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Promoting Law Student and Lawyer Well-Being in Australia and Beyond, by Rachael Field, James Duffy and Colin James, eds, London & New York, Routledge, Emerging Legal Education series, 2016, xv + 222pp, £80.75 hardback, £24.49 ebook, ISBN 978-1-4724-4529-2

I first came across a ‘well-being room’ in a UK law school in 2017, while serving on a periodic review panel at Queen’s University Belfast. But even a very brief literature review reveals that (lack of) well-being among law students – and among lawyers – has been a topic of concern in the USA since the mid 1980s, and in Australia since the 2000s. Research has repeatedly demonstrated that law students and lawyers have higher incidence of mental ill-health than the general population. This book, put together by the ‘Australian Wellness Network for Law’, offers strategies for legal education providers to promote well-being among students, and thus to have a positive effect on the legal profession. Although the specific details of legal education and the legal profession differ between jurisdictions, these insights hold value for all of us.

The book begins from the premise that the legal academy bears at least some responsibility for student well-being. ‘What is taught, how it is taught, and how it is assessed are all decisions that legal academics make, which have well-being implications for law students’ (p 4). But this sense of collective responsibility of law schools is not a given. Many in law schools believe that learning resilience, mindfulness, compassion, emotional literacy, and so on, are tasks for individual students, or for bespoke university (mental) health units, or other ‘bolt on’ skills teachers, not for designers or deliverers of law curricula. Some would go further, even to ‘oppose any efforts to make legal education less stressful and difficult’ (p 204), arguing that if law students ‘can’t stand the heat, they should get out of the kitchen’ (p 205), even taking suggestions that teaching styles might need to change as a ‘personal insult’ (p 205). To the extent that a collective, and disciplinary, approach to law student well-being remains a contested domain, those who are looking for justifications or rationales for the approaches offered by this book will need to look elsewhere. Even the final chapter, entitled ‘Dealing with Resistance to Change by Legal Academics’, is essentially about strategies of opposition, rather than about explicitly articulating the argument that law schools should take some responsibility for student well-being.

The editors promise ‘experienced legal educators sharing their knowledge and research on what works in helping students thrive during their law school experience’ (p 1). Rather than list the specific case studies and strategies outlined in the book, many of which are specific to their jurisdictional, university or curricular contexts, what follows is a thematic reflection. ‘What works’, suggests this book, can be grouped into three broad themes. First, and perhaps most important, is an epistemological theme. The notion of bodies of legal knowledge, certain and knowable, permeates legal education, in the UK context particularly at its professional stages. The practice of ‘thinking like a lawyer’ is based on a notion of distinction between ‘legal’ and ‘non-legal’, and of the superiority of ‘legal’ solutions to problems. It privileges cognitive and logical modes of knowing and understanding; downplaying or even rejecting the affective. Yet this is poor preparation for the stresses of legal practice (Foley and Tang’s chapter), and for non-adversarial approaches to problem solving (Duffy’s chapter). The resulting narrowing or crowding out of personal or ethical positions also makes it harder to manage ethical dilemmas, a known causal factor in depression among (legal) professionals (Vines and Morgan’s chapter). Second is an environmental theme. By paying close attention to the relations between physical and social environments, and well-being, law schools can enhance students’ development of resilience even in the face of the stresses of contemporary legal

education or legal practice (James' chapter; Stallman and Duffy's chapter; Steel and Huggins' chapter). Finally, an analytical theme, found most strongly in Tang's chapter, draws attention to the distinctions between the narrower concept of stress or distress (Baron's chapter; Huggins and Steel's chapter), and the broader concept of well-being (Larcome's chapter, Marychurch's chapter, Bourke and Evers' chapter). Clear thinking about which of these is being targeted by various strategies and interventions is essential to success.

One of the things I enjoyed the most about this book is the way in which 'well-being' can be seen as a mirror on contemporary legal education more generally. This is not a book that could be used directly to support modular teaching, but a book to dip into for inspiration and ideas across the curriculum. It is a book that contains ideas not only about promoting (law) student well-being in a narrow sense. Developing professionalism, transitions from school to university to post-graduate education, reflective practice, teaching (legal) knowledge as essentially constructed and contested, the learning that comes from moving outside of 'comfort zones', soft versus hard skills, individual and group learning, moving beyond narrow legal adversarialism (e.g. to ADR), and above all equality and diversity, are matters that concern us as teachers of law. This book reflects on all of those contemporary concerns, and more.

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