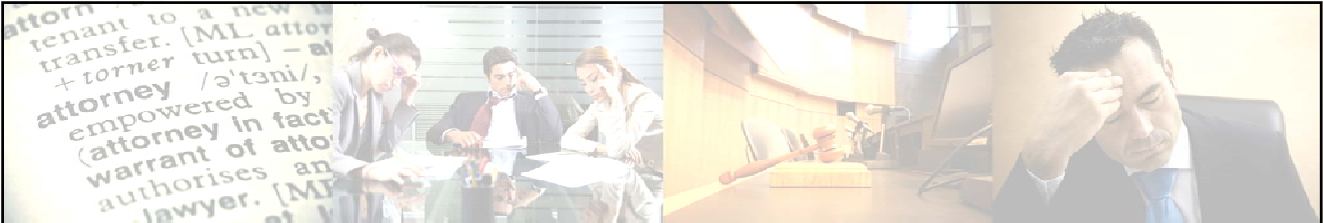




# Mental Illness and its Impact on the Justice System

September 2011  
Karen Liberman

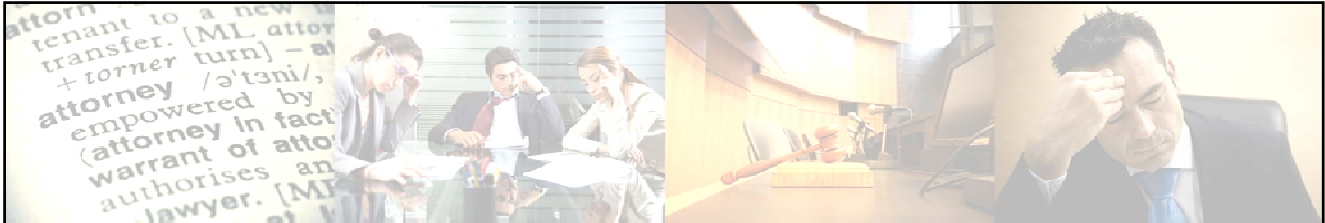




- CEO/Executive Director
- Spouse
- Mother
- Grandmother
- Keynote Speaker



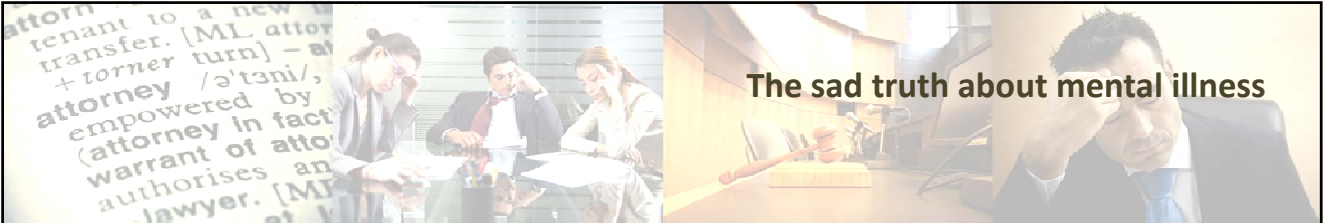
- Productive
- Outgoing
- Accomplished
- Compassionate
- Happy
- Fulfilled



- Failure
- Sponge
- Disability claimant
- Burden



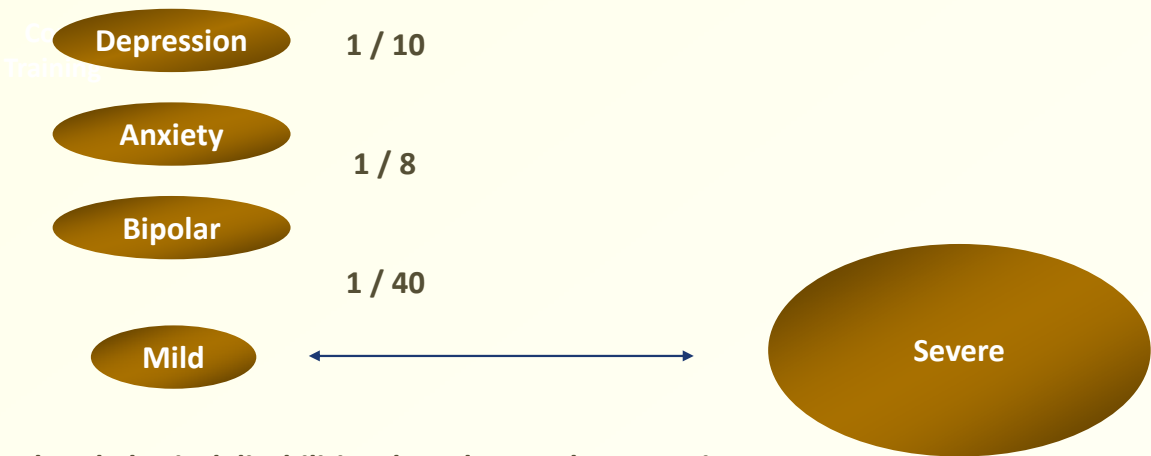
- Hopeless
- Helpless
- Guilty
- Worthless
- Angry
- Suicidal



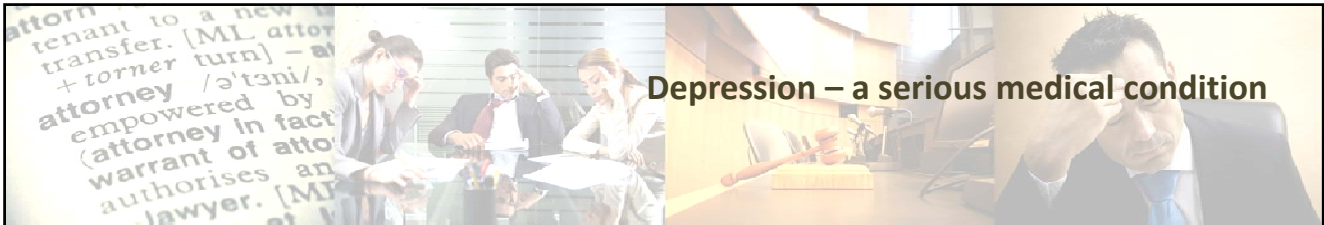
### The sad truth about mental illness

One in five people suffer from mood disorders in their lifetime

- less than half seek treatment
- less than 1/3 get treatment they need



Related physical disabilities the rule, not the exception



### Depression – a serious medical condition

#### Emotional symptoms

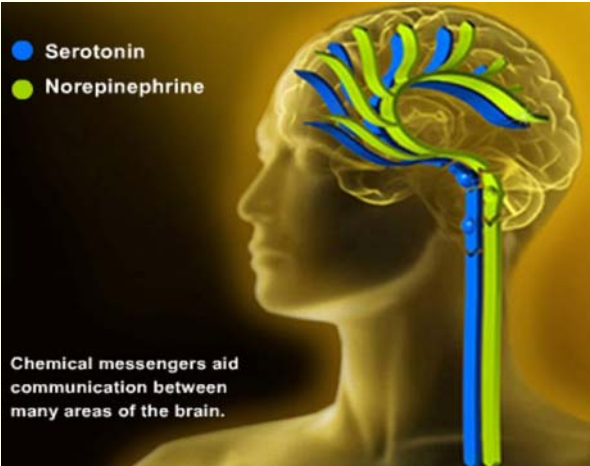
- Sadness
- Loss of interest
- Guilt
- Restlessness

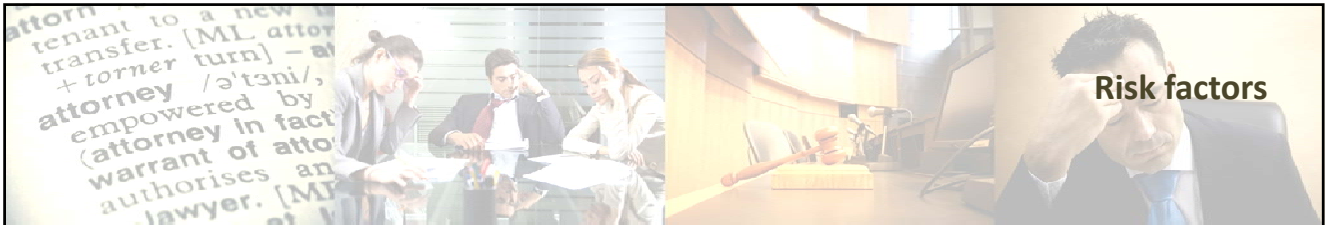
#### Physical symptoms

- Fatigue
- Aches & pains
- Headaches
- Weight/sleep change

#### Cognitive symptoms

- Memory
- Focus
- Recall
- Concentration
- Difficulty – decisions



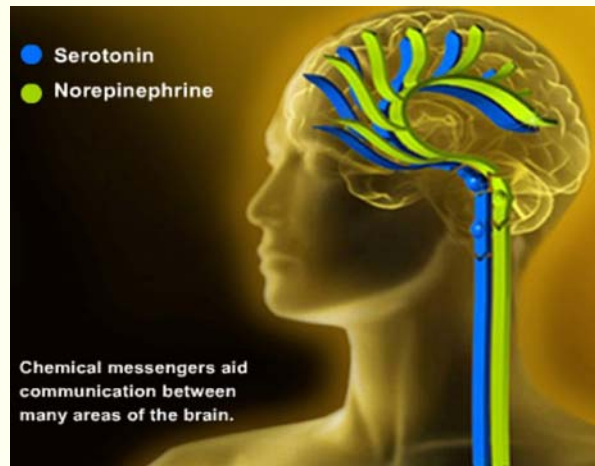


**DNA / genetic vulnerability**

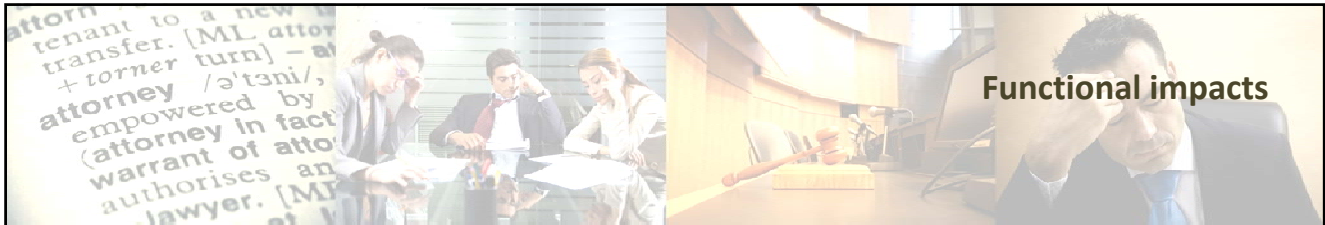
- Stress hormones

**Stressors / triggers**

- Trauma
  - Death, disease
- Personality
  - Perfectionism
  - self care
  - self esteem
- Personal stress
  - relationships
  - family, kids
  - gambling
- Occupational stress
  - Workload
  - Influence, control
  - Fit
  - conflict



**A perfect storm...**




- Inability to screen out environmental stimuli
  - **Sights, sounds, odors, talking**
- Sustaining concentration
  - **Restlessness, attention span, distraction, verbal directions**
- Stamina
  - **Full day, drowsiness**
- Time pressures/multiple tasks
  - **Assignments, deadlines**
- Interacting with others
  - **Getting along, fitting in, social cues**
- Responding to negative feedback
  - **Criticism, focus impaired, initiating changes**
- Responding to change
  - **Coping**





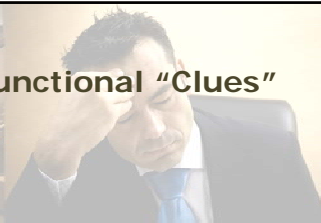
**Emotional**

- Marked personality change
- Unusual behaviour
- Apathy
- Loss of interest/engagement
- Outbursts
- Crying
- Irritability
- Lack of cooperation
- Grandiosity
- Social withdrawal
- Talking about suicide



**Physical**

- Low energy
- Physical complaints
- Weight gain/loss
- Absences
- Tardiness
- Leaving
- Leaving early
- Fatigue

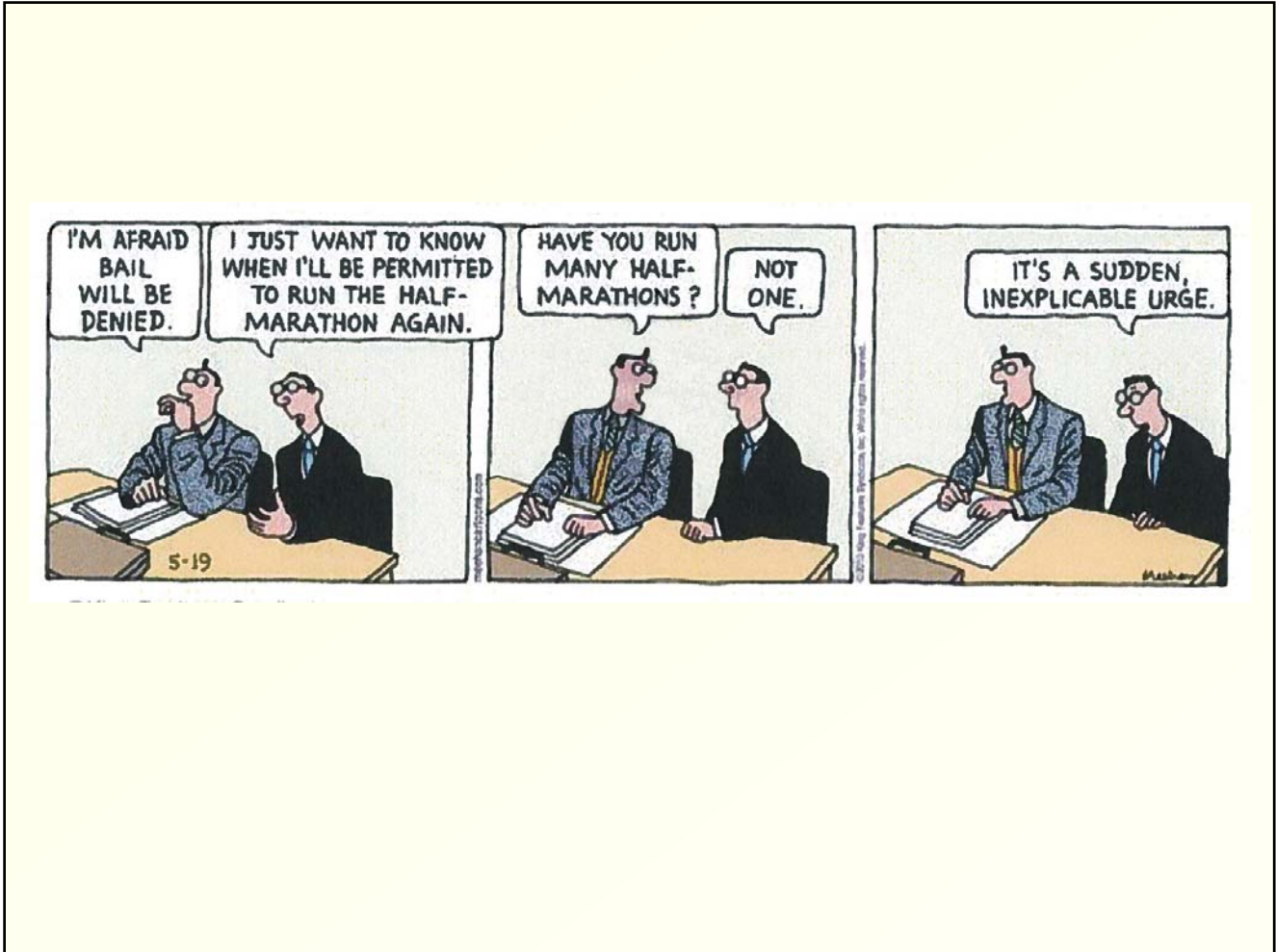


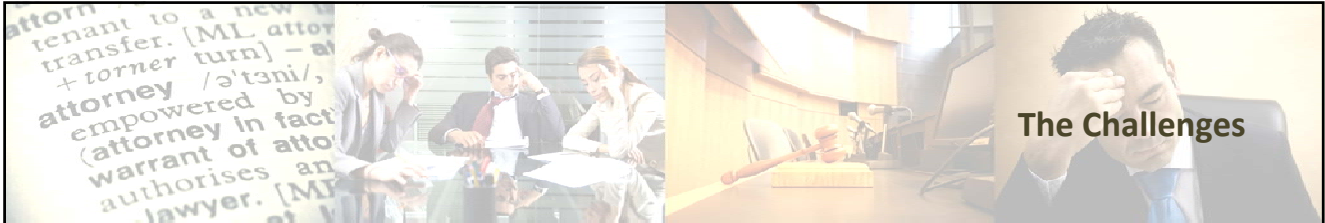
**Cognitive**

- Confusion
- Performance difficulties
- Missing deadlines
- Inaccuracies
- Accidents, safety
- Excuses



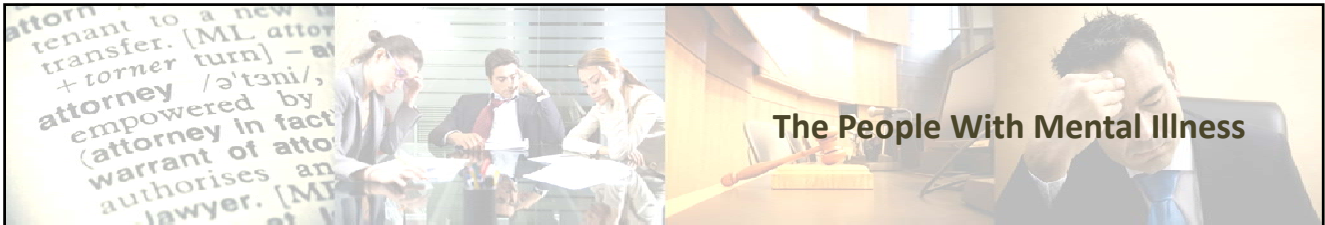






- The people with mental illness
- The system

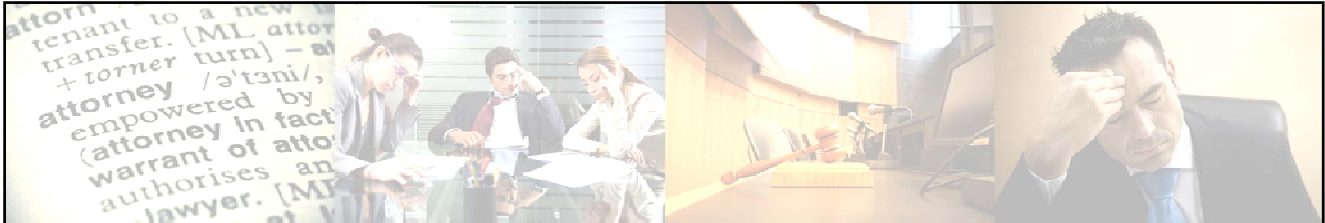




## The People With Mental Illness

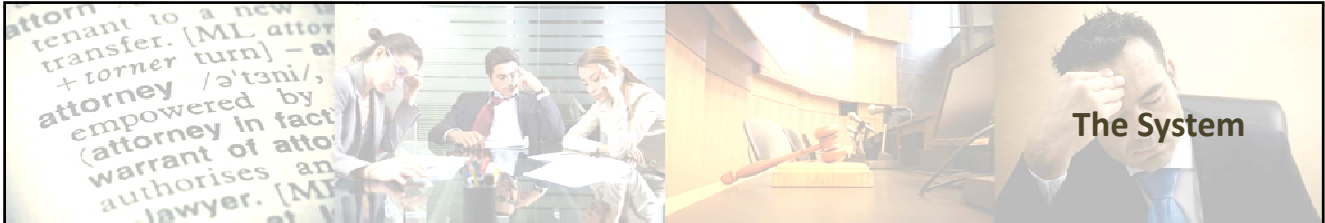
- **Stress**
  - Memory impairment
  - Increase involvement – increase stress
  - Re-victimization/repeated trauma
- **Cognitive impairment**
  - Memory
  - Concentration
  - Ordering thoughts
  - Understanding/comprehending
  - Distancing
  - Education skills





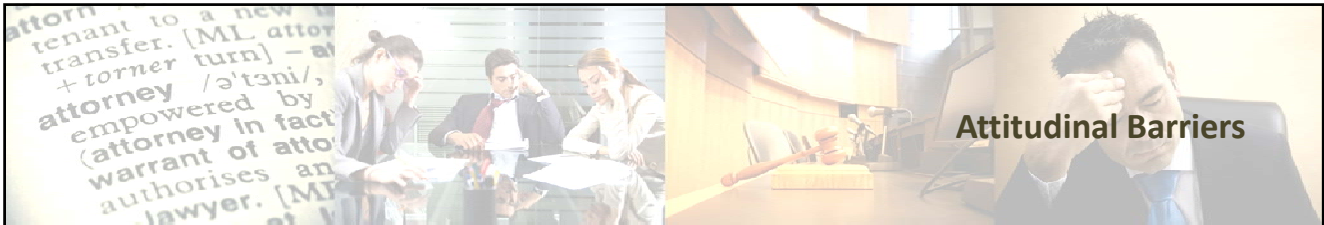
- **Time Management**
  - Mornings
  - Keeping appointments
  - Planning
- **Communication**
  - Self-representation
  - Getting thoughts across
  - Legal jargon
- **Behaviours**
  - Labile
  - Angry/frustrated
  - Outbursts





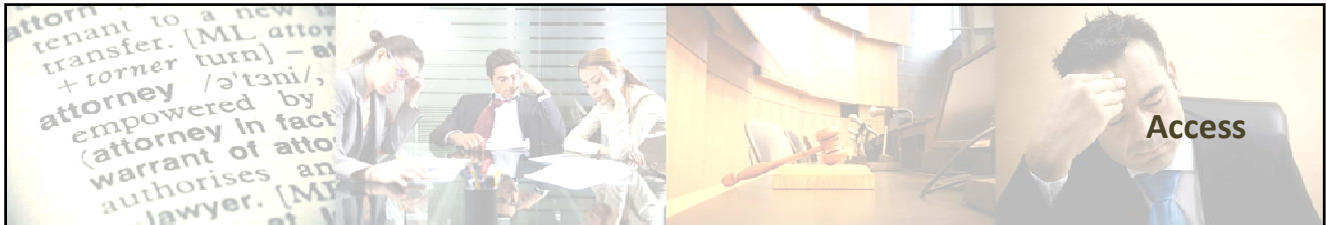
- **Attitudinal barriers**
- **Access**
- **Courtroom environment**





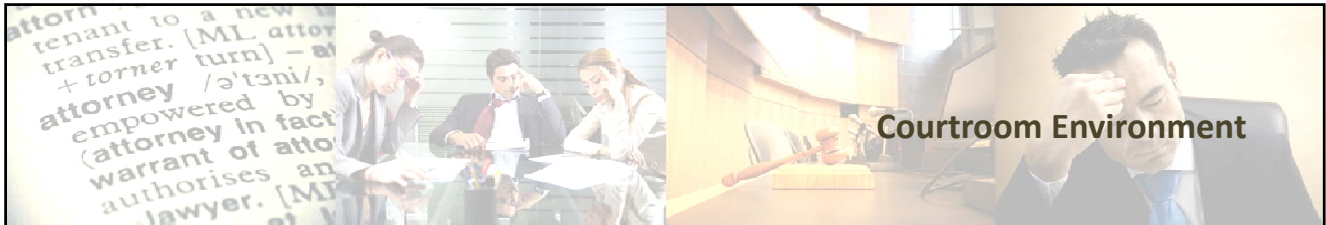
- **Stigma and Discrimination based on:**
  - Misunderstanding
  - Media portrayal
  - Fear
  - Previous contact
- **Perceptions of individuals with mental illness**
  - Dangerous
  - Needing “help”
  - Childlike
  - Not credible
  - Other (?)





- **Scheduling**
  - Mornings only
  - Wait times
  - Rescheduling
- **Forms and Pleadings**
  - Complexity
  - Numbers
- **Meaningful Participation**
  - Poor communication
  - Diagnosis dependant
  - Self representation

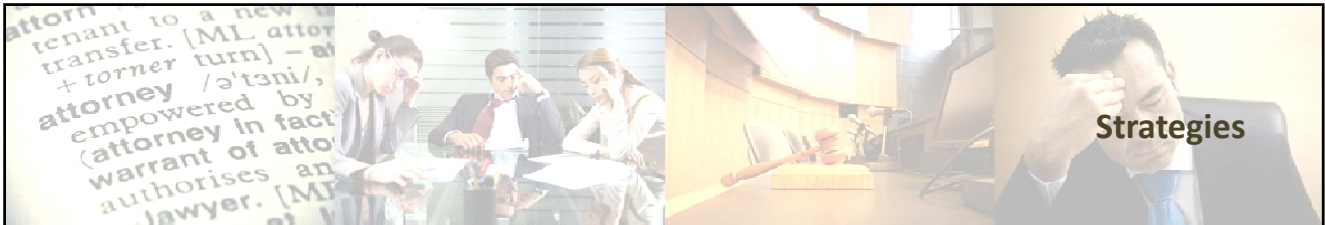




- **Formality**
- **Language**







- **Attitudinal Barriers**

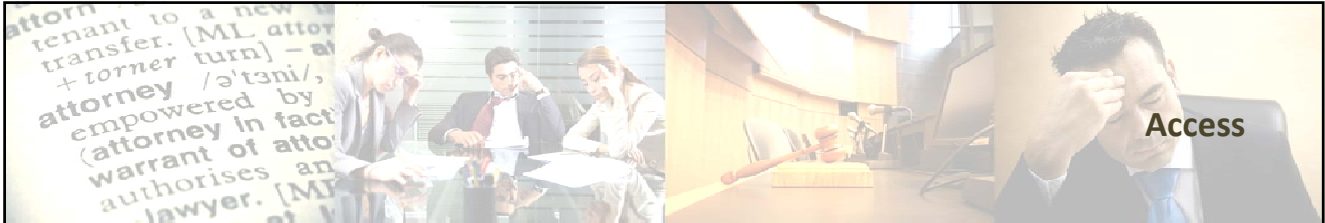
- **Education**

- Stigma and discrimination
    - Illnesses and impacts
    - Substantive areas of the law
    - Community resources and social services

- **Development of mental health positive environments**

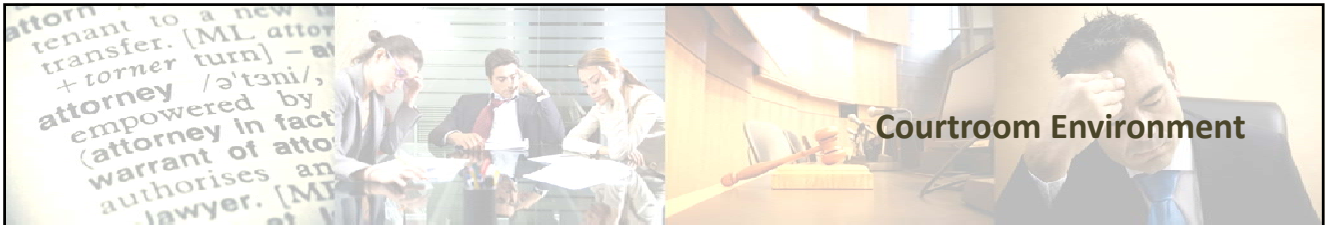
- Language
    - Harassment





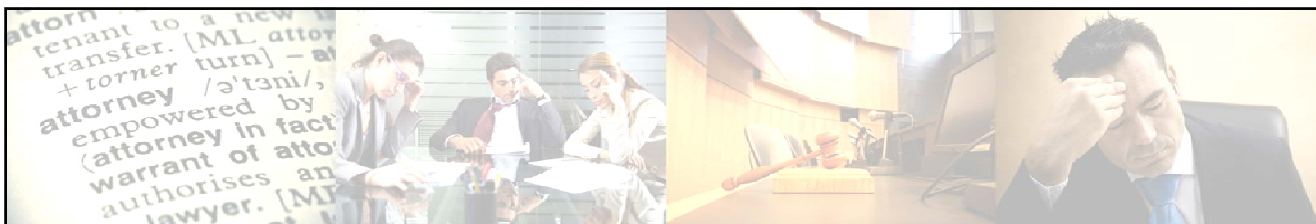
- **Flexible delivery system**
  - Training of front line staff
  - Simplifying application process/interviewing for answers
  - Scheduling/appointments/afternoons
  - Reducing wait times
  - Adjournments etc. without person





- Increased levels of assistance
- Case managers
- Mental health courts
- Amicus curiae and trained court workers
- Staff training on the “lived” experience
- Therapeutic jurisprudence/Problem Solving Courts
- More “safe” environments





**“ The trouble with having an open mind, of course, is that people will insist on coming along and trying to put things in it”.**

**~Terry Pratchett**