



*Australian Law Students' Association*  
**Mission Statement - Mental Health & Wellbeing**

**Mission**

Law students and emerging legal professionals are experiencing high rates of mental health issues in the legal profession which is negatively affecting their health and wellbeing.<sup>1</sup> There is an urgent need for action to respond to this issue which ALSA and the legal industry need to address.<sup>2</sup> Poor mental health in law students and legal professionals has been seen to have lasting effects on those impacted by mental health issues and the legal industry as a whole.<sup>3</sup>

Our mission is to raise awareness and reduce the stigma of mental health in law schools and the legal profession and empower law students to be equipped with the skills, knowledge and resources necessary to live the most mentally healthy lives possible. ALSA aims to work with law schools and other organisations to achieve not only the raising of awareness but also tangible action.

**Background:**

The World Health Organisation defines mental health as a state of wellbeing in which every individual realises their potential, can cope with the normal stresses of life, can work productively and fruitfully, and can make a contribution to her or his community.<sup>4</sup> Law students and lawyers experience higher levels of psychological distress than the general population.<sup>5</sup> According to the Victorian Law Society

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<sup>1</sup> For key collections of recent scholarly thinking on this issue in Australia and the UK see: Rachael Field, James Duffy and Colin James (eds), *Promoting Law Student and Lawyer Well-Being in Australia and Beyond* (Routledge, 2016) and Caroline Strevens and Rachael Field (eds), *Educating for Well-Being in Law: Positive Professional Identities and Practice* (Routledge, 2019). The Chapters of these works cite most of the current relevant scholarship. See also: Natalie Skead and Shane L Rogers, 'Stress, Anxiety and Depression in Law Students: How Student Behaviours Affect Student Wellbeing' (2014) 40(2) *Monash University Law Review* 564, 565; Resilience@Law and Black Dog Institute, 'Resilience@Law Legal Profession Mental Health Toolkit Practical Guide & Resources' (Report, 2020) 4; Nigel Duncan, Caroline Strevens and Rachael Field, 'Resilience and Student Wellbeing in Higher Education' (2020) 1(1) *European Journal of Legal Education* 83; and Nigel Duncan, Rachael Field and Caroline Strevens, 'Ethical Imperatives for Legal Educators to Promote Law Student Wellbeing' (2020) *Legal Ethics* 1.

<sup>2</sup> We note that the Law Societies and Bar Association in all of the States and Territories recognise that psychological ill-health is an issue for the legal profession. See for example, various support systems on offer around Australia at the Law Council of Australia's website: <https://www.lawcouncil.asn.au/policy-agenda/advancing-the-profession/mental-health-and-wellbeing-in-the-legal-profession>.

<sup>3</sup> Neil Graffin, Emma Jones, Mathijs Lucassen, Rajvinder Samra, 'The Legal Profession has a Mental Health Problem – Which is an Issue for Everyone' *The Conversation* (Online, 18 April 2019) <<https://theconversation.com/the-legal-profession-has-a-mental-health-problem-which-is-an-issue-for-everyone-113224>>.

<sup>4</sup> 'Mental Health: Strengthening our Response' *World Health Organisation* (Web Page, 30 March 2018) <<https://www.who.int/news-room/fact-sheets/detail/mental-health-strengthening-our-response>>.

<sup>5</sup> Skead and Rogers (n 1) 565; Resilience@Law and Black Dog Institute (n 1) 4.



President, lawyers are prone to mental illness because of the high-pressure environment that they are in.<sup>6</sup> In a recent survey by Meritas Australia and New Zealand, 85% of lawyers surveyed said they or someone close to them experienced anxiety in the workplace,<sup>7</sup> whilst 63% of respondents said themselves or someone close to them experienced depression in the workplace<sup>8</sup>. Law students also experience alarming rates of mental health issues with empirical scholarly research since 2009 indicating that up to 40% of law students experience severe stress/depression to the extent of requiring medical treatment.<sup>9</sup> These statistics reveal a need to equip law students and legal professionals with the tools to recognise, respond to and manage their mental health and to be able to support their peers.

### **Position**

Although significant work has already been undertaken by various organisations, there is a continuing imperative for action concerning mental health and wellbeing in law schools and the legal profession. ALSA acknowledges that it is the responsibility of the profession to address this issue but also recognises our role in agitating for action and change.

ALSA recognises the continuing efforts of organisations, such as Minds Count, in creating workplace wellbeing policies. However, it is imperative that all firms, organisations within the legal profession and law schools adopt and implement these policies.<sup>10</sup> Further, ALSA acknowledges that policies are only one step in the process, as these entities must not only sign up, but be accountable for implementing these guidelines. Urgent action is needed to create tangible change. This includes policy, intentional and targeted action and cultural change to ensure the improvement of the mental health of law students and lawyers and achieve progress in the way mental health is perceived in the legal profession and law schools.

The perception of mental health is influenced by the way it is discussed in the legal profession and in law schools. ALSA believes that the conversation on mental health should be focussed on the

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<sup>6</sup> Peter Andrea, 'Lawyers Experience High Rates of Depression and Anxiety, Survey Finds' *ABC News* (online, 15 August 2019) <<https://www.abc.net.au/news/2019-08-15/study-finds-high-rates-anxiety-depression-in-legal-profession/11412832>>.

<sup>7</sup> Wellness Survey 2019, *Meritas Australia and New Zealand* (Web Page, 2019) <<https://www.swaab.com.au/assets/download/Meritas-Wellness-Survey-Report.pdf>>

<sup>8</sup> *Ibid.*

<sup>9</sup> Resilience@Law and Black Dog Institute (n 1) 4.

<sup>10</sup> Minds Count, *The Workplace Wellbeing Guidelines* (Web Page, 2020) <<https://mindscount.org/wp-content/uploads/2019/09/Tristan-Jepson-Memorial-Foundation-Guidelines-1-1.pdf>>.



positive impacts of good mental health, rather than solely on the negative impacts of poor mental health. However, changing the perception alone is only the first step in reducing the stigma around mental health. ALSA acknowledges the significant negative consequences that poor mental health has on the individual. In changing the language used to discuss mental health, the stigma around mental health may be reduced over time.

### **Initiatives**

ALSA seeks to raise awareness of the signs and symptoms of mental health and to reduce the stigma surrounding mental health problems in the legal industry. ALSA undertakes to effectively collaborate with its affiliate members, law school staff and executives and the legal profession to ensure that all Australian law students enter the legal profession:

1. Understanding that good mental health is of vital importance to everyone;
2. Understanding that mental health may be impacted by various factors, including but not limited to:
  - a. Diagnosis of a mental health condition
  - b. Sexual harassment and bullying
  - c. Being from a culturally and linguistically diverse background
  - d. Being a member of the LGBTQIA+ community
  - e. Being an international student
  - f. Being from a disadvantaged financial background
  - g. Being from an Indigenous or Torres Strait Islander background
  - h. Living remotely or as a regional student
  - i. Mature age student
  - j. Disability
  - k. English as a second language
  - l. Being a parent or primary carer
  - m. Being the first person within your family to attend a tertiary education system
3. Understanding that poor mental health has negative impacts on an individual's wellbeing;
4. Understanding that poor mental health has negative impacts on an individual's performance, in turn, the standard of the legal profession and students' work product;
5. Acknowledging that law students and young legal professionals are most vulnerable to mental health issues;<sup>11</sup> and

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<sup>11</sup> Resilience@Law and Black Dog Institute (n 1) 3.



6. Understanding ways in which to respond to mental health issues, and having been provided with adequate skills, knowledge and resources to do so.

In undertaking to achieve this mission, ALSA and its affiliate members may consider but are not restricted to the below short and long-term initiatives:

*Short Term:*

- Take part in everyday leadership on the issue, including but not limited to council discussions and LSS/A engagement;
- Engage in regular thought leadership engagement on the issue, particularly to create positive messaging around good mental health, rather than focus solely on the negative impacts of poor mental health;
- Establish partnerships with key organisations in this space on the issue;
- Organise dedicated events on the issue;
- Provide opportunities for law students and emerging lawyers to support their peers and combat poor mental health through mental health first aid training;
- Establish a dedicated sub-committee or working group to engage with thought and action on the issue;
- Take part in a social media campaign to raise awareness and wellbeing;
- Equip our members with resources and knowledge to adopt mental health guidelines and seek ethical sponsorship.

*Long Term:*

- Partner with key organisations to develop a national student survey on the prevalence and causes of mental health problems in law students and emerging young lawyers around Australia which will be disseminated with the assistance of its affiliate members;
- Take part in an awareness-raising campaign concerning the issue;
- Continue to provide opportunities and support for its members to take part in mental health first aid training;
- Reviewing the current structure of ALSA and its ability to enact this mission. ALSA will seek to ensure that any affiliate members of ALSA wishing to have input into this process will be provided with an opportunity to do so through, for example, Council discussions. In this respect, ALSA will further continue to review this mission and its structure and progress, continuing promote lawyers and law students leading mentally healthy lives.