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Psychological Distress at a Regional Australian Law School: Reporting on Law Students' Experiences of Depression, Anxiety, and Stress

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**PSYCHOLOGICAL DISTRESS AT A
REGIONAL AUSTRALIAN LAW SCHOOL:
REPORTING ON LAW STUDENTS'
EXPERIENCES OF DEPRESSION,
ANXIETY, AND STRESS**

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I INTRODUCTION

University students tend to report higher levels of psychological distress compared to general populations.¹ Previous studies across a range of disciplines at Australian Universities have reviewed sources of stressors that contribute to students experiencing heightened levels of depression, anxiety, and stress at university.² Studies focused specifically on law student populations in Australia have reported on first year experience, assessment and feedback design, role of competition, academic demands, and developing positive professional identities as influencing factors in students' levels of psychological distress and overall wellbeing (or ill-being).³ The term 'psychological distress' is distinct from 'mental health' and 'mental illness' in that psychological distress refers to non-specific symptoms of depression, anxiety, and stress, whereas mental health can refer to an individual's state of mental and emotional wellbeing (both positive and negative).⁴ Mental illness on the other hand refers to specific diagnosable disorders, which can also be referred to as mental health conditions.⁵ In fact, gaining or maintaining high levels of positive mental health can assist

¹ Margot Schofield et al, 'Depressive Symptoms Among Australian University Students: Who Is at Risk?' (2016) 51(2) *Australian Psychologist* 135.

² Wendy Larcombe et al, 'Prevalence and socio-demographic correlates of psychological distress among students at an Australian university' (2016) 41(6) *Studies in Higher Education* 1074.

³ See for example: Rachael Field and Sally Kift, 'Addressing the high levels of psychological distress in law students through intentional assessment and feedback design in the first year law curriculum' (2010) 1(1) *Student Success* 65; Anna Huggins, 'The Threshold Learning Outcome on Self-management for the Bachelor of Laws degree: A proposed focus for teaching strategies in the first year law curriculum' (2011) 2(2) *International Journal of the First Year in Higher Education* 23; Anthony Lester, Lloyd England and Natalia Antolak-Saper, 'Health and Wellbeing in the First Year: The law school experience' (2011) 36(1) *Alternative Law Journal* 47; Colin James, Miles Bore and Susanna Zito, 'Emotional Intelligence and Personality as Predictors of Psychological Well-being' (2012) 30(4) *Journal of Psychoeducational Assessment* 425; Helen Stallman, 'A Qualitative Evaluation of Perceptions of the Role of Competition in the Success and Distress of Law Students' (2012) 31(6) *Higher Education Research and Development* 891; Rachael Field, James Duffy and Anna Huggins, 'Supporting Transition to Law School and Student Well-being: The role of professional legal identity' (2013) 4(2) *The International Journal of the First Year in Higher Education* 15; Paula Baron, 'Sleight of Hand: Lawyer distress and the attribution of responsibility' (2014) 23(2) *Griffith Law Review* 261; Adele Bergin and Kenneth Pakenham, 'Law Student Stress: Relationships between academic demands, social isolation, career pressure, study/life imbalance and adjustment outcomes in law students' (2015) 22(3) *Psychiatry, Psychology and Law* 388; Katherine Lindsay et al, "'Oh, the Places You'll Go!': Newcastle Law School's Partnership Interventions for Well-Being in First Year Law' (2015) 8(2) *Journal of Learning Design* 11; Pauline Collins, 'Australian Legal Education at a Cross Roads' (2016) 58(1) *Australian Universities' Review* 30; Mary Heath et al, 'Learning to Feel like a Lawyer: Law teachers, sessional teaching and emotional labour in legal education' (2017) 26(3) *Griffith Law Review* 430.

⁴ Corey Keyes, 'Mental Illness and/or Mental Health? Investigating Axioms of the Complete State Model of Health' (2005) 73(3) *Journal of Consulting and Clinical Psychology* 539.

⁵ Taylor Counselling Group, 'Mental Health vs. Mental Illness: The Difference and Why It Matters', (Blog, 18 June 2021) <<https://taylorcounselinggroup.com/blog/mental-health-vs-mental-illness/>>.

individuals who are diagnosed with mental illness in their recovery.⁶ In this article, the terminology wellbeing refers to high positive mental health, and ill-being to low positive mental health.⁷ The terminology 'psychological distress' will refer to the three subscale measures of the DASS21 survey, depression, anxiety, and stress.⁸

The breadth of findings of ill-being in Australian law students is alarming. There is a disturbing trend of the rise of serious mental health issues in law students, as well as the legal profession.⁹ According to a SafeWork NSW 2021 report, the legal profession in Australia is now recognised as a psychologically harmful profession.¹⁰ Prolonged elevated levels of depression, anxiety, and stress has been linked to a range of serious health and behavioural issues including fatigue and burnout, alcohol and drug use, disturbed and lack of sleep, relationship difficulties as well as instances of self-harm and suicide.¹¹ Over the last 15 years, particular emphasis has been placed on the wellbeing of law students and the delivery of legal education in Australia. Bringing the topic to the forefront in Australia was the publication of the 2009 Brain and Mind Research Institute (BMRI) Report titled *Courting the Blues: Attitudes towards depression in Australian law students and legal practitioners*.¹² This report was supported by the Tristan Jepson Memorial Foundation (a foundation established in memory of Tristan Jepson, a young lawyer who suffered from severe clinical depression and died by suicide in 2004¹³) and served as a catalyst for raising awareness of the breadth of law student and lawyer ill-being in Australia. The BMRI study involved survey data from 741 final year

⁶ Matthew Iasiello et al, 'Positive Mental Health as a Predictor of Recovery from Mental Illness' [2019] 251 *Journal of Affective Disorders* 227.

⁷ Matthew Iasiello and Joep Van Agteren, 'Mental Health and/or Mental Illness: A scoping review of the evidence and implications of the dual-continua model of mental health' [2020] 1 *Evidence Base* 1.

⁸ Sydney Lovibond and Peter Lovibond, *Manual for the Depression Anxiety Stress Scales* (Psychology Foundation, 1995).

⁹ See footnote 3 for relevant literature.

¹⁰ Hannah Wootton, 'Law Deemed a 'High-Risk' Job: SafeWork', *Financial Review* (Online, 10 June 2021) <<https://www.afr.com/companies/professional-services/long-hours-high-demands-makes-law-a-high-risk-job-safework-20210607-p57yzz>>.

¹¹ See for example: Carly Schrever, Carol Hulbert and Tania Sourdin, 'Where Stress Presides: Predictors and correlates of stress among Australian judges and magistrates' [2021] *Psychiatry, Psychology and Law* 1; Natalie Skead, Shane Rogers and Jerome Doraisamy, 'Looking Beyond the Mirror: Psychological distress; disordered eating, weight and shape concerns; and maladaptive eating habits in lawyers and law students' [2018] 61 *International Journal of Law and Psychiatry* 90; Janet Chan, Suzanne Poynton and Jasmine Bruce, 'Lawyering Stress and Work Culture: An Australian study' (2014) 37(3) *University of New South Wales Law Journal* 1062; Sharon Medlow, Norm Kelk and Ian Hickie, 'Depression and the Law: Experiences of Australian barristers and solicitors' (2011) 33(4) *Sydney Law Review* 771; Bree Buchanan et al, 'The Path to Lawyer Well-Being: Practical Recommendations for Positive Change, *Institute for Well-being in Law* (Report of the National Task Force on Lawyer Well-Being, 2017) <<https://lawyerwellbeing.net/the-report/>>.

¹² Norm Kelk et al, 'Courting the Blues: Attitudes towards depression in Australian law students and legal practitioners' (Report, Brain and Mind Research Institute, January 2009) <<https://law.uq.edu.au/files/32510/Courting-the-Blues.pdf>>.

¹³ The Tristan Jepson Memorial Foundation was established in August 2008.

law students across thirteen different Australian Universities. One of the study's aims was to determine baseline data from the levels of psychological distress, including indicators of depression, amongst fourth year law students as well as practising lawyers in Australia.¹⁴

The report concluded:

The primary finding of this Australian survey is to confirm the view, originating from international research, that law students and members of the legal profession exhibit higher levels of psychological distress and depression than do community members of a similar age and sex.¹⁵

The findings of the BMRI study started a national conversation and prompted additional research into the prevalence of mental health challenges within both Australian law schools and the legal profession. Since the landmark BMRI study, the 'Wellness for Law' movement has inspired research and action to, 'draw attention to the central and critical importance of wellbeing to tertiary education, particularly for law students and legal academics; and across the spectrum of the legal profession'.¹⁶ In addition to Wellness for Law Forums¹⁷ and the Australian University Mental Health Framework¹⁸, the focus on making wellness core business requires empirical research to contribute to ongoing evidenced based scholarship.¹⁹

In 2011 Townes O'Brien, Tang, and Hall shared findings of surveys conducted on first year law students using psychometric instruments including the Rational-Experiential Inventory (REI), Depression

¹⁴ The study used an International Depression Literacy Survey, consisting of demographic questions, and questions seeking to ascertain participants knowledge of health issues in Australia (participants were asked to tick answers from a list); beliefs and experiences with mental health help and treatment options (participants were asked to answer some questions by ticking from a list, and answer some questions on a Likert Scale), information seeking behaviour and perceived needs for mental health services (participants were asked to tick answers from a list), attitudes towards depression (participants were asked to answer questions on a Likert Scale), and standardized questions to measure participants levels of distress (K 10; Kessler Psychological Distress Scale), psychological and physical wellbeing (SPHERE 12 scale; Somatic and Psychological Health Report) and other general information (participants were asked to tick answers from a list, and were given space to write a qualitative response to elaborate on any answer provided).

¹⁵ Kelk et al (n 12) 42. This quote is the overall general conclusion from the study, however the authors draw three additional key points: 1) the results were not 'severely' distinct and therefore the authors caution readers not to conclude that law students and younger lawyers are 'severely dysfunctional', just 'somewhat more distressed' than their community peers; 2) The results of attitudes and help seeking behaviour demonstrated some barriers to law students and practising lawyers both recognising and seeking help for psychological distress; and, 3) Despite point 2, there was also evidence of help-seeking from law students and lawyers who do become depressed, as the authors stated, 'this is what would be expected of a group of such generally well-educated, highly employed and economically well-off people,' 42.

¹⁶ Judith Marychurch and Adiva Sifris, *Wellness for Law: Making Wellness Core Business* (LexisNexis Butterworths, 2020) 4.

¹⁷ Bond University, 'Wellness Network for Law', *Centre for Professional Legal Education* (Blog) <<https://www.cple.blog/wellness-for-law/>>.

¹⁸ Orygen, 'Australian University Mental Health Framework Report', *University Mental Health Framework*, (Report, 2020) <<https://www.orygen.org.au/Policy/University-Mental-Health-Framework/Framework/>>.

¹⁹ Marychurch and Sifris (n 16).

Anxiety and Stress Scale (DASS21), and the Satisfaction with Life Scale (SWLS).²⁰ Their DASS results were generally consistent with the BMRI study, and provided additional evidence that students at the beginning of the academic year (first week of law school) had similar or lower levels of psychological distress compared to normative groups. The same student cohort by the end of first year at law school showed more symptoms or greater intensity of symptoms of depression and stress compared with results from the beginning of the year and normative groups. Later DASS21 studies on law student populations further confirmed that law students report higher than average (compared to normative groups) indicators of psychological distress. Wendy Larcombe, Associate Professor at the University of Melbourne Law School, has been a prolific researcher and author of studies on student wellbeing and the law student experience since 2011. Following the release of the BMRI report and O'Brien, Tang, and Hall's published study, Larcombe et al in 2011 and Larcombe and Feathers in 2012 conducted studies at the Melbourne Law School with two measures of psychological wellbeing, the DASS21 scale and Ryff's Psychological Wellbeing Scales (PWBS).²¹ The 2011 study compared wellbeing results across law students in the LLB (undergraduate) and Juris Doctor (postgraduate) cohorts. DASS21 results were consistent with the BMRI and O'Brien, Tang, and Hall's study, showing greater intensity of symptoms compared to normative groups. The study further found that despite Juris Doctor (postgraduate) students reporting significantly higher course satisfaction, there was no significant difference detected in the levels of psychological distress between the two groups. As a result, the authors inferred that enhancements in law school experiences may not necessarily lead to improved student wellbeing. The authors also highlighted responses from both cohorts that were identified as significant causes of psychological distress, including assessment pressures, feedback, law lecturer and faculty approachability, competitive and exclusive nature of law school culture, and limitations in student services support.

Larcombe and Feathers in their 2012 study of Juris Doctor (postgraduate) students reported twenty-nine per cent of respondents had moderate to extremely severe responses across all three DASS21 scales, and twenty-two percent were classified as experiencing severe to extremely severe results across all three scales, indicating high levels of depression, anxiety, and stress symptoms in the law student population of the University of Melbourne.²² In normative group data

²⁰ Stephen Tang, Molly O'Brien and Kath Hall, 'Changing Our Thinking: Empirical research on law student wellbeing, thinking styles, and the law curriculum' [2011] 9 *Legal Education Review* 149.

²¹ Wendy Larcombe et al, 'Does an Improved Experience of Law School Protect Students Against Depression, Anxiety and Stress?: An empirical study of wellbeing and the law school experience of LLB and JD students' (2013) 35(2) *Sydney Law Review*, 407; Wendy Larcombe and Katherine Feathers, 'Schooling the Blues? Investigation of factors associated with psychological distress among law students' (2013) 36(2) *University of New South Wales Law Journal*, 390.

²² Responses of 305 Juris Doctor law students were included in the study, representing the respondents who answered all questions for all three DASS21 scales.

collected from studies with general adult populations, the expected result for moderate to extremely severe psychological distress symptoms is fewer than 13 per cent of respondents, and severe to extremely severe psychological distress symptoms are expected in fewer than six percent of responses.²³

Psychological wellbeing studies across university populations in general have also provided useful comparative data with law student populations. In 2015 Larcombe, Finch, and Sore published a comparative study of DASS21 results demonstrating that many university students studying a variety of degree programs (not just law students) suffer high levels of psychological distress.²⁴ The study reported on the psychological distress level among law students, as well as non-law students, across a range of disciplines at the University of Melbourne. The law school results were compared to DASS21 results from studies with Australian law students at the Australian National University (ANU),²⁵ the University of Queensland (UQ),²⁶ and the University of Western Australia (UWA)²⁷ which all indicated law students experienced higher levels of psychological distress compared to normative group results. The law student population results of Larcombe, Finch, and Sore's 2015 study were then considered in light of results from non-law students, which included students from engineering, veterinary medicine, science, arts, and biomedicine.²⁸ The comparison of law and non-law student results showed similar levels of psychological distress being experienced across disciplines. Symptom levels on the DASS21 are reported in five categories ranging across normal, mild, moderate, severe, and extremely severe.²⁹ Results of symptom levels of severe to extremely severe were reported in twenty-seven per cent of the law students and twenty-six percent of the non-law students.³⁰ Although variations were observed in the mean scores

²³ John Crawford and Julie Henry, 'The Depression Anxiety Stress Scales (DASS): Normative data and latent structure in a large non-clinical sample' (2003) 42(2) *British Journal of Clinical Psychology* 111; Julie Henry and John Crawford, 'The Short-form Version of the Depression Anxiety Stress Scales (DASS-21): Construct validity and normative data in a large non-clinical sample' (2005) 44(2) *British Journal of Clinical Psychology* 227; Lovibond and Lovibond (n 8).

²⁴ Wendy Larcombe, Sue Finch and Rachel Sore, 'Who's Distressed?: Not only law students: Psychological distress levels in university students across diverse fields of study' (2015) 37(2) *Sydney Law Review*, 243.

²⁵ Molly Townes O'Brien, Stephen Tang and Kath Hall, 'Changing Our Thinking: Empirical research on law student wellbeing, thinking styles and the law curriculum' (2011) 21(1) *Legal Education Review* 149.

²⁶ Bergin and Pakenham (n 3). This study reports on the depression and anxiety scale only.

²⁷ Natalie Skead and Shane Rogers, 'Stress, Anxiety and Depression in Law Students: How student behaviors affect student wellbeing' (2014) 40 *Monash University Law Review*, 565. This study reports on the depression scale only.

²⁸ Only results that included all three completed scales of the DASS were included. A total of 4711 responses were included in the study from disciplines of law (333 – Masters only); engineering (485 – undergraduate and Masters); veterinary medicine (308 – undergraduate and Masters); science (1715 – undergraduate and Masters); arts (1,244 – undergraduate only); and, biomedicine (626 – undergraduate only).

²⁹ Lovibond and Lovibond (n 8).

³⁰ Larcombe, Finch and Sore (n 24).

of DASS results across the different discipline student populations, the authors arrived at the conclusion, aligning with previous comparative research, that law students might not face a greater likelihood of psychological distress compared to other university students. Therefore, just being a university student is a risk factor for high levels of psychological distress. However, the results do further support that law students are consistently experiencing high levels of psychological distress compared to normative groups. Considering implications of the results of this study for law schools, the authors conclude:

We suggest that our findings provide important guidance for law schools in working to minimise and respond to the high levels of psychological distress experienced by their students. Our results do not lessen that task: results from this study confirm that significant numbers of law students – one-in-four on our figures – are experiencing very high levels of psychological distress, at a time in the academic year with few assessment requirements. This confirms the need for law schools to better support students' mental wellbeing.³¹

Considering the holistic university student experience, especially for those enrolled in combined degree programs with law, Larcombe, Finch, and Sore advocate for a comprehensive and sustainable approach to student mental wellbeing across the entire university community. This call for inclusive strategies recognises the interconnectedness of various academic disciplines and support systems within the university environment, and the importance of providing consistent and effective resources to enhance student mental health and wellbeing university-wide.

Furthering data on law student wellbeing, in 2015 and 2017 Batagol, Sifris, Spivak, Williams and Antolak-Saper conducted studies focused on measuring and reporting on empathy levels, and also reported on the levels of DASS21 in law students at Monash University.³² The results did not support any clear connection between students' empathy levels and DASS psychological distress results.³³ However, the results did contribute to the evidence base of law student experience of high levels of psychological distress, with DASS21 results showing higher mean scores of depression, anxiety, and stress scales compared to Larcombe et al's 2011, 2012 and 2013 studies.³⁴ No other Australian study has reported DASS21 law student population results until this current study. This study conducted in 2019 reports on findings of psychological distress in law students at a regional university James Cook University. Part 2 will introduce the measure of DASS and methodology of the study. Part 3 will report the results from the current study. Part 4 will

³¹ Ibid 265.

³² Becky Batagol et al, 'A Missing Piece of the Puzzle? The relationship between empathy and mental health for law students' in Judith Marychurch and Adiva Sifris (eds), *Wellness for Law: Making Wellness Core Business* (LexisNexis Butterworths, 2020) 99.

³³ As a result of the study the Becky Batagol et al concluded that increasing empathy levels would not result in decreasing student's depression, anxiety, or stress levels as there was no clear connection between empathy and psychological distress. Therefore, the planned empathy skills and values training was not introduced.

³⁴ See Table 6 for a visual comparison of means scores across the different studies.

discuss the results in light of specific demographic factors of studying a law or combined degree, campus location, gender and time spent at law school.

II MEASURING DEPRESSION, ANXIETY, AND STRESS

A commonly used tool to measure levels of psychological distress is the Depression, Anxiety and Stress Scale (DASS).³⁵ The original DASS scale consisted of 42 statements and asked participants to rate their experience of each statement over the past week. The statements are designed to elicit the level of negative emotional states across three separate subscales measuring depression, anxiety, and stress. The tool has been shortened to the DASS21, consisting of 21 statements, 7 aligned to each separate subscale.³⁶ In this context, the depression subscale is described as measuring a state of low positive affectivity, similar to anhedonia (an inability to feel pleasure in normally enjoyable activities) and is associated with a low perceived probability of attaining life goals and a general loss of self-esteem and incentive. The anxiety subscale is described as measuring the participants' state of psychological hyperarousal and acute response to fear. The stress subscale is described as measuring the participants levels of negative affectivity and threshold for becoming upset or frustrated. Negative affectivity (NA) reflects the participants experience of distress, tension and unpleasurable engagement (high NA) or the absence of those feelings (low NA).³⁷ Sample survey items include, "I found it difficult to work up the initiative to do things" (depression scale question), "I was worried about situations in which I might panic and make a fool of myself" (anxiety scale question), and "I found it difficult to relax" (stress scale question).³⁸ Characteristics of high scores on each DASS scale are provided by the scale authors Lovibond and Lovibond in the *Manual for the Depression, Anxiety, Stress Scales*.³⁹

³⁵ Lovibond and Lovibond (n 8). Timothy Brown et al, 'Psychometric Properties of the Depression Anxiety Stress Scales (DASS) in Clinical Samples' (1997) 35(1) *Behaviour Research and Therapy* 79. Peter Lovibond, 'Long-term Stability of Depression, Anxiety, and Stress Syndromes' (1998) 107(3) *Journal of Abnormal Psychology* 520.

³⁶ For evidence of reliability and construct validity see Henry and Crawford (n 23). For discussion on the three subscales and independence of measures for depression, anxiety and stress see Peter Lovibond and Sydney Lovibond, 'The Structure of Negative Emotional States: Comparison of the Depression Anxiety Stress Scales (DASS) with the Beck Depression and Anxiety Inventories' (1995) 33(3) *Behaviour Research and Therapy* 335.

³⁷ Lovibond and Lovibond (n 8); David Watson and Lee Clark, 'Negative Affectivity: The disposition to experience aversive emotional states' (1984) 96(3) *Psychological Bulletin* 465.

³⁸ Lovibond and Lovibond (n 8) 24.

³⁹ *Ibid* 2.

Table 1
Lovibond and Lovibond characteristics of high scorers on each DASS scale

Scale	Characteristics
Depression	Self-disparaging
	Dispirited, gloomy, blue
	Convinced that life has no meaning or value
	Pessimistic about the future
	Unable to experience enjoyment or satisfaction
	Unable to become interested or involved
	Slow, lacking in initiative
Anxiety	Apprehensive, panicky
	Trembly, shaky
	Aware of dryness of the mouth, breathing difficulties, pounding of the heart, sweatiness of the palms
	Worried about performance and possible loss of control
Stress	Over-aroused, tense
	Unable to relax
	Touchy, easily upset
	Irritable
	Easily startled
	Nervy, jumpy, fidgety
	Intolerant of interruption or delay

Studies involving clinical and non-clinical participants have shown DASS provides a psychometrically sound indicator of levels of depression, anxiety, and stress, and is a valid instrument in measuring psychological distress in adult populations.⁴⁰

A Method of Data Collection for James Cook University Survey

Data was collected through a survey of current law students at James Cook University (JCU) in 2019. JCU offers law subjects on two campuses in Queensland: Townsville and Cairns. The survey was administered across the two campuses. The survey was conducted in hard copy during class time between the 1st and 4th April 2019. This aligned with lecture week 6 of the first semester study period. The

⁴⁰ Brown et al (n 35); Andrew Page, Geoffrey Hooke and David Morrison, 'Psychometric Properties of the Depression Anxiety Stress Scales (DASS) in Depressed Clinical Samples' (2007) 46(3) *British Journal of Clinical Psychology* 283; Therese Shaw et al, 'Properties of the DASS-21 in an Australian Community Adolescent Population' (2017) 73(7) *Journal of Clinical Psychology* 879.

timing was selected to be far enough into the semester that the stressors of ‘starting university’ would have passed, and prior to any major assessment tasks or exams (usually conducted during the end of semester exam period). Students may be experiencing mid-semester assessments during this time. Participation was voluntary, and no incentives were offered for completion. As part of the survey, students completed the DASS21 survey.⁴¹ The DASS21 survey was selected as it has been a popular method for collecting data on psychological distress with other Australian law student populations. DASS21 is a reputable scale, shown to have high internal consistency and to yield meaningful results across the three different dimensions of depression, anxiety, and stress.⁴² Ethics was approved through the James Cook University Ethics Committee.⁴³ This paper will report on the results of the DASS21 survey.

The survey was conducted in large cohort classes across the four-year levels of the law degree.⁴⁴ A total of 259 surveys were completed, which represents a 61% response rate of the sample population, and appropriate responses for the population size with a confidence level of 95% and margin of error at 5%. Across both Townsville and Cairns campuses, 92 responses (35.5%) were from first year law classes; 72 responses (27.8%) from second year law classes; 35 (13.5%) from third year law classes; and 60 (23.2%) from fourth year law classes. The demographics of the results were compared with demographic information of the law student population in 2019. Seventy percent (70%) of the responses (n=181) were from students based on the Townsville campus which is a slightly larger representation of the 66.3% of the total law student population studying on the Townsville campus in 2019. Thirty percent (30%) of the responses (n =78) were from students based on the Cairns campus, which is a slight under representation of the 33.6% of the total law student population studying on the Cairns campus in 2019. In 2019 at JCU there were 301 enrolments in a law degree, and 204 enrolments in a combined law degree. Of the survey respondents 61.8% were enrolled in a law degree, 32.4% in a combined law degree⁴⁵, and 5.8% in another degree (studying a law subject as an elective). Just over sixty five percent (65.3%) of the responses were female (n=169), compared to a 62% female cohort in the overall law student population, and 33.2% of the responses were male (n=86), compared to a 37.8% male cohort in the overall law student population. One and a half percent (1.5%) of the survey respondents identified as other than male or female (n=4),

⁴¹ The survey also consisted of the Adult Hope Scale survey (Hope Scale), as well as demographic information.

⁴² Lovibond and Lovibond (n 8).

⁴³ James Cook University human ethics approval number H6659.

⁴⁴ At the time of data collection in 2019 a James Cook University law degree could be studied full-time in 4 years.

⁴⁵ A combined degree refers to students who are studying law and an additional bachelor degree. For example, Bachelor of Arts – Bachelor of Laws; Bachelor of Business – Bachelor of Laws.

compared to 0.2% according to JCU enrolments data.⁴⁶ The mean age of the respondents was 22.51 years.

Table 2
Demographic characteristics of respondents and overall law student population in 2019.

		No of survey respondents (n)	Percentage of survey respondents	Total law population at JCU*	Percentage of law population at JCU*
Age (years)	0-19	101	39.3%	122	24.2%
	20-24	103	40.1%	245	48.5%
	25-29	20	7.8%	54	10.7%
	30-34	14	5.4%	27	5.3%
	35+	19	7.4%	57	11.3%
	Total	257**	100%	505	100%
Gender	Female	169	65.3%	313	62%
	Male	86	33.2%	191	37.8%
	Other	4	1.5%	1	0.2%
	Total	259	100%	505	100%
Degree	Law	160	61.8%	301	59.6%
	Law Combin ed	84	32.4%	204	40.4%
	Other	15	5.8%	NA	
	Total	259	100%	505	100%

*Total law population includes students across both Townsville and Cairns campuses

** Two survey responses did not report age

III RESULTS OF THE JAMES COOK UNIVERSITY SURVEY

The aim of this study is to report the levels of psychological distress in law students at a regional Australian university and contribute to the ongoing collection of empirical data measuring psychological distress in law students in Australia. In order to be included in the results, the survey sub-scales for depression, anxiety, and stress (each containing 7 questions) must contain a complete set of answers to each of the 7 questions. If a student completed all 7 questions on the depression and stress sub-scale, but only 6 questions on the anxiety sub-scale, then their depression and stress results are included in the analysis, however their anxiety results would be excluded due to incomplete data (therefore some differences in total results are observed in the reporting of the data

⁴⁶ Data obtained from James Cook University, *IBM COGNOS Database*, (Report, Accessed June – December 2020).

below). The results of each sub-scale were doubled to give a result out of 42, to allow comparison of DASS42 and DASS21 results across studies.⁴⁷ The DASS results can be interpreted against the scale guide that provides the range of numerical results for each symptom level (normal; mild; moderate; severe; extremely severe).

Table 3
Range for DASS symptom results⁴⁸

Symptom range	Depression	Anxiety	Stress
Normal	0-9	0-7	0-14
Mild	10-13	8-9	15-18
Moderate	14-20	10-14	19-25
Severe	21-27	15-19	26-33
Extremely Severe	28+	20+	34+

Data was analysed using IBM SPSS Statistics (Version 21). The reliabilities (internal consistencies) of the DASS21 and three subscales in this study were estimated using Cronbach's alpha (a measure of a psychometric scale reliability). Cronbach's alpha (α) scores range from 0 to 1, with a higher score indicating that items within a scale are more internally consistent, which indicates a scale is more likely to be measuring the same construct. The α for the total scale was 0.94, and for the depression, anxiety and stress subscales 0.9, 0.85, 0.86 respectively, demonstrating high reliability. Table 4 shows the number of results of each subscale and corresponding symptom level.

Table 4
DASS21 subscale results and corresponding symptom level

Symptom level	Depression		Anxiety		Stress	
	n	%	n	%	n	%
Normal	132	51.8%	106	41.4%	122	47.8%
Mild	37	14.5%	25	9.8%	38	14.9%
Moderate	36	14.1%	49	19.1%	36	14.1%
Severe	24	9.4%	25	9.8%	44	17.3%
Extremely Severe	26	10.2%	51	19.9%	15	5.9%
Total	255	100%	256	100%	255	100%

⁴⁷ As recommended in DASS manual to allow for comparison of results across DASS42 and DASS21 scores, Lovibond and Lovibond (n 8). See for example, John Crawford et al, 'Percentile norms and accompanying interval estimates from an Australian General Adult Population Sample for Self-report Mood Scales (BAI, BDI, CRSD, CES-D, DASS, DASS-21, STAI-X, STAI-Y, SRDS, and SRAS)' (2011) 46(1) *Australian Psychologist* 3.

⁴⁸ Lovibond and Lovibond (n 8).

According to Lovibond and Lovibond, the DASS distribution for severe and extremely severe is set at the 95th percentile, meaning generally only 5% of the results would fall within that range for each of the scales.⁴⁹ In the current study the proportion of responses falls outside the normative data range, with results indicating higher symptom levels across all three sub-scales compared to DASS norms.

Table 5
Combined symptom level results DASS21 JCU law student 2019

Symptom level	Depression		Anxiety		Stress	
	n	%	n	%	n	%
Normal - Moderate	205	80.4%	180	70.3%	196	76.9%
Severe – Extremely severe	50	19.6%	76	29.7%	59	23.1%
Total	255	100%	256	100%	255	100%

The mean DASS scores were calculated with a 95% confidence interval (the upper and lower limits for the true mean difference). A single sample t-test shows the mean level of psychological distress (DASS total score; $M = 39.14$, $SD = 27.37$, $t(249) = 22.61$, $p < .001$) as significantly higher than normative DASS total scores ($M = 18.38$, $SD = 25.37$). These results indicate that JCU law students reported significantly higher levels of psychological distress compared to normative data, as defined by Lovibond and Lovibond in the *Manual for the Depression, Anxiety, Stress Scales* (referred to in this article as DASS norms).⁵⁰

Since the BMRI report in 2009⁵¹ a number of Australian law schools have administered the DASS survey and reported on the results as discussed above. The mean results across the studies demonstrate that JCU law students reported higher levels of depression, anxiety and stress compared to the law students in studies prior to 2014 in other university cohorts in Australia and earlier results from the general population at large.⁵² The 2015 and 2017 results from Monash University show high levels of DASS comparable to the findings of this study.⁵³

⁴⁹ Ibid.

⁵⁰ Ibid.

⁵¹ Kelk (n 12).

⁵² Comparison table adapted from 'Table 5. Comparison of DASS means' – published research in Larcombe et al (n 2) 1083.

⁵³ Batagol et al (n 32).

Table 6
DASS mean scores on depression, anxiety, and stress scales compared with Australian university and general population samples

Study (year of results collection)	Population	Location**	n	Participation rate***	Characteristics	Timing	DASS version	Mean* depression	Mean* anxiety	Mean* stress
Current Study (2019: April)	Single University	QLD (RR)	259	61%	Undergraduate law students	Week 6, Sem 1	21	11.46	11.09	16.49
Batagol et al (2017: October) ⁵⁴	Single University	VIC (M)	656	16.4%	Undergraduate law students	First week exam period, Sem 2	21	14.21	11.64	18.86
Batagol et al (2017: August) ⁵⁵	Single University	VIC (M)	410	9%	Undergraduate law students	Week 2, Sem 2	21	13.07	10.14	16.51
Batagol et al (2015) ⁵⁶	Single University	VIC (M)	261	10.2%	Undergraduate law students	First week exam period, Sem 2	21	13.89	11.36	19.15
Larcombe et al (2013) ⁵⁷	Single university	VIC (M)	333	44%	Postgraduate law students	Weeks 2-4, Sem 2	21	9.8	7.7	14.86
Larcombe and Fethers (2012) ⁵⁸	Single university	VIC (M)	316	46%	Postgraduate law students	Week 2-4, Sem 2	21	9.2	7.4	14.4

⁵⁴ Ibid 22.

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ Larcombe, Finch and Sore (n 24).

⁵⁸ Larcombe and Fethers (n 21).

Study (year of results collection)	Population	Location**	n	Participation rate***	Characteristics	Timing	DASS version	Mean* depression	Mean* anxiety	Mean* stress
Townes O'Brien, Tang, and Hall (2010) ⁵⁹	Single university	ACT (M)	172	Not specified	Undergraduate law students	Week 2, Sem 1	21	5.78	7.14	9.48
Townes O'Brien, Tang, and Hall (2010) ⁶⁰	Single university	ACT (M)	81	Not specified	Undergraduate law students	Sept – Oct (end of semester)	21	8.84	7.14	14
Townes O'Brien, Tang, and Hall (2009) ⁶¹	Single university	ACT (M)	214	Not specified	Undergraduate law students	October (end of semester)	21	10.6	7.6	12.62
Schofield et al (2009) ⁶²	Single University	VIC (M; RR)	796	16%	Random sampling of 5000 students (whole of university)	Weeks 10 – 14, Sem 1	21	9.68	7.21	12.53
Rosenthal, Russell, and Thomson (2005) ⁶³	Single university	Not specified	979	43.9%	Undergraduate and postgraduate international students only	March, Sem 1	21	8.7	7.6	11.7

⁵⁹ O'Brien, Tang and Hall (n 25).

⁶⁰ Ibid.

⁶¹ Ibid.

⁶² Schofield et al (n 1).

⁶³ Doreen Rosenthal, Jean Russell and Garry Thomson, 'The Health and Wellbeing of International Students at An Australian University' (2008) 55(1) *Higher Education* 51.

Study (year of results collection)	Population	Location**	n	Participation rate***	Characteristics	Timing	DASS version	Mean* depression	Mean* anxiety	Mean* stress
McKenzie and Schweitzer (not specified) ⁶⁴	Single university	QLD (M)	197	Not specified	Science and IT first-year students only	4-8 weeks prior to end of semester	21	5.72	4.76	6.8
Crawford et al (1995 - 2000) ⁶⁵	Community	SA	785	NA	Adults 18-86 years	NA	21	5.14	3.48	7.98
Lovibond and Lovibond (1995) ⁶⁶	Single university	NSW	717	Not specified	First year psychology students	Not specified	42	7.19	5.23	10.54
	*Means for DASS21 were doubled to allow for comparison to DASS42 results.									
	**Location by state; Metropolitan Campus (M); Regional and Remote Campus (RR)									
	***Participate rate of sample drawn from the population of law student enrolled									

⁶⁴ Kirsten McKenzie and Robert Schweitzer, 'Who Succeeds at University? Factors predicting academic performance in first year Australian university students' (2001) 20(1) *Higher Education Research and Development* 21.

⁶⁵ Crawford et al (n 47).

⁶⁶ Lovibond and Lovibond (n 8).

It is important to note however that results across studies cannot be directly compared. Each DASS study must be considered unique to the student cohort due to the timing and delivery of the survey and the specific influencing factors that may affect students from each institution. The DASS21 survey asks respondents to consider how much a statement applied to them over the week prior. A student may report that they experienced more or less stress, (e.g., “I found it difficult to relax” and “I found myself getting upset rather easily”) depending on the proximity to major assessment tasks, exam periods and academic workload. Students may also report experiencing anxiety (e.g., “I felt scared without any good reason” and “I found myself in situations that made me so anxious I was most relieved when they ended”) at the start of semester with the commencement of a range of new subjects. The recruitment of students also differed across studies, with some surveys being conducted online and emailed to students and others conducted in hard copy during class time, or sent in the mail. There may also be differences in results due to some law student cohorts being postgraduate only (e.g., University of Melbourne) compared to undergraduate law school programs. This will affect the average age of students, and other factors such as life experience, prior undergraduate university experience, financial and family stability. The differences across entry scores and pathways into law school programs could affect the calibre and capacity of the student cohort at different Australian universities, which may also impact the overall survey results. Notwithstanding the differences of timing and mode of delivery, age, undergraduate or postgraduate classification of students, and calibre of students entering the law degree at different Australian universities, the consistency in high DASS results compared to the general population (non-clinical samples) maintains the concern for law student wellbeing and therefore supports the continued focus on efforts to reduce psychological distress factors in the design of institutional policies and services, as well as the law curriculum.

A Regional university characteristics

The majority of DASS studies in law school populations in Australia have been conducted in metropolitan campuses (as noted in Table 6 location column). Schofield et al’s 2009 study of depressive symptoms across the whole student population of a large Victorian university with 2 metropolitan and 5 rural/regional campuses found that students on the metropolitan campuses had higher rates of depression (41.8% of total sample, n = 800) compared to regional campuses (32.7%).⁶⁷ Australia has a high proportion of university campuses in rural and regional areas; however, these university populations remain under researched. As does the effect on mental health conditions, such as psychological

⁶⁷ Schofield et al (n 1).

distress, across urban and rural general populations.⁶⁸ Within the literature of health, including mental health and wellbeing, rural and remote populations are often classified as “vulnerable populations”.⁶⁹ In a recent systematic review on the prevalence of depression and anxiety among young (10 – 24 years) rural and urban Australians, literature citing overall poorer health outcomes for rural and remote Australians was attributed to social factors and health risk factors, such as access to healthcare.⁷⁰ Of the social factors, mental health literacy, cultural acceptance of psychological distress symptoms as a health condition, and social determinants, such as education, income, employment, and quality of housing were contributors to poorer health outcomes.⁷¹ Social factors are clearly associated with health outcomes, however they are also important considerations in access to higher education and successful attainment of a degree. JCU has equity strategies to support participation and success in higher education for people from non-traditional backgrounds.⁷² These strategies include support for people from low socio-economic backgrounds, pathway programs for targeted equity groups such as first-in family students, non-school leavers, and pathways for people who did not complete high school. There is awareness of high school disadvantage for students from rural and remote locations who may not have had access to a wide range of subject choices or advanced educational opportunities. Culturally appropriate and accessible transitions are also a focus for Aboriginal and Torres Strait Islander students, culturally diverse rural populations, and international student cohorts. The data collected from this study is from a regional university operating across two campuses. Further research on the mental wellbeing of non-metropolitan student populations will contribute to the scholarship on the student experience of psychological distress at university and whether differences in metropolitan/regional wellbeing interventions would be useful.

B Comparing DASS results across variables

Discussions in the literature hypothesise differences in results across distinct populations such as gender, age, location, and year of study.⁷³ This study investigated the impact of factors including type of degree being studied, campus location, year of study, gender, and time spent at law school. To investigate if differences across these variables

⁶⁸ Caitlin Fraser et al, 'Does One Size Really Fit All? Why the mental health of rural Australians requires further research' (2002) 10(6) *Australian Journal of Rural Health* 288.

⁶⁹ Grace Baxter, Leigh Tooth and Gita Mishra, 'Psychological Distress in Young Australian Women by Area of Residence: Findings from the Australian Longitudinal Study on Women's Health' [2021] 295 *Journal of Affective Disorders* 390, 390.

⁷⁰ Sushmitha Kasturi et al, 'Prevalence Rates of Depression and Anxiety Among Young Rural and Urban Australians: A Systematic Review and Meta-Analysis' (2023) 20(1) *International Journal of Environmental Research and Public Health* 800.

⁷¹ *Ibid.*

⁷² James Cook University, *Access and Participation Plan 2019 - James Cook University* (2019) Townsville.

⁷³ Schofield et al (n 1); Larcombe, Finch and Sore (n 24); Larcombe et al (n 2).

exist in the current study, independent-sample t-tests were conducted with the dependent variables (dependent variable: depression, anxiety, and stress) compared to independent variables (independent variable: for example, gender (0=females; 1=males) or degree type (0=straight law; 1=joint degree)) to determine if there were any significant differences in the mean scores for each group.⁷⁴ Standardised effect size is reported using eta squared. Eta squared can be reported as both a ratio and a percentage to show the statistic information and also the real-world application of the ratio. The eta squared result states the extent that the independent variable can explain or predict the individual difference in the dependent variable. If eta squared is 0.41, that ratio can be expressed as a percentage ($.41 \times 100 = 41\%$), that would indicate that 41% of the variability in the dependent variable can be explained by the independent variable. Tabachnick and Fidell, researchers in quantitative psychology, psychophysics and experimental psychology, caution however that in nonexperimental research it is very difficult to attribute causality to an independent variable.⁷⁵ Therefore, while it may be possible to determine that there is a relationship between variables, no causal association can be implied. For an exploratory study, reporting on whether a relationship is found to exist (or not) between dependent and independent variables, this t-test procedure is appropriate for the sample populations and sample sizes in this study.

1 Law degree and combined law degree students

Respondents were asked if they were enrolled in a law degree, a combined law degree, or a degree other than law. A combined law degree allows students to enrol in two disciplines at the same time. In this study students reported being enrolled in Arts-Law, Business-Law, Science-Law, and Psychology-Law. Respondents who answered that they were enrolled in a degree other than law ($n = 15$) were excluded from this comparison as 15 results would not be statistically significant

⁷⁴ Robert Grissom and John Kim, *Effect sizes for research: Univariate and multivariate applications* (Routledge, 2012); Todd Little, *The Oxford Handbook of Quantitative Methods, Vol. 2: Statistical Analysis* (Oxford University Press, 2013); Julie Pallant, *SPSS Survival Manual: A step by step guide to data analysis using IBM SPSS* (McGraw-Hill Education (UK), 2020). Traditional statistics include univariate methods such as the t-test, ANOVA, Pearson's r , Spearman's ρ , and multiple regression. These classical statistics are used for significance testing, that is to compute indices of effect or relationship strength when there is a single dependent variable. By determining the effect sizes of the relationship between variables, the results can be used to make an informed judgement about the practical significance of the results and whether any action is justified to be taken in reality. P-values are used to determine statistical significance. Further analysis however is required in order to determine practical significance. Eta squared results are used in this study to report the effect size. Where a significant result was found, Cohen's d results were additionally considered. The assistance of effect size guides, such as eta squared and Cohen's d , can provide information to inform judgements about practical significance. The guidelines for interpreting eta squared effect size values are: 0.01 – 0.059 (small effect); 0.06 – 0.139 (moderate effect); 0.14 and above (large effect).

⁷⁵ Barbara Tabachnick and Linda Fidell, *Using Multivariate Statistics* (Pearson Boston, 6th Edition, 2016).

for a comparative data set. Of the 160 responses from students studying a law degree, 157 completed the depression scale; 158 the anxiety scale; and 157 the stress scale. Of the 84 students enrolled in a combined degree, 83 completed all three scales.

Table 7
Comparison of law degree and combined law degree student cohorts

	Symptom	Law		Combined	
		n	%	n	%
Depression	Normal	76	48.4%	48	57.8%
	Mild	25	15.9%	8	9.6%
	Moderate	23	14.7%	12	14.5%
	Severe	16	10.2%	8	9.6%
	Extremely Severe	17	10.8%	7	8.5%
	Total	157	100%	83	100%
Anxiety	Normal	66	41.7%	33	39.8%
	Mild	14	8.9%	10	12%
	Moderate	31	19.6%	17	20.5%
	Severe	14	8.9%	8	9.6%
	Extremely Severe	33	20.9%	15	18.1%
	Total	158	100%	83	100%
Stress	Normal	68	43.3%	46	55.4%
	Mild	27	17.2%	8	9.6%
	Moderate	25	15.9%	11	13.3%
	Severe	27	17.2%	14	16.9%
	Extremely Severe	10	6.4%	4	4.8%
	Total	157	100%	83	100%

There was no statistically significant difference between the depression scales for law ($M = 11.97$, $SD = 10.25$) and combined degrees ($M = 10.75$, $SD = 10.20$; $t(240) = .88$, $p = .38$, two tailed). Similarly the anxiety scale showed no statistically significant difference between law ($M = 11.23$, $SD = 9.64$) and combined degrees ($M = 10.63$, $SD = 9.14$; $t(241) = .47$, $p = .64$, two tailed). The stress scale also showed no statistically significant difference between law ($M = 16.9$, $SD = 10.21$) and combined degrees ($M = 15.78$, $SD = 10.43$; $t(240) = .80$, $p = .42$, two tailed). Therefore, these results indicate no statistically significant differences in DASS results between students enrolled in a law degree compared to a combined law degree.

2 Campus location (Townsville and Cairns)

The JCU law degree operated across two campus locations in Queensland in 2019.⁷⁶ Literature suggests that DASS may be influenced by challenges associated with the fact that students live and study in regional and remote locations.⁷⁷ Both Cairns and Townsville are classified as regional locations. In 2019 Townsville had an estimated population of 237,085 and JCU student population of 11,638.⁷⁸ Cairns had an estimated population of 253,818 and JCU student population of 3,307.⁷⁹ DASS results were compared across the two campuses.

Table 8
Comparison of Townsville and Cairns student cohorts

	Symptom	Townsville		Cairns	
		n	%	n	%
Depression	Normal	90	50.6%	42	54.5%
	Mild	25	14%	12	15.6%
	Moderate	26	14.6%	10	13%
	Severe	16	9%	8	10.4%
	Extremely Severe	21	11.8%	5	6.5%
	Total	178	100%	77	100%
Anxiety	Normal	66	37.1%	40	51.3%
	Mild	18	10.1%	7	9%
	Moderate	35	19.7%	14	17.9%
	Severe	18	10.1%	7	9%
	Extremely Severe	41	23%	10	12.8%
	Total	178	100%	78	100%
Stress	Normal	81	45.5%	41	53.2%
	Mild	25	14%	13	16.9%
	Moderate	27	15.2%	9	11.7%

⁷⁶ Since 2020 the JCU law degree has also been offered as an external degree, fully online.

⁷⁷ Vivienne Browne and Nicholas Fava, 'Safeguarding the 'Mental Wealth' of Australian University Students' in Judith Marychurch and Adiva Sifris (eds), *Wellness for Law: Making Wellness Core Business* (LexisNexis Butterworth, 2020) 15.

⁷⁸ Townsville data from *Australian Bureau of Statistics* <<https://dbr.abs.gov.au/region.html?lyr=sa4&rgn=318>>. JCU data from COGNOS, Student enrolments, accessed via <reporting.jcu.edu.au>.

⁷⁹ Cairns data from *Australian Bureau of Statistics* <<https://dbr.abs.gov.au/region.html?lyr=sa4&rgn=306#>>.

Severe	31	17.4%	13	16.9%
Extremely Severe	14	7.9%	1	1.3%
Total	178	100%	77	100%

There was no statistically significant difference in depression scale scores between Townsville ($n=178$, $M = 11.98$, $SD = 10.76$) and Cairns ($n = 77$, $M = 10.26$, $SD = 8.75$; $t(255) = 1.24$, $p = .22$, two tailed). There was also no statistically significant difference in the stress scale scores for Townsville ($M = 17.19$, $SD = 10.70$) and Cairns ($M = 14.86$, $SD = 9.265$; $t(255) = 1.66$, $p = .10$, two tailed).

For the anxiety scale the variances of the two groups was not the same. With equal variances not assumed (Sig. value for Levene's test = 0.12), the results showed a statistically significant difference in the mean scores between Townsville ($M = 12.01$, $SD = 10.18$) and Cairns ($M = 8.97$, $SD = 7.9$, $t(256) = 2.34$, $p = .01$, two tailed). While statistical significance was found, the magnitude of the difference in the means (mean difference = 3.04, 95%CI: .718 to 5.356) was small (eta squared = .035). The Cohen's d effect size (Cohen's $d = 0.33$, effect-size $r = 0.16$) was also small. Therefore, while Townsville students did report greater levels of anxiety compared to Cairns students, the effect size for the levels of reported anxiety were not significantly different between the two campuses. The results estimate only 3.5% of the difference in anxiety results between groups is explained by campus location.

3 Gender

Previous DASS studies have found no difference in responses across genders.⁸⁰ To investigate if any differences across the DASS results existed for this study population of females ($n=169$) and males ($n=86$), completed subscales were compared. Respondents who identified as other than female or male ($n= 4$) were excluded from this comparison as 4 results would not be statistically significant for a comparative data set.

⁸⁰ Larcombe and Fethers ($n 21$); Schofield et al ($n 1$).

Table 9
Comparison of female and male results

	Symptom	Female		Male	
		n	%	n	%
Depression	Normal	87	52.1%	45	53.6%
	Mild	26	15.5%	10	11.9%
	Moderate	23	13.8%	12	14.3%
	Severe	16	9.6%	7	8.3%
	Extremely Severe	15	9%	10	11.9%
	Total	167	100%	84	100%
Anxiety	Normal	62	37.1%	43	50.6%
	Mild	18	10.8%	7	8.2%
	Moderate	31	18.6%	18	21.2%
	Severe	19	11.4%	6	7.1%
	Extremely Severe	37	22.1%	11	12.9%
	Total	167	100%	85	100%
Stress	Normal	71	42.5%	50	59.5%
	Mild	24	14.4%	14	16.7%
	Moderate	27	16.2%	8	9.5%
	Severe	35	20.9%	8	9.5%
	Extremely Severe	10	6%	4	4.8%
	Total	167	100%	84	100%

It can be seen in these results that the high levels of severe and extremely severe responses fall well beyond the DASS normative data range of 5%.⁸¹

Table 10
Combined symptom level results comparing females and males

Symptom level	Depression		Anxiety		Stress	
	Female	Male	Female	Male	Female	Male
Normal - Moderate	81.4%	79.8%	66.5%	80%	73.1%	85.7%
Severe – Extremely severe	18.6%	20.2%	33.5%	20%	26.9%	14.3%

⁸¹ Lovibond and Lovibond (n 8).

Total	100%	100%	100%	100%	100%	100%
Significance p value = 0.05						

There was no statistically significant difference between overall DASS mean results for males ($M = 34.02, SD = 27.59$) and females ($M = 40.89, SD = 26.16; t(244) = -1.91, p = 0.06$, two-tailed). There was no statistically significant differences between males and females on the depression scale; males ($M = 11.48, SD = 10.64$) and females ($M = 11.19, SD = 9.81; t(251) = .215, p = .83$, two-tailed). The overall DASS and depression scale results support previous findings that overall, there is no significant difference in depression scores across genders. However, there was a statistically significant difference on the anxiety and stress sub-scales.⁸²

On the anxiety scale females ($M = 11.80, SD = 9.30$) showed significantly higher results than males ($M = 9.06, SD = 9.27; t(250) = -2.21, p = 0.028$, two-tailed; mean difference = -2.738 , 95% CI: -5.175 to -0.301). A Mann-Whitney U Test, which measures the difference between groups, also confirmed a statistically significant difference in the anxiety results of males ($Md = 6, n = 85$) and females ($Md = 10, n = 167$), $U = 5686, z = -2.59, p = .01, r = .16$) with females more likely to report higher results of anxiety. However, the eta squared (.02) and Cohen’s d (.30, effect-size $r = 0.15$) suggest only a small effect. On the stress scale, females ($M = 17.72, SD = 10.04$) showed statistically significantly higher results than males ($M = 13.62, SD = 10.02; t(249) = -3.06, p = 0.002$, two-tailed; mean difference = -4.106 , 95% CI: -6.75 to -1.46). The magnitude of differences in the means (mean difference = -4.11 , 95% CI: -6.75 to -1.46) was small (eta squared = 0.036 ; Cohen’s $d = .41$; effect-size $r = .20$). Therefore, while these results indicate that female students do report higher levels of anxiety and stress compared to male students, the results may not be different enough to support directing specific interventions to the different genders. Overall, there is only a small difference between females and males in the level of stress and anxiety they report experiencing while studying their degree.

4 Time spent at law school

Some of the first-year literature suggests levels of psychological distress at law school could be dependent on the time spent at law school, and that the impact on law students’ psychological wellbeing could be evident after only 6 months of study or by the end of the first year.⁸³ In the current study there were not enough individual responses for each year of study for a statistically significant comparison across the year groups. Therefore, a comparison was completed by splitting

⁸² Significant value set at 0.5; P value = 0.05.

⁸³ Daniel O’Loughlin, Adiva Sifris and Becky Batagol, ‘Wellness and Wellbeing at Monash University: The First Semester Law Experience’ in Judith Marychurch and Adiva Sifris (eds), *Wellness for Law: Making Wellness Core Business* (LexisNexis Butterworths, 2020) 25. O’Brien, Tang and Hall (n 25).

the results into students in their first and second year of study, compared to students in their third, fourth or fifth year of study.

Table 11
Comparison of 1-2 years of study and 3-5 years of study

	Symptom	Year 1-2		Year 3-5	
		n	%	n	%
Depression	Normal	76	53.1%	53	50%
	Mild	20	14%	15	14.2%
	Moderate	17	11.9%	18	17%
	Severe	17	11.9%	7	6.6%
	Extremely Severe	13	9.1%	13	12.2%
	Total	143	100%	106	100%
Anxiety	Normal	64	45.1%	39	36.1%
	Mild	12	8.5%	12	11.1%
	Moderate	26	18.3%	22	20.4%
	Severe	11	7.7%	13	12%
	Extremely Severe	29	20.4%	22	20.4%
	Total	142	100%	108	100%
Stress	Normal	71	50.4%	46	42.6%
	Mild	20	14.2%	17	15.7%
	Moderate	15	10.6%	21	19.5%
	Severe	27	19.1%	17	15.7%
	Extremely Severe	8	5.7%	7	6.5%
	Total	141	100%	108	100%

No statistically significant difference in the scores for depression, anxiety or stress across the years of study was found. The depression scale between years 1-2 ($M = 11.40$, $SD = 10.29$) and years 3-5 ($M = 11.74$, $SD = 10.28$; $t(249) = -.26$, $p = .80$, two tailed) showed a magnitude of the difference between the means (mean difference $-.34$, 95% CI: -2.94 to 2.26) was extremely small (eta squared = 0.0003). Similarly across the anxiety scale, years 1-2 ($M = 10.93$, $SD = 10.05$) and years 3-5 ($M = 11.48$, $SD = 9.25$; $t(250) = -.445$, $p = .66$, two tailed; mean difference $-.55$, 95% CI: -3.00 to 1.90 ; eta squared = 0.0008). Also the stress scale showed no statistically significant difference across years 1-2 ($M = 16.10$, $SD = 10.67$) and years 3-5 ($M = 17.13$, $SD = 10.12$; $t(249) = -.77$, $p = .44$, two tailed; mean difference = -1.03 , 95% CI: -3.66 to 1.60 ; eta squared = 0.002). Therefore, these results show no statistically significant difference in levels of depression, anxiety,

and stress based on having spent only 1-2 years at law school, or 3-5 years. These results indicate that interventions could be targeted across the whole cohort as opposed to year level targeted interventions.

IV DISCUSSION OF RESULTS

The results of previous DASS surveys administered to Australian university students shows an alarming trend of reported severe and extremely severe symptoms of depression, anxiety, and stress in students (refer to Table 6). These results must also take into account the statistics indicating that an increasing rate of students are entering university and law school with mental health issues.⁸⁴ This study's findings support the ongoing concern for the mental health and wellbeing of Australian university students and highlights the importance of maintaining focus on the wellbeing of students and addressing risk factors that may contribute to psychological distress experienced, specifically by law students.⁸⁵ The results are also significant in light of the attention that has been paid to law student wellbeing over the last decade as a result of the BMRI report and subsequent wellbeing research. Given the attention, research, and implementation of strategies in law schools to support student wellbeing, these results do not show a corresponding decline in psychological distress at JCU. The following discussion highlights key findings from each of the comparative data sets reported in the results section.

A *Law degree and combined law degree students*

If law school, and the way the law is taught, are key influencing factors in psychological distress of law students, then it could be hypothesised that studying a combined law degree might lessen indicators of psychological distress.⁸⁶ A student studying a combined law degree will still complete all Priestley 11 law subjects and have a choice of law elective subjects. However, it is more likely they will have one or two non-law subjects in their study plan each semester. Interestingly, the results of this current study found no significant difference between the levels of depression, anxiety, and stress based on whether students were enrolled in a law degree or a combined law degree. These results do support the existing empirical data that simply being a university student increases the likelihood of suffering psychological distress compared to the general population.⁸⁷ Larcombe, Finch, and Sore compared postgraduate law students DASS results with other undergraduate and postgraduate disciplines (Arts, Biomedicine,

⁸⁴ Judith Marychurch, 'Partnership with Students for a 'Whole of Law School' Approach to Wellness' in Judith Marychurch and Adiva Sifris (eds), *Wellness for Law: Making Wellness Core Business* (LexisNexis Butterworths, 2020) 79.

⁸⁵ Browne and Fava (n 77).

⁸⁶ Rachael Field, James Duffy and Anna Huggins, *Lawyering and Positive Professional Identities* (LexisNexis Butterworths, 2019).

⁸⁷ Browne and Fava (n 77). Larcombe, Finch and Sore (n 24).

Engineering, Science and Veterinary medicine) and found very few differences in the data. The authors concluded:

Our findings indicate that the sources of law student distress are unlikely to be exclusively related to the ‘lawyer’s personality’ or ‘thinking like a lawyer’. As a result, legal educators and law schools seeking to better support student mental wellbeing are likely to see enhanced outcomes from addressing both discipline-specific and generic factors that undermine students’ psychological wellbeing. As so many law students in Australia study law in combination with another academic program, it will be important to address students’ psychological needs in each of their fields of study as well as the stressors from the combined program demands.⁸⁸

Across the three surveys Batagol et al conducted in 2015 and 2017 approximately 90% of the respondents were studying combined degrees.⁸⁹ Since no other university student cohort was surveyed for comparison in the current study, no definitive conclusions can be drawn about whether these results were higher than other students ‘not studying law’ at JCU. However, the overall high results for law and combined law degree students supports the wellbeing literature calling for whole of institution responses and resourcing of services to reduce the stressors of being a university student in Australia.

B *Campus location*

Browne and Fava, from the National Centre of Excellence in Youth Mental Health, hypothesised that students in rural and regional areas may be more likely to experience heightened psychological distress.⁹⁰ The results from the current study provide some support for this conclusion. When compared to other Australian university studies conducted prior to 2015 at urban universities, the JCU results demonstrate a stark difference. Larcombe et al in their 2015 study reported Melbourne law student results of “extremely severe” with 5.7% (depression), 9.3% (anxiety) and 3.9% (stress) compared with this current study’s 2019 results of “extremely severe” with 10.2% (depression), 19.9% (anxiety) and 5.9% (stress). These findings are significant because they empirically demonstrate the very high levels of psychological distress of law students at a regional Australian University. However, the Monash University results (an urban university) collected by Batagol et al in 2015 and 2017 show that Monash students suffer similar and even slightly higher symptoms of psychological distress compared to the current study (a regional university). The results are not directly comparable however as the timing of the delivery of the surveys may have been a moderating factor. The Monash studies were conducted in the first week of exam periods, and in week 2 of semester 2. The current study was conducted in week 6 of semester 1. The impact of the differences across institutions as discussed above including timing of the delivery of the

⁸⁸ Larcombe, Finch and Sore (n 24) 268.

⁸⁹ Batagol et al (n 32).

⁹⁰ Browne and Fava (n 77).

surveys, mode of delivery, postgraduate or undergraduate cohorts and entry score or pathways into a law degree cannot be directly measured and therefore must simply be taken into consideration when comparing the results.

This study found that students studying on the Townsville campus reported being more anxious than students studying on the Cairns campus. Factors that could account for this difference include the number of students on each campus. Townsville law student enrolments in 2019 were 332 and Cairns were 169. Students' experience of competition, high academic demands, social isolation, managing study/life balance as well as career pressures have been found to impact on students' mental health.⁹¹ Townsville is a larger campus and therefore some students may feel there is more competition for limited resources. Longitudinal studies on law student wellbeing in the USA suggests that University culture is a contributing factor to students' levels of psychological distress.⁹² University culture could be influenced by specific teaching staff, approaches to teaching, and students' perceptions of autonomy.⁹³ Differences across the Townsville and Cairns campuses, such as changes in permanent staff members and effects of institutional restructuring could account for the differences. In 2019 it was announced there would be substantial changes to the Townsville law school infrastructure and significant staffing changes across both campuses occurred. Therefore, although Cairns and Townsville are law schools at the same university, differences in campus culture, student experience of competition (e.g., for perceived limited resources, access to staff, engagement with the legal profession in the region, and eventually competition for jobs), and size of campus could account for the different levels of anxiety.

C Gender (and age)

While some studies of psychological distress have seen a gender distinction,⁹⁴ of the comparison studies listed in Table 6, only Rosenthal et al's survey of international students found that, in general, female students reported greater levels of psychological distress than male students.⁹⁵ Larcombe and Fethers' survey of postgraduate law students found neither age nor gender were independent predicting factors of psychological distress.⁹⁶ Reporting specifically on the

⁹¹ Bergin and Pakenham (n 3).

⁹² Kennon Sheldon and Lawrence Krieger, 'Understanding the Negative Effects of Legal Education on Law Students: A longitudinal test of self-determination theory' (2007) 33(6) *Personality and Social Psychology Bulletin* 883.

⁹³ *Ibid.*

⁹⁴ A study at the University of Adelaide used an alternative measure of psychological distress (K10), and their results showed some difference in distress levels for females across year groups (year 1 and year 3) compared to males. See Catherine Leahy et al, 'Distress Levels and Self-reported Treatment Rates for Medicine, Law, Psychology and Mechanical Engineering Tertiary Students: Cross-sectional study' (2010) 44(7) *Australian and New Zealand Journal of Psychiatry* 608.

⁹⁵ Rosenthal, Russell and Thomson (n 63).

⁹⁶ Larcombe and Fethers (n 21).

depression scale, Schofield et al's DASS survey (across a random sampling of the entire student population) found no correlation between gender and depressive symptoms.⁹⁷ None of the other comparison papers reported on gender effects. This current study found there was no significant difference in reported depressive symptoms across genders. However, there was a gender difference in self-reported anxiety and stress levels with females reporting higher levels of anxiety and stress. While considering the significance of these results through a gender lens is beyond the scope of this article, previous research reports evidence of gender differences in anxiety levels.⁹⁸ Reasons for the difference could be explained by gender socialisation, expression of vulnerability, physiological differences, exposure to risk factors for anxiety, feelings of low self-efficacy, or female students being more prepared (compared to males) to self-report their true levels of anxiety and stress.⁹⁹ The small effect size of the difference could be taken into consideration when determining if different strategies directed at reducing psychological distress should be developed for females and males. The results of the current study would indicate that gendered interventions may not be necessary. A further study pre and post a specific curricular or extra-curricular intervention would be useful to determine if a noticeable change was evident across the cohort and if the change was the same for males and females.

D *Time spent at law school (and age)*

There was no significant difference in depression, anxiety, and stress results comparing students studying in years 1-2 and years 3-5 of the law degree. In the current study, 35.5% of results were first year students in week 6 of their law studies and 23.2% were in second year, so it is interesting that the combined results of first and second year showed no significant difference to the later year groups.

The mean age for students in years 1-2 was 21.38 years and 3-5 was 24.15 years. These findings would appear to support previous empirical research that has found no association between age and psychological distress.¹⁰⁰ Some difference on the anxiety sub-scale has been found, with Larcombe et al reporting that severe or extremely severe results on the anxiety sub-scale were substantially higher for students aged less than 25 years, and particularly high for students aged between 22 and 24 years.¹⁰¹ Larcombe et al suggested that their study results support a particular need to target mental well-being information and strategies to students aged between 18 and 24 years.¹⁰² The results from the current study indicate that whole of degree interventions are required,

⁹⁷ Schofield et al (n 1).

⁹⁸ Carmen McLean and Emily Anderson, 'Brave Men and Timid Women? A review of the gender differences in fear and anxiety' (2009) 29(6) *Clinical Psychology Review* 496.

⁹⁹ Ibid.

¹⁰⁰ See for example Larcombe and Fethers (n 21); Schofield et al (n 1).

¹⁰¹ Larcombe et al (n 2).

¹⁰² Ibid, 1087.

and there is no evidence in the current study's results to suggest that targeting a particular year group or age bracket is necessary. These results also support the findings that simply being a university student, facing the stressors of study/life balance throughout the years it takes to complete a degree impacts on students' mental health regardless of age and time spent at university.¹⁰³

E *Limitations and strengths*

A limitation of this study is that data was only received from students who were present in class on the days the survey was administered. Therefore, there may be some participation bias as the findings are only from participants who showed up to class in week 6 of the first semester. This could mean the results are skewed to students who were still motivated and/or psychologically and physically able to attend class. The voluntary nature of the survey means students who were feeling particularly distressed or disinterested in a wellbeing study may have chosen not to participate. As a self-report survey there is also a measurement limitation, as individuals may over or under-report their levels of distress. Furthermore, the results did not consider other mitigating factors for individual responses beyond demographic information provided in the survey. The survey provides only a point in time snapshot of the students' levels of wellbeing and ill-being over the week prior. Continual monitoring over a semester or year period would provide additional clarity as to the sustained, peak, or low levels of distress experienced by students while studying.

The primary strength of this study was the use of a reliable and validated survey instrument and the collection of data that is somewhat equivalent across studies using the same instrument. While the results of the current study are not directly comparable to other studies, due to differences in the administration of the survey (for example, timing, priming of students, and delivery), and factors that impact the population (for example, undergraduate or postgraduate, calibre and capacity of students) the reliability of the survey instrument allows for the growth of evidence-based findings on levels of DASS across different populations. The results of this study provide a preliminary estimate of the significance of wellbeing and levels of psychological distress experienced by law students at JCU.

An important consideration in the interpretation of results is that although some results statistically meet the standard for 'significance', practically the difference may not be large enough to justify a change in educational practice (for example changes to institutional policies and services or the law curriculum) to specifically address the differences.¹⁰⁴ The current results indicate that a whole of law school intervention or wellbeing approach is warranted. Additional data collection around the success of any curricular or extra-curricular

¹⁰³ Larcombe and Fethers (n 21).

¹⁰⁴ Grissom and Kim (n 74).

interventions may provide added clarification about whether targeted interventions across certain populations are clearly backed by evidence.

F *The impact of COVID-19*

Significantly, this study was conducted prior to the COVID-19 pandemic. The stressors experienced by students across the years 2020 – 2023 compounded with COVID-19 impacts resulted in a general worsening of life satisfaction and increase in psychological distress.¹⁰⁵ Across ten studies measuring wellbeing and psychological distress in the Australian population conducted between April 2020 and April 2022, the ANU Centre for Social Research and Methods research found that young Australians (18 – 24 years) experienced the largest increase in psychological distress. Dodd et al in a survey measuring the *Psychological Wellbeing and Academic Experience of University Students in Australia during COVID-19* by survey data collected in 2020 reported that 86.8% of students surveyed (n=787) stated their studies had been significantly impacted.¹⁰⁶ According to the survey data, significant predictors of lower wellbeing included, ‘being female, having lower subjective social status, lower sense of coherence and higher anxiety, reporting a negative overall learning experience or COVID-19 having a huge impact on their study.’¹⁰⁷ The Dodd et al study found that students aged 18 – 24 years experienced more symptoms of anxiety and depression during COVID-19 compared to students >25 years of age. Those results support the ANU findings of increased levels of psychological distress in the general population aged 18 – 24 years.

The results of the current JCU study provide useful data of pre-COVID psychological distress levels. As stated in the ANU *Mental health and wellbeing during the COVID-19 period in Australia* report, ‘[i]n the case of COVID-19, collecting data after the pandemic has started without any pre-COVID comparisons makes it very difficult to make judgements about the real impact.’¹⁰⁸ Any study that reports on DASS21 results as students transition back to face-to-face teaching may be skewed by the ‘new reality’ of a COVID endemic world. Particularly in light of the increased attention on first year law subjects, law curriculum and assessment adjustments, and work integrated learning to support law students’ overall wellbeing and university success, data collected pre-COVID provides useful benchmarking.¹⁰⁹ Changes to

¹⁰⁵ Nicholas Biddle, Matthew Gray and Patrick Rehill, ‘Mental Health and Wellbeing During the COVID-19 Period in Australia’ *ANU Centre for Social Research Methods* (Report, 7th July 2022); Rachael Dodd et al, ‘Psychological Wellbeing and Academic Experience of University Students in Australia During COVID-19’ (2021) 18(3) *International Journal of Environmental Research and Public Health* 866.

¹⁰⁶ Dodd et al (n 105).

¹⁰⁷ Ibid 8.

¹⁰⁸ Biddle, Gray and Rehill (n 105) 36.

¹⁰⁹ Marychurch and Sifris (n 16); Field, Duffy and Huggins (n 3); Rachael Field, *Promoting law student well-being through the curriculum*, Australian Learning and

online learning during 2020 – 2023 and the return to face-to-face teaching for many universities in 2023 will have significantly altered the law school experience. Further research exploring the impacts of COVID-19 and post-COVID-19 curricular and extra-curricular wellbeing interventions requires comparative data. Moving forward, wellbeing measures in law schools would hope to see a trend indicating a reduction in psychological distress symptoms further below the pre-COVID Australian law school DASS results.¹¹⁰

V CONCLUSION

The findings from the current study show that the experience of psychological distress symptoms in law students at JCU is higher than the DASS norms and DASS results from the general population. Recognising the prevalence of psychological distress in law students further supports the investment in mental health strategies and whole of institution plans to support student wellbeing. With increasing numbers of students suffering severe or extremely severe self-reported levels of depression, anxiety, and stress, it is more important than ever to recognise the need for evidence-based programs that support reducing the stressors associated with psychological distress and that promote positive mental wellbeing. Australian universities are also experiencing significant effects of reductions in university funding, tightening budgets, competing priorities, and many return to ‘business as usual’ post COVID-19 policies. With these influencing factors in mind, the results of this current study indicate that supporting student wellbeing and taking actions to prevent the decline of mental ill-health, as evidenced by reported levels of psychological distress of students, should still be on all law school planning agendas. It is also important to consider how any new student wellbeing initiatives are evaluated and the results of initiatives and evaluations disseminated so that all Australian universities can benefit from evidence-based programs that deliver the intended results - mentally healthy and flourishing students who are prepared to enter the workforce. It is necessary not just to support students to survive and/or thrive at law school, but also to produce law graduates with good mental health who will then enter the community and potentially the legal profession as psychologically well adults. Further empirical research conducted across multiple Australian universities at the same time of the semester would allow for greater comparison of results across institutions and provide more definitive conclusions around influencing factors such as size of institution, location (metropolitan/urban or regional/remote), calibre and capacity of students (entry and pathways into the law degree), institutional culture, age, gender, and time spent at university.

Teaching Fellows Reports. Office for Learning and Teaching Australia (2014); Field and Kift (n 3).

¹¹⁰ As reported in Table 6.