

RESILIENCE IN THE WORKPLACE DURING A PANDEMIC



Barristers **Julie Condon QC** & **Philip Dunn QC** share insights on building resilience in the workplace, in personal lives and during the current pandemic we call COVID-19

Interviewed by Barrister **Jason Gullaci**

JASON: What is your view of the importance of resilience at the bar in general terms and also when things get a little trickier?

JULIE: I think resilience is something that you always have to be mindful of in a sense that, it is really all about mental health. Some people see that term as the latest 'buzzword' due to the fact that, as I understand it, children are actually taught it at school which is fantastic.

"In our profession the tradition has always been to develop a bit of an armour about how you deal with your cases & workload"

But times are changing and changing for the better. The more we focus on our mental health by balancing an element of resilience and acknowledging when things are difficult, the more we can be protective of our mental health and ourselves. Especially in these current times of a global pandemic.

PHILIP: From a barrister's point of view, nothing is set in dried cement. You arrive at court expecting a case to go on and any number of things can happen. For people that like their life to work on a schedule and according to plan, life at the bar and in the legal industry, can be tremendously trying. Nothing is what it seems or permanent. Everything can go wrong, and the goal posts continually shift. Traditionally, building resilience in a male dominated group was going down to the local pub and drinking your stresses away. But these days, we build little things into our life that help strengthen our resilience. Introducing music, walking, going out for dinners, golfing, any

number of things that allow us to be flexible and balance what you've done in the past with new internal benefits.

JASON: Do you have any insights into the current situation?

PHILIP: Older barristers and professionals, like me, have been through difficult situations whether it was the stock market crash or a recession. And during those times we never stopped working. But this time around many have had to stop working and I've seen people get fairly unhappy, down and depressed. What I have tried to help those in my chambers understand is that the goal posts have change, the game has changed and its not our fault. You have to float and cope with what you've got and what you've got is that nobody owes you a living. You're not going to automatically get work just because you are say a barrister and that the courts are available or the solicitor is going to pay you what you think you're worth. You have to adapt to the changing environment and there are a number of ways that you can do that.

JASON: Going back on previous comments, being mindful about your mental health what are some of the things you have done personally to get you through the tough times?

JULIE: Meditation is something that I have done in the past and I wish I did it more. I did it years ago when I had a very difficult and high profile case and I've got to say, it really augmented the performance as I was able to cut out the chatter, and the self-doubt that tends to plague barristers. Meditation

and yoga, for any field of work, are fantastic tools to help obtain the clarity of thought and I don't think I could survive without that as a balance to the stresses and anxiety you deal with on a daily basis. Barristers in particular have that high stress environment because they are dealing with individuals in a state of crisis and in some ways we are a profession that is able to weather the storm of COVID and it's important to remember that.

"Keep it simple!"

PHILIP: When you are dealing with those individual court stresses, that load gets passed to you. And you as the Barrister and Solicitor must have a rather calm hand on the tiller and not show it to the client. It gets rubbed off onto you and you have to have a mindset that helps you deal with and balance your work life and family or home life that means you are reasonably pleasant person to be around. I drive my wife bonkers when I bring my stresses home. There has to be a dedicated process in your mind where you say to yourself "what I'm going to do is that if I treasure this relationship, I've got to spend time with them where I'm pleasant to be with. I'm going to make sure I switch off at night" And that could be helped by having a notebook by the bed to write notes when you wake in the middle of the night, practicing yoga, reading a book or mediation. Keep it simple.

JASON: I know personally that I have struggled in the past with the flow of work and slow periods. There is a real trick in using your down time to help combat stresses! And during this epidemic, you have to use that down time productively in a way that's appropriate when you have it. Your thoughts?

PHILIP: One thing I have told those in my chambers who have never encountered this type of situation is that one way of relaxing is doing what you have always done to relax and the other thing you do during such a time as COVID, is you revert back to your core. Watch what is happening around you and re-educate yourself then reach out to those individuals, say solicitors and identify with them and put yourselves in front of them. You have to be proactive in personal and professional areas during idle time.

JULIE: If you've been there before it is easier to deal with. I came back to the bar last year after being on the bench and for an incredibly challenging 3 months I had no work which was simply a symptom of coming back to the bar and the tools I used to use weren't working. As barristers, we self-define ourselves "if I have no work, then I am nothing" but I think it's important that in this current climate, it is a collective experience and we need to remem-

ber that. When you find yourself in the slow work periods you must be willing to look further and to expand your knowledge, skills, and contacts. As cliched as it sounds, you should use these uncertain times as an opportunity to embrace what is and come out a better person.

"Don't compare yourself to what somebody else is doing"

PHILIP: Exactly, embracing this time is a must. Post COVID, things are going to change! In the legal industry we have already seen people and organisations embrace technology with video links and online conferences. The traditional way of sitting in your chambers waiting for the phone to ring or travelling out to the prison to hold conference with your client, is manifestly subject to change.

JASON: Julie, going back to when you were away from the bar and deciding to come back, mentally how did you prepare yourself for the inevitable short-term pain?

JULIE: Great question! After I had done it, I described it to a friend that it was like jumping off a cliff with no parachute. I had put myself in that position and I didn't have all the control over this aspect so I had to relinquish any frustrations attached to it in order to get through and focus on the areas of work that I could do. I think as barristers, it is important to be flexible and dynamic and be open to change because of circumstances beyond my control. Don't say "poor me" or look over your shoulder which is what I have told my readers before in order to build resilience. Don't compare yourself to what somebody else is doing. You've got to be yourself! Otherwise it will eat at you and your resilience levels.

JASON: You have to run your own race. People develop at different rates and have different experiences and comparing yourself to others is the worst thing to do. Talking with Bar Readers especially, the legal industry is full on and being a barrister is a marathon not a sprint.

JULIE: If new Readers are listening, I encourage you to watch Obama's speech to the 'Class of 2020'. It is one of the most inspiring oratories I've seen in terms of the message that he gives to those starting out in such difficult circumstances. Younger generations have advantages on say our generations in that they have grown up with technology from a young age and so joining a WebEx conference won't be as confronting so they should embrace those small wins that will amount to bigger things.

JASON: You've both mentioned that having a plan or schedule is important but being flexible is paramount to your mental health. For example: as a Criminal barrister, you're all geared up for a witness examination and it doesn't proceed, how do you deal with it?

JULIE: The deflation is terrible. But that can be a very self-centric way of looking at the situation, "I don't get to be the star today". And what I have learnt over the years is that you need to counteract that low, the deflation and balance it out with those hobbies you love. Because if you don't, you lose perspective and that is an offshoot of resilience. Kids today learn gratitude, empathy and mindfulness which is what we all need to take on board.

PHILIP: It's really about being a stoic. You can't change what is happening around you but what you can change is how you react to it. Which, to an extent, is what meditation and mindfulness reinforces. You have to make a conscious decision to compartmentalise.

“Kids today learn gratitude, empathy and mindfulness which is what we all need to take on board”

JASON: Both of you have experienced significantly high-profile cases that came with certain implied criticisms and less than complimentary media coverage, how do you deal with those situations?

PHILIP: After a manslaughter case, I recall being at a function with my wife and 3 women came up to her and bombarded her with questions asking how she could be with me and telling her to leave me. As we know, the law is tricky and the papers can be misleading or one-sided, and my wife was uncomfortably put in that position of having to justify my role not fully knowing the ins and outs in that case. It is incredibly important in those circumstances to reach out to our colleagues and friends and talk about what is going on. Get support from those that understand situations like these who can impart wisdom and advice on how to help you. You also have to step forward when you witness colleagues going through difficult periods and in a non-critical way, show your support.

JULIE: There is an internal conflict there because it's a fine line. You develop the armour in order to brush off the uninformed criticism but on the flip side that armour has to come away sometimes because you are invested in the outcome and you have to find that median. It's important to acknowledge what you can't control and build resilience against those that are ignorant to the situation.

JASON: Your ability to be open and honest with the people around you is important!

PHILIP: That is where your professional community is paramount. Fellows in your chambers, in your office and in your workplace will understand and sympathise with what you are going through. Find someone that you are comfortable with and that you trust. They are there to provide an ear, guide you and help unburden you.

JULIE: I certainly missed that collegiate atmosphere when I was a Judge and finding the right chambers is also important. But really all you need is that one person who you trust implicitly that can take you to lunch and help you remember that it is a collective situation.

JASON: Any concluding remarks that you both would like to make?

PHILIP: I regard myself as an incredibly lucky person. Life for me at the Bar has been fantastic. I have had some interesting times, met some incredible people and gone all over the world. However, nothing goes to plan. Be yourself, be stoic about your reactions, stay healthy and be kind. Kindness goes along way.

JULIE: Kindness is certainly something we are finding peering out more at the moment because we have the time. If we can extract that out after COVID, enquiring of another and sympathetic to individuals' situations then that is a great achievement. The other thing is hold fast. Nothing lasts forever. That feeling that you have right now, will go. And you must remember that because that state of mind and resilience will see you through what is, no doubt, a difficult period of time.

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