



THE UNIVERSITY  
*of* ADELAIDE

# National Wellness for Law Forum 2017

Rehumanising the Law and Legal Education  
Adelaide Law School

# 2017 National Wellness for Law Forum

# Rehumanising the Law

# and Legal Education

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The Forum theme for 2017 is 'Rehumanising the Law and Legal Education'. Within this theme we thought it would open up the opportunity to explore issues relating to such things as self-perception, diversity and inclusion (embracing age, race, gender, sexuality, religious conviction etc.), individual and institutional respect, and psychological empowerment in legal study and practice.

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# General Information

## Conference Venue

### Adelaide Law School

Ligertwood Building (Law School)  
The University of Adelaide  
North Terrace  
ADELAIDE SA 5005

Ph: 08 8313 5063

## Conference Contacts

### Kellie Toole

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## Dinner Venue

### Cathedral Hotel

45 Kermode Street  
NORTH ADELAIDE SA 5006  
Ph: 08 8267 2197

Please refer to map and dinner information provided in this program.

## Internet and Social Media

### Official Lex Salus Facebook page and YouTube channel

<https://www.facebook.com/Lex-Salus-Adelaide-Law-School-1561912847458306/>  
<https://www.youtube.com/channel/UCN5jQ44r8SmVn0txjaNcj3w>

### Official Wellness for Law Forum 2017 conference website

<https://law.adelaide.edu.au/lex-salus/conference/>

## Taxi

### Suburban Taxis

Ph: 131 008

### Yellow Cabs

Ph: 132 227

## Wi-Fi

Username:

Wellness

Password:

Wellness#1

# Forum Program

DAY 1 – Thursday 16 February 2017			
8.30 am	Registration, tea and coffee		Ligertwood Building Lecture Theatre 231
9.15 am	<b>WELCOME</b> Professor Melissa De Zwart Dean, Adelaide Law School		Ligertwood Building Lecture Theatre 231
9.20 am	<b>INTRODUCTION and WELCOME</b> Lex Salus Team, Adelaide Law School		Ligertwood Building Lecture Theatre 231
OPENING PLENARY SESSIONS – DIVERSITY AND WELLBEING			
9.30 am	<b>The Honourable Chris Kourakis</b> Chief Justice, South Australia Patron, Adelaide Law School’s Lex Salus program		Ligertwood Building Lecture Theatre 231
9.50 am	<b>Dr Tim Soutphommasane</b> Race Discrimination Commissioner Political Philosopher, Academic		Ligertwood Building Lecture Theatre 231
10.10 am	<b>Jake Edwards</b> Ex AFL Player Founder ‘Outside the Locker Room’		Ligertwood Building Lecture Theatre 231
10.30 am	<b>Natalie Wade</b> Young Australian Lawyer of the Year 2016 South Australia Young Lawyer of the Year 2016		Ligertwood Building Lecture Theatre 231
MORNING TEA 10.50AM-11.15AM			
11.15 am	<b>Kellie Toole</b> Addressing Diversity and Wellbeing – LGBTQI videos		Ligertwood Building Lecture Theatre 231
11.25 am	<b>Panel Discussion:</b> Chris Kourakis, Natalie Wade, Tim Soutphommasane, Jake Edwards, Manny Solis, David Caruso, Mary Heath		Ligertwood Building Lecture Theatre 231
CONCURRENT SESSIONS			
	<b>SELF-CARE AND PASTORAL CARE</b> <b>Room 111</b>	<b>RETHINKING THE PARAMETERS</b> <b>Room 112</b>	<b>GRADUATES AND ACADEMICS</b> <b>Room 113</b>
11.45 am	Institutional and Peer Support to Build Resilience <b>Adelaide University Counselling Service</b>	We Need to Change the Conversation Around Mental Health...Lawyers are Human Too <b>Marie Jepson</b>	Delivering Large Scale Mental Health and Wellbeing Training to Law Graduates: What Have We Learned and What Challenges Lie Ahead? <b>Judy Bourke and Michael Appleby</b>
12.15 pm	Looking After Your Most Precious Resource <b>Tomas Jajesnica: ‘Mr Meditate’</b>	Does the World Need a Legal System? <b>Lloyd England</b>	Law Teacher Stress: An International Comparison of the Effects of the Perceptions of Stress at Work of Law Teachers <b>Rachael Field and Colin James</b>
12.45 pm	Accessing Your Own Wisdom: An Experiential Workshop for Learning How to Reflect on Your Professional Practice Using Mindfulness and Creativity* <b>Bernadette Healy</b> <b>Chair: Jarrad Napier</b>	Building Resilient Professionals in an Age of Automation <b>Tania Leiman</b> <b>Chair: Corinne Walding</b>	<b>Chair: Florence Thum</b>

\*Maximum 12 participants

LUNCH 1.15PM-2.00 PM			
PLENARY SESSIONS			
2.00 pm	SAHMRI Wellbeing and Resilience Centre: Driving Profound Social Change by Improved Universal Psychological Literacy <b>David Kelly</b>	Ligertwood Building Lecture Theatre 231	
2.35 pm	Who are the Millennials? Implications for Resilience <b>Tim Dansie</b>	Ligertwood Building Lecture Theatre 231	
AFTERNOON TEA 3.10PM-3.30PM			
CONCURRENT SESSIONS			
	STUDENT PERCEPTIONS Room 111	CURRICULUM Room 112	CURRICULUM, ASSESSMENT & SUPPORT Room 113
3.30 pm	How Do Law Students Understand the Lawyer’s Role? A Critical Discourse Analysis of a First-Year Law Textbook <b>Meg Wooten</b>	Biodiversity, Planning and Regional Australia Study Tour: Unexpected Effects on Wellbeing <b>Margaret Castles and Paul Leadbeter</b>	Raising Global Legal Literacy - Monash Law's 'Law for Non-Lawyers' MOOC launched 2016 <b>Lloyd England</b>
4.00 pm	The Eye of the Beholder: Lawyers as Perceived by the Public <b>Lesley Jayasuriya, Tina Tran, Gaida Merei and Nick Michalakas, Thomas Blokland (Adelaide Law students)</b>	Reflecting on Humanity: Using Emotion in Family Law to Improve Student Wellbeing <b>Anne Macduff and Margie Rowe</b>	Building Reflective Practice and Resilience - Using Peer Performance Reviews in Clinical Legal Education to Prepare Interns for Real World Appraisals <b>Jocelyn Milne and Tania Leiman</b>
4.30 pm	A Missing Piece of the Puzzle? The Relationship between Empathy and Mental Health/ Wellbeing for Law Students <b>Becky Batagol, Adiva Sifris, Brett Williams</b>  <b>Chair: Morton Herschderfer</b>	Promoting Law Student Well-Being Through the Teaching of Threshold Concepts <b>Rachael Field</b>  <b>Chair: Mark Giancaspro</b>	The Role of Sessional Law Teachers in Promoting Student Wellbeing <b>Mary Heath and Anne Hewitt</b>  <b>Chair: Jarrad Napier</b>
END OF DAY			
CONFERENCE DINNER			
Cathedral Hotel, 45 Kermode Street, North Adelaide. Commencing at 7.00 pm.			
You are welcome to meet in the foyer of the Ligertwood Building (Law School) at approximately 6:40pm if you wish to walk to the venue with a group (approximately 15 minutes by foot).			
Please refer to map and information provided in this guide for further assistance.			

## DAY 2 – Friday 17 February 2017

### PLENARY SESSIONS – DIVERSITY AND WELLBEING

9.00 am	Registration, tea and coffee	Ligertwood Building Lecture Theatre 231
9.30 am	Squeezing the Life Out of Lawyers: Legal Practice in the Market Embrace <b>Margaret Thornton</b>	Ligertwood Building Lecture Theatre 231
10.15 am	Breathing Exercises <b>Greg Smith</b> (through Lex Salus YouTube)	Ligertwood Building Lecture Theatre 231
10.20 am	Listening – The Lost Art <b>Nicola Lipscombe</b>	Ligertwood Building Lecture Theatre 231

### MORNING TEA 11.00AM-11.30AM

#### CONCURRENT SESSIONS

	<b>FROM LAW SCHOOL TO PRACTICE Room 112</b>	<b>THE PROFESSION Room 113</b>
11.30 am	Being Well in the Law – A Positive Spin*	Wellbeing at The UK Bar: Practice Management, Resilience & Recovery – Education via Continuing Professional Development*
12.00 pm	<b>Tony Foley, Vivien Holmes, Margie Rowe, Stephen Tang, Colin James</b>  <b>*EXTENDED SESSION</b>	<b>Rachel Spearing and Robyn Bradey</b>  <b>*EXTENDED SESSION</b>
12.30 pm	Providing Mental Health and Wellbeing Training to Lawyers and the Managers of Law Organisations <b>Madeleine Dupuche and Michael Appleby</b>  <b>Chair: Tania Leiman</b>	Context Counts: Understanding How Lawyers Working with Traumatized Clients Experience their Workplace <b>Patricia Weir, Liz Jones and Nicola Sheeran</b>  <b>Chair: Mark Giancaspro</b>

### LUNCH 1.00PM-2.00pm

#### CONCURRENT SESSIONS

	<b>CURRICULUM Room 112</b>	<b>MENTORING AND STUDENT SUPPORT Room 113</b>
2.00 pm	The Wellness Doctrines <b>Jerome Doraisamy and Sher Campbell</b>	The Mentor's Journey of Empowerment <b>Samantha Kontra and Tania Leiman</b>
2.30 pm	Embedding Wellness in Law Curricula <b>Margaret Castles</b>	Mentoring Indigenous Students <b>David Plater and Manny Solis</b>
3.00pm	From Co-Curricular Activities to Curriculum Review: Lex Salus' Evolution <b>Mark Giancaspro and Corinne Walding</b>  <b>Chair: Claire Humble</b>	A Young Lawyer's Guide to Tackling the Early Years of Practice <b>Gabrielle Golding</b>  <b>Chair: Kellie Toole</b>

# DAY 1 - Thursday 16 February 2017

## Opening Plenary Sessions

### **PRESENTER**

**His Honour, Chris Kourakis CJ**

*Chief Justice, Supreme Court of South Australia*

Chris Kourakis is the ninth Chief Justice of the Supreme Court of South Australia. He was educated at Port Lincoln High School and the University of Adelaide (LLB, 1981) before being admitted to legal practice in 1982. He began his career at the Legal Services Commission and joined the bar in 1989. He was President of the Law Society in 2001-02 and is a former Solicitor-General, holding that position for five years before being appointed to the Supreme Court in 2008.

Since his appointment as Chief Justice in 2012, he has been an outspoken advocate for social justice issues including gender equity in the legal profession, and a reduction in the incarceration rates of Indigenous Australians and inclusivity for LGBTQI members of the profession.

### **Presentation**

The Chief Justice will discuss diversity and wellbeing in the legal profession: issues that have presented in the past and recent improvements.

### **PRESENTER**

**Dr Tim Soutphommasane**

*Australian Race Discrimination Commissioner*

Dr Tim Soutphommasane has been Australia's Race Discrimination Commissioner since August 2013. Prior to joining the Australian Human Rights Commission, Tim was a political philosopher and held posts at the University of Sydney and Monash University. His thinking on multiculturalism, national identity and patriotism has been influential in shaping debates in Australia and Britain.

Dr Soutphommasane is the author of four books: *I'm Not Racist But* (2015), *The Virtuous Citizen* (2012), *Don't Go Back To Where You Came From* (2012), and *Reclaiming Patriotism* (2009). He was co-editor (with Nick Dyrenfurth) of *All That's Left* (2010). Dr Soutphommasane was born in France and raised in southwest Sydney. He completed a Doctor of Philosophy and Master of Philosophy at the University of Oxford, and is a first-class honours graduate of the University of Sydney.

### **Presentation**

Dr Soutphommasane will speak about diversity, inclusion and wellbeing in the community and strategies for showing leadership in these areas.



## **PRESENTER**

### **Jake Edwards**

*Former AFL footballer; Founder, Outside the Locker Room*

Jake Edwards, ex AFL Player and son of football legend Allan 'Butch' Edwards experienced many highs and lows in his sporting career and lifetime. Diagnosed with depression at the age of 19 while on an AFL list, it wasn't until his career drastically ended that things became increasingly tough for the now 29 year old. Jake spent 4 years escaping pain through drinking and drug use, which eventually lead him to attempted suicide. As a survivor, Jake now dedicates his time to mental health awareness and speaks frankly about his experiences, sharing his inspirational story with young adults and corporates across Australia. Jake founded 'Outside The Locker Room', an organisation dedicated to working with teen and young adult sporting clubs, offering mentoring support and education on topics such as drugs, alcohol, depression and suicide. And thanks to the corporate support of EML this program will be implemented across our Riverland Football & Netball League in 2017.

## **Presentation**

Jake will offer insights into effective strategies for communicating with young adults about mental health.

## **PRESENTER**

### **Natalie Wade**

*Young Australian Lawyer of the Year 2016, South Australia Young Lawyer of the Year 2016, Human Rights and Disability Rights Advocate*

Natalie is a solicitor within the Department for Communities and Social Inclusion and has comprehensive experience working in human rights law, particularly relating to the rights of people with disabilities. She is the current Disability Rights Chair of Australian Lawyers for Human Rights and the Deputy Chair of the Law Society's special interest committee on Equality, Diversity and Inclusion.

Natalie has dedicated much of her time to research relating to participation of individuals with communication disabilities in courts. Following the introduction of the SA Disability Justice Plan, she prepared a comparative analysis of the law reform in South Australian and Commonwealth jurisdictions to evaluate their effectiveness in upholding the international human rights of people with communication disabilities. Natalie is also a volunteer with the Refugee Advocacy Service of SA and an advisory member to *Every Women, Everywhere Campaign*.

Natalie's advocacy for law reform and outstanding work as a lawyer earned her the prestigious Young Australian Lawyer of the Year 2016 Award and the South Australia Young Lawyer of the Year 2016 Award. Her qualifications include Bachelor's degrees in Laws and Commerce from the University of Adelaide and a Master of Laws (Legal Practice) from the Australian National University.

## **Presentation**

Natalie will discuss wellbeing relating to inclusion and diversity, and disability rights in law school and the profession.



## **PRESENTER**

**Kellie Toole**

*Lecturer, Adelaide Law School*

Kellie Toole is a founding member of the Adelaide Law School's Lex Salus (law and wellbeing) program. She teaches criminal law, evidence law and military disciplinary law.

## **Presentation**

### **Addressing Diversity and Wellbeing – LGBTQI videos**

In 2016, Kellie received an Equity and Diversity grant from the Faculty of Professions to record interviews promoting support for LGBTQI students. She will give a brief background to the project and show the promo for the interview series as a lead in to the panel discussion on diversity.

## **Panel Discussion**

## **PRESENTER**

**David Caruso**

*Senior Lecturer, Adelaide Law School*

David lectures in the laws of evidence, crime, trial procedure, ethics and advocacy. He is the Foundation Director of the Litigation Law Unit which collaborates with domestic and international partners in the public and private sectors to conduct comparative and interdisciplinary programs to examine and develop litigation systems across Australia, India and China. It also works with the Higher Courts of South Australia and the Courts Administration Authority, through an MOU with the Chief Justice of South Australia. David is also the Chief Executive Director of the China Australia Research Partnership for Judicial Civilisation and Special Counsel to Fisher Jeffries|Gadens where, he practises in commercial litigation specialising in banking and financial services and intellectual property. He has conducted matters in the Magistrates, District, Supreme and Full Supreme Courts of South Australia.

## **Presentation**

### **Panel Discussion**

While President of the Law Society of South Australia in 2016, David Caruso used his position and media profile to advocate for social justice issues and reforms within the profession including access to justice, Aboriginal heritage, the risk of suicide among lawyers, the costs of sexual harassment and asylum seeker rights. He will join the panel discussion on Thursday morning to share his reflections on diversity and wellbeing in the law, and the role of law societies in promoting awareness and facilitating positive change within the profession. Copies of his weekly 'Points of Law' opinion pieces published in *The Advertiser* are available at [tinyurl.com/zplwfv9](http://tinyurl.com/zplwfv9).

## Concurrent Sessions 11:45am

### PRESENTERS

#### Colleen Lewig

*Associate Director, Student Life (Counselling, International Student and Disability Support Services), University of Adelaide*

#### Ben Chandler

*Student Health & Wellbeing Project Officer (Counselling, International Student and Disability Support Services), University of Adelaide*

Colleen Lewig is the Associate Director of Student Life, which incorporates the University's counselling, international student and disability support services. She is a social worker with 20 years' experience in trauma counselling and domestic violence case work in Australian and PNG.

Dr Ben Chandler is the University's Student Health & Wellbeing Project Officer, coordinating numerous projects in the student health and wellbeing space across the University's three campuses. He has a background in professional communications, media production, training, and education

### Presentation

#### **Institutional and Peer Support to Build Resilience**

The new Student Life Unit will present on the initiatives that the University has trialled to build student resilience and boost student wellbeing. They will discuss the various resources and services available to you through Student Life to help you not just survive your studies, but thrive while you're here. They will also provide details on other initiatives, projects, and events happening around the campus you can get involved with, including the new Student Health & Wellbeing Ambassadors Program, and describe the pilot project on embedding wellness education in curriculum through the example of the University of Adelaide Bachelor of Dentistry course.

### PRESENTERS

#### Marie Jepson

*Executive Director and Co-Founder, Tristan Jepson Memorial Foundation*

Marie Jepson is the Executive Director and Co-founder of the Tristan Jepson Memorial Foundation.

### Presentation

#### **We Need to Change the Conversation Around Mental Health – Lawyers are Human too**

Over the past 12 years of raising awareness of mental ill-health in the legal profession, initiating Courting the Blues research and releasing the TJMF Psychological Wellbeing: Best Practice Guidelines what are the insights, learning and unintended consequences that can inform us going forward.

## **PRESENTERS**

### **Judy Bourke**

*Senior Lecturer, Practical Legal Training, College of Law*

### **Michael Appleby**

*Lecturer, Practical Legal Training, College of Law*

Judy Bourke is a Senior Lecturer - Practical Legal Training at the College of Laws. She is a solicitor with over 30 years' experience in a legal environment, including city and suburban firms, sole practice and in practical legal education.

Michael Appleby is a Lecturer in Practical Legal Training at the College of Laws. He has experience as a solicitor at Turner Freeman, practising personal injury from 1981-1982, ALAO litigious practice including AAT, family and crime from 1982-1983 and was a Partner at Collins and Stephens focusing on a broad range of both contentious and non-contentious matters from 1983-1988. He was also partner and sole practitioner at Appleby & Nilson focusing on a broad range of litigious and commercial matters from 1988-2001 and a partner at Watkins Tapsell, practising in commercial litigation and having responsibility for practice development from 2001-2003. Prior to coming to The College of Law, Michael was an Adjunct Lecturer at The University of Sydney Law School.

## **Presentation**

### **Delivering Large Scale Mental Health and Wellbeing Training to Law Graduates: What have we learned and what challenges lie ahead?**

The College of Law introduced a mental health workshop as part of its curriculum for all PLT students in 2011. The workshop provides information about mental health issues in the profession, seeks to develop students' resilience skills, stress management skills and some mental health literacy, and attempts to better equip new lawyers to meet challenges as they enter into the profession. We celebrate the fact that about 20,000 students nationwide have now attended the workshop. In this session the presenters reflect on the lesson learned from developing and running the workshop and look forward to what mental health training in the PLT sector might look like in the future.

## Concurrent Sessions 12:15pm

### **PRESENTER**

**Tomas Jajesnica**

*Chief Meditation Officer, Mr Meditate*

After years of working for the legal profession, Tomas Jajesnica decided to do something about the increasing mental health concerns of the profession. He is the Chief Meditation Officer at Mr Meditate, a corporate training organisation which helps to create and maintain positive workplace cultures by fostering greater productivity, enhanced individual performance and wellbeing. Mr Meditate has facilitated to over 12,500 professionals, 30 law firms and more than 500 sessions at NAB. It offers practical solutions to help organisations create optimum performance

### **Presentation**

#### **Looking after your most precious resource**

The mind. We depend on it for our thoughts, feelings and performance. It helps us to concentrate, be creative and get things done. And yet, we don't take any time out to look after it. In fact, most people spend more time looking after their appearance, their cars and even their hair. According to Harvard Business School, our minds are lost in thought 47% of the time. Forty seven percent! That's almost half of our lives ruminating about the past or projecting into the future. And this sort of constant mind-wandering is also a direct cause of unhappiness and unproductivity which impacts the entire legal community. This workshop sets context of key areas to address (busyness, pressure, overload of information, uncertainty) and the impacts it has on the wellbeing of the legal profession. It offers experiential learning components with instructional cards and tips on how to implement the techniques. During this session, participants will learn and practice strategies to master a loud, chatty and wandering mind and at the same time helping it focus, concentrate and make better decisions. It introduces simple and practical techniques that can be applied anywhere, anytime. These tools help to stay focused, think imaginatively and de-stress quickly, leaving participants empowered to continue and explore on their own.

After attending this session, participants will be able to clearly understand how meditation transforms by creating: Stellar Work Performance: Attention training, strong achievement drive, ability to influence & improve self-confidence; Cognitive Skills Training: Creating useful mental habits, improved memory, concentration and creativity; Improvement of Wellbeing: Increasing resilience and emotional intelligence, training healthier minds to reduce anxiety & depression

## **PRESENTER**

### **Lloyd England**

*Justice of the Peace; Lecturer and Co-Convenor, Legal Practice Programs, Monash University Faculty of Law; College Head, Roberts Hall, Monash Residential Services*

Lloyd is a Justice of the Peace, a Lecturer and Co-Convenor of Legal Practice Programs at Monash University Faculty of Law and the College Head of Roberts Hall for Monash Residential Services. He has a strong background in legal teaching since 2007 and delivering student experience initiatives in the space of employability. He also researches and publishes in law student health and wellbeing. Lloyd holds a Bachelor of Laws (Hons) from Leicester University, a Postgraduate Diploma of Legal Practice with Commendation from the College of Law of England and Wales, and worked in the US Capital Markets team of Shearman & Sterling, London office before migrating to Australia. Lloyd also holds a Master of Laws (Intellectual Property) from Monash, and is registered as Trade Marks Attorney in Australia and New Zealand.

## **Presentation**

### **Does the World Need a Legal System?**

Lloyd discusses the empowering nature of a legal awareness, and how a basic comprehension of the legal system in which a person lives can help them live more harmoniously by understanding the rules of their life and the society they chose to live in, so that they may better understand their rights and responsibilities, and better contribute to avoiding and resolving disputes and making their world, whether immediate, local, regional or national, a better, more successful and harmonious place. In a separate session at this conference, 'Raising Global Legal Literacy - Monash Law's 'Law for Non-Lawyers' MOOC', Lloyd considers the process or 'how' of delivering a course considering this issue.

## **PRESENTERS**

### **Rachael Field**

*Professor of Law, Bond Law School*

### **Colin James**

*Lecturer, Practical Legal Training, ANU*

Rachael joined Bond Law School as a Professor in 2016. Her areas of research expertise include legal education, dispute resolution, family law and domestic violence. Rachael has received a number of national teaching awards including a national citation in 2008, a national teaching fellowship in 2010 (through which she developed curriculum practices for the promotion of law student wellbeing) and a national teaching excellence award in 2014. Rachael is the founder of the Australian Wellness Network for Law, which is now expanding internationally. She is also co-founder of the Australian Dispute Resolution Research Network. She has a portfolio of more than 75 scholarly publications, and is the co-author of four books. Rachael has volunteered on the management committee of Women's Legal Service Queensland since 1993. She has been president of the Service since 2004. In 2013 Rachael was named Queensland Woman Lawyer of the Year.

Dr Colin James, a solicitor since 1989, has published in many fields associated with legal education, legal history, legal practice and the well-being of law students and lawyers. With qualifications in law, history and psychology, Colin presents at many national and international conferences. He was chief investigator in a study (with Dr Nicola Ross) of how experienced lawyers respond to serious cases of domestic violence. He was a member of a team investigating academic integrity policies and practices in the Australian tertiary sector and published several papers on encouraging academic integrity in legal education to promote professional identity in law students.

Other projects include (with Jenny Finlay- Jones) studying the emotional intelligence of graduate lawyers, and (with Felicity Wardhaugh) with law students on clinical placement, and studies on resilience, habits and psychological strengths as strategies for thriving in legal education and practice. Colin is contributing editor (with Associate Professor Rachael Field and James Duffy) of a book titled 'Promoting Law Student and Lawyer Well-Being in Australia and Beyond', and has supervised PhDs and DBAs on topics ranging from domestic violence and sexual assault survivors, industrial ethics and worker safety practices, and first-responders' powers of detention in a mental health emergency.

## **Presentation**

### **Law teacher stress: An international comparison of the effects of the perceptions of stress at work of law teachers**

Research in Australia and America has shown that law students' wellbeing may significantly decrease during their undergraduate degree. However, little research to date has explored the wellbeing of academic staff who deal with such stressed students. This paper describes a proposed national study of Australian legal academics, following a UK model conducted by Ms Caroline Strevens and Dr Claire Wilson at the University of Portsmouth. The project (ANU HRE 2016/680) will invite law teachers to complete a survey that includes a number of psychometric scales as well as open questions. Interim results of the UK study show that while most law teachers did not show major signs of depression, 42% reported experiencing significant stress and most reported that stress was related to work, including negative thoughts, work load, pace of change and increased responsibility and reduced control at work. Since the project is non-identifiable, individual participants will not obtain their personal results; however the overall results should reveal risk patterns and common experiences and may assist in design of support systems and legal education programs that minimise unnecessary stress on law teachers, so they in turn can maximise their capacity to respond effectively to law students.

## Concurrent Sessions 12:45pm

### **PRESENTER**

**Bernadette Healy**

*Director and Principal Psychologist, Re-Vision Group*

Bernadette Healy is the director and principal psychologist of The Re-Vision Group, which is a boutique consultancy operating over the past 15 years in a range of industry sectors including legal and financial services, health, manufacturing, education and the not for profit sector. Bernadette has been managing the health and wellbeing counselling services for members of The Victorian Bar and their families for more than 7 years. This work was recognized in the Australian Psychological Society (APS) 2015 Workplace Excellence Awards in which the Re-Vision Group was named as a finalist in the Workplace Health and Wellbeing category. Bernadette advises and delivers seminars, workshops and individual programs on a range of topics including: reflection on professional practice; psychological health and safety in the workplace; improving wellbeing for professionals in the law; vicarious trauma; resilience; self-care; understanding and managing the impacts of work stress on relationships; and creative strategies for enhancing professional performance. Bernadette has particular expertise in supporting the wellbeing of members of the legal profession.

### **Presentation**

#### **Accessing Your Own Wisdom: An Experiential Workshop for Learning how to Reflect on Your Professional Practice Using Mindfulness and Creativity**

This workshop is about exploring professional practice issues mindfully and creatively. The workshop will be practical and participants will learn 2 simple relaxation strategies. Participants will be guided through a mindfulness practice focusing on an individually-chosen moment from their professional domain. Typically the moments that are chosen have a quality of something being left unfinished or not understood. Emotions such as confusion, annoyance or even elation might be left behind in the following days or weeks (may also be a longer time period). The chosen moment will then be explored using 3 different arts-based practices (movement, visual representation and writing). The exploration process will be individual. The workshop will also involve conversations with other participants about the experience of the process.

The focus of the workshop will be experiential and participants will:

1. Learn breathing and body-scanning techniques;
2. Explore moments of interest from their professional domain;
3. Practice a mindfulness approach incorporating embodied understanding of stressors;
4. Have the opportunity to represent understanding in a creative form;
5. Potentially create insight pathways from recognition of the moment as of interest to new ways of understanding the moment; and
6. Be better placed to recognize, explore and understand future 'stand-out' moments



## **PRESENTER**

**Tania Leiman**

*Senior Lecturer in Law and Associate Dean (Teaching and Learning), Flinders University Law School*

Tania Leiman is Associate Dean (Teaching and Learning) at Flinders Law School. She currently teaches tort law and legal analysis and problem solving. She has received individual and team university teaching excellence awards, an individual ALTC citation and a team OLT citation. Her current research interests include disruption in the legal profession, automated vehicles, blockchain, artificial intelligence, and legaltech.

## **Presentation**

### **Building Resilient Professionals in an Age of Automation**

This presentation seeks to explore what it means to be human and a lawyer in an age of increasing automation and legal technology. Recent innovations in the legal services sector have brought rapid changes including automated document production and review, e-discovery, predictive analysis, artificial intelligence and legal chatbots. These are taking place in a broader context of societal change - use of robotics in manufacturing; fully automated, driverless vehicles predicted to be widely in use by 2030; and blockchain technology enabling secure real time tracking of financial and other transactions.

Authors and futurists such as Richard and Daniel Susskind, Martin Ford, Alec Ross<sup>3</sup> George Beaton and Imme Kaschner<sup>4</sup> point to big changes in the professional services industry, including the legal sector. The American Bar Association's Commission on the Future of Legal Services released its *Report on the Future of Legal services in the United States* in August 2016. Together these forecast an experience for professionals very different to their current participation in the workplace. These changes are set against a backdrop of a bigger conversation about the future of work itself. This level of disruption is mirrored in legal education, although arguably may yet to be fully appreciated by Law Schools. Five factors identified as disrupting legal education in the US (disruption in legal services, nonconsumption of legal services, policy/licensure changes, disruption in higher education, and nonconsumption of legal education <sup>6</sup> apply equally in Australia.

## **Afternoon Plenary Sessions 2:00pm**

## **PRESENTER**

**David Kelly**

*Project Lead – Ageing, Youth and Communities*

## **Presentation**

### **The SAHMRI Wellbeing and Resilience Centre**

(WRC) is researching and creating new knowledge for the world, about how to build wellbeing at scale in a democracy, driving a profound social change driven by improved universal psychological literacy. David Kelly will present the case for the development of the PERMA+ model applied to both individual measurement and the research and evaluation of projects. The presentation will highlight

how the WRC is managing the complexities of demand for the academic rigour of a research institution, and the dynamism of a psychological services entity driving population behaviour change across a state. It will describe the large scale affordable resilience training on offer to teachers, aged care workers, employees and manufacturers and summarise an affordable strategic approach to building an integrated platform for positive psychology and resilience training and education.

David Kelly is an experienced strategist and program planner with a 30-year commitment to working with disempowered communities. In the non-government sector, in local and state government and in his own business, he has achieved national recognition for creativity and innovation in community development and aged care. His success is based on the deeply held belief that communities change for the better when citizens of all ages are active and creative participants in community development processes rather than passive consumers of services. David is the principal of David Kelly and Associates – a company he established in 2002 with specialisations in program planning, strategy and organisational development in the ageing and community sectors. He completed a two-year term as deputy CEO of the Australian Centre for Social Innovation before joining the SAHMRI Wellbeing and Resilience Centre to lead the development of Ageing, Youth and Community projects.

## **PRESENTER**

**Tim Dansie**

*Registered Teacher and Psychologist, Tim Dansie Psychology*

Tim Dansie is a registered Teacher and Psychologist. He spent 12 years working in schools as a Teacher/Psychologist before establishing his own practice, Tim Dansie Psychology. As well as working individually with children and families, he consults to the Independent Schools Association, the Catholic Schools Association, the Education Department of South Australia, and the Adelaide Crows Football Club, and acts as a Career Guidance person to the Adelaide United Soccer Club.

## **Presentation**

### **Understanding and Building Resilience in our Students and Taking Care of Ourselves**

This session will consider the characteristics of the student cohort that is currently entering university from secondary schooling. It will reflect on the reasons for the limited resilience evident in this group of students, and provide strategies for building resilience in students to set them up for success. It will also address self-care for lecturers.

## Concurrent Sessions 3.30pm

### **PRESENTER**

**Meg Wootten**

*Senior Lecturer in Law and Associate Dean (Teaching and Learning), Flinders University Law School*

Meg is a recent graduate of the ANU, graduating with LLB (Hons I) and a Psychology degree with a strong interest in legal education and wellbeing. She began teaching in the ANU Science Peer-Assisted Learning (PAL) program in 2012 before establishing the ANU College of Law's PAL program in 2014, for which she was awarded an ANU College of Law Education Award in 2015. She has also been teaching as a tutor since 2015 and is an Associate Fellow of the Higher Education Academy. Meg is currently completing her GDLP, working at the ACCC and continuing to tutor at the ANU.

### **Presentation**

#### **How Do Law Students Understand the Lawyer's Role? A Critical Discourse Analysis of a First-Year Law Textbook**

It is now widely known that the first year of law school is a critical juncture for law students in terms of their wellbeing. However, the contributing factors to law student wellbeing are less clear. This presentation presents the findings from the author's Honours thesis, which critically examined how lawyers and law students are represented in a dominant first-year law textbook and how that may impact student wellbeing. Drawing upon the work of Elizabeth Mertz in the US, this research for the first time examines the relationship between language in Australian legal education and students' psychological wellbeing. The author conducted a critical discourse analysis of the dominant first year textbook *Laying Down the Law* (Cook et al, 9th ed) to shed light on how the language of law school constructs lawyer and law student identities. While the representations are multi-faceted, the author argues a representation of lawyers and law students which privileges positivism, dehumanisation and erasure of emotions is dominant in the text. Using the lens of Self-Determination Theory (Deci & Ryan, 2008), the author suggests such representations may negatively impact students' wellbeing, self-perception and feelings of empowerment. This research is an important and original contribution to the Australian scholarship on the relationships between legal education and wellbeing, and would be valuable to legal educators, curriculum designers, textbook authors and researchers in the wellness community.

### **PRESENTERS**

**Paul Leadbeter**

*Senior Lecturer, Adelaide Law School*

**Margaret Castles**

*Senior Lecturer, Adelaide Law School*

Paul Leadbeter is a senior lecturer at the Adelaide Law School. He teaches administrative, environmental and planning law, having worked as a legal practitioner for 25 years, primarily in the

areas of environment and planning. He still undertakes consultancy work in his areas of specialisation.

Margaret Castles is a senior lecturer at the Adelaide Law School. She teaches in the areas of dispute resolution and is the Director of the school's clinical program. She has worked as a litigation solicitor and a policy lawyer with the Commonwealth Government, in the areas of civil litigation, administrative law, OHS and child support law.

## **Presentation**

### **Biodiversity, Planning and Regional Australia Study Tour: Unexpected Effects on Wellbeing**

The Adelaide Law School's Biodiversity, Planning and Regional Australia Study Tour takes students into regional Australia for 7 days to examine the impact of federal and state laws on our diverse environments, towns and peoples in regional South Australia. The course was designed to assist students to develop skills in biodiversity and planning law as well as enrich their Indigenous cultural awareness. However, there have been two unplanned, (but with hindsight not unsurprising) results of the course that have implications for student wellbeing that can be considered for future course and curriculum development. First, the peer relationships that develop during the study tour have improved student support and sense of inclusion. Secondly, the informal and extended contact with staff members has further enhanced student inclusion and provided insights into the student experience that cannot be captured by more formal student evaluation.

## **PRESENTER**

### **Lloyd England**

*Justice of the Peace; Lecturer and Co-Convenor, Legal Practice Programs, Monash University Faculty of Law; College Head, Roberts Hall, Monash Residential Services*

\*Lloyd England's bio s outlined on Page 13.

## **Presentation**

### **Raising Global Legal Literacy - Monash Law's 'Law for Non-Lawyers' MOOC launched 2016**

Monash Law attracted over 11,000 Learners to the first offering of a free on-line course, designed for anyone and everyone and aiming to raise legal consciousness around the common law world, empowering citizens to resolve their own conflicts. This course explores key areas of the common law, using Australian law as an example, then empowers Learners from around the world to research and locate their laws to see how law is applied in their jurisdiction. In taking law to everyone, the key was to allow basic simple access to legal understanding whilst scaffolding more comprehensive learning for Learners wishing to deep dive and fully explore concepts. This paper focuses on the process or 'how' of delivering a course considering the 'why' question of 'Does the world need a legal system?', which Lloyd canvasses in a separate session at this conference.

## Concurrent Sessions 4:00pm

### PRESENTERS

**Lesley Jayasuriya, Tina Tran, Gaida Merei, Nick Michalakas, Thomas Blokland**  
*Law Students and Lex Salus Volunteers, Adelaide Law School*

### Presentation

#### **The Eye of the Beholder: Lawyers as Perceived by the Public**

In an age saturated by pop culture, the media and its portrayal of the real world influence society more than ever. News, television shows and movies often make lawyers out to be greedy, manipulative and evil, and the profession is seen to be glamorous and thrilling. These often inaccurate portrayals can mislead the public's perceptions and expectations of the profession. Consequently, this can have a detrimental effect on the mental health and wellbeing of law students and professionals broadly. This presentation will explore stereotypes, good and bad, as represented by the media and discuss their influences upon those aspiring towards and within the legal profession.

### PRESENTERS

**Anne Macduff**  
*Senior Lecturer in Law, ANU*

**Margie Rowe**  
*Senior Lecturer in Law, ANU*

Drawing upon a range of critical theories, including feminist, postcolonial and queer theories, Anne Macduff's research explores how law devalues difference. She has a particular interest in exploring issues of law and identity, including race, gender and sexuality. For instance, Anne's PhD thesis challenges the claim that Australian citizenship law is neutral and inclusive, and argues that the current laws construct a particular racialized and gendered citizen subject. Anne's interest in critically examining the way law excludes certain identities includes other areas of law, including tenancy, public law and family law. Anne's research also explores the way that legal education devalues difference. Anne has published on critical thinking, reflection and portfolios. She has also published on student workload.

Margie Rowe's research interests have been in legal education and preparing students for professional practice. She has been part of the Transition to Professional Practice Project which investigates the development of professionalism, ethics and wellbeing and identifies what helps junior lawyers thrive as well as factors that contribute to distress.

### Presentation

#### **Reflecting on Humanity: Using Emotion in Family Law to Improve Student Wellbeing**

The negative impact of studying law has been observed generally in the literature, with some research conducted at the ANU. ANU law students report signs of being 'lost and overwhelmed', a 'lowered self-confidence', and 'disconnection and intolerance'. In a recent report by ANU Law

students, 'Breaking the Frozen Seas', law students reported finding it a struggle to find a place to belong in law school, and experience cognitive distress at feeling as if they have to suffocate their existing identities and values because they are inconsistent with their learning of law. These feelings and experiences suggest that it is urgent that we find new ways to think about legal education in order to address these challenges to students, which are only likely to detract from our student's mental health and wellbeing.

We argue that the cognitive distress in the study of law can be addressed through innovative approaches to legal education. Rather than ignore the human element of the cases that we present and discuss, we argue that a better approach would be to articulate and acknowledge the impact that the law and its cases has on the participants. In our undergraduate Family Law course, we have explicitly used reflection throughout the course to prompt students to reflect on the way that their personal values generate reactions which impact on the way they understand the legal material that they are studying. We use reflection to support the students in articulating the emotions and values underpinning their reactions, and as a lens to generate insight into how they understand themselves as participants, as law students, as future family law professionals, or as future citizens with a law degree. We have found that used appropriately, reflective activity creates a valued and welcomed opportunity to review the humanity of law, ameliorates the cognitive distress and empowers students to articulate a sense of belonging in the law school.

## **PRESENTERS**

### **Jocelyn Milne**

*Supervising Solicitor and Practice Manager, Flinders Legal Advice Clinic*

### **Tania Leiman**

*Senior Lecturer in Law and Associate Dean (Teaching and Learning), Flinders University Law School*

Jo Milne is both a supervising solicitor and the Practice Manager of the award-winning Flinders Legal Advice Clinic, a service provided by Flinders University Law School. She has been with the Clinic since July 2013. She was a guest lecturer for the Masters of Psychology (Forensic) at the University of South Australia and has also taught in the Tort Law course at Flinders University. Upon her admission as a lawyer in 1985, Jo worked in private legal practice initially in a country legal practice and later in both suburban and city legal practices. She has also worked briefly as a Deputy Registrar of the Family Court of Australia and for six years as Senior In-House Counsel with a large non-Government education body.

\*Tania Leiman's bio is outlined on Page 16.

## **Presentation**

### **Building Reflective Practice and Resilience - Using Peer Performance Reviews in Clinical Legal Education to Prepare Interns for Real World Appraisals**

This presentation reports on the use of peer performance reviews at the Flinders Legal Advice Clinic to build reflective practice and workplace resilience. The requirement to work closely in teams with others, on complex legal matters, under tight deadlines and to meet exacting standards of

supervision present challenges for most people. This work environment is nevertheless a reality for many lawyers and legal professionals. Many law students, however, and especially those from non-traditional backgrounds, have little experience of working in such a professional environment. These demands, their interactions with supervisors and colleagues and the workplace culture can be as much of a shock and pressure as the nature of the work required to be undertaken. Students' own perception of their strengths or weaknesses may not coincide with the perceptions colleagues have of them. Difficulties in managing interpersonal workplace relationships may be magnified where students are not provided with a structured way to reflect on their own and their peers' performance.

Recognising this, in March 2015, Flinders Legal Advice Clinic instituted a program of peer performance reviews designed to allow student interns to reflect on their own participation in the clinic and to provide feedback and suggestions for areas of development to their peers. The aim of this program was not only to allow students to reflect on their own performance and possible areas of challenge and improvement, but also to gain understanding of the perception others had of them. Believing that it is important for our own wellbeing that we recognise how we are perceived by others, the program was designed to provide for honest appraisals in a safe and supported environment, and to give students an experience that could build their resilience when encountering actual appraisals in current or future legal workplaces. Peer performance reviews take place initially in week 3 of the internship and then again at its conclusion. Students are asked to respond online to questions about professionalism, commitment, drafting ability and care, teamwork, reliability, and independence. The clinic supervisor collates individual and peer responses and then discusses these in structured one-on-one interviews with each intern. The program has been conducted across 4 semesters in 2015 and 2016. Feedback from interns has shown how valuable this process has been in helping them recognise their strengths and weaknesses, areas for potential improvement, and strategies that they can use to overcome challenges.

## Concurrent Sessions 4:30pm

### **PRESENTERS**

**Becky Batagol**

*Senior Lecturer, Faculty of Law, Monash University*

**Adiva Sifris**

*Senior Lecturer, Faculty of Law, Monash University*

**Brett Williams**

*Associate Professor in Medicine, Nursing and Health Sciences; Head, Department of Community Emergency Health and Paramedic Practice, Monash University*

### **Presentation**

**A Missing Piece of the Puzzle? The Relationship between Empathy and Mental Health/ Wellbeing for Law Students**



This paper will report on findings of study to assess whether there is a link between empathy levels and mental health/wellbeing for law students at Monash University. The link between empathy and mental health in tertiary students is unclear. However, there is evidence to suggest that the connection between empathy and mental health/wellbeing should be investigated.

We have chosen to focus on law students because research has suggested that law students experience a statistically significant increase in symptoms of depression from the beginning to the end of the first year of university (O'Brien, Tang and Hall 2012; Lester and England 2011; Kelk et al 2009). Previous research has revealed a connection between thinking style and depressive symptoms, with more experiential, emotionally-oriented thinking appearing to have some protective effect against greater depressive symptoms for law students (O'Brien, Tang and Hall 2012). Our own previous research into empathy levels at of law students as compared with health science students at Monash University has shown that law students had lower empathy levels than health science students (Sifris, Williams and Kourdouli, 2015).

While it is generally recognised that empathy is an important skill for lawyers and a necessary component of good communication, our study seeks to expose the potential value of increasing empathy in law students not from the perspective of effective lawyering, but from the perspective of improving the mental health of law students and legal practitioners. Given research suggests that empathy can be taught, these findings may hold one of the missing pieces of the puzzle to achieving increased positive wellbeing amongst law students and the legal community

## **PRESENTERS**

**Rachael Field**

*Professor of Law, Bond Law School*

\*Rachael Field's bio is outlined on Page 13.

## **Presentation**

### **Promoting Law Student Well-Being Through the Teaching of Threshold Concepts**

The psychological well-being of law students is now internationally recognised as an important issue for contemporary higher education. This is because the psychological health of students is critically linked to their capacity to learn effectively. Law student well-being is a complex issue, impacted and influenced by many contextual variables as diverse as the neo-liberalist nature of society and educational environments, and student diversity. Notwithstanding these complexities there are actions we can take as tertiary educators to promote the psychological well-being of our students and thereby support student learning outcomes. For example, the positive psychology meta-theory of self-determination theory (SDT) offers a framework for intentional curriculum design which focuses on the elements of SDT's Basic Human Needs sub-theory - autonomy, relatedness, competence and intrinsic motivation. This paper seeks to demonstrate that the teaching of threshold legal concepts within this framework is one method of positively supporting student well-being and student learning. The paper argues that the core motivation for legal academics to design curriculum in this way should be an ethical one and suggests that curriculum design that intentionally supports student well-being can also be linked to a positive professional identity for legal educators.

## **PRESENTERS**

**Mary Heath**

*Associate Professor in Law, Flinders University*

**Anne Hewitt**

*Associate Professor in Law, University of Adelaide*

Mary Heath is an associate professor at Flinders University who teaches criminal law. She is an activist for womens' and LGBTQI issues.

Anne Hewitt studied Arts and Law at the University of Western Australia. After graduating from Law she completed her articles of clerkship with Arthur Robinson and Hedderwicks (now Allens) in Perth, before moving to Melbourne to work in commercial and intellectual property litigation. In 2003 Anne relocated to London to complete a Master of Laws degree at King's College, University of London, and in 2005 found her way to Adelaide and commenced work at the University of Adelaide as a Lecturer in the Law School. Anne is an Associate Professor in the School and teaches civil procedure and dispute resolution, and has a particular interest in anti-discrimination and equality law. She represented SA on the Law Council of Australia's Equalising Opportunities in the Law Committee for five years, and is a member of the editorial board of the Legal Education Review.

## **Presentation**

### **The role of sessional law teachers in promoting student wellbeing**

In Australian law schools, sessional teachers undertake a large and increasing proportion of teaching. This is particularly the case with small group teaching, such as tutorials, seminars and online facilitation. Yet, our research reveals that support and professional development for Australian sessional law teachers is inadequate. We argue that the development and support that sessional colleagues require goes beyond assistance with teaching techniques and pedagogy narrowly defined. It extends to support in dealing with student wellbeing. This form of support is more urgent than ever, given Australian law students are self-reporting high to very high levels of psychological distress.

*'Smart Casual': Promoting Excellence in Sessional Teaching in Law* is a national project funded by the Australian Government Office for Learning and Teaching, to develop a suite of law-specific teaching development modules to support sessional teachers. The modules cover a range of topics including Wellbeing in Law, and draw on our own best practice as well as on the scholarship of learning and teaching.

In this presentation, we discuss the role of sessional law teachers in promoting student wellbeing and, using the *Smart Casual* Wellbeing in Law module as a guide, we provide suggestions and strategies for supporting law student wellbeing in the face-to-face and digital law classroom. We also address the importance of sessional law teachers' wellbeing.

## DAY 2 – Friday 17 February 2017

### Plenary Sessions

#### **PRESENTER**

**Margaret Thornton**

*Professor of Law and Public Policy Fellow, ANU*

Margaret Thornton (FASSA, FAAL) is Professor of Law and ANU Public Policy Fellow at the ANU. Her current ARC-funded research project, 'Balancing Law and Life', entails a study of gender and corporate law firms in a global context. Her publications include *Privatising the Public University: The Case of Law*, Routledge, 2012.

#### **Presentation**

##### **Squeezing the Life Out of Lawyers: Legal Practice in the Market Embrace**

Neoliberalism is the dominant ideology of our time and shows no sign of abating. The undue deference accorded the economy and capital accumulation means that comparatively little attention is paid to the pressures this involves for workers. Although conventionally viewed as privileged professionals, lawyers in corporate law firms have been profoundly affected by the neoliberal turn as firms have expanded from local to national, to global entities, with the aim of maximising profits and making themselves competitive on the world stage. Although corporate clients may be located in a different hemisphere they still expect 24/7 availability of lawyers in contrast to what they normally expect of other professionals, such as accountants. A corollary of global competition is the ratcheting up of billable hours, which has engendered stress and depression. The pressure for firms to be more productive has resulted in increased levels of incivility, including bullying. Despite a plethora of reports attesting to the deleterious effects of stress, scant attention is paid to the neoliberalisation of legal practice. This article argues that the tendency to individualise and pathologise the adverse effects of stress and uncivil behaviours deflects attention away from the political factors that animate them.

#### **PRESENTER**

**Greg Smith**

*Counsellor, University of Adelaide Counselling Service*

#### **Presentation**

Greg's video demonstrating some useful 'in your chair' breathing exercises will be shown. Greg has extensive experience as a counsellor and works closely with the Adelaide Law School's Lex Salus team to develop strategies to assist law students to maintain sound psychological wellbeing.

## **PRESENTER**

**Nicola Lipscombe**

*Professional speaker; Founder, Powerful Listening*

Nicola Lipscombe is a professional speaker and the founder and principal of training and coaching company Powerful Listening. A former pharmacist and academic she has held positions at The University of Queensland, Griffith University and University of South Australia. She is currently one of only six South Australians to have also completed a Masters in Applied Positive Psychology. Nicola is an expert in listening with extensive experience in teaching, coaching and mentoring others to transform the way they communicate and connect. Nicola also teaches mindfulness, wellbeing and her signature *Rewiring for Resilience* training program to the Crown Solicitor's Office and larger legal profession. She combines her experiences and stories with the latest research in coaching, business leadership, NLP, neuroscience and positive psychology. She is becoming well known for her unique ability to translate the latest science into practical, accessible and engaging tips.

## **Presentation**

### **Listening – The Lost Art**

It is well documented that law students experience, indeed even acquire, high levels of psychological distress throughout their degree. Research also supports that both a felt sense of belonging and connection and positive identity can help reduce levels of anxiety, stress and depression. How we identify and how we feel is strongly shaped by our environment, including how we are listened to. This session discusses how the lost art of listening can act as a connecting bridge towards understanding and belonging.

Listening for understanding creates connection. This is quite apart from listening for comparison, for critical analysis, for counselling or to build a case. The former creates a safe space in which to experience the full version of our selves. It builds our sense of trust and makes us feel accepted. We feel connected and that we belong. It also builds our trust in our own perceptions of who we are.

Participants will be introduced to a holistic, Powerful Listening model to support students in *feeling heard, understood and connected*. Bringing together neuroscience and positive psychology with her clinical and business experiences Nicola will share Powerful Listening tips and strategies that can be implemented immediately.

## Concurrent Sessions 11:30AM

### PRESENTERS

#### **Tony Foley**

*Professor of Law, ANU*

#### **Vivien Holmes**

*Associate Professor of Law, ANU*

#### **Margie Rowe**

*Senior Lecturer in Law, ANU*

#### **Stephen Tang**

*Lecturer in Law, ANU*

#### **Colin James**

*Lecturer in Law, ANU*

Professor Tony Foley, from the ANU, is a leading scholar in the areas of institutional responses to criminal wrongdoing and restorative justice. He also conducts empirical research on legal education and the legal profession and lawyer wellbeing as leader of the Transition to Practice Research Group

Associate Prof Vivien Holmes teaches and researches in the fields of legal ethics, legal education and the legal profession. Prior to joining ANU, Vivien worked as a litigation solicitor in private and government practice, a government legal policy officer, the Registrar of the NT Supreme Court, the NT Registrar of Probates, the NT Deputy Coroner and a Judicial Registrar of the NT Magistrates' Court.

Margie Rowe's research interests have been in legal education and preparing students for professional practice. She has been part of the Transition to Professional Practice Project which investigates the development of professionalism, ethics and wellbeing and identifies what helps junior lawyers thrive as well as factors that contribute to distress.

Stephen Tang is a lecturer at the ANU and an interdisciplinary scholar who applies psychological theory and methods to understand and reform legal education, the legal profession and legal regulation. He has led quantitative and qualitative empirical work on projects investigating the psychological wellbeing and mental health of law students and lawyers. His research has included extensive psychometric research investigating personal and institutional factors associated with improved and impaired wellbeing.

\*Colin James' bio is outlined on Page 14.

### Presentation

#### **Being Well in Law – A Positive Spin**

This panel is based around a wellness guide launched late last year as a collaboration between the ANU Legal Workshop, the NSW Law Society and NSW Young Lawyers. The book *Being Well in the Law* has been described as 'a little guide with a big message'. The guide was primarily written and edited by, Stephen Tang, Margie Rowe, Colin James, Vivien Holmes and Tony Foley with

contributions from Ian Hickie and profiles from other familiar Wellness Network names, including Michelle Sharpe and Mary Digiglio. It moves away from the perception of the law as a profession which is inherently stressful and in which law students, solicitors and barristers necessarily 'exhibit higher levels of psychological distress and disproportionately higher experiences of depression than members of the general public'. The guide has a much more positive message.

The guide takes an optimistic and comprehensive approach to wellbeing and mental health. It addresses wellbeing, mental health, thriving, values/ethics and their relationship with wellbeing, and the differing types of stress (there is good stress!) and how to deal with it. Wellbeing is often considered separately to the traits that make up a lawyer but the message the guide projects is that wellbeing should be considered as an integral part of being a good one.

Each of the authors will discuss and enlarge on their contribution:

Stephen will reflect on the importance of how we represent and communicate ideas of mental health or wellbeing to law students and lawyers. Drawing on insights from the empirical and critical social-cognitive psychological research, Stephen will discuss the problems of limiting wellbeing to the clinical language of risk, illness and pathology, on one hand, and redefining wellbeing as temporary (but exclusionary) aesthetic experiences on the other. Looking ahead, the application of a Therapeutic Jurisprudence framework would help us to inform and transform the legal community towards health and wellbeing in the fullest sense.

Margie will discuss the future of legal practice and the potential for positive impacts on wellbeing as the practice of law undergoes major changes.

Colin will present on how lawyers can enhance their wellbeing and actually thrive at work by using self-coaching strategies to develop habits likely to improve their mindfulness, self-awareness and emotional competencies.

Vivien will discuss the links between wellbeing and professionalism, and how ethical practice can enhance our wellbeing.

Tony will speak about his chapter specifically for new lawyers on strategies for 'starting right'.

## **PRESENTERS**

### **Rachel Spearing**

*Barrister, Pump Court Chambers; Senior Lecturer in Law, University of Portsmouth*

### **Robyn Bradey**

*Mental Health Accredited Social Worker, Private Practice*

Rachel is a Criminal and Regulatory Barrister practicing at Pump Court Chambers London and a Senior Lecturer with the University of Portsmouth. In 2014 she co-founded with the General Council of the Bar, The Bar Wellbeing Project on behalf of the Profession, leading the research initiative and developing leadership response with the wellbeing at the bar portal. Rachel sits on the Executive of Bar Council and was appointed a Governing Benchers by the Honourable Society of Inner Temple in 2015. She is involved with executive education in academic and professional practice. She trains new and continuing practitioners in advocacy and practice management and is a member of the

Western Circuit. Her work in practice and academia has led to International Conference and Keynote presentations and shortlisting for the European Leadership Award.

Robyn Bradey is a Mental Health Accredited Social worker in private practice. She provides clinical supervision to mental health professionals and coaching to a variety of people in health and law and is currently the Mental Health consultant and trainer for the Law Society of NSW, Legal Aid, the ODPP, the CDPP, state and Commonwealth government departments, tribunals and Ombudsmen, RACS and some law firms.

## Presentation

### **Wellbeing at the UK Bar Practice Management, Resilience & Recovery – Education via Continuing Professional Development**

This session presents some of the evidence from data gathered from the UK wellbeing at the bar survey (Spearing, 2015) highlighting the growing phenomenology of distress amongst lawyers. Vicarious Trauma has emerged as a theme impacting modern legal practice as the mental health of the profession declines around the world. The presenters explain the session provided within a continuing education program coordinated by the Inns of Court College of Advocacy for experienced criminal practitioners in August 2016 at Keble College Oxford, UK. They presented the evidence to practitioners and offered some positive intervention strategies, tools and ways forward, based on clinical knowledge, brain science and effective case management' that are already being implemented in other jurisdictions (Bradey, 2015). It seeks to contribute to inculcating risk management, resilience skills and the ability to recover from episodic experiences during practice for current and new practitioners. The impact has resulted in the ICCA linking their vulnerable witness program to the guidance on the Wellbeing at the Bar Portal to guide practitioners in safeguarding their mental health & wellbeing.

## Concurrent Sessions 12:30pm

### **PRESENTERS**

#### **Madeleine Dupuche**

*Legal Practitioner; Executive Director, College of Law (Victoria)*

#### **Michael Appleby**

*Lecturer, Practical Legal Training, College of Law*

Madeleine Dupuche is an Australian Legal Practitioner and Executive Director of The College of Law Victoria. She completed her law degree at the University of Melbourne before being admitted to the Victorian Supreme Court and enrolled at the Australian High Court in 1997. She practised as a solicitor in Melbourne and London with an emphasis on litigation. She completed a Graduate Diploma in Education at Monash University and subsequently worked as a lecturer and tutor at Deakin University before joining The College of Law in 2011. She co-authored a legal textbook published by Thomson Reuters in 2011.

\*Michael Appleby's bio is outlined on Page 11.



## Presentation

### Providing Mental Health and Wellbeing Training to Lawyers and the Managers of Law Organisations

A good lawyer is a well lawyer. As lawyers we need to stay mentally well to practice well. What is the interplay between mental ill health and compromised decision making, particularly ethical decision making? The maintenance of the wellbeing of lawyers should be a central concern of lawyers and law organisations. Law practice management is a well-recognised field of specialised management. We argue that the wellbeing of lawyers and those who work with them should be a central concern of those who manage law organisations. Many who take management roles are somewhat reluctant practitioners who long to return to what they were trained for being lawyers. What might this tell us about the management of law organisations? How might the managers of law organisations be supported to better foster the wellbeing of lawyers? What part might training play in this? Might the TJMF Psychological Wellbeing Best Practice Guide provide a new management frame work for developing a psychologically healthy workplace?

## PRESENTERS

### Patricia Weir

*Dean of Graduate Studies, Faculty of Human Kinetics, University of Windsor*

### Liz Jones

*Director, Career Development for Alumni Advising and Employer Outreach, CDO*

### Nicola Sheeran

*Clinical Psychologist, Psychology Board of Australia*

Dr Weir has been a faculty member in the University of Windsor since 1991. During that time she has taught at the undergraduate level in the areas of Human Performance, Motor Learning and Control, Human Movement and Aging, and Physical Activity for Special Populations. Her research interests lie in identifying changes in motor performance with age, and the factors that contribute to successful aging. Dr Weir has published articles in a variety of journals including, the Journal of Motor Behavior, Developmental Neuropsychology, The International Journal of Sport Psychology, and Motor Control. She is the Past-President of the Canadian Society for Psychomotor Learning and Sport Psychology (SCAPPS), and her research is currently funded by the Social Sciences and Humanities Research Council of Canada.

Liz Jones is the Director of Career Development for Alumni Advising and Employer Outreach, CDO. She advises recent graduates on all aspects of their career development. She also focuses on expanding alumni and employer relations to increase the network of opportunities and information available to students and graduates. After graduating from the School of Law in 2009, Liz practiced law as a commercial litigation associate at Venable LLP in Washington, DC. At Venable, Liz was actively involved in the firm's summer associate program, and related recruiting and hiring efforts.

Nicola Sheeran is a registered and endorsed Clinical Psychologist with the Psychology Board of Australia. She completed her PhD in Clinical Psychology at Griffith University in 2012 and worked for several years as a psychologist in the areas of addiction, pregnancy and post-natal support, identity

and sexuality issues, and grief, loss and trauma. Nicola has also worked for Griffith University as a lecturer and researcher since 2008 before accepting an academic position in 2014.

## Presentation

### **Context Counts: Understanding how Lawyers working with Traumatised Clients**

#### **Experience their Workplace**

Research has shown that professionals working with traumatised clients are impacted psychologically by their exposure (Baird and Kracen, 2006). Yet the role of the organisational context of that exposure has not been fully explored. This study explores the psychological impact on lawyers working in three government funded legal organisations of dealing with traumatised clients. Twenty-five lawyers (aged 28 to 63 years) were interviewed exploring their perspectives on their work life. The results indicate that in line with research on other professionals, lawyers are impacted psychologically, both negatively and positively, by their exposure to traumatised clients and the nature of their work. The organisational context plays an important role in how lawyers perceive the impact of their exposure to traumatised clients and how they manage their work lives. The findings highlight the significant role of the organisation in shaping lawyers' mental well-being when working with trauma. Further research is planned to extend the participant reach to include private sector lawyers to see if the findings have implications for lawyers in all practice environments. Research in this area is important as Australian lawyers' mental health and well-being is a key focus for the profession now and into the future (Kelk, Lusombe, Medlow and Hickie, 2009).

## Concurrent Sessions 2:00pm

### **PRESENTERS**

#### **Jerome Doraisamy**

*Legal Practitioner and Author*

#### **Sher Campbell**

*Associate Lecturer, University of Newcastle*

Jerome Doraisamy is a lawyer from Sydney. He attended the University of Technology, Sydney, where he graduated with a Bachelor of Laws and Bachelor of Arts in Communication (Social Inquiry). Over the course of his legal career he has worked in a range of fields, from commercial practice to academic research to a major federal government inquiry. His first book, *The Wellness Doctrines*, examines the prevalence, causes and effects of psychological distress, anxiety and depression for law students and young lawyers in Australia through a thematic discussion inspired by personal stories, first-hand accounts and case studies of over 45 legal professionals and health experts.

Sher Campbell is a Law Lecturer at the University of Newcastle. She is the Deputy Programme Convenor for the Undergraduate Law Program and First Year Transition and Regional Rural and Remote Coordinator. Sher is on the Executive of the Women Lawyers Association of NSW and represents women on the Law Society of NSW's Diversity & Inclusion Committee.

## Presentation

### The Wellness Doctrines

The talk will examine the benefit or otherwise of prescribing texts pertaining to mental health within law in a law school curriculum, and how it can impact upon the personal and professional development of a law graduate.

## PRESENTERS

### Samantha Kontra

*Assistant Director of First Year Studies and PhD Candidate, Flinders University*

### Tania Leiman

*Senior Lecturer in Law and Associate Dean (Teaching and Learning), Flinders University Law School*

Samantha began teaching sessionally at Flinders Law School in 2012 in topics including Legal Research and Writing, Criminal Law and Legal Method, Issues in Criminal Law, Torts 1, Torts 2, and Property Equity and Trusts. She has also been involved in the Criminal Practice and Advocacy PLT course and has been a sessional marker in Dispute Management, Family Law, and Civil Litigation. Samantha has additionally taught in the School of Nursing and Midwifery in their Law and Ethics Applied to Nursing topic. In 2015 Samantha commenced a part-time position as Assistant Director of First Year Studies and from 1 July 2016 has taken on the role of Director of First Year Studies in the Law School. As part of this role she coordinates the New in Law and New 2 Justice Peer Mentoring Programs. She is currently a part-time PhD candidate studying legal negotiation and legal education.

Tania Leiman's bio is outlined on Page 16.

## Presentation

### The Mentor's Journey of Empowerment

University peer mentoring programs have long been recognised as highly beneficial to commencing students. There is, however, less literature on the effects of such programs on the mentors themselves, particularly in terms of fostering resilience and wellbeing. Mentors become involved in peer mentoring programs for various reasons, including 'giving back' to the community, and helping commencing students to either have the same positive experience the mentor did, or to avoid the mentor's negative experience. This gives mentees access to those 'who have gone before them' (Lizzio and Wilson, 5) and develops their sense of purpose (Lizzio and Wilson).

This presentation will explore how the Flinders Law School peer mentoring program has been developed since 2009 to more explicitly build resilience and support wellbeing in student mentors. It will focus on the mentor's journey of empowerment: from their initial application to be a peer mentor; through their training; phone calls to their mentees; orientation sessions; face-to-face mentoring; reflections and evaluations; reapplication; and the opportunities that lie beyond this process. Commencing with an overview of the program itself and comments taken from mentors' applications, intake interviews, pre-training reflective tasks and evaluations, it will explore practical strategies undertaken to enhance the training for mentors and to provide them with just in time support throughout the semester. A panel of presenters, including the Director of First Year

Studies/Peer Mentoring Coordinator and three current senior mentors, will share the insights they have gained from participation in multiple iterations of the program.

Mentor training is an imperative part of peer mentoring: if a peer mentor is inadequately trained or otherwise unprepared for mentoring, this could negatively impact the mentor and their perception of their role in the program (Menzies, Tredinnick and Van Ryt, 2015). At Flinders Law School, rigorous immersion training has been designed to prepare mentors thoroughly, guiding them through potential scenarios they may encounter with their first year student mentees, and identifying potential pitfalls of mentoring, such as depleted numbers later in the semester and around assessment time. This training explicitly incorporates a positive mental health and wellbeing approach to mentoring (D Rodrigo, C Khamis, P Lead, Z Sahukar N McDonagh and M Nguyen, 2014), leading mentors through several mindfulness exercises and exploring ways of safeguarding their own mental health through the program, drawing on senior mentors and staff presenters to guide this process.

In response to feedback obtained from mentors since 2011, the support provided to mentors has been continuously reviewed, revised and improved, increasing the program's integrity and value to mentors, commencing students, and staff (Menzies, Tredinnick and Van Ryt, 2015). The introduction of weekly emails from the coordinator, outlining some key points that could be discussed that week including just in time information and highlighting first year student anxieties, allows mentors to tailor their weekly catch-ups with mentees to best suit their needs. Mentors also meet with the program coordinator mid-semester to facilitate thorough debriefing and evaluation of progress. This allows for early identification of any issues and promotes individual resilience and reassurance. It also enables coordinator evaluation and adjustment of the program. Additional opportunities for mentors to meet informally as a group have recently been built in, allowing additional peer debriefing as they share stories and mentoring strategies.

Mentors' enhanced sense of resilience and wellbeing has led many mentors to volunteer for additional semesters, and to be involved in multiple iterations of the mentoring program. As mentors return for further iterations of the program, they are given additional leadership responsibilities in the program, including coordinating training activities, and being involved in interviews and conference presentations. This, in turn, encourages mentors to continue in the mentoring role and reinforces the important part they play in the development of first year students. Applicants entering the program comment that they are seeking a way to give back to the Law School and help the commencing students; at the conclusion of the program they comment that it has given them much more than this: an opportunity to grow and to build their life and leadership skills.

## Concurrent Sessions 2:30pm

### **PRESENTER**

**Margaret Castles**

*Senior Lecturer, Adelaide Law School*

Margaret Castles' bio is on page 18.

### **Presentation**

#### **Embedding Wellness in Law Curricula**

Wellness in legal profession, and the law school, continues to be of pressing concern to both profession and academy. This paper looks at initiatives to embed wellness features in law curricula. Building on the substantial work done by academics in Australia in this area in the last few years, this paper will outline initiatives for embedding, and articulating, wellness in two areas of law teaching: a large compulsory law subject, and through smaller cohorts of students working in law clinics.

### **PRESENTERS**

**Manny Solis**

*Lecturer, Adelaide Law School*

**David Plater**

*Senior Lecturer, Adelaide Law School; Deputy Director, SA Law Reform Institute*

Dr Manuel (Manny) Solis is a lecturer in the Adelaide Law School and has been the Indigenous Student Liaison Officer for the past year. After almost two decades as a lawyer in the Philippines and working as a legal and policy adviser to multilateral financing and development institutions such as the World Bank and United Nations Development Programme, Manny undertook doctoral research examining the intersection of international human rights, energy, climate change and environmental law, particularly the legal significance of adopting a human rights-based approach to provide universal access to modern energy services. His PhD was awarded by the University of Adelaide in 2015 with the University Doctoral Research Medal.

Dr David Plater worked for a number of years with the Crown Prosecution Service in Kent and London and with the State Director of Public Prosecutions in South Australia. He is Deputy Director of the South Australian Law Reform Institute and a senior lecturer in the Adelaide Law school. His PhD on the changing role of the modern prosecutor was awarded by the University of Tasmania in 2011. He maintains a role in legal practice in South Australia and has acted as mentor for indigenous students for some years.

### **Presentation**

#### **Indigenous Student Support for Wellness and Inclusion**

The Adelaide Law School provides an Indigenous Student Liaison Officer and participates in the Law Society of South Australia's mentoring program for indigenous students. Dr Solis will discuss the combination of family, financial and personal issues that impact on indigenous students, and how a deeply embedded sense of exclusion from the broader community can negatively affect their

experience of study and sense of inclusion in the Law School. He will also discuss strategies that have been used to improve their academic success, belonging and preparation for the legal profession. Dr Plater will discuss the benefits to all sides and his positive experience of mentoring indigenous students in the South Australian Attorney General's Department, including accompanying one student on a trip to the UK to deliver a paper at a legal history conference and undertake work experience at the London bar.

## Concurrent Sessions 3:00pm

### PRESENTERS

#### **Corinne Walding**

*Student Advisor, Lex Salus Founding Member and Acting School Manager, Adelaide Law School*

#### **Mark Giancaspro**

*Lecturer, Adelaide Law School*

Corinne Walding is a founding member of the Adelaide Law School's Lex Salus (law and wellbeing) program. Corinne is the School's Student Advisor and is currently the acting School Manager.

Dr Mark Giancaspro is a Lecturer at the University of Adelaide Law School. He holds an honours degree in Laws and Legal Practice from Flinders University and a PhD from the University of Adelaide. His legal employment background and research interests are both primarily commercial, with issues in contract law and its various applications being his principal theme. Mark teaches in contract law, business law, sports law and tort law and has published widely on matters including issues with the formation and renegotiation of contracts, the doctrine of consideration, and contractual issues in sport. He is on the editorial committee for the Alternative Law Journal and is a member (Commercial Law) of the Adelaide University Research Unit on Military Law & Ethics (RUMLAE).

### Presentation

#### **From co-curricular activities to curriculum review: Lex Salus' evolution**

The Adelaide Law School's Lex Salus program is now almost 4 years old and has been successful in promoting health and wellbeing through co-curricular activities and events and undertaking research into the student experience. It is now time to consider embedding wellness initiatives into the curriculum to expand the reach of the initiatives and to confirm the institutional support for the program.

## **PRESENTER**

**Gabrielle Golding**

*Legal Practitioner; PhD Candidate and Teaching Fellow, Adelaide Law School*

Gabrielle is a legal practitioner specialising in labour and contract law, and a PhD Candidate and Teaching Fellow of the Adelaide Law School. She is a member of Adelaide Law School's Work and Employment Regulation Research Group and the Law Society of SA's Young Lawyers' Committee.

## **Presentation**

### **A Young Lawyer's Guide to Tackling the Early Years of Practice**

For young lawyers, starting out in a legal career presents a host of new challenges: a litigious culture, long hours, and a high-pressure working environment – not to mention the desire to maintain some kind of work/life balance outside the office. What many new practitioners do not realise is the toll that these combined experiences may take on their mental health and wellbeing. Speaking from her experience as a member of the Law Society of South Australia's Young Lawyers' Committee, Gabrielle will provide a first-hand account of the common challenges faced by those starting out in the profession, and offer some practical guidance to help overcome them. Her presentation will emphasise the all-important message that in their early years, young lawyers are not alone; there will always be someone who has travelled the same path and understands their situation completely.