

News

Family law matters are frequently traumatic; it is important to prioritize the mental health of attorneys: Barbara Mills, KC,



Chair of the Bar Council of England and Wales and Counsel to the King Barbara Mills called on legal practices to put their attorneys' mental health and wellbeing first, particularly those who focus on family law.

Barbara Mills, King's Counsel and Chair of the Bar Council of England and Wales, called for Indian legal firms to put their attorneys' mental health and wellbeing first, particularly those who practice family law.

Mills, the first family law practitioner to serve as Chairperson since 1988, brought attention to

the psychological anguish experienced by both litigants and attorneys in family law disputes. Numerous cases involve charges of abuse, vulnerable individuals, and young children. According to Mills, this is made worse by the practice area's protracted litigation history.

"It was simply untrue to think that, as a family lawyer, I could remain impartial when my client was in pain... As professionals, we are aware that we experience the same vicariously as our clients do when they are exposed to vicarious trauma and anguish. It is understandable that you may experience stress and burnout occasionally if you combine that with the constant pressure and high standards that the profession requires, the competitive nature of the work, and the consequences of the adversarial system," she said.

She emphasized that merely shielding attorneys from verbal and physical abuse is insufficient. It is also necessary to safeguard their mental well-being.

As chair of the Bar of England and Wales, I have made it a priority this year to take a close look at the well-being of my colleagues and myself because I have learned over the years that people who maintain successful practices must prioritize their well-being constantly. I've been amazed at how many people have shared their struggles and tales with me since I declared my interest in it," Mills added.

She expressed her wish for a global movement to assist family lawyers' mental health.

"What I would like to see in the profession globally is well-being losing its stigma as a sign of weakness, and to be elevated to the same non-negotiable level as you would any other business expense, whether it's your insurance or your accountant," she stated.

Law practices in England and Wales, according to Mills, have embraced a system of reflective supervision.

"It is a reflective technique that is incorporated into your profession and occurs on a regular basis. It gives a lawyer the opportunity to analyze and assess their experiences as well as to debrief following difficult and stressful situations. "With family lawyers, criminal lawyers, commercial lawyers, and civil lawyers, we have been testing this in England and Wales," she said.

Mills was presenting at a conference on "Cross-cultural perspectives: Emerging trends and

challenges in Family Law in England and India" that was organized by the Delhi Family Lawyers Association in association with the Delhi High Court Women Lawyers Forum.

In her keynote speech, Mills emphasized the parallels and discrepancies between India and England and Wales' jurisprudential developments in family law.

She emphasized, among other things, the variations in the application of alternative dispute resolution (ADR) techniques in family issues.

The process that is employed in India is mediation, specifically court-annexed mediation. Even in cases when domestic violence is alleged, mediation is used.

According to Mills, this is strictly discouraged in England and Wales.

"Here you're able to use mediation, even if there's domestic abuse and domestic violence, something that is absolutely frowned upon in England and Wales, because we take the view that if there's any kind of risk to a parent or a child, you shouldn't use mediation," she said.

According to Mills, arbitration is used to decide financial and child custody problems but is not utilized to dissolve marriages.

The King's Counsel recommended that both nations investigate applying both types of alternative dispute resolution in family issues in order to learn from one another.

According to her, the future of family law practice should be built on a strong framework that makes use of all available dispute resolution procedures, culturally sensitive practice, and well-supported attorneys.

"A strong out-of-court environment for both India and England and Wales needs to be supported by easily accessible guidelines, culturally sensitive practice, and strict standards that uphold autonomy while protecting the most vulnerable voices.

Focusing on the welfare of family lawyers is equally important, in my opinion, as is making sure that we have professional training, sustainable workloads, and institutional support so that those who assist families may do it with bravery, empathy, and technical proficiency. Together, judges, practitioners, and legislators may invest in these components to create a system that resolves disputes in a way that is sustainable, humane, effective, and trustworthy, according to Mills.

Lawread