Podcast 8 Transcript

The 1990s: **Widening the Pool**

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RS Rachel Spearing, a barrister at Sergeants' Inn who's civil and criminal practice has a particular emphasis on business crime, financial and regulatory and disciplinary law. She is a Fellow at Bond University in Australia and The Singapore Academy of Law. She is also the founder of the Bar Wellness Initiative, which aims to address and support the challenges facing the legal profession.
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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 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.
The 1990's saw the end of the economic boom and in the recession that followed career prospects in the legal sector became more uncertain for solicitors, both at the junior and senior end. Throughout the decade women began to play a greater role in public life.
In 1994 the Church of England took the landmark decision to ordain women priests and in Parliament 101 Labour women MPs were elected in a landslide Labour victory in 1997. It was a decade which saw women and BAME legal organisations pushing for reform within the legal profession for promotion at the Bar and the judiciary. At the start of this decade 23% of solicitors holding practicing certificates were women, and 17.5% are practicing barrister. Women were continuing to make progress but slowly, and women and BAME lawyers were overrepresented in small high street practices and legal aid. Whereas white men from higher socio-economic backgrounds were over-represented in the highest paid jobs in large city firms, at the Bar and judiciary. A profile which still persists in large part today.

In this programme we're going to look at the experience of women lawyers from BAME and non-traditional social backgrounds in pursuing their careers and their views on how to achieve greater diversity at the top of the profession.
With me today are Millicent Grant, she was the 2017/18 past President of the Chartered Institute of Legal Executives – CILEx and 2017 Black Solicitor's Network Lawyer of the Year. She has worked in the private, corporate in-house and public sector, and is currently now working as a consultant**.**
Rachel Spearing was the first of her family to go to University. She is a barrister at Sergeants' Inn who's civil and criminal practice has a particular emphasis on business crime, financial and regulatory and disciplinary law. She is a Fellow at Bond University in Australia and The Singapore Academy of Law. She is also the founder of the Bar Wellness Initiative, which aims to address and support the challenges facing the legal profession. Appointed to the Bench of Inner Temple in 2015 she's actively engaged in supporting access to the profession and continuing professional development of lawyers and non-lawyers.
Baljit Ubhey, Director of Prosecution Policy and Inclusion of the CPS. She has 27 years' experience working within the CPS in a variety of roles and leading a policy team within the CPS operations directorate whilst leading on equality and inclusion across the service.
As I've mentioned in the 1990's, women were now starting to be visible both in politics and senior leadership positions in government and higher public office. In 1992, Betty Boothroyd was elected as the Speaker of the House of Commons and Stella Rimmington was appointed Director General of MI5, the first female head of the security service. And in particular, women lawyers were making their mark. In 1990 Barbara Mills becomes the first woman Director of the Serious Fraud Office, and 1992 Director of Public Prosecutions.
The Crown Prosecution Service – the CPS, was founded in 1986 and is the principal public prosecuting authority for conducting criminal prosecutions and is a key government agency in England and Wales. Baljit Ubhey, you've worked for the CPS all your working life, you joined in 1992 as a legal trainee. Can you describe your inspiration to become a lawyer and your early career experiences?
BU I was born in 1969, in Forest Gate in East London and my parents who had emigrated from India were very, very focused on education, so the one thing I knew growing up in East London was that going to university and getting a degree was going to be definitely part of my career journey. I have to say at that stage I didn't really have any aspirations to become a lawyer, and I rather fell into the law, rather more by accident than design. But I really enjoyed studying law and after university I decided I would become a solicitor. Interestingly, I wasn't that keen on joining the Crown Prosecution Service because at that time it had quite a bad reputation because it was under-funded when it was set-up in 1986. But I qualified in the early 90's when there was a recession and it was really difficult to get a training contract, but the CPS did offer me a training contract. So, I applied to many city firms and wasn't offered a training contract, and I decided I would join the CPS. My cunning career plan at that stage was to get qualified and leave the organisation and go and work elsewhere, but on joining the CPS it was clear that this was absolutely the right place for me to be working, the casework was fascinating and I was getting involved in cases that really stretched me intellectually and I absolutely loved it. And if I look back now, when I think about some of the subjects I chose when I was doing my law degree at LSE - Police and Policing Powers, Theoretical Criminology, Women in Law, Race in Law. It's no wonder I enjoy working for the CPS. The CPS is about social justice and as

someone who grew up in East London, in the 70's and 80's I had a very strong sense about the importance of social justice, I'd experienced racism I understood what that felt like and I think that's why even today 27 years, on I'm so passionate about working for the CPS because I care deeply about justice and fairness.
LA And just while you were talking, I was thinking, was there anybody in particular that inspired you to think about law from school or anything that you saw or read, growing up?
BU I think in terms of the law no. I didn't have a large number of role-models around me. I did have an older sister who was very encouraging and positive about doing the best. As I said my father was very much about an education is very important, but I didn't have a list of lawyers within the family. And coming from a working-class area I think there was a poverty of aspiration in terms of what I could achieve. I thought I would be going to a polytechnic; I didn't think I would get the A level grades to go to LSE. And actually one of the things that I spend quite a bit of time doing now is encouraging other people, being a mentor, I'm the race champion in the CPS, building other people's confidence and being that role-model for other people is really important. So any opportunity I get to explain to people where I've come from which is you know really humble background, going to the local comprehensive, I think that's really important, because people need to see other people like them to believe that they can achieve the same things. I think it's really, really important and it's not just about the symbolism, it does then mean that those role-models need to reach out and spend their time encouraging other people, so I think that that is really, really important. I think the other thing that it does is because of my experiences I am probably more motivated to think about how can we bring on other talent because I understand the importance of diversity, so I think everybody does understand that but I think when you've had life experiences that help shape who you are where you know you may not get quite the same opportunities as others, there is that extra momentum to try and make things a bit fairer.
LA The CPS has a workforce of around 6,500 thousand, of which I understand 66% are women. Recent figures state 58% of in-house solicitors are women, but this CPS figure is very high percentage even compared to other areas in the legal sector. Baljit what would you say this is due to and what are the diversity statistics that we have to, to look at this in detail?
BU I think the CPS has a really positive story to tell when it comes to diversity statistics, particularly on gender actually, and as you say 66% of the workforce – now that's legal and administrative because we have lawyers and administrators working across the board. But 66% of our workforce is women. 54% of the senior civil service – and again that would be legal and administrative roles, but those are our top roles, are women. So, I think the CPS has got a really positive story to tell in terms of promoting women, in the workplace. And I think that's really, really positive. In relation to BAME staff 20% of our staff are from a BAME background, and then 9% in the senior civil service positions. We've got a target of 12% so we know we've got a bit more work to do there, but if you compare that to other government departments that's still a fairly strong record, and it wasn't always the case that things were as good as that. So, the CPS in my career history has been on a massive journey in terms of promoting diversity and equality, and I think the statistics that we have today are really a reflection of that. And I think it's partly because the CPS has been an organisation that has been willing to be flexible in terms of working patterns and its embraced that rather than that be something that, people feel is you know an entitlement, it's really recognised that by allowing people to work in different work you get the best out of

people, and you attract really good talented women to the profession. So, I think that has had a lot to do with the increase in women and the increase in women in senior roles.

LA Turning back to the 1990's and women in law and politics, Harriet Harman – a qualified solicitor was appointed Secretary of State for Social Security and the first ever Minister for Women in 1997. She went on to be the first woman Solicitor General in 2001. She says that the election of so many women in 1997 transformed not only the face of the Commons but the agenda of politics and the work or government. Baljit, I'd like to ask you about your role and work in diversity and inclusion, particularly from the perspective as a senior policy advisor. Since 2017, you've been the Director of Prosecution Policy and Inclusion. Can you tell us more about this work and the connection of the staff/diversity profile at the CPS?

BU In my current role as Director of Prosecution Policy & Inclusion, I've been responsible for refreshing the CPS' strategy on inclusion and community engagement, and we took a decision that we would actually look at the internal inclusion agenda alongside that wider community engagement and case-work outcomes agenda, and so we've brought the three together in a single strategy, and I think that's really important because I think they have an impact on each other, so I think that when we're doing community engagement if we've got a diverse workforce, that gives certain community groups more confidence. The converse is also true if all they see is a homogenous workforce that looks nothing like them, then that's not terribly helpful. Equally, we can use our community engagement to try and attract people into the CPS, so we've been doing quite a bit of work around who we give work experience to and thinking about social mobility and making sure that we're getting people from different backgrounds, because we know that historically, the legal profession has felt like a bit of a middle-class profession, and we're really keen – and I think actually in many ways the CPS has got lots of really good examples of people coming from all walks of life and enjoying senior positions having come from working-class backgrounds, having come from different backgrounds. But I think having the strategy that brings that together and makes that really important for the organisation is really key. In terms of wider work around looking at our casework and looking at how we can make improvements, the CPS was the first government department to have a violence against women strategy back in 2008, and we've put a lot of effort and energy into looking at what more we can do in that space, and so I think if we look at how we respond to domestic abuse, our response and I mean the criminal justice response not just the CPS, is unrecognisable compared to 20 years ago.

Equally on areas such as hate crime the CPS has taken a strategic decision that whilst the number of hate crimes in terms of our total caseload are relatively few, because of the impact that that can have on communities, we've made that a strategic priority. So, I think part of my role is making sure that that work continues, but also looking at new areas where there are equalities. So, one of the areas that we're currently looking at as part of our inclusion and community engagement strategy is mental health, and how does that play out?

And so, I think getting underneath those issues and thinking about well what does that mean for the service that we provide, what does that mean for how we go about our decision making, that's really important. But we're also doing lots of work with our workforce on mental health and one of the recent initiatives is having mental health first-aiders, so again in-line with the trend in work wider society of de-stigmatising mental health, we're doing some really interesting work in that space.

LA Turning back to the 1990's Patricia Scotland's appointment as the first black woman QC was a landmark moment in 1991. Born in Dominica the 10th of 12 children, the family emigrated to Walthamstow when she was 2. She attended Mid-Essex Technical College and obtained a law degree as an external student, and was called to the Bar in 1997, and she practiced in children and family law. She was the first black woman Deputy High Court Judge, Recorder and Master of Middle Temple. In 1997 she joined the House of Lords as Baroness Scotland of Asthal, going on to serve in the Foreign Office, Home Office and Lord Chancellor's Department. She went on to be appointed the first woman Attorney General in 2007, and since 2015 has held the post as the first woman Secretary General of the Commonwealth of Nations
Now, I'd like to turn to you Millicent Grant, from an early age you knew you wanted to work in a legal background, what was your motivation and pathway to working in the legal profession?
MG My motivation was that in my family, my grandfather had been the Justice of the Peace in Jamaica, and my uncle who came to England during the Second World War qualified as a barrister and then went to Nigeria to practice. They were my inspiration. I had the photograph of my uncle and I always wanted to work in the law because of that photograph. At the time I made the decision I had no idea what it involved. But by the time I left school left school not knowing what to do and the youth leader suggested that I become a legal executive. So I trained as a secretary for the last year at school and at the time that I started work I had to be studying and working in the legal profession at the same time, so I started work as a secretary in a law firm in the Temple.
LA And how did you come across that particular law firm?
MG At the time agencies weren't really well known, and at the Law Society in Chancery Lane those who were looking for staff would put their vacancies in a folder and those who wanted work would put their requirements in a folder, and I went up to the Law Society Chancery Lane, filled in a form for myself, said I was looking for work and looked in the folder that had vacancies, and I had 3 job offers by the time I left school, made direct applications and one of them was the introduction from the youth leader.
LA So can you tell me a bit about the practical experience and how it was that you did your studying?
MG Within the first year of leaving school I enrolled for evening classes, so I took the first part of my examinations through evening classes two nights a week I think it was, and at work I was just doing secretarial work. They were reluctant to give me casework experience because the person I worked for valued my work and didn't want to lose my skills as a secretary.
So what I actually did was say well let me do some at my lunchtime and I did some road traffic accident work during the lunch break just to get that experience, and what I've had to do throughout my career is change jobs to get the experience I wanted. So, this small firm got taken over by a larger firm who for reasons I don't know said that they would no longer support me with my exams. So, at that case I left.
LA It sounds like you've had to really push for that because I think you had one role at a firm that wouldn't support studying as a legal executive because of being a woman who had got married. Can you tell me about that?
MG Yes that was my first job offer actually in a very large firm, well-known, still well-known today and they said that they would support me with my studies. Between the time I accepted the job and the time I was due to start they would still take me on as a secretary but withdrew the offer to support me with my studies because at the time they made the offer to me they had been supporting a woman who got married, and

they decided it was bad, to invest in women, at the time they could do that because the Sex Discrimination Act hadn't yet come into force.
LA And in terms of reflecting on your experiences as working in legal offices and doing that kind of work, what are some of your reflections on working as a black woman at that time?
MG I enjoyed working doing the secretarial work and other work that I could do there, but I think the challenges came with people's perception of what a black person could do, and also what the secretary could do. So there were times when I was told by an articled clerk who I was working for that I had ideas above my station, when I had already – before I started that job been doing my own casework somewhere else, but I had changed to new areas of law and I was back doing secretarial work. And I think that's the greatest challenge because at times when I've spoken to an agency on the phone they said you're perfect for the job, and it was close to where I was working at the time and I'd walked through the door – on one occasion I walked through the door and I saw the look on her face and she said well the job's no longer available. So, I was fine on the phone, still the same person walking through the door, but she couldn't see me on the phone. So, I think its low expectations or because they don't often see people in that role, either secretaries moving up was less common then and also for a black person with aspirations beyond where they wanted to see me.
LA And I'm thinking that particularly when you were younger than you are now if I may say that, you know growing up in Britain was particularly hard, you had a lot of racial tension and people quite overt, you've mentioned a couple of instances already. How do you think you were able to build your resilience and pursue your ideas for a career?
MG I think partly because I was very clear in my own mind what I wanted to do, and because I had grown-up at a time where there were some racial tensions and you used to be called names and also during the period when there were riots in the 80's, quite often and I understand it is common for people during times of tensions when their groups are involved, like the Irish for example or with terrorism nowadays, I would wonder are people looking at me and thinking that I'm a trouble-maker. But I just stayed focused because on a day-to-day level it was dealing with the work in front of me, knowing what I wanted for my life, and my family around me my parents were very clear that I set my own standards and stick to them and I don't have to fit in with everybody else, or even other people's poor expectations of me, and I can show them that I can achieve what I want to achieve.
I used to do some outdoor work for one of the firms that I worked for and I went to an application I think it was before a Master at the Royal Courts of Justice, so as I was walking along and looking into the room, it wasn't the Master that was in the room it was somebody else, a clerk or somebody, and they looked up and said are you the cl… and they must have realised because I wasn't dressed like a cleaner that I wasn't a cleaner, and so I think that's low expectation again because they weren't used to seeing black people especially, I was quite young at the time, in that area walking around in that role.
LA Baljit what thoughts do you have about growing up and working um, as a woman from a visibly different background?
BU I think the thing about growing up when I did as you know an Asian woman is that I think definitely, so as a younger child I'd certainly experienced hostility and racism and that has an impact on identity as a young person I think for me personally it led to some self-esteem issues which you know I've had to work my way through. And what I would also say is particularly early in my career, less so now, so when I was a young woman in my 20's I think there was sort of certain stereotypes about Asian women,

perhaps a sort of popular stereotype would be of someone who's quite meek and mild wouldn't really say much, which I'm a sort of feisty East-Ender; I really did not fit that stereotype. But I also realised that even when it came to casework decisions as a prosecutor if I was going to discontinue a case, I might get a bit more resistance than my older white male colleagues who actually, a colleague of mine said, once actually said to me he goes Baljit you know you get treated very differently to the way I get treated, I get a lot more respect. So, I think there's something about when you come from a different background and I think Michelle Obama said it in her autobiography which I've been reading recently. It's a given that you have to run twice as fast, to get half as far, and I think that's just the context of the world we live in, and it may be slightly unfashionable to talk about structural inequalities and racism and misogyny but that's the reality of the world we live in, and I think we need to have a more mature conversation about that reality rather than denying that reality. And I think we need to remember our shared history, recognise those structural inequalities and understand that unconscious bias exists, white privilege exists, and that we can have a mature grown-up conversation of what that means for individuals, but not get into a blame game, and I think, you know we're at the foothills I think of having those conversations.
LA And do you think that people who don't have to face that you know, what people would term a white privilege, do you think people are more aware of the sensitivities? Has that changed in any ways in your experience?
MG I think it's changed a bit, I think people are more careful about expressing their surprise and I think part of that's to do with what I've learnt doing equality and diversity inclusion work is that quite often people intellectually are not discriminating and for fairness but emotionally they don't realise what's in them until they're faced with something they don't expect. And so, if they had seen me as a cleaner they wouldn't have been surprised, but to see me going in to represent my client, they'll be surprised to see a black person and a young black person and a woman doing that too. And another occasion I worked in Epsom at one occasion, I think there were only two black people that I ever saw working in Epsom and one was me at the time, and I made an appointment to see somebody and I went down to see the client, and the client was walking up the stairs and said 'are you Millie's secretary?' I said I am Millie and I think that was, because they didn't expect it. And so those challenges that people face with any form of discrimination is quite often you need to see somebody in that position often enough of the sort that you're not used to seeing to actually accept it emotionally as well as intellectually.
LA You continued your academic studies again alongside your work and you obtained Millie a Master's degree in business law, and your dissertation was on local authority's equality and action plan and proposing a strategy for integrating and implementing the plan throughout the organisation. Can you tell me more about the background to these initiatives, and your role as a senior policy lawyer and the implementation of training in the equality and diversity awareness and prejudice reduction area?
MG This was a role that this particular local authority that I did my dissertation on and I joined that authority in 1994. Prior to that for a number of years there had been problems with racial discrimination in particular, but also other forms of discrimination, and the majority of the workforce were white male, and the majority of the decision makers that's on the council were white male, and there were a number of investigations that were commissioned into housing allocation and treatment of workers and it was found that there was discrimination significantly on the basis of race. Eventually the Commission for Racial Equality issued a discrimination notice against the authority, and at the time I was working there and I was an employment

lawyer for a lot of that time and as part of the conditions of the discrimination notice a racial equality action plan was implemented, or designed for implementation. And there were a lot of measures put in place about workforce, development, workforce representation, prior to that Baroness Amos – before she became a Baroness in the late 80's I think, she initiated the process of changing the workforce profile so that according to the census the workforce represented the same proportion of diversity as represented in the community it served.

LA And I imagine that presented quite a bit of challenge if you're saying that the workforce itself was sort of predominantly white men.

MG I wasn't there at the time I came in '94 quite a while after the process started, but I did face the tail end of some of those changes and I was told by some of my colleagues that there was some white workers within our department who had been in our department, who left rather than be managed by black people.

LA I'd like know Millicent to discuss your experience as the first black woman President at CILEx in 2017. You had had experience of lecturing and training and governance matters as a director. Now this is a very public role with high visibility in the legal sector, and CILEx itself is very well placed in terms of its representation amongst women and BAME membership can you tell us more about this?

MG Well the appointment or the election to the presidential position was a surprise for me, and it came after just a few years of being on the CILEx council as the Chartered Institute of Legal Executives, and it was an honour actually to be elected and have the confidence of my peers on council especially after such a short time. CILEx has now got 78% women, so this is a bit redressing to do but I think that's because of the qualification route and the flexibility that it offers us enabling that to happen. And I think approximately a third of students at the last count that was about black minority ethnic.

LA And indeed we've reached the landmark of CILEx member career advancements with the appointment of Elizabeth Johnson, she was a CILEx member and she's been appointed as a judge in 2017. This followed the shake-up of the way that judges were appointed, and this was a movement that developed a significant head of steam back in the 1990's with pressure brought to bear by the Association of Women Barristers and the Black Solicitor's Network. Millicent you've had considerable involvement with The Judicial Appointments Committee in terms of the diversity aspects, can you tell us more about this aspect of your experience?

MG Yes, we have two female judges now, one is Elizabeth you've mentioned and the other is Chloe Hubbert who was appointed in April and I think we've got four CILEx judges altogether and but we have many who we know qualified as Fellows of the institute and then cross-qualified as barristers or solicitors.

LA So having looked at the advancements and progress now I'm going to pause to glance back at the judiciary in the 1990's. We saw a breakthrough in The High Court in 1992 when Ann Ebsworth was the first women assigned to the Queen's Bench division of the High Court. Followed in 1993 by Mary Arden's appointment to the Chancery divisions. These appointments are notable as regardless of their practices the first women appointed to the High Court were assigned to the Family Division. Elizabeth Butler-Sloss was the only judge in The Court of Appeal throughout the decade, and she was made the first woman president of the family division of The High Court of Justice, thereby becoming the highest-ranking woman judge until 2004. However we had to wait until 2004 again for Dame Linda Dobbs to be appointed the first black woman as a High Court judge. We also saw the election of Rosalyn Higgins in 1995 as the first woman to be elected to The International Court of Justice, and she

rose to be the world's most senior judge when she was elected President in 2006. She's an interesting example of someone who came from a modest non-legal background without family connections, and she was a star pupil at her local grammar school that had previously never had anyone at university.
This leads me to you Rachel Spearing, you're a highly successful barrister, elected a Bencher of Inner Temple in 2015, and you were the first in your family to go to university. Can you tell us more about your career path and your reflections on your motivation to pursue a career in law?
RS Well I grew up in Liverpool, both of my grandparents were dockers. My one grandfather in Liverpool and the other grandfather in Seacombe, and the 70's were a time of revolution with Mersey Docks and Harbour taking a greater activity of roles in the unions, and then the 80's seeing the miner's strike. And so I grew up as a curious and probably over-opinionated child I think, interested in amateur dramatics and always confident in myself and what I wanted to do, but I had absolutely no idea that I would be doing what I'm doing now when I was growing up then.
LA And so you were educated locally, and I think you studied A level law, politics and English literature, but you didn't go on to university then. What was your career path from leaving school?
RS I had largely a state school education, there were no role-models at that time other than seeing my grandparents as orators and people who were in leadership and inspiring people and talking about social mobility and justice and access to justice and it's only now I think in later life reflecting back as to the influence that I think that experience when I was young, but in my state school there wasn't anybody obvious in role-modelling perspective. And my A levels unfortunately were something of a complete disaster and at 18 when that happens, and you completely fail everything you think it's the end of the world. So I moved to London and started luckily to work as a temp and found my way into finance and on a trading floor for what was the early part of the 90's and that was my sliding door moment of having studied A level law and having an interest in new issues and having developed a passion for looking at why things happened and how they happened, that's where I started to get both my experience in banking and finance and law, being born really.
LA I think you went to Birkbeck to study and I think you had a change of focus in some of the talks you went to.
RS I had no idea what being a barrister was about. I studied an access course at Birkbeck College and having done that access course I started to think about transitioning. At university, again sort of the curious mind came into play. I became President of the Critical Legal Society, was challenging lots of talks, hosting talks in the faculty to look at what was happening in law. We had a variety of fascinating speakers, we had Michael Hickey's mother and we had Paddy Hill from the Birmingham Six. We had other dynamic and prolific lawyers and Helena Kennedy was in Liverpool doing trials at that time, and so I started to see the importance of being an advocate and advocating people's cases and being a voice and that was the first time that I thought about being a barrister. I'd started to moot, and I won a mooting competition at university which gave me um, a mini-pupillage and that was the first moment of opportunity for me going into a set of chambers in Liverpool, because of that access that had been given through that route. So, having seen that I saw a poster on the wall of my university which was advertising at university's dining night at the Inn. And at that dinner there was a bencher who sat amongst us, asked us about our interest in law and then having retired as the benchers do after the main dining session, a tap on the shoulder came and I was talking during the dinner about a piece

of work I'd been doing involving family law and the bencher actually said to me – because of course I kept referring to them as a 'he', and he said do you know who that is, do you know who that person is? And I said no. He said well 'he' is in fact a 'she' and she's sat up there and it was Elizabeth Butler-Sloss who was the Treasurer of the Inn at the time, and a few minutes later after he'd retired a tap on the shoulder came and I was invited to go to the smoking room and unfortunately not knowing of the how the establishment worked I told the porter that in fact thank you but I didn't smoke. Luckily he did persuade me to go and I had my first encounter with Dame Elizabeth Butler-Sloss who was fascinated in what I'd been talking about my piece of work, and showed real interest was probably a few moments but showed real interest in me and what I was studying. And then a few months later having sent her the piece of work that I was doing she wrote back and invited me to marshal with her, and that was a really pivotal moment that somebody created just that glimmer of opportunity and I came down spent some time in the summer where she'd told me about the scholarships the opportunities the mentoring, and facilitated accommodation through the Inn because I wouldn't have even known where to start with that. And that set me on a whole new path.

LA You mentioned you had a mini pupillage and your experience with marshalling which is rather like being a pupil with a judge as I understand it. Can you tell me about when you wanted to try and start building your practice, obtaining the tenancy? You obviously had your solid banking and financial experience, but how were you able approach the chambers and what was that process like?

RS Obtaining pupillage has always been difficult and in the 90's when I was studying and looking for that access it was the early days of pupillage gateways, it was important to have work experience and to have and I just wrote, I was really active because I felt that I didn't have that help that other people had um, so I worked in law firms during my summer holidays, I accessed opportunities through barristers that I met and I did lots and lots of different mini-pupillages so I was able to demonstrate a real solid commitment.

I think I also saw other role-models, you know in the 90's we had, people like Nicola Davies, when I started in my pupillage in '99 she was high-flying in her career and we had people, like Ann Rafferty who was the Chair of the Criminal Bar Association and we had people like Heather Hallett who in 1998, just as I'm graduating is the first female Chair of the Bar. And all of those women went to grammar schools all of those women had very working-class backgrounds, Heather's father being a policemen, Nicola's parents being involved in mining in Bridgend and Ann's in Wolverhampton in education, so none of them were um, from privileged backgrounds and they – for me were the first dynamic role-models that I started to see, and so it really did make it feel it was possible.

LA You've all spoken about your early careers, can I ask whether you thought at the outset you thought that being a woman in the legal sector would be difficult, or that you would face additional challenges through your ethnicity or background? Baljit

BU I don't think it was at the forefront of my mind, but when I was applying for jobs as a trainee solicitor, and I know I qualified at the time when there was an economic recession, but then I was seeing other people – I had a 2:1 from LSE and other colleagues who had a 2:2 but were getting places with some of the commercial firms, I suppose I did think well how much of this is about race – maybe I thought race more than gender if I'm honest, but actually the intersectionality of those issues. They can have a doubling effect in terms of perceptions so I've said before it's about having a mature conversation about that and recognise and understanding those additional

pitfalls that there are whether you come from you know you're a woman or you come from a different background or you have a disability, there are additional barriers and you know how can we make it so that there's less barriers for people is I think the interesting conversation.
MG And I didn't think that…. I didn't see colour as a barrier…. Because I was so focused on what I wanted to do and I was just finding my way so, the firms that I worked with were encouraging and I just found my way within the environment to do what I wanted to do
RS My pupil master as he then was, I had two, one was civil and one was criminal, they were both engaged in really complex high-level work and so I was working on those cases with them. There was an expectation that I would work alongside them and support them in what they had to do, and so I never perceived, I never honestly perceived a barrier, I think it was probably ignorance was bliss at that time and I wasn't over-fazed because of the challenges that I'd had early on to even think that I might be able to do this job. Once I got that pupillage, I felt like there was absolutely nothing was going to stop me
LA It's been said there has been a question about – particularly looking at the early pioneering women lawyers that some took an approach of having to fit in very much with the male colleagues around them, or they deliberately sought to distinguish themselves, so this issue of fitting in or standing up, and I'm wondering through your colour or gender or indeed regional accent, did you feel you had to modify yourself in any way or have you observed that in others and do you have any advice for people from that background thinking now it might be a problem? Millicent?
MG I think, it wasn't a problem fitting in but one of the things that I've advised people and I received this advice for example is, when you go for an interview dress the way you want them to see you, and I think that was one of the major things I had to learn because as a secretary the dress wasn't as formal as somebody who's a fee earner as the distinction was quite often in those days. So that's probably one of the things I struggled with earlier on because I didn't dress as a fee earner I dressed to fit everybody around, but as I progressed I realised that I needed to – it wasn't a compromise I didn't want to make and it wasn't a compromise at all, but as I changed, my expectations of what I was expected to be changed.
LA Rachel?
RS It was identified to me, by Butler-Sloss in fact that I had a very regional accent when I went to marshal with her and she talked to me about what my aspirations were and what my pathway, whether I would undertake pupillage in London or apply to the circuits to do a regional pupillage. She was very frank and said you have a regional accent, you're going to have to work out what you're going to do about that, whether you're comfortable with it and if so own it or as many, many had done have elocution lessons and work out shaping your professional identity into something different. And I quickly worked out that I had to be myself I probably couldn't have coped being somebody else, so for me it I made it my own and that was my that was my authenticity. Looking forward as Millicent has said I could see other women who were sharply presented and I quickly aligned with looking the part presenting yourself in a way that was sharp and thinking about, I used to go and watch people in court I remember going to see Nicola in Preston when she was defending Shipman and the poise that she had and how she thought before she spoke and the crafting of Helena Kennedy when she addressed the jury in Liverpool as she'd done once when I'd seen her, really from the heart, so that for me those early influences influenced how I

presented myself both in accepting who and what I was and where I come from and portraying that in my work.
BU Well I'm slightly ashamed to say this but certainly my strategy as a child and as a teenager was very much to fit in to what I saw as the white mainstream culture, and whilst I absolutely loved my Asian culture: the music, the food, the clothes, I wanted to keep all of that at home so I very much in my early years tried to compartmentalise my life. Now as I've grown-up and become a bit more mature and a bit more sensible. I've certainly completely reversed that and I'm very, very proud of my Asian heritage
LA In terms of women and lawyers from BAME backgrounds their position is described by the 2017 report by The Black Solicitor's Network as one of diversity pyramids, whereby the entry level figures at the bottom have improved significantly, but the number of senior lawyers from these groups at the top have not, and progress is moving at a slow pace and of and of 34:40 social mobility even slower. This report was a 10 year study sponsored by The Law Society, which looked at chambers and firms, and we've heard in other episodes about some of the reasons why this is the case for women, but these are the same for BAME lawyers and I'm wondering whether this differs from the employed perspective such as the CPS, and we've heard that there are many more women but I wonder what your thoughts are about it, Baljit?
BU I think the CPS and I'm particularly passionate about this as the race champion for the CPS. We have reasonable figures I would say in terms of BAME people at a senior level. However, we could do better and I completely recognise what that study shows, and I think we all need to think about actually how we're going to make sure that there are talented people who can come into those positions so that we have a more reflective workforce at those senior levels as well. Because that's where things will really change,
MG I think there's a cross-over between intersectionality there as race and gender, so for an element of black minority ethnic who are women that might be the case, but also I think there's unconscious bias and some of the experiences that I had, not being given the opportunities, not being trusted, not being seen as worthy or the sort of person who would be in a role, and that affects people's confidence. So I think many black minority ethnic people may not feel confident in aspiring beyond a certain point, and because that's perhaps, they don't see themselves there they don't see others there doing it, and really and truly sometimes you need to be supported by your own group to do something different and I think all those factors when they're not there can sometimes hold people back.
LA We're coming on to networking now, and I mentioned the Association of Women Barristers and Black Solicitor's Network, both of whom were formed in the 1990's, and there are now many other groups such as The Hindu Lawyers Association, Society of Asian Lawyers, Association of Asian Women Lawyers, Association of Muslins Lawyers and the newly formed this year Black Barristers Network. These groups play an important role in providing support and help, and indeed Rachel you have founded the Wellness for Law UK Network, the not-for-profit organisation which provides a network of research professionals, clinicians and practitioners to support and share positive practice in initiatives, to improve health and wellbeing at the Bar. Why did you set this up?
RS Well the Wellbeing at the Bar work started in about 2012, so many years ago, and it was really from seeing the challenges that my peers and colleagues faced with regards to their health, mental health and wellbeing of the profession. The challenges were wide-ranging and under researched and there was a real lack of awareness of the challenges of culture the stigma of dealing with mental health and often the

catastrophic impact of that to individuals when they were not able to be supported when experiencing a problem.
LA And Millicent, you were an award winner by The Black Solicitors Network in 2017 and I know very much that networks can provide a support and we've talked about resilience, for people continually having to push themselves. Can you tell us more about well your experience of networks?
MG I socialised there and I thought it's very important networking generally for making contacts, but for me joining that and it was good to mix with others like me in positions more senior than I was in and just to see that actually black people can do everything in the norm, achieve partnerships have their own firms and be successful.
RS Having networks when you are from a diverse background, having networks for both for information, for attending events to gather support and to meet like-minded or even just like backgrounds experiences are really, really important, they can be the scaffolding or sharing opportunities or even just peer-to-peer support. My own journey was really helped by having the Inns of Courts, but also other parts of the AWB, other groups that you can go and belong to, to have and be mentored and there are many, many different areas both across the black, Asian um, women and other circuit-led events that people can attend and meet people to be supportive so I think it's very, very important.
BU I think the key thing is where those networks and indeed organisations need to focus is how do you get talented individuals sponsorship in terms of senior – access to and sponsorship with senior people who can really help them with their career paths because I think that's the missing bit, if you don't have those connections and you don't have that access and then if you have confidence issues and think well I could never do that, it keeps people down. So, the networks are good, but there's got to be more work done around how there's more access to senior people, and I think by senior people I mean you know lots of white senior people and encouraging people to be sponsors. One of the things we've done in the CPS that's been really successful has been reverse mentoring and so where actually more junior members of staff, sometimes from BAME backgrounds have actually mentored senior colleagues, and it's not been a very structured process, but the feedback has been incredibly positive. So, there's different ways that you can do this, but I think that access to senior people who are then going to take on a bit of a sponsorship role is really important.
LA There's a clear drive to open up the profession to as wide a group of people as possible and
this obviously needs to start from school age Rachel can you tell us about some of the Bar's initiatives to open up the profession to a wider group of people?
RS There are a whole wide range of foundations from the Citizenship Foundation which are offering mock trial experiences, there are schools initiatives where many many barristers across the country are going into schools and talking about the role that they do. Bar Council has started an initiative called #IAmTheBar which is really charting the wide diversity that already exists in our profession, I think they're about to start one #IAmTheJudicary to actually show people that there are people within the profession who come from diverse backgrounds. I think just under 5,000 between 4,000-5,000 of the 17,000 barristers declared that they were UK state school educated, so we have diversity amongst the profession, we need to be more visible to create those role models for individuals who may be thinking well that's not a profession for me because I'm not white, male, middle-class, that's a myth. It's really important that students are aware of the huge financial support that can be given through the scholarships that all of these Inns offer, and also the mentoring schemes

that are available from individual barristers and sets of chambers to support their access and their experience and opportunities for, that making applications for these schemes.

LA

My thanks to our contributors today Millicent Grant, Baljit Ubhey and Rachel Spearing, and to Linklaters and Goldman Sachs for sponsoring this podcast series. Further episodes can be found on iTunes or Spotify and on the First 100 Years website, where you can also find out more information and resources about the history and current stories of women in law**.**

We also have a book which will be published in the Autumn, and you can follow the news of our activities and events on Twitter at First 100 Years.

Goodbye

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