



From Practice: Celebrating 100 Years of Women in Law

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As we celebrate 100 years since the Sex Disqualification (Removal) Act 1919, which permitted women in the UK to enter the legal profession, it seems an opportune time to reflect upon and celebrate the advances made in the law to “Promote and Protect Women.”

My own career at the Crown Prosecution Service commenced in 1991. I crafted my skills as a Crown Prosecutor prosecuting large criminal lists at Wolverhampton Magistrates Court before developing them further as a Crown Advocate prosecuting at the Crown Court. In 2014 I became Deputy Chief Crown Prosecutor for the West Midlands Region. This is the largest CPS region in the country covering the West Midlands, West Mercia, Warwickshire and Staffordshire Police Force Areas as well as the national work of the British Transport Police.

I lead a team of around 200 officers, comprised of Lawyers and Paralegal Officers who prosecute at the 44 Crown Court sittings across the region daily. Working in Public Service allows us to provide the best possible service to the victims and witnesses of crime and helps to keep our communities safe. However, making decisions which affect the lives, liberty and safety of others brings with it great responsibility. The decision to prosecute must be made carefully and proportionately. Whilst we must bring the right offenders to justice for the right offences we must also, in appropriate cases where required by the public interest, take steps to divert some offenders away from the criminal justice system: for example offending by children and young people can often be addressed outside of the criminal justice system by rehabilitative, educational support.

It is of fundamental importance that our legal system reflects the community it serves and diversity of the legal profession at all levels is key to this. Thinking back over my own career, the majority of lawyers and judges I initially worked alongside were male. By 2019, I am pleased to say that landscape has completely changed. I am proud to work for an organisation where over half of the staff are women, in addition our family friendly policies have made it much easier for women to juggle successful legal careers and family life. As a Senior Leader I am proud that there have been two female Directors of Public Prosecutions, in 1991 and 2013, and to see so many women in senior positions across the country, shaping our service.

Female Judges have increased in number and sit across the whole spectrum of legal disciplines. The Senior Presiding Judge for England and Wales, Mrs Justice Macur DBE, was

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the first woman appointed to this office in 2017. Mrs Justice Macur was previously the Presider of our local circuit and before that regularly appeared as Queen's Counsel at the criminal courts in West Midlands. And who could forget Lady Hale DBE, the first female President of the Supreme Court who shone the spotlight on Constitutional Law by declaring the prorogation of parliament was void and of no effect in 2019?

Turning to the protective role of the law and how this has impacted on women over the last 100 years, it has been interesting to observe how the criminal law keeps pace with changing societal needs. I think particularly of domestic abuse. There has rightly been a wholesale shift within the law recognising the seriousness of domestic abuse. My early career saw the principal protection for victims of domestic abuse relying upon legislation more than 100 years old: the Offences Against the Person Act 1861 which created various offences, including assault, grievous bodily harm and wounding. Whilst this Act is still in force and much used to this day, there are of course many harmful behaviours falling short of physical violence which are equally damaging to the quality of the lives of victims, whom we know are principally women.

The Protection from Harassment Act 1997 made harassment and stalking illegal. The Serious Crime Act 2015 introduced an offence of coercive and controlling behaviour, recognising the harm caused by controlling another: for example, by denying access to friends and family; financial abuse; enforcing rules; depriving access to services. The Sexual Offences Act 2003 has also expanded to create a raft of offences to regulate all aspects on sexual offending.

Legislation has enabled courts to make restraining orders, alongside any other sentence or even on acquittal, to regulate future behaviours and protect victims from unwanted contact. These orders are powerful protective remedies and in the most serious cases can be imposed for a lifetime.

The law has also helped victims be confident in giving evidence. The Youth Justice and Criminal Evidence Act 1999 created "special measures" to improve the court experience for vulnerable and intimidated witnesses. Facilities are available to give evidence at court by video and via TV link away from the court room. These measures are constantly evolving.

In more recent years the Law has developed to include a range of protection orders, these are aimed at preventing crimes occurring in the first place as opposed to prosecuting an offence once it has occurred. This clearly avoids harm to victims and is a very effective remedy. The Female Genital Mutilation Protection Order can prevent a child being taken abroad to receive this barbaric act. Similarly Forced Marriage Protection Orders are similarly designed to prevent an offence occurring. My hope is that our Law continues to modernise, be contemporary and agile to meet, in the best way possible the challenges society brings, and I am confident it can and will.

In all, the past 100 years demonstrates that the law can be agile and progressive and has had a significant impact in respect of both "Promoting and Protecting Women." My wish for the next 100 years is that Women continue to choose Law as their career of choice. It will ensure there is a rich diversity within our legal profession. To date, the only female to hold the role of Attorney General in England and Wales is Baroness Scotland who held office between 2007 – 2010. I am sure in the next 100 years further women will hold this role. There are few female Queen's Counsel practising criminal law at our local circuit. It would be excellent to see increased numbers of women in this senior advocacy role.