

# Psychological Distress and Depression in the Legal Profession

## Summary of Report



**Dr Christopher Kendall**

Senior Vice-President and Convenor, Ad Hoc Committee on Psychological Distress and Depression in the Legal Profession

In January 2009, the Brain and Mind Research Institute of Australia (BMRI), in conjunction with the Tristan Jepson Memorial Foundation (the Foundation), published *Courting the Blues: Attitudes Towards Depression in Australian Law Students and Legal Practitioners* (the *Courting the Blues* report).

On 19 October 2009, the Council of the Law Society of Western Australia (the Society) resolved to form an Ad Hoc Committee on Psychological Distress and Depression in the Legal Profession (the Ad Hoc Committee). Its mandate involved reviewing the Society's existing strategies dealing with psychological distress and depression amongst lawyers, determining whether they are effective or ineffective and offering, where necessary, suggested improvements or additional strategies in light of the *Courting the Blues* report.

The Ad Hoc Committee comprised:

- Dr Christopher Kendall (Convenor), Barrister – John Toohey Chambers; Senior Vice-President – Law Society of Western Australia.
- Associate Professor Judith Fordham (Deputy Convenor): Councillor, Law Society of Western Australia and Associate Professor at the Centre for Forensic Science, UWA.
- Mr David Blades: College of Law (Convenor, Law Society Ad Hoc Committee on Bullying).
- Mr Martin De Haas: Willcraft Services Australia (Sole Practitioner/Small Firms Group representative).
- Ms Anne Durack: Law Mutual (WA) (Senior Society staff member).
- Ms Laura De Maio: Carr & Co; and more recently Ms Penny Keeley, Clairs Keeley (Family Law Practitioners Association representatives).
- Professor Bill Ford: University of Western Australia (Council of Australian Law Deans representative).
- Ms Pamela Hass: Councillor, Law Society of Western Australia.
- Dr Jill Howieson: School of Law, University of Western Australia (representative on behalf of the Council of Law Deans of Australia).
- Ms Carmel McKenzie: (Country Lawyers' Committee representative).
- Ms Lana Paxman: formerly State Solicitors Office (representative for the Government Legal Officers).
- Mr John Poulsen: Partner, Minter Ellison (Corporate Law Association of Perth firms' representative).
- Mr Michael Robbins: Mallesons Stephen Jaques (YLC representative).
- Ms Maria Saraceni: Partner, Norton Rose Australia (Past President of the Law Society of Western Australia).
- Mr Jeremy Sher: Allens Arthur Robinson; and more recently Ms Elaine Wambeck Norton Rose Australia (YLC representative).
- Mr Marco Tedeschi: Barrister, John Toohey Chambers (Western Australian Bar Association representative).
- Ms Nina Telford: Department of Mines and Petroleum (Government Legal Officers' representative).
- Ms Frances Veltman: Barrister, Sir Clifford Grant Chambers (representative for the Women Lawyers of Western Australia).

It was determined early on that, as a result of significant interest in the Ad Hoc Committee's mandate from sole and small firm practitioners throughout Western Australia (WA) and the unique issues confronted by those practitioners in relation to tackling mental health and related issues, the Society should also establish a Working/Special Interest Group (the Sole/Small Firm Practitioner Working Group) comprising sole practitioners and practitioners from small firms, from which a representative would be nominated to attend all Ad Hoc Committee meetings.

The representatives of the Sole/Small Firm Working Group were:

- Ms Alison Aldridge, Alison Legal.
- Mr Martin De Haas, Willcraft Services Australia.
- Ms Nova Oldfield, Oldfield Legal.
- Ms Robin Tapper, Robertson Hayles Lawyers.
- Mr Matthew Wallis, HHG Legal.

Throughout 2010, members of the Ad Hoc Committee met with and/or received formal submissions and a range of information from other relevant stakeholders and persons committed to tackling depression and anxiety in the legal profession. These persons included:

- Chief Justice Wayne Martin, Supreme Court of Western Australia.
- Justice Tony Siopis, Federal Court of Australia.
- Chief Judge Peter Martino, District Court of Western Australia.
- Chief Magistrate Stephen Heath, Magistrates Court of Western Australia.
- Mr Grant Donaldson SC, President, Western Australian Bar Association.
- Ms Marie Jepson, Tristan Jepson Memorial Foundation.
- Mr Graeme Geldart, Executive Director, Legal Practice Board of Western Australia.
- Ms Gael Roberts and Ms Gail McCahon, Legal Profession Complaints Committee.
- Ms Elspeth Hensler, President, Women Lawyers of Western Australia (Inc).
- Ms Helen Fowler, Clinical Psychologist.
- Dr Peter Morton, Psychiatrist.
- Ms Sunili Govinnage, Lawyer Allens Arthur Robinson (Depression and Anxiety Working Group/Resilience@Law Initiative).
- Dr Geoff Riley, Western Australian Centre for Remote and Rural Medicine.
- Dr Paulien de Boer, General Practitioner.
- Mr Neville Carter, Managing Director and Principal, The College of Law.
- Mr Michael Wood, The Winding Staircase.
- Ms Sandra Boulter, Principal Solicitor, Mental Health Law Centre.

What follows is a very brief summary of the main findings and 29 recommendations of the Ad Hoc Committee. A full copy of the committee's Report (the Report) is available on the Society's web page at <http://www.lawsocietywa.asn.au/>

## BACKGROUND: DEPRESSION IN THE LEGAL PROFESSION

There is an impressive body of published research on depression and mental health, both within and outside the legal profession. The reported statistics and findings are alarming and indicate the need for an immediate and well-managed response.

### The National Depression Initiative

In 2007, Beaton Consulting and *beyondblue* released the findings of the National Depression Initiative. This initiative examined the prevalence of depression and attitudes towards people with depression. Overall, the survey found that professionals and students experience more depressive symptoms than the general population. Relevantly, the resulting report also revealed that the incidence of depressive symptoms amongst lawyers and law students had reached alarming levels. Indeed, when compared to other professions, lawyers were found to have experienced the highest incidence of depressive symptoms. It was also reported that respondents from law firms were the most likely to use alcohol or other drugs to reduce or manage their symptoms.

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### The *Courting the Blues* Report

The *Courting the Blues* report, published in 2009, extensively detailed the findings of a study conducted by the Foundation and the BMRI in relation to mental health in the legal profession. The study was conducted with the participation of 741 final year law students from 13 universities, 924 solicitors and 756 barristers. The study revealed:

- a) High levels of psychological distress and risk of depression in the law students and practising lawyers surveyed, when compared with Australian community norms and other tertiary student groups.
- b) A number of attitudes and behaviours which imply a general reluctance to seek help for mental health issues.
- c) It is not just lawyers and young lawyers, but also law students, who are suffering from high levels of depression.

The *Courting the Blues* report revealed that more than 35% of law students suffer high to very high levels of psychological distress, and almost 40% reported distress severe enough to require medical or clinical intervention. Further, the causes of depression amongst lawyers were noted to include:

- a) A culture of competitiveness: fear of failure is common.
- b) Pessimism: legal work often warding off what will go wrong.

## High levels of psychological distress and risk of depression in the law students and practising lawyers surveyed, when compared with Australian community norms and other tertiary student groups.

- c) Learned helplessness: lawyers must follow a client's instructions, even if those instructions contradict the lawyers better judgement.
- d) Disillusionment: many lawyers feel compromised by ethical dilemmas in their work.
- e) Perfectionism: lawyers tend to be perfectionists, which is related to obsession and anxiety, both fertile grounds for depression.

The *Courting the Blues* report recommended that legal educational and professional organisations give priority to instituting changes to increase their members' awareness of issues of mental health and illness in the workplace and in educational settings. It makes some very specific recommendations, summarised as follows:

- Assisting legal students and professionals with psychological distress is a task for legal and educational communities. It is not a problem only for the individuals with mental illnesses or psychological distress.
- All legal training institutions and legal employers must take on the mental wellbeing of their members as a central institutional concern.
- Members of legal institutions with an interest in mental health and psychological distress amongst their members should form special interest groups to promote the mental health goals of their institutions.
- People working to reduce the level of psychological distress in the educational or work setting must maintain a focus on the known risk factors for psychological distress in their setting.
- Mental health problems and psychological distress must be seen as legitimate health problems for which students and legal professionals can seek special consideration and support.
- Education and information dissemination to all staff of legal institutions and training bodies is critical to the development of appropriate mental health practices. The occupational health and safety implications of mental health and psychological distress in the workplace need to be widely recognised by teachers and management staff.
- Law students and legal professionals need to be made aware of, and prepared for, normal forms of stress in the normal workplace.
- Law students and legal professionals need to be made aware of the importance of developing different skills for managing workplace issues and personal issues. While adopting styles of

vigorous competition or high levels of caution in a particular workplace or educational setting may be appropriate, such styles of behaviour are not likely to have satisfactory outcomes in everyday life, or in a situation in which a person is struggling with psychological distress or mental illness.

- Services aimed directly at assisting legal professionals or students with psychological distress or mental illnesses need to be reviewed, expanded and made more accessible.
- The profession as a whole needs to identify those members who are isolated or poorly supported and offer them additional education, support and services.
- The diversity of educational and practice settings will generate a wide variety of strategies for dealing with psychological distress and mental illness in different local situations.
- The researchers note that their findings:

*"... suggest that legal educational and professional organisations should give priority to instituting changes to increase their members' awareness of issues of mental health and illness in the work place and in educational settings."*

### Omari Report

In August 2010, Professor Maryam Omari from the Faculty of Business and Law at Edith Cowan University in Perth provided her report, *Towards Dignity and Respect at Work: An Exploration of Work Behaviours in a Professional Environment* (the Omari Report) to the Society for consideration. The Omari Report was jointly funded by Edith Cowan University and the Society. Its aim was to:

- Focus on workplace bullying in the legal profession in WA.
- Gain an understanding of the nature, causes and consequences of workplace bullying.

Overall, this excellent and much-needed report found that:

- a) In many cases there is a fine line between managerial prerogative, operational efficiency, performance-driven culture, competitive work environments and workplace bullying.
- b) The existence of anti-bullying policies has a significant and positive impact on the prevalence of workplace bullying.
- c) Twenty-one per cent of respondents to the survey reported that they were bullied at their current place of employment.
- d) Thirty per cent of victims were bullied on a weekly basis and 18% on a monthly basis.
- e) Eighty-five per cent of bullying took place via verbal means.
- f) Twenty-three per cent of those who reported that they were bullied made a workplace complaint.

**Twenty-one per cent of respondents to the survey reported that they were bullied at their current place of employment.**

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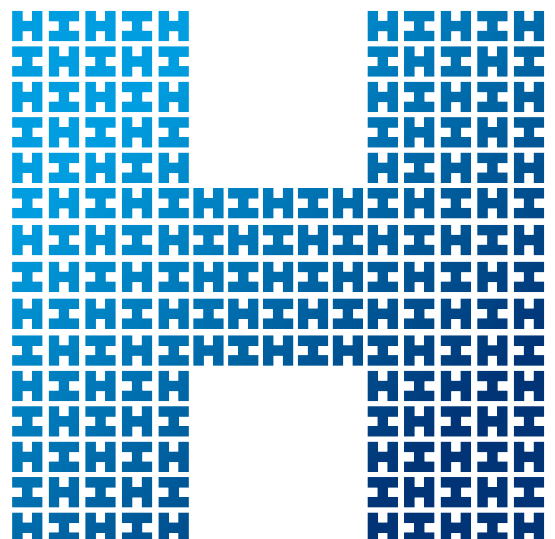
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- g) Some of the reasons for not complaining included:
- i) career repercussions and fear of being seen as a troublemaker
  - ii) everyone having high-stress jobs
  - iii) no faith in the complaint process
  - iv) the boss was the bully
  - v) the bully being valuable to the organisation
  - vi) the need to maintain relationship at work
  - vii) the firm would back the partners
  - viii) difficult to prove – having no power
  - ix) fear of being labelled and not being hired by anyone if a complaint was made to the Legal Practice Board.
- h) Consequences of bullying include:
- i) attempted suicide
  - ii) diagnosis of clinical depression
  - iii) stress, anxiety attacks, headaches and hair loss
  - iv) low confidence commitment
  - v) wanting to quit their job
  - vi) working long hours, which led to burnout
  - vii) anger, frustration, hating to go to work, teary
  - viii) reverse bullying, complaint against the victim
  - ix) deep emotional impact
  - x) hating job and occupation.

Notably, some of the comments of those responding to the survey included:

- a) Billing targets imposed unrealistic deadlines and unreasonable demands on lawyers, especially since much of their work can relate to non-billable work. A 6.5 hour billable target may result in a 12-hour working day.
- b) Success in law firms is largely measured by billable hours and, as a result, lawyers and young lawyers alike are working very long hours, often sacrificing a balanced lifestyle to meet targets.

The Omari Report recommended that a strategic and integrated approach be taken to:

- a) Raise the awareness of the prevalence, nature, causes and consequences of workplace bullying.
- b) Lobby firms and partners to implement codes of conduct and values required of legal practitioners.
- c) Encourage leadership and management training within firms.
- d) Review workplace HR policies and practices including contracts, conditions of work and expectations.
- e) Implement workshops to develop the supervisory and generic skills of those in power at firms.
- f) Monitor progress: for example, a repeat of the full unmodified version of the survey in 18–24 months' time.

### Report of the Chief Justice of Western Australia on Billable Hours

On 17 May 2010, in a speech delivered to the Perth Press Club, Chief Justice Wayne Martin expressed his concerns regarding the significant anxieties caused by hourly billing and billable targets.

In his speech, *Billable Hours – Past their Use By Date*, the Chief Justice called on the legal profession to move away from billable hour requirements. The speech is available on the Society's website at: <http://www.lawsocietywa.asn.au/chief-justices-speech-to-launch-law-week>. Notably, the Chief Justice highlighted the following negative effects of time billing on lawyers:

- a) It discourages participation in professional development and education, community projects and professional organisations.
- b) It discourages the active and detailed supervision of junior staff.
- c) It discourages collegiality and mutual co-operation between colleagues.
- d) It reduces quality of life and high levels of depression and substance abuse had been detected.
- e) Lawyers are required to work long hours and this alienates them from family members and from their community.

Chief Justice Martin further called on the profession to "... enthusiastically embrace the pressure for change, and generally adopt alternative methods of charging for services rendered". His Honour also called for further debate on this particular issue and highlighted his concerns in relation to anxiety and depression in the profession.

### The Foundation and DAWG

The Foundation was established in 2008. The Foundation's objective is to decrease distress, disability and the causes of depression and anxiety in the legal profession. See: <http://www.tjmf.org.au/>

In 2008, the first Tristan Jepson Memorial Lecture was the catalyst for the creation of a Depression and Anxiety Working Group (DAWG) – a collaboration of the managing partners, chief executive partners and directors of human resources of five of the country's leading national firms: Allens Arthur Robinson, Blake Dawson, Clayton Utz, Freehills and Mallesons; together with representatives from university law faculties and the College of Law.

In March 2010, DAWG launched two initiatives as part of their [resilience@law](mailto:resilience@law) program:

1. A short DVD documentary about mental health in the profession, entitled: [resilience@law](mailto:resilience@law).
2. Collaboration with the College of Law in which graduates are required to complete, as part of their practical legal training, a component focusing on mental health and resilience.

### Young Lawyers Committee (WA) Submission

The Ad Hoc Committee also received an extremely useful submission from the Society's Young Lawyers Committee (YLC), who wrote to the Ad Hoc Committee as follows:

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In the YLC's view:

1. *Whilst the resilience@law program is an important starting point in actively helping to raise awareness and understanding of psychological issues, it does not address the "causes" which lead to mental illness and other issues (including bullying).*
2. *The mental health awareness initiatives implemented by the major law firms focus on the lifestyle of the employees (i.e. physical activity, diet) and do not address the culture of the workplace which demands long working hours at the expense of a balanced lifestyle.*
3. *It is important that any initiatives include the involvement of employers, friends and families. Changes in behaviour (including withdrawing from family, friends and workmates; poor sleeping and eating patterns; deterioration in performance; difficulty concentrating, following conversation or remembering things; and marked changes in mood) is often an early sign that someone is suffering from mental illness.*
4. *Employers should be made aware that some graduates are entering into the profession with pre-existing psychological issues. They should be encouraged to implement monitoring and support systems for young lawyers who are particularly at risk of developing serious mental illnesses.*
5. *Long working hours, billable targets and unrealistic supervisor and client expectations appear to be significant causes of psychological symptoms, placing undue stress on lawyers.*
6. *It is important to acknowledge the individual reports which have been received by the YLC from young lawyers, which have been that they:*
  - a) *are subject to poor management of supervising solicitors and partners. It is frequently reported that young lawyers are left waiting for work to be settled or are given instructions to complete tasks after the supervising partner/solicitor has known about the task for hours or days (or even weeks). Young lawyers are then required to complete the task in an unrealistic time frame at unreasonable times of the day*
  - b) *have significant expectations with regard to non-billable requirements. In addition to daily billable targets, lawyers are required to undertake non-billable tasks related to marketing, business development, administration, training and education*
  - c) *have a crippling lack of control over the level of work they perform. In particular, it is reported that young lawyers do not know when they will finish work on a daily basis or if they will have to work on the weekend, It is common for a young lawyer to receive urgent instructions at 4 pm or 5 pm and are required to work late*
  - d) *have no ability to plan social/personal events due to the lack of control over work.*
7. *In relation to lawyers in the community and public sector:*
  - a) *while removed from the pressures of billable hours, time sheets or extracurricular workplace pressures that affect young lawyers in private practice, it is worthwhile to reference the personal and professional pressures faced by young lawyers working in the community and public sector, which have been reported to the YLC, including in community legal centres, indigenous and pro-bono legal organisations and Legal Aid/government roles*
  - b) *these lawyers increasingly grapple with the very real challenge of training, supervisory and resourcing limitations, which in turn affect their service delivery and practice. They are often required to adequately take instructions from the most underprivileged and underrepresented of clients within highly unrealistic time and policy constraints and operate at the mercy of fluctuating government or independent funding*
  - c) *the resulting emotional exhaustion and moral burden of the nature of the work performed and the realistic but unfulfilling outcomes they are able to achieve also breed a sense of dissatisfaction and disappointment. This takes a significant toll on such lawyers, who work in pursuit of clear ideals with little practical expectation of their goals and less financial reward than their private practice contemporaries. A consequence, which anecdotally mirrors the position of many junior members to the legal profession, is the increased levels of "self-medication" or use of drugs and alcohol as a coping mechanism to combat depression.*

## CURRENT MENTAL HEALTH INITIATIVES PROVIDED BY THE SOCIETY

To date, the Society's health and wellbeing initiatives have been covered through:

- LawCare(WA)
- The Senior Advisers Panel
- The Mentoring Program
- The Graduate Telephone Advisory Service
- Member Privilege Services
- Continuing Professional Development Seminars
- Law Mutual Risk Management Seminars
- Brief Journal.

The Ad Hoc Committee undertook a detailed analysis of these existing programs and initiatives. It is beyond the scope of this paper to repeat that analysis here. Briefly, however, the Ad Hoc Committee's findings can be summarised as follows:

- Overall, the Society has long committed itself to providing accessible and top-quality members' services in the area of mental health and wellbeing.
- LawCare(WA) was established in October 2004 as a call-in counselling service for Society members. It was intended to be an independent, confidential counselling service for legal practitioners and for their families, friends and colleagues (the latter where they are concerned about a practitioner). When LawCare was established it was envisaged that there would be a panel of general medical practitioners who had experience with social and psychological issues. These practitioners would take calls as they were referred to them and consult with those in need as required. In reviewing the LawCare model available to members, the Ad Hoc Committee noted that in recent years LawCare had not proven as successful as initially hoped for. Specifically, it has proven difficult to maintain and coordinate the panel of medical practitioners central to the service and it appears that of late no one individual has been charged with maintaining the service and ensuring that it is meeting its objectives. Basically, despite best efforts and much good

intention, the program has also failed to grow and adapt to the changing face and needs of the legal profession. The service is not currently available out of hours, or to Society staff, it is not well marketed, it does not offer training programs, information sessions or online resources for practitioners individually or for law firms wanting to address issues of anxiety and depression in-house.

- The Senior Advisers Panel is intended to provide legal practitioners direct access to experienced colleagues who are senior lawyers who agree to be available to discuss legal practice and business issues, professional conduct and ethical issues. All discussions are to be conducted on a confidential basis. Advice given by members of the Senior Advisers Panel does not constitute legal advice. There is no lawyer/client relationship unless specifically agreed to between the practitioner seeking assistance and the panel member. The overall impression is that the service is under-utilised generally and that when it is used it is best suited to the discussion of specific ethical and legal issues rather than as a forum to seek help or advice in relation to anxiety or depression. It is noted that while this was not the objective of the Panel, this forum is currently one of the few options available for the profession to discuss difficult matters with senior members of the profession. The Ad Hoc Committee also noted that a number of practitioners have expressed concern that the senior practitioners are not able to provide assistance in relation to legal practice complaints or disciplinary matters – an issue of considerable concern and the cause of considerable stress and anxiety to those the subject of complaints. There is clearly a need for practitioners to have 'an experienced sounding board' to deal with difficult mental health issues and varied legal issues or complaints relevant to legal practice. The Senior Advisers Panel was not intended to cover these areas, with its focus being more on ethical matters.
- The Society's Mentoring Program is a formal program supervised by a mentoring consultant and offered to junior practitioners. It is anticipated that the members of CLAP will provide funding for a further year. Funding for the

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program beyond that time is not certain. There are clearly benefits for those participating in the program and much support for it to continue being offered, particularly to those junior practitioners not able to access formal mentoring programs within their own firms or organisations. Given the demonstrated benefits, it is important to provide certainty for the program's future and funding sources (be that private or public) should be investigated to provide certainty for ongoing mentoring programs for both Young Lawyers and should it be appropriate (following feedback from its first intake year) the Aboriginal Students' program.

- The Graduate Telephone Advisory Service was established in 2008. Expressions of interest were sought from members of the profession to provide advice on issues of concern to graduates/articled clerks. All discussions are conducted by telephone on a confidential basis and advice given by panel members does not constitute legal advice. Panel members have indicated that they feel that they are poorly equipped to deal with distressed callers. Relevantly, none of the panel members appear to have received any training or provided information sessions or information generally on mental health issues and the resources available to those in crisis.
- In relation to current Member Privilege services, Society members are provided discounts on a range of personal



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and professional products and services through a member privileges program. Acknowledging the importance of product offerings in the area, the Society's member privileges specifically contain a 'wellbeing' category of products and services.

- The Society is widely regarded as the leading CPD provider in the state and the current CPD committee structure and Society CPD team is very strong. The importance of a preventative approach aimed at raising awareness of psychological distress, anxiety and depression within the profession is clear. A well-crafted and focused educational program is a key element in this approach. If further incentives for attendance can be provided through appropriately developed seminars and workshops that meet the requirements of the prescribed competency areas and attract CPD points, this is to be encouraged.
- Law Mutual runs compulsory annual Risk Management Seminars for practitioners registered through the professional indemnity insurance arrangements. To date, it does not appear that many of the risk management seminars have covered issues related to mental health and wellbeing. The Ad Hoc Committee noted that this perceived lack of focus or assistance in this area was of concern to some practitioners given the quite evident links between poor mental health and the types of work practices that frequently result in insurance claims against practitioners trying to cope with poor mental health or stressful personal or professional circumstance. While some Law Mutual seminars have addressed the types of issues that cause stress and anxiety, like dealing with complaints to the Legal Profession Complaints Committee (LPCC), there is generally support for more seminars of this type. It was noted, however, that this alone will not address the types of underlying mental issues affecting practitioners that often result in complaints to the LPCC.
- *Brief Journal* is the Society's key resource for informing the profession. With 11 issues published annually, *Brief* is widely recognised as an important tool for members to keep up to date with important developments on state, national and international legal matters and related matters of interest to the profession, including practice management and wellbeing. Relevantly, it has been some time since the last mental health-focused 'feature edition' of *Brief* in October 2004 and since a related single article was published in December 2007 on mental health issues. There also do not appear to be any regular contributions or specialist sections on issues of mental health and wellbeing.

## MOVING FORWARD: A SYSTEMIC APPROACH

The Omari Report points out that a strategic, integrated and systemic approach is necessary to address the problem of workplace bullying and move towards dignity and respect for all employees at work. Suffice it to say, this applies to issues of depression and anxiety and mental health generally in the legal profession.

It is clear that the Society has long committed itself to addressing issues of mental health affecting its members. A review of existing strategies reveals, however, that more can be done and that the Society is committed to doing so.

No one strategy will address all issues of concern and there is no 'quick fix' solution to any shortcomings in the Society's current initiatives. However, progress can be made and recommendations aimed at 'getting things started' are discussed below.

In reviewing current practices and examining ways to improve on what already exists, the Ad Hoc Committee took particular note of the submissions received from a number of bodies and individuals concerned with the issues investigated by the Ad Hoc Committee. These included the Young Lawyers Committee and Law Mutual.

## YLC

The YLC suggested a three-stage strategy as follows:

### Initiatives/Action

*It is submitted that the Ad Hoc Committee focus its resources, attention and any recommendations to the Council of the Law Society on three (3) main areas:*

1. *Focus on "causes" (Stage 1)*
  - a) *There should be a focus on prevention and the "causes" of mental illness. In other words, a proactive and preventative approach rather than a reactive approach to mental illness should be adopted.*

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**There should be a focus on prevention and the "causes" of mental illness. In other words, a proactive and preventative approach rather than a reactive approach to mental illness should be adopted.**

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- b) *It is acknowledged that this requires focus on the culture of law firms, which unavoidably will be a controversial topic. Careful consideration of the inherent sensitivities will be required.*
- c) *Suggested initiatives are:*
  - i) *Endorse the Chief Justice's call to debate the topic of time billing (and alternatives to time billing) and facilitate, drive and lead such debate.*
  - ii) *Lobbying the Department of Commerce (WA) and Workplace Ombudsman (Cth) for a campaign investigation into the compliance of employers of lawyers and law graduates with industrial laws (and in particular, working hours).*
  - iii) *Calling on law firms to outline the initiatives being implemented (similar to the Mental Health Awareness Initiatives) to address the long working hours of lawyers, which is evident from the various surveys and studies.*
  - iv) *Executive of the Law Society work with leaders of the profession to move towards creating best practice work practices that set an example in the legal employment market in relation to working conditions and positive*

recognition and support for depression and psychological distress in the work place.

- v) Expansion of the Law Society's Quality Practice Standard (QPS) program to include quality working conditions and workplace culture (including training and access to support) in relation to depression and psychological distress.
2. Ongoing education (transition from Stage 2 to Stage 3)
- a) Education is crucial in reducing the levels of anxiety and depression in the legal profession. Also, the Law Society is uniquely positioned in terms of access to legal professionals, communicating through diverse means, including via email (Friday Facts, for example) and in print (Brief).
  - b) Education should be aimed at:
    - (i) law students
    - (ii) lawyers
    - (iii) employers (human resources and managers in the workplace)
    - (iv) friends and family.
  - c) The focus of the education should reflect the aims of the resilience@law production and the areas identified in the Courting the Blues report, being to:
    - i) raise awareness and understanding of the impact of stress, depression and anxiety within the legal profession, including discussing factual issues about mental illness
    - ii) discuss the issues regarding the beliefs and behaviours of others toward people with mental health problems
    - iii) remove the stigma associated with mental illness
    - iv) encourage people to seek help where necessary; discuss issues relating to institutional policies and practices regarding mental health of members
    - v) advertise available services, networks and self-help strategies (including those provided by the Law Society and the employer).
  - d) Other avenues of communication should be explored, for example, 'sms', Facebook and Twitter.
  - e) The YLC supports the strategic and integrated approach of awareness raising and training recommended by Dr Omari in her report, dated August 2010.
3. Provision of help (Stage 3)

The Law Society should explore the provision, possibly through the expansion of its existing LawCare program, of a free and confidential counselling service for members, similar to Employee Assistance Programs (EAP) currently used extensively throughout the public sector, some NGOs and a number of the larger law firms. Such a service should be well marketed and promoted to members and the entire profession, along with other related available services.

#### Law Mutual

Ms Anne Durack (Executive Manager Claims & Risk and Member of the Ad Hoc Committee) in a submission to the Ad Hoc Committee wrote as follows:

Some of the measures that could be taken to assist practitioners could be:

Availability of locums who could assist when excessively busy or wanting leave: There are many experienced practitioners who may not be working full time who may be able to be interested in working as locums. Practitioners, especially sole practitioners, tell me they can't take time off work because there isn't anyone that can look after their practice. Whilst the Law Society does have a sort of locum list, it is not kept up to date or advertised widely amongst members for names to be included.

In many Law Societies in Australia and overseas, the Law Society has a staff member who is a legal practitioner who can provide some practice management assistance. Law Mutual does this for insured practitioners when notified of the circumstances that give rise to a claim.

Practice Assessments: There is no assistance available for practitioners and most do not know where to look. In other states, there are organisations that can be utilised to provide practice



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*assessments and recommendations. Law Mutual is looking at providing some assistance in this area for 'at risk' firms but the program could be made broader.*

*Assistance with dealing with complaints: Many practitioners need assistance when a complaint is made against them and many have no idea where to turn. In 2008 Law Mutual (WA) ran risk management seminars on 'how to handle complaints'. It provoked a lot of anger from the participants as to how complaints are handled by the Committee [Legal Profession Complaints Committee] and this seems to be continuing. Discussions could be held by the Society with the Board regarding some of the processes adopted by the Committee and processes set up that may alleviate some of these issues without destroying the integrity of the Committee's role.*

*Training in identifying stress: In 2005 Law Mutual ran seminars on identifying stress in practitioners and clients and provided some strategies to deal with these situations. The feedback was very good and it certainly increased awareness amongst practitioners. The recent resilience@law DVD that has been produced also raises awareness and consideration should be given to show it to the profession at large.*

Following a request to provide further information on practice assessments – what the process potentially involved and how they might be utilised – Ms Durack provided the following:

*The aim of these is to assist practices in practice management, identify area of risks and suggest strategies to reduce the risk. Stress is often exacerbated or caused by inefficient or out of date work habits. If these causes can be alleviated it may assist in reducing levels of stress in WA practitioners.*

*The assessor looks at the way the firm operates, the systems for taking on matters, file management and staff supervision (if appropriate) and the process used in handling matters and dealing with complaints. In Queensland the insurer has done such an assessment on all firms in Queensland. South Australia offers the service for firms and has independent contractors who are former claim solicitors at law claims doing them. I am attending a meeting of all risk managers in Australia in the first week in February and will be seeking more information as to the process and cost of these assessments.*

## REFORMING LAW CARE(WA)

In November 2010, as Convenor of the Ad Hoc Committee, the Convenor met with WA-based medical practitioners to determine how best to reinvigorate LawCare(WA). It was ultimately agreed that, for a number of reasons, the current call centre/GP panel system was not working and would be very difficult to reform in the current climate. It was noted that the current model is quite narrow in its focus and is not able to provide a broader approach incorporating preventative measures to psychological distress and depression – the existing model having more of a role once a problem has arisen or a person is already in crisis.

Having investigated those organisations that could potentially provide the broader 'front-end and back-end services' for a LawCare program, the Convenor then met with national service providers who provide employee assistance program models involving broad-based education and awareness strategies,

mental health assistance and counselling services to legal and non-legal firms and organisations similar in size and mandate to the Society and its membership.

Of those service providers canvassed, the Ad Hoc Committee was most impressed with the overall strategy and experience in the sector demonstrated by PPC Worldwide (PPC). PPC has been providing Employee Assistance Programs and associated organisational development and consulting services since July 1993. It has grown to become one of the largest, national providers of EAP and organisational development support to a diverse range of public and private clients across Australia. These include the Community Legal Centres WA, Federation of Community Legal Centres (Victoria) Legal Aid WA, Legal Aid Vic, Commonwealth Director of Public Prosecutions, Aboriginal Legal Service (WA and NSW) Department of Attorney-General WA, and, as well as a number of mid-tier and large national firms.

The Convenor, the Society's Executive Director (Mr David Price) and Ms Kelly Hick, Executive Manager (Member Relations and Business Development), then worked with PPC to develop a proposal best suited to the Society's objectives, its members and staff. The end result is, in the opinion of the Ad Hoc Committee, a revitalised LawCare initiative that will be of considerable benefit to members.

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A detailed overview of the types of services PPC is able to offer the Society is beyond the scope of this paper but is covered in the full Report and available on the Society's website. Broadly, however, the benefits of working with PPC in re-working LawCare can be summarised as follows:

- Service will cover a broad range of issues including work, family, marital, and personal matters.
- 24/7/365 access to a live call handler to respond to enquiries, book appointments or facilitate emergency support.
- Access to up to three sessions of counselling support (paid for by the Society), with referral to external providers as need is identified.
- Services to be deliverable via face-to-face, telephone, Skype and online modalities.
- Services accessible across both metropolitan and regional areas.
- Ensuring continuity of counsellor for individuals attending for multiple sessions.
- Adherence to high levels of confidentiality.

## Access to up to three sessions of counselling support (paid for by the Society), with referral to external providers as need is identified.

- Access to PPC Online, providing allied information and interactive support programs.
- Delivery of targeted debriefing strategies for individuals experiencing vicarious trauma or simply overwhelmed by their work. This can take the form of preventative screening and support to minimise the accumulative impact of an individual's work.
- Supporting the Society's education and awareness strategies, whether this be via face-to-face briefings, or through such opportunities as articles to be written in the Society's magazine and seminar presentation to members.
- A 'Manager Hotline' counselling, support and advisory service for people managers/leaders/human resources to assist them in implementing timely and effective people management practices.
- Regular reports delivering de-identified data on utilisation of the program that will assist the Society in its ongoing support of its members and employees.
- Services to be available to all Society members and Society staff.

### LEGAL PRACTICE COMPLAINTS

Throughout its review, the Ad Hoc Committee received considerable feedback regarding the experiences of practitioners

facing legal practice complaints from the LPCC. It is the reality of depression, anxiety and stress generally that work and one's obligations to clients can suffer when mental health issues are not managed and addressed. In addition to wanting meaningful programs and assistance aimed at tackling mental health issues before a complaint arises, Society members have expressed frustration at what they perceived to be a lack of support from the LPCC and the profession generally in dealing with legal practice complaints.

In 2008 Law Mutual (WA) ran risk management seminars on 'how to handle complaints'. The Ad Hoc Committee was advised that the seminars provoked considerable concern from participants as how complaints are handled by the LPCC and the lack of support available to those suffering from anxiety and stress.

It is clear that many practitioners know little about the LPCC and what it is and is not mandated to do. What, for example, can the LPCC do to assist practitioners avoid complaints and assist them once a complaint had been received? How does it juggle the at times competing demands of lawyers and those clients who make complaints? What systems does it have in place to assist practitioners struggling under the strain of depression and other mental health-related issues?

The Convenor and members of the Ad Hoc Committee met with representatives from the LPCC in November 2010. It is clear from that meeting that the LPCC is keen to assist the Society formulate approaches aimed at tackling these concerns. While the LPCC would very much like to offer education-type seminars aimed at helping practitioners avoid complaints and address complaints once made, the LPCC simply does not have the budgetary capacity to do so. It does not have a permanent education or research officer, although, clearly, one would be both used and quite beneficial.

It may well be that this is one area the Society can assist with, perhaps through a joint initiative with the Legal Practice Board/LPCC to run information sessions on relevant topics, with the Society undertaking relevant organisation and registration for the

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seminars and the Legal Practice Board/LPCC supplying topics and speakers.

In terms of the speed with which complaints are dealt with, the Ad Hoc Committee notes that the LPCC has recently established a Rapid Resolution Team (RRT) aimed at streamlining the process for dealing with some complaints. Information on the RRT was outlined in the November 2010 edition of *Brief*. The Ad Hoc Committee is advised that the RRT is now in place and dealing with appropriate complaints. This is a very positive initiative and one that will undoubtedly address some of the concerns raised by practitioners to date. It is clear, however, that other strategies are also needed and that the Society has a role to play in that regard.

### LPCC: LEGAL ADVICE SERVICE FOR MEMBERS IN RELATION TO COMPLAINTS

In relation to practitioners seeking assistance once a complaint is received, it was evident to the Ad Hoc Committee that many practitioners are not seeking help and that the type of help (often legal advice) they do need is not necessarily made available through the Society. This often increases already elevated anxiety and stress levels and makes resolution of the complaint difficult.

In other states, the relevant law societies have attempted to assist practitioners in this regard via the formation of various 'legal advice services' for members the subject of a complaint.

The Ad Hoc Committee received a detailed summary of these services and related costings from the Society's President, Mr Hylton Quail, in a memo dated 6 October 2010. The President's submission is detailed in full in the Committee's final Report.

Generally, the President's submission provided suggested recommendations and a request that the Ad Hoc Committee consider as part of its work the viability of establishing a service for its members the subject of a complaint. It was suggested that there are two models (the Victorian Model and the ACT/Queensland Model) which appear to have the best 'fit' with the Society.

#### Victorian Model: Members' Advocate

This model is best summarised as follows:

- A confidential referral service to one experienced senior practitioner with expertise in professional conduct issues. The LIV has appointed an Advocate who is a practising solicitor and former president of LIV with a long-standing relationship with LIV.
- LIV's Advocate is trusted to do whatever is required for the member and to bill the LIV accordingly without question of his account.
- The Advocate provides advice on how to deal with situations such as complaints received against individuals and practices, disciplinary matters, discrimination and complex client relationship issues.
- The relationship between the member and the Advocate is confidential and the Advocate does not report any details about the matter to LIV.

- The Advocate submits an anonymous monthly account to LIV, which does not identify the name of the member; only the number of hours worked.

#### ACT/Queensland Model: Panel

This model has been summarised as follows:

- The basic structure of the service remains the same as for the LIV Model but there is a Panel of Members' Advisers appointed, rather than a single Advocate.
- The QLS offers the service to members who have received an official notification requesting that they provide information to the Legal Services Commissioner or the QLS as the result of a complaint investigation or trust account matter.
- Under the ACT service, the Advisers can help by providing legal advice and drafting assistance in responding to the complaint, advising the member as to how to resolve the complaint, provide general counselling and support, and advise how to avoid complaints in the future.
- QLS Panel members and ACT Panel members charge an hourly rate.
- Under both services, members may seek up to three hours' advice which the Society pays for.
- Under both services, the Panel member is retained by the member seeking the advice so the usual duties of confidentiality apply.
- Under the ACT Scheme, an Adviser does not act as the member's advocate or appear in any court proceedings or before the Professional Conduct Board. If members require this type of assistance they must retain another solicitor at their own expense.
- Under the ACT Scheme, a member's Adviser terminates the retainer when:
  - a) the complaint is dismissed or referred to the Disciplinary Tribunal or Supreme Court
  - b) an investigator is appointed; or an application for extension of the service is rejected; Council of the Society directs that a conference be convened or makes any other decision regarding the complaint
  - c) the member has not heeded the advice of the Adviser or the Adviser believes the retainer should be terminated in accordance with usual solicitor/ client rules

**Legal practice involves dealing with difficult and stressful situations. Lawyers on the whole are not well trained to deal with aggression, difficult clients and high-stress situations.**

or

- d) three hours of assistance have been provided (unless an application for an extension is being considered).
- Under the ACT Scheme, once the retainer has been completed, the members' Adviser will provide a notation to the Society for the purposes of costing, containing the member's name, the hours of service provided and a general account detailing the nature of the activities undertaken. If the three hours have expired and the member requires further assistance, the member can write to the Executive Director of the Society to apply for an extension, stating why the service should be continued, and the Society will consider this application and may grant three further hours of assistance.
- Under the ACT Scheme, if the member requires further assistance after the retainer has been terminated, the member must retain a solicitor at their own expense.

## AWARENESS RAISING AND EDUCATIONAL INITIATIVES

Most of the Society's current health and wellbeing programs tend to be reactive, rather than proactive. However, other awareness raising and educational initiatives must be formulated to educate and assist practitioners, law firms and organisations within the profession generally on how best to prevent staff from developing the types of mental health problems discussed above.

The Society should be focusing on strategies to assist practitioners identifying stress, psychological distress and depression early on – in themselves, staff and/or colleagues – and to give guidance to practitioners in relation to how best to seek assistance and resolve issues early, where possible. In that regard, it was noted that PPC provides cost-competitive training options. PPC topics include:

- Resilience (understanding and developing it).
- Managing boundaries (professional and personal).
- Ethical decision-making.
- Dealing with depression (recognising it in yourself and others).
- Dealing with people who are not like me (clients or colleagues that challenge you).
- Managing people with mental health concerns.

Legal practice involves dealing with difficult and stressful situations. Lawyers on the whole are not well trained to deal with aggression, difficult clients and high-stress situations. The Ad Hoc Committee heard from many lawyers who asked the Society to consider running resilience training courses at a reduced fee or advising practitioners as to where they might go to access such courses.

To this end, the Ad Hoc Committee recommends that educational and information strategies be planned and provided via a combination of the Society's CPD program – in conjunction with third party providers (in particular PPC). It is also suggested that Law Mutual be tasked with investigating and identifying opportunities to fund this type of training to practitioners, in addition to their standard Risk Management seminars. It is anticipated that coordination of these strategies will need to be done in conjunction with the work of the Ad Hoc Committees

on Bullying and Psychological Distress and Depression (and the suggested merged standing Committee) and any Society recruited resources.

Additionally, the Society's communications via its website, *Brief, Friday Facts* (and, if relevant, any social media platforms) should be utilised to provide resources and information on mental health and wellbeing information and access should be available via the Society and through third party providers (for example, Lifeline, *beyondblue* and the Foundation).

Overall, it is clear that the Society needs to take a systemic approach to mental health education, ensuring that as many Society initiatives as possible address what is clearly a growing professional need.

## RECOMMENDATIONS

The aim of the Ad Hoc Committee's Report has been to review the Society's current programs and strategies for tackling mental health and wellbeing in light of the findings of the *Courting the Blues* report published in 2009 and, where appropriate, suggest improvements or additional strategies and their related financial and resourcing implications.

In that regard, the Ad Hoc Committee notes the subject matter of bullying and its potential to impact on mental health and wellbeing and acknowledges the importance of working with the Bullying Committee in taking these initiatives forward.

Overall, it is evident that the Society takes very seriously the findings of the *Courting the Blues* report and is committed to addressing what is clearly a very serious issue in need of ongoing attention. As previously noted, the Society's clear commitment is also outlined in its Strategic Plan 2010–2013, Key Result Area 1, Strategy 3, which tasks the Society with fostering more supportive and healthier workplaces across the profession through support of profession-wide initiatives to create healthier workplaces, both psychologically and physically.

The measures and targets of these key outcomes include an increase in awareness and satisfaction with the LawCare(WA) program, the Senior Advisers Panel and the Mentoring Program.

While no one recommendation will address every issue detailed in this Report, what is apparent to the Ad Hoc Committee is the importance of taking a holistic approach to caring for the profession's mental health and wellbeing. Accordingly, the recommendations that follow involve the Society taking a broad approach, encompassing a range of recommendations from a preventative/awareness raising perspective combined with a counselling/treatment focus.

New ideas will continue to emerge and it is evident that the Society's desire to tackle depression and psychological distress in the profession will require ongoing analysis and discussion.

What follows are those recommendations which, in the opinion of the Ad Hoc Committee, are feasible. It is hoped they will, in turn, result in future reform initiatives and critical analysis.

**New ideas will continue to emerge and it is evident that the Society's desire to tackle depression and psychological distress in the profession will require ongoing analysis and discussion.**

## RECOMMENDATIONS

### Recommendation 1

The Society's Ad Hoc Committee on Psychological Distress and Depression in the Legal Profession and the Ad Hoc Committee on Bullying be combined and given permanence as a standing committee and re-branded as the Mental Health and Wellbeing Committee with expressions of interest sought from existing and new members for Committee membership. A Terms of Reference for the Committee is to be developed by the Society and approved by Council, prior to the establishment of the Committee.

### Recommendation 2

The Society provides adequate funding to ensure the Mental Health and Wellbeing Committee has human and other resourcing available to facilitate the implementation, monitoring and reporting of the Report's recommendations and coordinate ongoing programs and initiatives and relationships with internal and external stakeholders and service providers in the area of mental health and wellbeing strategies until 30 June 2013. The funding for any future resourcing is to be considered as part of the 2013–2014 Budget and should be jointly considered by the Society and Law Mutual.

### Recommendation 3

The Society to appoint PPC to provide an integrated 'member/employee assistance service model' comprising both awareness raising/preventative initiatives and counselling/crisis treatment as outlined in PPC proposal to the Society, dated 22 December 2010 and supplementary proposal information, dated 20 January 2011.

All services should be made available to Society members and staff as part of an up to three sessions funded by the Society model, with the exception of Health Steps Online, Trauma Response and Well Being Check – which will be available to the Society member or staff at their own cost. An appointment should be made for a term to 30 June 2013 and the Mental Health and Wellbeing Committee is to establish a monitoring regime to be approved by the Society's Executive. Funding for this service should initially be included in the 2010–2011 Mid-Year Budget review.

### Recommendation 4

The Society is to prioritise the development and delivery of educational and information strategies aimed at addressing mental health and wellbeing issues in the profession. Strategies should be planned and provided as part of an expanded Law Mutual Risk Management program, with Law Mutual funding the Society to deliver these strategies commencing 2011–12 and utilising the services offered by third party providers (in particular PPC).

### Recommendation 5

Law Mutual, via the Professional Indemnity Insurance Management Committee, be requested to investigate and identify opportunities to provide funding for the type of training envisaged in Recommendation 4 above to practitioners, in addition to their standard Risk Management seminars.

### Recommendation 6

Where appropriate, all mental health-related seminars should be promoted to law students and graduates via all WA law schools and the Practical Legal Training Providers, with complimentary or special, reduced pricing being applied.

### Recommendation 7

The Society establish a Members' Advice Service to assist with LPCC complaints with an initial annual budgetary allocation of \$10,000 sought from the 2011–2012 Society Budget. To enable the service to be established prior to the 2011–12 Budget, a budget allocation of \$3000 should be included in the 2010–2011 Mid-Year Budget review. The Members' Advice Service should be similar in format and panel composition to those services currently offered in Queensland, the ACT and Tasmania, with up to three hours of advice to members funded by the Society. The Service's scope should be similarly guided by the ACT and Tasmanian models and developed by the Mental Health and Wellbeing Committee and approved by the Society's Executive.

### Recommendation 8

The new Members' Advice Service should be regularly monitored. The Mental Health and Wellbeing Committee should be requested to establish a monitoring regime to be approved by the Society's Executive.

### Recommendation 9

The new Members' Advice Service should be administratively supported as required.

### Recommendation 10

In order to ensure sufficient awareness of mental health issues on the part of those lawyers retained as part of the proposed Members' Advice Service, the lawyers for the Service will be required to participate in a mental health awareness training seminar to be run by the Society and conducted by a relevant service provider as chosen by the Society in conjunction with the Mental Health and Wellbeing Committee.

### Recommendation 11

Senior Advisers Panel members, Graduate Telephone Advisory Service Panel members and Mentoring Program Mentors should be offered the opportunity to participate in the mental health awareness training seminar proposed in recommendation 4. In relation to these volunteer practitioners, this training should be paid for by the Society.

### Recommendation 12

The existence and role of the Senior Advisers Panel and Graduate Telephone Advisory Service should be better profiled and promoted by the Society.

### Recommendation 13

Sustainable funding sources (private and public) be investigated to ensure ongoing mentoring programs for both Young Lawyers and Aboriginal students.

### Recommendation 14

The Society Executive and representatives of the Professional Indemnity Insurance Management Committee be requested to meet regularly with representatives of the LPCC to determine what the Society can do to assist the LPCC in implementing a broad strategy aimed at educating the profession about LPCC procedures in relation to legal practice complaints and in assisting the LPCC to address any concerns in relation to mental health issues and the legal complaints process.

### Recommendation 15

The Society/Law Mutual be requested to investigate joint initiatives with the LPCC to run information sessions/seminars on topics relevant to complaints and process (for example, 'Dealing with Legal Practice Complaints').

### Recommendation 16

The Professional Indemnity Insurance Management Committee be requested to consider the proposed practice assessments scheme and how the scheme might function in the future and advise the proposed Mental Health and Wellbeing Committee and the Society's Executive.

### Recommendation 17

The Quality Practice Standards Committee be requested to investigate the applicability of incorporating initiatives promoting law firm employee health and wellbeing as part of current QPS process requirements.

### Recommendation 18

The *Brief* Editorial Committee be requested to liaise with the LPCC for the purposes of writing and publishing articles on the legal complaints process, how best to handle legal complaints and issues of mental health in relation to legal practice complaints generally.

### Recommendation 19

The *Brief* Editorial Committee be requested to set aside a feature edition of *Brief* in 2011 dedicated to issues of mental health and wellbeing and, where appropriate, practice management assistance tools. Thereafter, the *Brief* Editorial Committee be requested to implement a quarterly section on issues of mental health and wellbeing in the legal profession.

### Recommendation 20

As part of Law Week 2011, the Society be requested to hold a seminar discussion in relation to the occupational health and safety aspects of time billing and billable targets as per the Chief Justice's request for further discussion of this issue. This should be a 'free for members' event.

### Recommendation 21

The Society be requested to review and expand its member privilege offerings to include more health and wellbeing-related services. In particular, the Society be requested to investigate

health insurance initiatives incorporating regular medical assessment and wellbeing products, services and related activities.

### Recommendation 22

The Society to prioritise a review of its current marketing and communication strategies in relation to its (existing and new) mental health and wellbeing initiatives – particularly in respect to branding of the LawCare programs – to ensure there is a sufficient profile and awareness in the profession of the Society's programs and seminars and incorporate this review as part of its Marketing and Communications Plan 2010–2012.

### Recommendation 23

The Society be requested to investigate how best to revive and profile the Society's Locum Register, whereby sole and small firm practitioners requiring temporary work relief or assistance can be given access to a list of available practitioners and their practice areas provided and maintained by the Society.

### Recommendation 24

The Society be requested to create a separate web page of resources with links to mental health and wellbeing initiatives and organisations, allowing access to members of the profession generally and with further secure links for member-only programs. This page should include access to the resilience@law DVD and related resources on mental health in the legal profession. It is suggested that this resources page be grouped under LawCare or web tab 'Need Assistance' (or a similar link) under the 'Profession' section of the Society's website.

### Recommendation 25

The Executive be requested to meet with members of the Australian Medical Association to discuss mental health issues within the legal community and determine how best to educate the medical community generally about the particular work-related issues facing legal practitioners and how best to develop education strategies that aim to tackle these issues within the legal community.

### Recommendation 26

Given the significant interest by sole and small firm practitioners in this initiative generally and feedback on benefits of networking with peers with similar practice environments and challenges, the Society be requested to investigate re-establishing a Sole/Small Firm Practitioners Committee to meet on an ad hoc basis.

### Recommendation 27

The Society's Executive be requested to liaise with relevant members of the judiciary to determine if there are ways to assist the judiciary with anti-bullying and mental health-related initiatives.

### Recommendation 28

The Mental Health and Wellbeing Committee be requested to undertake a review in 2015 to determine the relevance and effectiveness of the implemented strategies of this Report.

### Recommendation 29

The Report (exclusive of all Appendices) is to be launched as part of Law Week 2011.