

Inspirational Legal Women Podcast Series

Episode 10

Carli Schickerling

3 July 2025



Sara Carnegie (SC): I'm here today to speak with Carli Schickerling from Namibia. It's great to speak to you, Carli, and I'm delighted you're taking part in our Inspirational Legal Women podcast series, which celebrates some of our incredible members and their achievements and career in the legal profession.

By way of introduction, as mentioned, Carli is an attorney of the High Court of Namibia, and her field of expertise includes family law, general civil litigation, immigration and human rights law. She's also worked as a mediator of the High Court for the last decade. She's previously led the Law Society of Namibia Human Rights Committee and was a member on both the Ethics and Investigations Committee and the Child, Gender and Family Law Committee. She's also served as a member of the Disciplinary Committee of Legal Practitioners and continues to actively represent marginalised members of the community in the pursuit of equality for all, and legal recognition and protection for all members of Namibian society. Carli is also an officer in the IBA's LGBTQI+ Committee.

Welcome Carli, it's fantastic to have you with us today and I'm excited to be speaking with an IBA member from Namibia, which I think it's fair to say is a country where we have quite limited IBA membership, although I was delighted to see the President of the Law Society of Namibia who recently attended our Bar Leaders Conference. So great to have you here, Carli. Thank you for joining us.

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Carli Schickerling (CS): Hi, Sara. Thanks very much for having me.

SC: So we'll kick off with the beginning really, I suppose, in terms of your career in law. And I'll ask you, as I've asked our previous guests, about what motivated you to pursue a career in law and how did you decide the particular area of law to go into, although I recognise in your jurisdiction you perhaps practise more widely than some, for obvious reasons.

CS: Because we're such a small country – I think our population is in some way between 2.6 and 2.7 million people – we actually have quite a large contingency of attorneys or legal practitioners in the country. Because there are so many people doing what we do in a small, small pond, we don't really specialise. But I think from an early age, I was always the person standing up to the bullies. I didn't like people being treated unfairly and I think from that sprouted a desire to always challenge injustices and to advocate for those whose voices were being marginalised. I think law just became the natural path to effect meaningful change. It gives you a springboard to actually make a difference. Somehow over time, I kind of gravitated more towards human rights law and I was just given the opportunities and cases that came along my way that really catapulted me into that direction and the type of cases that I take on.

SC: Was there a particular case that really prompted you into more of the human rights focus?

CS: So how it all started, I somehow ended up doing a lot of work in the immigration field, specifically challenging outcomes of the Ministry of Home Affairs, where they were rejecting spousal visas and permits. And one of the first clients that landed in my lab by coincidence, if I share a bit of my personal history, I'd very recently come out after meeting my now wife and everyone was kind of an uproar and unsure about what was going on, but one of my cousins is married to an advocate. And a client contacted him directly with their situation. And he said, well, it was an LGBTQ couple, a gay couple and he just thought of me immediately because of my situation. He said, speak to this attorney, and she probably will be able to assist you. And a gay attorney is the best attorney for a gay couple, I don't know, that's what his thinking process probably was. Johan is a Namibian man, he's born Namibia, and he married Danny, a South African citizen in South Africa where it is legal, and they adopted a little boy where they were both regarded as his parents. And they moved back to Namibia because Johan's family, his father and his mother were both ailing, you know, elderly, and he wanted to move back to Namibia. And initially they got Danny here on work permits, they started a business. They went in for a meeting with Home Affairs to inquire about something and they picked up that they were a gay

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couple. And unfortunately, our legislation made no provision at all for any recognition. Our constitution doesn't make provision for the recognition of your sexual orientation and we've got a lot of discrimination in various fields and they just immediately started rejecting his permit applications. Ended up that we brought an application for him to stay in the country, pending the challenge of the constitutionality of the decisions and it was a long fight. It took us about eight years.

Meanwhile, after we started with Danny and Johan's matter, many similar cases popped up and I eventually represented about five couples with similar situations and we ended up in the Supreme Court. We lost in the High Court merely because the previous decision, 2001, I think was the last time any LGBTQ topic was challenged in our course. And that decision of the Supreme Court, it was a horrible judgement. I mean, it compared the homosexuality to bestiality; it was just absolutely revolting. And for many years, people were almost scared straight in the sense that they didn't want to challenge it because of this authority. And eventually in 2023, we won in the Supreme Court, getting the court to recognise the marriages of same-sex couples where one is in Namibia and has a foreign spouse where they have to record that spouse to have the same rights as a heterosexual couple. So that kind of was the big case that I think led me into this field and it's just kind of rolled on with since.

SC: That's extraordinary. So, has there been a repeal of laws that effectively ruled that same-sex acts which have been criminalised were unconstitutional? Is that right? Was that what that case essentially led to?

CS: The Court didn't specifically say that the legislation was unconstitutional. They in fact said that the legislation should be interpreted constitutionally, that a spouse would mean a spouse of a same-sex couple, also where the marriage was concluded legally. But what has since happened, unfortunately, is our government, instead of repealing these acts or making specific provision, they've gone so far that they've at this point enacted at least four pieces of legislation specifically excluding recognition of same-sex spouse. They specifically say that spouse does not include a same-sex marriage spouse, so they are effectively trying to circumvent the outcome of the Supreme Court judgement at this point in time.

SC: Right, and are there challenges ongoing at the moment?

CS: Well, they've been promulgated, but they've not been enacted in the sense that they've put into effect yet. So, we are working with the legal assistance centre and with council, both locally

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and international. We've already started drafting an application, so when this does come into effect, that we will be launching tax or challenging the constitutionality of it, especially in light of the outcome, because what was said in the Supreme Court judgement obiter was obviously that this is a constitutional issue and the country should be making legislation, providing protection in the marginalised communities and not specifically targeting them. But unfortunately, as we've seen internationally, that's kind of been the story of the day, isn't it?

SC: Yeah, absolutely. Well, keep us posted on that, I'm interested to know how it progresses.

CS: I definitely will.

SC: Going back to your personal life and the challenges that maybe you've had to face when juggling a high-pressure career with your own wellbeing, have you got any tips or thoughts on how you've managed to balance that or habits that have been particularly helpful?

CS: Balancing a demanding legal career with personal life, I think most people will probably laugh if I say I've reached a balance. It's always kind of leans over to one or the other, either working too hard or taking a too long break. But I think at the end of the day, you've got to learn to listen to your own body and realise when you kind of need a break. I think what was, after what the entire world has been through over the last five, six years with Covid, recessions and depressions financially. And this court case, I'll be honest with you, obviously it's been one of the most fulfilling and rewarding experiences of my career, but it came with challenges, you know, the public outcry, the stuff that was said online. I've read as one of my self-care things is 'do not read the comment section'. It's filled with vitriol and hate and it doesn't do well for my spirits and my soul.

So I think I was quite demotivated after we won in the Supreme Court after eight years and you're elated and you think finally justice is being served. And then the government turns around and it starts making these horrible acts and just kind of doing what they're doing. And the public outcry, the comments and the newspaper articles, I was really demotivated, and after five years of not really travelling because of Covid and starting new businesses, my wife and I just decided, you know what, we're going to do it. We finally had a place in our businesses where we had enough people in support and we took a month off. We got married about two years ago and we finally went on our honeymoon for a month to Indonesia. So, I think you've got to take care of yourself, but also celebrate the small victories and just kind of remain connected and remember why you embarked on the path that you are.

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SC: Yeah, I think that's wise counsel. And would you say that that month's break has managed to help you feel more invigorated and positive about next steps?

CS: Oh, definitely. I'm often surprised by how just a little bit of a break just puts things into perspective when you're overwhelmed and it's like a century of overload. But the moment you take yourself out of that little, you know, situational circumstances, even if it's just a five-day or a ten-day break, it really just kind of puts things into perspective again. I had the same with Covid. I know Covid was a horrible experience for most people and I mean, it was terrible. But what happened for me is, in our first lockdown, we had quite a strict lockdown in Namibia for the first six to ten weeks. I was at the coast for a weekend when the lockdown happened, so I couldn't even travel back to Windhoek for a while. Although we tried to work a bit remotely, we basically had a forced holiday period for three, four weeks. And that to me, I was, at that stage, just prior to that, thinking about getting out of law completely. After that, I just kind of felt, this is what I need to do, I need to be in this field, I am passionate about the law. So, I think that kind of just gave me a break. So, the most important thing is self-care and just listening to when you are, when you really kind of need that to take it for yourself.

SC: Yeah, I mean, I think that's one of the big messages of life, isn't it? Sometimes we have to speak out, even if it makes others feel uncomfortable. If we think we're doing the right thing, it's an important part of our own sanity check is, you know, we've got to believe in something. So, whatever the circumstances, but it's good to balance that with an ability to step away, have a break, recalibrate. And it sounds to me like that's what you've managed to do in challenging circumstances.

CS: I think so. I think for me, especially the topic that we are discussing is women in law and being in a specific field, I think that was probably for me because it's not just an opponent, like in normal cases, that opponent or a judgement going against you. It's when your case and your client and even your personality or your dedication becomes a topic to victimise in public and on, you know, international or national platforms. I think that, I hope that, that was the biggest challenge that I will face in my career.

SC: I don't know what the legal profession makeup is like in Namibia. Does it tend to be male dominated?

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CS: I actually wanted to find out before we had this discussion, but I couldn't get the information. But I will venture a guess and say that we are very equal if we don't even have more women attorneys at the moment in Namibia. I think we're quite balanced. We have many female judges and ministers. Our president is a female, the first African female president. So, I think Namibia, when it comes to kind of creating a balance gender-wise, is doing quite well.

I remember in the very start of my career, we still had a couple of older gentlemen from the old school type of thinking that this is a male-dominant field, and they were making little disparaging remarks about just don't getting upset, don't get too emotional because you're a female. But in the last ten years, I can't say that I've really experienced any negativity towards me because I'm female. I think we're quite blessed in Namibia because it's no longer a male-dominated environment for us here.

SC: Do you think there are reasons why gender balance has been achieved in Namibia? Could you hazard a guess? I appreciate it's a difficult question.

CS: In the African context, it is quite strange to have a female empowerment movement, but I think our government has made quite a focus on it over the last 20 years to empower women. Our previous first lady played a massive role in that as well, Mrs Geingos. So, there's been a lot of work done in that field and like I said, employers are encouraged to promote and employ women in high positions. And we have, luckily, in most cases, really, really amazing women in these positions that are really qualified. But I think really, there's been a lot of work done by our government. And we have a big issue with gender-based violence in Namibia – I think in Africa, probably all over – but there's a lot of focus by government addressing this and making legislation protecting women. So, I think we just kind of have a forward thinking. Our constitution is brilliant, in my opinion. I think we've got a very good. Good constitution. Unfortunately, it just does not provide for same sex or for your sexual orientation protections. But with regards to equality, it really does do a lot.

SC: That's reassuring. So, does that then allow for appropriate provision for women when going through childcare issues and maternity leave and that side of things?

CS: I think we're still not quite as progressive as European countries with regards to maternity leave and paternity leave, longer periods. I think with us, we're kind of at a maximum of three

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months, a month before and two months after or three months after giving birth. But there's not that overwhelming feeling that if I get pregnant, you know, I'm going to probably lose my job or someone else will be promoted over me. I think kind of got into a place where there's been a lot of growth in that specific field and protection. I think our legislation, our labour act does make provision.

SC: Marvellous. Well look, I'm really grateful for having spoken to you today. I'm going to wrap up with our last question that I ask all of our guests, which is what is the best piece of advice that you would give to someone aspiring to succeed in law, particularly as a woman? Any last nuggets of wisdom?

CS: I think for me, it's that you've got to embrace your unique perspective and don't be shy to challenge the status quo. Your voice does matter. Don't be scared to take your seat at the table and to challenge because that's what we're supposed to do. In law, I think we have a unique springboard to pave the way for a more just and a more equitable society.

SC: Carli, thank you so much for your time today. It's been an absolute pleasure speaking to you and I wish you all the best with what lies ahead. Thank you.

CS: Thank you so much, Sara.

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