

Courting the Blues:
Attitudes towards depression in Australian law students and legal practitioners

Brain and Mind Research Institute Monograph 2009-1

A BRIEF SUMMARY

The Brain and Mind Research Institute at the University of New South Wales studied 'depression literacy and psychological distress in Australian lawyers and practising lawyers' The study was conducted with the participation of 741 law students from 13 universities, 924 solicitors and 756 barristers.

The findings confirm international research findings to the effect that law students and lawyers exhibit 'high levels of psychological distress and risk of depression compared with Australian community norms and other tertiary student groups. Participants also revealed a number of attitudes and behaviours which imply a general reluctance to seek help for mental health issues.'

The study notes that the causes of depression among lawyers include:

- a culture of competitiveness: very long hours in a tough, combative environment are the norm (and fear of failure is common);
- pessimism: legal work often involves warding off what will go wrong;
- learned helplessness: lawyers must follow a client's instructions, even if those instructions contradict the lawyer's better judgment;
- disillusionment: many lawyers feel compromised by ethical dilemmas in their work;
- perfectionism: lawyers tend to be perfectionist, which is related to obsession and anxiety, both fertile grounds for depression.

The report notes also that:

- while law students show higher levels of distress than medical students, they are not *severely dysfunctional* just a little more distressed than other young people, particularly males, in the general population. However, those high levels of stress and depression do not abate as practising lawyers show higher levels of psychological distress long past the early stages of their law careers, and significantly higher levels than people in other professions and in the general population.
- young female law students and lawyers report higher levels of psychological distress than do their male counterparts. The researchers note that females are known to report psychological distress more readily than males and had they profiled alcohol and drug use, ‘the lower reported level of distress among males would have been balanced by a higher level of drug use and misuse.’
- there are signs of barriers to law students and lawyers recognizing their psychological distress and seeking help for it, with a high number of the survey participants saying that they would not seek help, that they had negative views of the effectiveness of medical help for depression and that they held negative views of depressed people – all of which may have an influence on their seeking help and helping colleagues with their depression.
- however there are also signs that those law students and lawyers who do become depressed get help in high numbers, as would be expected, the researchers say, of a group of well-educated, highly employed and economically well-off people. The researchers therefore see that there are strengths the legal community can draw on to “produce positive outcomes for the mental health and well-being of law students and the legal community generally”.

Importantly, the report makes the point that:

- ‘although the provision of services for people in active distress is important, such a strategy will not constitute an effective solution in itself. As has been demonstrated in the present research, people who fail to recognize their personal distress, who refuse to seek help or treatment, or who have negative views about treatment methods or mental health

professionals, are very unlikely to gain much benefit from even the most effective, confidential and well-advertised services.’

The report makes some very specific recommendations, 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 organizations 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.’