



Time for change:

Designing a legal profession-wide health and wellbeing program

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Overview:

- Introduction to LIV mental health and the legal profession project
- Mapping current initiatives
- Themes arising from consultations
- Suggested objectives and activities of a new legal community health and wellbeing program
- Some funding and governance options

Background

Alarming statistics 2007/2009

Depressive illnesses during lawyer's career

- 1 in 3 Solicitors
- 1 in 5 Barristers

Figures raised serious issues about health and wellbeing of the profession

- A workplace issue
- An industry issue
- An issue for the whole profession

Why?

- Is there something about law, as a profession, that puts people more at risk of mental illness?
- Why the legal profession over other professions?
- Is it the way lawyers are trained?
- Is it something about lawyer's personality traits / ways of problem solving?
- Is it our workplace environments?
- Is it our working hours / our work-life balance?
- Is it the way we work?
- Is it the constant dealing with people in conflict – the adversarial nature of legal practice?
- Is it the competitive nature of the legal profession?

Mental Health and the Legal Profession Project

Legal Services Board funding

- To operate a pilot health and wellbeing service providing independent and confidential services for lawyers, now known as the Vic Lawyers' Health Line;
- To undertake a literature review on lawyer personality traits and the susceptibilities towards particular forms of psychological distress; and
- To scope out options for an ongoing lawyers' health program.

Vic Lawyers' Health Line

- Funding initially for 12 months but extended to June 2014
- Dedicated phone line administered by PPC Worldwide 8am-6pm
- For all members of legal profession
- Website developed and managed by LIV
 - Information about services, regulatory requirements and links to external resources

www.viclawyershealth.com.au



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Call Mon-Fri, 8am-6pm
1300 664 744

- Who we are
- How we can help
- Mental Health & Wellbeing
- FAQs
- Links



How we can help
Legal employers who are managing staff with mental health issues may call the Manager Hotline to ...
[Go to Page >](#)



Who we are
The VLHL is a free health and wellbeing service for the Victorian legal profession The VLHL is ...
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Latest News

19 Feb **Wellness in Law Forum**
Melbourne Law School is hosting a two day national forum on 21-22 February.
[More >](#)

How do we help?

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Mental Health & Wellbeing

- [Mental Health, Admission and Practising Certificates](#)

Usage Statistics

10 April 2012 - 2 December 2013:

71 client cases

- 35 face-to-face sessions
- 66 telephone counselling sessions

Demographics:

- 45 females (63.4%) / 26 males (36.6%)
- 52 Lawyers / 9 Law Students / 5 Managers / 5 Support staff
- 36 Melbourne CBD / 17 Melbourne Metro / 7 Regional Victoria (11 non-specified)
- 3 Sole practitioner / 30 small firm / 12 medium / 9 large (14 non-specified)

Primary presenting issue:

- 16.9% work-related / 83.1% personal

Law Care provided a **further 80 counselling sessions** to LIV members and employees in the same period April 2012 – December 2013

Scoping options for an ongoing lawyers' health program

Methodology:

- Research into professional health programs
- Consultation paper prepared with discussion questions
- Review by Mental Health Project Steering Committee
- Consultation period:
 - An online questionnaire seeking input on the ten questions set out in the consultation paper;
 - Three focus groups; and
 - Individual meetings.
- Final report

Mapping current initiatives

Legal practitioner type Health and wellbeing initiatives Organisations

Law Students

- Self-management curriculum requirement (TLO 6)
- University central counselling services
- Law Student Society Health and Wellbeing Officers and Publications
- Community-building, academic-student engagement activities, alternative careers fairs
- Vic Lawyers' Health Line

Universities
LIV

PLT students

- PLT Competency Standards for Entry Level Practitioners
- Resilience and wellbeing for lawyers workshop (COLV)
- Vic Lawyers' Health Line

PLT providers
LIV

Legal practitioners
(solicitors)

- Vic Lawyers' Health Line (and Law Care)
- LIV CPD activities and events on health and wellbeing, stress management and mindfulness
- Mentoring Program
- Legal Services Board Mental Health Policy, Compliance and Enforcement Policy and CPD Policy
- Some employers have EAP, Mental Health First Aid Officers, R U OK and other events

LIV/PPC Worldwide, Employers,
Legal Services Board/Commissioner

Barristers

- Re-Vision Group Health Crisis Counselling Service (and Vic Lawyers' Health Line*)
- Health and Wellbeing Committee
- Seminar program and presentations to Readers' Course
- Health Central website
- Mental Health First Aid training for clerks

Victorian Bar
LIV

Judges

- JCV programs on resilience, trauma and judicial role, impact of accumulated stress and 360 degree feedback
- Sexual offences compulsory debriefing
- Vic Lawyers' Health Line*

Judicial College of Victoria
County Court, LIV

Legal Support
Staff

- Vic Lawyers' Health Line
- Some employers have EAP, Mental Health First Aid Officers, R U OK and other events

Universities
LIV

Themes arising from consultations

'Legal community' responsible for change

- **Whole of profession**
 - stressful nature of work as a lawyer - work environments
 - prevalence across the profession means
 - profession-wide responsibility for a profession-wide issue
 - importance of equality of access regardless of employer
 - consistent national approach?
- **Changing longstanding legal culture**
 - competition
 - loss of face/humiliation
 - bullying and how legal practitioners treat each other generally
 - entering the profession, career anxiety and legal employment market
- **Promoting and supporting organisational responsibilities**
 - Developing focal point for expertise and monitoring industry trends
 - Promoting best practice to avoid workplace injury
 - Ongoing role for specific local interventions
 - Commercial drivers: risk management and insurance, productivity

Addressing barriers to access

- continuing issue of stigma
- concerns about confidentiality and potential repercussions from employers, educators or regulators
- geography/location
- lack of time to access the service (*need for 24 hour service)
- cost (subsidised vs. user pays)
- awareness of services

Communication

- **Low awareness** of services available to lawyers
- **Importance of positive messaging:**
 - business case, productivity and return on investment
 - lawyer trait of competitiveness
 - encouraging lawyers to seek help early – before potential fitness to practice or disciplinary issues arise
- **Information sharing:**
 - effectiveness of interventions
 - across sector, including universities, employers, the Bar, judicial officer programs

Preventative health policy approach

- **Intervention continuum:**
 - distinction between pathological/clinical mental health issues (diagnosable) and early intervention activities
 - targeting programs to sub-groups identified as most 'at risk'
- **Broad definition of health and wellbeing:**
 - role physical health, fitness and nutrition
 - alcohol and substance abuse
- **Evidence-based interventions:**
 - Appropriate in house expertise: including organisational psychologists
 - Activities listed on the National Registry of Evidence-based Programs and Practices (NREPP)
 - GP led assessment and referral service

Interaction with regulation of lawyers

- **No interface between regulators and a health program**
 - clear distinction between regulatory monitoring (which is for consumer protection reasons) and medical or other treatment (for therapeutic purposes)
- **Improving awareness about regulatory obligations**
 - Fitness to practise - mental impairment and disclosure obligations
 - Complaints and conduct issues – mental impairment in mitigation
- **CPD Rules**
 - Amend to address health and wellbeing objectives?

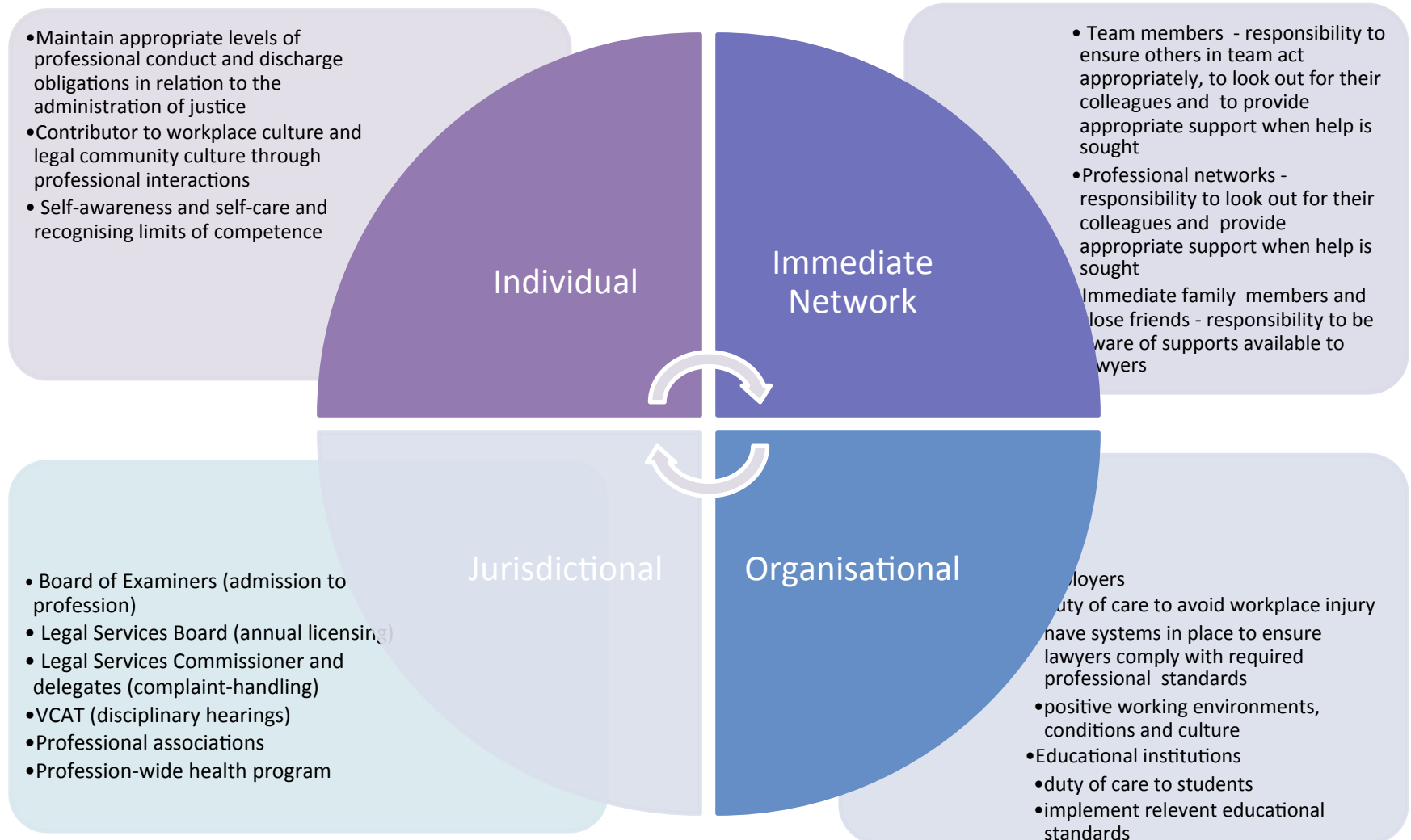
Objectives of a legal community health and wellbeing program

Defining 'mental health and wellbeing'

Promoting mental health and wellbeing for the legal profession means creating safe working environments where lawyers are working in appropriate roles where they are able to reach their full potential, can cope with the normal stresses of legal practice, work productively and contribute to the broader community.

- physical health, fitness and nutrition as important drivers of mental wellbeing
- understanding alcohol and substance abuse as maladaptive coping strategies

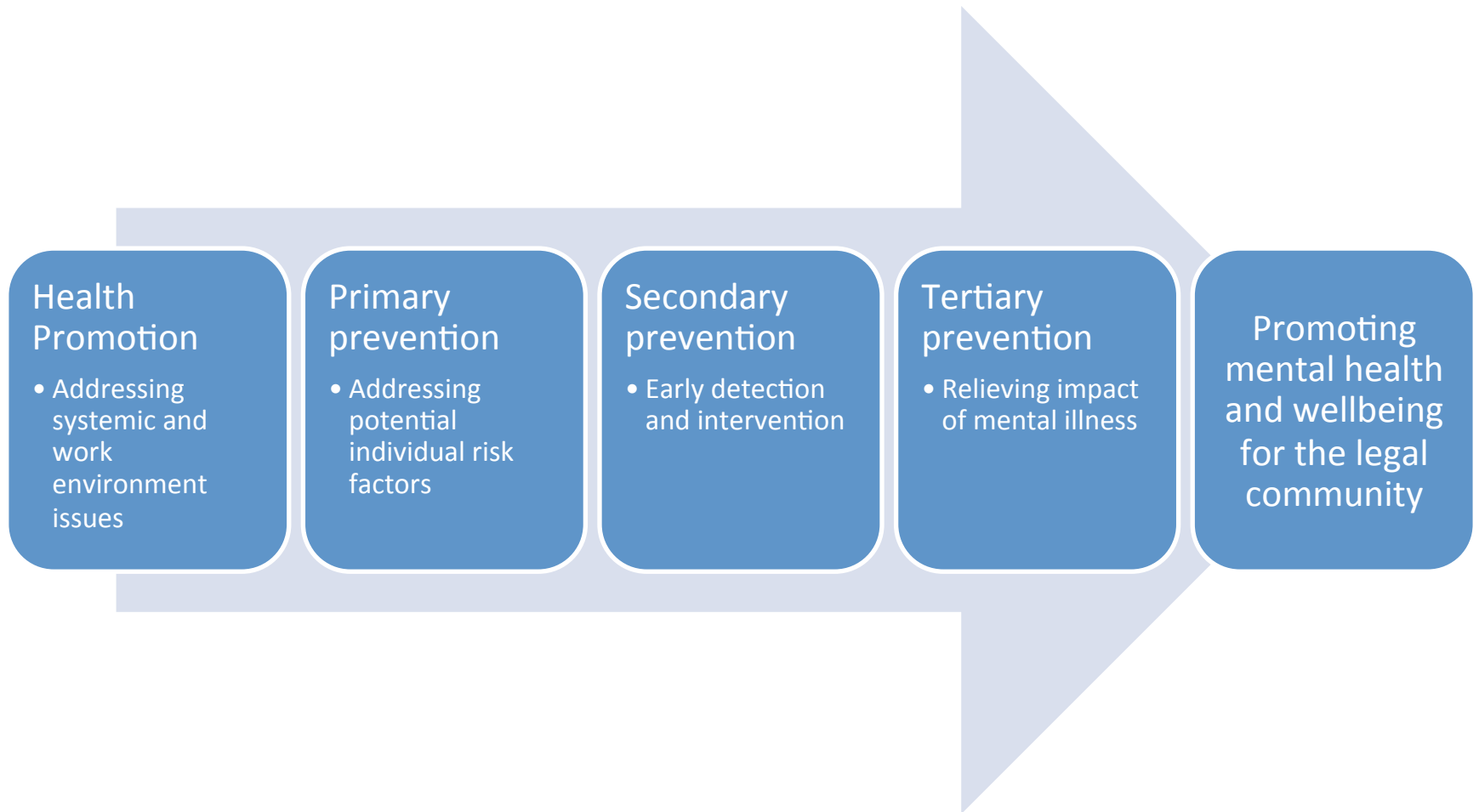
Understanding responsibility for 'lawyer' mental health and wellbeing



Defining 'the legal community'

- solicitors, barristers, judges, academics, law students
- understanding gaps:
 - many lawyers and law students have access to counselling through an EAP/university counselling service
 - need for a safety net for 'at risk' groups – in particular sole practitioners, small practice, in house counsel, PLT students
 - most EAP and counselling services accessed for non-work related issues
 - return to work (Work Cover/psychiatric injury vs non-work related)
 - central point/coordination: research, policy development

Setting aims and objectives



Legal Community Preventative Health and Wellbeing Program

	Health promotion	Primary prevention	Secondary prevention	Tertiary prevention
Aim	Ensuring that working as a lawyer has a health enhancing impact by addressing systemic and work environment issues	Reducing the incidence of mental health issues by addressing potential risks factors at the individual level	Reducing the severity of mental health episodes by early detection of and intervention for developing problems	Assisting in the relief of mental illness and substance abuse issues by facilitating access to treatment and return to work programs
Objective	<ul style="list-style-type: none"> To improve levels of awareness of mental health issues across the legal community To work with law firms to encourage supportive workplace cultures and practices that enhance lawyer health and wellbeing To become recognised as a centre for knowledge and expertise on lawyer health and to share that knowledge and expertise with relevant stakeholders 	<ul style="list-style-type: none"> To work with individual lawyers to improve that individual's self-awareness and self-management strategies 	<ul style="list-style-type: none"> To provide assessment and referral services that are capable of responding to and de-escalating crises To develop individual coping skills through counselling and workshops 	<ul style="list-style-type: none"> To ensure that lawyers with mental health and substance abuse issues are able to access affordable and appropriate treatment in a timely manner To advocate for lawyers seeking to return to work following a period of mental illness

Suggested activities

	Health promotion	Primary prevention	Secondary prevention	Tertiary prevention
Activities	<ul style="list-style-type: none"> • Information, education and training • Policy and advocacy • Research, collaboration and promotion 	<ul style="list-style-type: none"> • Training 	<ul style="list-style-type: none"> • 24 hour telephone counselling service • Peer support • Workshops 	<ul style="list-style-type: none"> • Assessment and referral to panel of treating psychologists, psychiatrists and allied health • Case management and return to work program
Focus areas	<ul style="list-style-type: none"> • Work culture • Legal culture/ethics • Physical health, fitness and nutrition • Self-awareness 	<ul style="list-style-type: none"> • Resilience • Stress management • Mindfulness • De-briefing 	<ul style="list-style-type: none"> • Mental Health First Aid • Counselling • Peer support 	<ul style="list-style-type: none"> • Stress, depression and anxiety disorders • Drug and Alcohol

Funding and governance

- **Ideally independent entity working across profession**
- **Ownership by the profession:**
 - **Core funding** - levy on practising certificate or LIV/
Bar membership fees
 - **Project funding** - corporate partners and grants
 - **Some user pays services** - importance of personal investment

Recent developments

- Launch Wellness and the Law Foundation (WATL)

OBJECTS

- To raise funding to support programs that promote the prevention, management and control of mental health conditions within the legal community.
 - Provide education, counselling, resources and assistance to individuals suffering from mental health conditions , carers and to the broader community.
 - Engage in medical research into the causes, prevention and treatment of mental health conditions.
 - Develop relationships and support with the community and engage in activities to raise community awareness about causes, effects and how to prevent, manage and control mental health conditions
- Work with insurance industry?

Next steps...

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