of “Women’s Rights”, with all its attendant horrors, on which the poor feeble sex is bent…It is a subject which makes the Queen so furious that she cannot contain herself….”*

Even in 1918 the Income Tax Act classified married women as incapacitated persons along with infants and lunatics.

This was the world into which my Mother was born in 1914, in Liverpool, where I too grew up.

In 1935 she was awarded a first class honour’s LLB degree from Liverpool University which led to her winning a scholarship to Gray’s Inn, without which she could not have afforded to come to the Bar. She also took an LLM.

She was called to the Bar in May 1939, her mother having died at a tragically young age the previous year. It was then that she came up against the first prejudice against women.

Women were discouraged from coming to the Bar because of their alleged small voices and high-pitched tones, a criticism which could not be levelled against her as she had a trained voice.

Trying to get pupillage proved difficult and she was rebuffed on more than one occasion. One such letter from a prospective pupilmaster illustrates the contemporaneous attitudes. In justifying his position he stated:

*“I have a definite feeling that the other men in these chambers and the clerk would not welcome a woman pupil.”*

She eventually found a pupillage with Dick Trotter, later a Country Court Judge. A confirmed bachelor – it was alleged by some wag that they lived in “*forensic sin*”.

Her talent both as a lawyer and as an inspiring advocate was soon recognized. Only about a year into practice a solicitor commented to a local newspaper that:

“*There’s no doubt about it: to borrow a phrase from Hollywood, she will be a sensation in four or five years’ time*.”

My Mother was beautiful and photogenic, so she made good press copy coupled with the fact that what she was doing for the most part had never been done before.

So every little thing such as a first appearance at a particular Police Court (now magistrates court) would attract column inches.

On one occasion the Daily Post reported:

“*History has just been made today at Liverpool law courts by a woman barrister who during a case in which she was not personally engaged, sat in the barristers’ benches without wig or hat …”*

Alongside these more trivial incidents my Mother was making her mark.

Her undoubted eloquence and ability enabled her to build a large and varied criminal and civil junior practice and along the way start the roll-call of firsts which she achieved in her career, for example, she was the first female barrister to defend in a murder trial.

For the most part it was her criminal practice which attracted the headlines, because capital punishment followed a conviction for murder and that gruesome prospect engaged the public interest.

Notable civil cases as a junior included:

Successfully representing Learie Constantine, the world famous cricketer, led by Sir Patrick Hastings QC in what was probably the first ever anti-discrimination case, when he was barred from staying at a London hotel because he was black.

Appearing in the House of Lords without a leader against the then Attorney General, Hartley Shawcross, in Adams v Naylor, a case concerning a young boy who had been blown up by a landmine on sand dunes which had been requisitioned during the War by the Ministry of Defence.

The case is significant in that it led to the Crown Proceedings Act enabling plaintiffs to sue the Crown for the first time.

In 1949, just ten years after being called to the Bar, aged only 34, and still, the third youngest ever, she was made the first female KC jointly with Helena Normanton, who had been the first female to practice at the Bar.

Earlier that year she had become a Mother, a role she undertook with great love and I never felt disadvantaged as a child having a working mother and she was always there when I needed her.

Taking silk put my Mother into a different league in every way. Helena Normanton retired a couple of years later and for most of the 1950s early 1960s my Mother was the only female silk practicing in England.

It also brought its challenges. For instance, in those days, once a barrister took silk, they not only had to move chambers from the Circuit to London, but also to live in London. This obviously caused a problem for my Mother as my Father’s general medical practice was in Liverpool.

So she was forced to have the ignominious task of making her plea to the 12 male silks then practicing in Liverpool to ask if she could continue to live with her husband. They relented, provided she took her telephone number out of the telephone book. Such were the restrictive practices in 1949.

Once in silk, she was instructed in a string of very famous cases both criminal and civil. In her murder trials she saved several clients from the gallows leading to Press headlines such as “*Rose QC does it again*”; “*Rose Heilbron QC ends another Brilliant Case*”, it being said that because of her reputation juries hung on her every word.

But let me start with the case that first made her name in silk.

Nine months after taking silk and 70 years ago this month she was instructed to defend George Kelly on a charge of double murder in the famous and fascinating Cameo case and as such became the first female silk to defend in a murder trial.

George Kelly was initially skeptical of her being his counsel allegedly complaining to another prison inmate: “*whoever heard of a Judy defending anyone*?”, but she soon won him over.

The case captured the public imagination and queues snaked outside St George’s Hall to enter the court room.

Although after two trials, the first jury having been unable to reach a verdict, Kelly was ultimately hanged, over 50 years later his conviction was quashed as a result of the conduct and non-disclosure of the Police and the case remains unsolved.

There followed many other fascinating cases, all around the country, often attracting epithets, such as:

The Bootle Bath murder case, where she successfully saved from the gallows a French woman accused of drowning a neighbour.

The Houseboat twins murder case where her client was accused of murdering her twins by setting fire to her houseboat.

She was acquitted of murder and found guilty of manslaughter – no doubt with these words from my Mother’s final speech ringing in the jury’s ears, an example of her bringing a feminine angle to her work:

*There she was going to be in her pyjamas with her hair in curlers. Would she have gone to bed in curlers and then faced firemen, police etc if she planned to set fire to the boat?*

Then there was the Jack Spot trial, Jack Spot being a notorious London gangster who when he was acquitted of wounding with intent to cause GBH, described her as the “*greatest lawyer in history*” a compliment perhaps she would have preferred from someone else.

A final example, and there are many more, was the Dockers case when she successfully defended Liverpool dockers who had come out on strike and were charged with breaching certain regulations.

On her return to Liverpool from the Old Bailey, a group of dockers waited for her at Lime Street station to serenade her along the platform. One docker, who called himself Mersey Mike, even wrote her a poem.

They were heady days. There were many other great successes, but, of course, in some cases she was not successful.

But at the same time her civil practice flourished with many reported cases, a recognition of her legal abilities as well as her advocacy skills.

Her novelty factor as a successful career woman and young mother continued to attract huge press coverage locally, nationally and internationally.

Headlines such as “*Housewife who is Britain’s Portia”; “The Astonishing Rise of Rose Heilbron”* and “*The Woman of the Year*” among some of the glowing articles written about her.

Many of her cases were reported at length, often with references to my mother in the heading with a photograph of her in wig or leaving court.

She appeared in numerous articles about women.

* She received fan mail and all sorts of strange requests such as for a photograph of her in a bathing suit.
* One admirer who would write in turquoise ink to his “*Pin-Up*” told her after a case in which her client had been acquitted of murder that she should not go round persuading juries that men are entitled to strangle their lady friends!
* In 1952 Margaret Thatcher wrote an article encouraging other women to follow in her path; and
* Lord Carnarven named a horse after her – and we lost some money on it too!.

And all this without ever posing for a photograph or giving an interview, because to do so in those days would have been professional misconduct.

Astonishingly, in all the thousands of newspaper clippings I have read I never saw any criticism; only praise – the sort of publicity which celebrities of today would die for.

Alongside her work she gave many talks about law reform and women’s issues, regularly speaking about matters way ahead of her time some of which reforms have come to fruition.

Sometimes her speeches were reported in the papers with headlines such as “*Women should know what husbands Earn*”; “*These Wasted Women*; “*Equal Pay soon says Woman KC*”.

In 1956, she became the first female Recorder of Burnley and regarded as England’s first female judge, although there had been a stipendiary magistrate in the previous decade.

The Press went into overdrive with many amusing cartoons –such as the picture of some old lag preening himself outside court with the caption: “*Relax Romeo, it’s not M’Lady, it’s M’Lud*”.

In 1972 she became the first woman to sit in the Old Bailey shortly after opening her own chambers in Gray’s Inn.

Following a string of other firsts such as being the first female Commissioner of Assize; first female Bencher of Gray’s Inn; first female leader of any circuit, in 1974 she became the second female High Court judge.

She was assigned to the Family Division and thus her cases with a few exceptions no longer hit the headlines, but by then she was 60 years of age. This did not prevent her becoming the first female Treasurer of any Inn in 1985 nor chairing an important rape report in 1975 nor becoming the first female Presiding Judge on any circuit.

She retired in November 1988.

But of course prejudice dogged her throughout her career.

Women, perceived as wilting flowers who might blush at rude jokes, were precluded from attending Bar Mess and judges’ dinners until the mid-1960s and from Grand Court until 1973.

Her fame no doubt brought jealousy too. She achieved her judicial preferment much later than she would have had she been a man, but she always acknowledged that women had to be patient and she just got on with the job.

Women have come a long way since 1919 and what were merely aspirations in my Mother’s day are now expectations with more than half the lawyers entering the profession from university being women.

Even when I came to the Bar in the early 1970s, things remained difficult for women.

London commercial chambers such as mine were just beginning to take on their first female tenant – or statutory tenant as they were called – long before there was any statute. The excuse for not taking female tenants was the absence of a female toilet.

In any event, despite the absence of a separate female loo, I was taken on at Brick Court Chambers, where I have been ever since –no advocacy or other tests or assessments then.

I was the first and only female tenant for over 10 years. We now have 11 female silks and 21 female tenants and of course our first joint female Head of Chambers.

It was rare for me not to be the only professional woman in the room at events or at meetings.

My starting at the Bar coincided with the time when the city firms were taking on their first female partners.

But at the Bar it was still an era for the most part of bowler hats and pinstriped trousers for men and black skirt suits (not trousers) for women: coloured nailpolish and jewellery were frowned upon. One female barrister was even told to cut off the brass buttons on her black suit jacket as being too glaring.

Things such as maternity leave and paternity leave were a long way over the horizon.

In 1987 I took silk, becoming jointly with Barbara Dohman, the first female practicing in the Commercial Court to do so, and yet, 38 years after my Mother became the first such silk, I was still only the 29th female silk.

The latest statistics for 2018 show the number has increased to 275 but still only represents 16% of the Bar. There have been many notable achievements, and an increasing number of female judges at all levels with the first female President of the Supreme Court, Lady Hale.

So as we now move into the second hundred years of women lawyers, it is inevitable that the sheer numbers of women will continue to change attitudes and results.

I have no doubt we shall have more female silks, more female partners in law firms and more female judges. Such talents cannot be wasted.

But in considering women in the profession we must not ignore other diversity issues. Nor should we ignore the men - equality of opportunity means what it says! And I am delighted to see so many men here tonight.

My mother undoubtedly played a very significant historical role in women’s progress in the legal profession, but she would have been the first to acknowledge that there is still some way to go and we should not be complacent. So let’s look forward to the next 100 years of women lawyers with determination and optimism.