

Addressing Wellbeing of Legal Professionals in Vanuatu – a Literature Review of Good Practice from the Pacific region

1. Introduction and Background

In jurisdictions across the world, lawyers and allied professionals working in the criminal justice sector and related fields are routinely exposed to high-pressure, high-volume workloads, traumatic and distressing material and situations, along with high level professional expectations. Moderate stress levels, combined with practical management strategies, can sometimes assist in task engagement and attendance to deadlines. However, too much stress over prolonged periods can lead to detrimental effects for legal professionals who struggle to manage competing needs, causing burnout and other secondary problems. Mental health and wellbeing issues among legal professionals are notoriously prevalent across the world,¹ as are negative self-care strategies of substance abuse and addiction. Mental health problems, including alcohol abuse, are among the ten leading causes of disability in both developed and developing countries.²

In response to anecdotal reports of high stress levels and poor coping and self-care strategies within the justice sector, senior representatives from the sector have called on the Vanuatu Australia Police and Justice Program (VAPJP) to support a more holistic approach to the professional development of the justice sector, including addressing factors related to wellbeing. This aligns with the growing international movement in legal and judicial circles to include wellbeing programming as a central factor to professional development, resilience and safe workplace practices.

¹ Kelk, NJ, Luscombe, GM, Medlow, S, Hickie, IB (2009) *Courting the blues: Attitudes towards depression in Australian law students and lawyers*, BMRI Monograph 2009-1, Sydney: Brain & Mind Research Institute; <https://law.uq.edu.au/files/32510/Courting-the-Blues.pdf> (accessed 3 October 2022).

² UN, *Mental Health and Development*, <https://www.un.org/development/desa/disabilities/issues/mental-health-and-development.html> (accessed 3 October 2022).

In order to help shape the support going forward, VAPJP has interrogated the work being done by governments and partners in this space in Vanuatu and across the region to date. This initial literature review consolidates and considers the available literature—although limited—on this topic, and provides a summary of recent approaches in Vanuatu, Melanesia and the broader Pacific region.³

This report aims to inform VAPJP's and the sector's own understanding of measures that have been put in place in the region, drawing on good practice, particularly in culturally and resource comparable environments.

1.1. Scope of the Literature Review

For the purposes of this literature review, VAPJP has analysed literature related to lawyer wellbeing through the lens of good “mental health” and “mental wellbeing”. According to the World Health Organisation, good mental health is when you can cope with the normal stresses of life, work productively, realise your potential and contribute to the community.⁴

Recognising that mental health is a key component of overall health and wellbeing, this literature review is concerned with the supports available to cope with stress in response to the pressures of legal practice.

VAPJP has adopted definitions crafted by the World Health Organisation to shape this enquiry, which defines good mental health as a state where:

“[...] every individual realizes his or her own potential, can cope with the normal stresses of life, can work productively and fruitfully, and is able to make a contribution to her or his community.”⁵

VAPJP, as part this review, has looked to scholarship which emphasises the causal link between stress and mental health and wellbeing. Stress is the body's response to a demand placed on it. It involves an emotional, physical or mental response to a change in our environment (stressor), which can be positive (eustress) or negative (distress). The stress response can cause bodily or mental tension, and can be thought of as a state of readiness—the fight or flight response.

“A small amount of stress from time to time is not a problem, it can even motivate us to get things done. But when stress is intense and ongoing, it can start to impact our physical and mental health.”⁶

This report does not examine programming or treatment services to address diagnosed mental illness or clinical psychiatric conditions. Rather, this report is limited strictly to

³ Pacific region, including Vanuatu Fiji, Solomon Islands, Papua New Guinea, Fiji, Solomon Islands, New Zealand and Australia.

⁴ World Health Organisation, Mental Health: Strengthening Our Response, <<https://www.who.int/news-room/fact-sheets/detail/mental-health-strengthening-our-response>>.

⁵ World Health Organisation, 'WHO urges more investment, services for mental health' (2021), see <https://www.who.int/news/item/12-08-2010-who-urges-more-investments-services-for-mental-health> (accessed 2 October 2022).

⁶ Blackdog Institute, *Stress and its impact on you*, <https://www.blackdoginstitute.org.au/wp-content/uploads/2022/06/Stress-and-its-impact-on-you-fact-sheet.pdf> (accessed 2 October 2022).

programming targeted to address the pressures and stressors on legal professionals' general mental wellbeing.⁷ The research addresses legal sector practitioners—including lawyers and judicial officers—as well as staff working in para-legal and non-legal functions (such as administrative and support staff) in these office and court environments, across Government and non-government offices. Geographically, this review is confined to Vanuatu, Melanesia, Australia and New Zealand.⁸

This research will inform VAPJP's work in this space in 2023 and beyond, where it hopes to support integrated and *culturally appropriate* wellbeing and mental health programming with the aim of supporting sector professionals to be more healthy, resilient, efficient, and effective in their day-to-day work.

2. What is the Problem?

An individual's mental health is on a continuum that can, and does, fluctuate depending on personal, occupational and environmental factors.⁹ For those factors which are distinct to the legal profession, in this report, these are referred to as 'pressures and stressors'. For members of the legal profession in the Pacific, these pressures and stressors derive not only from the nature of legal working environment, generally, but also due to contextual factors common to small island states.

2.1. Pressures and stressors on legal professionals generally

A 2021 global study of the mental wellbeing of the legal profession found that legal professionals experience higher levels of depression, anxiety, stress and substance dependence and lower levels of mental wellbeing than members of the general population.¹⁰ One study found that criminal lawyers generally suffered from increased distress, depression and anxiety compared to other groups of legal professionals.¹¹

The legal profession is prone to negative impacts due to its highly competitive environment. Stress, pressure, workloads, poor work/life balance, billable hours, established hierarchical structures, significant power imbalances, financial pressure and poor management practices, normalisation of unhealthy levels of alcohol use and stigmatisation of mental

⁷ See further, Section 2: What is the Problem?

⁸ This includes Vanuatu, Solomon Islands, Fiji, Papua New Guinea, Australia and New Zealand

⁹ International Bar Association, Presidential Task Force on Mental Wellbeing in the Legal Profession, 'Mental Wellbeing in the Legal Profession: A Global Study', *International Bar Association* (Report, October 2021) p.19 <<https://www.ibanet.org/document?id=IBA-report-Mental-Wellbeing-in-the-Legal-Profession-A-Global-Study>> (accessed 2 October 2022).

¹⁰ International Bar Association, Presidential Task Force on Mental Wellbeing in the Legal Profession, 'Mental Wellbeing in the Legal Profession: A Global Study', *International Bar Association* (Report, October 2021) p.20 <<https://www.ibanet.org/document?id=IBA-report-Mental-Wellbeing-in-the-Legal-Profession-A-Global-Study>> (accessed 2 October 2022).

¹¹ Lila Vrklecki and John Franklin (2008) Vicarious Trauma: The Impact on Solicitors of Exposure to Traumatic Material, *Traumatology* 14(1) pp.106-118.

health issues all contribute to mental ill health in legal professionals.¹² Bullying, harassment and sexual harassment in the workplace have also been connected to poor mental health.¹³

Traits that often define lawyers include meticulous attention to detail, perfectionism and a high work ethic. While these qualities are essential to the job, they also predispose these individuals to issues such as stress, depression and anxiety.¹⁴

Recent research has raised concerns over the impact of vicarious trauma on those in the legal profession who are exposed to trauma in their day-to-day work, such as criminal and family lawyers and judges.¹⁵ In the *Being Well in the Law: A Guide for Lawyers* report, the Law Society of New South Wales detailed common signs of secondary trauma for lawyers, which include:

- having intrusive memories of client stories or material;
- being unable to switch off from a matter;
- a sense of hopelessness at not being able to help the client;
- questioning professional competence;
- vulnerability to ethical violations from wanting to help the client beyond what is permissible and professionally appropriate; and
- increased detachment, insensitivity and emotional callousness.

The above personal, occupational and environmental factors have been identified in studies conducted across the world. Some of these concerns have also been identified amongst legal professionals in Melanesian settings. For instance, the Vanuatu Public Solicitor Handbook states that workloads and case content can cause stress which impacts on mental health for lawyers,¹⁶ and in the Solomon Islands, news reports point to secondary trauma, pressure and the impacts of COVID-19 as causative factors for stress and burnout amongst lawyers.¹⁷

It is possible that these generic pressures and stressors that have been identified in other jurisdictions are also applicable in Pacific contexts.

¹² International Bar Association, Presidential Task Force on Mental Wellbeing in the Legal Profession, 'Mental Wellbeing in the Legal Profession: A Global Study', *International Bar Association* (Report, October 2021) p.20-21, 33 <<https://www.ibanet.org/document?id=IBA-report-Mental-Wellbeing-in-the-Legal-Profession-A-Global-Study>> (accessed 2 October 2022).

¹³ Victorian Bar, Victorian Bar: Quality of Working Life Survey (University of Portsmouth, 2018) p.22.

¹⁴ Australasian Lawyer, *How are our lawyers? Mental health in the legal industry*, <https://www.thelawyer.com.au/news/general/how-are-our-lawyers-mental-health-in-the-legal-industry/248491> (accessed 2 October 2022).

¹⁵ Grace Maguire and Mitchell K Byrne, 'The Law Is Not as Blind as It Seems: Relative Rates of Vicarious Trauma among Lawyers and Mental Health Professionals' (2017) 24 *Psychology, Psychiatry and Law* p.233.

¹⁶ Public Solicitor's Office Vanuatu, 'Lawyer Handbook 2015' (Handbook, 2015) 138 <[psolh364.pdf \(paci.org\)](#)> (accessed 2 October 2022).

¹⁷ UNDP Pacific Office, 'Mental Wellness a top priority for the PSO' *UNDP* (Press Release, 18 January 2022) <<https://www.undp.org/pacific/press-releases/mental-wellness-top-priority-psy>> (accessed 2 October 2022).

2.2. Pressures and stressors on legal professionals in Pacific Island countries

In addition to pressures and stressors applicable to legal professionals generally, some scholars have pointed to legal professionals in Pacific Island countries facing additional pressures which are unique to these small island state jurisdictions. For instance:

- Due the low ratio of lawyers to population in some Pacific settings,¹⁸ workload pressure is likely to be higher and with fewer opportunities for respite for Melanesian lawyers than for lawyers in well-resourced jurisdictions like Australia or New Zealand.¹⁹
- At law school, most Melanesian law students study programs not necessarily based on their national legal system and often in a second or third language,²⁰ which adds additional layers of complexity to understanding and applying the law.
- In many Pacific communities, and in particular, in locations outside urban centers, lawyers are also likely to face conflicts and ethical dilemmas due to the small size of the profession, tight knit nature of communities, kinship obligations and, in some cases, exposure to political pressure.²¹
- The adversarial nature of the common law system may present additional challenges in the Melanesian cultural context.²²

Other external impacts include vulnerability to climate change, natural disasters, external economic shocks (such as the impacts of the pandemic), and unreliable internet connectivity. In addition, familial and kinship obligations (such as caring for elders) may contribute additional pressures on top of an individual's workload.

2.3. - Additional pressures on particular groups

Some scholars have also pointed to additional stressors on marginalised members of the legal sector. In Vanuatu, female lawyers make up only 21% of the legal profession,²³ and so it is necessary to also look at stressors particularly applicable to legal professionals on a gendered basis to ensure that discrepancies in causes of mental health concerns and approaches to mental wellbeing attributable to gender are acknowledged. It is likely that there are a number of barriers preventing females from progressing within the profession, including patriarchal power structures permeating the sector and resultant impacts of care

¹⁸ For example there is a ratio of 1:10,470 lawyers to citizens in Papua New Guinea, in contrast to 1:351 in Australia: Dr Carolyn Graydon 'Situation Analysis of Pacific Lawyer Associations' (Pacific Judicial Strengthening Initiative, updated May 2021) p.9 <https://www.fedcourt.gov.au/pjsi/reports/technical-reports/PJSI-Situation-Analysis-of-Pacific-Lawyer-Associations.pdf> (accessed 2 October 2022).

¹⁹ Ibid, p.9 <https://www.fedcourt.gov.au/pjsi/reports/technical-reports/PJSI-Situation-Analysis-of-Pacific-Lawyer-Associations.pdf> (accessed 2 October 2022).

²⁰ Ibid, p.11.

²¹ Ibid, p.7.

²² Vanuatu Australia Policing and Justice Program *Six Monthly Report*, August 2022 (unpublished)

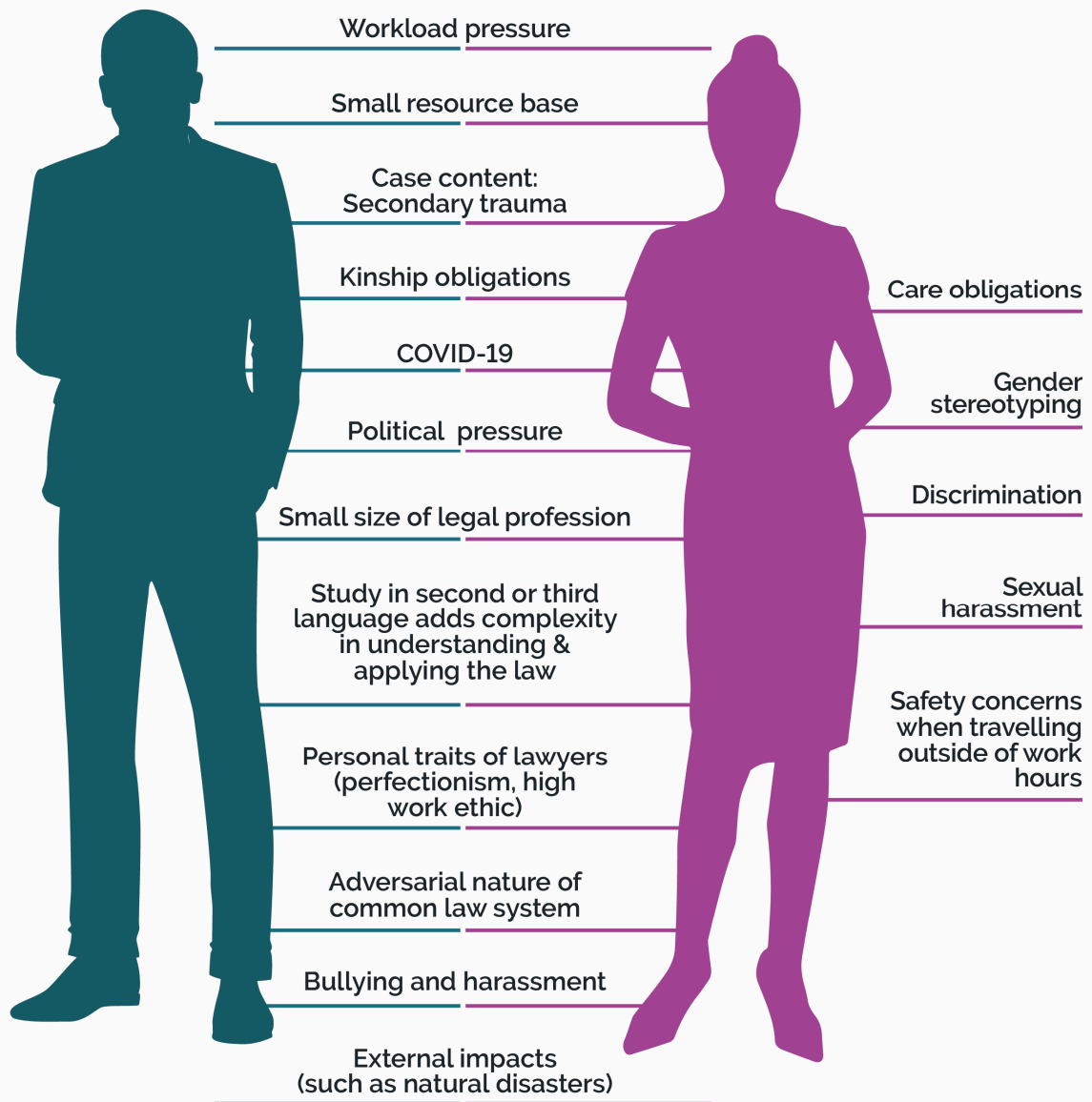
²³ Ibid, p.11.

obligations, safety concerns when travelling outside of work hours, being overlooked for roles due to gender stereotyping, discrimination, bullying and sexual harassment.²⁴

Although there was no identifiable scholarship generated that identified additional pressures for Pacific legal professionals who experience disability, who are members of culturally and linguistically minority backgrounds or those who identify as LGBTIQ+, special attention and consideration may also need to be given to additional pressures and stressors, and approaches to wellbeing for these groups, and elements worthy of further enquiry.

Pressures and Stressors

on legal professionals



There may be additional stress contributors for lawyers who experience disability, are members of culturally and linguistically diverse backgrounds or who identify as LGBTIQ+

3. How is this Problem Being Addressed?

3.1. Regional approaches to addressing legal professionals' wellbeing

It has only been in the past decade or so that attention has been turned to understand the stressors placed on legal professionals and resulting impacts on their mental health and wellbeing.

In response to these findings, recent literature related to the legal professional wellbeing and initiatives in Australia and New Zealand demonstrates the growing community of policy and practice occurring in the stress management and wellbeing space for the legal profession.

Victoria is one Australian state which has embedded dedicated mechanisms to promote the wellbeing of legal professionals. The Judicial College of Victoria has worked in partnership with researchers from the University of Melbourne's School of Psychological Sciences to identify possible interventions that could be implemented to support judicial officers to manage stress in their roles. The Colleges' resources include a curated collection of resources which aim to support judicial officers' understanding of their own wellbeing, and the individual and systemic factors that affect judicial stress. These include podcasts, online resources, counselling support and a judicial wellbeing program delivered as a full day program, with follow up sessions in the months after.²⁵

Other resources across Australia include:²⁶

- websites developed by legal professional peak bodies which act as repositories for resources promoting and supporting mental health in the legal profession including academic literature, wellbeing manuals and related resources;
- improved manager and leadership training to better manage workplace changes; resilience training and stress management; promoting and supporting early help through employee assistance programs; and support and training;
- a range of confidential, personal and professional services to help in proactively managing health and wellbeing by developing plans to manage issues and providing support; not only to members and staff but also family, friends and colleagues as needed;
- policies addressing mental health and wellbeing, workplace health and safety, workplace harassment, discrimination, and bullying;²⁷
- well-established, 24-hour, 7 day per week counselling and advice lines targeted specifically at legal professionals; and

²⁵ For further information, see: Judicial College of Victoria, Judicial Wellbeing, <https://www.judicialcollege.vic.edu.au/resources/judicial-wellbeing> (accessed 3 October 2022).

²⁶ For an overview of these resources, see Law Council of Australia, *The Social and Economic Benefits of Improving Mental Health*

²⁷ However, it is recognised that policies alone are insufficient to create a healthy workplace. The policies must: be understood and accepted by all partners and employees; be capable of being implemented; be subject to feedback and regular review; be consistent with other policies, and be supported by complementary activities and programs: The Law Council of Australia, *The Social and Economic Benefits of Improving Mental Health*.

- online webinars.²⁸

It must be noted, however, that legal professions in Australia and New Zealand have many resources at their disposal and direct adoption of Australian and New Zealand programming may not be culturally or contextually suitable for Melanesian legal professionals.

There have been some legal professional wellbeing initiatives run across the Pacific including:

- presentations and workshops tailored to address wellbeing;
- a 24-hour, 7 day per week counselling line open to legal professionals in Fiji;
- debriefing sessions; and
- mentoring programs and print and online resources outlining strategies to safeguard wellbeing in websites and resources aimed at assisting legal professionals.

The map below highlights the types of initiatives that have been implemented across the region. A full list of all initiatives located by this literature review are outlined in Annexure 1 to this report.

²⁸

See Annexure 1 for a detailed list of these initiatives.

Pacific Initiatives

on legal professionals' wellbeing



Papua New Guinea

Empowering women in the law
(women lawyers' mentoring program)



Solomon Islands

Public Solicitors workshop
(Empower Pacific)

Judicial retreat through the Pacific
Judicial Strengthening Initiative (PJSI)



Vanuatu

Health and wellbeing session
(VAPJP)

Judicial stress awareness sessions
(PJSI)



Fiji

24/7 phone counselling (Empower Pacific)

"It's OK to not be OK" (Fiji Law Society conference)

Emotional wellbeing in the Legal Profession
(Fiji Law Society virtual convention)



Australia

Judicial stress webinar
(Judicial College of Victoria)

Online resources
(Law Council of Australia, Law Society of NSW)

Wellbeing manuals and resources
(Lawcover, Law Society of NSW, Law Society of South Australia)

Judicial Officers' Assistance Program and 24/7 hotline
(Judicial College Victoria)

Operational Wellbeing Project
(Victoria Legal Services Board and Commissioner)

Improved manager and leadership training (Law Society SA)

Policies addressing mental health and wellbeing.



New Zealand

Wellbeing session
(Pacific Justice Sector Program (PJSP))

Free and confidential professional
counselling service (NZ Law Society)

3.2. Protective factors

The ability of legal professionals to seek medical assistance for mental health in Vanuatu is extremely limited due to the unavailability of mental health professionals and services.²⁹

People in Vanuatu thrive in large social networks inherent in the traditional family structure. Giving support without explicit expectations of anything in return is a Melanesian value, as is returning support to those that have given in the spirit of reciprocity and respect.³⁰ An important characteristic of the traditional economy is that establishing, maintaining and mending relationships between groups (whether they are families, clans or larger communities such as villages, language groups or even islands) is the most desired outcome of any ceremonial activity undertaken. Consequently, there is a sense of a shared identity, “community” and “belongingness” among the large extended family groups that make up the basic building blocks of Vanuatu society. This gives a high level of social security for all family members.³¹

Individuals in Melanesia may also rely on kastom and other sources to promote mental wellbeing including assistance from traditional healers, Chiefs, family and friends, the Church and, in the Solomon Islands for example, trauma support workers.³²

In this respect, the Royal Australian and New Zealand College of Psychiatrists states that “dominant models of mental health care conflict with, compete with, and uneasily co-exist with Pacific interpretations of the same symptoms”,³³ foregrounding the need for cultural contextualisation of mental health and wellbeing service provision and programming.

4. Conclusions

This review indicates that research into the mental wellbeing of members of the legal profession is relatively new, and likewise the responses to support wellbeing. It is evident that some good practices are evolving across the region. There may also be good practices outside the formal legal practice field, such as those provided by NGOs and faith-based organisations.

Based on the findings from this literature review, VAPJP recommends carrying out detailed consultations with stakeholders involved in the provision of legal professional wellbeing programming within the region, and mental health professionals from within Vanuatu, and

²⁹ Jill Benson et al, ‘A new Era in Mental Health Care in Vanuatu’ 2011 *International Journal of Family Medicine* <<https://doi.org/10.1155/2011/590492>>; Len Tarivonda et al, ‘WHO proMIND: Profiles on Mental Health in Development – Vanuatu’, *World Health Organisation* (2012, Report) 3 <https://apps.who.int/iris/bitstream/handle/10665/85314/9789241504201_eng.pdf?sequence=1&isAllowed=y>.

³⁰ Wellbeing in Vanuatu, NSDP Baseline Survey

³¹ Ralph Regenvanu, The traditional economy as source of resilience in Vanuatu

³² Dr W. Adu-Krow et al, ‘WHO proMIND: Profiles on Mental Health in Development – Papua New Guinea’ *World Health Organisation* (Report, 2013) <<https://www.who.int/publications/i/item/9789241505697>>; Ilse Blignault et al, ‘Community Perceptions of Mental Health Needs: A qualitative study in the Solomon Islands’ (2009) 3(6) *International Journal of Mental Health Systems* doi:10.1186/1752-4458-3-6:1-15, 8.

³³ The Royal Australian and New Zealand College of Psychiatrists, “Pacific Mental Health in Aotearoa New Zealand” (Position Statement 108, July 2022) <<https://www.ranzcp.org/news-policy/policy-and-advocacy/position-statements/pacific-mental-health-in-aotearoa-new-zealand>>.

potentially elsewhere in Melanesia, to share learnings and assist in the design of culturally and contextually appropriate programming.

As noted above, it is fundamental that this programming consider cultural perceptions of mental health and wellbeing, unavailability of mental health professionals and services and the unique and differing pressures, stressors and mental health needs of ni-Vanuatu legal professionals, ensuring that attention is paid to diverse groups within the legal professional community. VAPJP is committed to applying a holistic lens in its support to the sector's professional development, resilience, and safe workplace practices. The next stage of this research will help inform Program direction in this space in keeping with contemporary good practice globally, but in the context that befits the cultural and social environment, unique to Vanuatu.

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<https://apps.who.int/iris/bitstream/handle/10665/85314/9789241504201_eng.pdf?sequence=1&isAllowed=y>.

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Annexure 1: Mental Wellbeing Programs and Initiatives for legal professionals in the Pacific

1. Australia

1.1. Judicial Stress webinar

On 29 July 2021, judicial wellbeing advisers Ms Carly Schrever and Ms Sally Ryan delivered a webinar for Pacific Partner Courts on how to manage judicial stress and practical strategies for Judicial Officers to manages the forms of stress experienced in their roles. This webinar was an initiative of the Pacific Judicial Strengthening Initiative in partnership with the Judicial College of Victoria.¹

1.2. Guidelines and Manuals

A number of Australian Law Societies are signatories to the Workplace Wellbeing: Best Practice Guidelines developed by Minds Count, formerly known as the Tristan Jepson Memorial Foundation.²

LawCover has published *The Resilient Lawyer: A Manual for Staying Well @ Work*. The manual is written by Robyn Bradey who is a Mental Health accredited social worker and provides clear and practical tips for legal professionals to maintain wellbeing.³

1.3. Assistance Programs

There are numerous counselling hotlines which have been made accessible to legal professionals. These include:⁴

- The Judicial Officers' Assistance Program by the Judicial College of Victoria provides Victorian judicial officers with an entitlement to four sessions for each challenge/issue.⁵

¹ Pacific Judicial Strengthening Initiative, PJIS Newsletter September 2021, <<https://www.fedcourt.gov.au/pjsi/news/newsletter/PJSI-Newsletter-No-10-September-2021.pdf>>.

² Minds Count, *TJMF Workplace Wellbeing: Best Practice Guidelines*, <<https://mindscount.org/wp-content/uploads/2019/09/TJMF-workplace-wellbeing-guidelines-.pdf>>.

³ Robyn Bradey (2020) *The Resilient Lawyer – A Manual for Staying Well @ Work*, <https://www.lawcover.com.au/wp-content/uploads/2020/03/200330_3324-The-Resilient-Lawyer_V8.pdf>.

⁴ See Law Council of Australia, *Mental Health and Wellbeing in the Legal Profession*, for an overview of these programs <<https://www.lawcouncil.asn.au/policy-agenda/advancing-the-profession/mental-health-and-wellbeing-in-the-legal-profession>>.

⁵ Judicial College of Victoria, The Judicial Officers' Assistance Program <<https://www.judicialcollege.vic.edu.au/resources/judicial-wellbeing>>.

- The Bar Association of Queensland, through its BarCare programme, provides members with access to three free confidential sessions per year with a panel clinical psychologist, or other mental health experts.
- The Law Institute of Victoria's Member Assistance Program offers a confidential counselling service and gives members access to qualified professionals, including psychologists, social workers and management coaches, to help deal with work or home issues, with up to three hours free of charge per issue per year.
- The Law Society Northern Territory aims to open up the conversation around mental health and provides members with a range of useful resources and tools, including LawCare – a 24-hour professional, confidential and free counselling service.
- The Law Society of South Australia offers access to LawCare – a confidential counselling service, offering those connected to the South Australian legal profession the opportunity to consult a general practitioner who has experience in treating psychological problems, with the Law Society covering the gap payments for two consultations per financial year.

1.4. Online resources

Legal professional peak bodies in Australia have published useful online portals containing resources on mental wellbeing and means for finding support. Some examples are:

- Mental Health and Wellbeing in the Legal Profession portal – Law Council of Australia. This website also contains links to State Law Society and Bar Association wellbeing websites.
- BarCare Resources Centre contains various resources including articles on mental and physical health relevant to practise as a lawyer, and links to other resources and services that members may find of assistance – Bar Association of Queensland.
- Wellness Support for Legal Professionals – Australian Government Legal Service.
- Judicial Wellbeing resources – Judicial College of Victoria.
- Resilience and wellbeing portal, through which members can access all current mental health and wellbeing initiatives of the Queensland Law Society and receive the information and support tools necessary to manage the pressures of work and life in the legal profession – Queensland Law Society.

1.5. Continuing Professional Development courses

'Vicarious Trauma' has become an increasingly important focus of the New South Wales Bar Association's Wellbeing Committee, and is currently addressed through Continuing Professional Development (CPD) seminars and videos. This focus recognises that barristers often deal with distressing subject matter in their work.⁶

⁶ See further, New South Wales Bar Association, <<https://nswbar.asn.au/>>.

2. New Zealand

The Pacific Justice Sector Program (PJSP) have advertised on their website a Wellbeing session being run by Te Kura Kaiwhakawa, Institute of Judicial Studies New Zealand, from 15-16 September 2022. The session acknowledges stress, heavy workloads, exposure to traumatic materials, critical attention from media and isolating work environment for judges and explores strategies to manage these pressures and identify and assist others experiencing stress.⁷

3. Vanuatu

3.1. Vanuatu Legal Sector Strengthening Program – Executive Development Program

The Executive Development Program enabled the Vanuatu Attorney General, Public Prosecutor, Deputy Public Prosecutor, Acting Public Prosecutor, Assistant Prosecutor, Parliamentary Counsel and a legislative drafter to travel to Australia and New Zealand on multiple occasions between 2003 to 2005 to participate in activities including training courses on mental health, among other topics.⁸

In 2021 a workshop was delivered to create and increase awareness of mental health amongst legal practitioners working in the government criminal justice sector. Topics included practical ways of managing stress, trauma, fatigue, vicarious trauma and other mental health issues commonly experienced by practitioners.

3.2. Public Solicitors Office Law Handbook

The Vanuatu Public Solicitors Office Law Handbook contains a section on lawyer mental health which explains that the stress and content of a lawyer's workload may impact their mental health. The resource proposes some practical tips to ensure lawyer wellbeing including taking regular leave, eating, exercising and sleeping properly, maintaining hobbies and interests outside of work, talking about and sharing stressful matters between colleagues, supporting colleagues, seeking assistance from supervising lawyers and seeking medical assistance if necessary.⁹

3.3. MCJS Facebook Page

During COVID lockdowns, the Vanuatu Ministry of Justice and Community Services (MCJS) published helpful wellbeing tips for people working from home on their Facebook

⁷ Te Kura Kaiwhakawa Institute of Judicial Studies, 'Prospectus 2022' (PDF Brochure, 5 September 2022, <<https://pjsp.govt.nz/assets/ProspectusDocs/Te-Kura-prospectus-2022.pdf>>).

⁸ Henry Vira, 'Pacific Choice Vanuatu Legal Sector Strengthening Program' (Capacity Development Series, Asia Development Bank, 2008) p.6 <<https://www.adb.org/sites/default/files/publication/29195/legal-sector-strengthening-program.pdf>>.

⁹ Public Solicitor's Office Vanuatu, 'Lawyer Handbook 2015' (Handbook, 2015) 138-139 <psolh364.pdf (paclii.org)>.

page including dressing for work, having a designated home office space and maintaining routines.¹⁰

4. Papua New Guinea

4.1. Empowering Women in the Law in PNG

Empowering Women in the Law in PNG was a mentoring program which took place in 2017 aimed at building confidence and empowering women entering the legal profession in PNG.

The program was run as part of the Legal Training Institute Advocacy Workshop in partnership with the Victorian Bar Association. One session was entitled 'Managing Practice, Family and Other Lifestyle Factors' and covered work/life balance, stressors including isolation, exhaustion, drugs and alcohol and how to find support.¹¹

5. Solomon Islands

5.1. Solomon Islands Bar Association forum

The Pacific Judicial Strengthening Initiative's Situational Analysis of Pacific Lawyer Associations reports that the Solomon Islands Bar Association ran a forum regarding lawyers' physical and mental health. Unfortunately, it has not been possible to locate any further information on this initiative.¹²

5.2. Public Solicitor's Office Mental Wellness Workshop

Solomon Islands Public Solicitor's Office lawyers and staff attended an intensive one-day mental wellness workshop on 14 January 2022 aimed at combatting stress and burn out caused by secondary trauma and COVID-19.¹³ The workshop covered different types of trauma, the effects of trauma on behaviour and developing mindful practices when faced with stress, anxiety and trauma.¹⁴

This workshop was facilitated by Empower Pacific—a social work and counselling organisation based in Fiji with an office in the Solomon Islands which, among its services provides free phone counselling available 24 hours per day, 7 days per week.¹⁵ Funding was provided by way of a small grant initiative through the UNDP Access to Justice Project

¹⁰ Vanuatu Ministry of Justice and Community Services, 'Tips for keeping your Mental Health!' (Facebook, 5 September 2022 12:09pm) <<https://ne-np.facebook.com/MJCSVanuatu/posts/489350792732635>>.

¹¹ Victorian Bar Association, 'Empowering Women in the Law in PNG, Mentoring Program for Women Participants in the Legal Training Institute Advocacy Workshop (PNG) Provided in Partnership with the Victorian Bar' (15 July 2017) <https://www.vicbar.com.au/sites/default/files/Women%27s%20Program%202017_0.pdf>.

¹² Dr Carolyn Graydon 'Situation Analysis of Pacific Lawyer Associations' (Pacific Judicial Strengthening Initiative, updated May 2021) <[PJSI-Situation-Analysis-of-Pacific-Lawyer-Associations.docx \(live.com\)](#)>.

¹³ 'Mental Wellness a top priority for the PSO', *UNDP Pacific Office* (website, 18 January 2022), <<https://www.undp.org/pacific/press-releases/mental-wellness-top-priority-psy>>.

¹⁴ 'Mental Wellness a top priority for the PSO', *UNDP Pacific Office* (website, 18 January 2022), <<https://www.undp.org/pacific/press-releases/mental-wellness-top-priority-psy>>.

¹⁵ *Empower Pacific* (website) <<http://empowerpacific.com/>>.

in partnership with Ministry of Justice and Legal Affairs through the Public Solicitor's Office and supported by the Australian Government.¹⁶

5.3. Pacific Judicial Education Programme Judicial Retreat

In November 2000, members of the Solomon Islands judiciary attended a Judicial Retreat arranged by the Pacific Judicial Education Programme. The aim of the retreat was to allow members of the judiciary respite from the ethnic crisis in Honiara and a place to define strategies to deal with the worsening situation. Participants discussed the impact events on themselves and their families. Themes discussed included an absence of law and order; courts operating in a vacuum; fear for personal, family, and professional safety; restrictions on personal movements; communications blackouts; and inability or loss of the right to work.

A valuable outcome of the meeting was that judicial officers could share their experiences during a crisis situation. The retreat culminated in participants drafting the Yandina Statement on the Principles of the Independence of the Judiciary in the Solomon Islands.¹⁷

6. Fiji

6.1. "It's OK not to be OK" session at Fiji Law Society and International Bar Association Convention 2021

"It's OK not to be OK' Lawyer Wellbeing – Strategies to Manage Stress in the Legal Profession and Support your Team's Mental Health" was a session at the Fiji Law Society and International Bar Association Convention 2021.¹⁸ The session covered topics including:

- what constitutes mental health,
- risk and protective factors for mental illness in a workplace context,
- effective leadership in ensuring wellness,
- the impacts of COVID-19 in Fiji,
- coping strategies,
- mentoring programs regarding mental health,
- workloads and remuneration, and
- destigmatising mental health.¹⁹

¹⁶ 'Mental Wellness a top priority for the PSO', *UNDP Pacific Office* (website, 18 January 2022), <<https://www.undp.org/pacific/press-releases/mental-wellness-top-priority-psy>>.

¹⁷ International Commission of Jurists, 'Attacks on Justice 2002: Solomon Islands', (PDF, 27 August 2002) p 334 <<https://www.icj.org/solomon-islands-attacks-on-justice-2002-solomon-islands/>; https://www.icj.org/wp-content/uploads/2002/08/solomon_attacks_justice_27_08_2002.pdf>.

¹⁸ Jonathan Goldsmith, 'Business Interrupted: Law and Practice Beyond the Pandemic' (Fiji Law Society and IBA Conference Report, 8-9 January 2021) pp.15-16 <<https://www.ibanet.org/medias/5C77D0A9-CCCF-4826-84EA-DEE69F4BB458.pdf?context=bWFzdGVyfGFzc2V0c3wzNjg1OTB8YXBwbGljYXRpb24vcGRmfGg3Zi9oYTEvODc5NmZmODY1MTE2Ni81Qzc3RDBBOS1DQ0NGLTQ4MjYtODRFQS1ERUU2OUY0QkI0NTgucGRmfDk0NGMzZDYxNWNkNDhkODM3NTNhYWl0NmUxZjNiMzk1NGE0MGFiNGFkYWQ5NmEzN2RmNjg0Y2Q0ODIIMzEzMTg&attachment=true>>.

¹⁹ Ibid pp.15-16.

The session was chaired by Ravneet Charan who interviewed Desi Vlahos, Lecturer, College of Law and Mental Health First Aid Instructor from Australia and Selina Kuruleca, Principal, Kuruleca Consultants.²⁰

6.2. “Emotional Wellbeing in the Legal Profession” session at Fiji Law Society Virtual Convention

The Fiji Law Society Virtual Convention in October 2021 included a session entitled “Emotional wellbeing in the legal profession”.

The session was chaired by Wati Seeto, with Koila Costello, Consultant, Derric Yeoh, Councillor at the Law Society of Singapore and international disputes lawyer and Ravi Singh, Partner at Parshotam Lawyers speaking.²¹

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²¹

Ibid pp.15-16.

<<https://www.commonwealthlawyers.com/wp-content/uploads/2021/10/FLS-Convention-Program-2021-Final.pdf>>