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DOCTORAL THESIS

Measuring Mental Health and Wellbeing of Law Students at
James Cook University

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MMed&ConfRes, Grad Cert Edu, BEc-LLB

Thesis submitted to the

College of Business, Law and Governance

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Doctor of Philosophy

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As a legal academic in Australia who has chosen to specialise in the field of conflict management and alternative dispute resolution (ADR) I am proud to be a member of the ADR Research Network (ADRRN), which is a network of Australian dispute resolution academics who engage in critical dispute resolution scholarship. As there is often only a singular or small group of ADR specialists in law schools across Australia and New Zealand, the ADRRN provides collaborative platforms and opportunities for engagement across institutions. I have enjoyed all the opportunities for discussion and peer-feedback on my research from my colleagues in the network.

I started my PhD pre-COVID-19, and had a number of challenging years navigating work, study, and global uncertainty. I want to express my deepest appreciation to my colleagues, friends, and family who have believed in me, encouraged me, and supported me with phone calls, writing retreats, food hampers, and words of reassurance. You have all played an integral role in my PhD journey.

Finally, to all the law students at James Cook University, and future university students seeking to measure and monitor their mental health and wellbeing – this PhD thesis is for you.

Personal Reflection

As a conflict management specialist with a deep-seated interest in personal development and the profound impact of individual choices on behaviour and personal wellbeing, my journey into exploring the wellbeing of law students is both professional and personal. My background, rooted in the intersection of legal education and positive psychology, has shaped my unique perspective of this topic. My worldview has been informed by both my legal training and area of specialisation in conflict management and resolution (CMR). CMR is a multidisciplinary field that draws on knowledge across psychology, law, business, behavioural studies, health and wellbeing, and ethics (to name a few contributory disciplines). Through my academic career and research, my aim is to contribute original and meaningful insights into the holistic development and mindset growth of law students, and to support resilient and thriving individuals in whatever professional endeavours they encounter after law school. This thesis integrates both my professional and personal research interests, and is grounded in my experience as a legal academic.

Abstract

While a student's level of hopeful thinking has been hypothesised as an impacting factor in student success and a sense of flourishing (or not-flourishing), to date no study has reported on law students' levels of hope at a law school in Australia. The perceived usefulness of hope as a measure of wellbeing for law students has previously been explored in studies in the United States of America. The usefulness of hope as a wellbeing measure and as a factor impacting on an individual's academic success has also been explored across numerous studies in higher education settings. This thesis reports on the hope levels of law students at a regional Australian law school. Furthermore, this thesis explores the utility of hope as a wellbeing measure and indicator of positive mental health. This thesis argues that hope (according to Snyder's Hope Theory) is a useful wellbeing measure and that increasing law students' levels of hope, can support some mitigation of psychological distress symptoms that contribute to poor mental health. An original model is proposed as a more useful measure of overall student mental health and wellbeing compared to reporting only a single continuum of illbeing measures (such as using the depression, anxiety, and stress scale: DASS21) or wellbeing measures (such as the Adult Hope Scale: AHS).

This thesis addresses a gap in scholarship in Australia by measuring and reporting on levels of law students' hope and psychological distress at a regional university. Reporting on law student wellbeing is conducted using an illbeing measure (DASS21), wellbeing measure (AHS), and a new and original model (Hope/DASS Four-Quadrant Model: the "Model") for the measuring, monitoring, and evaluation of law student mental health and wellbeing. The findings of this thesis support the use of a Complete State Model (CSM) that uses wellbeing and illbeing measures to capture a more complete picture of law student mental health, that can provide more information to students, law staff, support service staff, and university administration staff in monitoring mental health and evaluating the levels of success of wellbeing interventions.

This thesis analyses the law student wellbeing literature and development of positive psychology that has contributed to the 'wellness in the law' movement in Australia. The broader topic of university student wellbeing is explored to highlight the political and epistemological foundations that are influencing the wellness in the law movement. The results of this thesis contribute to the law student wellbeing literature by proposing a framework for understanding law student wellbeing, a definition of law student wellbeing, and proposing a Model that can further law student mental health and wellbeing data collection and analysis. The proposed Model could also be used across different disciplines or university student cohorts to support whole-of-institution and national higher education student data collection.

Research Outputs

Journal article and book chapter

Claire Holland and Donnalee Taylor, 'Hopeful perspectives: Incorporating hope theory in Australian law students' academic experience' (2018) 24 *James Cook University Law Review* 47.

Claire Holland and Donnalee Taylor, 'Hopeful perspectives: Incorporating hope theory in Australian law students' academic experience' in Judith Marychurch and Adiva Sifris (eds), *Wellness for Law: Making Wellness Core Business*, (LexisNexis, 2020) 111.

Journal article

Claire Holland, 'Psychological Distress at a Regional Australian Law School: Reporting on Law Students' Experiences of Depression, Anxiety, and Stress' (2024) 34(1) *Legal Education Review* 79.

Key Abbreviations

ABS	Australian Bureau of Statistics
ADR	Alternative Dispute Resolution
ADRRN	Australian Dispute Resolution Research Network
AHS	Adult Hope Scale
ALTC	Australian Learning and Teaching Council
AMHHEC	Australian Mental Health and Higher Education Conference
ANOVA	Analysis of Variance
ANU	Australian National University
APA	American Psychological Association
BMRI	Brain and Mind Research Institute
CMH	Complete Mental Health
CMR	Conflict Management and Resolution
CSM	Complete State Model
DASS	Depression, Anxiety, Stress Scale
DASS21	Depression, Anxiety, Stress Scale – 21 Item scale
DASS42	Depression, Anxiety, Stress Scale – 42 Item scale
DV	Dependent Variable
GPA	Grade Point Average
HAHP	High Agency / High Pathway
HALP	High Agency / Low Pathway
IBA	International Bar Association
IV	Independent Variable
JCU	James Cook University
LAHP	Low Agency / High Pathway
LALP	Low Agency / Low Pathway
LSAT	Law School Admission Test
MCF	Minds Count Foundation
NA	Negative affect
PA	Positive affect
PWBS	Psychological Wellbeing Scale
QUT	Queensland University of Technology
REI	Rational-Experiential Inventory
SDT	Self-Determination Theory
SPSS	Statistical Package for the Social Sciences
STARS	Student Transitions Achievement Retention, and Success
SWLS	Satisfaction with Life Scale
TAFE	Technical and Further Education
TDAS	Total Depression, Anxiety, Stress
THope (TH)	Total Hope
TJMF	Tristan Jepson Memorial Foundation
UQ	University Queensland
UWA	University of Western Australia
WHO	World Health Organisation
WEIRD	Western, Educated, Industrialised, Rich, and Democratic

Notes for Examiners

Terminology that is used in this thesis and rationale for the choice include:

1. The term **university** is used to denote a higher education institution. University is the popular term used in Australia and the UK, and college is a popular term used in the US. Outside of direct quotes, where primary research refers to 'college students' this thesis uses the term 'university students.'
2. References to **positive mental health** and **subjective wellbeing** are often used interchangeably by wellbeing researchers.¹ As such, this thesis will not make any distinction between these two terms.
3. **Illbeing** is used to refer to negative mental health.
4. The term 'psychological distress' is distinct from 'mental health' and 'mental illness' in that **psychological distress** refers to non-specific symptoms of depression, anxiety, and stress, whereas **mental health** can refer to an individual's state of mental and emotional wellbeing (both positive and negative).² **Mental illness** on the other hand refers to specific diagnosable disorders, which can also be referred to as mental health conditions.³
5. **Pedagogy** refers to methods used to teach children and the perspective of a teacher's main role in childhood education.⁴ **Andragogy** refers to adult learning methodologies within an adult learning environment.⁵ Although higher education literature in Australia often refers to pedagogy in relation to teaching and learning strategies and curriculum interventions at the university level, this thesis will use the term andragogy.

¹ Corey Keyes and Shane Lopez, 'Toward a Science of Mental Health' in Charles Snyder and Shane Lopez (eds), *Handbook of Positive Psychology* (Oxford University Press, 2005) 45, 48. Corey Keyes, 'Toward a Science of Mental Health' in Charles Snyder and Shane Lopez (eds), *Handbook of Positive Psychology* (Oxford University Press, 2011) 89.

² Corey Keyes, 'Mental Illness and/or Mental Health? Investigating Axioms of the Complete State Model of Health' (2005) 73(3) *Journal of Consulting and Clinical Psychology* 539.

³ Taylor Counselling Group, 'Mental Health vs. Mental Illness: The Difference and Why It Matters', (Blog, 18 June 2021) <<https://taylorcounselinggroup.com/blog/mental-health-vs-mental-illness/>>.

⁴ Svein Loeng, 'Pedagogy and Andragogy in Comparison – Conceptions and Perspectives' (2023) 29(2) *Studies in Adult Education and Learning* 1.

⁵ Ibid.

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Chapter 1: Introduction

The aim of this thesis is to explore the wellbeing measure of hope and illbeing measures of depression, anxiety, and stress; the relationship between the two measures; and, the development of an original mental health model for measuring law student wellbeing in Australia. This thesis is unique and makes an original contribution to the literature because no study to date has explored the relationship between these two separate continuums in the context of mental health and law students at an Australian university. Over the last 15 years, the topic of wellbeing in higher education has attracted significant attention in Australia.⁶ A large volume of research on student wellbeing, and the complexities surrounding the mental health issues of university students, has resulted from multi-institutional projects and nuanced interdisciplinary views across healthcare, mental health studies, neuroscience, psychology, student success, and student wellbeing.⁷ Mental health and wellbeing research focusing on Australian universities has informed policy developments and strategies to address the mental health concerns and psychological stressors facing students.⁸ Some disciplines have attracted specific research focus, such as medicine⁹ and law.¹⁰ This thesis topic focuses on the attention taken by law schools to understand the mental health and

⁶ Tracii Ryan, Samantha Marangell and Chi Baik, 'Examining Mental Health and Wellbeing Policies in Australian Universities' in Kathryn Coleman et al (eds), *The Educational Turn: Rethinking the Scholarship of Teaching and Learning in Higher Education* (Springer Nature Singapore, 2023) 183.

⁷ See, eg, Chi Baik, Wendy Larcombe and Abi Brooker, 'How Universities Can Enhance Student Mental Wellbeing: The Student Perspective' (2019) 38(4) *Higher Education Research & Development* 674; Chi Baik et al, 'Enhancing Student Mental Wellbeing: A Handbook for Academic Educators' (Report, November 2017) <https://unistudentwellbeing.edu.au/wp-content/uploads/2016/11/MCSHE-Student-Wellbeing-Framework_FINAL.pdf>; Abi Brooker, Meredith McKague and Lisa Phillips, 'Implementing a Whole-of-Curriculum Approach to Student Wellbeing' (2019) 10(3) *Student Success* 55. See also, Ryan, Marangell and Baik (n 6); Colin James et al, 'Student Wellbeing through Teacher Wellbeing: A Study with Law Teachers in the UK and Australia' (2019) 10(3) *Student Success* 76; Kathryn Coleman et al (eds), *The Educational Turn: Rethinking the Scholarship of Teaching and Learning in Higher Education* (Springer Singapore, 2023); Abraham Francis and Margaret Carter (eds), *Mental Health and Higher Education in Australia* (Springer, 2022).

⁸ Chi Baik et al, 'A Framework for Promoting Student Mental Wellbeing in Universities' (Report, Enhancing Student Wellbeing Project, November 2016) <https://unistudentwellbeing.edu.au/wp-content/uploads/2016/11/MCSHE-Student-Wellbeing-Framework_FINAL.pdf>; Orygen, 'Australian University Mental Health Framework' (Report, The National Centre of Excellence in Youth Mental Health, 2020) <<https://www.orygen.org.au/Orygen-Institute/University-Mental-Health-Framework>>.

⁹ See, eg, Sandra Kemp et al, 'Medical Student Wellbeing – A Consensus Statement from Australia and New Zealand' (2019) 19 *BMC Medical Education* 1; Hannah Sloan and Danielle Clayman, 'Just What the Doctor Ordered': Promoting Wellbeing with Medical Students' (2018) 26(1) *Journal of the Australian and New Zealand Student Services Association* 51; Christine Byrnes et al, 'Medical Student Perceptions of Curricular Influences on Their Wellbeing: A Qualitative Study' (2020) 20 *BMC Medical Education* 1; Katrina Witt et al, 'Effectiveness of Universal Programmes for the Prevention of Suicidal Ideation, Behaviour and Mental Ill Health in Medical Students: A Systematic Review and Meta-Analysis' (2019) 22(2) *BMJ Mental Health* 84.

¹⁰ See, eg, Molly O'Brien, Stephen Tang and Kath Hall, 'Changing Our Thinking: Empirical Research on Law Student Wellbeing, Thinking Styles and the Law Curriculum' (2011) 21(1) *Legal Education Review* 149; Wendy Larcombe

wellbeing of law students. Although simply being a university student has been shown to elevate levels of psychological distress beyond community norms,¹¹ there are particular stressors that may uniquely impact upon student wellbeing that exist for students studying a law degree in regional Australia.¹²

Part I of this introductory chapter provides an overview of the thesis context, which is focused on law student wellbeing in Australia. Part II introduces the theoretical framework of hope theory and provides a brief background of hope theory being used in law school student wellbeing research and law school curriculum design. Part III highlights the research gaps in the literature and Part IV outlines the thesis objectives. Part V presents the overarching research questions and sub-questions that will be answered and Part VI provides a brief summary of the research methodologies utilised in this thesis. Part VII outlines the chapters in this thesis and provides a general overview of the content of each chapter.

I Spotlight on Law Student Wellbeing

There is a clear agenda for a national approach to university student wellbeing and mental health.¹³ While there are suggestions for policies, strategies, and committed resources to support student wellbeing, there is no national strategy for measuring student wellbeing. In fact, there is little uniformity across universities in how wellbeing and illbeing of students is measured. This thesis proposes a novel approach to measuring wellbeing and provides a model that can be incorporated into more holistic complex measures of overall student mental health and institutional wellbeing. Significant contributions to the national student wellbeing conversation and history of the focus on law student wellbeing will be discussed in Chapter 2: *Student Wellbeing and Mental Health at University and Law School*. This next section briefly outlines the context for the research questions that this thesis will explore.

and Katherine Fethers, 'Schooling the Blues? Investigation of Factors Associated with Psychological Distress among Law Students' (2013) 36(2) *University of New South Wales Law Journal*, The 390; Nigel Duncan, Caroline Strevens and Rachael Field, 'Resilience and Student Wellbeing in Higher Education: A Theoretical Basis for Establishing Law School Responsibilities for Helping our Students to Thrive' (2020) 1(1) *European Journal of Legal Education* 83.

¹¹ Wendy Larcombe, Sue Finch and Rachel Sore, 'Who's Distressed?: Not Only Law Students: Psychological Distress Levels in University Students across Diverse Fields of Study' (2015) 37(2) *The Sydney Law Review*, 243.

¹² Larcombe and Fethers (n 10); Hazel Ferguson, 'Regional and Remote Higher Education: A Quick Guide', *Parliament of Australia* (Parliamentary Guide, April 2022). Ferguson states JCU is based in regional Australia. JCU Law School operates across two JCU campuses in Australia, Townsville and Cairns. Townsville and Cairns are both considered 'Outer Regional Australia' according to the Australian Bureau of Statistics Remoteness Classification, Australian Bureau of Statistics, 'Australian Statistical Geography Standard (ASGS) Edition 3' (Remoteness Structure, March 2023) <<https://www.abs.gov.au/statistics/standards/australian-statistical-geography-standard-asgs-edition-3/jul2021-jun2026/remoteness-structure>>.

¹³ See, eg, Baik et al (n 8); Orygen (n 8)

Legal education in Australia is constantly evolving to meet the needs of law students and to prepare many of them for roles in the legal profession. Examples include changes to law degree structures, optional elective units, and subjects aimed at preparing law students to be 'workplace ready'.¹⁴ Through the design and implementation of the law school curriculum, law students face challenging academic requirements and a law school culture that can result in greater levels of psychological distress compared to the general population.¹⁵ Factors that may contribute to law student psychological distress are discussed further in Chapter 2, B. *Factors Affecting Law Student Wellbeing*. Although concerns for the negative impact of law school on law student wellbeing has been researched in the US from the 1950s,¹⁶ empirical research on the topic only began in Australia in 2009. The issue was brought to the forefront in Australia with the publication of the 2009 Brain and Mind Research Institute (BMRI) Report titled *Courting the Blues: Attitudes Towards Depression in Australian Law Students and Legal Practitioners*.¹⁷ This seminal report was instrumental in raising awareness about the widespread mental health challenges, as well as the prevalence of mental illness in law students and the legal profession.¹⁸ Since the BMRI report, promoting law student wellbeing and responding to high levels of psychological distress in law students has been a

¹⁴ Rachael Field, 'Harnessing the Law Curriculum to Promote Law Student Well-Being, Particularly in the First Year of Legal Education', *Promoting Law Student and Lawyer Well-Being in Australia and Beyond* (Routledge, 2016) 181; Rachael Field, 'Promoting Law Student Well-Being through the Curriculum: Stimulating Strategic Change in Legal Education to Address High Levels of Psychological Distress in Law Students' (Report, 2014) <https://eprints.qut.edu.au/75519/1/Field_R_NTF_report_2014_.pdf>.

¹⁵ General population here is referring to non-university student population. Wendy Larcombe et al, 'Does an Improved Experience of Law School Protect Students against Depression, Anxiety and Stress?: An Empirical Study of Wellbeing and the Law School Experience of LLB and JD Students' (2013) 35(2) *The Sydney Law Review*, 407; Rachael Field and Sally Kift, 'Addressing the High Levels of Psychological Distress in Law Students through Intentional Assessment and Feedback Design in the First Year Law Curriculum' (2010) 1(1) *Student Success* 65.

¹⁶ Examples of early US scholarship include, Leonard Eron and Robert Redmount, 'The Effect of Legal Education on Attitudes' (1956) 9(4) *Journal of Legal Education* 431; Andrew Watson, 'The Quest for Professional Competence: Psychological Aspects of Legal Education' (1968) 37 *University of Cincinnati Law Review* 91; Lawrence Silver, 'Anxiety and the First Semester of Law School' (1968) *Wisconsin Law Review* 1201.

¹⁷ Norm Kelk, *Courting the Blues: Attitudes Towards Depression in Australian Law Students and Lawyers* (Brain & Mind Research Institute, 2009).

¹⁸ The BMRI Report has also ignited research interest in university student wellbeing more generally, not just law students. For example, Larcombe et al conducted a wellbeing study across multiple faculties at the University of Melbourne and found that simply being a university student was a factor that contributed to individuals experiencing higher levels of psychological distress compared to the general population (non-university students), see Larcombe, Finch and Sore (n 11). Although in a comparative study of psychological distress across law and psychology students at the University of Western Australia, law students were found to experience greater levels of anxiety and depression compared to psychology students, Natalie Skead and Shane Rogers, 'Do Law Students Stand Apart from Other University Students in Their Quest for Mental Health: A Comparative Study on Wellbeing and Associated Behaviours in Law and Psychology Students' (2015) 42 *International Journal of Law and Psychiatry* 81.

key area of focus for some concerned academics in Australian law schools.¹⁹ The use of self-report survey instruments to measure individual student's experience of wellbeing or illbeing are often utilised to report on the current state of student mental health, and the results are applied to inform interventions and strategies. This thesis explores existing law student wellbeing studies in Australia and conducts a unique and original empirical study that investigates levels of depression, anxiety, and stress (DASS), using the DASS21 survey instrument, and hope, using the Adult Hope Scale (AHS) in law students at a regional Australian university, James Cook University. This thesis also develops an original model for the analysis of these results (the Hope/DASS Four-Quadrant Model, discussed in Chapter 5), and provides examples of where this model can be used in practice to further the 'Wellness in the Law' movement (discussed in Chapter 10). This original model and unique perspective on analysing law student wellbeing provides a new contribution to the scholarship of positive psychology and student wellbeing and mental health. The results of the thesis have significance for the ongoing reporting and analysis of law student wellbeing, as well as applications in other university disciplines, and provides a springboard for future research.

II Hope Theory and Law Student Wellbeing

Hope theory is the overarching theoretical framework used in this thesis. Hope theory is a sub-discipline of positive psychology. Positive psychology offers a framework to examine human strengths, including personal traits.²⁰ Growing scientific interest in positive psychology and higher education has furthered scholarship in understanding psychological perspectives on students' academic achievements and overall wellbeing while at university, informing strengths-based education initiatives.²¹ American psychologist Charles 'Rick' Snyder (1944 – 2006) developed hope theory and has produced a definition of hope that is the most commonly used definition in positive psychology scholarship on hope.²² According to Snyder,

¹⁹ Field, 'Harnessing the Law Curriculum to Promote Law Student Well-Being, Particularly in the First Year of Legal Education' (n 14); Rachael Field, James Duffy and Colin James, *Promoting Law Student and Lawyer Well-Being in Australia and Beyond* (Routledge, 2016); Council of Australian Law Deans (CALD), 'Promoting Law Student Well-Being: Good Practice Guidelines of Law Schools' (Guidelines, March 2013) <<https://cald.asn.au/wp-content/uploads/2023/11/Promoting-Law-Student-Well-Being-Good-Practice-Guidelines-for-Law-Schools.pdf>>.

²⁰ Charles Snyder et al, *The Oxford Handbook of Positive Psychology* (Oxford University Press, 2020).

²¹ Brandon Browning et al, 'Character Strengths and First-Year College Students' Academic Persistence Attitudes: An Integrative Model' (2018) 46(5) *The Counseling Psychologist* 608; Linda Bressler, Mark Bressler and Martin Bressler, 'The Role and Relationship of Hope, Optimism and Goal Setting in Achieving Academic Success: A Study of Students Enrolled in Online Accounting Courses' (2010) 14(4) *Academy of Educational Leadership Journal* 37; Wendy Larcombe, Chi Baik and Abi Brooker, 'Teaching with Student Wellbeing in Mind: A New Initiative to Support the Mental Health of University Students' Students, Transitions, Achievement, Retention & Success (STARS) Conference.

²² Charles Snyder, *The Psychology of Hope: You Can Get There from Here* (Simon and Schuster, 1994); Matthew Gallagher and Shane Lopez, *The Oxford Handbook of Hope* (Oxford University Press, 2018).

hope is a cognitive process that includes *goal setting*, *agency thinking* (motivation to achieve goals) and *pathway thinking* (visualising pathways to achieve goals).²³ These three concepts are described further in Chapter 4, along with the measure of hope designed by Snyder, the Adult Hope Scale (AHS).²⁴ Snyder developed hope theory based on his work in motivational theories and cognition, and developed an instrument to empirically measure levels of individuals' hope.²⁵ Hope theory can be viewed as a framework to support the measurement and understanding of subjective wellbeing. Positive psychology, subjective wellbeing, and hope theory will be further explored in Chapter 3 and Chapter 4. In essence, positive psychology and hope theory offer an important framework for law academics. These approaches focus on equipping law students with skills and strengths that can help build resilience to psychological distress. Hope theory can be harnessed to empower students by promoting positive functioning and supporting students to bounce back from challenges, suffering, and unhappiness.²⁶ By contrast, traditional psychology focuses on psychological deficits and weaknesses, such as levels of depression, anxiety, and stress, and is primarily concerned with fixing problems, not building psychological strengths.²⁷

Hope theory has been used to analyse law student wellbeing, academic performance, and as a framework for developing the legal curriculum. This has occurred in two research studies in the USA and one theoretical paper in Australia, which will be briefly examined as the inspiration for the current thesis and research questions. US academics Allison Martin and Kevin Rand, authors of the 2010 article *The Future's So Bright, I Gotta Wear Shades: Law School through the Lens of Hope*, posited that hope is not only a

²³ Charles Snyder et al, 'The Will and the Ways: Development and Validation of an Individual-Differences Measure of Hope' (1991) 60(4) *Journal of Personality and Social Psychology* 570.

²⁴ Matthew Gallagher et al, 'Hope' in Matthew Gallagher and Shane Lopez (eds), *Positive Psychological Assessment: A Handbook of Models and Measures* (American Psychological Association, 2019) 77; Charles Snyder, 'Hope Theory: Rainbows in the Mind' (2002) 13(4) *Psychological Inquiry* 249; Snyder (n 22); Snyder et al (n 23).

²⁵ Snyder (n 22); Snyder et al (n 23).

²⁶ Charles Snyder et al, 'Hope and Academic Success in College' (2002) 94(4) *Journal of Educational Psychology* 820; Patrick Barlow, 'The Measurement of Optimism and Hope in Relation to College Student Retention and Academic Success' (PhD Thesis, Iowa State University, 2002); David Feldman and Maximilian Kubota, 'Hope, Self-Efficacy, Optimism, and Academic Achievement: Distinguishing Constructs and Levels of Specificity in Predicting College Grade-Point Average' (2015) 37 *Learning and Individual Differences* 210; Matthew Gallagher, Susana Marques and Shane Lopez, 'Hope and the Academic Trajectory of College Students' (2017) 18(2) *Journal of Happiness Studies* 341; Shane Lopez, 'Making Hope Happen in the Classroom: Hopeful Students Are More Successful in School, and Educators Can Employ Strategies to Boost Hopefulness in Their Students' 95(2) *Phi Delta Kappan* 19; Anthony Onwuegbuzie and Charles Snyder, 'Relations between Hope and Graduate Students' Coping Strategies for Studying and Examination-Taking' (2000) 86(3) *Psychological Reports* 803.

²⁷ Shane Lopez et al, 'Striking a Vital Balance: Developing a Complementary Focus on Human Weakness and Strength' in Matthew Gallagher and Shane Lopez (eds), *Positive Psychological Assessment: A Handbook of Models and Measures* (American Psychological Association, 2nd ed, 2019) 11.

predictor of academic achievement but also a fundamental factor influencing psychological wellbeing.²⁸ Martin and Rand suggested that fostering hope should be a primary objective for legal educators, emphasising the significance of engendering a sense of hope for students' future roles in the legal profession (or beyond).²⁹ By emphasising hope and empowerment, educators can help students develop the tools they need to thrive both academically and personally.³⁰ In a 2007 study, Rand, Martin, and Shea surveyed entering first year law students at the Indiana School of Law, in Indianapolis, USA.³¹ The authors administered the AHS questionnaire (Snyder's tool to empirically measure hope), the Life Orientation Test (that measures trait optimism) and the Satisfaction with Life Scale to eighty-six first semester law students and compared the results with the same students end of semester academic results.³² They found that students' levels of hope were a greater predictor of academic success compared to the effects of previous academic achievement and ability (indicated by undergraduate grade point average (GPA) and law school admission test (LSAT) scores).³³ Rand, Martin, and Shea also found, surprisingly, that optimism levels had no significant relationship to the academic performance of students, but hope did.³⁴ Rand, Martin, and Shea also reported that students who had greater levels of hope and optimism at the start of the semester had greater life satisfaction at the end of the semester.³⁵ While their study did not clarify which aspects of hope or optimism had a greater impact on the law students' overall wellbeing, these results did show that hope is an influencing factor in academic achievement, and that hope and optimism are impacting factors that influence wellbeing.

Rebecca Cochran picked up on Martin and Rand's assessment of hope and its importance for law school success, and considered hope as a mindset variable for US bar exam success.³⁶ In a 2010 article *Hope, Again: Hope Theory in Bar Exam Preparation*, Cochran draws on Martin and Rand's principles for

²⁸ Allison Martin and Kevin Rand, 'The Future's So Bright, I Gotta Wear Shades: Law School through the Lens of Hope' (2010) 48(2) *Duquesne Law Review* 203.

²⁹ Ibid 221.

³⁰ Vasiliki Yotsidi et al, 'The Role of Hope in Academic and Work Environments: An Integrative Literature Review' (2018) 9(3) *Psychology* 385.

³¹ Kevin Rand, Allison Martin and Amanda Shea, 'Hope, but Not Optimism, Predicts Academic Performance of Law Students Beyond Previous Academic Achievement' (2011) 45(6) *Journal of Research in Personality* 683.

³² Ibid 684.

³³ Ibid 685.

³⁴ Ibid.

³⁵ Ibid.

³⁶ Martin and Rand (n 28); Rebecca Cochran, 'Hope, Again: Hope Theory in Bar Exam Preparation' (2010) 48(2) *Duquesne Law review* 513. Cochran describes strategies to engender hope in final year law students and 'refurbish hope' in law graduates undertaking the bar exam preparation in the United States of America, highlighting 'as students prepare to leave law school, hope often needs renewal, goals need rephrasing, and potential graduates may need an extreme mental make over' 513.

engendering hope in law students and describes how the law faculty can support students in their preparation for the bar exam based on the principles of hope theory.³⁷ While an analysis of the hope theory literature and application to final year law students and bar preparation students was conducted, Cochran did not report on any empirical findings of students' hope levels. There is currently a lack of empirical data relating to law students' levels of hope in the law student wellbeing literature, and this thesis aims to address this gap.

Across the literature it has been acknowledged that law schools face the challenge of devising innovative solutions to addressing the issue of law student psychological distress.³⁸ Martin and Rand believe, and Cochran agrees, that hope theory can provide a framework for strengths-based education initiatives.³⁹ The connections between positive psychology, hope, and law student wellbeing drawn by scholars in the US have influenced the thinking of Australian scholars and highlighted potential connections between positive psychology, hope, and law student wellbeing in Australia.

In 2012, Australian academics Field and Duffy wrote an article *Law Student Psychological Distress, ADR and Sweet-Minded, Sweet-Eyed Hope*.⁴⁰ Field and Duffy posited that the positive psychology framework of hope could support the goal of law schools producing law graduates who are 'happy, healthy and competent professionals (in law or otherwise)'.⁴¹ Field and Duffy used hope theory as a strengths-based framework but not as a measurement tool for students' levels of hope. Referencing Martin and Rand, Field and Duffy reiterate that students with high hope are more likely to,

...achieve better academic results; engage more effectively with their learning; use engaged, proactive coping strategies, rather than disengaged coping strategies (such as the use of drugs or alcohol); remain focussed on their goals; not engage in self-deprecatory thinking and counterproductive negative emotions; break down goals into smaller, sequential achievable steps; be highly motivated; engage in positive self-talk such as 'I can do this!' and 'Keep going!'⁴²

³⁷ Cochran (n 36).

³⁸ Todd Peterson and Elizabeth Peterson, 'Stemming the Tide of Law Student Depression: What Law Schools Need to Learn from the Science of Positive Psychology' (2009) 9(2) *Yale Journal of Health Policy, Law, and Ethics* 357.

³⁹ Martin and Rand (n 28); Cochran (n 36).

⁴⁰ Rachael Field and James Duffy, 'Law Student Psychological Distress, ADR and Sweet-Minded, Sweet-Eyed Hope' (2012) 23(3) *Australasian Dispute Resolution Journal* 195.

⁴¹ *Ibid* 6.

⁴² Martin and Rand (n 28) 215; Rachael Field and James Duffy, 'Harnessing the Power of Hope: Happier Law Students to Grow a Healthier Profession' (2012) 32(6) *Proctor* 53, 3.

Field and Duffy further state the qualities of a high hope individual include psychological strengths such as having high self-esteem, good problem-solving abilities, perceptions of control, experiencing better mental health, higher pain tolerance, better recovery from illness and injury, better social competence and social awareness.⁴³ Field and Duffy describe the design and delivery at Queensland University of Technology of a first year law subject *LWB150: Lawyering and Dispute Resolution* employing a hope theory framework.⁴⁴ Field and Duffy support the idea of 'measuring law students' levels of hope' as defined by Snyder's cognitive model of hope theory, involving goal setting, agency thinking, and pathway thinking.⁴⁵ It can also be argued that being aware of student hope as a factor that contributes to student wellbeing is an important consideration for universities when designing curriculum and creating support strategies to meet law students' needs.⁴⁶ Reviews of the Australian law student experience have linked resilience,⁴⁷ wellbeing,⁴⁸ and academic success⁴⁹ with students' levels of hope. This literature provides support for the fact that high hope students have been found to have a more constructive student experience and being a high hope individual can positively impact on a students' academic success. Hope theory literature also emphasises the importance of individual hope and the benefits of being a high hope individual across all life domains.⁵⁰ Further to academic success, the students' levels of hope can also contribute to their attainment of educational goals and their ability to see multiple pathways for employment and career development post-graduation.⁵¹

Research indicates that improving students' overall wellbeing and providing them with tools to build resilience are necessary steps in supporting them to achieve positive results through their studies and to realise their career path goals.⁵² A US based study indicated that levels of hope can be related to academic and career development outcomes for university students,⁵³ and a Swiss based study found that hope is

⁴³ Field and Duffy (n 40).

⁴⁴ Ibid.

⁴⁵ Field and Duffy (n 40); Field and Duffy (n 42); Snyder (n 22).

⁴⁶ Snyder et al (n 26). Rand, Martin and Shea (n 31).

⁴⁷ Penelope Watson and Rachael Field, 'Promoting Student Wellbeing and Resilience at Law School' in Sally Kift et al (eds), *Excellence and Innovation in Legal Education* (LexisNexis Butterworths, 2011) 389.

⁴⁸ Rachael Field, James Duffy and Anna Huggins, 'Supporting Transition to Law School and Student Well-Being: The Role of Professional Legal Identity' (2013) 4(2) *The International Journal of the First Year in Higher Education* 15.

⁴⁹ Field and Duffy (n 40). Rachael Field and James Duffy, 'Better to Light a Single Candle Than to Curse the Darkness: Promoting Law Student Well-Being through a First Year Law Subject' (2012) 12(1) *Queensland University of Technology Law and Justice Journal* 133.

⁵⁰ Snyder (n 24).

⁵¹ Snyder et al (n 26).

⁵² Yoonhee Sung, Sherri Turner and Marid Kaewchinda, 'Career Development Skills, Outcomes, and Hope among College Students' (2013) 40(2) *Journal of Career Development* 127. Field and Duffy (n 42).

⁵³ Sung, Turner and Kaewchinda (n 52) 128.

an influencing factor in the development of job-related competencies.⁵⁴ It has also been found that high hope individuals consistently perform better across a range of contexts, including academically, psychologically and physically, compared to low hope individuals,⁵⁵ and that hope correlates reliably with higher GPAs for university students.⁵⁶ A common theme in the research is that a high hope student would likely experience increased feelings of wellbeing and greater resilience due to an increased capacity to visualise goals and think about processes to attain their goals. In comparison, a low hope student may be more likely to experience feelings such as being overwhelmed, powerless to attain goals, and generally less positive about options available to them. Therefore, supporting students' hope is an important consideration for universities who are in a position to directly influence and support hopeful thinking and student wellbeing.

III Gap in the Literature

Empirical research has been conducted over the years to measure the psychological distress and psychological wellbeing levels of law students in Australia.⁵⁷ These key studies surveying law student populations at different Australian universities have all adopted different research methodologies and research design (discussed further in Chapter 7). There is clearly no uniform measures or current national approach to scholarship on law student wellbeing. To date, no study in Australia has reported on the levels of hope in law students. Hope has been theorised in previous research as a useful indicator of wellbeing and used as a theoretical framework through which to design law school curriculum. However, this thesis goes further than previous research and addresses the gap in the literature as the first study to report law students' levels of hope and further exploring if a relationship exists between students' levels of hope and levels of depression, anxiety, and stress. Common measures of psychological distress can include measuring students' self-reported perceptions of experiencing depression, anxiety and stress symptoms.⁵⁸ A reliable survey instrument, the DASS21, has been developed to measure individuals' experience of depression, anxiety, and stress symptoms.⁵⁹ Since 2009, complete DASS results have been reported at

⁵⁴ Christian Wandeler and Matthew Bundick, 'Hope and Self-Determination of Young Adults in the Workplace' (2011) 6(5) *The Journal of Positive Psychology* 341.

⁵⁵ Snyder (n 24) 258.

⁵⁶ Ibid.

⁵⁷ O'Brien, Tang and Hall (n 10); Larcombe and Fethers (n 10); Larcombe, Finch and Sore (n 11); Becky Batagol et al, 'A Missing Piece of the Puzzle? The Relationship between Empathy and Mental Health for Law Students' in Judith Marychurch and Adiva Sifris (eds), *Wellness for Law: Making Wellness Core Business* (LexisNexis Butterworths, 2020) 99.

⁵⁸ Sydney Lovibond and Peter Lovibond, *Manual for the Depression Anxiety Stress Scales* (Psychology Foundation of Australia, 1995).

⁵⁹ Ibid.

three universities in Australia (Australian National University, University of Melbourne, and Monash University).⁶⁰ No complete DASS survey results have been published from a university in Queensland.⁶¹ Furthermore, no study has combined the psychological wellbeing measure of hope and the psychological illbeing measure of DASS in a holistic model of student mental health. This study makes an original contribution to the literature and to the ongoing scholarly conversation about 'Wellness in the Law' in Australia. James Cook University was selected as the study site for the additional qualities of being a regional university where law is taught across two campuses, allowing for additional points of comparison for the survey data.

This research is important because despite the spotlight on law student psychological distress since the BMRI report in 2009, and increased focus on developing interventions, support services, and changes to law school curriculum to reduce law student psychological distress, evidence suggests (and the results of this thesis confirm) that the levels of psychological distress experienced by law students are still well above community norms.⁶² Therefore, policy approaches, support services, and curriculum interventions that focus solely on lowering levels of depression, anxiety, and stress may not be effective.

IV Thesis Objectives

This thesis will explore if a relationship between hopeful thinking (which includes *agency* and *pathway* thinking) and levels of depression, anxiety, and stress exists. The relationship between these psychological constructs will also be considered through a new and original model developed as part of this thesis (named the Hope/DASS Four-Quadrant Model) that combines both measures, adding to the literature on the 'Complete State Model' (CSM) of mental health.⁶³ It is hypothesised that through exploring the relationship between hope, DASS, and complete mental health, the findings of this thesis may support improved monitoring and evaluation of student mental health and wellbeing, as well as contribute to the

⁶⁰ O'Brien, Tang and Hall (n 10); Larcombe and Fethers (n 10); Larcombe, Finch and Sore (n 11); Batagol et al (n 57).

⁶¹ Research was conducted at three Queensland law schools using the DASS21 depression and anxiety sub-scales only as part of a larger study, however the mean results and breakdown of the data to allow for comparative analysis were not published: Adele Bergin and Kenneth Pakenham, 'Law Student Stress: Relationships between Academic Demands, Social Isolation, Career Pressure, Study/Life Imbalance and Adjustment Outcomes in Law Students' (2015) 22(3) *Psychiatry, Psychology and Law* 388.

⁶² Batagol et al (n 57); Larcombe, Finch and Sore (n 11). See also *Chapter 7: Reporting on Law Students' Experience of Depression, Anxiety, and Stress*.

⁶³ Corey Keyes and Chris Martin, 'The Complete State Model of Mental Health' in Mike Slade, Lindsay Oades and Aaron Jarden (eds), *Wellbeing, Recovery and Mental Health* (Cambridge University Press, 2017) 86; Corey Keyes and Barret Michalec, 'Viewing Mental Health from the Complete State Paradigm', *A Handbook for the Study of Mental Health: Social Contexts, Theories, and Systems* (Cambridge University Press, 2010) 125; Corey Keyes, 'The Mental Health Continuum: From Languishing to Flourishing in Life' (2002) 43(2) *Journal of Health and Social Behavior* 207.

development of targeted interventions that focus on building hopeful thinking as an approach to address law student wellbeing.

Therefore, the objectives of this thesis are to:

1. Investigate the relationship between hopeful thinking and psychological distress symptoms.
2. To determine if a relationship exists between the psychological constructs of agency thinking, pathway thinking, depression, anxiety, and stress.
3. Investigate the mental health of law students at JCU by conducting empirical surveys.
4. Design a new model for the monitoring and analysis of law student mental health, (the Hope/DASS Four-Quadrant Model)
5. Determine useful directions for future interventions, support services, changes to the curriculum, and research based on hope theory framework and Hope/DASS Four-Quadrant Model analysis.

V Research Questions

To achieve the objectives of this thesis, three overarching research questions (RQ) are proposed:

(RQ1) What are the advantages of measuring mental health across two continua using the psychological constructs of Hope and DASS?

To answer RQ1, this thesis proposes an original model, the Hope/DASS Four-Quadrant Model (Chapter 5), as a new approach to analysing law student wellbeing. To help determine if there is any advantage to using the proposed new model, a second overarching research question is:

(RQ2) What are the levels of mental health among law students at JCU, as measured by the psychological wellbeing measure of Hope and psychological illbeing measure of DASS?

Reporting on the results of the DASS21 and AHS surveys will provide data that can be compared to the analysis using the Hope/DASS Four-Quadrant Model. Comparative analysis can determine if any advantages exist in using this model, as opposed to using the independent results of the two survey instruments. The following specific research sub-questions will help answer RQ2:

(Sub-Q 2.1) What are the levels of depression, anxiety, and stress in law students at JCU?

The DASS21 includes three sub-scales, providing results for students' experience of depression, anxiety, and stress symptoms. The results across all three scales can be reported and compared to variable factors.

(Sub-Q 2.2) What are the levels of hope, agency thinking and pathway thinking in law students at JCU?

The AHS survey instrument includes two sub-scale measures of agency thinking and pathway thinking. Therefore, the results of the AHS survey instrument can include comparisons across total hope results, agency results, and pathway results.

Research into psychological distress often considers variables that may impact results for different groups, such as gender or age (discussed further in Chapter 7). Wellness for law literature also highlights key variables, such as first year experience and the development of psychological distress in the first year of law school, and exposure to curriculum that supports the development of positive professional identities (discussed further in Chapter 8). To answer RQ2 and to inform RQ1, the impact of variables including the type of degree being studied, campus location, time spent at law school, gender and age the following sub-research questions are also explored in this thesis:

(Sub-Q 2.3) Is there a difference in depression, anxiety, stress, hope, agency, or pathway results between students studying a law degree and a combined law degree?

(Sub-Q 2.4) Is there a difference in depression, anxiety, stress, hope, agency, or pathway results between students studying on the Townsville or Cairns campus of JCU?

(Sub-Q 2.5) Is there a difference in depression, anxiety, stress, hope, agency, or pathway results between students in years 1-2 of study and years 3-5 of study?

(Sub-Q 2.6) Is there a difference in depression, anxiety, stress, hope, agency, or pathway results between female and male students?

(Sub-Q 2.7) Is there a difference in depression, anxiety, stress, hope, agency, or pathway results across age groups?

A final overarching research question that this thesis will answer is:

(RQ3) What difference does exposure to hope-based curriculum and positive professional identities make to JCU students' levels of Hope and DASS?

Field and Duffy were the first Australian academics to suggest hope theory as a strengths-based education approach to teaching non-adversarial lawyering practices (i.e. therapeutic jurisprudence, restorative justice, preventative law, ADR theories and processes) and developing students' positive professional

identities.⁶⁴ As a strengths-based education initiative, Field developed a first-year dispute resolution subject *LWB150 Lawyering and Dispute Resolution* as part of her ALTC Fellowship. Field and Duffy piloted the subject at the Queensland University of Technology Law School (QUT) in 2011. The design of the subject was based on Field's ALTC Fellowship research, and grounded in principles of positive psychology and hope theory.

Field and Duffy state that if students are exposed to an alternative conception of lawyering which is distinct from the adversarial paradigm, they may develop richer and fuller conceptions of the lawyering role.⁶⁵ They suggest that this exposure is more likely to result in students developing a positive professional identity, stating, 'it is our argument that law students who struggle to develop a *positive* professional identity are likely to experience declines in their psychological well-being.'⁶⁶ Field and Duffy hypothesise that introducing students to alternative dispute resolution, non-adversarial justice, and the positive role of lawyers in society may 'go some way' to increasing law students' wellbeing.⁶⁷ Field and Duffy suggest that synergies exist between the teaching of ADR and the improvement of psychological wellbeing among law students, and this is backed by empirical evidence in Australia and overseas.⁶⁸

In 2019 at JCU, two subjects were offered that covered topics described by Field and Duffy. One subject, *LA1107 Contemporary Practice: The New Lawyer*, was introduced as a compulsory first year law subject at JCU in 2017. The subject introduces students to the role of lawyers in current-day practice, particularly focusing on the skills and knowledge of non-adversarial approaches to dispute resolution, emotional intelligence, understanding self, privilege, and the philosophy of law and justice. Professor Field was invited as a visiting academic to JCU to support the development of the subject based on the curriculum of the first-year subject at QUT. The subject *LA1107 Contemporary Practice: The New Lawyer* was further developed by Neil Dunbar (Senior Lecturer, Law and former legal practitioner) and Claire Holland (Senior Lecturer, Conflict Management and Resolution and practising conflict management specialist). When data was collected for this thesis in 2019 the subject was in its third year of being offered. As stated above, it was a compulsory first year subject for all commencing law students from 2017, and could be taken as a first-year elective for students already enrolled in the law degree. To determine if the content of this subject had made a difference to students' wellbeing, and to answer RQ3, a sub-question of this thesis is:

⁶⁴ Field and Duffy (n 40).

⁶⁵ Field and Duffy (n 40).

⁶⁶ Ibid 201.

⁶⁷ Ibid.

⁶⁸ Ibid.

(Sub-Q 3.1) Is there a difference in depression, anxiety, stress, hope, agency, or pathway results between students who have studied LA1107 and students who have not?

The second subject offered at JCU covering topics described by Field and Duffy is *LA4034 Alternative Dispute Resolution*, an elective subject, likely to be studied towards the end of a student's law degree program. This subject introduces students to alternatives to litigation, focusing on negotiation and mediation, as well as providing an overview of a range of alternative processes to litigation, including arbitration and conciliation. *LA4034 Alternative Dispute Resolution* was developed and is taught by Neil Dunbar. To determine if the content of this subject had made a difference to students' wellbeing, and to answer RQ3, a sub-question of this thesis is:

(Sub-Q 3.2) Is there a difference in depression, anxiety, stress, hope, agency, or pathway results between students who have studied LA4034 and students who have not?

To determine if there was any significant relationship between wellbeing variables for students who had studied both subjects, a further sub-question is:

(Sub-Q 3.3) Is there a difference in depression, anxiety, stress, hope, agency, or pathway results between students who have studied both LA1107 and LA4034 and students who have studied neither?

The topic of developing positive professional identities includes how law students conceptualise the role they will play as a lawyer, that is how they see themselves as lawyers and how they believe society may view them as lawyers.⁶⁹ Therefore, an outcome of exposure to the content of developing positive professional identities is for students to consider that lawyers can make a positive contribution to society. To determine if the belief that lawyers do make a positive contribution to society impacts students' wellbeing, and to answer RQ3, a final sub-question of this thesis is:

(Sub-Q 3.4) Is there a difference in depression, anxiety, stress, hope, agency, or pathway results between students who believe the work of lawyers makes a positive contribution to society, and students who do not?

⁶⁹ Field, Duffy and Huggins (n 48) 3.

VI Research Methodologies

The methodologies employed in this thesis include literature reviews of key theories and concepts and empirical research through survey data collection. This study utilises two survey instruments, the DASS21 and AHS, which are well established surveys with significant data on the reliability and validity of the constructs they measure.⁷⁰ Both survey instruments rely on self-report observations from the survey participants. The psychometric properties and reliability of the survey instruments are discussed in Chapter 6. The use of the selected survey instruments in this study presents both limitations and strengths when it comes to data collection. One notable limitation is that the output measures are confined to the scales employed by these survey instruments. Consequently, the study's assessment of psychological wellbeing is limited to the measure of hope as captured by the AHS, while the assessment of psychological distress is restricted to measures of depression, anxiety, and stress as captured by the DASS21. This narrow focus means that this study provides only a partial evaluation of the broader constructs of psychological wellbeing and distress. Although this approach has been deliberately chosen to investigate the specific relationship between these constructs, it inherently limits the generalisability of the findings.

There are, however, also significant strengths to this approach. The DASS21 survey instrument was selected as it has been used in previous law student wellbeing studies in Australia and allows for some comparison of results across these studies, as outlined in Chapter 7. The selected scales also represent fundamental components of the phenomena under investigation. This study is pioneering in its exploration of the relationship between these specific scales, thus providing a novel contribution to the field. The focused nature of the research allows for a detailed examination of these relationships, which can inform the relevance and design of future research. Specifically, the findings from this study can provide the groundwork and lay foundations for subsequent longitudinal studies and other forms of research that aim to deepen our understanding of wellbeing and psychological distress within specific contexts, such as law schools. The findings of this thesis, and products including the Nested Framework of Law Student Wellbeing and the Hope/DASS Four-Quadrant Model, may also be applied to other contexts more broadly. By identifying key relationships between the psychological constructs in this initial exploration, this thesis can guide future research directions and potentially influence the development of more comprehensive measures and interventions in different contexts.

⁷⁰ Lovibond and Lovibond (n 58); Snyder et al (n 23).

This thesis is using an exploratory research approach.⁷¹ An exploratory study is appropriate in psychology research to develop and test a new hypothesis or produce new ideas on an already existing topic.⁷² While the survey instruments of hope and DASS have been used across numerous studies, they have not been used together as dual factors in measuring overall mental health of a population. Based on existing positive psychology and CSM literature, a key objective of this thesis is to test the proposed newly developed Hope/DASS Four-Quadrant Model and further explore the relationship of hope and DASS results within that model.

VII Summary of Thesis Chapters

The ways in which the Chapters of this thesis answers the research questions discussed above is briefly outlined below.

Chapter 2: *Student Wellbeing and Mental Health at University and Law School* provides further context for the research in this thesis, providing a review of key literature, issues, and discussion of the national and 'whole of university' approaches to student wellbeing and mental health. Chapter 2 will also provide further context on the 'Wellness in the Law' movement, and discusses key literature on law student wellbeing in Australia.

Chapter 3: *Positive Psychology and Subjective Wellbeing* highlights the multidisciplinary impact of psychology and wellbeing studies and how these emerging fields of inquiry are influencing the mental health and wellbeing conversation occurring in Australia. This chapter also examines the developing 'waves' of positive psychology inquiry and defines the key terms and theories that inform the theoretical framework for this current thesis.

Chapter 4: *Hope and Psychological Distress* introduces hope theory as a psychological construct and measure of wellbeing, and includes a review of the literature on hope and depression, hope and anxiety, and hope and stress. This chapter also examines how hopeful thinking can be considered a resilience tool that strengthens students' ability to manage psychological distress.

Chapter 5: *The Hope/DASS Four-Quadrant Model* develops a new and original assessment model that will be used to analyse the empirical data collected in this thesis. Chapter 5 considers how hope measures and

⁷¹ Mark Saunders, Philip Lewis and Adrian Thornhill, 'Formulating the Research Design', *Research Methods for Business Students* (Pearson Education Limited, 8th ed, 2019) 172, 186.

⁷² Richard Swedberg, 'Exploratory Research' in Colin Elman, John Gerring and James Mahoney (eds), *The Production of Knowledge: Enhancing Progress in Social Science* (Cambridge University Press, 2020) 17, 40.

DASS measures can be combined in a strengths/deficits model, and examines why measuring one construct of wellbeing or illbeing is insufficient in providing an overall assessment of mental health. The development of the Hope/DASS Four-Quadrant Model outlined in this chapter draws upon the Complete State Model of Mental Health developed by Corey Keyes.⁷³ This chapter concludes that measuring psychological distress alone is not enough to determine if a student is flourishing or not. Students may experience severe or extremely severe depression, anxiety or stress symptoms and yet still be able to cope effectively with the stressors of university life. High DASS results may therefore be mitigated if students have the necessary resilience tools, for example hopeful thinking. Positive psychology and hope theory offers a complimentary theoretical framework to determine if students are flourishing, struggling, floundering, or languishing.⁷⁴ If hope and DASS are measured as two separate continuums that contribute to a more complete state of measuring student overall wellbeing, then the high rates of reported law student psychological distress may not be as alarming as previously thought.

Chapter 6: *Methodology*, explores the methodologies adopted in this study, explaining the research strategy, statistical methods and statistical analysis approaches employed to explore the research questions of the thesis. The research design and data collection approaches are explained, and the strengths and limitations of the methodology are also discussed.

Chapters 7, 8, and 9 report on the results of this study. Chapter 7: *Reporting on Law Students' Experiences of Depression, Anxiety, and Stress*, synthesises the literature of DASS21 studies with law student populations at Australian universities to date and reports on this study's DASS21 survey results at JCU. The results in this chapter contribute to answering RQ2 and RQ3.

Chapter 8: *Reporting on Law Students' Levels of Hope*, introduces the theoretical framework of hope and reports on this study's AHS survey results at JCU. The results in this chapter also report on the AHS results compared across variables as highlighted in RQ2 and RQ3.

Chapter 9: *Hopeful Thinking Can Make a Difference*, analyses the relationship between AHS and DASS21 results and applies the Hope/DASS Four-Quadrant Model to the results of this thesis. This chapter also explores the relationship between hopeful thinking and levels of depression, anxiety, and stress, answering RQ 1.

⁷³ Keyes and Martin (n 63) 86; Keyes (n 2); Keyes and Lopez (n 1).

⁷⁴ Anthony Venning et al, 'Mental Health Among Youth in South Australia: A Survey of Flourishing, Languishing, Struggling, and Floundering' (2013) 48(4) *Australian Psychologist* 299.

Chapter 10: *Conclusion* consolidates the theory and findings from this thesis, and draws overall conclusions of the significance of the Hope/DASS Four-Quadrant Model and results from the study. Recommendations for how these conclusions might guide future interventions and research are also discussed.

Chapter 2: Student Wellbeing and Mental Health at University and Law School

This chapter will provide context for the significance of this thesis. The wealth of contemporary research and scholarship on the wellbeing of university students in Australia demonstrates the topical nature of this research. As will be highlighted in this chapter, there is a clear recognition within the Australian higher education sector of the importance of measuring university student mental health and taking steps to address wellbeing and illbeing concerns appropriately. However, as this review of the literature will show, there is no current national data collection, nor agreed upon measures across universities for the consistent monitoring and evaluation of student mental health and wellbeing. This limitation is a clear challenge for the Australian higher education sector, and contributes to the ad hoc monitoring and reporting of student wellbeing in Australia. This ad hoc approach to wellbeing studies in law schools in Australia is also a factor limiting the ‘Wellness in the Law’ movement in Australia. Reports of high levels of law student psychological distress continue to raise alarms (as discussed in Chapter 7). Until a national approach to monitoring, evaluating, and reporting on law student mental health is established, it is unlikely that changes to curricular and extra-curricular support services that require a national approach will be successfully implemented.

Key contributions to the research and current conversation on student mental health at universities in Australia will be discussed in Part I. This review of the literature is focused on higher education and university student populations generally (across disciplines), not just law student populations. This is important context, as the higher education student mental health and wellbeing conversations are happening at a national level, institutional level (whole-of-university approaches), and discipline specific levels. Important conversations are also happening at the international level, however this thesis will focus on the Australian context. Part II will outline the history and key contributions to the ‘Wellness in the Law’ movement in Australia and identify rationales for the focus on law student mental health. Part III will summarise the key points from this chapter and explain the connections with the upcoming content of positive psychology and hope in future chapters.

I Spotlight on Student Mental Health at University in Australia

Universities play a pivotal role in shaping future leaders and professionals. Ensuring that students are mentally healthy and well-prepared for the challenges of the professional world they will encounter also contributes to fostering a healthier, more mentally ‘well’ and productive society. The immediate return on

investment for universities is that students who experience higher levels of wellbeing tend to perform better academically,⁷⁵ have higher retention rates⁷⁶, and are more likely to complete their studies.⁷⁷ As highlighted in Chapter 1, over the last 15 years the topic of wellbeing and mental health of students in higher education has attracted significant attention in Australia.⁷⁸ A number of key publications have contributed to conceptualising and furthering the evidence base of the state of mental health and wellbeing in higher education in Australia. Four key publications will be highlighted below: 1) the Veness Churchill Fellowship report *The Wicked Problem of University Student Mental Health*;⁷⁹ 2) *A Framework for Promoting Student Mental Wellbeing in Universities*, from the Enhancing Student Wellbeing project;⁸⁰ 3) The National Centre of Excellence in Youth Mental Health (Orygen) *Australian University Mental Health Framework*;⁸¹ and, 4) the Australian Productivity Commission's *Mental Health Report*.⁸² Each of these publications include key findings and recommendations for a national approach to managing university student mental health in Australia. However, while the conversations for a national approach are ongoing, to date no national approach to measuring, monitoring, or evaluating student wellbeing exists in Australia.

A. Key Publications

Prior to 2012, several studies and reports laid initial groundwork for understanding the mental health challenges facing university students in Australia.⁸³ Specific university studies, for example the Curtin

⁷⁵ Bressler, Bressler and Bressler (n 21); Dante Dixson et al, 'The Magic of Hope: Hope Mediates the Relationship between Socioeconomic Status and Academic Achievement' (2018) 111(4) *The Journal of Educational Research* 507; Rachael Dodd et al, 'Psychological Wellbeing and Academic Experience of University Students in Australia During COVID-19' (2021) 18(3) *International Journal of Environmental Research and Public Health* 866; Feldman and Kubota (n 26); Gallagher, Marques and Lopez (n 26); Snyder et al (n 26).

⁷⁶ Barlow (n 26); Jane Foster et al, 'Mytern: An Innovative Approach to Increase Students' Achievement, Sense of Wellbeing and Levels of Resilience' (2014) 22(1) *Journal of the Australian and New Zealand Student Services Association* 31.

⁷⁷ Jeffrey Savage and Albert Smith, 'General and Specific Goal Orientations as Correlates of Adult Student Degree Completion: Lessons from the Community College of the Air Force' (2008) 9(4) *Journal of College Student Retention: Research, Theory & Practice* 461.

⁷⁸ Ryan, Marangell and Baik (n 6).

⁷⁹ Benjamin Veness, 'The Wicked Problem of University Student Mental Health' (Report, The Monash University Churchill Fellowship, January 2016) <<https://www.churchilltrust.com.au/fellow/benjamin-veness-nsw-2013/>>.

⁸⁰ Baik et al (n 8).

⁸¹ Orygen (n 8).

⁸² Australian Productivity Commission, 'Mental Health: Productivity Commission Inquiry Report' (Report, June 2020) <<https://www.pc.gov.au/inquiries/completed/mental-health/report/mental-health.pdf>>.

⁸³ See, eg, Catherine Leahy et al, 'Distress Levels and Self-Reported Treatment Rates for Medicine, Law, Psychology and Mechanical Engineering Tertiary Students: Cross-Sectional Study' (2010) 44(7) *Australian & New Zealand Journal of Psychiatry* 608. Helen Stallman and Ian Shochet, 'Prevalence of Mental Health Problems in Australian University Health Services' (2009) 44(2) *Australian Psychologist* 122. Helen Stallman, 'Prevalence of Psychological Distress in University Students: Implications for Service Delivery' (2008) 37(8) *Australian Journal of General Practice* 673.

University⁸⁴ and University of New South Wales⁸⁵ studies on student mental health and wellbeing, found high levels of psychological distress was experienced by students, and identified unique stressors impacting on academic performance and the university experience. A key report focusing on the mental health of law students was conducted in 2009 by the Brain and Mind Institute,⁸⁶ and will be discussed in more detail in Part II of this chapter. Other university evaluations, national survey data,⁸⁷ and student union survey data⁸⁸ also published findings on student wellbeing. However, up to 2013 a deep exploration into whole-of-institution approaches to addressing student mental health in higher education in Australia (rather than specific faculties or cohorts of students) had not been conducted. This gap was addressed in 2013 when Benjamin Veness, an Australian academic and psychiatrist, received a Fellowship from the Churchill Foundation to explore the topics of prevention strategies and intervention strategies to improve the mental wellbeing of university students.

1. *The Wicked Problem of University Student Mental Health*

Veness' report, published in 2016, titled *The Wicked Problem of University Student Mental Health*, includes findings from his research and visits to institutions in the USA, Canada, the UK, China and Singapore. Veness draws conclusions for Australia's higher education sector and makes suggestions for public policy.⁸⁹ His recommendations include taking an institutional approach with appropriate mental health policies and strategies, as well as a 'tone from the top' - emphasising a genuine commitment from university leadership

⁸⁴ Dianne Wynaden, Helen Wichmann and Sean Murray, 'A Synopsis of the Mental Health Concerns of University Students: Results of a Text-Based Online Survey from One Australian University' (2013) 32(5) *Higher Education Research & Development* 846.

⁸⁵ Annie Andrews and Joyce Chong, 'Exploring the Wellbeing of Students Studying at an Australian University' (2011) 37 *Journal of the Australian and New Zealand Student Services Association* 9.

⁸⁶ Kelk (n 17).

⁸⁷ Australian Bureau of Statistics, 'National Survey of Mental Health and Wellbeing: Summary of Results' (Report, ABS, October 2008) <<https://www.abs.gov.au/statistics/health/mental-health/national-study-mental-health-and-wellbeing/2007>>.

⁸⁸ Stefan Cvetkovski, Nicola Reavley and Anthony Jorm, 'The Prevalence and Correlates of Psychological Distress in Australian Tertiary Students Compared to Their Community Peers' (2012) 46(5) *Australian & New Zealand Journal of Psychiatry* 457.

⁸⁹ Veness (n 79). The seven key findings were: '1: There must be a 'tone at the top' that genuinely commits a university to improving its students' mental health and wellbeing; 2: Mental health task forces with student representation should be used to develop mental health policies and strategies relevant to each institution; 3: Australia needs a sectoral leader like The Jed Foundation, in particular one with a strong research capability; 4: On-campus treatment services should be supplemented by preventative health strategies and supported by active partnership with local government and private health services; 5: Screening programmes are worthwhile when matched with services, and outreach services should be used to target those students who do not or cannot engage via traditional means; 6: Regard should be paid to the specific needs of minority groups such as LGBTI and international students; and 7: Universities should offer and evaluate mindfulness meditation, which can be taught in groups and with easily-scalable apps,' 8.

to prioritise the mental health and wellbeing of students.⁹⁰ Veness highlighted the importance of access to appropriate screening and integrating preventative health strategies in partnership with expert service providers. However, statements such as ‘adequate project resources should be provisioned’ are broad, lacking specific actional and concrete details, and often devoid from the reality of tight budgets, limited staff capacity, and competing university priorities.⁹¹ At JCU, for example, the ‘Student Equity and Wellbeing Unit’ covers a wide remit of counselling services, accessibility services, careers and employment services, multifaith chaplaincy, as well as student wellbeing.⁹² Veness also made recommendations in relation to increasing the skill sets of individual students and developing students’ resilience, for example, through practising mindfulness meditation.⁹³ Veness noted in his report that few Australian universities (at the time of the publication of his report) had developed student mental health and wellbeing strategies or policies.⁹⁴

A challenge in implementing recommendations, such as those proposed by Veness, is that they cover interventions and strategies that are targeted at the individual level (e.g. mindfulness meditation), the university level (e.g. recommendations on specific staff roles, need for on campus treatment services, a whole-of-university wellbeing strategy, and ‘tone from the top’ commitments), and government and broader community sectors (e.g. connections with private health services, and calls for national research).⁹⁵ Recommendations that cover such broad strokes are difficult to narrow into measurable and achievable interventions that fit within a clear overarching framework. To address this issue, an original overarching framework to assist with conceptualising the different operational levels where interventions and recommendations sit and how they are interconnected in representing student mental health is proposed at the end of this chapter.

⁹⁰ Ibid 14.

⁹¹ Ibid 21. For example, JCU has experienced a 17% reduction in equivalent full time student load (EFTSL) from 2018 to 2022, thus impacting university income, and reducing faculty and support services budgets, James Cook University, *Proposed Changes to Academy* (Correspondence to JCU Staff, 16 August 2023). JCU has also undergone two large change proposals since 2022 that have resulted in a contraction of full-time staff (academic and service staff) and reduction in course offerings. Strategic objectives can only be operationalised as far as finances and human capital allow.

⁹² James Cook University, *Student Equity and Wellbeing* (Webpage, 2024) <<https://www.jcu.edu.au/student-equity-and-wellbeing>>.

⁹³ Veness (n 79).

⁹⁴ Ibid.

⁹⁵ Ibid.

2. *A Framework for Promoting Student Mental Wellbeing in Universities*

Aligned with the release of Veness' report, an 'Enhancing Student Wellbeing' project was established by an interdisciplinary team of Australian researchers. The project outcomes included a national symposium, development of a framework for promoting student wellbeing, as well as a handbook for academics on enhancing student wellbeing.⁹⁶ A national symposium was held in 2016 on *Student Wellbeing Matters: How Can Academic Educators Support Student Mental Health?*⁹⁷ The aim of the symposium was to 'stimulate conversation on the role of academic educators in supporting student mental health and wellbeing.'⁹⁸ The symposium conversations contributed to the development of a whole-of-institution framework to enhance student wellbeing, as well as creating online professional development modules and resources for academics to increase awareness of the impacts of student mental wellbeing through curriculum design, and learning and teaching approaches.⁹⁹ The project team recognised that universities across Australia are becoming increasingly aware of the high levels of psychological distress experienced by a large number of students and called for the university academy to develop learning and teaching environments, and engage in practices, that better support student mental wellbeing.¹⁰⁰ The project sought to move beyond narratives that say mental wellbeing is simply the responsibility of the individual to manage, by looking at the role that universities and academic teachers can (and should) play in supporting students' psychological wellbeing.¹⁰¹ The project adopted a 'settings' approach to mental health promotion, which recognises the importance of the learning and teaching environment (such as the university setting or particular school or discipline context), as well as academic curriculum and individual psychosocial interventions.¹⁰² A challenge with settings based approaches however, is that different definitions of key concepts, such as psychological wellbeing, and the use of different measurement tools result in data collected across multiple settings and populations that cannot be generalised. Individualised approaches to monitoring, evaluating, and reporting can make it difficult to

⁹⁶ 'The Project Aims and Approach', *Enhancing Student Wellbeing: Resources for University Educators* (Webpage, 2016) <<https://unistudentwellbeing.edu.au/about-the-project/>>.

⁹⁷ 'National Symposium: Student Wellbeing Matters', *Enhancing Student Wellbeing: Resources for University Educators* (Webpage, 2016) <<https://unistudentwellbeing.edu.au/national-symposium/>>.

⁹⁸ Ibid.

⁹⁹ 'About the Project & Project Team', *Enhancing Student Wellbeing: Resources for University Educators* (Webpage, 2016) <<https://unistudentwellbeing.edu.au/about-the-project/>>.

¹⁰⁰ Ibid.

¹⁰¹ Enhancing Student Wellbeing Project, 'Enhancing Student Wellbeing: Resources for University Educators' (Brief, 2016) <<https://unistudentwellbeing.edu.au/wp-content/uploads/2016/09/MCSHE-Student-Wellbeing-Aims-Rationale-Prf02.pdf>>.

¹⁰² 'The Project Aims and Approach' (n 96).

compare results across institutions and therefore limit the sharing of evidence-based interventions that can promote student wellbeing.

The project *Framework for Promoting Student Mental Wellbeing in Universities* identified five key action areas for promoting student mental health and wellbeing including:

1. Fostering engaging curricula and learning experiences;
2. Cultivating supportive social, physical and digital environments;
3. Strengthening community awareness and actions;
4. Developing students' mental health knowledge and self-regulatory skills; and,
5. Ensuring access to effective services.¹⁰³

The framework states that for each of these five actions, institutional support is required that enables 'policy development and review processes; participation and empowerment of staff and students; allocation of appropriate resources and recognition; and staff professional development.'¹⁰⁴ A 2017 publication *Enhancing Student Mental Wellbeing: A Handbook for Academic Educators* was also produced.¹⁰⁵ The overall project outcomes and related publications call for reform including the adoption of a holistic approach to wellbeing that includes multi-level strategies and interconnectivity between personal responsibility, systems, institutions and community approaches to support student wellbeing. Although further guidance on how to implement the recommendations in practice would strengthen the outcomes of the report, the suggested framework for a whole-of-university approach to wellbeing is a key outcome of the project and has been adopted in subsequent Australian research and government commissioned reports, as discussed further below.

3. *Australian University Mental Health Framework*

Also in 2017, Orygen, The National Centre of Excellence in Youth Mental Health, released a report *Under the Radar: The Mental Health of Australian University Students*.¹⁰⁶ The report highlighted that 1 in 4 youth aged between 15 and 24 will experience mental ill-health, and across the university student population in Australia in 2017 approximately 210,000 university students aged between 18 – 25 years would experience

¹⁰³ Baik et al (n 8).

¹⁰⁴ Ibid.

¹⁰⁵ Baik et al (n 7).

¹⁰⁶ Orygen, 'Under the Radar: The Mental Health of Australian University Students' (Report, The National Centre of Excellence in Youth Mental Health, May 2017) <https://www.orygen.org.au/Orygen-Institute/Policy-Reports/Under-the-radar/Orygen-Under_the_radar_report>.

mental ill-health.¹⁰⁷ A 2010 systematic review of 11 studies on mental health problems of university students worldwide found that 51% of students reported experiencing mental health issues before entering university, and 49% reported the onset of mental ill-health after commencing university.¹⁰⁸ These results suggest that simply being a university student is the catalyst for nearly half of the mental health issues reported by university student populations.

The report recommends a number of key areas for future action, including: creating a scaffolded approach to study mental health and whole-of-institution strategies; establishing baseline data and improving data collection; coordination of national approaches and sector leadership; developing support partnerships with community mental health services; and, tapping into technology as an appropriate and accessible way to deliver mental health services.¹⁰⁹ Again, it is necessary to recognise that the challenges with university resource allocation and staff capacity means that many recommendations requiring time and money are hard to implement. The *Under the Radar* report acknowledges that, 'most university counselling and disability services would identify that they do not have the capacity to meet demand and are responding to increasingly severe and complex presentations of mental ill-health.'¹¹⁰

A further challenge for students seeking to manage their mental health by accessing community resources is the significant cost for mental health and wellbeing services such as visiting a general practitioner (GP), psychologist, psychiatrist, or counsellor. According to the Mental Health Australia Report to the Nation 2023, 51% of adults faced a barrier to accessing mental health services over the past 12 months.¹¹¹ A large proportion of 18 – 39 year olds felt the rising cost of living (71%) and rising housing costs (59%) impacted on their mental health.¹¹² The Australian Bureau of Statistics (ABS) reported that in 2021-2022 43.8% of people who needed to see a psychologist delayed or did not see one, with 24.4% citing cost as the reason for the delay or for not seeing a psychologist.¹¹³ The report also found that 42.4% of people who needed

¹⁰⁷ Ibid. Referencing ABS Census Data.

¹⁰⁸ Kim Storrie, Kathy Ahern and Anthony Tuckett, 'A Systematic Review: Students with Mental Health Problems—A Growing Problem' (2010) 16(1) *International Journal of Nursing Practice* 1, 2.

¹⁰⁹ Orygen, 'Under the Radar: The Mental Health of Australian University Students' (n 106) 7.

¹¹⁰ Ibid 38.

¹¹¹ Mental Health Australia, 'Report to the Nation 2023' (Report, Ipsos Public Affairs, September 2023) 22 <https://mhaustralia.org/sites/default/files/docs/report_to_the_nation_2023.pdf>. The classification of adult included 14+ years old. Reporting of barriers to accessing mental health and wellbeing supports included, 'I felt I should be able to solve my situation on my own; cost or financial barrier; I didn't feel like my problem was worthy of someone else's help,' 22.

¹¹² Ibid 23.

¹¹³ 'Health Services: Patient Experiences', *Australian Bureau of Statistics* (Webpage, 2022 - 2023 Financial Year) <<https://www.abs.gov.au/statistics/health/health-services/patient-experiences/latest-release#experience-of-mental-health-services>>.

to see a psychiatrist delayed or did not see one, with 27.8% citing cost as the reason for the delay or for not seeing a psychiatrist.¹¹⁴ Using technology to manage service demand, such as apps and online interventions, has been shown to be effective for reducing student psychological distress.¹¹⁵ However, awareness of referral pathways, staff training, and resource development still requires investment of time and funds.¹¹⁶ Recommendations for future directions that include sweeping statements such as, 'Universities to ensure all staff (academic and non-academic) are trained to an appropriate level in mental health literacy and awareness'¹¹⁷ need to be accompanied by specific implementation guidelines and indicators of success in order to be effectively actioned. Otherwise, the aspirational (or idealistic) recommendations for student mental health policies and reforms are unlikely to be addressed under existing university conditions.

The report has informed the 2020 publication of an *Australian University Mental Health Framework* (the framework).¹¹⁸ The development of the evidence-based framework was supported by the Australian Government's Department of Health, and was developed in collaboration with university students, staff and representatives, stakeholders from the mental health sector, and government departments. The framework is intended as a guide for universities as to how they can work with the mental health sector to support university students' mental health and promote the wellbeing of students. The framework provides guidance, designed to support a whole-of-university approach and to be pragmatic and realistic.¹¹⁹ The framework, which was also informed by Baik et al's *Enhancing Student Mental Wellbeing* project publications, also suggests a settings-based strategy that is co-designed with students, and views wellbeing strategies as dynamic and adaptive.¹²⁰ The design of the framework is structured around the following six principles:

1. The student experience is enhanced through mental health and wellbeing approaches that are informed by students' needs, perspectives and the reality of their experiences.
2. All members of the university community contribute to learning environments that enhance student mental health and wellbeing.

¹¹⁴ Ibid.

¹¹⁵ Orygen, 'Australian University Mental Health Framework' (n 8).

¹¹⁶ Orygen, 'Under the Radar: The Mental Health of Australian University Students' (n 106) 40.

¹¹⁷ Ibid.

¹¹⁸ Orygen, 'Australian University Mental Health Framework' (n 8).

¹¹⁹ Ibid 4. In addition, the Framework was designed to be student centred; share responsibility within and across sectors, leading to a collective impact; build on existing work, move forward, and provide a foundation for further research and evaluation; build capacity; and, be flexible and able to be tailored.

¹²⁰ Ibid; Baik et al (n 7).

3. Mentally healthy university communities encourage participation; foster a diverse, inclusive environment; promote connectedness; and support academic and personal achievement.
4. The response to mental health and wellbeing is strengthened through collaboration and coordinated actions.
5. Students are able to access appropriate, effective, and timely services and support to meet their mental health and wellbeing needs.
6. Continuous improvement and innovation are informed by evidence and helps build an understanding of what works for student mental health and wellbeing.¹²¹

The framework then provides guidance and supporting information for each principle, including practical examples. Issues raised during the consultation process included questions around the practicalities of implementation, and what resourcing would be available to support implementation; funding allocations for universities and the mental health sector and the increasing demands on university services; the importance of data collection and reporting and the challenges associated with a lack of clarity around monitoring, evaluation and reporting and the significant data gaps that exist; challenges and complexities of interrelationships with universities and the mental health sector; as well as workforce capacity and resourcing concerns.¹²² While acknowledging the importance of institutional specific strategies that meet the needs of different and diverse student populations, the framework supports a coordinated national approach through ongoing cross-sector collaboration and guidance from the mental health sector.¹²³

The framework asks Australian universities to commit to: the guiding principles of the framework; developing a settings-based strategy, co-designed with students, to improve the mental health and wellbeing of the whole university community; and, keeping university communities informed on actions taken and progress made to improve the mental health and wellbeing of students.¹²⁴ The framework requires each university to consider examples of how the principles could be implemented in their context, and therefore does not provide specific guidelines for implementation. The results of this thesis will provide data analysis and concrete recommendations for JCU that, if adopted, will provide baseline data, situational analysis, and suggestions for monitoring, evaluation, and reporting that will demonstrate concrete action towards implementing the principles of the framework.

¹²¹ Orygen, 'Australian University Mental Health Framework' (n 8).

¹²² Ibid 20.

¹²³ Ibid 6.

¹²⁴ Ibid 55.

4. *Mental Health Report*

In 2020 the Australian Productivity Commission's *Mental Health Report* also acknowledged the increasing rate of university student mental health concerns compared to rates in the general population.¹²⁵ However, the Productivity Commission acknowledged that there is a lack of data on the issue stating,

There is no regular national data collection on the mental health of tertiary students in Australia that allows a comparison over time or a periodic assessment across institutions at a point in time. ... most of the research into student mental health has been in the form of optional self-reported surveys, mostly of university students.¹²⁶

In the footnote attached to the above quote, the Productivity Commission report further states, 'Given participation in these surveys has been optional and they generally have low response rates, the results should be treated with caution.'¹²⁷ Therefore, greater data collection from a national level is important for future development of national policies and recommendations. It is also essential that national data collection occurs over time to allow for the establishment of a reasonable baseline from which interventions aimed at improving student mental health and wellbeing can be evaluated.

The Productivity Commission report acknowledges the increasing awareness from research and scholarship that a whole-of-institution response is required to manage student wellbeing and mental health concerns, and identifies the relevant Australian Government Acts and Standards that set out obligations for tertiary education institutions in relation to the mental health of students, including the:

- *Disability Discrimination Act 1992* (Cth);
- *Disability Standards for Education 2005* (Cth);
- Higher Education Standards Framework (Threshold Standards) 2015;
- Standards for Registered Training Organisations (RTOs) 2015; and,
- National Code of Practice for Providers of Education and Training to Overseas Students.¹²⁸

The Productivity Commission report recommends that the Australian Government makes it a requirement for all tertiary education institutions to have a student mental health and wellbeing strategy.¹²⁹ The report states,

¹²⁵ Australian Productivity Commission (n 82).

¹²⁶ Ibid 262.

¹²⁷ Ibid.

¹²⁸ Ibid 281.

¹²⁹ Ibid 283.

Tertiary education institutions need to undertake a range of activities to support student mental health and wellbeing including providing accessible services, referring students to appropriate external services, developing connections to community based mental health services, training staff about mental health and providing wellbeing and resilience initiatives.¹³⁰

The report therefore acknowledges the ongoing nature of the problem of university student mental health concerns and calls for more complete data collection at a national level, as well as calling for a whole-of-institution response from universities. It is clear that the issue of student mental health and wellbeing is in the spotlight as a current topic of national concern. National data collection, whole-of-institution monitoring, evaluating and reporting, as well as discipline specific monitoring, evaluating, and reporting (such as in the disciplines of law, medicine, psychology etc), are important steps in being able to not only monitor, but also address the concerning levels of psychological distress of university students.

B. University Student Mental Health and Wellbeing Policies and Strategic Plans

The recommendations from key researchers, interdisciplinary projects, national symposiums, national and government reports, as discussed above, all call for all tertiary education institutions to have a comprehensive mental health and wellbeing strategy. In a desktop review of all 39 Australian universities' websites in 2021, Ryan, Marangell, and Baik found that only 20 universities had a publicly available strategy or policy document related to student mental health or student wellbeing.¹³¹ James Cook University (where the data for this thesis research was collected) did not have a dedicated student mental health or wellbeing policy or strategy document in 2021 and was therefore not included in the review. Of the 20 documents reviewed by Ryan et al, they found that, '15 of the key documents (75%) were strategic plans that were specific to student mental health and/or wellbeing...; two (10%) were strategies relating to mental health and wellbeing that were embedded within broader strategic plans, and three (15%) were specific mental health or wellbeing policy documents.'¹³²

Using the five key action areas for promoting student mental health and wellbeing in Baik et al's framework from the *Enhancing Student Wellbeing Project* (discussed above) as criteria to assess the documents, Ryan et al's review found that,

Each of the 20 documents addressed at least one dimension from the Baik et al (2016) framework. However, only seven (35%) included elements relating to all five dimensions.... Community

¹³⁰ Ibid 281.

¹³¹ Ryan, Marangell and Baik (n 6).

¹³² Ibid 190.

awareness and mental health knowledge and skills were both included in 17 documents each (80%); access to services was included in 16 (80%); supportive awareness was included in 15 (75%), while engaging curricula was only included in eight (40%).

Ryan et al concluded that the dimension *engaging curricula* is a 'somewhat neglected area' in current university wellbeing policies and strategic plans and yet it is an important element in a holistic approach to addressing student mental health concerns.¹³³ The authors echoed the Productivity Commission's *Mental Health Report* recommendation that all universities should adopt policies or strategic plans, stating 'frameworks are only as useful as how they are implemented.'¹³⁴ In addition, Ryan et al recommended multi-level evaluation strategies to determine the effectiveness of policies and strategies, including data collection from students, educators, and researchers.¹³⁵ Their final recommendation was to increase preventative and health promoting strategies, such as adopting evidence-based approaches to increasing university student's mental health knowledge and skills.¹³⁶ Implementing these recommendations and fostering an environment of monitoring, evaluating, and reporting that meets the needs of students, institutions, and national interests is a challenging next step. However, with the state of awareness that researchers have provided about the current concerning levels of university student mental health in Australia and with clear recommendations for future directions, there is an imperative for universities and national bodies to respond with evidence-based actions that will provide appropriate data collection (for monitoring and comparison), evaluation of interventions undertaken to address student mental health concerns, and interventions to address wellbeing across individuals, disciplines, university systems, institutions, and with the community.

1. *JCU Mental Health and Wellness Strategy*

In 2022 JCU established a *Mental Health and Wellness Strategy 2022-2026*.¹³⁷ The introduction to the Strategy states that it was developed drawing on research including the Productivity Commission's *Mental Health Report* and Orygen's *Australian University Mental Health Framework*.¹³⁸ The JCU Strategy was developed using seven criteria: 1) co-design and development with students and staff; 2) diversity,

¹³³ Ibid 197.

¹³⁴ Ibid 198.

¹³⁵ Ibid.

¹³⁶ Ibid.

¹³⁷ James Cook University, 'JCU Mental Health and Wellness Strategy 2022-2026' (Strategy Document, 2022) <https://www.jcu.edu.au/__data/assets/pdf_file/0013/2002243/2022-Mental-Health-and-Wellness-Strategy_A4_final.pdf>.

¹³⁸ Ibid 6.

inclusion, and respect at the heart of the document; 3) whole-of-institution approach; 4) captures the learning and environment and curriculum; 5) leverages partnerships, works with organisations, and connects with community services; 6) takes a strengths-based and stepped care approach from health and wellness promotion to crisis intervention; and, 7) realistic, timely, and achievable (with due consideration for resourcing, and capability).¹³⁹ In order to clearly design and articulate the mental health and wellness strategy, the JCU Strategy identifies four domains of activity across which implementation strategies are mapped and success can be measured. The four domains are:

1. Learn: Promoting a nurturing and positive stigma-free environment.
2. Work: Promoting health and wellness in workplaces and spaces.
3. Live: Promoting strengths-based, early recognition and action, evidence-based responses, and positive engagement.
4. Support: Promoting partnerships, collaboration, and engagement with community.¹⁴⁰

This strategy document is an important step for JCU in developing a whole-of-institution response to student mental health and wellbeing. Heeding the call that ‘strategies are only as useful as how they are implemented,’ the JCU Strategy briefly outlines some actionable details, such as listing key success outcomes, providing monitoring criteria, identifying responsible personnel, setting a clear timeline, and calling for annual reporting.¹⁴¹ Under each domain outlined in the strategy document, there are also lists of generic outcomes and success indicators. Under the domain ‘learn’, for example, the success indicators include:

- Visibility and engagement with mental health and wellness in student-facing policies and procedures.
- Increase in access to data demonstrating help-seeking behaviours, early identification, and action.
- Integration of mental health and wellness content in curriculum.
- Student and staff participation in training and workshops to develop protective factors
- Increase in priority group mental health and wellness programs, activities, and actions.

Under the domain of ‘live’, one example of how JCU will respond to that domain is, ‘collate internal and external data sets on access, participation, effectiveness, and training to analyse improvement across the

¹³⁹ Ibid.

¹⁴⁰ Ibid 9.

¹⁴¹ Ibid 15.

domains of learn, work, live, and support.¹⁴² The success indicator of this example is ‘collation and analysis of evidence base for reporting and improvements.’¹⁴³ The Strategy however does not outline the measures it will use in the collection and analysis of data.

The results of this thesis will provide data on the mental health of law students at JCU that can be used as an internal data set. The results of this thesis will also offer suggestions on future monitoring and evaluation that can be used for reporting to meet the JCU Strategy aims and objectives. Without clear measures and options for data comparison across time and disciplines, any data collation, analysis, and reporting are severely limited. Uniform data collection measures could be used across disciplines within an institution, to allow for comparison across results and exploration of factors that might account for similar or dissimilar results. Uniform data collection measures could also be used across the same discipline at different institutions, for example, a national data collection approach measuring the mental health of law students across law schools in Australia. This approach would further the research base for a ‘settings-based’ approach, as data could be analysed to account for factors associated with the systems and structures of different law schools (for example, metropolitan as compared with regional, postgraduate as compared with undergraduate degrees) and consider cross-cutting factors (for example, core curriculum, teaching and learning approaches, law school culture, and professional legal culture) that could be addressed by law faculty and the legal academy.¹⁴⁴

This thesis proposes a measure that could be a useful tool in monitoring student mental health, and could also be used as a framework for designing interventions to promote positive mental health and build students’ psychological strengths as an approach to mitigating the experience of psychological distress symptoms. The results of this thesis are focused on students in the discipline of law; however, the proposed model (discussed in Chapter 5) could be expanded as a tool to measure the mental health of university students generally. A wider application of measures that can be applied in a cross-disciplinary way will further support the calls for whole-of-institution monitoring, evaluation, and reporting. In addition, multi-institutional data collection will further support the call for national data collection and

¹⁴² Ibid 13.

¹⁴³ Ibid.

¹⁴⁴ The Council of Australian Law Deans (CALD) is the peak body of Australian Law Schools. Their remit includes the furtherance of legal education in Australia, and where appropriate the adoption of common policies, *Council of Australian Law Deans* (Webpage, 2024) <<https://cald.asn.au/>>. The Australian Academy of Law is a membership organisation committed to the advancement of the discipline of law in Australia, *Australian Academy of Law* (Webpage, 2024) <<https://academyoflaw.org.au/>>.

provide greater legitimacy for baseline data reporting on levels of student psychological wellbeing and psychological distress.

C. Australasian Mental Health and Higher Education Network

In 2017, a key initiative in furthering the research and scholarship on mental health and wellbeing in Australia was established by colleagues at JCU, led by Professor Margaret Carter.¹⁴⁵ Carter's research and practical consultancy work specialises in mental health and wellbeing support services for university students.¹⁴⁶ A network of interdisciplinary researchers, students, and support professionals was established with an inaugural 'Australasian Mental Health and Higher Education Conference' (AMHHEC) held at JCU.¹⁴⁷ The AMHHEC is a 'multidisciplinary collaborative, committed to strengthening mental health and wellness within higher education communities in the Australasian region, via education, research, and community engagement.'¹⁴⁸ The AMHHEC collaborative facilitated its second conference in 2018 and online webinars during the COVID years (2020 – 2022), and in 2023 worked in conjunction with the STARS Conference (Students Transitions Achievement Retention and Success) to focus on the promotion of mental health and wellbeing among the diverse groups of staff and students in higher education settings.¹⁴⁹

A clear focus of recent AMHHEC and STARS conferences and mental health and wellbeing reports (as highlighted above) provides further support and calls for whole-of-institution approaches to the health and wellbeing of students, and calls for 'fit-for-purpose' and 'research informed' initiatives. Carter and JCU colleague Abraham Francis edited the book *Mental Health and Higher Education in 2022*, offering a multidisciplinary perspective focusing on promoting more resilient cultures within higher education and the community.¹⁵⁰ In their introduction Carter and Francis note that despite many efforts made by higher education institutions, the government, and support services in promoting wellbeing in recent years, student mental health issues continue to rise.¹⁵¹ This point again highlights that despite the spotlight on

¹⁴⁵ James Cook University, *Australasian Mental Health and Higher Education Collaboration* (Webpage, 2024) <<https://www.jcu.edu.au/amhhec>>.

¹⁴⁶ James Cook University, 'Professor Margaret Carter', *AMHHEC* (Webpage, 2024). <<https://www.jcu.edu.au/amhhec/organising-committee/professor-margaret-carter>>.

¹⁴⁷ James Cook University, 'Past Events', *AMHHEC* (Webpage) <<https://www.jcu.edu.au/amhhec/past-events>>.

¹⁴⁸ James Cook University, 'About Us', *AMHHEC* (Webpage) <<https://www.jcu.edu.au/amhhec/about-us>>.

¹⁴⁹ STARS Conference, 'Conference Proceedings', *Students Transitions Achievement Retention & Success* <<https://unistars.org/papers/STARS2023.pdf>>.

¹⁵⁰ Abraham Francis and Margaret Carter (eds), *Mental Health and Higher Education in Australia* (Springer, 2022).

¹⁵¹ Margaret Carter and Abraham Francis, 'Introduction' in Abraham Francis and Margaret Carter (eds), *Mental Health and Higher Education in Australia* (Springer, 2022).

the issues and clear concern for student mental health in higher education in Australia, as well as increasing interdisciplinary engagement and forums for cross-institutional and national engagement, current strategies for monitoring and evaluation of interventions to mitigate psychological distress experienced by university students in Australia have not been effective in lowering the numbers of students reporting poor mental health.

D. Student Mental Health, COVID-19, and Environmental Stressors

The COVID-19 pandemic was a unique stressor that particularly impacted Australian university students from 2020 – 2023, with ongoing impacts for some students and universities.¹⁵² Factors such as the switch to online learning, social isolation, lockdowns, border closures, and global uncertainty impacted the mental health and wellbeing of many students.¹⁵³ Qualitative and quantitative studies on university students' level of psychological distress during this time revealed a high prevalence of psychological distress, increased anxiety, and decreased wellbeing compared to previous student surveys.¹⁵⁴ A cross-national study (with participants from Norway, USA, UK, and Australia) conducted in October and November 2020 found that students reported poorer mental health, lower wellbeing, as well as greater loneliness during the COVID-19 pandemic compared to non-students.¹⁵⁵ Significant research was also conducted by the ANU Centre for Social Research & Methods in tracking wellbeing outcomes across the general Australian population, including psychological distress.¹⁵⁶ According to the ABS, in a survey

¹⁵² By 2022 most universities had resumed face-to-face teaching: Kyungmee Lee, 'Universities after COVID: As Lecture Theatres Reopen, Some Pandemic Teaching Methods Should Live On', *The Conversation* (Article, 8 March 2022) <<https://theconversation.com/universities-after-covid-as-lecture-theatres-reopen-some-pandemic-teaching-methods-should-live-on-174652>>.

¹⁵³ See, eg, Genevieve Dingle, Rong Han and Molly Carlyle, 'Loneliness, Belonging, and Mental Health in Australian University Students Pre-and Post-COVID-19' (2022) 39(3) *Behaviour Change* 146; Dodd et al (n 75); Chang Liu et al, 'Identifying Predictors of University Students' Wellbeing During the COVID-19 Pandemic—A Data-Driven Approach' (2021) 18(13) *International Journal of Environmental Research and Public Health* 6730.

¹⁵⁴ See, eg, Lynette Vernon, Kathryn Modecki and Kylie Austin, 'Understanding Wellbeing Challenges for University Students During Crisis Disruption' (Report, National Centre for Student Equity in Higher Education, 2022) <https://www.ncsehe.edu.au/wp-content/uploads/2022/03/Vernon_ECU_FormattedFinal.pdf>. Australian Institute of Health and Welfare, 'Mental Health Impact of COVID -19 2020 - 21' (Report, 22 May 2022) <<https://www.aihw.gov.au/getmedia/620b8637-5043-4c3c-b309-02d6161e2be9/mental-health-impact-of-covid-19.pdf.aspx>>. Australian Institute of Health and Welfare, 'COVID -19 and the Impact on Young People' (Report, 25 June 2021) <<https://www.aihw.gov.au/reports/children-youth/covid-19-and-young-people>>.

¹⁵⁵ Tore Bonsaksen et al, 'Students' Mental Health, Well-Being, and Loneliness During the Covid-19 Pandemic: A Cross-National Study' (2022) 10(6) *Healthcare* 996, 1003.

¹⁵⁶ Nicholas Biddle and Matthew Gray, 'Tracking Wellbeing Outcomes During the COVID -19 Pandemic (January 2022): Riding the Omicron Wave' (Report, ANU Centre for Social Research and Methods, February 2022) <https://csrcm.cass.anu.edu.au/sites/default/files/docs/2022/2/Tracking_paper_-_January_2022.pdf>. Nicholas Biddle, Matthew Gray and Patrick Rehill, 'Mental Health and Wellbeing During the COVID -19 Period in Australia' (Report, ANU Centre for Social Research and Methods, July 2022)

conducted between 2020 and 2022, forty percent of young Australians (16 – 24 years old) reported experiencing a mental health disorder.¹⁵⁷

The pandemic has played a significant role in highlighting the importance of resilience and wellbeing research, including the usefulness of measuring and recognising changes in student wellbeing results. Greater awareness of differences in results across distinct populations (particularly ‘vulnerable populations’ often being defined in COVID-19 related literature) has also contributed to the conversation on mental health and wellbeing promotion and intervention strategies. In addition to COVID-19, compounding societal and environmental events in Australia such as extreme bushfires, floods, heat waves, and extreme weather events, have also been linked to decreased wellbeing in young people and therefore act as compounding issues contributing to inequities and vulnerabilities that can impact on a student’s experience at university.¹⁵⁸

In 2022, Australia’s Mental Health Think Tank released the *Australian Youth Recovery Plan* in response to COVID-19 mental health challenges.¹⁵⁹ The plan highlights that COVID-19 has had ‘a harsher psychological toll on young Australians than [on] any other age group, [with young Australians] experiencing higher rates of psychological distress, loneliness, educational disruption, unemployment, housing stress and domestic violence.’¹⁶⁰ The ongoing conversation regarding ‘building resilience’ and supporting ‘mentally healthy futures’ in young people in Australia is continually shaped by the ever-changing environmental conditions experienced across successive generations, creating compounding stressors and anxiety about the future for many young people. The changing nature of stressors that affect psychological distress and distinct perspectives from psychology, education, ethics, and the law (and many other fields) also contribute to the ongoing and enduring nature of scholarship on university student mental health and wellbeing. It is important to acknowledge that while the context of being a university student is one stressor that is linked

<https://csrcm.cass.anu.edu.au/sites/default/files/docs/2022/7/Mental_health_and_wellbeing_during_the_COVID-19_period.pdf>.

¹⁵⁷ These results were an increase from 26% of young Australians (16 – 24 years old) reporting a mental health disorder in 2007.

¹⁵⁸ Timothy Heffernan et al, 'Mental Health, Wellbeing, and Resilience after the 2019-20 Bushfires: The Australian National Bushfire Health and Wellbeing Survey' (Report, 2022) <[https:// dx.doi.org/10.25911/AG7D-7574](https://dx.doi.org/10.25911/AG7D-7574)>. Helen Cahill et al, 'Natural Disasters and Pandemics: Supporting Student and Teacher Wellbeing Post Emergency' (Report, Melbourne Youth Research Centre, 2020) <<https://education.unimelb.edu.au/industry-reports/report-3-natural-disasters-and-pandemics>>; Vernon, Modecki and Austin (n 154).

¹⁵⁹ Australia's Mental Health Think Tank, 'Building Mentally Healthy Futures: Australian Youth Recovery Plan' (Policy Paper, 2022) <https://mentalhealththinktank.org.au/wp-content/uploads/2022/04/BuildingMentallyHealthyFutures_YouthRecoveryPlan.pdf>.

¹⁶⁰ Ibid 1.

to poorer mental health and wellbeing, there are also many other stressors outside of the university context that compound and influence an individual's wellbeing. This thesis uses measures that may capture influencing factors outside of the university context that influence a student's experience of psychological distress symptoms. However, the focus of this thesis research is on using the results of the measures of wellbeing and illbeing to influence interventions that are within the control of the university systems and structures that may positively influence student wellbeing and mitigate against experiences of psychological distress.

II Spotlight on 'Wellness in the Law' Movement in Australia

As the literature referenced throughout this thesis shows, law student wellbeing has been an increasingly popular topic of investigation and discussion in Australia over the past 15 years. As highlighted in Chapter 1, the issue of law student mental health was brought to the forefront in Australia with the publication of the 2009 Brain and Mind Research Institute (BMRI) Report titled *Courting the Blues: Attitudes Towards Depression in Australian Law Students and Legal Practitioners*.¹⁶¹ Recognising at that time that limited research had been conducted on the mental health experiences of Australian lawyers and law students, the Tristan Jepson Memorial Foundation (TJMF: a foundation established in memory of Tristan Jepson a young lawyer who suffered from severe clinical depression and died by suicide in 2004)¹⁶² in collaboration with the NSW Bar Association, supported the study conducted by BMRI.¹⁶³ The BMRI study involved survey data from 741 final year law students across thirteen different Australian Universities. One of the study's aims was to determine baseline data from the levels of psychological distress, including indicators of depression, amongst fourth year law students as well as practising lawyers in Australia.¹⁶⁴ The report

¹⁶¹ Kelk (n 17).

¹⁶² The Tristan Jepson Memorial Foundation was established in August 2008 by the Jepson family in a mission to honour the legacy of Tristan.

¹⁶³ Australian scholarship prior to 2009 had acknowledged some of the key issues raised in the Brain and Mind Research Institute Report and generally referred to empirical studies conducted in the US. For example, Judy Allen and Paula Baron from the University of Western Australia raised early awareness of the issue of law student wellbeing in Australia in their publication, Judy Allen and Paula Baron, 'Of Caterpillars and Butterflies: The Introduction of Metamorphosis at the UWA Law School' (2001) 35(3) *The Law Teacher* 346. Another early and influential publication was Judy Allen and Paula Baron, 'Buttercup Goes to Law School: Student Wellbeing in Stressed Law Schools' (2004) 29(6) *Alternative Law Journal* 285.

¹⁶⁴ The study used an International Depression Literacy Survey, consisting of demographic questions, and questions seeking to ascertain participants knowledge of health issues in Australia (participants were asked to tick answers from a list); beliefs and experiences with mental health help and treatment options (participants were asked to answer some questions by ticking from a list, and answer some questions on a Likert Scale), information seeking behaviour and perceived needs for mental health services (participants were asked to tick answers from a list), attitudes towards depression (participants were asked to answer questions on a Likert Scale), and standardized questions to measure participants levels of distress (K 10; Kessler Psychological Distress Scale), psychological and physical wellbeing (SPHERE 12 scale; Somatic and Psychological Health Report) and other general information

concluded, 'The primary finding of this Australian survey is to confirm the view, originating from international research, that law students and members of the legal profession exhibit higher levels of psychological distress and depression than do community members of a similar age and sex'.¹⁶⁵ The findings of the BMRI study started a national conversation and prompted additional research into the prevalence of mental health challenges within Australian law schools and the legal profession. Since the landmark BMRI study, the 'Wellness in the Law' movement has inspired research and action to, 'draw attention to the central and critical importance of wellbeing to tertiary education, particularly for law students and legal academics; and across the spectrum of the legal profession'.¹⁶⁶ The TJMF, operating today as the Minds Count Foundation (MCF), continues to focus on promoting best practice workplace wellbeing guidelines and supporting the legal profession to create psychologically safe and healthy workplaces, including law schools.¹⁶⁷ JCU is a current signatory to the MCF Best Practice Guidelines.¹⁶⁸

In 2013 the Council of Australian Law Deans published Good Practice Guidelines for promoting law student wellbeing in law schools, demonstrating the legal profession's focus of ensuring students at law school are aware of the importance of wellbeing, and are being taught how to engage in positive wellbeing practices.¹⁶⁹ The commitment to improving lawyer and law student wellbeing is actively supported by the

(participants were asked to tick answers from a list, and were given space to write a qualitative response to elaborate on any answer provided).

¹⁶⁵ Kelk et al (n 17) 42. This quote is the overall general conclusion from the study, however the authors identify three additional key points: 1) the results were not 'severely' distinct and therefore the authors caution readers not to conclude that law students and younger lawyers are 'severely dysfunctional', just 'somewhat more distressed' than their community peers; 2) The results of attitudes and help seeking behaviour demonstrated some barriers to law students and practising lawyers both recognising and seeking help for psychological distress; and, 3) Despite point 2, there was also evidence of help-seeking from law students and lawyers who do become depressed, as the authors stated, 'this is what would be expected of a group of such generally well-educated, highly employed and economically well-off people,' 42.

¹⁶⁶ Judith Marychurch and Adiva Sifris, *Wellness for Law: Making Wellness Core Business* (LexisNexis Butterworths, 2020) 4.

¹⁶⁷ The Tristan Jepson Memorial Foundation changed its name to the 'Minds Count Foundation' in 2018. The Minds Count Foundation's mission is to 'continue to inform, educate and support organisations in the legal sector in developing psychologically safe workplaces. Through our initiatives, we recognise and champion new developments, research and operational best-practice in the area of depression, anxiety and mental health in legal workplaces.' 'About Us', *Minds Count Foundation* (Webpage, 2024) <<https://mindscount.org/about-us/>>.

¹⁶⁸ 'Signatories to the Guidelines', *Minds Count Foundation* (Webpage, 2024) <<https://mindscount.org/signatories-to-the-guidelines/>>.

¹⁶⁹ Council of Australian Law Deans (CALD), *Promoting Law Student Well-Being Good Practice Guidelines for Law Schools* (2013) <<https://cald.asn.au/wp-content/uploads/2017/11/Promoting-Law-Student-Well-Being-Good-Practice-Guidelines-for-Law-Schools.pdf>>.

legal profession.¹⁷⁰ However, despite increased awareness of and attention paid to lawyer and law student mental health, the breadth of current findings of illbeing in Australian lawyers and law students is alarming. There is a disturbing trend of a rise of serious mental health issues in law students, as well as in the legal profession.¹⁷¹ Numerous studies and reports have found the legal profession in Australia to be a psychologically harmful profession.¹⁷² Prolonged elevated levels of depression, anxiety, and stress have been linked to a range of serious health and behavioural issues including fatigue and burnout, alcohol and drug use, disturbed sleep, lack of sleep, relationship difficulties as well as instances of self-harm and suicide.¹⁷³ Scholarship leading to action to address the rising mental health concerns is still very much needed in this area. Thus, the mental health of law students remains a topical and crucial area for research, particularly as the psychological function of graduating law students may carry over and impact their functioning in professional practice.¹⁷⁴

A. *Wellness Network for Law*

A number of key researchers, including Australian legal academics, have contributed thought-leadership and empirical research exploring the topics of wellbeing and psychological distress of students at law

¹⁷⁰ 'Mental Health and Wellbeing in the Legal Profession', *Law Council of Australia* (Webpage, 2023) <<https://lawcouncil.au/policy-agenda/advancing-the-profession/mental-health-and-wellbeing-in-the-legal-profession>>.

¹⁷¹ See, eg, Vivienne Browne and Nicholas Fava, 'Safeguarding the 'Mental Wealth' of Australian University Students' in Judith Marychurch and Adiva Sifris (eds), *Wellness for Law: Making Wellness Core Business* (LexisNexis Butterworth, 2020) 15 ; Paula Baron, 'Sleight of Hand: Lawyer Distress and the Attribution of Responsibility' (2014) 23(2) *Griffith Law Review* 261; Bergin and Pakenham (n 61); Adele Bergin and Nerina Jimmieson, 'Explaining Psychological Distress in the Legal Profession: The Role of Overcommitment' (2013) 20(2) *International Journal of Stress Management* 134; Carly Schrever, Carol Hulbert and Tania Sourdin, 'Where Stress Presides: Predictors and Correlates of Stress among Australian Judges and Magistrates' (2021) *Psychiatry, Psychology and Law* 1; Mary Heath et al, 'Learning to Feel Like a Lawyer: Law Teachers, Sessional Teaching and Emotional Labour in Legal Education' (2017) 26(3) *Griffith Law Review* 430; Martin Seligman, Paul Verkuil and Terry Kang, 'Why Lawyers Are Unhappy' (2005) 10(1) *Deakin Law Review* 49.

¹⁷² See, eg, Natalie Skead, Shane Rogers and Jerome Doraisamy, 'Looking Beyond the Mirror: Psychological Distress; Disordered Eating, Weight and Shape Concerns; and Maladaptive Eating Habits in Lawyers and Law Students' (2018) 61 *International Journal of Law and Psychiatry* 90; Schrever, Hulbert and Sourdin (n 171); Bergin and Jimmieson (n 171); Hannah Wootton, 'Law Deemed a 'High-Risk' Job: SafeWork', *Financial Review* (Online, 10 June 2021) <<https://www.afr.com/companies/professional-services/long-hours-high-demands-makes-law-a-high-risk-job-safework-20210607-p57yrz>>; Margaret Thornton, 'Squeezing the Life out of Lawyers: Legal Practice in the Market Embrace' (2016) 25(4) *Griffith Law Review* 471.

¹⁷³ See, eg, Schrever, Hulbert and Sourdin, (n 171) 1; Skead, Rogers and Doraisamy (n 172); Janet Chan, Suzanne Poynton and Jasmine Bruce, 'Lawyering Stress and Work Culture: An Australian study' (2014) 37(3) *University of New South Wales Law Journal* 1062; Sharon Medlow, Norm Kelk and Ian Hickie, 'Depression and the Law: Experiences of Australian barristers and solicitors' (2011) 33(4) *Sydney Law Review* 771; Bree Buchanan et al, 'The Path to Lawyer Well-Being: Practical Recommendations for Positive Change', *Institute for Well-being in Law* (Report of the National Task Force on Lawyer Well-Being, 2017) <<https://lawyerwellbeing.net/the-report/>>.

¹⁷⁴ Bergin and Pakenham (n 61).

schools in Australia. Following the BMRI 2009 report, in 2010 Professor Rachael Field undertook an Australian Learning and Teaching Council (ALTC) Fellowship to further explore the topic of promoting law student wellbeing, with a particular focus on whether teaching dispute resolution knowledge, skills and attributes could promote law student wellbeing. Field founded the 'Wellness Network for Law' as a result of her 2010-2014 ALTC fellowship and is a notable scholar on this topic.¹⁷⁵ Field's ALTC Fellowship focused on raising awareness of, and persuading the legal academy about the importance of, law student psychological wellbeing. Her Fellowship conclusions additionally promoted supporting law student wellbeing through law school curriculum. In an evaluation of Field's performance, reviewer and President of the ALT Fellows Sally Kift, reported that Field's work would impact the way law is taught in Australia and her work has, 'succeeded in embedding issues around student and practitioner wellness in the fabric of the academy.'¹⁷⁶ One of Field's resulting publications from her fellowship is the 2014 text *Lawyering and Positive Professional Identities* (now in its second edition).¹⁷⁷ The monograph highlights skills, knowledge, attitudes, and awareness of contributing factors to psychological wellness. Field has been a significant contributor to the national conversation. Other contributions include the 2016 edited text *Promoting Law Student and Lawyer Well-being in Australia and Beyond*, a chapter on harnessing the law school curriculum to promote law student wellbeing,¹⁷⁸ and contributions to numerous articles on promoting law student wellbeing.¹⁷⁹

A key outcome from Field's ALTC Fellowship is the ongoing Wellness Network for Law. Currently hosted within the Centre for Professional Legal Education at Bond University, the Wellness Network for Law provides opportunities for academics and practitioners to share insights, scholarship, and research on the wellbeing of law students and members of the legal profession through its annual Forums. The Wellness

¹⁷⁵ Bond University, 'Wellness Network for Law', *Centre for Professional Legal Education* (2024) <<https://www.cple.blog/wellness-for-law/>>.

¹⁷⁶ Sally Kift, 'Final Evaluation Report: Associate Professor Rachael Field's ALTC/OLT Teaching Fellowship' (Report, 2014) 8.

¹⁷⁷ Rachael Field, James Duffy and Anna Huggins, *Lawyering and Positive Professional Identities* (LexisNexis Butterworths, 2019).

¹⁷⁸ Field, Duffy and James (n 19); Field, 'Harnessing the Law Curriculum to Promote Law Student Well-Being, Particularly in the First Year of Legal Education' (n 14).

¹⁷⁹ See eg, Rachael Field and Jan Meyer, 'Threshold Concepts in Law: Intentional Curriculum Reform to Support Law Student Learning Success and Well-Being', in Emma Jones and Fiona Cownie (eds) *Key Directions in Legal Education* (Routledge, 2020) 142; Nigel Duncan, Rachael Field and Caroline Strevens, 'Ethical Imperatives for Legal Educators to Promote Law Student Wellbeing' (2020) 23(1-2) *Legal Ethics* 65; James et al (n 7); James Duffy et al, 'The 'I' Belong in the LLB' program: Animation and Promoting Law Student Well-Being' (2016) 41(1) *Alternative Law Journal* 52; Rachael Field, James Duffy and Anna Huggins, 'Teaching Independent Learning Skills in the First Year: A Positive Psychology Strategy for Promoting Law Student Well-Being' (2015) 8(2) *Journal of Learning Design* 1; Field, Duffy and Huggins (n 177).

Network for Law is, 'a community of legal academics, practitioners and students who are committed to: first, addressing the high levels of psychological distress experienced in law; and second, promoting wellness at law school, in the legal academy, and in the profession.'¹⁸⁰ The work of the network members has greatly influenced the 'Wellness in the Law' movement in Australia. Importantly, the Wellness in the Law movement includes topics surrounding the mental health and wellbeing of law academics and the legal profession, including the judiciary. The Wellness Network for Law Forums have been hosted from 2013 – present.¹⁸¹ In its recent history, Marychurch and Sifris edited the 2020 text *Wellness for Law: Making Wellness Core Business*,¹⁸² drawing on the work of academics and presentations from the national Wellness Network for Law Forum in February 2019. This text brings to the fore the focus on how individuals and institutions can prevent psychological distress and promote law student wellbeing. The 2022 forum, hosted by Field and James at the Bond University Faculty of Law saw presentations on the resilience and wellbeing challenges for students in response to COVID-19, as well as on exploring practices for the teaching and practice of law that could foster improved mental wellbeing for students and legal practitioners.¹⁸³ The 2024 forum, co-hosted by the University of Melbourne Law School and Monash Law School, had the central theme of *Reflecting on the Past, Shaping the Future: Wellness for Law to 2030*.¹⁸⁴ The call for papers referenced the 2009 landmark BMRI report, recognised the recent-past challenges of COVID-19 and invited presenters to reflect on the past 15 years and future direction of law student wellbeing.¹⁸⁵ The research and reflections in the presentations from students, academics, members of the legal academy, and the judiciary continue to show that psychological distress is an ongoing issue and still requires significant attention.

B. Factors Affecting Law Student Wellbeing

There are a number of factors that may contribute to a law student's need for higher levels of resilience compared with other students at university and the general community (non-students). In longitudinal studies of American law students, it has been found that law students start their law degrees with

¹⁸⁰ Bond University, 'Wellness Network for Law Forum 2022', *Centre for Professional Legal Education* (2022).

¹⁸¹ Bond University, 'Wellness Network for Law' (n 175).

¹⁸² Judith Marychurch and Adiva Sifris, *Wellness for Law: Making Wellness Core Business* (LexisNexis Butterworths, 2020).

¹⁸³ Bond University, 'Wellness Network for Law Forum 2022' (n 180).

¹⁸⁴ Wellness Network for Law, 'Call for Papers: Reflecting on the Past, Shaping the Future: Wellness for Law to 2030', *Centre for Professional Legal Education* (2024) <<https://www.cple.blog/wp-content/uploads/2023/10/Wellness-for-Law-Forum-2024-Call-for-Papers-Final.pdf>>.

¹⁸⁵ *Ibid.*

comparable levels of psychological distress with the general population.¹⁸⁶ However, by the end of the first semester students' levels of psychological distress had increased significantly.¹⁸⁷ Similar results have been found in Australian law student populations, where heightened psychological distress symptoms are reported at the end of the first year of studying a law degree.¹⁸⁸ These results suggest that there are factors affecting students at law school that impact on their levels of depression, anxiety, and stress, not that certain types of individuals may be attracted to studying law who are predisposed to high levels of psychological distress.¹⁸⁹ Although for some law students, their attitudes towards approaching law school may contribute to a decline in wellbeing during their time at university. A university survey across all faculties at the University of New South Wales in 2005 found that there were differences in law students' reasons for choosing their course, and expectations of their university experience.¹⁹⁰ Tani and Vines found that, 'Law students reported different reasons for their choice of course, seemed disproportionately concerned about their grades, less interested in teamwork, and had different ideas about employers' preferences for graduates when compared with students from other disciplines.'¹⁹¹ Research also suggests contributing factors to law student psychological distress could include: the fundamental shift in mindset to be able to 'think like a lawyer', which includes their changing values; feelings of fear or failure related to feedback on learning (imposter syndrome); as well as the competitive nature of law school.¹⁹² Other

¹⁸⁶ G Benjamin et al, 'The Role of Legal Education in Producing Psychological Distress among Law Students and Lawyers' (1986) 11(2) *American Bar Foundation Research Journal* 225; Mary Pritchard and Daniel McIntosh, 'What Predicts Adjustment among Law Students? A Longitudinal Panel Study' (2003) 143(6) *The Journal of Social Psychology* 727.

¹⁸⁷ Benjamin et al (n 186). The results of Benjamin et al's study found that 'before law school, subjects develop symptom responses similar to the normal population. This comparison suggests that prospective law students have not acquired unique or excessive symptoms that set them apart from people in general. During law school, however, symptom levels are elevated significantly when compared with the normal population. These symptoms include obsessive-compulsive behavior, interpersonal sensitivity, depression, anxiety, hostility, phobic anxiety, paranoid ideation, and psychoticism (social alienation and isolation). Elevations of symptom levels significantly increase for law students during the first to third years of law school,' 246.

¹⁸⁸ Anthony Lester, Lloyd England and Natalia Antolak-Saper, 'Health and Wellbeing in the First Year: The Law School Experience' (2011) 36(1) *Alternative Law Journal* 47; O'Brien, Tang and Hall (n 10); Molly O'Brien, Stephen Tang and Kath Hall, 'No Time to Lose: Negative Impact on Law Student Wellbeing May Begin in Year One' (2011) 2(2) *The International Journal of the First Year in Higher Education* 49.

¹⁸⁹ Bergin and Pakenham (n 61); Pritchard and McIntosh (n 186). Pritchard and McIntosh state in their discussion, 'The results contribute to the growing evidence that it is something about the law school experience that causes the distress rather than the law students being atypical before entering law school,' 739.

¹⁹⁰ Massimiliano Tani and Prue Vines, 'Law Students' Attitudes to Education: Pointers to Depression in the Legal Academy and the Profession' (2009) 19(1-2) *Legal Education Review* 3.

¹⁹¹ *Ibid* 3.

¹⁹² See, eg, Rachael Field, James Duffy and Anna Huggins, 'Supporting Transition to Law School and Student Well-being: The Role of Professional Legal Identity' (2013) 4(2) *The International Journal of the First Year in Higher Education* 15; Helen Stallman, 'A Qualitative Evaluation of Perceptions of the Role of Competition in the Success

contributory factors that have been found to impact law student distress include heavy workloads, a sense of lack of autonomy, social isolation, challenges balancing work, study, and personal relationships, feeling pressure to do well, and challenges adapting to law school curriculum and teaching methods.¹⁹³ In summary, there is ample research that supports the claims that law student psychological distress is impacted by characteristics of the law school environment, as well as their own attitudes and coping strategies. Building levels of hope in law students is therefore an evidence-based strategy to increase students' coping strategies and resilience to law environment stress factors.

Empirical research has been conducted by Larcombe and Feathers¹⁹⁴ and Larcombe, Finch, and Sore¹⁹⁵ reporting on law student psychological distress. In both these studies, the authors used Self-Determination Theory (SDT) as an explanatory theory to describe the psychological distress experienced by law students.¹⁹⁶ SDT is a meta psychological framework that suggests, amongst other things, that an individual's motivation, satisfaction of psychological needs, and overall wellbeing, are influenced by the degree to which their environment supports their sense of autonomy, competence, and relatedness to others. Larcombe et al concluded that the SDT elements of competence and relatedness to others could be undermined by a student's experience and perceptions of law school culture (particularly the competitive nature and success focus), law lecturers' 'lack of understanding', and assessment and grading practices.¹⁹⁷ Furthermore, the authors highlighted key elements of the law school experience, such as law lecturer and faculty relations, assessment and feedback practices, and flexibility (or lack of flexibility) in course structure.¹⁹⁸ These factors may contribute to students perceiving the law school as controlling, rather than fostering autonomy and agency, consequently affecting students' ability to act authentically. Consistent with SDT, neglecting or undervaluing students' psychological need for autonomy could lead to heightened levels of psychological distress. In terms of the responsibility for action to address the reported high levels of student psychological distress, Larcombe et al concluded

and Distress of Law Students' (2012) 31(6) *Higher Education Research and Development* 891; Allen and Baron (n 163); Larcombe and Fethers (n 10).

¹⁹³ See, eg, Tani and Vines (n 190); Peterson and Peterson (n 38); Kennon Sheldon and Lawrence Krieger, 'Does Legal Education Have Undermining Effects on Law Students? Evaluating Changes in Motivation, Values, and Well-Being' (2004) 22(2) *Behavioral Sciences and the Law* 261; Pritchard and McIntosh (n 186); Larcombe et al (n 15); Lara Dresser, 'Promoting Psychological Health in Law Students' (2005) 24(1-2) *Legal Reference Services Quarterly* 41; Bergin and Pakenham (n 61).

¹⁹⁴ Larcombe and Fethers (n 10).

¹⁹⁵ Larcombe, Finch and Sore (n 11).

¹⁹⁶ Larcombe and Fethers (n 10); Larcombe, Finch and Sore (n 11).

¹⁹⁷ Larcombe et al (n 15) 432.

¹⁹⁸ *Ibid.*

The present study confirms that law student wellbeing will require a whole-of-school approach so that student wellbeing is considered and evaluated in the design of curriculum, assessment, and the wider teaching and learning environment. This is a considerable challenge, and one likely to benefit from collective effort and collaboration.¹⁹⁹

Larcombe and Feathers offered further direction in how law schools could provide support to address students' levels of perceived autonomy and to foster intrinsic motivation, for example by law schools investing in further training of academic and professional staff to promote 'autonomy supportive' teaching, curriculum design, and service delivery.²⁰⁰ In addition, law schools could provide access to university support services such as counselling services, and career and financial advice, as well as law schools providing increased course flexibility and improved peer engagement throughout the degree.²⁰¹ These conclusions are also drawn in the 'Enhancing Student Wellbeing' Framework.²⁰² This thesis argues that hope theory is an additional lens through which factors affecting law students wellbeing can be viewed. As highlighted in Chapter 1, teaching hope can engender a sense of self-agency and belief in one's ability to achieve set goals, such as law school success, academic achievement, and future professional roles. Hope theory can also be used as a framework for strengths-based education initiatives that address elements identified in SDT.²⁰³

Another potential contributing factor influencing the wellbeing of law students is the lack of clarity surrounding potential career pathways and therefore students' ability to set goals for the future. The *Law Society of New South Wales Law Graduate Report* states that it is important that law students are aware of information available on the current legal market (including the challenges of gaining employment in a legal role) and the diverse range of potential career opportunities (outside of the law) available to them.²⁰⁴ Law is also increasingly being considered as a generalist degree as the number of law graduates who seek employment beyond the law firm and outside of traditional legal roles continues to grow.²⁰⁵ Sung, Turner, and Kaewchinda suggest it is important to assist tertiary students to increase their educational and

¹⁹⁹ Ibid 432.

²⁰⁰ Larcombe and Fethers (n 10) 426.

²⁰¹ Ibid 427.

²⁰² Baik et al (n 7).

²⁰³ Field and Duffy (n 40); Martin and Rand (n 28); Cochran (n 36).

²⁰⁴ The Law Society of New South Wales, *Future Prospects of Law Graduates: Report and Recommendations* (2015) <<https://www.lawsociety.com.au/cs/groups/public/documents/internetcontent/980877.pdf>>.

²⁰⁵ Pauline Collins, 'Resistance to the Teaching of ADR in the Legal Academy' (2015) 26(2) *Australasian Dispute Resolution Journal* 64, 69.

vocational skills in order to increase their hope as they pursue their goals.²⁰⁶ This can be done by encouraging students to adopt a positive professional identity that links their inherent values with a chosen career pathway and increase their potential to visualise multiple career pathways.²⁰⁷ Strengthening the hopeful thinking of law students may have a flow on effect to their goal setting and success in their professional careers.

The first year experience literature, in particular, highlights the importance of teaching law students resilience and supporting their wellbeing especially during the transition to law school.²⁰⁸ As highlighted in Chapter 1, research studies expanding the knowledge and evidence base on the prevalence and impact of psychological distress in law schools have measured and compared psychological constructs including: depression, anxiety and stress levels of law students;²⁰⁹ considered law students' perceived stress;²¹⁰ as well as considered how the law schools' curriculum and institutional responses to supporting wellbeing impact upon students' psychological distress.²¹¹ In response to research findings, many law schools have adapted curriculum;²¹² focused on strategies to support students' transition to law school;²¹³ implemented strategies to address symptoms of psychological distress;²¹⁴ as well as promoting student wellbeing and resilience through assessment, curriculum and feedback;²¹⁵ and supporting students in developing positive professional identities.²¹⁶

There are also a number of Australian academics that champion greater teaching of Alternative Dispute Resolution (ADR) in the law degree, as a way to expand the skills and knowledge of students to be able to perform greater conflict management and resolution roles in society, beyond traditional and often

²⁰⁶ Sung, Turner and Kaewchinda (n 52).

²⁰⁷ Field, Duffy and Huggins (n 177).

²⁰⁸ Field and Kift (n 15). Watson and Field (n 47).

²⁰⁹ Larcombe et al (n 15).

²¹⁰ Bergin and Pakenham (n 61).

²¹¹ O'Brien, Tang and Hall (n 10); Wendy Larcombe, Chi Baik and Sue Finch, 'Exploring Course Experiences That Predict Psychological Distress and Mental Wellbeing in Australian Undergraduate and Graduate Coursework Students' (2022) 41(2) *Higher Education Research & Development* 420.

²¹² Baik et al (n 8); Field, 'Promoting Law Student Well-Being through the Curriculum: Stimulating Strategic Change in Legal Education to Address High Levels of Psychological Distress in Law Students' (n 14); Anna Huggins, 'Autonomy Supportive Curriculum Design: A Salient Factor in Promoting Law Students' Wellbeing' (2012) 35(3) *University of New South Wales Law Journal* 683.

²¹³ Field, Duffy and Huggins (n 192).

²¹⁴ Rachael Field and Kathy Douglas, 'Teaching Non-Adversarial Practice in the First Year of Law: A Proposed Strategy for Addressing High Levels of Psychological Distress in Law Students' Proceedings of the 14th Pacific Rim First Year in Higher Education Conference 2011: Design for Student Success; Stallman (n 83).

²¹⁵ Field and Kift (n 15).

²¹⁶ Field, Duffy and Huggins (n 177); Field, Duffy and Huggins (n 192).

adversarial legal roles.²¹⁷ Scholars have highlighted the importance of teaching ADR in Australian law schools,²¹⁸ including the correlation between ADR exposure and law students' development of a positive professional identity,²¹⁹ as well as teaching ADR in law schools as a specific strategy to build students' hope.²²⁰ In particular, law students may be aided in positive professional identity formation through exposure to ADR content in their first year at university, at a time when students' personal and professional identity formation is considered 'most malleable'.²²¹ ADR instruction introduces students to a collaborative paradigm as well as different problem solving philosophies. In stark contrast the adversarial paradigm, commonly portrayed through TV shows (for example, *Boston Legal*, *The Good Wife/Fight and Suits*), movies and media (and often highlighted by law schools as the 'traditional' system) can cause anxiety for students who do not view themselves as sharing values in common with those representations. Australian law academics Field, Duffy and Collins agree that broadening the definition of 'the role of the lawyer' or 'lawyering' to include more realistic and nuanced aspects of what is required when thinking and acting 'like a lawyer' is important in order to connect the idea of a future career path with a student's own values, personality, and skill sets.²²² However, Collins has noted a resistance to teaching ADR in the legal academy in that over half of Australian law schools only offer ADR courses as electives and not as core subjects.²²³ Collins states that this elective practice is allowing students to graduate with a law degree and yet have little knowledge or understanding about ADR principles and practices.²²⁴ However, given the drive to make law degrees more flexible, and allow for greater choice in elective subjects, it could be of greater value to incorporate ADR principles across the already existing Priestly 11 subjects. Law schools that embrace ADR are more likely to have aligned their teaching outcomes and graduate outcomes to meet with the students'

²¹⁷ Kathy Douglas, 'The Role of ADR in Developing Lawyers' Practice: Lessons from Australian Legal Education', *Legal Education at the Crossroads* (Routledge, 2018) 69; Tania Sourdin, 'Not Teaching ADR in Law Schools? Implications for Law Students, Clients and the ADR Field' (2012) 23 *Australasian Dispute Resolution Journal* 148; Rachael Field and Alpana Roy, 'A Compulsory Dispute Resolution Capstone Subject: An Important Inclusion in a 21st Century Australian Law Curriculum' (2017) 27 *Legal Education Review* 73.

²¹⁸ Paula Baron, Lillian Corbin and Judy Gutman, 'Throwing Babies out with the Bathwater? Adversarialism, ADR and the Way Forward' (2014) 40(2) *Monash University Law Review* 283; Kathy Douglas, 'The Role of ADR in Developing Lawyers' Practice: Lessons from Australian Legal Education' (2015) 22(1) *International Journal of the Legal Profession* 71; Sourdin (n 217); Collins (n 205).

²¹⁹ Kathy Douglas and Becky Batagol, 'ADR and Non-Adversarial Justice as Sites for Understanding Emotion in Dispute Resolution: Reporting on Research into Teaching Practices in Selected Australian Law Schools' (2010) 20(2) *Journal of Judicial Administration* 106; Field and Duffy (n 177).

²²⁰ Field and Duffy (n 40).

²²¹ Field and Duffy (n 49); Field and Duffy (n 40).

²²² Field and Duffy (n 40); Collins (n 205).

²²³ Collins (n 205) 65.

²²⁴ *Ibid* 65.

and the employers' long-term goals.²²⁵ As many universities mental health and wellbeing policies and strategies (including JCU's Strategy) propose integrating greater wellbeing content in the curriculum, the debate to include ADR in the law school curriculum could be linked to enhancing law student mental health and wellbeing. Therefore, as curriculum is evaluated for alignment with mental health and wellbeing policies and strategies, law schools might consider what can be done to support students entering a law degree to gain more generalist skills and knowledge and link their professional identities to a wider range of career options (not just the law), to support them to succeed at law school and to thrive in their careers, whatever field they may enter.

Analysis of legal education and the law curriculum, per se, is beyond the scope of this thesis. However, reference to specific links drawn by authors to legal education and depression, anxiety, and stress and hope theory will be explored throughout the thesis. According to hope theory, wellbeing can be aided by empowering students to realise their personal agency (capacity to make choices, set goals, and take action) and the personal belief that their decisions can influence their lives and that they have the power to make choices that will contribute towards achieving or not achieving their set goals.²²⁶

C. Ethical Responsibility to Address the Problem

While it is clear that many factors affect law student wellbeing over their time at university, there is ongoing debate in the literature on the key causes of student psychological distress;²²⁷ whether or not it is the responsibility of individuals, systems or structures to address the issues;²²⁸ and, the perceived benefits (or not) of different interventions.²²⁹ When the report issued by the BMRI shed light on the prevalent mental health challenges confronting law students and legal practitioners, Kath Hall, currently an Honorary Associate Professor at the Australian National University (ANU), promptly raised concerns

²²⁵ Ibid 65.

²²⁶ Martin and Rand (n 28); Field and Duffy (n 40).

²²⁷ Wendy Larcombe et al, 'Prevalence and Socio-Demographic Correlates of Psychological Distress among Students at an Australian University' (2016) 41(6) *Studies in higher education* 1074; Skead, Rogers and Doraisamy (n 172); Natalie Skead and Shane Rogers, 'Stress, Anxiety and Depression in Law Students: How Student Behaviors Affect Student Wellbeing' (2014) 40 *Monash University Law Review* 565; Sheldon and Krieger (n 193).

²²⁸ Christine Parker, 'The Moral Panic over Psychological Wellbeing in the Legal Profession: A Personal or Political Ethical Response?' (2014) 37 *University of New South Wales Law Journal* 1103; Judith Marychurch, 'Partnership with Students for a 'Whole of Law School' Approach to Wellness' in Judith Marychurch and Adiva Sifris (eds), *Wellness for Law: Making Wellness Core Business* (LexisNexis Butterworths, 2020) 79; Brooker, McKague and Phillips (n 7).

²²⁹ Katherine Lindsay et al, "'Oh, the Places You'll Go!': Newcastle Law School's Partnership Interventions for Well-Being in First Year Law' (2015) 8(2) *Journal of Learning Design* 11; Carmela White, Bob Uttl and Mark Holder, 'Meta-Analyses of Positive Psychology Interventions: The Effects Are Much Smaller Than Previously Reported' (2019) 14(5) *PLoS ONE* 1; Batagol et al (n 57).

regarding the potential cognitive dissonance within Australian academia towards research into psychological wellbeing within law schools and the broader legal academy.²³⁰ Hall's timely response expressed apprehensions over the cognitive discomfort associated with acknowledging the existence of a problem, particularly among law staff who may inadvertently contribute to a system demonstrably detrimental to students' psychological wellbeing.²³¹ This apprehension Hall cautioned, may lead to a propensity among academics and practitioners to rationalise the issues at hand, thereby potentially impeding the progression of research and the implementation of reforms aimed at addressing core issues, such as law students' levels of psychological distress.²³² As Hall prompted, looking at how individual researchers have attributed responsibility for wellbeing (and illbeing) and the responsibility for interventions to increase wellbeing (and decrease illbeing) gives a greater nuance to understanding contributions to the conversation and suggestions for individual strategies, institutional responses, and societal changes.²³³

For example, in the 2016 edited text *Promoting Law Student and Lawyer Well-being in Australia and Beyond*, the overarching focus of the contributions was on how to alleviate pathological levels of psychological distress and address concerns for law students' mental health.²³⁴ These arguments did attract some criticism. D'Silva in her book review, questions the underlying assumption that since, 'distress appears to manifest during the study of law, law schools must be responsible for alleviating it.'²³⁵ Wendy Larcombe, Honorary Associate Professor at the University of Melbourne Law School and a pivotal figure in Australian scholarship on law student wellbeing, has raised similar sentiments in her scholarship. Larcombe and Feathers state the importance of understanding, 'whether it is legal education per se that triggers or exacerbates law student distress, or whether some interaction of 'external' sources of distress and personal characteristics mediates students' responses to the law school environment.'²³⁶

The 'responsibility' for student wellbeing has expanded into an interesting debate on ethics. Christine Parker, a distinguished Professor at Monash University Law Faculty, made a significant and provocative contribution to the intellectual discourse surrounding psychological distress among law students and legal

²³⁰ Kath Hall, 'Do We Really Want to Know? Recognising the Importance of Student Psychological Wellbeing in Australian Law Schools' (2009) 9(1) *QUT Law Review* 1

²³¹ *Ibid* 10.

²³² *Ibid*.

²³³ *Ibid*.

²³⁴ Field, Duffy and James (n 19).

²³⁵ Magdalene D'Silva, 'Book Review: Promoting Law Student and Lawyer Well-Being in Australia and Beyond' (2016) 18(1) *The University of Notre Dame Australia Law Review* 177.

²³⁶ Larcombe and Fethers (n 10) 391.

practitioners with the 2014 article *The 'Moral Panic' Over Psychological Wellbeing in the Legal Profession: A Personal or Political Ethical Response?*.²³⁷ While recognising the valuable insights offered by emerging thought leaders and numerous articles and research endeavours on this topic, Parker cautioned against the potential pitfalls associated with partial, incomplete, and narrowly interpreted data on psychological distress. Specifically, Parker highlighted the risk of over-individualising and medicalising what may be fundamentally entrenched social, economic, and political challenges within legal education and the legal profession.²³⁸ Parker warned against an increased amplification of the 'lawyer wellbeing crisis' and 'moral panic' that places undue ethical responsibility on individuals to manage their own response to surrounding social, economic and political situations, when in actual fact those systems themselves warrant critical examination and reconsideration.²³⁹ Indeed, a lot of focus in positive psychology, education, and wellbeing has focused on individual traits and personal self-agency in addressing issues of illbeing.

Adding to the conversation, prolific author and legal academic Professor Margaret Thornton has published widely on the neoliberal law school structure and its impact on law student wellbeing.²⁴⁰ Thornton is an internationally recognised socio-legal and feminist scholar and a foundation fellow of the Australian Academy of Law.²⁴¹ Thornton's thought leadership and research on law student and lawyer wellbeing highlights the western neoliberal trend of the individualisation (that is, attributing individual responsibility) of psychological distress.²⁴² The neoliberal approach to mental health and wellbeing is discussed further in Chapter 3: Neoliberalism and Wellbeing. In practice, the wellbeing of an institution or system (for example a law school) is often measured by the culmination of individual responses to wellbeing or illbeing measures. Therefore, whether an institution or system is thought to be 'doing well' rests on the shoulders of the individuals who are a part of that system. The risk of over individualising responsibility for wellbeing puts the pressure of success or failure to maintain one's mental health on the individual and detracts from conversations about the impact of surrounding environments, such as law school, the legal profession,

²³⁷ Parker (n 228).

²³⁸ Ibid.

²³⁹ Ibid.

²⁴⁰ See, eg, Margaret Thornton, 'Among the Ruins: Law in the Neo-Liberal Academy' (2001) 20 *Windsor Yearbook of Access to Justice* 3; Margaret Thornton, 'The Law School, the Market and the New Knowledge Economy' (2007) 17(1/2) *Legal Education Review* 1.

²⁴¹ Australian Academy of Law (Webpage, 2019) <<https://academyoflaw.org.au/>>. According to the website, 'The Australian Academy of Law comprises elected individuals of exceptional distinction in the discipline of law who are committed to the advancement of that discipline and to justice according to law in Australia.'

²⁴² Margaret Thornton, 'Law Student Wellbeing: A Neoliberal Conundrum' (2016) 58(2) *The Australian Universities' Review* 42.

and the Australian higher education sector.²⁴³ Duncan, Field, and Strevens, have furthered this debate in suggesting ethical and moral obligations exist for legal educators to act on the knowledge of psychological distress in law students and for the legal academy to take active steps to address the issue.²⁴⁴ Duncan, Field, and Strevens argue that as legal educators ‘our responsibility to our students to create learning environments conducive to successful learning creates an ethical duty to ensure that those environments are purposely designed to promote law student wellbeing and to prevent a decline in their psychological health.’²⁴⁵ Duncan, Strevens, and Field additionally argue that it is a responsibility for law schools to help students to thrive.²⁴⁶ Additional considerations in the debate include the issues surrounding law faculty wellbeing, the ability of law faculty to thrive within law schools, and the relationship between law faculty wellbeing and law student wellbeing.²⁴⁷

With the wealth of data supporting the ongoing awareness and concern for law student mental health and wellbeing while at law school, there would appear to be a clear rationale for law schools to take action to try to mitigate the effects of the law school environment in contributing to students’ experiences of psychological distress and also to build students’ capacity to effectively manage their mental health. It is acknowledged by both the *Orygen Under the Radar* Report and the *Australian University Mental Health Framework* that university student mental health is everyone’s responsibility. The *Under the Radar* Report states that, ‘Historically, there has been a perception that by the age of university admission young people should be in a position to independently support their physical and mental health without the involvement of the educational institution.’²⁴⁸ However, that view is changing and the wellbeing of university students is now considered core business in higher education delivery in Australia. In short, the problem is known and there are actions that university staff and law school administrators can take to address the key factors contributing to law student distress – so why not act? Duncan, Field and Strevens suggest that in light of the global evidence relating to law student psychological distress there is in fact a moral responsibility to

²⁴³ Richard Collier, ‘Love Law, Love Life’: Neoliberalism, Wellbeing and Gender in the Legal Profession—the Case of Law School’ (2014) 17(2) *Legal Ethics* 202.

²⁴⁴ Duncan, Field and Strevens (n 178) 182; Duncan, Strevens and Field (n 10).

²⁴⁵ Duncan, Field and Strevens (n 178) 178.

²⁴⁶ Duncan, Strevens and Field (n 10).

²⁴⁷ Colin James et al, ‘Fit Your Own Oxygen Mask First: The Contemporary Neoliberal University and the Wellbeing of Legal Academics’ in Judith Marychurch and Adiva Sifris (eds), *Wellness for Law: Making Wellness Core Business* (LexisNexis, 2020) 57; Heath et al (n 171); Rachael Field, Caroline Strevens and Colin James, ‘Investigating Whether Law Schools in the UK and Australia Are Workplaces That Support the Wellbeing of Law Teachers’ in Abraham Francis and Margaret Carter (eds), *Mental Health and Higher Education in Australia* (Springer, 2022) 67; Colin James, Caroline Strevens and Rachael Field, ‘Law Teachers Speak Out: What Do Law Schools Need to Change’ (Research Paper, ANU, June 2019); James et al (n 7).

²⁴⁸ Orygen, ‘Under the Radar: The Mental Health of Australian University Students’ (n 106) 7.

act, and that promoting law student wellbeing is ‘the right thing to do’.²⁴⁹ Lloyd England has further linked the state of current awareness to a legal duty to act. In the closing keynote address of the 2022 Wellness Network for Law forum, England presented a case study highlighting ‘Legal Education Providers’ Liability in the Tort of Negligence Not to Cause Pure Mental Harm’.²⁵⁰ England explored the concept of a duty of care, emphasising its importance in determining liability, and argued that universities likely owe a legal duty of care to students concerning their psychological wellbeing.²⁵¹ In his presentation, available to view on YouTube, England shared legal tests and examples of situations that could arise in which universities fail to meet a reasonable standard of care.²⁵² From a legal perspective, it’s an important contribution to the conversation of ‘who is responsible’ for taking action to support students’ psychological wellbeing.

Taking action to address factors affecting law student psychological distress can therefore be argued as an ethical duty, moral duty, or legal duty of care. What is clear from recent scholarship and guidelines, is that some responsibility for law student wellbeing falls within the remit of law schools. The International Bar Association’s (IBA) *International Guidelines for Wellbeing in Legal Education* state that, ‘law schools have an ethical duty to strive to promote positive wellbeing in an explicit, evidence-informed manner which can be sustained and developed in the longterm.’²⁵³ Some of the differences in opinions across the literature about where the responsibility for law student wellbeing lies could relate to the challenges of defining wellbeing (discussed further in Chapter 3). Subjective wellbeing measures are used to assess an individual’s experience of wellbeing (or illbeing), and is, as the name suggests, a subjective report of an individual’s perceived experience.²⁵⁴ Therefore, any measures of subjective wellbeing must relate to an

²⁴⁹ Duncan, Field and Strevens (n 178) 88.

²⁵⁰ Lloyd England, ‘Buttercup Sues Her Law School: Tertiary Legal Education Providers’ Liability in the Tort of Negligence Not to Cause Pure Mental Harm’, *Wellness Network for Law Forum 2022* <<https://www.youtube.com/watch?v=gDGVU9vCgFY>>. Referencing Sally Kift, *Articulating a Transition Pedagogy to Scaffold and to Enhance the First Year Student Learning Experience in Australian Higher Education: Final Report for ALTC Senior Fellowship Program* (Citeseer, 2009).

²⁵¹ A legal duty could also arise from consumer guarantees under the *Australian Consumer Law* (‘ACL’) (Cth), particularly section 60 of the ACL (Cth) which provides for a guarantee that services will be rendered with due care and skill. Corones explores the guarantee of due care and skill in relation to curriculum design and delivery in Stephen Corones, ‘Consumer Guarantees and the Supply of Educational Services by Higher Education Providers’ (2012) 35(1) *UNSW Law Journal* 1, 9.

²⁵² England (n 250).

²⁵³ Emma Jones et al, ‘International Guidelines for Wellbeing in Legal Education’ (Guidelines, International Bar Association, December 2023) Guideline 2 (e) <<https://www.ibanet.org/document?id=International-Guidelines-for-Wellbeing-in-Legal-Education>>.

²⁵⁴ Pedro Conceição and Romina Bandura, ‘Measuring Subjective Wellbeing: A Summary Review of the Literature’ (Report, Office of Development Studies, United Nations Development Programme, April 2008). Further discussions on the definition of subjective wellbeing and significant contributions to the wellbeing literature by Ed Diener are discussed in Chapter 3. II. A. 2. Defining Wellbeing.

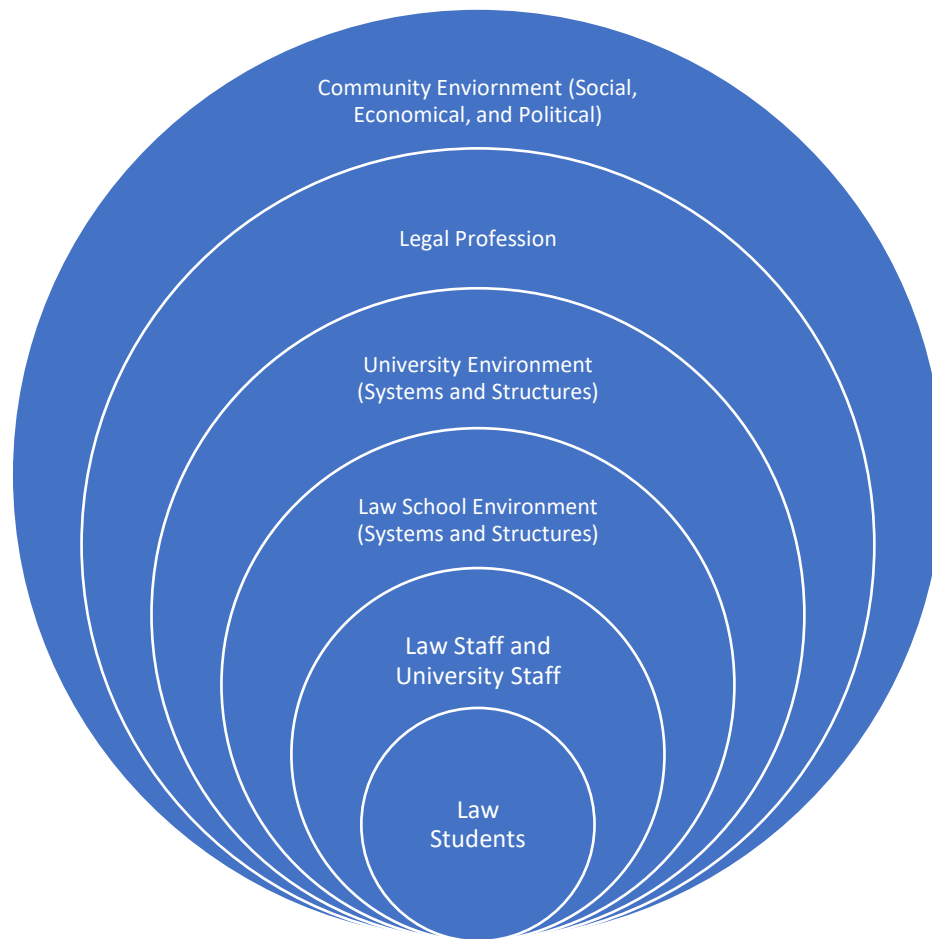
individual or group of individuals and their experience. To measure the ‘wellbeing’ of an institution therefore relies on data from individual experiences (subjective), as well as objective criteria.²⁵⁵ The UK *Stepchange: Mentally Healthy Universities* publication provides a self-assessment tool of objective criteria that can be used to assess how well university systems and structures can be considered ‘mentally healthy.’²⁵⁶ Objective measures of what constitutes a ‘positive institution’ are necessary when considering the impact of a system or structure on individual’s experience of subjective wellbeing.²⁵⁷ There are clearly challenges in applying different measures across individuals, systems, institutions, and societies, and drawing conclusions relevant to each setting. In this thesis, the focus is on effective measures of individual subjective wellbeing. The results of this thesis and the proposed model discussed in Chapter 5: The Hope/DASS Four-Quadrant Model, are not a panacea for measuring, monitoring and evaluating law school wellbeing. The subjective experiences of law students can feed into a greater nested measure of wellbeing, contributing to measures of positive institutions and positive societies. Figure 1 shows an original proposed visual representation of the different areas that all interrelate to provide a complete picture of law student wellbeing.

²⁵⁵ Mark Western and Wojtek Tomaszewski, 'Subjective Wellbeing, Objective Wellbeing and Inequality in Australia' (2016) 11(10) *PloS One* e0163345.

²⁵⁶ Universities UK, 'Stepchange: Mentally Healthy Universities' (Self Assessment Tool, May 2020) <<https://www.universitiesuk.ac.uk/what-we-do/policy-and-research/publications/stepchange-mentally-healthy-universities>>.

²⁵⁷ Mathew White and Simon Murray, *Evidence-Based Approaches to Positive Education in Schools: Implementing a Strategic Framework for Well-Being in Schools* (Springer, 2015); Grant Rich, 'Positive Institutions, Communities, and Nations: Methods and Internationalizing Positive Psychology Concepts' in Helena Águeda Marujo and Luis Miguel Neto (eds), *Positive Nations and Communities: Collective, Qualitative and Cultural-Sensitive Processes in Positive Psychology* (Springer Netherlands, 2014) 17.

Figure 1: Nested Framework of Law Student Wellbeing



The proposed Nested Framework of Law Student Wellbeing, supports the contemporary scholarship by Duncan, Field, and Strevens suggesting that moving forward, responsibility for addressing concerns of law student psychological distress should be dispersed across individuals, law schools, and whole-of-institution approaches,²⁵⁸ and includes the additional factors of the surrounding legal profession and community, which includes relationships with the mental health sector. This proposed visual representation assists in clarifying the interconnectedness of responsibility. Figure 1 can also serve as a framework for monitoring and evaluation, recognising that specific measures of wellbeing that are appropriate for each segment will need to be administered and data collected. An overarching wellbeing framework that collates information from each of the segments can then provide a more complex and holistic view of factors affecting law student wellbeing. Segmenting the levels of responsibility could also provide opportunities for monitoring

²⁵⁸ Duncan, Field and Strevens (n 178); Duncan, Strevens and Field (n 10); Emma Jones and Caroline Strevens, 'Legal Education for Wellbeing: Design, Delivery and Evaluation' (2022) 56(1) *The Law Teacher* 1; Baron (n 171).

data that demonstrates what levels are core areas of concern, and provide evidence-based direction for strategic allocation of time and resources. Each of the segments highlighted in Figure 1 requires attention and further research on actions and interventions within the power of each segment to influence or change, that can support individual students to thrive. Recognising and accepting that a responsibility to act lies across each of these segments will help further the goals of promoting law student wellbeing and mitigating experiences of law student psychological distress. In addition, the upward and downward influence of any positive change in each segment could influence the whole-of-institution approaches in universities, the Australian and global legal profession, and society as a whole.

III Conclusion

To enhance understanding of the current national conversation on university student mental health and wellbeing, this chapter reviewed significant contributions to research and scholarship impacting the Australian higher education sector. The key publications reviewed reflect similar views on the need for whole-of-institution approaches to supporting student mental health and wellbeing, and the importance of tertiary education institutions having comprehensive mental health and wellbeing policies and strategic plans. However, policies and strategic plans then need to be implemented and monitored to determine if there has been any positive effect. To achieve effective data collection, monitoring, evaluating and reporting, appropriate analysis is vital. How wellbeing and illbeing measures are used in data collection and analysis to determine the mental health and wellbeing of law students will be further discussed in Chapter 5. Chapter 5 will present a new original model for measuring law student wellbeing. This model integrates the measuring of psychological strengths with indicators of psychological distress to provide a more nuanced understanding of law students' overall mental health and wellbeing. The proposed model is limited to measuring subjective wellbeing of law students.

This chapter highlighted the importance of recognising the interconnectedness of different systems and structures that impact on law student wellbeing, but are beyond the responsibility of individual law students to change. The proposed Nested Framework of Law Student Wellbeing provides a visual representation of where subjective and objective wellbeing measures could be applied to capture a more complete and holistic reporting of wellbeing. As there is no current national or cross-institutional framework for collecting data, monitoring, evaluating and reporting on law student or law school wellbeing indicators, the proposed Nested Framework of Law Student Wellbeing could be used as a first step in outlining a national measure of law student, law school, and legal profession wellbeing.

A significant focus in the literature on student wellbeing has been on addressing psychological distress and supporting students with poor mental health. There is often an imbalance in measuring positive and negative topics in wellbeing research. As will be discussed in Chapter 3, positive psychology offers theoretical frameworks and psychological constructs that can be used to focus on student flourishing and strengthening psychological traits, such as hopeful thinking, that can support students to thrive. Chapter 4 will provide a deeper analysis of hope theory and its components of agency thinking and pathway thinking and how hopeful thinking can be used as a strategy to mitigate law students' experience of psychological distress, particularly depression, anxiety, and stress symptoms.

In this chapter the history and key contributions to the Wellness in the Law movement in Australia were also reviewed. Overall, this thesis makes a contribution to the growing body of knowledge on law student mental health and the Wellness in the Law movement. As evidenced by current concerns that law is a psychologically harmful profession and ongoing research demonstrating that law students suffer high levels of psychological distress, measuring and analysing law student mental health is an extremely topical area of research. In addition, the recent JCU Mental Health and Wellness Strategy, which includes a strategy proposal for greater 'wellbeing' content in university curriculum, requires data collection, analysis, and suggestions of research-based interventions across multiple levels of the proposed Nested Framework of Law Student Wellbeing. Clear monitoring, evaluation, and reporting protocols are required to support the overall strategy to improve JCU students' mental health. The results from this thesis research can inform the future curricular and extra-curricular design of law degree interventions, data collection, and data analysis, which will be discussed further in Chapter 9 and Chapter 10.

Chapter 3: Positive Psychology and Subjective Wellbeing

This chapter analyses the waves and current standing of the field of positive psychology. This review of the literature analyses the evolution of diagnostic frameworks that consider both positive and negative aspects of mental health. The literature examined in this chapter provides context for the discussion of hope theory in Chapter 4, and context for the development of the Hope/DASS Four-Quadrant Model for measuring mental health discussed in Chapter 5. Part I and Part II introduce positive psychology and subjective wellbeing, and analyses the evolution of the epistemic cognition of the field. Part III draws conclusions for how the evolution of positive psychology has influenced the measurement of law student wellbeing, particularly in relation to definitional issues, and a new and original definition of law student wellbeing is proposed.

I Development of Positive Psychology and Subjective Wellbeing

A significant portion of law student mental health scholarship is focused on measuring and monitoring levels of psychological distress.²⁵⁹ The influence of the field of positive psychology is changing the focus from a deficits perspective (focusing on what is not working and how to minimise illbeing) to a strengths-based perspective (focusing on what is working well and how to improve wellbeing).²⁶⁰ It is therefore important to be aware of the development and influence of the field of positive psychology in order to critically analyse the perspectives of empirical research on law student mental health.

Positive psychology emerged as a recognised field of inquiry during the late 1990s and early 2000s following a trend in scholars focusing on human wellbeing and thought-leadership from humanistic psychology.²⁶¹ The timing of the emergence of positive psychology as a distinct field, developing after World War II and combining a number of different scholarly inquiries, addressed a societal need at that time. Leading positive psychology scholars Lopez, Pedrotti and Snyder have suggested that during prosperous, stable and peaceful times, a culture can focus on issues such as positive human virtues, what is good, and how one may lead a better life.²⁶² Up until the late 1990s traditional psychology largely focused on mental illness, illbeing, and the suffering of human beings and did not have great scope for considering

²⁵⁹ See literature referenced in Chapter 2: Part II. Spotlight on 'Wellness in the Law' Movement in Australia, and Chapter 7: Part I. Measuring Illbeing of Law Students.

²⁶⁰ Shane Lopez, Jennifer Pedrotti and Charles Snyder, *Positive Psychology: The Scientific and Practical Explorations of Human Strengths* (Sage Publications, 2018).

²⁶¹ James Pawelski, 'Defining the 'Positive' in Positive Psychology' (2016) 11(4) *The Journal of Positive Psychology* 339. Brent Robbins, 'What Is the Good Life? Positive Psychology and the Renaissance of Humanistic Psychology' (2008) 36(2) *The Humanistic Psychologist* 96.

²⁶² Lopez, Pedrotti and Snyder (n 260) 14.

people's strengths along with their weaknesses or deficits.²⁶³ Referred to as the 'pathology approach', traditional psychology focuses on recognising disorders and providing treatment to 'fix what is broken'.²⁶⁴ Scholars in the positive psychology field are quick to point out that both the positive psychology and the pathology or traditional psychology perspective involve social constructs linked to social values, and prevailing views on how people should live their lives.²⁶⁵ Both perspectives are useful, however, they explore opposite concerns. The development of positive psychology was a paradigm shift calling on scholars and practitioners to explore ways in which strengthening positive human traits could be supported, in contrast to approaches focussed on fixing dysfunction or distress.²⁶⁶ The point was also made in the inaugural edition of the *Journal of Positive Psychology* in 2006, that, 'not everyone will be clinically depressed or schizophrenic during their lifetime, but it's a fair assumption that (almost) everyone will want to be happy, or to be good parents and friends, or to be effective students, or to be productive and satisfied at work.'²⁶⁷ Therefore the move to focus on topics involving human behaviour, human flourishing, and positive mental constructs, supported the changing landscape in psychology that was moving away from 'what is wrong and how can it be fixed', to inquiry into how to improve the quality of human life.²⁶⁸ Law student mental health studies that use only deficit measures (such as measuring levels of depression, anxiety, and stress) are still operating in the traditional psychology pathology approach, focusing on distress and aiming to fix dysfunction. As will be explored in this chapter and Chapter 5, law student mental health studies should be evolving to include both deficits and strengths-based measures to ensure a more complete picture of mental health, and allow for a more complex analysis of student mental health.

Reflecting on the popularity of the positive psychology movement, experimental social psychologists Gable and Haidt considered that traditional psychology was said to be, 'learning how to bring people up from negative eight to zero but not as good at understanding how people rise from zero to positive eight.'²⁶⁹ The rapid growth of positive psychology has seen the previously neglected areas of scholarship, such as

²⁶³ Ed Diener, 'Positive Psychology: Past, Present, and Future' in Shane Lopez and Charles Snyder (eds), *Oxford Handbook of Positive Psychology* (2009) vol 2, 7.

²⁶⁴ Lopez, Pedrotti and Snyder (n 260) 8.

²⁶⁵ Ibid 9.

²⁶⁶ Martin Seligman and Mihaly Csikszentmihalyi, *Positive Psychology: An Introduction* (American Psychological Association, 2000) vol 55.

²⁶⁷ P Linley et al, 'Positive Psychology: Past, Present, and (Possible) Future' (2006) 1(1) *The Journal of Positive Psychology* 3, 13.

²⁶⁸ Antonella Delle Fave, Fausto Massimini and Marta Bassi, 'Hedonism and Eudaimonism in Positive Psychology', *Psychological Selection and Optimal Experience across Cultures: Social Empowerment through Personal Growth* (Springer Cordrecht, 2011) vol 2, 3.

²⁶⁹ Shelly Gable and Jonathan Haidt, 'What (and Why) Is Positive Psychology?' (2005) 9(2) *Review of General Psychology* 103, 103.

focusing on understanding and building optimal functioning in individuals, organisations, and communities, addressed. As such, positive psychology has enjoyed a more general appeal and constructive application than traditional psychology over the last 25 years.²⁷⁰ The growth of positive psychology has also influenced the scholarship on university student wellbeing in Australia over the last 15 years, as discussed in Chapter 2. While many research projects and survey data collections now include positive mental health measures in addition to measures of illbeing or psychological distress, there is still limited research on university students' psychological strengths.

This thesis adds to the positive psychology literature by reporting on levels of hope in law students. The rationale for the methodology and analysis of data for this thesis, discussed further in Chapters 5 and 6, is also influenced by the evolving scholarship in positive psychology and paradigm shifts from the traditional approach of measuring psychological distress and deficits only, to the positive approach of measuring psychological traits and strengths only, to a complete mental health approach measuring individual strengths and deficits and taking into consideration the surrounding socio-cultural contexts. The focus in this chapter is on subjective wellbeing and the measures used at an individual level (such as for law students and law/university staff in the Nested Framework of Law Student Wellbeing discussed in Chapter 2). The evolution of these paradigm shifts is discussed in this chapter, with the analogy of 'waves' representing the progression of thought-leadership and scholarship in positive psychology. Each wave of thinking has influenced the overarching conceptual framework that has been applied in this thesis.

II The Waves of Positive Psychology

The waves of the development of positive psychology have been described as movements of epistemological broadening of the methodologies used and phenomena observed as the field has progressed.²⁷¹ The evolution of positive psychology has allowed deeper thinking and critical analysis of the foundational notions of wellbeing, happiness, and flourishing. Scholars such as Lomas and Ivtzan have used the analogy of waves in their writing and suggest that, at present, there are three distinct waves or generations of epistemic cognition that have contributed to the evolution of positive psychology.²⁷² Part II of this chapter will examine the three waves of positive psychology, and draw links between the

²⁷⁰ Snyder et al (n 20).

²⁷¹ Tim Lomas et al, 'Third Wave Positive Psychology: Broadening Towards Complexity' (2021) 16(5) *The Journal of Positive Psychology* 660.

²⁷² Tim Lomas, 'Making Waves in the Great Ocean: A Historical Perspective on the Emergence and Evolution of Wellbeing Scholarship' (2022) 17(2) *The Journal of Positive Psychology* 257; Itai Ivtzan et al, *Second Wave Positive Psychology: Embracing the Dark Side of Life* (Routledge, 2015).

progression of epistemic cognition of positive psychology and the research relating to law student wellbeing in Australia. The Western cultural framework that dominated the development of positive psychology and the impact of neoliberalism on wellbeing is analysed in this chapter in order to critically assess the ‘accepted’ thinking underlying common psychological measures used in wellbeing research. The aspects of the current state of positive psychology epistemic cognition that can be usefully applied to measuring law student wellbeing in Australia are highlighted to inform a proposed definition of law student wellbeing (introduced in Part III of this chapter), and to inform the proposed model for analysing law student wellbeing used in this thesis (introduced in Chapter 5).

A. First Wave of Positive Psychology

To understand the first wave of positive psychology it is necessary to be aware of the history of research and thought-leadership that contributed to the development of positive psychology as a distinct field. Positive psychology falls under the scientific discipline of psychology.²⁷³ As a field of inquiry, psychology is considered a social science because researchers often utilise scientific methods in research of the mind and behaviour.²⁷⁴ Within philosophy and psychology, the search for the ‘meaning of life’ and what constitutes ‘human wellbeing’ has great historical and anthropological traditions.²⁷⁵ Spanning from ancient to modern times, across western, eastern, cultural and religious traditions, as well as distinct regional populations, the questions of the ‘meaning of life’ and ‘what makes life worth living’ abound.²⁷⁶ Throughout history, discussions of the concepts of human wellbeing and quality of life have been explored by numerous scholars.²⁷⁷ In analysing ‘what is wellbeing’ and ‘what is happiness,’ reference is often made to two opposing ancient Greek philosophical traditions: hedonism and eudaimonism.²⁷⁸ The doctrine of hedonism posits that an individual’s primary moral obligation on this earth is the pursuit of pleasure.²⁷⁹ This perspective of *hedonia*, which seeks to maximise the experiences of pleasure while minimising experiences of pain or discomfort, emphasises using pleasure and gratification as guiding principles in

²⁷³ Dean Simonton, 'Psychology's Status as a Scientific Discipline: Its Empirical Placement within an Implicit Hierarchy of the Sciences' (2004) 8(1) *Review of General Psychology* 59.

²⁷⁴ Lorelle Burton, Drew Westen and Robin Kowalski, *Psychology* (John Wiley & Sons, 6th ed, 2023).

²⁷⁵ Christopher Peterson, Nansook Park and Martin Seligman, 'Orientations to Happiness and Life Satisfaction: The Full Life Versus the Empty Life' (2005) 6 *Journal of Happiness Studies* 25.

²⁷⁶ Richard Estes and M Sirgy, *The Pursuit of Human Well-Being: The Untold Global History* (Springer, 2017).

²⁷⁷ *Ibid.*

²⁷⁸ Richard Ryan and Edward Deci, 'On Happiness and Human Potentials: A Review of Research on Hedonic and Eudaimonic Well-Being' (2001) 52(1) *Annual Review of Psychology* 141; Dianne Vella-Brodrick, 'Positive Interventions That Erode the Hedonic and Eudaimonic Divide to Promote Lasting Happiness' in Joar Vitterso (ed), *Handbook of Eudaimonic Well-Being* (Springer International Publishing, 2016) 395.

²⁷⁹ Ryan and Deci (n 278).

decision-making.²⁸⁰ This may include feeling positive affect and the absence of negative affect,²⁸¹ the presence of feelings of positive wellbeing, and life satisfaction.²⁸² Hedonia has been included in definitions of emotional wellbeing in mental health measurement tools.²⁸³ Delle Fave et al highlight that a central concept in the hedonic view is *ataraxia*, which is freedom from worries or anxiety.²⁸⁴ In mental health measures this could be reflected by low levels of psychological distress or a state of positive psychological wellbeing.

The opposing philosophical doctrine of eudaimonism posits that happiness is the pursuit of meaningful and fulfilling goals that align with both individual and societal values.²⁸⁵ According to *eudaimonia*, true happiness can be defined as *human flourishing* and is achieved through the pursuit of living in accordance with one's virtues, personal growth, and the realisation of one's full potential.²⁸⁶ This perspective emphasises the importance of living a purpose-driven life, which includes setting and pursuing meaningful individual goals and goals meaningful to society.²⁸⁷ Measures of mental wellbeing typically focus on measuring either hedonia or eudaimonia.²⁸⁸ Josep van Agteren et al suggest that both aspects of hedonic and eudaimonic wellbeing should be measured in order to capture a holistic image of university student wellbeing.²⁸⁹ Both these philosophical doctrines have influenced the definition, characteristics, and measurement of many psychological constructs and contributed significantly to the development of the field of positive psychology and the science of wellbeing. The psychological measures used in this study include the DASS21 and Adult Hope Scale (AHS). The development of the DASS21 and AHS is discussed later in this chapter at Part II. A. 4. *Measuring Wellbeing*, and the psychometric properties of each scale are discussed in Chapter 6: Methodology. The DASS21 scale measures anhedonia (the lack of hedonia) and

²⁸⁰ Ibid.

²⁸¹ Positive affect and negative affect are defined and explained further below in this chapter in Part II. A. 2. Defining Wellbeing.

²⁸² Ed Diener, 'Subjective Well-Being' (1984) 95(3) *Psychological Bulletin* 542-3; Josep van Agteren et al, 'Make It Measurable: Assessing Psychological Distress, Wellbeing and Resilience at Scale in Higher Education' (2019) 10(3) *Student Success* 1.

²⁸³ Keyes (n 2) 541.

²⁸⁴ Delle Fave, Massimini and Bassi (n 268) 5.

²⁸⁵ Antonella Delle Fave et al, 'Hedonism and Eudaimonism in Positive Psychology' in Antonella Delle Fave, Fausto Massimini and Marta Bassi (eds), *Psychological Selection and Optimal Experience across Cultures: Social Empowerment through Personal Growth* (Springer, Dordrecht, 2011) vol 2, 3.

²⁸⁶ Ryan and Deci (n 278).

²⁸⁷ Delle Fave et al (n 285); Carol Ryff and Corey Keyes, 'The Structure of Psychological Well-Being Revisited' (1995) 69(4) *Journal of Personality and Social Psychology* 719.

²⁸⁸ van Agteren et al (n 282).

²⁸⁹ Ibid 3.

degree of low positive affect.²⁹⁰ Hope theory defines hope as a cognitive construct and a virtue that plays a significant role in achieving human flourishing.²⁹¹ According to hope theory, individuals create meaningful goals that they have the desire to achieve, and can identify different ways to achieve those goals (pathway thinking) and engage in goal directed energy and action (agency thinking).²⁹² Hope theory aligns with a *eudaimonist* framework, in that hope requires agency thinking to achieve one's goals. What then sets hope apart from virtues that represent mere attitudes, such as optimism, is that hopeful thinking motivates action and behaviour to pursue one's goals.²⁹³ Hope is therefore a virtue and character strength that actively influences human flourishing. The AHS, although it does not directly measure eudaimonia, does measure the psychological constructs of agency thinking and pathway thinking that contribute to a sense of flourishing.²⁹⁴ The consideration that a holistic image of student wellbeing should include both aspects of hedonic and eudaimonic wellbeing has influenced the methodology of this thesis and informed the choice of the psychological measures used for data collection.

1. *Defining Positive Psychology*

Prior to positive psychology emerging as a distinct field, research into optimal human functioning and character strengths was being conducted under the umbrella of humanistic psychology. Abraham Maslow and Carl Rogers were pioneers of humanistic psychology.²⁹⁵ Maslow is recognised as a key scholar in the early study of self-actualisation and human potential, which informed the early positive psychology classification of character strengths and virtues.²⁹⁶ Maslow's most famous thought-leadership contribution to psychology was his hierarchy of needs work (influenced at the time by World War II).²⁹⁷ Maslow first used the phrase 'positive psychology' in his 1954 book *Motivation and Personality*, that outlines his theory of self-actualisation, motivation and the nature of human needs.²⁹⁸ However, Seligman played a significant

²⁹⁰ Peter Lovibond, 'Depression Anxiety Stress Scales (DASS)', *DASS* (August 2023)

<<https://www2.psy.unsw.edu.au/groups/dass/>>; Lovibond and Lovibond (n 58).

²⁹¹ Snyder et al (n 23); Snyder (n 22).

²⁹² Casey Gwinn and Chan Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (Morgan James Publishing, 2022) 15; Snyder (n 22).

²⁹³ Rand, Martin and Shea (n 31). Hope and optimism have been found to be similar, yet distinct concepts. The concepts differ in the emphasis placed on self-agency and action orientated behaviour, as is further discussed in Chapter 4. II. E. Hope and Optimism.

²⁹⁴ Anne Jeffrey and Krista Mehari, 'The Primacy of Hope for Human Flourishing' (2023) 106(1) *The Monist* 12, 13.

²⁹⁵ Delle Fave, Massimini and Bassi (n 268).

²⁹⁶ Robbins (n 261).

²⁹⁷ Nicole Celestine, 'Abraham Maslow, His Theory & Contribution to Psychology', *Positive Psychology* (29 September 2017) <<https://positivepsychology.com/abraham-maslow/>>.

²⁹⁸ Abraham Maslow, *Motivation and Personality* (Harpers, 1954).

role in popularising the term 'positive psychology' in the late 1990's.²⁹⁹ Rogers made significant contributions to the field of psychology, including the development of the concept of full human functioning and optimal development, and person-centred approaches to growth and self-actualisation.³⁰⁰ Humanistic psychology made headway for the emergence of positive psychology as a distinct field of inquiry.

A key milestone in the development of the field of positive psychology was the presidential address delivered by Martin Seligman to the American Psychological Association (APA) in 1998. In his address, Seligman called for a shift in focus within the field of psychology, advocating for a greater emphasis on studying positive emotions, character strengths, and overall wellbeing. Seligman attributes the clarification of the scope of the field of positive psychology to the outputs of a workshop with Ray Fowler (professor, psychologist, and CEO of the APA during Seligman's tenure as president), Mihaly Csikszentmihalyi, and himself over the New Year period in 1998/1999.³⁰¹ Csikszentmihalyi (1934 – 2021) had begun his exploration of the state of 'flow' in the 1970s, and through his collaboration with Seligman is considered one of the founders of positive psychology, and one of the world's leading researchers in the field of positive psychology.³⁰² Early conceptualisation of the field included contributions from a steering committee, comprising of Csikszentmihalyi, Ed Diener, Kathleen Hall Jamieson, Chris Peterson, and George Vaillant.³⁰³ In 2000, Seligman and Csikszentmihalyi edited a special issue of *American Psychologist* devoted to positive psychology.³⁰⁴ In their introduction, Seligman and Csikszentmihalyi clarified the scope of the emerging field stating,

The aim of positive psychology is to begin to catalyze a change in the focus of psychology from preoccupation only with repairing the worst things in life to also building positive qualities. The field of positive psychology at the subject level is about valued subjective experiences: well-being, contentment, and satisfaction (in the past); hope and optimism (for the future); and flow and happiness (in the present). At the individual level, it is about positive individual traits: the capacity

²⁹⁹ Seligman and Csikszentmihalyi (n 266); Martin Seligman, 'Positive Psychology: A Personal History' (2019) 15 *Annual Review of Clinical Psychology* 1.

³⁰⁰ Carl Rogers, 'The Actualizing Tendency in Relation to 'Motives' and to Consciousness' in M Jones (ed), *Nebraska Symposium on Motivation* (University of Nebraska Press, 1963) 1.

³⁰¹ Martin Seligman, *The Hope Circuit: A Psychologist's Journey from Helplessness to Optimism* (Hachette UK, 2018) 239.

³⁰² Mihaly Csikszentmihalyi, *Flow: The Psychology of Optimal Experience* (Harper & Row New York, 1990); Mihaly Csikszentmihalyi and Isabella Selega Csikszentmihalyi, *Optimal Experience: Psychological Studies of Flow in Consciousness* (Cambridge University Press, 1992).

³⁰³ Linley et al (n 267) 4.

³⁰⁴ Seligman and Csikszentmihalyi (n 266).

for love and vocation, courage, interpersonal skill, aesthetic sensibility, perseverance, forgiveness, originality, future mindedness, spirituality, high talent, and wisdom. At the group level, it is about the civic virtues and the institutions that move individuals toward better citizenship: responsibility, nurturance, altruism, civility, moderation, tolerance, and work ethic.³⁰⁵

In Seligman's personal reflection on the history of positive psychology, he stated that when plotting the field's trajectory he was aware of trying to incorporate the agendas of many scholars at the time including the work of 'Csikszentmihalyi's on flow, Peterson's and Neal Mayerson's on virtue, Diener's on subjective well-being, Vaillant's on successful aging, Jamieson's on positive civic institutions, and, more recently, Barb Fredrickson's on positive emotion, Jon Haidt's on awe, Sonia Lyubomirsky's on interventions, and Laura King's on meaning.'³⁰⁶ Diener, in his personal reflection on the history of positive psychology, suggested that the emergence of the field 'worked' because Seligman's efforts brought scholars and practitioners together who were usually working in isolation and sometimes in 'relative obscurity'.³⁰⁷ Diener stated that the field grew in part due to Seligman's charisma and organisational skills, but also as a result of the recognition of the importance of underscoring the field with scientific grounding.³⁰⁸ Seligman also offered an open invitation for anyone to self-identify their scholarship as fitting in with the focus of positive psychology and to 'join' the field.³⁰⁹

Snyder is considered another pioneer in the field of positive psychology and father of hope theory.³¹⁰ Snyder produced significant work on hope theory, was a prolific researcher on positive psychology topics, edited the *Oxford Handbook of Positive Psychology* (now in its third edition), and authored the first textbook in the field of positive psychology (now in its fifth edition).³¹¹ Significant growth of Snyder's hope theory occurred during this phase, and the Adult Hope Scale (AHS) was developed during the first wave of positive psychology. As highlighted in Chapter 1, Hope Theory has been used as a theoretical framework in the reform of legal education and hypothesised as a useful measurement of psychological strengths for law students.³¹² Hope as a theoretical framework has been selected for use in this thesis, the justification

³⁰⁵ Ibid 5.

³⁰⁶ Seligman, *The Hope Circuit: A Psychologist's Journey from Helplessness to Optimism* (n 301) 253.

³⁰⁷ Diener (n 263) 8.

³⁰⁸ Ibid.

³⁰⁹ Ibid 8.

³¹⁰ Ibid.

³¹¹ Snyder (n 22); Martin Seligman and Shane Lopez, *Handbook of Positive Psychology* (Oxford University Press, 2002). Charles Snyder and Shane Lopez, *Positive Psychology: The Scientific and Practical Explorations of Human Strengths* (Sage Publications, 1st ed, 2008).

³¹² Field and Duffy (n 40); Martin and Rand (n 28); Cochran (n 36).

for this choice is discussed further in Chapter 4, and the measure of hope to assist in categorising individuals as flourishing or not-flourishing is explored in the development of an original model for data analysis, outlined in Chapter 5.

Positive psychology has developed overarching themes, aligned with Seligman and Csikszentmihalyi's description of the field, as seeking to understand the conditions and processes that promote human flourishing and optimal functioning in individuals, groups, and institutions.³¹³ However, there are no universally agreed upon underlying theories in positive psychology.³¹⁴ Rather it is still an emerging field of research, and a number of scholars have contributed, and many contemporary scholars are continuing to contribute to the growing body of knowledge.³¹⁵ As an exploratory study reporting on measures of law student wellbeing and illbeing, and using the theoretical framework of hope, this thesis is providing an original contribution to this developing field.

2. *Defining Wellbeing*

The first wave of positive psychology was focused on attracting scholars to the field who self-identified as having research interests that might fall within the emerging umbrella of positive psychology. This included scholars focused on the topic of wellbeing and happiness. The law student wellbeing literature consistently refers to 'wellbeing' and 'wellness in the law'. However, there is no clear definition of wellbeing that is uniformly applied across the literature.³¹⁶ Looking from within a positive psychology theoretical framework, wellbeing is challenging to define and therefore many studies look at the dimensions of wellbeing rather than a definition.³¹⁷ The following analysis of wellbeing scholarship has informed a new and unique definition of law student wellbeing, introduced in the final section of this chapter, that is then used as a basis for the analysis of law student wellbeing in this thesis.

While wellbeing is a complex concept, one proposed definition is that wellbeing is the balanced state of flow when individuals have the resources they need (psychological, social and physical) to meet the challenges faced (psychological, social and physical).³¹⁸ The JCU Mental Health and Wellness Strategy and the International Guidelines for Wellbeing in Legal Education (referred to hereafter as the IBA

³¹³ Seligman and Csikszentmihalyi (n 266); Martin Seligman and Mihaly Csikszentmihalyi, 'Positive Psychology: An Introduction' (Springer Netherlands, 2014) 279.

³¹⁴ Pawelski (n 261).

³¹⁵ Ibid.

³¹⁶ Jones et al (n 253).

³¹⁷ Rachel Dodge et al, 'The Challenge of Defining Wellbeing' (2012) 2(3) *International Journal of Wellbeing* 222.

³¹⁸ Ibid.

Guidelines)³¹⁹ utilise the World Health Organisation's (WHO) definition of mental health as, 'a state of mental well-being that enables people to cope with the stresses of life, realise their abilities, learn well and work well, and contribute to their community.'³²⁰ The IBA Guidelines go further to state that, 'Law schools will take an approach to wellbeing which recognises that it is about the flourishing and thriving of individuals, institutions, communities and the discipline of law,'³²¹ however the Guidelines then go on to acknowledge that law schools can decide independently how to define wellbeing. The IBA Guidelines do offer guidance on proposed elements and measures of law school wellbeing³²² and explanatory notes offer useful assistance in understanding the elements of wellbeing when applied to legal education.³²³ However, the prospect of establishing a unified national approach to student mental health and wellbeing could be significantly challenged if Australia ends up with a fragmentation in data collection due to diverse definitions of student wellbeing at every university, TAFE, and higher education provider. Such a scenario would likely hinder the development and implementation of a cohesive and effective national strategy, thus underscoring the importance of a more standardised definition across institutions. This definitional issue started in the first wave of positive psychology when the conceptualisation and dimensions of wellbeing were still subjects of considerable debate. The lack of clarity in definitions and use of different psychological measures of wellbeing across studies inhibits the generalisability of wellbeing research results.³²⁴ To understand the range of wellbeing definitions and suggested dimensions of wellbeing it is necessary to understand the history of psychological constructs that have contributed to wellbeing scholarship.

Significant contributions to the wellbeing literature have come from Ed Diener.³²⁵ Diener is considered the founding scholar of the field of subjective wellbeing, and, as noted above, his early work supported the initial development of the field of positive psychology.³²⁶ 'Subjective' in this context refers to an individual's

³¹⁹ The International Bar Association (IBA) conducted a professional wellbeing commission resulting in a 2021 report upon which the IBA Guidelines are based: IBA Task Force, 'Mental Wellbeing in the Legal Profession: A Global Study' (Report, International Bar Association, October 2021) <<https://www.ibanet.org/document?id=IBA-report-Mental-Wellbeing-in-the-Legal-Profession-A-Global-Study>>.

³²⁰ James Cook University, 'JCU Mental Health and Wellness Strategy 2022-2026' (n 137); World Health Organization, 'Concepts in Mental Health', *Mental Health* (Fact Sheet, June 2022) <<https://www.who.int/news-room/fact-sheets/detail/mental-health-strengthening-our-response>>; Jones et al (n 253).

³²¹ Jones et al (n 253).

³²² Ibid.

³²³ Ibid.

³²⁴ William Pavot, 'The Assessment of Subjective Well-Being: Successes and Shortfalls' in Michael Eid and Randy Larsen (eds), *The Science of Subjective Well-Being* (Guilford Press, 2008) 124, 125.

³²⁵ Ed Diener, *Assessing Well-Being: The Collected Works of Ed Diener* (Springer, 2009) vol 39.

³²⁶ Ed Diener et al, 'Subjective Well-Being: Three Decades of Progress' (1999) 125(2) *Psychological Bulletin* 276.

own evaluation of their levels of wellbeing.³²⁷ There are key themes within the literature on subjective wellbeing, including the philosophy of subjective wellbeing, measuring subjective wellbeing, characteristics of individuals related to subjective wellbeing, and interventions or activities for enhancing subjective wellbeing.³²⁸

Diener's first published systematic review of the wellbeing literature was published in the *Psychological Bulletin* in 1984, titled *Subjective Well-Being*.³²⁹ This paper explored the concepts of positive affect (PA) and negative affect (NA). Affect refers to an internal feeling state, such as moods and emotions.³³⁰ PA refers to the extent to which an individual subjectively experiences positive moods or emotions, and NA refers to the extent to which an individual subjectively experiences negative moods or emotions. Diener and Emmons in another 1984 publication proposed that trait measures of PA and NA are essentially uncorrelated, meaning the extent to which a person experiences PA has no influence on how much NA they experience. This thinking has greatly influenced the development of *hedonic wellbeing* theories.³³¹ Diener and his colleagues' work in the 1980s determined that the biggest predictor of an individual's overall wellbeing was the frequency of experiencing PA over NA over time.³³² Therefore, measures to assist individuals calculate their experiences of PA compared to NA over time are important components of subjective wellbeing. Affect (experience of feelings, mood, or emotion) is considered a component of the mind, along with cognition (knowing and awareness) and conation (attitudes). Hope, as a cognitive phenomenon, is also affect-laden.³³³

The experience of PA and NA provides feedback to an individual about the success or lack of success of their goal pursuits. The effect of low PA or high NA overtime may also incite feelings of stress or anxiety. A *hedonic* wellbeing framework would therefore encourage freedom from experiences of psychological distress. Lyubomirsky, King, and Diener explain that characteristics related to PA, such as sociability, energy, effectively coping with challenges and stress, originality and flexibility, all encourage active engagement

³²⁷ Pavot (n 324) 126.

³²⁸ Example of key themes of the book chapters in Michael Eid and Randy Larsen, *The Science of Subjective Well-Being* (Guilford Press, 2008).

³²⁹ Diener (n 282).

³³⁰ 'Dictionary', *American Psychological Association*, 19th April 2018) <<https://dictionary.apa.org/affect> >.

³³¹ Delle Fave, Massimini and Bassi (n 268) 6.

³³² Pavot (n 324) 4.

³³³ Warren TenHouten, 'The Emotions of Hope: From Optimism to Sanguinity, from Pessimism to Despair' (2023) 54(1) *The American Sociologist* 76.

with goal pursuits.³³⁴ Hope has also been found to be a useful measure of likely goal attainment.³³⁵ Goal attainment can feel good, thereby influencing hedonic wellbeing, which in turn may influence personal growth, fulfilment of purpose-driven goals that supports human flourishing, and therefore influence eudaimonic wellbeing. This conclusion also aligns with a *eudaimonist* wellbeing framework and hope theory agency thinking. As a cognitive concept, agency thinking promotes expectations and actions towards successful goal pursuits. Feedback of PA or NA due to successes or failures in goal pursuits provides information to an individual that influences their future pathway planning and goal setting. A history of successes and positive feedback will be fed-forward in an individual's planning for pathways to achieve future goals. Success overtime provides information for future successful pathway planning, and therefore impacts the likelihood of greater goal success, and an individual enjoying high hope.³³⁶ Therefore, cognitive virtues and strengths, such as hope, that affect behaviours and goal-pursuits, consequently impact an individual's subjective experience of happiness and wellbeing. Increasing hope therefore, can increase wellbeing.

In developing a psychological measure for subjective wellbeing, Diener and colleagues proposed three psychometric constructs, namely PA, NA, and life satisfaction.³³⁷ Measures have been developed to assess these constructs, including the Satisfaction with Life Scale and the Positive Affect and Negative Affect Scale, and the Scale of Positive and Negative Experiences.³³⁸ Researchers will often use the scale items that are indicators of wellbeing interchangeably when referring to subjective wellbeing. For example, contemporary wellbeing literature often refers to subjective wellbeing, life satisfaction, and happiness interchangeably.³³⁹ Different authors have expanded wellbeing scholarship by developing other unique

³³⁴ Sonja Lyubomirsky, Laura King and Ed Diener, 'The Benefits of Frequent Positive Affect: Does Happiness Lead to Success?' (2005) 131(6) *Psychological Bulletin* 803.

³³⁵ Jennifer Cheavens et al, 'Hope, Goals, and Pathways: Further Validating the Hope Scale with Observer Ratings' (2019) 14(4) *The Journal of Positive Psychology* 452; Suzanne Peterson, Megan Gerhardt and Joseph Rode, 'Hope, Learning Goals, and Task Performance' (2006) 40(6) *Personality and Individual Differences* 1099; Snyder et al (n 26).

³³⁶ Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292).

³³⁷ Diener et al (n 326); Richard Lucas, Ed Diener and Eunkook Suh, 'Discriminant Validity of Well-Being Measures' (1996) 71(3) *Journal of Personality and Social Psychology* 616. According to Pavot, although various conceptualisations of subjective wellbeing have been developed over the years, the three factors of PA, NA, and life satisfaction have received the most consistent empirical support, Pavot (n 324) 126.

³³⁸ Ed Diener et al, 'The Satisfaction with Life Scale' (1985) 49(1) *Journal of Personality Assessment* 71; David Watson, Lee Anna Clark and Auke Tellegen, 'Development and Validation of Brief Measures of Positive and Negative Affect: The Panas Scales' (1988) 54(6) *Journal of Personality and Social Psychology* 1063; Ed Diener et al, 'New Well-Being Measures: Short Scales to Assess Flourishing and Positive and Negative Feelings' (2010) 97(2) *Social Indicators Research* 143.

³³⁹ Sonja Lyubomirsky, *The How of Happiness: A Scientific Approach to Getting the Life You Want* (Penguin, 2008); Ruut Veenhoven, 'Happiness: Also Known as "Life Satisfaction" and "Subjective Well-Being"' in Kenneth Land, Alex

psychological constructs, leading to a range of definitions and terminology used to describe similar psychological phenomena in the wellbeing literature.³⁴⁰ Consequently, happiness is often conceptualised either as comprising of the same constructs as wellbeing, or as consisting of distinct, albeit related, constructs.³⁴¹ This variability in interpretation underscores the complexity and multidimensionality inherent in the study of psychological wellbeing.

Hope (as measured by the AHS) has been found to be closely connected with subjective wellbeing (as measured by life satisfaction and affect balance).³⁴² A positive correlation between hope and life satisfaction makes logical sense if hope is viewed as psychological capital that can assist an individual in their pursuit of flourishing.³⁴³ In Diener's later research, it was suggested that PA is significant in the successful pursuit of goals, in part because individuals who experience positive moods and emotions are then more likely to think, feel, and act in ways that promote both resource building and the pursuit of goals.³⁴⁴ Studies indicate that individuals with higher levels of hope, particularly agency thinking, tend to

Michalos and M Joseph Sirgy (eds), *Handbook of Social Indicators and Quality of Life Research* (Springer, 2011) 63.

Nicholas Brown and Julia Rohrer, 'Easy as (Happiness) Pie? A Critical Evaluation of a Popular Model of the Determinants of Well-Being' (2020) 21(4) *Journal of Happiness Studies* 1285. Martin states, 'By happiness I mean subjective well-being' in Mike Martin, 'Paradoxes of Happiness' (2008) 9 *Journal of Happiness Studies* 171.

³⁴⁰ Kirti Das et al, 'Understanding Subjective Well-Being: Perspectives from Psychology and Public Health' (2020) 41(1) *Public Health Reviews* 25; National Research Council, *Subjective Well-Being: Measuring Happiness, Suffering, and Other Dimensions of Experience* (National Academy of Sciences, 2013).

³⁴¹ Distinct measures for happiness have been developed, including the Orientation to Happiness and Subjective Happiness Scale. Christopher Peterson, Nansook Park and Martin Seligman, 'Orientations to Happiness Questionnaire', *APA PsycTests* (Database Record, 2005).

<<https://psycnet.apa.org/doiLanding?doi=10.1037%2F07044-000>>; Sonja Lyubomirsky, 'Subjective Happiness Scale', *Positive Psychology Center* (Webpage, 2024) <<https://ppc.sas.upenn.edu/resources/questionnaires-researchers/subjective-happiness-scale>>.

³⁴² Emma Pleeging, Martijn Burger and Job van Exel, 'The Relations between Hope and Subjective Well-Being: A Literature Overview and Empirical Analysis' (2021) 16(3) *Applied Research in Quality of Life* 1019; Thomas Bailey et al, 'Hope and Optimism as Related to Life Satisfaction' (2007) 2(3) *The Journal of Positive Psychology* 168; Thomas Bailey and Charles Snyder, 'Satisfaction with Life and Hope: A Look at Age and Marital Status' (2007) 57(2) *The Psychological Record* 233.

³⁴³ Edward Chang et al, 'Positive Emotions, Hope, and Life Satisfaction in Chinese Adults: A Test of the Broaden-and-Build Model in Accounting for Subjective Well-Being in Chinese College Students' (2019) 14(6) *The Journal of Positive Psychology* 829; Kaustubh Yadav and Nutankumar Thingujam, 'Hope's Relation with Self-Esteem, Optimism, and Life Satisfaction in Engineering Students' (2015) 6(3) *Indian Journal of Positive Psychology* 283; Nilesh Thakre, 'Satisfaction with Life and Hope in Youth' (2013) 4(2) *Indian Journal of Positive Psychology* 347; Geraldine O'Sullivan, 'The Relationship between Hope, Eustress, Self-Efficacy, and Life Satisfaction among Undergraduates' (2011) 101(1) *Social Indicators Research* 155; Peter Halama, 'Hope as a Mediator between Personality Traits and Life Satisfaction' (2010) 52 *Studia Psychologica: Journal for Basic Research in Psychological Sciences* 309; Bailey et al (n 342); Sharon Danoff-Burg, Hazel Prelow and Rebecca Swenson, 'Hope and Life Satisfaction in Black College Students Coping with Race-Related Stress' (2004) 30(2) *Journal of Black Psychology* 208.

³⁴⁴ Lyubomirsky, King and Diener (n 334) 804.

report greater life satisfaction.³⁴⁵ This relationship can be explained through the framework of hope theory, which posits that hope involves both agency (the motivational component that drives goal pursuit) and pathways (the cognitive ability to generate routes to achieve those goals).³⁴⁶ Individuals who achieve high scores on both of these dimensions are more likely to experience a sense of purpose, direction, and fulfillment in life, which contributes to higher life satisfaction. Empirical studies support this theoretical connection.³⁴⁷

Furthermore, the relationship between the AHS and subjective wellbeing measures has shown that the effects of hope on mental flourishing can be longitudinal.³⁴⁸ Empirical research has found that hope levels predict greater subjective wellbeing and physical health in individuals, and therefore higher hope leads to increased life satisfaction and PA overtime.³⁴⁹ For example, Snyder et al found that higher hope scores were associated with higher levels of life satisfaction across various age groups and contexts.³⁵⁰ Additionally, research by Marques, Lopez, and Mitchell reinforced these findings by showing that hope significantly predicts life satisfaction among adolescents, emphasizing the importance of hopeful thinking in promoting wellbeing.³⁵¹ Furthermore, the mechanisms underlying this relationship suggest that hopeful individuals are better equipped to cope with stress and adversity, maintain a positive outlook, and effectively pursue meaningful goals, all of which contribute to enhanced life satisfaction.³⁵² Hope has been

³⁴⁵ For example, in a literature review of 34 different studies regarding the correlation between hope and subjective wellbeing, a positive correlation was found between the AHS and life satisfaction. The agency subscale was found to have a stronger relationship with subjective wellbeing than the pathway subscale, Pleeging, Burger and van Exel (n 342).

³⁴⁶ Snyder (n 22) 39.

³⁴⁷ See, eg, studies reviewed in Pleeging, Burger and van Exel (n 342). See also Bailey et al (n 342); Bailey and Snyder (n 342); Chang et al (n 342); Yadav and Nutankumar (n 343); O'Sullivan (n 343); Halama (n 343); Danoff-Burg and Swanson (n 343).

³⁴⁸ Matthew Gallagher et al, 'Examining the Longitudinal Effects and Potential Mechanisms of Hope on COVID-19 Stress, Anxiety, and Well-Being' (2021) 50(3) *Cognitive Behaviour Therapy* 234; Katelyn Long et al, 'The Role of Hope in Subsequent Health and Well-Being for Older Adults: An Outcome-Wide Longitudinal Approach' (2020) 2 *Global Epidemiology* 1.

³⁴⁹ See eg, Elijah Murphy, 'Hope and Well-Being' (2023) 50 *Current Opinion in Psychology* 101558; Crystal Bryce et al, 'Dimensions of Hope in Adolescence: Relations to Academic Functioning and Well-Being' (2020) 57(2) *Psychology in the Schools* 171; Bailey and Snyder (n 342); Murat Yıldırım and Gökmen Arslan, 'Exploring the Associations between Resilience, Dispositional Hope, Preventive Behaviours, Subjective Well-Being, and Psychological Health among Adults During Early Stage of COVID-19' (2022) 41(8) *Current Psychology* 5712; Kevin Rand et al, 'Hope and Optimism as Predictors of Academic Performance and Subjective Well-Being in College Students' (2020) 81 *Learning and Individual Differences* 101906; Gallagher et al (n 24); Long et al (n 348).

³⁵⁰ Snyder et al (n 22).

³⁵¹ Susana Marques, Shane Lopez and Joanna Mitchell, 'The Role of Hope, Spirituality and Religious Practice in Adolescents' Life Satisfaction: Longitudinal Findings' (2013) 14 *Journal of Happiness Studies* 251.

³⁵² Charles Snyder, Kevin Rand and David Sigmon, 'Hope Theory: A Member of the Positive Psychology Family' in Matthew Gallagher and Shane Lopez (eds), *The Oxford Handbook of Hope* (Oxford University Press, 2018) 27;

found to be a crucial factor for increasing an individuals' wellbeing and as stated by Murphy, 'Understanding the benefits of hope on well-being can inform hope-based interventions and [therefore understanding] interventions with hope as a mechanism of change to prompt increases in mental wellness.'³⁵³ This research to date has informed the use of the psychometric measures of hope (using the AHS) and psychological distress (using the measure of DASS21) as predictors of subjective wellbeing in this thesis.³⁵⁴

In summary, as the literature clearly reveals, there is no consensus on a universal definition of wellbeing or what elements constitute it. Consequently, any scholarly work in this domain must carefully consider the specific definition employed by the authors and the perspective through which wellbeing is examined. Definitions that include constructs, such as PA, NA, and measures such as life satisfaction and hope, can purport to measure 'increases' in wellbeing if positive movement is observed on individual self-report scales. Such movements may be the result of changes in *hedonic* wellbeing (experiences of PA, NA or *anhedonia*) or changes in *eudaimonic* wellbeing (such as changes to individual virtues and strengths, personal growth or feedback on the pursuit of goals that influence human flourishing). This underscores the importance of contextualising findings within the particular theoretical framework and operational definitions used. Hope theory is a cognitive construct that captures elements of both *hedonic* and *eudaimonic* wellbeing, and has been used as a complimentary indicator of life satisfaction and flourishing. The lack of a universal definition of 'student wellbeing' in the context of higher education in Australia is significantly impeding the development of national approaches to addressing student mental health. A basic definition is essential to any future reforms, ensuring that the psychological constructs that make up 'wellbeing' are clear and measurable, and that the research is gathered that is consistent, generalisable, and meaningful. Drawing on the current literature, an original and contemporary definition of wellbeing that is suitable for law school contexts will be proposed in Section III *Wellbeing at Law School*.

Anthony Ong, Taylor Standiford and Saarang Deshpande, 'Hope and Stress Resilience' in Matthew Gallagher and Shane Lopez (eds), *The Oxford Handbook of Hope* (Oxford University Press, 2018) 255; Kevin Rand and Jennifer Cheavens, 'Hope Theory' in Shane Lopez and Charles Snyder (eds), *The Oxford Handbook of Positive Psychology* (Oxford University Press, 2011) 323.

³⁵³ Murphy (n 349) 3.

³⁵⁴ See, eg, Jordan Corrigan and Nicola Schutte, 'The Relationships between the Hope Dimensions of Agency Thinking and Pathways Thinking with Depression and Anxiety: A Meta-Analysis' (2023) 8 *International Journal of Applied Positive Psychology* 211; Pleeging, Burger and van Exel (n 342); van Agteren et al (n 282); Larcombe, Finch and Sore (n 11).

In searching for a universal definition of wellbeing, it is important to consider that the focus on ‘success’, and the desire to be happy and achieve the goals one sets for oneself is a prevalent Western cultural construct in wellbeing literature.³⁵⁵ Happiness and wellbeing paradigms can draw on religion, science, philosophy, western materialist and pragmatic scientific approaches to the phenomenon.³⁵⁶ It is therefore critical to be aware of the Western cultural paradigm that has influenced the history and development of positive psychology and subjective wellbeing scholarship. This next section will review the literature on cultural influences on the definition and measurement of wellbeing, and contributions to the developing epistemic cognition of positive psychology.

3. *Wellbeing Within a Western Cultural Framework*

It is important to recognise that a significant portion of wellbeing research has occurred within a Western cultural framework.³⁵⁷ A large portion of the initial contributions to positive psychology’s empirical research was conducted by US based academics, surveying US university students, in the English language.³⁵⁸ The expansion of non-Western scholarship in wellbeing is now driving an emergence of ‘global’ wellbeing science, including a greater global focus, and multicultural complexity and nuances in the research.³⁵⁹ Western-centric values, such as individualism, have often been cited as contrasting non-Western collectivist values and therefore impacting on the experience and reporting of happiness.³⁶⁰ Engaging in personal growth, self-development, and pursuing meaningful goals often requires risk taking. Jeanne Tsai, Professor of Psychology at Stanford University suggests that individuals with a strong sense of individualism who engage in risk taking tend to value states of ‘positive high arousal’ like excitement, energy, and enthusiasm.³⁶¹ Individuals who experience anxiety in the face of risky self-development choices are often encouraged to internalise that anxiety and instead work on obtaining and maintaining a

³⁵⁵ Ed Diener, 'Subjective Well-Being: The Science of Happiness and a Proposal for a National Index' (2000) 55(1) *American Psychologist* 34.

³⁵⁶ Patrick Jones, 'Nondual Well-Being - the Evolution of Happiness' in Floriana Irtelli and Fabio Gabrielli (eds), *Happiness and Wellness: Biopsychosocial and Anthropological Perspectives* (IntechOpen, 2023) 195, 198.

³⁵⁷ Lomas (n 272).

³⁵⁸ Ibid 60.

³⁵⁹ Lomas (n 272); Floriana Irtelli and Fabio Gabrielli, *Happiness and Wellness: Biopsychosocial and Anthropological Perspectives* (IntechOpen, 2023); Hyi Sung Hwang and David Ricky Matsumoto, *The Handbook of Culture and Psychology* (Oxford University Press, 2nd ed, 2019); Helaine Selin and Gareth Davey, *Happiness across Cultures: Views of Happiness and Quality of Life in Non-Western Cultures* (Springer, 2012); Stephen Morris, 'The Science of Happiness: A Cross-Cultural Perspective' in Helaine Selin and Gareth Davey (eds), *Happiness across Cultures: Views of Happiness and Quality of Life in Non-Western Cultures* (Springer Netherlands, 2012) 435.

³⁶⁰ Irtelli and Gabrielli (n 359).

³⁶¹ Jeanne Tsai, 'Ideal Affect: Cultural Causes and Behavioral Consequences' (2007) 2(3) *Perspectives on Psychological Science* 242.

positive emotional state.³⁶² However, social realities often do not support the achievement of high arousal for many people, particularly in cultures and communities that are not predominately WEIRD (Western, educated, industrial, rich, and democratic). Therefore, individuals holding socio-cultural values of inner peace and harmony may avoid high arousal and PA experiences with a preference for experiencing happiness as 'calm' and 'cool'.³⁶³ Happiness studies highlight different mood-producing behaviours, which may be culturally and contextually different for individuals.³⁶⁴ Certain behaviours in some cultures or contexts (such as workplaces, universities, sports clubs, or social settings) may be more or less appropriate to 'help you feel good' or to 'stop feeling bad'. The ideal affect will depend on the individual's reflections on the different types of happiness: hedonic and eudaimonic.

Different preferences also align with philosophical traditions that include a heightened focus on interpersonal relationships and community wellbeing over individual wellbeing.³⁶⁵ According to Lomas, universal determinants of wellbeing include family relationships, financial situation, work, community and friends, and health.³⁶⁶ Lomas suggests relativistic factors such as history, tradition, norms, values, culture, language, politics, economics, geography, and climate have been identified as important mediators of reported wellbeing.³⁶⁷ Differences across culture therefore, impact upon individual perceptions of subjective wellbeing. However, Lomas highlights there are often cross-cultural similarities in the experience of subjective wellbeing that are underappreciated in research.³⁶⁸ Wellbeing scholarship is now expanding to include many non-Western experiences.³⁶⁹ These developments highlight the expansion of

³⁶² Ibid.

³⁶³ Annie Crookes and Meg Warren, 'Understanding Happiness in the Pacific Islands: A Qualitative Study with University Staff in Fiji', in Floriana Irtelli and Fabio Gabrielli (eds) *Happiness and Wellness-Biopsychosocial and Anthropological Perspectives* (IntechOpen, 2022).

³⁶⁴ Tsai (n 361).

³⁶⁵ Andreas Krafft et al, 'Worldviews and Basic Beliefs of Hope' in Andreas Krafft, Tharina Guse and Alena Sležackova (eds), *Hope across Cultures: Lessons from the International Hope Barometer* (Springer International Publishing, 2023) 167.

³⁶⁶ Lomas (n 272) 70.

³⁶⁷ Ibid.

³⁶⁸ Ibid.

³⁶⁹ For example, research in happiness is being considered from a Malaysian cultural and Islamic perspective, see Noraini Junoh et al, 'The Reality of Happiness According to Scholars' Viewpoints: A Systematic Literature Review (SLR) Analysis' (Proceedings No 1, MDPI, 2022). Research is also being conducted from a Pacific Island perspective, Crookes and Warren (n. Additionally, research has been conducted into viewing happiness in non-western cultures, see chapters exploring Happiness on the Tibetan Plateau; Happiness and Life Satisfaction in Malaysia; Happiness and Quality of Life in the People's Republic of China; Quality of Life of an Asian Metropolis in a Governance Crisis: The Case of Hong Kong; Quality of Work Life in Macau; Satisfaction and Societal Quality in Kazakhstan; Singapore: A Happy State of Mind?; Happiness in Thailand; The Politics of Wellbeing in International Development: Research with Organic Farmers in Cambodia; Farmers' Happiness from Fish Production: A Case Study in Vietnam; Constructions of Happiness and Satisfaction in the Kingdom of Tonga in Selin and Davey (n 359).

positive psychology and wellbeing scholarship to include understanding through a culturally nuanced lens, the increasing recognition that definitions and experiences of happiness and wellbeing vary across different cultural contexts, and exploring what experiences of wellbeing are potentially universal.

The concept of happiness is also deeply ingrained in various religious and ethical traditions, serving as a central theme in philosophical discourse across cultures. However, the interpretation and emphasis of 'happiness' differs between systems of thought. For instance, Greek philosophy places great importance on happiness, framing it as a fundamental aspect of ethical deliberation and influence on the behaviour of individuals.³⁷⁰ By contrast, the perspective within Islam from a theological framework, for example, does not link happiness to intellectual or moral values, but explores how happiness can only be found in God and one's spiritual relationship with God in the context of religion.³⁷¹ Christian theology similarly views happiness and its attainment as possible only through one's relationship with God.³⁷² However, differences do exist between Christian traditions with different scriptures and teachings portraying happiness on earth as a good, bad, or a neutral concept.³⁷³ For some Christians, happiness may fleetingly be obtained on earth (temporal happiness) but for others, human capacities are not sufficient to obtain perfect happiness (thus temporal happiness is imperfect happiness). Other Christian traditions believe that happiness is selfish and pure self-interest; that happiness can only be obtained through obedience to God and abiding by the teaching of Jesus; or, that happiness is spiritual flourishing.³⁷⁴ Happiness, from some religious theological perspectives, is only obtainable after terrestrial life is completed, such as 'in the next life' or 'heaven'.³⁷⁵ According to Buddhist philosophy, happiness is a mental state that can be achieved on earth through one's ethical and moral behaviour (karma), as well as linking happiness to liberation from the cycle of birth and death (nibbana) and reaching enlightenment (nirvana).³⁷⁶ Religious scripture and philosophy is often

Hope is being explored in the Philippines, Allan Bernardo and Alicia Estrellado, 'Measuring Hope in the Philippines: Validating the Short Version of the Locus-of-Hope Scale in Filipino' (2014) 119(3) *Social Indicators Research* 1649. The socio-cultural basis of happiness has been explored from the Nigerian experience, Purissima Egbekpalu, 'Socio-Cultural Basis of Happiness: African Existential Perspective' in Floriana Irtelli and Fabio Gabrielli (eds), *Happiness and Wellness: Biopsychosocial and Anthropological Perspectives* (IntechOpen, 2023) 447.

³⁷⁰ Delle Fave, Massimini and Bassi (n 268).

³⁷¹ Rania Shah, 'Saint Thomas Aquinas and Imam Al-Ghazali on the Attainment of Happiness' (2015) 6(2) *The International Journal of Religion and Spirituality in Society* 15; Ismail Lala, 'The Qur'an and Emotional Well-Being: Hope and Fear in the Qur'an' (2023) 72(2) *Pastoral Psychology* 245.

³⁷² Ellen Charry, 'God and the Art of Happiness' (2011) 68(3) *Theology Today* 238.

³⁷³ Ibid.

³⁷⁴ Charry (n 372). Shah (n 371).

³⁷⁵ Ellen Charry, *God and the Art of Happiness* (Eerdmans Publishing Company, 2010).

³⁷⁶ V Rao, Aarti Jagannathan and K Vani, 'Happiness Analysis: Need for Cross-Cultural Interventions across Religions' (2023) 11(1) *Journal of Applied Consciousness Studies* 27.

blended in scholarship to discuss wellbeing through both theological and philosophical frameworks.³⁷⁷ Therefore, it is important to distinguish the specific paradigm or framework scholars are using in their work. The positive psychology framework is deeply rooted in the Western culture and shaped by the American culture post-World War II period. As described by Lomas,

...in the post-war period, the global dominance of the USA meant that 'American psychology' was exported worldwide, effectively becoming the sole centre. This has meant that concepts, priorities, and methods associated with American psychology have come to dominate the field. Crucially, embedded within a given language are the values, norms, assumptions, biases, etc. of the culture that created it, which influences how its speakers understand and even experience the world, as elucidated by decades of work on the 'linguistic relativity hypothesis'. Thus, in turn, the contours of American psychology have been shaped by the dominant cultural values and traditions of the USA itself, such as its tendency towards individualism.³⁷⁸

It is therefore crucial to acknowledge the significant influence of American psychology and culture, as well as the pivotal role of early scholars in the field of positive psychology who shaped the foundational boundaries of the discipline, including the definitions of key concepts and subsequent psychometric measures. Critical analysis of the results of studies must also consider how much the researcher may be shaped and influenced by American socio-cultural epistemology.

4. *Measuring Wellbeing*

The survey instruments used in this thesis have been created by American and Australian academics. The DASS21 was developed by Peter and Sydney Lovibond from the School of Psychology at the University of New South Wales (UNSW).³⁷⁹ Sydney Lovibond (1918 – 2017), considered one of the fathers of modern Australian psychology, along with his son Peter Lovibond, Professor of Psychology at UNSW, developed and first published the DASS manual in 1995.³⁸⁰ Sydney and Peter were both born and educated in Australia, completed PhDs and post-doctoral work, and spent significant time in their careers as academics at Australian Universities.³⁸¹ The authors are both highly educated, white, Australian academics with

³⁷⁷ See generally Martin Webber and Jacobus Kok, 'Early Christian Thinking on Hope' in Steven van den Heuvel (ed), *Historical and Multidisciplinary Perspectives on Hope* (Springer, 2020) 25.

³⁷⁸ Lomas (n 272) 259.

³⁷⁹ Lovibond (n 290).

³⁸⁰ Lovibond and Lovibond (n 58).

³⁸¹ Peter Lovibond, 'Obituary: Emeritus Professor Sydney (Syd) Harold Lovibond Hon FAPS, *Australian Psychological Society* (Obituary, October 2017) <<https://psychology.org.au/for->

clinical psychology backgrounds. However, the applicability of the DASS across cultures has been demonstrated with its wide use and reporting of results in the literature.³⁸² The DASS has been translated into 57 languages³⁸³ and is considered one of the most widely used survey instruments that distinguishes between the measures of depression, anxiety, and stress.³⁸⁴

The AHS was developed by Charles Snyder (1944 – 2006), described in the discussion above as a pioneer of positive psychology and the father of Hope Theory.³⁸⁵ Snyder was an American psychologist, born and educated in the United States of America (USA), who completed a PhD and post-doctoral work in the USA, and spent his career as an academic at Kansas University, Lawrence Kansas, USA.³⁸⁶ Snyder is also a highly educated, white, American academic with a doctoral degree in clinical psychology. The initial development of the AHS was conducted with first year psychology students at Kansas University. However, like the DASS, the applicability of the AHS has been demonstrated across languages and cultures, although Edwards and McConnell caution about the applicability of the AHS for some groups facing stressors, such as racial discrimination or intimate partner violence.³⁸⁷

It is acknowledged that both the DASS and AHS survey instruments were developed in the English language and based on Western socio-cultural and neoliberal educational values. Students in Australia who are seeking to undertake a law degree are likely to associate, to a greater or lesser extent, with Western neoliberal socio-cultural values as they study content framed by political and socio-legal contexts (such as equality, diversity, privilege, gender, race, and class).³⁸⁸ The wellness in the law literature discussed in Chapter 2 often assumes that law students will seek to thrive at law school, and there is in fact a

members/publications/inpsych/2017/oct/obituary-emeritus-professor-sydney-(syd)-harold-l-; 'Staff Profile: Professor Peter Lovibond', *UNSW Staff* (Webpage, 2024) <<https://www.unsw.edu.au/staff/peter-lovibond>>.

³⁸² Lovibond, 'Depression Anxiety Stress Scales (DASS)' (n 290).

³⁸³ Peter Lovibond, 'DASS Translations', *Depression Anxiety Stress Scales (DASS)* (August 2023) <<https://www2.psy.unsw.edu.au/groups/dass/DASS%20Translations.htm>>.

³⁸⁴ Arulmani Thiyagarajan, Tyler James and Roy Rillera Marzo, 'Psychometric Properties of the 21-Item Depression, Anxiety, and Stress Scale (DASS-21) among Malaysians During COVID-19: A Methodological Study' (2022) 9(1) *Humanities and Social Sciences Communications* 220, 223; Brendan Cowles and Oleg Medvedev, 'Depression, Anxiety and Stress Scales (DASS)' in Oleg Medvedev et al (eds), *Handbook of Assessment in Mindfulness Research* (Springer International Publishing, 2022) 1, 1.

³⁸⁵ Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292).

³⁸⁶ Sophia Maines, 'Professor Leaves Legacy of Hope', *Lawrence Journal-World* (online, 19 Jan 2006) <https://www2.ljworld.com/news/2006/jan/19/professor_leaves_legacy_hope/>.

³⁸⁷ Lisa Edwards and Kat McConnell, 'Hope across Cultural Groups' (2023) 49 *Current Opinion in Psychology* 1, 3; Lisa Edwards and Jessica McClintock, 'A Cultural Context Lens of Hope' in Matthew Gallagher and Shane Lopez (eds), *The Oxford Handbook of Hope* (Oxford University Press, 2018) 95.

³⁸⁸ For a discussion from a UK and international perspective see, Collier (n 243).

responsibility for law schools to help their students to thrive.³⁸⁹ Therefore, some inherent values, such as the desire to strive for ‘success’ in one’s studies, to manage the competitive environment, and to effectively handle the high workloads and academic pressures of law school have been assumed for the JCU student population of this study. As such, for this research study conducted at an Australian university, operating within a neoliberal, Western socio-cultural system, the DASS and AHS were chosen as appropriately developed and tested survey instruments for the law school population, and reliable measures of the psychological constructs being investigated. Additional awareness of students’ socio-cultural worldview and the impact that has on their experience of wellbeing and illbeing could be captured in future research through guided self-reflection of the survey outcomes, and through group or one-on-one engagement with students following the results. For example, individual conversations with students about their results and their perceptions of where they sit on the scales, the applicability of questions to their context, and personal goals for achieving a state of flourishing (if so desired), could add depth and points of useful consideration for individuals seeking to manage their mental health within a non-Western, socio-cultural diverse framework. The option of individual feedback on survey results has been considered as an option for future use of the proposed Hope/DASS Four Quadrant Model and is further discussed in Chapter 9.

5. *Neoliberalism and Wellbeing*

A core influence on students studying in Australia is that of neoliberal values in the higher education system and more broadly in Australian society.³⁹⁰ Neoliberalism can be viewed as a cultural form, in that there are common patterns of ideas that manifest in institutional practices and expectations of individual behaviour.³⁹¹ The central tenets of neoliberal theory include an acceptance that the human mind cannot comprehend the complexity of modern social systems and therefore the free-market economy, private property rights, and free trade are the best and most honest way to manage society.³⁹² Neoliberal psychology posits that the central human need is a desire for freedom, and views individuals as ‘human capital’. Therefore individual behaviour is seen as being directed towards acting as ‘entrepreneurs of

³⁸⁹ See discussion in Chapter 2. Part II. Spotlight on ‘Wellness in the Law’ Movement in Australia. See also Duncan, Strevens and Field (n 10).

³⁹⁰ Margaret Sims, *Bullshit Towers: Neoliberalism and Managerialism in Universities* (Peter Lang Ltd. International Academic Publishers, 2020); Thornton (n 240); Collier (n 243).

³⁹¹ Glenn Adams et al, 'The Psychology of Neoliberalism and the Neoliberalism of Psychology' (2019) 75(1) *Journal of Social Issues* 189, 190.

³⁹² *Ibid*; David Harvey, *A Brief History of Neoliberalism* (Oxford University Press, USA, 2007).

self'.³⁹³ Neoliberal systems (such as law schools and discipline specific faculties) that form the basis of operations in neoliberal institutions (such as universities) also rely on the power of inequality to act as a motivator for individuals to engage in personal and professional development of self in order to meet changing market conditions.³⁹⁴ Neoliberal institutions therefore embrace neoliberal political agendas and cultural patterns that create the socio-cultural landscape.

The operation of any neoliberal institution, such as a university, has an effect on individuals working and studying within the institution and the related systems. Therefore, neoliberal institutions and systems also influence what is considered good, desirable, or appropriate individual behaviour. A number of academics have contributed to the discourse on the relationship between the wellbeing in the law movement and neoliberalism in Australian higher education.³⁹⁵ Neoliberal values such as individualism, competition, and heightened productivity are evident in law school systems.³⁹⁶ Baron, summarising Australian academic Margaret Thornton's observations on the impact of neoliberalism on law students, highlights examples of key impacts including, 'stressful learning experiences (caused by the fact that students must balance, for financial and career reasons, full time work with study); the valorisation of competition among students from their first day at law school; the loss of interest in knowledge for its own sake; the narrowness of student aspirations (the ambition to work in large commercial law firms); and a particular consumerist ethos that demands prepackaged learning and which is focused upon employability as the indicator of successful learning.'³⁹⁷ Numerous authors also caution that a neoliberal lens to law student distress can frame the responsibility for both the causes and solutions of distress on the individual students.³⁹⁸

Linking back to the debate on where the responsibility for addressing law student distress lies, Duncan, Field, and Strevens also caution that the individualising discourse on responsibility for student wellbeing may obscure the neoliberal sources that underpin the factors associated with psychological distress.³⁹⁹ More recent scholarship, such as the IBA Guidelines, specifically state that the responsibility for wellbeing lies with 'individuals, institutions, communities and the discipline of law,' and that 'many factors which

³⁹³ Denise Blum and Char Ullman, 'The Globalization and Corporatization of Education: The Limits and Liminality of the Market Mantra' (2012) 25(4) *International Journal of Qualitative Studies in Education* 367.

³⁹⁴ Adams et al (n 391).

³⁹⁵ Thornton (n 240); Collier (n 243).

³⁹⁶ Thornton (n 240); Peter Burdon, 'Neoliberalism in Legal Education Research' (Routledge, 1st ed, 2020) 31.

³⁹⁷ Baron (n 171) 270.

³⁹⁸ Ibid. Thornton (n 240).

³⁹⁹ Duncan, Field and Strevens (n 178) 88.

affect wellbeing have broader structural, cultural, economic and societal causes and therefore solutions to enhancing wellbeing should not be solely focused on individuals themselves taking proactive steps.⁴⁰⁰

According to Professor of Sociology at the University of Warwick, Nicholas Gane, neoliberal worldviews stem from an epistemology that prioritises psychological science and subjective experience over other sociological theories and cultural perspectives.⁴⁰¹ Therefore, social contexts such as history, time, place, and belonging are not considered as important to neoliberal worldviews as the focus on individual behaviour and techniques to develop self-interested and competitive individuals who will thrive in a neoliberal system. It has been suggested that positive psychology, as a branch of psychology that emphasises the importance of personal self-growth and PA in achieving goals, supports fundamental neoliberal objectives.⁴⁰²

The common thread tying many positive psychology theoretical frameworks together is the idea of freedom, autonomy, agency, personal growth, and self-development – all highly individualistic character traits. Adams et al state that these traits are often suggested to lead to individual human flourishing and achievement of personal goals, and many positive psychology theories consider personal growth and self-development to be ‘the pinnacle of human experience, a mark of optimal wellbeing.’⁴⁰³ Adams et al suggest that this focus on personal growth and self-development is evident in theories including growth mindset,⁴⁰⁴ attachment theory,⁴⁰⁵ self-determination theory,⁴⁰⁶ flow theory,⁴⁰⁷ and positive psychology approaches generally.⁴⁰⁸ These traits and the focus on individual self-development is also evident in hope theory, which has a clear emphasis on developing individuals’ cognitive thinking ability and self-motivation (goal setting), freedom to choose (agency thinking) from multiple options (pathway thinking).⁴⁰⁹

⁴⁰⁰ Jones et al (n 253).

⁴⁰¹ Nicholas Gane, 'Sociology and Neoliberalism: A Missing History' (2014) 48(6) *Sociology* 1092.

⁴⁰² Adams et al (n 391); Sam Binkley, 'Happiness, Positive Psychology and the Program of Neoliberal Governmentality' (2011) 4 *Subjectivity* 371. Edgar Cabanas, 'Positive Psychology and the Legitimation of Individualism' (2018) 28(1) *Theory & Psychology* 3; Sam Keast, 'Psychology Education and the Neoliberal Episteme in Australia' (2020) 30(4) *Theory & Psychology* 507.

⁴⁰³ Adams et al (n 391) 204.

⁴⁰⁴ Carol Dweck, *Mindset: Changing the Way You Think to Fulfil Your Potential* (Hachette UK, 2017).

⁴⁰⁵ Jude Cassidy and Phillip Shaver, *Handbook of Attachment Theory, Research, and Clinical Applications* (Guilford Press, 3rd ed, 2016).

⁴⁰⁶ Richard Ryan and Edward Deci, *Self-Determination Theory : Basic Psychological Needs in Motivation, Development, and Wellness* (Guilford Press, 2017).

⁴⁰⁷ Mihaly Csikszentmihalyi, *Applications of Flow in Human Development and Education the Collected Works of Mihaly Csikszentmihalyi* (Springer Netherlands, 2014).

⁴⁰⁸ Adams et al (n 391).

⁴⁰⁹ Charles Snyder et al, 'The Roles of Hopeful Thinking in Preventing Problems and Enhancing Strengths' (2000) 9(4) *Applied and Preventive Psychology* 249.

The growth of popular business and self-improvement literature focusing on developing grit,⁴¹⁰ emotional regulation,⁴¹¹ mindset shifts,⁴¹² and focus,⁴¹³ demonstrates how neoliberal thinking is being popularised and normalised, as well as reinforced and backed up by psychological science. In many positive psychology theories individuals are encouraged to ignore 'negative feedback' or reframe 'negative self-talk' and focus on positive feelings.⁴¹⁴ Having a positive, optimistic or 'hopeful' outlook is seen as essential to achieving success and personal growth. Researchers in psychological science may also reinforce and legitimise neoliberal systems by unknowingly promoting neoliberal thinking and behaviour as expected societal norms. Baron cautions against the normalisation of viewing distress through a neoliberal lens.⁴¹⁵ This can be seen in action within policy and strategy documents that focus on self-management, personal responsibility, and personal development. It is also a common university mission to produce highly-skilled, job ready graduates ready to compete in the global market, and universities put the onus on individual students to achieve that goal.⁴¹⁶

Another caution raised by Adams et al is that neoliberal attributes that are productive and useful in a neoliberal system may end up overpowering alternative habits, behaviours, and mindsets that are more appropriate in non-neoliberal systems, such as family or relationship settings, or personal aspirations outside the neoliberal systems.⁴¹⁷ Some benefits do exist however in the labelling of distress symptoms (such as depression, anxiety, and stress) in a neoliberal system. Gaining access to support systems due to suffering from distress (such as university counselling services) or being able to apply for special consideration for assessment and exams, can often only be accessed through the system once a student has been labelled as 'suffering from anxiety' (or other distress symptoms) and has evidence of their condition.⁴¹⁸

It is important to note, however, that there has been pushback to the concepts of enduring personal development, growth, and flourishing that are inherent in many positive psychology theories. There is

⁴¹⁰ Angela Duckworth, *Grit: The Power of Passion and Perseverance* (Scribner New York, 2016).

⁴¹¹ Gill Hasson, *Emotional Intelligence: Managing Emotions to Make a Positive Impact on Your Life and Career* (John Wiley & Sons, 2019).

⁴¹² Dweck (n 404) ; Chip Heath and Dan Heath, *Switch: How to Change Things When Change Is Hard* (Random House 2011).

⁴¹³ Daniel Golman, *Focus: The Hidden Driver of Excellence* (Harper Collins, 2015); Johann Hari, *Stolen Focus: Why You Can't Pay Attention* (Bloomsbury, 2022).

⁴¹⁴ Gallagher and Lopez (n 22). Snyder et al (n 409).

⁴¹⁵ Baron (n 171) 272.

⁴¹⁶ Ibid.

⁴¹⁷ Adams et al (n 391) 202.

⁴¹⁸ Baron (n 171).

growing awareness that positive psychology character traits, strengths, and virtues can be used in toxic contexts that reinforce neoliberal individualism and do not actually serve individuals as productive traits.⁴¹⁹ In fact, it could be considered cruel to continually state that everyone has equal access to resources necessary to fulfil their neoliberal psychological growth and ignore societal inequalities. Therefore, psychological science research that focuses on individual measures of psychological phenomena must be cautious in the conclusions that are drawn and realise the potential of unintended reinforcement and normalisation of neoliberal character traits and unconscious legitimisation of neoliberal systems.⁴²⁰

The conclusions drawn from this study will consider the limitations of definitions and cautions of neoliberal and western socio-cultural influences on the theoretical framework and survey measures as discussed in this chapter.

B. Second Wave of Positive Psychology

In the 'second wave' of the positive psychology field, referred to by some authors as a new development phase – Positive Psychology 2.0 – increased attention was given to the nuances of positive and negative experiences and the impact on overall wellbeing.⁴²¹ Keyes and Lopez initially theorised a dual-continua model which suggests a departure from the conventional understanding of wellbeing and illbeing as opposite ends of a single continuum.⁴²² Instead, Keyes and Lopez's model suggests that wellbeing and illbeing represent distinct dimensions of human functioning.⁴²³ The proposed 'Complete State Model' (CSM) of mental health, offered an explanation and visual representation of the intersectionality of mental illness and positive mental health (wellbeing) as separate yet correlated dimensions.⁴²⁴ Keyes suggests that one can be free from mental illness, but not necessarily be mentally healthy.⁴²⁵ Therefore, measuring both dimensions of mental illness and positive mental health is useful for a more holistic view of overall wellbeing. According to Wong, an early and persistent critique of positive psychology was that the

⁴¹⁹ Whitney Goodman, *Toxic Positivity: Keeping It Real in a World Obsessed with Being Happy* (Penguin, 2022).
Tobore Onojighofia Tobore, 'On the Beauty of Sadness: It's Okay to Say, I Am Sad, Thank You' (2023) 16(1) *Communicative & Integrative Biology* 2211424.

⁴²⁰ Laura Favaro and Rosalind Gill, 'Pump up the Positivity': Neoliberalism, Affective Entrepreneurship and the Victimhood/Agency Debate' in Maria Fuentes, Sonia Puete and Emma Nicolau (eds), *Re-Writing Women as Victims: From Theory to Practice* (Routledge, 2019) 153.

⁴²¹ Ivtzan et al (n 272). Paul Wong, 'Positive Psychology 2.0: Towards a Balanced Interactive Model of the Good Life' (2011) 52(2) *Canadian Psychology* 69.

⁴²² Keyes and Lopez (n 1).

⁴²³ Ibid.

⁴²⁴ Keyes (n 63).

⁴²⁵ Ibid.

proposed research directions seemed to ignore the reality and benefits of negative emotions and experiences.⁴²⁶ In terms of the 'positive focus' in the positive psychology field of research, Gable and Haidt comment that,

Many criticisms seem to arise from the assumption that if there is a positive psychology, then the rest of psychology must be negative psychology, and if we need a positive psychology it is because this so-called negative psychology has taught us little. This interpretation is unfortunate and, more important, untrue.... In fact, it is because psychology (which is mostly neutral, but with more negative than positive topics) has been so extraordinarily successful that the imbalance, the lack of progress on positive topics, has become so glaring.⁴²⁷

In addressing the glaring imbalance between positive and negative topics associated with wellbeing research, Wong also proposed a dual-system model to leverage the constructive elements inherent within negative emotions and circumstances while also considering the limitations of positive aspects of living a good life.⁴²⁸ Building on Wong's paper, Lomas and Ivtzan describe how scholarship in the second wave of positive psychology began to acknowledge the fundamentally dialectical nature of wellbeing and that flourishing entails an inevitable interplay between positive and negative facets of human existence.⁴²⁹ Furthering these insights, research and thought-leadership has since expanded into the dynamic relationship between positive and negative aspects of life, rather than just viewing them as mutually exclusive.⁴³⁰ Lomas and Ivtzan describe the dialectical nature of wellbeing, citing examples of optimism and pessimism, self-esteem and humility, freedom and restriction, forgiveness and anger, happiness and sadness, and complex processes such as posttraumatic growth and love.⁴³¹ The work of Keyes, Lopez, Wong, Lomas, Ivtzan, and Snyder is used to support the positive psychology theoretical framework

⁴²⁶ Wong (n 421).

⁴²⁷ Gable and Haidt (n 269) 107.

⁴²⁸ Wong (n 421).

⁴²⁹ Tim Lomas and Itai Ivtzan, 'Second Wave Positive Psychology: Exploring the Positive–Negative Dialectics of Wellbeing' (2016) 17(4) *Journal of Happiness Studies* 1753.

⁴³⁰ Wong (n 421); Ivtzan et al (n 272); Lomas and Ivtzan (n 429); Tim Lomas and Tyler VanderWeele, 'The Complex Creation of Happiness: Multidimensional Conditionality in the Drivers of Happy People and Societies' (2023) 18(1) *The Journal of Positive Psychology* 15; Katerina Flora, 'Second Wave of Positive Psychology: Beyond the Dichotomy of Positive and Negative and the Consequences in the Practice of Psychotherapy' (2019) 32(3-4) *Counselling Psychology Quarterly* 333.

⁴³¹ Lomas and Ivtzan (n 429).

developed in Chapter 5 (Hope/DASS Four-Quadrant Model) that is the theoretical framework through which the results of this thesis will be analysed in Chapter 9.⁴³²

Supporting the evolution of positive psychology in the second wave, Seligman addressed three key criticisms of positive psychology in a 2019 personal reflection on the history of the field.⁴³³ Seligman stated that one key criticism is that positive psychology involves 'common knowledge' or repackages conventional wisdom. This criticism is clearly not accurate, as the breadth of new knowledge discovered by researchers in the field is extensive.⁴³⁴ Another criticism is that positive psychology is simply a rebrand of humanistic psychology, standing on the shoulders of Abraham Maslow.⁴³⁵ Seligman states that humanistic psychology was seen as radical thinking in the field of psychology and at the time, circa mid-1950s, did not adopt rigorous scientific methods to test ideas.⁴³⁶ In fact, referencing Waterman's article *The Humanistic Psychology-Positive Psychology Divide: Contrasts in Philosophical Foundations*, Seligman states, 'Humanistic Psychology's then-radical ideas combined with its less-than-rigorous methods made it doubly difficult for science to digest, hence its present status as scientific backwater that is separate from Positive Psychology.'⁴³⁷ Seligman distinguishes positive psychology, as a field of science that has been developed to use conventional and rigorous scientific methods in research.⁴³⁸ Seligman admits to not reading much of Maslow's work at the time of developing his thinking on positive psychology, and that, 'Positive Psychology arose directly from my take on the shortcomings of mainstream clinical and experimental science.'⁴³⁹ However humanistic psychology is increasingly credited with laying the groundwork for positive psychology research and practice.⁴⁴⁰ Seligman's stance on positive psychology requiring rigorous scientific empirical research methodologies in order to be considered as a credible scientific field, has also greatly influenced data collection and evaluation in the field of positive psychology.⁴⁴¹ The systematic and rigorous

⁴³² Keyes (n 2). Keyes and Lopez (n 1); Corey Keyes, 'Promoting and Protecting Mental Health as Flourishing: A Complementary Strategy for Improving National Mental Health' (2007) 62(2) *American Psychologist* 95; Wong (n 421); Ivtzan et al (n 272); Tim Lomas, 'Towards a Cross-Cultural Lexical Map of Wellbeing' (2021) 16(5) *The Journal of Positive Psychology* 622; Snyder (n 22).

⁴³³ Seligman (n 299).

⁴³⁴ Snyder et al (n 20); Anthony Ong and Manfred Van Dulmen, *Oxford Handbook of Methods in Positive Psychology* (Oxford University Press, 2007).

⁴³⁵ Seligman (n 299).

⁴³⁶ Ibid.

⁴³⁷ Ibid 19.

⁴³⁸ Shane Lopez and Charles Snyder, *Positive Psychology Assessment: A Handbook of Models and Measures* (American Psychological Association, 2009). Ong and Van Dulmen (n 434).

⁴³⁹ Seligman (n 299) 19.

⁴⁴⁰ Robbins (n 261).

⁴⁴¹ Matthew Gallagher, 'Introduction to Positive Psychological Assessment' in Matthew Gallagher and Shane Lopez (eds), *Positive Psychological Assessment: A Handbook of Models and Measures* (American Psychological

approach to the scientific development of the AHS and DASS21 measures has contributed to their accepted reliability and validity. The epistemological and ontological stance of the AHS and DASS21 is explored in Chapter 6.

A third strong criticism Seligman addressed, is the view that positive psychology is unnecessary.⁴⁴² Seligman describes the basis for this criticism as being the belief that once individual and societal problems and negative circumstances are adequately addressed, human wellbeing will naturally follow suit.⁴⁴³ This perspective suggests that prioritising interventions that are aimed at alleviating suffering will eventually result in greater wellbeing. Seligman uses a clever analogy to rebuke this criticism.⁴⁴⁴ Sharing examples of three types of opposites: 1) where opposites reside along the same continuum, such as temperature variations from hot to cold; 2) where one pole is clearly defined while the other pole is merely the absence of the former, such as could be observed in something being coloured and colourless; and, 3) where opposing entities have distinct properties, and are not simply derived from the absence of properties of the other. Seligman uses the example of civility and incivility stating,

The presence of civility leads to cooperation, friendship, and loyalty. Civility is a positive-sum game. Incivility leads to revenge, hate, and divorce. Incivility is a negative-sum game. Civility and incivility are different in kind not just in degree. The benefits of civility are more than just the absence of revenge, hate, and divorce, and the costs of incivility are more than just the absence of cooperation, friendship, and loyalty. Good and bad, positive and negative, are this third kind of opposite. The good and the bad each form their own unique worlds.⁴⁴⁵

This view of the distinct properties of traditional and positive psychology is a central tenet of the field – ‘arriving at the good is a lot more than just eliminating the bad.’⁴⁴⁶

Further criticisms that arose in the second wave of positive psychology stem from apprehensions that some scholars offer sweeping, casual, and prescriptive assertions that may overpromise and underdeliver

Association, 2nd ed, 2019) 3; Matthew Gallagher, Shane Lopez and Charles Snyder, 'The Future of Positive Psychological Assessment: Making a Difference' in Matthew Gallagher and Shane Lopez (eds), *Positive Psychological Assessment: A Handbook of Models and Measures* (American Psychological Association, 2nd ed, 2019) 419.

⁴⁴² Seligman (n 299).

⁴⁴³ Ibid.

⁴⁴⁴ Ibid 19.

⁴⁴⁵ Ibid.

⁴⁴⁶ Ibid.

in practical application.⁴⁴⁷ Kern et al share a concern that some literature within positive psychology may present overly optimistic perspectives or simplistic solutions to complex human issues.⁴⁴⁸ The authors take issue with some of the proposed interventions and programs being implemented that ‘ignore the complex and dynamic realities and varied contexts in which people reside. PP [positive psychology] interventions are beneficial for some people, some of the time, in some places, and in some ways, but are far from panaceas.’⁴⁴⁹ Kern et al propose systems thinking as a useful scientific framework to support positive psychology in a shared purpose of cultivating the wellbeing of human social systems.⁴⁵⁰ The authors propose that a systems-informed positive psychology perspective is based on a foundational belief in the interconnectedness of human existence with oneself, others, and the surrounding environment, and therefore a systems-informed positive psychology perspective makes epistemological, political, and ethical assumptions based on this interconnectedness.⁴⁵¹

Systems thinking is an appropriate lens through which to consider the Nested Framework of Law Student Wellbeing proposed in Chapter 2, and could be incorporated into future research expanding on the nested framework. Thought-leadership is calling for greater attention to be paid to the importance of broader contextual factors in wellbeing studies and this has led to more holistic approaches to understanding positive and negative aspects of life.⁴⁵² The maturing of wellbeing scholarship during the second wave has also included a greater focus on contextual socio-cultural factors and more inter and multidisciplinary approaches to addressing the complexities of modern-day wellbeing challenges. It is therefore important to acknowledge that while this thesis has narrowed the topic to consider the experience on individual law student wellbeing, it is important that the results are considered in light of the complex reality surrounding law students and the impact of contextual socio-cultural factors, such as the wellbeing of law staff and university staff; the law school and university environments, systems and structures; the legal profession and community environment (as represented in the Nested Framework of Law Student Wellbeing, introduced in Chapter 2).⁴⁵³ This growth in holistic and more complex realities of wellbeing has led to the emergence of a next wave – the ‘third wave’ of positive psychology.

⁴⁴⁷ Lomas et al (n 271).

⁴⁴⁸ Margaret Kern et al, 'Systems Informed Positive Psychology' (2020) 15(6) *The Journal of Positive Psychology* 705.

⁴⁴⁹ Ibid 705.

⁴⁵⁰ Ibid.

⁴⁵¹ Ibid.

⁴⁵² Ibid.

⁴⁵³ All proposed factors in the Nested Framework of Law Student Wellbeing, see Figure 1, Chapter 2. II. C. Ethical Responsibility to Address the Problem.

C. *Third Wave of Positive Psychology*

The third wave of positive psychology has been described as,

... a general movement of broadening 'beyond the individual', moving towards greater complexity. This includes complexity in terms of the: focus of enquiry (becoming more interested in super-individual processes and phenomena); disciplines (becoming more interdisciplinary); culture (becoming more multicultural and global); and methodologies (embracing other ways of knowing).⁴⁵⁴

This third wave seeks to further address early criticism of positive psychology, that the field puts too much emphasis on the role of the individual. As described by Diener, 'One critique is that our field focuses too exclusively on the individual person, rather than considering the impact of neighbourhoods, social groups, organizations, and governments in shaping positive behaviour.'⁴⁵⁵ Not only is the expanded focus encompassing the exploration of cultural factors in wellbeing, but also physical, socio-political, economic, and other contextual influences. According to Wissing, this expanded view acknowledges the intricate interplay of bio-psycho-social-ecological factors in shaping wellbeing.⁴⁵⁶ By considering this broader scope, positive psychology is better equipped to address the complexities of human health and wellness, particularly during times of significant challenges and societal changes. Wissing suggests that the shift to the third wave of positive psychology introduces a new scientific domain of multidisciplinary wellbeing studies and reflects,

... the multimodalness of wellness (psychological, social, spiritual, and biological), but initially with mainly a focus on the individual and how wider systems influence the person as such. However, given the increasingly urgent demands from complex human-social-ecological problems such as consequences of climate change (floods, droughts, famine, and more), displacement of peoples (e.g. because of ongoing wars or internal country politics or economic situations), pandemics (such as COVID-19) and inequities (e.g., in resources and opportunities) with all its human well-being and health, social, socio-political, economic, and natural ecological and biosphere concomitants, there is a call for attention also to the well-being of non-humans and ecological systems for the survival of all.⁴⁵⁷

⁴⁵⁴ Lomas et al (n 271) 4.

⁴⁵⁵ Diener, 'Positive Psychology: Past, Present, and Future' (n 263) 9.

⁴⁵⁶ Marié Wissing, 'Beyond the "Third Wave of Positive Psychology": Challenges and Opportunities for Future Research' (2022) 12 *Frontiers in Psychology* 795067.

⁴⁵⁷ *Ibid* 5.

This thinking aligns with Lomas et al's proposed third wave of positive psychology in which greater interdisciplinary connections and synthesis of theories across different disciplines will further the scholarship and practice of interventions to support human beings and human social systems to thrive.⁴⁵⁸

Reflecting on the previous waves, Ryff cautioned about the prevalent utilisation of homogeneous research samples in positive psychology research, often comprised of white, well-educated individuals from Western cultures.⁴⁵⁹ Ryff suggests positive psychology research has often overlooked the significant impacts of race/ethnicity, socioeconomic status, and cultural background on positive human functioning.⁴⁶⁰ While it is true that a significant proportion of research by the founders of positive psychology was conducted on students studying introduction to psychology subjects in American universities, as touched on in the discussion above in Part II. A. 3. *Wellbeing Within a Western Cultural Framework*, increasingly research is being conducted with a focus on diverse geographical, cultural, and multi-language positive psychology scholarship.⁴⁶¹ Greater attention is also being paid to cultural variation, incorporating theories and literature from cross-cultural psychology.⁴⁶² Lomas suggests that cross-cultural research on wellbeing is underpinned by two broad, orienting perspectives, 'a "universalising" perspective, which holds that, despite apparent cultural differences, people share a common human nature; and a "relativising" perspective, which argues that people are strongly shaped by their cultural context.'⁴⁶³ Lomas goes on to argue that most research to date has actually taken a 'universal relativism' perspective, that suggests there are universal ways in which wellbeing is, 'sought, constructed and experienced, but allows for extensive variation in the ways these universals are shaped by culture.'⁴⁶⁴ In the third wave, many positive psychology constructs are also being reviewed and expanded to increase cultural validity across diverse sociocultural populations.⁴⁶⁵ So while it is important to consider the context of research and the generalisability or universality of results, a large proportion of positive psychology

⁴⁵⁸ Lomas et al (n 271).

⁴⁵⁹ Carol Ryff, 'Positive Psychology: Looking Back and Looking Forward' (2022) 13 *Frontiers in Psychology* 840062.

⁴⁶⁰ Ibid.

⁴⁶¹ See, eg, Claude-Hélène Mayer and Elisabeth Vanderheiden, 'Contemporary Positive Psychology Perspectives and Future Directions' (2020) 32(7-8) *International Review of Psychiatry* 537. Irtelli and Gabrielli (n 359).

⁴⁶² Edwards and McConnell (n 387); Krafft et al (n 365); Hwang and Matsumoto (n 359); Lisa Flores and Hang-Shim Lee, 'Assessment of Positive Psychology Constructs across Cultures' in Matthew Gallagher and Shane Lopez (eds), *Positive Psychological Assessment : A Handbook of Models and Measures* (American Psychological Association, 2019).

⁴⁶³ Lomas (n 272) 60.

⁴⁶⁴ Ibid.

⁴⁶⁵ Nona Kiknadze and Blaine Fowers, 'Cultural Variation in Flourishing' (2023) 24(7) *Journal of Happiness Studies* 2223.

constructs have been found to be valid and reliable across different populations,⁴⁶⁶ and research addressing paradigm limitations and cross-cultural validity is providing useful future directions for the field.⁴⁶⁷

Ryff also suggests that the first and second wave call to expand and elevate areas of positive psychology related to human functioning, has neglected the expansion of study into negative characteristics that are impacting contemporary society, namely greed, indifference and stupidity.⁴⁶⁸ Referring to Professor of Management Ronald Purser's article *The Mindfulness Conspiracy*, Ryff notes that it is not possible to 'meditate your way out of institutionalised greed, ill will, and delusion.'⁴⁶⁹ In addition, referencing the book *Psychology of Stupidity*, Ryff calls for more science on the 'assaults on truths' and pervasiveness of lying in contemporary life.⁴⁷⁰ Research attention on these topics is likely warranted, and the scope of the field of positive psychology does not need to be limited to exclude such scholarship. In fact, exploration of wellbeing and positive human functioning requires not only attention on the positive strengths and characteristics, but also on negative characteristics. The third wave is also expanding on the concept of 'toxic positivity' and addressing the perception that 'positive is good' and 'negative is bad' in the scholarship of the field.⁴⁷¹ In a reflection on the beauty of sadness Tobore reflects that,

We live in times when our culture is obsessed with happiness. The value of almost every aspect of our lives is increasingly judged in terms of their contribution to our happiness. Happiness has become the ultimate goal by which values and priorities are constructed and the only thing for which any action in pursuit of [happiness] does not require justification. In contrast, sadness is increasingly abnormalized and pathologized.⁴⁷²

While the value of measuring negative experiences is clearly recognised in the acceptance of the dialectical nature of wellbeing and development of dual continua measures, Tobore provides a useful reminder that

⁴⁶⁶ Edwards and McConnell (n 387); Edwards and McClintock (n 387).

⁴⁶⁷ Lomas (n 272).

⁴⁶⁸ Ryff (n 459).

⁴⁶⁹ Ronald Purser, 'The Mindfulness Conspiracy', *The Guardian* (online, 14th June 2019)

<<https://www.theguardian.com/lifeandstyle/2019/jun/14/the-mindfulness-conspiracy-capitalist-spirituality>>; Ryff (n 459).

⁴⁷⁰ Jean-François Marmion, *The Psychology of Stupidity: Explained by Some of the World's Smartest People* (Macmillan, 2020); Ryff (n 459).

⁴⁷¹ Whitney Goodman, *Toxic Positivity: How to Embrace Every Emotion in a Happy-Obsessed World* (Hachette UK, 2022).

⁴⁷² Tobore (n 419) 1.

the narratives around perceived negative experiences, such as anger or sadness, are important.⁴⁷³ Equally useful is the reminder of the impact that institutional greed, ill will, assaults on truth, lying, indifference and stupidity may have on the systems and structures that surround individuals and impact on their mental health and experiences of wellbeing. Flourishing and living a meaningful human existence includes experiencing a full spectrum of emotions. Experiencing negative states may promote benefits such as posttraumatic growth, feed-forward critical information for future successful goal attainment, and build resilience. The third wave growth in understanding of human flourishing and recognising the traits of toxic positivity have informed the theoretical framework for this thesis. Although this thesis is limited in the scope of exploration to the first level of the Nested Theory of Law Student Wellbeing, the development of a proposed definition of law student wellbeing has been fashioned by the prompts of moving positive psychology scholarship beyond the individual and including greater complexity through acknowledging wider systems influences on individual wellbeing.⁴⁷⁴

In conclusion, positive psychology criticisms are adding value to the scholarly progression of the field.⁴⁷⁵ In fact, according to Wissing, the field is already moving beyond the third wave, in part due to the ongoing discourse and development of the field's trajectory.⁴⁷⁶ Wissing argues that the third wave 'was actually the beginning of a new scientific domain of well-being studies with a multi – or interdisciplinary nature, wider focus, and inclination to answer the call for action in complex situations and changing times.'⁴⁷⁷ Wissing suggests that the now broader perspective on wellbeing will no longer see positive psychology as a sub-discipline of psychology, as it becomes increasingly integrated into 'psychology' and is seen as important as the traditional pathology approach.⁴⁷⁸ The idea that there is no longer a distinction between traditional and positive psychology was an initial goal of Seligman's.⁴⁷⁹ The new goals of psychology as a discipline, according to the third wave literature, could be to focus on holistic mental health, including a greater balance in perspectives on positive and negative mental health characteristics, and the ontological, epistemological and axiological broadening of the field in order to navigate the increasing complexities of contemporary issues in modern society.⁴⁸⁰

⁴⁷³ Ibid.

⁴⁷⁴ Rachel Colla et al, "'A New Hope' for Positive Psychology: A Dynamic Systems Reconceptualization of Hope Theory' (2022) 13 *Frontiers in Psychology* 809053; Kern et al (n 448).

⁴⁷⁵ Llewellyn van Zyl et al, 'The Critiques and Criticisms of Positive Psychology: A Systematic Review' (2024) 19(2) *The Journal of Positive Psychology* 206.

⁴⁷⁶ Wissing (n 456).

⁴⁷⁷ Ibid.

⁴⁷⁸ Ibid 15.

⁴⁷⁹ Seligman, *The Hope Circuit: A Psychologist's Journey from Helplessness to Optimism* (n 301).

⁴⁸⁰ Wissing (n 456); Lomas et al (n 271).

III Wellbeing at Law School

Positive psychology operates with the aim to articulate a vision of the good life and to show what actions lead to individual wellbeing and flourishing.⁴⁸¹ These aims can be applied to establishing a definition of student wellbeing that works in the framework of positive psychology, as well as fitting the context of the Wellness in the Law movement and Australian scholarship on university student wellbeing. As highlighted in Chapter 2 and throughout this chapter, there is no universal definition of wellbeing, and the psychological constructs that influence wellbeing can be influenced by the context and shifts in the epistemic cognition accompanying the waves of positive psychology. Therefore, the working definition proposed in this thesis is suitable for the current time and aligned with the current state of thinking. It is proposed that in order to be a useful working definition, law student wellbeing must be seen as measurable by university staff, relevant to the student experience, and applicable to informing future behaviour (at the individual, law school, university, professional, and societal levels).

The IBA Guidelines for Wellbeing in Legal Education advocate for key principles to be adopted by law schools to promote positive student wellbeing. The IBA Guidelines stress the importance of law schools creating appropriate socio-cultural norms to enhance student wellbeing in positive ways and promote student flourishing within law schools.⁴⁸² Appendix 2 offers suggested questions for law schools to establish a baseline for evaluating the impact of the IBA Guidelines.⁴⁸³ The first question proposed is to ask law schools to consider:

1. How does (or should) our law school define wellbeing?

Guideline 2 acknowledges that each law school can independently decide how to define wellbeing, however it also suggests that law schools should recognise that wellbeing is about the, ‘flourishing and thriving of individuals, institutions, communities and the discipline of law.’⁴⁸⁴ Guideline 2 acknowledges that wellbeing is not solely the responsibility of ‘individuals themselves taking proactive steps’, but includes factors such as:

- The way the law is taught;
- The wider experience of legal education;
- The wellbeing of staff; and,

⁴⁸¹ Seligman and Csikszentmihalyi, *Positive Psychology: An Introduction* (n 313).

⁴⁸² Jones et al (n 253).

⁴⁸³ Ibid.

⁴⁸⁴ Ibid, Guideline 2.

- Individual intellectual, psychological, emotional, physical, spiritual, digital, financial, and social health.⁴⁸⁵

Therefore, an overarching definition of ‘wellbeing in the law’ should include individual, institutional, and community wellbeing dimensions. This thinking aligns with the Nested Framework of Law Student Wellbeing proposed in Chapter 2.

This thesis suggests an operational definition of wellbeing in the law that narrows the focus to *law student* wellbeing, whilst recognising that individual reported levels of wellbeing are only one part of an overall wellbeing definition. In fact, each segment of the Nested Framework of Law Student Wellbeing could have independent criteria and measures for wellbeing or positive functioning. Some levels may include subjective measures that capture the experience of individuals and groups. Other levels, such as the law school and university that include systems and structures could include objective measures.⁴⁸⁶ Exploration of the objective criteria that could be used to measure positive institutions, systems, and structures is beyond the scope of this thesis. However, the narrowed focus on law student wellbeing is approached with awareness of the complexity of the interrelated surrounding factors and environments. In order for the individual assessment of law student wellbeing to contribute to an assessment of a greater and more holistic measure of wellbeing, and to be useful in informing evidence-based, long-lasting change⁴⁸⁷ that can affect wellbeing at all levels, different quantitative and qualitative measurements and data analysis is useful.⁴⁸⁸ Therefore, the language used by law schools to capture the abstract concept of ‘law student wellbeing’ can be as complex, multidimensional, and specific to each law school and university context as desired. The measurement of the psychological construct of law student wellbeing however, can be designed to fit across multiple definitions of law student wellbeing and therefore allow researchers to explore the construct of wellbeing in the narrowed context of law school, and also across institutions and at a national and international level. Guideline 5 suggests that measures to assess and evaluate law school wellbeing may include:

- Dialogue;

⁴⁸⁵ Ibid, Guideline 2.

⁴⁸⁶ Sebastiaan Rothmann and Christine Janse van Rensburg, 'Towards Positive Institutions: Positive Practices and Employees' Experiences in Higher Education Institutions' (2020) 46(1) *SA Journal of Industrial Psychology* 1; Katarzyna Budzińska, 'Positive Institutions: A Case Study' (2018) 2(4) *Theory and Practice of Second Language Acquisition* 33; Rich (n 257).

⁴⁸⁷ Jones et al (n 253), Guideline 4.

⁴⁸⁸ Ibid, Guideline 5: Law schools will put in place measures to assess and evaluate any actions taken in relation to wellbeing and will respond to the findings to achieve ongoing improvements.

- Quantitative measures;
- Qualitative enquiry; and,
- Student-led and co-creation initiatives.⁴⁸⁹

Guideline 5 highlights that a benefit of quantitative measures is that standardised measures can be used to facilitate comparisons between populations.⁴⁹⁰ Additional benefits are that standardised quantitative measures, such as survey instruments, can be quick, cost effective, and provide immediate feedback to the student and data collector. Initial quantitative data can also be a useful starting point for further qualitative enquiry and dialogue options, that may then lead to student-led and co-created initiatives.

Drawing on the review of the literature in this chapter relating to positive psychology, subjective wellbeing, and with consideration of the law school context, the following original operational definition of law student wellbeing is proposed:

Law student wellbeing considers the subjective experience of psychological strengths and psychological distress as measures of psychological functioning and mental health, to help students identify as flourishing or not-flourishing.

This proposed operational definition includes:

- Reference to the subjective experience of students;
- Acknowledgement of using two-continua, a strengths-based measure and deficits-based measure;
- Measures are used to consider overall psychological functioning and mental health;
- The assumption that law students seek to thrive at law school, and that flourishing is the ultimate state of human functioning.

This limited definition can provide data that feeds into a greater analysis of wellbeing in the law, and university wellbeing. The first step is to determine if students recognise themselves as flourishing or not-flourishing. If students are characterised or identify as not-flourishing, then information can be fed-forward to law academics, law school staff, and university support staff to understand what aspects of psychological distress or psychological strengths may be contributing to the students' current state of

⁴⁸⁹ Ibid, Guideline 5.

⁴⁹⁰ Ibid, Guideline 5.

mental health. Law schools (and university staff engaged in whole-of-university approaches to wellbeing) can then:

- Contribute to ongoing dialogue in relation to wellbeing.⁴⁹¹
- Consider if the results provide further information on, or suggest additional data is required on, issues of equality, diversity and inclusion.⁴⁹²
- Provide opportunities for feedback from students identifying as non-flourishing, and opportunities for further investigation into contributing factors to their results, including if any detrimental impact is occurring due to systemic issues, aspects of legal education delivery, or institutional aspects that could be addressed.⁴⁹³
- Use results to inform, review, and evaluate law school wide wellbeing policies and strategies.⁴⁹⁴
- Use results to inform, review, and evaluate university wide policies.

To explore the hypothesis that hope theory is a theoretical framework that is a suitable measure of law students' psychological strengths, and the DASS is a suitable measure of psychological distress, an original framework for analysis of law student wellbeing has been developed and will be applied to the results of this study. The next chapter will introduce the theoretical framework of hope and chapter 5 will outline the development of the original Hope/DASS Four-Quadrant Model. Chapter 6 will introduce the methodology of the study. Chapter 7 will then report on the results of the DASS21 survey only and law student results. Chapter 8 will report on the AHS survey only and law student results. Chapter 9 will then report on the results using the Hope/DASS Four-Quadrant Model and analyse the differences in results compared to reporting psychological distress results only or psychological strengths results only, and discuss the perceived benefit to measuring law student wellbeing with this approach.

⁴⁹¹ Ibid, Guideline 10; Guideline 5.

⁴⁹² Ibid, Guideline 9.

⁴⁹³ Ibid, Guideline 8.

⁴⁹⁴ Ibid, Guideline 6; Guideline 5.

Chapter 4: Hope and Psychological Distress

This chapter will examine the historical and contemporary understanding of hope theory, and the psychological constructs that make up Snyder's definition of hope theory – goal setting, agency thinking and pathway thinking. Given the clear option of using hope as a measure of subjective wellbeing, as outlined in Chapter 3, this chapter will explore hopeful thinking. To answer RQ1 (What are the advantages of measuring mental health across two continua using the psychological constructs of Hope and DASS?) and understanding the analysis required to answer RQ2 (What are the levels of mental health among law students at JCU as measured by the psychological wellbeing measure of Hope and psychological illbeing measure of DASS) this chapter will examine what it means to be a high hope or low hope thinker. Part I of this chapter will provide a brief history of the scholarship on hope and the theory of hope that will be used in this thesis. Part II will examine the key components of hope theory and provide context for how hope theory can apply to the context of law student wellbeing. Part II will also analyse the literature on hope and academic success, drawing further conclusions for the applicability of hope theory as an appropriate wellbeing measure for law students. The links between hope and depression, anxiety, and stress will also be examined. This chapter concludes by proposing that students' levels of hope are a useful wellbeing measure and can be used to define a student as flourishing or not-flourishing (as suggested in the proposed definition of law student wellbeing presented in Chapter 3). An appreciation of the theory behind the measure of hope, and the interrelationship with measures of depression, anxiety, and stress, provides the basis for understanding the development of the Hope/DASS Four-Quadrant Model, as introduced in Chapter 5.

I History of Hope

The word "hope" has a colloquial meaning for most people, and the phenomena of hope has been explored in scholarship across numerous fields of inquiry, including history, philosophy, and psychology.⁴⁹⁵ Positive psychology focuses on the measure of psychological human strengths. Hope has been identified as one such identifiable and measurable psychological strength.⁴⁹⁶ In positive psychology, there are a

⁴⁹⁵ Kristina Callina, Nancy Snow and Elise Murray, 'The History of Philosophical and Psychological Perspectives on Hope: Toward Defining Hope for the Science of Positive Human Development' in Matthew Gallagher and Shane Lopez (eds), *The Oxford Handbook of Hope* (Oxford University Press, 2018) 32.

⁴⁹⁶ Christopher Peterson and Martin Seligman, *Character Strengths and Virtues: A Handbook and Classification* (Oxford University Press, 2004) vol 1.

number of modern theories of hope,⁴⁹⁷ and distinct measures of hope, such as the Herth Hope index⁴⁹⁸ and Locus of Hope Scale.⁴⁹⁹ However Snyder's hope theory and associated AHS is the dominant approach and most universally applied theory and measure in current hope scholarship.⁵⁰⁰ Understanding the historical perspectives and multiple meanings attributed to the word 'hope' can help in distinguishing the features of Snyder's hope theory.

Hope is not a new concept. Philosophers, psychologists and religious scholars have explored the relationship between hope and hope's contribution to individual wellbeing over centuries.⁵⁰¹ The study of hope is considered fundamental to understanding human flourishing.⁵⁰² Hope is referenced in texts from Ancient Greek literature and presocratic philosophy.⁵⁰³ For example, in Greek mythology there is the famous tale about Pandora who opened a box releasing all evils into the world, yet hope (*elpis*), the only positive element, remained inside the box.⁵⁰⁴ Pandora finally released hope from the box to heal the

⁴⁹⁷ An exploration of different theories of hope is offered by Webb. In his scholarship Webb proposes that, 'hope be regarded as a human universal that can be experienced in different modes. A variety of theories and models of hope are discussed, including those offered by Marcel, Dauenhauer, Bloch, Moltmann, Bovens, Pettit, Snyder, Rorty and Gutiérrez. While many of these theories claim to have identified the characteristics of hope, it is argued that each theory captures something about a particular mode of hoping. The theories and models are integrated into a framework comprising five modes of hoping: patient, critical, estimative, resolute and utopian,' Darren Webb, 'Modes of Hoping' (2007) 20(3) *History of the Human Sciences* 65, 65. See also, Darren Webb, 'Pedagogies of Hope' (2013) 32 *Studies in Philosophy and Education* 397; Darren Webb, 'Modes of Hoping and the Utopian Impulse' (2008) *Hope: Global Interdisciplinary Perspectives* 25. An analysis of the validity of four popular hope scales including the AHS, Herth Hope Index, Locus of Hope Scale, and Comprehensive Hope Scale was conducted in 2022, Emma Pleeing, 'Measuring Hope: Validity of Short Versions of Four Popular Hope Scales' (2022) 56(6) *Quality & Quantity* 4437.

⁴⁹⁸ Kaye Herth, 'Herth Hope Index', *APA PsycNet* (1992) <<https://doi.org/10.1037/t21563-000>>; Kaye Herth, 'Abbreviated Instrument to Measure Hope: Development and Psychometric Evaluation' (1992) 17(10) *Journal of Advanced Nursing* 1251.

⁴⁹⁹ This scale was developed by Professor Allan Bernardo, De La Salle University, Philippines, assuming hope is socially constructed and initially applied in measures of hope in Filipino populations, Bernardo and Estrellado (n); Allan Bernardo, 'Extending Hope Theory: Internal and External Locus of Trait Hope' (2010) 49(8) *Personality and Individual Differences* 944.

⁵⁰⁰ Matthew Gallagher, 'Introduction to the Science of Hope' in Matthew Gallagher and Shane Lopez (eds), *The Oxford Handbook of Hope* (Oxford University Press, 2018), 4.

⁵⁰¹ Steven van den Heuvel, *Historical and Multidisciplinary Perspectives on Hope* (Springer Nature, 2020); Edward Davis, Everett Worthington Jr and Sarah Schnitker, *Handbook of Positive Psychology, Religion, and Spirituality* (Springer International Publishing, 2023).

⁵⁰² Callina, Snow and Murray (n 495); Jeffrey and Mehari (n 294); Hacer Belen, Murat Yildirim and Furkan Belen, 'Influence of Fear of Happiness on Flourishing: Mediator Roles of Hope Agency and Hope Pathways' (2020) 72(2) *Australian Journal of Psychology* 165.

⁵⁰³ Scott Gravlee, 'Hope in Ancient Greek Philosophy' in Steven van den Heuvel (ed), *Historical and Multidisciplinary Perspectives on Hope* (Springer, 2020) 3.

⁵⁰⁴ Callina, Snow and Murray (n 495) 36; Snyder (n 22) 2.

wounds created by the evils. According to the tale, humanity has since been doomed to suffer the evils dispersed into the world, and yet hope remains to sustain humanity through the hardship.⁵⁰⁵

Hope has taken on symbolic and metaphorical meaning throughout Christianity, early theology and other religious and faith texts.⁵⁰⁶ According to Anthony Scioli, Professor of Clinical Psychology at Keene State College (USA), the ontology of a scholarly theory of hope within the field of psychology has a 400-year history.⁵⁰⁷ In an historical review of significant writing and research on hope across the fields of psychology, psychiatry, and nursing, Scioli found scholarly works dating back to between the 1600 – 1890s.⁵⁰⁸ Early works provided insight and promoted debate around the nature of ‘hope’ as a concept and where it aligns with psychology, moral philosophy, human behaviour, religion and science.⁵⁰⁹ From the late 1800s to early 1900s scholars continued to imagine the basis of hope. Lubbock in his 1894 book *The Use of Life* enunciates his views on hope, sharing examples from faith (Peter and the Pharisees), literature (Don Quixote), philosophers (Socrates), and other notable writers and thinkers of the time to suggest how one should view living, particularly highlighting the importance of future thinking and not sacrificing the future for present satisfaction.⁵¹⁰ This belief is similar to the concept of goal setting and aligns with more modern theories on goal setting and motivation (as discussed further below in Part II. Hope Theory. A. Goals). Alexander Shand was an early 20th century writer on the relationship between hope and anxiety.⁵¹¹ In a 1914 publication, *The Foundations of Character*, Shand explored how the presence of one emotion (hope or anxiety) often triggers the other.⁵¹² Shand suggested that if hope triumphs over anxiety, it transforms into confidence, replacing both hope and anxiety. Conversely, if anxiety overwhelms hope, it leads to despair, with despair becoming the new emotional state. Shand suggests however, that neither hope nor anxiety can fully prevail if they exist in a continual interplay.⁵¹³

Shand’s thinking is aligned with the later development of positive psychology, which suggests that focusing on the positive aspects of thinking and emotion (such as hope) can help diminish psychological distress

⁵⁰⁵ Callina, Snow and Murray (n 495).

⁵⁰⁶ Webber and Kok (n 377); David Elliot, 'Hope in Theology' in Steven van den Heuvel (ed), *Historical and Multidisciplinary Perspectives on Hope* (Springer, 2020) 117.

⁵⁰⁷ Anthony Scioli, 'The Psychology of Hope: A Diagnostic and Prescriptive Account' in Steven van den Heuvel (ed), *Historical and Multidisciplinary Perspectives on Hope* (Springer, 2020) 137.

⁵⁰⁸ Ibid.

⁵⁰⁹ Ibid 140.

⁵¹⁰ Sir John Lubbock, *The Use of Life* (MacMillan and Co, 1984) 241.

⁵¹¹ Alexander Shand, *The Foundations of Character: Being a Study of the Tendencies of the Emotions and Sentiments* (MacMillan Co, 1914) 505.

⁵¹² Ibid.

⁵¹³ Ibid 508.

symptoms (such as depression and anxiety).⁵¹⁴ Interestingly, in Scioli's historical review of hope he notes that during the period spanning 1920 to 1950, the psychological literature offers few references to hope.⁵¹⁵ Scioli attributes this absence, in part, to the ascendancy of American behaviourism, a school of thought that largely focuses on studying observable behaviours rather than inner mental states, such as hope and hopeful thinking.

The contemporary scholarly focus on hope followed the end of World War II, when psychologists sought to explore more positive constructs after the trauma of the war. Concepts like hope, faith, and love emerged as focal points in psychological research. The modern scientific view of hope started in the 1950s with American psychiatrist, Karl Menninger (1893 – 1990).⁵¹⁶ According to Gallagher, in a lecture to the American Psychiatric Association in 1959, Menninger argued that, 'hope was a crucial yet understudied factor in the efforts of mental health professionals to help individuals recover from mental illness to live more pleasurable and productive lives.'⁵¹⁷ Key works by Block (1954),⁵¹⁸ Mowrer (1960),⁵¹⁹ Stotland (1969),⁵²⁰ Day (1969),⁵²¹ Staats and Stassen (1985),⁵²² Snyder and colleagues (1991),⁵²³ and Snyder (1994)⁵²⁴ propelled the study of hope as a key variable in goal attainment (success), action towards goal attainment (behaviour), and positive affect and feelings associated with success. Across psychiatry and psychology, hope was increasingly examined with a growing consensus that 'hope' represented a unique and distinct psychological construct deserving of further investigation.⁵²⁵

The scholarly view of hope developed by Dr Charles 'Rick' Snyder emerged in 1987 during his tenure as a psychology scholar at the University of Kansas. Snyder's conceptualisation of hope was shaped by his

⁵¹⁴ Corrigan and Schutte (n 354).

⁵¹⁵ Scioli (n 507) 141.

⁵¹⁶ Callina, Snow and Murray (n 495).

⁵¹⁷ Gallagher, 'Introduction to the Science of Hope' (n 500) 3.

⁵¹⁸ The book *The Principle of Hope* was originally published across three volumes in 1954, 1955, 1959. An updated publication of all three volumes is available at, Ernst Bloch et al, *The Principle of Hope* (MIT Press Cambridge, 1986) vol 3.

⁵¹⁹ Orval Mowrer, *Learning Theory and Behavior* (John Wiley & Sons Inc, 1960).

⁵²⁰ Ezra Stotland, *The Psychology of Hope: An Integration of Experimental, Clinical, and Social Approaches* (Jossey-Bass, 1969).

⁵²¹ J Day, 'More About Hope and Fear' (1998) 1(1) *Ethical Theory and Moral Practice* 121; J Day, 'Hope' (1969) 6(2) *American Philosophical Quarterly* 89.

⁵²² Sara Staats and Marjorie Stassen, 'Hope: An Affective Cognition' (1985) 17 *Social Indicators Research* 235.

⁵²³ Snyder et al (n 23).

⁵²⁴ Snyder (n 22).

⁵²⁵ John Anderson was an early PhD student under Snyder and contributed to the early development of Snyder's hope theory: John Richard Anderson, 'The Role of Hope in Appraisal, Goal-Setting, Expectancy About Future Success, and Coping' (Doctor of Philosophy Thesis, University of Kansas, 1988).

exploration of motivational theories and cognition, as well as his extensive experience as a psychotherapist.⁵²⁶ Snyder worked with clinical clients, trained mental health practitioners, and mentored and supervised students, many of whom pursued PhDs and academic careers focused on hope theory.⁵²⁷ In this thesis, references to hope (unless otherwise specified) relate to Snyder's hope theory.

II Hope Theory

The academic conception of hope evolved from scholarly work on goal attainment and motivation.⁵²⁸ Based on research, Snyder and colleagues devised an empirical measure of hope that has been utilised across diverse countries, cultures, and contexts.⁵²⁹ The theory of hope presented by Snyder starts from the premise that, as humans, we are goal orientated.⁵³⁰ In cultures that view time as linear, and see the future as 'moving forward', achieving goals can be seen as a movement from one point (point A, for example) to another point (point B).⁵³¹ Thinking about what we would like that movement to look like, that is, *where am I now and where would I like to be*, is goal setting.⁵³² Throughout one's life, humans continually set small, medium and large goals, and think about different ways to navigate towards those goals.⁵³³ Snyder defines the three basic mental components of hope as *goals, willpower, and waypower*, referred to in academic literature as *goals, agency thinking, and pathway thinking*.⁵³⁴ According to Snyder, 'hope is the sum of the mental willpower and waypower that you have for your goals.'⁵³⁵

Snyder developed the AHS, which measures the respondents' cognitive experience of hope.⁵³⁶ The core tenet of hope theory is that hope is centred on cognition – the *thinking* surrounding one's conviction that goals can be reached.⁵³⁷ Therefore, Snyder defines hope as a cognitive process, not an emotion, viewing hope as a motivational process with emotional responses being secondary to the cognition involved.⁵³⁸

⁵²⁶ Gallagher, 'Introduction to the Science of Hope' (n 500) 4.

⁵²⁷ Snyder (n 22); Maines (n 386).

⁵²⁸ Snyder, Rand and Sigmon (n 352).

⁵²⁹ Edwards and McClintock (n 387); Edwards and McConnell (n 387).

⁵³⁰ Gallagher et al (n 24) 79.

⁵³¹ Snyder (n 22) 6.

⁵³² Gabriele Oettingen and Peter Gollwitzer, 'Turning Hope Thoughts into Goal-Directed Behavior' (2002) 13(4) *Psychological Inquiry* 304; Gabriele Oettingen and Malin Chromik, 'How Hope Influences Goal-Directed Behaviour' in Matthew Gallagher and Shane Lopez (eds), *The Oxford Handbook of Hope* (Oxford University Press, 2018) 69.

⁵³³ Gallagher et al (n 24) 79.

⁵³⁴ Snyder et al (n 23).

⁵³⁵ Snyder (n 22) 5.

⁵³⁶ Snyder (n 24).

⁵³⁷ Charles Snyder et al, 'Hope Theory: Updating a Common Process for Psychological Change' in Charles Snyder and Rick Ingram (eds), *Handbook of Psychotherapy: The Process and Practice of Psychological Change* (Wiley, 2000) 128.

⁵³⁸ Snyder (n 22) 39; Callina, Snow and Murray (n 495).

Emotions are considered useful as a feedback mechanism, providing information on how well individuals are perceiving they are doing in terms of goal achievement.⁵³⁹ Therefore, according to hope theory, emotions are only experienced as part of the cognitive assessment of an individual's perceived progress in their goal pursuits. As such, emotions are experienced as a *consequence* of hopeful thinking and are not central to the experience of hopeful thinking. Rather, cognition is central to the experience of hopeful thinking.⁵⁴⁰

The AHS as a measurement tool captures the respondent's cognitive beliefs regarding motivation for goal-attainment (agency thinking) and goal-directed behaviour (pathway thinking). Four items reflect the agency thinking sub-scale, and four items reflect the pathway thinking sub-scale.⁵⁴¹ The AHS can be viewed in Appendix 1. The items of each sub-scale are summed to produce a total hope score, and a score for each sub-scale. The results can be analysed to indicate whether an individual has low, moderate, or high hope thinking.⁵⁴² In the literature, high hope and low hope characteristics are commonly discussed, with exploration of the traits of high hope and low hope thinking, as well as the benefits of being a high hope individual.⁵⁴³ Shorey et al summarise some of the benefits of being a high hope individual and predicted increased chances of successful goal attainment stating,

High-hope persons evidence such superior performances because they: (1) are able to generate clearly defined goals; (2) identify multiple pathways to goals, which enable them to implement alternate strategies when currently used pathways fail; (3) have lower levels of performance and test-taking anxieties; and (4) are able to retain more positive affect after failures relative to their low-hope counterparts. The retention of positive affect promotes a sense of agency, which, in turn, facilitates persistence.⁵⁴⁴

⁵³⁹ Shane Lopez, Charles Snyder and Jennifer Pedrotti, 'Hope: Many Definitions, Many Measures' in Shane Lopez and Charles Snyder (eds), *Positive Psychological Assessment: A Handbook of Models and Measures* (American Psychological Association, 2003) 91.

⁵⁴⁰ Ibid 94.

⁵⁴¹ Ibid 98.

⁵⁴² Snyder (n 24); Snyder (n 22); Snyder et al (n 23). The scale norms are discussed in Chapter 8: *Reporting on Law Students' Levels of Hope*.

⁵⁴³ Hal Shorey et al, 'Hope and Personal Growth Initiative: A Comparison of Positive, Future-Oriented Constructs' (2007) 43(7) *Personality and Individual Differences* 1917; Michael Valle, E Huebner and Shannon Suldo, 'An Analysis of Hope as a Psychological Strength' (2006) 44(5) *Journal of School Psychology* 393; Snyder et al (n 23).

⁵⁴⁴ Shorey et al (n 543) 1918. Shorey et al referenced literature to support their summary of high-hope individual benefits, including Snyder (n 24); Onwuegbuzie and Snyder (n 26); Hal Shorey, 'Theories of Intelligence, Academic Hope, and Effort Exerted after a Failure Experience' (Unpublished Master's Thesis, University of Kansas, 2003); Snyder et al (n 26).

The benefits of high hope thinking discussed in the literature also includes increased productivity,⁵⁴⁵ better performance in daily activities,⁵⁴⁶ better health outcomes,⁵⁴⁷ and living longer.⁵⁴⁸

There may, however, also be some downsides to hopeful thinking. In the context of hope and conflict, hope can be linked to ignorance, arrogance, and anguish.⁵⁴⁹ Hope can be mentally demanding, requiring mental flexibility which Leshem describes as being 'cognitively effortful.'⁵⁵⁰ Leshem states that hope, and the effort associated with hopeful thinking, is more psychologically costly than skepticism since 'skeptics are not expected to try and are, therefore, exempt from social scrutiny and criticism.'⁵⁵¹ While very little literature exists on the downside of hopeful thinking, there is extensive literature on the benefits of being a high hope individual.

Since the early 1990s, Snyder's model is the most widely researched approach to hope within the field of psychology.⁵⁵² Snyder was the primary developer of hope theory, and was considered the world's leading expert, along with his mentee, colleague, and frequent collaborator Dr Shane Lopez. After Snyder's passing in 2006, Lopez continued as a leader in the field furthering the scholarship on hope and positive psychology.⁵⁵³ Lopez made a significant contribution to hope scholarship, including his book *Making Hope Happen* and through editing editions of the *Oxford Handbook of Hope* up until his passing in 2016.⁵⁵⁴ These works by Lopez represent a comprehensive effort to understand the mechanisms behind fostering hope

⁵⁴⁵ See, eg, Rebecca Reichard et al, 'Having the Will and Finding the Way: A Review and Meta-Analysis of Hope at Work' (2013) 8(4) *The Journal of Positive Psychology* 292; Suzanne Peterson and Kristin Byron, 'Exploring the Role of Hope in Job Performance: Results from Four Studies' (2008) 29(6) *Journal of Organizational Behavior* 785; Peterson, Gerhardt and Rode (n 335).

⁵⁴⁶ See, eg, Yotsidi et al (n 30); Shane Lopez, *Making Hope Happen: Create the Future You Want for Yourself and Others* (Atria Paperback, 2013); Rand and Cheavens (n 352).

⁵⁴⁷ See, eg, Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292); Heather Rasmussen et al, 'Hope and Physical Health' in Matthew Gallagher and Shane Lopez (eds), *The Oxford Handbook of Hope* (Oxford University Press, 2018) 159; Long et al (n 348).

⁵⁴⁸ See, eg, Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292); Hassan Rezaeipandari et al, 'Is Life Expectancy Associated with Depression in the Elderly?' (2017) 3(2) *Elderly Health Journal* 87; Carla Berg et al, 'The Role of Hope in Engaging in Healthy Behaviors among College Students' (2011) 35(4) *American Journal of Health Behavior* 402; Mushira Mohsin Khan, Patrick Hill and Catherine O'Brien, 'Hope and Healthy Lifestyle Behaviors in Older Adulthood' (2023) 27(7) *Aging and Mental Health* 1436.

⁵⁴⁹ Oded Leshem, 'The Merits and Dangers of Hope' in Oded Leshem (ed), *Hope Amidst Conflict: Philosophical and Psychological Explorations* (Oxford University Press, 2023) 25.

⁵⁵⁰ Ibid 31.

⁵⁵¹ Ibid.

⁵⁵² Gallagher, 'Introduction to the Science of Hope' (n 500) 4; Gallagher et al (n 24) 77.

⁵⁵³ Gallagher, 'Introduction to the Science of Hope' (n 500) 5; Lopez, Pedrotti and Snyder (n 260); Snyder et al (n 20); Lopez and Snyder (n 438).

⁵⁵⁴ Shane Lopez and Charles Snyder, *Oxford Handbook of Positive Psychology* (Oxford University Press, 2nd ed, 2011); Lopez (n 546); Gallagher and Lopez (n 22).

and creating positive change. Lopez suggested that one's hopeful thinking profoundly influences one's quality of life, and effects how one lives both as an individual and a member of society.⁵⁵⁵ Furthermore, Lopez argued that fostering hope is essential for addressing personal and societal challenges effectively.⁵⁵⁶

Another significant contribution to the science of hope is a book written for a public/lay audience titled *Hope Rising: How the Science of Hope Can Change Your Life*.⁵⁵⁷ The authors Casey Gwinn (lawyer and expert on domestic violence) and Dr Chan Hellman (Professor and founding director of the Hope Research Centre at the University of Oklahoma, USA) provide an overview of the research and case studies that show that hope is real, measurable, malleable, and attainable.⁵⁵⁸ Gwinn and Hellman suggest that there is an imperative for more data measuring hope levels of the general population and hope interventions in public policy, workplaces, organisations and schools.⁵⁵⁹ Gwinn and Hellman present evidence for how rising hope levels can mitigate distress associated with adverse childhood experiences, trauma, adversity, and health crises.⁵⁶⁰ Their definition of hope is that, 'hope is the belief that your future can be brighter and better than your past and that you actually have a role to play in making it better.'⁵⁶¹ Gwinn and Hellman describe Snyder as the first "hope scientist" and use Snyder's hope theory in their analysis, research, and discussion of the imperative of fostering hope and raising the levels of hope in individuals.⁵⁶²

The following analysis on the three components of Snyder's hope theory (*goals, agency thinking, and pathway thinking*) details the specific cognition and behaviours that are linked to each component, with examples provided that are relevant to the law student context. Each section synthesises key areas of research that are linked to hopeful thinking. Recognition of what hopeful thinking is, and what the AHS measure is capturing, is an important step in supporting law students to identify how their thoughts, and subsequent actions and emotions, may be impacting on their mental health. This understanding of hope is important when reporting on the results of the AHS (presented in Chapter 8) and in answering RQ2 in

⁵⁵⁵ Lopez (n 546) 9.

⁵⁵⁶ Ibid 11.

⁵⁵⁷ Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292).

⁵⁵⁸ Ibid xxi.

⁵⁵⁹ Ibid; Carolyn Youssef and Fred Luthans, 'Positive Organizational Behavior in the Workplace: The Impact of Hope, Optimism, and Resilience' (2007) 33(5) *Journal of Management* 774.

⁵⁶⁰ Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292); Michael Baxter et al, 'Exploring the Relationship between Adverse Childhood Experiences and Hope' (2017) 26(8) *Journal of Child Sexual Abuse* 948; Ricky Munoz, Shane Brady and Vanessa Brown, 'The Psychology of Resilience: A Model of the Relationship of Locus of Control to Hope among Survivors of Intimate Partner Violence' (2017) 23(1) *Traumatology* 102; Jennifer Cheavens et al, 'Incorporating Resilience Factors into the Interpersonal Theory of Suicide: The Role of Hope and Self-Forgiveness in an Older Adult Sample' (2016) 72(1) *Journal of Clinical Psychology* 58.

⁵⁶¹ Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292) 9.

⁵⁶² Ibid.

this thesis. In addition, understanding what constitutes “hope” is critical for the examination of the benefits of using hope as a wellbeing measure in a two continua model (discussed in Chapter 5 and 9) and therefore answering RQ1.

A. Goals

The first component of Snyder’s model of hope is goal setting. Goals are the envisioned and desired objectives, experiences, or outcomes that we strive for in our lives.⁵⁶³ Goals may encompass both tangible items (such as obtaining physical possessions or objects), and intangible items (such as personal achievements, milestones, or accomplishments).⁵⁶⁴ Goals provide direction and purpose to one’s actions, and initiate motivation to take action in pursuit of one’s goals. Goals can include rapid focus goals, such as actions that one would like to achieve in a day (*I will go for a walk; I will complete my project report*). Goals may also have a longer-term focus (*I will graduate with a law degree; I will buy a house in Cairns*). Snyder and other scholars also distinguish between ‘approach goals’ (*I will get a high-distinction grade*) and ‘avoidance goals’ (*I will not fail*).⁵⁶⁵ Snyder states that goals of some magnitude and/or significance are important for hopeful thinking.⁵⁶⁶ Smaller goals that are less significant and can be performed on autopilot or with minimal cognitive load are not associated with hopeful thinking.⁵⁶⁷ However, Snyder suggests that minor goals may serve as stepping stones or subgoals towards larger, more significant goals, thereby contributing to the cultivation of hope.⁵⁶⁸ Gwinn and Hellman argue that a key component of goal setting is that goals must be desirable and enticing enough to motivate an individual to take action.⁵⁶⁹ According to Snyder’s definition, hope does not encompass goals that are either impossible to achieve or completely assured.⁵⁷⁰ As Snyder states,

Neither a goal you have no chance of obtaining nor one you are absolutely certain of meeting is part of hope as I am defining it. Why? If the probabilities of getting your desired goal are truly 0 percent or 100 percent, the outcomes are so overdetermined that hopeful thoughts are irrelevant.

⁵⁶³ Lopez, Snyder and Pedrotti (n 539) 94.

⁵⁶⁴ Snyder, Rand and Sigmon (n 352).

⁵⁶⁵ Snyder (n 24); Roger Feltman and Andrew Elliot, 'Approach and Avoidance Motivation' in Norbert Seel (ed), *Encyclopedia of the Sciences of Learning* (Springer US, 2012) 286; Maya Tamir and Ed Diener, 'Approach–Avoidance Goals and Well-Being: One Size Does Not Fit All' in Andrew Elliot (ed), *Handbook of Approach and Avoidance Motivation* (Psychological Press, 2008) 415.

⁵⁶⁶ Snyder (n 22).

⁵⁶⁷ Snyder (n 24).

⁵⁶⁸ Ibid.

⁵⁶⁹ Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292) 9.

⁵⁷⁰ Snyder (n 22).

My conclusion, therefore, is that the goals involving hope fall somewhere between an impossibility and a sure thing.⁵⁷¹

In a 2019 publication on *Hope, Goals, and Pathways* Cheavens et al describe three key functions of goals in hope theory.⁵⁷² Firstly, goal setting (visualising and articulating goals) is a valuable starting point for hopeful thinking and providing context for pathway and agency thoughts. Goal directed *behaviour* is subsequently impacted by hopeful thinking. Secondly, goals serve as a measure by which success can be judged. Goals set the criteria for successful outcomes and for determining if a goal pursuit has been successful (or not). Finally, successful or unsuccessful goal pursuits provide useful feedback to individuals about their abilities, and provide information for individuals to refine their approach to generating future agency and pathway thinking.⁵⁷³

Goals may be set as a challenge, referred to as “stretch” goals.⁵⁷⁴ High hope individuals typically do not view challenging goals as burdensome. High hope individuals may be less concerned than low hope individuals about not achieving certain stretch goals, as they value the learning and sub-goals accomplished during the goal pursuit. Additionally, high hope individuals are more likely to possess the psychological flexibility to ‘re-goal,’ pivot, or adjust their goals when life events or circumstances change.⁵⁷⁵ That being said, high hope individuals are more likely to set clear goals and commit to behaviour that favours goal pursuit.⁵⁷⁶ Hope studies have also found that high hope individuals have more goals across life domains (such as work, study, relationships, leisure etc) and they have the ability to move attention from one goal to another if they encounter barriers to goal pursuit.⁵⁷⁷ Research consistently shows that high hope individuals are more likely to achieve their goals, and enjoy the process of pursuing goals.⁵⁷⁸ As Snyder, Cheavens, and Sympson state ‘high hopers truly appear to embrace the ‘goal game’.’⁵⁷⁹

⁵⁷¹ Ibid 6.

⁵⁷² Cheavens et al (n 335) 452.

⁵⁷³ Ibid.

⁵⁷⁴ Charles Snyder, Jennifer Cheavens and Susie Sympson, 'Hope: An Individual Motive for Social Commerce' (1997) 1(2) *Group Dynamics: Theory, Research, and Practice* 107.

⁵⁷⁵ Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292) 25.

⁵⁷⁶ Oettingen and Gollwitzer (n 532).

⁵⁷⁷ Snyder, Cheavens and Sympson (n 574).

⁵⁷⁸ Snyder et al (n 23); Cheavens et al (n 335); Peterson, Gerhardt and Rode (n 335); Gallagher, Marques and Lopez (n 26).

⁵⁷⁹ Snyder, Cheavens and Sympson (n 574) 110.

Empirical research consistently reiterates that high hope individuals are more likely to believe that they will be successful in obtaining their goals compared to low hope individuals.⁵⁸⁰ This is particularly relevant to law students, who undertake significant educational workloads at university, and often need to balance competing goals across life domains, such as study, work, and relationships with family and friends.⁵⁸¹ The high hope individuals are also more likely to have a positive mindset when facing the challenge of goal pursuit. Low hope individuals, on the other hand, may feel a negative or ambivalent mindset when thinking about taking steps to attain their goals.

Dr Carol Dweck, an American psychologist known for her popular and scholarly work on motivation and mindset theory, identifies the importance of performance and learning goals, as well as having a growth mindset for academic achievement.⁵⁸² In research on goal setting with primary school children, Elliott and Dweck observed that when setting and pursuing goals in which the child had a perceived low ability, the child would display 'learned helplessness' behaviour, attributing feedback about her/his mistakes to personal reflections on her/his lack of ability, experience of NA, and the child would effectively "give up" rather than pursue other ways of learning.⁵⁸³ By contrast, Elliott and Dweck found that if the children perceived the goal to be of high value and felt they had the ability to match the task at hand, they were able to find solutions to challenges, did not attribute mistakes to her/his personal abilities, and did not experience NA.

Using the popular terms 'fixed' and 'growth' mindset, Dweck and other scholars' research has found over time that a growth mindset (believing that intellectual abilities and personal characteristics such as resilience and approaches to learning can be developed) can lead to greater resilience and academic achievement among students.⁵⁸⁴ Mindset theory linking goals and motivation to student achievement is aligned with hope theory. A fixed mindset includes believing that your qualities are static, which Dweck

⁵⁸⁰ Onwuegbuzie and Snyder (n 26); Andre Leite et al, 'Hope Theory and Its Relation to Depression: A Systematic Review' (2019) 2(2) *Annals of Psychiatry and Clinical Neuroscience* 1014; Yotsidi et al (n 30).

⁵⁸¹ Lloyd England, 'Preparing Yourself for a Career in Law' in Manda Raz, Erwin Loh and John Devereux (eds), *Careers in Law: A Guide for Students, Graduates and Professionals* (Springer Singapore, 2020) 109; Field, Duffy and James (n 19); Hall (n 230); Anna Huggins, 'Harnessing Assessment to Cultivate Law Students' Connections with the Intrinsic Rewards of Legal Education and Practice' International First Year in Higher Education Conference.

⁵⁸² Dweck (n 404); David Yeager and Carol Dweck, 'Mindsets That Promote Resilience: When Students Believe That Personal Characteristics Can Be Developed' (2012) 47(4) *Educational Psychologist* 302; Carol Dweck and David Yeager, 'Mindsets: A View from Two Eras' (2019) 14(3) *Perspectives on Psychological Science* 481.

⁵⁸³ Elaine Elliott and Carol Dweck, 'Goals: An Approach to Motivation and Achievement' (1988) 54(1) *Journal of Personality and Social Psychology* 5.

⁵⁸⁴ For a recent synthesis on mindsets and student outcomes see David Yeager and Carol Dweck, 'What Can Be Learned from Growth Mindset Controversies?' (2020) 75(9) *American Psychologist* 1269. Yeager and Dweck (n 582).

suggests can lead to individuals engaging in behaviour to constantly try to prove their worth (*I am smart; I deserve to be here; I am a good person*), due to perceiving their intelligence and character as unchangeable.⁵⁸⁵ A person with a fixed mindset is more likely to view a lack of goal attainment as a direct reflection on their personal competence and value (*I am a failure; I cannot do anything right*) and attribute the underlying cause of the failure to external forces (*life is unfair; my generation cannot succeed; my lecturer was out to get me*).⁵⁸⁶ This is similar to the description of a low hope individual. It may be that low hope individuals become more fixed in their mindset and that fixed mindset further spirals them into greater hopelessness. As Snyder states,

High-hope people use their goals as mental touchstones for success; they go after their goals and think they will obtain them. In short, high-hope people are bullish investors in life goals, and they expect to obtain excellent returns on their mental investments. Low-hope people, on the other hand, appear to be used by life goals; they are bearish investors who do not actively pursue goals and are more concerned with protecting themselves from losses.⁵⁸⁷

Cheavens et al in a study with undergraduate university students from a large Midwestern university, found that individuals with higher hope levels tend to set goals that are objectively significant, socially beneficial, long-term, and more challenging compared to individuals with lower hope.⁵⁸⁸ Numerous hope studies also provide evidence of academic performance benefits and better athletic performance for high hope individuals.⁵⁸⁹ In summary, high hope individuals not only establish more challenging goals, and positively view the challenge of goal pursuit, but also are more likely to achieve their goals successfully. The benefits of high hope thinking in setting goals is clearly a desirable objective for anyone undertaking higher education, such as the stretch goal of obtaining a law degree. This is an important consideration in

⁵⁸⁵Dweck (n 404) 6.

⁵⁸⁶Ibid 8.

⁵⁸⁷Snyder (n 22) 53.

⁵⁸⁸ Results are limited due to the study population. All participants were enrolled in an introductory psychology class and received class credit for participating in the study. Cheavens et al (n 335).

⁵⁸⁹ See eg, David Feldman, Kevin Rand and Kristin Kahle-Wroblewski, 'Hope and Goal Attainment: Testing a Basic Prediction of Hope Theory' (2009) 28(4) *Journal of Social and Clinical Psychology* 479. See also, Liz Day et al, 'Hope Uniquely Predicts Objective Academic Achievement above Intelligence, Personality, and Previous Academic Achievement' (2010) 44(4) *Journal of Research in Personality* 550; Gallagher, Marques and Lopez (n 26); Susana Marques, Jose Pais-Ribeiro and Shane Lopez, 'The Role of Positive Psychology Constructs in Predicting Mental Health and Academic Achievement in Children and Adolescents: A Two-Year Longitudinal Study' (2011) 12(6) *Journal of Happiness Studies* 1049; Elyse Farnsworth, Maddie Cordle and Ariana Groen, 'Hope and Student Engagement: Keys to School Success' in Amy Reschly and Sandra Christenson (eds), *Handbook of Research on Student Engagement* (Springer International Publishing, 2022) 195; Snyder et al (n 24); Berg et al (n 548); Susan Buckelew et al, 'Hope as a Predictor of Academic Performance' (2008) 103(2) *Psychological Reports* 411.

how hope can be taught, and in how hopeful thinking can be improved in law students who are categorised in the proposed Hope/DASS Four-Quadrant Model as not-flourishing.

B. Willpower (Agency Thinking)

At the heart of hopeful thinking lies willpower. Willpower is the driving force behind the motivation to achieve one's goals and aspirations.⁵⁹⁰ Willpower (also referred to as agency thinking) is the determination and commitment that an individual calls upon when working towards a goal.⁵⁹¹ Goal-specific agency thinking has been found to be a reliable predictor of actual goal directed behaviour and goal attainment.⁵⁹² Exercising agency thinking includes self-talk to become mentally primed (*I can do this; I am prepared for what is coming*) and action (*I can proactively take action; I have the energy to pursue my goals*).⁵⁹³ Maintaining high agency thinking can also include support from social/familial networks and/or personal 'cheerleaders' (individuals or groups) that encourage, motivate, and support individual's in the pursuit of their goals.⁵⁹⁴ Gwinn and Hellman describe agency thinking as '... a complex term used to describe your ability to dedicate mental energy (willpower) to begin and sustain the journey toward your goal.'⁵⁹⁵ Therefore, agency thinking is linked to an individual's motivation as well as to "staying power" to keep taking actions and engaging in behaviours that support goal pursuits.

High agency thinking includes the belief that one is generally successful in life and can effectively strive for and attain one's goals.⁵⁹⁶ Oettingen and Gollwitzer also consider that 'self-regulatory thought' is important with high agency thinking to ensure clear goals are set, including mental indulging in a desired future (similar to visualisation); dwelling on impending reality (thinking about *what is likely to happen?*); and the ability to engage in mental contrasting (visualising different ways to achieve the desired future in light of the realities of the situation).⁵⁹⁷ According to Oettingen and Gollwitzer, 'mental contrasting can be used as a powerful self-regulatory tool when it comes to turning high agency-related hope thoughts into strong goal commitments.'⁵⁹⁸ This is similar to early thinking by Stotland that hope isn't just about "hoping" for

⁵⁹⁰ Snyder (n 22).

⁵⁹¹ Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292) 11.

⁵⁹² Monique Crane, 'The Differential Impact of Agency and Pathway Thinking on Goal Pursuit and University Exam Performance' (2014) 58 *Personality and Individual Differences* 20; Feldman, Rand and Kahle-Wroblewski (n 589).

⁵⁹³ Snyder, Rand and Sigmon (n 352); Rand and Cheavens (n 352).

⁵⁹⁴ Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292) 11.

⁵⁹⁵ Ibid 10.

⁵⁹⁶ Oettingen and Gollwitzer (n 532).

⁵⁹⁷ Ibid.

⁵⁹⁸ Ibid 305.

good things to happen, but it is also about taking action to make those good things happen.⁵⁹⁹ Stotland suggested that how much effort we put into reaching a goal depends on how likely we think we are to succeed, and therefore how much attention we pay to searching out available resources to assist in pursuing goal attainment.⁶⁰⁰ Gwinn and Hellman also describe the importance of ‘accurately appraising reality’ in setting goals and considering means to achieve them.⁶⁰¹ Aligned with the ideas of mental contrasting, high-agency thinking, mental energy, and focus are linked to one’s ability to accurately appraise reality, such as in response to a health crisis, adversity, or challenge in life.⁶⁰²

Using mental contrasting to focus on what is in one’s power to control also supports one’s ability to cope with psychological distress and adverse experiences. Lopez articulates two core beliefs aligned with agency thinking: 1) The future will be better than the present; and, 2) I have the power to make it so.⁶⁰³ According to Lopez, these core beliefs distinguish hopeful thinking from mere “wishing” or “positive thinking” about a positive future in that, ‘wishing and thinking like Pollyanna don’t connect us personally to that future *through our own efforts*’ (italics in original).⁶⁰⁴ Therefore, the focus on a desired outcome (goal attainment), mental contrasting, and thoughts on likely success (or not), are key motivational components related to agency thinking. High agency thinking is therefore clearly beneficial to law students and could be applied to help achieve academic and non-academic goals at law school. Considering some of the factors found to affect law student wellbeing (discussed in Chapter 2) such as the impact of teaching and learning practices, as well as curriculum, assessment, and feedback design, law students who are able to engage in high levels of mental contrasting, willpower and goal-directed energy, and positive self-talk are likely to be able to mitigate distress when faced with certain challenges.

Snyder suggests that agency thinking can be easier when focusing on important, clearly defined goals.⁶⁰⁵ Agency thinking is difficult to invoke for unclear goals.⁶⁰⁶ Ambiguous or poorly defined goals will often fail to capture an individual’s attention and consequently fail to ignite the impetus to motivate one to action.⁶⁰⁷ Conversely, individuals who take the time to clarify their goals often experience a surge of proactive and empowering thoughts. Teaching goal setting skills is therefore an important skill (and could be framed as

⁵⁹⁹ See for example Stotland’s 1969 publication, Stotland (n 520).

⁶⁰⁰ Ibid.

⁶⁰¹ Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292).

⁶⁰² Ibid.

⁶⁰³ Lopez (n 546) 18.

⁶⁰⁴ Ibid.

⁶⁰⁵ Snyder (n 22).

⁶⁰⁶ Ibid.

⁶⁰⁷ Ibid.

a learning outcome) for any higher education degree. Important goals are also helpful to “psych oneself up” in mentally priming oneself to meet and pursue desired goals.⁶⁰⁸

Goal clarification is also important for determining where to focus one’s willpower throughout the day.⁶⁰⁹ In reality, willpower is a finite resource. Gwinn and Hellman describe willpower as being linked to blood glucose levels and note that willpower diminishes with mental fatigue.⁶¹⁰ Gwinn and Hellman warn that goal setting and trying to engage in agency thinking will deplete your energy levels in stressful situations.⁶¹¹ Therefore, acknowledging and planning for mental fatigue and strategising ways to engage in agency thinking during stressful times is part of maintaining hopeful thinking. In summary, agency thinking influences one’s confidence and competence to set goals. In addition, to initiate behaviour to achieve those goals, as well as thinking about one’s perceived capacity to use pathways to reach the desired (and clearly defined) goals. This is an important point for law students to consider in planning for engagement in academic and non-academic activities throughout the academic year, and throughout their law degree. Planning for times that require high agency thinking may require taking into consideration the ebbs and flows of stressful times, such as exam periods, assessment periods, practical experiences (such as mooting, debating, negotiation or mediation role plays) and stressful events across other life domains, such as holiday periods or work requirements. Planning for personal, professional, and social support during these times as a way to maintain hopeful thinking could be a conscious personal action or planned intervention in order to maintain motivation and momentum in goal pursuits.

C. Waypower (Pathway Thinking)

Waypower is the cognitive skill of generating mental pathways or strategies to achieve a set goal.⁶¹² Snyder defines waypower (also referred to as pathway thinking) as the mental capacity that an individual calls on to find one or multiple effective ways to reach a goal.⁶¹³ Therefore, an ability to engage in mental imagery of pathways or an ability to plan and strategise is essential for pathway thinking. Pathway thinking capabilities are influenced by the clarity of the goal (clearer goals are easier to plan for), the importance of the goal (we spend more time thinking how to achieve important goals), and mental flexibility (ability to change routes to a goal in the face of challenges or barriers).⁶¹⁴ Mental/psychological flexibility is a trait

⁶⁰⁸ Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292) 9.

⁶⁰⁹ *Ibid.*

⁶¹⁰ *Ibid* 11.

⁶¹¹ *Ibid.*

⁶¹² Snyder (n 22).

⁶¹³ *Ibid* 8.

⁶¹⁴ *Ibid.* Cheavens et al (n 335).

that assists individuals to respond to situations in ways that help facilitate their goal pursuits.⁶¹⁵ According to Kashdan and Rottenberg, psychological flexibility can be reflected by how a person, '1) adapts to fluctuating situational demands, 2) reconfigures mental resources, 3) shifts perspective, and 4) balances competing desires, needs, and life domains.'⁶¹⁶ Scholarly research on interventions targeting psychological flexibility have increased over the last decade in the mental health and wellbeing sectors.⁶¹⁷ Psychological flexibility has been found to be a key component in goal pursuit, and a moderating component (along with hope) in measures of wellbeing and life satisfaction.⁶¹⁸ Snyder's early writings on pathway thinking aligns with the more recent scholarship on psychological flexibility.⁶¹⁹ Snyder describes individuals with low-pathway thinking (and therefore likely to be non-flourishing) as being less likely to adapt or reconfigure mental plans stating,

Because persons with high waypower capabilities believe they can find several ways to reach goals, in any given situation they change this mental blueprint to fit the particular goal and barriers that must be faced. Not everyone perceives they can produce the new pathways, however; these people [low hope people] often find themselves feeling painfully stuck when encountering a goal blockage. As such, a mind low in planfulness is disadvantaged under normal circumstances, and especially problematic in difficult times.⁶²⁰

As such, being able to plan and adapt plans to life circumstances is essential for pathway thinking. Lopez states high pathway thinking includes two core beliefs: 1) There are many paths to my goals; and, 2) None of them are free of obstacles.⁶²¹ According to Lopez, the high hope excitement experienced while pursuing one's goals helps prime one's mind to find multiple routes around obstacles that might stand in the way

⁶¹⁵ James Doorley et al, 'Psychological Flexibility: What We Know, What We Do Not Know, and What We Think We Know' (2020) 14(12) *Social and Personality Psychology Compass* 1.

⁶¹⁶ Todd Kashdan and Jonathan Rottenberg, 'Psychological Flexibility as a Fundamental Aspect of Health' (2010) 30(7) *Clinical Psychology Review* 865.

⁶¹⁷ Recent research in psychological flexibility is exploring psychometric measures of the phenomenon and its unique contribution as a dimension of wellbeing. See eg, Doorley et al (n 615). Andrew Gloster et al, 'Psy-Flex: A Contextually Sensitive Measure of Psychological Flexibility' (2021) 22 *Journal of Contextual Behavioral Science* 13. Gloster et al refer to six skills that comprise psychological flexibility, 'acceptance (open and flexible embrace of moment-to-moment experience); defusion (creating contexts in which the function of unhelpful cognitions is diminished); present moment awareness (non-judgmental awareness of ongoing psychological and environmental events); stable self-awareness (relating from a perspective of I-here-now); values (chosen qualities of purposive action); and committed action (engagement in activities that are a manifestation of chosen values),' 13.

⁶¹⁸ Doorley et al (n 615); Kashdan and Rottenberg (n 616).

⁶¹⁹ Snyder (n 22) 9.

⁶²⁰ Ibid.

⁶²¹ Lopez (n 546).

of achieving a set goal.⁶²² Gwinn and Hellman describe setting ‘measurable benchmarks’ as a key high-pathway thinking ability.⁶²³ Gwinn and Hellman further state that benchmarks are an important part of a feedback system that indicates smaller goal success (or not), and that ongoing feedback supports self-regulation of behaviour and emotions throughout the larger goal pursuit journey.⁶²⁴ As such, a high pathway thinker is resourceful, can anticipate and plan for difficulties, can regulate behaviour and emotions, and is resilient and flexible in pivoting to new pathways if a setback occurs.

The concept of pathway thinking, as described by Snyder and Lopez, aligns with mindset theory. Mindset theory suggests the role of a ‘strategic mindset’ is a meaningful psychological construct.⁶²⁵ In a 2020 study, Chen et al found that a strategic mindset predicted people’s tendency to generate and apply metacognitive strategies while striving to achieve difficult goals.⁶²⁶ The authors distinguish between ‘metacognitive strategy use’ (figuring out ways to pursue goals when faced with challenges), and a ‘strategic mindset’ (self-priming for metacognitive strategy use – such as self-questioning *what can I do to help myself?; how else can I do this?; is there a better way?*).⁶²⁷ The descriptions of these concepts and their usefulness in goal pursuit are not dissimilar to agency and pathway thinking. A high hope individual is more likely to plan for obstacles and be able to pivot to alternative pathways when faced with a challenge.⁶²⁸ High pathway thinking is also demonstrated by using positive affirmations and giving oneself encouragement through upbeat internal dialogue (positive self-talk) such as: *I can do this* or *I will find a way to get this done*.⁶²⁹

Chen et al’s study results indicated that individuals who reported employing a strategic mindset approach during goal pursuits in one life domain (for example, professional or educational goals), made greater progress in achieving other diverse goals (such as health and fitness, or project related goals).⁶³⁰ This finding further supports psychological flexibility as a high hope trait. High hope traits also include the ability to adapt to changing circumstances (perceived capacity to reach one’s goals) in addition to various levels of the following traits: high energy, enduring positive emotions, friendliness, happiness, and confidence.⁶³¹ Therefore, strategic planning, designing cognitive roadmaps, and psychological flexibility

⁶²² Ibid 19.

⁶²³ Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292) 159.

⁶²⁴ Ibid.

⁶²⁵ Dweck (n 404); Dweck and Yeager (n 582).

⁶²⁶ Patricia Chen et al, 'A Strategic Mindset: An Orientation toward Strategic Behavior During Goal Pursuit' (2020) 117(25) *Proceedings of the National Academy of Sciences* 14066.

⁶²⁷ Ibid.

⁶²⁸ Cheavens et al (n 335).

⁶²⁹ Snyder (n 22).

⁶³⁰ Chen et al (n 626).

⁶³¹ Snyder (n 24) 253.

are related to pathway thinking capabilities and are important components of hope. These capabilities are clearly desirable for a law student and are useful in their planning for and engaging in academic and non-academic goal pursuits. The different traits and characteristics that contribute to pathway thinking can be distinguished and used as guides for law students looking to further develop their overall pathway thinking skills. As hope can be taught, pathway thinking can also be taught. Therefore, understanding how pathway thinking contributes to overall hope, psychological wellbeing, and mental health can inform interventions (such as specific curricular and extra-curricular interventions) to support law students to flourish at law school.

D. Feedback and Feed-Forward Cycles

An important aspect of understanding the cognitive characteristics of hope is recognising that *thinking* can influence actual *behaviours*. A pattern of successful actions/behaviours can also then influence hopeful thinking. Agency thinking reflects one's ability to initiate and sustain action towards a goal, and is influenced by past experiences of effectively engaging both mental and physical resources in pursuit of goals.⁶³² Snyder observes that it is often individuals who have suffered previous difficulties and successfully navigated past adversities that have the strongest willpower.⁶³³ It is important to note that hopeful thinking requires both high agency and high pathway thinking (hope profiles will be discussed further in Chapter 5).

Lopez, Snyder, and Pedrotti describe the scenario where individuals encounter a barrier that impedes their goal pursuit.⁶³⁴ The individual will appraise the situation, and likely experience some stress. However, individuals with a history of successfully dealing with stressors will likely still experience some positive emotion, knowing they have the mental stamina to face the challenge and the psychological flexibility to overcome obstacles.⁶³⁵ The process of engaging in hopeful thinking is demonstrated in Figure 2. The goal is set and the individual seeks to move from point A to point B. Through the process of goal pursuit, agency and pathway thinking influences one's actions and behaviours, providing feedback that may inform the pursuit of an overarching goal, a sub-goal, or impact the priority of goals. The circular process of feedback continues until goal attainment is achieved (or re-goaling occurs, whereby the planned goal is let go and a different, alternative, or new goal is set).

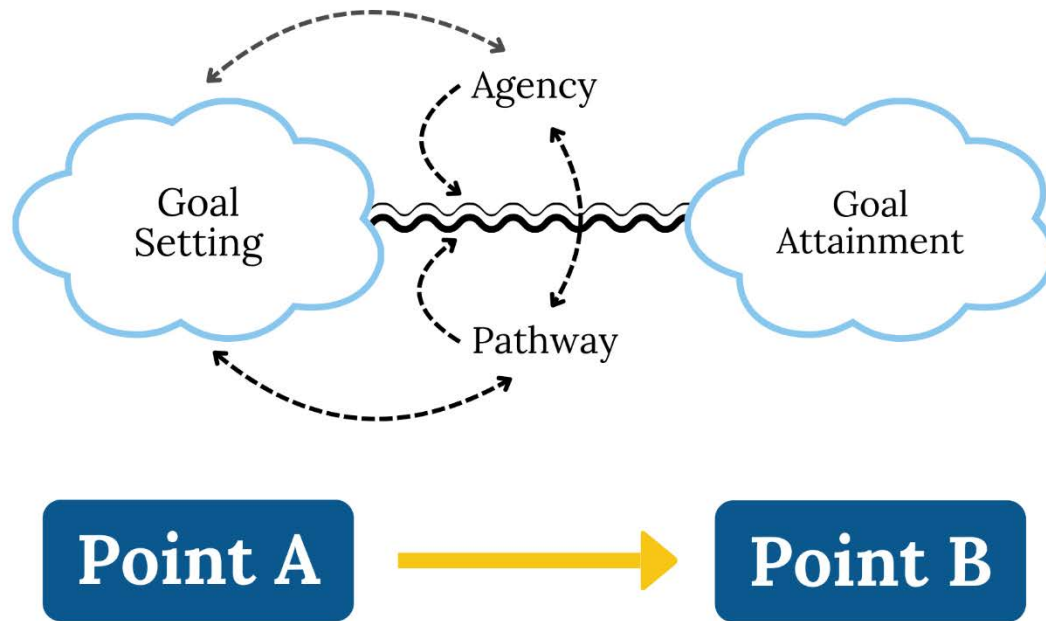
⁶³² Lopez, Snyder and Pedrotti (n 539) 94. Oettingen and Chromik (n 532).

⁶³³ Snyder (n 22).

⁶³⁴ Lopez, Snyder and Pedrotti (n 539) 94.

⁶³⁵ Ibid.

Figure 2: Visual Representation of the Hope Cycle⁶³⁶



It is suggested that agency and pathway thinking are related and iterative, as summarised by Snyder, Rand, and Sigmon,

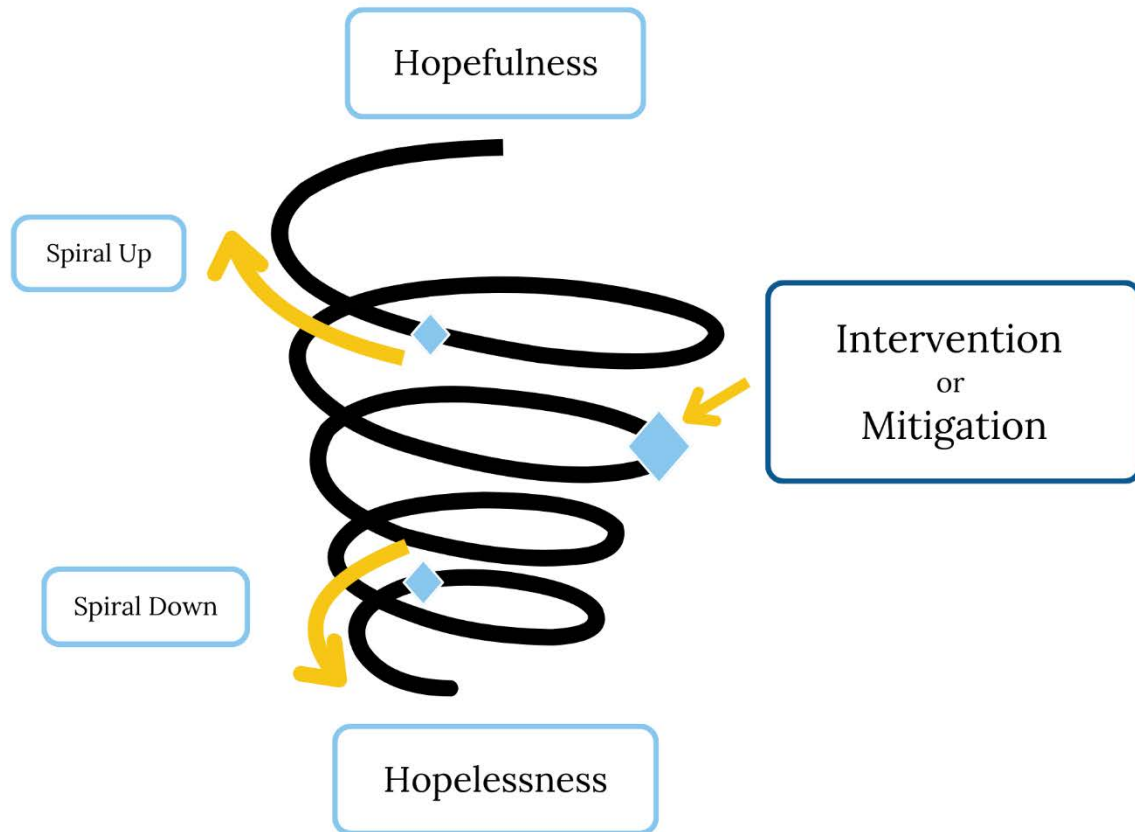
In the progression of hopeful thinking in the goal-pursuit sequence, we hypothesize that pathways thinking increases agency thinking, which, in turn, yields further pathways thinking, and so on. Overall, therefore, pathway and agency thoughts are iterative as well as additive over the course of a given sequence of goal-directed cognitions.⁶³⁷

This process can be imagined as a spiral effect, as demonstrated in Figure 3. The feedback cycle influences movement along an imagined pathway deemed suitable based on skills such as mental contrasting (agency thinking) and strategic mindset (pathway thinking). The feedback cycle illustrates events, interventions, or mitigation strategies contributing to individuals spiralling upwards towards hopefulness or downwards towards hopelessness.

⁶³⁶ Developed from visuals and explanations of the hope cycle, for example, Snyder (n 22) 8; Snyder (n 24) 254; Lopez (n 546) 25.

⁶³⁷ Snyder, Rand and Sigmon (n 352) 58.

Figure 3: Visual Representation of the Feedback Cycle



A positive feedback cycle will include strong agency thoughts and successful pathways actions, thus resulting in progression towards goal attainment. A spiral of positive feedback will continue to positively influence agency and pathway thinking, and maintain or even increase one's level of hope. However, if thoughts or actions are not going well and in turn there is negative feedback, then overtime continuing negative feedback spirals may result in lessening agency and pathway thinking. The effect of 'spiralling down' leads to lower levels of hope.⁶³⁸ As Snyder states, 'hopeful thinking can be drained over time when people are blocked repeatedly from their goals.'⁶³⁹ The positive or negative emotions that are experienced in this cycle will feed-forward and influence future thinking and behaviour.⁶⁴⁰ Snyder, Rand, and Sigmon describe the feed-forward and feedback functions as follows,

⁶³⁸ Snyder (n 22).

⁶³⁹ Ibid 37.

⁶⁴⁰ Lopez, Snyder and Pedrotti (n 539) 95.

If a particular goal pursuit has been completed, the person's goal attainment (or non-attainment) thoughts and the resultant success-derived positive (or failure-derived negative) emotions should cycle back to influence subsequent perceived pathways and agentic capabilities in that situation and in general, as well as to impact the outcome value.⁶⁴¹

In a study measuring individual goal attainment over a university semester, Feldman et al found that university students adjusted their goal-specific hope overtime based on successful or unsuccessful prior goal attainment.⁶⁴² In this study, psychology students set seven goals at the start of the semester and completed an attainment survey at the end of the semester.⁶⁴³ Students with low goal attainment reported lower hope scores at the end of the semester compared to their scores at the beginning of the semester. In contrast, students with high goal attainment increased their levels of hope at the end of the semester compared to their scores at the beginning of the semester. Feldman et al concluded that the results, 'support the hypothesis that hope for any specific goal is adjusted based on the relative success or failure in achieving that goal,'⁶⁴⁴ and therefore there is a feedback cycle based on previous successful or unsuccessful goal attempts that influences one's thinking and emotions in relation to future goals.⁶⁴⁵

Similarly, Wandeler and Bundick's three-year longitudinal study of Swiss vocational students⁶⁴⁶ also found that a 'feedback cycle' of success or failure (and high or low expectations of goal attainment) had an impact on the students' future levels of hope.⁶⁴⁷ Snyder suggests a low hope thinking person does not tend to use goal attainment reflection and/or feedback to improve future efforts and goal pursuits and instead might fall into rumination and self-doubt behaviour.⁶⁴⁸ Therefore, law schools that create learning environments that facilitate the satisfaction of basic psychological needs and that support law students to articulate their own learning goals and to engage in positive goal pursuit behaviours, will be more likely to see those students develop and sustain positive and long-term feedback spirals.⁶⁴⁹ Thus, the feedback and feed-

⁶⁴¹ Snyder, Rand and Sigmon (n 352) 60.

⁶⁴² Feldman, Rand and Kahle-Wroblewski (n 589) 494.

⁶⁴³ Ibid.

⁶⁴⁴ Ibid 494.

⁶⁴⁵ Ibid.

⁶⁴⁶ The study involved students in a four-year polymechanics training program. The trainees learned on the job for four days of the week and attended a vocational school one day of the week.

⁶⁴⁷ Wandeler and Bundick (n 54).

⁶⁴⁸ Charles Snyder, Scott Michael and Jennifer Cheavens, 'Hope as a Psychotherapeutic Foundation of Common Factors, Placebos, and Expectancies' in Mark Hubble, Barry Duncan and Scott Miller (eds), *The Heart and Soul of Change: What Works in Therapy* (American Psychological Association, 1999) 179; Snyder (n 24) 255.

⁶⁴⁹ Wandeler and Bundick (n 54).

forward cycles are important mechanisms that influence hopeful thinking or hopeless thinking and ultimately impact goal pursuits.⁶⁵⁰

To experience high hope thinking, it is important to have both high agency and high pathway thinking. Individuals may rank high on one scale and low on another. For example, if a person has a clear pathway to a goal but is lacking in motivation to pursue it (high pathway, low agency thinking), that person would not be considered high hope. Similarly, if a person possesses high motivation but is lacking a clear pathway (high agency, low pathway thinking), that person will also not be considered high hope. Willpower alone without a clearly defined pathway is not enough to support effective goal pursuits.⁶⁵¹ Pathways are essential for goal accomplishment as is the willpower and mental energy required to sustain goal pursuit. An individual who ranks low in both agency and pathway thinking is considered low hope and at risk of descending into hopelessness.⁶⁵²

According to hope scholarship, it is possible to improve hopeful thinking and raise hope levels over time.⁶⁵³

As a consequence there is significant research on strategies and interventions to build, and teach, hope.⁶⁵⁴

⁶⁵⁰ Lopez, Snyder and Pedrotti (n 539) 95.

⁶⁵¹ Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292).

⁶⁵² Snyder (n 22).

⁶⁵³ See eg, Gallagher et al (n 24); Snyder, Rand and Sigmon (n 352); Ashu, Sandeep Singh and Singh Devender, 'Hope and Mindfulness as Correlates of Happiness' (2015) 6(4) *Indian Journal of Positive Psychology* 422; Rand and Cheavens (n 352); Diener, 'Positive Psychology: Past, Present, and Future' (n 263); Lisa Edwards et al, 'Understanding Hope: A Review of Measurement and Construct Validity Research' in Anthony Ong and Manfred van Dulmen (eds), *Oxford Handbook of Methods in Positive Psychology* (Oxford University Press, 2007) 83; Valle, Huebner and Suldo (n 543); Lopez, Snyder and Pedrotti (n 539); Snyder (n 22).

⁶⁵⁴ Colla et al (n 474); White and Murray (n 257); Michele Joann Hansen et al, 'Overcoming Obstacles and Academic Hope: An Examination of Factors Promoting Effective Academic Success Strategies' (2014) 16(1) *Journal of College Student Retention: Research, Theory & Practice* 49; Lopez (n 546); Robert Weis and Elena Speridakos, 'A Meta-Analysis of Hope Enhancement Strategies in Clinical and Community Settings' (2011) 1(1) *Psychology of Well-being: Theory, Research and Practice* 5; Elizabeth Alexander and Anthony Onwuegbuzie, 'Academic Procrastination and the Role of Hope as a Coping Strategy' (2007) 42(7) *Personality and Individual Differences* 1301; Martin Kivlighan et al, 'Are Belongingness and Hope Essential Features of Academic Enhancement Groups? A Psychosociocultural Perspective' (2018) 65(2) *Journal of Counseling Psychology* 204; Manwen Tian, Shurong Yan and Ning Wang, 'Evaluating the Effectiveness of Snyder's Theory-Based Group Hope Therapy to Improve Self-Efficacy of University Students in Finance' (2018) 16(6) *NeuroQuantology* 118; Douglas Daugherty et al, 'Smartphone Delivery of a Hope Intervention: Another Way to Flourish' (2018) 13(6) *PLoS ONE* 1; Monica Vetter, Matthew Vetter and Jeffrey Fowler, 'Resilience, Hope and Flourishing Are Inversely Associated with Burnout among Members of the Society for Gynecologic Oncology' (2018) 25 *Gynecologic Oncology Reports* 52; Vella-Brodrick (n 278); Tony Worgan, 'Hope Theory in Coaching: How Clients Respond to Interventions Based on Snyder's Theory of Hope' (2013) (7) *International Journal of Evidence Based Coaching and Mentoring* 100; Christina Meyers, Marianne van Woerkom and Arnold Bakker, 'The Added Value of the Positive: A Literature Review of Positive Psychology Interventions in Organizations' (2013) 22(5) *European Journal of Work and Organizational Psychology* 618; Martin Seligman et al, 'Positive Education: Positive Psychology and Classroom Interventions' (2009) 35(3) *Oxford Review of Education* 293; Jeana Magyar-Moe, *Therapist's Guide to Positive Psychological Interventions* (Academic Press, 1st ed, 2009); Jennifer Pedrotti, Lisa Edwards and Shane Lopez, 'Promoting Hope: Suggestions for School Counselors' (2008) 12(2)

Evaluations of the effectiveness of positive psychology strategies have shown significant and sustainable differences in wellbeing.⁶⁵⁵ White et al cautions, however, that many studies that measure the effectiveness of interventions designed to increase wellbeing often use small sample sizes and the significance of the results should be reported with effect sizes that account for small-sample bias.⁶⁵⁶ White et al suggest that the impact of positive psychology interventions may therefore be smaller than sometimes reported if the small-sample bias is taken into account.⁶⁵⁷ Therefore, understanding the true effects of positive psychology interventions, such as teaching hope in the law degree, will benefit from larger study samples and future research that also considers the length of time of the intervention (such as one subject, all of first year, or whole of degree) and the frequency of the intervention (such as multiple interventions per subject, or a single intervention per semester). In addition, understanding the cognition and emotion surrounding these cycles could benefit law schools and law academics who are designing policies, strategies, and hope building interventions to support students to flourish while pursuing a law degree. Increased understanding and awareness could also assist individuals who are motivated to improve their own hopeful thinking. Being able to recognise actions, behaviours, and interventions that influence either the feedback or feed-forward cycle could also assist support staff, family, and friends to recognise when a student has fallen into a negative spiral and provide ideas for actions to re-direct a student out of the negative spiral.

E. Hope and Optimism

The psychological phenomena of optimism and hope and their associated measures, have been found to be similar yet distinct constructs.⁶⁵⁸ According to Gallagher and Lopez, hope and optimism both share the

Professional School Counseling 100; Jerry Rudmann, Kari Tucker and Shañon Gonzalez, 'Using Cognitive, Motivational, and Emotional Constructs for Assessing Learning Outcomes in Student Services: An Exploratory Study' (2008) 15(2) *Journal of Applied Research in the Community College* 126; Keyes and Lopez (n 1).

⁶⁵⁵ Nancy Sin and Sonja Lyubomirsky, 'Enhancing Well-Being and Alleviating Depressive Symptoms with Positive Psychology Interventions: A Practice-Friendly Meta-Analysis' (2009) 65(5) *Journal of Clinical Psychology* 467; Linda Bolier et al, 'Positive Psychology Interventions: A Meta-Analysis of Randomized Controlled Studies' (2013) 13 *BMC Public Health* 1; Alan Carr et al, 'Effectiveness of Positive Psychology Interventions: A Systematic Review and Meta-Analysis' (2021) 16(6) *The Journal of Positive Psychology* 749. Scott Donaldson, Joo Young Lee and Stewart Donaldson, 'Evaluating Positive Psychology Interventions at Work: A Systematic Review and Meta-Analysis' (2019) 4(3) *International Journal of Applied Positive Psychology* 113. Michael Cohn and Barbara Fredrickson, 'In Search of Durable Positive Psychology Interventions: Predictors and Consequences of Long-Term Positive Behavior Change' (2010) 5(5) *Journal of Positive Psychology* 355; René Proyer et al, 'Positive Psychology Interventions in People Aged 50–79 Years: Long-Term Effects of Placebo-Controlled Online Interventions on Well-Being and Depression' (2014) 18(8) *Aging & Mental Health* 997.

⁶⁵⁶ White, Uttl and Holder (n 229).

⁶⁵⁷ Ibid.

⁶⁵⁸ Karen Gasper, Lauren Spencer and Brianna Middlewood, 'Differentiating Hope from Optimism by Examining Self-Reported Appraisals and Linguistic Content' (2019) 15(2) *The Journal of Positive Psychology* 220; Matthew

worldview that human behaviour can be understood in terms of individual goal pursuits.⁶⁵⁹ Alarcon et al state that hope and optimism are generally both stable personality traits and reflect the extent to which an individual believes that their future will be 'prosperous and favourable'.⁶⁶⁰ The constructs differ however in the emphasis placed on self-agency and action orientated behaviour. Optimism is considered more generalised in terms of thinking of one's goal (such as *I will achieve a distinction grade*), and does not emphasise the why or how the goal will be pursued.⁶⁶¹ Hope theory emphasises the importance of setting a goal and also considering one's motivation and energy for the goal pursuit (agency thinking) as well as plans and strategies to achieve the goal (pathway thinking).⁶⁶² The difference in thinking is that in addition to having a clear goal (*I will achieve a distinction grade*), hopeful thinking will also include agency thinking (*I am motivated to work towards this goal and feel prepared for this goal pursuit*) as well as pathway thinking (*I can think of different strategies to help me achieve my goal and I have a plan to implement it*). Alarcon et al summarise the distinction between hope and optimism as, 'the optimistic person believes that somehow—either through luck, the actions of others, or one's own actions—that his or her future will be successful and fulfilling. The hopeful person, on the other hand, believes specifically in his or her own capability for securing a successful and fulfilling future.'⁶⁶³

Barlow, in his PhD thesis, investigated the psychological constructs of hope and optimism and their role in the academic success and retention of students.⁶⁶⁴ Barlow found that, in the sample of his study, there was a relationship between hope and academic results, but not between optimism and academic results.⁶⁶⁵ Similar findings have been found in other studies that show hope, but not optimism, predicted grade expectancy and grade expectancy in turn predicted actual academic achievement.⁶⁶⁶ In a study

Gallagher and Shane Lopez, 'Positive Expectancies and Mental Health: Identifying the Unique Contributions of Hope and Optimism' (2009) 4(6) *The Journal of Positive Psychology* 548; Bailey et al (n 342) 173; Gene Alarcon, Nathan Bowling and Steven Khazon, 'Great Expectations: A Meta-Analytic Examination of Optimism and Hope' (2013) 54(7) *Personality and Individual Differences* 821.

⁶⁵⁹ Gallagher and Lopez (n 658).

⁶⁶⁰ Alarcon, Bowling and Khazon (n 658) 821.

⁶⁶¹ Gallagher and Lopez (n 658) 548.

⁶⁶² Ibid.

⁶⁶³ Alarcon, Bowling and Khazon (n 658) 822.

⁶⁶⁴ Barlow (n 26). Barlow used a sample of n=282 students from a US university, and n=82 'collateral reporters (friends or relatives of the students)' v. Psychological assessment measures used included the AHS, Life Orientation Test, Attributional Style Questionnaire, and measures of depression, anxiety, commitment to college, academic motivation, and GPA. Collateral reports completed the AHS, Life Orientation Test, and Attributional Style Questionnaire, based on their knowledge of the participant.

⁶⁶⁵ Ibid 49.

⁶⁶⁶ See eg, Rand et al (n 349). In Rand et al's study of undergraduate university students (n=334) at a US university, surveys were conducted in the first and final weeks of semester and compared to final subject grades. The psychological measures used included the AHS, Life Orientation Test-Revised, Positive and Negative Affect Scale,

measuring hope (using the AHS) and using a scale to measure domain-specific hope (academic hope), Feldman and Kubota found that the AHS results predicted an individual's level of academic hope, which in turn predicted academic success (measured by GPA).⁶⁶⁷ In line with previous research, optimism was not found to predict academic success.⁶⁶⁸ Therefore, hope is a more useful measure and intervention framework for supporting students to increase their goal-pursuit success. The rationale for high hope thinking as an indicator of positive psychological strength (and influencing factor in overall mental health and wellbeing) that is beneficial for law students, is explored in the next section of this chapter. Part II. F. synthesises the literature on the relationship between hopeful thinking and academic success.

F. Hope and Academic Success

While studying at university, law students are not only trying to achieve their own educational goals but are also developing skills in preparation for their future careers. They are developing skills through their performance in classroom activities, group work, their interactions with lecturers and peers in and outside the classroom, and also through engagement with assessment tasks. Being a university student can be demanding, and can cause the onset of psychological distress symptoms (as highlighted in Chapter 2).⁶⁶⁹ Numerous empirical works have been conducted that link hope with students' mental health and student's academic outcomes, as will be discussed in this section. The studies referred to in the following sections of this chapter use university student populations (unless otherwise specified), spanning different geographical locations, and studying diverse degrees. Specific conclusions are then deduced from this empirical data on university student hope and academic success, and applied to law student populations. The literature indicates that there are clear benefits to being a high hope individual. In an integrative review conducted in 2017, hope was found to impact on the mental health of young adult university students across five key themes:⁶⁷⁰

- Hope is associated with improved coping;⁶⁷¹

the Satisfaction with Life Scale, previous academic achievement measured by past GPA, students report of grade expectancy, and final grade. Similar results were found in an earlier study by Rand, Kevin Rand, 'Hope and Optimism: Latent Structures and Influences on Grade Expectancy and Academic Performance' (2009) 77(1) *Journal of Personality* 231.

⁶⁶⁷ Feldman and Kubota (n 26).

⁶⁶⁸ Ibid 214.

⁶⁶⁹ Refer to literature and discussion in Chapter 2: Part I. A. 3. Australian University Mental Health Framework.

⁶⁷⁰ Stephanie Griggs, 'Hope and Mental Health in Young Adult College Students: An Integrative Review' (2017) 55(2) *Journal of Psychosocial Nursing & Mental Health Services* 28.

⁶⁷¹ Michael Anestis, Fallon Moberg and Randolph Arnau, 'Hope and the Interpersonal-Psychological Theory of Suicidal Behavior: Replication and Extension of Prior Findings' (2014) 44(2) *Suicide and Life-Threatening Behavior*

- Hope is associated with improved wellbeing;⁶⁷²
- Hope is a moderator between depression and negative life events;⁶⁷³
- Hope is a protective factor in suicide;⁶⁷⁴ and,
- Hope is a factor in healthy behaviour engagement.⁶⁷⁵

A significant body of literature, therefore, has found hope to be an essential dimension of overall psychological wellbeing. A limitation of many of the research studies measuring hope and academic success however, is the small populations of the studies and the lack of generalisability of results. While hope is often found as a significant factor influencing academic success, understanding the limitations of different study designs and awareness that many studies have not been replicated, is important when considering the efficacy of the reported results. The following synthesis highlights some key findings from the literature on hope in academic settings.

In a recent 2022 review of hope in light of the developing waves of positive psychology (as discussed in Chapter 3), Colla et al concluded that hope is a relevant psychological phenomena and research continues

175; David Feldman and Diane Dreher, 'Can Hope Be Changed in 90 Minutes? Testing the Efficacy of a Single-Session Goal-Pursuit Intervention for College Students' (2012) 13(4) *Journal of Happiness Studies* 745; Hansen et al (n 654); Else Ouweneel, Pascale Le Blanc and Wilmar Schaufeli, 'Flourishing Students: A Longitudinal Study on Positive Emotions, Personal Resources, and Study Engagement' (2011) 6(2) *The Journal of Positive Psychology* 142; Gerard Stoyles, Angela Chadwick and Peter Caputi, 'Purpose in Life and Well-Being: The Relationship between Purpose in Life, Hope, Coping, and Inward Sensitivity among First-Year University Students' (2015) 17(2) *Journal of Spirituality in Mental Health* 119. Stoyles et al state, 'A hopeful person uses positive coping strategies. Coping refers to the cognitive and behavioural efforts to tolerate internal or external demands, regulate stressful emotions and modify distressing circumstances,' 7.

⁶⁷² Ahmed Abdel-Khalek, 'The Relationships between Subjective Well-Being, Health, and Religiosity among Young Adults from Qatar' (2013) 16(3) *Mental Health, Religion & Culture* 306; Aylin Demirli et al, 'Investigation of Dispositional and State Hope Levels' Relations with Student Subjective Well-Being' (2015) 120(2) *Social Indicators Research* 601; David Feldman et al, 'Hope as a Mediator of Loneliness and Academic Self-Efficacy among Students with and without Learning Disabilities During the Transition to College' (2016) 31(2) *Learning Disabilities Research & Practice* 63; Ouweneel, Le Blanc and Schaufeli (n 671); Stoyles, Chadwick and Caputi (n 671).

⁶⁷³ Jameson Hirsch et al, 'Race and Ethnic Differences in Hope and Hopelessness as Moderators of the Association between Depressive Symptoms and Suicidal Behavior' (2012) 60(2) *Journal of American College Health* 115; Meng Shi et al, 'Prevalence of Depressive Symptoms and Its Correlations with Positive Psychological Variables among Chinese Medical Students: An Exploratory Cross-Sectional Study' (2016) 16(3) *BMC Psychiatry* 1; Haitao Sun et al, 'Different Effects of Rumination on Depression: Key Role of Hope' (2014) 8 *International Journal of Mental Health Systems* 1; Preston Visser et al, 'Hope as a Moderator of Negative Life Events and Depressive Symptoms in a Diverse Sample' (2013) 29(1) *Stress and Health* 82.

⁶⁷⁴ Anestis, Moberg and Arnau (n 671); Esmira Ropaj, 'Hope and Suicidal Ideation and Behaviour' (2023) 49 *Current Opinion in Psychology* 1; Jenny Huen et al, 'Hope and Hopelessness: The Role of Hope in Buffering the Impact of Hopelessness on Suicidal Ideation' (2015) 10(6) *PloS One* 1; Hirsch et al (n 673); Parveen Grewal and James Porter, 'Hope Theory: A Framework for Understanding Suicidal Action' (2007) 31(2) *Death Studies* 131.

⁶⁷⁵ Berg et al (n 548); Aylin Demirli, Mustafa Türkmen and Recep Serkan Arık, 'Investigation of Dispositional and State Hope Levels' Relations with Student Subjective Well-Being' (2015) 120 *Social Indicators Research* 601.

to support the association of hope with psychological functioning, as well as academic functioning.⁶⁷⁶ High hope students have consistently been found to achieve higher grades compared to low hope students, and hope is a strong predictor of academic outcomes.⁶⁷⁷ One of the earliest studies connecting hope and academic success was published by Snyder and colleagues in 2002.⁶⁷⁸ In this longitudinal study, conducted over six years at the University of Kansas, USA, Snyder et al found that first year university students with higher hope had consistently higher academic results across their degree, and were more likely to graduate.⁶⁷⁹ Snyder et al also found that a student's hope scores were a greater predictor of academic success compared to previous academic achievement, including a student's college entrance score.⁶⁸⁰ Another study published by Chang early in the development of hope theory in 1998, utilised Snyder's hope theory and found that hope was positively correlated with problem-solving abilities.⁶⁸¹ Chang found that when coping with stressful academic situations, high hope students would likely engage in less disengagement strategies, although the results did not show high hope students were likely to use more engagement strategies.⁶⁸² These results align with Snyder et al's later findings that 'hope enables students to approach problems with a focus on success, thereby increasing the probability that they will attain their goals.'⁶⁸³

⁶⁷⁶ Colla et al (n 474).

⁶⁷⁷ Snyder et al (n 26); Oranit Davidson, David Feldman and Malka Margalit, 'A Focused Intervention for 1st-Year College Students: Promoting Hope, Sense of Coherence, and Self-Efficacy' (2012) 146(3) *The Journal of Psychology* 333; Susana Marques, Matthew Gallagher and Shane Lopez, 'Hope-and Academic-Related Outcomes: A Meta-Analysis' (2017) 9 *School Mental Health* 250.

⁶⁷⁸ Snyder et al (n 26). The study measured first year college students (n=808) hope using the AHS measure, and selected a group of low hope, moderate hope, and high hope students (n=213) to review their college entrance scores, GPA for their entire time at college, and graduation status.

⁶⁷⁹ Ibid 823.

⁶⁸⁰ Ibid.

⁶⁸¹ Edward Chang, 'Hope, Problem-Solving Ability, and Coping in a College Student Population: Some Implications for Theory and Practice' (1998) 54(7) *Journal of Clinical Psychology* 953. Chang's study was conducted at a US university with undergraduate students (n=140). Psychological assessment measures used in the study included the AHS, the Social Problem-Solving Inventory-Revised, the Coping Strategies Inventory, and two subscales from the Extended Satisfaction with Life Scale. Between the groups of high hope and low hope students, 'high-hope students were found to have a greater positive problem orientation and rational problem-solving style than low-hope students. Low-hope students, on the other hand, were found to have a greater negative problem orientation and avoidant problem-solving style,' 959. Hope was also found as a significant predictor of academic and interpersonal life satisfaction.

⁶⁸² Ibid 960. However, the findings of this study are limited by the cross-sectional study design and causality cannot be determined from the results.

⁶⁸³ Snyder et al (n 26) 820.

1. Hope Can Predict Academic Outcomes

Hope has also been found to predict objective academic achievement when other factors are controlled for, such as intelligence and previous academic achievement.⁶⁸⁴ Suggested influencing factors for these outcomes have been linked to the fact that higher hope students are more likely to put more ‘investment of effort’ in their studies than low hope students, and therefore higher hope students are more likely to achieve the grades they set as their goal or target grade.⁶⁸⁵ A high hope trait is being able to dip into reservoirs of determination if extra effort is needed to achieve a particular goal (such as a last-minute assignment push or ‘cramming’ for exam preparation).⁶⁸⁶ Also, perceived competency and perceived ability to achieve academic goals lead to increases in hopeful thinking, and that hopeful thinking in turn impacts positively on the development of competencies.⁶⁸⁷

A low hope student may find it difficult to set clear academic goals and may be less able to break down academic tasks into smaller steps.⁶⁸⁸ This can result in ‘all at once goals’ that are ‘too big, overwhelming, and anxiety producing’ and are therefore unlikely to be successfully achieved.⁶⁸⁹ Snyder suggests that low hope thinking can result in ‘goal blocking’ and is linked to academic task performance anxieties, such as difficulty recalling information in test or exam conditions.⁶⁹⁰ Additional low hope traits exhibited by students include having difficulty studying and staying on task due to a busy mind with task-irrelevant thoughts and negative self-talk.⁶⁹¹

⁶⁸⁴ Day et al (n 589); Gallagher, Marques and Lopez (n 26).

⁶⁸⁵ Uzi Levi et al, 'Academic Expectations and Actual Achievements: The Roles of Hope and Effort' (2014) 29 *European Journal of Psychology of Education* 367. In an Israeli study of year ten high school students across urban central Israel, Levi et al found a correlation between hope and academic achievement. Levi et al's study used an integrated conceptual framework that combined hope theory, a salutogenic paradigm (understanding wellbeing and resilience), social learning, and self-efficacy beliefs (a belief in one's capacity to produce given attainments). Levi et al's findings note that it is not enough for students to simply believe in their ability to succeed academically. The authors state that hopeful thinking influences students' effort investment and positively reinforces goal pursuit processes (agency thinking). Levi et al concluded that hopeful individuals tend to have higher expectations of academic success, which often leads students to take active steps (pathway thinking) to achieve their goals, 380.

⁶⁸⁶ Charles Snyder et al, 'Preferences of High-and Low-Hope People for Self-Referential Input' (1998) 12(6) *Cognition & Emotion* 807.

⁶⁸⁷ Wandeler and Bundick (n 54) 341.

⁶⁸⁸ Snyder et al (n 26).

⁶⁸⁹ Ibid 824.

⁶⁹⁰ Charles Snyder, 'Hope, Goal-Blocking Thoughts, and Test-Related Anxieties' (1999) 84(1) *Psychological Reports* 206.

⁶⁹¹ Alexander and Onwuegbuzie (n 654); Anthony Onwuegbuzie, 'Role of Hope in Predicting Anxiety About Statistics' (1998) 82(3) *Psychological Reports* 1315.

2. *Hope Can Be Taught*

Hope levels are a useful indicator of a student's current state of wellbeing because hope can change over time. If hope levels can change, then understanding actions that individuals or law schools can take to build or raise an individual's level of hope is essential to influencing the design of interventions (such as using hope theory as a framework to influence curriculum or extra-curricular support services to build students' levels of hope). According to Davidson et al, high hope students achieve higher grades, and high hope thinking could support students to achieve their goals in a demanding academic system.⁶⁹² Building hope could therefore be a useful intervention strategy for law students who are struggling academically or not achieving the academic results they anticipate or set as their goal. Davidson et al suggest that, 'direct short-term interventions within a salutogenic educational community with special attention to the group of students who need special support for their hopeful thinking may contribute to students' wellbeing and achievements.'⁶⁹³ Although Davidson et al's study was limited to a small group attending a one time workshop aimed to increase academic hope, they suggest their workshop design and findings of the study support Snyder's assertion that hope can be taught.⁶⁹⁴

The perspective that hope can be taught is also supported in a study by Sung et al who highlighted that while students may come to university with established habits of approaching life (and goal pursuits) with high or low hope thinking, developing agency thinking and goal setting skills can change the students' motivation.⁶⁹⁵ Similar to Davidson et al, Sung et al's results found that students with higher agency scores had higher levels of educational and career skill attainment.⁶⁹⁶ Sung et al provide an important link

⁶⁹² Davidson, Feldman and Margalit (n 677). A study to test the effectiveness of a workshop intervention aiming to promote academic hope for first year undergraduate college students (n=43) at a university in Israel. Psychological assessment measures included Snyders State Hope Scale (Hebrew adaptation), the Sense of Coherence Scale, the New General Self-Efficacy Scale, and student's grades. The measures were conducted before the workshop, immediately after the workshop, and 1 month after the workshop. Students who increased hope after the workshop achieved higher grades in the following semester compared to students with low hope. See also Feldman and Dreher (n 671).

⁶⁹³ Davidson, Feldman and Margalit (n 677) 347.

⁶⁹⁴ Ibid 348. See also Feldman and Dreher (n 671). In this study (n=96) Feldman designed a Goal-Specific Hope Scale based on Snyder's AHS, with three agency and three pathway items. The one time 90-minute workshop (hope intervention) was conducted, compared with two comparison/control conditions.

⁶⁹⁵ Sung, Turner and Kaewchinda (n 52). A study at the University of Minnesota, recruited undergraduate students (n=132) across multiple disciplines to explore the components of hope, agency and pathway thinking, and how hope could predict and/or be predicted by the Integrative Contextual Model of Career Development (ICM) skills and outcomes. The study used psychological measures including the AHS and the Structured Career Development Inventory to measure the skills and outcomes identified in the ICM theory. ICM theory includes career exploration, person-environment fit, goal setting, social, pro-social, work readiness skills, self-regulated learning and using emotional and instrumental support, and students grades to measure academic achievement.

⁶⁹⁶ Ibid 139.

between career, work psychology, and understanding the impact of factors, such as hope, on career development in university students' academic experience. Therefore, through specific skill development interventions, such as workshops or classroom exercises involving goal setting skills, self-regulated learning skills, self-reflection, and career exploration skills, law students could develop their agency thinking and pathway thinking, which are vital to preparing them to enter the professional job market.

3. *Hope Influences Academic Integrity*

Hope has also been found to be an important component in students' academic integrity. In a self-report online survey study, Coetzee et al found that hope moderates the relationship between the students' sense of belonging and academic misconduct (which includes cheating and plagiarism).⁶⁹⁷ When students believe in themselves (high agency thinking) and have clear strategies to reach their study goals (high pathway thinking), they are less likely to engage in academic misconduct. On the other hand, students who feel less motivated (low agency thinking) and unsure about their study methods (low pathway thinking) are more prone to academic misconduct.⁶⁹⁸ According to Coetzee et al's analysis, a strong sense of belonging and low hope were found to increase the likelihood that students would engage in academic misconduct.⁶⁹⁹ For instance, if students feel that they might lose their connection with friends or the university community (that is, their sense of belonging is threatened), this fear can push them toward engaging in academic misconduct, especially if they lack confidence in their abilities.⁷⁰⁰ Therefore, fostering a strong sense of belonging and hope in students can help them to achieve their academic goals

⁶⁹⁷ Tanya Coetzee et al, 'Hope Moderates the Relationship between Students' Sense of Belonging and Academic Misconduct' (2022) 18(1) *International Journal for Educational Integrity* 28. This study involved n=234 university students across Australia (n=184), UK (n=17), New Zealand (n=4), the US (n=4), and other countries (n=10) who responded to an online survey including demographic questions, the AHS, the Academic Misconduct Scale, and the Psychological Sense of School Membership Scale. The study found, 'taken together, a strong sense of belonging to an institution and high levels of hope are protective against academic misconduct intentions but only when these two factors interact', 18. Pathway thinking was also found to have a greater moderating effect than agency thinking.

⁶⁹⁸ Ibid 18.

⁶⁹⁹ Ibid 19.

⁷⁰⁰ Ibid.

with integrity. Empirical studies by Kivlighan et al⁷⁰¹ and Wurster et al⁷⁰² also support the conclusion that hope and a sense of belonging are significant factors that are linked to academic performance, however the research conducted in these studies did not use the AHS measure.

4. *Hope Can Help Influence Self-Efficacy and Mitigate Learning Disability Challenges*

Hope has also been found to mediate the relationship between learning disabilities, loneliness, social distress, and academic self-efficacy.⁷⁰³ Transitioning to university can be challenging for many students. In a study measuring hope at the beginning of the semester and one month later, Feldman et al concluded that, 'the results show that students who develop higher levels of hopeful thinking may adjust better to academic life.'⁷⁰⁴ Student academic self-efficacy refers to a student's belief in their ability to successfully complete academic tasks, such as mastering course content, performing well on exams, and managing their workload. For students with learning disabilities the transition into, and remaining at, university can be especially demanding for them. Research shows that university students with learning disabilities tend

⁷⁰¹ Dennis Kivlighan III et al, 'Are Belongingness and Hope Essential Features of Academic Enhancement Groups? A Psychosociocultural Perspective' (2018) 65(2) *Journal of Counseling Psychology* 204. In a longitudinal study of n=167 undergraduate students from a US university on academic probation and participating in academic enhancement groups the authors found growth in students hope and sense of belonging significantly improved academic results. The academic enhancement groups met weekly for 10 weeks, and curriculum included skill building in goal setting, problem solving, understanding psychocultural factors related to academic success and developing social competence for social and academic success, 207. Psychological assessment measures used included the Therapeutic Factors Inventory – Short Form, which included measures for hope.

⁷⁰² Kristin Wurster, Dennis Kivlighan III and Megan Foley-Nicpon, 'Does Person-Group Fit Matter? A Further Examination of Hope and Belongingness in Academic Enhancement Groups' (2021) 68(1) *Journal of Counseling Psychology* 67. This study involved n=145 students at a US university who enrolled in 11-14 academic support seminars conducted twice per week for seven weeks. Students were low GPA students (who were struggling academically). The psychological assessment measures included the Therapeutic Factors Inventory-Short Form, which includes an Instillation of Hope scale. The results 'did not find an association between changes in an individual's hope and belongingness and their academic performance, [however] our findings suggest the relationship between changes in a student's hope and belongingness and their academic performance varies as a function of changes in their group's hope and belongingness,' 74. The results also found that, 'the relationship between change in an individual student's hope and change in their academic performance was stronger when they were members of a group that similarly reported high changes in hope,' 73.

⁷⁰³ Feldman et al (n 672). In a study of first year undergraduate college students (n=344) at a university in Israel, psychological measures of Snyders State Hope Scale (Hebrew adaptation), the Revised Life Orientation Test, Self-Efficacy for Self-Regulated Learning Scale, and the Loneliness Scale were used. The survey was conducted at the beginning of the semester and one month later. Analysis of results found that relationships between learning disabilities and loneliness, and learning disabilities and academic self-efficacy were mediated by hope, 70. See also, Shiri Ben-Naim et al, 'Academic Self-Efficacy, Sense of Coherence, Hope and Tiredness among College Students with Learning Disabilities' (2017) 32(1) *European Journal of Special Needs Education* 18. For a study reporting on the impact of a single-session hope workshop on students with a learning disability compared to students without a learning disability see, Eyal Rosenstreich et al, 'Hope, Optimism and Loneliness among First-Year College Students with Learning Disabilities: A Brief Longitudinal Study' (2015) 30(3) *European Journal of Special Needs Education* 338.

⁷⁰⁴ Feldman et al (n 672) 70.

to have higher levels of anxiety, lower self-esteem, and more negative self-concepts, and therefore lower academic self-efficacy compared to their peers without learning disabilities.⁷⁰⁵ For example, Sharabi et al, in an Israeli study of female students studying at a teachers college, found students with a learning disability reported higher levels of loneliness as well as lower levels of hope, optimism, confidence and academic self-efficacy, compared to students without a learning disability.⁷⁰⁶ Sharabi et al's analysis of the study results found that students with learning disabilities used online technologies (such as surfing the internet and using social networks) as a form of avoidance coping mechanisms to distance themselves from the stressors of demanding academic environments.⁷⁰⁷ Hope, however, was found to be a mediating factor between learning disability status and the use of online technologies as an avoidance coping strategy.⁷⁰⁸ Therefore, if a student had a learning disability and hopeful thinking, they were less likely to engage in using online avoidance coping behaviours compared to peers with low hope. A student's level of hope can influence their academic self-efficacy, which is their sense of control over outcomes as well as motivation to set challenging academic goals and belief in their ability to achieve those goals, thus playing a crucial role in shaping students' academic success. It is therefore useful for university staff to be aware of the influencing factor of hope on students' self-efficacy, particularly as a strategy for supporting students with learning disabilities, who may be working to develop their academic self-efficacy in demanding academic settings, to flourish.

Although there are limitations to the generalisability of results across the majority of studies investigating hope and academic success, the overall findings support the assertion that being a high hope student is beneficial and that high hope can positively support students to pursue academic learning goals. Therefore, increasing skills in the cognitive process of combining goal-related energy and motivation (agency thinking) and strategic planning to achieve goals (pathway thinking) can positively impact academic performance. As such, being able to provide a measure for students to assess their current levels of hopeful thinking (as a psychological strength) in combination with their current experience of depression, anxiety, and stress symptoms (psychological deficits), can support student awareness of their current wellbeing. It can also provide useful information to students about interventions or pathways that

⁷⁰⁵ See, eg, Tali Heiman and Dafna Kariv, 'Coping Experience among Students in Higher Education' (2004) 30(4) *Educational Studies* 441; Jason Nelson and Hannah Harwood, 'Learning Disabilities and Anxiety: A Meta-Analysis' (2011) 44(1) *Journal of Learning Disabilities* 3.

⁷⁰⁶ Adi Sharabi, Sarit Sade and Malka Margalit, 'Virtual Connections, Personal Resources, Loneliness, and Academic Self-Efficacy among College Students with and without LD' (2016) 31(3) *European Journal of Special Needs Education* 376.

⁷⁰⁷ Ibid 386.

⁷⁰⁸ Ibid.

can support them to flourish in their academic goal pursuits. Flourishing for some students might be achieving a passing grade and being able to remain at university. Flourishing for other students might be achieving high distinctions and getting competitive internships. Therefore, assessing a student's subjective experience of flourishing or not-flourishing cannot be achieved by looking at academic grades in isolation. Additional valuable information includes the types of academic goals a student sets for themselves, and their reported subjective levels of wellbeing and illbeing. Appropriate measures (as will be discussed further in Chapter 5) are an important first step in supporting student awareness and decision making as to where to apply efforts (and energy) to increase psychological wellbeing or decrease psychological illbeing depending on their individual desires.

The following sections will briefly examine the relationship between hope and psychological illbeing measures of depression, anxiety, and stress. Methodological inconsistencies across studies limits the generalisability of results. Therefore, the statements made in the following examination of the literature are indicative of current research findings, rather than universal truths. The body of evidence exploring the relationship between hope, depression, anxiety, and stress is still emerging, and there is still much to be learned about the relationships between these psychological constructs.

G. Hope and Depression

Numerous studies have demonstrated that higher levels of agency and pathway thinking are associated with lower experiences of depression and anxiety symptoms.⁷⁰⁹ The strength of the relationship has been shown to vary over time and depends on the intensity of symptoms.⁷¹⁰ In analysis across studies, Corrigan and Schutte found that both agency and pathway thinking were more strongly associated with depression than anxiety.⁷¹¹ The effect size for the association of agency thinking with depression was larger than the effect size for pathway thinking with depression, suggesting that agency thinking is especially important in

⁷⁰⁹ Corrigan and Schutte (n 354); Alarcon, Bowling and Khazon (n 658); Katherine Geiger and Paul Kwon, 'Rumination and Depressive Symptoms: Evidence for the Moderating Role of Hope' (2010) 49(5) *Personality and Individual Differences* 391; Jaya Mathew et al, 'The Mediating Influence of Hope on Multidimensional Perfectionism and Depression' (2014) 70 *Personality and Individual Differences* 66; Maryam Hedayati and Mahmoud Khazaei, 'An Investigation of the Relationship between Depression, Meaning in Life and Adult Hope' (2014) 114 *Procedia - Social and Behavioral Sciences* 598.

⁷¹⁰ Lorie Ritschel and Christopher Sheppard, 'Hope and Depression' in Matthew Gallagher and Shane Lopez (eds), *The Oxford Handbook of Hope* (Oxford University Press, 2018) 209, 213; Jens Thimm et al, 'Hope and Expectancies for Future Events in Depression' (2013) 4 *Frontiers in Psychology* 470; Randolph Arnau et al, 'Longitudinal Effects of Hope on Depression and Anxiety: A Latent Variable Analysis' (2007) 75(1) *Journal of Personality* 43; Joanne Dickson, Nicholas Moberly and Peter Kinderman, 'Depressed People Are Not Less Motivated by Personal Goals but Are More Pessimistic About Attaining Them' (2011) 120(4) *Journal of Abnormal Psychology* 975.

⁷¹¹ Corrigan and Schutte (n 354).

reducing depression symptoms.⁷¹² These results highlight the notion that a lack of hope is linked to depression and that the mitigation and reduction of depressive symptoms could be achieved by increasing hope.⁷¹³

An individual experiencing depressive symptoms (distinct from experiencing clinical depression as classified by the DSM5) may experience a range of symptoms. They include negative/low moods, sadness, pessimism, negative self-talk and self-criticism, anhedonia (a lack of interest, enjoyment, or pleasure from life's experiences), lack of motivation, self-punitive wishes, difficulties in problem solving, difficulties concentrating, feelings of worthlessness, changes in activity levels, impairments to learning, impairments to memory and cognition, as well as feelings of hopelessness.⁷¹⁴ Beck and Alford describe the symptoms of depression as falling under four main categories: emotional, cognitive, motivational and physical.⁷¹⁵ Beck and Alford describe certain behaviours as emotional manifestations of depressive symptoms.⁷¹⁶ Beck and Alford suggest that changes to mood and behaviour associated with depressive symptoms that may be attributable to changes in feelings include dejected mood, self-dislike, loss of gratification, loss of attachments, crying spells, or loss of mirth (joy) response.⁷¹⁷ Emotional negative self-talk might include, *I feel miserable; I feel hopeless; I am letting people down; I am worried about everything; nothing gives me satisfaction anymore*. Cognitive manifestations of depressive symptoms include low self-evaluation, negative expectations, self-blame and self-criticism, indecisiveness, distorted self-image, loss of motivation, or suicidal wishes.⁷¹⁸ Cognitive negative self-talk might include, *I am not good enough; I cannot do it; things will not get better for me; I cannot decide what to do (inability to make a decision)*. Motivational manifestations of depressive symptoms (such as changes to motivations or attitudes towards life) may include paralysis of will, avoidance, escapism and withdrawal wishes, suicidal wishes, or increased dependency.⁷¹⁹ Negative motivational self-talk might include statements such as, *I do not have any goals anymore; I do not care anymore what happens to me; I do not see any point to living*. Physical depressive

⁷¹² Ibid.

⁷¹³ Ritschel and Sheppard (n 710); Andre Leite et al, 'Hope, Theory and Its Relation to Depression: A Systematic Review' (2019) 2(2) *Annals of Psychiatry Clinical Neuroscience* 1; Steven Huprich and Michael Frisch, 'The Depressive Personality Disorder Inventory and Its Relationship to Quality of Life, Hopefulness, and Optimism' (2004) 83(1) *Journal of Personality Assessment* 22.

⁷¹⁴ Ritschel and Sheppard (n 710) 209.

⁷¹⁵ Aaron Beck and Brad Alford, *Depression: Causes and Treatment* (University of Pennsylvania Press, 2nd ed, 2009) 12.

⁷¹⁶ Ibid.

⁷¹⁷ Ibid 17.

⁷¹⁸ Ibid 22.

⁷¹⁹ Ibid 27.

symptoms could include fatigue, sleep disturbance, loss of appetite, loss of libido, and physical aches and pains, such as headaches or heart palpitations.⁷²⁰ Individuals might describe symptoms such as, *I am always tired; I do not feel like eating; I am experiencing headaches/heart palpitations/changes to bodily functions/unexpected crying.*

Depression has been linked to theories of learned helplessness and hopelessness.⁷²¹ In-depth analysis of the theories relating to the experience and treatments for depression are beyond the scope of this thesis. However, the links between cognitive experiences of depression as they relate to hope theory (a cognitive construct) will be explored in this section. Ritschel and Sheppard found across studies that the experience of depression is linked to problems with learning, memory, and cognition.⁷²² Ritschel and Sheppard synthesised a range of literature that suggests individuals with major depressive disorders may experience a range of symptoms including, 'negative biases in their thinking styles, greater deficits in learning and episodic memory, greater negative bias in memory, a greater tendency toward a ruminative thinking style, and greater difficulty shifting their attention between tasks.'⁷²³ Therefore, changes in cognition, thinking, and behaviour can impact not only hope levels, but an individual's experience of depressive symptoms as well.

Significant differences have been identified between individuals experiencing depression and those who are not, particularly in the realm of goal pursuit.⁷²⁴ Depressed individuals often set less-specific goals and exhibit greater pessimism about their ability to achieve these goals.⁷²⁵ They also tend to feel less in control over the outcomes of their efforts, report lower levels of intrinsic motivation for pursuing approach goals and are more likely to set avoidance goals.⁷²⁶ Moreover, individuals experiencing depressive symptoms are

⁷²⁰ Ibid 33.

⁷²¹ Martin Seligman, *Helplessness: On Depression, Development, and Health* (Freeman, 1975). Martin Seligman, 'Learned Helplessness' (1972) 23(1) *Annual Review of Medicine* 407; Christopher Peterson, Steven Maier and Martin Seligman, *Learned Helplessness: A Theory for the Age of Personal Control* (Oxford University Press, 1993); Steven Maier and Martin Seligman, 'Learned Helplessness at Fifty: Insights from Neuroscience' (2016) 123(4) *Psychological Review* 349; Lyn Abramson, Gerald Metalsky and Lauren Alloy, 'Hopelessness Depression: A Theory-Based Subtype of Depression' (1989) 96(2) *Psychological Review* 358; Aaron Beck et al, 'Hopelessness, Depression, Suicidal Ideation, and Clinical Diagnosis of Depression' (1993) 23(2) *Suicide and Life-Threatening Behavior* 139; Richard Liu et al, 'The Hopelessness Theory of Depression: A Quarter-Century in Review' (2015) 22(4) *Clinical Psychology: Science and Practice* 345.

⁷²² Ritschel and Sheppard (n 710).

⁷²³ Ibid 209.

⁷²⁴ Ibid 213.

⁷²⁵ Dickson, Moberly and Kinderman (n 710).

⁷²⁶ Alison Winch, Nicholas Moberly and Joanne Dickson, 'Unique Associations between Anxiety, Depression and Motives for Approach and Avoidance Goal Pursuit' (2015) 29(7) *Cognition and Emotion* 1295; Joanne Dickson and Nicholas Moberly, 'Reduced Specificity of Personal Goals and Explanations for Goal Attainment in Major

more inclined to seek out situations and set goals that may result in heightened experiences of sadness, in contrast to their non-depressed peers.⁷²⁷ These findings highlight the unique challenges faced by depressed individuals in goal setting and achievement, emphasising the need for specifically tailored interventions to support the goal pursuit processes of students living with depression.

Hope has also been found to be a moderating factor between depression and other cognitive experiences such as rumination, maladaptive perfectionism, and perceptions of negative life events.⁷²⁸ Rumination is the tendency to think single-mindedly and passively about problems or challenges (low pathway thinking), and perceiving future actions as futile (low agency thinking).⁷²⁹ Rumination leads to avoidance behaviour, as described by Nolen-Hoeksema et al who state that,

Rumination serves to build a case that the individual is facing a hopelessly uncontrollable situation and so he or she is not able to take action to overcome the situation. That is, rumination is not just a cognitive activity that removes people from aversive situations. Rather, rumination provides depressed individuals with the evidentiary base to justify withdrawal and inactivity. When people ruminate, they build a mountain of evidence that all is hopeless and that they might as well give up.⁷³⁰

Hope, however, can be a remediating factor in addressing rumination and in reducing depressive symptoms.⁷³¹ Low hope and high rumination have been linked to higher depression symptoms.⁷³² Geiger and Kwon state that a low hope individual with high rumination is unlikely to develop new or alternative pathways for their goal pursuit (low pathway thinking) and is also unlikely to have the reserves of motivation to tap into to engage with plans associated with goal pursuit (low agency thinking).⁷³³

Depression' (2013) 8(5) *PLoS One* 1; Chrystal Vergara and John Roberts, 'Motivation and Goal Orientation in Vulnerability to Depression' (2011) 25(7) *Cognition and Emotion* 1281.

⁷²⁷ Yael Millgram et al, 'Sad as a Matter of Choice? Emotion-Regulation Goals in Depression' (2015) 26(8) *Psychological Science* 1216.

⁷²⁸ Geiger and Kwon (n 709); Murray Enns and Brian Cox, 'Perfectionism and Depression Symptom Severity in Major Depressive Disorder' (1999) 37(8) *Behaviour Research and Therapy* 783; Visser et al (n 673).

⁷²⁹ Mark Whisman, Alta du Pont and Peter Butterworth, 'Longitudinal Associations between Rumination and Depressive Symptoms in a Probability Sample of Adults' (2020) 260 *Journal of Affective Disorders* 680; Robert Davis and Susan Nolen-Hoeksema, 'Cognitive Inflexibility among Ruminators and Nonruminators' (2000) 24(6) *Cognitive Therapy and Research* 699.

⁷³⁰ Susan Nolen-Hoeksema, Blair Wisco and Sonja Lyubomirsky, 'Rethinking Rumination' (2008) 3(5) *Perspectives on Psychological Science* 400, 407.

⁷³¹ Geiger and Kwon (n 709). The study included undergraduate students (n=396) at a US university completing psychological assessment measures of the AHS, Ruminative Response Scale, and Beck Depression Inventory-II.

⁷³² See, eg, Sun et al (n 673); Raymond Tucker et al, 'Rumination and Suicidal Ideation: The Moderating Roles of Hope and Optimism' (2013) 55(5) *Personality and Individual Differences* 606; Thimm et al (n 710).

⁷³³ Geiger and Kwon (n 709) 392.

Therefore, in this context, passive and negative thinking associated with rumination are likely to increase psychological distress.⁷³⁴ In contrast, an individual with high hope and high rumination when faced with a challenge to their goal pursuit, will likely still dwell on the obstacle, but due to their high hope are likely to use their pathway thinking to strategise alternative ways to pursue their goal and their agency thinking to instigate motivation to take necessary steps to implement the plan.⁷³⁵ Therefore, if an individual has high hope, rumination may not entail the usual pattern of passive and negative thinking typically associated with it. Instead, Geiger and Kwon suggest that an, 'individual who is high in hope is able to generate positive expectations and positive affect about overcoming the goal-related obstacle, buffering the typical negative consequences of rumination.'⁷³⁶ Building hopeful thinking is therefore a strategy to overcome the negative consequences of rumination and could change the trajectory of a negative feed-back spiral into a positive feedback/feed-forward spiral.⁷³⁷

Maladaptive perfectionism is when an individual experiences negative reactions to imperfection. It includes thoughts and behaviours such as having high/impossible personal standards and expectations for performance, excessive concern over mistakes, strong fear of failure, fear of negative evaluations, constant self-criticism over one's performance, as well as rarely feeling that any action/performance is good enough.⁷³⁸ Studies have found that anxiety and depression are linked to maladaptive perfectionism, with individuals experiencing high maladaptive perfectionism also experiencing increased levels of depression and anxiety.⁷³⁹ Agency and pathway thinking have been found to be a remediating factor in the relationship between maladaptive perfectionism, feelings of imposter syndrome, and anxiety⁷⁴⁰ and depression.⁷⁴¹

⁷³⁴ Ibid.

⁷³⁵ Ibid.

⁷³⁶ Ibid 392.

⁷³⁷ Buaphrao Raphiphatthana and Paul Jose, 'High Hope and Low Rumination Are Antecedents of Grit' in Llewellyn Ellardus van Zyl, Chantal Olckers and Leoni van der Vaart (eds), *Multidisciplinary Perspectives on Grit: Contemporary Theories, Assessments, Applications and Critiques* (Springer International Publishing, 2021) 173.

⁷³⁸ Chinyelu Iwenofu, Randolph Dupont and Antonia Kaczurkin, 'Hope for the Future Can Reduce Anxiety, Perfectionism, and Feelings of Imposter Syndrome' (2024) 14(1) *Vanderbilt Undergraduate Research Journal* 73, 73; Ali Karababa, 'The Moderating Role of Hope in the Relationship between Maladaptive Perfectionism and Anxiety among Early Adolescents' (2020) 181(2-3) *The Journal of Genetic Psychology* 159, 160; Murray Enns, Brian Cox and Ian Clara, 'Adaptive and Maladaptive Perfectionism: Developmental Origins and Association with Depression Proneness' (2002) 33(6) *Personality and Individual Differences* 921.

⁷³⁹ Katherine Robinson and Tracey Wade, 'Perfectionism Interventions Targeting Disordered Eating: A Systematic Review and Meta-Analysis' (2021) 54(4) *International Journal of Eating Disorders* 473; Enns, Cox and Clara (n 738); Karababa (n 738).

⁷⁴⁰ Iwenofu, Dupont and Kaczurkin (n 738).

⁷⁴¹ Mathew et al (n 709).

Negative life events that are unpleasant, stressful or uncontrollable have the potential to increase depression for both low and high hope individuals.⁷⁴² However, high hope individuals are also less likely to report symptoms of depression following a negative life event and hope can have a buffering effect against depressive symptoms.⁷⁴³ Visser et al suggest that,

Young adults in college may perceive excessive stress as a result of academic and vocational requirements, preparation for graduate school or careers, financial challenges, and changes in interpersonal relationships and support systems. Maintaining hope during times of stress may promote the perception of such stressors as challenges to be overcome or goals to be met (agency). As a result, motivation to adaptively address demands and stressors might be increased, along with enhancement of self-confidence and ability to foresee a path to goal achievement (pathways); in turn, this may reduce some of the distress arising from the experience of negative life events and, ultimately, may decrease symptoms of depression.⁷⁴⁴

Therefore, hope can have a moderating effect on negative life events and psychological distress.

Measuring hope levels in addition to a law student's experience of depressive symptoms can therefore provide greater detail about the resilience of that student to mitigate the negative self-talk and other cognitive experiences that can impact on a student flourishing. With greater awareness of how a student's level of hope could reduce the experience of negative symptoms associated with depression, the student, law faculty staff, and the surrounding support networks could make more informed choices about specially designed interventions to support positive feedback and feed-forward cycles, and support the student to operate in a demanding academic environment as effectively as possible. This conclusion also provides support to answering RQ1 (What are the advantages of measuring mental health across two continua using the psychological constructs of Hope and DASS?). The evidence supporting the raising of hope as a strategy for remediating depressive symptoms lends support to the proposition of measuring law student wellbeing on two continua, with a measure of hope and depression included in the model.

⁷⁴² Visser et al (n 673).

⁷⁴³ Ibid; Abdi Gungor, Mark Young and Stephen Sivo, 'Negative Life Events and Psychological Distress and Life Satisfaction in US College Students: The Moderating Effects of Optimism, Hope, and Gratitude' (2021) 5(4) *Journal of Pedagogical Research* 62.

⁷⁴⁴ Visser et al (n 673) 85.

H. Hope and Anxiety

Links between hope theory and anxiety have been established across numerous studies.⁷⁴⁵ As with studies exploring the relationship between hope and depression, discussed above, studies exploring the relationship between hope and anxiety have found an inverse relationship exists between the two phenomena, and hope has been found to be a moderating factor in an individual's experience of anxiety symptoms.⁷⁴⁶ Clinical anxiety diagnosis according to the DSM5 includes categories such as generalised anxiety disorder, panic disorder, conduct disorder, social anxiety disorder, and post-traumatic stress disorder.⁷⁴⁷ A limitation of hope and anxiety research highlighted by Arnau is that the commonly used DASS psychological assessment measure does not focus on a specific type of anxiety.⁷⁴⁸ Arnau states that in the DASS, 'the Stress scale taps more into anxious apprehension and physical symptoms of stress, whereas the Anxiety scale measures cognitive symptoms of panic and extreme physiological arousal.'⁷⁴⁹ Arnau suggests that future studies should include separate measures for anxiety symptoms, including panic and anxious apprehension.⁷⁵⁰

Arnau found across studies that hope has a stronger theoretical link to general anxiety than to panic-related anxiety.⁷⁵¹ According to the DSM5, the key features of generalised anxiety disorder are,

...persistent and excessive anxiety and worry about various domains, including work and school performance, that the individual finds difficult to control. In addition, the individual experiences physical symptoms, including restlessness or feeling keyed up or on edge; being easily fatigued;

⁷⁴⁵ Corrigan and Schutte (n 354); Angela Richardson, 'Hope and Anxiety' (2023) 53 *Current Opinion in Psychology* 1; Arnau et al (n 710); Karababa (n 738); Matthew Gallagher et al, 'Examining Hope as a Transdiagnostic Mechanism of Change across Anxiety Disorders and CBT Treatment Protocols' (2020) 51(1) *Behavior Therapy* 190.

⁷⁴⁶ Karababa (n 738); Song Wang et al, 'Hope and the Brain: Trait Hope Mediates the Protective Role of Medial Orbitofrontal Cortex Spontaneous Activity against Anxiety' (2017) 157 *NeuroImage* 439; Peter Kinderman et al, 'Causal and Mediating Factors for Anxiety, Depression and Well-Being' (2015) 206(6) *The British Journal of Psychiatry* 456; Winch, Moberly and Dickson (n 726); Carrie Carretta, Sheila Ridner and Mary Dietrich, 'Hope, Hopelessness, and Anxiety: A Pilot Instrument Comparison Study' (2014) 28(4) *Archives of Psychiatric Nursing* 230.

⁷⁴⁷ APA, *Diagnostic and Statistical Manual of Mental Disorders* (American Psychiatric Association, 5th ed, 2013) 195.

⁷⁴⁸ Randolph Arnau, 'Hope and Anxiety' in Matthew Gallagher and Shane Lopez (eds), *The Oxford Handbook of Hope* (Oxford University Press, 2018) 221.

⁷⁴⁹ *Ibid* 226.

⁷⁵⁰ *Ibid* 227.

⁷⁵¹ *Ibid* 221; Michelle Craske and Allison Waters, 'Panic Disorder, Phobias, and Generalized Anxiety Disorder' (2005) 1 *Annual Review of Clinical Psychology* 197, 213.

difficulty concentrating or mind going blank; irritability; muscle tension; and sleep disturbance.⁷⁵²

In addition, Szuhany and Simon highlight that anxiety symptoms may also include worry, fear, nervousness, unexpected/triggered panic attacks, palpitations, shortness of breath, dizziness, and avoidance behaviours.⁷⁵³ When anxiety symptoms are causing persistent distress and impacting upon an individual's goal pursuit and general functioning, interventions are recommended.⁷⁵⁴

Arnau states that panic-related anxiety is best understood as a present-oriented emotion, characterised by an immediate fear response that can trigger the fight-or-flight mechanism.⁷⁵⁵ A panic-related type of anxiety focuses the individual's thoughts on immediate escape or self-defence, rather than a response that is triggered by tasks (such as preparing for a group assignment or writing an essay). However, when the immediate fear response is activated without actual danger or real imminent threat (such as in a classroom or academic setting), it can manifest as a panic attack.⁷⁵⁶ This is distinct from generalised anxiety, which is a future-oriented emotion, where the individual's thoughts are preoccupied with potential future misfortunes.⁷⁵⁷ Unlike the fight-or-flight response, which is concerned with addressing imminent threats, generalised anxiety involves anxious apprehension, a state in which one is mentally prepared to cope with anticipated negative events.⁷⁵⁸ This future-focused anxiety reflects a readiness to deal with possible challenges, rather than an immediate reaction to present danger. Experiencing a consistent state of 'readiness' can be mentally and physically fatiguing, and therefore impact on agency thinking. Low agency and high anxiety thoughts could include: *I do not have the energy to work on important tasks I need to complete; I am unable to start my project.* The worry of personal inadequacies or inability to pursue goals (low agency thinking) and cognitive impairment (increased arousal, avoidance behaviours, rumination), impact upon an individual's ability to view pathways beyond the current or anticipated negative event (low pathway thinking).⁷⁵⁹ Low pathway and high anxiety thinking could include: *I cannot think of a workable plan for what I need to do; I do not know how I will accomplish my goals.* Anxiety can therefore trigger a

⁷⁵² APA (n 747) 191.

⁷⁵³ Kristin Szuhany and Naomi Simon, 'Anxiety Disorders: A Review' (2022) 328(24) *Clinical Review and Education* 2431, 2432.

⁷⁵⁴ Borwin Bandelow, Sophie Michaelis and Dirk Wedekind, 'Treatment of Anxiety Disorders' (2017) 19(2) *Dialogues in Clinical Neuroscience* 93.

⁷⁵⁵ Arnau (n 748) 223.

⁷⁵⁶ Ibid; David Barlow, 'Unraveling the Mysteries of Anxiety and Its Disorders from the Perspective of Emotion Theory' (2000) 55(11) *American Psychologist* 1247.

⁷⁵⁷ Arnau (n 748) 223.

⁷⁵⁸ Ibid; Barlow (n 756).

⁷⁵⁹ Arnau (n 748) 233; Barlow (n 756).

negative feedback spiral, as a negative appraisal of the future may result in an individual being less adaptive, impeding goal attainment. If negative coping strategies (avoidance, rumination etc) are engaged, with further negative appraisals of the future (based on previous goal attainment failure), then it is easy for an individual to fall into a downward spiral of negative feedback loops.⁷⁶⁰

While hope has been found to be a remediator of anxiety symptoms, anxiety is not an indicator of hope levels.⁷⁶¹ Thus, all individuals are susceptible to experiencing anxiety, regardless of hope levels. Richardson, in a review on hope and anxiety, suggests that ‘individuals with higher levels of hope may have the same amount of vulnerability to future threats as those with lower levels of hope; however, these high-hope individuals may simply not be as distressed by the possibility of future negative outcomes as they have the determination and motivation, or agency, to work around possible obstacles to pursue those goals.’⁷⁶² Therefore, low hope and high hope individuals may experience anxiety symptoms, however an individual’s level of hope may impact the severity, distress, and disruption caused to the individuals daily life, and goal pursuits. For example, Barlow suggests that individuals with high anxiety often experience a lower ‘sense of control’, thus impacting the individuals’ perception of future negative outcomes.⁷⁶³ Individuals with high anxiety and a low sense of control coupled with low hope (low agency and low pathway thinking) are therefore likely to experience greater challenges in goal pursuit compared to individuals with high anxiety and a low sense of control coupled with high hope thinking. In a recent study examining hope and optimism as constructs that predict an individual’s expectations of outcomes, Shanahan et al found that, ‘hope predicted specific expectancies within a controllable situation; whereas, optimism predicted specific expectancies within an uncontrollable situation.’⁷⁶⁴ Shanahan et al conclude that hope may lead to more active coping strategies (such as problem solving) in situations that are perceived as ‘controllable’, whereas optimism may lead to more passive coping strategies (such as reappraising the situation as more positive) in situations that are perceived as ‘uncontrollable’.⁷⁶⁵

Hope and “perceived control” (also referred to in academic literature as an internal locus of control or self-efficacy) share the notion that people can influence their own actions, and their actions will then influence

⁷⁶⁰ Barlow (n 756); Richardson (n 745).

⁷⁶¹ Arnau et al (n) 58.

⁷⁶² Richardson (n 745) 1.

⁷⁶³ Barlow (n 756).

⁷⁶⁴ Mackenzie Shanahan, Ian Fischer and Kevin Rand, 'Hope, Optimism, and Affect as Predictors and Consequences of Expectancies: The Potential Moderating Roles of Perceived Control and Success' (2020) 84 *Journal of Research in Personality* 1, 17.

⁷⁶⁵ Ibid 18.

an outcome.⁷⁶⁶ However, hope extends beyond this by incorporating a motivational aspect in agency thinking. Interestingly, the link between agency thinking and anxiety has been found to be stronger than pathway thinking in a study measuring hope, depression and anxiety of undergraduate university students at three points in time across a semester (at the beginning, middle, and end of the semester).⁷⁶⁷ Arnau et al found that agency thinking, but not pathway thinking, made a statistically significant prediction of decreased anxiety.⁷⁶⁸ The authors note the results were unexpected, as high hope consists of both high agency and high pathway thinking and both constructs are considered necessary for hopeful thinking. Arnau et al suggest that the generalised nature of the study, which did not ask students to set a goal nor reflect on goal attainment or failure, may have contributed to the unexpected result and therefore it might be that goal-focused behaviour is impacted by both agency and pathway thinking.⁷⁶⁹ However, these results may also indicate that the perception of control is a stronger remediating factor for anxiety compared to strategising or planning. This insight could influence the design of interventions to build hope in law students. For example, designing interventions for law students with high anxiety could benefit from focusing on increasing students' perceptions of control (such as by building agency thinking, self-regulatory thought, mental contrasting skills, as examined in Part II. B. Agency Thinking above) over focusing on building students' pathway thinking, strategic mindsets, and psychological flexibility (as examined in Part II. C. Pathway Thinking above).

Measuring law students' experience of anxiety symptoms in addition to their levels of hope is therefore likely to provide additional useful information about the types of interventions that would be most beneficial to students. Interventions could also be focused to different group profiles, for example law students with high anxiety and low hope, and law students with high anxiety and high hope. Recognising the inverse relationship between hope and anxiety, and the moderating factor of hope in an individual's experience of negative anxiety symptoms, also lends support to the benefit of measuring law student wellbeing across two continua, with a measure of hope and anxiety included in the model. This conclusion addresses the RQ1 in this thesis (What are the advantages of measuring mental health across two continua using the psychological constructs of Hope and DASS?), and contributes to the rationale for the Hope/DASS Four Quadrant Model, discussed in Chapter 5.

⁷⁶⁶ Kenneth Wallston, 'Perceived Control' in Susan Ayers et al (eds), *Cambridge Handbook of Psychology, Health and Medicine* (Cambridge University Press, 2 ed, 2007) 148; Judith Chipperfield, Raymond Perry and Tara Stewart, 'Perceived Control' in Vilayanur Ramachandran (ed), *Encyclopedia of Human Behaviour* (Elsevier, 2012) 42.

⁷⁶⁷ Arnau et al (n 710).

⁷⁶⁸ Ibid.

⁷⁶⁹ Ibid.

I. Hope and Stress

How individual's subjectively experience stress can depend on their *perception* of stress (that is, the extent to which an individual appraises a certain event to be stressful).⁷⁷⁰ According to Elliot and Eisdorfer, there are four different types of stressors:

1. Acute, time limited stressors – such as delivering a presentation, or asking a question in class;
2. Stressor sequences – such as adapting to living in a new city, divorce, mourning a loved one, or changing jobs;
3. Chronic, intermittent stressors – such as university exam periods, or attending a weekly lecture with a lecturer you don't like; and,
4. Chronic stressors – such as managing an ongoing health issue, a prolonged family dispute, or ongoing exposure to dangerous scenarios (such as high-risk jobs).⁷⁷¹

Hope has been found to act as a psychological resource that protects individuals from experiencing high stress and/or severe consequences of stress.⁷⁷² The DSM5 outlines trauma and stressor related disorders including exposure to stressful events, post-traumatic stress disorder (PTSD), acute stress disorder, and adjustment disorders.⁷⁷³ In the field of psychology and medicine there are different models of stress and the overarching term 'stress' can be used to refer to different dimensions or constructs.⁷⁷⁴ It is therefore important to be aware of the aspects of stress that are being measured in any psychological assessment tools. The DASS Stress sub-scale measures levels of 'chronic non-specific arousal'.⁷⁷⁵ Specifically, it assesses; 'difficultly relaxing, nervous arousal, and being easily upset/agitated, irritable/over-reactive and

⁷⁷⁰ Ines Heinen, Monika Bullinger and Růya-Daniela Kocalevent, 'Perceived Stress in First Year Medical Students-Associations with Personal Resources and Emotional Distress' (2017) 17(4) *BMC Medical Education* 1; Jameson Hirsch and Fuschia Sirois, 'Hope and Fatigue in Chronic Illness: The Role of Perceived Stress' (2016) 21(4) *Journal of Health Psychology* 451; Yangxiu Hu, Baojuan Ye and Hohjin Im, 'Hope and Post-Stress Growth During COVID-19 Pandemic: The Mediating Role of Perceived Stress and the Moderating Role of Empathy' (2021) 178 *Personality and Individual Differences* 1.

⁷⁷¹ See, eg, Stevan Hobfoll, 'Conservation of Resources: A New Attempt at Conceptualizing Stress' (1989) 44(3) *American Psychologist* 513, 514 citing Glen Elliot and Carl Eisdorfer (1982). *Stress and Human Health* (Springer, New York, 1982).

⁷⁷² Xin Zhang et al, 'Perceived Stress, Hope, and Health Outcomes among Medical Staff in China During the COVID-19 Pandemic' (2021) 11 *Frontiers in Psychiatry* 1.

⁷⁷³ APA (n 747) 265.

⁷⁷⁴ See eg, Siyu Lu, Fang Wei and Guolin Li, 'The Evolution of the Concept of Stress and the Framework of the Stress System' (2021) 5(6) *Cell Stress* 76; George Fink, 'Stress, Definitions, Mechanisms, and Effects Outlined' in George Fink (ed), *Stress: Concepts, Cognition, Emotion, and Behaviour* (Academic Press, 2016) 3; Neil Schneiderman, Gail Ironson and Scott Siegel, 'Stress and Health: Psychological, Behavioral, and Biological Determinants' (2005) 1 *Annual Review of Clinical Psychology* 607.

⁷⁷⁵ Lovibond and Lovibond (n 58).

impatient.⁷⁷⁶ Physical symptoms such as fatigue, difficulty relaxing, and heightened nervous arousal can lead to additional stress related dimensions, such as burnout syndrome.

Burnout syndrome is associated with high stress. In a systematic review, Rosales-Ricardo et al concluded across studies that moderate levels of burnout syndrome occur among university students across different degree populations.⁷⁷⁷ Madigan and Curran further concluded in a meta-analysis of 29 studies ($n = 109,396$) that burnout had a significant negative relationship with academic achievement.⁷⁷⁸ According to the original work of Maslach and Jackson on burnout syndrome, the syndrome is comprised of three distinct psychological constructs: emotional exhaustion, depersonalisation, and low personal realisation.⁷⁷⁹ A psychological measure has also been created for use in student populations (the Maslach Burnout Inventory Student Survey) that includes three dimensions: exhaustion (*I am not going to class today; I am too tired to pursue my goals; I do not have the energy for activities*), cynicism (*why does this matter anyway; my plan will not work out even if I try; this subject is useless*), and reduced academic effectiveness (*I feel I do not have the skills to perform this task; I am incompetent*).⁷⁸⁰ Rosales-Ricardo et al state that,

...students with high levels of burnout are exhausted by the demands of study, have a cynical and distant attitude towards schooling, and feel ineffective as students. According to several studies the most common manifestations of [burnout syndrome] in students are physical and mental exhaustion, dropping out of school and decreased academic performance.⁷⁸¹

⁷⁷⁶ Ibid 1.

⁷⁷⁷ Yury Rosales-Ricardo et al, 'Prevalence of Burnout Syndrome in University Students: A Systematic Review' (2021) 44(2) *Salud Mental* 91.

⁷⁷⁸ Daniel Madigan and Thomas Curran, 'Does Burnout Affect Academic Achievement? A Meta-Analysis of over 100,000 Students' (2021) 33(2) *Educational Psychology Review* 387.

⁷⁷⁹ Christina Maslach and Susan Jackson, *Maslach Burnout Inventory - Research Edition: Manual* (Consulting Psychologists Press, 1981). The Maslach Burnout Inventory (MBI) has been adapted for specific instruments to measure burnout across different populations, including the MBI – Human Services Survey; MBI – Educators Survey; MBI – General Survey. For a description and history of the MBI and other instruments, see Christina Maslach, Susan Jackson and Michael Leiter, 'The Maslach Burnout Inventory Manual' in Carlos Zalaquett and Richard Wood (eds), *Evaluating Stress: A Book of Resources* (The Scarecrow Press, 1997) vol 2, 191.

⁷⁸⁰ Karina Mostert et al, 'Burnout and Engagement in University Students: A Psychometric Analysis of the MBI-SS and UWES-S' (2007) 21(1) *South African Journal of Higher Education* 147; Wilmar Schaufeli et al, 'Burnout and Engagement in University Students: A Cross-National Study' (2002) 33(5) *Journal of Cross-Cultural Psychology* 464.

⁷⁸¹ Rosales-Ricardo et al (n 777) 92; Frederick Leong, Brent Mallinckrodt and Mary Kralj, 'Cross-Cultural Variations in Stress and Adjustment among Asian and Caucasian Graduate Students' (1990) 18(1) *Journal of Multicultural Counseling & Development* 19; Guler Yavuz and Nuri Dogan, 'Maslach Burnout Inventory-Student Survey (MBI-SS): A Validity Study' (2014) 116 *Procedia - Social and Behavioral Sciences* 2453.

As such, burnout has been described as ‘both an inability (a depletion of resources and a lack of energy that comprise exhaustion) and an unwillingness (disengagement as a result of the distance that cynicism creates between the student and their studies) to expend effort.’⁷⁸² Mostert et al suggest that burnout among students could present as ‘an erosion of academic engagement, may influence their future relationship with their university, and may be an important indicator in predicting professional burnout when they become professionals after graduation.’⁷⁸³

The awareness of burnout syndrome has also led to a shift towards its opposite psychological construct – research in *engagement* and positive psychology interventions to combat burnout.⁷⁸⁴ Engagement relates to the motivation and action-focused cognition in hope theory. Therefore, increasing hopeful thinking (both agency and pathway thinking), working on supporting law students in positive feedback and feed-forward loops that encourage ‘spiralling up,’ may help to moderate psychological stress symptoms. Awareness and understanding of what engagement might look like for a student experiencing burnout is important so as not to push beyond the energy reserves that a student has available and, possibly inadvertently, putting more stress on the student. Putting too much stress and individual responsibility on a student to make self-improvements to combat their experience of psychological distress symptoms is reflective of neoliberal values and toxic positivity (discussed in Chapter 3). There may be actions within the control of the surrounding systems and structures that would reduce the stress symptoms of individuals without requiring them to make many personal adjustments. This approach would also balance the responsibility for law student wellbeing, as highlighted in the Nested Framework of Law Student Wellbeing (discussed in Chapter 2).

Hope has also been associated with positive coping after trauma.⁷⁸⁵ Traumatic life events can be times of significant stress and lead to post-traumatic stress, and, if positive coping occurs, post-traumatic growth. Evidence to support this relationship between hope and posttraumatic growth has largely been collected from non-student populations. However, traumatic events, such as surviving a sexual assault, receiving an

⁷⁸² See, eg, Madigan and Curran (n 778) 389 citing Wilmar Schaufeli and Toon Taris, 'The Conceptualization and Measurement of Burnout: Common Ground and Worlds Apart' (2005) 19(3) *Work and Stress* 256.

⁷⁸³ Mostert et al (n 780) 148.

⁷⁸⁴ Ibid; Schaufeli et al (n 780); Wilmar Schaufeli et al, 'The Measurement of Engagement and Burnout: A Two Sample Confirmatory Factor Analytic Approach' (2002) 3 *Journal of Happiness Studies* 71. Core dimensions of ‘engagement’ are vigour, dedication, and absorption (similar to the concept of flow). See, eg, Mostert et al (n 780).

⁷⁸⁵ Laura Long and Matthew Gallagher, 'Hope and Posttraumatic Stress Disorder' in Matthew Gallagher and Shane Lopez (eds), *The Oxford Handbook of Hope* (Oxford University Press, 2018) 233.

adverse health outcome, or global crisis (for example COVID-19), can impact higher education students.⁷⁸⁶ According to Long and Gallagher,

Hope may help focus attention on problem-solving and adapting to new circumstances in lieu of fixating on a traumatic experience. The belief that one has the ability to achieve a positive resolution after a traumatic experience may also provide the motivation to grow from trauma, not just recover. Hope may also contribute to posttraumatic growth by promoting meaning-focused coping, which involves revision of one's goals, reordering priorities, and focusing on strengths.... Such coping may prevent distress levels from becoming so high as to preclude cognitive processing in response to the trauma and posttraumatic growth.⁷⁸⁷

Maintaining hope during times of stress can also promote the appraisal of events as 'challenges to be addressed or goals to be attained,' rather than complete road blocks.⁷⁸⁸ Therefore, hope is an important remediating factor for students experiencing high stress, academic burnout, or traumatic life events.

Measuring law students' levels of stress and hope could raise awareness of the likely psychological flexibility and resilience that high hope thinking could offer to mitigate the experience of stress symptoms during chronic or situationally stressful times. It is likely that all law students will experience stressors in life and in the academically demanding environment of law school. Rather than only being made aware of the high levels of stress symptoms being experienced, such as would be indicated on a DASS21 survey, a two continua model could also provide information about the current levels of hope and psychological strengths that the student may use to mitigate psychological stress symptoms. Awareness as to how hopeful thinking can act as a remediating factor that can help reduce the severity of stress symptoms, may provide guidance on designing interventions to build student hope in situations where reducing the stressors or stressful environment is not an option or is very difficult to achieve. Reporting on the results of hope and stress can therefore benefit students, and inform law faculty and support services in supporting students, to prepare mental health plans and strategies that maintain current levels of mental health (if desired) or support students to move towards a state of complete mental health and flourishing.

⁷⁸⁶ See, eg, Lana Stermac et al, 'Mediators of Posttraumatic Mental Health in Sexual Assault Survivors' (2014) 23(3) *Journal of Aggression, Maltreatment & Trauma* 301; Zhang et al (n 772); Anthony Scioli et al, 'Hope, HIV and Health: A Prospective Study' (2012) 24(2) *AIDS Care* 149; David Berendes et al, 'Hope in the Context of Lung Cancer: Relationships of Hope to Symptoms and Psychological Distress' (2010) 40(2) *Journal of Pain and Symptom Management* 174; Sindia Madan and Kenneth Pakenham, 'The Stress-Buffering Effects of Hope on Adjustment to Multiple Sclerosis' (2014) 21 *International Journal of Behavioral Medicine* 877; Gallagher et al (n 348).

⁷⁸⁷ Long and Gallagher (n 785) 236.

⁷⁸⁸ Zhang et al (n 772) 6.

III Conclusion

Snyder's formula for hope is: hope is equal to mental willpower plus waypower for goals.⁷⁸⁹ This formula demonstrates how 'hope reflects a mental set in which we have the perceived willpower and the waypower to get to our destination [goal].'⁷⁹⁰ This 'hope trilogy' is summarised by Gwinn and Hellman as: 'Hope is the idea that you have *goals* you desire to achieve, you can identify *pathways* toward the goals, and you can direct and sustain your *willpower* toward the goal and pathways necessary to reach those goals' (italics in the original).⁷⁹¹ Also viewing goal attainment as a destination, Gwinn and Hellman summarise hope using a minivan and road trip analogy.⁷⁹² According to Gwinn and Hellman's analogy, goals are the destination of a journey.⁷⁹³ The person on the journey needs to have some idea of where they are going! It may be a short or long journey. And like any journey, a map is useful to provide details of the different pathways that lead to different goal destinations. Some pathways may lead directly there, and others may be a more complicated, scenic, or challenging routes. Agency is the engine in the van that gets the person on the journey along the pathway to their goal. The engine must be kept tuned (self-care) and full of petrol (motivation). Gwinn and Hellman also consider that the van may include luggage or 'baggage' of trauma, adverse experiences, and daily burdens.⁷⁹⁴ As examined in this chapter, this luggage might be the cognitive and physical symptoms associated with depression, anxiety, and/or stress. As the driver of one's own thoughts and behaviours, it is up to the individual to consider if the burdens are packed in the back of the van or are sitting on the front seat. In this analogy Gwinn and Hellman suggest,

If our burden is unmitigated or triggers us, it is likely sitting in the front seat detracting our attention through rumination, worry, regret, or other negative emotions. When our burdens are in the front seat, our attention gets diverted to things that don't matter in the context of our destination or goals. Healthy hope puts the burdens in the back of the van and always looks forward, not backward.⁷⁹⁵

This analogy highlights the importance of supporting good mental health practices and using hope as a tool to support overall wellbeing. As examined in this chapter, hope has been found to be a buffer against the effects of adversity and a useful coping mechanism in mitigating psychological distress. High hope

⁷⁸⁹ Snyder (n 22) 9.

⁷⁹⁰ Ibid 10.

⁷⁹¹ Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292) 15.

⁷⁹² Ibid 12.

⁷⁹³ Ibid.

⁷⁹⁴ Ibid.

⁷⁹⁵ Ibid.

individuals are less likely to dwell on past events, have greater capacity for self-regulation of their emotions, thoughts, and behaviours as they actively pursue their life goals, and overall they have greater resilience and adaptability in navigating life's challenges.⁷⁹⁶ Awareness of the relationship between hopeful thinking and academic success, as well as the remediating role of hopeful thinking in reducing the experience of symptoms of depression, anxiety, and stress, could benefit law students in understanding the current state of their mental health, and what psychological constructs they could work on building to improve their chances of flourishing. This chapter has outlined the potential benefit for law students in being aware not only of their levels of psychological distress symptoms, but also their levels of hope. As such, benefits of measuring mental health across a two continua model include:

- Providing greater information and awareness to students about their current state of mental health and state of wellbeing.
- Contributing more information for students and their surrounding support systems to consider options for mental health strategies, recognising the mitigating role of hopeful thinking on the experience of depression, anxiety, and stress symptoms.

The next chapter in this thesis discusses a model for measuring mental health and includes the psychological wellbeing measure of the AHS (hope) and psychological illbeing measure of DASS21 (depression, anxiety, and stress). This model can be used to support students to recognise if they are flourishing or not-flourishing. If results indicate that a student is not flourishing, the model can provide information about what movements they could make along the hope or DASS scales to spiral up, working towards a state of complete mental health and state of flourishing. Although a state of complete mental health may not be the aim for all students, as law students' individual mental health goals may be different. If a student is in a state of high psychological distress and is working to manage their symptoms, they may set mental health goals to try to mitigate the experience of the psychological distress symptoms, while recognising that the underlying factors or environments contributing to the psychological distress are not going to change. Therefore, working to achieve a state of high psychological distress coupled with high hope may be an appropriate mental health strategy for some law students. The synthesis of literature in this chapter therefore lends support to the proposition that raising hopeful thinking can be used not only as a mental health and wellbeing strategy, but also as a strategy to support law students' academic success.

⁷⁹⁶ Ibid.

Chapter 5: The Hope/DASS Four-Quadrant Model

One of the key observations of Chapter 3: *Positive Psychology and Subjective Wellbeing*, is that the ‘waves of positive psychology’ have developed to appreciate the dialectical nature of wellbeing and the importance of recognising the negative and positive aspects of mental health that contribute to overall wellbeing. Therefore, it is important to understand how the intersectionality of mental illness and positive mental health (wellbeing) is currently understood in the literature, and how it will be used as a framework for interpreting the results of this thesis. References to ‘positive mental health’ and ‘subjective wellbeing’ are often used interchangeably by wellbeing researchers.⁷⁹⁷ As such, this thesis will not make any distinction between these two terms. As referenced in Chapter 3, the World Health Organisation defines mental health as a ‘state of mental well-being...’.⁷⁹⁸ However, despite this neutral definition, ‘mental health’ is often used in popular literature (such as blogs, magazines, and social media) and in policy and strategy documents as a synonym of ‘poor mental health’.⁷⁹⁹ In Australia the *Mental Health First Aid* program focuses on teaching individuals how to recognise mental health problems and respond in a crisis.⁸⁰⁰ This thesis adopts the WHO’s use of the term ‘mental health,’ as a neutral term referring to the overall spectrum of health possibilities (including positive and negative mental health).⁸⁰¹ In this chapter mental illness and illbeing are terms used to refer to negative mental health. References to being ‘mentally healthy’ and the terms wellbeing and subjective wellbeing refer to positive mental health.⁸⁰²

In Chapter 4 *Hope and Psychological Distress*, Hope Theory was introduced as an indicator of wellbeing and positive human functioning. Measures of psychological distress, including depression, anxiety, and stress, were introduced as indicators of illbeing and barriers to functioning. Chapter 1 outlined the

⁷⁹⁷ Keyes, 'Toward a Science of Mental Health' (n 1) 48.

⁷⁹⁸ World Health Organization (n 320).

⁷⁹⁹ See, eg, the Australian Institute of Health and Welfare state: ‘Throughout this web report, the terms ‘mental illness’ and ‘mental disorder’ are both used to describe a wide range of mental health and behavioural disorders, which can vary in both severity and duration’ in ‘Australia’s Mental Health System’, *Mental Health* (Webpage, 2024) <<https://www.aihw.gov.au/mental-health/overview/australias-mental-health-services>>. The Productivity Commission Inquiry Report on Mental Health refers to Australia’s mental health system, and then the report only references mental ill-health, mental illness, adverse effects to mental health, and focusing reforms on prevention of mental illness, Australian Government Productivity Commission, ‘Mental Health’ (Inquiry Report No 95, Productivity Commission, 30 June 2020) 4 <<https://www.pc.gov.au/inquiries/completed/mental-health/report/mental-health-volume1.pdf>>.

⁸⁰⁰ ‘Standard Mental Health First Aid’, *Mental Health First Aid Australia* (Webpage, 2024)

<<https://www.mhfa.com.au/our-courses/adults-supporting-adults/standard-mental-health-first-aid/>>.

⁸⁰¹ World Health Organization (n 320).

⁸⁰² Corey Keyes, ‘Mental Health as a Complete State: How the Salutogenic Perspective Completes the Picture’ in Georg F Bauer and Oliver Hämmig (eds), *Bridging Occupational, Organizational and Public Health: A Transdisciplinary Approach* (Springer, 2014) 179, 180.

research to date on hope theory and law student wellbeing and the gap in the literature that this thesis will address. While levels of student hope have been theorised as useful indicators of wellbeing, and hope theory has been used as a theoretical framework in the design of law school curriculum, this thesis is the first study to report on law student's levels of hope in Australia and consider the use of hope as a wellbeing measure in a dual continua wellbeing model. Part I of this chapter introduces the Complete State Model of Mental Health.⁸⁰³ Part II introduces a new and original Hope/DASS Four-Quadrant model that can be used to interpret the results of studies utilising the AHS and DASS measures of wellbeing and illbeing. In Part III, the characteristics of individuals who fall across different categories of hopeful thinking are examined, and the application of hope profile results in the Hope/DASS Four-Quadrant Model is explored. This proposed model will be used in the analysis of the results of this thesis, set out in Chapter 9. Suggestions for future applications of the model will be shared in Chapter 10. Strategies for building hope are outlined in Part IV. Part V details how the model can propose movements to "spiral up" students from states of complete mental illness, to incomplete mental health, to complete mental health.

I The Complete State of Mental Health Paradigm

In 2002, in the early days of the development of the field of positive psychology, Corey Keyes (American Professor of Sociology and psychologist) and Shane Lopez suggested a paradigm for how social scientists could diagnose and study mental health.⁸⁰⁴ The Complete State Model (CSM) of Mental Health draws on a contemporary approach to viewing and measuring 'health.' Keyes reflected on three key conceptions of health (which have changed overtime), the first being the pathogenic approach, the second being the salutogenic approach, and the third being the complete state model.⁸⁰⁵ In describing the three conceptions of health Keyes states,

The pathogenic approach views health as the absence of disability, disease, and premature death. The salutogenic approach views health as the presence of positive states of human capacities and functioning in cognition, affect, and behavior. The third approach is the complete state model, which derives from the ancient word for health as being hale, meaning whole. This approach is exemplified in the World Health Organization's definition of health as a complete state, consisting

⁸⁰³ Keyes and Michalec (n 63); Keyes (n 63).

⁸⁰⁴ Keyes, 'Toward a Science of Mental Health' (n 1).

⁸⁰⁵ Keyes (n 432).

of the presence of positive states of human capacities and functioning as well as the absence of disease or infirmity.⁸⁰⁶

Keyes offers a definition of mental health that includes the “complete state” where individuals enjoy freedom from mental disorders and experience *flourishing*.⁸⁰⁷ The term flourishing in the CSM refers to a state of optimal psychological functioning, and used in this context, it is more narrowly defined than *eudaimonia* or an element within a broader definition of wellbeing.⁸⁰⁸ The CSM recognises that mental health is more than simply the reduction or absence of mental illness.⁸⁰⁹ Empirical findings support this theory, with factor analysis showing relative independence between mental health and mental illness.⁸¹⁰ The CSM measures mental health on two continua, ‘one continuum indicating the presence and absence of positive mental health, the other indicating the presence and absence of mental illness symptoms.’⁸¹¹ Other studies have explored dual-continua measures of mental health, and the literature indicates strong support for dual-continua analysis compared to single dimension analysis of positive mental health or mental illness.⁸¹² Support for the dual-continua model analysis of mental health findings have also been tested across multiple cultural populations, lending support to the model’s applicability across cultures.⁸¹³

⁸⁰⁶ Keyes, 'Mental Health as a Complete State: How the Salutogenic Perspective Completes the Picture' (n 802) 179.

⁸⁰⁷ Keyes (n 2).

⁸⁰⁸ Keyes and Martin (n 63).

⁸⁰⁹ Keyes, 'Mental Health as a Complete State: How the Salutogenic Perspective Completes the Picture' (n 802).

⁸¹⁰ Helene Provencher and Corey Keyes, 'Complete Mental Health Recovery: Bridging Mental Illness with Positive Mental Health' (2011) 10(1) *Journal of Public Mental Health* 57, 60; Keyes (n 2); Keyes and Lopez (n 1).

⁸¹¹ Keyes, 'Mental Health as a Complete State: How the Salutogenic Perspective Completes the Picture' (n 802) 282.

⁸¹² Various names are used in research to refer to dual-continuum model including dual-continua, dual-factor model, two factor, two-continua, the CMS, and complete mental health: Matthew Iasiello, Joep Van Agteren and Eimear Muir Cochrane, 'Mental Health and/or Mental Illness: A Scoping Review of the Evidence and Implications of the Dual-Continua Model of Mental Health' (2020) 1 *Evidence Base* 1. See eg, Peter Greenspoon and Donald Saklofske, 'Toward an Integration of Subjective Well-Being and Psychopathology' (2001) 54(1) *Social Indicators Research* 81; Kinderman et al (n 746); Katinka Franken et al, 'Validation of the Mental Health Continuum-Short Form and the Dual Continua Model of Well-Being and Psychopathology in an Adult Mental Health Setting' (2018) 74(12) *Journal of Clinical Psychology* 2187.

⁸¹³ See eg, Giovanna Petrillo et al, 'The Mental Health Continuum–Short Form (MHC–SF) as a Measure of Well-Being in the Italian Context' (2015) 121(1) *Social Indicators Research* 291; Corey Keyes et al, 'Evaluation of the Mental Health Continuum–Short Form (MHC–SF) in Setswana-Speaking South Africans' (2008) 15(3) *Clinical Psychology & Psychotherapy* 181; María Laura Lupano Perugini et al, 'The Mental Health Continuum–Short Form (MHC–SF) in the Argentinean Context: Confirmatory Factor Analysis and Measurement Invariance' (2017) 13(1) *Europe's Journal of Psychology* 93; José Piqueras et al, 'Validation of the Mental Health Continuum-Short Form (MHC-SF) for Multidimensional Assessment of Subjective Well-Being in Spanish Adolescents' (2022) 34(2) *Psicothema* 332; Carla Fonte et al, 'The Portuguese Adaptation of the Mental Health Continuum-Short Form for Adult Population' (2020) 56(2) *Community Mental Health Journal* 368; Guadalupe Echeverría Errázuriz et al, 'Validation of a Spanish Version of the Mental Health Continuum-Short Form Questionnaire' (2017) 29(1) *Psicothema* 96; Melinda Reinhardt et al, 'Well-Being Profiles in Adolescence: Psychometric Properties and Latent Profile Analysis of the Mental Health Continuum Model—A Methodological Study' (2020) 18 *Health and Quality of Life Outcomes* 1.

However, Kiknadze and Fowers caution that many psychological wellbeing and illbeing measures replicated in studies across different cultural populations perpetuate Western normative ethnocentric assumptions.⁸¹⁴ Kiknadze and Fowers suggest that flourishing can be conceived in varying ways.⁸¹⁵ To fully examine the construct across different cultures requires an 'ongoing, dialectic process of cross-cultural communication rather than a mere linguistic translation.'⁸¹⁶

A common criticism of psychological assessment methodologies is that they are largely tested and validated on university student populations in the USA, and simply translated from English into other languages.⁸¹⁷ This point was highlighted in Chapter 3, and also raised by Kiknadze and Fowers.⁸¹⁸ Taking these criticisms on board, the CSM may not truly reflect a universal perspective on mental health.⁸¹⁹ However, for the law student population at JCU (that represents a Western, educated, industrialised, rich, and democratic (WEIRD) population sample) the CSM is culturally and epistemologically appropriate. The discussion below draws largely on the CSM work of Keyes, as a founder of the dual-continuum model in positive psychology. To further test the CSM paradigm, this thesis will report on the results of a mental illbeing measure, the DASS21 (pathogenic approach: Chapter 7), a positive mental health and wellbeing measure, the AHS (salutogenic approach: Chapter 8), and compare the results to analysis through an original model adopting the CSM paradigm, the Hope/DASS Four-Quadrant Model (Chapter 9), which is discussed further below. It is hypothesised that the Hope/DASS Four-Quadrant Model will provide greater information and a more complete approach to measuring law student wellbeing, thus answering the first research question of this thesis: (RQ1) What are the advantages of measuring mental health across two continua using the psychological constructs of Hope and DASS?

Linking back to Seligman's comments that wellbeing and illbeing are not opposites but rather reside along the same continuum (Chapter 3: *Positive Psychology and Subjective Wellbeing*, II The Waves of Positive Psychology), the CSM operates on the premise that the absence of mental illness does not equal the presence of mental health.⁸²⁰ Keyes has confirmed through his research that, 'mental health and mental illness are not opposite ends of a single continuum; rather, they constitute distinct but correlated axes that

⁸¹⁴ Kiknadze and Fowers (n 465) 2225.

⁸¹⁵ Ibid.

⁸¹⁶ Kiknadze and Fowers (n 465) 2225.

⁸¹⁷ Flores and Lee (n 462); Kiknadze and Fowers (n 465); Lopez et al (n 27).

⁸¹⁸ Kiknadze and Fowers (n 465).

⁸¹⁹ Blaine Fowers et al, 'Questioning Contemporary Universalist Approaches to Human Flourishing' (2023) 27(2) *Review of General Psychology* 121.

⁸²⁰ Seligman (n 299).

suggest that mental health should be viewed as a complete state.⁸²¹ This has been confirmed across numerous studies that consistently find that positive mental health and mental illness are distinct but related constructs.⁸²² Therefore, complete mental health can be defined as the absence of mental illness *and* the presence of high levels of wellbeing.⁸²³ Keyes and Lopez initially depicted the two dimensions of positive mental health and mental illness as resulting in either a complete state or an incomplete state.⁸²⁴ As shown in Figure 4, a complete state of mental health is a state where an individual experiences high mental health (subjective wellbeing) and low mental illness symptoms, described by Keyes as a state of *flourishing*.⁸²⁵ Conversely, a complete state of mental illness, or *floundering*, is depicted where an individual experiences high mental illness symptoms and low levels of mental health (low subjective wellbeing). The incomplete states are depicted when an individual experiences both high subjective wellbeing and high mental illness symptoms (incomplete mental illness, described as *struggling*), or low subjective wellbeing and low mental illness symptoms (incomplete mental health, described as *languishing*).

⁸²¹ Keyes (n 2) 546; Keyes (n 63) 209.

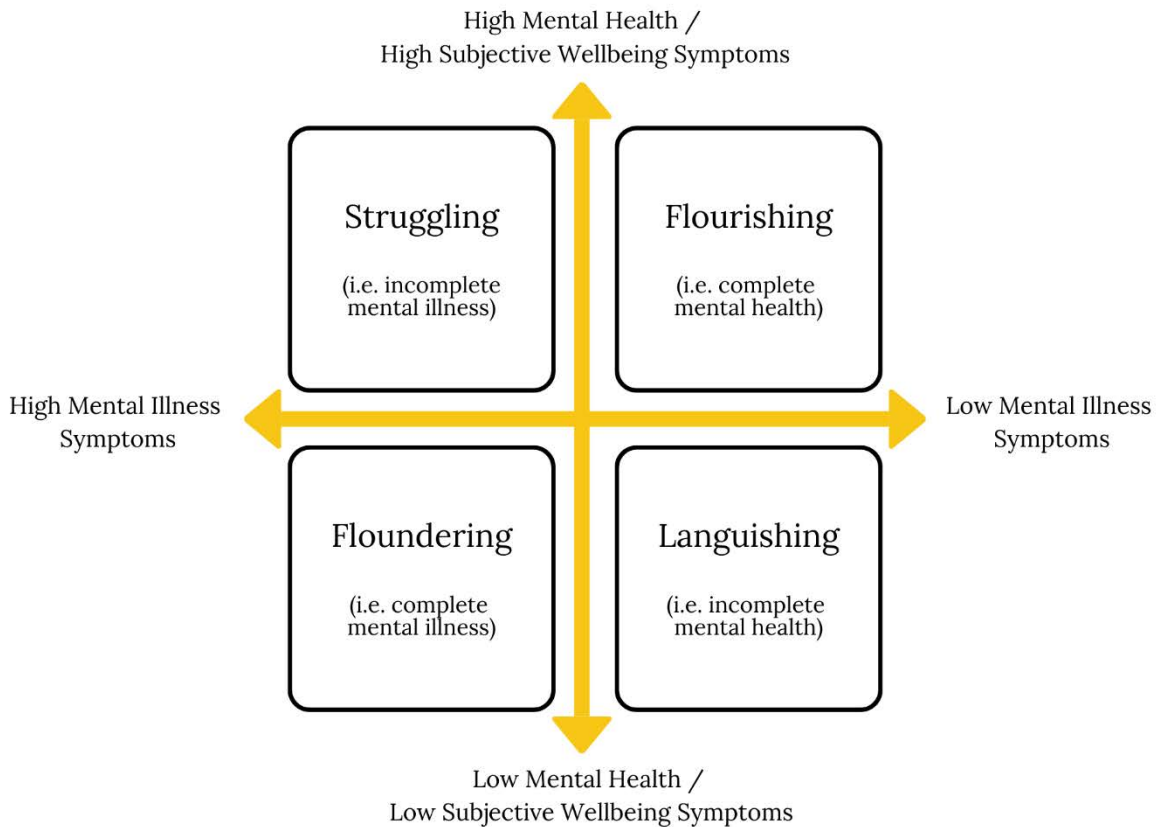
⁸²² See, eg, Iasiello, Van Agteren and Muir Cochrane (n 812) 8.

⁸²³ Keyes, 'Toward a Science of Mental Health' (n 1) 48.

⁸²⁴ Keyes and Lopez (n 1).

⁸²⁵ Keyes, 'Mental Health as a Complete State: How the Salutogenic Perspective Completes the Picture' (n 802).

Figure 4: Model of Complete Mental Health⁸²⁶



Keyes defines flourishing in life as synonymous with high levels of wellbeing, and suggests that individuals who are flourishing will be filled with positive emotions, experience high psychological functioning, and high social functioning.⁸²⁷ Flourishing is represented as a state of *optimal functioning*.⁸²⁸ A key finding from the CSM model is that the absence of mental illness does not imply the presence of positive mental health.⁸²⁹ As such, an individual may not experience mental illness, but that individual may also have low levels of wellbeing. This is reflected in Figure 4 as a state of languishing. According to Keyes, an individual can be devoid of a sense of purpose in life, and yet not experience depression or anxiety symptoms.⁸³⁰ Low levels of subjective wellbeing could be indicative of low hope, as discussed further below. The model also shows that the presence of mental illness does not imply the absence of positive mental health. Therefore, the CSM depicts a state where individuals may experience moderate or high levels of wellbeing

⁸²⁶ Adapted figure from the following publications: Ibid 182; Keyes and Lopez (n 1) 53.

⁸²⁷ Keyes (n 63) 210.

⁸²⁸ Ibid.

⁸²⁹ Keyes (n 2) 546.

⁸³⁰ Keyes (n 63).

in addition to experiencing symptoms of mental illness.⁸³¹ Herron and Trent have suggested that this is a key product of the dual-continua model, namely that it 'allows an individual to be mentally healthy and mentally ill at the same time.'⁸³² Accordingly, an individual may experience psychological distress symptoms and yet still experience moderate or high levels of wellbeing and be able to engage in healthy psychological functioning, albeit in a state of *struggling*, as depicted in Figure 4.

Research indicates that individuals who achieve a state of flourishing tend to function significantly better than those with moderate or incomplete mental health, who in turn function better than those who are floundering in a state of complete mental illness.⁸³³ This gradation in mental health conditions underscores the broad spectrum of benefits for individuals, organisations, and societies that arise from achieving and maintaining complete mental health. In empirical research that categorises individuals using the CSM and investigating wellbeing experiences, the findings consistently show that individuals who are *not* classified as flourishing (*non-flourishers*) tend to experience poorer outcomes across various aspects of their lives.⁸³⁴ Non-flourishers generally have worse physical health, require greater use of health care services, miss more days of work, and face more challenges in their psychosocial functioning.⁸³⁵ These empirical results highlight the significant impact that flourishing, or the lack thereof, can have on multiple dimensions of a person's life. Therefore, focusing on healthy functioning, which may require a shift in priorities and conscious engagement in thinking and behaviour, can improve mental health.⁸³⁶

Keyes and Lopez suggest that the ability to categorise individuals into the different mental health states may be useful in identifying and providing individuals with more effective mental illness prevention and treatment plans, such as support in developing flourishing practices.⁸³⁷ In particular, Keyes and Lopez suggest that individuals who are categorised as languishing (incomplete mental health) are at risk of spiralling down the mental illness continuum into a state of complete mental illness.⁸³⁸ Languishing

⁸³¹ Keyes and Lopez (n 1) 50.

⁸³² Sandy Herron and Dennis Trent, 'Mental Health: A Secondary Concept to Mental Illness' (2000) 2(2) *Journal of Public Mental Health* 29, 3; Iasiello, Van Agteren and Muir Cochrane (n 812).

⁸³³ See, eg, Keyes (n 2) 546; Matthew Iasiello et al, 'Positive Mental Health as a Predictor of Recovery from Mental Illness' (2019) 251 *Journal of Affective Disorders* 227; Jeffrey and Mehari (n 294); Belen, Yildirim and Belen (n 502); Vetter, Vetter and Fowler (n 654); Venning (n 74); Siamak Khodarahimi, 'Hope and Flourishing in an Iranian Adults Sample: Their Contributions to the Positive and Negative Emotions' (2013) 8(3) *Applied Research in Quality of Life* 361; Ouweneel, Le Blanc and Schaufeli (n 671).

⁸³⁴ Keyes (n 432).

⁸³⁵ Keyes and Michalec (n 63) 130; Keyes (n 2) 546; Iasiello et al (n 833).

⁸³⁶ Corey Keyes, *Languishing: How to Feel Alive Again in a World That Wears Us Down* (Torva, 2024) XV.

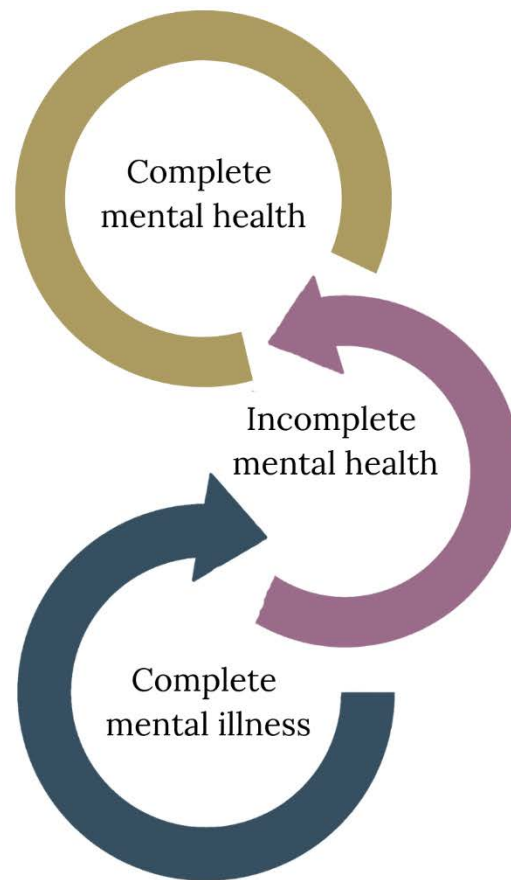
⁸³⁷ Keyes and Lopez (n 1) 50.

⁸³⁸ *Ibid.*

therefore, is an important state in which to provide support and treatments/practices to elevate wellbeing and prevent spiralling into depression or high levels of mental illness. This is a useful consideration for law schools in the classification of law students' state of wellbeing and development of appropriate responses, as it can help guide when, and how, group or individualised interventions are offered.

It is important to recognise that individuals may cyclically move through different stages of mental health and illness over time. For those in a state of complete mental illness, the goal should be to first attain a state of incomplete mental health – either by reducing mental illness symptoms, or increasing subjective wellbeing symptoms. This could be described as moving into a state of *healthy psychological functioning*. Individuals can then aspire to reach a state of complete mental health, which is *optimal psychological functioning*. This upward progression, which in the context of a cycle can be referred to as “spiralling up”, highlights the dynamic and evolving nature of mental health and the need for ongoing attention and action to first achieve, and then maintain, complete mental health (Figure 5).

Figure 5: Mental Health Cycle



A. Criteria for Measuring Mental Health

Research on mental health often considers the development of criteria for diagnosing states of positive mental health. For example, Keyes' scholarship on positive mental health and the CSM includes factors and dimensions (Keyes also refers to them as 'symptoms'), to categorise mental health as flourishing or non-flourishing (see Table 1).⁸³⁹ According to Keyes, in order to be categorised as 'flourishing in life' individuals must state that they experience at least one symptom of hedonic wellbeing (dimensions 1- 2) every day or almost every day, and state they experience high levels (every day or almost every day) on six or more of the measures of positive functioning (dimensions 3-13).⁸⁴⁰ Keyes suggests that individuals who experience low levels of symptoms (never or only one or twice in a two-week period) on at least one of

⁸³⁹ Provencher and Keyes (n 810) 59; Keyes (n 2).

⁸⁴⁰ Provencher and Keyes (n 810) 59; Keyes (n 2) 541.

the hedonic wellbeing dimensions and low levels on six or more measures of positive functioning, would be categorised as languishing or floundering in life.⁸⁴¹

Table 1: Dimensions Reflecting Mental Health as Flourishing: The Mental Health Continuum⁸⁴²

Factor	Dimensions
Hedonia (i.e. emotional wellbeing)	1. Positive affect: cheerful, interested in life, in good spirits, happy, calm and peaceful, full of life
	2. Avowed quality of life: mostly or highly satisfied with life overall or in domains of life
Positive psychological functioning (i.e. psychological wellbeing)	3. Self-acceptance: holds positive attitudes toward self, acknowledges, likes most parts of personality
	4. Personal growth: seeks challenges, has insight into own potential, feels a sense of continued development
	5. Purpose in life: finds own life has a direction and meaning
	6. Environmental mastery: exercises ability to select, manage, and mould personal environs to suit needs
	7. Autonomy: is guided by own, socially accepted, internal standards and values
	8. Positive relations with others: has, or can form, warm, trusting personal relationships
Positive social functioning (i.e. social wellbeing)	9. Social acceptance: holds positive attitudes toward, acknowledges, and is accepting of human differences
	10. Social actualization: believes people, groups, and society have potential and can evolve or grow positively
	11. Social contribution: sees own daily activities as useful to and valued by society and others
	12. Social coherence: interest in society and social life, and finds them meaningful and somewhat intelligible
	13. Social integration: a sense of belonging to, and comfort and support from, a community

The criteria for the measurement of mental health could include a range of other reliable and validated survey instruments. In a 2020 scoping review of the dual-continua model (another term for the CSM),⁸⁴³ the most common measures of positive mental health or flourishing were the Satisfaction with Life Scale⁸⁴⁴

⁸⁴¹ Provencher and Keyes (n 810) 59; Keyes (n 2) 541.

⁸⁴² Provencher and Keyes (n 810) 59; Keyes (n 2) 541; Keyes and Michalec (n 63) 127.

⁸⁴³ Iasiello, Van Agteren and Muir Cochrane (n 812).

⁸⁴⁴ Diener et al (n 338); William Pavot and Ed Diener, 'Review of the Satisfaction with Life Scale' (1993) 5(2) *Psychological Assessment* 164.

and the Mental Health Continuum.⁸⁴⁵ Seven other measurement tools for positive mental health were also used across numerous studies.⁸⁴⁶ Survey instruments such as the Global Assessment of Functioning,⁸⁴⁷ and the Outcome Questionnaire,⁸⁴⁸ have also been used in clinical and research settings.⁸⁴⁹ The most common measures for symptoms of mental illness of studies in the scoping review were the Centre for Epidemiologic Studies Depression Scale and the DASS21 scale.⁸⁵⁰ Alternative scales, using lists of symptoms, checklists and interviews have also been used as diagnostic tools across multiple studies.⁸⁵¹

As stated in Chapter 4: *Hope and Psychological Distress*, Gwinn and Hellman are adamant that hope is the single best predictor of wellbeing, and state that the research is clear that hope is the greatest predictor of long-term success in life.⁸⁵² Hope research has empirically shown hopeful thinking to be a psychological strength that is associated with increased positive mental health and better academic outcomes.⁸⁵³ Therefore, high hope thinking is essential to truly flourishing. Based on the contemporary hope scholarship and hypothesis by Field and Duffy of hope as a predictor of law student academic success in Australia (as discussed in Chapter 1), this thesis considers the specific measure of hope as an indicator for subjective wellbeing and positive functioning in law students at an Australian university. This thesis has used the CSM paradigm in the development of an original Hope/DASS Four-Quadrant Model (described below). The next section of this chapter will consider how hope and DASS could be used as continua for a measure of law student psychological wellbeing.

⁸⁴⁵ Keyes (n 63); Sanne Lamers et al, 'Evaluating the Psychometric Properties of the Mental Health Continuum-Short Form (MHC-SF)' (2011) 67(1) *Journal of Clinical Psychology* 99.

⁸⁴⁶ These included the Positive and Negative Affect Schedule for Adults or Children; Psychological Wellbeing Scale; Student's Life Satisfaction Scale; Bradburn's Affect Balance Scale; Social Wellbeing Scale; the full or brief Multidimensional Student's Life Satisfaction Scale; and, the Positive Mental Health Scale. Iasiello, Van Agteren and Muir Cochrane (n 812) 5.

⁸⁴⁷ Richard Hall, 'Global Assessment of Functioning: A Modified Scale' (1995) 36(3) *Psychosomatics* 267.

⁸⁴⁸ Michael Lambert, Ann Gregersen and Gary Burlingame, 'The Outcome Questionnaire-45' in Mark Maruish (ed), *The Use of Psychological Testing for Treatment Planning and Outcomes Assessment: Instruments for Adults* (Lawrence Erlbaum Associates Publishers, 3rd ed, 2004) 191.

⁸⁴⁹ Magyar-Moe (n 654).

⁸⁵⁰ Lovibond and Lovibond (n 58).

⁸⁵¹ The scales included the Patient Health Questionnaire; Generalized Anxiety Disorder Scale; and, Beck Depression Inventory. Iasiello, Van Agteren and Muir Cochrane (n 812) 5.

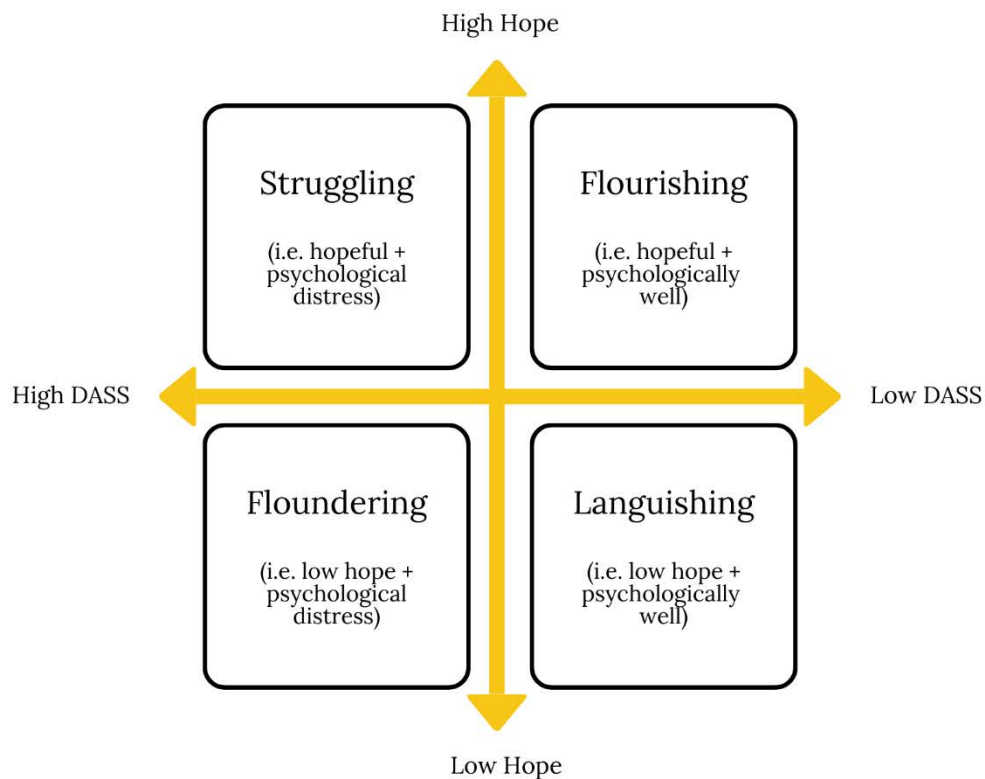
⁸⁵² Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292) 18.

⁸⁵³ For a review of the literature refer to Chapter 4: Part II. F. Hope and Academic Success.

II Hope/DASS Four-Quadrant Model

Hope theory and measures of depression, anxiety, and stress have been used as separate measures for psychological wellbeing and illbeing across numerous studies with university student populations.⁸⁵⁴ To date, no law student wellbeing study in Australia has used the AHS and DASS measures as indicators of positive mental health and mental illness in a CSM paradigm. Using the terms from the CSM (flourishing, struggling, languishing, and floundering) and inputting hope theory and DASS as mental health and mental illness measures, a model reflecting dual continua for Hope/DASS is shown in Figure 6. The Hope/DASS Four-Quadrant Model is a new analytical tool that has been proposed by this thesis for the categorisation and analysis of law student wellbeing. This approach represents an original contribution to the law student wellbeing literature.

Figure 6: Hope/DASS Four-Quadrant Model



⁸⁵⁴ For example, Chapter 4: *Hope and Psychological Distress*, specifically Part II. F. Hope and Academic Success; Part II. G. Hope and Depression; Part II. H. Hope and Anxiety; Part II. I. Hope and Stress. See also, Chapter 7: *Reporting on Law Students' Experience of Depression, Anxiety, and Stress*, III Results of the James Cook University Survey, Table 13.

The Hope/DASS Four-Quadrant Model offers a nuanced understanding of the relationship between hope and psychological distress, presenting a new analysis and reporting model for use in future research on law student mental health. In this model, *flourishing* represents the optimal state of functioning, characterised by high levels of hope and low levels of psychological distress. Conversely, the *floundering* quadrant captures those with low levels of hope and high levels of psychological distress. *Languishing* describes a state where individuals experience moderate or low levels of psychological distress, but also low levels of hope. The model also identifies a state of *struggling*, where individuals maintain high levels of hope despite experiencing significant psychological distress, as indicated by levels greater than mild.

As the AHS and DASS measures include subscales, it is proposed that simply mapping the total hope results against total DASS results is not sufficient to achieve an appropriate categorisation. Considering the characteristics of hopeful thinking, including agency and pathway thinking, and the characteristics of depression, anxiety, and stress symptoms (as discussed in Chapter 4: *Hope and Psychological Distress*) the following criteria are proposed to support categorisation across the four-quadrants.

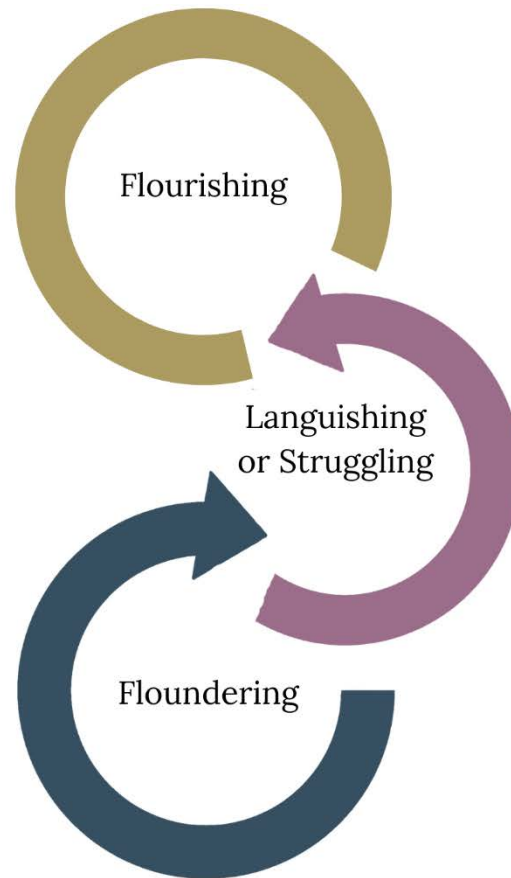
Table 2: Criteria for Hope/DASS Four-Quadrant Model

Categorisation	Criteria	
	DASS	Hope
Flourishing	Normal to mild rating across all three subscales	High agency and high pathway results (TH \geq 47)
Languishing	Normal to moderate rating across all three subscales	High agency / low pathway results OR low agency / high pathway results OR low agency / low pathway results (TH < 47)
Struggling	Greater than mild across one or more subscales	High agency and high pathway results OR High agency / low pathway results OR low agency / high pathway results (TH \geq 47)
Floundering	Greater than moderate across one or more subscales	Low agency and low pathway results OR high agency / low pathway results OR low agency / high pathway results (TH < 47)

As both the AHS and DASS measure subjective experiences, these criteria can be used as a guide rather than determinative cut off points. Therefore, individual input from the survey respondent into the overall mental health categorisation can be taken into consideration. The importance of the categorisation is to assist individuals (and people supporting or advising them) to consider where they are sitting in terms of

experiencing psychological distress and current states of hopeful thinking. If a student is categorised as *non-flourishing*, consideration can be given to what actions, interventions or support could be implemented to “spiral up” to enable students to work towards a state of flourishing, as shown in Figure 7. If an individual is categorised as flourishing, then consideration may be given to what support and resources are required to maintain that condition.

Figure 7: Hope/DASS Four-Quadrant Model Cycle



The research undertaken in this thesis aims to provide information about the functionality of this framework. Future research designs that could utilise this framework to investigate the impact of interventions to promote student flourishing are beyond the scope of this thesis. However, the new model proposed by this thesis could be utilised as a monitoring, evaluation, and reporting tool by all universities for all students (not just law students). It could also be used as a framework to inform tailored wellbeing interventions (as necessitated by plans outlined in many Australian University Student Wellbeing Strategies). This is recommended in Chapter 10: *Conclusion*.

The mapping of individuals' survey results using the Hope/DASS Four-Quadrant Model helps to clarify the diverse experiences of mental health and highlights the importance of fostering hope while addressing psychological distress. This analytical framework underscores that mental health is not simply the absence of distress but also involves the presence of positive, hopeful thinking. Hopeful thinking has been explored across numerous empirical studies as a measure for wellbeing, and also as a framework for interventions to build positive mental health.⁸⁵⁵ The next section of this chapter will further explore the qualities of hopeful thinking and how hope can be taught.

III Hope Profiles

As highlighted in Chapter 4: *Hope and Psychological Distress*, in the discussion on feedback and feed-forward cycles, neither agency thinking nor pathway thinking alone is sufficient to produce high hope.⁸⁵⁶ Snyder states that,

Our research consistently has supported this latter supposition in that persons with willpower [agency] thinking may not have waypower [pathway] thoughts. If the person does not have both the willpower and waypower for goals, there cannot be high hope. Put another way, neither willpower nor waypower alone is sufficient to produce high hope.⁸⁵⁷

Consider, for example, the case of an individual with high agency thinking but low pathway thinking. Such a person may be highly motivated and full of energy to achieve a goal but struggle with identifying the initial steps or formulating a clear strategy to navigate through multiple steps to achieve a desired outcome. This scenario illustrates that high agency thinking alone does not equate to high hope, as the lack of pathway thinking can lead to frustration and stagnation in motivation and goal attainment. Similarly, an individual with low agency thinking and high pathway thinking is not classified as high hope. Such persons may excel in devising detailed and effective plans to reach a goal, but lack the motivation or energy to take the first steps. They may be able to visualise the path to reach a goal, yet feel paralysed to take action to actualise the steps necessary to execute their well thought out plans. Snyder captures this dynamic by noting that all the planning in the world is futile without the “mindful energy” needed to propel one into action.⁸⁵⁸ These examples underscore that both agency thinking and pathway thinking are

⁸⁵⁵ See, eg, John Long, 'Hope, Positive Psychology, and Undergraduate Degree Completion' (Ed.D. Thesis, Indiana Wesleyan University, 2022); Rand et al (n 349); Worgan (n 654); Davidson, Feldman and Margalit (n 677); Feldman and Dreher (n 671).

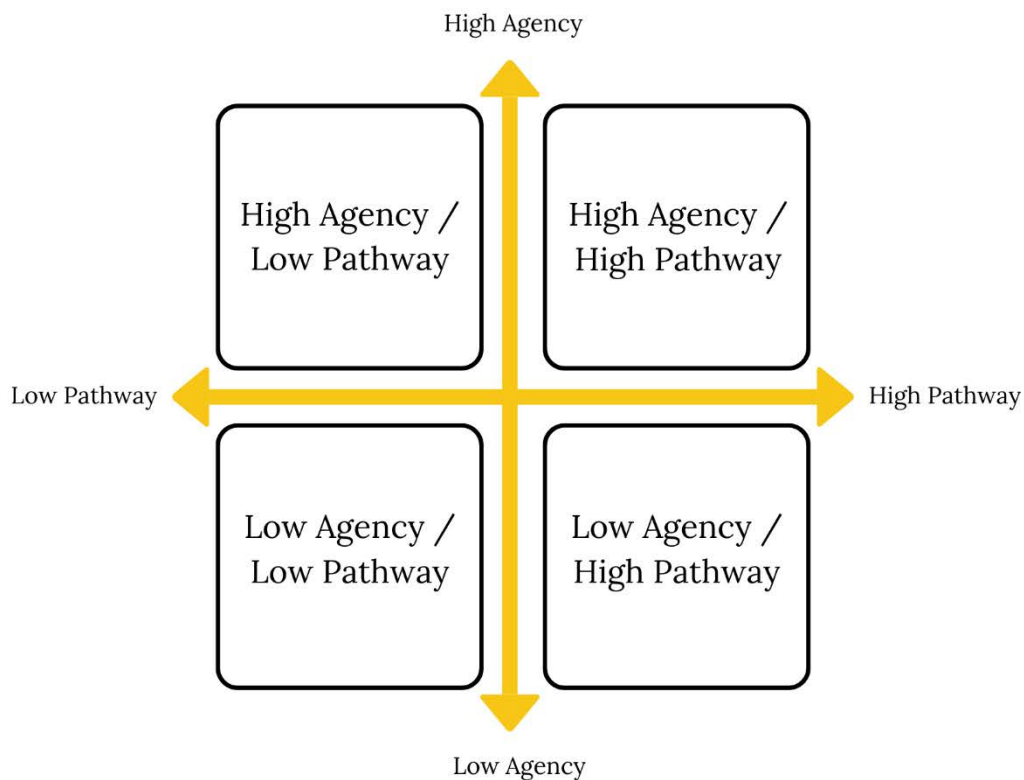
⁸⁵⁶ Snyder (n 22) 10. Snyder et al (n 23).

⁸⁵⁷ Snyder (n 22) 10. Snyder et al (n 23).

⁸⁵⁸ Snyder (n 22) 11.

crucial components of high hope, and effective goal related actions. Based on the suggested criteria in Table 2 for categorisation in the proposed Hope/DASS Four-Quadrant Model, an individual without high hope would not be considered flourishing, and would therefore be categorised in one of the other three quadrants (as non-flourishing). The other hope profiles include high agency and high pathway thinking results (a profile which indicates overall high hope), or low agency and low pathway thinking results (a profile which indicates overall low hope). The most typical hope profile results are where the individual has roughly equal agency and pathway subscale results.⁸⁵⁹ Therefore, high discrepancy in agency and pathway results are not typical. An individual's hope profile can be determined by considering the individual agency and pathway subscale results of the AHS, as shown in Figure 8.

Figure 8: Hope Profiles



Scores on the agency and pathway subscales with an 8-point Likert scale response option can range between 4 and 32. The average or norm result for each subscale is around 24 (averaging 6 on an 8-point

⁸⁵⁹ Ibid.

Likert scale for each question).⁸⁶⁰ Therefore, the hope profile axis “cut off” that distinguishes low from high for each scale is 24. Table 3 shows the subscale result and corresponding indicator.

Table 3: Agency and Pathway Subscale Result Indicators

Scale Result	Scale Result Indicators ⁸⁶¹	Hope Profile Indicators
0 – 19	Low	Low
20 – 23	Somewhat Low	
24 – 27	Moderate	High
28 – 32	High	

There are characteristics that can be associated with individuals falling into each of the hope profile categories. The following discussion outlines what type of thinking could be associated with each profile category.

A. Low Agency / Low Pathway Thinking

Individuals who score low on both subscales of hope — pathways thinking and agency thinking — are considered to have overall low hope. These individuals often struggle to clearly articulate what they want, leading to poorly defined goals or even living without goals.⁸⁶² They may find it difficult to think of ways to reach their goals (low pathways) and lack the belief that they can move forward towards their goals (low agency).⁸⁶³ This lack of agency to pursue goals or sub-goals, coupled with an inability to generate mental imagery or ideas about how to pursue goals, can permeate various aspects of life, including work, personal relationships, recreational activities, and spiritual life.⁸⁶⁴

Such patterns may contribute to a cycle of psychological distress, as there are established links between low hope and increased levels of depression, anxiety, and stress (discussed in Chapter 4).⁸⁶⁵ According to Snyder, negative emotional states, such as depression, can be intensified when individuals do not have

⁸⁶⁰ Ibid.

⁸⁶¹ Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292).

⁸⁶² Snyder (n 22) 31.

⁸⁶³ Jennifer Cheavens and Amber Gum, 'From Here to Where You Want to Be: Building the Bridges with Hope Therapy in a Case of Major Depression' in George Burns (ed), *Happiness, Healing, Enhancement: Your Casebook Collection for Applying Positive Psychology in Therapy* (John Wiley & Sons Inc, 2010) 51.

⁸⁶⁴ Lopez (n 546).

⁸⁶⁵ Gallagher and Lopez, *The Oxford Handbook of Hope* (n 22).

clearly defined goals.⁸⁶⁶ Additionally, low hope individuals may experience negative emotions during goal setting and implementation. For law students this could manifest as feeling burdened with self-critical thoughts and negative self-talk, hindering their ability to pursue goals effectively. Instead of viewing obstacles as opportunities for growth or as signals to pivot or re-adjust pathways (such as assessment or exam preparation, competition with peers, participating in extra-curricular activities for skill development, such as mooting or negotiation competitions), low hope individuals are more likely to become stressed and abandon their goal pursuit efforts.

B. High Agency / Low Pathway

Individuals in this hope profile exhibit a mix of high agency thinking and low pathways thinking. This combination suggests that while they have an energetic mindset and believe in their ability to pursue set goals, they struggle to conceptualise the steps needed to achieve those goals.⁸⁶⁷ Individuals may identify as being a “go-getter” and be enthusiastic about big ideas, yet struggle with planning and taking action. As a result, they may feel partially stuck in their goal pursuits, particularly when faced with barriers or challenges that they cannot easily solve.⁸⁶⁸ Lack of pathway thinking may manifest as expressions of anger and frustration. According to Snyder, individuals experiencing low pathways thinking over extended periods are likely to lose their sense of willpower and agency.⁸⁶⁹ This is because ‘hopeful thinking can be drained over time when people are blocked repeatedly from their goals.’⁸⁷⁰ This hope profile in law students could present as highly motivated students at the beginning of the year who slowly stop going to class and tutorials, or who perhaps skip or stop handing in assignments as the semester goes on. Students in this hope profile might have great intentions to study for their exams, however they feel paralysed about starting, thereby “putting off” studying for their exams until the last minute, resulting in higher levels of stress and poorer academic outcomes than they wanted to achieve. Empirical research supports the notion that agency thinking — belief in one's ability to act effectively toward a goal — plays a more critical role in mental health outcomes than pathways thinking.⁸⁷¹ For instance, Feldman et al found that college students' goal attainment was more strongly associated with agency thinking than with envisioning

⁸⁶⁶ Snyder (n 22) 33; Charles Snyder, 'Hope and Depression: A Light in the Darkness' (2004) 23(3) *Journal of Social and Clinical Psychology* 347.

⁸⁶⁷ Snyder (n 22) 34.

⁸⁶⁸ Lopez (n 546).

⁸⁶⁹ Snyder (n 22) 36.

⁸⁷⁰ *Ibid* 37.

⁸⁷¹ Crane (n 592) 20.

specific paths to success.⁸⁷² Therefore, individuals who have a high agency / low pathway profile may be more likely to achieve their goals than individuals with a low agency / high pathway profile.

C. Low Agency / High Pathway

Individuals exhibiting high pathway but low agency thinking may experience a sense of being partially stuck in their pursuit of goals, albeit for different reasons than those with a high agency / low pathway profile. High pathway thinking indicates an ability to generate numerous plans and strategies for achieving multiple goals. However, low agency thinking reflects a lack of motivation and reduced confidence in actualising these plans.⁸⁷³ Individuals in this hope profile may experience difficulty starting projects and a lack of perseverance in completing them or maintaining progress towards goal attainment.⁸⁷⁴ Individuals in this profile may find themselves going through the motions with little enthusiasm or energy, which can make daily tasks feel burdensome and unfulfilling.⁸⁷⁵ Goal pursuit becomes a continuous struggle, as they lack the mental energy necessary to execute their plans effectively. Despite having a history of successful goal pursuits, they may demonstrate a lack of willpower, which further complicates their ability to follow through with current objectives. Moreover, the thought of pursuing goals can feel overwhelming, leading to “paralysis by analysis” where clear goals are present but action-oriented thoughts are absent. This can result in a state of inaction, where individuals know what they want to achieve, but are unable to take the first steps towards their goals.

For law students, this hope profile could manifest as feelings of initial energy to start a project, then not feeling the motivation to see it through to completion. Some students might be able to map out a plan for how they will manage their study load, and have great intentions for balancing competing academic priorities throughout the semester. However, ultimately, they fail to follow the plans they set for themselves. This can be particularly frustrating and disheartening, reinforcing a cycle of defeat and diminishing self-efficacy overtime. Additionally, these individuals may experience the onset of burnout, characterised by chronic fatigue and an inability to execute their plans despite knowing they are capable of doing so.⁸⁷⁶ Burnout (as discussed in Chapter 4) further exacerbates a lack of willpower and mental energy, creating a vicious cycle resulting in a downward spiral (as visually represented in Figure 3 above),

⁸⁷² Feldman, Rand and Kahle-Wroblewski (n 589).

⁸⁷³ Snyder (n 22) 37.

⁸⁷⁴ Ibid.

⁸⁷⁵ Lopez (n 546).

⁸⁷⁶ Snyder (n 22) 141. Rosales-Ricardo et al (n 777); Madigan and Curran (n 778).

that is difficult to break. According to Snyder, willpower depletion is a common symptom of burnout, and prolonged periods of low mental energy are linked to depression.⁸⁷⁷

D. High Agency / High Pathway

Individuals in this profile who experience high agency and high pathway thinking may feel high energy and have a proactive mindset in their goal pursuits.⁸⁷⁸ High hope individuals are likely to keep their goals in mind, generate ideas, develop cognitive pathways, and devise multiple strategies to pursue their goals.⁸⁷⁹ This might include taking calculated risks to obtain their goals. According to Snyder, Cheavens, and Sympson, high hope individuals do not invest all their energies in just one goal.⁸⁸⁰ Instead, they can shift their attention from one goal to another, which proves especially advantageous when an initial goal is blocked. This mental flexibility allows them to "let go" of unproductive strategies, anticipate and plan for potential challenges, and shift between ideas and pathways in pursuit of clear overarching goals.⁸⁸¹ This adaptability is a key component of their mental resilience. High hope law students, may exhibit characteristics that significantly enhance their ability to pursue and achieve their goals such as mental flexibility, innovative thinking, dynamic problem-solving, determination and focus, advanced problem-solving skills, and proactive planning. Their high sense of agency thinking assists in persisting and remaining motivated in goal pursuit (such as pursuing individual subject success and overall law degree course completion success), and pathway thinking assists in adapting to changing circumstances, overcoming obstacles, and using creativity and resilience in goal pursuits. High hope characteristics are useful not just for academic pursuits, but also for non-academic pursuits, and in preparing law students for the workplace.

The scores on the agency and pathway subscale as well as the descriptive indicators of personal characteristics for each profile can assist individuals (and people supporting and advising them) to become aware of where they sit in terms of a hope profile and, importantly, to consider if any movement or maintenance is useful at a particular time. Figure 9 shows how the hope profiles can further be depicted as high hope, incomplete hope, and low hope categorisation.

⁸⁷⁷ Snyder (n 22).

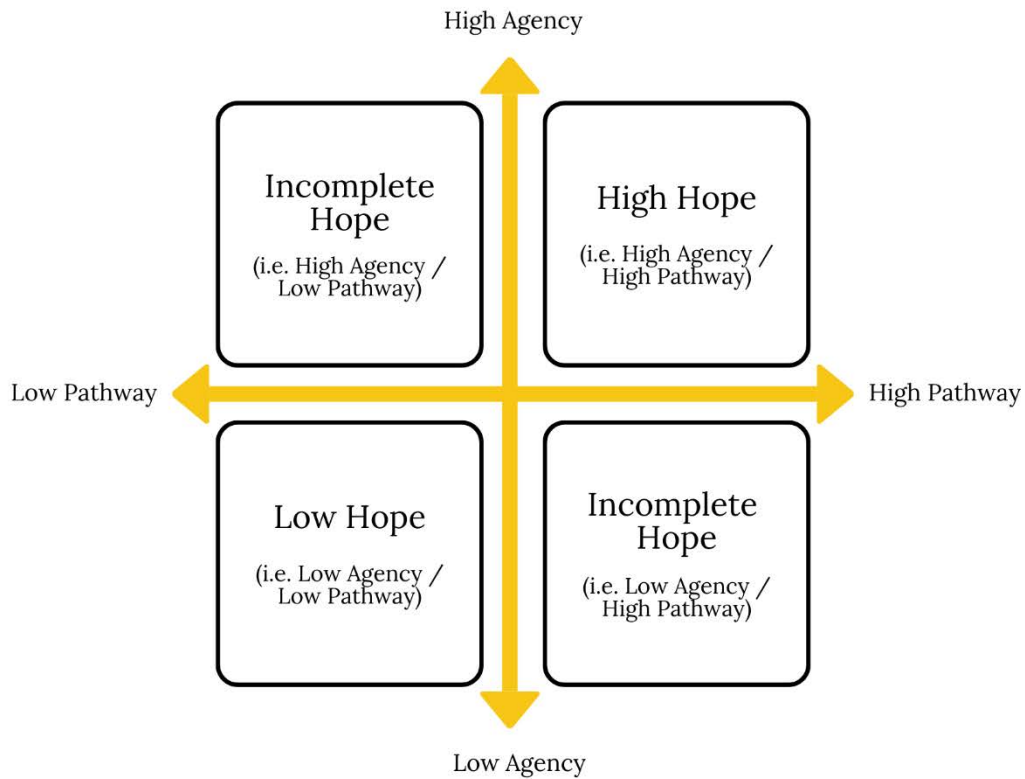
⁸⁷⁸ Ibid 40.

⁸⁷⁹ Ibid 43.

⁸⁸⁰ Snyder, Cheavens and Sympson (n 574) 110.

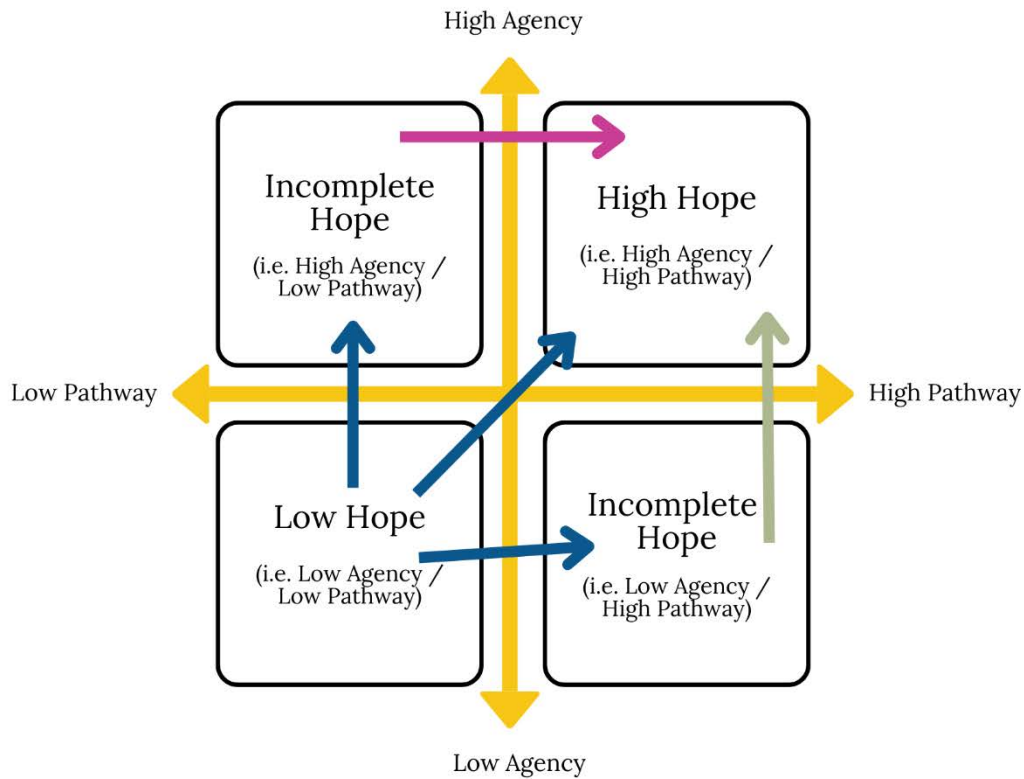
⁸⁸¹ Kashdan and Rottenberg (n 616).

Figure 9: High, Incomplete, and Low Hope Categorisation



The awareness of one's hope profile might be enough for an individual to determine if resources or support would be useful in spiralling up their functioning to more healthy psychological functioning, and ultimately to optimal psychological functioning (flourishing). An individual who is categorised in an 'incomplete hope' profile might choose to focus on actions, support, and resources that can assist them to move to a high hope profile, as indicated by the pink and green arrows in Figure 10.

Figure 10: Hope Profile Movements



An individual who is categorised as low hope might choose to focus on actions to increase a certain aspect of thinking – either agency, pathway or both – and aim for a movement to incomplete or high hope, as indicated by the blue arrows in Figure 10. Planning for movement across hope profiles requires targeted interventions or changes in personal practices to boost agency thinking and motivation, and helping individuals to translate their plans into actionable steps.⁸⁸² Understanding and mitigating factors that lead to a decrease in agency and/or pathway thinking are crucial for developing personal, professional, and institutional support mechanisms to counter any downward mental health spiral effects. Ultimately any movement across hope profiles as indicated by arrows in Figure 10 is positive for individual wellbeing. Movement is achievable because hopeful thinking can be taught.

⁸⁸² Keyes, *Languishing: How to Feel Alive Again in a World That Wears Us Down* (n 836) 82.

IV Hope Can Be Taught

A fundamental tenet of hope theory is that hopeful thinking constitutes a distinct mindset.⁸⁸³ This mindset is revealed through the self-talk individuals engage in, both internally and when describing events and emotions to others. According to Snyder, 'our basic intelligence and physical capabilities have been set by genetics, but we can do things throughout our lives to enhance our hope if we choose to do so.'⁸⁸⁴ This suggests that hope is more than an innate trait; it is a learned way of thinking about oneself and one's abilities in relation to goal pursuits.⁸⁸⁵ Hope is an adaptive cognitive process that individuals can cultivate over time.⁸⁸⁶ This process is influenced by both naturally occurring and human-engineered events, which can elevate or diminish an individual's level of hope. Snyder notes, 'The key thing to remember here is that hope is a relatively enduring mindset established in most people by age 20.'⁸⁸⁷ Therefore, young students at university are most malleable in being able to learn and adapt to hopeful thinking practices.

Learning about hope can raise the individuals' consciousness and awareness about their thinking patterns, although it does not automatically lead to the development of greater hopeful thinking.⁸⁸⁸ Gwinn and Hellman describe the process of "nurturing hope",⁸⁸⁹ which involves four states:

1. Goal Setting: Supporting individuals with goal setting, or providing support for individuals to build their own goal setting practices;
2. Pathway Focus: Supporting individuals to develop measurable benchmarks that can be used as a feedback system and to support the regulation of emotions (such as stress and anxiety); assist or provide support for individuals to build their mental contrasting practice (imagining barriers and alternative pathways, with a focus on imagining success);
3. Future Memories: Building a sense of agency by focusing on what success would look like, feel like, and what would be different (with a realistic image of success); and,
4. Hope Begets Hope: Cycling through steps 1-3. Small goal successes may lead to setting larger goals. Elevated pathway thinking elevates agency thinking. Elevating agency thinking in-turn elevates

⁸⁸³ Gallagher, 'Introduction to the Science of Hope' (n 500); Snyder, Rand and Sigmon (n 352); Jennifer Pedrotti, 'The Will and the Ways in School: Hope as a Factor in Academic Success' in Matthew Gallagher and Shane Lopez (eds), *The Oxford Handbook of Hope* (Oxford University Press, 2018) 107; Lopez (n 546).

⁸⁸⁴ Snyder (n 22) 55.

⁸⁸⁵ Ibid 23.

⁸⁸⁶ Katerina Standish, 'Learning How to Hope: A Hope Curriculum' (2018) 43(4) *Humanity & Society* 484.

⁸⁸⁷ Snyder (n 22) 69.

⁸⁸⁸ Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292).

⁸⁸⁹ Ibid 158.

pathway thinking. Focusing on positive feedback spirals, what can be learned and feeding-forward learnings to support future goal pursuits and increase momentum of hopeful thinking.

The initial stage of goal identification and clarification is essential to learning and building hopeful thinking. Snyder states that unproductive goal-related thinking does not need to be unlearned; instead, the acquisition of hopeful thinking can gradually overtake negative thinking.⁸⁹⁰ This perspective underscores the transformative potential of adopting a hopeful mindset and creating new mental habits and practices.

Based on research from the field of human motivation, Snyder developed a goals checklist to support the learning of goal directed thinking (see Appendix 5).⁸⁹¹ Using goal attainment as a measure of success depends in part on the individual and how clearly defined the goal is (*I will achieve a distinction grade for my essay; I will feel healthier and sleep more*), and how committed an individual is on the goals' measure. An individual can always move the yard stick (*actually, I will be happy with a credit; I got 6 hours sleep last night, that is enough!*). A high hope individual who does not achieve a goal they set is more likely to conclude that the strategy was not sufficient, and are less likely to question their innate talents or personal attributes.⁸⁹² By predicting that challenges will occur, and mistakes will likely be made, a high hope person is able to maintain high mental energy when a challenge or mistake does eventuate.

Learning the mental skills to develop pathways to achieve set goals is another aspect in learning hopeful thinking. Recognising what the end goal might look like, and being able to break that down into smaller sub-goals is an important element of pathway thinking.⁸⁹³ Developing pathway thinking may include developing self-talk strategies, mental practices, or accessing coaching or group support to breakdown pathway options, for example: *To achieve a distinction overall I need to aim for a minimum 80% grade in all my assessment tasks, so I have some leeway on my exam grade; I will need to set aside time to prepare for each assignment, make an appointment with the lecturer during student hours to clarify my understanding of the set tasks, and set an appointment with the librarian to confirm my referencing is correct in the first assignment; I can then feed-forward that information to future assignments.*

Identifying challenges and imagining alternatives to possible barriers are also essential to building pathway thinking (*if I cannot arrange a private meeting with my lecturer, I can ask a question in class or send an email; if I receive a lower grade than expected, I will seek multiple opportunities for feedback and feed that*

⁸⁹⁰ Snyder (n 22).

⁸⁹¹ Ibid 223.

⁸⁹² Snyder, Cheavens and Sympson (n 574).

⁸⁹³ Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292) 159.

information forward to pursue the same goal, re-evaluate my goal, or re-goal entirely). Snyder also developed checklists that include actions to support the development of agency thinking and pathway thinking (see Appendix 5).⁸⁹⁴

Investing energy in agency thinking and increasing motivation also serves to increase hopeful thinking.⁸⁹⁵ Increasing agency thinking could include learning to accept intrinsic motivators, building self-agency and feelings of control over goal pursuits. Increasing agency thinking could also be achieved through interventions, such as in the design of how students receive feedback (e.g. through benchmarks or different feedback cycle channels) so that new actions and behaviours are positively supporting goal pursuits (*this is a realistic goal for me to pursue; I can imagine this occurring for me; if I complete the first step, I will know if I am on the right track; if I do this little bit now, it will stop the overarching goal from becoming overwhelming*).

Enhancing either goal-thinking, agency thinking or pathway thinking would correspondingly enhance overall hopeful thinking. These suggestions by Snyder, and processes set out by Gwinn and Hellman, are examples of ways to increase hope through different thinking and behaviours. These ideas form the basis of hope andragogy and different ways of teaching hope.⁸⁹⁶ For example, drawing on wellbeing andragogy a new subject in the JCU law degree LA1107 *Contemporary Practice: The New Lawyer* was developed in 2016. This subject was first delivered in Townsville and Cairns in 2017. The subject development was designed to bring vigour and contemporary teaching and learning practices to the subject by including content on 1) details of technology and its impact on the legal profession; 2) dispute resolution; 3) emotional intelligence; 4) client interviewing (skills development); and, 5) understanding self, privilege, and the philosophy of the law.⁸⁹⁷ Recognising that lawyers are increasingly required to 'manage the delivery and impact of sensitive and challenging material'⁸⁹⁸ and manage confrontational interactions, two workbooks on Emotional Intelligence (EQ) were included in the subject delivery, covering the main areas of EQ including self-awareness, optimism, hope, social skills, emotional control, flexibility, and 'wellness in the law.' Assessment practices were designed with, 'relevance to how the student will be using the

⁸⁹⁴ Snyder (n 22) 239.

⁸⁹⁵ Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292).

⁸⁹⁶ Standish (n 886); Webb (n 497).

⁸⁹⁷ Neil Dunbar and Claire Holland, 'JCU Citation for Outstanding Contributions to Student Learning' (Nomination Form, JCU, 2020).

⁸⁹⁸ Heath et al (n 171).

assessed knowledge and skills once they have completed their formal education.⁸⁹⁹ In 2020 Dunbar and Holland received an award for Outstanding Contributions to Student Learning for developing a subject that provides first year law students with realistic insight into the role of the contemporary lawyer through independent and authentic learning.⁹⁰⁰ Hopeful thinking practices that focus on building hope as a strategy to mitigate psychological distress symptoms that may occur around evidence-based factors that affect law students (as discussed in Chapter 2) could be deliberately applied in law curricula, as well as in extra-curricular support for law students. As such, increasing awareness of law student wellbeing, and providing opportunities to measure and consider the results with students and law staff, is an important first step in promoting student flourishing within law schools. The Hope/DASS Four-Quadrant Model (as proposed by this thesis) is designed to encourage law students to consider their subjective experiences of psychological strengths and psychological distress as measures of psychological functioning. It will help those students to identify themselves as flourishing or not-flourishing (applying the proposed definition of law student wellbeing proposed in Chapter 3). A reliable and valid measure of wellbeing is also an important feedback and feed-forward mechanism in determining the need for, and impact (or lack of impact) of, future interventions and support strategies, such as introducing wellbeing andragogy in the law school curriculum.⁹⁰¹

V Hope/DASS Four-Quadrant Model Movements

If law students are categorised as floundering or languishing, they are in a state of incomplete or low hope. It is hypothesised that an intervention or support service to assist in teaching hopeful thinking may support a positive spiralling up movement along the hope/wellbeing continuum. Once the law students have been categorised according to the Hope/DASS Four-Quadrant Model, the next stage of support includes offering interventions or individual practices (if required or desired) for spiralling up hopeful thinking and overall mental health.

The concept of “spiralling up” discussed in this Chapter includes the belief that building hope can lead to more productive psychological functioning.⁹⁰² An important nuance of the CSM is recognising that a

⁸⁹⁹ Caroline Hart et al, 'The Real Deal: Using Authentic Assessment to Promote Student Engagement in the First and Second Years of a Regional Law Program' (2011) 21(1/2) *Legal Education Review* 97.

⁹⁰⁰ 'JCU Citation Recipients', *Centre for Education and Enhancement* (Webpage, 2020) <<https://www.jcu.edu.au/centre-for-education-and-enhancement/pd-and-recognition/awards-and-citations/jcu-citations-for-outstanding-contributions-to-student-learning/recipients-of-jcu-citations>>.

⁹⁰¹ Jessica Riddell, *Hope Circuits: Rewiring Universities and Other Organizations for Human Flourishing* (McGill-Queen's University Press, 2024).

⁹⁰² Susana Marques et al, 'How Much Hope Is Enough? Levels of Hope and Students' Psychological and School Functioning' (2015) 52(4) *Psychology in the Schools* 325; Stephen Schueller and Acacia Parks, 'The Science of Self-

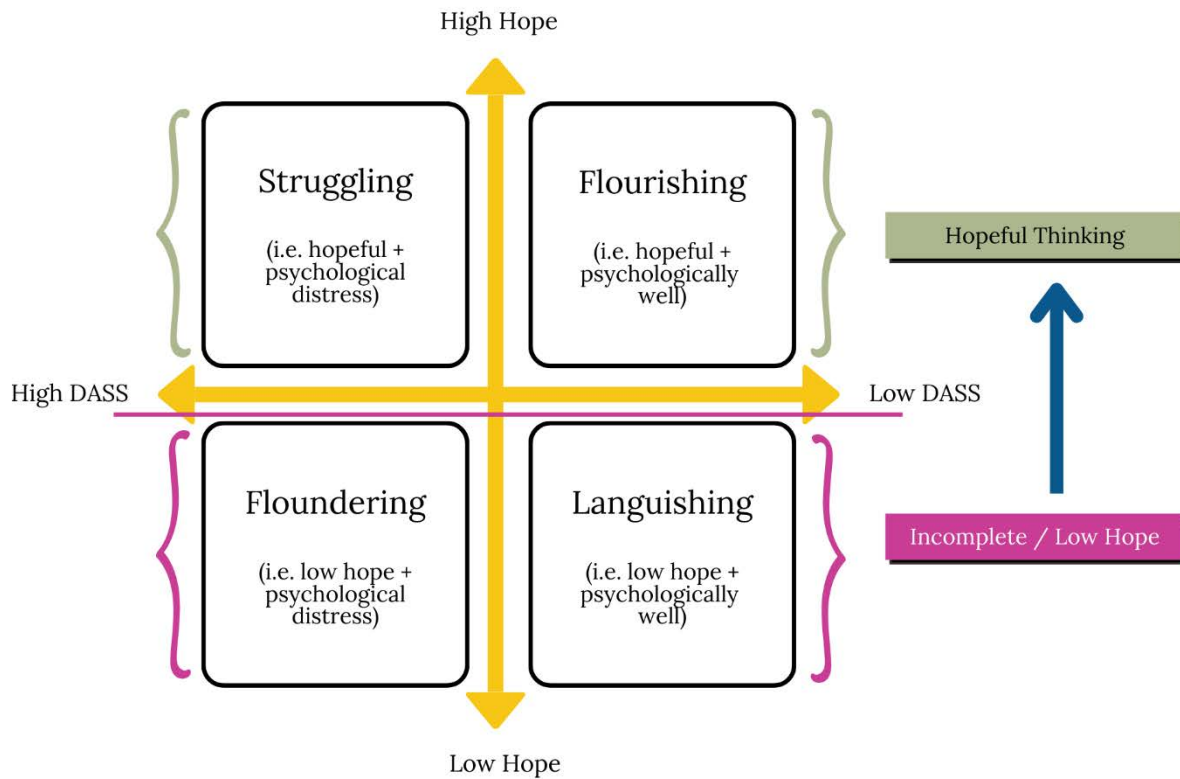
student may be in a state of heightened depression, anxiety, or stress, and still be able to maintain healthy psychological functioning, albeit it in a state of struggling.⁹⁰³ Students who are struggling exhibit greater psychological functioning and more positive overall mental health outcomes, compared to students who despite the absence of mental illness, have low levels of psychological wellbeing.⁹⁰⁴ Therefore, a student experiencing mental illness and high hope may be functioning better than a student with no mental illness but low hope. This highlights the importance of hopeful thinking and building psychological wellbeing in students. Using the CSM paradigm as a diagnostic tool also opens up the conversation with students who are categorised with mental illness, or who report subjective psychological distress symptoms. This may promote early interventions and assist the students to work towards experiencing healthy psychological functioning.

Help: Translating Positive Psychology Research into Increased Individual Happiness' (2014) 19(2) *European Psychologist* 145; Snyder et al (n 409); Keyes (n 432).

⁹⁰³ Keyes and Michalec (n 63); Keyes (n 63).

⁹⁰⁴ Keyes, *Languishing: How to Feel Alive Again in a World That Wears Us Down* (n 836); Keyes and Martin (n 63); Keyes (n 63).

Figure 11: Positive Scaling Up of Hopeful Thinking in the Hope/DASS Four-Quadrant Model



VI Conclusion

In summary, the Hope/DASS Four-Quadrant Model aims to provide greater nuance and more detailed data through a two continua approach for measuring law student wellbeing. This model will provide a greater benefit to students and law faculty staff (compared to single continua analysis of wellbeing or psychological distress) by providing more information about the characteristics of hope profiles and awareness of strategies that can be adapted to teach hopeful thinking. Developing and teaching hopeful thinking is an important strategy for improving overall mental health. According to this model, teaching hope is a strategy to support students to develop individual practices to move from an incomplete/low hope category to a hopeful thinking category, and, ideally, move up the spiral of mental health. The focus on individual student movement in this model should be encompassed by hopeful thinking practices and interventions that support a whole-of-law school approach. As reiterated in Chapter 2 and Chapter 3, law student wellbeing is not just an individual responsibility. However, ensuring effective measures and analysis of individual wellbeing results is an important first step in feeding-forward information to support

initiatives in the way the law is taught, the wider experience of legal education, and whole-of-institution approaches to student mental health and wellbeing.

Chapter 6: Methodology

One of the key observations of Chapter 1: *Introduction* was that hope has been shown to have an impact on student wellbeing and academic achievement, and although it has been measured and considered as an influencing factor for law student wellbeing in the US, no data has been collected to explore the relationship between hope and law student wellbeing in Australia. Australian academics Field and Duffy propose that levels of hope may promote positive functioning for law students and have an impact on law students' experience at law school.⁹⁰⁵ This chapter discusses the research methodology for the current study.

This thesis seeks to better understand the levels of hope in law students and the relationship between students' reported levels of strength-based attributes (hope) and indicators of psychological distress (DASS). To explore the research questions (outlined in Chapter 1), appropriate measures of subjective wellbeing phenomena (hope, depression, anxiety, and stress) were selected. Part I of this chapter examines the quantitative statistical approach to research favoured by psychological science as the rationale for the selection of a quantitative research design. The data collection for this exploratory study uses the Depression, Anxiety, and Stress Scale (DASS21) and Adult Hope Scale (AHS). Part II and Part III examine the development and design of the AHS and DASS21 measurement tools. Part IV outlines the research strategy for this thesis, including a discussion on the methodological limitations of the AHS and DASS21. The research design, study population, and administration of the thesis survey are discussed in Part V.

I The Current State of the Quantitative Statistical Analysis in Psychology

Psychology is interested in the study of people and their behaviour. Therefore, psychologists are interested in measuring differences between individuals and groups and applying that information in a way that further informs our understanding of people.⁹⁰⁶ Within psychology (and more broadly behavioural and social sciences) psychometric assessments have been developed to measure psychological and social phenomena. Measures of psychological deficits are commonly used in clinical and research settings. The *Diagnostic and Statistical Manual of Mental Disorders*, now in its fifth edition (DSM5)⁹⁰⁷ is designed for

⁹⁰⁵ Field and Duffy (n 42).

⁹⁰⁶ Pavot (n 324).

⁹⁰⁷ APA (n 747). The DSM first edition was published in 1952, influenced by the need after World War II for greater guidance for clinicians supporting veterans. The DSM was influenced by the work of the World Health Organisation (WHO) publication of the International Classification of Diseases (ICD). APA, DSM History', *American Psychiatric Association* (2024) <<https://www.psychiatry.org/psychiatrists/practice/dsm/about-dsm/history-of-the-dsm>>.

clinical use as a guide for clinicians in the diagnosis of mental disorders.⁹⁰⁸ The DSM5 is an update of the DSM4, produced in 1994, to include greater objective scientific validators of mental disorders, taking into account the significant progress in the understanding of cognitive neuroscience, the brain, genetics and epidemiology effects on the diagnosis and severity of mental disorders.⁹⁰⁹ The DSM5 is recognised by the American Psychiatric Association (APA) and the broader scientific community as the seminal text on diagnostic criteria and assessment of mental disorders to inform treatment and management decisions.⁹¹⁰ The DSM5 only focuses on definitions, diagnostic criteria, and measurement tools for mental disorders, therefore offering guidance on measures of psychological illbeing but no guidance on measures of psychological wellbeing.

The movement of the first wave of positive psychology recognised the imbalance in focus of traditional psychology and psychological assessment tools as measuring deficits and disorders only. The recognition of this gap led to the development of many positive psychology theory-based psychological measures, and the first edition of *Positive Psychological Assessment: A Handbook of Models and Measures* was published in 2003.⁹¹¹ The first edition was a seminal text in exploring the first wave of positive psychology and presenting assessment tools to aid in the scientific discovery of character strengths and virtues. Wehmeyer, in the forward of the second edition published in 2019, reflects that the first edition included commentary throughout the chapters attempting to justify the need for the handbook and defending the ideas on assessment, models, and tools to promote optimal human performance.⁹¹² Contemporary examination of positive psychology measurement tools has moved on from justification of the need for the measures (and analysis of the gaps that the tools provide from traditional psychology), to deeper exploration of the models and measures and examination of methodological underpinnings of different approaches.⁹¹³ This exploration adds to 'the science of psychology' or 'psychological science', which now

⁹⁰⁸ APA, *Diagnostic and Statistical Manual of Mental Disorders* (n 747) 5.

⁹⁰⁹ Ibid 7. The update included an intensive six-year process with a task force of 28 members, 130 staff and over 400 advisors who participated in an evaluation of the strengths and weaknesses of the current edition, conducted literature reviews, in-depth research and analysis, and a process of releasing drafts for public comments, conducting trials, and conversing with the scientific community to update and revise the diagnostic criteria in the DSM5.

⁹¹⁰ Ibid 6.

⁹¹¹ Shane Lopez and Charles Snyder, *Positive Psychological Assessment: A Handbook of Models and Measures* (American Psychological Association, 1st ed, 2003).

⁹¹² Michael Wehmeyer, 'Foreword' in Matthew Gallagher and Shane Lopez (eds), *Positive Psychological Assessment: A Handbook of Models and Measures* (American Psychological Association, 2nd ed, 2019) xv, xvi.

⁹¹³ Ibid.

includes the exploration, measurement, and operationalisation of psychological strengths as well as psychological deficits or psychopathology.⁹¹⁴

II The Development of the AHS

Hope theory is a cognitive based theory of human functioning, grounded in western sociocultural, individualist, neoliberal ideologies (as discussed in Chapter 3). The AHS was developed during a time when psychology was focused on the recognition of being a 'science' and therefore following scientific methods.⁹¹⁵ Colla et al described the first wave of positive psychology methodologies as being influenced by, 'the desire to provide a systematic and rigorous approach to the scientific study of what enables thriving, or optional development, across various life domains.'⁹¹⁶ Colla et al suggest that as a result, most methodological approaches were grounded in a dualist positivist epistemology and realist ontological view of the world.⁹¹⁷ Dualism in positivist research paradigms refers to the separation of the researcher and participants in the study design and data collection, with a view that this approach will minimise bias.⁹¹⁸ There is another inherent dualism view in hope theory that refers to the assumption that cognitive functioning is separate from the body, and an individual can access and influence 'the mind' as a separate entity from one's physical state of being.⁹¹⁹ Gwinn and Hellman (in their recent book on Hope Theory) describe how their thinking, particularly in the context of hope, trauma, and brain development, has been influenced by the works of Bessel van der Kolk, author of *The Body Keeps the Score*, and Brené Brown's work on shame, blame and vulnerability.⁹²⁰ Greater recognition of the complexity of the human experience of hope and the integration of the physical body, environment, and emotions is furthering the theoretical framework of hope theory.⁹²¹ However, the current popular measure of hope, the AHS, is still based on a dualist view of the mind and body.

⁹¹⁴ Gallagher, 'Introduction to Positive Psychological Assessment' (n 441) 4.

⁹¹⁵ Ibid.

⁹¹⁶ Colla et al (n 474) 2.

⁹¹⁷ Ibid.

⁹¹⁸ Yoon Soo Park, Lars Konge and Anthony Artino, 'The Positivism Paradigm of Research' (2019) 95(5) *Academic Medicine* 690, 691.

⁹¹⁹ Kim Ward, Karen Hoare and Merryn Gott, 'Evolving from a Positivist to Constructionist Epistemology While Using Grounded Theory: Reflections of a Novice Researcher' (2015) 20(6) *Journal of Research in Nursing* 449.

⁹²⁰ Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292) xvii; Bessel van der Kolk, 'The Body Keeps the Score: Memory and the Evolving Psychobiology of Posttraumatic Stress' (1994) 1(5) *Harvard Review of Psychiatry* 253; Bessel van der Kolk, *The Body Keeps the Score: Brain, Mind, and Body in the Healing of Trauma* (Viking, 2014); Brené Brown, *Atlas of the Heart: Mapping Meaningful Connection and the Language of Human Experience* (Random House, 2021); Brené Brown, *Daring Greatly: How the Courage to Be Vulnerable Transforms the Way We Live, Love, Parent, and Lead* (Penguin, 2015).

⁹²¹ Kern et al (n 448); Gallagher, Lopez and Snyder (n 441) 421.

Positivist epistemology refers to the underlying philosophical view that reliable scientific exploration requires observable and measurable phenomena.⁹²² Therefore, the use of quantitative data and reliable survey instruments are considered appropriate and ‘trust-worthy’ ways of collecting data and contributing to knowledge.⁹²³ The positivist epistemology does not value qualitative methodologies as being as valid nor particularly useful in exploring phenomena.⁹²⁴ As a result of these paradigm views influencing the early development of the science of positive psychology, there is limited mixed-methods or qualitative methodologies used in hope theory scholarship.

The realist ontological view in positive psychology suggests that certain aspects of wellbeing, happiness, and life satisfaction are universal and can be objectively observed and measured. Psychological survey measures that ask respondents to rate their subjective experience of a phenomena (e.g. happiness, life satisfaction, or hope) are measuring the subjective neuro-psychological state.⁹²⁵ The idea of realism is attractive as it supports the generalisability of measures created from a western-sociocultural perspective. However, this view has been critiqued and challenged in the second and third wave of positive psychology.⁹²⁶ The constructivist (or subjectivist) ontological view has informed the development of many self-report psychological assessment surveys.⁹²⁷ According to this view, psychological phenomena (such as wellbeing and hope) are not an objective reality that exists independently of people’s thoughts and feelings, and must be understood as a personal and subjective experience. In the constructivist ontological view, self-report survey instruments are a valid measure to capture individual subjective experiences, and reporting and analysing data based on the respondent’s internal experience and personal evaluation is appropriate.⁹²⁸ A constructivist worldview recognises that psychological phenomena experiences can vary across individuals (and may be influenced by factors such as personal histories, cultural backgrounds, and other socio-cultural factors).⁹²⁹ The use of the original Hope/DASS Four-Quadrant Model proposed in this thesis aims to include a co-constructivist perspective. The co-constructivist perspective includes feedback from the students in the analysis, and therefore contextual factors may be taken into consideration in

⁹²² Park, Konge and Artino (n 918).

⁹²³ Joseph Ponterotto, 'Qualitative Research in Counseling Psychology: A Primer on Research Paradigms and Philosophy of Science' (2005) 52(2) *Journal of Counseling Psychology* 126.

⁹²⁴ John Cacioppo, Gün Semin and Gary Berntson, 'Realism, Instrumentalism, and Scientific Symbiosis: Psychological Theory as a Search for Truth and the Discovery of Solutions' (2004) 59(4) *American Psychologist* 214.

⁹²⁵ Andrea Lavazza, 'Happiness, Psychology, and Degrees of Realism' (2016) 7 *Frontiers in Psychology* 1, 3.

⁹²⁶ Lomas (n 272); Lomas et al (n 271).

⁹²⁷ Georg Northoff and David Smith, 'The Subjectivity of Self and Its Ontology: From the World–Brain Relation to the Point of View in the World' (2023) 33(4) *Theory & Psychology* 485.

⁹²⁸ Ibid.

⁹²⁹ Ponterotto (n 923).

understanding an individual's categorisation as flourishing or non-flourishing. The limitation of the dualist perspective can also not be overcome within the AHS measure. This is because the subjective experiences are internal judgements, limited to the AHS questions, and survey responses may be considered by the respondent without the context of the surrounding environment.⁹³⁰ Therefore, additional information, as suggested in the Hope/DASS Four-Quadrant Model (Chapter 5) through the inclusion of co-constructed feedback in the model, could integrate more complex mind/body/environment considerations. The aim of a feedback loop in the Hope/DASS Four-Quadrant model is to provide a starting point for personal reflection on one's current mental health and to assist individuals in deepening their understanding of their own wellbeing.

The influence of individualism in measuring psychological constructs has also impacted on the development of the AHS measure. The AHS measures individual perceptions on motivation, goal setting, and cognitive functioning.⁹³¹ However, the measure does not consider the impact that social pressures or extrinsic motivation may have on individuals. This criticism was highlighted by Colla et al who have called out the current 'liberal individualist conceptualization of hope theory' as not capturing interpersonal, interdependent, or social influences that may impact hope, particularly in collectivist cultures.⁹³² Hope theory places the individual at the centre, responsible for influencing individual thinking and behaviour. Kern et al also critique the individualist perspective as failing to take into account the surrounding complex social contexts and relationships that impact on the individual.⁹³³ This is an important consideration for how the results of any study, including this thesis, frames the empirical findings and describes possible future interventions, policies, or procedures that may be informed by the findings.

There is the potential to cause harm to individuals by focusing solely on personal responsibility, and not recognising the influence of systems, structures, and surrounding context. The concern of attributing personal responsibility for student wellbeing exclusively on the shoulders of the student has been debated in the current wellness in the law literature.⁹³⁴ There is a clear recognition that wellbeing is not purely an individual responsibility.⁹³⁵ Yet, perverse outcomes could arise from research focusing solely on individual

⁹³⁰ Isaac Prilleltensky, 'Forward' in Nicholas Brown, Tim Lomas and Francisco Eiroa-Orosa (eds), *The Routledge International Handbook of Critical Positive Psychology* (Routledge, 1st ed, 2018).

⁹³¹ Snyder et al (n 23).

⁹³² Colla et al (n 474) 2.

⁹³³ Kern et al (n 448) 711.

⁹³⁴ See discussion in Chapter 2: Part II. C. Ethical Responsibility to Address the Problem, as well as the proposed Nested Framework of Law Student Wellbeing (Figure 1).

⁹³⁵ Ibid.

measures of wellbeing and illbeing if the results are not explained in the context of more holistic systems thinking, such as the Nested Framework for Law Student Wellbeing proposed in Chapter 2.⁹³⁶ This is an important point for reflection. However, this does not mean that individual subject experience measures are not valuable. Individual wellbeing measures, such as hope, can still be useful in data collection and analysis, so long as the reality of what the data is providing, and how the data is being used to inform future actions, are clearly considered. Therefore, the application and limitations of the Hope/DASS Four-Quadrant Model, and the differences in reporting data of the single survey instruments, are explained with the results in Chapter 9.

In the third wave of positive psychology (discussed in Chapter 3) there is also an increasing focus on what constitutes a positive institution.⁹³⁷ In some studies, the “health” of an institution has been determined by summing the results of individual wellbeing measures.⁹³⁸ This approach has been criticised, as the criteria for how well an institution is supporting individual wellbeing is more nuanced and complex than simply a collation of results of the perceptions of individual experiences of wellbeing.⁹³⁹ The criteria and measure of positive law schools is beyond the scope of this thesis. However, developing a methodology that considers how ‘well’ a law school is and how the law school environment is shaping the subjective experience of law students may include some input from individual wellbeing and illbeing measures.⁹⁴⁰ Therefore, the Hope/DASS Four-Quadrant Model could be considered as part of a larger framework for measuring overall law school wellbeing in the future.

Another criticism of the AHS is that while the sub-scales show distinct but related measures of agency thinking and pathway thinking, the current methodological approach does not provide a sufficient measure of the operationalisation of hope. The theory of hope includes the feedback and feed-forward mechanisms, as discussed in Chapter 4. However, they are not part of the AHS measure. This has been highlighted as a limitation as the AHS does not provide data on how individuals develop their hopeful thinking. This limitation is not addressed in this thesis; however, it is a critical consideration for future

⁹³⁶ See also, Kern et al (n 448).

⁹³⁷ Lomas (n 272); Lomas et al (n 271); Rothmann and Janse van Rensburg (n 486).

⁹³⁸ Martin Rode, 'Do Good Institutions Make Citizens Happy, or Do Happy Citizens Build Better Institutions?' (2013) 14 *Journal of Happiness Studies* 1479; Gable and Haidt (n 269).

⁹³⁹ Rothmann and Janse van Rensburg (n 486).

⁹⁴⁰ Lopez et al discuss the idea of environmental assessment and importance of developing an operational definition of an environment to promote positive functioning and personal growth, and variables to measure the strengths of a surrounding environment: Lopez et al (n 27) 13.

research into how hope is taught and how movement between categories in the Hope/DASS Four-Quadrant Model occurs and is measured.

As highlighted in Chapter 4, Snyder’s AHS is the most commonly used empirical measure of hope in positive psychology research.⁹⁴¹ Multiple instruments have been developed over the years to measure the construct of hope.⁹⁴² In a systematic review in 2018 on the psychometric properties of hope scales the authors Redlick-Amirav et al reviewed 68 papers measuring hope and found that most studies used the Snyder’s AHS (46%), followed by 16% that used the Herth Hope Index, and the remainder using other hope instruments.⁹⁴³ The popularity of the measure provides some opportunity for comparison of results across different studies and contribution to a body of knowledge using the same measurement tool.

A. AHS Survey Instrument

The AHS questionnaire measures ‘trait or innate hope’, as opposed to ‘state hope’ that is situational or that may change depending on the circumstances. It consists of 12 questions: four measuring *pathway thinking*, four measuring *agency thinking* and four filler questions (see AHS questionnaire in Appendix 1). The questions relating to the pathway and agency sub-scale are set out in Table 4.

Table 4: AHS Questions

Scale	Questions*
Pathway subscale	H2 I energetically pursue my goals
	H9 My past experiences have prepared me well for my future
	H10 I’ve been pretty successful in life
	H12 I meet the goals that I set for myself
Agency subscale	H1 I can think of many ways to get out of a jam
	H4 There are lots of ways around any problem
	H6 I can think of many ways to get the things in life that are important to me
	H8 Even when others get discouraged, I know I can find a way to solve the problem

*Questions on the AHS appear in the numerical order indicated by the number question, not in the order presented in this table. There are also four additional filler questions in the survey.

⁹⁴¹ Gallagher, 'Introduction to the Science of Hope' (n 500) 4.

⁹⁴² Sage Rose and Nicole Sieben, 'Hope Measurement' in Matthew Gallagher and Shane Lopez (eds), *The Oxford Handbook of Hope* (Oxford University Press, 2018) 83.

⁹⁴³ Dorit Redlich-Amirav et al, 'Psychometric Properties of Hope Scales: A Systematic Review' (2018) 72(7) *International Journal of Clinical Practice* e13213.

It is a self-report survey where participants are asked to rank on a Likert scale ranging from 1 (definitely false) to 8 (definitely true). Previous studies have used an 8 point,⁹⁴⁴ 7 point,⁹⁴⁵ 6 point⁹⁴⁶ and 4 point⁹⁴⁷ Likert scale. With different Likert scales, not all AHS results can be equally compared. According to Lopez, Snyder, and Pedrotti the 4 point Likert scale was used in original hope studies when the scale was first developed.⁹⁴⁸ However, the 8 point scale is now encouraged for use in hope research in order to encourage diverse responding.⁹⁴⁹ Snyder and colleagues have proposed cut off points for low, moderate, and high hope levels when using the 4 point AHS scale in their early work.⁹⁵⁰ In the now popular 8 point scale, that has been used in this thesis, total hope (TH) scores can range from 8 to 64.⁹⁵¹ The results from the agency and pathway questions are added to produce a TH score.

The psychometric properties of the AHS have been reported across numerous studies, and the AHS has been translated and used in different languages and diverse contexts.⁹⁵² Looking specifically at university settings in English speaking countries Cronbach's alpha (α), a measure of a psychometric scale reliability, for TH have ranged from 0.74 to 0.84.⁹⁵³ Snyder et al. reported test-retest correlations over time periods exceeding 10 weeks of 0.80 or higher.⁹⁵⁴ Therefore, the AHS is widely considered a reliable measure for the cognitive construct of hope. The internal consistency for this current study was good, with α for TH 0.82, for the agency subscale of 0.75 and the pathway subscale of 0.73.

Importantly, the reliability of the separate measures of agency and pathway has also been rigorously tested and confirmed.⁹⁵⁵ Factor analysis of the two-factor structure confirms that the agency and pathway

⁹⁴⁴ David Feldman, Kevin Rand and Kristin Kahle-Wroblewski, 'Hope and Goal Attainment: Testing a Basic Prediction of Hope Theory' (2009) 28(4) *Journal of Social and Clinical Psychology* 479; Mark Van Ryzin, 'Protective Factors at School: Reciprocal Effects among Adolescents' Perceptions of the School Environment, Engagement in Learning, and Hope' (2011) 40 *Journal of Youth Adolescence* 1568.

⁹⁴⁵ Marjorie Kibby, 'Applying 'Hope Theory' to First Year Learning. A Practice Report' (2015) 6(1) *The International Journal of the First Year in Higher Education* 147.

⁹⁴⁶ Wandeler and Bundick (n 54) 380.

⁹⁴⁷ Sung, Turner and Kaewchinda (n 52) 128.

⁹⁴⁸ Lopez, Snyder and Pedrotti (n 539) 98.

⁹⁴⁹ Ibid.

⁹⁵⁰ Snyder refers to the 4 point Likert scale and associated cut off points in Snyder (n 22) 26; Snyder et al (n 23).

⁹⁵¹ Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292) 38.

⁹⁵² See, eg, Edwards and McConnell (n 387). Edwards and McConnell state that, 'Multiple studies have been conducted to provide evidence of linguistic equivalence of the Adult Hope Scale, with translations in Arabic, Chinese, Dutch, French, Japanese, Portuguese, Slovak, and Spanish,' 1.

⁹⁵³ Snyder et al (n 23). Julie Pallant, *SPSS Survival Manual: A Step by Step Guide to Data Analysis Using the SPSS Program* (Allen & Unwin, 4th ed, 2011) 6. According to Pallant, 'While different levels of reliability are required, depending on the nature and purpose of the scale, Nunnally (1978) recommends a minimum of .7.'

⁹⁵⁴ Lopez and Snyder, *Positive Psychology Assessment: A Handbook of Models and Measures* (n 438) 98.

⁹⁵⁵ Gallagher and Lopez, *The Oxford Handbook of Hope* (n 22) 85.

scales measure distinct constructs.⁹⁵⁶ While the agency and pathway scales are distinct constructs that are not synonymous, both constructs are required to define hope. As stated by Roesch and Vaughn,

Pathway thoughts include a central route of obtaining a goal. However, the high hope individual cognitively generates multiple routes for goal attainment. Agency deals with the selective ability to move along the pathway(s). This motivational component provides the force to pursue goals along the imagined pathway(s).⁹⁵⁷

Two-factor models that include both agency and pathway components have been found to significantly fit the data better compared to a single component or unidimensional construct (only agency or only pathway components). Therefore, combined measures of both agency and pathway components results in a better representation of overall hope.⁹⁵⁸ It follows that, the separate scales do measure unique phenomena and psychometric properties.

The AHS was selected for use in this study as it is the measure developed to align with Snyder's Hope Theory. The AHS is generally accepted as being suitable for use in positive psychology research, and will provide a reliable wellbeing measure applied to law student wellbeing in Australia.⁹⁵⁹ Using the AHS also allows for a new and original model design (the Hope/DASS Four-Quadrant Model developed by this thesis) that utilises two psychological assessment measures that, to date, have not been combined in a CSM research design to measure law student wellbeing in Australia.

III Development of the DASS

A commonly used tool to measure levels of psychological distress is the Depression, Anxiety and Stress Scale (DASS).⁹⁶⁰ As discussed in Chapter 3, DASS was developed by Australian academics Lovibond and Lovibond, and designed to measure the experience of negative affect (NA) across the conditions of depression and anxiety. At the time of development Lovibond and Lovibond described the key aims of their research was to '1) define the full range of the core symptoms of anxiety and depression; 2) meet

⁹⁵⁶ Edwards et al (n 653); Snyder et al (n 23).

⁹⁵⁷ Scott Roesch and Allison Vaughn, 'Evidence for the Factorial Validity of the Dispositional Hope Scale: Cross-Ethnic and Cross-Gender Measurement Equivalence' (2006) 22(2) *European Journal of Psychological Assessment* 78, 78.

⁹⁵⁸ Gallagher and Lopez, *The Oxford Handbook of Hope* (n 22) 85.

⁹⁵⁹ As stated in Chapter 1, hope has been theorised as an important character strength for law students but no study has administered and reported on the results of hope in law students in Australia.

⁹⁶⁰ Lovibond and Lovibond (n 58); Timothy Brown et al, 'Psychometric Properties of the Depression Anxiety Stress Scales (DASS) in Clinical Samples' (1997) 35(1) *Behaviour Research and Therapy* 79; Peter Lovibond, 'Long-Term Stability of Depression, Anxiety, and Stress Syndromes' (1998) 107(3) *Journal of Abnormal Psychology* 520.

rigorous standards of psychometric adequacy, and 3) provide maximum discrimination between the two scales.⁹⁶¹ In the early stages of the development of the scale a third factor, stress, emerged as a distinct psychological construct. NA is measured across all three sub-scales. NA reflects the participants' experience of distress, tension and unpleasurable engagement (high NA) or the absence of those feelings (low NA).⁹⁶² Sample survey items include, "I found it difficult to work up the initiative to do things" (depression scale question), "I was worried about situations in which I might panic and make a fool of myself" (anxiety scale question), and "I found it difficult to relax" (stress scale question). Measures of psychological deficits are commonly used in clinical and research settings.⁹⁶³ However, the DASS is distinct from the DSM5 diagnosis criteria for depressive, anxiety, and trauma and stressor related disorders. The distinctions will be discussed below.

The DSM5 defines common features of depressive disorders including 'the presence of sad, empty, or irritable mood, accompanied by somatic and cognitive changes that significantly affect the individual's capacity to function.'⁹⁶⁴ Therefore negative changes in affect, cognition, and the autonomic nervous system (such as changes to sleep patterns, eating, digestion, and bodily functions etc) can all impact on the experience of depressive symptoms. Lovibond and Lovibond describe depression as, 'a state characterised principally by a loss of self-esteem and incentive, and associated with a very low perceived probability of attaining personal life goals of significance to the individual.'⁹⁶⁵ The experience of depressive symptoms as measured by the DASS, therefore focus on cognitive perceptions and assesses 'dysphoria, hopelessness, devaluation of life, self-deprecation, lack of interest/involvement, anhedonia, and inertia.'⁹⁶⁶ Anhedonia refers to an inability to feel pleasure in normally enjoyable experiences. The DASS Depression scale does not include as comprehensive diagnostic criteria as set out in the DSM5 and therefore results are not indicative of whether an individual may be experiencing a diagnosable depressive disorder. The language used in the explanation of DASS results is therefore important so that individuals do not consider the outcomes of the DASS Depression Scale as a label of mental illness.

⁹⁶¹ Lovibond and Lovibond (n 58) 6.

⁹⁶² David Watson and Lee Clark, 'Negative Affectivity: The Disposition to Experience Aversive Emotional States' (1984) 96(3) *Psychological Bulletin* 465.

⁹⁶³ Leite et al (n 713); Mark Maruish, 'Contributions of Psychological Testing to Clinical Assessment and Treatment Planning' in Mark Maruish (ed), *Essentials of Treatment Planning* (John Wiley & Sons, 2nd ed, 2019) 75.

⁹⁶⁴ APA, *Diagnostic and Statistical Manual of Mental Disorders* (n 747) 155.

⁹⁶⁵ Lovibond and Lovibond (n 58) 32.

⁹⁶⁶ *Ibid* 1.

Anxiety disorders are defined in the DSM5 as including features of excessive and persistent fear (emotional response to real or perceived imminent threat) and anxiety (anticipation of future threats) and related behavioural disturbances, such as avoidance behaviour, cognitive rumination/worry, being easily fatigued, difficulty concentrating and irritability.⁹⁶⁷ Lovibond and Lovibond adopt a similar definition. Specifically, they state that anxiety is most likely to develop when an individual '1) faces performance demands that are both testing, and of critical significance for his/her self-esteem; 2) has relatively low self-esteem or high self-imposed performance demands that are both testing and of critical significance for his/her self-esteem; 3) perceives the probability of failure to be high, but not impossibly high; 4) has a low threshold of activation of the fear system.'⁹⁶⁸ The DASS Anxiety scale specifically assesses 'autonomic arousal, skeletal muscle effects, situational anxiety, and subjective experiences of anxious affect.'⁹⁶⁹

The DSM5 identifies trauma and stressor related disorders (stress disorders), including acute stress disorders and posttraumatic stress disorder (PTSD).⁹⁷⁰ The DSM5 acknowledges the close relationship between stress disorders and other disorders, including anxiety.⁹⁷¹ The DSM5 diagnosis of stress disorders is focused on the psychological distress experienced which often follows a traumatic or stressful event. According to Lovibond and Lovibond, 'the DASS Stress scale suggests that stress may be conceived as a persistent state of over-arousal which reflects continuing difficulty in meeting taxing life demands.'⁹⁷² Lovibond and Lovibond also acknowledge the overlap between the psychological constructs of anxiety and stress in the two sub-scales, particularly the interpretation of questions measuring nervous tension and nervous energy.⁹⁷³ The DASS Stress scale specifically assesses, 'difficulty relaxing, nervous arousal, and being easily upset/agitated, irritable/overreactive and impatient.'⁹⁷⁴ The state of arousal measured in the DASS Stress scale is not as severe or extreme as required for a diagnosis of a stress disorder according to the DSM5. Therefore, the DASS Stress scale can provide the respondents with information that may be useful to consider if they are experiencing higher states of arousal and therefore levels of stress that are beyond what is considered 'normal' (according to community norms and cut off points set by Lovibond

⁹⁶⁷ APA, *Diagnostic and Statistical Manual of Mental Disorders* (n 747) 189.

⁹⁶⁸ Lovibond and Lovibond (n 58) 33.

⁹⁶⁹ *Ibid* 1.

⁹⁷⁰ APA, *Diagnostic and Statistical Manual of Mental Disorders* (n 747) 265.

⁹⁷¹ *Ibid*.

⁹⁷² Lovibond and Lovibond (n 58) 33.

⁹⁷³ *Ibid*.

⁹⁷⁴ *Ibid* 1.

and Lovibond).⁹⁷⁵ This information can inform the respondents of their current state, and be used to determine if any changes to thinking, action, or behaviour are required.

The characteristic of high scores on each DASS are provided by the authors Lovibond and Lovibond in the Manual for the Depression, Anxiety, Stress Scales, set out in Table 5.⁹⁷⁶

Table 5: Lovibond and Lovibond Characteristics of High Scorers on Each DASS

Scale	Characteristics
Depression	Self-disparaging Dispirited, gloomy, blue Convinced that life has no meaning or value Pessimistic about the future Unable to experience enjoyment or satisfaction Unable to become interested or involved Slow, lacking in initiative
Anxiety	Apprehensive, panicky Trembly, shaky Aware of dryness of the mouth, breathing difficulties, pounding of the heart, sweatiness of the palms Worried about performance and possible loss of control
Stress	Over-aroused, tense Unable to relax Touchy, easily upset Irritable Easily startled Nervy, jumpy, fidgety Intolerant of interruption or delay

These characteristics can provide additional information to the respondents if they did score high on any of the subscales. The characteristics are also useful to help deepen one's understanding of the different subscales and what they are measuring, as well as to help inform the respondents own reflection and feedback as to how they characterise themselves based on their results.

A. DASS Survey Instrument

The first version of the scale was developed in 1982, called the Self Analysis Questionnaire, and the final version of the DASS42 and DASS21 was published in 1995. The DASS42 consists of 14 questions for each of the sub-scales, therefore resulting in 42 questions in the questionnaire overall. Recognising the need in

⁹⁷⁵ Ibid 30.

⁹⁷⁶ Ibid.

some testing situations for a shorter version (and therefore quicker to complete), Lovibond and Lovibond developed the DASS21, that includes 7 questions for each sub-scale.⁹⁷⁷ The DASS21 results can be doubled to allow for comparison and analysis according to DASS42 norms.⁹⁷⁸ The DASS21 has been found to be as reliable as the DASS42 in terms of providing a reliable measure for the psychological constructs of depression, anxiety, and stress.⁹⁷⁹ The questions in the DASS21 are answered on a 4 point Likert scale. The questions related to each sub-scale are shown in Table 6.

Table 6: DASS21 Questions

Sub-scale	Number	Question
Depression	D3	I couldn't seem to experience any positive feeling at all
	D5	I found it difficult to work up the initiative to do things
	D10	I felt that I had nothing to look forward to
	D13	I felt down-hearted and blue
	D16	I was unable to become enthusiastic about anything
	D17	I felt I wasn't worth much as a person
	D21	I felt that life was meaningless
Anxiety	A2	I was aware of dryness in my mouth
	A4	I experienced breathing difficulty (e.g. excessively rapid breathing, breathlessness in the absence of physical exertion)
	A7	I experienced trembling (e.g. in the hands)
	A9	I was worried about situations in which I might panic and make a fool of myself
	A15	I felt I was close to panic
	A19	I was aware of the action of my heart in the absence of physical exertion (e.g. sense of heart rate increase, heart missing a beat)
Stress	A20	I felt scared without any good reason
	S1	I found it hard to wind down
	S6	I tended to over-react to situations
	S8	I felt that I was using a lot of nervous energy
	S11	I found myself getting agitated
	S12	I found it difficult to relax
	S14	I was intolerant of anything that kept me from getting on with what I was doing
	S18	I felt that I was rather touchy

*Questions on the DASS21 appear in the numerical order indicated by the number question, not in the order presented in this table.

Like the AHS, the DASS21 is a self-report survey. The participants are asked to rank on a Likert scale ranging from 0 (Did not apply to me at all) to 3 (Applied to me very much or most of the time).⁹⁸⁰ Each sub-scale

⁹⁷⁷ Ibid 23.

⁹⁷⁸ Ibid.

⁹⁷⁹ Therese Shaw et al, 'Properties of the DASS-21 in an Australian Community Adolescent Population' (2017) 73(7) *Journal of Clinical Psychology* 879; Fernando Gomez, 'A Guide to the Depression, Anxiety and Stress Scale (DASS 21)' (Guidelines, 2016); Julie Henry and John Crawford, 'The Short-Form Version of the Depression Anxiety Stress Scales (DASS-21): Construct Validity and Normative Data in a Large Non-Clinical Sample' (2005) 44(2) *British Journal of Clinical Psychology* 227.

⁹⁸⁰ Lovibond and Lovibond (n 58).

result can range from 0 to 21. Total DASS scores can therefore range from 0 to 63. The results from the depression, anxiety, and stress scales are summed to produce a total DASS score.

Studies involving clinical and non-clinical participants have shown that DASS provides a psychometrically sound indicator of levels of depression, anxiety, and stress; that the DASS has a high internal consistency; the DASS consistently yields meaningful results across the three sub-scales; and, DASS is considered a valid instrument in measuring psychological distress.⁹⁸¹ The reliabilities (internal consistencies) of the DASS21 and three subscales in this study were estimated using Cronbach's alpha (a measure of a psychometric scale reliability). Cronbach's alpha (α) scores range from 0 to 1, with a higher score indicating that items within a scale are more internally consistent, which indicates a scale is more likely to be measuring the same construct. Cronbach alphas in the normative sample provided in the DASS manual for each of the DASS21 scales are 0.81 (depression scale), 0.73 (anxiety scale), and 0.81 (stress scale).⁹⁸² The α results for this study for the total scale was 0.94, and for the depression, anxiety and stress subscales 0.9, 0.85, 0.86 respectively, demonstrating high reliability.

A comparison of a two-factor model with the depression scale and combined anxiety and stress scales and a three-factor model (measuring the three distinct subscales of depression, anxiety, and stress) found that the three-factor model was a significantly better fit.⁹⁸³ A three-factor exploratory factor analysis to test the DASS factor structure indicated that the three scales measure distinct phenomena, with the depression scale more clearly distinct from the anxiety and stress scales, and the anxiety and stress scales are more highly correlated.⁹⁸⁴ In the development of the DASS Stress scale, no questions were included that showed correlations greater than 0.25 with the DASS Anxiety scale.⁹⁸⁵ Numerous studies have found that the DASS Anxiety and Stress scales measure distinct symptoms that can assist an individual to understand their current psychological mindset.⁹⁸⁶ Lovibond and Lovibond argue that the correlations in items response scores (measures of how distinct the phenomena is that is being measured by the individual sub-scale

⁹⁸¹ Brown et al (n 960); Andrew Page, Geoffrey Hooke and David Morrison, 'Psychometric Properties of the Depression Anxiety Stress Scales (DASS) in Depressed Clinical Samples' (2007) 46(3) *British Journal of Clinical Psychology* 283; Lovibond and Lovibond (n 58) 14.

⁹⁸² Ibid.

⁹⁸³ Ibid.

⁹⁸⁴ Ibid.

⁹⁸⁵ Lovibond and Lovibond (n 58) 34. Peter Lovibond and Sydney Lovibond, 'The Structure of Negative Emotional States: Comparison of the Depression Anxiety Stress Scales (DASS) with the Beck Depression and Anxiety Inventories' (1995) 33(3) *Behaviour Research and Therapy* 335.

⁹⁸⁶ See, eg, Brown et al (n 960); Augustine Osman et al, 'The Depression Anxiety Stress Scales—21 (DASS-21): Further Examination of Dimensions, Scale Reliability, and Correlates' (2012) 68(12) *Journal of Clinical Psychology* 1322; Shaw et al (n 979); Henry and Crawford (n 979).

question, compared to other questions in the survey) reflect the common underlying causes of depression, anxiety, and stress as opposed to measuring overlapping psychological constructs.⁹⁸⁷ Therefore, the separate scales are useful indicators of the phenomena they measure in their own right, and the combined measures provide a better representation of overall psychological distress than any sub-scale measure alone.

The DASS21 questionnaire was selected for use in this study due to its high degree of reliability, the general acceptance by scholars of the DASS measure in research as an illbeing measure, and its general acceptance by scholars in other law school wellbeing research in Australia (discussed further in Chapter 7).

IV Research Strategy

For the purposes of the empirical research conducted in this thesis, the AHS was selected as a measure of student wellbeing and DASS21 was selected as a measure of student illbeing based on the methodological considerations discussed above. The overall strategy for this thesis is a quantitative study, relying on the results and analysis of the two questionnaires. Quantitative statistical analysis is conducted using Statistical Package for the Social Sciences (SPSS) reporting on the results of each questionnaire (Chapter 7 and 8), and quantitative statistical analysis using the Hope/DASS Four-Quadrant Model (Chapter 9).

A. Methodological Limitations of the AHS and DASS

The construct validity of the AHS and DASS surveys have been rigorously tested over time.⁹⁸⁸ The construct validity of these surveys will not be further tested in this thesis. It is important to acknowledge however that psychological constructs, such as hope, depression, anxiety, and stress, cannot be measured without measurement error.

A limitation of the use of the selected survey instruments is that the output measures are restricted to the scales of the survey instruments. Therefore, although the study will measure and report on levels of hope and DASS, the study only considers a partial assessment of psychological wellbeing (the measure of hope) and partial measures of psychological distress (depression, anxiety, and stress). The use of narrow measures enables an exploration of the relationship between these phenomena, which will appropriately address the research questions in this thesis. However, this choice limits the generality of the findings. The strengths of this approach are that the scales selected are fundamental components of the phenomena

⁹⁸⁷ Lovibond and Lovibond (n 58) 34.

⁹⁸⁸ See, eg, Gallagher et al (n 24); Lopez and Snyder, *Positive Psychological Assessment: A Handbook of Models and Measures* (n 438); Cowles and Medvedev (n 384); Shaw et al (n 979); Lovibond and Lovibond (n 58).

and this study is the first exploration of the relationships between these selected scales. The results of this study will determine whether there is a need for future research, such as longitudinal studies, to deepen our understanding of wellbeing and psychological distress in specific contexts, such as law schools.

B. The Argument for Classifying Likert Scale Results as Continuous Data in Psychology

Likert scales allow for a subjective interpretation of how one ‘feels’ or relates to the prescribed response options listed. Likert scales are a widely used instrument in measuring opinions, beliefs, and attitudes.⁹⁸⁹ Available responses on the scale are worded in a way to imply equal intervals between the responses with respect to one’s agreement or disagreement with the statement. However, in reality and particularly considering the subjective nature of the scale responses, what a student considers as the length of the gap between 1 and 2, may be quite different to the length of the gap between 4 and 5. So in adding up the answers on a scale, the analysis is conducted assuming the same distance between the rational numbers on the scale, which may not be the case in reality. However, psychometric analysis has determined that this limitation can be overcome with the awareness of the researchers and the object/event they are studying.⁹⁹⁰ The compromise of making an assumption of uniform distribution between rational numbers on the Likert scale allows for statistical analysis that produces meaningful results.

Another consideration is that data collected involves students selecting a whole rational number on the Likert scale. Data is therefore ordinal. However, psychometric theory suggests that scale data can be regarded as an interval level scale, and thus classified as continuous data for the purposes of data analysis.⁹⁹¹ So, although a Likert scale does not satisfy the assumption of infinite possible response (for example, a student cannot select 1.2 or 4.8 on a Likert scale that uses only rational numbers), psychometric theory suggests the data can be considered continuous. If the data is continuous and follows a normal distribution, then parametric tests can be used. Richard Harris, author of *A Primer of Multivariate Statistics* drawing on over 30 years of experience working with statistics, states that, ‘the most fundamental reason for [my] willingness to apply multivariate statistical techniques to such data [Likert scales]...is the fact that the validity of statistical conclusions depends only on whether the numbers to which they are applied meet the distributional assumptions... used to derive them, and not on the scaling procedures used to obtain the numbers.’⁹⁹² In further support for classifying Likert scale results as continuous data for statistical analysis, David Howell in his text *Statistical Methods for Psychology*, confirms the

⁹⁸⁹ Robert DeVellis, *Scale Development: Theory and Applications* (SAGE, 4th ed, 2017).

⁹⁹⁰ Barbara Tabachnick and Linda Fidell, *Using Multivariate Statistics* (Pearson Boston, 6th ed, 2016).

⁹⁹¹ Lopez and Snyder, *Positive Psychology Assessment: A Handbook of Models and Measures* (n 438).

⁹⁹² Richard Harris, *A Primer of Multivariate Statistics* (Psychology Press, 2001) 444.

appropriateness of commonly used statistical techniques in the behavioural and social sciences.⁹⁹³ Howell states that,

The validity of statements about the objects or events that we think we are measuring hinges primarily on our knowledge of those objects or events, not on the measurement scale. We do our best to ensure that our measures relate as closely as possible to what we want to measure, but our results are ultimately only the numbers we obtain and our faith in the relationship between those numbers and the underlying objects or events... the underlying measurement scale is not crucial in our choice of statistical techniques... a certain amount of common sense is required in interpreting the results of these statistical manipulations.⁹⁹⁴

Therefore, there is an awareness of the limitations of Likert scale data collection and a willingness to manage the limitations in the interpretation of the results. Psychological assessment theories and methodologies accepts that parametric analysis (such as means and t-tests) and correlations tests (such as ANOVA) can be validly conducted with Likert type ratings. Therefore, the analysis conducted in this thesis will classify the AHS and DASS21 results as continuous data to allow for statistical analysis in the software program *Statistical Package for the Social Sciences* (SPSS).

C. Choice to Use SPSS

SPSS is a statistical software program designed by IBM to support social science researchers.⁹⁹⁵ Statistical analysis in this study was conducted using SPSS version 27. SPSS was chosen because it is a widely used and popular software package. JCU provides licences to staff and students to access SPSS.

D. Quantitative Statistical Analysis

The Oxford Handbook of Quantitative Methods outlines the current best practice in psychological assessment in the field of psychology.⁹⁹⁶ Although it was published in 2013, it is the most recent version of this text, and it outlines the appropriate design and analysis for psychology research, including psychometric assessment. The data collected in this study is non-experimental research, in that the researcher did not manipulate or have influence over any of the variables during the data collection. Traditional statistics include univariate methods such as the t-test, ANOVA, Pearson's *r*, Spearman's *rho*,

⁹⁹³ David Howell, *Statistical Methods for Psychology* (Cengage Learning, 2012).

⁹⁹⁴ *Ibid* 8.

⁹⁹⁵ IBM, 'SPSS Software', <www.ibm.com/spss>.

⁹⁹⁶ Todd Little, *The Oxford Handbook of Quantitative Methods, Vol. 2: Statistical Analysis* (Oxford University Press, 2013).

and multiple regression.⁹⁹⁷ These classical statistics are used for significance testing, that is to compute indices of effect or relationship strength when there is a single dependent variable. By determining the effect sizes of the relationship between variables, the results can be used to make an informed judgement about the practical significance of the results and whether any action is justified to be taken in relation to educational practice. P-values are used to determine statistical significance. Further analysis however is required in order to determine the practical significance of results. The results of the r^2 in regression analysis (with the assistance of effect size guides, such as Cohen's d), can provide information to inform judgements about practical significance.⁹⁹⁸ It was only in 1996 that the American Psychological Association (APA) appointed a task force to consider whether statistical significance tests should be banned from APA journals.⁹⁹⁹ In addition, it was only in the early 2000s that effect size reporting became more common in psychology publications.¹⁰⁰⁰

Discussions in the literature hypothesise differences in results across distinct populations such as gender, age, location, and year of study.¹⁰⁰¹ This thesis study investigated the impact of factors including type of degree being studied, campus location, year of study, gender, and time spent at law school. To investigate if differences across these variables exist in the current study, independent-sample t-tests were conducted with the dependent variables (dependent variable: depression, anxiety, and stress) compared to independent variables (independent variable: for example, gender (0=females; 1=males) or degree type (0=straight law; 1=joint degree)). This was done to determine if there were any significant differences in the mean scores for each group.¹⁰⁰² Standardised effect size is reported using eta squared. Eta squared can be reported as both a ratio and a percentage to show the statistic information and also the real-world application of the ratio. The eta squared result states the extent that the independent variable can explain or predict the individual difference in the dependent variable. If eta squared is 0.41, that ratio can be expressed as a percentage ($.41 \times 100 = 41\%$), that would indicate that 41% of the variability in the dependent

⁹⁹⁷ Ibid 7.

⁹⁹⁸ Julie Pallant, *SPSS Survival Manual: A Step by Step Guide to Data Analysis Using IBM SPSS* (McGraw-Hill Education, 2020).

⁹⁹⁹ Board of Scientific Affairs, 'Task Force on Statistical Inference' (Initial Report, APA, December 1996)

<<https://www.apa.org/science/leadership/bsa/statistical>>.

¹⁰⁰⁰ Ibid.

¹⁰⁰¹ Margot Schofield et al, 'Depressive Symptoms among Australian University Students: Who Is at Risk?' (2016) 51(2) *Australian Psychologist* 135; Larcombe, Finch and Sore (n 11); Larcombe et al (n 15).

¹⁰⁰² Robert Grissom and John Kim, *Effect Sizes for Research: Univariate and Multivariate Applications* (Routledge, 2012); Little (n 996); Pallant (n 998). Traditional statistics include univariate methods such as the t-test, ANOVA, Pearson's r , Spearman's ρ , and multiple regression. These classical statistics are used for significance testing, that is to compute indices of effect or relationship strength when there is a single dependent variable.

variable can be explained by the independent variable. Tabachnick and Fidell, researchers in quantitative psychology, psychophysics and experimental psychology, caution however that in non-experimental research it is very difficult to attribute causality to an independent variable.¹⁰⁰³ Therefore, while it may be possible to determine that there is a relationship between variables, no causal association can be implied. The use of multivariate statistical techniques enables further exploration of the effects of, and relationships between, multiple variables. It also reduces the likelihood of committing a type I error (such as concluding that results are statistically significant when the results may in fact be due to unrelated factors). Multivariate statistics allows for the overall type I error rate to be set, for example at $p < .01$ (1%) or $p < .05$ (5%). For an exploratory study, reporting on whether a relationship is found to exist (or not) between dependent and independent variables, this t-test procedure is appropriate for the sample populations and sample sizes in this study.

Determining the effect size of the relationships between variables means that the results can be used to make an informed judgement about the practical significance of the findings and whether any action is justified to be taken, such as educational interventions or support service interventions. An important consideration in the interpretation of the results is that although some results statistically meet the standard for “significance”, practically the difference may not be large enough to justify a change in educational practice (for example changes to institutional policies and services or the law curriculum) to specifically address the differences.¹⁰⁰⁴ P-values are used to determine statistical significance. Further analysis is required to determine practical significance. Eta squared results are used in this study to report the effect size. Where a significant result was found, Cohen’s d results were additionally considered. The assistance of effect size guides, such as eta squared and Cohen’s d, can provide information to inform judgements about practical significance. The guidelines for interpreting eta squared effect size values are: 0.01 – 0.059 (small effect); 0.06 – 0.139 (moderate effect); 0.14 and above (large effect).¹⁰⁰⁵ Effect size and practical significance is considered in the reporting of results in Chapters 7, 8, and 9.

E. Using Self-Report Data

Scholars in psychological assessment theory and methodologies have considered the challenges in accurately measuring subjective strengths and weaknesses, particularly given favourability bias, which suggests respondents have a tendency to provide socially desirable information about themselves.¹⁰⁰⁶

¹⁰⁰³ Barbara Tabachnick and Linda Fidell, *Using Multivariate Statistics* (Pearson Boston, 6th Edition, 2016).

¹⁰⁰⁴ Grissom and Kim (n 1002) 47.

¹⁰⁰⁵ Pallant (n 998).

¹⁰⁰⁶ Lopez and Snyder, *Positive Psychology Assessment: A Handbook of Models and Measures* (n 438) 5.

Lopez, Snyder, and Rasmussen state that most scholars now believe that favourable self-presentation is part of the context.¹⁰⁰⁷ They argue that it should not be corrected for, but considered by the researchers when interpreting their data.¹⁰⁰⁸ Self-report data has also been criticised in that it may also be influenced by the individual's optimism or negativity bias.¹⁰⁰⁹ Telling students that the surveys are going to measure their levels of hope, depression, anxiety, and stress implies that those concepts exist for each student – and students may answer because 'we are measuring your levels of depression, therefore you have some level of depression' and 'we are measuring your levels of hope, therefore you have some level of hope'. However, scholars have suggested that the actual influence of contextual factors, biases, and personal response styles in the accuracy of self-report data is in fact quite limited.¹⁰¹⁰ Pavot, in a chapter exploring the successes and shortfalls of the assessment of subjective wellbeing, states that self-report data, such as the measures of subjective wellbeing and life satisfaction, are generally reliable and valid.¹⁰¹¹ Instruments that rely on self-reported information are considered psychometrically strong for cognitive constructs.¹⁰¹² Therefore, researchers can rely on the participants' own measures of subjective experiences to accurately assess psychometric phenomena.

Balancing the measures of psychological wellbeing and psychological distress by using both the AHS and DASS was also a conscious research design in this thesis. Balancing the measures of perceived strengths and perceived weaknesses is important because it highlights to the students that wellbeing and illbeing are complementary cognitions. The inclusion of strengths-based measures is also designed to reduce post-survey distress if students report high levels of cognitive weaknesses or perceptions of psychological distress.

F. Cross-Sectional Study Design

A cross-sectional study was selected for this thesis as an appropriate method for an exploratory study into the relationship between levels of hope and depression, anxiety, and stress. A cross-sectional study is a

¹⁰⁰⁷ Ibid.

¹⁰⁰⁸ Lopez and Snyder, *Positive Psychology Assessment: A Handbook of Models and Measures* (n 438) 5.

¹⁰⁰⁹ Richard Lucas, Ed Diener and Randy Larsen, 'Measuring Positive Emotions' in Shane Lopez and Charles Snyder (eds), *Positive Psychological Assessment: A Handbook of Models and Measures* (American Psychological Association, 1st ed, 2003) 201, 210.

¹⁰¹⁰ Pavot (n 324) 126; Pavot and Diener (n 844).

¹⁰¹¹ Pavot, 'The Assessment of Subjective Well-Being: Successes and Shortfalls' (n 324) 126.

¹⁰¹² Gallagher and Lopez, *The Oxford Handbook of Hope* (n 22) Chapter 7; Michael Eid, 'Measuring the Immeasurable: Psychometric Modeling of Subjective Well-Being Data' in Michael Eid and Randy Larsen (eds), *The Science of Subjective Well-Being* (Guilford Press, 2008) 141

type of observational research that collects and analyses data at a specific point in time.¹⁰¹³ This allows for a snapshot of the population at a single point in time. One time point is appropriate to collect the data necessary to answer this thesis's research questions. While the literature has theorised that agency and pathway thinking may have an impact on law students reported levels of depression, anxiety, and stress, no primary research had been conducted to determine if that is true until this thesis study.¹⁰¹⁴ Thus, the primary research aim of this thesis is to answer the questions:

(RQ1) What are the advantages of measuring mental health across two continua using the psychological constructs of Hope and DASS?

(RQ2) What are the levels of mental health among law students at JCU, as measured by the psychological wellbeing measure of Hope and psychological illbeing measure of DASS?

(RQ3) What difference does exposure to hope-based curriculum and positive professional identities make to JCU students' levels of Hope and DASS?

Cross-sectional data collection also allows for analysis into the strength and direction (positive or negative) of the relationship between AHS and DASS. Bivariate and multivariate analysis can be conducted to assess correlation, the strength, and the direction of any relationship between variables.¹⁰¹⁵

A limitation of the cross-sectional study design is that the data cannot be used to determine causality. So, although a relationship may be found to exist, whether the measure of one variable is causing the effect of the other variable cannot be determined without the addition of longitudinal data. This limitation is not a concern for an exploratory study. The research questions in this thesis are focused on determining *if* a relationship between variables does exist and therefore correlation analysis is sufficient. The results of this study may support the undertaking of future longitudinal research to further any relationships found to exist between sub-scales.

A further limitation of a cross-sectional study design is that the data is only gathered at one point in time. Similar to the concern of the influence of contextual factors in self-report data, a criticism of cross-

¹⁰¹³ Ulrik Kesmodel, 'Cross-Sectional Studies—What Are They Good For?' (2018) 97(4) *Acta Obstetrica et Gynecologica Scandinavica* 388, 388; Juliana Zangirolami-Raimundo, Jorge de Oliveira Echeimberg and Claudio Leone, 'Research Methodology Topics: Cross-Sectional Studies' (2018) 28(3) *Journal of Human Growth and Development* 356.

¹⁰¹⁴ See literature reviewed in Chapter 1: *Introduction*; Chapter 2: *Student Wellbeing and Mental Health at University and Law School*; and, Chapter 4: *Hope and Psychological Distress*.

¹⁰¹⁵ Tabachnick and Fidell (n 1003).

sectional studies is that a respondent may be influenced by a transient mood or contextual factor at the particular time of taking the questionnaire as students are asked to consider how much statements applied to them over the past week. Although scholars have suggested transient mood and contextual factor effects in self-report cross sectional studies are limited¹⁰¹⁶, there is no way to avoid or mitigate the risk.

V Research Design

Data was collected through a survey of current law students at JCU in 2019. JCU offers law subjects on two campuses in Townsville and Cairns in North Queensland, Australia. The survey was administered across the two campuses. The survey consisted of DASS and the AHS, as well as demographic information. Demographic information included gender, age (in years), enrolment type (straight law or combined law degree), and year of study (to determine time spent at law school). The order of the surveys was randomised with some students receiving a survey with the AHS to be completed first, and others with the DASS to be completed first. This method was chosen to consider if there was a difference in results if a student was 'primed' with completing the AHS first or the DASS first. Results reported in Chapter 8: *Reporting on Law Students' Levels of Hope*, Part I. A. 8. Order of Survey Completion found no significant difference in results between respondents who completed the AHS or DASS21 first or second.

The survey was conducted in hardcopy during class time between the 1st and 4th April 2019. This aligned with lecture week 6 of the first semester study period. The timing was selected to be far enough into the semester that the stressors of "starting university" would have passed, and prior to any major assessment tasks or exams (usually conducted during the end of semester exam period). Students may have been experiencing mid-semester assessments during this time. Participation was voluntary, and no incentives were offered for completion. Students were provided with both verbal and written instructions (see Appendix 4 for the Information Sheet provided). The front page of the survey was an information sheet that included an explanation of the purpose of the study and contact details for the researcher. Students were informed that they could rip off the front sheet and keep it for their own information. The students were also informed that the results would be non-identifiable at an individual level, and consent to participate was inferred by the completion and submission of the survey. Ethics was approved through the JCU Ethics Committee and data was collected according to the protocol outlined in the ethics application.¹⁰¹⁷

¹⁰¹⁶ Pavot, 'The Assessment of Subjective Well-Being: Successes and Shortfalls' (n 324).

¹⁰¹⁷ JCU Ethics Committee human ethics approval number H6659.

The results were manually inputted into SPSS using the codebook for data set out in Table 7.

Table 7: Codebook for SPSS Data

SPSS Variable Name	Full Variable Name	Coding instructions	Measurement level
ID	Identification number of survey	Identification number	Scale
Campus	Campus	1=TSV; 2=CNS	Nominal
Class	Name of class	Class code	Nominal
Order	Order of survey	1=Hope/DASS; 2=DASS/Hope	Nominal
H1 to H12	Hope Scale	1= definitely false; 8 = definitely true	Scale
D1 to D21	DASS21 Scale	0=did not apply to me at all; 3 = applied to me very much or most of the time	Scale
Sex	Sex	1= males; 2=females	Nominal
Age	Age	In years	Scale
Mature	Mature age student	1=yes; 2=no	Nominal
Law_Joint	Straight Law degree or combined law degree or degree other than law	1=straight law; 2=combined law 3=degree other than law	Nominal
Year	Year of study in law degree	1=1 st year; 5=5 th year	Nominal
Degree	Name of degree/Combined	1=law; 2=business; 3=science	Nominal
Positive	Question on lawyers' positive contribution to society	1=yes; 2=no	Nominal
LA1107	Have you completed LA1107?	1=yes; 2=no	Nominal
LA4034	Have you completed LA4034?	1=yes; 2=no	Nominal

To allow for quantitative data analysis, all data was entered with a scale or nominal meaning.¹⁰¹⁸ Once all questionnaire results were entered, calculations for total hope, agency, pathway, total DASS, depression,

¹⁰¹⁸ Pallant (n 998).

anxiety, and stress scales were added. The coding allowed for quantitative statistical analysis to be conducted with the data, as described above.

A. Study Population

The population for the study includes law students and students studying law subjects at James Cook University who were present in class on the day the surveys were administered. The survey was conducted in large cohort classes across the four-year levels of the law degree.¹⁰¹⁹ Students will typically cycle through a law degree studying the priestly and core subjects in a certain order. It was therefore possible to predict which subjects would have a majority of first year, second year, third year, and fourth year students. The sample population was intentionally selected from one large class per estimated year group. To minimise the possibility of students being sampled twice, the instructions clearly stated that if students had completed the survey in another class, then they were asked to not complete a survey again – however there was no way to prevent that occurrence nor assess if a student completed multiple surveys. The data was therefore collected from a convenience non-representative sample of students. As this is an exploratory study focused on determining if a relationship exists between the two instruments (AHS and DASS) and to further explore influences on the relationships of the variables and different scales within the instruments, a convenience sample is appropriate. The high overall response rate may also reduce potential sampling bias.

¹⁰¹⁹ At the time of data collection in 2019 a JCU law degree could be studied full-time in 4 years.

Table 8: Subject Selection for Population of the Study

Location	Class Code	Class name	Number of students total enrolled class	Number of completed surveys	Percentage of students surveyed
Townsville	LA1101	Legal Institutions and Processes	100	60	60%
Townsville	LA2017	Principles of Criminal Law A	75	52	70%
Townsville	LA3013	Principles of Equity	54	19	35%
Townsville	LA4009	Legal Ethics and Trust Accounting	73	50	68%
Cairns	LA1101	Legal Institutions and Processes	51	32	63%
Cairns	LA2017	Principles of Criminal Law A	28	20	71%
Cairns	LA3013	Principles of Equity	21	16	76%
Cairns	LA4038	Legal Ethics and Trust Accounting	25	10	40%
TOTAL			427	259	61%

A total of 259 surveys were completed, which represents 61% response rate of the sample population, and appropriate responses for the population size with a confidence level of 95% and margin of error at 5%. Across both Townsville and Cairns campuses, 92 responses (35.5%) were from first year law classes; 72 responses (27.8%) from second year law classes; 35 (13.5%) from third year law classes; and 60 (23.2%) from fourth year law classes. The demographics of the results were compared with demographic information of the law student population in 2019. Seventy percent (70%) of the responses (n=181) were from students based on the Townsville campus which is a slightly larger representation of the 66.3% of the total law student population studying on the Townsville campus in 2019. Thirty percent (30%) of the responses (n =78) were from students based on the Cairns campus, which is a slight under representation of the 33.6% of the total law student population studying on the Cairns campus in 2019. In 2019 at JCU

there were 301 enrolments in a law degree, and 204 enrolments in a combined law degree. Of the survey respondents 61.8% were enrolled in a law degree, 32.4% in a combined law degree¹⁰²⁰, and 5.8% in another degree (studying a law subject as an elective). Just over sixty five percent (65.3%) of the responses were female (n=169), compared to a 62% female cohort in the overall law student population, and 33.2% of the responses were male (n=86), compared to a 37.8% male cohort in the overall law student population. One and a half percent (1.5%) of the survey respondents identified as other than male or female (n=4), compared to 0.2% according to JCU enrolments data.¹⁰²¹ The mean age of the respondents was 22.51 years.

Table 9: Demographic Characteristics of Respondents and Overall JCU Law Student Population in 2019

		No of survey respondents (n)	Percentage of survey respondents	Total law population at JCU*	Percentage of law population at JCU*
Age (years)	0-19	101	39.3%	122	24.2%
	20-24	103	40.1%	245	48.5%
	25-29	20	7.8%	54	10.7%
	30-34	14	5.4%	27	5.3%
	35+	19	7.4%	57	11.3%
	Total	257**	100%	505	100%
Gender	Female	169	65.3%	313	62%
	Male	86	33.2%	191	37.8%
	Other	4	1.5%	1	0.2%
	Total	259	100%	505	100%
Degree	Law	160	61.8%	301	59.6%
	Law Combined	84	32.4%	204	40.4%
	Other	15	5.8%	NA	
	Total	259	100%	505	100%

*Total law population includes students across both Townsville and Cairns campuses
** Two survey responses did not report age

B. Strengths of Research Design

The primary strength of this thesis study is the use of reliable and validated survey instruments and the collection of data that may be analysed with guidance from results from studies using the same instruments. While the results of the current study are not directly comparable to other studies, due to differences in the administration of the survey (for example, timing, priming of students, and delivery) and

¹⁰²⁰ A combined law degree refers to students who are studying law and an additional bachelor degree. For example, Bachelor of Arts – Bachelor of Laws; Bachelor of Business – Bachelor of Laws.

¹⁰²¹ Data obtained from James Cook University, *IBM COGNOS Database*, (Report, Accessed June – December 2020).

factors that impact the population (for example, undergraduate or postgraduate, calibre and capacity of students), the reliability of the survey instruments provide evidence-based findings on levels of depression, anxiety, and stress and hope across different populations. The results of this study deliver a preliminary estimate of the significance of wellbeing and levels of psychological distress experienced by law students at JCU. The data also allows for the testing of the Hope/DASS Four-Quadrant Model. This study provides an original, valuable, and unique contribution to the existing empirical data.

C. Limitations and Practical Challenges of Research Design

A limitation of this study related to convenience sampling, is that data was only received from students who were present in class on the days the survey was administered. Therefore, there may be some participation bias as the findings are only from students who showed up to class in week 6 of first semester.¹⁰²² This could mean that the results are skewed to students who were still motivated and/or psychologically and physically able to attend class. As the sampling bias cannot be measured nor controlled, the results from this study cannot be generalised beyond the sample population.¹⁰²³ The sample may also be biased to exclude students who work full-time or for other demographic reasons are unable to attend face-to-face class. However, it is important to note that the law degree was only offered as a face-to-face / on-campus course delivery in 2019, therefore there was no obvious bias towards online learners. The voluntary nature of the survey could also mean that students who were feeling particularly distressed, or disinterested in a wellbeing study, may have chosen not to participate. The response rate for each class in the current study was close to the number of students who attended the class on the day, although exact figures of attendance and number of survey responses was not able to be determined. The surveys were conducted at the start of, or end of, class. This means that there was some movement of students coming in late or choosing to leave early. Surveys in some classes were also handed out in large piles for distribution across a row or table of students. There was therefore no way to determine if the number of blank responses returned were from students who did not participate or simply additional surveys. Reflecting on the option for students to submit a non-response (hand back a blank survey) means

¹⁰²² Leonard Bickman and Debra Rog, *The Sage Handbook of Applied Social Research Methods* (Sage Publications, 2008).

¹⁰²³ Tabachnick and Fidell (n 1003).

that sampling bias may exist due to the systematic differences between the attitudes or behaviours of students who chose to respond to the surveys compared to those who did not.¹⁰²⁴

The research design included a conscious choice to administer the surveys in hardcopy during class time with the aim of ensuring a higher response rate. In a review of the response rates of “online versus paper-based” response rates to university course and teaching evaluations, Nulty from Griffith University, Queensland, found that online surveys achieved much lower response rates than hardcopy ones.¹⁰²⁵ Typical modes of collecting self-administered survey data include “paper and pencil,” computer assisted (electronic), or telephone (interactive voice response methods). When answering survey questions there are cognitive demands placed on the respondents, such as: comprehension of the question (considering the demand for literacy, auditory, oral, or visual burdens); recall of an event or requested information from memory; evaluation of the link between the retrieved information and the question being asked; and, the communication of the response.¹⁰²⁶ As Bowling describes, the mode of questionnaire administration is an important consideration, stating ‘as each mode inevitably imposes different cognitive requirements on respondents, and varies in the amount of privacy and anonymity they afford respondents, these can affect the process of responding to questions, and thus on the quality of the data.’¹⁰²⁷ Providing the AHS and DASS21 survey to the JCU law student population of this study in person and in hardcopy has produced reliable data, presented in Chapters 7, 8, and 9.

VI Conclusion

The research methodology used in this thesis, including a discussion of accepted psychological scientific research methods, and current best practice in psychological assessment has been outlined in this chapter. The research methodology chosen for this thesis has produced meaningful and reliable data collection that supports the investigation of the key research questions (outlined in Chapter 1). The next three chapters report on the quantitative statistical results of this thesis study.

¹⁰²⁴ In considering sampling and responses from university students in teacher and course evaluations see John Richardson, 'Instruments for Obtaining Student Feedback: A Review of the Literature' (2005) 30(4) *Assessment & Evaluation in Higher Education* 387.

¹⁰²⁵ Duncan Nulty, 'The Adequacy of Response Rates to Online and Paper Surveys: What Can Be Done?' (2008) 33(3) *Assessment & Evaluation in Higher Education* 301.

¹⁰²⁶ Ann Bowling, 'Mode of Questionnaire Administration Can Have Serious Effects on Data Quality' (2005) 27(3) *Journal of Public Health* 281, 281.

¹⁰²⁷ *Ibid*, 281.

Chapter 7: Reporting on Law Students' Experience of Depression, Anxiety, and Stress

Chapter 7 explores existing law student wellbeing studies in Australia and reports findings from an empirical exploratory study investigating the levels of depression, anxiety, and stress (DASS) using the DASS21 survey instrument in law students at a regional Australian university, James Cook University. The results from this study support earlier studies at Australian universities that show that law students experience higher levels of psychological distress symptoms compared to the general population¹⁰²⁸, and it is an area of concern that requires ongoing attention.

Part I contains a review of the literature on measuring illbeing of law students and a synthesis of similar studies conducted across law schools in Australia using the DASS21 survey instrument. In Part II the results from the DASS21 survey, conducted as part of this thesis, are presented. The results include an exploration of the impact of factors including type of degree being studied, campus location, year of study, gender, age, and time spent at law school. In Parts III and IV the results are discussed and the impact of COVID-19 is considered when interpreting pre-COVID-19 results. In Part V the findings are discussed. This study shows that the experience of psychological distress symptoms in law students at JCU is higher than the DASS norms and DASS results from the general population.

I Measuring Illbeing of Law Students

As noted above, university students tend to report higher levels of psychological distress compared to age-matched young people.¹⁰²⁹ Previous studies across a range of disciplines at Australian Universities have reviewed sources of stressors that contribute to students experiencing heightened levels of depression, anxiety, and stress at university.¹⁰³⁰ As highlighted in Chapter 2, studies focused specifically on law student populations in Australia have reported on first year experience, assessment and feedback design, role of

¹⁰²⁸ Schofield et al (n 1001) 138. Schofield references the difference between results in Australian university students surveyed in their study compared to normative data from two studies, one including university student sample data, with population aged 20 – 29, and one including non-university student sample data, with population aged 18 – 24. Schofield et al state, 'University students have been shown to be at higher risk of psychological distress than age-matched young people' 135.

¹⁰²⁹ See, eg, Ibid. Lovibond and Lovibond (n 58, 27). Lovibond and Lovibond developed DASS severity ratings for results for the DASS surveys based on normative data comprising of 1044 males and 1870 females with an age range of 17 – 69 years, however data was included predominantly from studies involving university students (n=1607).

¹⁰³⁰ Larcombe et al (n 15).

competition, academic demands, and developing positive professional identities as influencing factors affecting students' levels of psychological distress and overall wellbeing (or ill-being).¹⁰³¹

In 2011 Townes O'Brien, Tang, and Hall shared findings of surveys conducted on first year law students using psychometric instruments for Rational-Experiential Inventory (REI), Depression Anxiety and Stress Scale (DASS21), and the Satisfaction with Life Scale (SWLS).¹⁰³² Their DASS results were generally consistent with the BMRI study, and provided additional evidence that students at the beginning of the academic year (first week of law school) had similar or lower levels of psychological distress compared to normative groups. The same student cohort by the end of first year at law school showed more symptoms or greater intensity of symptoms of depression and stress compared with results from the beginning of the year and normative groups.¹⁰³³ Later DASS21 studies on law student populations further confirmed that law students report higher than average (compared to normative groups) indicators of psychological distress. Wendy Larcombe, Associate Professor at the University of Melbourne Law School, has been a prolific researcher and author of studies on student wellbeing and the law student experience since 2011. Following the release of the BMRI report and O'Brien, Tang, and Hall's published study, Larcombe et al in 2011 and Larcombe and Feathers in 2012 conducted studies at the Melbourne Law School with two measures of psychological wellbeing, the DASS21 scale and Ryff's Psychological Wellbeing Scales (PWBS).¹⁰³⁴ The 2011 study compared wellbeing results across law students in the LLB (undergraduate) and Juris Doctor (postgraduate) cohorts. DASS21 results were consistent with the BMRI and O'Brien, Tang, and Hall's study showing greater intensity of symptoms compared to normative groups. The study further found that despite Juris Doctor (postgraduate) students reporting significantly higher course satisfaction, there was no significant difference detected in the levels of psychological distress between the two groups. As a result, the authors inferred that enhancements in law school experiences may not necessarily lead to improved student wellbeing. The authors also highlighted responses from both cohorts that were identified as significant causes of psychological distress, including assessment pressures, feedback, law

¹⁰³¹ See, eg, Field and Kift (n 15); Anna Huggins, 'The Threshold Learning Outcome on Self-Management for the Bachelor of Laws Degree: A Proposed Focus for Teaching Strategies in the First Year Law Curriculum' (2011) 2(2) *International Journal of the First Year in Higher Education* 23; Lester, England and Antolak-Saper (n 188); Colin James, Miles Bore and Susanna Zito, 'Emotional Intelligence and Personality as Predictors of Psychological Well-Being' (2012) 30(4) *Journal of Psychoeducational Assessment* 425; Stallman (n 83); Field, Duffy and Huggins (n 192); Baron (n 171); Bergin and Pakenham (n 61); Lindsay et al (n 229); Pauline Collins, 'Australian Legal Education at a Cross Roads' (2016) 58(1) *The Australian Universities' Review* 30; Heath et al (n 171).

¹⁰³² O'Brien, Tang and Hall (n 10).

¹⁰³³ Ibid.

¹⁰³⁴ Larcombe et al (n 15); Larcombe and Fethers (n 10).

lecturer and faculty approachability, the competitive and exclusive nature of law school culture, and limitations in relation to accessing student services support.

Larcombe and Feathers in their 2012 study of Juris Doctor (postgraduate) students reported 29% of students had moderate to extremely severe responses across all three DASS21 scales, and 22% were classified as experiencing severe to extremely severe results across all three scales, indicating high levels of depression, anxiety, and stress symptoms in the law student population of the University of Melbourne.¹⁰³⁵ In normative group data collected from studies with general adult populations, the expected result for moderate to extremely severe psychological distress symptoms is fewer than 13% of the respondents, and severe to extremely severe psychological distress symptoms are expected in fewer than 6% of responses.¹⁰³⁶

Psychological wellbeing studies across university populations in general have also provided useful comparative data with law student populations. In 2015 Larcombe, Finch, and Sore published a comparative study of DASS21 results demonstrating that many university students studying a variety of degree programs (not just law students) suffer high levels of psychological distress.¹⁰³⁷ The study reported on the psychological distress level among law students, as well as non-law students, across a range of disciplines at the University of Melbourne. The law school results were compared to DASS21 results from studies with Australian law students at the Australian National University (ANU),¹⁰³⁸ the University of Queensland (UQ),¹⁰³⁹ and the University of Western Australia (UWA)¹⁰⁴⁰ which all indicated that law students experienced higher levels of psychological distress compared to normative group results. The law student population results of Larcombe, Finch, and Sore's 2015 study were then considered in light of results from non-law students, which included students from engineering, veterinary medicine, science, arts, and biomedicine.¹⁰⁴¹ The comparison of law and non-law student results showed similar levels of

¹⁰³⁵ Responses of 305 Juris Doctor law students were included in the study, representing the respondents who answered all questions for all three DASS21 scales.

¹⁰³⁶ John Crawford and Julie Henry, 'The Depression Anxiety Stress Scales (DASS): Normative Data and Latent Structure in a Large Non-Clinical Sample' (2003) 42(2) *British Journal of Clinical Psychology* 111; Henry and Crawford (n 979); Lovibond and Lovibond (n 58). Crawford and Henry present normative data from a non-clinical sample of n=1771 UK adult population, 965 females and 806 males with an age range of 15 – 91 years.

¹⁰³⁷ Larcombe, Finch and Sore (n 11).

¹⁰³⁸ O'Brien, Tang and Hall (n 10).

¹⁰³⁹ Bergin and Pakenham (n 61). This study reports on the depression and anxiety scale only.

¹⁰⁴⁰ Skead and Rogers (n 227). This study reports on the depression scale only.

¹⁰⁴¹ Only results that included all three completed scales of the DASS were included. A total of 4711 responses were included in the study from disciplines of law (333 – Masters only); engineering (485 – undergraduate and Masters); veterinary medicine (308 – undergraduate and Masters); science (1715 – undergraduate and Masters); arts (1,244 – undergraduate only); and, biomedicine (626 – undergraduate only).

psychological distress being experienced across disciplines. Symptom levels on the DASS21 are reported in five categories ranging across normal, mild, moderate, severe, and extremely severe.¹⁰⁴² Results of symptom levels of severe to extremely severe were reported in 27% of the law students and 26% of the non-law students.¹⁰⁴³ Although variations were observed in the mean scores of DASS results across the different discipline student populations, the authors arrived at the conclusion that law students might not face a greater likelihood of psychological distress compared to other university students. Therefore, just being a university student is a risk factor for high levels of psychological distress. However, the results do further support that law students are consistently experiencing higher levels of psychological distress compared to normative groups. Considering the implications of the results of this study for law schools, the authors conclude,

We suggest that our findings provide important guidance for law schools in working to minimise and respond to the high levels of psychological distress experienced by their students. Our results do not lessen that task: results from this study confirm that significant numbers of law students – one-in-four on our figures – are experiencing very high levels of psychological distress, at a time in the academic year with few assessment requirements. This confirms the need for law schools to better support students' mental wellbeing.¹⁰⁴⁴

Considering the holistic university student experience, especially for those enrolled in combined degree programs with law, Larcombe, Finch, and Sore advocate for a comprehensive and sustainable approach to student mental wellbeing across the entire university community. This call for inclusive strategies recognises the interconnectedness of various academic disciplines and support systems within the university environment, and the importance of providing consistent and effective resources to enhance student mental health and wellbeing university-wide.

In 2015 and 2017 Batagol, Sifris, Spivak, Williams and Antolak-Saper conducted studies focused on measuring and reporting on empathy levels, and also reported on the levels of DASS21 in law students at Monash University.¹⁰⁴⁵ The results did not support any clear connection between the students' empathy levels and DASS psychological distress results.¹⁰⁴⁶ However, the results did contribute to the evidence base

¹⁰⁴² Lovibond and Lovibond (n 58).

¹⁰⁴³ Larcombe, Finch and Sore (n 11).

¹⁰⁴⁴ Ibid 265.

¹⁰⁴⁵ Batagol et al (n 57) 99.

¹⁰⁴⁶ As a result of the study the Batagol et al concluded that increasing empathy levels would not result in decreasing student's depression, anxiety, or stress levels as there was no clear connection between empathy and psychological distress. Therefore, the planned empathy skills and values training was not introduced.

of law students wellbeing and experience of high levels of psychological distress, with DASS21 results showing higher mean scores of depression, anxiety, and stress scales compared to Larcombe et al's 2011, 2012 and 2013 studies.¹⁰⁴⁷ The data collection for this thesis further contributes to that evidence base. The data was collected in 2019 and reports on findings of psychological distress in law students at a regional Australian university, JCU.

II Results of the James Cook University Survey

In order to be included in the results, the survey sub-scales for depression, anxiety, and stress (each containing 7 questions) must contain a complete set of answers to each of the 7 questions. If a student completed all 7 questions on the depression and stress sub-scale, but only 6 questions on the anxiety sub-scale, then their depression and stress results are included in the analysis, however their anxiety results would be excluded due to incomplete data (therefore some differences in total results are observed in the reporting of the data below). The results of each sub-scale were doubled to give a result out of 42, to allow comparison of DASS42 and DASS21 results across studies.¹⁰⁴⁸ The DASS results can be interpreted against the scale guide that provides the range of numerical results for each symptom range (normal; mild; moderate; severe; extremely severe) as shown in Table 11.

Table 10: Range for DASS21 Symptom Results¹⁰⁴⁹

Symptom range	Depression	Anxiety	Stress
Normal	0-9	0-7	0-14
Mild	10-13	8-9	15-18
Moderate	14-20	10-14	19-25
Severe	21-27	15-19	26-33
Extremely Severe	28+	20+	34+

The reliabilities (internal consistencies) of the DASS21 and three subscales in this study were estimated using Cronbach's alpha (a measure of a psychometric scale reliability). Cronbach's alpha (α) scores range from 0 to 1, with a higher score indicating that items within a scale are more internally consistent, which

¹⁰⁴⁷ See Table 13 for a visual comparison of means scores across the different studies.

¹⁰⁴⁸ As recommended in DASS manual to allow for comparison of results across DASS42 and DASS21 scores, Lovibond and Lovibond (n 58). See, eg, John Crawford et al, 'Percentile Norms and Accompanying Interval Estimates from an Australian General Adult Population Sample for Self-Report Mood Scales (BAI, BDI, CRSD, CES-D, DASS, DASS-21, STAI-X, STAI-Y, SRDS, and SRAS)' (2011) 46(1) *Australian Psychologist* 3.

¹⁰⁴⁹ Lovibond and Lovibond (n 58).

indicates a scale is more likely to be measuring the same construct. The α for the total scale was 0.94, and for the depression, anxiety and stress subscales 0.9, 0.85, 0.86 respectively, demonstrating high reliability. Table 11 shows the number of results of each subscale and corresponding symptom level.

Table 11: DASS21 Subscale Results and Corresponding Symptom Level

Symptom level	Depression		Anxiety		Stress	
	n	%	n	%	n	%
Normal	132	51.8%	106	41.4%	122	47.8%
Mild	37	14.5%	25	9.8%	38	14.9%
Moderate	36	14.1%	49	19.1%	36	14.1%
Severe	24	9.4%	25	9.8%	44	17.3%
Extremely Severe	26	10.2%	51	19.9%	15	5.9%
Total	255	100%	256	100%	255	100%

According to Lovibond and Lovibond, the DASS distribution for severe and extremely severe is set at the 95th percentile, meaning generally only 5% of the results would fall within that range for each of the scales.¹⁰⁵⁰ In the current study the proportion of severe and extremely severe responses falls outside the normative data range, with results indicating higher symptom levels across all three sub-scales compared to DASS norms.

Table 12: Combined Symptom Level Results of DASS21 Survey

Symptom level	Depression		Anxiety		Stress	
	n	%	n	%	n	%
Normal - Moderate	205	80.4%	180	70.3%	196	76.9%
Severe – Extremely Severe	50	19.6%	76	29.7%	59	23.1%
Total	255	100%	256	100%	255	100%

The mean DASS scores were calculated with a 95% confidence interval (the upper and lower limits for the true mean difference). A single sample t-test shows the mean level of psychological distress (DASS total score; $M = 39.14$, $SD = 27.37$, $t(249) = 22.61$, $p = <.001$) as significantly higher than normative DASS total scores ($M = 18.38$, $SD = 25.37$). These results indicate that JCU law students reported significantly higher

¹⁰⁵⁰ Ibid.

levels of psychological distress compared to normative data, as defined by Lovibond and Lovibond in the *Manual for the Depression, Anxiety, Stress Scales* (referred to in this article as DASS norms).¹⁰⁵¹

Since the BMRI report in 2009¹⁰⁵² a number of Australian law schools have administered the DASS survey and reported on their results, as discussed above. The mean results across those studies demonstrate that JCU law students (in this thesis's study) reported higher levels of depression, anxiety and stress compared to the law students in studies prior to 2014 in other university cohorts in Australia and earlier results from the general population at large.¹⁰⁵³ The 2015 and 2017 results from Monash University show high levels of DASS comparable to the findings of this thesis's study.¹⁰⁵⁴

Table 13: DASS21 Mean Scores on Depression, Anxiety, and Stress Subscales Compared with Australian University and General Population Samples

Study (year of results collection)	Population	Location**	n	Participation rate***	Characteristics	Timing	DASS version	Mean* depression	Mean* anxiety	Mean* stress
Current Study (2019: April)	Single University	QLD (RR)	259	61%	Undergraduate law students	Week 6, Sem 1	21	11.46	11.09	16.49
Batagol et al (2017: October) ¹⁰⁵⁵	Single University	VIC (M)	656	16.4%	Undergraduate law students	First week exam period, Sem 2	21	14.21	11.64	18.86
Batagol et al (2017: August) ¹⁰⁵⁶	Single University	VIC (M)	410	9%	Undergraduate law students	Week 2, Sem 2	21	13.07	10.14	16.51
Batagol et al (2015) ¹⁰⁵⁷	Single University	VIC (M)	261	10.2%	Undergraduate law students	First week exam period, Sem 2	21	13.89	11.36	19.15
Larcombe et al. (2013) ¹⁰⁵⁸	Single university	VIC (M)	333	44%	Postgraduate law students	Weeks 2-4, Sem 2	21	9.8	7.7	14.86
Larcombe and Fethers (2012) ¹⁰⁵⁹	Single university	VIC (M)	316	46%	Postgraduate law students	Week 2-4, Sem 2	21	9.2	7.4	14.4
Townes O'Brien, Tang, and Hall (2010) ¹⁰⁶⁰	Single university	ACT (M)	172	Not specified	Undergraduate law students	Week 2, Sem 1	21	5.78	7.14	9.48
Townes O'Brien, Tang, and Hall (2010) ¹⁰⁶¹	Single university	ACT (M)	81	Not specified	Undergraduate law students	Sept – Oct (end of semester)	21	8.84	7.14	14
Townes O'Brien, Tang, and Hall (2009) ¹⁰⁶²	Single university	ACT (M)	214	Not specified	Undergraduate law students	October (end of semester)	21	10.6	7.6	12.62

¹⁰⁵¹ Ibid.

¹⁰⁵² Kelk (n 17).

¹⁰⁵³ Comparison table adapted from 'Table 5. Comparison of DASS means' – published research in Larcombe et al (n 15) 1083.

¹⁰⁵⁴ Batagol et al (n 57).

¹⁰⁵⁵ Ibid 22.

¹⁰⁵⁶ Ibid.

¹⁰⁵⁷ Ibid.

¹⁰⁵⁸ Larcombe, Finch and Sore (n 11).

¹⁰⁵⁹ Larcombe and Fethers (n 10).

¹⁰⁶⁰ O'Brien, Tang and Hall (n 10).

¹⁰⁶¹ Ibid.

¹⁰⁶² Ibid.

Schofield et al. (2009) ¹⁰⁶³	Single University	VIC (M; RR)	796	16%	Random sampling of 5000 students (whole of university)	Weeks 10 – 14, Sem 1	21	9.68	7.21	12.53
Rosenthal, Russell, and Thomson (2005) ¹⁰⁶⁴	Single university	Not specified	979	43.9%	Undergraduate and postgraduate international students only	March, Sem 1	21	8.7	7.6	11.7
McKenzie and Schweitzer (not specified) ¹⁰⁶⁵	Single university	QLD (M)	197	Not specified	Science and IT first-year students only	4-8 weeks prior to end of semester	21	5.72	4.76	6.8
Crawford et al. (1995 - 2000) ¹⁰⁶⁶	Community	SA	785	NA	Adults 18-86 years	NA	21	5.14	3.48	7.98
Lovibond and Lovibond (1995) ¹⁰⁶⁷	Single university	NSW	717	Not specified	First year psychology students	Not specified	42	7.19	5.23	10.54
*Means for DASS21 were doubled to allow for comparison to DASS42 results.										
**Location by state; Metropolitan Campus (M); Regional and Remote Campus (RR)										
***Participate rate of sample drawn from the population of law student enrolled										

It is important to note however that results across studies cannot be directly compared. Each DASS study must be considered unique to the student cohort due to the timing and delivery of the survey and the specific influencing factors that may affect students from each institution. The DASS21 survey asks respondents to consider how much a statement applied to them over the week prior to the survey. A student may report that they experienced more or less stress, (e.g., “I found it difficult to relax” and “I found myself getting upset rather easily”) depending on the proximity to major assessment tasks, exam periods and academic workload. Students may also report experiencing elevated anxiety (e.g., “I felt scared without any good reason” and “I found myself in situations that made me so anxious I was most relieved when they ended”) at the start of semester with the commencement of a range of new subjects. The recruitment of students also differed across studies, with some surveys being conducted online and emailed to students and others being conducted in a hard copy format during class time, or sent in the mail. There may also be differences in the results due to some law student cohorts being postgraduate only (e.g., University of Melbourne) compared to undergraduate law school programs. This will affect the average age of students, and other factors such as life experience, prior undergraduate university experience, financial and family stability. The differences across entry scores and pathways into law school programs could affect the calibre and capacity of the student cohort at different Australian universities,

¹⁰⁶³ Schofield et al (n 1001).

¹⁰⁶⁴ Doreen Anne Rosenthal, Jean Russell and Garry Thomson, 'The Health and Wellbeing of International Students at an Australian University' (2008) 55(1) *Higher Education* 51.

¹⁰⁶⁵ Kirsten McKenzie and Robert Schweitzer, 'Who Succeeds at University? Factors Predicting Academic Performance in First Year Australian University Students' (2001) 20(1) *Higher education research & development* 21.

¹⁰⁶⁶ Crawford et al (n 1048).

¹⁰⁶⁷ Lovibond and Lovibond (n 58).

which may also impact the overall survey results. Notwithstanding the differences of timing and mode of delivery, age, undergraduate or postgraduate classification of students, and calibre of students entering the law degree at different Australian universities, the consistency in high DASS results compared to the general population (non-clinical samples) maintains the concern for law student wellbeing. It therefore supports the continued focus on efforts to reduce psychological distress factors in the design of institutional policies and services, as well as the law school curriculum.

A. Regional University Characteristics

The majority of DASS studies in law school populations in Australia have been conducted in metropolitan campuses (as noted in Table 13 location column). Schofield et al's 2009 study of depressive symptoms across the whole student population of a large Victorian university with 2 metropolitan and 5 rural/regional campuses found that students on the metropolitan campuses had higher rates of depressive symptoms (41.8% of total sample, n = 800) compared to regional campuses (32.7%).¹⁰⁶⁸ Australia has a high proportion of university campuses in rural and regional areas; however, these university populations remain under researched. There is also a need for more research into the effects of mental health conditions, such as psychological distress, across rural general populations compared to urban populations.¹⁰⁶⁹ Within the literature of health, including mental health and wellbeing, rural and remote populations are often classified as "vulnerable populations".¹⁰⁷⁰ In a recent systematic review on the prevalence of depression and anxiety among young (10 – 24 years) rural and urban Australians, literature citing overall poorer health outcomes for rural and remote Australians was attributed to social factors and health risk factors, such as access to healthcare.¹⁰⁷¹ Of the social factors, mental health literacy, cultural acceptance of psychological distress symptoms as a health condition, and social determinants, such as education, income, employment, and quality of housing were contributors to poorer health outcomes.¹⁰⁷² Social factors are clearly associated with health outcomes, however they are also important considerations in access to higher education and successful attainment of a degree. JCU has equity strategies to support

¹⁰⁶⁸ Schofield et al (n 1001).

¹⁰⁶⁹ Caitlin Fraser et al, 'Does One Size Really Fit All? Why the Mental Health of Rural Australians Requires Further Research' (2002) 10(6) *Australian Journal of Rural Health* 288.

¹⁰⁷⁰ Grace Baxter, Leigh Tooth and Gita Mishra, 'Psychological Distress in Young Australian Women by Area of Residence: Findings from the Australian Longitudinal Study on Women's Health' (2021) 295 *Journal of Affective Disorders* 390, 390.

¹⁰⁷¹ Sushmitha Kasturi et al, 'Prevalence Rates of Depression and Anxiety among Young Rural and Urban Australians: A Systematic Review and Meta-Analysis' (2023) 20(1) *International Journal of Environmental Research and Public Health* 800.

¹⁰⁷² Ibid.

participation and success in higher education for people from non-traditional backgrounds.¹⁰⁷³ These strategies include support for people from low socio-economic backgrounds, pathway programs for targeted equity groups such as first-in family students, non-school leavers, and pathways for people who did not complete high school. There is also an awareness of disadvantage for high school students from rural and remote locations who may not have had access to a wide range of subject choices or advanced educational opportunities. Culturally appropriate and accessible transitions are also a focus for Aboriginal and Torres Strait Islander students, culturally diverse rural populations, and international student cohorts. The data collected for this thesis is from JCU, a regional university operating across two campuses. Further research on the mental wellbeing of regional/non-metropolitan student populations will contribute to the scholarship on the student experience of psychological distress at university and whether differences in approaches to wellbeing interventions in metropolitan and regional universities should be adopted.

B. Comparing DASS Results Across Variables

Discussions in the literature hypothesise differences in results across distinct populations such as gender, age, location, and year of study.¹⁰⁷⁴ This thesis investigated the impact of factors including type of degree being studied, campus location, year of study, gender, and time spent at law school. To investigate if differences across these variables existed in the current study, independent-sample t-tests were conducted with the dependent variables (dependent variable: depression, anxiety, and stress) compared to independent variables (independent variable: for example, gender (0=females; 1=males) or degree type (0=straight law; 1=joint degree)) to determine if there were any significant differences in the mean scores for each group.¹⁰⁷⁵ Standardised effect size is reported using eta squared. Eta squared can be reported as both a ratio and a percentage to show the statistical information and also the real-world application of the ratio. The eta squared result states the extent that the independent variable can explain or predict the individual difference in the dependent variable. If eta squared is 0.41, that ratio can be expressed as a

¹⁰⁷³ James Cook University, *Access and Participation Plan*, (2019) Townsville.

¹⁰⁷⁴ Schofield et al (n 1001); Larcombe, Finch and Sore (n 11); Larcombe et al (n 15).

¹⁰⁷⁵ Grissom and Kim (n 1002); Little (n 996); Pallant (n 998). Traditional statistics include univariate methods such as the t-test, ANOVA, Pearson's r, Spearman's rho, and multiple regression. These classical statistics are used for significance testing, that is to compute indices of effect or relationship strength when there is a single dependent variable. By determining the effect sizes of the relationship between variables, the results can be used to make an informed judgement about the practical significance of the results and whether any action is justified to be taken in reality. P-values are used to determine statistical significance. Further analysis however is required in order to determine practical significance. Eta squared results are used in this study to report the effect size. Where a significant result was found, Cohen's d results were additionally considered. The assistance of effect size guides, such as eta squared and Cohen's d, can provide information to inform judgements about practical significance. The guidelines for interpreting eta squared effect size values are: 0.01 – 0.059 (small effect); 0.06 – 0.139 (moderate effect); 0.14 and above (large effect).

percentage (.41x100= 41%), that would indicate that 41% of the variability in the dependent variable can be explained by the independent variable. Tabachnick and Fidell, researchers in quantitative psychology, psychophysics and experimental psychology, caution however that in nonexperimental research it is very difficult to attribute causality to an independent variable.¹⁰⁷⁶ Therefore, while it may be possible to determine that there is a relationship between variables, no causal association can be implied. For an exploratory study, reporting on whether a relationship is found to exist (or not) between dependent and independent variables, this t-test procedure is appropriate for the sample populations and sample sizes in this study.

1. Law Degree and Combined Law Degree Students

Students were asked if they were enrolled in a law degree, a combined law degree, or a degree other than law. A combined law degree allows students to enrol in two disciplines at the same time. In this study students reported being enrolled in Arts-Law, Business-Law, Science-Law, and Psychology-Law. Students who answered that they were enrolled in a degree other than law (n= 15) were excluded from this comparison as 15 results would not be statistically significant for a comparative data set. Of the 160 responses from students studying a law degree, 157 completed the depression scale; 158 the anxiety scale; and 157 the stress scale. Of the 84 students enrolled in a combined law degree, 83 completed all three scales.

¹⁰⁷⁶ Tabachnick and Fidell (n 1003).

Table 14: Comparison of Law Degree and Combined Law Degree Student Cohorts

		Law		Combined	
Symptom		n	%	n	%
Depression	Normal	76	48.4%	48	57.8%
	Mild	25	15.9%	8	9.6%
	Moderate	23	14.7%	12	14.5%
	Severe	16	10.2%	8	9.6%
	Extremely Severe	17	10.8%	7	8.5%
	Total	157	100%	83	100%
Anxiety	Normal	66	41.7%	33	39.8%
	Mild	14	8.9%	10	12%
	Moderate	31	19.6%	17	20.5%
	Severe	14	8.9%	8	9.6%
	Extremely Severe	33	20.9%	15	18.1%
	Total	158	100%	83	100%
Stress	Normal	68	43.3%	46	55.4%
	Mild	27	17.2%	8	9.6%
	Moderate	25	15.9%	11	13.3%
	Severe	27	17.2%	14	16.9%
	Extremely Severe	10	6.4%	4	4.8%
	Total	157	100%	83	100%

There was no statistically significant difference between the depression scales for law ($M = 11.97$, $SD = 10.25$) and combined law degrees ($M = 10.75$, $SD = 10.20$; $t(240) = .88$, $p = .38$, two tailed). Similarly the anxiety scale showed no statistically significant difference between law ($M = 11.23$, $SD = 9.64$) and combined law degrees ($M = 10.63$, $SD = 9.14$; $t(241) = .47$, $p = .64$, two tailed). The stress scale also showed no statistically significant difference between law ($M = 16.9$, $SD = 10.21$) and combined law degrees ($M = 15.78$, $SD = 10.43$; $t(240) = .80$, $p = .42$, two tailed). Therefore, these results indicate no statistically significant differences in DASS results between students enrolled in a law degree compared to a combined law degree.

2. Campus Location (Townsville and Cairns)

The JCU law degree operated across two campus locations in Queensland in 2019.¹⁰⁷⁷ Literature suggests that DASS may be influenced by challenges associated with the fact that students live and study in regional and remote locations.¹⁰⁷⁸ Both Cairns and Townsville are classified as regional locations. In 2019 Townsville

¹⁰⁷⁷ Since 2020 the JCU law degree has also been offered as an external degree, fully online.

¹⁰⁷⁸ Browne and Fava (n 171) 15.

had an estimated population of 235,745 and JCU student population of 11,638.¹⁰⁷⁹ Cairns had an estimated population of 254,139 and JCU student population of 3,307.¹⁰⁸⁰ DASS results were compared across the two campuses.

Table 15: Comparison of Townsville and Cairns Student Cohorts

Symptom	Townsville		Cairns		
	n	%	n	%	
Depression	Normal	90	50.6%	42	54.5%
	Mild	25	14%	12	15.6%
	Moderate	26	14.6%	10	13%
	Severe	16	9%	8	10.4%
	Extremely Severe	21	11.8%	5	6.5%
	Total	178	100%	77	100%
Anxiety	Normal	66	37.1%	40	51.3%
	Mild	18	10.1%	7	9%
	Moderate	35	19.7%	14	17.9%
	Severe	18	10.1%	7	9%
	Extremely Severe	41	23%	10	12.8%
	Total	178	100%	78	100%
Stress	Normal	81	45.5%	41	53.2%
	Mild	25	14%	13	16.9%
	Moderate	27	15.2%	9	11.7%
	Severe	31	17.4%	13	16.9%
	Extremely Severe	14	7.9%	1	1.3%
	Total	178	100%	77	100%

There was no statistically significant difference between the depression scale between Townsville (n=178, $M = 11.98$, $SD = 10.76$) and Cairns (n = 77, $M = 10.26$, $SD = 8.75$; $t(255) = 1.24$, $p = .22$, two tailed). There was also no statistically significant difference in the stress scale scores for Townsville ($M = 17.19$, $SD = 10.70$) and Cairns ($M = 14.86$, $SD = 9.265$; $t(255) = 1.66$, $p = .10$, two tailed).

For the anxiety scale, the variances of the two groups was not the same. With equal variances not assumed (Sig. value for Levene's test = 0.12), the results showed a statistically significant difference in the mean scores between Townsville ($M = 12.01$, $SD = 10.18$) and Cairns ($M = 8.97$, $SD = 7.9$, $t(256) = 2.34$, $p = .01$, two tailed). While statistical significance was found, the magnitude of the difference in the means (mean

¹⁰⁷⁹ Townsville data from Australian Bureau of Statistics <<https://dbr.abs.gov.au/region.html?lyr=sa4&rgn=318>>.

JCU data from COGNOS, Student enrolments, accessed via <reporting.jcu.edu.au>.

¹⁰⁸⁰ Cairns data from Australian Bureau of Statistics <<https://dbr.abs.gov.au/region.html?lyr=sa4&rgn=306#>>

difference = 3.04, 95%CI: .718 to 5.356) was small (eta squared = .035). The Cohen's *d* effect size (Cohen's *d* = 0.33, effect-size *r* = 0.16) was also small. Therefore, while Townsville students did report greater levels of anxiety compared to Cairns students, the effect size for the levels of reported anxiety were not significantly different between the two campuses. The results estimate only 3.5% of the difference in anxiety results between groups is explained by campus location.

3. Gender

Previous DASS studies have found no difference in responses across genders.¹⁰⁸¹ To investigate if any differences across the DASS results existed for this study population of females (n=169) and males (n=86), completed subscales were compared. Respondents who identified as other than female or male (n= 4) were excluded from this comparison as 4 results would not be statistically significant for a comparative data set.

Table 16: Comparison of Female and Male Results

		Female		Male	
Symptom		n	%	n	%
Depression	Normal	87	52.1%	45	53.6%
	Mild	26	15.5%	10	11.9%
	Moderate	23	13.8%	12	14.3%
	Severe	16	9.6%	7	8.3%
	Extremely Severe	15	9%	10	11.9%
	Total	167	100%	84	100%
Anxiety	Normal	62	37.1%	43	50.6%
	Mild	18	10.8%	7	8.2%
	Moderate	31	18.6%	18	21.2%
	Severe	19	11.4%	6	7.1%
	Extremely Severe	37	22.1%	11	12.9%
	Total	167	100%	85	100%
Stress	Normal	71	42.5%	50	59.5%
	Mild	24	14.4%	14	16.7%
	Moderate	27	16.2%	8	9.5%
	Severe	35	20.9%	8	9.5%
	Extremely Severe	10	6%	4	4.8%
	Total	167	100%	84	100%

¹⁰⁸¹ Larcombe and Fethers (n 10); Schofield et al (n 1001).

It can be seen in these results that the high levels of severe and extremely severe responses fall well beyond the DASS normative data range of 5%.¹⁰⁸²

Table 17: Combined Symptom Level Results Comparing Females and Males

Symptom level	Depression		Anxiety		Stress	
	Female	Male	Female	Male	Female	Male
Normal - Moderate	81.4%	79.8%	66.5%	80%	73.1%	85.7%
Severe – Extremely severe	18.6%	20.2%	33.5%	20%	26.9%	14.3%
Total	100%	100%	100%	100%	100%	100%
Significance p value <0.05						

There was no statistically significant difference between overall DASS mean results for males ($M = 34.02$, $SD = 27.59$) and females ($M = 40.89$, $SD = 26.16$; $t(244) = -1.91$, $p = 0.06$, two-tailed). There was no statistically significant differences between males and females on the depression scale; males ($M = 11.48$, $SD = 10.64$) and females ($M = 11.19$, $SD = 9.81$; $t(251) = .215$, $p = .83$, two-tailed). The overall DASS and depression scale results support previous findings that overall, there is no significant difference in depression scores across genders. However, there was a statistically significant difference on the anxiety and stress sub-scales.¹⁰⁸³

On the anxiety scale females ($M = 11.80$, $SD = 9.30$) showed significantly higher anxiety results than males ($M = 9.06$, $SD = 9.27$; $t(250) = -2.21$, $p = 0.028$, two-tailed; mean difference = -2.738 , 95% CI: -5.175 to -0.301). A Mann-Whitney U Test, which measures the difference between groups, also confirmed a statistically significant difference in the anxiety results of males ($Md = 6$, $n = 85$) and females ($Md = 10$, $n = 167$), $U = 5686$, $z = -2.59$, $p = .01$, $r = .16$) with females more likely to report higher results of anxiety. However, the eta squared (.02) and Cohen's d (.30, effect-size $r = 0.15$) suggest only a small effect. On the stress scale, females ($M = 17.72$, $SD = 10.04$) showed statistically significantly higher results than males ($M = 13.62$, $SD = 10.02$; $t(249) = -3.06$, $p = 0.002$, two-tailed; mean difference = -4.106 , 95% CI: -6.75 to -1.46). The magnitude of differences in the means (mean difference = -4.11 , 95% CI: -6.75 to -1.46) was small (eta squared = 0.036; Cohen's $d = .41$; effect-size $r = .20$). Therefore, while these results indicate that female students do report higher levels of anxiety and stress compared to male students, the results may not be different enough to support directing specific interventions to the different genders. Overall, there is only

¹⁰⁸² Lovibond and Lovibond (n 58).

¹⁰⁸³ Significant value set at 0.5; p value < 0.05.

a small difference between females and males in the level of stress and anxiety they report experiencing while studying their degree.

4. Time Spent at Law School

Some of the first-year literature suggests levels of psychological distress at law school could be dependent on the time spent at law school, and that the impact on the law students' psychological wellbeing could be evident after only the first six (6) months of study or by the end of the first year.¹⁰⁸⁴ In the current study there were not enough individual responses for each year of study for a statistically significant comparison to be made across the year groups. Therefore, a comparison was completed by splitting the results into students in their first and second year of study, compared to students in their third, fourth or fifth year of study.

Table 18: Comparison of 1-2 Years of Study and 3-5 Years of Study

		Year 1-2		Year 3-5	
Symptom		n	%	n	%
Depression	Normal	76	53.1%	53	50%
	Mild	20	14%	15	14.2%
	Moderate	17	11.9%	18	17%
	Severe	17	11.9%	7	6.6%
	Extremely Severe	13	9.1%	13	12.2%
	Total	143	100%	106	100%
Anxiety	Normal	64	45.1%	39	36.1%
	Mild	12	8.5%	12	11.1%
	Moderate	26	18.3%	22	20.4%
	Severe	11	7.7%	13	12%
	Extremely Severe	29	20.4%	22	20.4%
	Total	142	100%	108	100%
Stress	Normal	71	50.4%	46	42.6%
	Mild	20	14.2%	17	15.7%
	Moderate	15	10.6%	21	19.5%
	Severe	27	19.1%	17	15.7%
	Extremely Severe	8	5.7%	7	6.5%
	Total	141	100%	108	100%

¹⁰⁸⁴ Daniel O'Loughlin, Adiva Sifris and Becky Batagol, 'Wellness and Wellbeing at Monash University: The First Semester Law Experience' in Judith Marychurch and Adiva Sifris (eds), *Wellness for Law: Making Wellness Core Business* (LexisNexis Butterworths, 2020) 25; O'Brien, Tang and Hall (n 188).

No statistically significant difference in the scores for depression, anxiety or stress across the years of study was found. The depression scale between years 1-2 ($M = 11.40$, $SD = 10.29$) and years 3-5 ($M = 11.74$, $SD = 10.28$; $t(249) = -.26$, $p = .80$, two tailed) showed a magnitude of the difference between the means (mean difference $-.34$, 95% CI: -2.94 to 2.26) was extremely small (eta squared = 0.0003). Similarly, no statistically significant difference was found across the anxiety scale, years 1-2 ($M = 10.93$, $SD = 10.05$) and years 3-5 ($M = 11.48$, $SD = 9.25$; $t(250) = -.445$, $p = .66$, two tailed; mean difference $-.55$, 95% CI: -3.00 to 1.90 ; eta squared = 0.0008). Also the stress scale showed no statistically significant difference across years 1-2 ($M = 16.10$, $SD = 10.67$) and years 3-5 ($M = 17.13$, $SD = 10.12$; $t(249) = -.77$, $p = .44$, two tailed; mean difference -1.03 , 95% CI: -3.66 to 1.60 ; eta squared = 0.002). Therefore, these results show no statistically significant differences in the levels of depression, anxiety, and stress based on having spent only 1-2 years at law school, or 3-5 years. These results indicate that interventions could be targeted across the whole cohort as opposed to year level targeted interventions.

5. Age

A one-way between groups analysis of variance (ANOVA) was conducted to explore the impact of age on levels of depression, anxiety, and stress. Age groups were split across three categories (≤ 19 ; 20-25; ≥ 26) and were compared to determine if there was any significant difference in DASS results due to age.

Table 19: Comparison of DASS21 Results Across Age Groups

DAS Score	Age ≤ 19		Age 20-25		Age ≥ 26		Total	
	n	%	n	%	n	%	n	%
Depression	99	39%	106	42%	48	19%	253	100%
Anxiety	99	39%	107	42%	48	19%	254	100%
Stress	99	39%	107	42%	47	19%	253	100%

An ANOVA can be conducted across groups to compare the variability in scores between the different groups and the independent variable (depression, anxiety, and stress subscale scores). There was no statistically significant difference between depression results between the three age groups: $F(2, 253) = .24$, $p = .79$. The anxiety subscale did not find a statistically significant difference at the $p < .05$ level across the age groups: $F(2, 254) = .55$, $p = .57$. The stress subscale also did not find a statistically significant difference at the $p < .05$ level: $F(2, 253) = .06$, $p = .94$. Therefore, age was not an influencing factor in explaining differences between the DASS results.

Table 20: Summary of One-way Between Groups ANOVA of DASS21 Results Comparing Age Groups

	Group	n	Mean	SD's	F	p-value	Result*
Total DAS	1 (<=19)	97	39.96	28.25	.32	.73	Not significant
	2 (20 – 25)	104	37.44	26.67			
	3 (>=26)	47	40.72	27.92			
Depression	1 (<=19)	99	11.84	10.22	.24	.79	Not significant
	2 (20 – 25)	106	10.92	10.35			
	3 (>=26)	48	11.79	10.19			
Anxiety	1 (<=19)	99	11.49	10.22	.55	.57	Not significant
	2 (20 – 25)	107	10.34	9.06			
	3 (>=26)	48	11.83	9.84			
Stress	1 (<=19)	99	16.28	10.44	.06	.94	Not significant
	2 (20 – 25)	107	16.36	10.38			
	3 (>=26)	47	16.89	10.26			

***Significance determined if p <0.05**

6. Exposure to Elective Subjects

Further analysis of DASS21 results using independent-sample t-tests was conducted to show if there was any significant difference in the mean scores for students who had studied either LA1107, LA4034, or both subjects.

Comparison between students who have studied LA1107 and who have not¹⁰⁸⁵

Total DAS (TDAS) did not result in a significant difference between the mean scores for students having studied LA1107 ($M = 39.27, SD = 26.60$) and not having studied LA1107 ($M = 39.05, SD = 27.92; t(248) = 0.6, p = .95$ two tailed). The depression, anxiety, and stress subscales similarly did not result in a significant difference between the mean scores for students having studied LA1107 and not having studied LA1107. Therefore, exposure to this subject alone was not an influencing factor in explaining the differences between DASS21 results.

¹⁰⁸⁵ LA1107 subject name is *Contemporary Practice: The New Lawyer*.

Table 21: Summary of Independent T-test of DASS21 Results of Students Who Have Studied LA1107

Variables	Both	n	Mean	SD	t-values	p-value	Result*
TDAS	Yes	96	39.27	26.60	.06	.95	Not
	No	154	39.05	27.92			significant
Depression	Yes	97	12.39	10.34	1.14	.25	Not
	No	158	10.89	10.11			significant
Anxiety	Yes	97	10.95	9.19	-.18	.86	Not
	No	159	11.17	9.91			significant
Stress	Yes	97	15.86	9.96	-.76	.45	Not
	No	158	16.87	10.55			significant

***Significance determined if $p < .05$**

Comparison between students who have studied LA4034 and who have not¹⁰⁸⁶

TDAS did not result in a significant difference between the mean scores for students having studied LA4034 ($M = 39.45$, $SD = 29.13$) and not having studied LA4034 ($M = 38.93$, $SD = 26.27$; $t(250) = 0.15$, $p = .89$ two tailed). The depression, anxiety, and stress subscale similarly did not result in a significant difference between the mean scores for students having studied LA4034 and not having studied LA4034. Therefore, exposure to this subject alone was also not an influencing factor in explaining the differences between DASS21 results.

Table 22: Summary of Independent T-test of DASS21 Results of Students Who Have Studied LA4034

Variables	Both	n	Mean	SD	t-values	p-value	Result*
TDAS	Yes	98	39.45	29.13	.15	.89	Not
	No	152	38.93	26.27			significant
Depression	Yes	99	11.98	10.88	.65	.52	Not
	No	156	11.13	9.78			significant
Anxiety	Yes	100	10.76	9.70	-.43	.67	Not
	No	156	11.29	9.61			significant
Stress	Yes	100	16.74	11.06	.32	.75	Not
	No	155	16.32	9.85			significant

***Significance determined if $p < .05$**

¹⁰⁸⁶ LA4034 subject name is *Alternative Dispute Resolution*.

Comparison between students who have studied both LA1107 and LA4034 and those who have not

There was no significant difference between TDAS, depression, anxiety, or stress results for students who had studied both LA1107 and LA4034.

Table 23: Summary of Independent T-test of DASS21 Results of Students Who Have Studied Both LA1107 and LA4034

Variables	Both	n	Mean	SD	t-values	p-value	Result*
TDAS	Yes	53	38.91	27.35	-.07	.95	Not
	No	197	39.20	27.44			significant
Depression	Yes	53	12.04	10.30	.46	.64	Not
	No	202	11.31	10.20			significant
Anxiety	Yes	53	10.83	9.43	-.22	.83	Not
	No	203	11.15	9.70			significant
Stress	Yes	53	16.04	10.47	-.36	.72	Not
	No	202	16.60	10.31			significant

*Significance determined if $p < .05$

7. Workplace Views

A two-tailed t-test was conducted to determine if there was a significant difference in results on TDAS or any of the depression, anxiety, and stress subscales based on the student's response to the question 'Do you believe the work of lawyers makes a positive contribution to society?' There was only n=6 responses for 'no', therefore the results must be considered appropriately for the disparate response sizes.

Table 24: Summary of Independent T-test of AHS Results of Student’s Belief that Lawyers Make a Positive Contribution to Society

Variables	Both	n	Mean	SD	t-values	p-value	Result*
TDAS	Yes	240	37.77	26.25	-4.93	<.001	Significant
	No	6	91.33	28.33			
Depression	Yes	245	10.92	9.82	-5.15	<.001	Significant
	No	6	31.67	5.43			
Anxiety	Yes	246	10.66	9.19	-4.59	<.001	Significant
	No	6	28.33	14.28			
Stress	Yes	245	16.11	10.13	-3.64	<.001	Significant
	No	6	31.33	10.41			

***Significance determined if $p < .05$**

There was a significant difference across TDAS and each subscale. The difference in TDAS results for students who answered ‘no’ ($M = 91.33, SD = 28.33$) compared to students who answered ‘yes’ ($M = 37.77, SD = 26.25; t(246) = -4.93, p <.001$, two-tailed). The magnitude of the difference in the means according to the eta squared (.09) was moderate. The difference in depression results for students who answered ‘no’ ($M = 31.67, SD = 5.43$) compared to students who answered ‘yes’ ($M = 10.92, SD = 9.82; t(251) = -5.15, p <.001$, two-tailed) also had a moderate magnitude of difference (eta squared = 0.10). There was also significant difference in anxiety results between students who answered ‘no’ ($M = 28.33, SD = 14.28$) compared to students who answered ‘yes’ ($M = 10.66, SD = 9.19; t(252) = -4.59, p <.001$, two-tailed) with a moderate magnitude of difference (eta squared = 0.08). In addition, there was significant difference in stress results between students who answered ‘no’ ($M = 31.33, SD = 10.41$) compared to students who answered ‘yes’ ($M = 16.11, SD = 10.13; t(251) = -3.64, p <.001$, two-tailed) with a small magnitude of difference (eta squared = 0.05).

III Discussion of Results

The results of previous DASS surveys administered to Australian university students show a rising trend of reported severe and extremely severe symptoms of depression, anxiety, and stress in students (refer to Table 13). These results must also take into account the statistics indicating that an increasing rate of students are entering university and law school with mental health issues.¹⁰⁸⁷ This thesis’s findings support

¹⁰⁸⁷ Marychurch (n 228).

the ongoing concern for the mental health and wellbeing of Australian university students and highlights the importance of maintaining focus on the wellbeing of students, addressing risk factors that may contribute to psychological distress experienced, specifically by law students, and the need for appropriate interventions.¹⁰⁸⁸ The results are also significant in light of the attention that has been paid to law student wellbeing over the last decade as a result of the BMRI report and subsequent wellbeing research. Given the attention, research, and implementation of strategies in law schools to support student wellbeing, these results do not show a corresponding decline in psychological distress for JCU law students. The following discussion highlights key findings from each of the comparative data sets reported in the results section.

A. Law Degree and Combined Law Degree Students

If law school, and the way the law is taught, are key influencing factors in psychological distress of law students, then it could be hypothesised that studying a combined law degree might lessen indicators of psychological distress.¹⁰⁸⁹ A student studying a combined law degree will still complete all Priestley 11 law subjects and have a choice of law elective subjects. However, it is more likely they will have one or two non-law subjects in their study plan each semester. Interestingly, the results of this thesis's study found no significant difference between the levels of depression, anxiety, and stress based on whether students were enrolled in a law degree or a combined law degree. These results do support the existing empirical data that simply being a university student increases the likelihood of suffering psychological distress compared to the general population.¹⁰⁹⁰ Larcombe, Finch, and Sore compared postgraduate law students DASS results with other undergraduate and postgraduate disciplines (Arts, Biomedicine, Engineering, Science and Veterinary medicine) and found very few differences in the data. The authors concluded,

Our findings indicate that the sources of law student distress are unlikely to be exclusively related to the 'lawyer's personality' or 'thinking like a lawyer'. As a result, legal educators and law schools seeking to better support student mental wellbeing are likely to see enhanced outcomes from addressing both discipline-specific and generic factors that undermine students' psychological wellbeing. As so many law students in Australia study law in combination with another academic

¹⁰⁸⁸ Browne and Fava (n 171).

¹⁰⁸⁹ Field, Duffy and Huggins (n 177).

¹⁰⁹⁰ Browne and Fava (n 171). Larcombe, Finch and Sore (n 11).

program, it will be important to address students' psychological needs in each of their fields of study as well as the stressors from the combined program demands.¹⁰⁹¹

Across the three surveys Batagol et al. conducted in 2015 and 2017 approximately 90% of the respondents were studying combined law degrees.¹⁰⁹² Since no other university student cohort was surveyed for comparison in the current study, no definitive conclusions can be drawn about whether these results were higher than other students 'not studying law' at JCU. However, the overall high results for law and combined law degree students supports the wellbeing literature calling for whole of institution responses and resourcing of services to reduce the stressors of being a university student in Australia.

B. Campus Location

Browne and Fava, from the National Centre of Excellence in Youth Mental Health, hypothesised that students in rural and regional areas may be more likely to experience heightened psychological distress.¹⁰⁹³ The results from this thesis provide some support for this conclusion. When compared to other Australian university studies conducted prior to 2015 at metropolitan universities, the JCU results demonstrate a stark difference. Larcombe et al in their 2015 study reported Melbourne law student results of "extremely severe" with 5.7% (depression), 9.3% (anxiety) and 3.9% (stress) compared with this current study's 2019 results of "extremely severe" with 10.2% (depression), 19.9% (anxiety) and 5.9% (stress). These findings are significant because they empirically demonstrate the very high levels of psychological distress of law students at a regional Australian University. However, the Monash University results (a metropolitan university) collected by Batagol et al. in 2015 and 2017 show that Monash students suffer similar and even slightly higher symptoms of psychological distress compared to this thesis's study (a regional university). The results are not directly comparable however as the timing of the delivery of the surveys may have been a moderating factor. The Monash studies were conducted in the first week of exam periods, and in week 2 of semester 2. This thesis study was conducted in week 6 of semester 1. The impact of the differences across institutions as discussed above including timing of the delivery of the surveys, mode of delivery, postgraduate or undergraduate cohorts and entry score or pathways into a law degree cannot be directly measured and therefore must simply be taken into consideration when comparing the results.

This thesis study found that students studying on the Townsville campus reported being more anxious than students studying on the Cairns campus. Factors that could account for this difference include the

¹⁰⁹¹ Larcombe, Finch and Sore (n 11) 268.

¹⁰⁹² Batagol et al (n 57).

¹⁰⁹³ Browne and Fava (n 171).

number of students on each campus. Townsville law student enrolments in 2019 were 332 and Cairns were 169. Students' experience of competition, high academic demands, social isolation, managing study/life balance as well as career pressures have been found to impact on students' mental health.¹⁰⁹⁴ Townsville is a larger campus and therefore some students may feel there is more competition for limited resources. Longitudinal studies on law student wellbeing in the USA suggest that University culture is a contributing factor to the students' levels of psychological distress.¹⁰⁹⁵ University culture could be influenced by specific teaching staff, approaches to teaching, and students' perceptions of autonomy.¹⁰⁹⁶ Differences across the Townsville and Cairns campuses, such as changes in permanent staff members and effects of institutional restructuring could account for the differences. In 2019 it was announced there would be substantial changes to the Townsville law school infrastructure and significant staffing changes across both campuses occurred. Therefore, although Cairns and Townsville are law schools at the same university, differences in campus culture, student experience of competition (e.g., for perceived limited resources, access to staff, engagement with the legal profession in the region, and eventually competition for jobs), and size of campus could account for the different levels of anxiety.

C. Gender (and Age)

Some studies of psychological distress have seen a gender distinction.¹⁰⁹⁷ For example, Rosenthal et al's. survey of international students found that, in general, female students reported greater levels of psychological distress than male students.¹⁰⁹⁸ However, Larcombe and Fethers survey of postgraduate law students found neither age nor gender were independent predicting factors of psychological distress.¹⁰⁹⁹ Reporting specifically on the depression scale, Schofield et al's. DASS survey (across a random sampling of the entire student population) found no correlation between gender and depressive symptoms.¹¹⁰⁰ None of the other comparison studies (listed in Table 13) reported on gender effects. This current study found there was no significant difference in reported depressive symptoms across genders. However, there was a gender difference in self-reported anxiety and stress levels with females reporting higher levels of anxiety

¹⁰⁹⁴ Bergin and Pakenham (n 61).

¹⁰⁹⁵ Kennon Sheldon and Lawrence Krieger, 'Understanding the Negative Effects of Legal Education on Law Students: A Longitudinal Test of Self-Determination Theory' (2007) 33(6) *Personality and social psychology bulletin* 883.

¹⁰⁹⁶ Ibid.

¹⁰⁹⁷ A study at the University of Adelaide used an alternative measure of psychological distress (K10), and their results showed some difference in distress levels for females across year groups (year 1 and year 3) compared to males. See Leahy et al (n 83).

¹⁰⁹⁸ Rosenthal, Russell and Thomson (n 1064).

¹⁰⁹⁹ Larcombe and Fethers (n 10).

¹¹⁰⁰ Schofield et al (n 1001).

and stress. While considering the significance of these results through a gender lens is beyond the scope of this article, previous research reports evidence of gender differences in anxiety levels.¹¹⁰¹ Reasons for the differences could be explained by gender socialisation, expression of vulnerability, physiological differences, exposure to risk factors for anxiety, feelings of low self-efficacy, or female students being more prepared (compared to males) to self-report their true levels of anxiety and stress.¹¹⁰² The small effect size of the difference could be taken into consideration when determining if different strategies directed at reducing psychological distress should be developed for females and males. The results of this thesis study would indicate that gender-based interventions may not be necessary. A further study pre and post a specific curricular or extra-curricular intervention would be useful to determine if a noticeable change was evident across the cohort and if the change was the same for males and females.

D. Time Spent at Law School (and Age)

There was no significant difference in depression, anxiety, and stress results comparing students studying in years 1-2 and years 3-5 of the law degree. In the current study, 35.5% of results were first year students in week 6 of their law studies and 23.2% were in second year, so it is interesting that the combined results of first and second year showed no significant difference to the later year groups.

The mean age for students in years 1-2 was 21.38 years and 3-5 was 24.15 years. These findings would appear to support previous empirical research that found no association between age and psychological distress.¹¹⁰³ Some differences on the anxiety sub-scale has been found, with Larcombe et al reporting that severe or extremely severe results on the anxiety sub-scale were substantially higher for students aged less than 25 years, and particularly high for students aged between 22 and 24 years.¹¹⁰⁴ Larcombe et al suggested that their study results support a particular need to target mental well-being information and strategies to students aged between 18 and 24 years.¹¹⁰⁵ The results from this thesis study indicate that whole of degree interventions are required, and there is no evidence in the results to suggest that targeting a particular year group or age bracket is necessary. These results also support the findings that simply

¹¹⁰¹ Carmen McLean and Emily Anderson, 'Brave Men and Timid Women? A Review of the Gender Differences in Fear and Anxiety' (2009) 29(6) *Clinical Psychology Review* 496.

¹¹⁰² Ibid.

¹¹⁰³ See, eg, Larcombe and Fethers (n 10); Schofield et al (n 1001).

¹¹⁰⁴ Larcombe et al (n 15) 1030.

¹¹⁰⁵ Ibid, 1087.

being a university student, facing the stressors of study/life balance throughout the years it takes to complete a degree, all impact on students' mental health regardless of age and time spent at university.¹¹⁰⁶

IV The Impact of COVID-19

Significantly, this study was conducted prior to the COVID-19 pandemic. The stressors experienced by students across the years 2020 – 2023 compounded with COVID-19 stressors, resulted in a general worsening of life satisfaction and increase in psychological distress for Australian university students.¹¹⁰⁷ Across ten studies measuring wellbeing and psychological distress in the Australian population conducted between April 2020 and April 2022, the ANU Centre for Social Research and Methods research found that young Australians (18 – 24 years) experienced the largest increase in psychological distress. Dodd et al. in a survey measuring the *Psychological Wellbeing and Academic Experience of University Students in Australia during COVID-19* by survey data collected in 2020 reported that 86.8% of students surveyed (n=787) stated their studies had been significantly impacted.¹¹⁰⁸ According to the survey data, significant predictors of lower wellbeing included, 'being female, having lower subjective social status, lower sense of coherence and higher anxiety, reporting a negative overall learning experience or COVID-19 having a huge impact on their study.'¹¹⁰⁹ The Dodd et al study found that students aged 18 – 24 years experienced more symptoms of anxiety and depression during COVID-19 compared to students >25 years of age. Those results support the ANU findings of increased levels of psychological distress in the general population aged 18 – 24 years.

The results of the current JCU study provide a useful data set of pre-COVID psychological distress levels. As stated in the ANU *Mental health and wellbeing during the COVID-19 period in Australia* report, 'In the case of COVID-19, collecting data after the pandemic has started without any pre-COVID comparisons makes it very difficult to make judgements about the real impact.'¹¹¹⁰ Any study that reports on DASS21 results as students transition back to face-to-face teaching may be skewed by the 'new reality' of a COVID endemic world. Particularly in light of the increased attention on first year law subjects, law curriculum and assessment adjustments, and work integrated learning to support law students' overall wellbeing and

¹¹⁰⁶ Larcombe and Fethers (n 10).

¹¹⁰⁷ Biddle, Gray and Rehill (n 156); Dodd et al (n 75).

¹¹⁰⁸ Dodd et al (n 75).

¹¹⁰⁹ Ibid 8.

¹¹¹⁰ Biddle, Gray and Rehill (n 156) 36.

university success, data collected pre-COVID provides useful benchmarking.¹¹¹¹ Changes to online learning during 2020 – 2023 and the return to face-to-face teaching for many universities in 2023 will have significantly altered the law school experience. Further research exploring the impacts of COVID-19 and post-COVID-19 curricular and extra-curricular wellbeing interventions requires comparative data. Future wellbeing survey data in law schools would hope to see a trend indicating a reduction in psychological distress symptoms further below the pre-COVID Australian law school DASS results.¹¹¹²

V Conclusion

The findings from this thesis study shows that the experience of psychological distress symptoms in law students at JCU is higher than the DASS norms and the DASS results from the general population. Recognising the prevalence of psychological distress in law students further supports the investment in mental health strategies and whole of institution plans to support student wellbeing. With increasing numbers of students suffering severe or extremely severe self-reported levels of depression, anxiety, and stress, it is more important than ever to recognise the need for evidence-based programs that reduce the stressors associated with psychological distress and that promote positive mental wellbeing. Australian universities are also experiencing significant effects of reductions in university funding, tightening budgets, competing priorities, and increased focus on cheaper delivery modes, such as online delivery, of courses. With these influencing factors in mind, the results of this thesis study indicate that supporting student wellbeing and taking actions to prevent the decline of mental ill-health should still be on law school planning agendas, as evidenced by reported levels of psychological distress of law students at JCU viewed as a trend across studies presented in Table 13. It is also important to consider how any new student wellbeing initiatives are evaluated and the results of initiatives and evaluations disseminated so that all Australian universities can benefit from evidence-based programs that deliver the intended results - mentally healthy and flourishing students who are prepared to enter the workforce. It is necessary not just to support students to survive and/or thrive at law school, but also to produce law graduates with good mental health who will then enter the community and potentially the legal profession as psychologically well adults. Further empirical research conducted across multiple Australian universities at the same time of the semester would allow for greater comparison of results across institutions and provide more definitive conclusions around influencing factors such as size of institution, location

¹¹¹¹ Marychurch and Sifris (n 182); Field, Duffy and Huggins (n 179); Field, 'Promoting Law Student Well-Being through the Curriculum: Stimulating Strategic Change in Legal Education to Address High Levels of Psychological Distress in Law Students' (n 14); Field and Kift (n 15).

¹¹¹² As reported in Table 13.

(metropolitan/urban or regional/remote), calibre and capacity of students (entry and pathways into the law degree), institutional culture, age, gender, and time spent at university.

Chapter 8: Reporting on Law Students' Levels of Hope

Chapter 8 reports on the findings from an empirical exploratory study investigating the levels of hope in law students at JCU using the AHS survey instrument. This study is the first to report on levels of hope in law students at an Australian university. Part I reports on total hope and compares results from the two AHS subscales (agency and pathway) across factors to determine if there is an impact on students' levels of hope. The factors considered are type of degree being studied (straight law or combined law degree), campus location, year of study, gender, time spent at law school, and age. Results are also compared across groups who have studied elective subjects that include wellbeing andragogy and curriculum, LA1107 *Contemporary Practice: The New Lawyer* and LA4034 *Alternative Dispute Resolution*. The impact on hope levels based on whether students believe that the work of lawyers makes a positive contribution to society is also reported. The results show that students who believe that the work of lawyers does make a positive contribution to society experience higher levels of total hope, agency thinking, and pathway thinking, compared to students who believe that the work of lawyers does not make a positive contribution to society. Individual agency and pathway subscale results are also reported. Part II provides an analysis of results across hope profiles. Part III tests for the relationship between hope profile results and depression, anxiety, and stress results. The results show that a student's hope profile has a significant impact on their DASS results. Analysis of the AHS subscales of agency and pathway and their impact on the DASS subscales depression, anxiety, and stress found that students who had high agency thinking reported lower depression and anxiety symptoms. Students who had high pathway thinking reported lower stress results. Part III provides a discussion of the overall results. The initial investigation to determine if a relationship between AHS and DASS21 results exists empirically demonstrates that there is a statistically significant relationship between hope and DASS results. These results therefore support the rationale for a deeper exploration of the use of the AHS and DASS21 as measures of wellbeing and illbeing as proposed in the Hope/DASS Four-Quadrant Model. Analysis of this thesis's results using the Hope/DASS Four-Quadrant Model is presented in Chapter 9.

I Measuring Hope

The AHS results provide a baseline of the levels of overall hope, agency thinking, and pathway thinking for the students. For inclusion into the results, the AHS must include responses to all relevant 8 questions (excluding 4 filler questions), which allows for a total hope (TH) score, agency subscale score and pathways subscale score.

In the current study, 256 students completed the 8 questions that when summed compute a TH score. For TH a typical mean score is 48, meaning those of ‘average hope’ will score 48.¹¹¹³ To determine the mean score of this study’s population a single sample t-test was performed. The mean TH score ($M = 47.9 \pm 7.99$) was slightly lower than the typical population mean of 48, see Table 25.

Table 25: Single Sample T-test Statistics of AHS Results

	n	Mean	SD	t-values	p-value
Total Hope	256	47.90	7.99	95.89	<.001

TH scores can range from 8 to 64, and agency and pathway scores can range from 4 to 32. Norms for the scales were initially developed by Snyder, Harris et al¹¹¹⁴ and have been confirmed across multiple studies.¹¹¹⁵

According to the AHS, if TH is used as an indication of hopeful thinking, TH scores below 40 indicate low hope, between 40 – 55 indicate moderate hopeful thinking, and above 56 indicates high hope.¹¹¹⁶ Table 26 shows the frequency of results with corresponding TH levels. According to these results 16% of law students are low hope, 70% of students are moderately hopeful, and 14% are high hope. Greater detail can be obtained by looking at the levels of the different agency and pathway subscales, as is examined further below in Part II Hope Profile Assessment.

Table 26: AHS Total Hope (TH) Frequency Distribution for JCU Law Student Population in 2019

Total Hope	Frequency (n)	%
8 – 39 (low hope)	41	16.02
40 – 55 (hopeful)	180	70.31
56 – 64 (high hope)	35	13.67
Total	256	100%

The AHS has been shown to have acceptable reliability with previous studies reporting Cronbach alphas for total hope of 0.74 to 0.88, agency subscale 0.70 to 0.84, and pathway subscale 0.63 to 0.86.¹¹¹⁷ Internal

¹¹¹³ Snyder (n 24).

¹¹¹⁴ Snyder et al (n 23).

¹¹¹⁵ Gallagher et al (n 24).

¹¹¹⁶ Gwinn and Hellman, *Hope Rising: How the Science of Hope Can Change Your Life* (n 292) 39.

¹¹¹⁷ Edwards et al (n 653). Snyder et al (n 23).

consistency for this current study was good, with a Cronbach’s alpha for total hope of 0.82, for the agency subscale of 0.75 and the pathway subscale of 0.73 (see Table 27).

Table 27: AHS Reliability and Scale Statistics

	Cronbach’s Alpha	N of items	Mean	Std. Deviation
Total Hope	.823	8	47.90	7.992
Agency	.748	4	23.38	4.776
Pathways	.730	4	24.51	4.161

A. Comparing AHS Results Across Variables

To investigate if differences in TH, agency, and pathway thinking exists across different JCU populations in the current study, independent-sample t-tests were conducted to determine if there were any significant variations in the mean scores for each group. The same population groups were used as for the DASS survey comparisons.

1. Law Degree and Combined Law Degree Students

Respondents were asked if they were enrolled in a law degree, a combined law degree, or a degree other than law. A combined law degree allows students to enrol in two disciplines at the same time. In this study students reported being enrolled in Arts-Law, Business-Law, Science-Law, and Psychology-Law. Respondents who answered that they were enrolled in a degree other than law (n= 15) were excluded from this comparison as n=15 results would not be statistically significant for a comparative data set. Of the n=160 responses from students studying a law degree, n=157 completed all questions on the agency and pathway sub-scales. Of the n=84 students enrolled in a combined law degree, all completed every question on the agency and pathway sub-scales. An independent t-test was conducted to see if there was a significant difference in results of the AHS between the two populations.

Table 28: Comparison of TH Results of Law Degree and Combined Law Degree Student Populations

Hope Score	Law		Combined	
	n	%	n	%
8 – 39 (low hope)	25	15.92	15	17.86
40 – 55 (hopeful)	112	71.34	56	66.67
56 – 64 (high hope)	20	12.74	13	15.47
Total	157	100%	84	100%

The AHS TH results did not show a significant difference between the mean scores for law ($M = 48.08$, $SD = 8.14$) and combined law degree students ($M = 47.44$, $SD = 8.04$; $t(239) = .59$, $p = .56$ two tailed). Similarly the agency subscale results did not show a significant difference between the mean scores for law ($M = 23.35$, $SD = 4.64$) and combined law degree students ($M = 23.32$, $SD = 5.16$; $t(239) = .044$, $p = .97$ two tailed).

The pathway subscale also showed no significant difference between the mean scores for law ($M = 24.71$, $SD = 4.36$) and combined ($M = 24.12$, $SD = 3.93$; $t(242) = 1.04$, $p = .30$ two tailed). Therefore, the results of this study did not indicate any significant difference in hope results between students enrolled in a straight law degree compared to a combined law degree.

Table 29: Summary of Independent T-test AHS Results Comparing Law Degree and Combined Law Degree Student Populations

Variables	Degree	n	Mean	SD's	t-values	p-value	Result*
Hope	Law	157	48.08	8.14	.59	.56	Not significant
	Combined	84	47.44	8.04			
Agency	Law	157	23.35	4.64	.044	.97	Not significant
	Combined	84	23.32	5.16			
Pathway	Law	158	24.71	4.36	1.036	.30	Not significant
	Combined	84	24.12	3.93			

***Significance determined if $p < 0.05$**

2. Campus Location (Townsville and Cairns)

The JCU law degree operated across two campus locations in Queensland in 2019, Townsville and Cairns.¹¹¹⁸ A comparison of the AHS results for TH, agency and pathway sub-scales found there was no significant difference between results of students based on campus location.

¹¹¹⁸ Since 2020 the JCU law degree has also been offered as an external degree, fully online.

Table 30: Comparison of TH Results for Townsville and Cairns Student Populations

Hope Score	Townsville		Cairns	
	n	%	n	%
8 – 39 (low hope)	30	16.76	11	14.29
40 – 55 (hopeful)	124	69.27	56	72.72
56 – 64 (high hope)	25	13.97	10	12.99
Total	179	100%	77	100%

The AHS total hope results did not show a significant difference between the mean scores for Townsville ($M = 47.88$, $SD = 7.78$) and Cairns ($M = 47.95$, $SD = 8.51$; $t(254) = -.07$, $p = .95$ two tailed). For the agency subscale the variance of the two groups was not the same. With equal variance not assumed (Sig. value for Levene’s test = 0.04), the results show no significant difference for Townsville ($M = 23.46$, $SD = 4.50$) and Cairns ($M = 23.17$, $SD = 5.38$; $t(254) = 0.42$, $p = .67$, two tailed). The pathway subscale did not violate the assumption of equal variance for Townsville ($M = 24.39$, $SD = 4.161$) and Cairns ($M = 24.78$, $SD = 4.176$; $t(257) = -.678$, $p = .498$, two tailed) and did not show a statistically significant difference in results. Therefore, the levels of hope were not significantly different across the two campuses.

Table 31: Summary of Independent T-test AHS Results Comparing Townsville and Cairns Student Populations

Variables	Location	n	Mean	SD’s	t-values	p-value	Result*
Hope	Townsville	179	47.88	7.78	-.07	.95	Not significant
	Cairns	77	47.95	8.51			
Agency	Townsville	179	23.46	4.50	.42	.67	Not significant
	Cairns	77	23.17	5.38			
Pathway	Townsville	180	24.39	4.16	-.68	.50	Not significant
	Cairns	77	24.78	4.18			

*Significance determined if $p < 0.05$

3. Gender

Results reported by Snyder and Harris through the delivery of the AHS survey to six separate samples of psychology students found the scores for women and men were virtually identical.¹¹¹⁹ Rose and Sieben in their chapter on hope measurement in *The Oxford Handbook of Hope* report that studies administering the AHS typically find no significant difference between men and women.¹¹²⁰ To investigate if any difference in the AHS results existed for the current study population of females (n=166) and males (n=86), the results of completed agency and pathway subscales and TH were compared. As with the DASS results, the gender category of 'other' was not able to be compared as the number of completed surveys (n=3) would not result in a statistically significant comparison.

Table 32: Comparison of TH Results of Female and Male Populations

Hope Score	Females		Males	
	n	%	n	%
8 – 39 (low hope)	21	12.65	16	18.61
40 – 55 (hopeful)	122	73.49	58	67.44
56 – 64 (high hope)	23	13.86	12	13.95
Total	166	100%	86	100%

Table 33 demonstrates that TH did not result in a significant difference between the mean scores for females ($M = 48.39$, $SD = 7.572$) and males ($M = 47.48$, $SD = 8.570$; $t(250) = -.863$, $p = .389$ two tailed). Similarly, the pathway subscale did not indicate a significant difference between mean scores for females ($M = 24.38$, $SD = 4.12$) and males ($M = 25.00$, $SD = 4.084$; $t(251) = 1.13$, $p = .26$ two tailed).

For the agency subscale, the variance of the two groups was not the same. With equal variance not assumed (Sig. value for Levene's test = .025), the results show a significant difference for females ($M = 23.98$, $SD = 4.31$) and males ($M = 22.48$, $SD = 5.38$; $t(250) = -2.25$, $p = .026$, two tailed). However, the magnitude of differences in the means (mean difference = -1.51, 95% CI: -2.83 to -.18) was only small (eta squared = .02). Referring to the eta squared result expressed as a percentage, 2% of the variance in agency thinking is explained by gender. Therefore, these results do indicate that female students report higher levels of agency thinking compared to male students. However, practically there is only a very small

¹¹¹⁹ Snyder et al (n 23).

¹¹²⁰ Rose and Sieben (n 942) 85.

difference, which may not be enough to suggest different approaches are warranted in promoting hope across genders.

Table 33: Summary of Independent T-test AHS Results Comparing Female and Male Populations

Variables	Gender	n	Mean	SD's	t-values	p-value	Result*
Hope	Female	166	48.39	7.57	-.86	.39	Not significant
	Male	86	47.48	8.57			
Agency	Female	166	23.98	4.31	-2.250	.026	Significant
	Male	86	22.48	5.38			
Pathway	Female	167	24.38	4.12	1.13	.26	Not significant
	Male	86	25.00	4.08			

*Significance determined if $p < 0.05$

4. Time Spent at Law School

To determine if the time spent at law school had an impact on students' levels of hope, a comparison was completed by splitting the results into students in their first and second year of study, compared to students in their third, fourth or fifth year of study. The AHS results did not indicate any significant difference in TH, agency, or pathway results based on the time spent at law school.

Table 34: Comparison of TH Results of Time Spent at Law School

Hope Score	Year 1-2		Year 3-5	
	n	%	n	%
8 – 39 (low hope)	21	14.69	20	18.69
40 – 55 (hopeful)	104	72.72	70	65.42
56 – 64 (high hope)	18	12.59	17	15.89
Total	143	100%	107	100%

Table 35 demonstrates that TH did not show a significant difference between the mean scores for year 1-2 ($M = 47.62$, $SD = 7.90$) and year 3-5 ($M = 48.32$, $SD = 8.24$; $t(248) = -.68$, $p = .50$ two tailed). The agency subscale also did not result in a significant difference between the mean scores for year 1-2 ($M = 23.17$, $SD = 4.99$) and year 3-5 ($M = 23.62$, $SD = 4.56$; $t(248) = -.73$, $p = .47$ two tailed).

For the pathway subscale the variance of the two groups was not the same. With equal variance not assumed (Sig. value for Levene’s test = .01), the results did not show a significant difference for year 1-2 ($M = 24.45, SD = 3.88$) and year 3-5 ($M = 24.67, SD = 4.56; t(249) = -.39, p = .70$, two tailed). Therefore, the results of this study did not find any significant difference in the levels of hope based on the time spent at law school.

Table 35: Summary of Independent T-test of AHS Results Comparing Time Spent at Law School

Variables	Year	n	Mean	SD’s	t-values	p-value	Result*
Hope	1-2	143	47.62	7.90	-.68	.50	Not significant
	3-5	107	48.32	8.24			
Agency	1-2	143	23.17	4.99	-.73	.47	Not significant
	3-5	107	23.62	4.56			
Pathway	1-2	143	24.45	3.88	-.39	.70	Not significant
	3-5	108	24.67	4.56			

***Significance determined if $p < 0.05$**

5. Age

A one-way between groups analysis of variance (ANOVA) was conducted to investigate the impact of age on levels of TH, agency, and pathway thinking. As with the DASS survey results, age groups were split across three categories (≤ 19 ; 20-25; ≥ 26) and were compared to determine if there was any significant difference in the AHS results due to age.

Table 36: Comparison of TH Results Across Age Groups

Hope Score	Age ≤ 19		Age 20-25		Age ≥ 26	
	n	%	n	%	n	%
8 – 39 (low hope)	15	15.2%	20	18.5%	6	12.8%
40 – 55 (hopeful)	76	76.7%	72	66.7%	31	66%
56 – 64 (high hope)	8	8.1%	16	14.8%	10	21.2%
Total	99	100%	108	100%	47	100%

An ANOVA was conducted across groups to compare the variability in scores between the different groups and the independent variable (TH and sub-scale scores). There was no statistically significant difference

for TH results between the three age groups: $F(2, 251) = .89, p = .41$. The agency subscale did not find a statistically significant difference at the $p < .05$ level across the age groups: $F(2, 251) = .72, p = .49$. The pathway subscale also did not find a statistically significant difference at the $p < .05$ level: $F(2, 252) = .86, p = .42$. Therefore, age was not an influencing factor in explaining differences between the levels of hope.

Table 37: Summary of One-way Between Groups ANOVA of AHS Results Comparing Age Groups

	Group	n	Mean	SD's	F	p-value	Result*
Total Hope	1 (<=19)	99	47.13	6.90	.89	.41	Not significant
	2 (20 – 25)	108	48.00	8.47			
	3 (>=26)	47	48.98	8.85			
Agency	1 (<=19)	99	23.06	4.40	.72	.49	Not significant
	2 (20 – 25)	108	23.29	5.00			
	3 (>=26)	47	24.06	5.02			
Pathway	1 (<=19)	99	24.07	3.54	.86	.42	Not significant
	2 (20 – 25)	109	24.68	4.44			
	3 (>=26)	47	24.91	4.63			

*Significance determined if $p < 0.05$

6. Exposure to Elective Subjects

Further analysis of the AHS results using independent-sample t-tests was conducted to show if there was any significant difference in the mean scores for students who had studied LA1107, LA4034, or both. Independent-sample t-tests were also conducted to see if there was any difference in hope levels for students who believe the work of lawyers makes a positive contribution to society, and students who do not share that belief. These results answer RQ3 of this thesis (What difference does exposure to hope-based curriculum and positive professional identities make to JCU students' levels of Hope and DASS?).

Comparison between students who studied LA1107 and those who have not¹¹²¹

TH did not result in a significant difference between the mean scores for students who had studied LA1107 ($M = 47.77, SD = 8.52$) and those who had not studied LA1107 ($M = 47.97, SD = 7.68; t(254) = -.20, p = .85$ two tailed). In addition, the agency subscale did not result in a significant difference between the mean scores for students who had studied LA1107 ($M = 23.06, SD = 4.96$) and who had not studied LA1107 (M

¹¹²¹ LA1107 subject name is *Contemporary Practice: The New Lawyer*.

= 23.57, $SD = 4.66$; $t(254) = -.82$, $p = .41$ two tailed). For the pathway subscale, the results did not show a significant difference for students who had studied LA1107 ($M = 24.71$, $SD = 4.35$) and those students who had not studied LA1107 ($M = 24.39$, $SD = 4.05$; $t(255) = .60$, $p = .55$, two tailed). Therefore, exposure to this subject alone was not a statistically significant influencing factor in explaining the differences between hope results.

Table 38: Summary of Independent T-test of AHS Results of Students Who Have Studied LA1107

Variables	LA1107	n	Mean	SD's	t-values	p-value	Result*
Hope	Yes	97	47.77	8.52	-.20	.85	Not significant
	No	159	47.97	7.68			
Agency	Yes	97	23.06	4.96	-.82	.41	Not significant
	No	159	23.57	4.66			
Pathway	Yes	97	24.71	4.35	.60	.55	Not significant
	No	160	24.39	4.05			

***Significance determined if $p < 0.05$**

Comparison between students who studied LA4034 and those who have not¹¹²²

TH did not result in a significant difference between the mean scores for students who studied LA4034 ($M = 49.03$, $SD = 7.89$) and those who have not studied LA4034 ($M = 47.18$, $SD = 8.00$; $t(254) = 1.81$, $p = .07$ two tailed). The agency subscale did not result in a significant difference between the mean scores for students who had studied LA4034 ($M = 24.01$, $SD = 4.678$) and those who had not studied LA4034 ($M = 22.97$, $SD = 4.808$; $t(256) = 1.696$, $p = .091$ two tailed). For the pathway subscale the results also did not show a significant difference for students who had studied LA4034 ($M = 24.98$, $SD = 4.25$) and those students who had not studied LA4034 ($M = 24.21$, $SD = 4.09$; $t(255) = 1.45$, $p = .15$, two tailed). Therefore, exposure to alternative dispute resolution curriculum alone was not a statistically significant influencing factor in explaining the differences between hope results.

¹¹²² LA4034 subject name is *Alternative Dispute Resolution*.

Table 39: Summary of Independent T-test of AHS Results of Students Who Have Studied LA4034

Variables	LA4034	n	Mean	SD's	t-values	p-value	Result
Hope	Yes	99	49.03	7.89	1.81	.07	Not significant
	No	157	47.18	8.00			
Agency	Yes	99	24.01	4.68	1.70	.09	Not significant
	No	157	22.97	4.81			
Pathway	Yes	100	24.98	4.25	1.45	.15	Not significant
	No	157	24.21	4.09			

Significance determined if $p < 0.05$

Comparison between students who studied both LA1107 and LA4034 and those who have not

The TH results showed a significant difference for students who had studied both LA1107 and LA4034 ($M = 49.96$, $SD = 7.45$) compared to students who have studied only one or neither subject ($M = 47.37$, $SD = 8.06$; $t(254) = 2.10$, $p = .04$, two tailed). The magnitude of differences in the means (mean difference = 2.59, 95% CI: .16 to 5.02) was small (eta squared = .02). Referring to the eta squared result expressed as a percentage, 2% of the variance in total hope is explained by students who have studied both LA1107 and LA4034. Therefore, students who had studied both LA1107 and LA4034 reported slightly higher hope levels compared to students who had not studied both subjects.

The agency subscale did not result in a significant difference between the mean scores for students having studied both LA1107 and LA4034 ($M = 24.29$, $SD = 4.49$) and students who have studied only one or neither subject ($M = 23.14$, $SD = 4.83$; $t(254) = 1.55$, $p = .12$ two tailed). For the pathway subscale, the results did show a significant difference for students who had studied both LA1107 and LA4034 ($M = 25.67$, $SD = 4.00$) and students who had studied only one or neither subject ($M = 24.21$, $SD = 4.16$; $t(255) = 2.28$, $p = .02$, two tailed). The magnitude of the differences in the means (mean difference = 1.46, 95% CI: .20 to 2.72) was very small (eta squared = .02). Referring to the eta squared result expressed as a percentage, 2% of the variance in pathway thinking is explained by students who have studied both LA1107 and LA4034. Therefore, some difference was observed in pathway thinking, which positively impacted the TH scores for students who had studied both LA1107 and LA4034.

Table 40: Summary of Independent T-test of AHS Results of Students Who Have Studied Both LA1107 and LA4034

Variables	Both	n	Mean	SD's	t-values	p-value	Result*
Hope	Yes	52	49.96	7.45	2.1	.04	Significant
	No	204	47.37	8.06			
Agency	Yes	52	24.29	4.49	1.55	.12	Not significant
	No	204	23.14	4.83			
Pathway	Yes	52	25.67	4.00	2.28	.02	Significant
	No	205	24.21	4.16			

***Significance determined if $p < 0.05$**

7. Workplace Views

A two-tailed t-test was conducted to determine if there was a significant difference in results on TH or the agency and pathway subscales based on the student's response to the question 'Do you believe the work of lawyers makes a positive contribution to society?' As with the DASS results, there was only n=6 responses for 'no', therefore the results must be considered appropriately for the disparate response sizes.

Table 41: Summary of Independent T-test of AHS Results of Students Belief that Lawyers Make a Positive Contribution to Society.

Variables	Both	n	Mean	SD's	t-values	p-value	Result*
Hope	Yes	246	48.18	7.91	3.23	.001	Significant
	No	6	37.67	6.59			
Agency	Yes	246	23.54	4.73	3.01	.003	Significant
	No	6	17.67	4.63			
Pathway	Yes	247	24.62	4.13	2.71	.007	Significant
	No	6	20.00	3.90			

***Significance determined if $p < 0.05$**

There was a significant statistical difference in TH results for students who answered 'no' ($M = 37.67$, $SD = 6.59$) compared to students who answered 'yes' ($M = 48.18$, $SD = 7.91$; $t(250) = 3.23$, $p < .05$, two-tailed). The magnitude of the difference in the means (mean difference = 10.52, 95% CI: 4.10 to 16.94) was small (eta squared = .04).

There was also a significant statistical difference in agency results based on students who answered ‘no’ ($M = 17.67, SD = 4.63$) compared to students who answered ‘yes’ ($M = 23.54, SD = 4.73; t(250) = 3.01, p = <.05$, two-tailed). The magnitude of the difference in the means (mean difference = 5.88, 95% CI: 2.03 to 9.72) was small (eta squared = .03). The pathway subscale also showed a significant difference in results based on students who answered ‘no’ ($M = 20, SD = 3.90$) compared to students who answered ‘yes’ ($M = 24.62, SD = 4.13; t(251) = 2.71, p = <.05$, two-tailed). The magnitude of the difference in the means (mean difference = 4.62, 95% CI: 1.27 to 7.98) was small (eta squared = .03). Therefore, the belief that lawyers make a positive contribution to society impacted on the students’ agency and pathway thinking. Students who answered in the affirmative had higher hope results. This provides some support to the hypothesis that developing positive professional identities is important for the law students’ hope levels, and therefore their wellbeing.¹¹²³

8. Order of Survey Completion

Survey priming can occur depending on the mental state that respondents are in when they answer questions. The psychological effect of question order could change the students’ answers, therefore not accurately reflecting their attitudes on additional self-report surveys. In order to determine if the AHS or DASS21 results were impacted by respondents being negatively primed (by completing the DASS21 first) or positively primed (by completing the AHS first), every second survey was issued to the students in reverse order, i.e AHS-DASS21 and DASS21-AHS. This resulted in each class approximately completing half AHS-DASS21 (total n=129) and DASS21-AHS (total n=127).

To determine if there was any difference in results between those students who completed the AHS first, (followed by the DASS21) or those students who completed the DASS21 first (followed by the AHS), an independent t-test was conducted.

Table 42: Analysis Examining the Impact of Survey Order Completion

Variables	Order	n	Mean	SD's	t-values	p	Result*
Hope	AHS – DASS21	129	48.54	7.293	1.302	0.194	Not significant
	DASS21 – AHS	127	47.24	8.624			
Agency	AHS – DASS21	129	23.86	4.461	1.645	0.101	Not significant
	DASS21 – AHS	127	22.88	5.045			

¹¹²³ Field, Duffy and Huggins (n 177); Rachael Field and James Duffy, 'Using Reflective Practice Assessment in the First Year of Law to Encourage a Positive Professional Identity and Promote Law Student Well-Being' Proceedings of the 15th International First Year in Higher Education Conference, (26 - 29 June 2012).

Pathway	AHS – DASS21	129	24.68	3.796	.666	0.506	Not significant
	DASS21 – AHS	128	24.34	4.508			
*Significance determined if $p < 0.05$							

The TH did not result in a statistically significant difference between the mean scores for students completing the AHS first ($M = 48.54, SD = 7.293$) and students completing the DASS21 first ($M = 47.24, SD = 8.624; t(256) = 1.302, p = .194$ two tailed). Looking further at the two hope subscales, the agency subscale did not result in a significant difference between the mean scores for students completing the AHS first ($M = 23.86, SD = 4.461$) and students completing the DASS21 first ($M = 22.88, SD = 5.045; t(256) = 1.645, p = .101$ two tailed). Additionally the pathway subscale did not result in a significant difference between the mean scores for students completing the AHS first ($M = 24.68, SD = 3.796$) and students completing the DASS21 first ($M = 24.34, SD = 4.508; t(257) = .666, p = .506$ two tailed). Therefore, there was no statistically significant difference in results between students who completed the AHS or DASS21 first or second. These results indicate that students were not primed by the questions on either survey. These are interesting results as they indicate that responses on the scale about psychological wellbeing did not result in students responding with higher or lower scores on the questions about psychological distress. In reverse, these results also indicate that students who completed the survey on psychological distress first did not respond with higher or lower scores on the scale for questions about psychological wellbeing. This is significant for future research study design, and in interpreting the results of past wellbeing studies. This thesis supports the finding that the survey order completion does not impact upon the results of the study.

To report in greater detail the levels of hope of law students at JCU and in order to answer RQ 2 (What are the levels of mental health among law students at JCU, as measured by the psychological wellbeing measure of Hope and psychological illbeing measure of DASS?), further investigation of the frequency of subscale results and hope profiles was conducted.

B. Agency Subscale Results

The agency and pathway sub-scales measure two distinct phenomena (agency thinking and pathway thinking). The agency sub-scale measures willpower and motivation to achieve one's goals, as described in Chapter 4. The pathway sub-scale measures waypower and the ability to visualise pathways to achieve

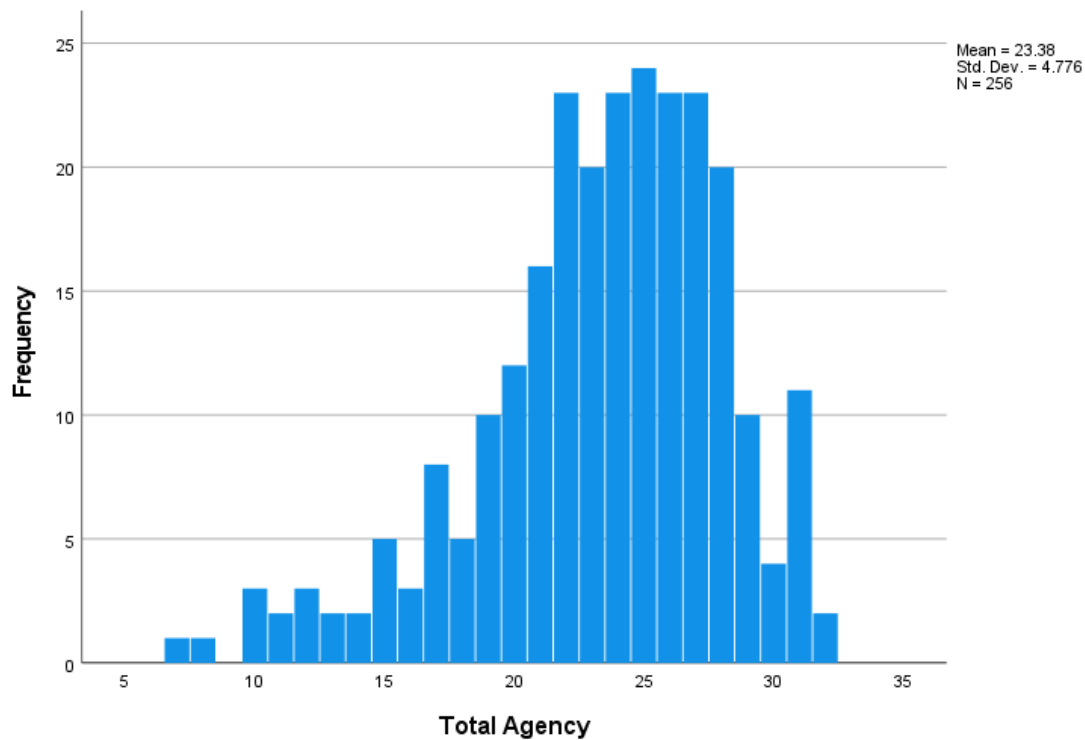
one's goals, as described in Chapter 4. The suggested normative score cut off point to determine low agency or low pathway thinking and high agency or high pathway thinking is 24.¹¹²⁴

A single sample t-test (Table 43) and frequency distribution graph (Figure 12) provide a visual representation of the mean, standard deviation, and frequency of agency sub-scale results.

Table 43: Single Sample T-test Statistics of Agency Results

	n	Mean	SD	t-values	p-value
Agency	256	23.38	4.78	78.31	<.001

Figure 12: Frequency Statistics of Agency Results



The mean results of this study ($M = 23.38 \pm 4.78$) falls slightly below the normative cut off score. According to the low/high agency thinking cut off point, the current study shows $n=116$ students fall below 24, and are therefore low agency thinking, and $n=140$ students scored 24 or above, and are therefore high agency thinking, see Table 44.

¹¹²⁴ Snyder et al (n 23).

Table 44: Frequency of Agency Results

Agency Score	Frequency (n)
<24	116
>=24	140
Total	256

These results indicate that for the current study, 45% of the all students report low agency thinking.

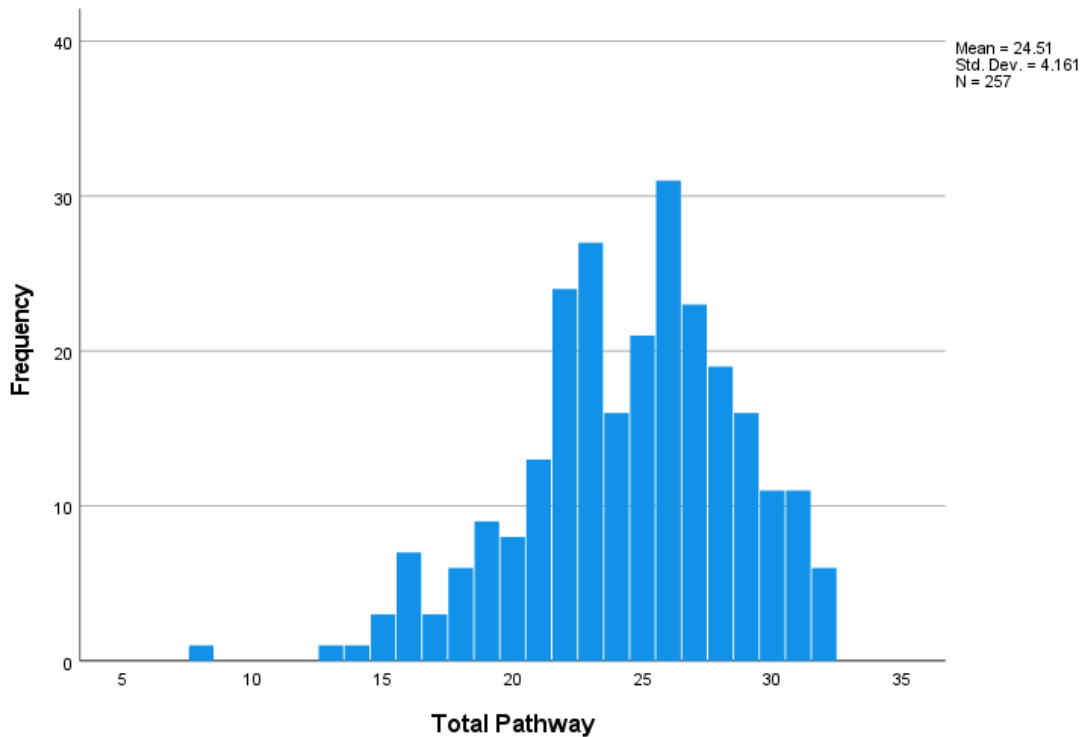
C. Pathway Subscale Results

A single sample t-test (Table 45) and frequency distribution graph (Figure 13) provide a visual representation of the mean, standard deviation, and frequency of pathway sub-scale results.

Table 45: Single Sample T-test Statistics of Pathway Results

	n	Mean	SD	t-values	p-value
Pathway	257	24.51	4.16	94.43	<.001

Figure 13: Frequency Statistics of Pathway Results



The mean results of this study ($M = 24.51 \pm 4.16$) falls slightly above the normative cut off score. According to the pathway thinking cut off point for low/high results (24), the current study shows $n=103$ students fall below 24, and are therefore low pathway thinking, and $n=154$ students scored 24 or above, and are therefore high pathway thinking, see Table 46.

Table 46: Frequency of Pathway Results

Pathway Score	Frequency (n)
<24	103
>=24	154
Total	257

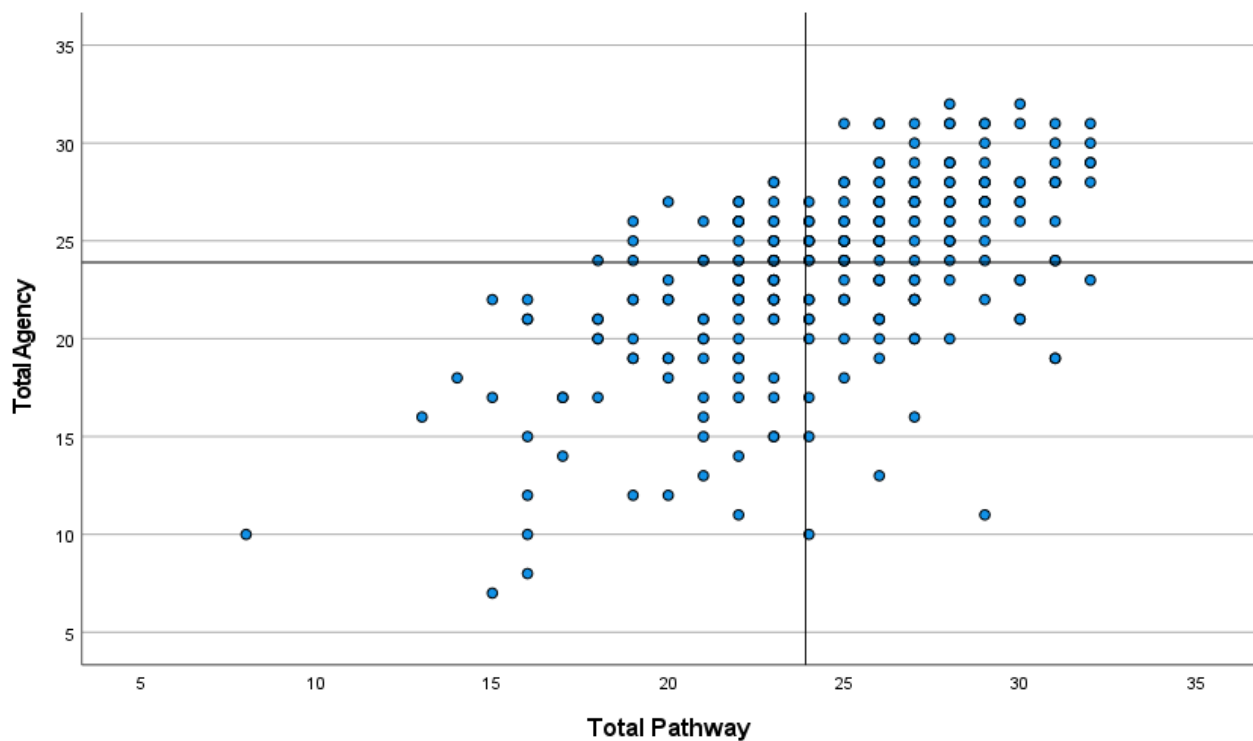
These results indicate that 40% of all students report low pathway thinking. Using the cutoff points for high and low agency and pathway thinking can therefore inform the breakdown of results across the hope profiles.

II Hope Profile Assessment

The most typical AHS survey responses will have similar results on the agency and pathway subscales and fall close to the average subscale score of 24. However results may vary, and the results of students' combined agency and pathway subscale results can be classified across four (4) hope profiles (as discussed in Chapter 5).

Visualisation using a scatterplot in Figure 14 shows frequency and distribution of the AHS results on the agency and pathway subscales.

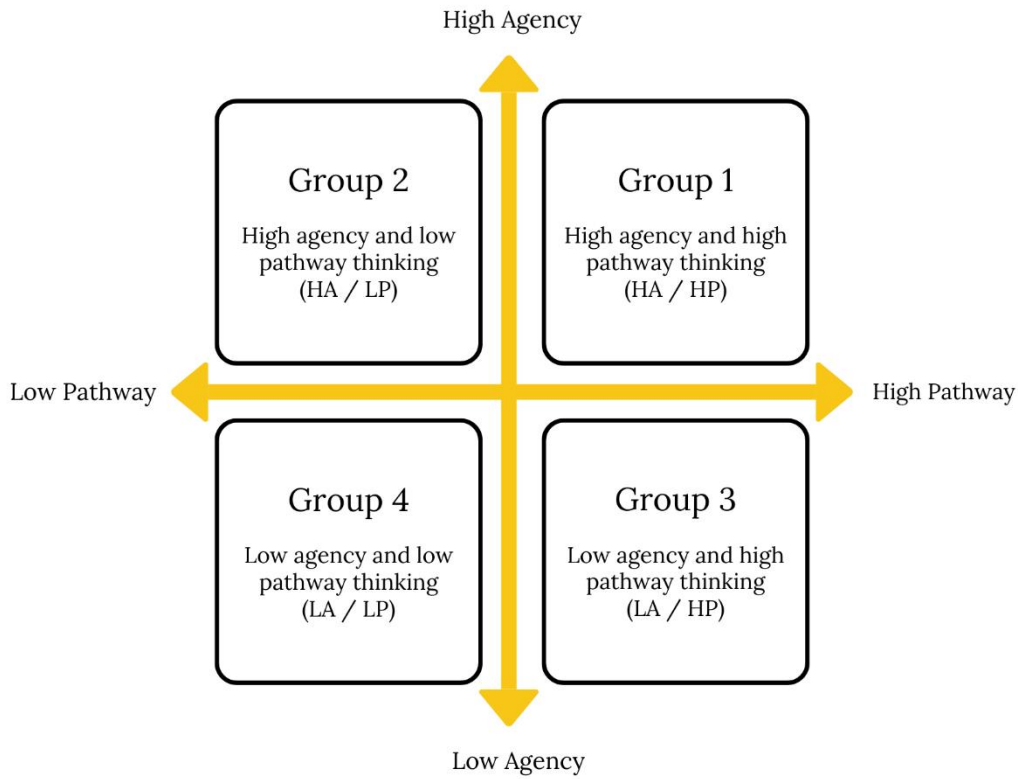
Figure 14: Scatterplot of Agency and Pathway Results



The cut off point of 24 is the norm mean of agency and pathway thinking. Results of 4 to 23 indicate low agency or pathway thinking. Results of 24 to 36 indicate average to high agency or pathway thinking.

In this study the data was transformed by selecting cases: 1) agency ≥ 24 and pathway ≥ 24 ; 2) agency ≥ 24 and pathway < 24 ; 3) agency < 24 and pathway ≥ 24 ; and, 4) agency < 24 and pathway < 24 . The split of the four hope profiles can be seen in Figure 15. The analysis of results across the agency and pathway subscales to classify students into the four hope profiles is shown in Table 47.

Figure 15: Four Hope Profiles



In Part III of this chapter, ANOVA with Tukey pairwise post hoc tests for multiple comparison analysis was used. The Tukey method is preferred if there are unequal group sizes.¹¹²⁵ While the n value in the hope profile groups differ, the n values are sufficient to provide adequate statistical power to detect meaningful differences.

The hope profiles are distinct and were labelled Group 1 to Group 4, as indicated in Table 47.

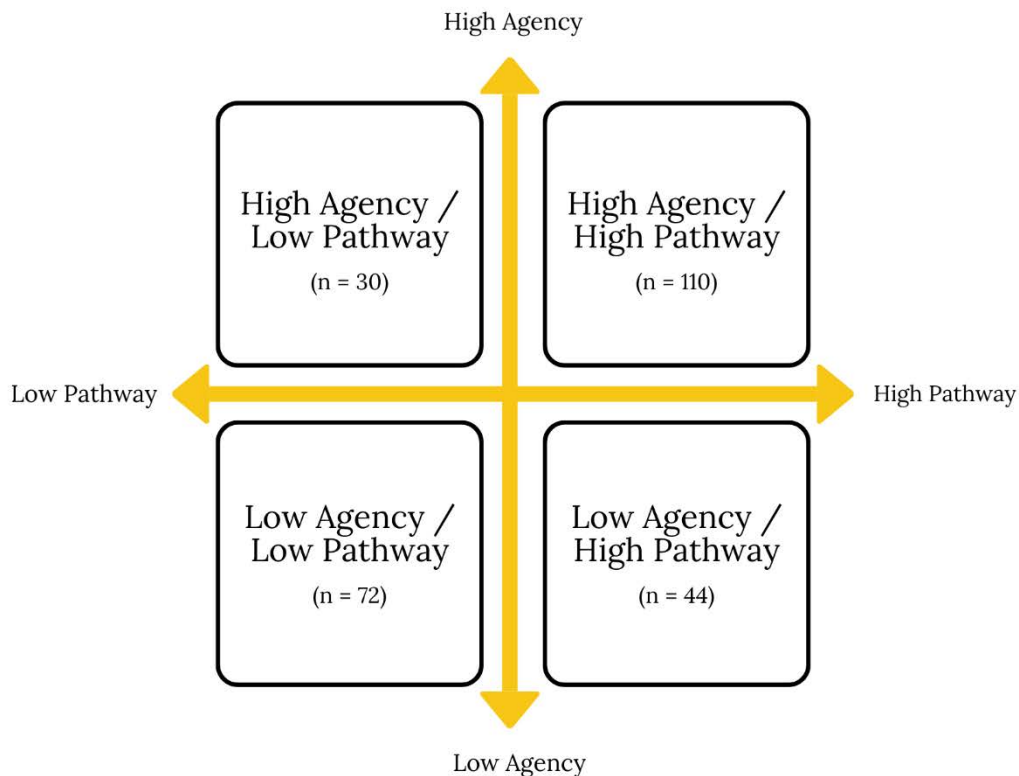
Table 47: Descriptive Statistics of Hope Profiles Using One-sample T-test

Group	Hope Profile	n	mean	SD	t-values	p-value
1	HA/HP	110	54.61	3.69	155.31	<.001
2	HA/LP	30	47.20	2.09	123.64	<.001
3	LA/HP	44	47.05	4.07	76.70	<.001
4	LA/LP	72	38.46	5.99	54.45	<.001

¹¹²⁵ Mary McHugh, 'Multiple Comparison Analysis Testing in ANOVA (2011) 21(3) *Biochemia Medica* 203.

The results are visualised in a Figure 16, showing the distribution of students (n) across the hope profiles.

Figure 16: Results of Hope Profiles Showing Levels of Agency and Pathway Thinking



Applying the High, Incomplete, and Low Hope Categorisation tool (introduced as Figure 9 in Chapter 5) these results show that 28% of students (n=72) are classified as low hope, 29% (n=74) are classified as incomplete hope, and 43% (n=110) are classified as high hope.

III Exploring the Relationship Between Hope and DASS

Based on the results from previous studies it is hypothesised that higher results on the AHS will indicate lower results on the DASS.¹¹²⁶ To explore whether the current study results support the hypothesis that higher self-report results of psychological wellbeing have an impact on lowering self-report results of psychological distress, a correlation analysis using the Pearson product-movement correlation coefficient was conducted to determine the strength and direction of any linear relationship that might exist between

¹¹²⁶ Referred to in the review of the literature in Chapter 4: *Hope and Psychological Distress*.

the total scores of both the AHS and DASS21 surveys. The measure for TH combines the results of 8 questions that make up the agency and pathway subscales. The measure for TDAS combines the results of the 21 questions that make up the depression (D), anxiety (A), and stress (S) subscales.

Table 48: Descriptive Statistics and Correlation Results Between Variables TH and TDAS

Variable	N	Mean	SD	p-value	R
Total Hope	256	47.90	7.99	.001	-.40*
Total DASS	250	19.57	13.69		

***Correlations is significant at the 0.01 level (2-tailed).**

The results show there is a moderate negative correlation between the two variables, $r = -.40$, $n = 247$, $p < .001$. According to the Pearson r result, these results show that high levels of TH is associated with lower levels of TDAS. Therefore, as a student's TH score increases, there is a prediction that the TDAS score will decrease. These results support the hypothesis that there is a relationship between psychological wellbeing and psychological distress.

Recognising that the results show each hope profile as a distinct group, further correlation analysis was conducted to determine if there was a difference in the relationship between TH and TDAS across the four hope profiles.

Table 49: Significance of Relationship Between Hope Profiles, AHS, and DASS21

Profile	Variable	n	Mean	SD	p-value	R
HA/HP	Total Hope	110	54.61	3.69	.04	-.20*
	Total DAS	103	14.50	10.99		
HA/LP	Total Hope	30	47.20	2.09	.21	-.23
	Total DAS	30	19.53	13.27		
LA/HP	Total Hope	44	47.05	4.07	.34	.15
	Total DAS	43	20.65	14.72		
LA/LP	Total Hope	72	38.46	5.99	.006	-.33**
	Total DAS	71	26.37	14.18		

***Correlation is significant at the 0.05 level (2-tailed)**

****Correlation is significant at the 0.01 level (2-tailed)**

The results show there is a small negative correlation between TH and TDAS results for the hope profiles HAHP and LALP. For students with a HAHP profile, there is a small negative correlation, $r = -.2$, $n = 103$, $p < .05$. According to the Pearson correlation result, these results show that higher levels of TH is associated with lower levels of TDAS.

There was a medium negative correlation between TH and TDAS results for the profile LALP, $r = -.33$, $n = 71$, $p < .01$. According to the Pearson correlation results there is a stronger inverse relationship between TH and TDAS results for students in this hope profile. Therefore, the largest difference in results will occur in the LALP group if there is a change in TDAS or TH results. This is a useful finding, as it supports the hypothesis that building hope and positively influencing hopeful thinking will have a statistically significant effect on the students' levels of depression, anxiety, and stress.

To explore if there was a relationship across the DAS subscales and hope profiles, multiple one-way between groups analysis of variance (ANOVA) were conducted to explore the impact of hope profiles (independent variable) on the results of TDAS, depression, anxiety, and stress (dependent variable).

Table 50: Relationship Between DASS (DV) and Hope Profiles

DV	IV	n	Mean	SD's	f	p-value	Result*
TDAS	HA/HP	103	28.99	21.98	11.94	<.001	Significant
	HA/LP	30	39.07	26.53			
	LA/HP	43	41.30	29.43			
	LA/LP	71	52.73	28.36			
Depression	HA/HP	107	6.71	7.25	22.81	<.001**	Significant
	HA/LP	30	10.33	9.50			
	LA/HP	44	13.05	11.02			
	LA/LP	71	18.11	10.19			
Anxiety	HA/HP	108	8.54	7.86	5.75	<.001**	Significant
	HA/LP	30	10.60	8.92			
	LA/HP	43	12.70	10.98			
	LA/LP	72	14.22	10.67			
Stress	HA/HP	106	13.87	9.58	6.89	<.001	Significant
	HA/LP	30	18.13	10.31			
	LA/HP	44	15.14	10.54			
	LA/LP	72	20.56	10.25			

*Significance determined if $p < 0.05$

** Result violated the assumption of homogeneity of variance. Welch text of equity means p -value used to test significance.

The ANOVA results (see Table 50) show statistically significant differences for TDAS, and across each depression, anxiety, and stress sub-scales at the $p < .05$ level. The effect sizes, calculated using eta squared, were total DASS .13, depression .22, anxiety .06, and stress .07. According to Cohen classifications the TDAS, anxiety, and stress results show a medium effect, and the depression results show a large effect. Therefore, the students' hope profile results have a significant impact on their DASS results.

To further examine the impact of the relationship between hope profiles and DASS results, Tukey post hoc comparisons were conducted.

A. Depression – Post Hoc Multiple Comparisons Across Hope Profiles

Post hoc comparisons indicated that the mean score for Group 1 ($M = 6.71, SD = 7.25$) was significantly different from Group 3 ($M = 13.05, SD = 10.19$) and Group 4 ($M = 18.11, SD = 10.19$). But it did not differ significantly from Group 2 ($M = 10.33, SD = 9.50$). Group 2 did not differ significantly from either Group 1 or Group 3. All Groups were significantly different from Group 4.

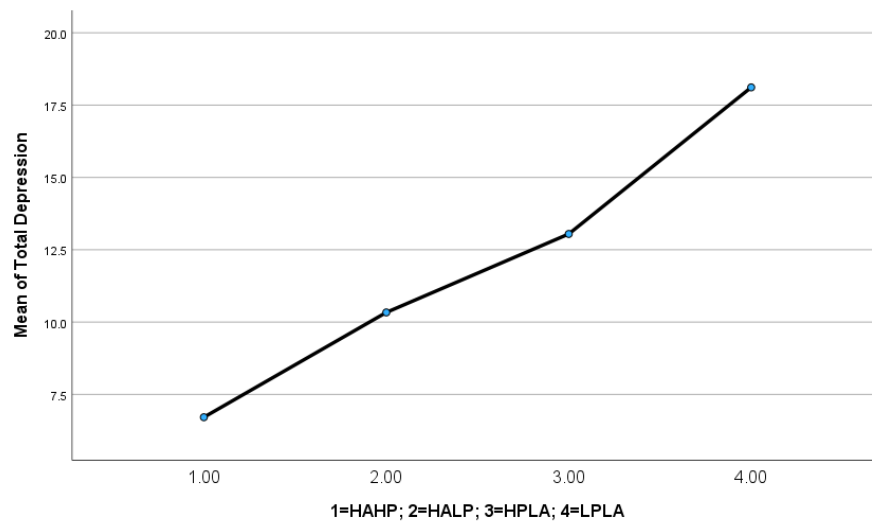
Table 51: Post Hoc Multiple Comparisons Between Depression and Hope Profiles

DV	IV	Mean comparison	Mean difference	Std. Error	p-value	Result*
Depression	1.HAHP	2.HALP	-3.62	1.89	.22	Not significant
		3.HPLA	-6.34	1.64	<.001	Significant
		4.LPLA	-11.40	1.40	<.001	Significant
	2.HALP	1.HAHP	3.62	1.89	.22	Not significant
		3.HPLA	-2.71	2.12	.59	Not significant
		4.LPLA	-7.78	2.00	<.001	Significant
	3.HPLA	1.HAHP	6.34	1.64	<.001	Significant
		2.HALP	2.71	2.16	.59	Not significant
		4.LPLA	-5.07	1.75	.02	Significant
	4.LPLA	1.HAHP	11.40	1.40	<.001	Significant
		2.HALP	7.78	2.00	<.001	Significant
		3.HPLA	5.07	1.75	.02	Significant

*Significance determined if $p < 0.05$

These results show the significance of the difference in mean results of depression scores based on a student's hope profile result. A means plot of the results visually shows the different mean results across hope profiles (see Figure 17). There is a clear relationship between agency thinking and depression results. Students in the hope profile HAPA and HALP have the lowest comparative depression results. These results indicate that students in a hope profile with high agency thinking reported experiencing the lowest depression results.

Figure 17: Means Plots of Depression Results Across Hope Profiles



B. Anxiety – Post Hoc Multiple Comparisons Across Hope Profiles

Post-hoc comparisons indicated that the mean score for Group 4 ($M = 14.22$, $SD = 10.67$) is significantly different to Group 1 ($M = 8.54$, $SD = 7.86$). Groups 2 and 3 did not differ significantly from any other groups.

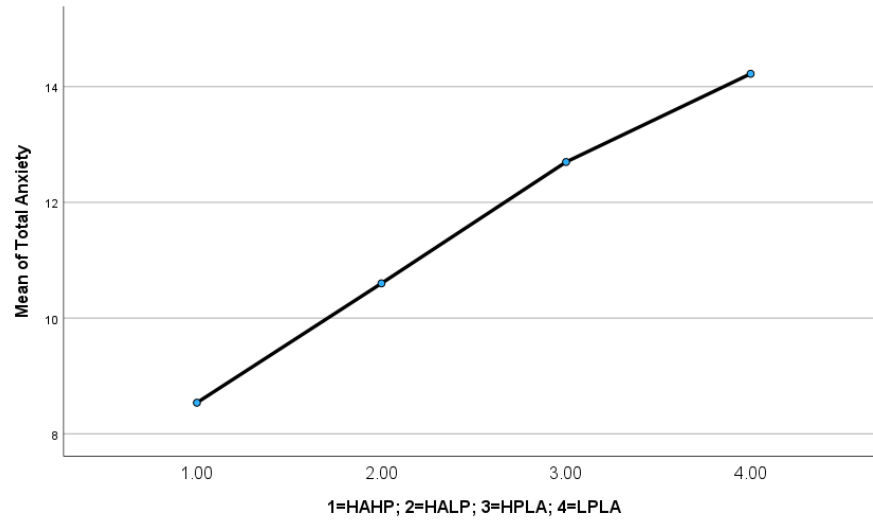
Table 52: Post Hoc Multiple Comparisons Between Anxiety and Hope Profiles

DV	IV	Mean comparison	Mean difference	Std. Error	p-value	Result*
Anxiety	1.HAHP	2.HALP	-2.06	1.94	.71	Not significant
		3.HPLA	-4.16	1.70	.07	Not significant
		4.LPLA	-5.69	1.43	<.001	Significant
	2.HALP	1.HAHP	2.06	1.92	.71	Not significant
		3.HPLA	-2.10	2.34	.79	Not significant
		4.LPLA	-3.62	2.05	.29	Not significant
	3.HPLA	1.HAHP	4.16	1.70	.07	Not significant
		2.HALP	2.10	2.34	.79	Not significant
		4.LPLA	-1.52	1.81	.84	Not significant
	4.LPLA	1.HAHP	5.69	1.43	<.001	Significant
		2.HALP	3.62	2.05	.29	Not significant
		3.HPLA	1.53	1.84	.84	Not significant

***Significance determined if $p < 0.05$**

These results show the significance of the difference in mean results of anxiety scores between students in the HAHP and LPLA groups. A means plot of the results visually shows the different mean results across hope profiles (see Figure 18). Figure 18 clearly shows that there is a relationship between the agency thinking and anxiety results. Students in the hope profile HAPA and HALP had the lowest comparative anxiety results, and students with low agency thinking had the highest comparative anxiety results. These results indicate that students in a hope profile with high agency thinking reported experiencing the lowest anxiety results.

Figure 18: Means Plots of Anxiety Results Across Hope Profiles



C. Stress – Post Hoc Multiple Comparisons Across Hope Profiles

Post-hoc comparisons indicated that the mean score for Group 4 ($M = 20.56, SD = 10.25$) is significantly different from Group 1 ($M = 13.87, SD = 9.58$) and Group 3 ($M = 15.14, SD = 10.54$). Groups 2 ($M = 18.13, SD = 10.31$) did not differ significantly from any other groups.

Table 53: Post Hoc Multiple Comparisons Between Stress and Hope Profiles

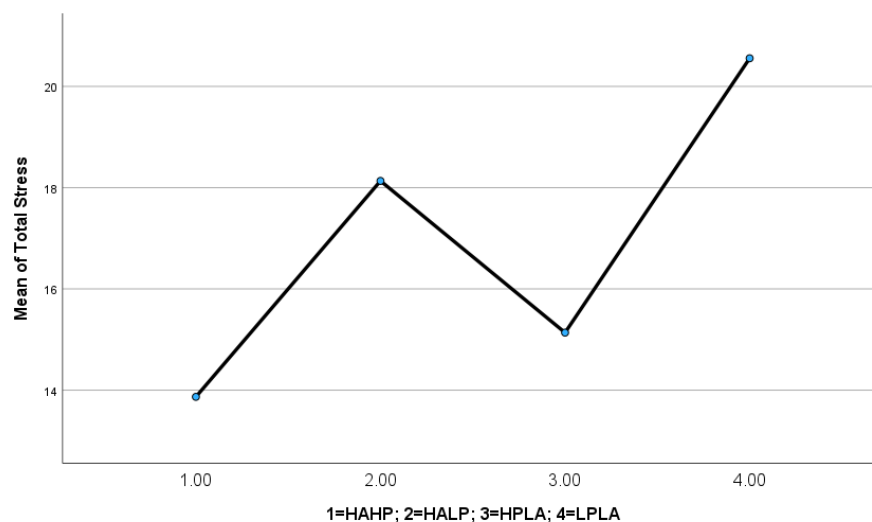
DV	IV	Mean comparison	Mean difference	Std. Error	p-value	Result*
Stress	1.HAHP	2.HALP	-4.27	2.08	.17	Not significant
		3.HPLA	-1.27	1.80	.90	Not significant
		4.LPLA	-6.69	1.53	<.001	Significant
	2.HALP	1.HAHP	4.27	2.08	.17	Not significant
		3.HPLA	3.00	2.38	.59	Not significant
		4.LPLA	-2.42	2.18	.68	Not significant
	3.HPLA	1.HAHP	1.27	1.80	.90	Not significant
		2.HALP	-3.00	2.38	.59	Not significant
		4.LPLA	-5.42	1.92	.03	Significant
	4.LPLA	1.HAHP	6.69	1.53	<.001	Significant

2.HALP	2.42	2.18	.68	Not significant
3.HPLA	5.42	1.92	.03	Significant

***Significance determined if $p < 0.05$**

These results show the significance of the difference in mean results of stress scores based on a student's pathway thinking results (see Figure 19). Students in the hope profiles HAHP and HPLA had the lowest comparative stress results. Students who had low pathway thinking had the highest comparative stress results. These results indicate that students in a hope profile with high pathway thinking reported experiencing the lowest stress results.

Figure 19: Means Plots of Stress Results Across Hope Profiles



D. Exploring the Relationship Between the Results of the AHS and DASS Subscales

The AHS is a twelve (12) question survey comprising of four questions for the agency subscale (H2, H9, H10 and H12), four questions for the pathway subscale (H1, H4, H6, H8) and four filler questions. The DASS is a twenty-one (21) question survey comprising of seven questions for the depression subscale (D3, D5, D10, D13, D16, D17, D21), seven questions for the anxiety subscale (A2, A4, A7, A9, A15, A19, A20) and seven questions for the stress subscale (S1, S6, S8, S11, S12, S14, S18). In order to determine if there was a relationship between the subscales a correlation analysis was conducted.¹¹²⁷ The strength of the

¹¹²⁷ Analysis was conducted using the raw Likert scale results and using transformed standardised results to ensure consistency and reliability in results.

relationship between variables can be guided by Cohen’s range: small $r = .10$ to $.29$; medium $r = .30$ to $.49$; large $r = .50$ to 1.0 .¹¹²⁸ The Pearson product-movement correlation coefficient describes the strength of the relationship between the two variables, as well as the direction of the relationship.¹¹²⁹

Table 54: Pearson Product-movement Correlations Between Subscales of AHS and DASS21

Variable	1	2	3	4	5
1. Total Agency	-	.6*	-.45*	-.24*	-.21*
2. Total Pathway		-	-.45*	-.28*	-.34*
3. Total Depression			-	.71*	.72*
4. Total Anxiety				-	.77*
5. Total Stress					-

***Correlations were significant for all results at $p < .001$ (two tailed).**

There was a large positive correlation between agency and pathway scales, $r = .6$, indicating that high levels of agency thinking are associated with high levels of pathway thinking. There was also a strong negative relationship between depression and both agency and pathway scales, $r = -.45$ for both. These results indicate that high levels of depression are associated with lower levels of agency and pathway thinking.

There was not a strong relationship between the anxiety scale and agency ($r = -.24$) nor pathway ($r = -.28$). There also was not a strong relationship between the stress scale and agency scale ($r = -.21$). However, there was a moderate negative relationship between the stress scale and the pathway scale ($r = -.34$).

To further investigate the relationship between the AHS and DASS subscales and the hope profiles HAHP and LALP, a bivariate correlation analysis was conducted. For the HAHP population, agency was positively correlated with pathway ($r = .41, p < .001$). The agency subscale was also negatively correlated with both the anxiety subscale ($r = -.25, p = .008$) and the stress subscale ($r = -.20, p = .04$), but there was no significant relationship with the depression subscale. For the HAHP population, pathway did not have a relationship with any of the DASS subscales. Therefore, the results of this study show that for high hope populations with high agency and high pathway thinking, changes in pathway thinking within the high pathway range ($>24 - 32$) does not have a significant impact on levels of depression, anxiety, or stress. Any change in agency thinking within the high agency range ($>24 - 32$) will have a small impact on anxiety and stress

¹¹²⁸ Pallant (n 998) 134.

¹¹²⁹ Ibid 129.

results. It is interesting to note that for HAHP hope profile, any changes in agency and pathway thinking have no significant impact on depression results (see Table 55).

Table 55: Pearson Product-movement Correlations Between Subscales of AHS and DASS in the HAHP Population

Variable	1	2	3	4	5
Total Agency	-	.41*	-.18	-.25*	-.20*
Total Pathway		-	-.12	-.11	-.10
Total Depression			-	.66*	.63*
Total Anxiety				-	.71*
Total Stress					-

*Correlations were significant for all results $p < .05$ (two tailed).

For the LALP population, agency was positively correlated with pathway ($r = .44, p < .001$). The agency subscale was also negatively correlated with the depression subscale ($r = -.28, p = .02$). But there was no significant relationship with the anxiety or stress subscales. For the LALP population, pathway had a significant relationship with each of the DASS subscales; depression ($r = -.4, p < .001$), anxiety ($r = -.28, p = .02$), and stress ($r = -.41, p < .001$). Therefore, for the LALP population, any change in pathway thinking will have a direct moderate impact on the levels of depression and stress, and a small impact on anxiety, thus an influence on total DASS. Any change in the agency result will have a small impact on the depression subscale (see Table 56).

Table 56: Pearson Product-movement Correlations Between Subscales of AHS and DASS in the LALP Population

Variable	1	2	3	4	5
Total Agency	-	.44*	-.28*	-.09	-.15
Total Pathway		-	-.40*	-.28*	-.41*
Total Depression			-	.68*	.72*
Total Anxiety				-	.82*
Total Stress					-

Correlations were significant for all results $p < .05$ (two tailed).

IV Discussion of Results

Reporting on the AHS TH results indicated that 16% (n=41) of law students reported low hope. However, deeper analysis across the hope profiles (using the subscales of agency and pathway thinking), shows that 28% (n=72) are classified as LALP thinking. The results from this study did not find a significant statistical difference in the hope results across the factors of campus location, type of degree being studied, time spent at law school, or age. These results indicate that changes to these factors (i.e. being in a different comparison group) does not affect an individual's levels of hope. There was also no difference in TH and pathway thinking across genders. There was a slightly higher report of agency levels by female students compared to male students. However, the variation between the groups was small. Across other studies, there is generally no difference in hope results found between genders.¹¹³⁰ This would be an interesting factor to include in future studies to see if these results can be replicated.

In responding to RQ3 of this thesis (What difference does exposure to hope-based curriculum and positive professional identities make to JCU students' levels of Hope and DASS?), the results did not find a statistically significant difference in the hope levels between students who had studied only LA1107 *Contemporary Practice: The New Lawyer* or LA4034 *Alternative Dispute Resolution* and those who had not studied one of those subjects. However, there was a small variation in results of TH and pathway results for students who had studied both subjects compared to students who had not studied both subjects. These results indicate that there may be some relationship between hope and wellbeing andragogy in curriculum design as an intervention for raising the students' levels of pathway thinking and overall hope. Further research focused on measuring hope levels before and after specific hope andragogy interventions in longitudinal study designs could offer more insight into the effect of raising hope levels through law school curriculum.

Hope levels were significantly different for students who believed the work of lawyers makes a positive contribution to society. There was a significant difference across TH, as well as each of the agency and pathway subscales. These results support the hypothesis that building positive professional identities and supporting students to feel connected with the role of lawyering in society does impact wellbeing.¹¹³¹ These beliefs could significantly positively impact the wellbeing of students who may leave law school and

¹¹³⁰ As highlighted in the discussion in this chapter in Part I. A. 3. Gender, referring to the literature, Snyder et al (n 23); Rose and Sieben (n 942).

¹¹³¹ Field, Duffy and Huggins (n 177); Field and Duffy, 'Using Reflective Practice Assessment in the First Year of Law to Encourage a Positive Professional Identity and Promote Law Student Well-Being' (n 1123); Field and Duffy (n 42).

transition into the legal profession, or other professional roles. Hope levels analysed across individual's views on their professional identity and expanded to include questions relating to professional values could therefore be useful measures to monitor and evaluate as indicators of law student and lawyer wellbeing.

The analysis of the results across the hope profiles demonstrated the different ways that hope results can be examined. The hope profiles provide more detailed information to students about their levels of agency and pathway thinking. The results showed that each of the four hope profiles were distinct groups, therefore they are useful categories for further statistical analysis, as will be demonstrated with the application of the Hope/DASS Four-Quadrant Model in Chapter 9. To further determine if the hope profiles are a useful assessment tool for categorising students, the relationship across hope profiles and the DASS21 subscales was examined. Each hope profile group showed a significant relationship with the individual depression, anxiety, and stress subscales. This indicates that the hope profiles and DASS results do influence each other. Therefore, strategies to increase hope (or move hope profiles with an aim to achieve HAHP) will affect a student's depression, anxiety, and stress scores. Students with hope profiles HAHP and LPLA showed the greatest difference in DASS21 results. The results indicate that student reports of high levels of depressive symptoms are associated with reports of lower levels of agency and pathway thinking. The agency subscale showed a greater effect size for the association with depression compared to the pathway subscale. This finding aligns with Corrigan and Schutte's study results (discussed in Chapter 4. II. G. *Hope and Depression*). Corrigan and Schutte also found the effect size for the association of agency thinking with depression was larger than the effect size for pathway thinking.¹¹³² The agency subscale similarly showed a greater effect size for the association with anxiety compared to the pathway subscale. This finding also aligns with previous studies, including Arnau et al (discussed in Chapter 4. II. H. *Hope and Anxiety*). Arnau et al reported that agency thinking, but not pathway thinking, made a statistically significant prediction of a likelihood of decreased anxiety scores.¹¹³³ Interestingly, this thesis's study found the pathway subscale showed a greater effect size for the association with stress compared to the agency subscale. Therefore, these results suggest that increasing pathway thinking will likely result in a decrease in students' reported stress score. The relationship between hope profiles, DASS21 subscales, and the predictive nature of the relationship between hope and DASS will be further explored in Chapter 9.

¹¹³² Corrigan and Schutte (n 354).

¹¹³³ Arnau et al (n 710).

V Conclusion

The results of this thesis's study affirm the views across the literature, as discussed in Chapter 4, that higher levels of hope are related to lower levels of depression, anxiety, and stress. Although causation cannot be determined from the results of this study, these results support the value of future investigations into the mitigating role of hope in reducing psychological distress symptoms.

These results provide some persuasive support, although not definitive, that hope andragogy could effectively raise the students' levels of hopeful thinking. With these results in mind, law schools could plan for future monitoring and evaluating of the effect of wellbeing andragogy in the curriculum. Additional data will assist in determining if there are evidence-based interventions that will increase the hope levels of students, and support students to work towards a state of complete mental health and flourishing. Also, additional data would assist in determining the effectiveness of evidence-based interventions that support flourishing students to maintain their levels of complete mental health. However, reporting on AHS results in isolation is not likely to be particularly useful for students or educators in their planning, and subsequent evaluation of interventions. Indicating if a student is experiencing low, moderate or high hope does not provide any information about the influence of wellbeing and illbeing measures that could be introduced to increase overall hopeful thinking.

This chapter has demonstrated that a relationship between reported levels of agency thinking, pathway thinking, depression, anxiety, and stress does exist, and that there is statistical significance in the relationship between the results across the different subscales. These results indicate that there is a need for future research to investigate the predictive nature of the relationships, as well as determining the strength of the relationships, and therefore the variance in DASS results that would occur if a student's levels of hope were to change over time. The results of this thesis have shown the significance and usefulness of categorising students into hope profiles and using those hope profiles as the basis for further comparisons across results. Further empirical research using the hope profiles, and exploring the relationship between hope and DASS, is presented in Chapter 9.

Chapter 9 – Hopeful Thinking Can Make a Difference

Chapter 9 analyses the results of this thesis study using the Hope/DASS Four-Quadrant Model (as introduced in Chapter 5). Part I presents the results of the study using the Hope/DASS Four-Quadrant Model for analysis. The differences in the reporting of results using a single continuum and the two continua model are considered. The analysis in this section answers RQ 1 of this thesis (What are the advantages of measuring mental health across two continua using the psychological constructs of Hope and DASS?). Answering RQ 1 is further supported in this chapter with case study examples. Part II presents an exploratory study of the predictive nature of the results, and includes a discussion on how future data collection may help to investigate the predictive impact individual survey responses on the AHS may have on survey responses on the DASS21. Suggestions for using the survey questions as guides for interventions are also discussed. Part III and IV include a discussion and conclusion that examines the different stories that can be told about law student mental health and wellbeing comparing results reported from the DASS21 (as presented in Chapter 7), the AHS (as presented in Chapter 8), and the Hope/DASS Four-Quadrant Model, as presented in this chapter. The benefits of using the Hope/DASS Four-Quadrant Model are linked to the final recommendations for the implementation, and future use of the results of this thesis, as presented in Chapter 10.

I Hope/DASS Four-Quadrant Model

This section analyses this thesis study's results using the Hope/DASS Four-Quadrant Model, as introduced and outlined in Chapter 5. The AHS and DASS21 subscale results were used to categorise students as flourishing, struggling, languishing or floundering according to the criteria set out in Table 2. The data from this study was then transformed in categories using the variables set out in Table 57. The variables include student's hope profile result (HAHP; HALP; HPLA; LPLA) and DASS subscale results of normal to extremely severe. Cut off points for flourishing, for example, include students with a hope profile of HAHP and normal to mild rating across all three DASS21 subscales. The category of struggling, includes students with a HAHP, HALP, or HPLA hope profile with a total hope score of equal or greater than 47 and who have a greater than mild rating across one or more DASS21 subscales. In SPSS, to articulate this category and ensure no data points are missed, this is given a numeric expression of 'NOT Flourishing.'

The category of languishing includes students with a hope profile of LPLA, HALP, or HPLA with a total hope score of less than 47 and who have a normal to moderate rating across all three DASS21 subscales. The category of floundering also includes students with hope profiles of LPLA, HALP, or HPLA with a total hope score of less than 47, and who have a greater than moderate rating across one or more DASS21 subscales.

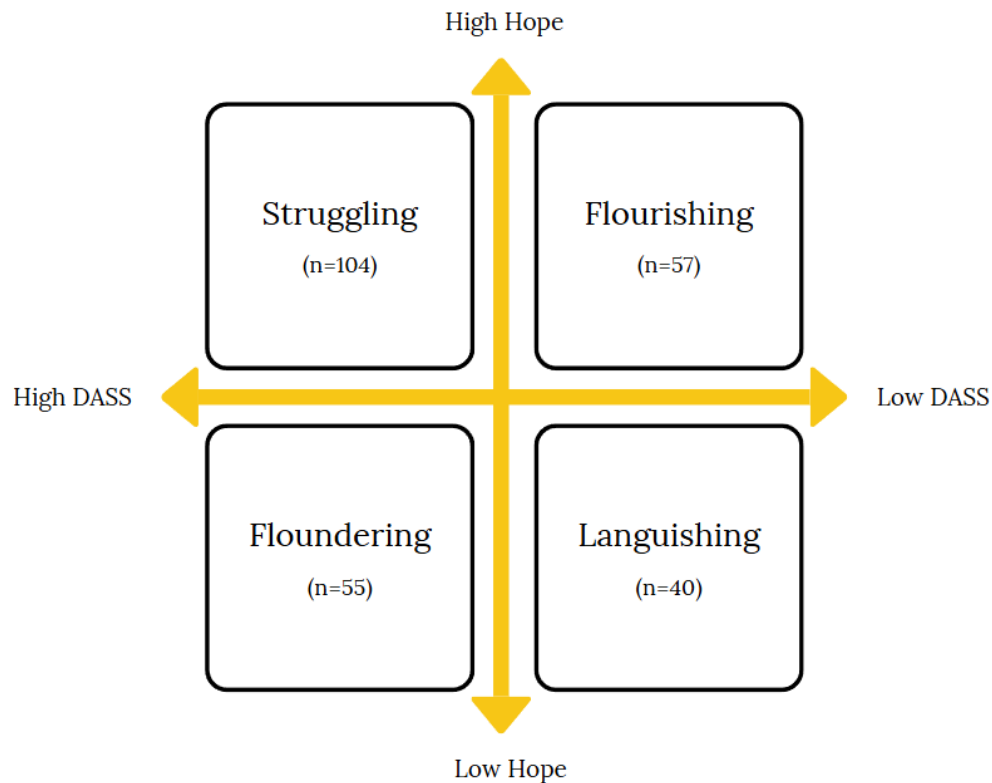
The numeric expression to transform this data therefore includes the hope profile information and any DASS results that are 'NOT Languishing'.

Table 57: Hope/DASS Four-Quadrant Model Category Variables

Category	Variables
Flourishing	HAHP AND (Dep2 <= 13) AND (Anx2 <= 9) AND (Stress2 <= 18)
Struggling	(HAHP OR HALP OR HPLA) AND (THope >= 47) NOT Flourishing
Languishing	(LPLA OR HALP OR HPLA) AND (THope < 47) AND (Dep2 <= 20) AND (Anx2 <= 14) AND (Stress2 <= 25)
Floundering	(LPLA OR HALP OR HPLA) AND (THope < 47) NOT Languishing

The results show how many students fall within each category, as demonstrated in Figure 20.

Figure 20: Results of Hope/DASS Four-Quadrant Model



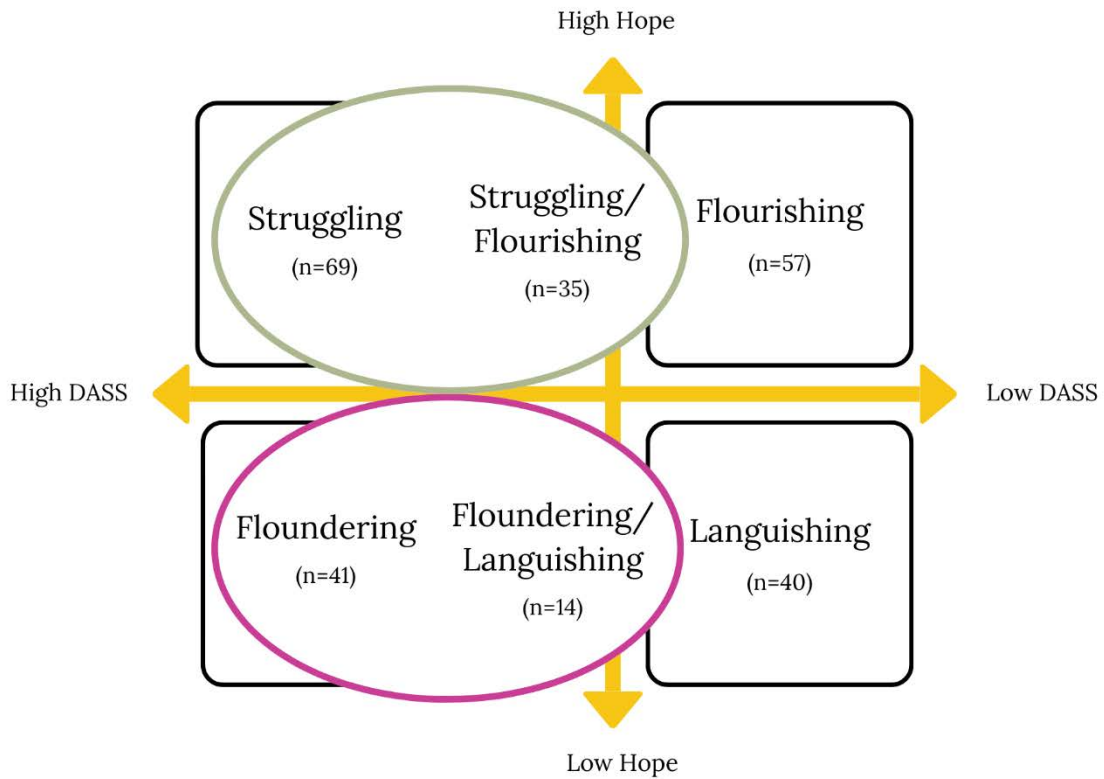
However, as the variables include 5 sub-scales (agency, pathway, depression, anxiety, and stress) there are a wide range of options for classification. For example, an individual's results may indicate high depression, low anxiety, low stress, high agency, and low pathway. That combination may result in a classification of struggling, yet in fact be closer to flourishing than for an individual who has results of high depression, low anxiety, high stress, high agency, and high pathway. To ensure greater accuracy about where an individual is sitting along the DASS continuum, two additional categories were included in the Hope/DASS Four-Quadrant Model. These have been named as 'shoulder' categories, as indicated in Table 58.

Table 58: Optional Hope/DASS Four-Quadrant Model Categories

Category	Variables
Flourishing/Struggling Shoulder	(HAHP OR HALP OR HPLA) AND (THope \geq 47) AND (Dep2 \leq 20) AND (Anx2 \leq 14) AND (Stress2 \leq 25)
Languishing/Floundering Shoulder	(LPLA OR HALP OR HPLA) AND (THope $<$ 47) AND ((Dep2 \leq 20 AND Anx2 \leq 14 AND Stress2 \leq 33) OR (Dep2 \leq 27 AND Anx2 \leq 14 AND Stress2 \leq 25) OR (Dep2 \leq 20 AND Anx2 \leq 19 AND Stress2 \leq 25))

Applying the two shoulder categories to the data of this thesis, the number of students in a state of struggling, yet close to achieving a state of flourishing are n=35. The number of students who are classified in a state of floundering, yet close to a state of languishing are n=14, as demonstrated in Figure 21.

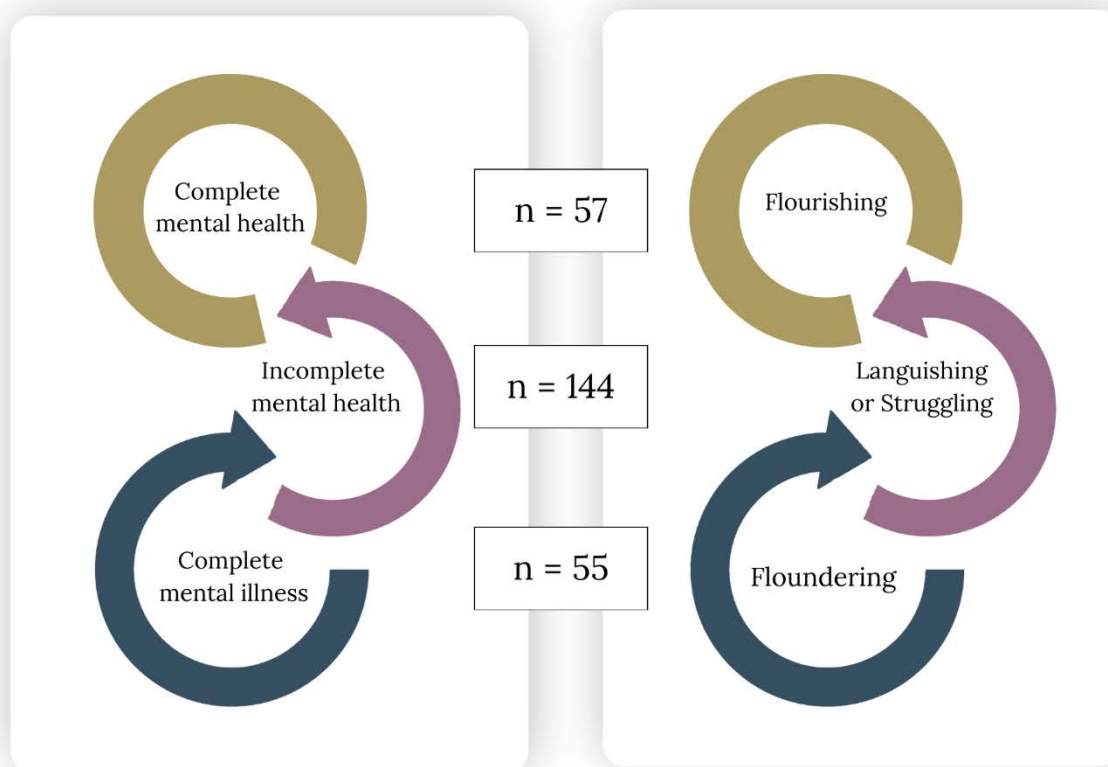
Figure 21: Diagram of Results that Border Across Two Categories



The fact that the results lie closely on the border between two categories (struggling and flourishing; and floundering and languishing), supports the inclusion of student input in the classification process. If students are able to receive real-time feedback on their results, they could contribute to a discussion around the characteristics of high/low agency thinking, or high/low psychological distress symptoms and consider where they think they best fit. It may be important for some students to feel they have input into the classification that they fall into. There could be benefits to being classified as floundering (such as it could be used to support an application for access to student support services, counselling, and academic assistance). However, there may be detriments too. For example, being classified as floundering may be a triggering event that starts a downward hope spiral (as indicated by Figure 3 in Chapter 4). A student may not want to identify as floundering, but could accept being classified as struggling. Awareness of what movements would be required on the hope scale to move the student from floundering to struggling could be an intervention that starts an upward hope spiral.

The characterisation across the four (or six) categories of the Hope/DASS Four-Quadrant model could be useful in assisting students. It would enable them to consider what aspects of their mental health they feel would be most beneficial to focus on if their goal is to scale up in their mental health cycle. As discussed in Chapter 5, the mental health cycle provides a visual aid for students to work towards a category of complete mental health, as shown in Figure 22.

Figure 22: Complete Mental Health Cycle and Hope/DASS Four-Quadrant Model results



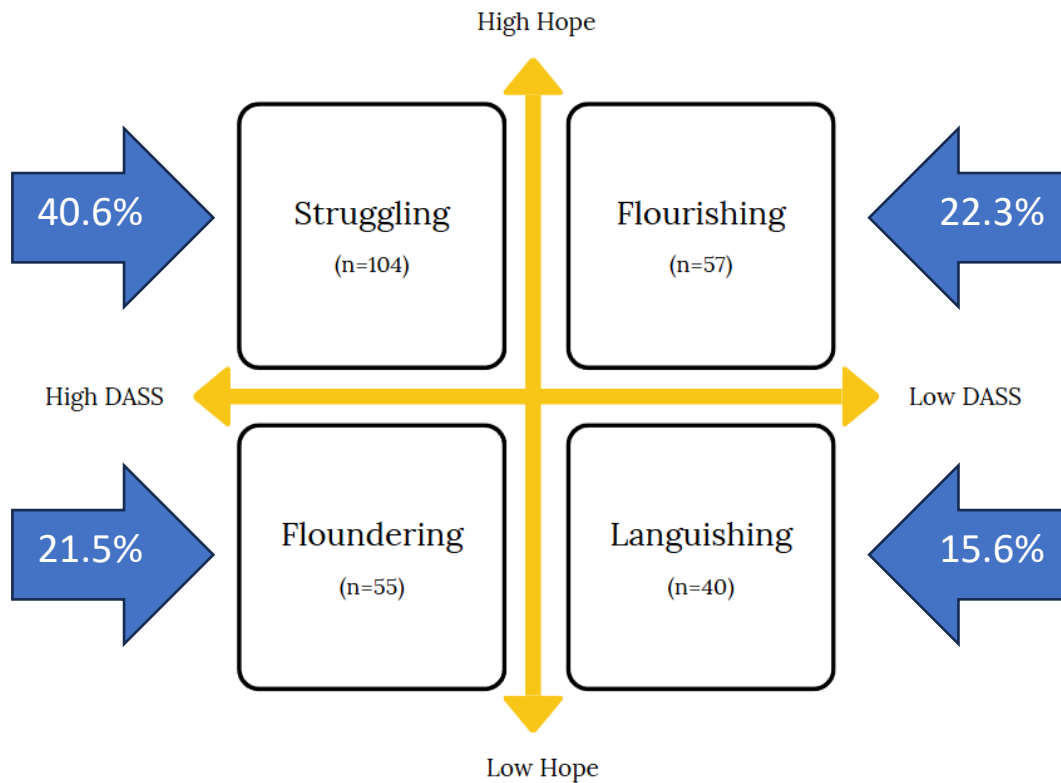
A. Advantages of Measuring Mental Health Across Two Continua

In order to answer RQ 1 of this thesis (What are the advantages of measuring mental health across two continua using the psychological constructs of Hope and DASS?), it is useful to look at the findings that can be drawn from the data. According to this study's DASS21 results, 19.6% (n=50) of law students have severe to extremely severe depression symptoms, 29.7% (n=76) have severe to extremely severe anxiety symptoms, and 23.2% (n=59) have severe to extremely severe stress symptoms (see Chapter 7). These results are obviously of concern, but do not provide any additional information to assist students to thrive at law school besides sending a message that there needs to be some interventions to lower depression,

anxiety, and stress levels among law students. According to this study's AHS results 43% (n=110) have high agency / high pathway thinking and are therefore considered to be high hope individuals. Additionally, 29% (n=74) have high agency / low pathway thinking results or low agency / high pathway thinking results and are therefore classified as incomplete hope. Finally, 28% (n=72) have low agency / low pathway thinking results, and are therefore considered to be low hope individuals (see Chapter 8). These results show that while the majority of law students are classified as high hope individuals, nearly 1 in 3 students who participated in this study are classified as low hope individuals. It could be argued that these results are good, showing that students are generally hopeful, and allowing a focus on assistance being given to students who are looking to increase their hope.

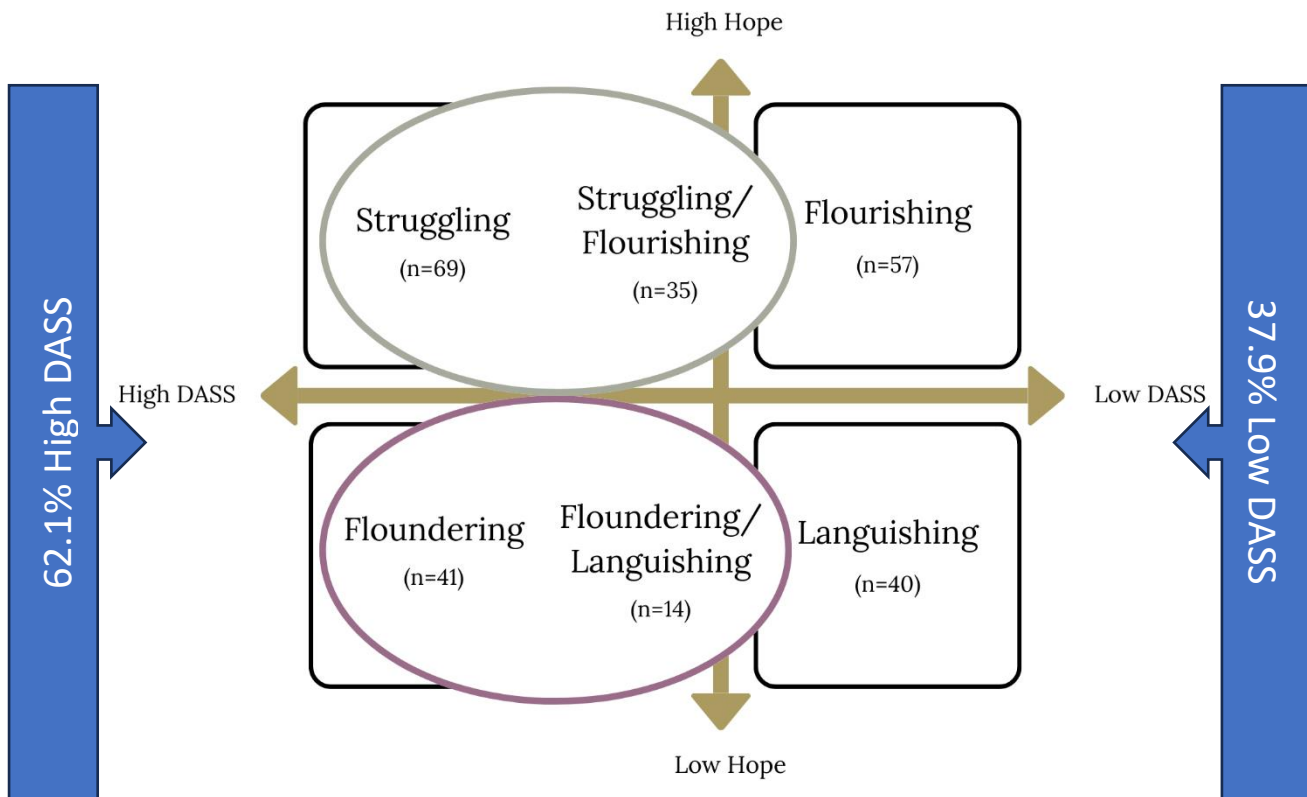
However, the Hope/DASS Four-Quadrant Model provides a more detailed picture. While the AHS results show that 43% of the students are high hope, only 22.3% of students are high hope as well as experiencing low levels of psychological distress. Therefore, only 22.3% of the JCU law students in the study are in a mental health space that is considered to be a state of flourishing, as outlined in Figure 23.

Figure 23: Percentage of Study Population Who Fall into the Four Categories of the Hope/DASS Four-Quadrant Model



While the DASS21 results show that severe to extremely severe results across all three subscales are above the scale norms, the Hope/DASS Four-Quadrant model indicates that 62.1% of students are experiencing high psychological distress symptoms, as shown in Figure 24. Of those students experiencing high psychological distress symptoms, 40.6% have high or incomplete levels of hope. As hope is considered a remediating factor for the severity of the experience of psychological distress symptoms, the 40.6% of students classified as struggling may be performing at a high level (or at a level that is required to meet their set academic goals).

Figure 24: Percentage of Study Population Who Classify as High DASS and Low DASS

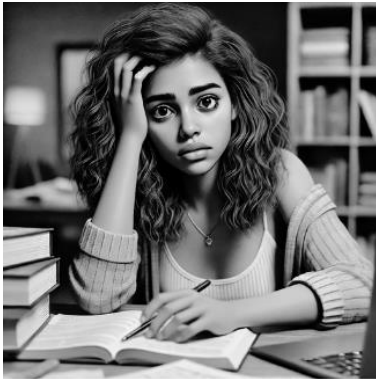


The benefit of measuring mental health across two continua is the additional information that can be ascertained in terms of the students' complete mental health. The Hope/DASS Four-Quadrant Model, uses five subscales; two measuring positive mental health and wellbeing – agency thinking and pathway thinking; and three measuring poor mental health and illbeing – depression, anxiety, and stress. By measuring mental health across these five sub-scales, individual students can ascertain more information about what factors may be impacting on their academic performance, such as the presence of poor mental health indicators, or a lack of positive mental health indicators. If the students want to take action to improve their mental health, informed choices can then be made on what aspects of mental health the students wish to prioritise working on. This also requires some understanding of the mediating impact that improving one aspect of their mental health (for example, increasing hope or decreasing DASS) may have on other aspects of their mental health.

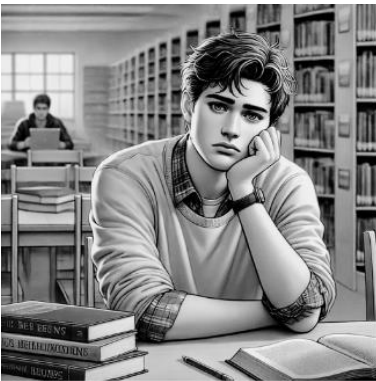
B. Case Study Examples of the Hope/DASS Four-Quadrant Model

The following examples describe the results of individual students. The analysis of their results using the Hope/DASS Four-Quadrant Model demonstrates the additional information that the model provides,

compared to a single psychological measure. Results on the five subscales and overall classification in the Hope/DASS Four Quadrant Model are highlighted in bold.



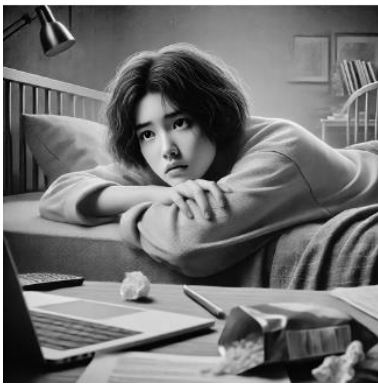
A student with study ID 207 identified as a first-year student, under 20 years old, completing a straight law degree. This student's hope results (agency = 23; pathway = 30) classified her/him as **high pathway / low agency** and therefore in the incomplete hope category. However, with the high/low agency cut off at 24 or above, this student is one positive Likert scale response (on one agency sub-scale question) away from a classification as high agency/high pathway thinking and therefore in the high hope category. This student's scores fall within the range of **normal** on the depression subscale, **extremely severe** on the anxiety subscale, and **severe** on the stress subscale. The combination of all five subscales classifies this student as **struggling**.



A student with study ID 115 identified as a third-year student, under 20 years old, completing a straight law degree. This student's hope results (agency = 18; pathway = 20) classified her/him as **low pathway / low agency** and therefore in the low hope category. This student's scores fall within the range of **moderate** on the depression subscale, **moderate** on the anxiety subscale, and **mild** on the stress subscale. With the combination of this student's results, this student is classified in the **languishing** category. However, the result on the anxiety subscale is one Likert scale upward movement (reporting greater anxiety) of putting her/him in the severe anxiety range, and moving this student's classification to floundering. When using the additional shoulder categories, this student falls into the floundering/languishing shoulder category.

Students with the IDs 207 and 115 could review these results and consider what is most beneficial to focus on to support their mental health cycle. Student 207 for example, may reflect on whether the experience of high anxiety and stress symptoms are situational, and that awareness could support goal setting for the ebbs and flows of the academic year. Student 207 may be receiving medical and professional support and while the DASS results are high, could consider that her/his anxiety levels are 'under control' for the moment, and that those levels are not the primary focus of their mental health plan. It is important to be

aware that each individual's response to her/his results will be different depending on what measures he/she already has in place to support her/his mental health, the student's current mindset, and personal preferences for future support-seeking behaviours. Student 115 for example, may consider low hope as a greater contributing factor to her/his languishing state compared to her/his experience of DASS symptoms (or vice-versa). For student 115, raising hope could move that student closer to the struggling/flourishing shoulder. That movement may increase the student's overall mental health, and provide a pathway for working towards achieving complete mental health. For both students, increasing hope may be a strategy to mitigate the experience of psychological distress factors. Using the Hope/DASS Four-Quadrant Model as a baseline assessment tool, and then as a monitoring and evaluation tool (at different periods after interventions or ongoing support is engaged in, such as at three month or six-month time periods) can support students to see how any intervention or particular focus on improving overall mental health has made an impact (or not) on their wellbeing and illbeing.



A student with study ID 98 identified as a third-year student, studying a joint law degree, over the age of 26. This student's hope results (agency = 20; pathway = 18) classified her/him as **low pathway / low agency** and therefore in the low hope category. This student's scores fall within the range of **moderate** on the depression scale, **extremely severe** on the anxiety scale, and **moderate** on the stress scale. With the combination of results across all five subscales, this student is classified as **floundering**. Working to lower this student's anxiety subscale results would move this student to the floundering/languishing shoulder, and if reduced to a moderate range would move the student to a classification of languishing.



A student with study ID 255 identified as a fifth-year student, aged between 19 and 25 years old, completing a straight law degree. This student's hope results (agency = 28; pathway = 32) classified them as **high pathway / high agency** and **agency** and therefore in the high hope category. This student's scores fall within the range of **normal** across each of the depression, anxiety, and stress scales. As such, this student is classified as **flourishing**.

Students with the IDs 98 and 255 could review their results and develop different plans for what is needed to support their mental health cycle. Student 255, for example, may be more conscious of maintenance measures to keep their current levels of high hope and low DASS. Or the student may look at her/his individual scale results and plan for ways to further increase hope and reduce DASS. Student 98 may need additional help to identify what pathways (or combination of pathways) would suit her/him to focus on lowering DASS and improving hopeful thinking. Due to the mediating effect of hope, focusing on building hope may have a positive impact on lowering DASS, without the student focusing specifically on addressing depression, anxiety, or stress in the first instance. Alternatively, a number of different interventions that support an upward cycle of hopeful thinking, as well as decreasing DASS symptoms may support positive movement in the student's mental health cycle. Involving the individual student in discussions on goal setting and interventions (such as access to university support services and academic support) may also increase the student's sense of agency. However, if a student is floundering, he/she may require additional support to get to a stage where the student feels confident and competent to set her/his own goals and take the necessary action steps to work towards achieving them.

One particular benefit of measuring across the two continua is that any changes to wellbeing (positive or negative) can be viewed and monitored, creating the possibility for measuring any corresponding changes to illbeing (positive or negative). Using the Hope/DASS Four-Quadrant Model, students can increase their awareness of their current situation, environment, support systems and access to resources that impact on illbeing stressors or wellbeing factors. This can be combined with information from other measures that capture the health of surrounding individuals, systems, structures, institutions, and communities that influence the students' wellbeing (as indicated by the proposed Nested Framework of Law Student Wellbeing presented in Figure 1, Chapter 2). That additional information can allow students to utilise wellbeing measures as a strategy to combat illbeing symptoms if the students choose to do so. Existing in a state of high psychological distress and also high hope (classified as a state of struggling) may be a realistic goal for many students. Students will still be able to work and achieve their academic goals in a state of struggling, acknowledging that they are working hard to mitigate against DASS symptoms while striving to achieve their goals. While the state of struggling is considered non-flourishing (according to the complete state model of mental health and the Hope/DASS Four-Quadrant Model), it may still be possible for individuals to do well and succeed at law school in that state. The recognition that individuals are doing well and experiencing high levels of subjective wellbeing in addition to symptoms of high levels of

depression, anxiety, and/or stress, may also be a relief to some students who may feel their experiences are validated with the acknowledgement that they may be making a more substantial effort to succeed than students who are in a state of flourishing.

It is also important to acknowledge that a student in a state of flourishing is not guaranteed to succeed. While there is positive correlation between high hope students and academic success, and having positive mental health is a factor that can support students in achieving the academic goals that they set for themselves, high hope thinking is not a panacea. Flourishing students have the aptitude for goal setting, high pathway thinking, and high agency thinking, and are not influenced by symptoms of poor mental health and illbeing. However, flourishing students may still need support and assistance to achieve their academic goals.

To further explore if interventions that seek to influence a change in a student's hopeful thinking have an impact on levels of depression, anxiety, and stress, further exploratory analysis is conducted below in Part II using the data from this thesis study.

II Impact of AHS Results on DASS Results

Multiple regression analyses were conducted to determine how much of the variance in each of the DASS subscales (depression, anxiety and stress) can be explained by the hope subscales (agency and pathway).¹¹³⁴ If an interrelationship between the variables was found, that may indicate the usefulness of further research into a predictive relationship between improving hopeful thinking and decreasing DASS. If a predictive relationship is found to exist, that would lend further support to the benefits of using a two continua model to measure student mental health. The following discussion of results examines how well agency and pathway subscale results predict depression, anxiety, and stress results in the student population of this study. Since causality is not known in a cross-sectional study, these results are not definitive, but rather are suggestive and useful indicators of future research directions.

For the purposes of examining the current data to determine if a hypothesis of a predictive relationship is valid and worthy of future investigation, analysis was conducted using standard multiple regression and reporting on r^2 coefficients and beta coefficients.¹¹³⁵ The coefficient of determination (r^2) measures how well a change in one data set (in this analysis the AHS subscales of agency and pathway) represents a

¹¹³⁴ Tabachnick and Fidell (n 1003) 117; Julie Pallant, *SPSS Survival Manual: A Step by Step Guide to Data Analysis Using the SPSS Program* (Allen & Unwin, 4th ed, 2011) 148.

¹¹³⁵ Pallant, *SPSS Survival Manual: A Step by Step Guide to Data Analysis Using the SPSS Program* (n 1134) 153.

difference in another data set (the DASS subscales of depression, anxiety, and stress).¹¹³⁶ The beta coefficient estimates the change in the mean response of one variable (in this analysis the dependent variable: DV) when there is one unit of change in another variable (the independent variable: IV).¹¹³⁷ The beta coefficients provide information about the predictive power of one variable on another. In the current analysis the beta coefficients are being used to determine which questions on the AHS (IV) make the largest unique contribution to changes in the DV scores. These results are indicative only. In the current study, the AHS and DASS21 do not use the same scale. The AHS uses an 8-point Likert scale from 1 (definitely false) to 8 (definitely true).¹¹³⁸ The DASS uses a 4-point Likert scale from 0 (did not apply to me at all) to 3 (applied to me very much or most of the time).¹¹³⁹ A movement of 'one unit of change' on answer H12, for example, between the midpoints 4 (slightly false) to a 5 (slightly true) will not equate to an equal and opposite unit of change on the depression scale midpoint, for example from a 2 (applied to me to a considerable degree or a good part of the time) to a 1 on the scale (applied to me to some degree, or some of the time). Therefore, the units of change may be considered as a movement on the corresponding scale but do not indicate a corresponding step up or step down along the relevant Likert scale. Future analysis across scales could use the midpoints of each scale as a comparison point and create dichotomous variables (such as low, moderate, high) to analyse the data. A limitation of this approach is that it requires a greater number of observations (higher n value) than data analysis conducted using continuous variables, and can lead to a loss of statistical power in the results.¹¹⁴⁰ Alternatively, future research data could be rescaled using linear transformation (such as z scores) to conduct deeper analysis.

A. How Do the Two Measures of Hope (Agency and Pathway) Impact the Depression Result?

The first test included depression as the DV and agency and pathway scales as the IVs. The results show that the agency and pathway variables explain 25.3% of the variance in the depression result (r square = .253). Both agency and pathway scales made a statistically significant contribution to explaining the depression result, with agency recording a slightly higher beta value (beta = -.29, $p < .001$) compared to pathway (beta = -.27, $p < .001$). Therefore, the agency subscale makes a slightly larger unique contribution to the depression subscale.

¹¹³⁶ Ibid.

¹¹³⁷ Pallant, *SPSS Survival Manual: A Step by Step Guide to Data Analysis Using the SPSS Program* (n 1134) 162.

¹¹³⁸ See Appendix 1.

¹¹³⁹ See Appendix 2.

¹¹⁴⁰ Regina Nuzzo, 'Making Continuous Measurements into Dichotomous Variables' (2019) 11(10) *PM&R* 1132.

Table 59: Analysis of AHS Subscales (Agency and Pathway) to the Prediction of Depression Result

DV	IV	n	Mean	SD	r square	beta	unst.beta	p
Depression	Agency	255	23.38	4.79	.253	-.29	-.31	<.001*
	Pathways	256	24.49	4.16		-.27	-.33	<.001*

* Significance determined if $p \leq 0.05$

Further analysis was conducted to consider the specific contribution of movement in the depression results made by the individual questions that make up the agency and pathway scales. Each hope subscale consists of four unique questions. The four questions that make up the agency scale (H2, H9, H10 and H12) were run in a standard multiple regression. The four questions together, and therefore the agency scale, explains 22.5% of the variance in the depression scale (r square = .225). Only two questions provided statistically significant unique contributions to the depression scale. If $p < .05$ then the variable is making a significant unique contribution to the prediction of the DV.¹¹⁴¹ They were H12 (*I meet the goals that I set for myself*; beta = -.26, $p < .001$) and H2 (*I energetically pursue my goals*; beta = -.19; $p < .01$), see Table 60.

Table 60: Analysis of Agency Scale Contribution to the Prediction of Depression Result

DV	IV	Question	n	Mean	SD	beta	Unst beta	p
Depression	H2	I energetically pursue my goals	256	5.86	1.61	-.19	-1.19	.01*
	H9	My past experiences have prepared me well for my future	255	6.09	1.65	-.03	-.20	.631
	H10	I've been pretty successful in life	255	5.74	1.47	-.12	-.80	.072
	H12	I meet the goals that I set for myself	255	5.68	1.60	-.26	-1.63	<.001*

* Significance determined if $p < 0.05$

Running a standard multiple regression for the four pathway scale questions (H1, H4, H6, and H8) found that the pathway scale explains 22.1% of the variance in the depression scale (r square = .221). Only one question provided a statistically significant unique contribution to the depression score. H6 (*I can think of many ways to get the things in life that are important to me*; beta = -.31, $p < .001$). H6 uniquely explains 7% of the variance in depression scale (part correlation = -.29).

¹¹⁴¹ Pallant, *SPSS Survival Manual: A Step by Step Guide to Data Analysis Using the SPSS Program* (n 1134).

Table 61: Analysis of Pathway Scale Contribution to the Prediction of Depression Result

DV	IV	Question	n	Mean	SD	beta	unst. beta	p
Depression	H1	I can think of many ways to get out of a jam	256	6.15	1.44	-.11	-.77	.095
	H4	There are lots of ways around any problem	256	6.23	1.37	-.09	-.65	.180
	H6	I can think of many ways to get the things in life that are important to me	256	6.21	1.36	-.31	-2.34	<.001*
	H8	Even when others get discouraged, I know I can find a way to solve the problem	256	5.89	1.43	-.10	-.69	.161

***Significance determined if $p < 0.05$**

B. How Do the Two Measures of Hope (Agency and Pathway) Impact the Anxiety Result?

Regression analysis was conducted to determine the predictive relationship between the IVs, agency and pathway scales, and the DV anxiety. The agency and pathway variables only explain 8.4% of the variance in the anxiety result (r square = .084). The agency scale did not make a significant unique contribution to the prediction of the anxiety result (beta = -.11, $p > .05$), while the pathway scale did make a significant and unique contribution (beta = -.21, $p < .01$).

Table 62: Analysis of AHS Subscales (Agency and Pathway) to the Prediction of Anxiety Result

DV	IV	n	Mean	SD	r square	beta	unst.beta	p
Anxiety	Agency	255	23.38	4.79	.084	-.11	-.22	.14
	Pathways	256	24.49	4.16		-.21	-.48	.01*

***Significance determined if $p < 0.05$**

The agency scale (H2, H9, H10 and H12) explains 9.1% of the variance in the anxiety scale (r square = .091). Only one question provided a statistically significant unique contribution to the anxiety scale, H10 (*I've been pretty successful in life*; beta = -.237, $p < .001$).

Table 63: Analysis of Agency Scale Contribution to the Prediction of Anxiety Result

DV	IV	Question	n	Mean	SD	beta	unst. beta	p
Anxiety	H2	I energetically pursue my goals	256	5.86	1.61	.03	.20	.67
	H9	My past experiences have prepared me well for my future	255	6.09	1.65	.03	.17	.69
	H10	I've been pretty successful in life	255	5.74	1.47	-.24	-1.54	<.001*
	H12	I meet the goals that I set for myself	255	5.68	1.60	-.15	-.90	.062

***Significance determined if $p < 0.05$**

A regression analysis of the four pathway scale questions (H1, H4, H6 and H8) found that the pathway scale explains 10.5% of the variance in the anxiety scale (r square = .105). Two questions were statistically significant in their contribution to the anxiety scale. Question H6 (*I can think of many ways to get the things in life that are important to me*; beta = -.240, $p < .001$) uniquely explains 4% of the variance in anxiety result (part correlation = -.203). The other unique contribution was question H1 (*I can think of many ways to get out of a jam*; beta = -.148; $p < .05$).

Table 64: Analysis of Pathway Scale Contribution to the Prediction of Anxiety Result

DV	IV	Question	n	Mean	SD	beta	unst. beta	p
Anxiety	H1	I can think of many ways to get out of a jam	256	6.15	1.438	-.15	-.492	.032*
	H4	There are lots of ways around any problem	256	6.23	1.367	-.081	-.283	.246
	H6	I can think of many ways to get the things in life that are important to me	256	6.21	1.359	-.240	-.843	<.001*
	H8	Even when others get discouraged, I know I can find a way to solve the problem	256	5.89	1.431	.085	.285	.250

***Significance determined if $p < 0.05$**

C. *How Do the Two Measures of Hope (Agency and Pathway) Impact the Stress Result?*

The results of a multiple regression analysis show that agency and pathway variables explain 11.3% of the variance in the stress scale (r square = .113). The agency scale did not make a significant unique contribution to the prediction of the stress scale (beta = -.021, $p > 0.5$), while the pathway scale did make a significant unique contribution (beta = -.323, $p < .001$).

Table 65: Analysis of AHS Subscales (Agency and Pathway) to the Prediction of Stress Result

DV	IV	n	Mean	SD	r square	beta	unst.beta	p
Stress	Agency	255	23.38	4.79	.113	-.02	-.02	.78
	Pathways	256	24.49	4.16		-.32	-.40	<.001*

*Significance determined if $p < 0.05$

The agency scale (H2, H9, H10 and H12) explains 5.3% (r square = .053) of the variance in the stress scale. No individual questions on the agency scale were statistically significant.

Table 66: Analysis of Agency Scale Contribution to the Prediction of Stress Result

DV	IV	Question	n	Mean	SD	beta	unst. beta	p
Stress	H2	I energetically pursue my goals	256	5.86	1.613	.000	-.001	.996
	H9	My past experiences have prepared me well for my future	255	6.09	1.653	-.026	-.082	.717
	H10	I've been pretty successful in life	255	5.74	1.473	-.109	-.380	.125
	H12	I meet the goals that I set for myself	255	5.68	1.602	-.148	-.477	.074

*Significance determined if $p < 0.05$

The pathway scale (H1, H4, H6 and H8) explains 14.3% (r square = .143) of the variance in the stress result. H6 was the only statistically significant unique contribution (*I can think of many ways to get the things in life that are important to me*; beta = -.30, $p < .001$) explaining 6.6% of total variance in the stress score (part correlation = -.257).

Table 67: Analysis of Pathway Scale Contribution to the Prediction of Stress Result

DV	IV	Question	n	Mean	SD	beta	unst. beta	p
Stress	H1	I can think of many ways to get out of a jam	256	6.15	1.438	-.067	-.204	.322
	H4	There are lots of ways around any problem	256	6.23	1.367	-.101	-.381	.140
	H6	I can think of many ways to get the things in life that are important to me	256	6.21	1.359	-.303	-1.15	<.001*
	H8	Even when others get discouraged, I know I can find a way to solve the problem	256	5.89	1.431	.013	.046	.862

***Significance determined if $p < 0.05$**

In summary, the questions across the two hope subscales (agency and pathway) that have the greatest unique contribution to changes in the depression, anxiety, and stress scale are shown in Table 68 with the corresponding beta value.

Table 68: AHS Questions with Statistical Impact on the Variance of Depression, Anxiety, and Stress

Item	Scale	Question	Depression	Anxiety	Stress
H6	Pathway	I can think of many ways to get the things in life that are important to me	-.31	-.24	-.30
H12	Agency	I meet the goals that I set for myself	-.26		
H2	Agency	I energetically pursue my goals	-.19		
H10	Agency	I've been pretty successful in life		-.24	
H1	Pathway	I can think of many ways to get out of a jam		-.15	

Blank boxes indicate no statistical impact on the variance of the dependent variable.

These results suggest that if one standard deviation unit of change occurred on the agency or pathway scale, the depression, anxiety, or stress result would likely drop (signified by the negative sign) by the standard deviation units indicated in Table 68.

III Discussion

The results of this thesis show that there is a moderately strong inverse relationship between the psychological wellbeing measure of the AHS and the illbeing measure of the DASS21. This relationship is expected based on the significant literature and studies conducted measuring hope, depression, anxiety, and stress as outlined in Chapter 4. The evidence of a moderately strong inverse relationship between AHS and DASS21 results supports the general statement that *as hope goes up, psychological distress goes down*. The results of the multiple regression analysis indicate a statistically significant difference in the lowering of results on the depression, anxiety, and/or stress scale if there was a positive movement on the agency subscale related to questions H2, H10, and H12 or pathway subscale related to questions H1 or H6. If law students reported a positive movement on one particular question on the pathway subscale (H6: *I can think of many ways to get the things in life that are important to me*), it was statistically likely to contribute to a reduction in results across all three DASS21 subscales. Therefore, according to the results of this study, increasing pathway thinking aligned with the questions highlighted in Table 68 will have a statistically significant effect on lowering the corresponding DASS21 scores, indicating an improvement in positive mental health and wellbeing.

The results highlighted in this chapter could be used as an initial guide to design hope curriculum or specific interventions to support a positive feedback cycle and movement up the hope spiral. Future analysis could continue to monitor and examine which AHS questions have the greatest predictive power in lowering DASS21 results. Understanding the impact of specific aspects of hopeful thinking could guide not only the design of curricular and extra-curricular interventions, but also the use of resources and budget allocation. The implementation of university mental health and wellbeing strategies requires not only monitoring, evaluation and reporting of the issues, but also management of the strategic direction and decisions around the university's investment of time and money for student and staff resources. Longitudinal studies measuring the impact of interventions based on certain aspects of pathway or agency thinking could provide support for narrow and focused strategies (e.g. based around a particular AHS question) and provide an evidence base from which to compare the monetary and time invested in the intervention, in line with the whole-of-institution mental health and wellbeing strategies.

While agency and pathway thinking provide a moderate influence on the students' reports of perceived psychological distress, there are clearly other factors that also contribute to the DASS21 results. Additional wellbeing and illbeing measures could be included in future study designs. A factor analysis for a model of best fit could expand the Hope/DASS Four-Quadrant Model, and provide greater detail for students in terms of where they sit within the complete state model of mental health.

The use of case study examples of how and why students fit into each of the categories of flourishing, struggling, languishing and floundering could be a useful explanatory tool for students. As discussed in Part I of this chapter, an individual's results may indicate he/she are borderline across two categories, or her/his results could significantly change with a one unit change on the relevant Likert scale. If a student is aware of the difference a movement from a 6 to a 7 on the agency subscale may have to their overall hope profile, and therefore categorisation on the Hope/DASS Four-Quadrant Model, he/she may reflect on the behaviours typically associated with that profile and consider if they actually feel like they are a 7, or maybe even a 5, or are happy to stick with a 6. The labelling of a student as a certain category may impact her/his perception of themselves. Therefore, allowing the student a voice and input into the processes of categorising is an essential element to the Hope/DASS Four-Quadrant Model.

The student's act of completing the surveys and finding out the results could be regarded as an intervention, which may lead to a positive feedback cycle, and the student spiralling up. The process of completing the surveys, analysing the results, and conversing with students about the outcomes and their perceptions of the categorisation could be an activity built into a law subject, or an offering in a study skills workshop, for example. Ensuring that the survey is conducted with sufficient time or explanation and debrief is crucial, or the results could have a negative impact and lead to a negative feedback cycle, resulting in a student spiralling down. Therefore, awareness of how the model is used and administered in practice is an important consideration for any further research.

IV Conclusion

The Hope/DASS Four-Quadrant Model provides a different perspective about the levels of student mental health and wellbeing compared to results reported from only the DASS21 or AHS surveys. Rather than focus on students increasing or decreasing hope or DASS along a single continuum, the Hope/DASS Four Quadrant Model provides additional information about the intersection of hope profiles with depression, anxiety and stress symptoms. It can also inform suggested movements along the AHS and DASS21 subscales so that students can move up the complete mental health cycle towards a state of flourishing. The advantages of measuring mental health across the two continua include, amongst other things,

greater awareness of the intersectionality between wellbeing and illbeing. The visual representation of the two continua and categorisation can also assist students to recognise that they can make lateral moves, by focusing on both increasing wellbeing and decreasing illbeing. However, decisions could also be made to focus on one continuum depending on the levels of individual energy, time, resources, and personal goals.

The use of the two continua when reporting on mental health is also beneficial to the administrators of the surveys. This is because there is more chance of a change in results across two continua overtime compared to only one. Any change (positive or negative) can provide important information to law schools and the wider university administration. Increasing the monitoring and reporting of student mental health is a stated commitment of many universities' mental health and wellbeing policies, including the JCU strategy.¹¹⁴² Effective data collection is essential for feeding forward information to ensure fit-for-purpose actions are undertaken to achieve mental health and wellbeing success indicators. Empirical evidence (from future surveys) of students moving up the complete mental health cycle towards a state of flourishing is a clear indicator that the university/law school is supporting positive student mental health at law school.

The exploration of the data to consider the predictive nature of hopeful thinking on the students' perceptions of depression, anxiety, and stress symptoms provides an interesting direction for future research. Further data on the correlation and causality of AHS subscales and specific questions could further refine the Hope/DASS Four-Quadrant Model, and provide more detailed suggestions for interventions that would support positive movement up the complete mental health cycle.

¹¹⁴² James Cook University, 'JCU Mental Health and Wellness Strategy 2022-2026' (n 137).

Chapter 10: Conclusion

This thesis has addressed a gap in the available Australian empirical evidence in relation to law student wellbeing by reporting on hope levels of law students at a regional Australian university. The hope levels of JCU law students have been analysed (Chapter 8) and the perceptions of depression, anxiety, and stress symptoms experienced by JCU law students have been analysed (Chapter 7), thus answering an overarching research question of this thesis RQ2: What are the levels of mental health among law students at JCU, as measured by the psychological wellbeing measure of Hope and psychological illbeing measure of DASS?

To increase the usefulness of measuring hope levels as an indicator of law student wellbeing, a proposed two continua model was developed using the AHS and DASS21, the Hope/DASS Four-Quadrant Model (“the Model”). The development of the Model (Chapter 5) and an awareness of its associated benefits with its real-world application (Chapter 9) together answers the overarching research question of this thesis RQ1: What are the advantages of measuring mental health across two continua using the psychological constructs of Hope and DASS? The advantages of measuring mental health across a two-continua model have been outlined in this thesis as:

- Providing greater information and awareness to students about their current state of mental health and wellbeing.
- Visually capturing student results in a hope profile category and Hope/DASS Four Quadrant Model classification, and demonstrating options for positive movement up the complete mental health cycle towards an optimal state of complete mental health.
- Contributing to more accurate monitoring, evaluation, and reporting of student mental health and wellbeing.
- Supporting awareness of the predictive nature of results, indicating that increasing hopeful thinking will reduce the perceptions of the experience of depression, anxiety, and stress symptoms.
- Contributing information about options for interventions and mental health support services that would impact directly on students’ mental health as measured by the Hope/DASS Four-Quadrant Model. Furthering this point, providing an evidence base for where funding and resources may be best utilised, recognising the many financial challenges and competing priorities in the higher education sector.

As the Model was developed at JCU using the law student population, it would benefit JCU to adopt the Model and continue with ongoing monitoring and evaluation of law student mental health and wellbeing. The Model could be used in reporting and as a tool to support the implementation of JCU's strategic objectives outlined in the JCU Mental Health and Wellness Strategy (2022-2026).¹¹⁴³ By adopting this Model, JCU would enhance its data collection capabilities and also position itself as a leader in national data collection efforts on law student wellbeing. The Model's design allows for individual input, reflection, and options for individuals to make informed decisions about their personal mental health plans. Awareness of individual classifications in the Model can also provide information for university support services, teaching staff, and academic support professionals. The development of the Model in this thesis is a significant advancement for mental health monitoring and evaluation in higher education.

The benefits of the research in this thesis could be realised through adoption of the following three key recommendations:

Key Recommendations

1. **That JCU adopt the Hope/DASS Four-Quadrant Model as a measure of law student wellbeing over the next three years.** It is recommended that a longitudinal study be undertaken to determine the usefulness and benefit of the measure, including the causality of any wellbeing interventions on individual students' experiences of symptoms of depression, anxiety, stress, agency thinking or pathway thinking.
2. **That the Hope/DASS Four-Quadrant Model be adopted by all Australian law schools to further national data collection.** This recommendation responds directly to the Australian Productivity Commission Report's recommendation.¹¹⁴⁴ The scalability and adaptability of the model and using proven reliable psychological measures make it ideal for large-scale data gathering and reporting.
3. **That the use of the Hope/DASS Four-Quadrant Model be expanded across whole-of-university student populations.** The model can be used as a whole-of-institution measure of student wellbeing, and as an evidence-based indicator of where funds and priorities for student support and andragogy should be directed at a university wide level.

A small scale, long-term implementation of the Hope/DASS Four-Quadrant Model across the JCU law student population, as suggested in **recommendation 1**, would be beneficial to JCU and its law students.

¹¹⁴³ Ibid.

¹¹⁴⁴ Australian Productivity Commission (n 82).

The data would increase reporting of law student mental health and wellbeing. Data collection could occur in hardcopy, following the methodology set out in this thesis. Alternatively, delivery of the surveys could be conducted through an app, or online platform that allows for immediate feedback of results to individuals. Similar mental health measures have been conducted through specially designed apps¹¹⁴⁵ and are a recommended method for conducting mental health surveys, online interventions, and online mental health support.¹¹⁴⁶ Additional data collection, such as linking the survey results to academic results and completion rates (graduation) would enrich the findings.

Implementing the Model in a multi-university study across all Australian law schools, as suggested in **recommendation 2**, would contribute to a national data collection strategy. A longitudinal study that collates information across law schools could also include additional wellbeing and illbeing measures to take into account different factors that contribute to students flourishing or not-flourishing at law school. Comparative data across regional and metropolitan law schools would also provide additional information for universities and national policy advisors on specific support services and resources needed to support fit-for-purpose interventions that address the different needs of diverse student cohorts.

Implementing **recommendation 3** would assist JCU to achieve success indicators in the JCU Mental Health and Wellness Strategy (2022-2026) and fulfil JCU's commitment to reporting the progress of the strategy. As a university wide model, the data could aid the planning and provision of mental health and wellness curriculum resources, targeted priorities for educational initiatives to mitigate psychological distress and promote psychological wellbeing, as well as informing the targeted design of fit-for-purpose extra-curricular support services.

The national and international spotlight on student (and law student) mental health and wellbeing, as outlined in Chapter 1 and Chapter 2, and the contribution of this thesis study, contributes to developing a deeper understanding of, and bringing awareness to, the issues of university student mental health. In particular, this thesis contributes to the empirical data on law student wellbeing in Australia. The new and original Model proposed in this thesis contributes to the development of enhanced monitoring and evaluation of law student mental health and wellbeing, to further assist law student learning success. The wellness for law movement has also contributed significantly to an increased awareness of the high levels of psychological distress experienced by many law students during their time at law school in Australia. However, recognition that the problem exists and awareness of the significant issues surrounding the

¹¹⁴⁵ See, eg, Daugherty et al (n 654); Ibid.

¹¹⁴⁶ Orygen, 'Under the Radar: The Mental Health of Australian University Students' (n 106) 42.

problem are only the first step in creating real change. To ensure that the mental health and wellbeing of law students (and university students in general) are improving, or at least that law schools (or universities in general) are not making students' mental health worse, there needs to be clear monitoring, evaluation, and reporting. The Model proposed in this thesis has clear benefits over the use and reporting of single continua wellbeing or illbeing measures. Although this study has focused on law students, the proposed Model could be adapted as a measure of wellbeing across other disciplines. The suggested adoption of an operational definition of law student wellbeing (as introduced in Chapter 3: *Positive Psychology and Subjective Wellbeing*, III Wellbeing at Law School) could be broadened to incorporate all university students. The proposed operational definition by this thesis of university student wellbeing that accompanies the Hope/DASS Four-Quadrant Model is:

Student wellbeing considers the subjective experience of psychological strengths and psychological distress as measures of psychological functioning and mental health, to help students identify as flourishing or not-flourishing.

This operational definition is appropriate for populations with dominant Western socio-cultural and neoliberal values. The desire to pursue academic goals and to "succeed" by flourishing at university is an inherent value in the new operational definition and Model proposed by this thesis. The application of this definition in practice will require further investigation over time. As more data is collected using the Model, a clearer baseline will be established because there will be more accurate data about the percentages of students likely identifying as flourishing or not-flourishing. As a result, more specific goals could be created relating to evaluation criteria. The reality may be that a state of flourishing is not achievable for some students while studying at university. Therefore, awareness of the reality of goals, and acceptance of the numbers of students who may identify as struggling, languishing and floundering, is important in order to effectively support students where they are classified in the Model. However, the majority of students who are classified as not-flourishing may still benefit from targeted interventions to build hope and increase wellbeing. As highlighted in Chapter 9, some students may have maintenance goals for their state of incomplete mental health. The law school or whole-of-university approach could then anticipate and plan for the support required for the expected number of students who may present in different states of floundering, struggling, or languishing.

To answer RQ3 (What difference does exposure to hope-based curriculum and positive professional identities make to JCU students' levels of Hope and DASS?), the results of this study found that the law students' belief that the work of lawyers makes a positive contribution to society was significant across all

subscale measures of the AHS and DASS21. Therefore, ensuring that law students feel positive about the impact that the legal profession has on society, and that they are also feeling positive about their role in professional practice as a law graduate, is extremely significant to their mental health and wellbeing. The impact of student exposure to hope-based curriculum was explored focusing on two subjects on offer as part of the JCU law degree. The results showed that studying the highlighted subjects did not have an effect on the students' levels of psychological distress, but did have an effect on their levels of hope. Therefore, there is merit in further exploration of the impact of hope-based curricula strategies and hope andragogy in any wellbeing intervention design.

The greater information and awareness of students' mental health and wellbeing across their time at law school and university, that the Model provides, will have significant real-world impact. Initially, a significant impact is the contribution of this thesis study to a baseline of JCU law student wellbeing. The results from this thesis study can be used in evaluating the impact of future changes to the law degree or dedicated interventions to enhance student wellbeing. An accurate baseline will inform the effective monitoring, evaluation, and reporting of student mental health and wellbeing overtime and in relation to different curricular and extra-curricular interventions. The Model also provides information about the predictive nature of the AHS in relation to DASS21 results, which could provide an accurate evidence-base to inform specific interventions for student cohorts or individuals based on their mental health plans and individual goals. These interventions could involve class-based, year-based or whole-of-institution based initiatives.

This thesis has contributed three new and original contributions to the wellness in the law literature:

1. The Nested Framework of Law Student Wellbeing;
2. Proposed Operational Definition of Law Student Wellbeing; and,
3. The Hope/DASS Four-Quadrant Model.

In addition, the analysis of results from this thesis provides transparent and accurate empirical data that contributes to the Australian and international law student wellbeing literature, as well as the mental health in higher education literature. While the results of this thesis cannot be generalised across other student populations, the methods for data collection and analysis can be. The listed contributions stated above from this thesis could be applied in future studies, and provide a springboard for further research and development in this area. Overall, the objectives of this thesis (as set out in Chapter 1) have been achieved. The contributions made by this thesis can be utilised by others to improve the experience of law

school and university for students, and to promote greater awareness of the benefits of raising law students' levels of hope.

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Appendix 1: Adult Hope Scale (AHS)

Directions: Read each item carefully. Using the scale shown below, please select the number that best describes YOU and put that number in the blank provided.

1.	2.	3.	4.	5.	6.	7.	8.
Definitely False	Mostly False	Somewhat False	Slightly False	Slightly True	Somewhat True	Mostly True	Definitely True

Please answer all 12 questions below.

- _____ 1. I can think of many ways to get out of a jam.
- _____ 2. I energetically pursue my goals.
- _____ 3. I feel tired most of the time.
- _____ 4. There are lots of ways around any problem.
- _____ 5. I am easily downed in an argument.
- _____ 6. I can think of many ways to get the things in life that are important to me.
- _____ 7. I worry about my health.
- _____ 8. Even when others get discouraged, I know I can find a way to solve the problem.
- _____ 9. My past experiences have prepared me well for my future.
- _____ 10. I've been pretty successful in life.
- _____ 11. I usually find myself worrying about something.
- _____ 12. I meet the goals that I set for myself.

Appendix 2: Depression, Anxiety, and Stress Scale (DASS21)

Please read each statement and circle a number 0, 1, 2 or 3 which indicates how much the statement applied to you **over the past week**. There are no right or wrong answers. Do not spend too much time on any statement.

The rating scale is as follows:

- 0 Did not apply to me at all
- 1 Applied to me to some degree, or some of the time
- 2 Applied to me to a considerable degree or a good part of time
- 3 Applied to me very much or most of the time

1	I found it hard to wind down	0	1	2	3
2	I was aware of dryness of my mouth	0	1	2	3
3	I couldn't seem to experience any positive feeling at all	0	1	2	3
4	I experienced breathing difficulty (e.g. excessively rapid breathing, breathlessness in the absence of physical exertion)	0	1	2	3
5	I found it difficult to work up the initiative to do things	0	1	2	3
6	I tended to over-react to situations	0	1	2	3
7	I experienced trembling (e.g. in the hands)	0	1	2	3
8	I felt that I was using a lot of nervous energy	0	1	2	3
9	I was worried about situations in which I might panic and make a fool of myself	0	1	2	3
10	I felt that I had nothing to look forward to	0	1	2	3
11	I found myself getting agitated	0	1	2	3
12	I found it difficult to relax	0	1	2	3
13	I felt down-hearted and blue	0	1	2	3
14	I was intolerant of anything that kept me from getting on with what I was doing	0	1	2	3
15	I felt I was close to panic	0	1	2	3
16	I was unable to become enthusiastic about anything	0	1	2	3
17	I felt I wasn't worth much as a person	0	1	2	3
18	I felt that I was rather touchy	0	1	2	3
19	I was aware of the action of my heart in the absence of physical exertion (e.g. sense of heart rate increase, heart missing a beat)	0	1	2	3
20	I felt scared without any good reason	0	1	2	3
21	I felt that life was meaningless	0	1	2	3

Appendix 3: Thesis Survey Questions

Law Student Research Questions

Directions: Please tick the box or write your answers that best describes YOU.

Gender: Female Male Other: _____

What is your age in years? _____ years old.

Are you enrolled in:

A straight law degree?

A combined law degree? If you are studying a combined law degree, what is your other degree?

*Please write your other degree, for example:
Accounting; Business; Psychology; Arts etc.*

A degree other than law? If you are studying a degree other than law, what is your degree?

*Please write the name of your degree, for example:
Business; Engineering; Teaching*

If you are studying law, what year of law study are you currently in?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1 st year	2 nd year	3 rd year	4 th year	5 th year

Do you believe the work of lawyers makes a positive contribution to society? Yes No

Have you completed the subject LA1107 Contemporary Practice: The New Lawyer? Yes No

Have you completed the subject LA4034/BX2119/BX3119 Alternative Dispute Resolution? Yes No

Appendix 4: Information Sheet

Cairns
Singapore
Townsville



INFORMATION SHEET

PROJECT TITLE: Measuring Hope

You are invited to take part in a research project about hope in law students. This study is being conducted by Ms Claire Holland and will contribute to the requirements for completion of a PhD. The data from the questionnaire may be used in research publications and reports related to hope theory, the law student experience, and learning and teaching pedagogy.

If you agree to be involved in the research project, please fill out the attached questionnaires. It will take approximately 15 minutes to complete. You will be asked some demographic information on the third page of the questionnaire.

Taking part in this questionnaire is completely voluntary. Your responses are not identifiable and will be kept by myself (Claire Holland). Results will be summarised so that no personal or individual answers can be identified in the reporting of results. You will not be identified in any way in the research publications. It will be implied that you have consented to participate in this research by filling in the questionnaire.

There are no anticipated risks for participating in this study. If you do have any questions about the study, please contact myself, Claire Holland, or Dr Thomas Middleton. You may remove this information sheet from the survey and keep it for your own records. Our contact information is available below.

Your participation is greatly appreciated!

Thank you,
Claire

Principal Investigator:
Claire Holland
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If you have any concerns regarding the ethical conduct of the study, please contact:
Human Ethics, Research Office
James Cook University, Townsville, Qld, 4811
Phone: (07) 4781 5011 (ethics@jcu.edu.au)

Appendix 5: Snyder’s Checklist for Teaching Goal Setting, Agency Thinking, and Pathway Thinking

Goals Checklist¹¹⁴⁷

Do	Don’t
<input type="checkbox"/> Be clear that you are setting a goal because it is something you really want	<input type="checkbox"/> Always set goals that other people think you should have
<input type="checkbox"/> Try to become more aware of decisions you are making about important goals	<input type="checkbox"/> Be in a hurry to select your goal
<input type="checkbox"/> Before settling on your goals, generate many goals in the different areas of your life (e.g. relationships, friendships, career, recreation, etc)	<input type="checkbox"/> Be seduced by thoughts and activities that distract you from your important goals
<input type="checkbox"/> Rank your goals in each area from those that are most to least important	<input type="checkbox"/> Become obsessed with attending to and revising your goal list
<input type="checkbox"/> Specify your most important goals with concrete and recognisable markers	<input type="checkbox"/> Set very easy goals for yourself
<input type="checkbox"/> Have another person with whom you can check or discuss your progress toward a goal	<input type="checkbox"/> Set exceedingly difficult goals for yourself
<input type="checkbox"/> Put aside enough time for your important goal or goals	
<input type="checkbox"/> Set up your life so you are not interrupted by outside demands	
<input type="checkbox"/> Stretch yourself by setting goals at a somewhat higher level than your previous performances	

Agency Thinking Checklist¹¹⁴⁸

Do	Don’t
<input type="checkbox"/> Tell yourself that you have chosen the goal, so it is your job to go after it	<input type="checkbox"/> Allow yourself to be surprised repeatedly by roadblocks that appear in your life
<input type="checkbox"/> Learn to talk to yourself in positive voices (e.g., I can do this!)	<input type="checkbox"/> Try to squash any internal put-down thoughts because this may only make them stronger
<input type="checkbox"/> Anticipate roadblocks that may happen	<input type="checkbox"/> Get impatient if your agency thinking doesn’t increase quickly
<input type="checkbox"/> Think of problems as challenges that arouse you	<input type="checkbox"/> Panic when you run into a roadblock
<input type="checkbox"/> Recall your previous successful goal pursuits, particularly when you are in a jam	<input type="checkbox"/> Conclude that things never will change, especially if you are down
<input type="checkbox"/> Be able to laugh at yourself, especially if you encounter some impediment to your goal pursuits	<input type="checkbox"/> Engage in self-pity when faced with adversity
<input type="checkbox"/> Find a substitute goal when the original goal is blocked solidly	<input type="checkbox"/> Take yourself so seriously all the time

¹¹⁴⁷ Snyder (n 22) 223.

¹¹⁴⁸ Ibid 239.

- Enjoy the process of getting to your goals and do not focus only on the final attainment
- Control your eating, eat several small meals, and eat most of your food early in the day
- Cut back on caffeine-laden products, as well as cigarettes and alcohol
- Consistently get vigorous physical exercise
- Expose your eyes to bright lighting during the winter months
- Rest sufficiently through nightly sleep and daily relaxation
- Closely observe your local world, including the little things happening all around you
- Stick to a blocked goal when it is truly blocked
- Constantly ask yourself how you are doing to evaluate your progress toward a goal

Pathway Thinking Checklist¹¹⁴⁹

Do	Don't
<input type="checkbox"/> Break a long-range goal into steps or subgoals	<input type="checkbox"/> Think you can reach your big goals all at once
<input type="checkbox"/> Begin your pursuit of a distant goal by concentrating on the first subgoal	<input type="checkbox"/> Be too hurried in producing routes to your goals
<input type="checkbox"/> Practice making different routes to your goals and select the best one	<input type="checkbox"/> Be rushed to select the best or first route to your goal
<input type="checkbox"/> In your mind, rehearse what you will need to do to attain your goal	<input type="checkbox"/> Overthink with the idea of finding one perfect route to your goal
<input type="checkbox"/> Mentally rehearse scripts for what you would do should you encounter a blockage	<input type="checkbox"/> Stop thinking about alternate strategies when one doesn't work
<input type="checkbox"/> Conclude that you didn't use a workable strategy when you don't reach a goal, rather than harshly blaming yourself	<input type="checkbox"/> Conclude you are lacking in talent or are no good when an initial strategy fails
<input type="checkbox"/> If you need a new skill to reach your goal, learn it	<input type="checkbox"/> Be caught off guard when one approach doesn't work
<input type="checkbox"/> Cultivate two-way friendships where you can give and get advice	<input type="checkbox"/> Get into friendships where you are praised for not coming up with solutions to your problems
<input type="checkbox"/> Be willing to ask for help when you don't know how to get to a desired goal	<input type="checkbox"/> View asking for help as a sign of weakness

¹¹⁴⁹ Ibid 254.