



Men's mental health in the legal profession

Contents

<i>Introduction</i>	2
<i>The experience of mental ill-health for men in law</i>	3
<i>Seeking out support</i>	5
<i>Barriers to seeking support</i>	7
<i>LawCare’s role</i>	9
<i>A call for change in the profession</i>	10
<i>Concluding remarks</i>	11
<i>References</i>	12



Introduction

Following a review of its helpline logs, LawCare identified that a significant majority (approximately 65%) of its support contacts were female, with only 35% being male. A ratio of 75:25 of women to men was seen in those engaging in LawCare's Life in the Law research between October 2020 and January 2021ⁱ. While this ratio is perhaps not unique to LawCare, it has prompted the charity to ask itself if there is anything more it could and should be doing to attract and support greater numbers of male legal professionals with their mental health.

An outcome of this review was to organise an all-male focus group to better understand the needs of men in the legal profession in relation to mental health support. Significant effort was made to recruit as diverse a pool of men as possible for the focus group, to ensure that different demographics (such as age, sexual orientation, ethnicity) were represented and their voices heard. In total, ten men were recruited to be part of the focus group, although more applied.

The focus group was held on 19 July 2022 and facilitated by Nick Bloy, the Founder of Wellbeing Republic, who has previously sat on LawCare's LifeintheLaw research committee, and hosts a quarterly roundtable on behalf of LawCare for the legal profession. In total, eight men attended the virtual focus group, which was held via Zoom. The attendees were a diverse group ranging from barristers, partners, mid-level and junior associates, in-house lawyers, as well as those in support functions. There were representatives from England, Scotland and Northern Ireland.

The experience of mental ill-health for men in law

Researchⁱⁱ suggests that gender does play a role in the experience of mental ill-health for men and women. Typically, women are more likely to experience higher levels of internalising disorders such as depression and anxiety, while men experience higher levels of externalising disorders such as substance abuse and antisocial behaviour. Research on gender and mental health suggests that conceptions of masculinity and femininity affect major risk factors for internalising and externalising problems. This includes the stressors men and women are exposed to, the coping strategies they use, the social relationships they engage in, and the personal resources and vulnerabilities they develop.

Researchⁱⁱⁱ suggests that gender differences in socialization could play a role in rates of depression as well. Masculine gender socialization emphasizes norms such as stoicism, toughness, and the avoidance of anything perceived as feminine, including displays of emotion. Some researchers suggest that this type of socialization may cause depression to manifest differently in men.

As part of the focus group, the men were asked to share their experiences of mental ill-health during their legal careers, together with what they believed had caused it. There was a general consensus that lawyers tend to take on more work than they have time for – leaving many of them feeling overstretched a majority of the time. Several men in the group mentioned that part of the reason for this likely stems from the types of personalities that law attracts, such as perfectionists. Added to this are some of the additional responsibilities that can add to the strain over time, such as having children, which means it can feel like there are simply not enough hours in the day. One of the men, who has previously worked as a partner for over a decade, likened a period of mental ill-health in his career to simply existing not living.

One of the delegates, who had struggled with alcoholism for many years, referenced the fact that being a barrister can add different pressures to those experienced by lawyers or the judiciary. Being self-employed, means that barristers experience added worries regarding finances, paying chambers rents etc. For him, those pressures led him to becoming an alcoholic.

Another delegate talked about the worry he experiences for his clients, which he found would often weigh heavily on his psyche. He also felt that there are very high expectations from clients that their lawyers needed to be experts in everything, all of the time, with no room for error. This could often leave him feeling like he was flying beyond the edge of his own comfort zone much of the time. There was also a discussion around the very real sense that it can feel almost impossible to say ‘no’ to clients or colleagues, due to fear that they would think poorly of you for not being capable enough if you did say no.

One of the men provided an in-house lawyer's perspective, noting that being an in-house lawyer can pose different challenges, although he noted that high demands, whether as a barrister, solicitor, judge, or in-house lawyer, appear to be pervasive across the profession. However, working as in-house counsel for an organisation can provide a different challenge in the sense that career pathways are much flatter (less hierarchical). While less hierarchy can clearly have some benefits, from a career perspective it can fuel a sense of desperation and hopelessness - as if one's career is going nowhere. Several times during his career he had experienced severe periods of insomnia, where he had had to take time off work.

One of the younger delegates, a junior lawyer who had recently qualified, talked about some of the pressures being felt at the junior end of the profession. For example, he felt that there is significant pressure with being surrounded by other brilliant minds, which can cause junior lawyers to worry about not being good enough. This can stem from growing up in an environment where you are consistently made to feel special, both at school and at university; but then finding yourself in an ever-shrinking pool of the very best minds, which can lead you to not feel quite so special anymore. He also mentioned the steep transition and changing expectations from being a trainee solicitor to qualifying as a solicitor.

In addition, the issue of Facetime culture was mentioned several times. From a junior lawyer perspective this can be particularly challenging, as you are keen to make a good impression and partners seem to value juniors being visibly present. There was also a sense that lawyers need to be contactable via their work phone 24/7 and this can have a detrimental impact on mental health. Even if you merely glance at your phone whilst in bed, it's likely to impact your ability to fall asleep and/or get a good night's sleep.

Another delegate talked about the fact that lawyers are trained to worry about things not being done – such as missed court deadlines - due to the potential adverse implications that these omissions might have on their client or themselves and their careers. This can create a constant sense of anxiety, which negatively impacts mental health.

A delegate discussed how a toxic working culture had negatively impacted on his mental health. He recounted his experience of a firm which had lots of initiatives in place and partners would often talk about the importance of mental health, but when it actually came to situations where people needed support for their mental health, the initiatives transpired to be primarily a box ticking exercise with nothing substantive to back it up. From his own perspective, he had experienced a complete failure in communication around expectations and workload. Having consistently been a solid performer, with glowing feedback, he found himself struggling and needing time to recover. However, he received very little support from his manager or HR. In fact, him being open about his struggles and actively seeking help, was held against him and resulted in him being dismissed six months later.

Finally, one of the delegates shared the harrowing story of a friend who took his own life as a result of bullying in the workplace due to his sexual orientation.



‘The availability of external, confidential support is critical’

Seeking out support

When it came to seeking out support, there were distinct experiences from the group. Most acknowledged that it has become easier to seek out support in recent years. However, despite this, seeking out support at work still poses some challenges.

A junior lawyer mentioned that they had been reluctant to seek out support at work due to his concerns over whether it would negatively impact his career prospects. Thankfully, when he did eventually reach out for support to his career development partner, his fears were unfounded, and he received the support that he needed. In stark contrast to the above example, a more senior lawyer who was led to believe by the firm’s management that their firm was supportive of people experiencing mental ill-health, found themselves penalised, isolated and alone when they did reach out for help. The firm’s response, led to the person leaving the firm.

These examples remind us of the importance of ensuring that people are made to feel safe and encouraged to seek out support when they need it. However, perhaps even more important, is the support people actually receive when they do reach out. A manager’s response to someone opening up about a mental health struggle, is critical to embedding a culture where people continue to feel safe to reach out for help, whether within the organisation itself or more broadly. In the latter example, the firm’s poor response had a toxic effect not just on the individual concerned, but on the morale and psychological safety of his peers as well.

Interestingly, even though the junior lawyer had a positive experience with his career development partner, he is aware of another partner at the same firm where he works who ‘speaks a good game’ regarding mental health but simultaneously makes junior associates cry due to the work pressures they are placed under. This may well explain his initial reluctance to reach out for help. This inconsistency of approach can make it challenging for people to feel safe enough to reach out for help. Invariably, an environment is only as safe as the least supportive person makes people feel.

A barrister, and former alcoholic, recounted that there was very little support in his chambers when he was struggling with alcoholism. While he notes that the culture in his chambers is extremely good today and highly supportive of people who experience issues with their mental health, at the time he did not feel able to seek out support. Things took a downward spiral in his mid-30s, at a time when his practice was taking off and, as a result, he took on more commitments than he should have done. There was (and continues to be) a culture of people enjoying a drink at the Bar. However, the mounting pressures he experienced at that stage of his legal career led him to become a full-blown alcoholic.

Due to the way in which chambers are set up, there was nowhere to go for support at the time. While he was never drunk in court, he was regularly drunk in chambers. Unfortunately, people in his chambers had no idea how to deal with his drunken episodes nor how to offer him support. Thankfully, he did seek support from his family and Alcoholics Anonymous. Those were the two support mechanisms that got him through and into recovery. He emphasised that having confidential external support is really important, as people might not feel comfortable speaking to someone within their own chambers or organisation.

Many of the men agreed that the availability of external, confidential support is critical to men being able to reach out and seek the support that they need. This type of support might look different for different people or in different situations. A number of delegates spoke positively about 1-2-1 therapy. One senior in-house lawyer mentioned that he had sought therapy through his Employee assistance Programme (EAP) at work to help him with several bouts of insomnia during his career. However, despite a couple of positive examples amongst delegates, others mentioned that they found the EAP too impersonal, and that the person allocated to them often lacked any knowledge of the legal industry, which undermined the ability to be understood and build sufficient rapport.

A number of others talked about the important role that support groups play in recovery. Stigma surrounding mental health can often leave people feeling isolated and alone and several people touched on the idea that men tend to have smaller friendship circles than women. Support groups, such as Alcoholics Anonymous, help create a safe space with a shared sense of belonging that reminds people that they are not alone in their struggles. Such groups can be a real source of strength. Another delegate shared how they had been introduced to Humen which has established several anonymous non-clinical spaces for men to talk, listen and connect on a regular basis. These non-judgemental support groups have proved invaluable in changing the way men think and talk about their mental health.

Several delegates also talked about the importance of family and the role they play in supporting their mental health and helping them through challenging times.



**‘We need to redefine
what manliness requires’**

Barriers to seeking support

The way we talk about mental health has moved forward in the past 10 years. Seeking support is, thankfully, not as stigmatised as it once was. However, despite the progress that has been achieved, there is still much work to be done to ensure men feel able to reach out for support when they need it. Significant barriers remain which can prevent men seeking support when they need it most.

Delegates discussed the ‘double whammy’ of being both a man and a lawyer. As men, delegates felt that there is still a palpable expectation that they should be strong, not display vulnerability, and be able to shoulder the burden of personal problems by themselves without recourse to others. In addition, working as a lawyer adds additional pressure to this sense of needing to appear perfect to the outside world - many of the delegates agreed that there is a perception that lawyers need to have all the answers. This perception combined with the expectations men experience as a result of their gender, can make it very difficult to reach out for help.

One delegate suggested that we need to redefine what ‘manliness’ requires. It shouldn’t be about downing seven shots of whiskey to prove how much of a man you are or working yourself towards a state of burnout. Several delegates reflected on the fact that a facetime culture still appears to be omnipresent within law. It sees lawyers consistently working extremely long hours in an attempt demonstrate their commitment to the profession or their organisation. This culture can amplify the issues that men face when it comes to talking about their mental health.

Another barrier that can prevent men from reaching out for help is the fact that, generally, men do not have the requisite emotional vocabulary required to understand or express their experience effectively. One delegate reflected on the fact that he had spent most of his life telling people what he thought, but very much struggled to talk about how he felt. There was a sense that this lack of emotional intelligence can prevent men from being able to accurately diagnose what their problem is in the first place. There was a discussion around why this might be and delegates believed that this was in large part due to their being insufficient male role models for boys growing up. Ideally boys need male role models who are able to showcase how to effectively understand and express emotions.

It was felt that similar issues persist in the legal workplace. It was felt that too many of the men in leadership positions today do not have the requisite emotional intelligence skills to lead and role model effectively, which perpetuates the issues described above. As mentioned earlier, the stigma that persists can make experiencing mental health challenges feel very isolating. This is especially true for men, with the pressures that they feel under to remain stoic in the face of adversity, described above. Having better role models in positions of responsibility would pave the way for men to be more open about their mental health challenges.

One delegate reflected on their gay friend who took their own life after a period of workplace bullying. As a direct result of the situation that they found themselves in at work, there was a real sense that there was nowhere for them to turn or seek support, as the workplace was not a psychologically safe space. This highlights the additional burden experienced by gay men in an environment that isn't inclusive or one that doesn't tackle toxic masculinity, and the possible tragic outcomes that may ensue.

A broader point was made about the risk of bullying for men in the workplace. The IBA reported, as part of its 'UsToo' report, that one in three men experiences bullying in the legal workplace^{iv}. The perceived need for men to be strong can potentially leave them with little support if they are bullied in the workplace. However, even if men are able to overcome this specific barrier and are prepared to be vulnerable, there was also a concern amongst delegates that most men do not know where to seek help. Indeed, the experience of several delegates underlined this risk factor.

Several delegates also talked about the uncertainty of opening up about a mental health issue at work, or even acknowledging to themselves that they have an issue. They were concerned for their family's welfare if they opened up about a mental health issue at work. For example, men might worry about whether 'the whole thing is going to crumble'; or if they (and/or their career) fall apart, what will happen to their family, who will support them?

In addition, as discussed earlier, if the environment we're asking men to speak up in is not psychologically safe and there continue to be examples of people being penalised (which might include being managed out, having their career prospects limited, being ridiculed or being isolated) for speaking up or reaching out, then those significant barriers will remain.



LawCare's role

Of those who attended the focus group, the majority were aware of LawCare, although several only as a result of female colleagues mentioning the charity to them more recently. There was a sense that LawCare, the Law Society, the SRA and legal organisations or other legal institutions could and should do more to raise awareness of the fantastic services which the charity provides. For example, should LawCare's services be included as part of the induction process of law firms or in chambers? Should greater prominence be given to LawCare's services on key websites such as the Law Society and the Bar Council? A delegate based in Scotland mentioned that its Law Society does a fantastic job of raising LawCare's profile.

In relation to what LawCare could do to better appeal to or support more men in the profession, there was a consensus that the gender of the person on the helpline did not matter. In fact, men mentioned that speaking to a woman on a 1-2-1 basis might be preferable as they can be more compassionate and less judgemental than their male counterparts. It should be noted that no one was commenting on LawCare's helpline volunteers specifically, but about men and women more broadly. Several delegates mentioned that having been for therapy with a woman counsellor in the past, they found them to be very empathetic.

However, there was a sense that if LawCare created support groups (which delegates thought would be beneficial), the gender of the group would be important, with the majority of delegates suggesting it should be gender specific. A good example is Alcoholics Anonymous which, although is open to both men and women, ensures the sponsor's gender mirrors the gender of the person seeking support. Other men-specific support groups which delegates have benefited from include [Dudes and Dogs](#) and [HUMEN](#). If LawCare does create gender-specific support groups, it should ensure it signposts that it welcomes the LGBTQ+ community.



A call for change in the profession

We briefly touched on what people feel needs to change in the legal profession to improve the state of mental health for men in law. The comments from the delegates ranged from changing the business model (the focus on billable hours and financials is harming people) to making role models who walk the walk more visible. The latter would help to normalise the conversation and reduce the stigma still associated with mental ill-health.

Linked to this, delegates re-emphasised the need to redefine how we view seeking help, not as a sign of weakness or laziness, but as a sign of strength. Role models have an important role to play in this regard.

We also discussed the need for *actual* equal treatment when it comes to things such as maternity and paternity leave. Scandinavian countries are far better at ensuring equal support for parents, which encourages more men to engage in their children's upbringing, which has a positive impact on the mental health of both the parents and the children.

Finally, we discussed the need to respect people's boundaries and encourage more people to set sustainable ones. An example was given from a barrister who has historically found himself on the receiving end of instructions from solicitors at 9.30pm at night, with the solicitors expecting him to have actioned their instructions by first thing the next morning. There needs to be a recognition that being a barrister (or solicitor) is not a 24/7 occupation and we need to become much better, both individually and collectively, at respecting each other's boundaries.

Concluding remarks

From the research and this focus group, it is clear that there are challenges which men face within the legal profession when it comes to experiencing, talking about and seeking support for their mental health. Some of these challenges appear to be gender (and profession) specific.

There is no doubt that more could and should be done to support men with their mental health. Invariably, none of what has been discussed in this report can happen in isolation. There needs to be a joined up and concerted effort to change the culture and practice of law to better support men's mental health. Within this, there is no doubt that LawCare can and should continue to play an important role by continuing to champion positive change and providing a voice and a platform to those role models who are able to inspire others to seek help when they need it.

As LawCare looks ahead to how it might better support men in the profession, thinking about creating gender-specific support groups could be beneficial, based on the feedback from the delegates of this focus group.

References

ⁱ Life in the Law 2021 study; LawCare, September 2021

ⁱⁱ Eaton N, Krueger R, Skodel A, Grant F, Keyes K, Balsis S, Markon K, Hasin D; An Invariant Dimensional Liability Model of Gender Differences in Mental Disorder Prevalence: Evidence From a National Sample; *Journal of Abnormal Psychology*, 2012, Vol. 121, No. 1, 282–288

ⁱⁱⁱ Wide J, Mok H, Mckenna M, Ogrodniczuk JS. Effect of gender socialization on the presentation of depression among men: A pilot study. *Can Fam Physician*. 2011;57(2):e74-8. PMID:21642709

^{iv} Us Too? Bullying and Sexual Harassment in the Legal Profession, International Bar Association, May 2019