

Bond University

Bond Law Review

Volume 34

Issue 1

2022

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Mark Seton

The University of Sydney

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Book Review

Educating for Well-being in Law: Positive Professional Identities and Practice edited by Caroline Strevens and Rachael Field

Routledge, 2020, ISBN 978-1-351-410440-1

MARK SETON*

Internationally, well-being in the legal profession is now decisively established as a matter of both concern and positive action. Part of that recognition has emerged through studies since the late 1990s of the often detrimental impact of legal education on the lives and values of those studying for a career in law. So it is both timely and invaluable that editors Caroline Strevens and Rachael Field have brought together an extraordinary number of legal education academics (many of whom also have practical experience as lawyers) to share both their experiences and their acquired insights about what contributes to positive professional legal identity and practice. Over thirteen chapters, readers will acquire a deepening appreciation and respect for significant complexities addressed by legal educators in designing, implementing and evaluating professional formation practices that are both realistic (acknowledging the inevitable stresses of a highly responsible and impactful social profession) and visionary (challenging the status quo and expectations of supposedly normative practices).

Of special commendation is the opening chapter by solicitor and clinical legal educator Colin James (ANU and University of Newcastle, Australia) who provides a crucial foundation for all subsequent chapter discussions and evaluations of well-being for lawyers, initially in training and then subsequently in the workplace. James argues for the ethical primacy of psychological health of those in the legal profession as a prerequisite for the health of any society. He notes with concern that well-meaning contemporary advocacy for resilience may result in placing an unfair burden on individuals to ensure their own self-care alone. This leaves larger institutions and corporations free to carry on with a competitive ‘business as usual’ mandate as though they are not part of both the problem and possibly the solution of lawyer wellness.

* Honorary Research Associate, Department of Theatre and Performance Studies, The University of Sydney

Rather, James believes that central to any practice of resilience is a lawyer's sense of meaning and purpose. The more that 'lawyers develop their professional identity within a connected community, the more they can leverage their values and sense of purpose in choosing where and how they practice, and how effective they will be in bringing change about'.¹ This chapter sets both the tone and parameters for the remaining chapters.

Five of the chapters discuss specific research studies on aspects of lawyer well-being, professional formation and identity. One survey on resilience and well-being was conducted across 2017 and 2018 through the Junior Lawyers Division in the United Kingdom. Another small-scale exploratory survey was conducted in 2015 at the UK Bar Council's Annual Conference on perceptions about professional identity and well-being of barristers. Meanwhile, in Australia, an empirical study evaluating the impacts of significant changes in Professional Practice Core (PPC) curriculum was conducted in 2012 at the Australian National University School of Legal Practice. This study not only interrogated pedagogical effects of changes but also included four psychological tools (Depression Anxiety Stress Scale, Satisfaction With Life Scale, Basic Psychological Needs Scale and Valuing Questionnaire) to track the well-being of four cohorts of students who participated in the PPC program. A further study, synthesising data acquired specifically in Australia (2014-15) and England (2017), highlighted a so-called information gap regarding the breadth of opportunities in legal practice and its potential impact on the well-being of law students and early career commercial lawyers. Finally, a study at the University of Leeds (UK) in 2016 explored how to better support the resilience of students across six tertiary disciplines, including Law.

What is of special interest is that while there is, represented in the collection of chapters overall, a commendable diversity of research methodologies and methods, both quantitative and qualitative, three of the chapters specifically find value in Self Determination Theory (SDT) initially developed in 1985, using empirical studies, by Edward L. Deci and Richard M. Ryan. Each chapter applies this meta-theory as a useful means of framing self-care and well-being in relation to not only intrinsic and extrinsic goals, but also core values and motivations. This theory is further amplified in each of these chapters with reference to Lawrence Krieger and Kennon Sheldon's study (2004) of US law students and lawyers, with particular attention paid to how three innate psychological needs – competence, autonomy and relatedness – can facilitate sustainable well-being but only if professional formation will honour and support such needs in both students and alumni. As Nigel

¹ Colin James, 'The ethics of well-being: Psychological health as the vanguard for sociological change' in Caroline Strevens and Rachael Field (eds.) *Education for Well-being in Law: Positive Professional Identities and Practice* (Routledge, 2020) 8.

Duncan (Professor of Legal Education, City, University of London, UK) observes in his research program evaluating law clinic students working with real clients (Chapter 11), these three needs do not work hierarchically but ‘are better thought of as interacting factors, all of which are significant, but which different individuals may prioritise differently’. In collating three diverse accounts of research that draw upon a common meta-theory, namely Self Determination Theory, Strevens and Field do the reader a great service in illustrating how such a theory might be applied to different research questions, without feeling compelled to legitimise the value or otherwise of this theory across other chapters.

In reviewing the riches on display in the remaining chapters, one can gain great insights from two distinct reflections – Vivien Holmes, Australian National University (Chapter 3) and Freda Grealy, Law Society of Ireland (Chapter 7) – on how ethics and values might find a forum for discussion, reflection and application in the respective contexts of values education in law schools, and, how ethics teaching might shape the professional identity and well-being of trainee solicitors. There is also a chapter attending to the shaping of clinical legal education within the so-called hidden curriculum of the neoliberal university in England and Wales, a chapter on mental health impacts in online distance learning by law students, and a chapter evaluating the effectiveness of one distinct well-being intervention, meditation, as it is incorporated into law schools particularly in the United Kingdom, Australia and the United States. Finally, advocacy for well-being, through clinical supervision, is reviewed in two chapters: one exploring how personalising of learning and mentoring might nurture well-being awareness, and the other evaluating the well-being impacts and interventions emerging from a live clinic option exposing barristers (having just completed their undergraduate degree) to real world clients in cases concerning employment and domestic violence.

In this pandemic age, as educational institutions hopefully attend to various stresses in the lives of both students and academics currently in law school, as well as those seeking to actualise careers in the legal profession – stresses that have been exacerbated by uncertainty of employment and isolation of remote work and learning – there could not be a more timely opportunity for all educational stake-holders to attend to well-being in law. *Educating for Well-Being in Law: Positive Professional Identities and Practice* provides both an inspiring and pragmatically grounded set of accounts of what has been done, and could be done, to generate positive professional identities and practices in the legal profession.