

Podcast 1

Fuller Transcript

Contributors

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LA

Welcome to the First 100 Years podcast series.

Join me Lucinda Acland and guests, as we reveal decade by decade the history and lives of the women in legal sector over the course of the last century.

The stories of the courageous pioneers and their struggle to practice law, the incredible rise in numbers of women who are now involved in all aspects of the legal sector and discuss the factors that are affecting the equality of opportunity and advancement to the top of the profession.

First 100 years is a unique project set up to celebrate the history of women in law and inspire and promote opportunities for future generations.

We'd like to thank Goldman Sachs and Linklaters who have generously supported this podcast series.

In July 2018, it was announced the majority of practising solicitors were women and that women now account for 61% of law graduates. This is really remarkable when you realise that they were barred from joining the legal profession as recently as 1919. So how did this rapid rise come about and who are the champions of the success story?

In this programme, we discuss the women who studied and worked in the law even though they were barred from the profession; the campaign for women to join the legal profession and the court challenge against the law society by four women in 1913 and the passing of the Sex Disqualification Removal Act 1919 and its impact for women lawyers in the early days.

With me today are Rosemary Auchmuty, Professor of Law, University of Reading; Alex Giles, Law Librarian, who worked for 20 years as an actor before becoming a playwright and Dr. Mari Takayanagi, Historian and Senior Archivist at the Parliamentary Archives.

The decade of the First World War saw political and economic upheavals across the globe. In Britain, this was also accompanied by social reform campaigns to give women the vote and right to participate in public office and the professions.

Rosemary Auchmuty, why is it that the stories of those who campaigned for women to join the legal profession so important?

RA

Well, it's really nice to know about the women who are involved because it brings the whole story alive and it's a story that's not really very well known. Anyone who studies law knows that these stories aren't part of what we learn and it gives an idea of how those women managed and what they are up against. There's a case called *Bebb v. The Law Society* and in that case a woman challenged the Law Society because she couldn't become a solicitor and we don't know anything about her and

in fact if anyone who has heard about it generally imagines that she won her case and she didn't win her case and perhaps that's what makes the story so interesting.

LA

We know that higher education for women at this time was accepted but not that common. What do we know about the women who studied law?

RA

It's true that it wasn't that common, most women were not encouraged to have a good education, they fall into one of two groups really. I'm sure there was some, and I think Miss Bebb was one of them, who really thought there might be a chance that they could become lawyers fairly soon. I think there is another group who did it just for the intellectual challenge. One of the things that was said about women was that they weren't really as bright as men, they weren't as clever and they couldn't manage the difficulties of the law, they weren't rational – all those sort of things and by going to university and studying the same subjects as the men they could demonstrate that they were in fact able to do that kind of work they were as good and of course it was a terrific for them. It was lovely for them to be able to engage in the same sort of the experiences that their brothers and their fathers had had. Which were denied them because, if you were middle-class woman you are really, (there were some work opportunities) but in general, you're expected simply to stay home and wait till you got married.

So for these women it was really important and there was also, if they were feminists, there was this realisation that law was one of the areas where if you understood it you could possibly change the things that worked against women and of course this is at the same time as the movement for the vote.

LA

Indeed and we know, just mentioning a few of the names, that in 1888, Letitia Walkington and Eliza Orme were among the first women law graduates from Royal University of Ireland and the University of London, so it was some time ago that they actually entered University study law.

RA

Actually interestingly the first woman to go to university went in the 1870s, and the only reason why they didn't end up with degrees was because Cambridge didn't give them degrees. They actually did the exams and passed, but Cambridge didn't give women degrees until 1948.

LA

So we know that women were studying for law degrees decades before they are actually entitled to become barristers or solicitors, but the reality was that they were already working in the legal sphere, how did this manifest itself?

RA

There was a real crisis around women not getting married, middle-class women not getting married. The marriage rate was in decline, as indeed it is now, and these middle-class women are sometimes 4 or 5 or 6 of them in one family and the father couldn't provide for them and they weren't getting husbands, so the feminists started to set up ways that they could earn their living in ways that were a bit unthreatening. It was very difficult to get into medicine or law or those professions. So what they did was they would open up offices like the law office, that where women would go and what they would be doing really was copying stuff, I mean it's

like being a legal secretary I suppose. And later on Eliza Orme set up an office where women are actually doing the work of lawyers, but of course they couldn't call themselves lawyers so there would be some male lawyers there, who would give the *imprimatur* that it was alright. And even Miss Bebb, when we get to her, during the First World War she was employed by the government to prosecute people who are breaching the food regulations, so she was doing real legal work, although she couldn't be a lawyer.

LA

And by way of background, at that time there was no requirement actually to have a law degree, although most barristers did have one. Not so, however in a case of solicitors, the process to become a solicitor involved applying to the Law Society, to undertake articles of clerkship, work for a period of time within a solicitors firm and then sit the Law Society exams. And to become a barrister you had to join one of the four Inns of Court and then join the chamber of barristers as a pupil, so clearly there were a number of women who were academically more than able to undertake the next stages, but their path was blocked repeatedly. Who were some of these early applicants and how were they treated by the legal professional organisations?

RA

Well, the very first record we have is of a woman called Mariah Grey, who was exactly one of these women. She was involved in women's education and opening up opportunities and she got together nearly 100 women from the Women's Education Union to petition Lincoln Inn, to open lectures to women. Then, we have a succession of applicants starting probably with Eliza Orme, who are writing to the Law Society and asking to take their exams. Eliza Orme had a law degree in fact that would exempt from the first exams, but she did need to do the second set of exams. and of course they didn't allow it. Then we have at the early part of the 20th century, we've got three separate applications by Bertha Cave, Christabel Pankhurst and Ivy Williams. Ivy Williams was a graduate both of Oxford and London and Christabel Pankhurst got first class honours degree from Manchester, the only woman to do it at the time and in her year, and so they are all very well qualified. Ivy Williams went on to become a lecturer at Oxford, she had a PhD. They all applied to the Inns and they were all rejected. Why is this? The universities were relatively liberal and relatively accommodating to women as long as they cause no trouble the academics were pleased to teach these keen, hard-working, bright women. But the legal profession had a lot of status and a lot of power and they didn't want to share that status and that power and of course that's not an uncommon story across all the professions.

So we have these highly qualified women, but then they weren't wanted. It was difficult to say anymore that they weren't bright enough because they had these first class honours degrees. So what was said was instead was, it's not an appropriate sphere for women. Women should be in the home, bringing up children, managing households.

In fact it became increasingly difficult to argue they weren't rational. I remember that Lord Halsbury said that 'they had no concept of any side but their own' so you know there was a huge amount of prejudice. But there was also the argument that you're taking away the work from the men, and young men in particular need the

jobs and so that's really in a way, that was the argument that failed after the first world war because after first world war, so many men were lost.

Particularly, family solicitors, because most firms were family firms then, if all the sons have been lost, then the father would probably want to have his daughters and he needed to have someone and so at that stage the solicitors gave in. But not the barristers. The barristers never gave it until the act of Parliament forced them.

LA

The position then of the legal professions was very hostile, but how did this contrast with the wider response from the press and the public?

RA

Well what's really interesting about that and I haven't expected to see it, but the campaigners (who were responsible for putting Miss Bebb forward against the Law Society) two of them kept scrapbooks, which are now lodged in the Women's Library in London. What the women who kept the scrapbooks did, was they cut out every cutting from every paper that they could find across the UK, but also across the world. So we know exactly how the public felt. We know that there are a couple of journals which were opposed to women's higher education and women lawyers, but the vast majority were supportive and particularly in the colonies: places like Australia, New Zealand and so on. Where they already had women lawyers, they were really supportive and if you read the articles. They're lovely because they point out that when, for example the Law Society said, 'well we don't want women solicitors' they just said 'Are you afraid of woman's brains?' So they were very trenchant.

This positive response by the media was not un-managed. What the movement was doing the movement for women's admission to the legal profession, they did a huge amount of media work. They had a lot of public meetings; they had lots of contacts this was all carefully engineered.

LA

So this leads us on to the next stage of that very well orchestrated campaign for women to join the legal profession, the court challenge against the Law Society by four women graduates.

RA

Yes well, that's the case that I mentioned before *Bebb v. The Law Society* and Miss Bebb and three other women were put forward. They were chosen from, obviously many candidates, to write to the Law Society and ask for admission. They're all turned down and then all those four, Miss Bebb was chosen as a test case. Why did they do it this way? I think it's quite interesting I think they had all these public meetings and they'd had all this media work and so on and I think they thought this was another step in the campaign. Let's bring a legal challenge and they were fortunate that they had the support of many powerful legal men, some of them young and would go to become very important, like Lord Buckmaster who's one of those judges you hear about in when you study law and some of them were already quite senior in the House of Lords. So they had this support and they went to court and what they argued was that women should have the right to become solicitors because there was a section in the Solicitors Act of 1848 which actually said that the word 'he' included 'she'. And that's quite common little bit of statutory

interpretation, that's well certainly in the last 200 years, it's always been a part of the English law which they still until recently, used the word 'he' all the time. So they argued this and they also argued that there were precedents for women being in public office and acting as lawyers, but of course they weren't called solicitors.

So when that this case went to the High Court Mr Justice Joyce found against Miss Bebb and said that there were no examples of women solicitors. He said nothing at all about women not being able to reason, or anything like that he just said we don't have a precedent for this. And of course it's a fundamental principle of English law that courts, especially lower courts, must follow precedent. And he also said the statute can't mean this. The statute, the Solicitors Act, they couldn't have meant in 1848 to extend this to women and the only way we can change this is by an act of Parliament.

And that's another very common way that judges refuse to make law. They actually say, we can't make law that's not our function. We can only interpret the law. It's up to Parliament to do that. The case went to the Court of Appeal to appeal it and again they lost with the three judges all agreeing: that 'inveterate use' was the expression they used. There never had been any women solicitors, so there couldn't be any. What's interesting is that I think probably the campaigners expected to lose. They didn't appeal to the House of Lords, and I don't know why that is probably that wasn't the money to do that. It would have been expensive, but I think they've made their point. I think that's actually what they thought we've made our point, everyone's seen how ridiculous this is and from then on they put their energies into bringing bills in Parliament. Both houses, private members bills were brought, several in fact, after that case and through the war interestingly, so I think they actually just shifted tactics and we can regard the case as a bit of a success I suppose even though she lost.

LA

So now we turn to your play, Alex Giles, 'The Disappearance of Miss Bebb.' this premiered on the 2nd April 2017 at Middle Temple Hall, presented by The Kalisher Trust. Can you tell us how you came across the story of Gwyneth Bebb and the Law Society litigation and what moved you to write the play about her life and her part in the campaign to open up the legal profession to women?

AG

Well I went to a legal symposium about legal biography where Professor Auchmuty, Rosemary that we just heard from, gave a paper about legal biography. I'd been doing some research work at the British Library and that's why I was there and she pointed out the lack of women in any forms of legal biography even though women were obviously involved in the law that they may well have been a defendant or they might have been an observer so and she mentioned the case of Miss Bebb and the Law Society and I found it ridiculous, and at the same time intriguing, imagining a young woman standing up in court trying to prove that she was a person. I just thought outside the legal sphere anyone would think this is ridiculous and I suppose I wanted to examine the idea that outside of these legal abstract concepts there are people, there are real people involved in it all, and I suppose I wanted to give the law of human face. In fact also I was interested in dissecting the anatomy of the campaign itself you know and how did these women and some of the men work

together. Get over these obstacles, have their disagreements between each other, you know it was a long campaign and I wanted to investigate that and at the centre of it all of course was Gwyneth Bebb and it's an amazing story you know this clearly very accomplished and clever young woman from a modest background who had to jump all over all these obstacles, fences really.

I really wanted for the women to tell their story which was kind of tricky in a way when you look at the historical record because of course I looked at Hansard, I looked at the case transcript and other cases of course it's all men speaking and I suppose I got their voice mainly from their scrapbooks that Rosemary's already mentioned, the scrapbooks by Maud Ingram and Nancy Nettlefold. Maud Ingram, the character of Maud is the most authentic I think because you really get her voice which is kind of acerbic, strong with quite a lot of humour. She doesn't pull any punches you know she writes this great little thing about how maybe it's advantageous that women can be considered as chattels because after all a woman can't be found guilty of handling stolen goods by her husband and things like this she makes it kind of humorous and ridiculous but at the same time she's a very strong woman. She went on to write a wonderful book like a kind of a guidebook for women, 'Women under English Law' which was a very user-friendly book, we'd say now. It wasn't supposed to be an academic tome and she also much later in her career actually went on the radio there's extracts from the radio times in her scrapbook in 1928 she did a series of radio programmes called Women and the Home and it was it was about women as workers women, women as mothers what their rights were. Even from this early stage when they decide to bring the case she's been working in a solicitors office as a clerk but also running or helping to run the Working Woman's Legal Advice Bureau. So I got her voice from there, and also Nancy Nettlefold, again, was a much more straightforward kind of voice clearly academic. The research about her I found was that she was from a very privileged background she was presented at court her father was a rich manufacturer and the other woman involved in the case, Karen Costello again was a bohemian character. Central to it all was Gwyneth Bebb, who because I suppose she died young, I felt was an enigmatic character, she comes across to me as a woman who slightly held back, a reserved woman she didn't push herself forward. She had a very obviously, was very clever and had strong nerves of steel because she carried on this campaign despite obstacle after obstacle in her personal life. She was educated at home as a girl and of course her father Rev Bebb, was an academic as well as a reverend, he was at Brasenose college and then he went to St David's College in Latimer and so I imagine Gwyneth being educated much by her father really when she was 11 or 12 she went with her sister to St Mary school or St Mary's College I believe in Paddington and I believe they boarded there. It was was a kind of a modest school, but a decent school. Then in 1908 she went up to Oxford, and I think these three years at Oxford must have been really formative for her.

LA

So we know that having read jurisprudence at St Hugh's, she was the only seventh woman then to embark on a law degree and passed her finals with a first class honours which was exceptional at the time and obviously sadly at that point she couldn't practice as a lawyer, but she took up a post as an investigating officer at the Board of Trade, bringing prosecutions as Rosemary Auchmuty has mentioned and so

gained practical useful legal experience. Coming onto 1911, Alex Giles there'd been unsuccessful attempts for a private members bill to admit women into solicitors profession this was opposed in a decision was made by the campaigning team to bring the test case that we've heard a little about already against the Law Society how was it do you think that they chose these particular four women in the action against the law society?

AG

Well I imagine that they were sort of known to each other. It must have been quite a small circle in a way because you know they were studying law in one form or another they all had various connections. They would have been involved in the suffrage movement and also they probably would have been members of various clubs and societies and I'm sure it would have been common knowledge in the discourse of those clubs and societies. 'Oh Gwyneth Bebb, have you heard of her she's just got a first in jurisprudence at Oxford' and I'm sure that was a buzz, a talking point around the clubs and of course the first announcement of the case was at the Lyceum club in 1913, to serve serious minded women. Women who are interested in intellectual pursuits, literature, medicine. So I wouldn't be surprised that these women knew each other. So the people behind this case and they were men behind out as well as as women people like Holford Knight and Buckmaster and Edward Bell from the Law Society, as well as women like Crystal Macmillan. They would have known of these young women and would have decided this was a good group of women that we could present to the public.

LA

In terms of the story of Gwyneth Thomson as she was by then, it does have a sad ending.

AG

Well Gwyneth Bebb married Thomas Thompson in 1917 while she was working for the Ministry of Food as Rosemary has ready mentioned, but throughout this time throughout the war time because Nancy Nettlefold also worked for the Ministry of Food in a similar capacity, the women was still campaigning and the men they were still campaigning through the war who have the right to become lawyers but of course, there's an added complication for Gwyneth because her husband is a country solicitor in Tewkesbury. So she moves to Tewksbury. She has her first one daughter and then she becomes pregnant with the second daughter and at the same time she's still trying to campaign but then of course sadly she never fulfils her final dream of becoming a barrister because she becomes pregnant and she has complications following the birth of her second daughter who dies and then she herself dies a couple of months later and for me it's the ultimate irony.

LA

And just as well to mention that she was after the Act which we will come onto, she's able to graduate from Oxford in a degree ceremony which was open to all the women who had studied for there and 40 years of women received a degree and it was thought that she was on track to become the first woman barrister and was the studying for her by exams, when she suffered a fatal consequences of her second pregnancy.

AG

Again can just say also about the other the other the other three women they went on and as I said Maude Ingram really fulfilled her promise, I think, and I think it's a shame that more people don't know about her because she is the first female solicitor to practice and then she went on to really try and make every attempt to change the law for the benefit of women, not just women solicitors but women's lives in general and then Nancy Nettlefold herself got involved, he didn't pursue the law in the end; she eventually became politician conservative politician and she was elected to the London County Council in 1949 and she was known for her work on equal pay. So they all had very interesting stories these women.

LA

Before we discuss the 1919 Act in more detail, can we return, Mari Takayanagi, to the connection to the suffrage movement: the women who campaigned for the vote obviously wanted to change society by addressing the many inequalities that were facing women at that time in marriage, divorce, property, guardianship of children, and many more areas. But relevant for this discussion, one of the issues was to enable women to enter professions, including the legal profession, who were some of the notable women who campaigned for this?

MT

Yes so there are obvious links between the campaigns for women to enter the law and women to get the vote and I think it's really important as Rosemary said earlier to remember that the campaigning was actually necessary. Parliament would never have done a thing on its own and women were not powerless before. They had the vote, that women were able to change legislation in areas such as custody of infants, married women's property, repeal of contagious diseases acts in the 19th century. But of course without women in the law profession and without women in parliament and without women voting to influence those members of Parliament it was always going to only go so far. So there were a number of women who were both campaigning for women lawyers or involved with the law themselves. And also in the suffrage movement. The most famous of those is Christabel Pankhurst and so if you've heard of one suffrage campaigner, it's probably Emmeline Pankhurst her mother, but she had three daughters and Christabel was the leader of the women's Social and Political Union, along with her mother and involved in many militant actions and she's another of these women whose father was a lawyer which undoubtedly I think inspired her to a first of all do the law degree which has already been mentioned and her father Richard Pankhurst, was a great sympathiser of course of the suffrage and help draft women's suffrage bills in the 19th century before his untimely death.

Christobel did get the chance to use some of the skills and knowledge that she must have obtained doing her law degree during a famous incident in 1908, which became known as 'The Rush on Parliament.' On an occasion, in 1908 Christabel and Emmeline and Flora Drummond stood up in Trafalgar Square and asked the crowd to gather and 'rush parliament' later that year and thousands of people men and women did gather on the day and try to rush Parliament. They didn't succeed in getting in, the police were called and held fast on that occasion. Christabel Pankhurst, Emmeline Pankhurst and Flora Drummond were all arrested and charged with incitement of trying to rush the Houses of Parliament and Christabel chose to conduct their defence in person in court and this was a very great court case at the

time it was obviously of great interest to reporters in the general public and partly because Christabel was conducting the defence herself and partly because she had the nerve to call some very prominent members of Parliament, in fact government ministers to court. So she was asking people like David Lloyd George, who was then Chancellor of the Exchequer and Herbert Gladstone who was Home Secretary were they afraid? Did they feel that these women would indeed rush the Houses of Parliament? And of course they didn't want to say that they were afraid of the women outside at all. Despite her efforts, sadly they lost the case. They went to prison and were released later in the year to great acclaim in the suffrage movement, so that's a really good example of the interaction between the suffrage campaigners and the campaign for women to enter the law. Another example of this is Chrystal Macmillan and she was a suffragist. So she was one of the peaceful campaigners and a member of the National Union of Women's suffrage societies headed up by Millicent Fawcett, who was very well known. Chrystal Macmillan was a success story in that she saw through the battle and went on to become one of the early women lawyers subsequently, which Christabel Pankhurst never did, she never tried to enter the law after 1919.

Chrystal Macmillan managed to enter Parliament in a kind of different way. And again in 1908, what a year that was in Parliament, she managed to conduct a case actually in the House of Lords and became the first woman to address the House of Lords therefore in its capacity as the highest court and we have to remember in terms of realising the significance of this. We have to remember what sort of building Parliament was and is. It's an incredibly masculine building. Definitely built by men for men and filled with the wonderful and art, sculpture, frescoes which show the achievements of men and very little space for women.

In fact, for women to watch parliamentary debates in the House of Commons in this period, they had to sit in what's known as the cage, the nickname for the ladies gallery in the House of Commons. Women had to sit separately from men. The ladies gallery was not only separate, high up, screened-off by heavy metal grills which prevented women seeing very much, but importantly stop the men seeing them and been distracted by them. Creating a deliberate harem affect, where women were formerly placed outside the House Commons.

And so particularly after the start of the militant suffragette movement in 1905/1906 women challenge these barriers and some of are these obvious, like chaining themselves to statues and indeed the to the grill of the ladies gallery and others perhaps more insidious, like Chrystal taking this court to the House of Lords and arguing her case from that very grand chamber that we see today amongst the red benches. She was one of five graduates of the University of Edinburgh, the others being Margaret Nairn, Elsie Inglis, Frances Simpson and Frances Melville and their case was again one of these arguments that the definition of 'person' should include women. And again sadly they lost, but great publicity and illustrations were published of Chrystal fighting arguing this case standing up addressing the House of Lords.

LA

So we've heard previously that there'd been unsuccessful attempts, via private members bills to admit women into solicitors' profession, how was it finally achieved through the Sex Disqualification (Removal) Act?

MT

Well it started via another private members bill in fact, from the Labour Party this time. So in 1919, the political situation is that the war has ended but the peace settlements is not yet completed and the government is a coalition government, Conservatives dominated, but led by Liberal, David Lloyd George and so the main opposition at this point, is actually the Labour Party who for the first time has significant numbers of MPs elected in 1918 and one of their MPs got a high rank in the ballot or private members bill. So this is where back bench members of Parliament can put in and have their 'pet cause' go forward as a bill and higher up the ballot you the more chance you got to it being debated and possibly becoming law, although this is quite rare for private members bills.

And the Labour party used the second position in the Ballot to introduce a bill called the Women's Emancipation Bill. Now the Women's Emancipation Bill tried to do three things, which the first was to allow women to enter professions, including of course the law and it also tried to equalise the franchise, which was quite a radical step because it was only the year before in 1918, that first women had got the vote you had to be over the age of 30 and you had to meet the property qualification for the local government franchise, which restricted the vote to about two-thirds of adult women. So this bill was trying to equalise the franchise and thirdly was also trying to admit women to the House of Lords, another very big step because this wasn't actually achieved until 1958.

At any rate, the Women's Emancipation Bill successfully passed through the House of Commons against government whipped opposition at third reading, which is incredibly rare and went on to the House of Lords so it actually got half way through Parliament. But unfortunately at this point, just as the Government started to take it seriously, they killed it in the House of Lords. And introduced their own bill, a government bill which was the Sex Disqualification (Removal) Bill which did pass and become an act. The Sex Disqualification (Removal) Bill was less radical than the Women's Emancipation Bill - it did not include equalising the franchise which the government did not want to do at that time, and that had to wait another 10 years, in fact until 1928.

It did include the entry of women to the House of Lords, but this was successfully deleted by the House of Lords itself and so the only substantive part of it that went forward to become an act was allowing women to enter the professions and public life without the disqualification by the sex or marriage

LA

Thank you and can you give us a sense of the debate and views expressed at the time in parliament and in the wider public and press at the time?

MT

So by 1919 the idea of women entering the professions in small numbers, as was assumed that was going to be the case, was not that controversial, so although there was a lot of debate in Parliament around first, the Women's Emancipation Bill and then the Sex Disqualification (Removal) Bill it largely centred on as how it wouldn't be a good idea to equalise the franchise or it wouldn't be a good idea to allow women to enter the House of Lords. There were many MPs and indeed members of the House of Lords who were willing to stand up and say they thought women would do well as lawyers, accountants, judges and sitting on juries and it was quite a wide

cross-section of MPs as well. The Labour MP who introduced the Women's Emancipation bill was a miner and if you look at the MPs spoke up in support in the House of Commons quite a number came from a mining background and I don't think you would necessarily expect or assume that MPs who were formerly miners or coming from mining time constituencies would be there supporting a bill that would allow middle class women to become accountants and lawyers; but they were. There were many many other kinds of supporters as well as some of them had popped up previously, Lord Robert Cecil who was a great supporter of well many women's equality issues actually ended represented Gwyneth Bebb previously was there arguing case very strongly at the house, and it should be remembered that this enthusiasm only went so far. There was a lovely sentence by Lord Buckmaster also previously mentioned he said that *'Nobody thinks this bill is going to flood legal profession, it will enable few women who are particularly or peculiarly qualified to earn an honourable living'* and he was clearly thinking about women like Miss Bebb and the other women that we've heard about previously, that had proven their worth, and how respectable they were, and how intelligent they were and how qualified they already were and nobody thought that hundreds of women with something they qualify as lawyers and on these grounds, it was so acceptable. So the act enabled women to enter various professions and there is a public life and the higher echelons of the civil service without being disqualified by reason of sex. The act wasn't as radical again as it could have been as campaigners would have hoped for and because of the number of provisos placed on women entering these professions and also the act was enabling one.

So just to mention the provisos first. The provisos included that so the government could introduce measures by secondary legislation restricting certain areas of the Civil Service and this are women from serving overseas in particular it was so not advisable that you might end up with a woman ambassador, a women working in India or somewhere like that. Another proviso said that judges could dictate whether women could sit on juries or not. Which effectively gave judges the right to exclude women from juries, if he thought it's not appropriate for women to hear a certain case and this was not rectified until the 1970s.

So those were not good, but the other issue with the Sex Disqualification (Removal) Act was it was enabling. So it did not dictate and say these professions must be open to women. Now the law profession did, because of the campaigns by the women previously. All the work by Gwyneth Bebb and by others beforehand that meant by 1919 really the arguments were won and the legislation just needed to be in place for the law profession to open its barriers to them.

So you get this very odd situation where as some women try and use the Act to enter areas and they fail. Which the most famous example is probably Lady Rhonda, Vicountess Rhonda, who was a former suffragette but she was also an hereditary woman peer in her own right. She tried to take her father's seat in the House of Lords and tried to use the 1919 Act to say she should not be disqualified by her sex in doing so, and she lost her case, thanks to the opposition of the Lord Chancellor.

LA

So we've heard about some of these provisos to what essentially was a landmark piece of legislation. Some commentators have described the Act as a 'broken reed' would you go so far as to call it that?

MT

No, I don't think it was a broken reed. I think it's the nature of the legislation, particularly controversial landmark legislation that it has to be a compromise because that's the nature, that's how acts of legislation get passed. It's very rare that you get a piece of legislation that just comes along and immediately sets a situation right as campaigners would understand it to be. You just have to look at the example of the parliamentary vote just the year before in 1918 and how that took another 10 years to rectify. When you read the parliamentary debates and you hear the opinions given on it, none of the MPs who spoke up for it in the House of Commons thought they were passing 'broken reed'. They thought they were passing a powerful weapon that the women be able to use going forward. Just because it was not as successful as hoped for, does not mean that it was of no use at all. Because you just have to look at the women who then were able to enter the legal profession. It made a huge difference. Not just in the legal profession, but you know women who are able to suddenly become accountants. Who again, had been effectively practicing for years and unable to join the professional bodies that would allow them to qualify as accountants. You're able to get the first woman vet, soon after that. You get the women magistrates, you get women on juries. It has a huge impact across many areas and there were women who entered the higher ranks of the Civil Service. It was small in number, but they were there their sex was no longer the automatic disqualification that it had been before.

For that reason we need to celebrate the Act I think and although some commentators might have called it called it a 'broken reed'. Virginia Woolf called 1919 a 'sacred year' because that was when the professions were open to women such as herself: middle class women who were not rich, needed to earn a living and had very, very few professions open to them and 1919 act enables more of those professions to be opened to them.

LA

Do you think it's possible to see its lasting legacy as an Act, through subsequent decades?

MT

Yes, so as well as the immediate impact on individual women and on particular professions and areas of public life which has already been mentioned it was one of the earliest acts in a whole raft of legislation that affect women's lives and gender equality over next decade because as I said earlier on women didn't want votes just for the sake of it. They want to vote to change society. When you look at the passage legislation between 1919 and around 1930 you get to act after act after act that introduced widows and orphans pensions, introduced equal guardianship of children and equalised property inheritance, improved the rights of women in divorces and the list goes on and on and this is because women were voters, this is because there were now women MPs in small numbers and also because women can now enter the law and therefore there wasn't an area of legislation that to women excluded from any more. You can see the Legacy goes on over the years when we finally with the passage of the Sex Discrimination Act in 1975 you finally get the chance to rectify some of the problems so they didn't manage to solve in 1919.

LA

Well it's been a fascinating discussion today, thank you very much to our contributors today for their insights. You can find more information about the stories of women in the law, suggested reading and more resources on the First 100 years website.

You can also get news of our further episodes, if you follow us on Twitter at @First100years and we'd like to thank Goldman Sachs and Linklaters who have generously supported this podcast series.

Thank you and goodbye.

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