

The silence of the lawyers

The inevitable stresses of professional life can take a toll on the mental health of typically driven and perfectionist lawyers, but help is at hand, writes **Angus Lyon**



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When we hear the word 'psychopath', we probably first associate it with serial killers and mass murderers: Norman Bates, Hannibal Lecter, Hitler, or Stalin. But according to research carried out by Oxford psychology professor Kevin Dutton and others, lawyers come second in the scale of occupations demonstrating psychopathic tendencies.

One of the practical takeaways from Dutton's book *The Good Psychopath's Guide to Success*, co-authored with retired SAS sergeant Andy McNab, is that we can sometimes benefit from developing some of these more psychopathic character traits to get us through the rough and tumble of professional life. A surgeon has to put aside any thoughts of the patient's pain to carry out an operation dispassionately. A cross-examiner has to detach themselves from a witness's

discomfort. Sometimes we have to put the empathy on hold.

Psychopaths are impulsive, self-confident, dominant, manipulative, persuasive, charming, promiscuous, arrogant, grandiose, ruthless, fearless, risk-taking, mistrustful, display a lack of remorse and guilt, and have a reduced capacity for empathy. Anyone come to mind? Probably a few lawyers you have come across, but hardly the characteristics we associate with the average friendly solicitor.

Maybe some lawyers are a bit psychopathic. We are also bit pretty disparate group. We act for and advise most of humanity. To work well we have to be conscientious, thorough, and attend closely to detail. We need to be resilient, independent, and self-reliant. Competitiveness, drive, ambition, and high self-expectation have to co-exist for work competence and client confidence.

The problem is that sometimes, through years of pressure, things get out of kilter. The lawyer who is a perfectionist and has a high sense of responsibility can tip into self-doubt and guilt if their own self-expectations are undermined. Scepticism can turn into paranoia. An imaginative mind can develop into a grandiose personality. And those of us who tend to be rather impulsive and domineering can unwittingly move along the scale towards psychopathy. Professional objectivity can grow into a more general lack

of empathy for clients, oneself, and one's family.

So if we want to stay healthier and avoid a slide along a continuum towards dysfunction, mental illness, and all that entails, what can we do?

The Menninger Clinic in the US runs a 'Professionals in Crisis' psychiatric programme which treats lawyers, physicians, and mental health professionals, among many others. Treating high-achieving, well-educated individuals (described as VIPs) presents the clinicians with unique challenges. Typically, when professionals reluctantly agree to engage in treatment, they will minimise their difficulties, rationalise maladaptive and outrageous behaviour, and seek to control, manipulate, intimidate, denigrate, or even seduce their treaters.

Many of the patterns of behaviour that hinder treatment of VIPs are deteriorations or exaggerations of behaviours that have contributed to the VIPs' gaining and sustaining their professional position in the first place. Necessary strengths and characteristics become dysfunctional and are used by resistant professionals to inhibit effective therapy.

Dutton makes the point that there is no one thing that makes a psychopath. 'You want to think of those traits being like the dials on a studio mixing desk, that you can turn up and down in different situations. If they're all turned up to maximum, then you're a dysfunctional

psychopath... being a psychopath isn't black and white; it's a spectrum, like height and weight.'

I suppose that's another way of saying that few of us are either Jekyll or Hyde: there's a bit of both in our make-up.

I also noticed that therapists come third in a separate list of occupations with non-psychopathic tendencies. Which puts me in an interesting position as a lawyer and a therapist. I know I can combine dispassionate cross-examination and empathic listening. Sometimes we use academic ability; at other times, emotional intelligence. Difficulties arise when detachment becomes the default position – detachment from others' experience, and indeed from our own. Psychopathic and other dysfunctional traits can harden around us unnoticed as a way of protecting ourselves from excessive demands.

So how can we help ourselves? Part of the answer is becoming aware of what the inevitable stress of professional life can do to us and watching out for the warning signs. If things are becoming intolerable, then a good first step is to find someone to talk to. It's not complicated but it can seem a daunting risk to take. Maybe google 'LawCare' and give them a ring?

And finally, if you worry that you might actually be a psychopath, don't: that thought wouldn't even occur to a psychopath. **SJ**