



WELLBEING

The Honourable Associate Justice Mary-Jane Ierodionou

Remarks of the Honourable Associate Justice Mary-Jane Ierodionou at the Victorian Legal Services Board, Staff Speaker Series, Melbourne.

Tuesday 27 November 2018

Introduction

Thank you very much for your invitation to share insights on wellbeing with you. I would like to begin by acknowledging the traditional custodians of the land on which we meet. I offer my respects to their elders, past and present and extend that respect to those with Aboriginal and Torres Strait Islander heritage here today.

My topic today is wellbeing, and in particular wellbeing in the workplace.

I am not a psychologist. Perhaps like you, I am a knowledge-seeker with an interest in wellbeing. Today I will share some of the things I've learnt along the way. I've had some good teachers on the topic, and this morning my grandmother, who I call Yeya, came to mind.

I remember in April one year, when I was still in private practice and working in large law firm. Our team was incredibly busy in the midst of litigation around a high profile industrial dispute. Greek Easter was fast approaching. Yeya lived two hours away from Melbourne and was expecting me, along with all of her grandchildren, to be there. And not simply on Sunday, but by the Thursday evening before Good Friday, at the absolute latest. I had my leave booked but it was still a stress to get out of the office. By the time I arrived at Yeya's I was still thinking about work, and probably took a few calls along the way. What I do remember is this. After greeting me, she sat me down at the kitchen table. The table was covered with flour as the flaounes were being prepared. It is a pastry we make for Easter. I was basically told to get rolling. I rolled up my sleeves. As I begin rhythmically rolling the dough, and then stuffing the pastries, I lost all sense of time. My Yeya knew something then that I did not. It is what psychologists call a 'flow activity', being so immersed in something that you lose sense of time. They are not hedonistic activities



but ones which require our concentrated attention. We all have flow activities that we can do. They may be cooking creatively, gardening, or playing a musical instrument.

There was another important lesson my Yeya taught me, which is that time is a relative construct. By which I mean, for her, time revolved around the seasons of the year and religious festivals. My life revolved around litigation deadlines. (The firm billed in one minute units!) My Yeya re-calibrated me and gave me a different perspective. I returned to work determined to make time for a quick walk outside every day so I experienced every season of the year, every day.

Today I will discuss the five pillars of wellbeing, focusing on positive relationships and meaningful work.

I will then discuss two issues which frequently arise when I speak with people about wellbeing. Firstly, perfectionism and how to overcome it through self-compassion. Secondly, catastrophising and overcoming a negativity bias.

Five Pillars of Wellbeing

Professor Martin Seligman, who is often referred to as the founder of positive psychology, identifies five pillars of wellbeing in his book *Flourish*.¹ They are: positive emotion, engagement, relationships, meaning and achievement. He says:

Well-being cannot exist just in your own head: well-being is a combination of feeling good as well as actually having meaning, good relationships, and accomplishment.²

Today I will focus on two of those topics. Turning now to the first one, which is building good relationships in the workplace. Or, to put it another way, building positive connections.

¹ Martin Seligman, *Flourish* (Atria paperback, 1st ed, 2013).

² Ibid 25.



Building Positive Connections

Building connection with other people is vital to our wellbeing. Fostering mutually supportive relationships is good for our wellbeing.

Author David Rock, whose work draws on neuroscience, has commented:

Being connected to others in a positive way, feeling a sense of relatedness, is a basic need for human beings, similar to eating and drinking.³

A few weeks ago, the Australian Psychological Society released the Australian Loneliness Report ('the APS Report'). You can find it on their web page. It has launched a campaign addressing loneliness to help people connect to thrive. The report states:

Loneliness is a feeling of distress people experience when their social relations are not the way they would like. It is a personal feeling of social isolation. It is different to feeling alone: we can be surrounded by others but still lonely, or we can be alone but not feel lonely.

Loneliness may be a sign that a person's relationships are inadequate or don't meet their expectations or needs.

As humans are essentially social animals, loneliness is thought to arise because an innate need to belong to a group is unmet. Loneliness signals a need to form a meaningful connection with others.

Research has found that loneliness is related more to the quality than the quantity of relationships. A lonely person feels that their relationships are not meaningful and that he or she is not understood by others.⁴

The APS Report states that one in four Australians reported feeling lonely. Connected Australians have significantly better mental and physical health than lonely Australians. Factors associated with loneliness

³ David Rock, *Your Brain at Work* (Harper Business, 2009) 164.

⁴ Australian Psychological Society, 'Australian Loneliness Report' (Report, 2018) 3.



include more negative emotions, a lower sense of achieving personal goals, less autonomy and greater concern about other people's evaluations.

The APS Report contains a number of practical suggestions for building connections. They include not comparing yourself with others, thinking positively, being comfortable with awkwardness, listening well and expecting change.

So, building connection with other people is vital to our wellbeing. You may be wondering, "what can I do?" Start by extending your hand to someone. Reach out and give a hand to someone who is not connected, or not as well connected. You will learn so much more than remaining in your comfort zone. They may be the new person who has just joined your workplace; they may be a person who has moved jobs, or someone who has just returned to work after extended leave.

Sometimes it is as simple as saying "how are you?" instead of the common greeting of "are you busy?" It might be asking someone if they are okay, and then listening, really listening and caring about their response. We are all interconnected.

While it can be relatively easy to build connections with people who are similar to us, there is another challenge in all this, and that is: how do we build connections with colleagues who seem to be different to us?

On a personal level, we need to interrogate ourselves about our unconscious biases. By that, I mean stop and ask ourselves whether the decision that we are making about connecting with someone — or not — may be based on a desire to be with people like us. If you have responsibility for hiring employees, engaging contractors such as barristers, creating teams, or managing people: your personal decisions will have a ripple effect on the connections that are created both within your organisation and with external stakeholders. Think about approaching the person standing by themselves at a group function rather than heading towards people you are familiar with.

You may wish to think about entering into a mentoring relationship if you are not already in one. It might



be as a mentor, or it might be as a mentee. Ideally, both! Adopting a mentoring mindset will enhance your work relationships— and your career. In her recent book, *Me and My Mentor*, author Norah Breekveldt writes about the importance of having a “mentoring mindset” and applying it “to all interactions at work, with direct reports, peers or even upward mentoring to more senior leaders. It’s a way of leading and engaging with others, not just a skill that is dusted off and exercised exclusively in a mentee relationship”.⁵ She further writes: “A mentoring mindset is a critical leadership capability that, when applied, transforms individuals and teams. The contribution of everyone in the workplace is enhanced when leaders adopt a mentoring mindset through empathy, listening, engaging, influencing, inspiring, and fostering collaboration. When all these factors work in synchronicity, the potential of everyone in the [organisation] is realised to its fullest extent.”⁶

On an organisational level, the Legal Services Board (‘LSB’) strategy indicates that you are customer focused and collaborative. That is also consistent with your organisation’s stewardship approach. Both those strategies involve building external relationships. You may wish to consider how building positive external relationships can promote wellbeing— both your own and that of external stakeholders.

A final word on connection. Some of you may be aware of the ‘Blue Zones’ around the world. They are the areas where people live the longest. Dan Buettner, a long time researcher on Blue Zones, writes:

The world’s longest lived people chose—or were born into—social circles that supported healthy behaviors, Okinawans created “moais”—groups of five friends that committed to each other for life. Research from the Framingham Studies shows that smoking, obesity, happiness, and even loneliness are contagious. So the social networks of long-lived people have favorably shaped their health behaviours.⁷

⁵ Norah Breekveldt, *Me and My Mentor* (Melbourne Books, 1st ed, 2018) 183–4.

⁶ Ibid 187.

⁷ Dan Buettner, *Reverse Engineering Longevity* (10 November 2016) Blue Zones <<https://www.bluezones.com/2016/11/power-9/>>.



Meaning

A meaningful life is belonging to and serving something that you believe is bigger than the self.⁸ Another way of putting this is to identify life's purpose. We can ask ourselves: what is my purpose for working in this particular job?

Positive wellbeing is associated with identifying meaning with intrinsic rather than extrinsic goals. Lawrence Krieger has conducted research in the area of wellbeing and the values and motivations of lawyers and law students. He is the Clinical Professor and Co-Director of Clinical Externships Programs at the College of Law, Florida State University. Professor Krieger's findings lead us to the conclusion that a focus on intrinsic goals is better for wellbeing than a focus on extrinsic goals.

People who primarily seek extrinsic goals, which include financial affluence, luxury, power or image, consistently experience decreased satisfaction and well-being compared to other groups, while those whose primary goals or values include intrinsic factors, such as self-improvement, close relationships, or social betterment, experience greater satisfaction and well-being than others.⁹

Professor Krieger observes that 'none of the external markers of achievement—class standing, financial success, image, or status—has been shown to correlate with a good life.'¹⁰ In comparison, 'when one experiences a sense of self-esteem, relatedness, authenticity, or competence, she experiences increased satisfaction, wellbeing, and vitality, while a lack of such experiences will produce loss of vitality, depressed mood, and decreased wellbeing.'¹¹

I read that the LSB's goal "is to maintain and enhance public trust and confidence in the legal profession in

⁸ Seligman, above n 1.

⁹ Lawrence Krieger, 'Psychological Insights: Why our Students and Graduates Suffer, and What We Might Do About It' (2002) 258 *Journal of the Association of Legal Writing Directors* 258, 260 (citation omitted).

¹⁰ Ibid.

¹¹ Ibid 260–1.



Victoria. We do this because the integrity of the legal profession is fundamental to the legitimacy of the justice system and the maintenance and protection of the rule of law.”¹²

I invite you to reflect on the important work that the LSB does, and the importance of the rule of law. Think about how that aligns with your personal and professional values. For instance, one of your core values may be fairness. Ensuring that Victorians have access to transparent procedures when they engage legal practitioners is consistent with that value.

I will now discuss perfectionism and self-compassion.

Perfectionism and Self-compassion

I will quote from Professor Brené Brown from the University of Houston, Texas. I encourage you to watch her TED Talk. I will quote from her book *The Gifts of Imperfection*:

As a recovering perfectionist and an aspiring good-enoughist, I've found it extremely helpful to bust some of the myths about perfectionism so that we can develop a definition that accurately captures what it is and what it does to our lives.

- *Perfectionism is not the same thing as striving to be your best.* Perfectionism is *not* about healthy achievement and growth. Perfectionism is the belief that if we live perfect, look perfect, and act perfect, we can minimize or avoid the pain of blame, judgement, and shame. It's a shield. Perfectionism is a twenty-ton shield that we lug around thinking it will protect us when, in fact, it's the thing that's really preventing us from taking flight.
- *Perfectionism is not self-improvement.* Perfectionism is, at its core, about trying to earn approval and acceptance. Most perfectionists were raised being praised for achievement and performance (grades, manners, rule-following, people-pleasing, appearance, sports). Somewhere along the way, we adopt this dangerous and debilitating belief system: I am what I accomplish and how well I accomplish it. *Please. Perform. Perfect.* Healthy striving is self-focused—*How can I improve?* Perfectionism is other-focused—*What will they think?*

Understanding the difference between healthy striving and perfectionism is critical to laying down the shield and picking up your life. Research shows that perfectionism hampers success. In fact, it's often the path to depression, anxiety, addiction, and life-paralysis. *Life paralysis* refers to all of the opportunities we miss because we're

¹² Legal Services Board and Commissioner, 'Strategy: A Clear Direction' (October 2018) 4.



too afraid to put anything out in the world that could be imperfect. It's also all of the dreams that we don't follow because of our deep fear of failing, making mistakes, and disappointing others. It's terrifying to risk when you're a perfectionist; your self-worth is on the line.¹³

I need to say this: we all make mistakes. They can be overcome when we own up to them and learn from them. I've certainly made some in my career. Some of them have been cringe-worthy. Being told by my then supervising partner that the draft of my first letter of demand was 'all over the place, like a mad dog's ...' springs to mind. It propelled me into seeking some constructive feedback and asking for a good precedent I could learn from. And learn I did. Other mistakes have been downright embarrassing. Going to Avalon Airport to board a plane chartered by my then client...only to find it was leaving from Essendon Airport! The relationship survived.

You can combat perfectionism through self-compassion. Again, to quote Professor Brown.

Dr Kristin Neff is a researcher and professor at the University of Texas at Austin. She runs the Self-Compassion Research Lab, where she studies how we develop and practice self-compassion. According to Neff, self-compassion has three elements: self-kindness, common humanity, and mindfulness. Here are abbreviated definitions for each of these:

- *Self-Kindness*: Being warm and understanding toward ourselves when we suffer, fail, or feel inadequate, rather than ignoring our pain or flagellating ourselves with self-criticism.
- *Common humanity*: Common humanity recognises that suffering and feelings of personal inadequacy are part of the shared human experience—something we all go through rather than something that happens to “me” alone.
- *Mindfulness*: Taking a balanced approach to negative emotions so that feelings are neither suppressed nor exaggerated. We cannot ignore our pain and feel compassion for it at the same time. Mindfulness requires that we not “over-identify” with thoughts and feelings, so that we are caught up and swept away by negativity.¹⁴

The ABC is currently featuring articles on overcoming perfectionism. You can find the articles online under the topic of wellbeing in ABC Life. On 2 October 2018, Grace Jennings-Edquist wrote an article titled *Ever*

¹³ Brené Brown, *The Gifts of Imperfection* (Hazelden Publishing, 1st ed, 2010) 56–7.

¹⁴ Ibid 59–60 (citations omitted).



feel you're not good enough? Overcoming perfectionism. She interviews psychologists and discusses the relationship between perfectionism on the one hand and anxiety and depression on the other hand. She suggests the following steps can help overcome perfectionism:

- a. Learning to prioritise — avoiding the 'all or nothing' type of thinking.
- b. Embracing 'good enough' — it helps overcome procrastination and self-criticism — and improves sleep!
- c. Not overdoing the effort — after a certain amount of effort, performance starts to deteriorate.¹⁵

Whilst we all fail at times, it's important we don't define ourselves or others as failures. We are more than our actions. Have the confidence to learn and try again. Poet Maya Angelou:

Ships?

Sure I'll sail them.

Show me the boat,

If it'll float,

I'll sail it.

...

Life?

'Course I'll live it.

¹⁵ Grace Jennings-Edquist, *Ever feel you're not good enough? Overcoming perfectionism* (2 October 2018) ABC <<https://www.abc.net.au/life/advice-for-overcoming-perfectionism/10196258>>.



Let me have the breath,

Just to my death,

And I'll live it.

Failure?

I'm not ashamed to tell it,

I never learned to spell it.

Not Failure.¹⁶

Turning now to catastrophising and how to overcome our negativity bias.

Catastrophising and the Negativity Bias

Dr Alex Korb is a neuroscientist and Adjunct Professor, Department of Psychiatry and Biobehavioral Sciences, University of California. He writes that:

Anxiety is exacerbated by envisioning the worse possible scenario – a process known as ‘catastrophizing’... It usually starts with a perfectly reasonable worry, and then, through an incorrect assumption, it snowballs out of control.¹⁷

Has this ever happened to you? You send an email. You realise it has a typo in it. Then you start to worry. What if they think I do not have an eye for detail? What if my manager reads this? Maybe my annual review will say my performance is unsatisfactory. My contract will not be renewed. I hear the job

¹⁶ ‘Call Letters: Mrs V.B.’ in *Maya Angelou: The Complete Poetry* (Virago, 2015) 170.

¹⁷ Alex Korb, *The Upward Spiral* (New Harbinger Publications, 1st ed, 2015) 43.



market's lousy. I can't pay my mortgage. I will be homeless! That's catastrophising!

Dr Korb does have some good news on how to overcome catastrophising:

you can't control noticing the 'alarm' in the first place, but you can reduce its negative impact. First, remind yourself of the more likely (and better) outcomes... Second, whether or not the worst-case scenario is actually likely, make a plan to deal with it...Planning your response to stressful situations can...calm the limbic system, helping you feel more in control.¹⁸

Dr Korb writes about our 'negativity bias':

our emotion circuits are more easily activated by the negative, which means that most people need to experience numerous positive events for every one negative just to come out even.¹⁹

Rupi Kaur writes eloquently of this in her poem *focusing on the negative*:

i hear a thousand kind words about me

and it makes no difference

yet i hear one insult

*and all confidence shatters*²⁰

Returning to Dr Korb:

All of this means that to be happy in our daily lives, we need a high ratio of positive to

¹⁸ Ibid.

¹⁹ Ibid 48.

²⁰ Rupi Kaur, *The Sun and Her Flowers* (Simon & Schuster, 1st ed, 2017) 67.



negative. As it turns out, after considerable study, that ratio is three to one. We need three positive comments from a friend for every negative one, three wins at work for every loss. Of course, not everyone is the same.²¹

There are a number of ways to combat catastrophising. I will mention one, which is to notice our negativity bias. That can be done by practising mindfulness.

I understand the LSB has an active health and wellbeing committee and they have already shared information on the practice of mindfulness. I encourage you to embrace it. Simply noticing your reaction and negativity bias will help bring about a calmer state of mind.²²

I do notice that I tend to catastrophise when I am tired. I try to go for a walk in the park at lunchtime. There is a growing area of literature that suggests that one of the best ways to combat mental fatigue is being in nature. It holds our attention easily.²³ I encourage you to walk outside at lunchtime— we are blessed with many gardens in the Melbourne CBD. Perhaps you can even form a walking group with colleagues.

Conclusion

In conclusion, there are many practical steps we can take to improve our wellbeing and that of others. They include the following.

- Cherish and foster supportive connections within your family and friendship circles, and with work colleagues, the wider profession and the broader community.
- Adopt a mentoring mindset and think about a mentoring relationship.
- Identify your values— ask yourself if you are working in a manner consistently with them; if not, make a plan to do so.

²¹ Korb, above n 17, 51 (citation omitted).

²² Ibid 55.

²³ William Sullivan, 'Wellbeing and Green Spaces in Cities' in Rachel Cooper, Elizabeth Burton and Cary L Cooper (eds), *Wellbeing: A Complete Reference Guide, Volume 11: Wellbeing and the Environment* (Wiley Blackwell, 2014) 421, 426; see also Richard Coles, 'Environmental Interaction and Engagement, Supporting Wellbeing': at 445.



- Consider a reflective practice such as mindfulness.
- Celebrate positive events to overcome our negativity bias.
- Take time out to walk in nature.
- Find yourself a flow activity– a creative and meaningful pursuit in which you lose a sense of time.

Be conscious that you are role models for the legal profession and the community.

I will adopt the wise words of Justice Ruth Bader Ginsburg:

Use the education you have received to help repair tears in your communities. Take part in efforts to move those communities, your nation, and our world, closer to the conditions needed to ensure the health and well-being of your generation and generations following your own.²⁴

²⁴ Ruth Bader Ginsburg, Mary Hartnett and Wendy W Williams, *My Own Words* (Simon & Schuster, 1st ed, 2016) 275.