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Women's legal history in the UK and Ireland is full of landmarks, turning points in law’s response to women’s lives and experiences. 2019 marks the centenary of women’s formal entry into the legal profession. This was a key legal landmark for women. But it was not the first. Nor was it the last. Feminists have long had recourse to law as a key means of achieving equality. From ‘Votes for Women’ to #repealthe8th, the East End of London to Greenham Common, whether it has involved Sunday morning kidnappings, cows on Chiswick High Road, marital property, family allowances, tax reform, women bishops or image-based sexual abuse, women, feminists and women-led organisations have been there campaigning and making the arguments for change.

The Women’s Legal Landmarks Project was a unique interdisciplinary collaboration involving feminist scholars engaging in the process of ‘landmarking’ key legal events, cases and statutes for women in the UK and Ireland. By identifying and celebrating the legal landmarks for women that have been – and continue to be – significant in women’s fight for justice and equality, we are able to reflect on how far women have come – and still have to go.
WOMEN’S LEGAL LANDMARKS

1918: Representation of the People Act 1918 gave the Parliamentary vote to all men over 21 and women over 30 who met (or whose husband met) minimum property qualifications.

1919: Article 7 of the Covenant of the League of Nations stated that its Secretariat would be open to both women and men.

1928: DPP v Jonathan Cape established that dismissing a pregnant woman on the ground of sex was discriminatory in law.


1985: Prohibition of Female Circumcision Act 1985 made it a criminal offence to practice, or aid and abet the practice of, FGM, except for specific medical purposes.

1999: Youth Justice and Criminal Evidence Act 1999, s 41 excluded evidence and questions on a complainant’s physical and sexual history unless specific requirements were met.

2002: Sex Discrimination (Election Candidates) Act 2002 allowed political parties in the UK to use positive discrimination to tackle persistent under-representation of women in Parliament and other elected bodies.

2015: Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2017 was the first legislation in the United Kingdom to explicitly and specifically address violence against women as opposed to ‘domestic violence’ generally.

1918: Maternity and Child Welfare Act 1918 introduced arrangements for attending to the health of expectant and nursing mothers, and for children under five years of age, in England and Wales.

1967: Abortion Act 1967 allowed women in England and Wales and Scotland to have a termination in certain defined circumstances.

1975: Housing (Homeless Persons) Act 1977 enabled women to make a direct and legally enforceable claim upon the state when facing a housing crisis.

1988: Finance Act 1988, s 32 ensured that the income of a woman living with her husband was not treated as his income for income tax purposes.

1995: Fifteenth Amendment to the Constitution Act 1995 removed the ban on divorce from the Irish Constitution.


1919: Marriage of Women Property Act 1919 enabled a wife to share housekeeping money (and any property derived from that money) equally with her husband, allowing married women without independent income to acquire their own money.

1957: Matrimonial Causes Act 1957 gave women in England and Wales legal standing to use the civil courts to seek a decree of divorce or nullity.

1959: Islam v Secretary of State for the Home Department; R v Immigration Appeal Tribunal and Another, ex parte Shah recognised gender as a protected characteristic and women as a particular social group within the meaning of the United Nations Convention Relating to the Status of Refugees (1951).

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1919: Match Women’s Strike at the Bryant and May factory in Bow, East London, advanced women’s claims to a fair wage and better conditions of work.

1950: DPP v Jonathan Cape and Leopold Hill (the Well of Loneliness trial) marked a high point of the legal and social visibility of lesbianism, with discussion extending beyond the courtroom into daily newspapers.

1978: Davis v Johnson confirmed that a husband’s proprietorial right to occupy the matrimonial home could be suspended, in the event of his physical abuse of his wife or partner.

1999: Domestic and Sexual Violence (Scotland) Act 1998 introduced domestic and sexual violence as a ground for divorce in Scotland.

2006: Domestic and Sexual Violence (Scotland) Act 2006 introduced a strict liability offence in England and Wales to pay for, or promise to pay for, the sexual services of a person who has been coerced, deceived, forced or threatened by a third party into prostitution.

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About the Women’s Legal Landmarks Project

The Women’s Legal Landmarks Project was a unique interdisciplinary collaboration involving feminist scholars engaging in the process of ‘landmarking’ key legal events, cases and statutes for women in the UK and Ireland. Our aim was to offer a scholarly intervention into the recovery of women’s lost history by combining legal and historical expertise to create the first scholarly anthology of legal landmarks for women. Together we worked to produce a collection of landmarks that demonstrated women’s agency and activism in the achievement of law reform and justice.

Find out more

Women’s Legal Landmarks: Celebrating the History of Women and the Law in the UK and Ireland edited by Erika Rackley and Rosemary Auchmuty is out now.

Or visit our website: https://womenslegallandmarks.com

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