

Law Matters Newsletter

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Mental Toughness



The term Mental Toughness was first popularised in relation to sport, an area in which success or failure are starkly defined. The missed penalty or letting a Wimbledon final slip from your grasp are obvious and have an immediate effect. However sometimes the attribute is needed over a much longer term and in a life or death situation. Thus Captain Bligh, having been put off the Bounty into 7 metre boat, managed to navigate 3,600 miles to safety, over 47 days, keeping his crew working as a team. Whatever doubts he might have felt privately did not undermine his performance either as a leader or as a skilled navigator.

But I'm a Lawyer not Captain Bligh

Lawyers are under ever increasing pressure. They deal with clients, who are ever more demanding. They are losing their jobs and some firms are in intensive care. The Clementi Report is leading to a huge change in professional structure and competition. Lawyers struggle with new management demands yet have to record large numbers of chargeable hours. All this can detract from performance and lead to increased stress. Mental toughness makes a difference.

Luckily, mental toughness is a state, not a trait. In other words it can be developed through training and experience, rather than being innate. One way is by physiological toughening, such as exposure to cold or physical challenge. Outdoor development activities can therefore work. However, the full Victorian public school experience of cold baths and regular beatings may not accord with modern HR practice.

Another way would be to work on skills and techniques of stress management, both environmental and internal. Additionally, work on attentional control or focus can be an effective part of the package.

Of course, a major barrier to performance can be procrastination and time management.

Addressing these issues to get things done is part of managing external and internal pressure.

Mental toughness can be measured, and these days this does not involve being cast adrift in a small boat, but instead a psychometric test. That can inform recruitment, promotion and team design as well as aiding individual development. It can also be used as a basis for executive coaching.

There are two note of caution. The first is that the opposite of mental toughness is mental sensitivity and NOT weakness. This means that the degree of mental toughness needed for a job is situational. Generally some level of balance between toughness and sensitivity is best. The second is that mixing people at different ends of the scale can create problems in staff relations. What one person sees as a robust exchange of views can be perceived by another as bullying.

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