

## Podcast 3 Final Transcript

### Sitting in Judgment: Women Magistrates and Jurors (1939-1949)

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#### Speakers

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

In the decade of the 1940s, the impact of World War Two was significant in the perception of women in the world of work, as they proved themselves more than capable of undertaking men's work and many new opportunities were opened up to them.

For women in the legal profession, we see the progression and involvement of women in key respects: of legal academia, rising through the ranks of the Bar: and appointments to the judiciary.

In 1944, Frances Moran becomes the first female Professor of Law in Ireland.

In 1949, Rose Heilbron and Helena Normanton become the first two women appointed King's Counsel at the English Bar.

Four years before, in 1945, Sybil Campbell, became the first woman to be appointed to the professional judiciary full-time as a stipendiary magistrate at Tower Bridge Magistrates Court; and a year later in 1946, Dorothy Knight Dix sits as deputy Recorder of Deal, making legal history as the first woman judge in the quarter sessions, the forerunner of the crown courts.

It is to be noted however, that these two appointments of women came through the professional route at the Bar as barristers. In stark contrast, by 1947, 3,700 magistrates were women and had sat in judgment on their fellow citizens as lay justices – voluntary and unpaid, but providing a vital and significant aspect of citizenship in the United Kingdom.

In this programme, we discuss the experience and impact of women as they undertook jury service; and the lives and work of the first women magistrates.

Before The Sex Disqualification (Removal) Act in 1919, women had no role in court other than as defendants or witnesses.

The Act, allowed women to be admitted to the legal profession for the first time as barristers and solicitors; to become Justices of the Peace (or magistrates, as they are commonly called); to enter the ranks of the civil service and serve on juries in the United Kingdom.

With me today to discuss the impact of women on juries and magistrates are

- Dr. Kevin Crosby, lecturer in law at Newcastle University; and
- Dr. Anne Logan, Reader in Social History, at the University of Kent.

Kevin Crosby, while historically only men were able to be jurors there was in fact an exception for women as far back as the 13<sup>th</sup> century, as part of the so called 'juries of matrons', can you tell us more about them?

**KC**

Yes, of course the jury of matrons for special institution whereby when the law needed formal notice that woman was pregnant, either because of a land dispute or because of a woman being sentenced to death. A jury of women would be used to ascertain whether or not that woman was in fact pregnant. It was quite unusual in absolute terms there weren't very many juries of matrons once we get to the twentieth century. I've been able to find 17, in the 20<sup>th</sup> Century before it was finally abolished in 1931. This did, it should be noted, amount to over 10% of all the women who were sentenced to death in England and Wales between the beginning of the 20<sup>th</sup> Century and 1931. So it was nonetheless, an important part of the system of capital punishment.

**LA**

And the 1919 Act lifted the prohibition on women sitting as jurors and this was significant as women were now involved in the legal process itself. Why was it particularly of note in terms of expanding the role of citizenship?

**KC**

Well first of all of course it was symbolically very important. Jury service is commonly regarded as an important part of citizenship. So extending jury service to women was simply of symbolic importance. Beyond this, it opened up more possibilities about women having an active part in how the country was governed.

We could build for example, on the arguments of the famous theorist de Tocqueville who the 19<sup>th</sup> Century in America said what in enlivened American democracy was among other things, the fact that citizens through jury service acquired a habit of deliberating about important matters in their community.

When in 1921, legislation was proposed which would make women's jury service optional, and so in some ways separate this link between citizenship and jury service at least for women. One local politician argued that "women having obtained the vote should serve on juries and shoulder their responsibilities as citizens"

**LA**

It wasn't a universal right for all women though, there were rules which affected which women were eligible and would actually qualify to be jurors, and these were further restricted by powers given to judges, can you tell us more about these restrictions?

**KC**

Yes

The well first most important restriction was that in most places you had to satisfy what was called the property qualification in order to be eligible to serve as a juror. So that meant you had to own or occupy land of a certain value before you could be a juror and many women did not meet that qualification, because when a husband and wife owned land it would often be registered in the man's name, there could be issues with mortgages and so on being issued to women and so on in certain circumstances. So that meant that having this property qualification had the effect of removing a lot of women from eligibility to be jurors. It's worth noting there were ten towns where this didn't apply, there were ten towns who were initially free from the property qualifications although that was abolished in 1920. So by 1920 you had to satisfy the property qualifications everywhere.

Pre-emptory challenges were also used to remove women from the jury. So a pre-emptory challenge is where the lawyer for one side in a trial says, "I don't want this person to serve and I don't have to tell you why." Now in many cases, it can be quite difficult to gain much information about a juror, but it's quite easy to see, this person is a woman. If you object to women being on a jury, you can then use your pre-emptory challenges to remove them.

The third thing that existed after 1919 was a judicial power to order single sex juries. This was inserted into the 1919 Act at the insistence of the, then Chief Justice. He said well, there are going to be certain cases where we don't want any men, certain cases where we don't want any women. And certain cases, and this is what he really focused on, you don't want men and women talking to one about on certain issues. Predictably, this power seems to have been ever used to remove all the women from the jury, rather than the other way round.

**LA**

So in terms of being summoned to sit as a juror, what do we know was actually happening at the time?

**KC**

Well there were two steps, that had to be gone through and perhaps we can talk in more detail in a moment. First of all, even women who were qualified to be summoned by local officials, and so we can start to think whether there might have been different practices that existed in different places about how that summoning took place.

Once women had been summoned, they then had to be actually be called to sit on an individual jury. They had to not be pre-emptorally challenged off the jury, by one of the lawyers. They had to not have that particular jury be subject to an order that this is going to be one of the juries that only has men in it. So there would be those two stages, before they even got on a jury.

**LA**

As I understand it, there was a reference from a judge in 1924, that he explained to an audience of a talk he was giving on the practice of removing women from murder trials, had become in his experience, universal.

**KC**

Yes and I think this case actually raises quite an important issue because this judge says women are challenged, so he creates this expectation that this is going to be a normal thing. But in fact if you look at the murder trials that this particular judge had served on from 1919 and the time when he was giving his talk at the university, you

see that actually that this wasn't true. That it wasn't the experience of the cases at least he'd presided over, that women were always challenged off. So there's maybe a bit of a difference here of what was being reported and what was happening, and people's attitudes about female jurors and maybe what was actually really happening in real trials.

**LA**

It seems like the other major reforms happening at the time, this aspect of women jurors attracted a lot of public scrutiny and comment. How was it covered in the press?

**KC**

Well as with many such reforms at the time, it was closely followed, you might say, closely scrutinized, newspapers keenly charted a whole range of women's firsts. This included women's firsts in the context of jury service and jury trial. So were told for example that at Colchester in April 1920, women were summoned to the quarter sessions, which generally dealt with the less serious criminal offences. We know that at Bristol in July 1920, the first women actually served on a jury, again a quarter session's jury. We're told again in the newspapers that the first Old Bailey women jurors served in January 1921, so the press were quite keen to chart these firsts. But they also quickly started criticising the women jurors.

Particularly criticising the fact that they often didn't end up as a matter of fact, end up serving. As we've seen this wasn't always their fault. Judges ordered women off, pre-emptory challenges meant that women had no choice but to leave. But a criticism developed that all these women were wasting capacity within the system. A common complaint was that women lacked either the constitution, or the intellect to act as jurors. The fainted, they voted for improper verdicts and so on. So there was a clear narrative that was developing, almost immediately, about who women jurors were and what they were likely to do.

**LA**

It's interesting you mention the Manchester case, because I saw in the report that the newspaper had it said that, while only one woman served on the jury, she was selected as a foreman. So that has a significance in itself, that they were certainly taking it seriously. More broadly, that the phenomenon of women jurors was also incorporated the literary genre of court dramas and what can you tell us about that?

**KC**

One was that stands out is Alfred Hitchcock's 1928 film 'Easy Virtue'. It was a film adaptation of a play by Noel Coward from 1924, which in itself had as one of its themes a criticism of the capacity of ordinary women to judge fairly, to judge people's personal circumstances fairly. That's already in the Coward play. Hitchcock takes that idea and runs with it, adding a new scene in his film in which we have a divorce trial, male jurors and female jurors and Hitchcock shows us information about their deliberations and makes a point of having the women deliberate on much more emotional grounds than the men.

This point was noticed in the newspapers, particularly in reviews. One newspaper, the 'Northern Whig', reviewing Hitchcock's film said "*It shatters the claim that women are sufficiently fair to be trusted in divorce court proceedings.*"

**LA**

In terms the views of women jurors themselves, that Manchester Guardian piece also quotes one juror saying '*some cases would be unpleasant, but men had not shirked in their duties and women must equally show a public spirit*' do we have any accounts of their own particular individual experiences?

**16:51**

Yes, various newspapers did make a point of interviewing women jurors particularly immediately after 1919 -1920 when women start to appear on the jury.

Women who were interviewed usually reported finding their experience more interesting than they'd expected and less complex and it wasn't as hard as they had anticipated. These women were rarely asked about the specific trials they'd served on however, unless they served on a trial that been particularly shocking, and their responses to these more specific questions may have helped to maintain the public perception that women found jury service difficult and they should therefore be spared the burden serving on a jury. So again we can see this public image of the woman juror being quite carefully developed.

**LA**

And what do we know of in terms of the numbers of women actually serving on juries in the years immediately following the 1919 Act?

**KC**

Well okay, its important here to say a little bit more about the actual rules that to be followed local officials were required to summon jurors according to the composition of the qualified people in the area so the panel of people you summon has to be broadly representative of the people who are qualified wherever a jury is being called from. This was subject to a minimum of 14 women in case 'feminists' and (this was often in the Home Office files 'in scare' quotes) in case these feminists challenged all the men off the jury.

In 1921, when women first served on juries at the assizes, which were the most serious cases, there were an average 3.2 women for every 12 jurors who were summoned in the counties and 4.4 women for each 12 jurors summoned in towns that had their own courts.

The numbers actually serving on assize juries in 1921, varied by region from 3.3 for every 12 in the Midlands, to only 1.3 in every 12 in the southwest. And as the decade continued that declined, there were fewer and fewer women serving on these juries. Now this all relates to the assizes where the most serious cases were heard and it's worth noting quarter session trials that had less serious stuff, may have been a little bit different and anecdotally it looks like they may have been more women there and maybe I can say a little bit more about that in a few minutes

**LA**

And why did the gender composition of 1920s juries vary so much?

Was it simply that more women were qualified in some places than others?

**KC**

This seems unlikely, so I've looked at the electoral registers of three towns in 1925 in the middle of this first decade of women jurors and I've compared that to their assize juries, these most serious juries, in the same decade. The composition and the people who are qualified doesn't seem to have made much of a difference to who actually served. So in Bristol 2.7 out of every 12 people who are qualified for jury

service are women, but only 1.3 women on average served on Bristol juries in the 1920s.

In Leicester, the average composition of Leicester as a whole, was 1.8 women for every 12 people who qualified, but on the trials it was 3.1 women for every 12 who served - significantly more women serving than you'd expect from just a random allocation from the population.

In Norwich, more representative I'd say, two women for every 12 qualified, 1.6 women for every 12 who actually served. So we can see that Leicester had the fewest qualified women, but the most women serving of the three, and Bristol had the most qualified women, but the least women serving. So it seems unlikely that the composition of who actually lived in an area with the thing had the biggest impact. Local attitude seems to have been important.

**LA**

What do we know about the impact of would have had on the kinds of trials the women did serve on?

**KC**

The attitudes of local officials could determine who was summoned in the first place and beyond that lawyers and judges could influence what happened to those people who were summoned, whether they actually made it on to a jury that actually sat in a trial and therefore what kinds of trials, if any, they would actually serve on.

**LA**

So, reflecting on this did it mean that women were excluded from certain types of trials in in your experience?

**KC**

Yes. There were certain types of trial that women were less likely serve on everywhere. There were certain types of trial that they were more likely to serve on more or less everywhere, and there's some evidence of local differences even regarding the types of trial that women should be serving on. So throughout England and Wales, during the 1920s, women were very unusual on any assize trying a case involving homosexuality or involving bestiality.

And they were much more common on juries trying dishonesty offences such as theft and what seems to be happening here is the trials that were deemed to be potentially quite shocking, women were being systematically excluded from. But all these women who you've had to summon anyway, you have to put the somewhere seem to be ending up more on theft cases and so on, that are less likely to be to be 'upsetting'.

Beyond this there's some evidence of further local variation for example women were more common in sexual offence trials in the south west of England. There were more common in non-fatal assaults in South Wales and some anecdotal information suggests that there were more women on quarter sessions juries, these less serious trials.

**LA**

That is fascinating and thinking about what we can take from this and from what you said, it appears that women were routinely excluded from juries well after the 1919 had actually lifted that blanket ban. What seems to be more surprising, is just how localised many of these exclusions were, and even within a particular region different local traditions, seemed to have had an impact on the type of trials in

which female juries were involved. It seems that, as with the right to vote in parliamentary elections, it was some time before the right to serve, as a juror was truly universal.

**KC**

So I'd say that the history here that a right to serve on a jury is ultimately quite messy and complicated but absolutely fascinating too I hope.

**LA**

Thank you, yes indeed. There's a contrast here, Anne Logan in the experience of women as magistrates – which we will be coming on to - as the proportion of women magistrates rose steadily over the next fifty years after the 1919 Act to reach almost 50 percent.

However, in contrast, even in the 1960s, juries remained overwhelmingly male, largely as a result of the continuation of the outdated rules concerning jury qualification, which remained unreformed until the 1970s.

What do you think are some of the reasons for the delay in the reform to this area of law on jury composition and how did the change come about?

**AL**

Well if we're looking at a 40 year period, say roughly from 1928 which was the equal franchise through to the late 1960s, there are quite a few reasons obviously in the 1940s quite a lot of attention was absorbed by the war so that's one of the one of the factors I think. Prior to that in the 1930s, that had been a concerted campaign by some women's organisations to bring about reform, and it's really the 1950s before this is revived and they were different suggestions. For example that wives of qualified men should be placed on the list or something like that, but in the end, I think it got bound up with the actual reform of the property qualification that Kevin has been talking about so far and the reform eventually which took place, to a place along the lines of reforming the jury qualification which automatically enabled more women to come on the juries because it was now tied to the vote, to the franchise

**LA**

And turning now to women magistrates. In terms of background, magistrates (also known as justices of the peace or JPs) are volunteer judicial office holders who serve in magistrates' courts throughout England and Wales, dealing with minor criminal offences and the preliminary stages of more senior offences, and some civil matters, notably family proceedings. Significantly, they don't require legal training or qualifications. Anne, what can you tell us about the impact of the 1919 for women as magistrates?

**AL**

I think the interesting thing about the impact was that it was almost immediate. Women could be admitted to the magisterial bench absolutely straight away. The very day that the act became law, which was Christmas Eve in 1919, seven women were appointed so and it did require again, a concerted campaign by women's organisations to bring those numbers up, but nevertheless it was something which had an immediate impact

Unlike for example, women being allowed into the legal profession which of course required several years of training before they were actually able to take their position there. So at the time, being a JP had been of course, exclusively a male

preserve and it was regarded as a badge of achievement and social standing and it was often referred to at the time as the, 'poor man's knighthood'. This was because the beginning of the 20th century they had actually removed a property qualification for being a JP and so some workingmen were able to become JPs.

So it was in early 1920, that women in England of Wales first sat as Justices of the Peace, so they became the first women to have any formal role in the country's law courts. Gradually, the number started to increase and less than 30 years later, it was reached nearly a quarter of JPs who are women which is a proportion unparalleled in any other active activity of civil and public life other than voting, of course.

So it was a definite success for the women's movement that so many women were appointed to the bench in a relatively short period of time, but they were able to use certain techniques, for example linking the use of women magistrates to the developing juvenile courts of that time to kind of campaign and insist for there being at least one woman on each bench.

**LA**

It highlights very much the background movement of organised campaigns that was allied amongst the current suffrage movement. It would appear that the legislation was largely uncontroversial in this respect. In terms of the background to the campaign to allow women to become magistrates, can you tell us about the passing of the legislation?

**AL**

Well, the legislation itself, it was obviously part of Sex Disqualification (Removal) Act. Within that act, the proposal to allow women to become JPs was probably the least controversial and received the least attention from parliamentarians. Having said that that there was previously a bill in the House of Lords in which it was suggested that women should become magistrates. That bill had just that one clause only and interestingly in the House of Lords they were very much of the opinion that since women had now become voters and effectively citizens, that they should again participate in that aspect of citizenship, as we were saying before where juries were concerned.

The women's suffrage movement certainly had been campaigning for women to be on the bench probably since at least about 1909. They certainly thought that women were suitable for use in certain cases, particularly cases involving children, not only if the child was the defendant, but possibly also if the child was the victim. They were interested in that as well and they were joined by the early penal reform groups of that period. Particularly the Penal Reform League, which was very keen also to see women become magistrates and they lobbied the Home Office on several occasions on this.

The Children Act of 1908 had introduced the juvenile courts but at that particular point they were staffed entirely by male magistrates.

**LA**

That was quite a departure then. Can you tell us about any women who'd undertaken similar roles before this act outside the legal profession?

**AL**



Well, many women and including those on the early appointments lists had a very detailed career background if you like, as a local councillors. Women had been able to serve as local councillors since 1908. They had even longer track records serving on authorities such as the Poor Law Guardians. So many of them had a very deep experience of public work shall we say, they also had a great deal of experience often in charity and philanthropy and those kinds of organisations. Very interestingly amongst the earliest appointees, there was a group of women who had a very specific background in the courts and that is as factory inspectors. The first factory inspectors who were women were appointed in the 1890s and if they found that employers were in breach of the Factory Acts, they would take these employers and they had to prosecute the cases. So these women had a very specific experience and there were a handful of them, but many of them were actually on that list of magistrates first appointed in 1919-20.

**LA**

It would be interesting to know whether we know much about the response in the media or the wider society to the proposal women joining the magistrates?

**AL**

Well it's very interesting. Again, it seemed fairly uncontroversial certainly when the Sex Disqualification (Removal) Act was going through. However the following year, they had to have special legislation to allow women to adjudicate in children's cases in London. Now elsewhere in the country, the juvenile courts were just made up of lay magistrates, so it was quite simple just to bring women who were now lay magistrates on to those courts. But in London, because they had judges (they were called stipendiary magistrates, but they were effectively judges) who were paid employees and had they experience of 7 years at the Bar. This was completely impossible for any woman, because no woman had even been called to the Bar at this point, let alone served 7 years, and so in order to get women on to the London juvenile courts they had to have special legislation which they introduced into Parliament in 1920 and interestingly it was this special legislation in London which really raised the hackles and there was quite a strong opposition to it in the press. Actually particularly from some of the stipendiary magistrates, who really resented this idea that untrained women would suddenly be sitting alongside them and adjudicating on these cases.

**LA**

Interesting, and presumably it still went ahead despite the uproar? Yes it did it was very interesting as there were letters from The Times from men, as I say, male magistrates objecting to this particular move.

**LA**

So, once the legislation had been passed, there was a process by which they were to be appointed, can you tell us more about the process?

**AL**

Well, the very first women magistrates had a very unusual appointment process. As I mentioned earlier, on the day that the act came into force, which was Christmas Eve 1919, the Lord Chancellors office announced the appointment of the first seven women to become magistrates, so this is obviously an appointment, to by if you like the central government and they were to form an advisory committee, which would then draw up a further list of women from across the country, who would be

appointed as magistrates. So the seven were chosen really to represent different political parties and different regions.

So we have Gertrude Tuckwell, she was appointed as a representative in London but she was also associated with the trade union movement and the woman's labour movement. We have Lady Crew who was the chair of the committee, who was married to a Liberal politician, so again kind of representing the Liberal party. We have Margaret Lloyd George, was the wife of the Prime Minister and she again representing the Liberal party but also representing Wales, which was a very important area to have women appointed in. We also have the sister of Haldane and she was really representing Scotland. So it's kind of representatives of different areas and different political parties. As I say, they were charged with the job of drawing up a list of women suitable for appointment, which was announced in July of 1920 and there were 172 names on that list across England and Wales and some in Scotland as well. But that's about it really, this advisory committee was then wound up, so it went back to the usual kind of process for appointment of magistrates, which was done in usually in the committees and counties led by lord lieutenants and so in fact some women were appointed in that way anyway, alongside this special 172, but that was the normal process and that's how it reverted to afterwards.

**LA**

So it does sound at that early stage that a conscious effort was made to sort of broaden to the pool, to reflect various political organisations at the time, which might have been quite a departure, if it was previously done at a local level.

**AL**

Yes what we do know is that this committee was being lobbied by organisations like the National Council of Women, which produced a list of suitable candidates that they thought, should go forward, but also organisations like the Women's Co-Operative Guild. Which has a very strong representation amongst the, shall we say, upper-working class wives. They were very much putting their names forward as well, and even the Railway Women's Guild (which you don't hear much about much these days), but it was another group representing working class women. We shouldn't exaggerate it the working class women appointed in this list were certainly a minority, but they were a sizeable minority. As I say, very often associated with organisations like the Women's Co-operative Guild. The names I think were filtered through to Gertrude Tuckwell.

**LA**

Yes and Gertrude Tuckwell obviously plays a very significant role. I think she had a long lifetime interest in the Magistrates Association and was particularly instrumental to developing education and training. Can you tell us more about that particular element?

**AL**

Well first of all Tuckwell, when you look at her papers, she collected articles about the appointment of women magistrates long before they were appointed. Which is very interesting. She had an interest in this even before it happened she was one of the people who was pushing for it. Then as a magistrate, she certainly took a great interest in the formation of the Magistrates Association. Although we should say that probably the main woman behind that was Margery Fry, who was secretary of

the Howard League for Penal Reform and she certainly was instrumental in creating the Magistrates Association. But Tuckwell too, was one of the early leading members of that organisation and she often chaired its meetings especially the special meetings they had for women magistrates.

**LA**

It would appear also that in terms of her push to develop education and training this helped to promote the status of the magistrates as a whole?

**AL**

Well yes there were a lot more people than just Tuckwell really involved in that. The Magistrates Association is very interesting because it only came about after they were women JP's. At this particular point in 1919-20 magistrates could just walk into the court, swear the oath and then they sit on the bench and they would judge people. They had absolutely no training there was no need for them to have any training and the Magistrates Association was one of the organisations that really pushed the training and it wasn't compulsory until the 1960s. But in that period you could learn a lot through joining the Magistrates Association

But it wasn't just that, the Magistrates Association obviously was a mixed organisation there were also special women magistrates organisations and again the women's organisations like the National Council for Women, were really pushing the idea of training for the new women.

**LA**

And further of interest I understand the number of the first women JP sought to enter Parliament, what do we know about them?

**AL**

Well again, on the Lord Chancellor list in 1920, we see several women who, within a few years, were to become Members of Parliament. So for example, one of the first ones was Margaret Wintringham she was actually the second woman MP to take her seat and she was already a JP. She stood for election to Parliament when her husband died and she stood in the seat that he occupied. But she already had experience as a JP and it's very interesting when she entered Parliament, she certainly raised issues like wanting women magistrates, again, particularly for children's courts and she also spoke at magistrates meetings opposing capital punishment.

Taking some of the other early JPs, we have the Conservative MP, Mavis Tate she was a magistrate and then later became an MP in 1931 and she also made use of her experience on the bench because she made her maiden speech during the discussions of the Children and Young Person's Bill in 1932.

**LA**

And I think it's right to say that if you look at the impact that women as JPs were able to have in their career as, for example, compared to women MPs, there was this quite interesting observations about how much of an impact they're able to have.

**AL**

Yes as I say one of the interesting things was that they were able to start this work straight away, as I've already said as soon as you were sworn in you could be in the courts. So we start to see them appearing and making a difference, quite early on.

and we can see as early as the 1940s when was the film produced called 'Good Time Girl' and it's all about a female juvenile delinquent but we see the chairman of the bench was a woman and this this seemed quite normal by the 1940s.

There's Margery Fry she's very, very important. She certainly made her mark; she was the secretary of the Howard League for penal reform. But even after she gave up that job, she carried on as a major lobbyist and propagandist for criminal justice reform, really for the rest of her life

Another interesting one would be a Clara Dorothea Rackham also member of the Howard League and also very much in favour of reform she visited a lot of prisons as did Margery Fry in this country and abroad, and also was a labour councillor so they were able to make a huge difference

The first woman to sit was Ada Summers and it's an interesting story because she was obviously not on the Lord Chancellors committee she wasn't one of the seven but because she was the Mayor of Stalybridge when the law came into force she automatically had an *ex officio* place on the court so she just sat on it right away so she got the distinction of being the first woman to sit on a bench anywhere

**LA**

It is fascinating and I've come across a lovely article of blue plaque in her commemoration when she and where it says she was known locally as Lady Bountiful because of all her works and she spent a lot of her personal wealth in improving the circumstances for the people of Stalybridge.

**AL**

Yes she did she was married to a very wealthy iron and steel manufacturer and when he died she basically was in charge of spending his money, his inheritance on good works so she was certainly a very charitable lady but she was also a local councillor and even when she was no longer mayor and therefore had to step down from the bench she actually then became a JP in her own right, so she did serve as a magistrate for longer.

**LA**

In terms of working alongside their male colleagues and touching on the impact of the Second World War, what do we know about how they were viewed by their male colleagues at this particular time?

**AL**

The reactions at first were a little bit mixed and one anecdote that always made me laugh was a male chairman of quarter sessions, I think this is in South Wales in the early days, who actually told off the women who were at the quarter sessions the women JPS for not wearing their gloves and the reason it's stuck in my head was one of the women JPs was his wife. So he's really telling his wife off which is a really extraordinary situation. So yes, sometimes early days there were definite feathers being ruffled. I think on the other hand we see many men saying are saying 'no we welcome women to the bench' and this is certainly the case reported in a local newspaper in Tyneside in the borough of Gateshead where they said 'we welcome the women' there were problems also sometimes when women often were expected to remove themselves if the case involved homosexuality and there was a woman in Colchester, called Mrs Green who refused to remove herself from the court when this case came up, so that ruffled some feathers.

**LA**

And it's interesting a point you make about a magistrate refusing to be removed in contrast to the stories we've had earlier about women jurors.

**AL**

As a JP she had every right to just refuse obviously would cause situation and a scene but she had every right

**LA**

And thinking obviously with the benefit of hindsight, do you think that the impact of the large number of women magistrates has affected the verdicts and indeed the legal profession as a whole?

**AL**

Not directly I don't think I would never say this much of an effect on verdicts because I think the role of the JP was often quite collegiate. There was usually at least you know two or three of them hearing most of the cases, and they would discuss them and come to an agreement and that doesn't seem to have been any particular problem with that.

The difference of women magistrates made I think, is the way that they promoted training and the whole transformation that happens after that is a lot to do with the fact that magistrates now at least voluntary, they don't have to do it but at least there is there is training they had many, many organisations and discussions. The difference was that many of the male magistrates in those days, had other jobs you know they were shopkeepers, or whatever, farmers or something like that and they would take time off obviously to do these civic duties.

Often women were married women, often they weren't they didn't have full time jobs all they made on an awful lot of charity work and other voluntary work and so in some senses, they kind of saved the magistracy there was a lot of kind of criticism that it was amateur and you know not legally qualified, and all the rest of it but they provided a pool of quite reasonable labour to do this voluntary work certainly through till you get to about the 1960s/70s when of course married women are starting to go out to paid employment more, and it starts become more of a problem But certainly I think they really kept a whole thing going and did a good job in that sense and saved the country millions and millions of pounds, because if you'd had to have trained lawyer judges and all those courts all around the country that would be very expensive actually.

**LA**

Well it's been a fascinating discussion today, thank you very much indeed to our contributors: Dr Kevin Crosby and Dr Anne Logan for their insights. You can find more information about the stories of women and the law, suggested readings and more resources on the First Hundred Years website. You can also get news of our further episodes if you follow us on Twitter @first100years

We do welcome your participation in the project events, suggested additions to our timeline or articles. Its also important to note you can add your own story as a women in law or if you are inspired by a woman in law yourself, via our website under the digital museum tab. And we'd like to thank Goldman Sachs and Linklaters who have generously supported this podcast series.

Thank you and goodbye

**END**