

A qualitative examination of the experiences of defence lawyers in working with emotion in the criminal law

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Introduction

- Research in other helping professions has identified **working with emotions can lead to a risk of developing burnout and vicarious trauma.** ^{1 2}
- **Criminal lawyers experience higher rates of depression, burnout, and vicarious trauma** compared to other legal fields. ³
- **Defence lawyers work much more closely with their clients** than other criminal justice professionals. Secondly, **defence lawyers engage in emotional ‘dirty work’.** ⁴
- There is **currently limited research looking into Defence Lawyers’** experiences of working with emotions as part of their role.

Objective

Examine defence lawyers’ experiences in working with emotion to identify potential educational opportunities and inform the development of tailored interventions to support lawyers in their work:

- ❖ What are defence lawyers’ experiences of working with emotions in the criminal justice system?
- ❖ What types of emotional labour do defence lawyers engage in when working with emotions in their role?
- ❖ What factors help and hinder defence lawyers when working with emotions?

Ethical Considerations

Ethics Approval Gained from VUW Human Ethics Committee.

- ✓ **Secure Data Storage** on University server.
- ✓ **Confidentiality** through data de-identification.

Method & Analysis

Participants

- 14 Defence lawyers across New Zealand

Materials

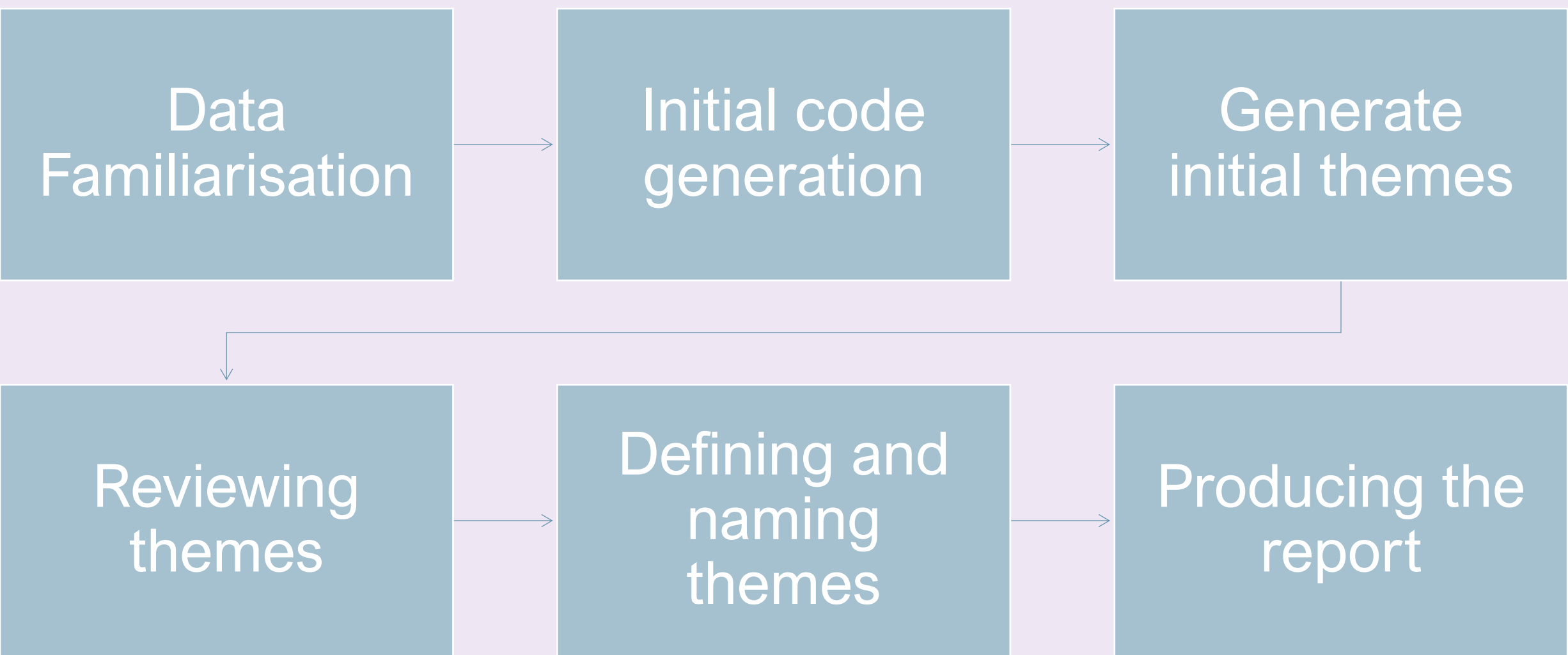
- Semi-structured interviews
- Average length 90 minutes
- Conducted face to face and via zoom, transcribed

Procedure

- Interviews transcribed and identifying information removed

Data Analysis

- Reflexive Thematic Analysis⁵
- Six phases



References

1. De Camargo, C. R. (2019). ‘You feel dirty a lot of the time’: Policing ‘dirty work’, contamination and purification rituals. *International Journal of Police Science & Management*, 21(3), 133-145. <https://doi.org/10.1177/1461355719864365>
2. Ross, C. A., & Goldner, E. M. (2009). Stigma, negative attitudes and discrimination towards mental illness within the nursing profession: a review of the literature. *Journal of psychiatric and mental health nursing*, 16(6), 558-567. <https://doi.org/10.1111/j.1365-2850.2009.01399.x>
3. Vrkleviski, L., & Franklin, J. (2008). Vicarious trauma: The impact on solicitors of exposure to traumatic material. *Traumatology*, 14(1), 106–118. <https://doi.org/10.1177/1534765607309961>
4. Flower, L. (2019). *Interactional justice: The role of emotions in the performance of loyalty*. Routledge
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Key findings

- Defence lawyers experience emotional strain resulting from working with emotional people and materials while the industry expects emotionless rationality.
- This can harm defence lawyers’ wellbeing through increasing stress and emotional hardening.
- Support systems available to defence lawyers are limited and conditional, which can leave them feeling isolated.
- Steps must be taken to implement support services for practising defence lawyers, alongside developing emotional literacy skills among legal professionals, to protect and maintain these essential professionals’ wellbeing.

QR code for Research Summary

