



# THE VICTORIAN BAR WELLBEING AT THE VICTORIAN BAR SUMMARY REPORT AND ANALYSIS

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President of the Victorian Bar

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# Wellbeing at the Victorian Bar survey

The *Wellbeing at the Victorian Bar* survey was completed by **856 members**, which represents an overall response rate of **40% of total Victorian practising Counsel**.

Who filled it out:

- **60%** men, **40%** women.
- **43%** under 10 years' call, **57%** over 10 years' call.

Questions covered two key areas:

## SURVEY QUESTIONS

### Wellbeing

**Work-related Quality of Life:** work-life balance, working conditions

**Workplace Wellbeing:** perceived productivity, job satisfaction

**Personal Wellbeing:** perfectionism, workload management

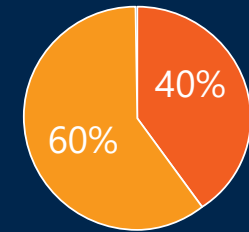
### Conduct

**Discrimination:** gender, age, race and other

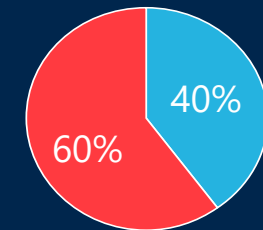
**Harassment:** unwelcome sexual conduct, unwelcome sexual advances

**Bullying:** workplace and judicial: age, experience, areas of practice

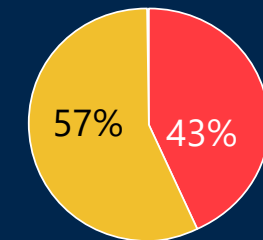
## Survey Summary



- Members who filled out survey
- Members who did not fill out survey



- Men
- Women



- >10 years' call
- <10 years' call

# Key Insights - Wellbeing



**Headline results were mostly encouraging and were in line with or exceeded the benchmark sample:**

- 1 Quality of working life:** Three in four (73%) respondents agreed or strongly agreed they were satisfied with the overall quality of their working lives
- 2 Enjoyment of work:** More than four in five (84%) respondents agreed or strongly agreed they enjoy their work
- 3 Job satisfaction:** Four in five (79%) reported overall satisfaction with their jobs
- 4 Contentment:** Two in three (66%) agreed or strongly agreed they felt good or content with life as a whole

**Benchmarks:** The samples used as comparative data are the 2017 *Barrister Wellbeing* survey of a group of 1088 Australian barristers (**ABARR**) and a UK sample of 6,000 academics from 10 different UK universities (**UK**).

# Work-related Quality of Life Analysis

Victorian barristers are generally satisfied with the quality of their working lives

Description	Survey % Agree	ABARR % Agree	UK % Agree
<b>General Wellbeing</b> – extent to which content with life as a whole	66	64	55
<b>Home-work Interface</b> – extent to which chambers/organisation understands or helps with pressures outside work	49	56	58
<b>Job Career Satisfaction</b> – general happiness with ability to do work	64	58	56
<b>Control at Work</b> – feeling involved in decisions that affect you at work	58	60	54
<b>Working Conditions</b> – feeling happy with conditions in which you work	73	74	66
<b>Stress at Work</b> – how far you agree that you experience stress at work	68	66	45
<b>Overall Quality of Working Life</b> – overall satisfaction with quality of working life as a whole	73	66	60

 >5% more satisfaction than ABARR benchmark


 >5% less satisfaction than ABARR benchmark


 Similar satisfaction with ABARR benchmark

# Workplace Wellbeing Analysis

Victorian barristers are satisfied with their jobs

Question	Survey % Agree	ABARR % Agree	UK % Agree
I am paid fairly for the job I do, given my experience	75	70	50
I enjoy my work	84	82	74
I get a sense of achievement from doing my job	90	88	75
I am able to get the sleep I need every night	33	33	43
Overall, taking everything into consideration, I am satisfied with my job as a whole	79	74	60

 >5% more satisfaction than ABARR benchmark

 Similar satisfaction with ABARR benchmark

# Personal Wellbeing Analysis

Victorian barristers have strong levels of wellbeing, but are self-critical

The 5 Wellbeing Factors	Survey % Agree	ABARR % Agree
<b>1. Psychological Wellbeing:</b> extent to which an individual experiences a positive mood	<b>68</b>	<b>66</b>
<b>2. Perfectionism:</b> extent to which an individual is self-critical. Generally, a higher score is associated with <i>lower</i> overall wellbeing	<b>74</b>	<b>71</b>
<b>3. Workload Management:</b> an individual's sense of being able to manage pressures or demand arising from work	<b>48</b>	<b>50</b>
<b>4. Role Management:</b> how far an individual understands what they have to do and can be trusted to deliver work	<b>90</b>	<b>90</b>
<b>5. Supportive Work Environment:</b> a sense of being valued, being supported in a social and development sense	<b>66</b>	<b>66</b>

# Conduct

1

**Discrimination**

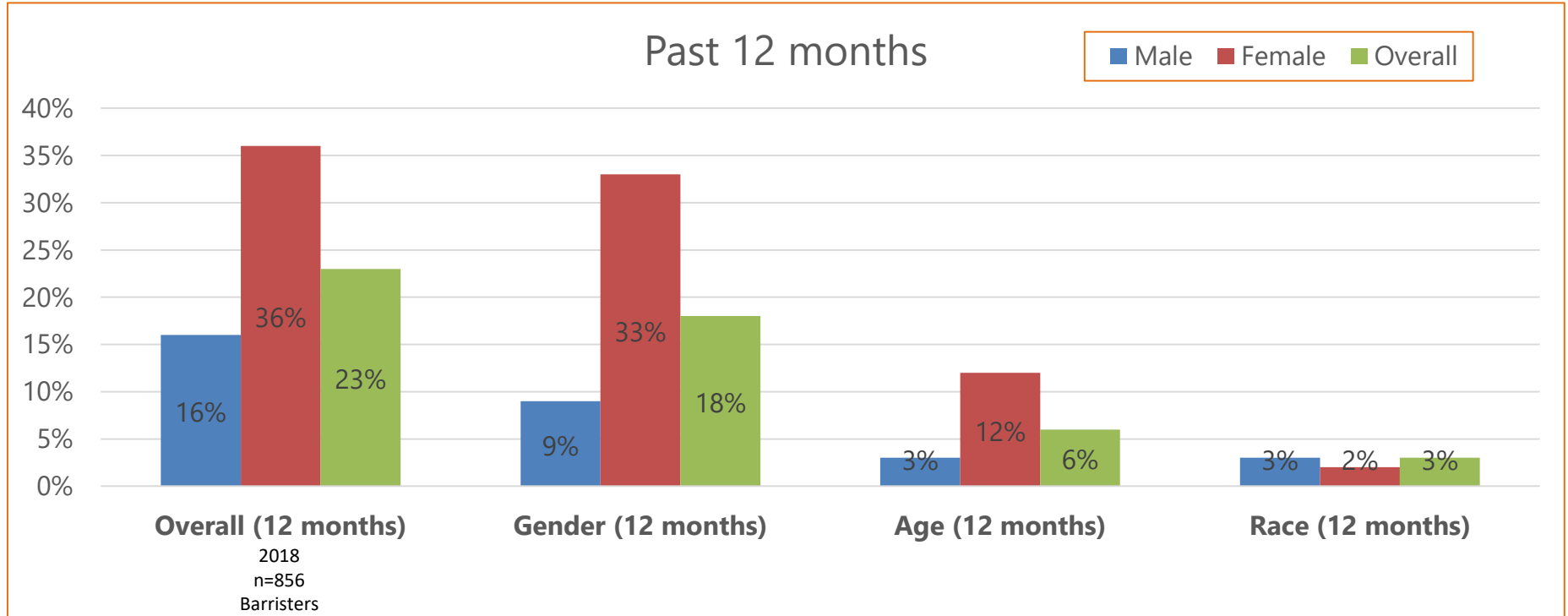
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**Sexual Harassment**

3

**Workplace Bullying**

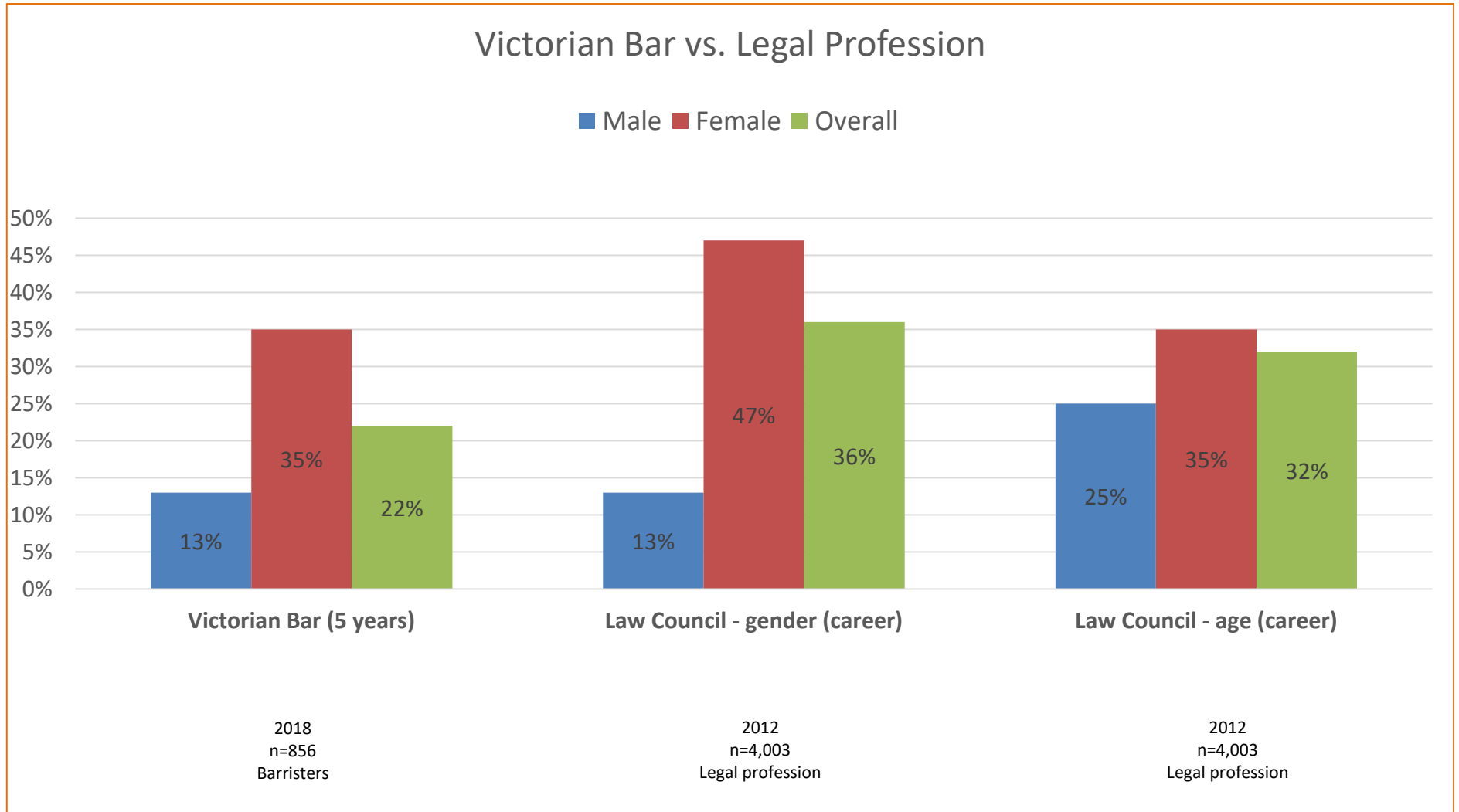
# Discrimination – Key Findings



- **60%** of persons identified as responsible for discrimination were **external** to the Bar.

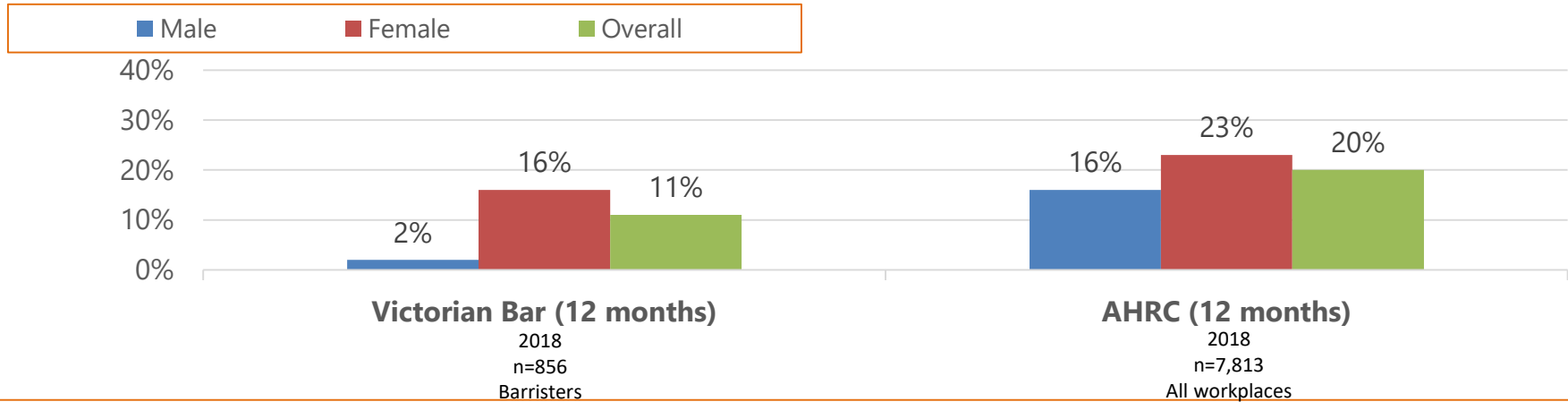


# Discrimination – Key Findings (cont.)

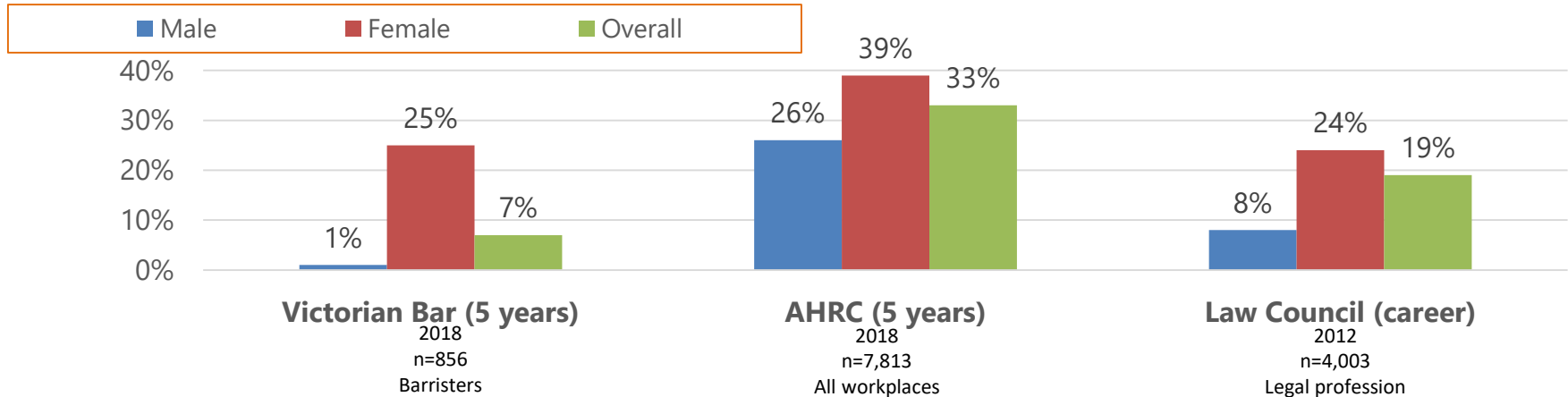


# Sexual Harassment – Key Findings

Past 12 months

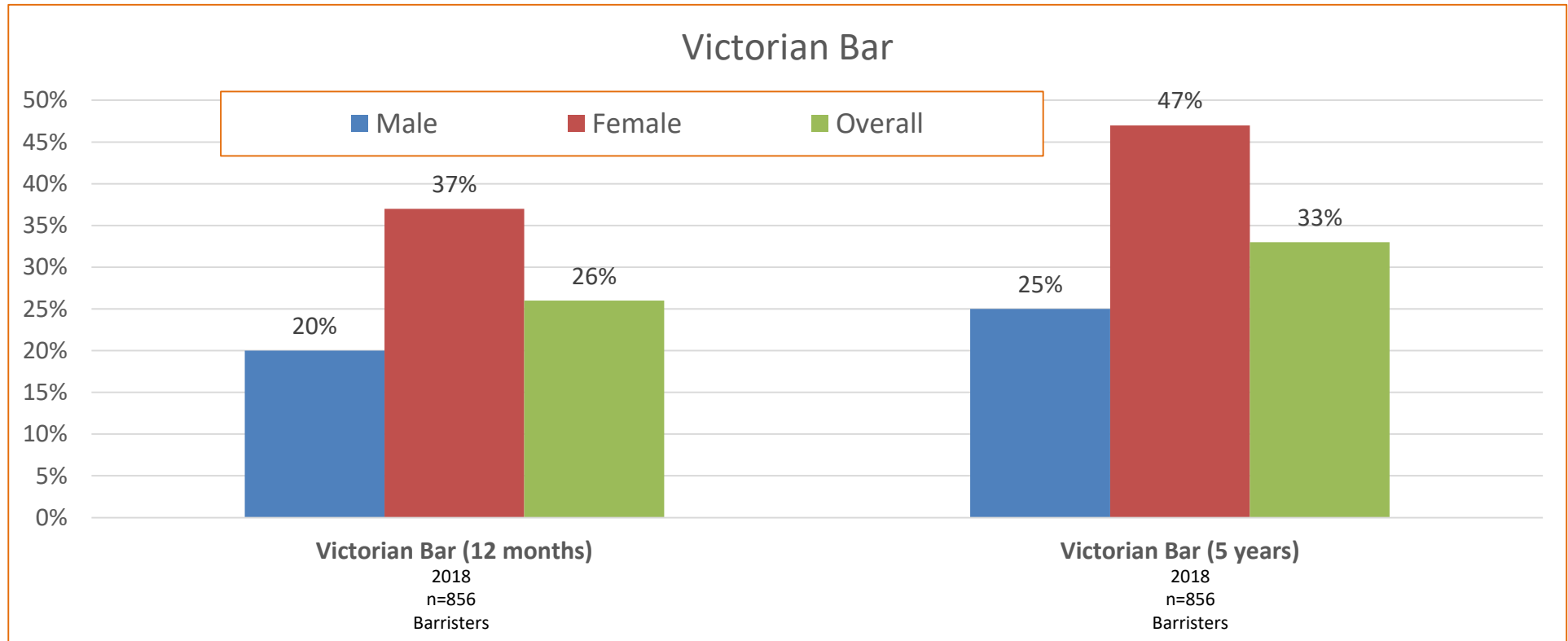


Past 5 years



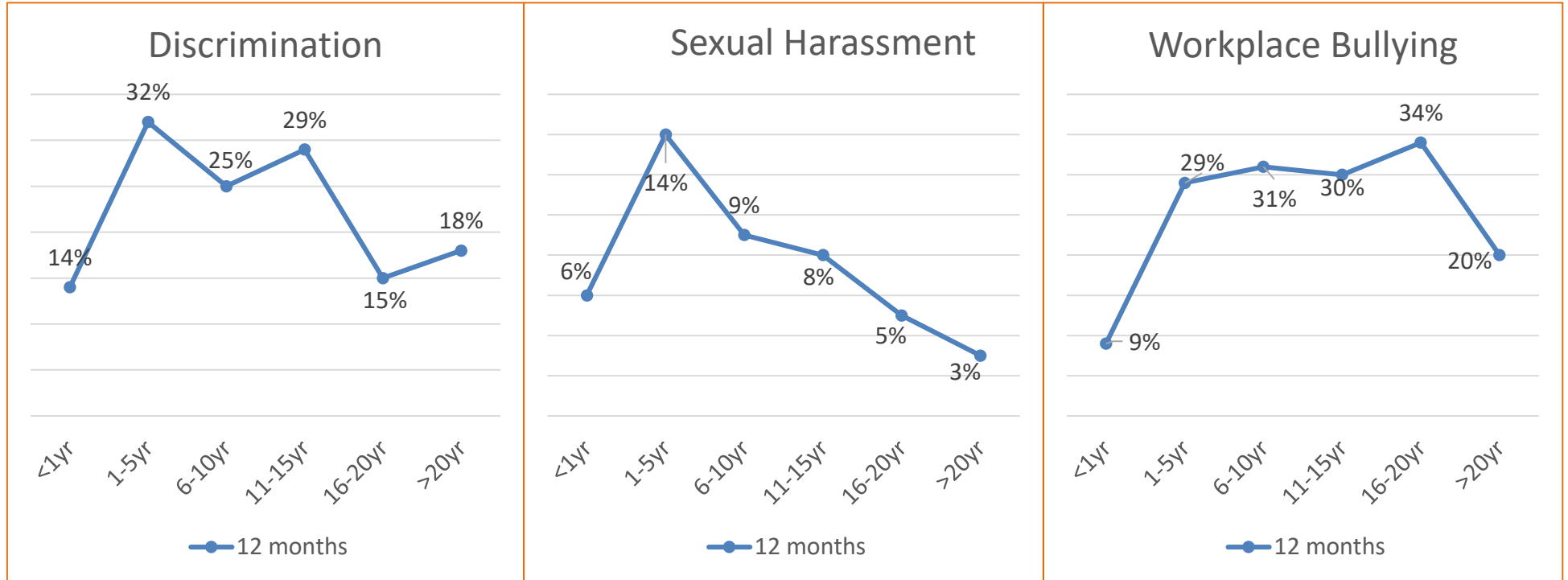
**Benchmark:** The benchmark used is the Australian Human Rights Commission's 2018 Fourth national survey on sexual harassment in Australian workplaces, which was a survey undertaken by 7,813 Australian employees, and the Law Council's 2012 legal profession survey results.

# Workplace Bullying – Key Findings



- The survey results indicate that **two-thirds** of persons identified as responsible for workplace bullying are **external** to the Bar.

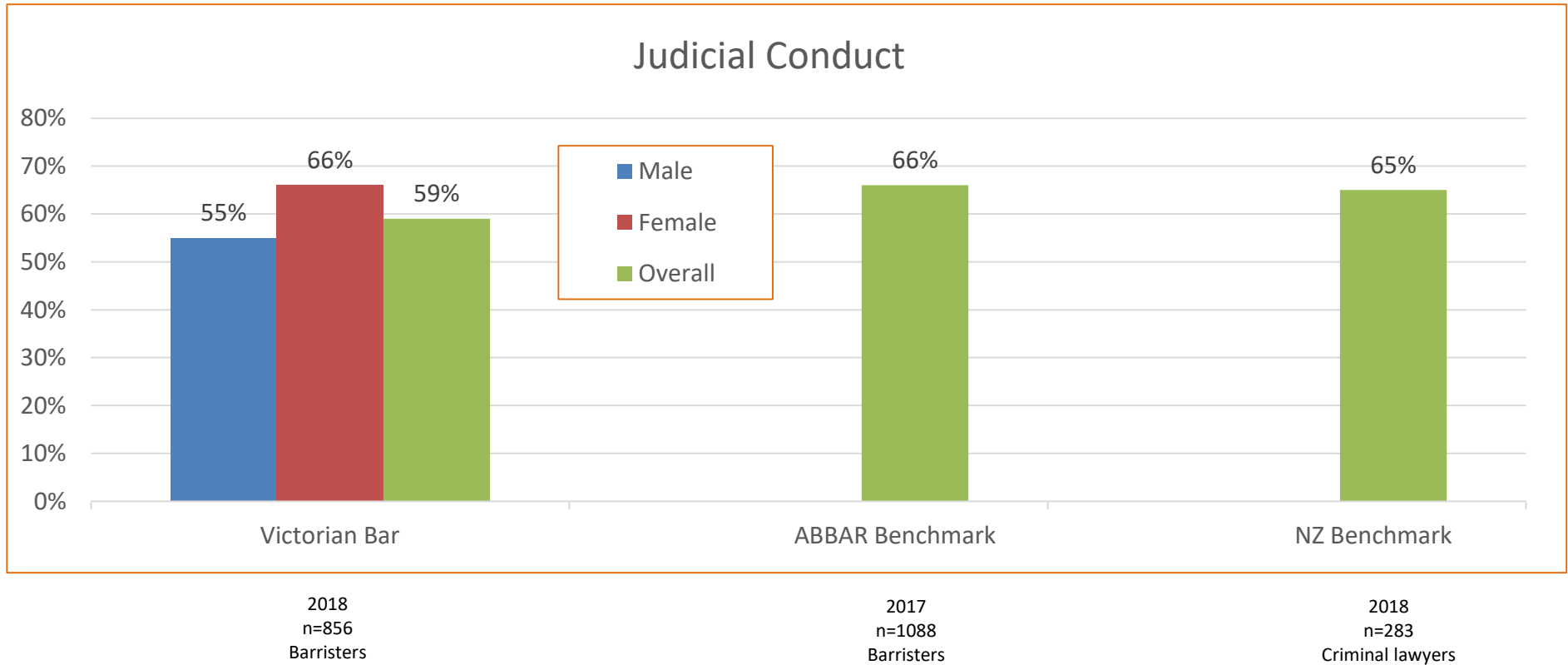
# Conduct by Years of Practice



- Discrimination experienced by barristers peaks between 1 to 5 years' call
- Sexual harassment experienced by barristers peaks between 1 to 5 years' call
- Workplace bullying affects all levels of seniority at the Bar

# Judicial Conduct – Key Findings

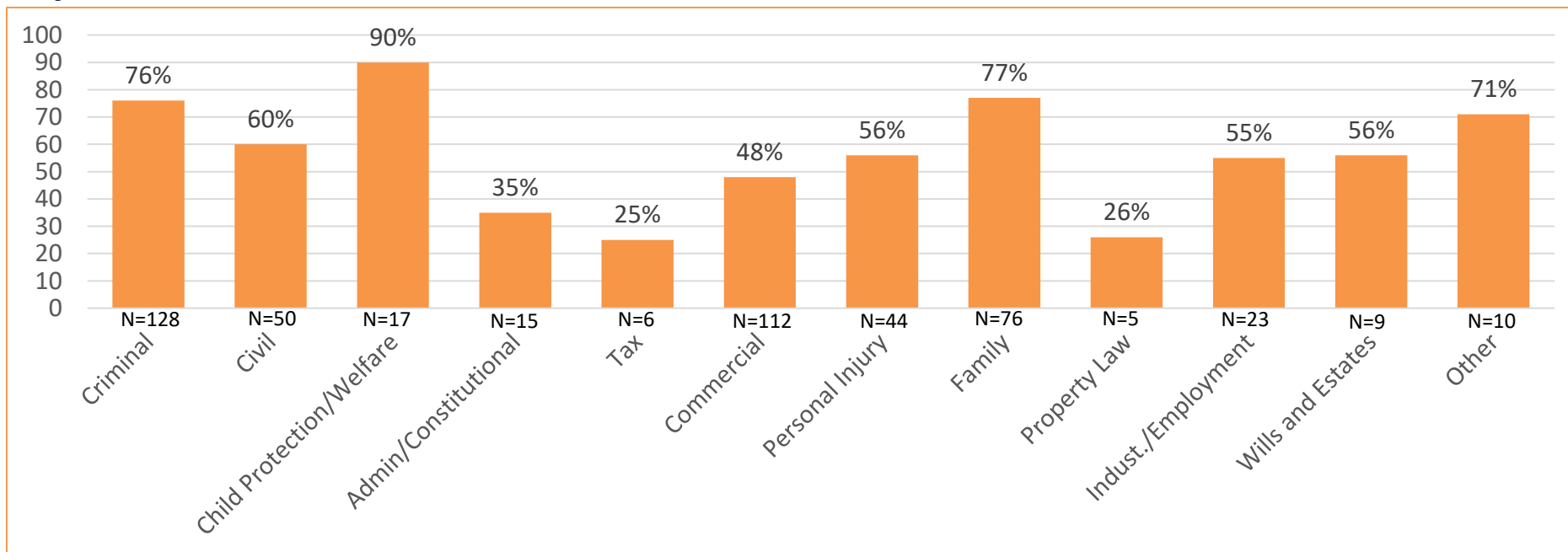
Question: Have you experienced Judicial Bullying?\*



\*No time period was specified, it is assumed the question relates to judicial bullying experienced over the course of a barrister's career.

**Benchmark:** The benchmarks used are the ABARR and NZ Criminal Bar Association's survey of 283 criminal lawyers conducted in March 2018.

# Judicial Conduct By Area of Practice

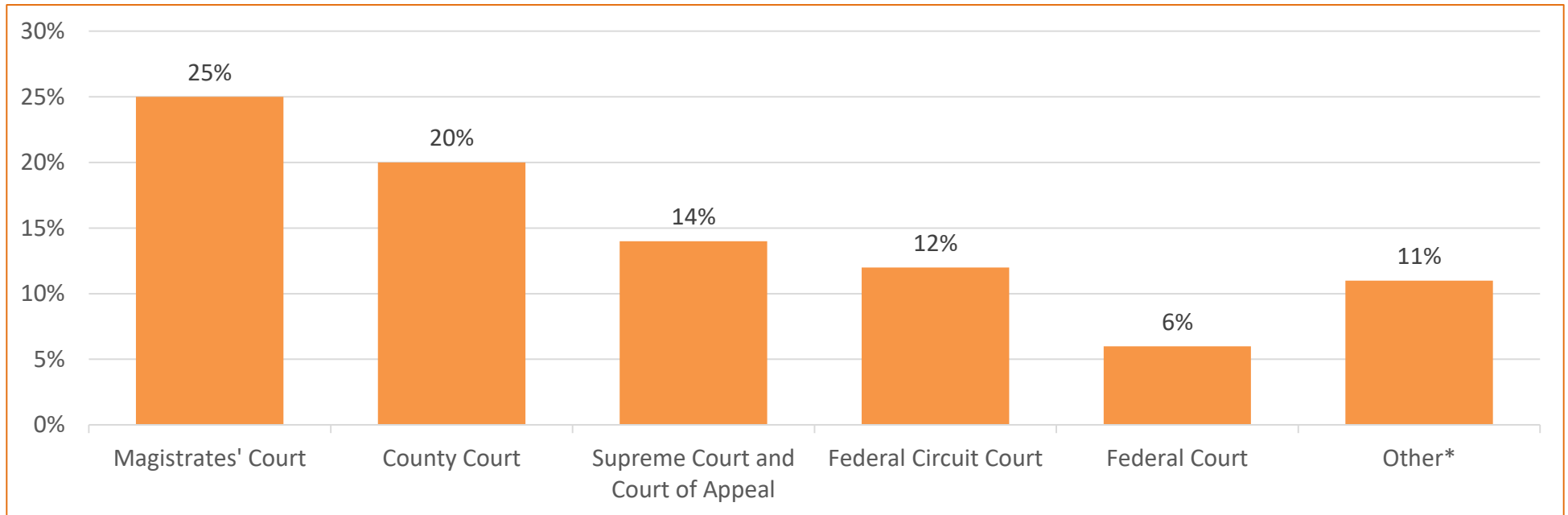


- Areas of practice with the highest reported rates of judicial conduct are **family law, child protection law and criminal law**

\*Percentage figures are the percentage of respondents in each practice area

# Judicial Conduct

## By Jurisdiction



- 88% of those who reported having experienced Judicial Conduct also reported the court in which it occurred
- The data presented should be carefully interpreted as it is possible the difference in percentages is due to the frequency of barrister appearances in each court.

\***Other:** Includes the Family Court, VCAT, AAT, the Coroner's Court and Fair Work Australia.

# How could your quality of working life be improved?

In the survey, 381 of the 856 respondents (45%) had an answer to this open question.

## The main areas of concern were:

- Better judicial behaviour (16.5% of respondents)
- Fair and/or timely payment for work done (13.4%)
- Work-life balance (9.7%)
- Court scheduling or late briefing (7.3%)
- Peer support (5.8%)

### Judicial behaviour

*"Judicial bullying is alive and well."*

### Court scheduling or late briefing

*"By having adequate time to prepare matters by not being given last minute instructions."*

*"There needs to be a process to complain about judicial behaviour without fear of being subject to repercussions."*

### Work-life balance

*"Shorter working hours, less weekend work."*

### Peer support

*"I feel somewhat isolated and feel I have not developed many real friendships at the Bar."*

### Fair and timely payment

*"Being paid for preparation and the extra work done on briefs."*



# Actions

## What the Bar has done

- Conduct policies against bullying, discrimination and sexual harassment
- Appointment of trained Bar Conciliators
- Judicial conduct policy
- Appointment of Judicial Conduct Advisers
- Briefed heads of each jurisdiction on findings
- Joint development of a protocol with the courts well-advanced
- Maintenance of counselling service
- New working groups on cultural diversity and LGBTI issues
- Online support resource launched
- CPDs held on sleep and perfectionism (and much more to come)
- Funding secured for development of Health & Wellbeing information and resources portal