



AS PART OF THE INN'S ACKNOWLEDGMENT OF THIS ANNIVERSARY, MASTER ANNE RAFFERTY KINDLY AGREED TO BE INTERVIEWED BY RESIDENT SCHOLAR PAUL FRADLEY

CELEBRATING 100 YEARS

ROUTE TO THE BENCH

WHY DID YOU DECIDE TO GO TO THE BAR?

'I didn't. My mother decided it for me. I come from a family of head teachers, who thought they knew best, and they generally did. She said, partway through school, I could read medicine or law but that my arts were slightly stronger so she suggested law. She didn't think I would flourish in an office environment so I came to the Bar.'

WERE THERE ANY WOMEN WHO INSPIRED YOU IN YOUR CAREER?

'Yes. Rose Heilbron QC. We're a Lancastrian family. I was taken to her Liverpool home to meet her when I was finishing my degree and can still see her in vibrant jewel colours in my head. She was warm, deeply glamorous, sharp as a tack, funny, and didn't waste words. She provided a useful template for years to come. She was a Bencher at Gray's Inn, and because of her I joined Gray's.'

WHEN YOU STARTED AT THE BAR, WHAT AMBITIONS DID YOU HAVE?

'None. I took it day to day and never thought about ambitions.'

DID YOU THINK YOU MIGHT GO ON TO THE BENCH? WHY DID YOU DECIDE TO GO TO THE BENCH?

'No. It never crossed my mind until shortly before I did. As I got older, I was asked several times. And I said several times: "No, I don't want to go to the same court every day and see the same things, but I can see from the career of others that over time I might change." And that's what happened. I was young going into silk at 39, which was then unusual. I had ten years in silk in crime, which were hard years. The cases were serious or complicated or both and were challenging. It got more difficult. It wasn't just the case one was conducting in court but the consultation in another case after court, the clerks ringing at lunch time about solicitors needing urgent questions answered in yet another one, and so on and so on. My mind was like spaghetti. I woke up one morning and thought – it's time to change gear within the profession. I then accepted the High Court job.'

BEING A WOMAN AT THE BAR

WHEN YOU STARTED PUPILLAGE, HOW MANY WOMEN WERE IN CHAMBERS AND IN WHAT ROLES?

'There were five women in chambers, astonishing for 1974. That's why Gray's suggested I apply thinking they might be sympathetic to accepting women. None was a silk, a couple were senior juniors. I was the first woman in chambers to take silk. The clerks were all male.'

WHAT WAS THE ATMOSPHERE OF CHAMBERS LIKE? HOW DID IT CHANGE IN THE TIME YOU WERE THERE AND DURING YOUR TIME AS HEAD OF CHAMBERS?

'It was renownedly a warm and friendly set, and it stayed that way in the time I was there. There was a light touch about the clerks' room. There was a collegiality amongst practitioners. There were three heads of chambers before me, utterly different from one another. The warmth and collegiality helped through difficult periods. I was for six years head of chambers, every moment of which I loathed. I don't like running other people's lives and had to be forced into it. Things became much more demanding. Chambers had to consider equality policies, grievance protocols – a long list. I saw a big step up into new requirements but nothing compared to what chambers have to do in 2019. More and more regulation needed committees whilst I was head, ending in 2000.'

DO YOU THINK THE WORK ALLOCATED TO YOU AS A PRACTITIONER WAS AFFECTED BY YOUR GENDER?

'I wouldn't say "allocated", which conjures up the stereotype of the clerk handing out work. I would use "offered". I suspect gender influenced the work that I got for a very long time. I did one wise thing (useful for the gravestone). The moment I saw an increase in sexual offences work, I predicted a tendency for prosecution and defence to instruct a female. I told the clerks that every time I was instructed in a case about sex they were to say to the solicitors: "She can do other things, you know". It worked. I did nothing like the volume of sex offence cases my female contemporaries and juniors did. I got a lot of murders and violent or complex cases, and lots which featured expert evidence.'

WHAT WAS, FOR YOU, THE MOST IMPORTANT CASE YOU WERE INVOLVED WITH?

'It is hard to choose just one from a top few. But the case that stretched me most at the Bar was the defence of an intensive care nurse facing six counts of attempted murder and intention to cause really serious harm. My junior and I had to learn intensive care medicine. The

WHAT DIVERSITY INITIATIVES ARE THERE IN THE JUDICIARY?

'Lots. The judiciary has been well ahead for some time. Just a couple of examples: The PAJE (Pre-Application Judicial Education) programme offers practical help to anyone considering a career at the Bench. Diversity is a statutory duty on the Lord Chief Justice. The judiciary,

OF WOMEN AT THE BAR

Crown gave the prosecutors a week's course, we had to cope on our own. By the end of the case, I could wean a patient off a ventilator and on to Cpap and identify the right cocktail of drugs. Each of the six patients had different treatment. Against the odds we were acquitted of everything except the one count on which we should have been home and dry. We won that one on appeal. It was a very technically difficult case. I have never been good at assessing my own ability. I over question it. But this case showed me that I could cope with more than I'd thought and it gave a slight confidence boost.'

WHAT IN YOUR CAREER ARE YOU MOST PROUD OF?

'Staying upright on my feet! The serious answer is that I am very proud of being given this job. It is an honour and I am acutely aware of it. It never crossed my mind at the Bar that I would come anywhere near it.'

WOMEN AT THE BAR AND DIVERSITY

WHAT DO YOU THINK ARE THE PARTICULAR CHALLENGES FACED BY WOMEN IN THE LEGAL PROFESSIONS?

'Balance. Still the difficulty now as it was for me. But the definition has changed. Technology can be a blessing and a curse. When I was in practice work was via hard copy. I worked in chambers, in transit or at home and to talk to someone it was either in person or by phone. Now there is limited opportunity for reflection. Email is a great tool but has the effect of compressing thinking time. Everyone at the Bar, regardless of gender, is vulnerable to "Why haven't I had a reply? It's been three minutes." AI is also on the horizon. I have yet to see where it fits, but it's capable of searching huge amounts of information in seconds. For women at the Bar now, the considerations of married life, family life and caring responsibilities as well as turning up looking groomed and professional at all times, doing the job in the public eye, is challenging. It was for me. Now we must add remorseless rapidity. Balance is still the challenge.'

WHAT POSITIVE STEPS HAVE YOU SEEN TOWARDS ADDRESSING THE DIFFICULTIES FACED BY WOMEN AT THE BAR?

'There is more understanding of maternity (and paternity), family life, gender balance, social mobility, and a general acceptance that a tapestry is vivid as a consequence of thousands of small carefully inserted stitches as well as a confident sense of the picture to be achieved.'

several of us part of the Kalisher Trust, were the first to go into primary schools and begin showing seven-year-olds how the law operates. I recommend the DVDs "The Trial of Goldilocks" and "The Trial of Mr Bear".'

WHAT DO YOU CONSIDER TO BE A MAJOR TURNING POINT IN DIVERSITY IN THE LEGAL PROFESSIONS OR FOR WOMEN IN SOCIETY GENERALLY?

'I can't identify one turning point. I think there has been incremental progress, as attitudes have changed, are changing and have yet to change.'

WELLBEING/WORK-LIFE BALANCE

HOW DO YOU MANAGE THE STRESSFUL ASPECTS OF YOUR WORK?

'I know I am a worrier and knowing it is important. I also blame myself as a default position. I tend to overwork. I try to keep worry in control and in perspective but it's not easy. Overworking is even more difficult. I am from a generation where getting the job done is the priority, no matter the personal cost. I try to think about the risk that by over worrying/working/self blaming, I might show poor judgment and that might prejudice other people. If I can reshape my thoughts so the interests of someone else dictate a change, I stand a better chance of managing the stressors. The other thing I do is swim in the sea, in particular the English Channel. The coldest temperature I have swum in is 5° in February.'

WHAT DO YOU ENJOY ABOUT YOUR JOB?

'People and puzzles. I am surrounded by colleagues – judges, advocates, ushers, security staff, clerks. The range of people is a joy. And I enjoy puzzles. Leave me alone and when you come back I'll have found a crossword or a general knowledge test or GHQC's quiz. Life at the criminal Bar was a series of puzzles, where very seldom did people give you all the answers. There are many layers, every day of my working life. And that attitude of mind is part of this noble profession.'

AND FINALLY

WHAT WOULD YOU SAY TO FEMALE STUDENTS CONSIDERING A CAREER AT THE BAR IN 2019?

'Professor Glanville Williams decades ago famously said that the only person you want at the Bar is the one you haven't managed to dissuade. It's still the best test.' ■