

Foreword to the Special Issue: Women in Law and Criminal Justice: *Quo Vadis?*

It is my esteemed pleasure to welcome the Special Issue of the Wolverhampton Law Journal (WLJ), which has been prepared in celebration of Women in Law and Criminal Justice. At the start of 2019, the celebrations of the centenary of the Sex Disqualification (Removal) Act 1919¹ began. In April, Wolverhampton Law School hosted the Artwork celebrating the First 100 Years of women in law which has also featured at the Supreme Court and the Royal Courts of Justice.² At the same time the Law School organised a PhD Conference under the same theme, where PhD researchers from the West Midlands Legal Doctoral Network shared their findings about the women who have most influenced their areas of the law.³ In October, the Law Research Centre organised the First 100 Years Colloquium, the report of which is referenced below. In order to continue the celebrations, and with the Law Research Centre's home journal, we found the unique opportunity to publish select contributions on this theme in this Special Issue.⁴

Right from the start, the editorial team at WLJ wishes to make an honourable mention of the winner of the Essay Competition, "Celebrating Women in Law and Criminal Justice", which was completed in the summer 2019. The winner of the competition, and with it a book prize awarded by Edward Elgar Publishing, was Ms Marina Clarke, a law student at Ulster University (Belfast). Her observations on the developments of the legal profession, together with her personal reflections on role models in Northern Ireland, such as Denise McBride QC and Siobhan Keegan QC, left a particular impression on the editorial board. Many congratulations to Ms Clarke, and we wish her great success in her continuing studies, and her legal career going forward.

A further word of gratitude is owed to the WLJ Special Advisory Board, which continues to offer support and ensures academic rigour to this peer reviewed, gold open access journal. The advisory board consists of: HHJ James Burbidge, QC; HHJ Sally Dowding; Professor Andrew Keay; Michael Mansfield QC; and the Hon Mr Justice Norris. It is hoped that in the future, more women will join WLJ's advisory board.

Wolverhampton Law School has seen a rise in female students and graduates since the 1970s. When the first LLB class graduated in 1975, 26% of the graduates were female (6 out of 23 graduates). Over the years, the percentage of female students has gradually risen. In the September 2019 graduation, 67% of graduates of the LLB programme were female (223 out of 334). In the current year, we have 127 registered students starting their first year of the LLB programme, out of which 67% are women. In light of these figures, the Law School deems it paramount to highlight role models our students can follow, and a great number of them are *alumnae* of the University.

This WLJ Special Issue features a diverse tapestry of contributions. At the very start *Dana Denis-Smith*, the founder of the **First 100 Years**,⁵ offers a compelling history of "women's firsts" in the UK legal profession, since the passing of the 1919 Act. Aligned with the aim and

¹ Available: <http://www.legislation.gov.uk/ukpga/Geo5/9-10/71/section/1> (accessed 18 November 2019).

² Exhibition Artwork is part of resources, which the First 100 Years project offers in celebration of the centenary, available: <https://first100years.org.uk/resources/> (accessed 27 November 2019). There is additional artwork which was commissioned by the First 100 Years project, created by the Turner Prize nominated artist Catherine Yass and will be on permanent display at the Supreme Court (Supreme Court Artwork), available: <https://first100years.org.uk/what-we-do/supreme-court-artwork/> (accessed 27 November 2019).

³ Conference report of the WMLDN event "Celebrating Women in Law," which took place on 30 April 2019 is available: <https://wmldoctoralnetwork.wordpress.com/events/> (accessed 27 November 2019).

⁴ (2019) 3 WLJ 1.

⁵ Available: <https://first100years.org.uk/> (accessed 18 November 2019).

objectives of the project, it is important we recognise and celebrate the past in order to shape the future of women in law, in the right direction. *Suzanne Llewellyn*, the Deputy Chief Crown Prosecutor for the West Midlands further explores the role of women within the Crown Prosecution Service (CPS). Ms Llewellyn designates CPS as a potentially suitable career path for women, wishing to pursue a career in the law, whilst at the same time balancing their other commitments. Ms Llewellyn is an *alumna* of the University and has often returned to discuss the law and the legal profession with our students. Her latest contribution, together with talks by Dr Karlie Stonard, and Carl Hardwick at our First 100 Years Colloquium are recorded for this issue by *Kay Dunn*.⁶

The Special Issue is particularly rich for its feature of research articles from diverse perspectives. Writers explore either the role of women in the law, their historical influence on particular legislative developments or apply a feminist lens to an area of law, previously not (yet) applied. *Lynn Ellison* explores UK criminal law as it relates to the situation of women who have endured domestic abuse and, as a result, have killed their abusing spouse or partner. Here, feminist engagement with criminal law has had significant influence, although much work still needs to be done. Addressing issues of commercial law, *Dr Mary W Gani* discusses copyright and creative autonomy from the perspective of women music artists, and in particular, through the eyes of women “who have made it” (*i.e.* Divas). It has recently been reported,⁷ that the music industry, much like the legal profession, is still male dominated, where most of the artists, who are signed by record labels, are men. In this context, it is important to have contributions such as that of *Dr Gani* who sheds light on the experience of women in the field. Adding to the discussion on commercial law, *Dr Lézelle Jacobs* offers her contribution to insolvency theory, by investigating some of its key assumptions through a feminist lens.

In order to stimulate more feminist engagement with all areas of the law, this journal also offers some reading suggestions for the reader in the days that lie ahead. It is posited here, and confirmed in the two recommended books, that all areas of the law would benefit from feminist engagement, which will go beyond areas which directly open the “women question” (*i.e.* criminal law, sexual violence or reproductive rights), and thereby include areas of the law, which appear as “gender-neutral.” Research handbooks, which are edited by (1) Susan Harris Rimmer and Kate Ogg; and (2) Robin West and Cynthia Grant Bowman have both been published by Edward Elgar Publishing (2019) and will form a strong starting foundation for anyone interested in feminist engagement with the law.

This issue would not have been possible without the contributions of all of her authors and anonymous reviewers, who have generously offered their time to review articles from a diverse range of research areas. Furthermore, the release of WLJ would not have been as timely, without the support of the editorial board, and in particular Professor Peter Walton and Dr David J Cox.

As the reader will note from the contributions, women have an important role to play in the society and in particular in the law. This can be seen not only in the role they take in the legal profession, but also in their approach to the content of the law and its underlying principles. Feminist approaches to the law can shift traditional paradigms and default positions, which, until challenged, can appear perfectly normal, equal and fair. But that is in most cases not the situation. Only by exploring the law from a multitude of perspectives will we allow it to be tested against a variety of positions, ensuring its legitimacy for a multitude of persons affected by its

⁶ See Conference Report in this Issue.

⁷ Vick Bain, ‘Counting the Music Industry: The Gender Gap’ (October 2019), available: <https://countingmusic.co.uk/> (accessed 18 November 2019).

reach. Studies of feminist jurisprudence in areas previously untouched by feminist scholars (for example trade or investment law); the increase in leadership roles in the judiciary, academia and the legal profession; together with the commitment to gender equality and equal pay, will all continue to be on agenda for the next ten – and hopefully not another hundred – years. Symbols, representation and mentorship will prove to carry us onwards in reaching these goals.

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