

Celebrating Women's Rights

Birmingham Law Society and Holdsworth Club 2018

Lady Hale, President of the Supreme Court

29 November 2018

This is a year of centenary celebrations. We are here to celebrate 200 years of the Birmingham Law Society. Birmingham solicitors were generous in supporting the teaching of law in the University and we can also celebrate the 90th anniversary of the founding of the Law Faculty and of the Holdsworth Club in 1928. It is also the centenary of some, mainly middle and upper-class women, getting the vote in 1918 – ironically many of them because of their husbands' rather than their own property qualifications. This alone is enough to show how far away from true equality they were. Suffrage alone was not enough. There was a great deal more that needed to be changed. So how far have we come since then?

I can divide the century into three periods: (1) 1918 to World War Two; (2) World War Two to 1984; and (3) 1984 to the present. I have picked 1984 for sheer vanity – that is the year that Susan Atkins and I published the first book on *Women and the Law*, which has just been republished this year by the Institute of Advanced Legal Studies. But it turns out to be quite a good turning point as well.

(1) 1918 to World War Two

Soon we shall be celebrating the centenary of the Sex Disqualification (Removal) Act 1919, which meant that women could no longer be excluded from any of the learned professions, including the law, and could hold public office, including judicial office. I feel reasonably confident that Birmingham Law Faculty and the Holdsworth Club admitted women from the start – although there were very few in the early days. The Act was only the beginning. One of my favourites suffragettes was the remarkable Margaret Mackworth, Viscountess Rhondda, a wealthy industrialist and business woman. She founded the Six Point Group and the feminist magazine *Time and Tide* (which I read as a school girl). Their six points are a good indication of feminist priorities in those days. Four of them had to do with family life and some progress was achieved in the inter-war years:

(i) Satisfactory legislation for the widowed mother

At common law, a wife had no parental rights and authority over her children born within marriage – even when her husband died he could appoint a guardian who would take precedence over her. The Guardianship of Infants Act 1925 gave her equal rights with a guardian appointed by the father and also made the welfare of the child, rather than the common law rights of parents, the paramount consideration in any dispute about children’s upbringing.

(ii) Equal rights of guardianship for married parents

The 1925 Act was all very well if the husband died or the parents separated, but not while they were still together. The father was still in charge. Many people – including the leading Family Law scholar of the 1950s and 1960s, Professor Peter Bromley, thought that it was not a problem that mothers could not apply for their children’s passports or consent to their medical treatment. It took until Guardianship Act 1973 for married mothers to achieve equal status with married fathers.

(iii) Satisfactory legislation for the unmarried mother and her child

The law still drew sharp distinctions between the child of married parents – who at common law belonged to the father – and the child of unmarried parents – who at common law belonged to no-one. The bastardy laws allowed an unmarried mother to obtain modest maintenance from the father for their child but made it very difficult to do this. The Bastardy Act 1923 made very limited changes and it was not until the Family Law Reform Act 1987 that the children of parents who were not married to one another achieved equal status with the children of married parents. We were at last able to abandon pejorative adjectives – such as ‘illegitimate’ – attached to the child and, to the limited extent that this remains relevant, simply ask whether the parents are or were married to one another.

(iv) Satisfactory legislation on child assault

There were many others pressing for greater protection for victims of child abuse and neglect. The Children and Young Persons Act 1932 (consolidated in 1933) laid the basis for the system which endured until the Children Act 1989. The offences of child assault and neglect, laid down

in section 1, are still with us today. And a comprehensive system of child protection orders was introduced to rescue the children from abusive or otherwise harmful homes. The procedures were based on the theory that bad surroundings led to juvenile delinquency and so there was no real difference between treating the young offender and providing for a child in need. The feminists who campaigned for such legislation may not have foreseen how mothers in need might become the sufferers from it.

There were some other changes to family law during the inter-War years. The Matrimonial Causes Act 1923 equalised the ground for divorce – until then, while a husband could divorce his wife for simple adultery, a wife could only divorce her husband for adultery plus something else – such as cruelty or desertion. The Law Reform (Married Women and Tortfeasors) Act 1935 ended the concept of the wife's separate property and the rule that a husband was liable for the torts committed by his wife. In future a wife could own property and be liable in contract and tort just like anyone else. This was, of course, as much for the benefit of the husband as it was for the benefit of the wife.

Thus most of the relics of the old common law doctrine of coverture - that the husband and wife were one person in law and that person was the husband – had gone by the end of this period (the remaining examples were the married woman's restraint on anticipation, abolished in 1949, and the rule that a married woman's domicile was automatically that of her husband, not abolished until 1973). This meant that when the leading academic textbook on *Family Law* was published in 1957, its author could proclaim that husband and wife were now 'joint co-equal heads of the household'. This may have been the legal reality but, as we shall see, it was very far from the actual reality.

Outside the home, the Law Reform Committee, whose report led to the 1935 Act, asserted that:

'Women nowadays, whether married or single, engage in almost all professions, trades and businesses and are eligible to hold and do in general hold every sort of public and official post and exercise every right and franchise just as much as men' (1943 Cmnd 4770, para 16).

So it seemed right that they should be able to hold property and incur legal rights and liabilities just the same as everyone else. But was the Committee right? The Six Point Group had two points about the world of work outside the family.

(v) Equal pay for teachers

Women have always been teachers, but their regular employment as such developed apace during the 19th century with the introduction of universal and eventually compulsory state elementary education. Many women, including my own mother, trained as teachers between the wars. But they had no legal right to equal pay. Worse than that, the so-called ‘Geddes axe’ – the savage cuts in public expenditure after the First World War, combined with the desire to provide employment for the men returning from the war, led to a rule that women had to give up teaching when they married, as my mother had to do in 1936. The marriage bar was suspended temporarily during the Second World War and abolished by the Education Act 1944 – apparently because it was recognised that married women ‘had certain qualifications for teaching which are not offered by either men or spinsters’ (Royal Commission on Equal Pay 1944-46, Cmd 6937, para 469) – knowing something about children, perhaps? But the women had to wait until 1955 before the Government agreed to adopt a policy of equal pay and even that would take until 1961 to implement in full.

(vi) Equal opportunities for men and women in the civil service

Women had also begun to enter the civil service during the 19th century – at first as telegraphists when the Electric Telegraph Company was nationalised under the Telegraph Act 1869; then as clerks in the Post Office, greatly assisted when Millicent Fawcett’s husband, Henry Fawcett MP, became Postmaster General in 1880; then as ‘typewriters’ when type-writing machines began to be introduced in the 1890s; and then as factory inspectors, inspecting the working conditions of women and children in factories. In general, the women were segregated from the men and paid less than them – indeed that was one of their attractions. Their employment was hugely expanded during the First World War, but not on equal terms with the men, and fell back when the men returned from the war.

There was a proviso to the Sex Disqualification (Removal) Act 1919, which allowed regulations to be made governing the admission of women to the civil service and their conditions of

appointment and reserving positions in His Majesty's possessions overseas or in foreign countries to men. It took until the 1970s for the foreign service to be opened up entirely to women. On the other hand, the civil service examinations were opened to women during the 1920s, including those for the higher grades, so that women could enter the Home Civil Service on the same terms as men. But women in established posts were normally required to resign on marriage, although exceptions could be made for those with special qualifications or experience or the special requirements of the Department where she worked. This was rare in the inter-war years, but matters changed during World War Two when all women, married or not, were expected to help in the war effort. Exceptions became more common after the war, particularly for the higher grades. In 1946, however, most local authorities still enforced a marriage bar for their non-teaching employees.

Equal pay had been accepted in principle by the civil service since the 1920s, but kept on being put off because of economic difficulties. It was eventually introduced – again in stages – beginning in 1955.

So to sum up, the Six Point Group and other feminist campaigners achieved a good deal during the inter-War period. But it was assumed that women would leave non-manual public sector posts if and when they married. The legal disqualifications from employment and public office had largely been removed, but there was nothing to prevent employers in both the public and the private sectors from discriminating on grounds of sex or marriage or to require them to pay men and women equally. The expectation that women would, and should, marry and have children was seen as a justification for discrimination, along with their natural inferiority in certain respects – physical strength and (in the view of the majority of the 1944 Royal Commission on Equal Pay) productivity. But when it came to women's so-called natural vocation in marriage, child-bearing and child-rearing, there was formal equality between husband and wife in some, but by no means all of family life, and very little equality between breadwinning and homemaking roles.

(2) World War Two to 1984

This period was characterised by a growing recognition that formal legal equality was very far from achieving actual equality on the ground, whether in the home or in the workplace.

Consider the situation of a married woman when I first studied Family Law in 1965. A husband could no longer lock his wife up to keep her at home, but he could not be guilty of raping her unless they were formally separated. This meant that he could force pregnancy on her if he wished. There was an extremely strong presumption that any children born to a married woman were her husband's children. She had no rights or authority over them unless and until he died or a court order gave her some. Recognition of and remedies for domestic violence and abuse were in their infancy and there was still a strong feeling amongst the police and other authorities that it was wrong to intervene between husband and wife. Women who went to the magistrates' courts for separation orders complaining of persistent cruelty were solemnly asked whether there was any chance of reconciliation. Divorce and separation were based on fault. This was seen as a strong incentive to both parties to stay together, but in reality it operated much more strongly upon the wife than upon the husband. A wife's marital behaviour was central to what she might expect if the couple parted. If she was judged even partially at fault she risked losing her home, her livelihood and even her children. Even if she was not at fault, the financial remedies available to her were very limited. If the husband was at fault, he could keep his home, the major part of his income, and still expect a fatherly relationship with his children. For the great majority of women, who had little choice but to adopt the traditional gender role, these were powerful incentives to stay at home and in line.

During the 1950s and 1960s, the courts, led by Lord Denning, began to recognise that the law was not kind enough to the traditional female role. They tried to improve the wife's claims to a share in an owner-occupied matrimonial home, which was still usually conveyed into the husband's sole name. They developed a right to occupy the family home and even to exclude an abusive husband from it. But these efforts were knocked back by the House of Lords. Parliament began to step in, largely but not entirely in response to recommendations from the Law Commission, which was established in 1965.

Beginning with the Matrimonial Homes Act 1967, family law was transformed. It became sex-neutral, in that the same rights and remedies applied both to husband and to wives. The law could now contemplate a househusband, in theory at least, or the equal sharing of homemaking and breadwinning roles. It also became much kinder to the homemaker and care-giver. The remedies available to her both during and after the relationship were vastly improved. Sharing of assets on breakdown became the norm, originally in order to cater for the needs of the children and their carer, but eventually as a standard in its own right. Once the parties and parents were

seen as equal partners, marital conduct as such was rarely relevant to deciding what should happen after the relationship ended. The fault-based system of divorce was ostensibly and in practice abandoned. Married mothers gained a status equal to that of married fathers while they were together and in practice became a good deal more powerful once they were apart. This was because of the importance attached to keeping the children in a stable home with their primary care-giver, still in the great majority of cases the children's mother.

The workplace was also changing. The three distinguished women who dissented from those parts of the 1946 Report of the Royal Commission on Equal Pay which sought to explain and justify paying women less had made a powerful case. Equal pay was adopted in the civil service, teaching and local government. The women sewing machinists at Fords in Dagenham went on strike to be recognised and paid as skilled workers like the men and won. The United Kingdom was negotiating to join the European Economic Communities. Equal pay for men and women was one of the founding principles of the Treaty of Rome. Perhaps in the hope of joining, and certainly in response to mounting pressure, Parliament passed the Equal Pay Act 1970, to come into force in 1975. After the UK joined the Communities in 1973, it passed the Sex Discrimination Act 1975, prohibiting discrimination on grounds of sex or marital status in a variety of areas, including employment and vocational training.

So by 1984, we might have thought the job was done. But when Susan Atkins and I published *Women and the Law*, we did not take the view that all was well.

(3) 1984 to the present

We sought to examine the law, not from the point of view of its traditional categories – contract, tort, crime, property, family (with family very much the poor relation) – but from the point of view of women's lives – education, work, sexuality, motherhood, family roles, power and violence in the home, social security, taxation and citizenship. Many of these subjects had been totally ignored in the standard curriculum – it is no coincidence that health care law began to develop at much the same time as feminist legal scholarship. Midwifery, child-bearing, abortion and fertility are all central to women's experience but few people were studying them then – they were all governed by law but they did not fit the traditional categories.

Looking at things from the bottom up rather than from the top down enabled us to see that the law was not the neutral and objective entity which it was generally assumed to be. It was shot through with male perceptions, anxieties and interests. A good example was the law of sexual offences. The then law did not define and classify sexual offences according to its declared objectives of preventing sexual aggression, protecting the vulnerable and preserving public decency, but according to the nature of the act committed. This discriminated between the sexes – in that some serious sexual assaults upon women were regarded as less serious than the equivalent act committed against a man.

At a deeper level, it became clear that the law was most anxious to protect men against unwanted homosexual acts and women against unwanted vaginal intercourse. The explanation had to be that male interests were threatened by both. Male interests are of course threatened by unwanted acts or approaches from anybody. But they are also threatened by unwanted vaginal intercourse with ‘their’ women, because it carries the risk of pregnancy and child birth. Their interest in protecting women is not only in protecting an exclusive sexual preserve, but also in securing reliable heirs of the body and preserving bargainable daughters. But they were only interested in protecting a limited class of females, the ‘chaste matron and the virgin spinster’. Prostitutes and less chaste females received much less protection. And this explains why female homosexual acts were never criminalised as such – for men, it was an unthreatening curiosity. But it was taken much more seriously in those areas of the law which did threaten male interests, such as the upbringing of children. And the most striking evidence that the law of sexual offences was designed with male interests in mind was the continued marital rape exemption – only removed once a court had given the wife permission to live apart from her husband.

Another example was the traditional approach to violence perpetrated by men upon their wives or the women with whom they were living. Wives might be condemned for provoking their husbands to violence by nagging, by failing to fulfil their marital duties, even by failing to obey their husbands’ reasonable orders. ‘But to regard the subtler ways in which women try to get their own way as just as blameworthy as the cruder methods employed by men ignores the structural inequalities in their situations’. One aspect of this is physical strength. Women mostly cannot force men to do what they want. Unless a weapon is involved, a man can do a lot more damage by hitting a woman than a woman can do by hitting a man. Another aspect is dependence.

Even in 1984 roles within the family were often still divided along gendered lines – into male breadwinners and female homemakers. The breadwinner is the owner of the resources and can decide how these are to be allocated. He has first call on any surplus over the family's immediate needs. He has free access to the outside world, through his employment and through his ability to leave the home for leisure purposes. The homemaker has none of these things and may also be tied to the house by child care responsibilities. My father was indeed a very modern man when even in the 1930s he insisted that my mother should have some money of her own to spend on whatever she wanted. But other women were not so fortunate – and had to 'resort to the stratagems of the underdog if she is ever to get her own way'. To suggest that she had no right to nag her husband was to suggest that she had no right to set herself up in opposition to him. There was a lot of evidence that domestic violence was triggered, either by male jealousy or by arguments about food or money – a meal not cooked when he came in late, the children's toys left lying around, the mantelshelf not dusted. Dependence and a belief in male authority played a large part in this.

There were laws and remedies designed to protect the victims but there was still a deep-seated reluctance to intervene. When Parliament first started taking an interest in violence in the family in the 1970s, the police explained their reluctance to intervene in terms of the sanctity of marriage – 'we are, after all, dealing with persons "bound in marriage", and it is important, for a host of reasons, to maintain the unity of the spouses'. They were also troubled by the problem of withdrawal – the women who had second thoughts and refused to give evidence against their aggressors – and how frustrating that was for the police and prosecutors who put time and effort into preparing the case. And in 1979 the House of Lords (by a majority) held that a wife could not be compelled to give evidence against her husband because, according to Lord Diplock, of the 'identity of interest between husband and wife' and because to oblige her to give evidence 'would give rise to discord and to perjury and would be, to ordinary people, repugnant' (*Hoskyn v Metropolitan Police Commissioner* [1979] AC 474).

But, as we pointed out, reluctance should not be seen as a problem for the police and prosecutors but for the woman herself – she might believe (with others) that his violence is all her fault, or the fault of the drink, or that she loved him and he would not do it again. She might have nowhere else to go and no-one else to turn to. She might believe his threats that if she defied him she would lose her home and her children. She might have lost the ability to make her own decisions after a long period of oppression. Above all, prosecuting her husband was not

going to solve her problems. What was needed was more understanding of her difficulties and more concrete help in resolving them.

A start had been made with the Domestic Violence and Matrimonial Proceedings Act 1976 and the Housing (Homeless Persons) Act 1977. The former increased the powers of the county courts to grant injunctions to protect women from domestic violence and abuse and the latter obliged local authorities to rehouse women with children who were not intentionally homeless. Yet even then, a humane judge like Mr Justice Woolf could say that ‘in many cases, even where a husband has been violent, it would be reasonable for the wife to continue to reside in the matrimonial home but to seek a court order restraining the husband’s violence or barring him from the home’ (*R v Wandsworth LBD, ex p Nimako-Boateng*, *The Times*, 13 July 1983). But the courts might not co-operate – for one thing, they had always been reluctant to exclude a spouse with a right to occupy from the matrimonial home, frequently regarding such orders as ‘draconian’ even though nothing else would provide effective protection for the wife.

Another issue was the failure of the law to recognise that domestic abuse might cover a great many other types of domineering and controlling behaviour than physical violence – hitting or threatening to hit. Men may be afraid of being hit or being threatened with hitting. Women are afraid of many more subtle forms of behaviour – the forms of behaviour which listeners to *The Archers* heard over many months in 2016 – cutting off contact with friends and family, constant belittling, destroying confidence, depriving of money and employment outside the home, rendering powerless.

Mention of *The Archers* of course leads to the other problem which was just beginning to be recognised in 1984 – the phenomenon of women who were so oppressed by their abuser that they felt unable to escape and seek help elsewhere and were eventually driven to attack or even kill him. The law recognised provocation as a defence to murder and a mitigating factor in other offences, but the concept depended on the sudden loss of control and this did not fit the ‘slow burn’ of persistent abuse. The husband who killed his non-violent wife might be punished less severely than the wife who killed her violent husband. The way round this problem was to recognise the wife’s state of desperation as a mental disorder – the so-called ‘battered wife syndrome’ - which could lead to a defence of diminished responsibility.

Turning to work outside the home, the Equal Pay and Sex Discrimination Acts were still relatively new in 1984 and their limitations were apparent. The Equal Pay Act was limited to 'like work' or 'work rated as equivalent' in an employer's job evaluation scheme, but there was no obligation to undertake such an evaluation. There was nothing to prevent traditional practices whereby men and women were segregated into different jobs and the jobs done by women were paid less than the jobs done by men. This is ironic given that a large part of the pressure for change had come from the strike of the Dagenham women workers who were doing a different job from the men. Equal pay for women faced a good deal of opposition from the men and the male-dominated trade unions – as the 1946 Royal Commission dissenters commented, 'The trade unions have been compelled, not only to uphold, but to promote a clear demarcation between men's and women's work – where such demarcation was possible – in order to protect men's and thus indirectly women's rates of pay' (para 14). In 1955, there was an International Labour Organisation Convention on equal pay for work of equal value, and the principle was adopted by the EEC in its 1975 Directive on Equal Pay (Council Directive 75/117/EC), but did not find its way into the Equal Pay Act until after the Commission of the European Communities had successfully taken the United Kingdom to the European Court of Justice in 1982 (Case C 61/81 [1982] ICR 578). Union opposition also meant that many women had to bring their individual claims unsupported by their Unions – as Phillips J remarked in another context, 'It is probably fair to suppose that that the reason the union shared the Post Office's view on "equality but not yet" is not unconnected with the fact that so many of its members are men who would suffer a loss in seniority if women were to gain' (*Steel v Union of Post Office Workers* [1978] 1 WLR 64). Another initial problem was that part time workers were not protected against discriminatory rates of pay, but the great majority of part time workers were married women.

The Sex Discrimination Act did not apply to pay, but to such things as recruitment, training, promotion and dismissal. Nor did it expressly apply to discrimination in grounds of pregnancy – and in *Turley v Allders Department Store* [1980] ICR 66, it was held that dismissal on grounds of pregnancy was not sex discrimination because there could be no male comparator and thus no less favourable treatment. The Employment Protection Act 1978 had provided that dismissal on grounds of pregnancy was automatically unfair but Mrs Turley had not been employed for long enough to qualify to bring an unfair dismissal claim. Yet again, the European Court of Justice had to put things right.

The courts sometimes struggled to understand the depth of the insult to women's dignity involved in sex discrimination. In *Skeyrail Oceanic Ltd v Coleman* [1981] ICR 777, Mrs Coleman's employer had written to her saying 'Regretfully I have come to the conclusion that it would not be fair to your husband in his position to keep you employed in a similar capacity'. The Tribunal awarded her £1000 for injury to feelings, the Employment Appeal Tribunal reduced this to £250, and the Court of Appeal to £100. Lord Justice Shaw thought that her 'complaint was trivial and banal even when topped up with much legalistic froth' and that 'when she had dried her tears she would have had to look for new employment and to count herself lucky to find it'. He would have awarded her 1000 pence (£50).

But sometimes the courts got it. A shining example was *Gill v El Vino* [1983] QB 425, when Tess Gill (a barrister) and Anna Coote (a social policy analyst) complained that they were not allowed to buy drinks and stand at the bar in El Vino's on Fleet Street. The judge took the view that this wasn't a detriment. The Court of Appeal held that that wasn't the question. The question was whether they had been treated less favourably than men in the provision of a facility. Lord Justice Griffiths explained why they had:

'El Vino's is no ordinary wine bar, it has become a unique institution in Fleet Street. Every day it is thronged with journalists, solicitors, barristers exchanging the gossip of the day. No doubt it is the source of many false rumours which have dashed the hopes of many an aspirant to a High Court appointment. Now if a man wishes to take a drink in El Vino's he can drink, if he wishes, by joining the throng which crowds round the bar and there he can join his friends and pick up, no doubt, many an interesting piece of gossip, particularly if he is a journalist. Or, if he wishes, he can go and sit down at one of the two tables that are on the right immediately behind the main door of the premises. Thirdly, if he wishes, he can pass through the partition and enter the little smoking room at the back, which is equipped with a number of tables and chairs. But there is no doubt that very many men choose to stand among the throng drinking at the bar. But if a woman wishes to go to El Vino's, she is not allowed to join the throng before the bar. She must drink either at one of the two tables on the right of the entrance, or she must pass through the throng and drink in the smoking room at the back. There is no doubt whatever that she is refused facilities that are accorded to men, and the only question that remains is: is she being treated less favourably than

men? I think that permits of only one answer: of course she is. She is not being allowed to drink where she may want to drink, namely standing up among the many people gathered in front of the bar. There are many reasons why she may want to do so. Her friends may be there. She may not want to break them up and force them to move to some other part of the premises where she is permitted to drink. Or she may wish, if she is a journalist, to join a group in the hope of picking up the gossip of the day. If male journalists are permitted to do it, why shouldn't she?

This was heralded at the time as a striking example of the men suddenly getting the point – which perhaps they might not have done had they not also been frequenters of the bar in question.

However, the penny had only recently dropped. In 1984 we had to comment that ‘There is no evidence to suggest that there has been a dramatic improvement in women’s working lives in the years since the Equal Pay Act and the Sex Discrimination Act became law. The gap between women’s earnings and men’s earnings is roughly the same as existed then . . . The majority of women remain as segregated in a small number of occupations and at the bottom end of the market as they did before 1975.’ (p 43)

The reason, of course, was the continued expectation that women workers would get married and have children, that when they had children they would give up work for a while if not for good, and that if they returned it would often be part time. Because of this, they were still treated differently in pension schemes (where discrimination was still possible) and by the tax and social security systems.

So how have things changed since then? A very great deal. Sex offences are now defined in gender-neutral ways. Marital rape has become a crime. Remedies for domestic violence and abuse have improved. The definition of domestic abuse has expanded to cover non-physical forms of violence. Inequalities in tax, social security and pension schemes have largely been removed. Equal pay for work of equal value has been introduced and trade unions are now supporting the women’s claims. Pregnancy is now a protected characteristic under the Equality Act. Courts and tribunals are now much more ready to recognise discrimination when they see it.

But no-one can claim that the battle is over. We are just beginning to recognise the phenomenon of sexual exploitation, not just of children but also of vulnerable adults. Successful prosecutions in cases of sexual assault are rare in proportion to the complaints made. Systemic failures in investigation were vividly illustrated recently in a case where the victims of the ‘black cab rapist’ claimed compensation from the police for failing to protect them. Domestic violence and abuse is still all too common and, according to a recent study, a frequent reason why women lose their children into the care system. But the improved financial rights available on divorce are under threat on the assumption that women no longer need their protection. The gender pay gap is still much larger than it should be. The recent changes in the benefits system have had a much more serious impact upon lone parents, who are overwhelmingly women. There are still too few women at the top of various professions. I could go on.

But there are, in this centenary year, many reasons to be cheerful. There have been a lot of ‘first women’ appointed since 1984, including the first woman general secretary of the TUC (the late lamented Brenda Dean) and the first woman bishop in the Church of England. There are now far more women in senior ranks in the public sphere – in Parliament, in the senior civil service, in the judiciary, in academia. Feminist legal studies are taken seriously in University Law Schools – they are not just the preserve of a few weird women meeting in a basement room at the LSE. And that means that the serious analysis of these issues will continue. Another is that women themselves are being shaken out of the complacent view that all is well and they can have it all. As Polly Neate, Chief Executive Officer of Shelter has said, ‘Who wants to have it all when the men can still choose the best bits?’