

Funeral of Kay Jones at 4.30pm on Wednesday 1 May 2019 at St Ethelreda's Church, in Ely Place, Holborn

Reception in the Crypt at the Bleeding Heart Restaurant, which was previously a part of St Ethelreda's and so is immediately next to the Church

Kay's brother, Michael, and her lifelong friend Julia - who you all heard give such a remarkable & moving eulogy during the service - have asked me to say a few informal & hopefully lighter words at this Reception, about Kay's life at the Bar and as a member of Field Court Chambers.

As you have been reminded, Kay was called to the Bar by Gray's Inn in 1974. Some of you will remember that year with affection, although our national fortunes were at a low ebb – there were 2 inconclusive General Elections, the country was in recession and the annual rate of inflation reached 17.2%. An auspicious highlight of a difficult year was the start of Kay's career in independent practice.

If you will forgive me for *mansplaining*, I do think that it is worth taking a moment to reflect on the composition of the Bar in that year and it is my delight to give you the statistics. Pay attention:

- There were **821** persons called to the Bar in **1974**.
- **661** were men and **160** were women, that's **80.5%** men to **19.5%** women
- The total size of the independent Bar in **1974** was **3,368** practitioners.
- Of those **3,368** barristers **3,116** were men and **252** were women, that's **92.5%** men to **7.5%** women.
- Remember, the numbers of women then in independent practice – **252** – were greatly inflated by those of the **160** who were called in 1974 who then entered the profession.

In 1974 there were no female Judges in the House of Lords; there were no female Judges in the Court of Appeal; there was, I think, only one female High Court Judge, Elizabeth Lane. There was a smattering of junior female judges in the lower Courts.

Suzette Newman – who is here today – is a solicitor who instructed Kay throughout her whole career and she recalls a similar pattern on her side of the profession. She undertook her Solicitors Finals in the law school in Nottingham in 1974. On first walking into the imposing lecture theatre she noticed only one or possibly two other women. Otherwise, it was entirely men.

It is also worth contrasting the 1974 numbers for the Bar with the 2018 intake:

- There were **1,521** persons called to the Bar in **2018**.
- **719** were men and **800** were women, that's **47.3%** men to **52.6%** women
- The total size of the independent Bar in **2018** was **13,676** practitioners.
- Of those **13,676** barristers **8,795** were men and **4,792** were women, that's **64%** men to **35%** women.

Today the President of the Supreme Court is a woman; two of her fellow justices are women; look, things are very far from perfect today and certainly there is no room for complacency but it is undeniable that women are far better represented across all levels of the Bar & the Judiciary than they were in 1974.

Why the improvement? Obviously, one of the reasons is the ambition, talent, courage and determination of Kay, and other pioneering women like her in that ground-breaking generation, who took on the unequal challenge and joined a profession which was over 90% male, frequently unwelcoming and sometimes hostile. It is right that we pay public tribute to these pioneers.

When she completed her pupillage in 1975, she was taken on as a tenant in an eccentric, new set of chambers in Gray's Inn, which in those days had few resident barristers. This small, fledgling set was presided over by Noory Norell, from a family of Iranian carpet dealers, and was then located in Verulam Buildings and included future stars Bill Bowring and Philip Walter (whose funeral took place last week, sadly), amongst others. Through various developments and iterations this set became Field Court Chambers, where Kay spent all of her professional life.

You have heard from Julia about Kay's life in Chambers. Please may I offer another perspective. Shortly after Kay's death, a very well-known family silk wrote to me in Chambers, in these terms:

Dear John

I was very sorry indeed to hear of the death of your colleague Kay Jones.

Over the years I had been against Kay a number of times in care cases. I was struck by her commitment and her tenacity in fighting her client's cases even in recent years when it was apparent that she was not always in the best of health.

Kay represented many of the best traditions of the bar, she could argue a case from any place in the row and she was courteous and proper in her engagement with other barristers and with her clients.

I remember when I was quite junior being against her and being a bit clever and a bit smart and she put me back in my box with a lightness of touch which was a mark of her experience. I thought she had a generous approach to more junior colleague who was a bit above herself!

I am sure you will all miss her in chambers. She made a real contribution to lives of her clients and to the family bar.

This is all true. And we do miss her. This was an unsolicited accolade from a prominent Queen's Counsel, in a rival set of Chambers, who never received anything other than earache & a tough fight against Kay, whenever she met her. It says something important about Kay that an *opponent* would take the trouble to write about her in these glowing terms and it perfectly captures Kay's strengths as a barrister and as a principled, humane person.

Even speaking on a melancholy occasion such as this, to a kindly and well-disposed audience like you, it would be futile and quite inappropriate for me to pretend that Kay was perfect in every way. On the contrary, she enjoyed the usual mixture of good qualities and faults shared by us all. But I can say that there is one failing of which she was not guilty. There is a grievous fault of which nobody, but nobody, could ever accuse her. I am confident that Kay *never* stooped to the low vice of *punctuality*. She soared above it, treating it with the disdain she believed it deserved.

A colleague, Francis Wilkinson, had a party at his house to which some members of Chambers were invited, including Kay. Those who were expected turned up, but Kay did not. At exactly 7.30pm the following evening Kay arrived at the Wilkinson's door, precisely 24 hours late. There is room for debate about this but that is not believed to be a personal record. She was fastidious in not discriminating between victims: she was late for court and she was late for conferences; she was late for lunch and she was late for dinner; she was late for formal occasions and she was late for informal occasions. This is not a recommended strategy in life, but people put up with it from Kay because they found that her personal qualities were such *that she was worth waiting for*. I shouldn't say it but, *God Forgive Me*, it does need to be said, it is completely astonishing that she was on time for her own funeral this afternoon. I am going to ask Father Tom to have a word with the Vatican to see if it might be formally recognised as a miracle.

Despite her longevity and resilience at the Bar, Kay's memory could on occasions be patchy. Tony Harrop-Griffiths told me of a time when he and Kay were due to be against each other in Uxbridge County Court on 16 October 1987. The plan was for them to travel to Court together in his car. Overnight there was the Great Storm and Tony decided that he should pick up Kay earlier than planned because of delays and diversions caused by trees falling into the roads. He rang her at about 7am and tried to explain this to her and although she spoke to him, she did not seem very awake. About 30 minutes later, however, she rang Tony to break the remarkable news, as she thought, that there had been a great storm and that he should get his skates on. She did not appear to remember the earlier conversation at all. He did get his skates on and arrived early but, nevertheless they were still late for Court. Why? Not because of the fallen trees but because, once at her place, departure was pointlessly delayed because Tony was, inevitably, charmed by Kay into taking her lovely collie (she always had one) for a walk. He says "*I do not recall who won the case but it was probably Kay.*"

Incidentally, Tony was very wise to insist on driving. Kay's driving merits a separate cautionary talk, possibly a seminar, because she was, by any standards, a worrying proposition behind the wheel. Perhaps the kindest thing is to say that the Bar's gain was Stock Car Racing's loss.

Speeches like this are not just a scoresheet of vices and virtues but also offer an opportunity to explore and potentially resolve matters that are thought mysterious. Chambers records of the early days are incomplete, but it is said by some that Kay was for a short period of time the Head of our Chambers. That is contested history, and there are others who take a contrary view. Anyway, I firmly believe that she was Head of Chambers, because she told me so herself. I think that it was during one of our regular meetings convened over several years to discuss the arrangements for her retirement. These meetings were not popular with Kay, because she did not want to retire. I tentatively suggested that a particular date might possibly be convenient and Kay gently growled at me in her own, distinctive style and advanced several cogent reasons why the potential date was blatantly unsuitable and concluded by saying, gnomically, that it would “*in any event not be at all appropriate a date for a former Head of Chambers.*” I did not dare ask her what this meant and preferred to regard it as decisive. So, even if it was only for what Kay would undoubtedly have called a *scintilla temporis*, there was a moment at least when Kay was Head of these Chambers.

I have already mentioned Kay’s fondness for the customs of Gray’s Inn. One of her favourite customs was the toast of *Domus*, which she would sometimes propose at the end of dinner. It is Latin for ‘*Home*’ and is rich in significance for those who recognise that it embodies the best collegiate spirit and traditions of the Bar. Please, raise your glasses to Kay’s affectionate memory and say after me:

‘*Domus*’

John Critchley, Gray’s Inn, 1 May 2019.