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Ivy Williams, First Woman to Qualify as a Barrister, 1922

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On the evening of 10 May 1922, Dr Ivy Williams became the first woman to be called to the Bar of England and Wales. Women would no longer be simply subjects of law and passive and silent before the courts; as a result of this change, they would be able to join barristers' chambers, appear in court, become senior practitioners and, eventually, take judicial office. But although as a young woman Williams had wished to join her solicitor father and barrister brother as a lawyer, at the time of her call she chose not to practise. In 1920 she was appointed a tutor in jurisprudence at Oxford, and she pursued that career until her retirement, as England's first woman legal academic.

I. Life

Ivy Williams was born in 1877 in the small Devonshire town of Newton Abbot. Her family hailed from Oxford, and it was there they returned in 1880. Williams spent the rest of her life in Oxford, where she was home-schooled and then attended the University of Oxford as a member of the Society of Home Students (now St Anne's College)¹ from 1896 to 1902. She was only the third woman to study law at Oxford, after Cornelia Sorabji and Alice Adams. She passed the exams for the BA in Jurisprudence in 1900 and those for the BCL (Bachelor of Civil Law) in 1902. Even as she was studying at Oxford, she studied at the same time for an LLB and then an LLD (Doctor of Laws) at the University of London, graduating with these degrees in 1901 and 1903. In 1920, when Oxford permitted women to graduate, she received her BA, MA and BCL at the first ceremony for women graduates.

¹ The Society of Home Students was an association for women who chose not to live in at a women's college. See RF Butler and MH Pritchard (eds), *Saint Anne's College: A History*, vols I and II (private publication, 1930).

After finishing her studies, Williams declared that she had 'been educated expressly for the legal profession'.² But her attempt to be admitted to an Inn of Court was unsuccessful and, after the deaths of her brother and her father in quick succession, she turned away from public life to care for her mother and manage the considerable family finances. During the First World War she served as the Treasurer of the Cowley War Savings Association, as well as working as a Russian translator and Italian tutor. Between May 1918 and February 1919, she worked as a law clerk at the Oxford law offices of Thomas Mallam.

In 1920, Williams joined the Society of Home Students as a Tutor in Jurisprudence, continuing in that role until her retirement in 1945. During that time she taught all of the women studying law at Oxford. Of her teaching, it was said:

Those of us who were tutored by Ivy Williams soon came to realize that, though she worked hard, she let us go our own ways with splendid objectivity, and that beneath a shy and remote exterior she concealed a personality that was both kind and courageous, though her aloofness made it difficult for the immature to know her at all intimately. It was not until many years later that those who had kept in touch with her learnt to delight freely in the range of her keen intelligence and to admire the magnificent courage with which she faced blindness, ill-health and old age.³

In 1923, she was the first woman to be awarded a non-honorary DCL (Doctor of Civil Law) by Oxford in recognition of her academic work in private international law.

In the meantime, in 1922, Williams was called to the Bar, six months ahead of the other women in her cohort. This was thanks to a provision in the regulations that enabled her to be excused from two terms of the dinners required as part of the qualifying process because she had taken first class in her law examinations. She represented the British Government in 1930 at the League of Nations Conference for the Codification of International Law, speaking on the position of married women's nationality. From 1932 to 1939 she was a member of the Aliens Deportation Advisory Committee, advising the Government whether proposed deportations on the grounds of the 'public good' should be carried out.

Williams neither married nor had children but shared her home with women companions, including the Oxford geography tutor Nora MacMunn (the second woman to be appointed to an academic post in Oxford) and a retired former missionary. She died in Oxford in 1966.

II. Context

Women were not allowed to practise as lawyers in the nineteenth century. From mid-century, feminists campaigned for entry. A petition was organised

²'Our Lady Lawyer' *Dundee Evening Post* (1 April 1904) 8.

³S Penley and EO Dodgson, 'Dr Ivy Williams: An Appreciation' (1966) *The Ship* 38.

by Maria Grey, who had opened a stationers' office to train female legal clerks in 1860, asking the Law Society to open its professional examinations to women. In 1873, Eliza Orme undertook an unofficial pupillage with a sympathetic barrister and then opened her own legal office with women friends who 'devilled' (drafted legal documents) for Counsel. The University of London admitted women to its LLB classes in 1878, and Eliza Orme became the first woman to graduate there with a law degree in 1888. Cambridge admitted its first woman law student in 1879 and Oxford in 1889.⁴

But the possession of a law degree did not qualify a person to become a lawyer. For that, they needed to be accepted into the Law Society examinations (to become a solicitor) or called to the Bar (to become a barrister). Both professional bodies were strongly opposed to women's entry. In 1901, Margaret Hall's application to the Society of Law Agents of Scotland to take their qualifying exams was refused, just as in December 1903 Bertha Cave unsuccessfully applied to the Benchers of Gray's Inn to admit her as a student of law. In January 1904, Ivy Williams herself and Christabel Pankhurst applied to the Inns of Court for admission and were both rebuffed. In 1913, Gwyneth Bebb unsuccessfully challenged the refusal of the Law Society to allow women to enrol for their qualifying examinations.⁵

Williams' call to the Bar was made possible by the enactment of the Sex Disqualification (Removal) Act 1919. That Act removed the bar to women's entry to the legal profession and required the Inns of Court to admit women as members and allow them to begin the course of study that would result in their call to the Bar or admission to the roll of solicitors.⁶

III. What Happened Next

As 'first woman to be called to the Bar', Ivy Williams represents something of a paradox. Since she never practised, her status as a barrister was mostly symbolic, as it began and ended on her night of call. She was not the first to be admitted to an Inn after the passing of the 1919 Act (this was Helena Normanton);⁷ she was not the first to complete her Bar examinations (this was Olive Clapham); and she was not the first woman in the UK to qualify as a lawyer after the Act (that honour goes to Frances Kyle and April Deverell, who were called to the Irish Bar

⁴Rosemary Auchmuty, 'Early women law students at Cambridge and Oxford' (2008) 29 *Journal of Legal History* 63.

⁵Rosemary Auchmuty, 'Whatever happened to Miss Bebb? *Bebb v the Law Society* and women's legal history' (2011) 31 *Legal Studies* 199.

⁶See further Mari Takayanagi 'Sex Disqualification (Removal) Act 1919' in Erika Rackley and Rosemary Auchmuty (eds), *Women's Legal Landmarks: Celebrating the History of Women and Law in the UK and Ireland* (Hart Publishing, 2019) 133.

⁷Judith Bourne, 'First Woman to be Admitted to an Inn of Court, Helena Normanton, 1919' in Rackley and Auchmuty (eds), n 6, 147.

in November 1921).⁸ So it fell to the other 11 women in her cohort, who were called in November 1922, and their successors to demonstrate that women could be competent lawyers on the same basis as men, unconfined as to subject matter. They faced considerable opposition and sexist discrimination, and it was not until 1949 that the first women King's Counsel, Helena Normanton and Rose Heilbron, were appointed.

What did not happen, either immediately or for some decades, was a large influx of women into either branch of the legal profession. In the 1920s and 1930s, the annual number of new women barristers and solicitors only just reached double figures. It was not until the 1970s that the percentage of women solicitors picked up. Women now comprise 51 per cent of all solicitors. The Bar has doubled in size between 1990 and 2020, but women still make up only 38 per cent of barristers. Moreover, attrition and lack of progress continue to bedevil the attainment of true equality: women comprise 62 per cent of all new solicitors, but only 35 per cent are partners;⁹ 50 per cent of all pupil barristers, but 18 per cent of KCs.¹⁰ These inequalities are reflected in women's financial position in the profession. As of October 2022, the pay gap between men and women at the Bar was currently 34 per cent, slightly improved from the pre-pandemic figure of 39 per cent.¹¹ Women solicitors fare better, but the median pay gap between men and women as at June 2022 was 25 per cent.¹²

A similar situation faced women legal academics. During Williams' 25-year tenure as Tutor in Jurisprudence at Oxford, only one other woman taught in an English law school: Edith Hesling, assistant lecturer at Victoria College, Manchester, from the mid-1930s. It was not until 1949 that Sylvia Tolson became assistant lecturer at Kings College, London, followed by Olive Stone at the LSE in 1952;¹³ and it is only recently that women's participation in legal education has achieved near equality with men's. And even though Trinity College Dublin appointed its first woman law professor in 1925, Frances Moran,¹⁴ in the UK the first woman law professor was not appointed until 1970, when Dr Claire Palley became Professor of Law at Queen's University Belfast, moving to the University of Kent in 1973.¹⁵

⁸ Liz Goldthorpe, 'First Woman to Practise as a Barrister in Ireland and the (then) United Kingdom, Averil Deverell, 1921' in Rackley and Auchmuty (eds), n 6, 175.

⁹ Solicitors Regulation Authority, 'How diverse is the solicitors' profession?' (27 June 2023).

¹⁰ The Bar Council, 'Key trends shaping recruitment and retention at the Bar' (31 October 2022).

¹¹ Zara Nanu and Dana Denis-Smith, *Closing the Gender pay gap in the legal profession* (Gapsquare, June 2022) 3.

¹² *ibid.*

¹³ Rosemary Auchmuty and Jennifer Temkin, 'The road to Olive Stone' in Ulrike Schultz et al (eds), *Gender and Careers in the Legal Academy* (Hart Publishing, 2021) 446.

¹⁴ Emma Hutchinson, 'First Woman Professor of Law in Ireland, Frances Moran, 1925' in Rackley and Auchmuty (eds), n 6, 199.

¹⁵ Fiona Cownie, 'First Woman Professor of Law in the UK, Claire Palley, 1970' in Rackley and Auchmuty (eds), n 6, 297.

IV. Significance

In becoming the first woman called to the Bar of England and Wales, Ivy Williams opened the door to a new area of professional working life for women. By 1922, women were already doctors, teachers, factory inspectors, academics, accountants, dentists and MPs. After Ivy Williams' call, the 'woman barrister' was no longer an abstract prospect but a personalised reality. Williams' appearance in the barrister's gown and wig made national and international news. Women were no longer limited to being imagined as barristers; now, they *were* barristers. Conscious of her historic achievement, it was reported, she 'spoke of the women who would follow and who would practise at the Bar, and she asked that every help and encouragement would be given them in the difficulties they would face'.¹⁶

Thanks largely to feminist efforts to insert women into legal history, prompted by the centenary of women's admission to the legal profession, Williams' role in the transformation of the profession has been commemorated in traditional ways: a blue plaque marks Williams' childhood home in Oxford, and the centenary of her call was observed by special Judicial Office events, a commemorative lecture at the Inner Temple and an exhibition at the UK Supreme Court.¹⁷ Lady Hallett, the first woman to chair the Bar Council and the fifth woman to be appointed a Court of Appeal judge, named Ivy Williams as her inspiration in law.¹⁸ But there are also some less traditional examples of her impact. Williams' 'unwavering drive and dedication' has inspired the naming of a scented candle, as well as a multi-academy educational trust in Devon (the Ivy Education Trust)¹⁹ and the specialist women's legal outfitters, Ivy & Normanton, a business that is now possible due to the number of women barristers.²⁰

Further Reading

- Caroline Morris, 'Dr Ivy Williams: inside yet outside' (2020) 29(4) *Women's History Review* 583.
- Mary Jane Mossman, *The First Women Lawyers: A Comparative Study of Gender, Law and the Legal Profession* (Bloomsbury Press, 2006).
- Bridget Wheeler, *Ivy Williams* (Woodbridge Publishers, 2022).

¹⁶ 'First Englishwoman barrister' *The Guardian* (11 May 1922).

¹⁷ 'Celebrate 100 years of women at the Bar at the Supreme Court' (23 September 2022).

¹⁸ Heather Hallett, 'My legal hero: Dr Ivy Williams' *The Guardian* (10 February 2011).

¹⁹ Ivy Education Trust at <https://ivyeducationtrust.co.uk> [accessed 15 May 2023].

²⁰ As the website notes, 'The profession has changed since Ivy and Helena first joined, but the shirts and collars they wore have remained much the same' (Ivy and Normanton, 'About Us' at <https://ivyand-normanton.com> [accessed 22 November 2022]).

