

The Black Dog Attacks Lawyers: Stop Suffering Alone & Start Fighting Together

We all tend to perceive lawyers and law students as clever and strong minded people whose tenacity and ambition rate very high on the scale of success. However, appearances can be misleading. In fact, lawyers and law students experience higher levels of distress and depression than people in any other profession. Worse still, most of them do not seek professional help and further endanger their health through alcohol and drug consumption. Some have even been to the point of taking their own lives.

Australia has long been held back in terms of research assessing the mental health of people in the legal profession. The truth is, no research had been done until Marie and Georges Jepson set up the Tristan Jepson Memorial Foundation, in memory of their son Tristan, former law student at University of NSW, who took his own life in 2004.

With the help of Professor Ian Hickey, from the Brain and Mind Institute in Sydney, Marie and Georges Jepson initiated the first ever survey in Australia designed to measure levels of depression among lawyers and law students. The results were terrifying.

Out of almost 2,500 law professionals and students from 13 schools nationally, 41 per cent of law students, 31 per cent of solicitors and 19 per cent of barristers, were found to suffer from psychological distress severe enough to justify clinical assessment. In the meantime, another study had shown that 11 per cent of lawyers contemplate suicide every month.

That being said, although the results were clear, the reasons why lawyers and law students were affected by such high levels of depression weren't.

The *Courting the Blues* report, published by the Brain and Mind Institute and the Tristan Jepson Memorial Foundation in 2009, noted that the culture of competitiveness, fear of failure, learned helplessness, perfectionism, pessimism and disillusionment, were some of the most obvious reasons why the aspiring and practising lawyers were depressed.

However, even though those factors are very realistic and descriptive of what lawyers go through, those causes were found to be only part of the problem.

Law professors, lecturers and psychologists, who dared to confront this taboo ignored for too long, pointed out many other reasons that could be responsible for the legal profession to fall victim of the black dog.

Judith Allen, Lecturer at UWA's Law School, agreed that the aggressive competitiveness of the environment in which law students are immersed for years, from as early as in High School, can be very damaging to their mental health.

However, she added a new component she believes could explain why many law students are depressed. She said most of them are driven by extrinsic motivations. That means students aim for things like money, prestige and pleasing other people rather than the satisfaction one can get from the work itself.

“Studies have shown that people with extrinsic motivations are more prone to depression and less happy,” she said.

According to her, law students lose track of their values and believe in an ideal that isn't real.

“I think they are kind of sucked into that mental image that comes from the media, television dramas and so on that being successful as a lawyer, means working in a big downtown commercial law firm and earning lots of money. So they don't look beyond that and the lots of different ways there are to use a legal education.

“Students need to know that many lawyers work in all sorts of fields. They might not earn as much money but for many people it's much more rewarding to work in something they enjoy and value.”

Alex Gardner, Associate Professor at UWA's Law School and environmental lawyer, believes law students are too young when they start studying law.

“Because law students lack life experience and so much law is about solving real life problems through real life processes, they don't have the basis upon which to read and understand the legal materials”, he said.

“Studying law is hard and to do it well, you need to read a lot. Until you know your passion, looking through that large body of materials, not particularly well-written, is depressive.”

Prof Gardner recalls his own experience at university, where he himself was a victim of depression.

“A lot of law when you first encounter it is about money...and I didn't find money interesting. It's really important for law students to find something in the law that they have a passion for. That took me four years. But once I had defined my goal, the study of law wasn't depressing anymore. It was interesting and I had the motivation to work hard.”

Jill Howieson, Associate Dean at UWA's Law School, agreed saying she always asks law students who come to see her whether they took a gap year. Most of them, not to say all of them, didn't and went straight from High School to Law School.

Ms Howieson said she feels students' mental health should be checked prior to getting into Law School. She believes students have existing mental health problems that the study of law only exacerbates. For that very reason, she said people are looking at changing the curriculum to make the study of law available to students only after three years of general study.

In regards to practising lawyers, since Beaton Consulting and Beyond Blue released the findings of the National Depression Initiative in 2007, Australia's leading law firms started to seriously look at their employees' health.

Surveys summed up in the WA Law Society Report on Psychological Distress and Depression in the Legal Profession, launched on May 16 this year, analyses some of the issues encountered by lawyers who, sadly, are very reluctant to seek help and see depression as a weakness they need to hide or deal with using alcohol or drugs.

Bullying, deep emotional impact, financial pressure, isolation and adversarial situations that bring low self-esteem, have been found to make many lawyers mentally ill.

Financial pressure is so intense on some lawyers that they come to the point of refusing to take any leave, fearing their colleagues would steal their clients. They also work excessively to meet targets because of the billable hours system and lose their balanced lifestyle.

Dr Chris Kendall, Vice President at the Law Society of Western Australia, said he had compiled the report and summoned 140 members of the legal profession, to circulate the message and call on everyone to make a change and provide support to their colleagues/students.

“Because of people like Marie Jepson, we’re now able to have this discussion. By talking about it, bringing the issue into the light, we’re halfway there.”

He said doing nothing would bring the profession down, impact on the law firms’ performances and more importantly, risk losing more good people and discourage others from joining in.

Resilience @ Law is a DVD produced by the major Australian law firms and the College of Law. It has been designed in response to the findings about lawyers experiencing depression, in a bid to bring down the rates and give support to practising and aspiring lawyers.

The DVD aims at raising awareness and favouring education about mental illness, as well as removing the stigma that surrounds it. It also looks at self-care strategies and developing support and resources for mental health concerns.

LawCare is a 24/7 confidential phone counselling service, established to assist legal practitioners facing psychological/professional/personal problems.

PPC Worldwide is the leading global provider of employee assistance and has offered up to three hours of free counselling to distressed lawyers. People can choose to seek help online, by phone, or face to face with a counsellor. They said help is only “a click away”.

Also, the Law Society is offering a Mentoring Program designed to pair up senior lawyers with junior ones to provide the mentoring and support young lawyers need at the start of their career.

In regard to law students, the Blackstone Society at UWA is offering mental health workshops and has made it clear that mental health is one of its top priorities for 2011.

Joanna Vincent, Mental Health Officer from the Blackstone, said she decided to get involved and help in any way she could after reading the *Courting the Blues* report. People like her can really make a difference in students’ lives.

“Being in my fourth year of a Bachelor of Law and Arts, I am very aware of the degree of stressors in an ordinary law student’s life,” she said.

“Law school is quite a competitive environment – we all strive through year 11 and 12 to ‘make the cut’ into UWA law school and once there, we find ourselves socialising and engaging with others who are determined, motivated and who also strive to achieve their personal best.

“Openly speaking about and disclosing any mental health problems in such an environment, is perhaps, perceived as a sign of weakness.

“I feel as though my role, as a mental health officer is crucial to increasing awareness of mental health related issues and also for assisting students. I feel the workshops should be targeted to first and second year students and I personally believe that they should be compulsory for all law students – it’s much easier to manage mental health issues early rather than later on.”

Marie and Georges Jepson have made a significant change in raising awareness about lawyers and students’ mental health issues.

However, stigma remains an obstacle in some universities like Murdoch, where people refused to comment on the mental health of their law students, saying it was against their Ethics Committee’s decision.

Let’s hope more people like Joanna Vincent will raise their hands in universities, to help students cope with depression and change their perception of it as a sign of failure, just like Tristan Jepson would have wanted, had he still been alive today.

By Marion Lopez.