

Monday, 13 May 2019

Healthy lawyers, justice critical focus of Law Week 2019

The Law Council of Australia is calling for greater awareness of the nexus between the health of our justice system and the health and wellbeing of clients, judges and lawyers this Law Week 2019.

Law Council President, Arthur Moses SC, said a holistic approach is desperately needed to improve the quality of our justice system and effectively tackle mental health challenges amongst lawyers.

“Governments must recognise there is real cost – financial and human – in failing to invest in justice and adequately fund the legal system. Chronically under-resourced courts, under-funding of legal assistance by successive governments and royal commissions with tight deadlines place huge strain on the community, the judiciary and the legal profession,” Mr Moses said.

“Mental health and mental illness present real challenges for our profession and broader society. Lawyers work in high-pressure environments and mental health issues impact on practitioners at higher rates than the general population. But these issues cannot be tackled in isolation.

“The legal profession is ultimately a service profession and, regardless of which area of law they practice, solicitors and barristers work on the front line to serve their clients and the administration of justice. The causes of mental health issues in the profession have been linked to over-commitment, job demands, bullying and harassment. Vicarious trauma has an impact, especially upon those working in criminal and family law.”

Mr Moses said shortages in federal legal assistance funding had resulted in lawyers doing more pro bono work to meet access to justice needs, taking a huge toll on the profession and our justice system.

“This has a flow on effect. A lack of resources and funding impacts the mental health of members of the public, who are unable to access legal representation in their time of need and may need to self-represent.

“Backlogged, overworked courts result in delays, meaning prolonged stress for victims and witnesses. This also impacts upon judicial officers, who are hamstrung by crushing caseloads and increasing numbers of self-represented litigants, who require greater support, time and assistance.

“The lack of resourcing also impacts upon lawyers, many of whom on top of their paid work undertake additional pro bono work to assist some of the most vulnerable people in our community.

“These are all issues that impact on the health of our justice system and our society and must be urgently addressed. To make a lasting impact, we have to change the discussion and recognise that a healthy justice system is a key part of our democracy, and healthy lawyers are a key ingredient.

“Critically, governments must ensure courts and legal assistance services are resourced to meet community need and alleviate pressures otherwise borne by lawyers. Justice must be understood as a whole-of-government priority.”

The Law Council's recent [submission to the Productivity Commission](#) inquiry into *The Social and Economic Benefits of Improving Mental Health* recognised the importance of working collaboratively across jurisdictions to advocate for and address these important issues.

If you, or someone you know, need support, please contact Lifeline on 13 11 14.

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The Law Council of Australia is the national voice of the legal profession, promoting justice and the rule of law.