

## LADY CARR, LADY CHIEF JUSTICE

### 75<sup>TH</sup> ANNIVERSARY EVENT TO CELEBRATE THE FIRST WOMEN BEING APPOINTED SILK

30 SEPTEMBER 2024

1. Over 300 women have been brought together to celebrate not only their own achievement of being appointed silk, but the achievement of those who have come before them. It is a really special occasion: 75 years since Helena Normanton and Rose Heilbron took silk.
2. We are fortunate to have some of the early appointees here, including from the very first page of the incredible list created and nurtured by Eleanor Platt:
  - Shirley Ritchie [number 16 and appointed silk in 1979] was a leading silk at the family bar before her appointment as a CJ in 1995.
  - Eleanor herself [number 19 and appointed silk in 1982] had a distinguished career spanning 50 years at the family bar and was a founding member that set up the family specialist chambers 1 Garden Court Chambers.
  - Diana Cotton [number 23 and appointed silk in 1983] was appointed a Recorder in 1987 and a Deputy HCJ in 1993. She was also a Tribunal Judge in the Criminal Injuries Compensation Appeal Tribunal and Mental Health Review Tribunal.
  - Rosalyn (Baroness) Higgins [number 26 and appointed silk in 1986] was the first woman judge in the Hague and President of the International Court of Justice between 2006 and 2009.
3. It is always invidious to pick out individuals in such glittering company, but I'd like to welcome, in particular:
  - Hilary Heilbron [number 29 and appointed silk in 1987] Rose Heilbron's daughter who had a distinguished career at the commercial bar and now commercial arbitrator.

- June Venters [number 163 and appointed silk in 2006] the first solicitor silk who is a leading silk at the family bar.
  - and, finally, our most junior silk, who qualified as a solicitor in 2008 and came to the bar in 2014, Clea Topolski [number 641 and appointed silk in 2024].
4. This year's official statistics show that the female proportion in all three legal profession groups (barristers, solicitors & CILEx) has gradually risen since 2014. As of 1st April this year, 40% of barristers and 43% of judges were female. It is of note that in the 50 years from 1949 – 1998, just under 100 (96) women silks were appointed; in the following 25 years, 545 women silks were appointed, over five times that figure in half the time. I was delighted to preside over the silk ceremony earlier this year with the number of women applicants in 2023 at a record high of 78 and 38% of those appointed to silk being female.
  5. So, great progress - but no room for complacency. We still – of course – have much to do in terms of improving gender diversity at the bar and in the judiciary. Women are generally well represented in the legal professions but we still see fewer women in the top positions. And although progress has been made in improving the prospects for women in the law generally, the path is much harder for some women than others. We must focus on how intersectionality can impact representation, where gender combines with other protected characteristics. As an example, there are relatively fewer women from minority ethnic backgrounds in silk.
  6. It is going to be wonderful to see Barbara Mills KC as Chair of the Bar next year. I lay great importance on the value of visible representation. Women silks have taken on, and must continue to hold, leadership roles across the professions as whole. Perhaps today's celebration can be rolled out across the Circuits, within practitioner associations and elsewhere.
  7. Alongside this, a modern judiciary should reflect the society it serves; not only does this build confidence in the courts and the justice system, but it is just the right thing to do. So the Judicial Diversity Forum is really important, co-ordinating efforts across the board. I work with the Lord Chancellor, and leaders of the Judicial Appointments Commission, Legal Services Board, CILEx, the Bar Council and the Law Society in co-ordinating efforts

to ensure, amongst other things, that there is a pipeline of great talent from all backgrounds. The silk milestone can be an important part of that journey.

8. There is a vast range of further schemes and support projects for both aspiring silks and judges, including the Pre-Application Judicial Education Programme and judicial mentoring and shadowing schemes. I am delighted with the success of the recent guidance encouraging junior advocacy in cases where junior barristers are led.
9. Occasions like this give us an opportunity to reflect on how far we have come. So can I go back to the start with, Normanton and Heilbron.
10. **Normanton** was not only the first woman to become a silk but also the first woman to be admitted to an Inn of Court, making her application to Middle Temple in the same month that women had obtained the vote. In 1919, the Sex Disqualification (Removal) Act was about to pass. But on the 23<sup>rd</sup> December – when the Middle Temple Treasury Office was due to be closed - never one to let holidays get in her way, she must have gone to the Treasury Office on Christmas Eve, as her archives contain a library card in her name on that date with (the ‘Mr’ scrubbed out and ‘Miss’ written in) along with a membership fee receipt.
11. While a testament to her dedication, the scribbled over title demonstrates that we should remember that women’s place in the legal system has often been about compromising in a male environment. True progress is when such changes are no longer necessary—when we no longer debate whether it should be Lord or Lady Chief Justice.
12. **Heilbron** was also a woman of firsts: the first woman to be appointed to King’s Counsel, and the youngest King’s Counsel since 1783, the first female recorder and the first woman to lead (and then to preside over) a circuit – the Northern Circuit – in 1973.
13. One highlight of Rose’s career was when she appeared in the Court of Appeal as a junior in a case concerning the false imprisonment of a plaintiff found allegedly to be in possession of 12-14 pounds of his employer’s soapflakes. After her leader had sat down, Rose was asked if she had anything to follow. On this occasion, Rose, at the young age of 29, realised that, despite it only being lunchtime, the appeal was almost lost – her leader

had not understood or dealt with the key points of the case. So she bit the bullet and spoke for one and a half of hours turning the case around – no wonder she called this the ‘most amazing experience’. Indeed, when she was appointed Recorder of Burnley in November 1956, Lord Chief Justice Goddard, wrote to her congratulating on her appointment and remarked that they had been about to dismiss the case, but she had “pulled it out of the fire!”

14. I am delighted that we have Rose’s High Court robes and wig on display in the Royal Courts of Justice – just a stone’s throw away from where we are now. While a testament to her achievement in becoming a High Court judge, we should remember that they represent successful battles – for example, whether women should be forced to wear hats in court. More recently, it was only in the 1990s that women were allowed to wear trousers in courts in England and Wales. And from my perspective, reading the account of my first press conference as LCJ in The Times, I was surprised to be described as ‘striding into the room in a pair of three-inch stilettos’!
15. The photographic record that we are about to create celebrates where we are now and also creates an artefact, much like Helena Normanton’s membership card and Heilbron’s robes, for future reflection. I wonder what will be said when perhaps this endeavour is repeated in 2099 to celebrate 150 years of women silks.
16. Today is a day for celebration and contemplation. I am delighted to be with you all here. You are all magnificent, and an extraordinary inspiration to the profession and to young aspiring lawyers everywhere.