



## **Positively Legal: Cultivating an Internal Locus of Control to Face Challenges and Live with Meaning**

**Interviews and Profiles**

**Skills and Professional Development**



“The [chief task in life is simply this](#): to identify and separate matters so that I can say clearly to myself which are externals not under my control, and which have to do with the choices I actually control. Where then do I look for good and evil? Not to uncontrollable externals, but within myself to the choices that are my own.”

- [Epictetus](#), *Discourses*, 2.5.4–5

This month I spoke with [Troy Swan](#), group general counsel, company secretary, and board member of Winc Australia and New Zealand. The office products company Winc was formed following the acquisition and merger of Staples, OfficeMax, and Corporate Express by US-based private equity firm Platinum Equity.

Swan has the strategic management of over 30 corporate entities across Australia, New Zealand, and the United Kingdom, as well as managing a legal team working across corporate and commercial areas including mergers and acquisitions, commercial procurement, litigation, IP, corporate, regulatory and governance affairs, risk and work, and health and safety.

A previous Australian Lawyer of the Year (FMCG) and ACC Member of the Year, Swan spoke with me about the importance of cultivating an internal locus of control. His practice of healthy eating, a happy lifestyle, and gratitude allows him to meet the demands of being the general counsel for one of the largest companies in Australia and leading a smart team.



Troy Swan with his children.

## Locus of control – From stoicism to modern day life

What the [stoics](#) referred to as “the dichotomy of control,” modern psychologists call having either an internal or external locus of control.

Author [Kendra Cherry describes locus of control](#) as “the extent to which people feel they have control over the events that influence their lives.” To understand your locus of control answer, ask yourself:

“When you are dealing with a challenge in your life, do you feel that you have control over the outcome? Or do you believe that you are simply at the hands of outside forces?”

Psychologist [Julian Rottner](#) created a [scale and questionnaire](#) to measure a person’s locus of control. In a [2012 BBC interview](#) with then 95-year-old Rottner, the test was described as an instrument to predict people’s behavior.

People with an **internal locus of control** believe they are responsible for the events of their lives and their actions affect the outcome of events. They focus on how they can improve or what they can do to influence when pursuing their goals.

People with an **external locus of control** believe they have no control over what happens, blame others for their problems and find excuses not to pursue their goals. They are also more vulnerable to [learned helplessness](#).

## Self-determination and self-efficacy

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Interlinked with an internal locus of control are self-determination and self-efficacy.

**Self-determination** refers to a person's ability to make choices, manage their life, and feel in control and intrinsically motivated. People who have high [self-determination](#) possess an internal locus of control and feel that their behaviors will have an influence on outcomes.

When they are confronted with challenges, self-determined people feel that they can overcome challenges through diligence, good choices, and hard work.

**Self-efficacy** is described by psychologist Albert Bandura as the belief a person has control of their own lives and whether they are able to accomplish tasks and achieve goals. People with greater self-efficacy recover more quickly from setbacks and disappointments and take on challenging problems as something they can work on and solve.

## Why cultivate an internal locus of control?

Cultivating an internal locus of control and developing self-determination and self-efficacy helps us believe our actions have an impact, which is desirable for the way we show up at work and the way we live our lives. Strengthening an internal locus of control helps us:

- Take responsibility for our actions;
- Be less influenced by the opinion of others;
- Feel confident in the face of challenge;
- Achieve greater workplace success; and
- Be physically healthier.

Lawyers need to learn to live in a “world of chaos” and find focus and control in this rapidly and constantly changing environment that can be life as an in-house lawyer.

Swan believes the modern legal department has moved beyond the rigidity of responding only to predefined narrow legal issues and being known as a “department of no” to becoming truly trusted business advisers and commercial problem solvers, having confidence and ability to take on challenges outside of their comfort zones and normally perceived legal practice areas.

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## Tips for cultivating an internal locus of control

Swan shared the following tips for cultivating an internal locus of control, self-determination, and self-efficacy.

**“Focus on what you can change and stop worrying about the things you can't change.”**

Swan's team has a no blame policy, which they have extended to their stakeholders. This ensures that people feel comfortable raising concerns or mistakes with them, learning from them, and resolving them.

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While Swan notes the importance of people reflecting on a mistake, reflection can become counterproductive when someone continues to dwell on an event, a mistake, or a situation that is past and cannot be changed.

This reflects the reality that in-house lawyers are often asked to advise and guide at high speed with a minimum of instructions. “Even monkeys fall out of trees,” says Swan, referring to the reality that mistakes will be made, but to not allow that to derail your decision-making abilities moving forward.

### **“Don’t let others dictate your attitude.”**

This is easier said than done and requires a high level of self-awareness and maturity to balance both the confidence in your capabilities and judgment and the ability to take on feedback that might be useful.

Mindset coach, [Ben Crowe](#), on the ABC podcast, [Conversations](#), described how Ash Barty was able to control her emotions and remain calm on the court. Crowe’s insights on how to leverage a positive mindset in challenging situations included focusing on your mindset.

Barty realized “it is her decision and not the conditions that determines her mindset, her attitude, and her self-worth then she just finds the best version of her and one of those words might be calm and that’s what she focuses on.”

### **“Build your team’s confidence.”**

Shawn Achor’s *The Mask of Zorro* analogy in his book, [The Happiness Advantage](#), resonated with Swan.

Achor used *The Mask of Zorro* movie for his Zorro Circle (in the movie young Zorro learns how to master swordsmanship by training first in a tiny circle). Achor suggested becoming more self-aware when we want to regain an internal locus of control. Try to tackle one small challenge at a time and slowly expand your circle over time.

“Wins help build confidence, and teams should be given opportunities to win.”

- Troy Swan, group gC and company secretary of Winc Australia and New Zealand

Swan agrees with the importance of helping lawyers build confidence through matching challenges to their current skills and allowing them to master smaller challenges (whether they are tasks or stakeholders) and growing this with their increasing skills and confidence. “Wins help build confidence, and teams should be given opportunities to win,” says Swan.

Mastering experience and building confidence are also the pillars of self-efficacy. Succeeding at something gives people confidence in their own abilities and increases the likelihood they will seek more challenges.

### **“Build your team’s self-determination by encouraging your team to take an active role in what they are doing.”**

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Swan includes his team as representatives in all relevant commercial meetings so they see the full picture and areas for potential contribution. He also embeds them in commercial processes from the start of the process so they are part of the team itself rather than providing siloed legal guidance, which is often more repetitive and less interesting work and can be disconnected.

This allows them to be part of the business, processes, and wins, and to build relationships to become truly trusted advisers, expanding their sphere of influence and enjoyment in their role.

**“Find ways to help your team [find meaning](#) in their roles.”**

People who believe they have a positive impact at work tend to be more engaged and motivated. One of Winc’s social responsibility initiatives is the joint venture, [Mandura](#) (translating as “trading place”), a First Nations workplace supplies company dedicated to supporting future generations of Indigenous Australians.

The legal department provides Mandura with governance and legal support services which gives the team the opportunity to find meaning, by working on something that has a bigger social utility and purpose, if that is important to them.

## **Wellness recommendations**

Swan’s day starts at 5:30 am by responding to emails, followed by a jog around his neighborhood, a brief gym session, or an ocean swim, and then off to the office. He lives near one popular Coogee beach and is the assistant secretary of the second oldest Surf Life Saving Club in Australia, the Coogee Surf Life Saving Club.

Outside of work, he recharges by cultivating a healthy practice of spending time with his family and four young children and swimming at least once a week in the open ocean (all year round).

I asked Swan what he has been reading or listening to in the positivity and wellness space.

- His recommended books include: [Presence](#), [Grit](#), [Dare to Lead](#), [Atomic Habits](#), and [Sapiens](#).
- His recommended podcasts include: [The Drop Out](#), [Counsel](#), [The Lawyers Weekly Show](#), and [This Week in Start Ups](#).

Swan uses his own positive practices of hard work, spending time in the water, and finding gratitude for life to ensure he has the resilience he needs to create a purpose driven and supported team by leading through example and taking on challenges embodying a strong internal locus of control that “the harder you work, the luckier you are.”

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Caterina Cavallaro is managing legal counsel at VGW.

She combines technical legal skills with practical business understanding and a love of innovation, project management, and legal technology to improve ways of working within the legal industry. She is a member of the ACC's In-House In-Health and Legal Technology and Innovation Special Interest

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In addition to her legal skills she has a Diploma of Positive Psychology and Wellness and is a freelance writer. Her “Positively Legal” column for the *ACC Docket* focuses on the intersection of neuroscience, positive psychology, and in-house practice by interviewing experts and fellow lawyers and curating up to date quality research, podcasts and books to help lawyers learn to take control of their own wellness and support their careers.

Outside of work, Cavallaro loves traveling, snorkeling, meditating and spending time in nature.