

The bench needs women to step up

Tilly Rubens considers why so few female lawyers set their sights on the judiciary

WOMEN make up the lion's share of new entrants to both branches of the legal profession. But relatively few make it to the bench. Only 15.8 per cent of all judges are women. Compare this with France, where about 80 per cent of those entering the judiciary are women. The difference, though, is that, in France, young women can train to become judges straight after law school; in England and Wales, the minimum qualification will generally be seven to ten years in practice first.

So should we be doing more to target women lawyers at an early stage in their career to raise their awareness of becoming a judge later on? Many respondents to last year's Department for Constitutional Affairs' (DCA) paper, *Increasing Diversity in the Judiciary* thought "yes". The Bar Council stated that lawyers and law students should have sufficient knowledge of judicial appointments to enable them to consider the possibility of such work from an early stage; and the Society of Legal Scholars noted that university students did not

see judicial office as being a possible career choice.

This is an opinion shared by young women lawyers in practice. Angela Jack, a pupil at Arden Chambers, says that neither at university nor at law school was any information given about careers in the judiciary. She says: "It had never crossed my mind that I could potentially be a judge and it was not seen as part of the career plan of my contemporaries." Jack feels that targeting men and women lawyers early on would be useful for career planning and also open up access to the judiciary.

Sally Blackmore, also at Arden Chambers and who was called in 2003, did not receive

WOMEN JUDGES

Law lords: 1 of 12
 Heads of division: 0
 Court of Appeal: 2 of 37
 High Court: 10 of 107
 Circuit judges: 67 of 626
 Recorders: 197 of 1,414
 District judges: 85 of 433
 Deputy district judges: 195 of 797

any information at Bar School on judicial appointments. She believes that information on the appointments process would benefit students at this stage and that better use could be made of the marshalling schemes, organised by the Inns of Court, which allow students to sit in with a judge. As a student, Blackmore spent a week sitting with a circuit judge. She says that this gives students first-hand experience of how the courts work and enables them to consider if they might want to apply to the bench later in their career.

The solicitors' profession does not set any better example. Joanna Kay, a one-year qualified solicitor at Cumberland Ellis in London, says there was no careers information on judicial appointments on her legal practice course. She does not know the exact process for becoming a judge and believes that more information would be useful for young women solicitors. This is particularly the case because solicitors may have less day-to-day contact with judges and the courts than barristers do.

However, Elizabeth Cruickshank, editor of *Women in the Law*, believes that merely targeting young women to make

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future applications for judicial office will not ensure a more diverse judiciary, and that the profession and the DCA must continue to take pro-active steps. She cites as good practice the judicial shadowing scheme, consultations and road shows, and suggests that: "When senior judges wish to wind down or retire, perhaps we could use their skills to mentor young candidates for judicial office."

The DCA is certainly taking a more active stance in encouraging future judges. The Lord Chancellor has said: "My depart-

ment is working to raise awareness of the possibility of judicial appointment and the range of posts available by, for example, extending the judicial work-shadowing scheme to include district judges [magistrates' courts] as well as circuit judges and district judges; advertising widely in the press and on websites; sending out regular e-newsletters; organising events aimed at specific under-represented groups [the first of which, aimed at women, took place in Manchester this summer]; and piloting a scheme

to encourage individuals to apply for appointment."

Only time will tell if such initiatives will succeed. But perhaps those women law students reading this will now be able to see themselves as the next Dame Brenda Hale in 20 years' time.

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- www.womensolicitors.org.uk
- www.womenbarristers.co.uk
- www.dca.gov.uk/judicial/appointments/judshadow.pdf