

Building Ethics and Wellbeing Through (Moral) Organisational Resilience: An Extended Role for Reflective Practice



Julian Webb
Melbourne Law School

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Individual Wellbeing & Ethics

Organisational Resilience

Reflective Practice

ETHICS & THE WELLBEING 'CRISIS' IN LAW



The evidence base: why this matters and why it is a structural — not individual — problem

28%

of lawyer participants
experienced workplace
incivility at least weekly
(Holmes et al, 2025)

48%

of lawyer participants
experienced their workplace
as a 'positive' ethical climate
(Holmes et al., 2025)

69%

of UK/Ireland legal
professionals reported
mental ill-health in 2021
(LawCare)

Role of 'ethical climate'

Independent moderating effects on:
Psychological distress | Positive wellbeing |
Intention to change employment

Risk factors include:

Heavy workloads | Time-based billing | Adversarial
professional identity | Poor psycho-social support



THE STRUCTURAL GAP

Why individual-level responses to wellbeing cannot be sufficient

What organisations DO

- Mindfulness apps & programmes
- Mental health awareness weeks
- 'Resilience building' training
- Employee Assistance Programmes
- Flexible working/mental health days (maybe)

What this CHANGES

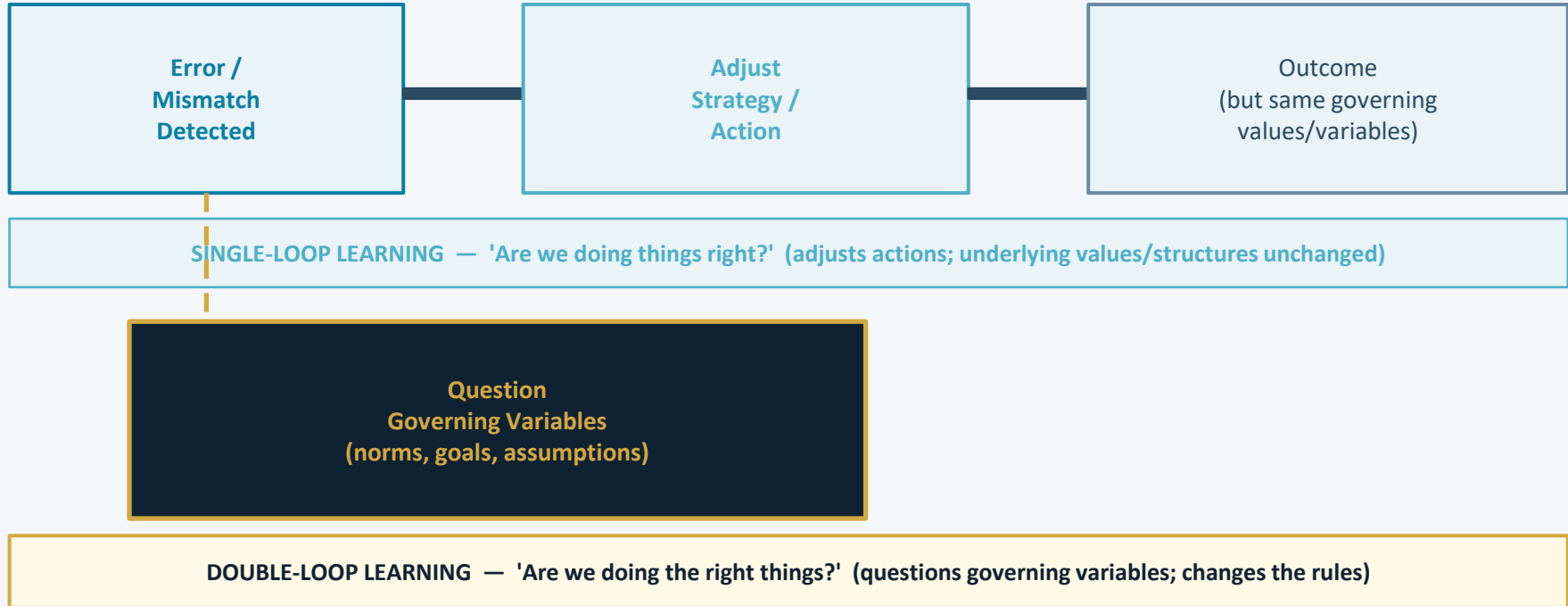
- Individual coping strategies
- Awareness of symptoms
- Help-seeking behaviour
- Short-term stress reduction
- Perceived organisational care

What it LEAVES INTACT

- Billable-hour targets
- 'Up or out' culture
- Adversarial identity norms
- Stigma around vulnerability
- Structural overwork expectations

"Resilience positioned as a baseline requirement reifies what are seen as highly desirable traits — the ability to work long hours, to be 'care-less'" — Collier (2019); cp also Parker (2014).

ARGYRIS & SCHÖN: SINGLE AND DOUBLE-LOOP LEARNING



Applied to legal practice: Single loop = wellbeing app. Double loop = questioning billable-hour targets and 'presenteeism'.



TRIPLE-LOOP LEARNING: THE THIRD LEVEL

Building out of Bateson (1972) via Argyris & Schön

1

Single Loop | 'Are we doing things right?'

Corrects errors within existing rules and structures. Adjusts strategies and actions. Governing values/structures unchanged.

2

Double Loop | 'Are we doing the right things?'

Questions the governing variables themselves — norms, objectives, assumptions. Changes the rules.

3

Triple Loop | Transforming process and structure — what is right?

Routinely interrogates the embedded structure and organisational identity within which learning behaviours, governing goals and objectives, and power dynamics are nested. Sources incl: Flood & Romm (1996, 2018); Yuthas, Dillard & Rogers (2004); Kwon, Kang & Nicolaides (2024).

Note (Tosey et al., 2012; Kwon et al., 2024): Triple-loop conceptualisations are diverse and under-empiricised. Its value is as a critical framework, not a prescriptive model.

APPLYING TRIPLE-LOOP LEARNING: WELLBEING <=> ORG. RESILIENCE



Loop 1 | Operational

Most current legal sector wellbeing initiatives operate here.

Loop 2 | Strategic

Question billing structures, flexible working, the role of commercial pressure.

Requires willingness to surface Argyris's 'defensive routines' — the individual habits that protect governing variables from scrutiny.

Also need for sector level change Cp VLSB (2025) - getting closer to a paradigmatic conversation.....

Loop 3 | Paradigmatic

Interrogate professional identity: what legal practice is for; what obligations the profession owes its members; how do we better demonstrate that professional values and professional growth are valued?

What aspects of the current business model are not sustainable: what are the negative externalities and social costs of doing business our way? Is our business model built on assumptions of unlimited growth, easy access to (human) resources?

Are we perpetuating a system that simply requires/enables us to keep treating the same recurring problems?

Reflective practice (Schön, 1983; LETR, 2013) provides a mechanism: individual and collective inquiry that can escalate from loop 1 through to loop 3 when institutionally supported.



SYNTHESIS & AGENDA(S)

THE ARGUMENT IN FOUR STEPS

1. The legal profession has a documented wellbeing crisis rooted in structural and cultural drivers that individual resilience training cannot address.
2. Individual wellbeing and ethical organisational resilience are mutually reinforcing — but require structural conditions and resources, not just individual capability, to sustain.
3. Argyris & Schön's double-loop learning offers a partial diagnostic: most legal sector responses are single-loop, but some changing (VLSB).
4. Reflective practice that embeds triple-loop learning is (potentially) a critical mechanism for achieving sustainable change. Reflective practice is the (critical?) mechanism.

EDUCATIONAL & REGULATORY AGENDA

- Modelling and building organisational structures for good ethical climate/organisational resilience
- Design of CPD frameworks that embed the capacity for second- and third-loop reflection, building on (e.g.) LETR (2013), VLSB Theory of Change (2025)
- Strengthening role of supervision and peer reflection in law practice — drawing on models from health professions
- Revisiting leadership in law (cp Rhode, 2013)
- Research — eg
 - Empirical studies testing links between triple-loop processes and measurable wellbeing/ethics outcomes in legal organisations
 - Organisational and institutional leadership studies: what does third-loop learning look like in practice for law firm leaders?

Limitation: direct empirical links between triple-loop learning and legal wellbeing/ethical org. resilience outcomes do not yet exist — the connection is theoretical and analogical. This synthesis thus identifies some perceived, critical, research gaps.