

Judges and magistrates under considerable stress, Australia first study finds.

Headline results from a recent study of the overall wellbeing of Australia's judicial officers suggest that Australian judges and magistrates are under considerable occupational stress and at risk of burnout and secondary traumatic stress. However, unlike the rest of the legal profession, this does not appear to be translating to a widespread mental health problem within the judiciary.

The landmark study, the first of its kind in Australia, provides the first empirical data on the nature, prevalence and severity of stress among the Australian judiciary, led by Carly Schrever, University of Melbourne doctoral researcher and Judicial Wellbeing Advisor to the Judicial College of Victoria.

Quoting from the report published in the *Journal of judicial Administration*: *"The clinical and social significance of this study is considerable... Given the pivotal role that judicial officers play in our democratic system and the daily impact of their decisions on people's lives, their psychological health and wellbeing is a vital community concern. As more and more judicial officers speak out about their experiences of stress and mental ill-health on the bench, and as courts in Australia and around the world begin to grapple with the question of how best to support judicial officers in their complex and critical work, the results of this study provide an initial basis for appropriate intervention and support."*

The reports key findings uncovered that:

- Judicial officers' rates of non-specific psychological distress were considerably higher than those of the general population and the barrister arm of the legal profession (52% indicated some level of non-specific psychological distress);
- Moderate-to-severe anxious and depressive symptoms were reportedly experienced at just one-third the rate of legal practitioners, a rate comparable to those of the general population;
- Despite being under stress, judicial officers report high rates of work-related wellbeing and satisfaction (76% experience personal wellbeing and satisfaction associated with their work most or almost all the time)

Areas of concern highlighted that:

- Three-quarters of judicial officers have some level of 'burnout' risk;
- One-third of judicial officers are experiencing symptoms of Secondary Traumatic Stress at levels for which formal assessment for PTSD is considered warranted.
- Almost one in three judicial officers use alcohol at a problematic level; although this figure (30%) is slightly better than lawyers (32%), it is considerably higher than the 18.8% of general population.

For most judicial officers, judicial work is highly satisfying and less stressful than legal practice, with almost two-thirds (62%) finding their current office less stressful than their previous careers. In the report, Ms Schrever said the research provides *“an initial indication that personal wellbeing and satisfaction were prominent feelings alongside the stress of the role. It is possible that the sources of fulfilment, accomplishment and purpose within judicial work compensate or offset for the sources of stress, providing for a demanding but meaningful professional life.”*

Chief Justice of Victoria, Anne Ferguson, said *“The wellbeing of all judicial officers, court staff, practitioners and other court users is a priority for me as Chief Justice. This important research provides the first reliable data on the levels and kinds of stress experienced by our judiciary. It confirms that judicial stress is real and common and provides a level of insight that wasn’t possible before. The results are helping to shape wellbeing programs for courts in Victoria. My hope is that we are starting to break down the conventional stigma attached to discussing mental illness and to seeking help; that we are moving toward a healthy, well-functioning and sustainable position in the judiciary.”*

The study highlighted one particular area of concern where wellbeing management plans are already being put in place. Vicarious trauma is an emerging concern throughout the legal profession, and more than 83% of judicial officers experienced at least one symptom of secondary traumatic stress in the week before completing the survey. Almost half (48%) had trouble sleeping, while 46% had intrusive thoughts about work, and 18.4% had felt as if they’d relived the traumatic experience of a person who had appeared before them.

CEO of the Judicial College of Victoria, Samantha Burchell, said *“The vicissitudes of a judicial life are inevitably stressful. Ms Schrever’s research reinforces in a rigorous way the absolute need for judicial education to build and support a resilient workforce of judges and magistrates. The Judicial College of Victoria is leading this work through innovative education programs for the judiciary that address both individual and systemic considerations. Forthcoming programs include an ‘Insight in Trauma’ and ‘Judicial Peer Support’ for court leaders.”*

Further findings will be published later this year.

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