

From *The Oldie*, January 2022

Justice for women

Fifty years ago, Rose Heilbron became the first woman judge at the Old Bailey.

By *Nigel Pullman*

On the night of Saturday 19th March 1949 at the Cameo Cinema in Liverpool, the punters were watching a thriller while the manager, Leonard Thomas, and his assistant, John Catterall, were counting the takings – £50 or so - in the upstairs office. Moments later, a gunman burst into the room, demanded the money, and shot both men.

The details are murky but chaos ensued, the cash was left behind and the robber, along with his lookout, escaped into the darkness as the two victims bled to death. One year later, after some dubious detective work and two trials, a petty

criminal called George Kelly, nicknamed ‘the little Caesar of Lime Street’, was hanged for the murders at Walton Prison in Liverpool.

Then - and now - the case was widely seen as a gross miscarriage of justice, and Kelly’s conviction was eventually quashed in the Court of Appeal in 2003. Kelly’s defence counsel was Rose Heilbron KC. Though she failed to get him off, this was the first time a woman had led in a murder trial, and even Kelly, who had earlier wailed against “having a Judy defend him”, was impressed by her performance. The Daily Mirror named her Woman of the Year.

Why should this curious story be of interest today? Exactly 50 years ago, Judge Heilbron, as she became, was the very first woman judge to sit at the Central

Criminal Court, on 4th January 1972.

Born in Liverpool to a Jewish family in 1914, Heilbron continued her distinguished legal career after the Cameo case, clocking up murder trials and becoming a beloved local celebrity. In 1974, Heilbron became a High Court Judge (though in a career full of firsts, here she was the second woman appointed at the Strand), and honoured with the DBE.

But she was never one of the permanent judges at the Old Bailey. The accolade of being the first woman to be a full time judge at the Central Criminal Court goes to Her Honour Judge Nina Lowry some years later, who, somewhat unusually, sat with her husband presiding in the next door court.

Heilbron was just 34 – and had a newborn baby at home - when she became one of the first two women to be appointed King’s Counsel, and indeed was the youngest KC of either gender since Thomas Erskine in 1783 (when he was 33). Writing in the *Sunday Graphic* in 1952, Margaret Thatcher, herself briefly a barrister, made an example of the widely praised Heilbron, who was ‘known throughout the land’ for her career, showing just how much a charming and capable woman could achieve.

Earlier, when she was junior counsel for Learie Constantine in his case in 1944, *Constantine v Imperial Hotels*, she represented the West Indian cricketer when he was turned away from the London hotel due to the colour of his skin. White US servicemen billeted in the same hotel had complained (US army units were

racially segregated at that time) and with discrimination legislation still decades away, the hotel management caved in. But they reckoned without Heilbron who successfully argued that the hotel had committed a 'civil wrong'. Though Constantine only received a paltry five guineas in damages, the case is recognised as an early victory against racial discrimination.

Though Heilbron, who died in 2005 aged 91, blazed an incredible trail, a disgracefully tiny number of other women have been permanent judges under the statue of Lady Justice opposite the site of Newgate Prison. Indeed, after Lowry, until 2012 only Ann Goddard had sat daily with the bewigged men. Happily and very recently, gender parity has now been achieved at the Central Criminal Court.

Another anniversary landmark for women in the law is on the horizon: 100 years ago in May, Dr Ivy Williams (1877 –1966) became the first woman to be called to the English bar, in 1922. She never practised but she was the first woman to teach law at a British university.

The second, a few months later, was Helena Normanton, who was the first to actually practice at the bar. Last year, a barrister called Karlia Lykourgou opened the first outfitter dedicated to female courtwear. She named it Ivy & Normanton, in their honour.

This year, let's honour Heilbron too. What about a statue at Liverpool Lime Street station, next to the bronzes of Ken Dodd and Heilbron's one-time client the Labour MP Bessie Braddock.

From *The Oldie*, January 2022