

NATIONAL JUDICIAL ACADEMY



NATIONAL SEMINAR ON STRESS MANAGEMENT [P-1351]

5TH & 6TH AUGUST, 2023

PROGRAMME REPORT

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Overview of the Seminar

The National Judicial Academy organized two day “**National Seminar on Stress Management**” from **5th to 6th August, 2023**. The participants were judges from district judiciary. The seminar provided a perspective on the stress management, wellbeing and improvement in organizational efficiency to judges from district judiciary. The seminar focussed on addressing core issues relating to occupational stress and strategies to cope with it and it involved discussions on stress and wellness, managing occupational stress, life beyond the dias, understanding litigant behaviour in diverse litigation, emotional intelligence and handling of vicarious trauma.

Session 1: Understanding Stress and Impact on Occupational Efficiency

Speakers: Justice R.C. Chavan and Dr. Vidya Sathyanarayanan

The session commenced with discussion on stress and its various manifestations and the relationship between stress and performance was highlighted. Then the speaker discussed how some amount of stress can help an individual to perform better. The meaning of stress was discussed and it was opined that stress is a negative emotional reaction towards a particular event. It was suggested that impact of stress on an individual is determined by the attitude of the individual. The speaker then focussed on resilience and positive attitude. Stress is inevitable in everyday functioning in an organization and it can be managed by the individual according to his capacity. The importance of behaviour and conduct was explained to participants. It was opined that judgeship involves lot of stress and judges should know how to cope with the increasing pressure of stress. The speaker emphasised that there should not be any hesitation in the decision making process and hesitancy creates stress. The judges should refine their decision making skills so that they can cope up with the stress during decision making. The speakers then discussed various ways to increase occupational efficiency. The issue of handling emotions while judging was discussed and it was highlighted that letting out emotions in courtroom can sometime be a problem and can send a wrong signal to advocates and litigants. The discussion then focussed on live streaming and public exposure and the issue that whether live streaming add to stress due to public gaze. It was highlighted that during live streaming facial expressions are analysed and therefore judges must be capable of controlling their emotions. The discussion then focussed on ways to deal with the negative effects of courtroom stress and it was emphasised that judges should be able to detoxify from such negative effects. It was opined that emotional expressions in courts should be controlled to enhance public confidence in the system. The risk of sedentary professional life was discussed and ways to engage in physical and other activities to reduce stress were suggested. The response of an individual to stress was discussed and it was opined that the response to a stressful situation should be objective and the response could be unhealthy if it inhibit the performance. The response should be empowering to individual and should not hinder his or her development. The emotional and intelligence should go together rather than conflicting with each other. Various aspects of judicial stress were discussed including personal characteristics, job characteristics, environmental characteristics, personal effects and job effects. It was opined that

coping measures against stressful situation must include both body and mind and resilience, positive attitude and emotional intelligence are crucial in reducing judicial stress.

Session 2: Managing Occupational Stress through Emotional Intelligence

Speakers: Justice R.C. Chavan and Dr. Vidya Sathyanarayanan

The session commenced by focussing on sources and forms of occupational stress. The speaker explained emotional intelligence competencies including self-awareness, self-management, adaptability, social awareness and relationship management. The definition and hallmarks of each these emotional intelligence competencies were explained in detail. The competency on self-awareness is the ability to recognize and understand moods, emotions, and drives as well as their effect on others. Its hallmarks include self-confidence, realistic self-assessment and self-deprecating sense of humour. The competency on self-regulation is the ability to control or redirect disruptive impulses and moods and the propensity to think before acting. Its hallmarks include trustworthiness and integrity, comfort with ambiguity and openness to change.

The competency on motivation is the passion to work for reasons that go beyond money or status and it includes a propensity to pursue goals with energy and persistence. Its hallmarks include strong drive to achieve, optimism even in the face of failure and organizational commitment. The competency on empathy is the ability to understand the emotional makeup of other people and skill in treating people according to their emotional reactions. Its hallmarks include expertise in building and retaining talent and cross-cultural sensitivity. The competency on social skill is the proficiency in managing relationships and building networks and an ability to find common ground and build rapport. Its hallmarks include effectiveness in leading change and expertise in building and leading teams. The discussion then focussed on issues related to balancing work and family and how to modulate courtroom stress so as not to affect the personal life. One should keep vigilance on the early sign of burnout and should bring corrective measures accordingly. It was opined that there should be annual assessment of mental health and mental health problems should be treated accordingly.

Session 3: Understanding Litigant Behaviour in Diverse Litigation

Speakers: Justice S.G. Gokani and Justice Asha Menon

The session was commenced by explaining diverse needs of litigants in different forms of disputes. It was emphasised that the judges and court staff should have empathy towards litigants. Empathy is a cognitive phenomenon and it enhance understanding about others. The value of empathy was discussed and it was opined that every judge should have empathy towards litigants. It was opined that difficulties faced by the common litigants should be understood by putting oneself in the litigant's situation. There should be sensitivity towards the litigant's situation. The issue of bias while having empathy was also discussed. The implicit association test for the assessment of biases and prejudices was referred. The discussion then focussed on elimination of biases which can impact fair justice delivery. The case relating to Bhawari Devi and Best Bakery was discussed in

this regard. The issue of child marriage was also discussed. The participants shared their experience regarding their observations when they go to police station as a common person or when they appear as witness in a case. The expectations from the system and how the system responded in such situation were discussed. The response of the police in cases concerning inter faith marriage and abduction of girl by parents and rape cases was discussed. It was opined that the last expectation of people is from the judiciary. The discussion then focussed on the issue of how to manage adverse behaviour of litigants. It was opined that vexatious or frivolous suits are generally filed by disgruntled litigants and such litigants can be classified in two groups i.e. litigants with mental health concerns who launch multiple legal actions against diverse targets, and litigants who are unsuccessful in a lawsuit and who become aggrieved and refuse to accept defeat. They hopelessly persist and attempt to re-litigate their case. The speakers suggested various measures to prevent frivolous suits.

Various provisions of the Civil Procedure Code and judgments of the Supreme Court were discussed to prevent and discourage frivolous, speculative and vexatious suits. The judgements of the Supreme Court Abani Kanti Ray vs. State of Orissa & Ors. 1990 was referred to highlight judicial restraint and not to use intemperate language of making disparaging remarks in the judgment. The speakers then focussed on issues related to behaviour of bar and how to manage unruly behaviour of bar. It was opined that the High Court should provide support to district judges in situation of conflict between bench and bar. Then the issues related to frivolous complaints against judicial officer were dealt upon.

Session 4 - Maintaining the Balance: Judicial Stress and Wellness

Speakers: Justice Dr. Shalini P. Joshi Dr. Harish Shetty Dr. Samindara Sawant

The session commenced with the proposition that striving for work-life balance is a myth. It was iterated that rather imbalance is the truth. It was stated that balance is a feeling of fulfilment of one's important roles. It was underscored that equanimity and work life balance must not be considered as a state of mathematically scaled balance depicting equals viz. equal number of hours for work or entertainment, or relaxation, or family, etc. It is rather about experiencing a sense of achievement and satisfaction on the priorities leading to a feeling of fulfilment. It was asserted that striving to attain a balance is an endeavour which is either automatic, as in the case evident in hormonal and chemical balance within the body to maintain homeostasis or attained by practice. While connecting stress with imbalance it was remarked that stress is not necessarily bad. Eustress was distinguished from distress. Distress was attributed to mind-set. Choice of thoughts and words were said to matter a lot in determining one's mind-set. Thereafter, the importance of emotional intelligence and the strategies to use them for one's advantage was highlighted through hypothetical situations. Some reflective practices to detoxify and de-stress oneself to enable better control over life, in order to strike a balance between profession and person included: Yoga, Exercise, Vipassana, Prayers, Music, Meditation, etc. Thereafter, the participants were invited into a practical experience of clinically exercising a professionally guided meditation. The guided

meditation session enabled the participants to a sense of self-awareness of the various points of anxiety and responsibility.

Thereafter, certain images and clippings from movies were shown to the participants and responses were sought. The responses helped in gauging the biases, pre-conceived notions and mental conditioning of participants. It was opined that no individual is free from biases, however, the quest to render adjudications free from biases must always continue.

Session 5 - Life Beyond Dias: Judicial Stress and Wellness

Speakers: Justice Dr. Shalini P. Joshi Dr. Harish Shetty Dr. Samindara Sawant

The session commenced with the assertion that it is necessary to disassociate the term ‘midlife’ from the term ‘crisis. In modern parlance there are three stages of life – morning of life, afternoon of life and evening of life. The nature of midlife varies depending upon gender, colour, status and health. The basic need is to balance multiple roles and manage conflicts. Portraying midlife is not only a challenge but a complex task to experience events which are diverse and variable. It was iterated that midlife is a preparatory role in transition to old age and requires adjustments to new challenges. It becomes a crisis when one fails to balance multiple roles and challenges posed during midlife, for instance, balancing between professional growth and family obligations. It was opined that midlife is generally construed negatively, however, the brighter side of midlife is a sense of contentment, life experiences, financial stability and spiritual awareness. In order to navigate the middle years and negotiate the transition there is need to understand factors which influence psychological well-being, physical health, social responsibilities and productivity. The discussion also emphasized upon midlife behaviour and it was stated that it is related to behavioural patterns in childhood and adolescent years. Another important aspect of social relationships was touched upon wherein it was explained that family, friends, co-workers can be a major source of satisfaction and contribute to well-being and health in midlife.

Lastly, the discussion focussed on the issue of mental health especially on the need to destigmatize depression. It was pointed that one in seven Indians suffers from mental disorders as per the paper published by the Indian Council of Medical Research in Lancet Psychiatry¹. It was suggested that in case of persistent symptoms of depression one must seek help of a clinical psychologist at the earliest.

¹ The burden of mental disorders across the states of India: the Global Burden of Disease Study 1990-2017.