

Where Does the Trauma go?

**An Exploration of how Professional Supervision can Support New Zealand's Legal
Profession with Improved Wellbeing Outcomes.**

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Abstract

Currently the legal profession in New Zealand is at a crossroads. Its practitioners are increasingly required to perform a variety of important functions and tasks within society. In contrast, support to meet these demands remains low, with reports of the negative impacts of stress and indirect trauma on law practitioners increasing. Recently the New Zealand Law Society acknowledged this troubling dynamic when it released a statement identifying that wellbeing outcomes in the legal profession were poor, contributing to increasing attrition levels with experienced lawyers leaving and a lack of incoming replacements. Professional supervision has been shown to support improved wellbeing and professional development in other professions, but is not well researched or implemented in New Zealand legal practice at the current moment.

To explore this gap this study explored the experiences of lawyers in New Zealand who are exposed to indirect trauma through their work, and whether engagement with professional supervision has supported their wellbeing. Additionally, the restorative function within professional supervision practice is considered in more detail, contributing to the emerging conversation on the therapeutic benefits of engagement with professional supervision.

This qualitative study connected with six lawyers from the Auckland area who were practicing in either criminal, family, or immigration law contexts and were engaged with professional supervision. Semi structured interviews were used for data collection, and were analysed using thematic analysis. Three overarching themes were identified by the researcher; related to environment, people, and practice to present the lived experiences shared by these research participants.

Professional supervision was identified from this research as a helpful practice to implement within the legal profession in New Zealand to improve wellbeing outcomes. Future research would benefit from an exploration of how externally provided professional supervision might best be structured to meet the needs of the legal profession and contribute to the growing movement focused on trauma informed legal practice.

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How the studies research questions connect with themes and sub themes.

Chapter 1: Introduction and Purpose of the Study

1.1 Opening

“In law, nothing is certain but the expense.” (Butler, 1951)

When one gives consideration to the law, and by extension their need for services from a competent and qualified legal professional, often the first association made is around the financial cost. The above quote by Butler succinctly and humorously captures this sentiment, however when I encountered this quote it struck me in a different way due to my involvement as a student and practitioner of professional supervision. Within professional supervision practice we often try our best to consider and explore alternative and new perspectives, as through such a pursuit we might foster new learning and growth. So in that spirit, how might we begin to reframe and explore the above quote from Butler?

I'd start by offering my curiosity about what the expense might be for the individual who has chosen the law as their vocation. And not so much the financial expense, but the more difficult to measure costs associated with the emotional toll and strain that can arise from such a challenging and pressured work culture. A culture and work context which also regularly exposes the practicing lawyer to stresses and traumas they may not have anticipated when they thought about dedicating their professional life to the law. How many lawyers new to the profession were aware of this cost?

When we consider the impact of practicing law few of us have insight to what happens behind the scenes. What is the burden on those individuals who choose to work within the law, and do we have any care or concern for their wellbeing as they engage in what can be a hostile and contestable environment often in service to their clients? I would suggest

that we do care about workers wellbeing in a broad sense. However we most certainly care a great deal more when we are dependent on a professional to represent us in a time of need, especially should that need see us having to appear in court and feel we are lacking the skills for self-representation. It's a point we often don't give much consideration to as we engage with various professions and practitioners that can have a significant impact on our lives. We often assume that the professionals we engage with are fit and ready to save us in our time of need, or to fix the problem that is outside of our own ability to solve.

In Butler's quote we see the stereotypical representation of the law and lawyer, and the perception of ongoing financial costs at the expense of the clients who are in need of services and representation. It's unlikely this dynamic will change as it captures a singular truth associated with the individual and public experiences of engagement with the law. But as we identified before, there's more than one perspective in any given situation.

In consideration to the impact the law and legal practitioners have on all of us, it's worth attending to the idea of what the cost really is in more ways than one. Perhaps if we can lessen the costs associated with stress and trauma for lawyers, we might find an improvement to the outcomes we hope to experience for ourselves, our communities, and for the wider country of New Zealand. Could professional supervision have a role to play?

1.2 Introduction

Currently the legal profession in New Zealand is at a crossroads. Never before have its practitioners been required more to perform a variety of important functions and tasks within society. Yet in contrast the reports of the toll from the profession on practitioners appears to be getting heavier. Recently the New Zealand Law Society acknowledged this troubling dynamic when it released a statement calling for further conversation and investigation into this vexatious issue (NZLS, 2023). That such a statement was made by this organisation is significant as it represents over 15000 individual lawyers in practice within

New Zealand. In the statement they identified that wellbeing outcomes for those working in the legal profession are poor, with a particular problem being observed amongst family and criminal law contexts. This is not only having a negative impact on wellness measures for those who remain working in these areas, but it is increasing attrition levels in these sectors with experienced lawyers leaving and a lack of incoming replacements. This is all occurring in the context of increasing workloads and demands for services within the scope of legal practice.

Although there is an abundance of research that is measuring the poor wellbeing outcomes within the legal profession (Ko & Memon, 2023; Popa et al., 2024; Weir et al., 2021), (to be explored in the literature review chapter), there is very little that is proposing solutions specific to New Zealand. And it is within this gap that this research hopes to begin a conversation in response to the statement made from the New Zealand Law Society.

Professional supervision is an integral and often mandated practice within several registered professions in New Zealand such as social work, counselling, and psychology. Research into professional supervision has shown increases in resilience and wellbeing for practitioners in those disciplines and others (Beddoe et al., 2014; Wallbank, 2013). Despite this, the uptake and integration of professional supervision in the legal profession within New Zealand is not well understood or researched at the current moment with the only area it is mandated being for practitioners acting as lawyer for child in family law (NZLS, 2018). And even then, it remains unclear about the type of supervision they are receiving and its quality.

To explore this gap further the study aimed to understand the experiences of lawyers in New Zealand who are exposed to indirect trauma through their work, and whether engagement with professional supervision has supported their wellbeing. Additionally the restorative function within professional supervision practice is considered in more detail, and

the study aims to contribute to the emerging conversation on the therapeutic benefits of professional supervision for working professionals.

To guide the study there were four research questions which include:

1. How have lawyers experienced stress and indirect trauma from their work?
2. What have lawyers experiences of professional supervision been?
3. Have lawyers engaged with professional supervision experienced improvements in their wellbeing when considering stress and indirect trauma?
4. How do lawyers view the restorative function of professional supervision, and do they perceive it to have a therapeutic benefit?

1.3 Researcher Positionality and Significance of the Study

On a personal level this research has significance to me. Early in my professional career in New Zealand I worked as a Probation Officer which is a unique role, and one that has a high degree of exposure to secondary traumatic stress. The source of which being the regular reading of details of crimes connected directly to the case load you are working with. I reflect that I was poorly supported and did not receive access to professional supervision to help me manage this form of indirect trauma and consequently I suffered with decreased wellbeing.

I believe there is a similar dynamic being experienced by many lawyers in practice within family, criminal, and refugee law in New Zealand at the moment due to their high exposure to indirect trauma. Therefore, I hope to make a positive contribution towards the legal profession with this research so that we might better support the important work happening in this practice context. I know how helpful it can be when you are able to access high quality professional supervision and am firmly of the belief that there could be benefits for legal practitioners in New Zealand.

On a professional level this research also has importance for me. I'm a practitioner and provider of professional supervision within New Zealand having worked for many years as an internal supervisor in Government, and more recently in private practice as an external supervisor. I'm of the belief that there is an increased need for professional supervision that is trauma informed to better support working professionals. And due to this I'm motivated towards my own increased knowledge and learning on these topics so that I might better contribute to the wider field in service to those who work in the helping professions.

My positionality as it relates to this research has a sense of dualism to it. On the one hand I am closely aligned with the practice and study of professional supervision having been involved in the area for several years, with the intention of being involved for the foreseeable future as well. But in contrast to my close involvement with professional supervision is being a relative stranger to the legal profession. I truly am an outsider looking in when it comes to the topics related to this research in relation to the practice of the law. This is not a new phenomenon within academic research, with previous studies identifying the advantages of such a positionality despite some of the presenting complexities (Dwyer & Buckle, 2009; Yip, 2024). This sense of contrast I believe is of value as it allows me to speak with some knowledge on the topics, while having a unique insight and interpretation of the information the research participants shared.

1.4 Overview of Thesis and Chapters

The structure of this thesis will not deviate from expected norms. There will be five chapters in total, this first chapter serves as the introduction to ground the reader into the thesis. The second chapter will comprise of a literature review which will introduce key concepts and help summarize relevant research connected with professional supervision, the legal profession, and wellbeing outcomes. Key concepts such as secondary traumatic stress, vicarious trauma, the restorative function of professional supervision, and what trauma

informed supervision entails will be defined and reviewed. Chapter three will explain the methodology related to the study and describe the study design. Chapter four will provide the findings developed from the study, followed by a wider discussion of the thesis in chapter five that will consider next steps for future research, key learnings and recommendations arising from the research, as well as some of the limitations associated with the study.

Chapter Two: Literature Review

2.1 Introduction

This literature review is focused on exploring some rather large and complicated topics which have a great impact on a variety of professional contexts, both for the specific individual worker and at the wider systemic levels. At its heart this literature review seeks to have a focus on the law and the legal practitioner, the stress and indirect trauma associated with the profession, and what practices such as professional supervision might do to support and improve the poor wellbeing outcomes within the legal profession.

To begin there will be an overview of key concepts and theories to support the reader who might be unfamiliar with some of the terminology. This will include an explanation of primary vs secondary trauma as well as PTSD, an overview of concepts associated with indirect trauma such as vicarious trauma, secondary traumatic stress, and compassion fatigue. The overview of key concepts will finish with explanations of professional supervision, trauma informed supervision, and the developing conversation on the potential for post traumatic growth for working professionals who work in challenging environments with a high degree of indirect trauma exposure.

To transition the reader to understanding some of the challenges facing the legal profession an overview and synthesis of research is provided which summarizes where stress and indirect trauma comes from for legal practitioners working in the areas of family, criminal, and immigration law with a three-part explanation provided. These three primary sources of stress and indirect trauma exposure for the legal profession are summarized as; environments and culture that encompass the legal profession; clients and work demands as exposure for indirect trauma; and relationship with self, the importance of ethics, and self-concept in the legal profession.

To complete the literature review there will be a summary of proposed solutions to support the legal profession from the literature, which will touch on the need for improved education and training for the legal profession, the call for trauma informed practices to be integrated into the practice of the law, and the need for the uptake and availability of professional supervision to support the legal profession. The chapter will conclude with a review of research which looks at the role of professional supervision in supporting practitioners with wellbeing outcomes when working with high degrees of stress and exposure to indirect trauma.

2.2 Key Concepts and Theories

2.2.1 Primary VS Secondary Trauma and PTSD

When working towards understanding trauma it is a helpful starting point to seek a definition, as well as to differentiate between what a direct or primary experience of trauma is, in contrast to an indirect or secondary experience of trauma. The American Psychological Association defines a direct, primary, or acute trauma as an event of actual or threatened death, serious injury, or sexual violence that a person suffers (*Diagnostic and statistical manual of mental disorders : DSM-5-TR*, 2022). Often this type of trauma occurs from a singular incident or event, and due to the rapid onset of the trauma the individual is overwhelmed, unable to adapt or cope in the face of it and suffers some degree of harm.

In contrast indirect or secondary trauma is a different form of trauma exposure where the individual has not experienced a direct traumatic event themselves. In this type of trauma the individual has exposure to the trauma of others, often over the long term with regular repetition, and due to this begins to experience negative emotional and psychological effects (Gregory et al., 2012). If left unsupported the individual over time can begin to suffer and exhibit the same deterioration as if they had experienced a primary traumatic event.

If the individual is left unsupported after a traumatic event there is a possibility they may regress further and begin to suffer from post-traumatic stress disorder (PTSD). PTSD is defined as an anxiety disorder which develops after the traumatic event (*Diagnostic and statistical manual of mental disorders : DSM-5-TR*, 2022). It can manifest itself for the individual who has experienced a primary trauma event, but also from indirect or secondary trauma exposure as well. PTSD is often characterized by the individual experiencing negative changes or adaptations in their behaviors, emotions, thinking, and relationships (Friedman, 2010). These changes are varied but can include flashbacks where the individual relives the traumatic memory, avoidance behaviors where the individual distances themselves from the people, places, or situations that are associated with the trauma. Other symptoms include negative changes in mood and thoughts for the individual, which can also include their perspectives on other people and general world view. In some cases the individual can experience an increased sense of hypervigilance and protection of themselves or others, which can also include a general sense of heightened reactivity, irritability, and angry outbursts (Walton et al., 2017). Physically the individual can also be negatively affected with disturbances of sleep, and an overactive nervous system as a protective mechanism. Over the long term this has been shown to have negative effects on the individual's health (Pacella et al., 2013). Should the individual remain unsupported while affected by PTSD they run the risk of potential long term psychological issues.

2.2.2 Indirect Trauma Typologies

The concept of indirect trauma has been studied alongside research attending to PTSD (Even et al., 2024), and over time has been expanded to include three subvariants which have been defined as vicarious trauma (Dunkley & Whelan, 2006), secondary traumatic stress (Yassen, 2013), and compassion fatigue (Yassen, 2013). These terms provide us more depth to understand the broader concept of indirect trauma and expand our understanding further

outside of the parameters contained within the PTSD definition. To provide context, the three identified indirect trauma typologies do not all feature equally within associated PTSD literature. To be diagnosed with PTSD the individual must have had repeated or extreme exposure to aversive details of the traumatic events as part of one's professional context, and this focus is more closely connected with secondary traumatic stress. Although this is a good starting point for understanding the wider concepts, there is a more to be understood around indirect trauma and how it can manifest in a professional's life.

Vicarious trauma is a type of indirect trauma which comes from exposure to the traumatic events experienced by others over the long term (Kim et al., 2022). It is best understood as the negative emotional and psychological effects experienced by working professionals who are routinely and repetitively exposed to the trauma and distress of the clients they are working with (Branson, 2019). These effects can include changes in belief systems, decreased trust, diminished self-esteem, and avoidant behaviours (Scott & Freckelton, 2024). This can take place with professionals who interact with clients or people who have recently been exposed to a primary traumatic event, all the way through to someone who is far down the road of PTSD and seeking help (McNeillie & Rose, 2021). In summary vicarious trauma is the routine and general exposure to the trauma of others, which over time starts to effect the working professional negatively if left unsupported.

Secondary traumatic stress (STS) is another form of indirect trauma exposure that professionals may encounter in their work context, and this is the form of indirect trauma which is referenced within the PTSD literature. This type of indirect trauma occurs when the working professional is regularly subjected to potentially distressing and traumatic materials such as reports, pictures, videos, audio recordings, or any other type of content which they have to engage with as part of their professional work that documents or reports on the

traumatic circumstances of others often in great detail (Rauvola et al., 2019). STS has the potential to develop more rapidly for working professionals, and in some instances can exhibit itself after just one exposure of overwhelming and disturbing content (Ludick & Figley, 2017). Professionals who work in the areas connected with law, order, and justice are over represented in STS exposure (Morabito et al., 2020). This includes the legal profession as a whole, police, and corrections professionals such as probation officers.

Compassion fatigue is the last of the three concepts which expand on the wider idea of indirect trauma and is understood as a condition related to working professionals who are often caring for and in service to others (Harris & Griffin, 2015). It is associated with the emotional labour involved where the working professional is having to manage their own internal responses to the presenting traumas and stresses of the client base they are working with (Kruml & Geddes, 2000; Ledoux, 2015). Through trying to maintain positive relational rapport as well as empathy, this can over time lead the individual to become emotionally fatigued if they are not well supported or finding balance to restore themselves outside of their work (Showalter, 2010).

Vicarious trauma, secondary traumatic stress, and compassion fatigue can each have a negative effect on the individual in a variety of ways. Previously the symptoms associated with PTSD were summarized, and the literature aligns well with those when considering these more specific typologies of indirect trauma. Symptoms can include increases in anxiety, depression, desensitisation, and challenges in managing daily life and relationships. Additionally these types of indirect trauma can shift and influence the professional's perception of the world, create feelings of powerlessness, and a reduced sense of security which can impact on the individual through the long term.

2.2.3 Stress and Wellbeing

Stress has been a term and topic that has featured heavily in various research domains over time, although definitions and interpretations of the term differ (McEwen, 2005; Rukhayati & Prihatin, 2023). A starting point for understanding the concept is to consider stress as any non-specific response of the body to a demand (Selye, 1950, 1955). This is a helpful starting point in understanding stress in broad terms, however there have been improvements in our understanding. Additional considerations of the individual and the environment have contributed to the concept of stress. Specifically that stress is better conceptualized as when environmental demands exceed the individuals coping and ability to regulate, particularly in situations that include unpredictability and uncontrollability (Koolhaas et al., 2011).

Wellbeing is a concept which is widely referenced and used, but is often critiqued due to its subjective and interpretative nature (Jarden & Roache, 2023). Generally wellbeing is considered a holistic term which can describe an individual's health or functioning across more than one domain. These can include physical health, mental health, social health, emotional health, financial health, and spiritual health (Cummins, 2024; Cummins et al., 2003). This study views wellbeing as how people feel and function, on both a personal and social level, and as a way for them to evaluate their lives as a whole (Michaelson et al., 2012).

2.2.4 Professional Supervision

Professional supervision is a practice grounded in learning, development, and support where a qualified supervisor offers reflective dialogue, practice assistance, and feedback to working professionals engaged in their respective fields (Hawkins & McMahon, 2020). The

fundamental objectives of professional supervision encompass more than one area and include skill enhancement where supervisors facilitate the advancement of professionals competencies and knowledge (Røsnæs et al., 2017), and reflective practice which promotes an environment where professionals are encouraged to contemplate their work, judgments, and experiences fostering both personal and professional development (Rankine, 2017). Accountability is another objective within supervision that encourages professionals to comply with ethical standards and best practices, thereby cultivating accountability within their roles (O'Connell, 2006). Supervision also offers emotional support and assistance, aiding individuals in managing the challenges and pressures associated with their work (Burns & Badiali, 2016). In some cases supervision is used to support quality assurance of practice and decision making to elevate the quality of services rendered to clients or patients (Caras & Sandu, 2014). A quote that captures the breadth, complexity, and scope of professional supervision reads:

Supervision... is a forum for reflection and learning. It is, we believe, an interactive dialogue between at least two people, one of whom is a supervisor. This dialogue shapes a process of review, reflection, critique and replenishment for professional practitioners (Davys & Beddoe, 2020, p. 22).

Professional supervision is also characterised by the functions it plays when supporting practitioners. Early research to define these functions was completed which identified there were three, those being the normative function which considers the practitioners day to day work, the formative function which considers professional development and learning, and the restorative function which attends to wellbeing, support, and alliance (Inskipp & Proctor, 1993).

The restorative function is particularly relevant to this study as it has been shown to be effective at supporting workers who encounter indirect trauma by increasing resilience (Beddoe et al., 2014; Mor Borak et al., 2009). This is achieved by providing a regular time to process, make sense of, and learn from the practitioners experiences, as well as creating a space that is safe to let go of and explore some of the emotional burdens that occur in their work.

2.2.5 Trauma Informed Supervision

There has been continued growth in the idea of supporting practitioners with the difficult emotions and tolls that arise from working in the helping professions, and has seen the emergence of models of professional supervision which are trauma informed in their style and focus (Jones & Branco, 2020). Trauma informed supervision is an approach that pays a particular attention to the impacts of trauma on people working in the helping professions, and seeks to establish a secure and nurturing atmosphere for both supervisors and supervisees to safe guard them in these challenging practice contexts (Knight, 2020, 2021; Knight & Borders, 2018). This approach recognises that individuals might have encountered traumatic experiences in their lives, (both the professionals and clients), which can influence their conduct, emotions, and overall health (Jordan, 2018). It encompasses a style which emphasises the restorative function within supervision to support practitioners who are particularly exposed to indirect traumas in their work context.

Tenets of trauma-informed supervision encompass a range of attributes, starting with an emphasis on safety within the supervisory setting which is both physically and emotionally secure for all individuals involved (Collins-Camargo & Antle, 2020). Supervision which embodies trustworthiness and transparency that fosters connection through explicit communication and reliable practices is a feature, as well as peer support

which promotes cooperation and assistance among supervisees to cultivate a sense of community (Borders et al., 2023). This style of supervision has a focus on empowerment that enhances the strengths and resilience of supervisees, enabling them to assume an active role in their educational and developmental processes (Berger & Quiros, 2014). Additionally trauma informed supervision remains aware of and attends to dynamics concerning the cultural, historical, and gender or identity based factors for the people involved (Berger et al., 2020). By applying these tenets, trauma-informed supervision aspires to mitigate the likelihood of re-traumatization for supervisees and encourage healing and development within a supportive supervisory framework.

A recent trauma informed supervision theory which has provided structured guidance on how supervisors and supervisees can work with indirect trauma for improved wellbeing outcomes is the components for enhancing clinician engagement and reducing trauma model (CE-CERT) (Miller & Sprang, 2017). This model emphasises the possibility for enhanced engagement with clients and better management of indirect trauma exposure for practitioners through five focal points. These include experiential engagement and actively connecting with clients; regulating practitioner rumination and intrusive thoughts sourced from clients distressing experiences; maintaining a conscious and balanced narrative for the practitioner which allows sense making of clients traumatic experiences so they can be processed, thereby decreasing anxiety; reducing emotional labour by balancing genuine emotions with professional expectations; and parasympathetic recovery strategies which promote self-care through exercises designed to regulate the nervous system and aid emotional regulation. The benefits of the CE-CERT model is that it promotes active engagement with clients, while caring for the practitioner and avoiding the onset of compassion fatigue.

Although trauma informed supervision attends to difficult content and conversations which relate to personal struggles and emotions for the supervisee, it is not considered to be a

form of therapy as the focus and intent behind the exploration in the supervisory space is always grounded in the individual's professional identity and work, as well as attending to the provision of service back to the client base (Weld, 2023). It could be argued that trauma informed supervision is simply advanced supervision practice with a new name or title.

However not all providers of professional supervision are focused on the particular nuances associated with indirect trauma, hence why this style has developed to support practitioners in certain practice contexts. It is helpful to remember that in consideration to boundaries within the practice of professional supervision, engagement in trauma informed supervision has the potential to be therapeutic and offer great value and support, but it is not therapy.

2.2.6 Post Traumatic Growth

Post traumatic growth (PTG) is a concept that offers the potential for integration of past traumas for the individual in a new and positive framework moving forward (Tedeschi & Calhoun, 2004). It is characterized by a holistic sense of interpersonal growth and learning for the individual, and offers the potential for enhanced wellbeing and abilities that match or in some cases exceed what was capable prior to the traumatic exposure (Henson et al., 2021). PTG is characterised through the development or enhancement of attributes starting with an increased appreciation for life and an ability to have improved relationships with others (Finstad et al., 2021). It also encompasses a sense of openness for the individual to the potential for new possibilities in personal and professional spaces, as well as growth in personal strength and increased spirituality (Jayawickreme et al., 2021). The importance of this concept cannot be underestimated as it provides a welcome beacon of light for positive growth and transformation for those working professionals who are exposed to indirect trauma through their work (Tedeschi & Moore, 2021).

2.3 Sources of Stress for the Legal Profession

An important aspect of this research is to gain insight into the sources of stress for the legal profession. There is an abundance of research to present on this topic with three main themes offered to help frame the sharing of the relevant literature. Those themes revolve around the environments and cultures that lawyers inhabit; lawyers exposure to indirect trauma from clients; and the legal practitioners relationship with self, with an emphasis on the importance of ethics in the profession.

2.3.1 Environments and Culture

A significant contributor to poor wellbeing outcomes in the legal profession is the highly pressured environments and cultures that practitioners find themselves inhabiting (Reich, 2020). This exposure appears to be pervasive and consistent throughout a practitioner's journey starting in their legal education as students but continuing into their professional spaces when they enter accredited practice.

The entry point into the profession for the majority of lawyers is law school, however there has been some research which has highlighted concerns about how this educational pathway is problematic for wellbeing outcomes for incumbent lawyers (Confino, 2019). Research has identified that law students subjective wellbeing was found to decrease over time through the progression of their undergraduate degrees (Sheldon & Krieger, 2007). This phenomenon was attributed to a culture within law faculties which decreased student motivation and increased the likelihood of experiencing depression which was of concern due to the potential for these poor mental health outcomes to carry on with the individual as they continue to practice law.

Concerns with issues for lawyers arising out of law school was also researched which found that problems relating to high stress, substance abuse, and poor mental health were traced back to problems that originated in law school (Reed et al., 2016). It was highlighted in this study that poor mental health was prevalent during law school, which led to maladaptive coping mechanisms for students leading to increased substance abuse. This embedded a negative cycle of trying to manage stress from poor mental health with substance abuse. It was found that this negative style of coping was learned in law school, and carried on for those practitioners who didn't receive support or guidance during their formative years. The prevalence of substance abuse, risk of poor mental health, and a sense of alienation has been found to increase during time spent in law school (Danzger et al., 2018).

The combination of these factors identify a risk for lawyers of carrying on negative behaviors and coping mechanisms into their professional lives if not addressed and supported. The educational pathway to become a lawyer then presents with some problems as it relates to wellbeing. Students can find themselves in highly pressured environments which can increase their stress levels, decrease their mental health, and put them at risk of substance abuse as a maladaptive coping mechanism. More problematic still is that this can become learned behavior which can carry on into their professional lives.

Exposure to highly stressed and pressured environments continue for lawyers upon graduation as they begin their careers. Many practitioners find themselves working in law firms as an entry point into the profession, and these organizations have been shown to be a contributor to increased stress and decreased wellbeing for a great number of legal practitioners (Thornton, 2016b). Large firms who employ entry level lawyers often carry on the trend of excessive hours and workaholism which have been embedded through law school (Collier, 2016). This can be particularly challenging for new lawyers as they are working to establish themselves in their career and are working towards promotion and advancement.

For them to advance within the firm culture they must be seen as making more productive contributions than their peers (Gonsalves, 2023). This can have a negative effect on the individual as working long hours above and beyond one's ability to cope will decrease wellbeing (Koukoulis et al., 2024). Even more challenging is that incumbent lawyers are unlikely to challenge, complain, or reject work as this will regress their advancement opportunities as they are in competition with other lawyers. This creates a spartan type environment where one is not allowed to show any weakness or loss of ability to complete high caliber work, lest they be discarded.

This dynamic of working with, but also being in competition against, your colleagues is another contributor towards the highly stressed and pressured environments lawyers find themselves in. This can create an adversarial environment to work within the firm itself, but also without, when faced with similar difficulties outside should the legal practitioner be engaged in litigation or arbitration in service to a client (Thornton, 2016a). This can create a scenario where the individual lawyer experiences stress, but also is exposed to dysfunctional behaviors from both the employing organization and other colleagues (Baron, 2015).

The pressure associated with being profitable within legal practice is another dynamic which creates stress and decreased wellbeing for lawyers. At the heart of this is a trend in practice that drives increases in billable hours from lawyers towards their clients. In short the more billable hours, the more income for the firm, which drives profits upwards. Thornton (2016) identified that this trend in increased billable hours relates to the wider shift in our Western societies towards neoliberal practices which emphasizes continual growth in productivity and profits. Not surprisingly this trend is also connected with negative outcomes for lawyers in practice with diminished mental health and increased substance abuse. Lawyers who had targets of over six billable hours per day suffered from a negative outlook on their work and decreased satisfaction with their work (David, 2013). It is possible these

demands could lead to a diminishing level of professionalism and performance towards clients as a result.

2.3.2 Exposure to Indirect Trauma

The exposure to indirect trauma a lawyer receives from the clients they work with, as well as the distressing information surrounding the cases they are involved with are a significant contributor to the poor wellbeing outcomes which are impacting on the legal profession. There has been an increased interest in research to understand these dynamics further, with a particular focus on lawyers exposure to vicarious and secondary traumas (Iversen & Robertson, 2021; Léonard et al., 2020). Lawyers have a high degree of exposure to these types of trauma which negatively affects them in their professional context.

Vicarious and secondary trauma is often assumed to be suffered more by people working in the wider field of mental health such as psychologists and counsellors. However, research suggests this may not be the case and that lawyers working in criminal, family, and refugee/immigration contexts may actually be facing higher degrees of exposure when compared against other professions (Vrklevski & Franklin, 2008). Lawyers appear to not only face higher exposure, but also exhibit increased symptoms associated with vicarious and secondary trauma such as anxiety and depression when compared against dedicated mental health professionals (Maguire & Byrne, 2017). This is a particularly interesting finding, especially in consideration that there are not as many supports in place for legal practitioners if compared against professionals working in other fields associated with mental health.

There is a problem at work here that is connected directly with the culture within the legal profession, and that is the normalization of trauma exposure as a part of the job all the while having no meaningful supports in place for the practitioners (Kim et al., 2023). Stigma surrounding mental health and lawyers is also complicating this dynamic and forms a barrier towards lawyers reaching out for help and support lest they be perceived as not coping with

the demands of their work (James, 2020). Lawyers who are new into practice are also particularly at risk to suffering negatively due to vicarious and secondary trauma exposure as they have not developed the same coping skills as more experienced peers (Rønning et al., 2020).

The impacts of vicarious and secondary trauma on individuals are significant and can cause problems in both the short and long terms. Increases in anxiety and depression for lawyers are common place (Ordway et al., 2020), and this can lead to further symptoms which effect the individual physically as well as behaviorally (Morgillo, 2015). The combination of these effects can have a significant negative effect on the individual lawyers emotional baseline and daily functioning. Weir (2022) identified that lawyers who are overexposed to traumatic materials suffered increased negative emotions such as sadness, anger, frustration, shame, and disgust leading to a higher level of distress and decreased functioning. (Kim et al., 2023) also highlighted the negative impacts on personal and social relationships on lawyers arising from overexposure to vicarious and secondary trauma. It was shown that in attempting to process these difficult circumstances lawyers became emotionally unavailable, had a diminished capacity for intimacy, which ultimately led to a degradation of important relationships with friends, family, and intimate partners. This dynamic is particularly challenging as it can lead to isolation of the individual legal practitioner when they likely need support the most.

2.3.3 Self-concept and Ethics

When considering the topic of relationship, a starting point for the individual involves looking outside of themselves when considering how they relate with others. However, one of the most important (and complicated) relationships is attending to the other perspective of the inward-looking gaze, which can be articulated and understood as self-concept, or relationship with the self (Morawetz, 2018). This dynamic remains true when we add another layer, which

attends to the complexity of professional identity (Daicoff, 1996). An important aspect which influences our professional identity is ethics, and how our self-concept as a professional is impacted by the decisions we make over time.

The practice of law can involve some high stakes which places pressure on the legal practitioner to deliver outcomes for the client, and in some cases how they represent their employing law firm in a reputational sense. These pressures can present a risk to ethical decision making for the individual lawyer whose performance is connected with their career progression, and also through their provision of service to the client in working towards a positive outcome (Mather & Levin, 2024). Should a practitioner find themselves on the wrong side of an ethical dilemma in the service to a client or employer this can have a corrosive effect on the individual's self-concept and professional identity.

If unethical practices become embedded and normalized it can create a negative perception or reputation for the individual practitioner, and potentially the wider legal profession (Baron & Corbin, 2017; Losey, 2008). The importance of society's confidence in the integrity of the law, and by extension legal practitioners, is paramount. If our legal system becomes compromised then it places us all at risk, and society cannot function due to loss of trust in the rule of law which underpins our lives.

The importance of ethics is then quite clear, but how do lawyers develop ethical maturity and are those considerations the same across the wider legal profession? Significant ethical development takes place in law school, but interestingly there are variations on how students self-report the importance of ethics (Moorhead et al., 2016). This research identified that the individuals career intentions and area of law they wanted to practice had an influence. Students interested in business or corporate law reported having a lower concern with ethics, which contributed to a weakened moral identity as they progressed through their studies. In contrast students in other areas of law such as criminal or family were found to have higher

levels of self-identified moral identity. Ethics for lawyers are shaped in a variety of practice environments, understood as communities of practice, which are influenced by workplaces and clients (Parker & Evans, 2018). Communities of practice have an influence on lawyers ethical development with interactions between peers and the organizational culture contributing to the practitioner's sense of right and wrong.

Consequences for lawyers who suffer from poor practice as a result of not attending to ethics are wide ranging, and impact not only on themselves but also their employers as well as the public perception of the practice of law. The adherence, promotion, and practice of ethical behavior in the practice of the law should always be front of mind for all practitioners.

2.4 Identified Solutions from the Literature

The legal profession has been studied in relation to the poor wellbeing outcomes that its practitioners experience, and there have been some suggestions put forward from the literature to make improvements. A summary of these solutions falls into three broader categories which include improved education and training around stress, indirect trauma, and self-care; the implementation of trauma informed practices into the legal profession; and the suggestion for the adoption of professional supervision practices for legal practitioners.

2.4.1 Education and Training

The implementation of education and training for lawyers on the topics of mental health, stress management, and the signs and symptoms associated with indirect trauma in the legal profession have been suggested in the research (Burns et al., 2024). An improvement in education and training is being advocated for all the way from incumbent students within law school (Burton & Paton, 2021), to active legal practitioners (Godden-Rasul & Wiper, 2024), but also for struggling lawyers who are subject to disciplinary procedures due to issues related to their conduct and performance (Sklar et al., 2020). The overarching theme from this research is that the average legal practitioner is not equipped to manage their wellbeing in the

face of an adversarial work environment, and outcomes could be improved if there was more education and training to support lawyers. Should there be an increased uptake in training and education around these topics, there could also be more awareness raised on the ideas and values behind trauma informed practices.

2.4.2 Trauma Informed Legal Practice

Trauma informed legal practice acknowledges the impacts of indirect trauma on legal professionals and creates a work environment that is supportive of the inhabitants within it. Trauma informed legal practice then has been recommended as a solution to assist the legal profession to improve its wellbeing outcomes (James, 2020). Trauma informed legal practice is attuned and aware of sources of stress and trauma and works to support professionals through improvements in employee assistance and supports (Yatchmenoff et al., 2017), but also wider organizational cultural context through adoption of values and principles (Bloom & Sreedhar, 2008). Although there is some variance on the values associated around wider trauma informed practice, Knight (2021) has identified that it should include and promote safety, trust, choice, collaboration, empowerment, and awareness of cultural and identity factors as a foundation. These values are far reaching and attend to how a practitioner engages with clients, through to the way people experience the wider culture of the organization.

2.4.3 Professional Supervision

The benefits of professional supervision have been researched and put forward as a viable solution to support improved wellbeing outcomes for the legal profession. This has included recommendations around the implementation of clinical supervision (Bradley & Becker, 2021), professional supervision (McNamara, 2020), trauma informed supervision (Weir et al., 2021), and a general recommendation for reflective practice (Burns et al., 2024). No matter the particular focus or style, the general recommendation is a call for better

professional support that is found within the wider understanding of the practice of professional supervision. McNamara (2020) in particular has called for the uptake of professional supervision to support lawyers. A foundational argument from McNamara's research asserts that the problems facing the legal profession related to poor wellbeing have been in place for quite some time and are not yet improving. In order to make a positive change there needs to be an openness to give new approaches a try, and professional supervision as it is practiced in other professional contexts has an important role to play.

Professional supervision has been researched across a variety of professions and found to make a positive improvement for professionals working in challenging practice contexts (Bourn & Hafford-Letchfield, 2011). It is not uncommon for professionals to face difficult practice situations which can impact on their wellbeing, and one way that supervision has been shown to assist has been through providing emotional support (Lawrence, 2020). This comes through the partnership that is found in the supervision space, as well as the creation of a supportive relationship that attends to the emotional impacts on the practitioner. Supervision has been described as a tool to keep one's mind clean and this interpretation describes the process of partnered emotional support that takes place in supervision as being a psycho-hygienic tool we can use to maintain our wellbeing when dealing with difficult emotions (Kiaunytė et al., 2023).

How people feel about work, as well as the places and spaces they find themselves in also have a role to play in wellbeing. Supervision can support and improve the morale for workers in organizations, as well as building a greater sense of connection and purpose with the professionals work and commitment to the wider employing organization (Martin et al., 2021). Working within the structures of professional life and organizations sees a great number of people struggle with time management, and in particular a lack of balance between their personal and professional selves, often described as poor work life balance. Supervision

has been found to support improvements in this area for workers, and to promote better boundaries between work and home life for practitioners which contributes to improved wellbeing (Zammit, 2018).

Exposure to indirect trauma can have a negative impact on professionals mental health, especially if they are not supported through a practice such as professional supervision. In consideration to this supervision has been shown to make positive contributions to workers wellbeing particularly as it relates to improved mental health (Sewell et al., 2024). Another area connected with improvement with mental health is the concept of resilience for working professionals, which posits that if this attribute is increased in workers that they can better weather the presenting stresses and traumas they are exposed to. Supervision has been shown to aid workers in the development of resilience through its emphasis of engaging with difficult topics and practice examples during sessions and then developing ways to work with them more productively (Pathan et al., 2023).

Relationships have a significant effect on our wellbeing, and if they are positive, we are much more likely to experience increased wellness. Supervision has been shown to support and improve professionals' ability to manage and engage in a variety of relationships (Lindenbach et al., 2024). This is achieved through engagement in reflective practice within the supervision session, which promotes increases in understand of the self and others.

Professional supervision as a practice has numerous benefits to offer working professionals as it relates to improvements in wellbeing. However it is not a magical cure all and the quality, skills, and the training of the supervisor as the facilitator of the process is of utmost importance (Beech et al., 2023). Although supervision offers great promise, should the supervisor not be well equipped than it can have a consequential effect on the wellbeing of the supervisee (Bradley & Becker, 2021). This demonstrates the responsibility that

supervisors hold within this practice, for should they not be adequately prepared they may be working against the very outcomes they hope to achieve.

2.5 Conclusion

This study was focused on understanding the sources of stress and indirect trauma that have a negative effect on the legal profession in New Zealand, and how professional supervision as a practice can offer support. In consideration of this the literature review worked through a wide scope of material to ground the reader to understand these complex topics.

These included defining the differences between primary and indirect trauma, post-traumatic stress disorder, and three typologies of indirect trauma and how they negatively impact on working professionals. Professional supervision, trauma informed practice, and emerging progressive models of trauma informed supervision such as CE-CERT were presented. The sources of stress and indirect trauma impacting on lawyers was explored which included considerations of clients, culture, and self-concept and ethics as areas to be aware of. Identified solutions to improve wellbeing outcomes were reviewed with recommendations for improved education, integration of trauma informed practice into law, and access to professional supervision for lawyers featuring.

The challenges facing the legal profession in New Zealand are significant and have been covered within this literature review. Professional supervision is a practice which offers support and potential for improved wellbeing outcomes but currently is not widely integrated in New Zealand. This study is building on the conversation about how professional supervision can support the legal profession, and it is hoped it can contribute to the current gap in the literature that is specific to the New Zealand context.

Chapter 3: Methodology

3.1 Introduction

This study aimed to explore the experiences of lawyers in New Zealand who are exposed to indirect trauma through their work, and whether engagement with professional supervision has supported their wellbeing. In particular the restorative function within professional supervision practice is focused on in more detail, and the study aims to contribute to the emerging conversation on the therapeutic benefits of engagement with professional supervision for working professionals. The study posed four research questions to explore these aims further and include:

1. How have lawyers experienced stress and indirect trauma from their work?
2. What have lawyers experiences of professional supervision been?
3. Have lawyers engaged with professional supervision experienced improvements in their wellbeing when considering stress and indirect trauma?
4. How do lawyers view the restorative function of professional supervision, and do they perceive it to have a therapeutic benefit?

3.2 Ontological & Epistemological Considerations

In considering the focus of this thesis and its topics it has taken a great deal of consideration and reflection to identify how best to proceed in the identification of ontological and epistemological perspectives. And not only that, but also which paradigms remain authentic to me as an individual and developing researcher. In preparation I drew inspiration from Benade (2023) who encouraged researchers to not merely gravitate “towards a theory of convenience” (p. 47) but to identify a paradigm that integrates and aligns not only

with the researcher, but with the study as well. Through such a pursuit there might then be a unity of effort and perspective that would allow for a piece of research that would make a unique and positive contribution to knowledge on the topics being explored.

Ontology is a common starting point to consider how to begin to build and structure a research project but can be difficult to ascertain due to the complexity of the idea itself. Ontology can be understood through the notion that our views (either claims or assumptions) can be defined based on the nature of reality, and if it is an objective reality that really exists, or only a subjective reality created in our minds (Pessu, 2019).

This starting definition has particular significance due to the focus of this research. In considering the myriad ways the individual can experience stress and indirect trauma, how they manage it, and what it means to their personal wellbeing we can see a thread of truth to both starting points of an ontological exploration. On the one side is the idea of stress or trauma which could be understood as a concept that most would acknowledge exists within an objective reality. However, on the other is the variance in how different people relate to stress or trauma, manage it, and ultimately speaks to their subjective experiences. So how then to proceed and move closer to an ontological anchor point?

The range of ontological perspectives show how we can perceive and take a position on how we view the world so that we might frame what we believe exists. On one end is the belief that there is only one reality or truth which is termed realism, and on the other the belief that multiple realities exist which is termed relativism. For the purposes of this study, and indeed in line with my own beliefs, I find myself near the middle with a subset of this ontological conundrum called bounded relativism. Bounded relativism argues that one shared reality exists within a bounded group, but across groups different realities exist (Moon & Blackman, 2014).

Bounded relativism then has ontological significance to my study in that the proposed research subjects as lawyers share commonalities unique to their context as it relates to their experiences of work-related stress and indirect trauma, management of wellbeing, and perceptions of professional supervision. To better contrast this argument, it could be put forward that there would be different outcomes from a similar study if the research subjects were police officers, social workers, or New Zealand military personnel as each has a unique grouping and experience that separates them from the others. Bounded relativism then provides a flexible structure to look at the research topics that provides coherence and connection to the focus of the study, while still providing enough individual perspective and autonomy to allow research participants to speak their truth.

Building off this ontological foundation, the next consideration lies with the choice of epistemology to further clarify how we will create the knowledge that is being sought from this study. Constructionism seems to be well suited for the focus of this research, particularly as it provides the autonomy and empowerment for the individual to create meaning based on their worldview and experience on the topics being explored, namely stress, indirect trauma, wellbeing, and professional supervision. Constructionist epistemology asserts that people construct knowledge as they engage with the world and spaces they find themselves in and begin the process of interpreting what that means to them in an ongoing manner (Crotty, 1998). The applicability of this epistemological position will complement the proposed research study well as it will allow for research participants to offer their lived experiences in a meaningful and personal way.

3.3 Methodology

The methodology which has been selected for this research study is a qualitative approach, which has been chosen to gain insights into the nuanced subjects of stress, indirect

trauma, wellbeing, and how professional supervision may offer support to the legal profession in New Zealand. Qualitative methods offer the opportunity to gain a depth of knowledge on complicated topics such as these in a different way than other approaches, and due to this it was selected as the best approach for this study.

Qualitative research offers benefits that are well suited to the research design of this study and are unique as a methodology. It offers a multidimensional approach to data collection, has the potential to deliver particularly relevant insights that can capture cultural and social dimensions that might be lost in other styles of research, as well as being very flexible and adaptive in its approach. When working with complex topics and populations qualitative research contains approaches such as interviews, focus groups, and case studies that provide an in-depth and close approach to data collection that has the potential to offer more insight and understanding (Lee, 2024). Qualitative research also allows for better understandings of participants perspectives, and can better capture the meaning behind behaviors, perceptions, motivations, and actions (Haki & Prahastiwi, 2024). When we consider the topics of stress, indirect traumatic exposure, and wellbeing this approach is well placed to support this study.

Qualitative research offers another benefit in that it has the potential to gain insights into cultural and social phenomena, as well as complex human experiences (Singha, 2024). When considering how best to capture research participants experiences qualitative methods can provide the platform to gain better understanding. The topics related to stress, indirect trauma, and wellness are influenced by both cultural and social phenomena and the variance of human experiences. Due to this when we consider the focus of the research associated with this thesis we can develop an appreciation of how qualitative methodology can support.

Lastly qualitative research provides flexibility and adaptability, and can work around a variety of research contexts (Li & Seale, 2007). In consideration to this research study the focus was to study a difficult to access profession, and due to this require a methodology that will can work in with these potential participants as and when we can access them due to their busy and pressured work contexts.

3.4 Research Design and Methods

In the development of this research study there were purposeful choices made around the design and methods used. These included decisions on which data collection tools would best suit the study, the target population for research participants and how they would be selected, as well as cultural consultation to navigate the unique context of New Zealand.

The chosen tool for data collection for this study was the semi-structured interview which were estimated to take about an hour to complete. This particular data collection tool was selected to allow the space and time to delve deeply into the research questions and topics, while also providing some room for the interviewer to ask some follow up questions to elicit more information in the moment (Tisdell et al., 2025). The time frame of an hour was chosen to be an approachable time limit for participants who might have a busy schedule, while also allowing enough time for quality data collection.

Research participants for this study were lawyers who practiced within the greater Auckland area. In particular I was seeking to access three areas of legal practice which included criminal law, family law, and immigration or refugee law as these have been identified in the literature as having higher exposure to stress and indirect trauma (Brobst, 2014; Slovinsky, 2023; Webb et al., 2022). There was no differentiation sought in the study when considering the roles of prosecution and defence as that may have proven a barrier towards finding participants within the timeframe of the study. I was also hopeful to access

legal practitioners who had experience with professional supervision to support better data collection for the study.

Recruitment of participants was initially a challenge due to my positionality of being an outsider to the legal profession. Outside of cold calling legal firms there was not a very clear avenue on how to connect in with the wider profession. I was however fortunate in the timing for this research as a previous graduate of the professional supervision programme (Barrister Deborah Manning) had been in contact with the academic supervisors for this thesis. Deborah had an interest in both professional supervision and increased wellbeing outcomes for her profession and we began to have some conversation on the potential of collaboration to support the study. Deborah was kind enough to offer her support and joined our research team as an external advisor, with her role to support the recruitment of research participants through her professional networks.

In the lead up to the design of this study there was engagement with Māori for consultation. This was with a cultural advisor the student researcher had access to who was employed within Ara Poutama | The Department of Corrections. This consultation was valuable and provided perspective on how to support the cultural considerations of any research participants who identified culturally as Māori. This revolved around providing room for participants to openly share aspects of their culture, and supporting this through the use of karakia, demonstrating manaaki, and encouraging the articulation of a Te Ao Māori worldview in line with their responses to the semi structured interview format.

3.5 Research Approach and Participant Information

When it came time for conducting the research and collecting data a primary consideration was to be supportive and flexible in being able to connect in with the participants. Lawyers are often quite busy and short on time, so in acknowledging this dynamic I wanted to provide options for engagement. This included being available to

conduct interviews in person or online, and to work around their schedules for the best time to connect. If participants wanted to meet in person I was able and willing to meet them in a location of their choosing, but also had pre-arranged a neutral space where interviews could take place which involved break out spaces at the University of Auckland or the office space for supervision practice. As it turned out, none of the incumbent research participants were able or willing to meet in person for interviews, and all stated a preference to meet online via the Zoom platform for a video interview. This was primarily due to logistics and time constraints that they were experiencing due to their work demands.

There were six research participants for this study in total. It had been hoped to access between eight to ten participants, however as a research population, lawyers were challenging to engage and recruit. An additional two participants were initially interested in participating, however kept rescheduling or delaying their interviews and in the end were not able to connect prior to the cutoff date for data collection. It was hoped that data collection could have been completed in four to six weeks, but took ten weeks total again highlighting the difficulty around engaging this particular cohort. However the six lawyers who did participate in the study were good representatives of the population I was hoping to learn from. Their practice contexts include criminal, family, and immigration law and all had been in practice for between 5 to 15 years in total. There was an even split in genders for the study, with half of the participants being men and the other half being women. The age range for participants for the study started from early thirties to early forties. The majority were born in New Zealand, with one participant having immigrated to New Zealand.

In preparation for engagement with the participants I drafted a semi structured interview guide (Appendix A), which was split into four separate areas with an emphasis on those areas to be aligned with the research questions for this study. To ensure that the design

of the data collection tool was robust it was reviewed by the academic supervisors and external advisor to the study. Based on feedback from Deborah Manning as the external advisor for the study, there were some changes to the language used in the document to ensure it was more inclusive and sensitive to the cultural context associated with legal practice. One example of this change included shifting language when engaging with participants when discussing stress and coping. The idea of shifting the narrative towards how they were not well supported, in contrast to inferring the notion of personal responsibility for managing workplace stress and indirect trauma was a key insight as the culture within the law can be adversarial and competitive where individual practitioners avoid showing any weaknesses. By getting this insight from the external advisor for the study I was able to have better integration into the cultural context of the research participants to support better data collection.

3.6 Ethical Considerations

This research study went through the process of ethics approval, which was granted by the University of Auckland Human Participants Ethics Committee (UAHPEC) in late May of 2024 (Appendix B). A summary of this robust process is captured below with details related to the considerations around ethics for this study.

This study was structured so that participants maintained their confidentiality, and this was important in consideration that they were providing information in context to their vocation. I solely had access to participants identities, and participants names were kept confidential and not provided to any other parties or organisations. Participants were provided a pseudonym should any of the data coming out of the interviews be used in subsequent chapters of the thesis.

The study was designed so that there was voluntary participation for participants. This was particularly important as this research was looking at workers experiences inside of their professional context. All aspects of the study and its focus were detailed in the participant information sheet (Appendix C) and consent forms (Appendix D) prior to engagement in interviews and were again canvased at the time of interview with participants to ensure consent and understanding about the study and their individual rights.

To complement the research participants autonomy in the study they had the foundation of voluntary participation, and the right to withdraw from the study at any time. Participants rights to withdraw their data was explained in the participant information sheet and consent forms as well. Additionally, upon completion of the interview participants were contacted to facilitate access to the produced transcript where they could elect to review the transcript for accuracy. A window of two weeks to was offered to communicate that they wished to have their data withdrawn from the study, or to make any amendments to their transcript. No compensation was provided for participation in this study in any way outside of the intrinsic rewards of participating in research that might better support wellbeing outcomes in their profession.

There were no identified conflicts of interest related to this study. My positionality remained one of an outsider to the legal profession, having never been involved or worked in the legal profession in any capacity. It was acknowledged that engagement with some of the topics of this research study might be potentially distressing for participants, and there remained the possibility that they might experience a negative reaction when discussing topics related to their exposure to stress and indirect trauma. All participants in the study through their registration with the New Zealand Law Society have free and readily available access to an employee assistance program (EAP) which can provide counselling, and support should they suffer a negative reaction to some of the content and questions contained in the

study. To make this explicitly clear, the availability of EAP and how to access it was overviewed with participants and contained in the participant information sheet.

Cultural aspects relating to any participants who might identify as Māori were considered and supported with consultation prior to the commencement of the study. Research participants from other cultural groups within New Zealand who become involved were treated with cultural humility and responsiveness which was a part of the studies design from the start.

It was not anticipated that this study would bring about any incidental findings. However I was prepared for this unlikely circumstance, and had it occurred it was planned to be raised with the academic supervisors of the study for guidance. Within the study there were no aspects of deception associated with this research when engaged with research participants.

In consideration to data management, all data storage was managed to maintain confidentiality for participants, and all instruments used for data collection were kept confidential and stored separately from consent forms. All data stored electronically was on University of Auckland IT infrastructure and was password protected. Data from this study will be stored for a period of six years, at which point it will be destroyed.

3.7 Data Analysis

As this was a qualitative study which employed semi structured interviews with a small cohort, thematic analysis was selected as the most appropriate approach to support data analysis. To support and compliment the thematic analysis I made use of NVivo software, which is a qualitative data analysis tool (Jackson & Bazeley, 2019). This allowed for an organized and coherent approach, and also supported with identification of supporting quotes and data which came from the interviews to better compliment the findings from the study.

Thematic analysis has been one of the most popular approaches for understanding qualitative data sets (Braun & Clarke, 2021, 2022). As an approach it facilitates the identification, analysis, and reporting of patterns or overarching themes within qualitative data, thereby producing insights into the experiences and perspectives of participants who are involved in the research. Thematic analysis can be understood as a structured and systematic approach that encompasses the processes of coding and interpreting qualitative data, which enables researchers to better understand patterns or themes that reflect deeper narratives about the lived experiences of participants.

Thematic analysis provides value and significance across various academic disciplines, including but not limited to psychology, social work, education, and health research where a thorough understanding of behaviours, perspectives, and social phenomena is important for deriving meaningful conclusions. The approach has flexibility that allows researchers to align with different theoretical frameworks, making it a versatile tool that is well suited for exploration of diverse topics and varied populations. This can then facilitate the identification of both prominent and nuanced themes, but also contribute a better comprehension of data, while simultaneously accommodating an array of different research questions and contextual factors.

When using thematic analysis, researchers engage in a process of coding and categorising data, which ultimately culminates in the generation of richer insights that significantly enhance the overall quality and validity of findings. This process is broken down into six steps (Braun & Clarke, 2006).

Step one is familiarization and is where the researcher begins to get familiar with the data. This is often through transcription of the data set, reading and reviewing the transcripts, and then making notes of initial impressions. This part of the process was time intensive but

valuable, particularly in the amount of time that was dedicated to the transcription of the interviews with over eight hours of audio to work through.

Step two involves the generation of initial codes within the data set. Here the researcher begins developing codes around interesting features from the data that align with research questions and insights that come from the researcher's unique positionality in the study. For this phase of data analysis, I identified 26 individual codes in total that had alignment with the research questions. Not all codes that were identified had the same weighting or significance when compared against each other, which started to indicate the beginning of some emerging themes arising out of the data.

Step three sees the researcher beginning to consider themes with a process collating initial codes into groupings and beginning to gather data which had relevance to those groupings. In this step there was a wide variety of data to sift through which presented some challenges. However, one strategy which was employed that provided assistance was to review the research questions and then place the corresponding groups to align with those research questions. Initial themes starting to be identified, which provided the foundation for the next steps in the thematic analysis process.

Step four involves reviewing the themes, where the researcher revisits the themes and ensures that they have alignment in relation to the data set as a whole. This was a tricky aspect of the analysis process and saw a reworking of the data set and codes to capture some of the outlying codes that appeared to be isolated. This saw a reduction in the total amount of codes to ensure there was better integration under the identified themes.

Step five involves the defining and naming of themes where after ongoing analysis and refinement of each theme they are given clear names. In consideration to the previous

steps I went through to try and create alignment between the research questions and the identified themes a conceptual narrative was created. The result of this being the labelling of three themes titled environment, people, and practice. These three themes were able to integrate everything together by having alignment with the focus of the study, but also containing the data set which came out of the study.

Step six involves the production of the report, where the themes and data are presented in a coherent manner to present the findings of the research. A detailed overview of this report is provided in the findings chapter of the thesis.

3.8 Conclusion

The qualitative research design of this study was intended primarily to gain insight to the topics of stress, indirect trauma, wellness, and professional supervision in relationship with the legal profession in New Zealand. It was focused on sharing the voices, perspectives, and experiences of the participants around these topics so that we might develop new knowledge and insights to better support the legal profession in their challenging work context. Its hoped that the data that was gathered, and the findings which have arisen from it can make a positive change for the wellbeing outcomes for those dedicated professionals who choose to practice law.

Chapter Four: Findings

4.1 Introduction and Overview

The findings of this research study offer a variety of insights related to the topics of stress, indirect trauma, and the legal profession. These findings also offer some new knowledge related to the emerging conversation about the benefits of professional supervision for lawyers in New Zealand. Findings from this research highlight the need for new avenues of support for lawyers, particularly in the practice areas of criminal, family, and refugee/immigration law as they continue to face challenging and stressful working conditions.

Professional supervision is not well integrated within New Zealand for the wider legal profession currently. In consideration of the poor wellbeing outcomes being experienced for these professionals it is asserted that professional supervision offers multiple benefits that could make a difference in relation to improved wellbeing, as well as career longevity. It is hoped that through the sharing of the findings from this study the reader may warm to a similar conclusion.

These findings present and represent the voices of the research participants on their experiences of work as lawyers in New Zealand. In broad terms it captures how they experience stress and from where, and what their experiences of supervision have been. Additionally, an exploration of their perspectives about the restorative function of supervision, and whether this practice might support their improved wellbeing is also provided.

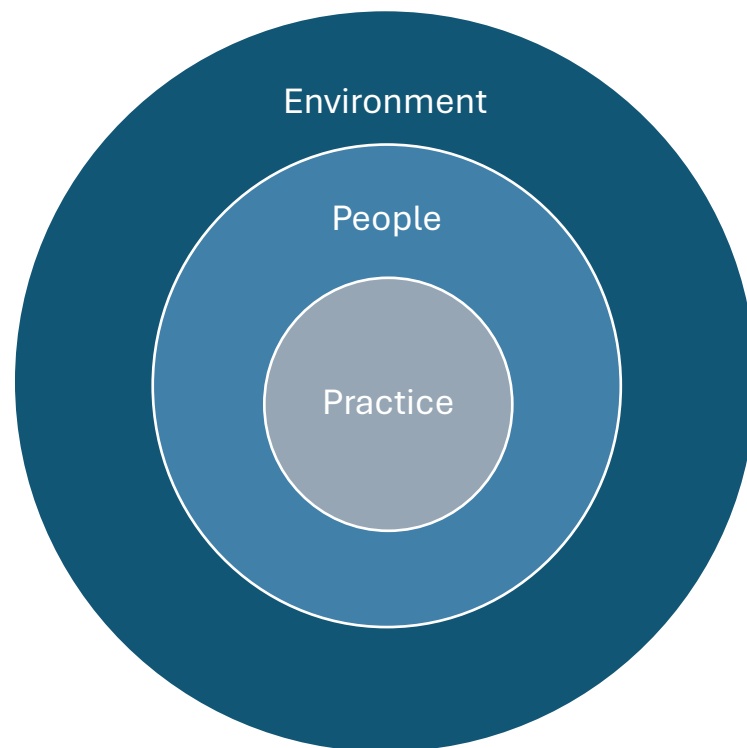
This research would not have been possible without the research participants time and goodwill to share their stories and lived experiences. In consideration and respect of that fact, great care has been taken to represent the participants voices as accurately as possible. In some instances, quotes have been shortened or edited to facilitate better reading and

presentation of their words. To demonstrate and bring to life the stories from participants a selection of quotes from the semi structured interviews have been curated to assist the reader to understand what has sprung from this research, and how it connects with the themes arising out of the analysis.

The findings are presented and organized under a broader structure which was developed during the thematic analysis process. This structure is represented by Figure 1 under three themes or concepts which have been named as *environment*, *people*, and *practice*. This structure asserts that in the context of professionals lives that working environments exist, people transition in and out of them, and as they journey they maintain practices that support and inform their navigation and relationship with both.

Figure 1

The broader thematic structure from the research findings.



Environment as a theme represents the places and spaces that professionals enter and inhabit as part of their work. This theme draws inspiration from nature and attends to the idea that environments can be dualistic. For example, environments can be experienced as being positive or negative, as nourishing or draining, safe or presenting a risk, and so on. By way of applicability, it would be suggested that most people in a variety of professional contexts will have experienced work environments that align with the good and the bad.

This study was focused on understanding a singular representation of this theme, with that being an exploration of the sources of stress and indirect trauma that lawyers encounter in their work environments. The theme of *environment* is also linked directly with the first research question of this study which aims to understand how lawyers have experienced stress and secondary trauma in their work. To illustrate how the findings align with this research question there are two sub themes identified which have been titled as *sources of stress and trauma*, and *impacts of stress and trauma* which within them contain further detail and elaboration on these subjects.

The second theme being put forward has been titled *people* and represents how professionals encounter each other within the broader work environments they spend time within. Previously this study has highlighted that the encounters and engagements that lawyers have with each other are diverse and wide ranging. Some are supportive, focused, and professional. Others seem characterized by conflict, competition, and an antagonistic litigious spirit.

This study presents *people* as a theme to capture the experiences lawyers have had around engagement with professional supervision. By its nature supervision is a practice which requires professionals to come together in dialog for it to function and exist. However

given the complexities of legal practice and supervision there is a wide range of experiences that emerge when these two factors come together.

This theme of *people* responds directly to the second research question of this study which seeks to understand what have lawyers experiences of professional supervision been. To share the findings they are presented as three sub themes which were identified in the analysis, those being the *benefits of supervision*, *experiences and perceptions of supervision*, and *barriers to engagement with supervision*.

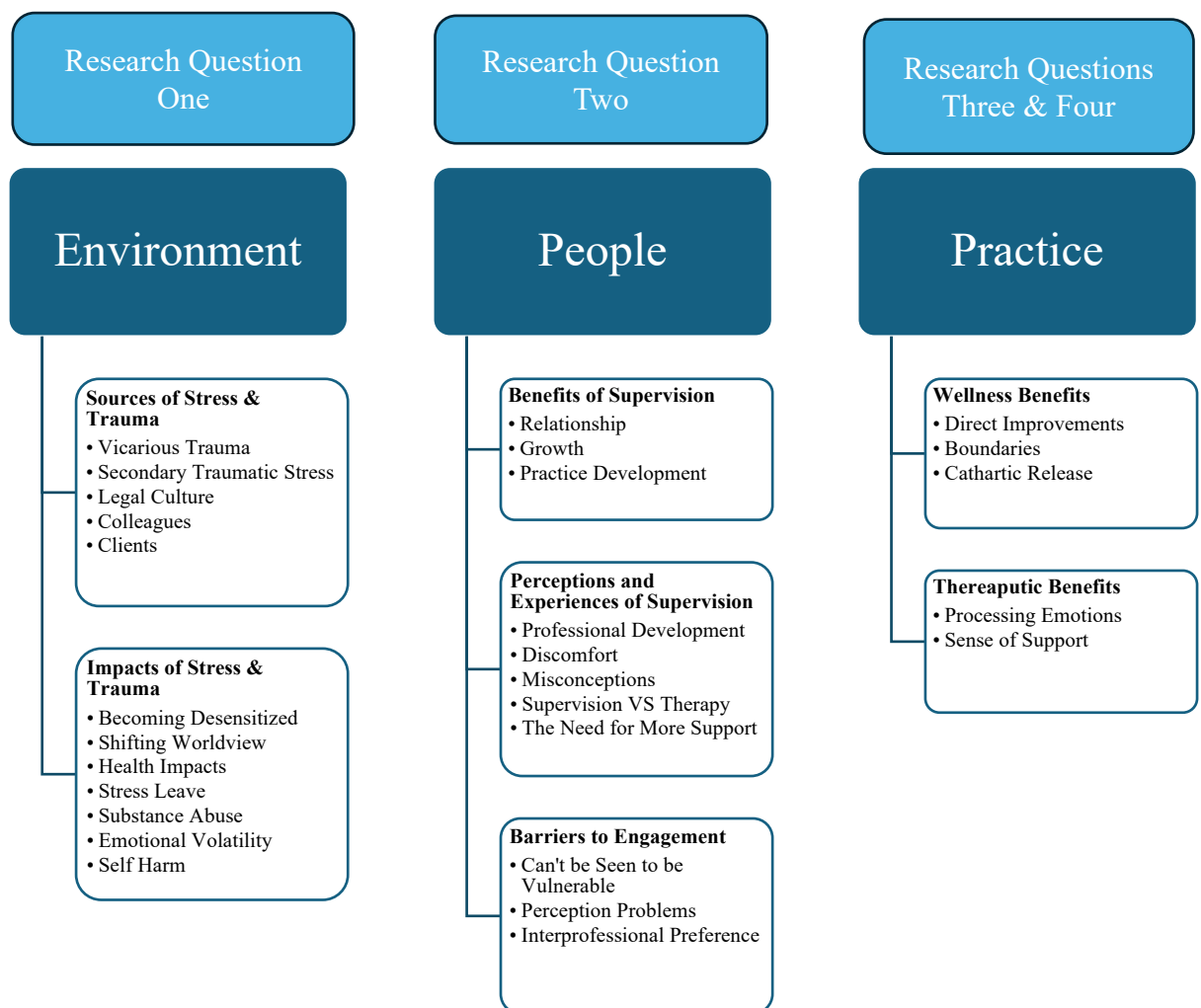
The third and final theme that arose out of the thematic analysis from this study has been titled *practice*. This theme has a connection with the other themes of *environment* and *people*, in that practices are contained within people, who then implement them within the environments they inhabit. Practice is personal and is something that is honed and developed overtime to benefit the individual practitioner in their work. The adoption and use of good practices can make a significant difference for practitioners who work in adverse environments that also contain the possibility of challenging interactions with the inhabitants of those environments. Embedded poor practices in comparison also have a significant effect, but in a negative way leading to poor outcomes.

To explore this theme of *practice*, it has been aligned with the third and fourth research questions from this study. These questions are focused on seeking understanding of whether lawyers engaged with professional supervision have experienced improvements in their wellbeing, as well as querying how lawyers view the restorative function of professional supervision, and do they perceive it to have a therapeutic benefit. The assertion that professional supervision as a practice may provide advantage for lawyers is considered here and is represented by two sub themes. Those being *wellness benefits*, and *therapeutic benefits*.

To support understanding and integration of the aims of this research in line with the research questions which drove data collection Figure 2 illustrates how those questions align with the themes and is shared to guide and ground the reader for this section of the thesis.

Figure 2

How the studies research questions connect with themes and sub themes.



4.2 Environment

The first research question that was associated with this study is focused on exploring how lawyers have experienced stress and indirect trauma in their work. During the data collection for this study, and the subsequent thematic analysis there was a wide range of responses that were provided by research participants on these themes which have been narrowed down under the banners of *sources of stress* and *impact of stress*. These are both contained under the wider theme of environment which contains these two complicated topics.

4.2.1 Sources of Stress and Trauma: Vicarious Trauma

Earlier within the literature review an overview of indirect trauma theories was provided which explored the concepts of vicarious trauma and secondary traumatic stress. These types of indirect traumas have been well researched and explored in other professions, and within the legal field as well. They most certainly were observable in the stories and excerpts which were shared by research participants. In working towards understanding the sources of stress for legal practitioners in New Zealand these remain very important topics to gain understating of as they impact most lawyers in practice daily.

Vicarious trauma comes from the lawyers exposure to traumatic events reported by their clients over the long term. This type of trauma was prevalent among most research participants, and the following quote from Participant One speaks to this dynamic well when they described the difficulty of managing their emotions during a difficult meeting representing their client.

The subject matter at the start really bothered me. I remember my first mediation... there was a woman who was crying because her husband, who we acted for, had cheated on her and broken up their marriage. She was crying... and I was

punching myself and trying not to cry because I was so upset by what I was seeing. I just felt so devastated for her. And I felt so disgusted by this guy that we were there for. I was so upset by it... I just thought, oh, how awful! I just felt so bad for her.

Lawyers are exposed to vicarious trauma not just through bearing witness to the previous negative events and circumstances that their clients have experienced, but also to the after-effects of how those traumas have manifested into the clients behaviors, relationships, and interactions with their counsel. Lawyers who are engaged in the practice of criminal, family, and refugee law are often encountering clients who are challenging to work with. An example of this is well summarized by Participant Six who summarized the difficulty of working with clients in crisis, particularly ones suffering from suicidal ideation.

So from working with people who are in crisis and working on their really difficult situations... and being a part of that. But then also the feeling of responsibility for that as well. There's been a number of times where clients have talked about suicide with me, but then also made threats. And instances where I've had to call the police or the crisis team because I thought that she was going to kill herself... or even thought she had killed herself. Yeah....that was quite stressful.

The frustration felt by lawyers when they are exposed to vicarious trauma is very real. Participant Four summarized this sentiment well when they described the difficulty of having to pick up the pieces when clients start to unravel from the stress of their circumstances. The attending lawyers bear witness to these events and are often shifted into a space of care and support which is arguably outside the confines of their role and expertise.

You know we have had multiple clients attempt suicide. Multiple clients just be hysterical on the phone. Multiple clients just break down in our office during their hearings. And like, where does that all go when you... where does that trauma go? It's going somewhere... someone's absorbing it.

The topic of vicarious trauma is also one which is talked about amongst the profession, but often with a degree of frustration due to not knowing how to manage it. Participant One captures this sentiment well when they shared the following during the interview.

I've been told by others to watch out for vicarious trauma at my job. They say that you see these awful things that your clients go through and you hear about their traumas. You see their traumas. You see them relive their traumas in court. Vicarious trauma is like... if you don't deal with it head on... they say it's like sweeping it under a carpet, and the carpet just gets bigger and bigger.

4.2.2 Sources of Stress and Trauma: Secondary Traumatic Stress

Secondary traumatic stress (STS) arises for lawyers when they are regularly subjected to distressing and traumatic materials such as reports, pictures, videos and other types of content which they must engage with as part of their work. Often these materials describe traumatic events related to the cases and clients they are working with. This type of indirect trauma is a regular part of the job for lawyers involved with criminal, family, and refugee/immigration law and proved to be challenging for most research participants. Participant Five elaborated on this theme by speaking to the struggle of dealing with this and shared a personal example.

And then on top of that you've got the subject matter that you're dealing with. This is part of the reason I need supervision at the moment. Murdered bodies...they don't... you know they don't stick with me. I can process that... it's fine. But I'm dealing with one case where a child was reversed over in a driveway with a vehicle, and that's bugging me all the time. Every time I'm reversing.... I'm thinking about that case. It just keeps coming up.

To further elaborate on the difficulties lawyers face with secondary traumatic stress Participant Three shared some important context about this difficult aspect in their work, particularly about how it can creep outside of one's professional boundaries into home life and relationships.

Because of all these cases that you know... and the stories that you read about what crimes people did. So yeah, it does affect us indirectly... I think in a significant way. You look at how many domestic violence cases that one has come across, and obviously that can really change your perspective. Like how you interact with your wife... how you interact with your children.

Another aspect of exposure to secondary traumatic stress which was reported involved the clients themselves providing details and documents that pertained to their own trauma and victimization. This was particularly well explained by Participant Two who shared a story about a domestic abuse survivor who felt they had to bring evidence of their abuse lest they not be believed.

I think for a lot of people it's the trauma content that is particularly challenging... because it's traumatising. Yeah... I mean... just very graphic sort of content. I can give you a couple of brief examples... like one case involving domestic violence at a quite serious level. The client had some unmanaged trauma I'd say, which manifested in her constantly wanting to show me the traumatic content to come with photos of her injuries and things like that. And I think that can be a common thing that you see with people who experienced that. Domestic violence victims... where they sort of are trying to justify to you... like they're expecting to not to be believed. And so they come armed with the proof.

4.2.3 Sources of Stress and Trauma: New Zealand Legal Culture

One aspect that contributed to the theme of environment involved the reflections of participants on the culture of the legal profession in New Zealand. Culture is a wide-reaching concept that can capture a variety of narratives, both positive and negative. However in gaining insight to the sources of stress that is having a negative impact on the legal profession, the following quotes capture a more negative leaning. This is not to say however there are no positive cultural aspects within the legal culture of New Zealand, it simply is not the focus of this study.

As a starting point to understand culture within law in New Zealand there was a particularly insightful point shared by Participant Two that highlights the intense pressure of the profession, with its continual demand for productivity and achievement. This dynamic was highlighted in the literature review which presented the pressures new or junior lawyers face when they begin their careers.

If you're a relatively junior lawyer at a firm you're getting given a lot of work... like you know...too much work. You want to sort of keep up. You want to do the work, but you don't want to show that it's getting to become too much. Because if the partner thinks that you're not able to handle that, they're going to stop giving you work, and your career is going to taper off. So people don't want to be seen as the one that's sort of struggling to manage a file, because then you're not going to get the next file. Then you can't get placed through into sort of the higher loops as well. Like...if you're the sort of a boy that seems like they're struggling to cope, then people aren't going to keep giving you work.

This aspect of legal culture in New Zealand was further reinforced by Participant One, who shared a perspective on the work practices and attitudes which are woven into workplaces and firms which employ lawyers.

There's obviously a culture, I think, in general corporate law of glamorizing the working of long hours and just hustling. Like an attitude of just work for as long as you can, for as hard as you can. As many hours as it takes... you know... sleep in the office. That kind of attitude, I think that makes up the experiences of all my friends in law.

Critiques of working in the law identified in the literature review spoke about negative culture, unhealthy work practices, and the impacts these have on lawyers. This was also true in regard to the culture within large law firms. Large law firms often offer multiple areas of legal support in varying practice contexts, however not all areas of legal practice carry the same burdens around indirect trauma and wellness challenges. Participant Six

captured this when they shared an experience of having previously worked within a larger law firm that didn't have much understanding on the impacts of family law on the practitioner.

And like the law firm I worked at... you know, they said all the right things and they had, you know online this and online that. But I don't think that anyone in the management of the firm really understood. It was a full service law firm, and the family team was a very small part of it and most of the firm was, I think, like kind of commercial and working with commercial clients or like local government and stuff like that. And so our work in terms of dealing with people and their family court stuff... is very personal and emotional and stressful. I don't think the firm really knew deeply what we did, or how stressful it was, or what the particular stresses were. I do remember saying at one point like, I'm really stressed, I'm finding my mental health is suffering. They gave me like a week of leave with pay... which like it was... it was great. It was. I thought it was a good response. But then it wasn't. I mean it was just kind of a week off but nothing changed to help with the ongoing stresses. I just came back into the same job, and everything was the same.

Research participants shared reflections about the culture they practice within, with a distaste for the hierarchical nature of the law. Participant Four shared a sentiment similar to this when they proclaimed with exasperation the following short statement.

And so there's this... this holier than thou institute that we must... you know...obey... and be respectful.

Participant Six also spoke about hierarchy being baked into the culture of New Zealand law. Making comment on how this dynamic can be challenging, and how one's reputation also plays a part in where they fit into the legal hierarchy.

It's a weird insular profession where it's kind of... yeah... I think there's pressure in terms of... there's a big... it's hierarchical. And it's very reputation based. And I think that is probably part of like the hierarchical nature of it. Sometimes it's not the most gentle and kind profession... actually often not the most gentle and kind profession. It can be very competitive and ruthless.

4.2.4 Sources of Stress and Trauma: Colleagues

Continuing the sharing of findings about sources of stress for the legal profession another important theme involved reflections about colleagues. These findings in relation to colleagues capture not only the interactions and stresses associated with other lawyers in practice, but also with Judges as well.

Research participants shared they had complicated relationships with other lawyers inside the profession. As has been highlighted earlier, the practice of the law is hierarchal in nature with Judges sitting at the top, senior experienced lawyers next on the rung, and junior lawyers finding themselves lower in the pecking order. A topic which was presented in the literature review was how lawyers view their colleagues, with complaints of bullying within the legal profession being a common occurrence. Participant Three had some insights into this when they shared a reflection on experiences with bullying from senior lawyers.

I think there is a significant sense of entitlement within the profession itself. From several senior lawyers... this is not only with... within the profession itself...

that collegiality isn't there. There is that degree of bullying which in itself can be a very stressful thing when you are dealing with a senior lawyer who essentially treats you like nothing. Experiencing this type of bullying from senior lawyers particularly... like it really reduces you. For me personally I think if we're trying to do justice for other people... I think the law environment... I think it is wrong. This is still a huge thing for people I've spoken to. They've had to quit practicing law just because of how they've been treated by other lawyers.

To further explore the theme of bullying, or abuse of power in hierarchy-based systems of relationship, several participants were critical of Judges. Participants did not elaborate into this theme in great depth, but many referred to it in passing. A selection of smaller quotes from participants are shared together to capture this theme for the reader.

And so there are a whole bunch of directions that judges give juries and limits that they are placing on defence lawyers that kind of tie one arm behind our back in those cases. It can be extremely harrowing to conduct those cases where you have aggressive, combative judges that you're dealing with. (Participant Five)

Irritable judges... that are sort of a judicial bit of... judicial bullying! Judges... they can be so stressful to appear in front of. (Participant One)

Some judges tend essentially... like you know... to misuse their position. (Participant Three)

You'll know about the things people complain about... judges and bullying.

(Participant Two)

Stress from other colleagues is also exasperated due to the competitive nature of legal practice, as well as having to be ready for robust debate and litigation as a normal part of daily working life. Participant Two spoke to this when they shared their perceptions on the default mode that most lawyers often inhabit.

I think there is just a bit of a default that a lot of lawyers switch into, which is to just be kind of positioned as adversarial... even when it's not quite necessary.

Yeah... and a lot of people just default into a positional kind of warfare.

4.2.5 Sources of Stress and Trauma: Clients

Clients featured heavily as a reported source of stress for lawyers, with enough content to present additional findings on top of what was shared earlier in the indirect trauma section. Participant One shared some powerful insights into the difficulties lawyers face with clients, and how this becomes a significant source of stress. Often lawyers encounter people when they are in crisis, and not all clients are well functioning given the pressures they are facing. On the extreme end, some clients are described as being dysfunctional.

Clients putting pressures on you and trying to make you... you know... they're in a stressed out position because these are their lives. And these are important decisions to them, of course. And so they pass a lot of this stress onto you. And then you're stressed out by trying to manage that stress. You have the normal stresses anyways you know... clients are often pretty demanding. Anyway, I think it's a vital

importance when you're dealing with clients that are... dysfunctional is not the right word. Actually...dysfunctional is what I mean... but I'm trying to be sensitive about that. They've got huge traumas, and they've got really, really dysfunctional lives. And you're trying to create a protective barrier which for me is, you know, having those boundaries in place. The more distance you can have... personally for me... that was something I picked up in professional supervision that has helped me have longevity in the role that I've got. Which is having to come into close quarters with some really nasty, gnarly stuff.

Previously we explored how clients can present as a psychosocial form of harm for lawyers through stress exposure and indirect trauma. However there has been a growth in verbal and physical assaults on lawyers from clients they are involved with as well. Participant Three shared some of these challenging encounters recounting examples of both verbal and physical assaults in recent times.

You're dealing with very vulnerable members of the community as well, representing people who are coming to be before the courts. They can be a danger to yourself like, for example, three weeks ago I was told by one of my clients that I should hang myself. That in itself is not a great thing to say to someone, but obviously you come across people who are significantly high. So sometimes they don't really realize what's... how what they say would affect people. I've also come across a family that was getting aggressive. They were in the court, and they tried essentially to be physically aggressive. Thankfully the security officers were there and intervened.

4.2.6 Impacts of Stress and Trauma: Becoming Desensitized

The following presentation of findings attends to the impacts of stress which have been bravely and candidly shared by research participants and will be presented first through the sub theme of becoming desensitized. As a result of the presenting stress and indirect traumas that lawyers face in their work they are bound to be impacted in numerous ways. One example of this which was expressed by some research participants was becoming desensitized to the presenting stressors of their work in what was interpreted to be a coping mechanism. Participant One speaks candidly about this dynamic of becoming desensitized to trauma, and how over time distressing content becomes normalized.

I think I've gotten used to a lot... like I've gotten desensitized to stuff. Stuff that used to really stress me out at the start of my career doesn't stress me out anymore. And then I used to say...because people have asked me this.... "So what bothers you about the job? Do you have to see awful things?" I used to say...oh... rape and non-accidental injury to children...those are the only two things. But now I can... just... you know. Babies being bruised, and rapes and stuff... I've become so desensitized to it. That was the stuff that used to really upset me. That was the stuff that I used to take home. But now it's like...oh, another file, you know... so yeah.

Another example of this theme came from Participant Six who shared that sometimes stresses or anxieties from work must be put to the side or ignored, and in a sense compartmentalized. This comes at a cost to be paid later, which was acknowledged by Participant Six through concerns about declining wellbeing.

Yeah, I think we spend a lot of time either being told, or expecting ourselves, to just do the job. And ignoring the fact that working day in and out with really difficult clients, in difficult situations... I think it has a cumulative effect. And I think we just ignore that. And I think it's... yeah... we ignore it. And that's to the detriment of our wellbeing.

4.2.7 Impacts of Stress and Trauma: Shifting Worldview

One of the more difficult impacts of stress and indirect trauma on working professionals who are exposed to them over time is how the way they view the world starts to shift and change. There is a common concept which lays claim that we are simply a product of the environments we inhabit. In the context of lawyers who are working with the most difficult of circumstances repeatedly, one then questions how this statement points towards a difficult truth. Participant Three shares an insightful glimpse into this phenomenon, going on to detail how they are now more protective of their children because of what they have seen and experienced through their work.

It can be affected in many, many respects. We are working with confronting issues. The cases themselves can have a significant impact on your personality... the way you see the world. And sometimes there isn't help that...you know... should be available to deal with the stress of working with very violent cases. You know with what you're exposed to.... really it tends to affect how you behave outside of your work environment. And I think as a person who has daughters... I'm very protective of them because of what I know through my work dealing with sexual offending.

4.2.8 Impacts of Stress and Trauma: Health Impacts

Thus far the findings related to how stress and indirect traumas impact on lawyers has been focused on the mental aspects of our professional lives. However, there is another very important aspect of how professionals suffer stress and indirect trauma, and that is through the body and physical health. Previously in the literature review it was identified how workers in the helping professions can suffer decreased and diminished health due to over exposure to stress and indirect trauma. This was also expressed by some of the research participants for this study. Participant Four had a powerful lived experience of this where they shared in detail some of the problems they have experienced with their health and body as a manifestation and reaction to stress and indirect trauma from their work.

I've had several health consequences as a result of my work. I remember at one point I couldn't... I couldn't type anymore because of a shooting pain down my neck... all the way down my left arm. I had to have a typist with me. After that I was seeing a physio for a few months. The physio said "You need a lifestyle change...you can't just keep coming back to me to fix you up." But yeah... this is the second professional in a matter of six months who has told me how stress is impacting me and my body. Sometimes... I catch myself just having clenched my entire body.

Examples of impacts on health continue with Participant Six who shared a very personal example of how their body reacts over time due to stress exposure. In this quote we are exposed to the awareness of how our bodies immune systems can deteriorate due to stress, which for this participant lead to a bout of shingles. It should be noted that often shingles is associated with older populations, of which this participant was not, suggesting that stress was a contributor to her suffering this condition prematurely.

Yeah I believe lawyers are really stressed and not managing it well. There's just so many stories and things you hear from people about lawyers with really unhealthy coping mechanisms. If I'm very stressed... and sometimes that's actually like an indicator... I'm not aware of how stressed I am... until I have an outbreak of shingles. And then I'm like... oh okay...I'm quite stressed.

4.2.9 Impacts of Stress and Trauma: Stress Leave

The topics of burnout and breakdowns in professional spaces are not the focus of this study. However it was of interest that examples of colleagues being unwell due to stress exposure and the demands of working within the legal profession came up for a few participants. Participant Five shared some reflections on previous colleagues who would suddenly disappear from work without much explanation other than the redistribution of the active files they had been working on.

I do agree with you that the outcomes aren't good. We get quite a few people that do take stress leave. And you just see periodically there's somebody who's had a meltdown, get all their files reassigned, they need to take a few months off. They go away...and we all hope they come back. And obviously we only hear about the extreme examples. We know this... you know that that's just on the spectrum. It has to get so far down the spectrum before it becomes public you know. So the ones that don't get to that stage... yeah.

To build on the idea of colleagues appearing and disappearing due to workplace demands Participant Two gave the impression that they had seen this cycle play out before.

The description of incumbent new lawyers hoping to come into the profession to make a positive contribution and help, only to be symbolically “crushed” was a powerful observation.

And so I've seen that other people come through here, or sort of elsewhere, and seem to really... I guess... just get crushed. You know people often come in wanting to do good things... they want to do sort of social justice work. They want to work with refugees and all that. And then they do six months or a year of it and find out that it's actually pretty brutal and unrelenting and you know... dark.

4.2.10 Impacts of Stress and Trauma: Substance Abuse

Substance abuse to mitigate stress was described as common within the legal profession in both the literature review for this study, and by quite a few research participants as well. In the following quote Participant One shares a personal reflection on their relationship with substance abuse to mitigate stress, and how they are starting a journey of trying to find healthier ways to cope with stress from work.

I've leaned into smoking, drinking, vaping, and recreational drug use. Like all of those things I've leaned into heavily in the past. I'm really coming to grips with it. This year I've been addressing...you know slowly thinking... maybe I'm not handling things as good as I think I have. I think it's been a way that I've dealt with stress in an unhealthy way in the past.

Continuing with the presentation of substance abuse within the legal profession Participant Six shared their observations on this topic. Particularly considering how the abuse

of alcohol has been observed to be connected with unprofessional behaviors leading to the blurring of boundaries that likely will have ramifications for the professionals involved.

You know like... the levels of drinking... with just completely unprofessional stuff happening at Friday night drinks. Like stuff that I really just... really want to stay away from you know. Like bullying and bad behaviour... sexual assault... that kind of stuff.

4.2.11 Impacts of Stress and Trauma: Emotional Volatility

Another impact on working professionals who experience high degrees of stress and pressure is that they can suffer bouts of emotional volatility which often come on unexpectedly. In the following examples we highlight this dynamic through the two powerful emotions of anger and sadness. To begin Participant Four shares a personal story of when they experienced unexpected anger that became focused towards a client, and the subsequent realization that it had been misdirected.

I remember this one young adult client I was serving who had no one here, and no family back home...very stressed. I was assisting the client in the immigration process, and they just weren't able to participate. And at one point I grabbed the stressed client by the shoulders, and I said "Can you please wake up? Can you wake up?". And then I realized what I was doing... in my quest to help this person get through the process I had forgotten that they were just very young and scared. I still feel quite... I've tried to brush it off. It's something I did in the heat of the moment, and with only good intentions. But it's something I feel quite terrible about.

The second example of emotional volatility was shared by Participant Six who described a recent example when they were caught off guard by an immense sense of sadness when reading a routine report as part of their workflow. In this example they started spontaneously crying and experienced this for the entire duration of the commute to the office.

I remember like... maybe last week I was coming into work. And before I left home I just opened up my email and I read a report... it was a report from the child's lawyer. And yeah like most of the way on the drive... on the way... and I was just crying. It's not... it's not hugely... it's not like a terrible summary of facts or anything like that. It's not hugely what I would say like, completely traumatic. But just yeah, like levels of trauma... this is really awful.

4.2.12 Impacts of Stress and Trauma: Self Harm

The last sub theme to present is concerned with self-harm and suicide, of which sadly there have been reported examples of over the years within New Zealand. This study was not focused on this topic specifically, however Participant Five had it in mind when considering some of the impacts of stress and trauma on the legal profession. The point is made that the impacts on trauma within the profession are significant and difficult to work with. As was shared in the following quote, some have paid the ultimate price through the loss of life.

We've had our common... we've had our fair share of colleagues take their own lives... there's no doubt about that. Trauma is cumulative... so it's not always easy to see when it's picking up. But yeah...it can be extremely difficult dealing with what we do.

4.3 People

The following theme of people will present how the research participants as lawyers have experienced professional supervision. This has been expressed through three sub themes, those being the benefits that lawyers have reported through engagement with supervision, a summary of lawyers experiences and perceptions of supervision, and barriers towards engaging in supervision that is particular to legal culture.

Of note in the benefits section are the findings associated with relationship, and the support that comes from the partnership in the supervisory space. As was highlighted earlier, the culture within the legal profession can be challenging so the positive reports around supportive relationships found within professional supervision is encouraging.

A point to be made prior to sharing the findings for this section has to do with the term “supervision” and how it has historically been used within legal culture in New Zealand. Generally, most lawyers have an association with the term supervision with it being a quality assurance process, and something that occurs early in their career as they are completing accreditation to practice as a legal professional. It is characterized by a focus on competency and correct procedure or process and would be best understood as existing somewhere between clinical or administrative supervision styles. Professional supervision has a different focus and approach, and the distinction between these two varying perspectives and approaches sharing similar vocabulary is worth drawing attention towards. However, the research participants for this study have had both experiences in that earlier in their careers they engaged in this style of administrative/clinical supervision as an accreditation practice, but also have started to be involved with professional supervision now that they are more established in their practice spaces.

4.3.1 Benefits of Supervision: Relationship

Within professional supervision one of the key indicators of success, as well as a primary focus, is the quality of the relationship inside the supervisory space. If the relationship is functioning well, it creates the container around the process which allows both participants to contribute and grow through shared engagement. The supportive relationships found within professional supervision is often attributed with the restorative function. Within this function there is a focus on the practitioners wellness, and through such a focal point professionals often experience improved wellbeing as a result. Through having a positive relationship that is concerned with their wellbeing, professionals learn and trust that they are not alone when faced with challenging practice contexts.

Participant Two shares a glimpse into the quality of the relationships they have experienced in supervision when they talk about the quality of the “space”, the environment it creates, and the benefits that arise from it.

And I think being able to have a space... where I can just have a fairly open discussion about any particular thing that is bothering me... whether it's like a traumatic thing or case. Or you know like a legal problem or whatever. But just being able to have that free discussion does tend to take a lot of weight off things. And so I think figuring things out like that, and just being able to have that kind of dial in the office. You know that to me is a relational benefit.

Participant Six was also able to identify the benefits arising from good relationship in the supervisory space. Here they elaborate on how positive relationship allows them to feel they are not alone in their professional context. The benefit of that through the extension of

the supervisory relationship is that they are forward focused on meeting the demands of their practice context and developing new strategies.

And so I describe it like seeing a counsellor... but for my professional life. I feel like... a relief that I'm not dealing with workplace stress alone. Even in the few months that I've started doing professional supervision... I feel a bit different. Like I felt before... I was like... this is really hard and I don't know what to do about it. Whereas now I feel more like this is really hard, and I'm working on strategies to deal with it.

4.3.2 Benefits of Supervision: Growth

Earlier in the literature review the functions of professional supervision were overviewed, with one of them being the formative function. Within this function of professional supervision, there is attention paid to the development and growth of the individual. This aspect of development within supervision was reflected by some of the research participants during interviews. Participant Four captured this idea in brief when they identified the potential of professional supervision to support lawyers to not only develop, but to flourish.

I think for someone who is working in particularly difficult area of law such as criminal, or in family. That kind of assistance actually ... it allows them to flourish in the profession.

Continuing with the idea of growth arising out of engagement with professional supervision Participant One had an example to share. This highlighted not only the

importance of the supervisory relationship, but how the focus on professional development and growth through the development of skill and professional identity as a lawyer could not have been gained anywhere else.

I truly think that having a good professional supervisor can really make it or break it. I think about the value I've gotten from it... I would not be where I am if I hadn't learnt and gotten the assistance and the resources that I had from both the professional supervision and my firm. It has at times been confronting, but it's really helpful and it's made me a better lawyer and a better professional. The skills that I got were just invaluable. I identified things or weaknesses of myself that I wanted to change and was able to work on them in a very specific way that I probably wouldn't have done... because it wasn't to do with files or strategy. It was to do with me as a lawyer, and how I could better be a lawyer in a very specific way. That was a real benefit... that the focus was on me as a lawyer. I don't think I would have gotten that in any other way, apart from professional supervision.

4.3.3 Benefits of Supervision: Practice Development

A further benefit of professional supervision was identified by research participants, that being practice development. This continues the identification of benefits from professional supervision aligning with the functions of supervision, in this case the normative function. Commonly within the normative function of supervision, practitioners are supported to discuss and explore a variety of situations or practice examples that might arise out of their unique contexts. Through such an exploration there is often the discovery of new options or alternative ways of viewing situations which support the foundations of practice development for those individuals moving forward. This idea was expressed by several research

participants, with Participant Two capturing the benefit of exploring their reactions and perceptions of clients with the aim of becoming a more competent lawyer.

And now when I find myself getting into those patterns of clients bothering me... I do actually make an effort to try and figure out like "Okay, what is it about this person? Is it the personality? Is there some kind of cultural issue that is rubbing me the wrong way? Or what is it?" I think supervision has just made me a little bit more mindful of my own reactions to things. Like the example before about some clients being kind of frustrating. You know... so like picking up things like that and actually trying to sort of figure out why that is.

Participant Two would continue to elaborate on their views of professional supervision and practice development when they expressed the importance of putting into practice the things that get discussed in the supervisory space.

But when I think of professional supervision, I always think about so what now? What kind of thing did I learn? Just applying it at large to where you operate, and actually like trying to figure things out.

Participant Four expressed that professional supervision as a practice was something that they initially sought out for professional development. However one of the surprising benefits they received was the insight to how they operate when under stress and pressure, as well as how they can utilize the practices within supervision to imagine and realize new options for practice moving forward.

When I did professional supervision it was something that had... I had identified as something that I wanted to work on as a professional. We're often faced with situations where stressful things can come up, and responding to it in a way where you're helping your clients is important. My personality is such that when my stresses are triggered I become quite... I get my blinders on and I'm not able to see beyond what the thing that's causing me stress is. And I felt that supervision helped me take those blinders off and realize... "Oh, I have options!"

4.3.4 Experiences and Perceptions of Supervision: Professional Development

When engaging with research participants to understand their experiences of professional supervision there was a variety of answers provided. As professional supervision is not well integrated into the culture and practice of law in New Zealand, some responses reflected on memories they had from previous encounters, and the perceptions they had formed on professional supervision as a practice. These data points then became the foundation for this next section which aims to capture these diverse experiences and perceptions of professional supervision.

Participant One shared their memory of an early formative experience with professional supervision when they were still employed in a larger law firm at the beginning of their career. This was a positive experience, and through the telling of it there was some insights on what they found valuable from those sessions years ago.

I think that the referral source was around managing stress... and around boundaries... like you know distinguishing boundaries? And I think her phrase was trying to produce the consummate professional. The crisp, consummate professional is what we were trying to achieve in our sessions. You know... we would maybe not

talk about files, but talk about things that I wanted to get better at. And better distinguish... you know...distinguishing my personal life from my professional life and just a myriad of different kind of professional things that I wanted to work on. That was really awesome... and I really enjoyed that.

Participant Five shared an interesting and valuable reflection on professional supervision in which they challenged some of the stigma surrounding engagement with supervision within the legal community and offered up in contrast that engagement with professional supervision was a sign of professional commitment and strength to their work and clients.

Yeah, that's why I'm not really worried about it as a sign of weakness. I don't feel that it's that way. I'm quite happy to talk about recommending supervision to other lawyers, because it's certainly not a sign of weakness. It's probably a sign that you're engaged in the cases, you know, and taking them seriously.

Participant Four linked professional obligations with the space that professional supervision provided to focus on such topics. The integration of the idea of best practice being woven into the process of supervision spoke directly to the idea of professional development for this participants approach to the practice of law.

I think it's doing the right things in all aspects of your professional obligations right? Whether that's how you run your practice, how you manage your workload, how you deal with clients, how you deal with peers. Just having a best practice model in that 360 degree way.

4.3.5 Experiences & Perceptions of Supervision: Discomfort

One experience that was not widely expressed by all research participants, but was still of value, was the notion of how professional supervision can be uncomfortable at times. Participant One described their experiences as not always positive, and at times confronting and challenging. However, despite this there was still a sense of appreciation about putting in honest hard work that was focused on development as a lawyer in the supervision space.

In my experience professional supervision has not always been like roses. And you know... I've often found it really difficult during professional supervision. I should just mention that it's been for me... often quite confronting and difficult for me to kind of address... but I think that's good. That's like therapy right? Like when you're... when you're doing the work and you're really addressing and reflecting on yourself. It's not always comfortable... I would say it's not comfortable. It's not uncomfortable... but it's not comfortable... and it can be confronting. So it's not all good all the time.

4.3.6 Experiences & Perceptions of Supervision: Misconceptions

In the introduction to this section I identified how in some spaces the legal profession has a view of supervision that is more administrative or clinical in style, if contrasted against professional supervision practices. Participant Six captures this thinking very well when they describe some of the misconceptions that exist within the legal profession about professional supervision.

Yeah to be honest most lawyers... and certainly people I've worked with previously... don't really know what supervision is. And it seems to be most commonly

assumed to be like having a supervisor... like someone looking at your work. Like I think people who have a boss... you know they will sometimes have a check in about how their work is going. But it's not... it's not about them personally... it's just about the work. It's more like "You're doing this right, you're doing this wrong. Change this... do more of that". But it's less... it's not about wellbeing. It's about getting the job done.

4.3.7 Experiences & Perceptions of Supervision: Supervision VS Therapy

It was not uncommon for research participants to report some blurring of the lines or instances of trying to access supervision support in therapeutic spaces. Some participants had engaged in therapy, as well as professional supervision at different point in their careers and had shared some of their experiences and comparisons of the two practices. In consideration of boundaries, professional supervision attends to issues of professional identity, and therapy attends to matters of personal identity. Participant Five candidly spoke about his experience around this, with a recollection of when a therapeutic provider encouraged him to seek out supervision for professional support.

And then I also did therapy with a therapist quite a few years ago. I continue to do it and often it's raised that there are... I raised my problems there... but he's not a supervisor. So it's not... there's you know... obviously a big distinction between counselling or therapy and actual supervision. Yeah... we started out talking about it... and then he's like "Yep... maybe you should go to your supervisor."

Participant One shared experiences of accessing both professional supervision and therapy. In the following quote they elaborate more on the differences between the two

practices, while also acknowledging that a boundary needs to be maintained between them in respect to their different functions.

And there might be things that I speak about in professional supervision or with my boss that I would never talk about with a therapist because it's just not stuff that I would even think of as being in my personal life you know. But that's once again... that's me... because I make a big distinction between the two.

4.3.8 Experiences and Perceptions of Supervision: Need for Support

A theme which arose for some research participants spoke about the need for support within the legal community, and the perspectives on this were diverse. There was an expressed need for support for not only new lawyers, but also lawyers who were settled into their practice. The main driver of this argument for greater support of was concern about the high levels of attrition within the practice of the law in New Zealand.

Participant Five shared a reflection about needing support, and that perhaps this need had been building for some time. Ultimately coming to the realization that professional supervision could be what they were seeking in more ways than one.

Coming up to the present need I have for supervision... I think that's been a little bit longer and a little bit more... yeah... a little bit more time in the making. And I probably should have been doing it on a more regular basis. That need has been around for a while and building up... and I've let it build up a little bit.

Participant One made a connection between engagement with professional supervision and the benefits they derived. An interesting reflection was shared amidst this,

and that was the connection between longevity in the legal profession and the need for support for new lawyers in the profession.

That first five years is a huge learning you know. I don't know how many other people you've spoken to... but it's just exponential growth... and then it kind of tapers off a little bit. But I think if you're not well supported in those years of exponential growth...you either leave the law or you...you know... you hack it.

Participant Four also expressed the need for support, particularly as they were discussing an awareness of how their work was contributing to increased levels of anxiety and triggers. In a powerful conclusion to this statement Participant Four closed with a reflection on whether the cost of practice was worth it and whether they should leave the profession. That this stress was work related provides another example of how lawyers could be supported by professional supervision in New Zealand.

I think personally I probably need a lot more external professional assistance for me to deal with my stress triggers and my anxiety. In fact I've thought about, you know, many times just saying maybe law is not for me.

4.3.9 Barriers to Accessing Supervision: Can't be Seen to be Vulnerable

Continuing to explore and seek understanding about lawyers experiences of professional supervision, not all the research participants reported positive experiences and wondered whether there might be barriers for the legal profession to engage with professional supervision. These include beliefs connected with shortcomings inside the culture of law, problems with how lawyers may view professional supervision, as well as concerns that

providers of professional supervision who were not lawyers may lack insight and context to support lawyers with the complexities of their practice.

Previously research participants shared negative aspects of legal culture found within in New Zealand. One negative aspect of this culture had to do with managing perceptions and not appearing to have any weaknesses. Participant Two, for example, spoke about how there can be reluctance for lawyers to be seen to participate in professional supervision, lest such engagement be seen as a weakness or a form of vulnerability that they require such assistance at all.

And this is what I haven't been able to quite put my finger on...but there's something... I don't think the profession really gets what supervision is and how it would help them. I think people see it as being like counselling. You know that it's a place to go and kind of talk about how you're feeling stressed rather than something to actually help you practically deal with things going on in your practice. And so I think a big reluctance for people to actually even let their guard down to that extent... of like... you don't really want to be vulnerable. You don't want to be seen to be the person who's struggling to manage their stress or something like that. Because everybody else is kind of putting on a bit of an act that it's not affecting them either. So you don't want to be the vulnerable one.

4.3.10 Barriers to Accessing Supervision: Perception Problem

Another theme which emerged when considering barriers to engagement with supervision had to do with perception problems. This is not the first critique associated with professional supervision, and it is not uncommon to point out that the optics of the name appear to imply a negative connotation of power. Certainly, in the context of the culture of

law within New Zealand such a perception within a profession that is immersed in hierarchy could be problematic. Participant Five had some thoughts on the name of “professional supervision” and proposed that the term was problematic at best, and unimaginative at worst. To their credit however, they were prepared to share an alternative to replace the current lexicon.

Hopefully there'd be some uptake of it, but some may be sceptical of it. It might not be at the right time... but they shouldn't be. And it's possibly a naming issue. Professional supervision is such a bland name that doesn't really lend itself to much. It's a very unimaginative name. Vicarious trauma counselling... now that could be a different label for it. That would more clearly identify to people what it is, and that it's a thing and raise awareness of it and its availability. I don't know if professional supervision has quite the same impact on anyone.

Participant Two also had some thoughts on perception problems with professional supervision. They expressed that there might be better outcomes for lawyers if the restorative function of supervision was not placed front and center, and instead the pragmatic and practical benefits around the normative function were emphasized. In this way it is possible that lawyers might engage in the practice more easily, and then while they are present the supervisor could still check in and attend to their wellbeing.

I think there is a space for it... but in a way I don't. I'm trying to think of like a non-sarcastic way of saying this... but like it almost needs to be a little bit concealed. Because if I think employees knew that's what they were coming in for they wouldn't go. Like if people are coming to sort of receive more practical support about their

practice, and then in the course of that they're getting asked about how they're actually managing and coping... I think that gets people through the door... then I think it's fine. But I think people being told here's a service that is sort of to just help you feel better about your work... then I think that's something... people will be a little bit standoffish.

4.3.11 Barriers to Accessing Supervision: Interprofessional Preference

The final barrier that was identified spoke to the tension that exists in the provision, or perhaps more accurately, the provider of supervision. Professional supervision can be offered internally or externally, and from either within ones professional context or from a provider outside of that professionals context. This speaks to a debate about professional supervision, and whether supervision is itself its own unique practice, or whether it's a complimentary add on for various professional contexts.

In consideration to barriers for engagement some research participants expressed a preference that they engage with supervision from somebody who was within the legal community or had an in-depth knowledge of the culture and practice of law in New Zealand. The following quotes present these perspectives which express that due to the complexity inherent in the practice of law they require a supervisor who has in depth knowledge of the field.

Participant Five shared their experience of working with an external supervisor, who was outside of the practice context of law. Although they were able to partner together in the supervisory space, there was an inference that as a supervisee their needs may not have been met due to the supervisor's outsider positionality.

And when I worked with the other professional supervisor, which wasn't so much around the trauma, but other stuff. But she was like "Well I'm happy to. I don't normally do lawyers...but I'm happy to do that because I see similarities in health and law and the helping professions". She was happy to do that... but yeah... there was a little bit of a disconnect in the sense that she didn't have much of an understanding of the law and what we're doing. And so we just operated on a slightly different level.

Participant Four had some thoughts on this subject as well and offered that if they were to consider accessing an external supervisor, they would have to possess an in depth understanding of the legal profession.

That's a hard one. I'd want someone who understands the profession. So even if it were to be someone from outside the profession... someone who has a practice in traditional supervision. I'd want a person to have an intimate knowledge of how the legal profession works.

Participant One had a similar perspective when they shared the value they received in the supervision space when the supervisor had insight and a history of working with lawyers. Although of interest it appeared the supervision provider was not a lawyer but simply had the requisite experience and insight to support them at the time.

I found immense value knowing that the person that was giving me my professional supervision had a long history of working in the law. I was dealing with not a current lawyer but someone just with an idea and a real understanding... that was important to me. So from my background I would prefer there'd be someone with

a legal background. But that's not to say that I wouldn't get value from other areas.

Yeah. I just haven't experienced that.

4.4 Practice

The final presentation of the findings from this study is contained within the theme of practice. Within this theme the aim was to attend to the final research questions of the study which were focused on understanding whether lawyers engaged with professional supervision have experienced improvements in their wellbeing, as well as querying how lawyers view the restorative function of professional supervision and do they perceive it to have a therapeutic benefit.

For professionals, practice is personal as it represents an expression of their thinking and experience outwards into the provision of service towards their clients. Engagement with professional supervision is a unique type of practice which can provide benefits to legal professional, including improvements in wellbeing. But how do lawyers view these claims?

4.4.1 Wellness Benefits: Direct Improvements

In considering whether professional supervision can offer improvements to wellbeing for the legal profession some research participants had already made that association. To support this idea there were reflections which linked their engagement with supervision with improvements to their wellbeing. Participant Five speaks to this elaborating on how they have experienced increases in wellbeing after engaging in a supervision session.

Yeah...I've noticed an increase in wellbeing after supervision. And it's dealt with the problem that I had identified and wanted to deal with. So it's been quite effective by that measure.

To further support the connection between improved wellbeing for lawyers and engagement with professional supervision, Participant Four offered an interesting reflection. They elaborated that engagement in reflective practice, which is common within professional supervision practice, created the space where they could spend time to consider what wellbeing meant in their professional context and how they could better get their needs met. Reflection and dialogue such as this is valuable and creates a foundation for participants to take steps towards positive change to improve wellbeing.

I've very recently had professional supervision where I was kind of reflecting... and it turned into I would say... a conversation where I was reflecting on my practice. I was reflecting on... it was more a reflection on my wellbeing as a professional and what I needed. It was quite freeing actually to have that.

Wellbeing can have a variety of meanings and interpretations amongst people, but arguably one measure of increased wellbeing that most would agree with would be an improvement in one's level of happiness. Participant One articulated this idea more when they identified that engagement with supervision was attributed with an increase in their happiness around their professional identity. Later in the quote they elaborated on the cumulative effects and benefits of structuring in regular professional supervision.

Well it's not something that instinctively comes to me as yes... but I imagine that it all has an implicit benefit. Because the happier I am at work, the better I am. It probably has had a cumulative effect. I think with wellbeing, you do have to be quite intentional about it. And yeah if I was to build supervision into that... I would. Yeah like I said... cumulative effect.

4.4.2 Wellness Benefits: Boundaries

A benefit related to wellness was identified by Participant One when they shared about how the focus on boundaries which arose out of professional supervision sessions had supported them. The awareness of how to maintain a boundary between the professional identity and the person identity, was attributed to increased wellbeing and longevity in the legal profession.

My wellbeing... It's not something I express often. I have an intention about practicing, and having those professional identities be very separate. Having those boundaries established... these are all things that I learned from professional supervision. They've been so positive, and they've allowed me to have longevity in the job. I'm sure that they have had an effect on my wellbeing.

4.4.3 Wellness Benefits: Cathartic Release

Cathartic release was a wellness benefit associated with supervision expressed by research participants. Cathartic release is when an individual is able to express and share a difficult situation or story they have been holding onto. This is accompanied by a release of emotion or stress which the individual has been carrying internally, and through this release they resolve some degree of internal conflict or tension. More than one research participant expressed that the sharing of their stories and experiences in supervision was helpful in that they got to offload their stresses, anxieties, and concerns into the space.

The following quote from Participant Five captures this sentiment well, with a reflection that not only does supervision provide this benefit but that they can trust the process more when they know the supervisor is professionally resourced and supported behind the scenes.

And so it's really a source to offload and process trauma with another person who has that independence and their own support structure to be able to deal with that themselves. So I don't have to worry about talking to them about it. I can work through a fairly difficult case and the effects with somebody, and they'll help me break it down. Talk about what parts of trouble meet and how we...how I... can further process that and usually just bringing that level of consciousness to it.

Participant Six also contributed towards the idea of cathartic benefit when they shared their experiences of not having to carry problems alone, and the benefits they received when they talked to their supervisor about it.

It gives me practical tools and ideas to help deal with issues that arise in my practice. But it's also just been...it's made me think differently about the ways I manage or think about risk in my practice and my professional obligations. And it's felt... really a relief to not carry the problems that I have without sharing it... without talking to somebody about it.

4.4.4 Therapeutic Benefit: Processing Emotions

The final research question from this study was focused on how lawyers view the restorative function of professional supervision, and whether they feel it may provide a therapeutic benefit. When introducing this question to research participants there was a clarification that despite the topic, professional supervision as a practice maintained a boundary focused on the practitioners professional identity.

The responses arising from this query were encouraging and appeared to indicate that there could be therapeutic benefit for the legal profession from engagement with professional supervision. To present the findings the responses are contained under two sub themes which capture the thinking from participants on these subjects. Those being represented by the therapeutic benefits of emotions, and support.

Attending to the emotional impacts that occur for professionals out of their work contexts is a hallmark of high quality professional supervision. Earlier in the findings chapter we outlined how the legal profession is facing a high degree of indirect trauma and stress from a variety of sources, with a notable impact on the practitioners being the negative effect and impact from an emotional consideration. To have professional supervision that can support practitioners with these issues to explore, understand, and hopefully regulate some challenging emotions provides a therapeutic benefit. Participant One elaborated on this idea in more detail when they shared about how some difficult emotions only arise from exposure to challenging moments sourced from within their professional identity, and how creating space to attend to them in supervision provides a benefit.

In that confined space, right in the space of work and files and how you might have felt at work, you can have all sorts of emotions that are risen by your interactions with other professionals. It's very relevant... and might only be something you encounter in a workspace. You may never encounter those emotions or those feelings, those reactions, those responses, in a personal setting. It may only be stuff that arises in a professional sense, because that's the only time you encounter those scenarios. So I think there absolutely is a space to discuss a wide range of whatever emotions they're are in a professional supervision setting.

Participant Six also expressed appreciation on how professional supervision could provide a therapeutic benefit by supporting lawyers with better practices to manage stress, trauma, and difficult emotions which come from their professional spaces. Their inference that professional practices can also provide therapeutic benefits was particularly insightful.

The way that lawyers deal with stress and trauma and emotions like workplace stress... yeah I think the therapeutic benefit would be that people are able to have a healthy distinction between their professional lives and their personal lives. When people are dealing with workplace stress in a unhealthy way, like drugs and alcohol or unusual or bad behaviour at work, I think that leads to an inappropriate blurring of personal and professional. And I feel like having a professional therapeutic way for people to deal with work stresses would allow lawyers to maintain a distinction between the professional and personal lives which I think is important.

4.4.5 Therapeutic Benefit: Sense of Support

The last theme to present when considering the restorative function of professional supervision and how it might provide a therapeutic benefit is the idea of support that comes from the partnership that occurs in the supervisory space. The appreciation of support was expressed by the majority of research participants, and having this sense of support is a factor associated with the therapeutic benefit arising out of supervision.

Participant Three shared their appreciation for the availability of supervision, especially should they find themselves in a space of crisis. They went on to make the comparison of how support services are available to witnesses in Court should they become distressed, and that supervision by extension should be available for legal professionals in similar circumstances.

I think supervision is a very good mechanism... we should all really recognize those low moments when you terribly need to speak with someone just to offload. And you know there is a point where you know you can see if a witness is breaking. The judges and the lawyers can come to an agreement, and then the witness can go and have a chat with a counsellor. The same mechanism should be available for lawyers.

Participant One certainly had a positive view on the restorative function of supervision, and elaborated on the point of how it attends to a variety of support functions as it considers and views the lawyer in a holistic sense. Through this lens the lawyer who is engaged in supervision can benefit through support in multiple ways as was expressed in the following quote.

I think you asked me how the profession as a whole would sort of think about the benefit of restorative supervision. This is a generalization, but I think that the modern lawyer thinks about supervision and wellness as placing importance on the value of a lawyer's emotional, cognitive, spiritual, and psychological factors.

Chapter Five: Discussion and Conclusion

5.1 Introduction

Over the course of this thesis a variety of topics, theories and the powerful themes connected with the research participants lived experiences have been presented. Having previously presented the findings of the study and how these aligned with the research questions, there is now consideration of how these findings might be interpreted or discussed. What is the applicability of this knowledge as it relates to the legal profession and practice of professional supervision in New Zealand?

In the introduction chapter the aims and focus of the study were provided, and these will be revisited now to bring our attention back to the intention behind this research. This study aimed to understand the experiences of lawyers in New Zealand who are exposed to secondary or indirect trauma through their work, and whether engagement with professional supervision has supported their wellbeing. Additionally the restorative function within professional supervision practice was considered, and the study aimed to contribute to the emerging conversation on the therapeutic benefits of engagement with professional supervision for working professionals.

With certainty it can be stated that the aims associated with this research study have been achieved, and due to this there are several points to articulate. To support the discussion these points will include a summary of the main results from the study, followed by where there was, and was not, alignment with current research and literature. An interpretation and analysis of what these results mean in practical application for the legal profession in New Zealand will also be put forward. Additionally, within this chapter a discussion of the strengths and limitations associated of this study will be discussed, recommendations are

made, as well as some open discussion related to ethical dilemmas facing the legal profession on these topics.

5.2 Summary Review of Key Findings

5.2.1 Lawyers Experiences of Stress and Indirect Trauma.

The first research question associated with this study was focused on gaining insight and understanding of how lawyers have experienced stress and indirect trauma from their work contexts. The findings identified that lawyers in the practice areas of criminal, family, and immigration law are under immense stress and are over exposed to indirect trauma through their work. Two main sources of stress were identified encounters with the clients lawyers are engaged with, and the wider legal culture that they are practicing within.

Clients are a clear source of indirect trauma for lawyers with vicarious trauma, and secondary traumatic stress being the featured typologies (Bradey, 2022; Jenkins & Baird, 2002; Scott & Freckelton, 2024). In particular exposure to vicarious trauma appears to be the most impactful, however the processing of distressing materials associated with secondary traumatic stress is not far behind (Brobst, 2014). Clients were reported as being demanding, and at times placing unrealistic expectations onto lawyers. Additionally, clients were bringing in high levels of their own traumas and victimization into the relational space with their lawyers (Morgillo, 2015). To complicate matters, clients were also reported to at times to be suffering poor mental health, substance abuse issues, and self-harming behaviors which had an impact on lawyers by often dragging them into a support role outside of their professional expertise. There have been increased reports of verbal and physical threats and abuse against lawyers in recent years (Léonard et al., 2020). Lawyers also reported that in connection with their engagement with clients they often had to process and digest the distressing details associated with the cases which is a direct example of secondary traumatic stress exposure.

Culture was the second main source of stress for lawyers (Gonsalves, 2023; Janet et al., 2014). It was identified that the wider legal culture places a relentless emphasis on productivity, profit, and successful outcomes for clients (Thornton, 2016a). Lawyers who are able to meet these expectations are often rewarded through career progression. However this culture comes at a cost as it means that lawyers are suffering silently as they don't want to be seen as vulnerable by requesting help or support, lest they face consequences of not receiving more work due to the organizations concern for their wellbeing. Research participants also referenced negative culture points within the profession with challenging relationships with colleagues, bullying and harassment, and a hierarchy-based system which dictates that junior lawyers are often suffering at the hands of more senior lawyers and judges (Baron & Corbin, 2017).

The impacts on lawyers experiencing such high levels of stress and indirect trauma are significant (Godden-Rasul & Wiper, 2024; Schrever et al., 2024). Lawyers expressed that due to this exposure they suffered diminished mental health and decreased physical health (Pacella et al., 2013; Skead et al., 2018). The way they viewed the world and their relationships were impacted, often for the negative (Koukoulis et al., 2024). More than one research participant expressed that being under such high levels of pressure led to them being volatile, and at times suffering from emotional outbursts. Numerous lawyers expressed that it was not uncommon for them to consider leaving the profession due to the presenting stress and pressures. Substance abuse appeared to be a common coping mechanism to the presenting stress and trauma for some lawyers, both alone and in groups (Reed et al., 2016). In some cases, lawyers described colleagues suffering breakdowns and taking stress leave, and in the worst-case scenario there have been reports of lawyers committing suicide. Rumination and the unexpected recurrence of distressing memories associated with the details of cases they worked on were also reported.

5.2.2 Lawyers Experiences with Professional Supervision

The second research question from the study was focused on understanding lawyers experiences with professional supervision. Professional supervision is not widely integrated within the legal fraternity of New Zealand currently (Fishel, 2020), and there also remains some crossover in vocabulary with most lawyers being “supervised” as part of their transition into accredited practice. These two factors created a foundation where there was differing responses from research participants. The summary of the main findings captured two key insights, with those being the benefits that lawyers identified from participation with professional supervision, as well as barriers that exist preventing lawyers from wanting to engage with professional supervision.

Lawyers reported that they received numerous benefits from engagement with professional supervision (Jeff & Michael, 2014). The benefits they identified aligned with the three functions associated with supervision practice, those being the normative, formative, and restorative functions (Inskipp & Proctor, 1993). In the case of the normative function lawyers expressed that they experienced practice development through focusing and exploring their practice frameworks in the supervisory space. Formative functions were represented when lawyers identified growth and professional development that occurred through engagement with professional supervision. The restorative function was also represented with lawyers identifying benefits they received out of relational support that arises out of the supervision encounter.

Despite the identified benefits, barriers to engagement with professional supervision were identified in the study. In the literature review there was discussion about the culture within the practice of law in New Zealand, and it features here again. Essentially one of the primary barriers for engagement with professional supervision revolves around its perception as something that happens if you need corrective training or oversight. This ties back into the

notion of not being able to show any vulnerability that appears to have permeated deeply into legal culture (Collier, 2016). To provide balance there were other participants who challenged this notion and identified that engagement with professional supervision is a sign of positive engagement and professionalism with the work associated with being a lawyer. A secondary barrier towards engagement for lawyers involved their resistance to having to explain the details or nuances associated with their work context to an outside supervisor who may not have the same insight. In short, these lawyers expressed that engagement with professional supervision was better provided by a supervisor who was from within the legal profession.

5.2.3 Lawyers Wellbeing and Perceptions of the Therapeutic Benefits of Professional Supervision

The remaining research questions were focused on lawyer wellbeing, and whether engagement with professional supervision has improved it. There was also attention on the restorative function of professional supervision, and whether lawyers perceived this function as offering them a therapeutic benefit.

There were reported wellness improvements from research participants attributed to engagement with professional supervision. Lawyers reported two main benefits arising out of their participation, those being a sense of cathartic release, and the development and maintenance of boundaries to support them in their professional contexts.

Within professional supervision sessions it is common to pay attention to and explore difficult or strong emotions that supervisees may be holding or experiencing which arise out of their work (Davys & Beddoe, 2020). Through the subsequent exploration and unpacking of these emotions through reflective dialogue, participants often experience improvements in their mood state. This was the dynamic at play when research participants were identifying the cathartic release they experienced when provided a safe and professional space to offload into, with the end result being a self-reported improvement in their wellbeing.

The other benefit participants identified for wellbeing improvement was the exploration on how best to maintain professional boundaries. Lawyers are over exposed to vicarious trauma at the client interface, and due to this the maintenance of boundaries have become an important focus in the legal profession to mitigate against this form of psychosocial harm (Popa et al., 2024). By bringing the challenges lawyers face into supervision, they can explore how they can best meet their professional obligations, develop healthy professional boundaries as a response, while also benefiting from improvements in their wellbeing.

The restorative function of professional supervision was also a focus in this study and inspired the creation of the fourth research question. There has been an emerging conversation about the therapeutic benefits that professional supervision can offer (Weld, 2023), and in considering some of the challenges facing the legal profession in New Zealand it seemed a promising area to investigate. Subsequently lawyers were asked to consider whether they thought the restorative function of professional supervision offered a therapeutic benefit for them as legal practitioners. The results indicated that research participants did see therapeutic benefit arising out of engagement with professional supervision. Two areas were identified with the most significant being emotional support where exploration and management of emotions take place in supervision, and the second being a general sense of support and connected relationship that was produced through the engagement with professional supervision.

Emotional support, as well as the exploration of emotions in supervision, were put forward as items which contributed to a therapeutic benefit for lawyers (Godden-Rasul & Wiper, 2024; James, 2020). There appeared to be a sentiment behind this result that acknowledged the stress and pressure that lawyers operate with that is unique to their professional identity. As the stress was sourced from that professional space, in contrast to

personal spaces, the provision of a practice such as supervision to work with the presenting stresses and emotions was appreciated. By having a dedicated space to work through these issues it meant they could be contained in that space, with less chance of a need to seek exploration in other places, potentially through friends and family members. It is suggested that by being mindful of the divide between professional and personal identities and attending to stress and difficult emotions in professional supervision, that lawyers experience benefits with improved work life balance.

The second factor that was attached to supervision providing a therapeutic benefit was expressed through the idea of support. Within professional supervision the quality of the relationship between the supervisor and the supervisee is paramount in importance (Coleman & Hyde, 2022; Deaton et al., 2021). If the quality of the supervisory relationship is not strong than the aims and benefits of professional supervision are unlikely to be realized. Research participants described feeling isolated at times, especially if they were in independent practice contexts. Through engagement with professional supervision, they were able to choose a unique relationship to support themselves in their work. The collaboration and support from this chosen relationship was valued and appreciated. Through acknowledging the support that comes out of the supervisory space lawyers identified that the restorative function of supervision is of value to them in maintaining wellbeing.

5.3 How did the Findings from the Study Align with Current Research and Literature?

The findings from this study had varying degrees of alignment with current literature and research. These included very strong and direct connections, and findings which had some connections, but the depth and breadth of studies was limited. There were also instances where the findings had connection with existing research, but the focus was from a different professional vocation outside of the legal field. And lastly there were some findings in this study which did not have links with existing research due to there being very little research

available at the time. This was not entirely an unexpected result due to the study exploring gaps in the research concerned with understanding lawyers and professional supervision in New Zealand.

The findings from this study related to how lawyers experienced stress and indirect trauma had strong links with literature that has previously investigated these topics. Clients as a presenting source of indirect trauma for lawyers has been well researched in the past, with multiple studies identifying this trend (Iversen & Robertson, 2021) (Léonard et al., 2020). Recently this topic has been researched in New Zealand supporting the assertion that lawyers work and engagement with clients presents as a source of indirect trauma which has a negative effect on lawyers (Kim et al., 2023). The impacts of stress and indirect trauma exposure on lawyers has also been researched and supports this study's findings. Lawyers have been found to be negatively impacted by stress and indirect trauma physically (Morgillo, 2015), as well as suffering from poor mental health and negative emotions (Weir et al., 2021).

The culture which lawyers in New Zealand operate within was also identified in the findings as a source of stress and has connections back to existing literature. Thornton (2016) studied how lawyers have diminished wellbeing due to working in pressured environments similar to the descriptions shared by research participants for this study. Demands for productivity and working excessive hours, as well as the competitive nature of seeking promotion amongst competing lawyers was another consequence of negative culture described in the findings, which has also been studied previously (Gonsalves, 2023). The existing literature supports the findings from this study, particularly in line with the first research question.

Lawyers experiences with professional supervision also held some interesting findings that connected with broader research and literature in the field, particularly related to

identified benefits. Lawyers who participated in this study spoke positively about the benefits they experienced in relation to their professional development, both in regards to their learning about how they practice as a lawyer but also around the formation of their professional identity and the growth that came from that space. McNamara (2020) completed research focused on these benefits and found a similar result which supports the accounts shared by the research participants. Although not focused directly on the legal profession Inskipp & Proctor (1993) completed research on the functions of supervision, and there is a point to be made that research participants identified benefits from engagement with professional supervision in line with the functions associated with the practice.

Lawyers also attributed improvements to their wellbeing as a result of their engagement with professional supervision, and more specifically through attention paid to the restorative function within supervision. This area of research is not well developed in New Zealand, or internationally for that matter when looking at the legal profession. There is an emerging trend in research that is focused on trauma informed legal practice that suggests professional supervision has a role to play around improved wellbeing outcomes for lawyers as an integrated part of that framework (James, 2020; Pike & Rebar, 2024).

One area where there was scant supportive literature in connection with findings was related to the barriers lawyers expressed around engagement with professional supervision. As was identified earlier, the drivers behind these barriers are mostly attributed to legal culture and this is a well-researched area. There remains very little that connects the two together at the current moment to consider how legal culture in New Zealand creates a cultural environment that makes engagement with professional supervision reputationally risky for a legal practitioner.

5.4 Strengths and Limitations of the Study

One of the primary strengths associated with this study was its ability to utilize a qualitative methodology to gain more in-depth understanding on the topics associated with this research. By utilizing semi structured interviews as a data collection tool the researcher was able to gain a deeper insight into the topics of stress and indirect trauma on lawyers, and how professional supervision could support them with improved wellbeing outcomes. Additionally, the design of the study and its methodology allowed engagement with the legal profession in a unique and relational way, as the profession was difficult to engage due to time pressures for individual practitioners.

A secondary strength of the study had to do with the support of legal professionals who collaborated to make the research possible. An acknowledgment is to be made to Barrister Deborah Manning (BA/LLB, Hons) who supported the study as an external advisor and facilitated engagement with research participants through the sharing of her professional networks. Her support and contribution made access to practitioners possible, and this collaboration was a particular hallmark and strength of the study. It would be recommended that future researchers who have an outsider positionality to the legal profession would benefit from such an approach as the profession can be difficult to engage with.

Limitations of the study were related to sample size which could be argued had a negative impact on the validity of the findings. This study was able to engage six individual lawyers, however it was hoped at the beginning to be able to interview between eight to ten. Despite the support of the external advisor to the study, some legal practitioners presented as difficult to pin down when it came time for data collection via interview. The study would have been strengthened with an increased sample size, however time restrictions and the fact that this study was at the post graduate level necessitated that it had to be completed within timeframes that were pre negotiated.

A secondary limitation of the study is associated with wider critiques of qualitative research, and the topics of reliability and repeatability of findings. In addressing this critique, it would be offered that this study was particularly focused in a gap in the research and trying to generate new findings and insights in relation to the legal profession in New Zealand and professional supervision. Due to this the qualitative methods employed were deemed to be adequate in the pursuit and discovery of new knowledge.

5.5 Observations and Implications from the Study

At the heart of this study was an intention to learn and understand more about the legal profession in New Zealand, what might be contributing to the poor wellbeing outcomes they are collectively experiencing, and how a practice such as professional supervision can support. The findings which came out of this study have laid a solid foundation to better understand these complicated topics. Now the focus shifts to provide some discussion on what these findings mean, and how this knowledge might be utilized to create positive change for legal practitioners in New Zealand. The single and most consistent interpretation of the findings from this study are clear. Professional supervision can positively support the legal profession in New Zealand, and there should be an increased uptake and engagement of this practice.

Three main points are provided to support this interpretation and analysis of the findings. First, there remains no other practice or discipline that can provide the same benefits to lawyers as professional supervision. Second, the call for integration of trauma informed legal practice requires a practice modality to actualize it, and that practice modality is best represented by professional supervision. And third, there is an identified tension and relational strain between lawyers and their clients and professional supervision is recommended as a solution.

The first discussion point speaks to the numerous benefits that legal practitioners experience who are engaged in professional supervision. These benefits have been identified to be in line with the three functions associated with professional supervision which provide avenues for improved practice support, professional development and growth, as well as increased wellbeing and mental health. The findings from the study made a clear connection with how professional supervision provided benefits to the legal profession, and these findings also have alignment with wider literature and research. Therefore, there is a clear and evidence-based stance that clarifies there are no other support mechanisms for legal professionals that provide the same focus and benefits that are attributed with professional supervision.

The stress and indirect trauma exposure that afflicts legal practitioners is sourced from their work, and by extension is connected with their professional identities. The progression of this idea posits that the support mechanism assisting lawyers with stress and indirect trauma exposure should also be anchored within their professional identity. Professional supervision respects and understands the boundary between the professional and personal, and due to this is uniquely positioned to provide optimized support for the legal profession in New Zealand.

Practitioners who experience regressions in their wellbeing from indirect trauma exposure can suffer a loss of their sense of physical and psychological safety. Professional supervision as a chosen relationship for professional support can be crafted with psychological safety in mind to support practitioners and create that needed safe space for them to work with their exposure to stress and indirect trauma in a healthy and professional way. When one considers the multiple benefits professional supervision provides for the legal practitioner, there really is no other viable alternative that is considered best practice in New Zealand.

The second point of discussion is concerned with the professional culture associated with the practice of law in New Zealand, and the need for a shift in the culture to better support legal practitioners with wellbeing outcomes. The findings from this study identified that a significant source of stress which impacts on lawyers is arising out of their wider working conditions and culture, and this point has also been reinforced through current literature and research. Emerging out of this inflection point is the discussion about the implementation of trauma informed legal practice to combat the poor wellbeing outcomes plaguing the profession (Pike & Rebar, 2024; Webb et al., 2022).

A critique associated with implementation of trauma informed legal practice is its over reliance on values to promote cultural and organizational change without a clear plan for implementation, or practices to integrate and solidify the proposed shift in culture (Berliner & Kolko, 2016; Chalakani, 2020). In this space it would be argued that professional supervision could have an important role to play. Professional supervision shares value alignment with trauma informed legal practice, and in fact professional supervision is regularly included in the conversation when scholarly papers are advocating for the implementation of trauma informed lawyering. Professional supervision offers a defined and measured practice that can be implemented alongside a values led trauma informed legal practice approach which arguably creates the potential for achieving better outcomes. By having an actual practice with a strong theoretical base behind it, professional supervision is positioned as providing the real and tangible steps and practices that can make the implementation of trauma informed legal practice a reality.

It would be suggested that if there is agreement that a cultural shift is required in the legal profession to support wellbeing outcomes for lawyers that professional supervision is that practice that would best support the integration of trauma informed legal practice moving forward in New Zealand. It is recommended that the provision of service from professional

supervision remains focused on the practitioner, and not on appeasing the wider organizational structure. This focused approach would avoid the potential tension that can exist between organizations and practitioners in the workspace and provide the foundation for better wellbeing outcomes for lawyers.

The third point of discussion arises out of an observation from the findings of this study which highlighted that lawyers reported a significant source of the stress and indirect trauma they receive comes from the clients they are involved with. However, in most cases the clients who are requiring the services from the lawyer are the primary source of revenue for the profession.

It is in this junction that there is an observed conflict or tension in the relational space between lawyers and their clients, in that the legal practitioner requires the clients for the revenue they provide but through the transaction are aware and cautious of the presenting psychosocial risk. If the legal practitioner views the clients as risky and harmful to them through stress and indirect trauma exposure, it then does not come as a surprise that there is an emphasis on the development and maintenance of professional boundaries for lawyers. It would be suggested that the emphasis on professional boundaries is in actuality a defense mechanism to keep legal practitioners safe from the very clients they are trying to support. In observing this dynamic it is suggested that this may not be how things started for the average legal practitioner, but if over time they suffer repeated exposure of indirect trauma from clients and are not provided any support along the way, the adoption of creating and maintaining relational distance from clients is understandable due to the emotional labor and suppression of emotions involved (Grandey & Melloy, 2017; Kruml & Geddes, 2000; Wharton, 1999).

This observation points towards a dynamic that can occur for practitioners who suffer stress and indirect trauma but then do not go onto refresh and replenish themselves or are not

provided with a supportive practice such as professional supervision to manage the tensions that exist when working with clients. Over time the practitioner becomes degraded from the stress, and transitions to a space of being distressed. Without intervention and support indirect trauma can take root, with practitioners developing PTSD and associated symptoms. This can contribute to the creation of maladaptive coping mechanisms which exhibit themselves through the lawyers actions and decisions when they are in practice.

Professional supervision offers dialogue, focus, and co-created solutions on how to manage stress and indirect trauma presenting from clients. And often there is an emphasis on relationships, and how the practitioners work with relationships in a healthy way. Earlier in the thesis it was stated that there is not yet a widespread adoption of professional supervision for the legal profession. In connection with that statement, it is highlighted that research participants shared numerous examples of professional pain points which could be explored and improved through the lens of relationship. By attending to and improving this metric through a practice such as professional supervision there would be a pathway towards improving not only the quality of services provided by lawyers, but improved wellbeing outcomes as well.

The findings from this study suggests that the legal profession in New Zealand would benefit from increased engagement with professional supervision. This point becomes even more relevant in consideration to the challenging practice areas connected with criminal, family, and immigration law. The wellbeing outcomes for the profession are poor and have been understood to be this way for quite some time. There is an emerging conversation on how to create change, and part of that conversation is being open towards practices and disciplines from other professional vocations that might offer value and support. Professional supervision then represents an opportunity for the legal profession to create positive change

and embrace continued professional development and improved wellbeing through engagement with the practice.

5.6 Recommendations Arising out of this Study

Recommendations as a result of this study, the presentation of the findings, and the subsequent analysis are now made. There are three overarching recommendations being put forward which would improve wellbeing outcomes for the legal profession in New Zealand. These can be summarized as recommendations connected with further research, the assertion that professional supervision should become a mandated practice for legal practitioners in New Zealand, and a recommendation that the topics associated with this thesis form the basis for a paper or module to be included in the undergraduate curriculum for law students in New Zealand moving forward.

The findings from this study show promise and would benefit from further academic research with a similar focus. It would be recommended as a starting point that this study could be replicated, but with the addition of a larger sample size to further assess the validity of the findings which have been presented. Another suggestion that may aid the conversation on the wellness benefits of professional supervision for the legal profession in New Zealand is to consider a mixed methods approach for data collection. This would allow the pre and post administration of an assessment tool that was focused on wellness inventories, or a tool concerned with measuring reduction of harm for professionals exposed to indirect trauma. The advantage of a mixed methods approach is that it would allow high quality insights to be derived from a qualitative method employing semi structured interviews aided by thematic analysis, while providing some quantitative data that possibly could capture improvements in wellness outcomes for lawyers as the result of participation in professional supervision.

This study has made the assertion that professional supervision offers benefits to the legal profession and can improve wellbeing outcomes. However, the current state of affairs in

New Zealand is that the uptake of professional supervision is not well understood, nor is there clarity on the competency of providers of professional supervision. There remains variability among different professions about whether professional supervision should be mandated, or whether it can be an opt in type of practice. Professions in New Zealand that are mandated to engage with supervision include psychologists, social workers, and counselors as examples. Within legal practice in New Zealand there is a singular case of professional supervision being mandated, and that is in connection with family law.

It would be recommended that there be an amendment to legislation that oversees legal practitioners in New Zealand to provide a mandate for engagement with professional supervision that covers the family, criminal, and immigration practice contexts as these are the identified areas where exposure to indirect trauma is highest. As part of this change it would be advised to provide detailed definitions on what professional supervision is as a practice, and to put standards in place for providers of professional supervision to have been trained at a postgraduate level from a recognized tertiary provider in New Zealand. Unless there is shift towards creating a mandate for engagement with professional supervision for lawyers in New Zealand the movement towards improving wellness outcomes are negligible at best.

Although engagement with professional supervision has been shown to provide numerous benefits for the legal profession in New Zealand, there still remains an area where improvements could be made and that is concerned with the educational pathways for incumbent lawyers. Currently there appears to be an identified gap around education related towards the subjects of stress and indirect trauma for legal practitioners, as well as early engagement and role modeling to embed positive coping strategies early on. Earlier in the literature review it was identified that students of law were at risk of developing negative

habits and poor coping mechanisms while they were completing their undergraduate degrees in law.

To combat this, it would be recommended that incumbent students into the legal profession complete a paper or module near the end of their undergraduate studies which identifies some of the presenting risks associated with the field, as well as overviewing best practice related to self-care and wellness. Suggested topics could include the benefits of engagement with professional supervision, an understanding of how professionals react to stress and indirect trauma, coverage of adaptive versus maladaptive coping, education on emotional intelligence, as well as exposure to trauma informed legal practice and how it can be supported in New Zealand moving forward. Through the implementation of these recommendations there could be the potential to provide future lawyers with the knowledge required to increase wellness outcomes, as well as increased awareness of how professional supervision can support them throughout their careers.

5.7 A Future Consideration for the Legal Profession in New Zealand

With the coverage of the main points of this chapter concluded, there remains a final thought to elaborate on that may not directly related to the focus of this study but still contains enough value to commit to paper. This notion is focused on the important topics of ethics, and the duty of care the legal sector has for practitioners of the law.

It has been an observation through the completion of this thesis that the legal profession has been studied a great deal over the last 20 years, with repetitive results and findings stating that the profession is under immense pressure and that wellbeing outcomes are poor. A secondary observation is that there do not appear to be many tangible solutions being proposed, and that despite the continual study and measurement of the problem there has not been a move in the right direction to see conditions improve.

It would be offered to the reader that when one considers these points, there begins the starting point of an ethical dilemma which is confronting the wider profession. If it is known that lawyers are overexposed to stress and indirect trauma, and they are suffering harm as a result, what is the responsibility and duty of care of the employing organizations towards the lawyer as an employee?

Health and safety culture in New Zealand is shifting to now consider the risks of psychosocial harm for employees (Bennett, 2020; Blackwood et al., 2021; Oosthuizen, 2020). Stress and indirect trauma exposure are front runners as measurable and studied examples of psychosocial harm in a variety of professional vocations, with the legal industry being included. Recent examples from Australia have already ruled that employing law firms have a duty of care for lawyers who are facing exposure to indirect trauma through their work (Burns, 2021; Scott & Freckelton, 2023; Wilson & Freckelton, 2023).

Although this standard is not yet in place in New Zealand, it does appear the winds of change are blowing. Professional supervision could be implemented to mitigate the exposure to psychosocial harms via indirect traumas for the legal profession, and progressive organizations and firms could get ahead of the curve with upcoming shifts in the health and safety sector to manage their liability in this space. There are clear benefits to be had through the adoption of professional supervision, and it would be recommended that wider organizations and firms in New Zealand recognize this and provide access for employees. From an ethical perspective this would make sense and demonstrate care for employees as well as future proofing employing organizations for likely changes in health and safety requirements.

5.8 Conclusion

This study started with limited insight about the legal profession and the sources of stress and indirect trauma that were negatively impacting on wellbeing outcomes. Through

collaboration with research participants, external advisors, and academic supervisors to the study a clearer picture started to develop. The thematic analysis process identified a meta narrative of environment, people, and practice to conceptualize the integration and understanding of the stress and indirect trauma facing the legal profession and how professional supervision could support. If in the beginning there was limited insight, now there is a clear understanding of not only the problems facing the industry, but also the solutions moving forward.

For the researcher there were many developmental experiences and learnings associated with the pursuit of this piece of research. The topics of professional supervision and indirect trauma are relevant personally and professionally for the author, and through the research journey there has been moments that were confronting, but also which promoted growth. Partnering with the research participants and hearing them share their lived experiences on these topics was humbling and developed an even greater appreciation for the important work that takes place in the legal profession.

It can be confidently stated that professional supervision stands alone as the best practice solution in New Zealand to support the legal profession with improving its poor wellbeing outcomes. It is hoped that by producing this piece of research there has been a contribution made back to the wider legal profession, and the start of a conversation around how to create a cultural shift in the wider legal culture to the benefit of not only the practicing lawyer, but for the clients and communities they serve as well.

The future for the practice of professional supervision is bright and growing in New Zealand and internationally, and one which the author is proud to be involved with.

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Appendices

Appendix A: Interview guide



**EDUCATION AND
SOCIAL WORK**
SCHOOL OF COUNSELLING,
HUMAN SERVICES AND SOCIAL WORK

Interview Guide – 2024

Title: Professional supervision, lawyers, and secondary traumatic stress. An exploration of how the restorative function of professional supervision can support improved wellbeing outcomes.

Researchers: Student Researcher Tyson Walters, Professor Liz Beddoe, & Dr Nicki Weld.

Notes for Interviewers: Please introduce yourself and explain your role in this research.

- Please check whether the participant has any questions before starting.
- Please check how your participant wishes to start the interview.
- Please reassure that we are aware of NZ being a small work ‘pool’ and every effort made to disguise potentially identifying information.
- In all cases interviewers will prompt for examples as appropriate and explore what happened and how managed.
- Please say if you don’t wish to answer any questions.
- Please check the consent is on file or provided during the interview. A phone scan of this is fine.

Demographic and general information.

1. What is your current age?
 - 25 to 34
 - 35 to 44
 - 45 to 54
 - 55 to 64
 - 65 or over
2. How do you define your gender?
3. Ethnicity – ask the participant to define
 - Pākehā / NZ European
 - Māori -please provide affiliations if desired.
 - Samoan
 - Cook Island Māori
 - Tongan
 - Niuean
 - Chinese
 - Indian
 - Other (please specify)

Section One: How have lawyers experienced stress and secondary trauma from their work?

1. What area of law do you practice, and how did you become involved in that area?
2. What motivates you to practice in this area of law?
3. What have been some of your positive experiences?
4. Can you share your thoughts on the 2023 summary statement from the New Zealand Law society that noted concerns for the wellbeing of lawyers?
5. What kinds of stress do you believe lawyers experience in general?

6. Are there any kinds of stress lawyers experience that are specific to living in New Zealand?
7. What has been your experiences of stress working as a lawyer?
8. Have you ever heard of secondary traumatic stress (STS)? What if anything do you know about it?
9. ****Researcher to provide definition of secondary traumatic stress****
In considering this definition of STS, have you experienced this before?
10. Can you share any experiences or memories of how you experienced STS in your work?
11. How has STS effected you?
12. How have you tried to work with these effects?
13. Before we move on, is there anything else you would like to speak about or share in relation to lawyers, stress, and STS?

Section Two: What have lawyers experiences of professional supervision been?

1. As a lawyer, how do you view professional supervision?
2. If you had to explain what professional supervision was to someone, how would you explain it?
3. ****Researcher to provide definition of professional supervision****
What are your thoughts on this definition?
4. What have your experiences of professional supervision been like?
5. When did you first experience professional supervision?
6. Are you receiving professional supervision now?
7. Do you have any positive experiences of professional supervision that you could share?
8. Do you have any negative experiences of professional supervision that you could share?
9. Do you think professional supervision would be beneficial for more lawyers? If so what might those benefits be?
10. Have you experienced any benefits from engagement with professional supervision?
11. Should lawyers receive professional supervision from other lawyers, or are external professional supervisors who are not lawyers preferable?
12. In consideration to the long training pathway for legal practice, do you think lawyers would benefit from starting professional supervision earlier?
13. For lawyers in New Zealand working in family law, professional supervision is mandated.
What are your thoughts on this mandate? And should this mandate be in place in other legal practice areas?
14. Where does the legal profession look to find high quality professional supervision?
15. Before we move on, is there anything else you would like to speak about or share?

Section Three: Have lawyers engaged with professional supervision experienced improvements in their wellbeing when considering stress and secondary trauma?

1. What does wellbeing mean to you?

2. How do you know if your wellbeing is declining, or improving?
3. When you remember earlier experiences in your legal career relating to stress and STS, did you have professional supervision in place? What was the impact of that on you?
4. Has professional supervision helped you manage stress and STS? Please elaborate.
5. Has professional supervision improved your wellbeing? Please elaborate.
6. If you have had a change in supervisor, or a gap in trying to arrange professional supervision, have you noticed any changes in your wellbeing during this time period?
7. Professional supervision often occurs monthly... do you think an increased frequency of sessions could improve wellbeing for lawyers?
8. How much of an impact does the supervisor contribute to improved wellness outcomes in professional supervision for the client? Please elaborate.
9. How do you as the client or supervisee assess a provider of professional supervision services as being competent to support your wellbeing?
10. Before we move on, is there anything else you would like to speak about or share?

Section Four: How do lawyers view the restorative function of professional supervision, and do they perceive it to have therapeutic benefit?

1. Have you ever heard of the functions of professional supervision before? What do you know about the restorative function?
2. ****Researcher to provide definition of the restorative function of professional supervision****
What are your thoughts on this definition of the restorative function of professional supervision?
3. What are your thoughts on the statement “Professional supervision can provide therapeutic value, while not being therapy”.
4. Do you think that professional supervision could provide a therapeutic benefit for the legal profession in Aotearoa New Zealand?
5. Do you think there may be some benefits to lawyers engaged with professional supervision that is focused on the restorative function? What do you think some of those benefits might be?
6. Within professional supervision practice the emotional impacts of the supervisees work are considered and supported. Would this aspect of professional supervision be beneficial to improved wellbeing outcomes for the legal profession?
7. Before we move on, is there anything else you would like to speak about or share?

Appendix B: UAHPEC ethics approval letter



The University of Auckland
Private Bag 92019
Auckland, New Zealand
Level 3, 49 Symonds Street
Auckland, New Zealand
Telephone (09) 373 7599 Ext 83711

UNIVERSITY OF AUCKLAND HUMAN PARTICIPANTS ETHICS COMMITTEE (UAHPEC)

31/05/2024

Prof Liz Beddoe
Counselling, Human Services and Social Work

Re: Application for Ethics Approval (Our Ref. UAHPEC27791): Approved with Comment

The Committee considered the application for ethics approval for your study entitled "**Professional supervision, lawyers, and secondary traumatic stress. An exploration of how the restorative function of professional supervision can support improved wellbeing outcomes**". We are pleased to inform you that ethics approval has been granted with the following comment(s) or required minor changes:

1. The Committee noted a reference to storage of study data in "the AUT Research Drive" (section 10.06a) which was inconsistent with the use of the University of Auckland Research Drive mentioned in the response memo and all other parts of the application. The Committee assumed the reference to the AUT research drive was an error and asks researchers to ensure all data storage and management is in line with the University of Auckland policies and mandates. Please submit an amendment request, as required, should there be a need to further clarify this information or changes occur to data management information in the future.

The expiry date for this approval is **31/05/2027**.

Completion of the project: In order that up-to-date records are maintained, you must notify the Committee once your project is completed.

Amendments to the approved project: Should you need to make any changes to the approved project, please follow the steps below:

- Send a request to the UAHPEC Administrators to unlock the application form (using the Correspondence tab in Ethics RM).
- Make all changes to the relevant sections of the application form and attach revised documents (as appropriate).
- Change the Application Type to "Amendment request" in Section 13 ("Submission and Sign off").
- Add a summary of the changes requested in the text box.
- Submit the amendment request (PI/Supervisors only to submit the form).

If the project changes significantly, you are required to submit a new application.

Funded projects: If you received funding for this project, please provide this approval letter to your local Faculty Research Project Coordinator (RPC) or Research Project Manager (RPM) so that the approval can be notified via a Service Request to the Research Operations Centre (ROC) for activation of the grant.

The Chair and the members of UAHPEC would be happy to discuss general matters relating to ethics approvals. If you wish to do so, please contact the UAHPEC Ethics Administrators at humanethics@auckland.ac.nz in the first instance.

Additional information:

- Do not forget to fill in the 'approval wording' on the PISs, CFs and/or advertisements, using the date of this approval and the reference number, before you use the documents or send them out to your participants.

All communications with the UAHPEC regarding this application should indicate this reference number: **UAHPEC27791**.

UAHPEC Administrators

University of Auckland Human Participants Ethics Committee

Appendix C: Participant information sheet



**EDUCATION AND
SOCIAL WORK**
SCHOOL OF COUNSELLING,
HUMAN SERVICES AND SOCIAL WORK

Participant Information Sheet

Title: Professional supervision, lawyers, and secondary traumatic stress. An exploration of how the restorative function of professional supervision can support improved wellbeing outcomes.

Researchers: Student Researcher Tyson Walters. Academic Supervisors Professor Liz Beddoe, & Dr Nicki Weld.

**TE KURA TAUWHIRO
TANGATA**

**The University of
Auckland**
Private Bag 92019
Auckland 1142
New Zealand

Project description.

In 2023 the New Zealand Law Society released a summary statement of concern for the wellbeing of lawyers working in the practice of criminal and family law, and invited dialogue on how to improve these outcomes. This concern is well founded as a variety of research has confirmed increasing levels of stress, and decreased wellbeing for the legal profession in general. For lawyers working in criminal, family, and immigration practice contexts there is a particularly challenging dynamic being experienced which involves exposure to secondary traumatic stress (STS) through their work. STS can be understood as the negative effects a lawyer experiences over time when exposed to the distressing details of clients lived experiences, either through face to face interactions or through the reading and processing of written reports.

This study aims to explore how professional supervision, and more specifically the restorative function within it, might help support the legal profession with their wellbeing. Professional supervision is known for providing high quality professional development for a variety of vocations. But there is an emerging practice focus within professional supervision that argues there is therapeutic benefit to be gained by being aware of the dynamics associated with STS for working professionals, and providing support to practitioners who are exposed to it through their work.

Could the restorative function within professional supervision help improve wellbeing outcomes for legal practitioners in Aotearoa New Zealand? There is currently no active research in this area that is solutions focused, and the research team hopes to make a contribution to advance knowledge around this, and participate in the invitation for dialogue extended by the New Zealand Law Society.

Researcher introduction

We are a team led by Professor Liz Beddoe and Dr Nicki Weld who are researchers and educators at the University of Auckland, within the school of Counselling, Human Services and Social Work. We are joined by Tyson Walters, a master's student researcher in the Professional Supervision programme. Collectively the team have an interest in professional supervision through their academic pursuits as well as their individual practices offering professional supervision in a variety of contexts in Aotearoa New Zealand.

This research is contributing to the requirements for a Master of Professional Supervision at the University of Auckland, and the student researcher (Tyson) is being academically supervised by Professor Beddoe and Dr Weld.

Project procedures

The research team anticipates that total time for each participant would be under two hours. Interviews will be held in person and are set to be one hour (or less) in length. As a participant you can indicate your interest to receive a copy of your interview transcript to review it for accuracy before data analysis commences, which would add in some extra time.

This study will be a qualitative one, with a design which will utilise narrative inquiry to better understand participants experiences. The study involves in person interviews which will use semi-structured questions to support consistency and flexibility for data collection. Interviews will be audio recorded, and then transcribed by the student researcher. As a participant of the study your identity will be protected, and the information from your

interview will be de-identified by providing you a pseudonym. This pseudonym will relate to your transcription that will be used for data analysis.

The study is seeking to engage between 8 to 12 lawyers who are working in either family, criminal, or immigration law contexts and have had exposure and/or engagement with professional supervision.

Our study aims to explore four questions:

- How have lawyers experienced stress and secondary trauma from their work?
- What have lawyers experiences of professional supervision been?
- Have lawyers engaged with professional supervision experienced improvements in their wellbeing when considering stress and secondary trauma?
- How do lawyers view the restorative function of professional supervision, and do they perceive it to have a therapeutic benefit?

By participating in this study, you will be contributing to current research understandings of challenges and potential solutions facing the legal profession in Aotearoa New Zealand. It is intended that this research will add to the knowledge in this area and will provide a theoretical basis for future research.

There is a possibility that when participating in the interviews you might feel some distress if discussing difficult experiences. Participants may seek support through their regulatory bodies confidential Employers Assistance Programme (EAP), as well as support from the research team.

Right to Withdraw from Participation

Participation in this study is entirely voluntary, and you can choose to withdraw from the project at any time. Throughout your interview, you can request that the recorder be turned off and are not required to provide a reason. At any time you can decline to answer any questions, request a break, or ask to cut the interview short without needing to explain.

Quotes and material from interviews could be used in journal articles, dissertations, and may also be used in other academic writing to illustrate findings and themes. Participants can request a copy of their recording and/or their interview transcript. If you wish to review your transcript you will be given two weeks to make any corrections or request that certain extracts be removed or changed to assure confidentiality. During these two weeks, you may also choose to have your interview withdrawn from the project. However, after the two weeks have passed you will no longer be able to remove this information from the study. Withdrawal of your interview can also be requested up to two weeks after your interview date if you don't request to review your transcript.

Participants can request a summary of findings from the study and can indicate their intent on the consent form by providing an email address.

If you indicate clear interest after reading about the project by signing a consent form, there is a small chance that you might not be selected for an interview if demand is too high. You will be notified by the research team if this occurs.

Data storage/retention/destruction/future use

All interviews will be recorded. Recordings will be stored securely on a password-protected computer and will only be available to the researchers.

Written data collected for this project will be stored on a secure computer at the University of Auckland by one of the supervisors of this project for a period of six years.

Consent forms will be stored securely, separately from data. All data will be stored on a password-protected university computer backed up on a server. After six years, both written and electronic data will be destroyed.

If you wish to find out more.

If you have any questions about this project or your involvement, please contact Tyson Walters for more information.

Email: twal958@aucklanduni.ac.nz

If you wish to participate in this research project, please read the consent form we have sent you and contact Tyson Walters to schedule an interview. Please send a signed copy of the consent form to:

twal958@aucklanduni.ac.nz.

Thank you for taking the time to read this Participant Information Sheet.

Researcher & Academic Supervisor Professor Liz Beddoe School of Counselling, Human Services and Social Work/Te Kura Tauwhiro Tangata Faculty of Education and Social Work University of Auckland Email: e.beddoe@auckland.ac.nz	Researcher & Academic Supervisor Dr Nicki Weld School of Counselling, Human Services and Social Work/Te Kura Tauwhiro Tangata Faculty of Education and Social Work University of Auckland Email: n.weld@auckland.ac.nz
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Researcher Student Researcher Tyson Walters School of Counselling, Human Services and Social Work/Te Kura Tauwhiro Tangata Faculty of Education and Social Work University of Auckland Email: twal958@aucklanduni.ac.nz	Head of School Associate Professor Allen Bartley School of Counselling, Human Services and Social Work/ Te Kura Tauwhiro Tangata Faculty of Education and Social Work University of Auckland Email: a.bartley@auckland.ac.nz
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UAHPEC Chair contact details:

For any queries regarding ethical concerns, you may contact the Chair, The University of Auckland Human Participants Ethics Committee, Office of Research Strategy and Integrity, The University of Auckland, Private Bag 92019, Auckland 1142. Telephone 09 373-7599 ext. 83711. Email: humanethics@auckland.ac.nz

APPROVED BY THE UNIVERSITY OF AUCKLAND HUMAN PARTICIPANTS ETHICS COMMITTEE ON XX.XX.XX for 3 years, Reference Number **XXXX**

Appendix D: Consent form



**EDUCATION AND
SOCIAL WORK**
SCHOOL OF COUNSELLING,
HUMAN SERVICES AND SOCIAL WORK

TE KURA TAUWHIRO TANGATA
The University of Auckland
Private Bag 92019
Auckland 1142 New Zealand

Consent Form

Title: Professional supervision, lawyers, and secondary traumatic stress. An exploration of how the restorative function of professional supervision can support improved wellbeing outcomes.

Principal Investigator: Professor Liz Beddoe & Dr Nicki Weld

Co-researchers: Student Researcher Tyson Walters.

I understand the information provided to me on the Participant Information Sheet. I have had the opportunity to ask any questions about the research and have had them answered to my satisfaction.

- I agree to take part in this research. My participation in this research is voluntary. I understand that I am being asked to participate in an interview on my experiences as a lawyer as it relates to stress and secondary trauma, and my thoughts on professional supervision.
- I understand I will participate in an interview of up to 60 minutes, with an additional optional hour for reviewing my interview transcript if I choose to do this.
- I understand that my interview will be audio recorded and that I can ask for it to be turned off at any time without giving reasons.
- I understand that I can decline to answer any questions and can request a break or ask for the interview to be cut short without needing to explain.
- I understand that my interview will be transcribed, and that material from this interview may be used in academic writing identified by a pseudonym, not my real name.
- I understand that if I choose to review my transcript, I will be given two weeks to request that changes be made.
- I understand that if I don't choose to review my transcript, I will have two weeks from the time of my interview to request that my data be withdrawn from the project.
- I understand that I am free to withdraw from the interview at any point and can withdraw data from the project up to two weeks after receiving my interview transcript.
- I understand that the information from this project will be kept on a password-protected computer at the University and is only accessible to the researchers.
- I understand that all reasonable attempts will be made to preserve my identity, however, there is a small chance that I may be identifiable from excerpts of my interview.

I would like to receive a copy of my:

- ☐ Recording file
- ☐ Interview transcript

I wish to receive a summary of the findings:

- ☐ Yes
- ☐ N

I would like to be given the opportunity to review my interview transcript for accuracy:

- ☐ Yes
☐ No

The data I have requested can be emailed to me at this email address:

Name:

Signature:

APPROVED BY THE UNIVERSITY OF AUCKLAND HUMAN PARTICIPANTS ETHICS COMMITTEE
ON XX.XX.23 for 3 years, Reference Number **XXXX**