

"Men say the law is too rough and tumble for women" Carrie Morrison, England's first woman admitted by the Law Society in December 1922

In 2013, I was looking through the pages of an alumni magazine when a wonderful group photograph sprang out of the pages and captured my imagination. It pictured the partners of a global law firm, dating from 1982, as they hosted a party to mark the firm's centenary. As befits an ancient industry like the law, the party was hosted in the heart of the City of London, in the wooden panelled and richly decorated hall of one of its ancient guilds, the Grocers' Hall. I was mesmerised by the presence of just one, blue-clad woman – lonely, in the centre of the picture. It appeared that she was the only female partner in the firm at that time.

Since coming across the picture, up until today, I have spent over 10,000 hours trying to put together a coherent timeline of the journey of women in the legal profession since 1919, decades after the first generations attempted to take their place as equals among men. This year – 2022 – marks the centenary of the first women barristers and solicitors qualifying in England and Wales, from Dr Ivy Williams in May 1922 to the November cohorts of women who passed the Bar examinations and were admitted in November 1922, including Helena Normanton, who had been the first woman admitted as a student barrister in 1919.

Of course, the photograph told the story of its day – not dissimilar to that of, say, Prime Minister Margaret Thatcher's photographs of her cabinet, in which she too is the only woman, sitting centre stage. Many of the leading women in law practising in the 1970s and 1980s would have found themselves similarly lonely in professional circles. To me, this 1982 image, taken within my lifetime, encapsulated not a long-lost past, but the professional journey of women that are still active in the law today. It made me realise that without hearing more individual voices – past and present – it will be difficult to understand

what the future of women in the profession will really look like. Thus, the work of recording our generation's voices was started and continues with Next 100 Years, to create a rich collection of stories and role models, showing just how diverse women lawyers have been from the outset.

Women choose diverse legal careers

We have come a long way since Carrie Morrison, Maud Crofts, Mary Pickup, and Mary Sykes were admitted by the Law Society in December 1922 as England and Wales' first female solicitors, from that first group of four to today where 53% of the solicitor profession is female. When women's applications to become lawyers were finally accepted – after the Sex Disqualification (Removal) Act 1919 was passed on 23 December 1919 – their success in the profession was questioned not least, as one leading professor said at the time, "on account of public prejudice". Society itself was not ready to welcome them. Consumers would be unwilling to instruct a female advocate or solicitor, he said, and women were bound to be "bitterly disappointed". Many quit or never practised, yet a handful persevered and forged incredible careers, becoming the giants on whose shoulders the successes of our generation rest today.

Women have been entering the legal profession in higher numbers than men for decades now but at the current pace, their progression up the partnership ranks remains painfully slow. Their pay is still below that of their male counterparts. Dropout rate at the motherhood stage still far outstrips that of men, seeing many women's careers cut short.

Women are taking all routes available into the legal profession, from the traditional solicitor and barrister paths, to legal apprenticeships. They are entering the junior ranks of the judiciary in higher numbers and are highly represented in the legal departments of both businesses and government. They continue to build their own private practice law firms, as well as establishing new law firms or legal technology businesses. I wanted to reflect this diversity by asking women from different areas of the profession what the future holds.

The Next 100 Years The Shape of Things to Come

The Government Lawyer



Susanna McGibbon, Treasury Solicitor and Permanent Secretary of the Government Legal Department:

"It is so hard to imagine what the world will look like in a 100 years' time, let alone the legal profession - will the robots have taken over? I'd like to think that gender will have ceased to be an issue – the gender split at each level of the profession will be broadly reflective of its population with natural fluctuations being perfectly normal. Having a family or caring responsibilities will be no barrier to progression because success will be measured qualitatively rather than quantitatively. Working practices will be personal, diverse, and premised on the effectiveness and quality of service delivery. They will be embraced by the whole profession whatever gender or background.

Clients will value the quality of service, regardless of how or by whom it is delivered. This will need leadership from the professional bodies and legal organisations to shift expectations away from traditional practices developed by and for a (mostly) male world. Other changes that I would like to have seen by then include the Supreme Court having had compositions of more women than men from time to time, all senior judicial appointments and heads of the professions having been held by women many times over, the gender pay gap will be ancient history and women will be equally represented across all practice areas.

To achieve this, we need leadership from the men and women of the profession now to understand the challenges that still exist, to care about these and commit to removing barriers sooner rather than later, so that all can thrive in the profession."

The Private Practice Leader



Akima Paul Lambert, Partner, Hogan Lovells:

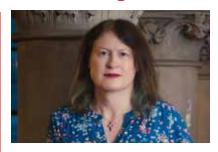
"In a 100 years' time, I would expect that we reframe the concept of what we see as work and what we see as value, and that women are compensated for all the work that they do in the profession that is either unpaid, or underpaid and undervalued.

This includes, but is not limited to, their advocacy on matters such as diversity, equity and inclusion, their contributions to the firm's pro bono and responsible business practices, and mentoring, which really is about upskilling and teaching. The recognition that all of this is work, and valuable work at that, will assist in achieving pay equity. With greater pay equity will come a more powerful seat at the table.

Hopefully, it will also encourage more men to take on the mantle and responsibility of upskilling the next generation and result in making all of our organisations fairer and more equitable places to work.

This is one of the most urgent ways in which genuine pay equity can be achieved."

The Judge



Dr Victoria McCloud, High Court Judge:

"I would like to see a combination of two interlinked things. Firstly, I hope to see societal change so that there is an equal expectation on both parents of children to perform childcare responsibilities.

In practice, at present in 2022, women still bear the bulk of that and other types of caring responsibilities. I hope that society progresses further away from the expectation that women perform such roles or a greater proportion of them, and towards a strong social presumption that both parents take equal responsibility. To enable that, I hope that, in turn, men's (and non-birth parent's) rights to parental leave and to all types of workplace accommodation for that and other caring roles becomes absolutely equal. Those are effectively societal changes coupled with changes to general law.

Turning to the second, but interlinked aspiration, the legal profession and the judiciary will, I hope, have normalised, and indeed required, that people do not have to work late or at the last minute on cases, or have to continue late at court. I hope to see courts invariably respect the reality that an advocate may have caring responsibilities and that requiring them, without any warning, to attend late in the day or to do significant overnight work may not only impair that person's ability to perform their caring role but may also, in turn, impose a burden on the other spouse or partner. This frequently means that women ultimately bear additional caring responsibility simply due to that unplanned imposition on the other partner's ability to do so."

"Imagine you are working in the legal profession in a 100 years' time. What important changes would you want the industry to have made by then to best help women to thrive in the profession?"

The Advocate for Legal Apprenticeships



Joanna Hughes, Joanna Hughes Solicitor Apprenticeships:

"The profession is starting to embrace all routes to qualification as a solicitor. In a 100 years' time it would be great if at least 50% of all newly qualified solicitors had qualified through the solicitor apprenticeship route. There are many reasons why women may wish to start work immediately after completing Year 13 at school, for independence or to avoid accumulating the average student debt of £45,000, for example. The solicitor apprenticeship provides that possibility.

Bringing young women into the workplace immediately after school is great for businesses too, helping to drive innovation. Solicitor apprentices work in the business four days a week while studying one day a week towards a Law Degree, SQE 1 and SQE 2. After six years, apprentices become fully qualified in the same way as traditional graduates and have exactly the same prospects. The law firms I am working with fully embrace the parity of esteem principle between the two routes. Degree apprenticeships of this kind are the highest level of apprenticeship and are becoming more common in the professions, including medicine. There are large numbers of solicitor apprenticeship programmes being run by national and regional law firms, and many City law firms have either launched a programme recently or are planning to launch a programme. It is a very exciting time for solicitor apprenticeships."

The In-House Lawyer



Nilema Bhakta-Jones, Group General Counsel, Kantar:

"We need to dismantle the way we currently train and educate lawyers and instead mandate that universities and law schools train lawyers in the core skills of empathy and bias, teaching black history – women of colour are still by far the most underrepresented in our profession – and how to have courageous conversations about career progression and promotion.

I want to see a fund created to enable more social mobility and promotion of all those who identify as women, irrespective of age, ethnicity, background, and social strata. Funding would come from licensing / practice certification fees.

We should mandate that firms and in-house counsel teams refresh and complete training relating to gender, empathy and the ability to have courageous conversations, every two years. This would be reinforced in the code of conduct issued by the SRA/Law Society and the Bar Council, with practising certificates not issued unless the training is completed.

Furthermore, firms should create programmes for returning mothers to get back on their leadership pathway and there should be forced ranking of firms and inhouse legal departments where there is no objective justification for pay inequity."

The CILEX Lawyer



Emma Davies, Vice President of CILEX (Chartered Institute of Legal Executives) says:

"The need to remove barriers for women working in the law is hugely important to CILEX, not least because around three quarters of our members are women, many of whom have caring responsibilities and are juggling childcare or looking after elderly relatives with their job in the law.

Our 'earn while you learn' route to a legal career which enables those with, or more predominantly without, university degrees to become qualified lawyers means our members are more likely to come from socially disadvantaged backgrounds - 85% attended state schools, only 3% have a parent who is a lawyer, and of those who attended university, 52% said they were the first in their family to do so. For women, that lack of financial backup and privilege can make it even harder to negotiate the barriers still faced by women working in the legal profession.

I want to see better support for women lawyers, with flexibility around working hours as the norm, the option to work remotely, and more certainty for women returning to the workforce after maternity leave. There needs to be better awareness and education around women's health and how natural changes, from pregnancy to menopause, can impact on their personal and professional lives.

Ultimately, in a 100 years' time – hopefully far sooner – we need to be in a place where women can feel fully supported to fulfil their professional aspirations, where we have both pay equality and equal representation at senior management level. We need a legal profession that is representative of the society it serves."



The Female Founder



Shainul Kassam, Fortune Law:

"I want a lot. I want real equality. I want us to be done with targets and positive discrimination and having to argue pure economic justifications as to why women should reach the very top. I want the profession to have removed barriers to accessing high-quality work without also having to forego a family. I want firms who cast their nets wide at recruitment level, bringing equality of gender to the payroll, to commit to structuring a pathway to partnership for all women should they desire it. I want open conversations about remuneration and access to coaching to set and achieve career goals. I want free or affordable childcare and I want financial support for female-founded challenger firms who strive to bridge the widening gender equity gap in our profession."

The Law Commissioner



Professor Sarah Green, Law Commissioner:

"I would want there to be no need for Women in Law or similar organisations. I would want there to be complete parity in terms of treatment, opportunity, and expectation. I would want there not to have to be distinctions made between parents and non-parents, or between carers and non-carers.

This will require, alongside the obvious technological and logistical modifications, a complete evolution of attitude, away from the where and how of work towards the purity of what. This will mean that, along the way, organisations will have been overhauled and thinking revolutionised: firms started by women; working patterns tailored to individual workers; a liberation of productivity from the anachronistic ties of industrial space and time. If we were to design the world of work today, we would not start where we are now. In a 100 years' time, I hope that we are where we want to be because we started the new design today."

Whilst we remain constantly preoccupied by the negligible change in the percentage of women at the top of the legal profession, it is easier to see - especially when setting the discussion in its historical context - how rapid the rise of women in the profession has been in the last 30 years, but also the areas that still require structural change. The focus of the next 100 years needs to be around uprooting the last remaining structural barriers to all women - and men - entering the legal profession, ensuring all are able to enjoy a lifelong career in law.

Dana Denis-Smith is Founder of First 100 Years and Next 100 Years.



Photograph by Rosie Parsons Photography