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Obituaries

Her Honour Isobel Plumstead

Leading family judge known for her blunt yet good-humoured style and for paving the way for pension-splitting on divorce

When sitting as a district judge early on in her judicial career, Isobel Plumstead ruled in a routine divorce case that a husband's pension fund arrangements could be varied so as to provide for his ex-wife. It became a landmark ruling after going to the House of Lords which, three years later in 1995, confirmed Plumstead's decision and paved the way for pension-sharing by couples on divorce.

It was arguably her most far-reaching decision in a lifelong career as a family barrister and family judge: colleagues speculate that the groundbreaking reform came about because of Plumstead's strong disapproval of the behaviour of the husband in the case (*Brooks v Brooks*), his disregard for his former wife over maintenance and his deceit over the true extent of his assets.

The law lords' subsequent revolutionary judgment prompted the Welfare Reform and Pensions Act 1999 which introduced pension-sharing from December 2000. The retired family High Court judge Sir Nicholas Mostyn, a friend, observed: "One wonders whether that monumental reform which completely changed the face of financial remedies settlements would in fact have happened if Izzy had not disliked Mr Brooks so much."

Plumstead's decision was typical of her strong sense of fairness, no doubt honed by being one of a relatively small minority of women in her early days at the Bar in the 1970s. Her pupil master, the late William Denny QC, said to her: "I hear you are living with a gentleman. You will find it much easier to get into chambers if you are married." Little provision was made in those days for women juggling work and family; so once she had children she took no maternity leave and instead breastfed in chambers meetings. These were also the days of overt predatory male behaviour and she would recall: "X even made a pass at me — and that's quite something, as I'm no oil painting."

That self-deprecating humour, a sense of fun and frankness served Plumstead well and took her to the top of her profession where she became a leading circuit judge and influential in speaking on behalf of her fellow judges. As secretary and then president of the 650-strong Council of Circuit Judges, she negotiated with ministers on behalf of her colleagues and led a battle over new sentencing provisions in the Coroners and Justice Bill. These, she said, would lead to injustice, limiting judges' discretion to fit a sentence to the crime through mandatory sentencing guidelines. A caveat was inserted to ensure judges could avoid the guidelines where necessary "in the interests of justice".

In a world of restrained legal niceties, Plumstead was also refreshingly blunt. In a recent newspaper article she wrote of the Post Office scandal, saying, "I'm dismayed that it's taken so long for this saga to come to public interest", adding, "The losses to former post office operators are not simply financial — most have suffered incalculable harm to their reputations."

She spoke out strongly, however, against the decision to quash hundreds of sub-postmasters' convictions through an act of parliament, warning it was a "dangerous path to go down"



Plumstead's colleagues speculated that her landmark case stemmed from her disapproval of the husband's behaviour

that was "overriding the whole judicial system". It also could lead to pressure for action in other criminal cases "where a sort of moral right to exoneration is urged".

Isobel Mary Plumstead was born in Norwich in 1947, one of five children (two siblings now survive), to John Charles Plumstead, a businessman and owner of the gas engineers AE Plumstead and Sons in the city, as well as a founder of the University of East Anglia; and to Nancy (née Drummond).

She went to Norwich High School and then to St Hugh's College, Oxford, on an unconditional offer; studying jurisprudence, before going to the Bar. While studying for Bar finals she shared a house in south London with a college friend and supported herself with evening jobs, including ushering at the Raymond Revuebar in Soho, where the show involved actresses swimming in a huge glass-fronted tank. American mothers bringing their teenage sons gave generous tips.

During that time she met Nicholas John Coleman, a fellow barrister, who became her husband and also a circuit judge. Now retired, he was resident at Peterborough crown court and is still a member of the Parole Board. They married in 1971 and had three children: Tom, an information security officer; Victoria, a community nurse; and Flora, global director of government af-

fairs and policy in fintech. They and her six grandchildren survive her.

Plumstead was awarded an entrance scholarship by Middle Temple as well as a major scholarship. Her interest in the law had been sparked as a child by reading trade magazines on the subject in the home of her family's next-door neighbour, a police inspector. Both parents were firm believers in education for women. Her stated ambition

In those days she had no maternity leave and breastfed in chambers

was to become a combination of Marshall Hall and Mother Teresa. Her (eventual) chambers — Francis Taylor Building — initially sent out spies to watch her in court, largely to reassure themselves that she would not burst into tears and that they were ready for a woman.

She loved her time in practice, doing criminal, civil and family cases. She resisted the last, not wanting "women's work", but found it both rewarding and stimulating. In 1990 Plumstead was appointed first a deputy registrar then a registrar in the principal registry of the Family Division. She was involved in preparations for implementation of the Children Act 1989 and became a district

judge in the family division. She chaired an NSPCC working group on the legal loophole that enabled parents who killed a child to escape justice because no one could say who inflicted the fatal blow. That led to provisions in the Domestic Violence, Crime and Victims Act 2004 that ensure both parents can be convicted in such cases.

Plumstead was made a circuit judge in 2001 — at one time making three judges in the family; as well as her husband, her brother, John, was also a judge, sitting at St Albans. He died suddenly aged 64 in 2017. She sat also as a deputy High Court judge and as the designated family judge for Cambridgeshire. She became a bencher at Middle Temple in 2006 and was active there in supporting young barristers.

Among her many cases was that of William Ward, in which parents opposed care proceedings by Cambridgeshire county council and sought permission to disclose video footage for a BBC documentary. She concluded in 2006 the parents were not responsible for their child's injuries and dismissed the case against them. Lord Justice Munby upheld her findings and permitted publication of the ruling in what was a key case on transparency.

As a judge, she was popular among lawyers. "She didn't suffer fools gladly but she was never rude or impatient," Mostyn said. Her judgments were al-

most always extempore. "She was robust, efficient ... and never shrank from making punchy findings."

A retired family solicitor, Penny Logan, said: "We all breathed a sigh of relief when we saw we were listed before her. While she had a formidable brain, which enabled her to grasp the essence of a case rapidly, she coupled this with empathy and humanity, exercised both towards lawyers and lay parties. She was shrewd in her assessment of witnesses, eg recognised their vulnerabilities."

His Honour Keith Cutler, her predecessor as president at the Council of Circuit Judges, recalls her as a "fearsome fighter" and "an excellent family judge who was highly respected". She was active on judges' welfare needs and in seeking to boost the number of women judges. In their informal gathering, "You could always tell when she'd had enough," he recalls. "We'd have had a few bottles of her favourite Viognier and all of a sudden she'd be asleep." Famously, her family say this was a regular occurrence at dinner, by 8pm if the company was boring — but otherwise she would chat happily into the small hours.

At the time Plumstead became president in 2009, family courts were preparing to open proceedings to accredited journalists. She had reservations about the impact on the privacy of families, telling *The Times*: "I'm very much in favour of open justice but it's people's private lives being impinged upon. When I hear assertions about 'secret courts' or that A did not know what was being said or what went on, it makes my blood boil ... it's simply not the case." At the county court level, she believed the disadvantages of media access outweighed the benefits but in the High Court, she argued there was a case for openness.

She served on various committees: the Judicial Studies Board, the advisory committee to the Judicial Appointments Commission, and the Judges' Council. After retiring from the circuit bench in 2014, she continued to sit as a part-time tribunal judge in mental health work.

Outside her legal career she had "absolute dispassion" for any physical activity but loved watching and listening to cricket; Radio 4 — on at full blast 24/7, including overnight; and travel. She listed gardening, gargling, gastronomy and snoozing as her recreations.

She and her husband lived in a house in Anmer on the Sandringham estate and she was a strong supporter of the church there and the King's Lynn night shelter, a trustee of the social club, and she acted as a mini advice bureau for local residents. The Prince and Princess of Wales were neighbours and only weeks before her death she joined the prince on a walk.

Her family were all with her for Christmas which, active to the last, she tried to co-ordinate from her deathbed and insisted that for the refreshments with mince pies after the carol service, they follow her "very strong" recipe for mulled wine.

Her Honour Isobel Plumstead, family judge, was born on July 19, 1947. She died of metastatic lung cancer on December 30, 2024, aged 77