

Workshop Two

No quick fixes – a long-term planning approach to a healthier profession



ICLR+CORO2024

International Conference of Legal Regulators +
Conference of Regulatory Officers

16-18 October 2024 | Langham Melbourne

www.iclrcoro2024.com



Workshop topic: No quick fixes – a long-term planning approach to a healthier profession

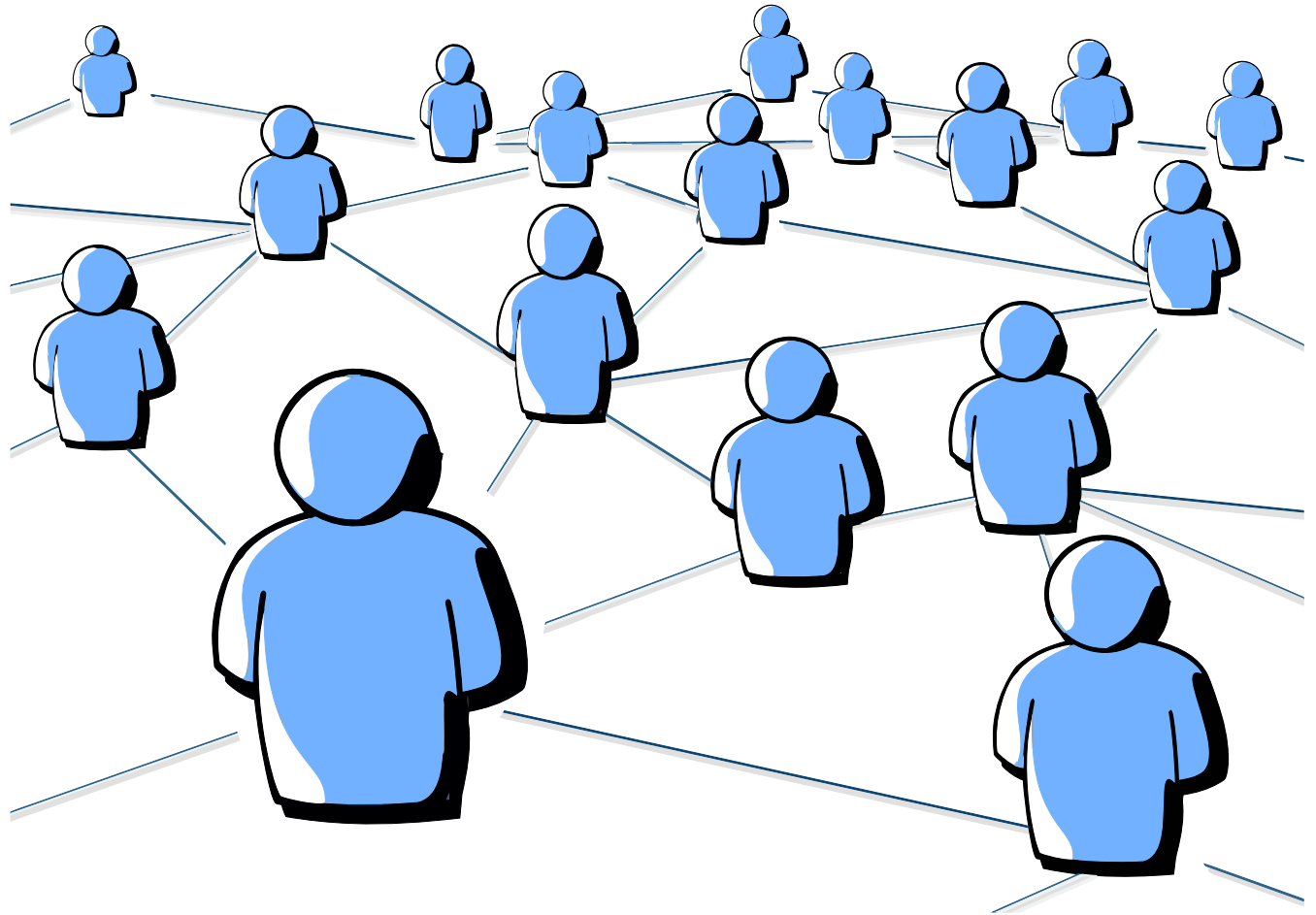
- At a System Level
- At an Organisation Level
- At an Individual Level



**The VLSB+C Lawyer
Wellbeing Program and our
Theory of Change Project**

Presented by:

Lucy Fraser - Manager,
Lawyer Wellbeing Program





1
Communication &
Collaboration



Program
Focus
Areas

4
Regulatory
Impact

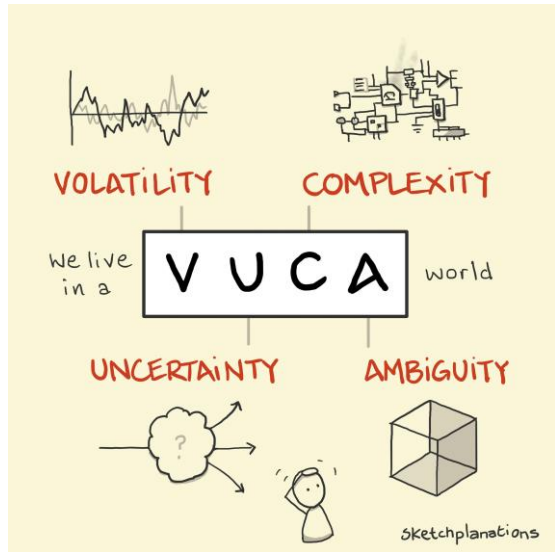


2
Research
&
Measurement

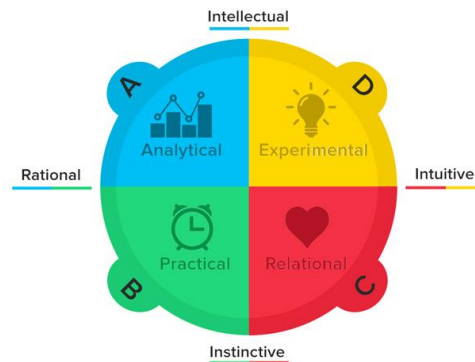
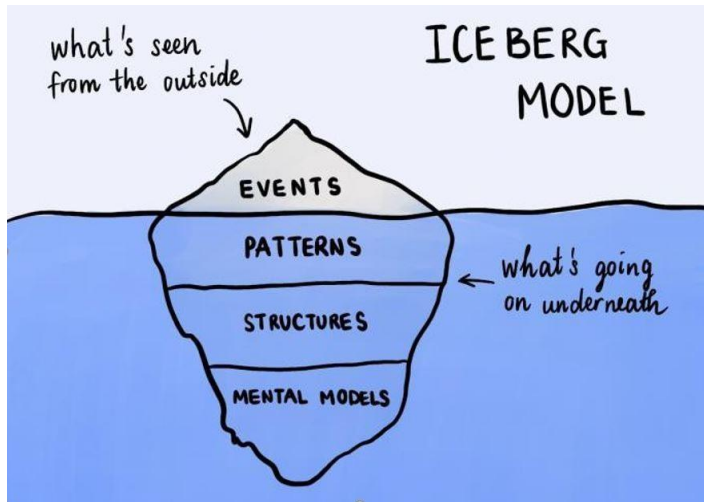
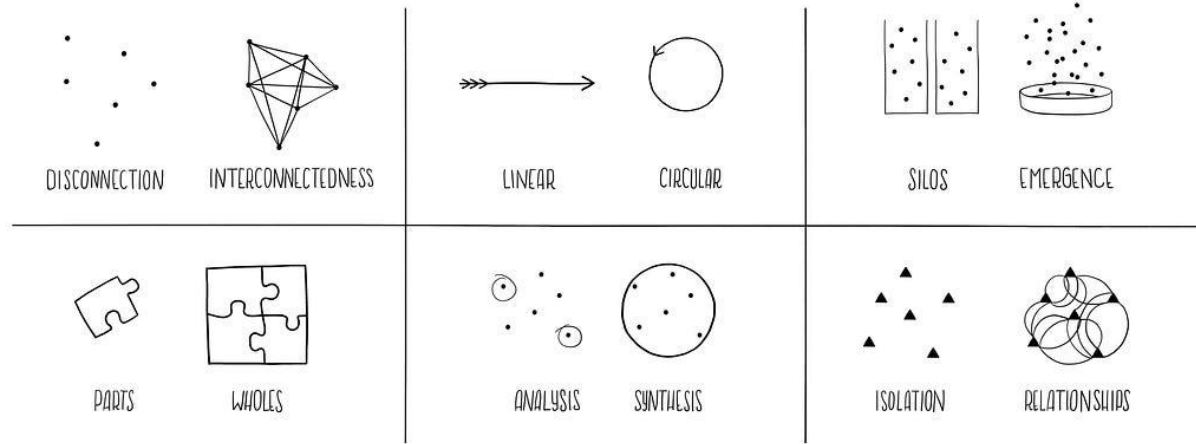


3
Pilots
&
Practice





TOOLS OF A SYSTEM THINKER



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Whole Brain Thinking
HBDI Tool

Book Reading Portrait
by Margaret Hagan

Source 1: <https://www.thinkherrmann.com/whole-brain-thinking-blog/thriving-in-a-vuca-world>

Source 2: <https://medium.com/disruptive-design/tools-for-systems-thinkers-the-6-fundamental-concepts-of-systems-thinking-379cdac3dc6a>

Source 3: <https://www.weforum.org/agenda/2021/01/what-systems-thinking-actually-means-and-why-it-matters-today/>

Source 4: <https://herrmann.com.au/hbdi/>

Source 5: [Margaret Hagan - Law + Design](#)



Lawyer Wellbeing Theory of Change Project

To effect genuine and lasting change, the focus needs to move beyond individual resilience to the system-wide drivers that are having negative impacts.

This is why the VLSB+C is facilitating the Lawyer Wellbeing Theory of Change project – an initiative that will see the legal system **co-design a shared model for system-wide change** in lawyer wellbeing.



Victorian Legal Services BOARD + COMMISSIONER

Theory of change is an explicit process of thinking through and documenting how a program or intervention is supposed to work, why it will work, who it will benefit (and in what way) and the conditions required for success.

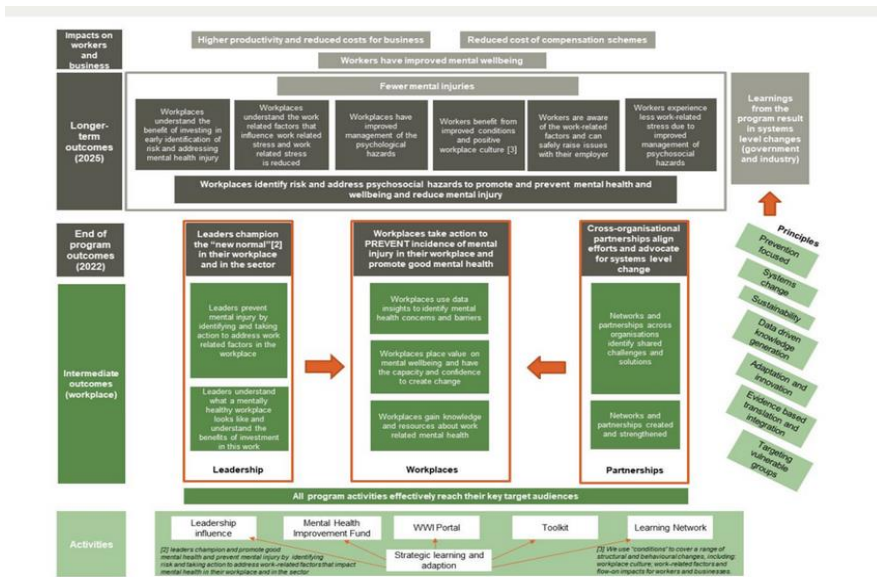
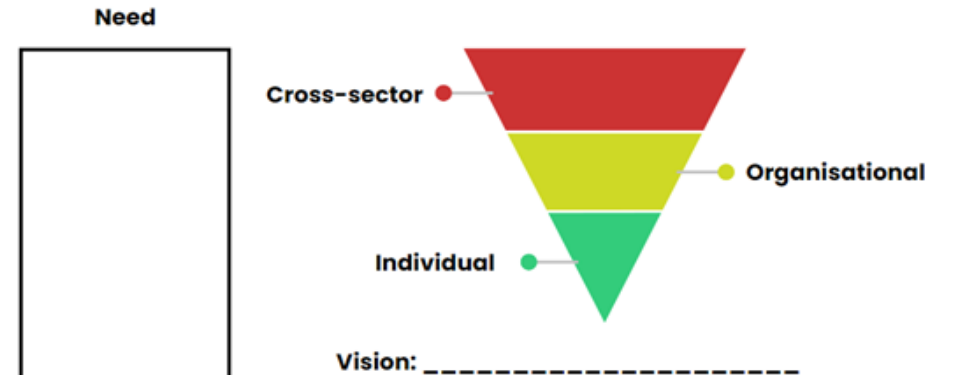
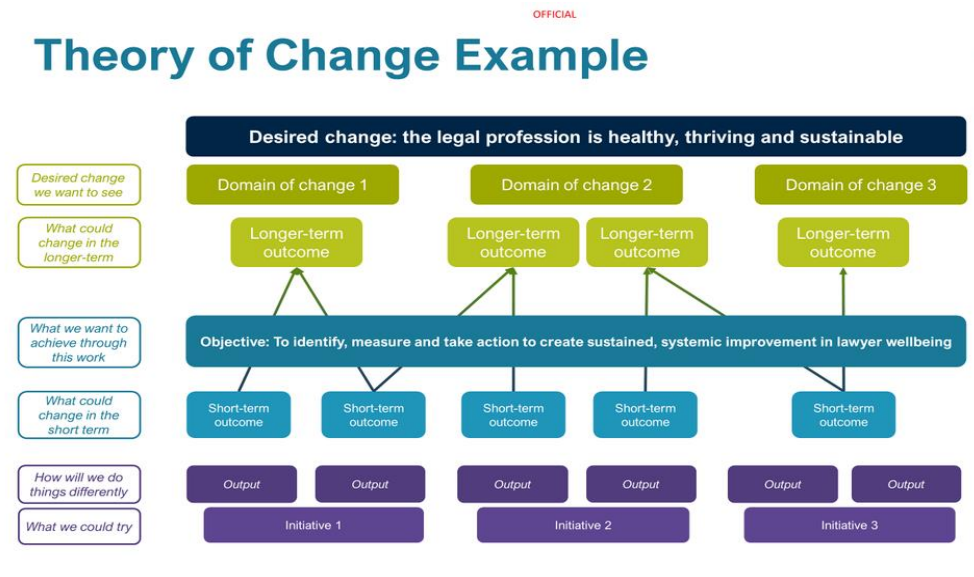


Figure 3: Refreshed theory of change for WorkWell

Theory of Change Example



Lawyer Wellbeing Theory of Change Project

Activities

- Test support within the profession / sector
- Select partner and complete project set up
- Engage profession / sector
- Project Stages
- Theory of change diagram and narrative shared
- Pilots in high impact / low activity areas
- Encourage use, Nested Theories of Change
- Review, maintain and update

Project Stages



Phase 1: Systems Effect Survey



Phase 2: Peer Workshops



Phase 3: Review and Feedback



PSYCHOSOCIAL RISK MANAGEMENT IN LEGAL PRACTICE

17th October 2024

Lucinda Soon

lucindason.com



lucindason.com

MY WORK.

- Legal ethics and risk lawyer and organisational psychologist
- Commissioner, International Bar Association (IBA) Professional Wellbeing Commission
- Board Member, LawCare, the mental health and wellbeing charity for the UK legal sector
- Doctoral Researcher, Faculty of Business and Law, Birkbeck, University of London
- Lecturer, Professional Law Institute, The Dickson Poon School of Law, King's College London
- Consultant to the legal sector: law firms, in-house counsel teams, professional associations, regulatory bodies, stakeholder organisations.

SESSION OVERVIEW.



Work-related psychosocial hazards



Psychosocial risk management



Building healthier workplaces in law

PSYCHOSOCIAL HAZARDS.

Aspects of work, how it is designed and managed, and the social context of work, which have the potential to cause psychological injury and ill-health.

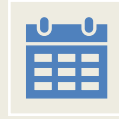
SOME ASPECTS OF WORK (AND ASSOCIATED PSYCHOSOCIAL HAZARDS).



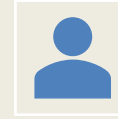
Nature of work (lack of variety, repetitive, meaningless work, traumatic work)



Work intensity (overwork, underwork, unreasonable deadlines)



Work schedule (unpredictable hours, conflicting deadlines, inflexible working)



Job control (lack of autonomy, low levels of influence)



Roles and expectations (role ambiguity, role conflict, uncertainty)



Interpersonal relationships (lack of social support, bullying, harassment)



Leadership practices (poor communication, lack of accountability, procedural injustice)



Supervision (lack of feedback, lack of fairness, isolation)



Recognition and reward (effort-reward imbalance, lack of recognition – financial + non-financial)



Career development (career stagnation, under-promotion, lack of opportunity for skill development)



Work-home interface (conflicting work and home demands, isolation)

PSYCHOSOCIAL RISKS.

The combination of the likelihood of exposure to a psychosocial hazard and the severity of injury or harm that can be caused by it.

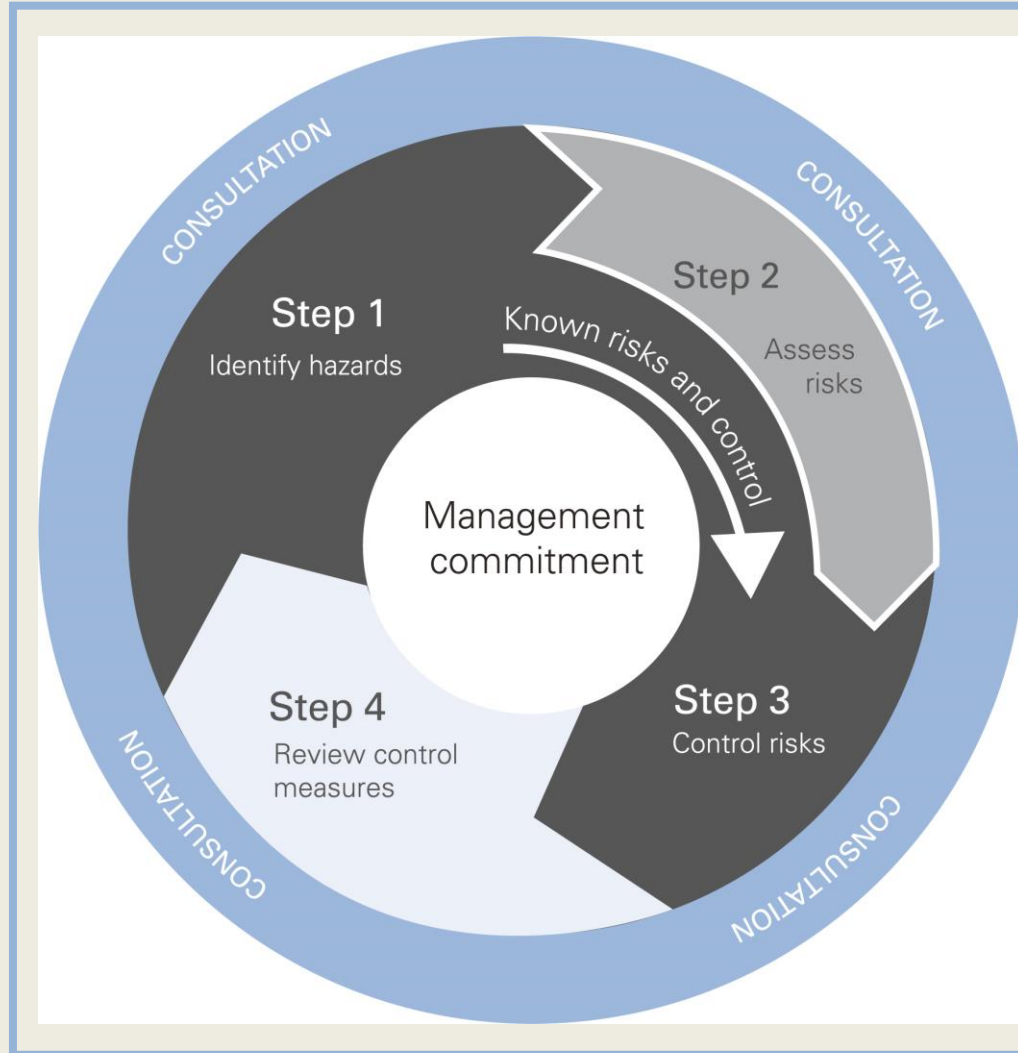
**Likelihood of exposure + severity of impact =
level of risk**

PSYCHOSOCIAL RISK MANAGEMENT.

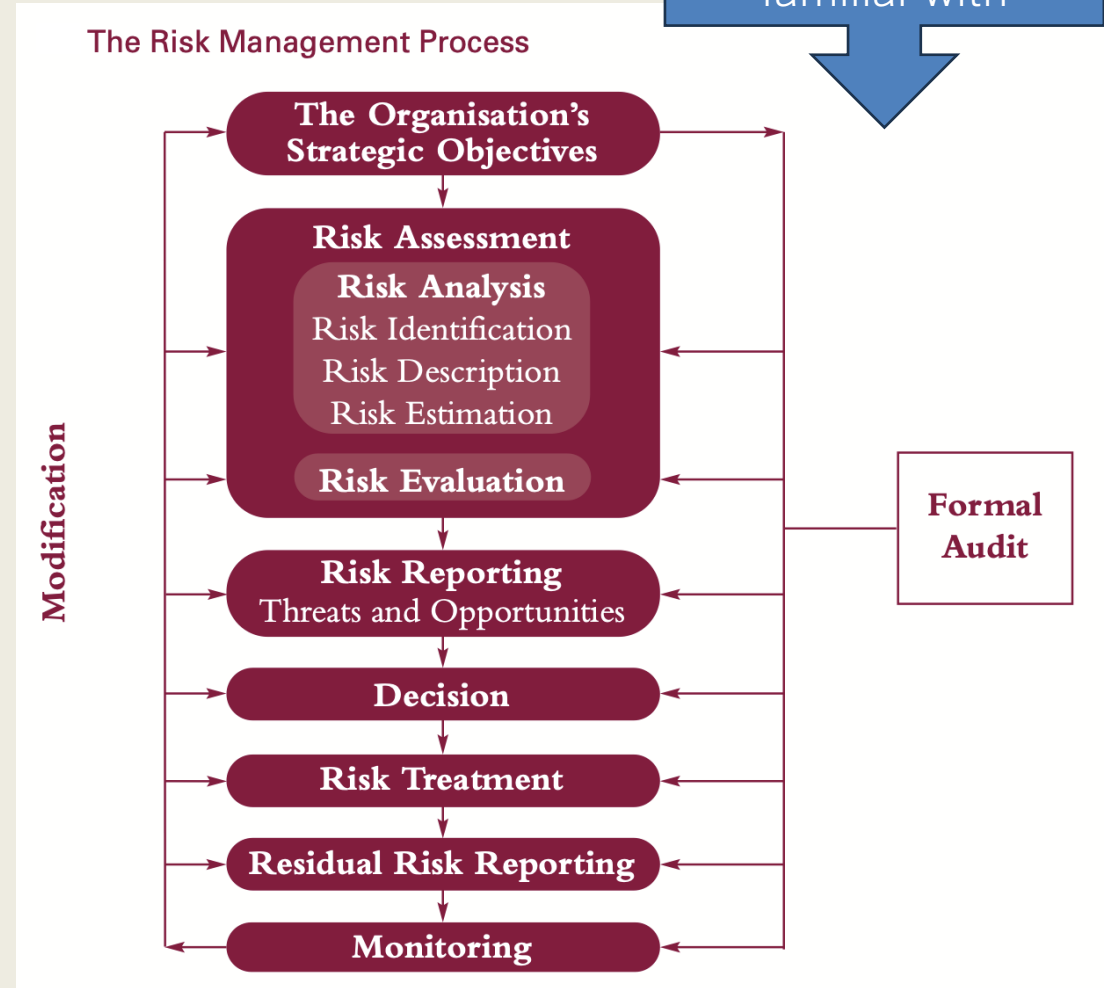
A systematic examination of work undertaken to consider what could cause injury or harm, whether the hazards could be eliminated, and if not, what preventative or protective measures are, or should be, in place to control the risks.

MAPPING TO RISK MANAGEMENT.

What most firms will already be familiar with



SafeWork NSW Code of Practice

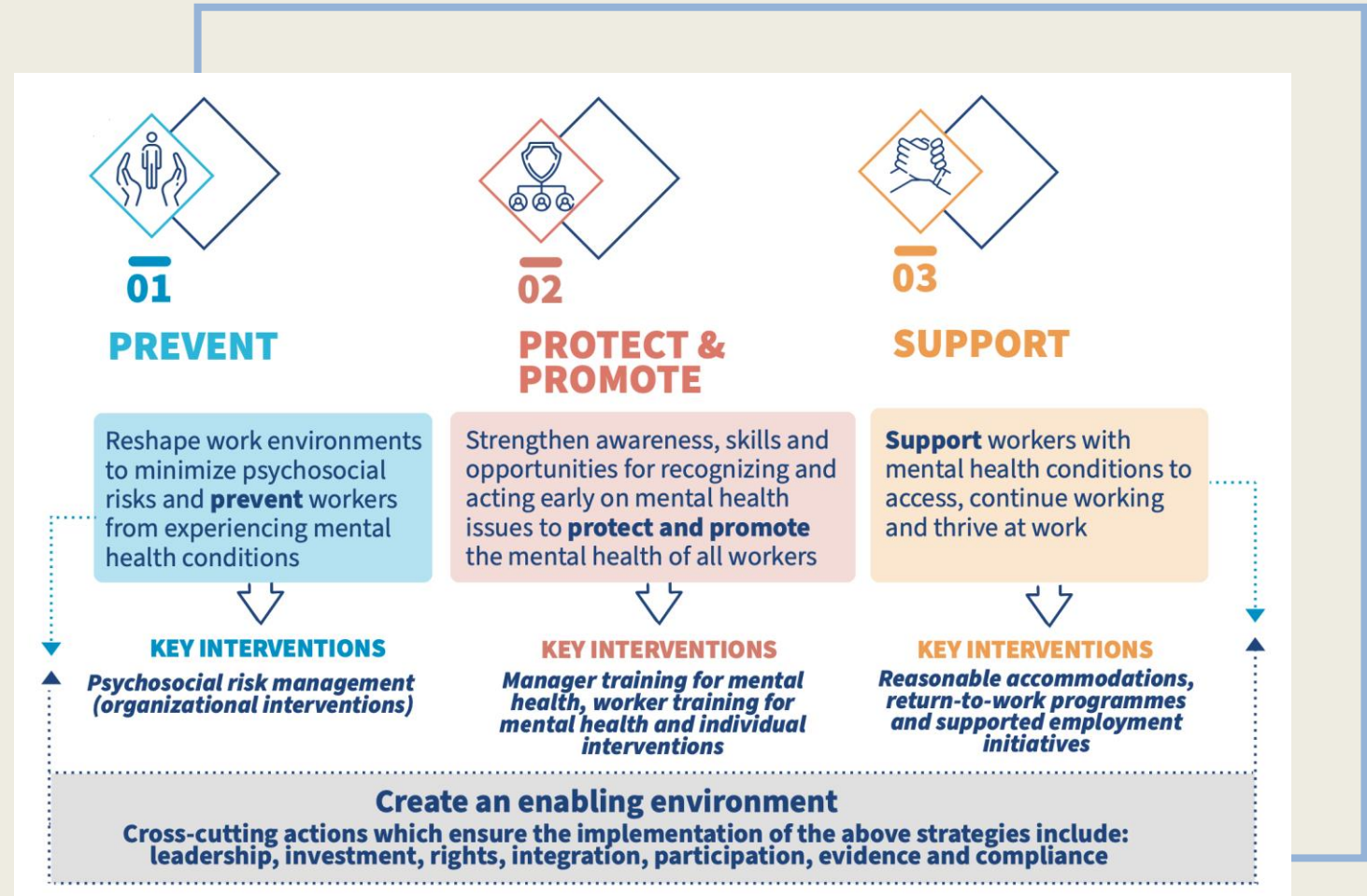


Institute of Risk Management, Global Risk Standard

BUILDING HEALTHIER WORKPLACES IN LAW.

An integrated and multi-level intervention approach

- Organizational-level interventions e.g., flexible working, achievable deadlines and targets.
- Leader-level interventions e.g., manager training in mental health, line manager support.
- Group-level interventions e.g., psychological safety, peer support, professional collegiality.



World Health Organization and International Labour Organization (2022). *Mental Health at Work: Policy Brief*



HUMAN ETHOS

No quick fixes:

***A long-term planning approach to a
healthier profession***

The Individual Lawyer

Dr Carly Schrever

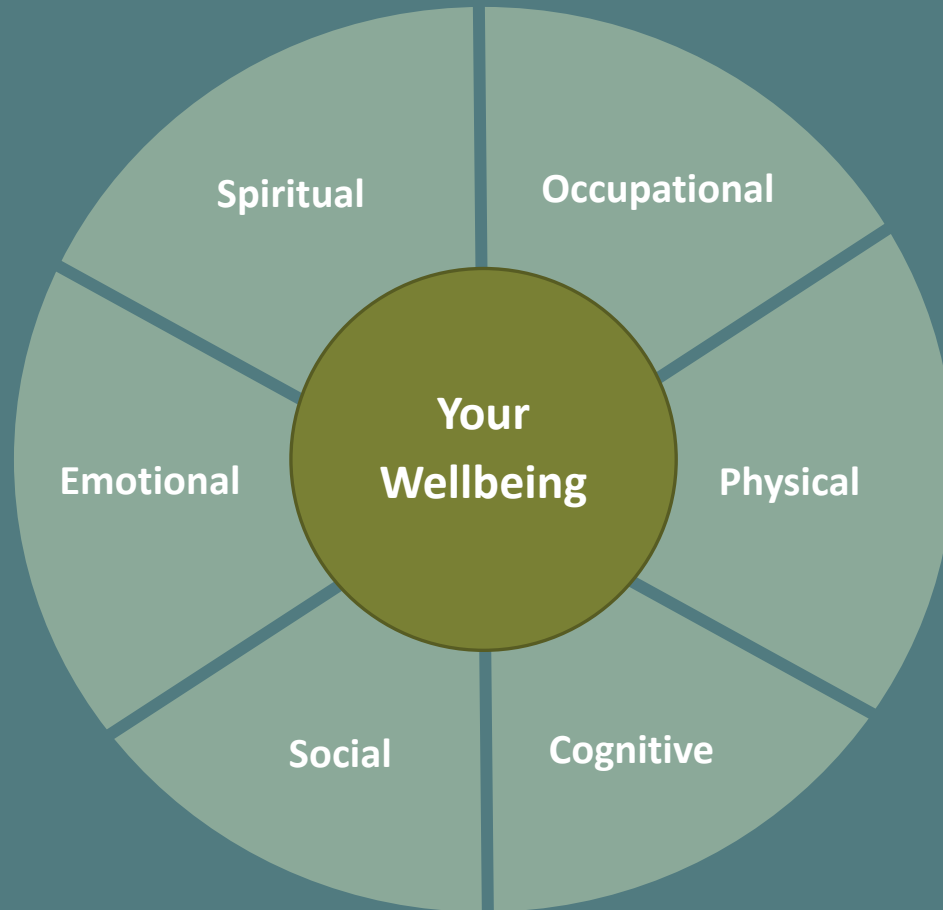
Psychologist – Lawyer – Researcher

Director, Human Ethos

www.humanethos.com.au

HUMAN  ETHOS

Defining lawyer wellbeing



Defining lawyer wellbeing:

A continuous process in which lawyers strive for thriving in each dimension of their lives.

American Bar Association, National Taskforce
on Lawyer Well-being Report
"The Pathway to Lawyer Well-being", (2017)

Lawyer wellbeing, a shared responsibility...

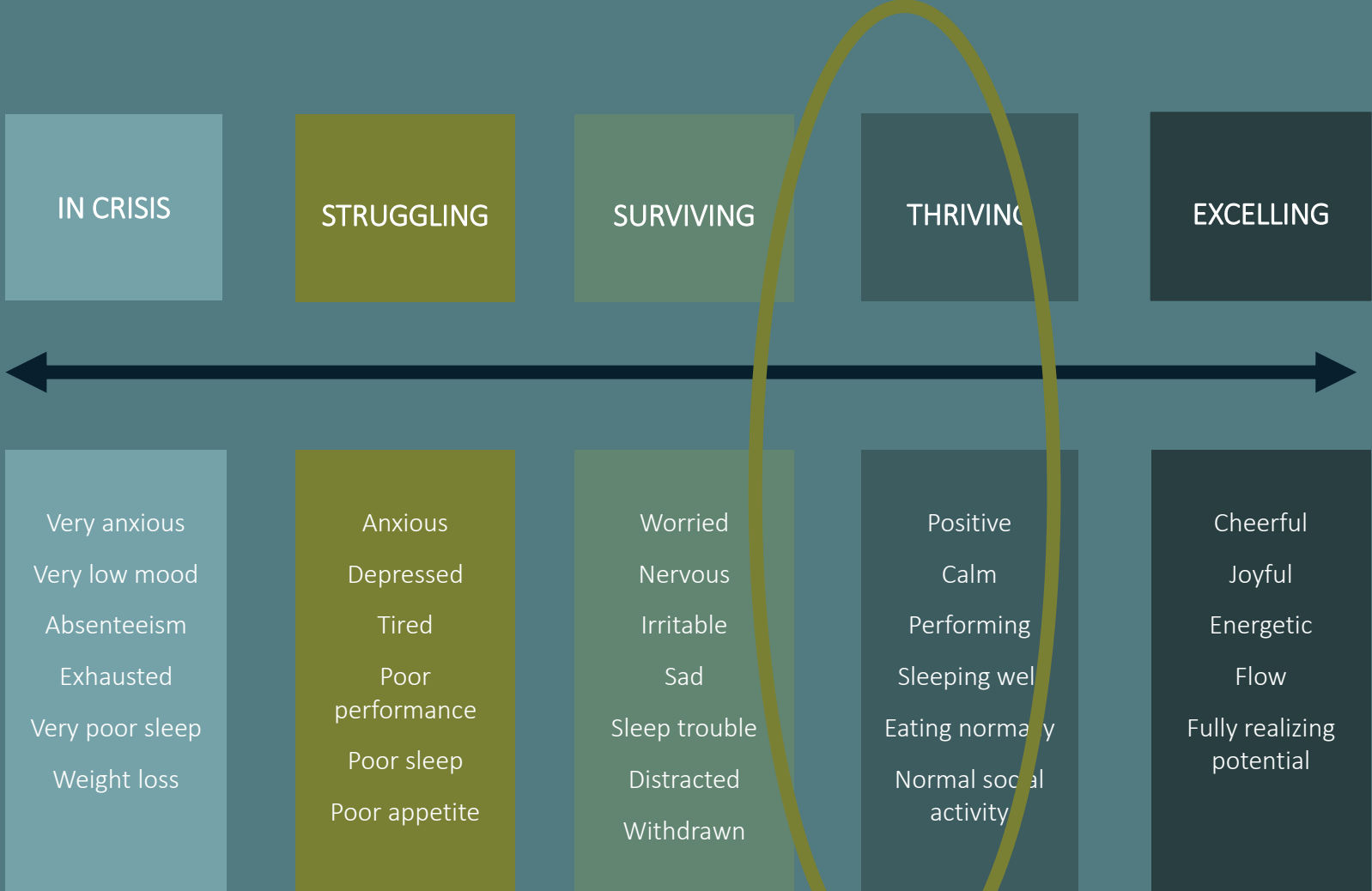
Leaders are responsible for:

- Having reasonable and clear expectations
- Setting manageable workloads
- Regular and transparent communication
- Proactive check-ins and links to support
- Modelling professional boundaries
- Cultivating a culture of trust, honesty and fairness

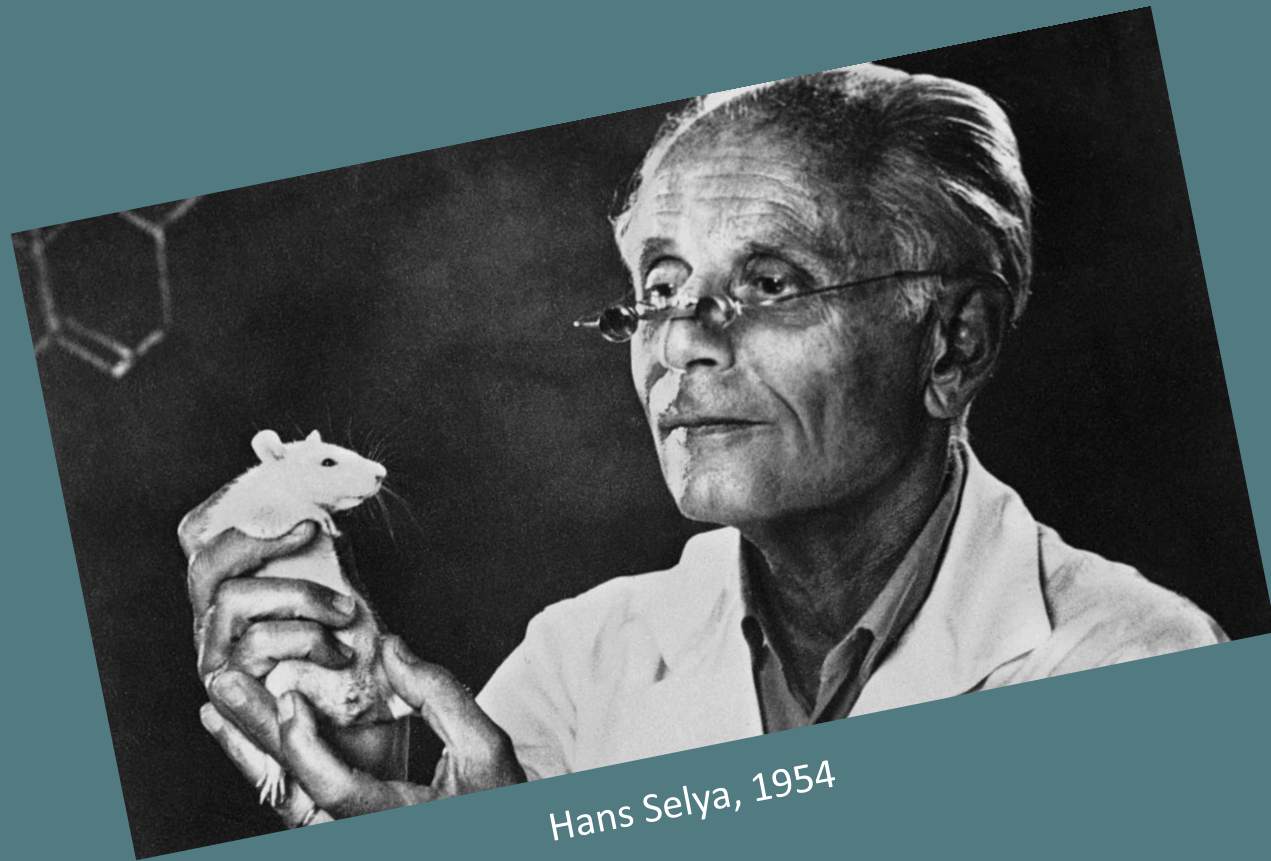
Individuals are responsible for:

- Managing themselves and their time to meet reasonable expectations
- Knowing themselves and what they need
- Availing themselves of supports on offer
- Asking for help when needed
- Supporting a culture of trust, honesty and fairness

Wellbeing continuum



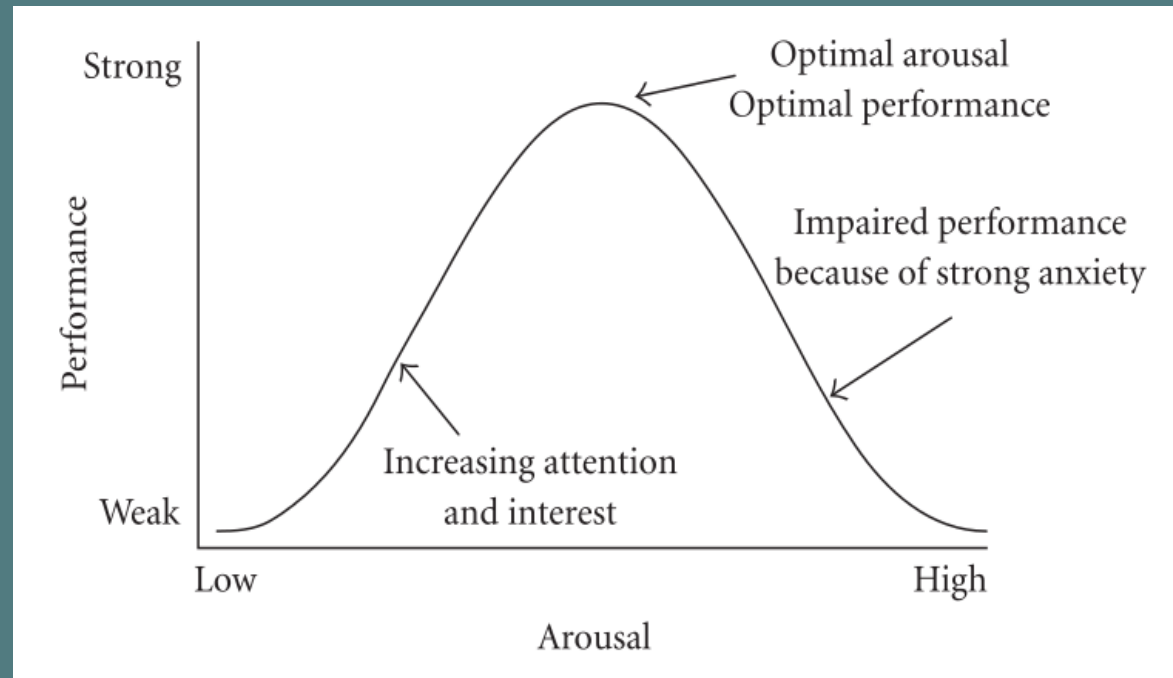
What is stress?



Hans Selye, 1954

“... the non-specific response of the body to any demand, whether positive or negative, made of it”

What is stress? – Stress-performance curve



- Distress = external demands experienced as unpleasant, either too great (anxiety, exhaustion) or too little (boredom, inertia)
- Eustress = optimal stress between too little and too much, experienced and pleasant and motivating

What is stress? – An appraised state

Stress is:

“a relationship between a person and the environment that is appraised by the person as taxing or exceeding his or her resources and endangering his or her well-being”

Theory of Cognitive Appraisal, Lazarus & Folkman, 1984



What is stress? – Warning signs

Physical

- Heightened or changed arousal levels
- Shallow breathing
- Increased heart-rate
- Sweating
- Muscle tension
- Reduced immunity
- Skin changes
- Deep fatigue
- Sleep disturbance

Behavioural

- Avoidance
- Irritability
- Relationship tension
- Difficulty separating work and home
- Quick fixes (alcohol, junk food, retail therapy, Netflix binges)
- Overcompensation (workaholism, unrelenting standards)

Psychological

- Increased emotional reactivity
- Emotional numbness
- Critical self-talk
- Racing mind
- Rumination
- Anhedonia (inability to experience pleasure)
- Changes to core beliefs about self, others, and the world

Holistic Wellbeing Plan

Spiritual

- Mindfulness
- Connection to meaning and purpose
- Attend to and align with values

Emotional

- Emotional granularity
- Share difficult thoughts and feelings
- Practice emotion regulation

Social

- Activities of pleasure and mastery
- Nurture trusting relationships
- Share thoughts and feelings



Occupational

- Transition rituals
- Boundaries
- Professional identity

Physical

- Diet (e.g. 5 serves vegies)
- Sleep hygiene
- Substances (e.g. alcohol)
- Exercise (e.g. 10,000 steps)

Cognitive

- Cultivate learning mindset
- Procrastination and perfectionism
- Break down and prioritise tasks

Emotion regulation

*Shaping **what** you feel, **when** you feel it,
and **how** you **express** it, in order to meet
professional and personal **expectations**
and **goals**.*

Emotionally triggered?

- Change to physical self
- Change to thinking
- Change to feelings/emotions
- Change in your behaviour

Categories of Strategies

NOT HELPFUL

Repression and Denial

- Representing to self and others that you don't feel what you feel
- 'mustn't grumble'
- 'push it down'

NECESSARY EVIL

Masking what you feel

- Emotional labour
- 'Parking' feelings
- Noting feelings, but not expressing them
- Managing emotion to get the job done
- 'holding it together'
- 'professional mask'

EMOTIONAL INTELLIGENCE

Processing emotions

- Attending to emotions
- Tolerating difficult emotions
- Expressing emotions
- Building emotional connection
- Inquiring into our emotional reactions

In the moment strategies

- Body scan
- 4-2-6 breathing
- Grounding in the senses
- Bilateral tapping
 - Beetle wings
 - Butterfly arms
 - Toe squeezes
- “I am... my role is...” mantra

Thank you

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Psychologist – Lawyer – Researcher

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HUMAN ETHOS
WELLBEING FOR JUDGES AND LAWYERS

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Continue
THE
Conversation



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