

# Breaking through traditions – and creating new ones



From Africa to the Bar of England and Wales, and expertly navigating its challenges – Ayesha Hasan shares her lessons learnt

**H**alf my blood is law. I knew from an early age what I wanted to be when I grew up and I was lucky to be part of a family who created and fostered that interest. From early childhood I would hear stories about some boys being shipwrecked and who to murder for the next meal (in order to survive), why if a shop advertises a price it has to sell to the customer at that price, and what to do when you find a snail in your ginger beer. So, at the ripe old age of 10, these discussions were sowing the seeds of the law of necessity, contract and tort – not that I really understood their relevance at the time.

Initially, I thought there was only one Inn of Court. I was brought up in Nigeria where my father, having practised in chambers with his father and uncle in Fiji Islands, ended up shortly after I was born in London. My father was called to the Bar from Gray's Inn in 1952, my grandfather was called in 1915 from Gray's Inn, and my great uncle was also called to Gray's in 1914. Having grown up exposed to stories which were really cases in law reports I decided to read law and... was called to the Honourable Society of Gray's Inn in 1987.

The English Bar was not a particularly encouraging place for people of colour at the time, so not knowing whether I would be able to 'make it', I simultaneously enrolled in the Punjab Bar, Lahore, Pakistan. I should have mentioned my ancestry is Asian Pakistani.

Qualifying was probably the easy part. The struggle to get a pupillage was no different to what pupils face these days in terms of the tough competition. Plus, I had some other 'disadvantages'. This was the late 80s and I was told during some of the few interviews I was invited to that 'your face does not fit' or 'people of your ilk should know when to leave the Bar'. I still do not understand what the first one means. As for the second, well, I will let you decide. I am pleased to say that a lot has changed since those days and no pupil would face such comments today. It would simply not be tolerated.

Lady Luck intervened when a friend of mine introduced me to the concept of marshalling during pupillage. I applied and was lucky to marshal with a Family Division Judge. As we lived close to each other he would chauffeur me up and down to Winchester at the weekend. I spent three weeks in the judge's beautiful lodge, meeting different members of the Judiciary, swanning around wearing white gloves and travelling in a limousine to and from the lodgings to court. Sitting up on the Bench was a real experience, watching eminent silks plying their trade and learning the art of advocacy. My highlight was when I was allowed to swear in a witness and realised just how big a court is for everyone to hear you. On learning I was looking for a tenancy, an advocate who happened to be in the Bar Amateur Dramatics Society introduced me to his fellow thespians in another set where I managed to

secure a third-six pupillage. After completing that pupillage, I was offered a tenancy in 3 Dr Johnson's Buildings in 1989. I was the first person in those chambers who identified as BAME and a Muslim. My luck carried through, as it was also through another fellow pupil in my first set that I met my future husband at a friend's wedding in Austria.

Learning on the job is still the best way and the only way to understand how the law works. Having secured tenancy, the work started to flow. Mainly criminal law, acting on behalf of the drivers, who were members of the Licensed Taxi Drivers' Association and getting acquainted with the jargon of the street specifically the language used by my criminal clients. Experience is your best teacher. The mistakes you make you never repeat again. I was no exception and made my fair share – most memorably, when I challenged a potential juror for no cause believing that the right to peremptory challenges still existed. My client still wanted me to act for her, and while my confidence had taken a huge knock, I persevered and four days later ended getting her an acquittal. The judge complimented me on my advocacy after the initial faux pas. From this lesson, I learnt a lot about myself, the system and the ability to march on, irrespective of the inevitable knocks that will come along the way.

The 80s was not easy an easy time to be a Muslim at the Bar. Trying to dress according to your faith was a non-starter, due to the need to have to blend in. Having your face 'not fit' was one thing, you can do nothing about that, but dressing differently was simply going to make you stand out, for the wrong reasons. The dress code at the time for female barristers was very strict, no trousers or hijabs allowed. I did not wear hijab but equally had never worn a skirt prior to coming to the Bar. After a healthy debate with my father, who was of the view that a sari would work perfectly as he recalled a female barrister in 1952 being called in one, I decided to try the skirt option. Having said that, I did get called to the Bar in a sari, having been granted special permission from Gray's Inn, but never thought that could be my day dress in practice.

It is great to see how the Bar has changed over 30 years, where it is normal to see practitioners wearing whatever religious dress they choose, be it a turban or hijab and not just practising at the Bar but sitting on the Bench. Historically, turbans were always more 'acceptable' than the hijab.

When family law adopted me, I finally found my specialism. I was lucky that my practice took off. Criminal law appeared to be the young barristers' daily bread, then opportunities came to act in the company court 'where you touch wood', and in personal injury cases everyone pitched in



Ayesha Hasan as a baby tenant.

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guessing what the quantum of damages would be. Over the years, chambers and practices started to change. Specialisms became fashionable, and before long were becoming the norm. It is very hard to buck that trend now, but I do feel it is a shame and huge loss to the Young Bar not to have that early exposure and ability to cross-examine police officers in criminal cases before they specialise.

The Bar we knew – and how we practised – changed overnight when the pandemic hit in March 2020. Working from home became the norm and the camaraderie and exchanges of war stories of each person's experience in court became a thing of the past. Trips to the local watering hole to sit among friends and colleagues dried up. Footfall in chambers fell to the point that rooms, where once you needed to squeeze past desks to get to your own, with shelves overflowing with papers neatly tied up in pink ribbon, were reduced to e-bundles. Space was abundant but sadly nobody was using it.

It has always been the people and not the premises that makes a set successful. Little did I think, when I was taken on as a third-six pupil, that I would be following in the footsteps of the likes of Charles Darling QC (1880), Edward Carson QC (1897), Geoffrey Crispin QC (1946) and William (Bill) Millar (1978) who was my own head of chambers when I joined. In 2019, after 30 years in chambers, I was elected head of chambers. Life at the Temple has a lot to be said for it but on 1 January 2023 I moved my chambers, which had spent over 100 years in the Inner Temple, to 15 Took's Court. We may be in Charles Dickens' home where he wrote *The Christmas Carol* in 1843, but I can assure you there is nothing Dickensian in nature about our new abode. The changes in the Bar are not simply encapsulated in the specialisms, increased diversity and ability to qualify without having to attend any dinners but in that many chambers believe that you do not have to be in the Inns of Court. ●



**About the author**  
Ayesha Hasan was born in London, brought up and educated in Nigeria and is of Asian origin. Prior to being called to the Honourable Society of Gray's Inn in 1987 she completed her LL.M (Hons) at Queens' College, Cambridge. She specialises in all aspects of family law. She is married with three daughters.