



# SELF-CARE FOR WOMEN IN LAW



**IAWL LEADERSHIP ACADEMY**



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# Speakers and their Affiliations



## **Amanda Dakouré (Moderator)**

Senior legal counsel  
African Development Bank



## **Akosua Mark-Okai**

Organizational Psychologist  
Crossbridge Consult, Ghana



## **Monica Mugenyi**

Judge  
Court of Appeal, Uganda

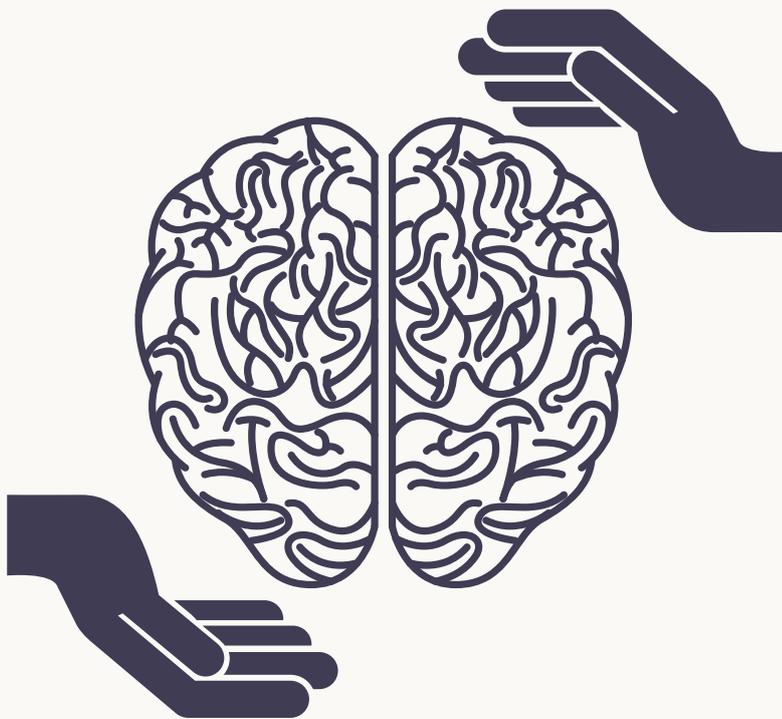


## **Nana Ama Botchway**

Founder and Managing partner  
N. Dowouna and Company, Ghana

## Executive Summary

The mental well-being of women in the legal profession became a topical issue after the Covid-19 pandemic. Perhaps, the harsh effects of the pandemic on mental health globally were a catalyst. This report aims at contextualizing the discussion of mental well-being to suit the needs of African women in the legal profession. Stress, prolonged anxiety, and depression are some of the factors that deteriorate mental health in the workplace. Sexual harassment, as well as imposter syndrome, also impacts the mental health of women negatively. Positive affirmations, transparency, emotional support, and sensitization may address the issues mentioned above. A survey conducted affirms that the mental well-being of women in the legal profession has been relegated to the background. Women do not feel safe to report sexual harassment at the workplace or see support for their mental health. The report makes a clarion call on stakeholders to implement practical measures that will support the mental well-being of women.



## 1. Introduction

On Thursday, November 11, 2021, the Institute for African Women in Law, in collaboration with the Commonwealth Lawyers Association, held a "Speaker Series" segment on *"Self-Care for Women in Law: Taking Care of the Psychological and Mental Well-Being."* This Speaker Series aimed to raise awareness about the mental and physical wellness of African women lawyers practicing at the bar, the bench, academia, and other legal fields. The panel was composed of three women: Akosua Mark-Okai, an organizational psychologist and chief executive officer of Crossbridge Consult; Justice Monica Mugenyi, principal judge at the East African Court of Justice; and Nana Ama Botchway, founding, and managing partner at N. Dowuona and Company. Amanda Dakouré, senior legal counsel at the African Development Bank, moderated the segment.

There has been increasing concern for mental health issues to be critically looked at to promote the mental welfare of lawyers (Baron, 2015). Increasingly, studies have shown high occurrences of stress and mental health issues amongst legal professionals worldwide. In a survey conducted by the International Bar Association (2021), a third of the participants admitted that their work had a negative impact on their mental well-being, with African lawyers recording the second-highest stress levels globally. Mental breakdown is no discriminator of persons, careers, and status, so the judiciary is no exemption. Mugenyi, justice of the Court of Appeal in Uganda, and Nana Ama Botchway, founding and managing partner at N. Dowuona and Company, speaking from the perspective of the bench and bar, respectively, agreed on the essence of promoting mental health in their professions.

Whereas law firms are taking measures to improve mental well-being at the workplace, it is imperative to highlight the peculiar conditions of women lawyers. According to the American Lawyer (2021), in research conducted with about 3,400 Lawyers, women lawyers report a higher instance of depression and anxiety. The main known reasons (e.g., discrimination, work-life balance, and sexual harassment) account for the high turnover of women lawyers. Eeansor and Lafreniere (2015) argued that mental health concerns tend to push women out of the legal profession.

This report presents the questions addressed during the panel discussion, including:

- What is mental and physical health, and why do mental and physical health issues require specific focus among African women lawyers?
- What are the symptoms of mental breakdown in professional settings?
- How can legal institutions prioritize mental health issues and gender-based violence?
- What contributions can the judiciary make to promote mental and physical health for African women lawyers?

The report captures the essence of the discussion on self-care for women and relies on answers given by the panelists during the series, as well as additional information from associated texts.

## **2. Nature of mental and physical health**

The discussion began with Mark-Okai giving an overview of the essentials of mental and physical wellness at the workplace. She also highlighted how best to overcome mental health concerns in professional settings such as the legal profession. She stated that mental health, as defined by the World Health Organization (WHO), "is the state of well-being in which the individual realizes his or her abilities, can cope with the normal stresses of life, can work productively and fruitfully, and can make a contribution to his or her community" (WHO, 2018). She simplified WHO's definition as, "the well-being of the way you think, the way you feel, and the way you relate." According to Mark-Okai, the only justification for promoting mental health is its global recognition as a Sustainable Development Goal (SDG) by the United Nations (UN). The SDG 3 states that "good health and well-being ... ensure healthy lives and promote well-being for all at all ages."

Additionally, she emphasized the importance of awareness of mental health issues noting that "knowing about mental well-being is a preventive activity to be able to know what is happening before it degenerates". Touching on physical health, Mark-Okai indicated that physical and mental health are "two sides of a coin", although mental health does not receive as much attention as physical health. She cited how it was commonplace to find

gym facilities at various workplaces to help keep employees physically fit while employers continue to pay little attention to mental health. She also highlighted the need for employers in the legal profession to provide further attention to promoting mental health and well-being, especially among judges, as they bear the legal mandate to keep the moral sanctity of society.

### **3. Common forms and causes of mental health problems**

Mark-Okai attributed the initial symptoms of mental breakdown at the workplace to the acronym "SAD," standing for Stress, prolonged Anxiety, and prolonged Depression. Addressing the stress and anxiety components of mental breakdown, she stated:

*... Sometimes stress exhibits itself in physical phenomena, like, your back and your shoulders are always tensed and aching, and you're having unexplained headaches. And the anxiety part of it is when people say things like, "I don't seem to think straight these days."*

Monica Mugenyi, justice of the Court of Appeal, Uganda, identified the example of stress Mark-Okai mentioned concerning mental health. She noted that being a woman judge is "extremely stressful" and that, more than their male counterparts, women judges are pressured to deliver. She added that the Judiciary, in general, places more premium on judicial outputs rather than wellbeing. Mark-Okai also added that stress and anxiety occasionally happen to all people; hence it is a normal situation. But the frequency and prolonged nature of such cases can be a typical trigger of a mental breakdown. She advised that once an individual notices such frequency of stress and anxiety, *"it is time for you to look at yourself or ask for help since you are not superhuman."*

Regarding some of the noticeable symptoms of the depression aspect of mental breakdown, Mark-Okai indicated that:

*...People comment among other things that, "You have changed", "You used to be so bubbly, what is happening with you?", "How come you're so quiet? You've tended to want to pull away from people and isolate yourself". And then, of course, you're thinking about getting easily irritated and angry. Your personality is beginning to change, your eating and sleeping patterns also begin to change, and you can't sleep at night for no reason.*

Mark-Okai also expressed that humans have approximately 60,000 thoughts per day, and 95% to 98% of our thoughts are repetitions of what went through our heads the previous day, which leaves just about 2% to 5% of unoccupied thoughts to break that cycle of reflecting on thoughts from the day before. Breaking that cycle of thoughts will put one in a positive mood. To do this, "you sit, and you relax, in whatever space that you have and... first admit to yourself that you need a change and that something is wrong. If you don't admit to yourself that something is wrong, all that [you are] going to say is not going to happen." She added that one can also take three to four deep breaths as, when you breathe slowly, it calms you down, "because it lowers your heart rate and blood pressure." Mark-Okai then shared personal anecdotal evidence of mental breakdown extending over eight months. Reflecting on the experience, she explained how mental breakdown is not a discriminator of persons, careers, and status; and, consequently, why mental health awareness should be prioritized for all careers.

She said,

*I suffered from a type of depression called the imposter syndrome, which happens to high-level achievers when you begin to feel like, What have I done? I haven't done anything. What's all this noise being made about? And then, slowly, you begin to disengage with things you usually do.*

One important recovery strategy emphasized by the panelists is transparency, which is to speak up about mental health issues to close contacts. Mark-Okai advised that, although transparency is essential and therapeutic during the recovery process, opening up to the

wrong person can be dangerous. Justice Mugenyi emphasized the necessity of transparency in the recovery process, as indicated by Akosua Mark-Okai. For the judiciary, Monica Mugenyi opined that speaking to members of women judges' associations like one's country's association of women judges, the Women Judges Association, or the Criminal Division Judges Association, among others, can be the first option during the recovery process.

However, these associations are "loose groupings" that can be strengthened to give peer support. Nana Ama Botchway buttressed the point of transparency and openness during the thought cycle by calling on employers, law firms, and companies to ensure supportive environments for women exist to talk openly about mental health issues. Akosua Mark-Okai described talking to individuals as "first-level support" available in Ghana during the recovery process. She cited the Ghana Psychological Council as an avenue for first-level support.

Mark-Okai further illustrated an exercise for recovery from imposter syndrome: take a sheet of paper and write all the positive things about yourself, no matter what you think is trivial. Write all the good things about yourself, your inner self, your values, your physical self, and so on. She advised, "And then one of the key things is to try and keep looking good" since "one of the symptoms of sliding down is that you begin to neglect how you look."

Justice Mugenyi asserted that the judiciary places more emphasis on the mental well-being of individuals who come before the courts than on the judges who preside over cases. She indicated that women judges are equally victims of emotional stress since they relate to the painful experiences of the victims and witnesses in court, especially minors. Therefore, the judiciary should protect and promote the mental well-being of judges and not just that of persons who appear before the courts. Recounting a traumatic experience in court, Justice Mugenyi stated,

*Having been a criminal law judge myself, you are faced daily with witnesses as young as three and five years that have been defiled. And as a mother, automatically, you get involved in the case, and it has a ripple effect in terms of your well-being. I often find myself thinking, This could be my child, and that alone is very traumatic.*

She further indicated that the reclusive nature of the judicial profession is another potential cause of emotional stress. Judges are either at their offices, courtrooms, homes, or sometimes hospitals, but not at social gatherings such as parties. Hence, there are few opportunities for them to interact in social settings. Justice Mugenyi highlighted the emotional support shared among judges during mental breakdowns. She recalled how a senior judge advised her to have parties with a few judges to prevent a “nervous breakdown.” In the absence of well-designed interventions that address the mental health concerns of judges, Justice Mugenyi still believes that current groups and associations of women judges can serve as a form of support to judges experiencing mental breakdown. Also, social clubs meant for judges could be organized to minimize the emotional effects of the reclusive nature of judicial work. She suggested that a gym could be created for judges to exercise and share relaxation moments regularly. Botchway, agreeing with the necessity of social clubs for judges, called for an extension of such clubs to include lawyers. She argued that such groups should be created to favor both women and men judges, to make them feel safe and have a sense of belonging. As judges and lawyers participate in such social clubs, they are likely to share sensitive information; therefore, having suitable structures that inspire confidentiality is vital.

NanaAma Botchway, founder and managing partner at N. Dowuona, expanded the causes of mental breakdown within the legal profession to include sexual harassment, especially from superiors within various law firms. When asked about the reasons for the silence of most women professionals who have been mentally stressed due to sexual harassment, Botchway highlighted job security and stigmatization as significant causes of “silent victimhood.”

Women risk losing their jobs and personal relationships at their law firms when they speak up, especially where the abuser is a superior or employer. On the subject of stigmatization, she said, "There is a resistance to talk about it because often the woman is blamed, and then there is the additional concern of professional reputation." This stigmatization is unfortunate because the abuser is not stigmatized, but the victim is. She blamed the culture of most societies for this lopsided perception.

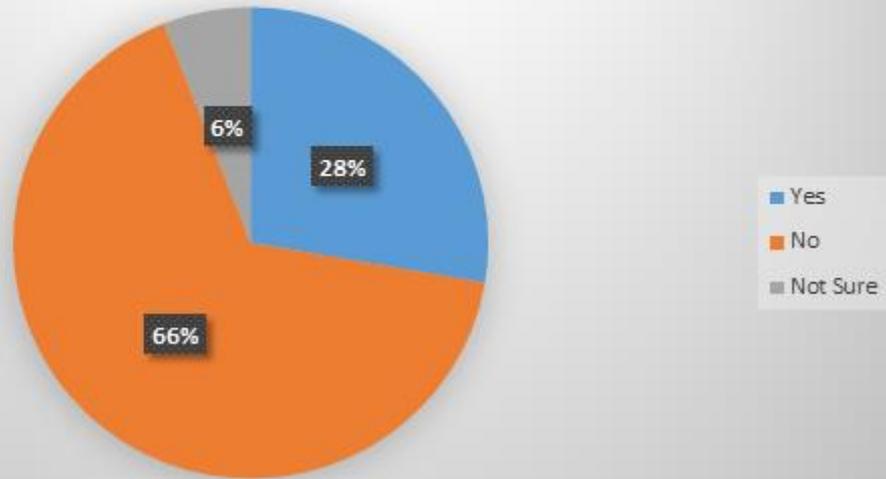
#### **4. Preventive and coping strategies**

To prevent the phenomenon of "silent victims," Botchway suggested that law firms and legal institutions should create an environment where both men and women feel safe to report sexual harassment or assault incidents that will be fairly and independently investigated. She added that law firms should invest in training and sensitization of their workers as there is a lot of ignorance about what constitutes sexual harassment and how to report it. She further called on victims to find the courage to speak up so that abusers do not continue to victimize others with impunity.

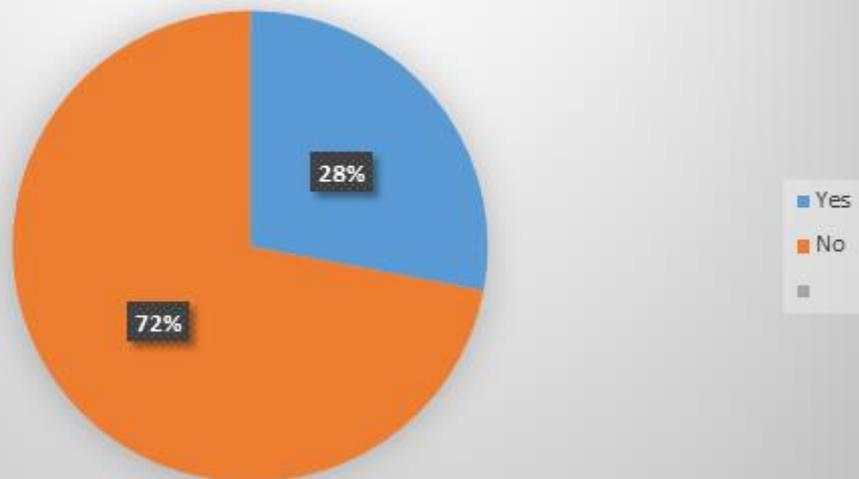
**Survey:** Poll on mental health at the workplace ( $n = 88$ )

A survey was conducted to substantiate the perspectives shared by the panelists during the self-care for women series. The survey questions were designed to ascertain the frequency of sexual harassment at the workplace, mental health issues, and whether solutions were readily available to address mental health-related issues. In general, the poll results support the concerns raised by the panelists. The majority of the women who participated in the survey affirmed that they had been sexually harassed, negatively affected by the demands of work and that they had not received adequate support for their mental well-being.

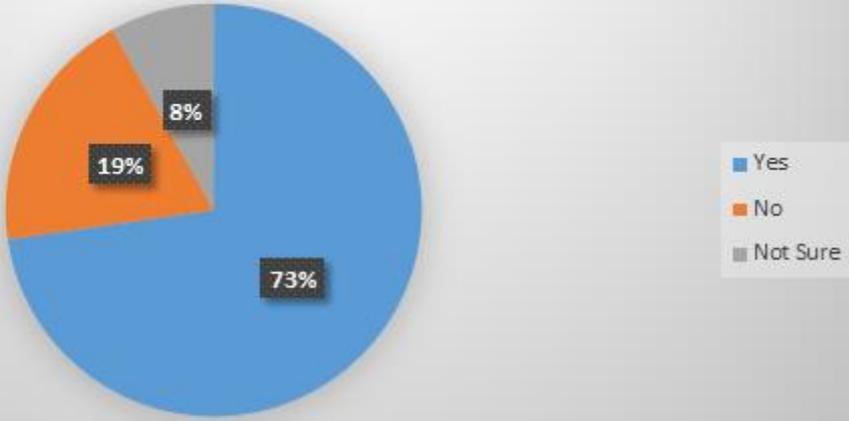
Have you ever experienced any sexual harassment at your workplace?



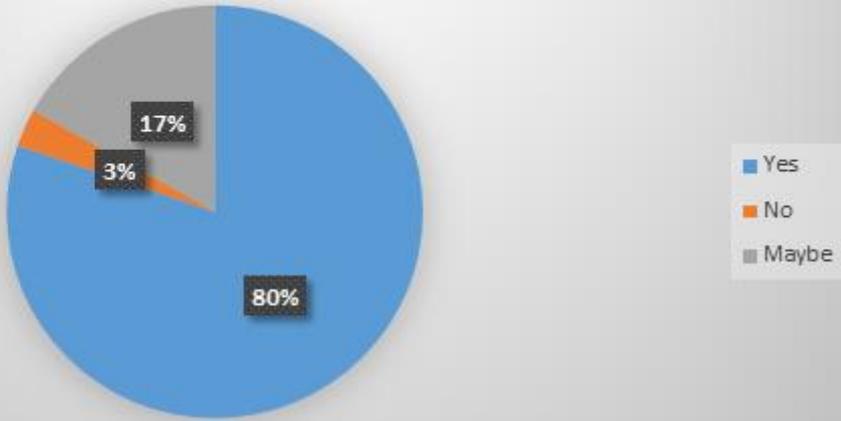
Have you ever sought support for your mental well-being?

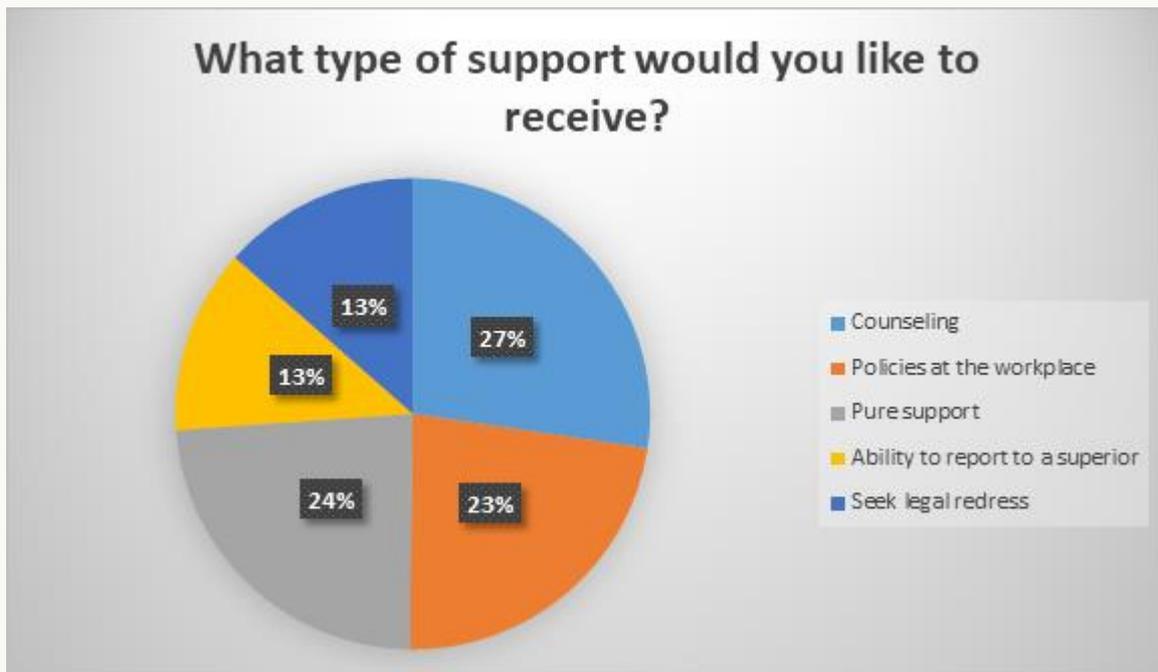


**Do you experience any acts or omissions at work that affect your mental health and well-being?**



**If you had an opportunity to receive support for your mental well-being, would you take advantage of it?**





## 5. Conclusion

The panel acknowledged the gains in promoting physical health but bemoaned the inactions of various legal settings in promoting mental health. The panel called on all stakeholders in the legal profession to initiate policies that will safeguard employees' mental health concerns.

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REPORT

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