

Supporting Other's Wellbeing



Impact of Mental Health Issues in the Workplace

Did you know that:

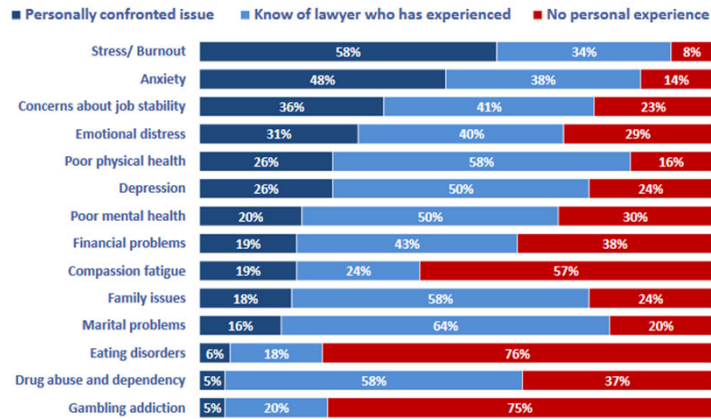
- 1 in 5 Canadians today are likely to experience a diagnosable mental illness each year. Mental illness indirectly affects all Canadians at some time through a family member, friend or colleague.



Canadian Lawyer Mental Health Stats

Canadian Bar
Association Survey
2012

58% significant stress and burnout
48% anxiety
26% depression



Q10. Please indicate whether you have personally confronted any of these issues, whether you personally know of lawyers in your practice who have or whether you personally know of lawyers outside of your practice who have.
Base: All respondents n=1180

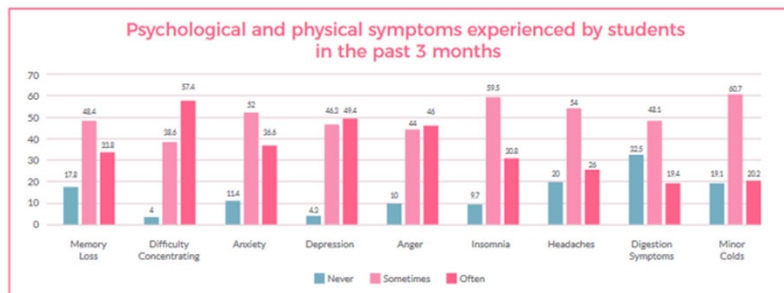
- Source:
http://www.cba.org/CBAMediaLibrary/cba_na/PDFs/CBA%20Wellness%20PDFs/FINAL-Report-on-Survey-of-Lawyers-on-Wellness-Issues.pdf - foreign/ U.S. membership base not included in the survey

Canadian Law Student Mental Health Stats

McGill University Faculty of Law 2017



A large majority of students experienced psychological and physical symptoms sometimes or often in the past 3 months. The vast majority (i.e., 97.3%) report being at least somewhat resilient.



- McGill University Faculty of Law Healthy Legal Minds Wellness Study 2017 (Source: <https://www.healthylegalminds.org/mental-health-survey>)
- U of Toronto and Allard Law also have statistics which for confidentiality reasons are not able to be made public as yet.
- Law students and lawyers show similar results: *stress (burnout), depression, anxiety, problematic substance use*

Lawyer Mental Health Stigma

Some people worry about asking for help because of stigma – of believing that asking for help means admitting that something is wrong. (CMHA)

Lawyers reasons for not seeking help:

- Preferring to deal with the issue oneself
- Not having time
- Feeling that help is necessary
- Feeling that problems pass, or are part of life or the job

Law student reasons (McGill Law):

- Fear of professional harm
- Fear of academic harm
- Fear of social stigma

Stigma is a barrier to effective treatment

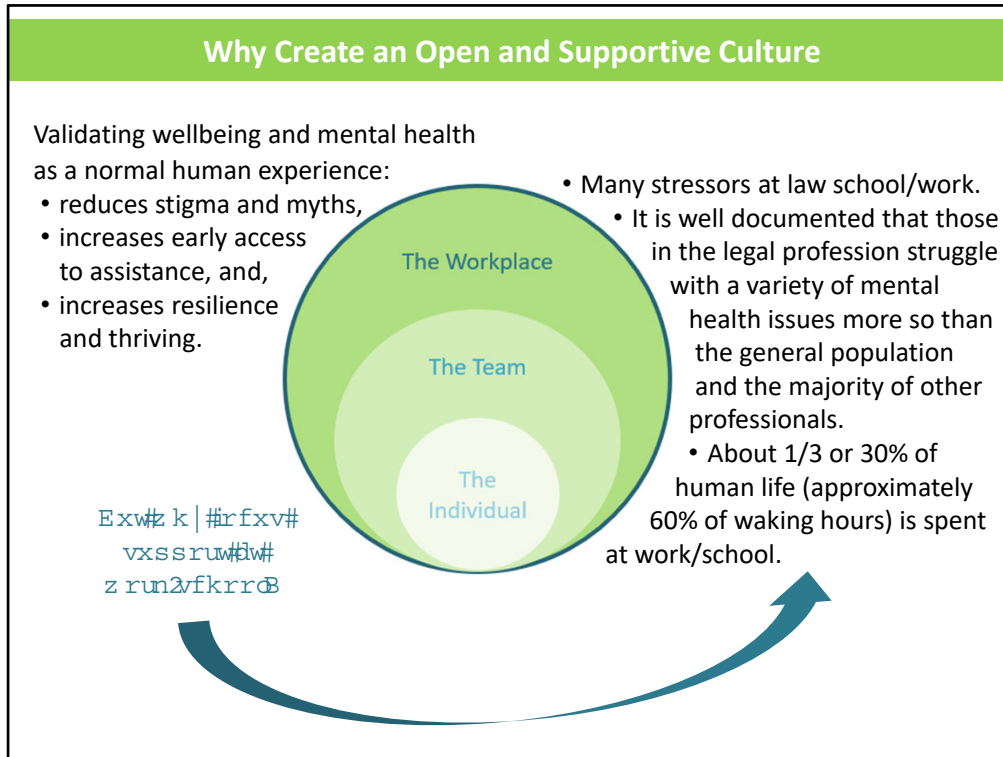
Research shows that the sooner help is sought the better the results. (CMHA)

- Fear and misunderstanding have caused some stigma about mental illness, leading many to think less of a person because of their mental health condition. Stigma can lead to people feeling shamed, shunned, blamed and even physically harmed just because they have a mental illness. Stigma adds to the struggles caused by mental illness. It also prevents people who are struggling with mental illness to ask for help. (<https://www.workplacestrategiesformentalhealth.com/mental-health-issues-facts-and-figures>)
- **As a result, many legal professionals do not share their mental health concerns with others**
(<https://www.lawsociety.bc.ca/Website/media/Shared/docs/initiatives/MentalHealthTaskForceInterimReport2018.pdf>)
(<https://www.healthylegal minds.org/mental-health-survey>)

Contributing Factors to Lawyer/Law Student Mental Health

- high academic workload
- focus on grades and job acquisition
- rising debt
- focus on linear thinking
- excessive working hours (isolation, sleep deprivation)
 - average Canadian = 37hrs / lawyers 40-60hrs per week (including weekends and vacation)
- difficulties balancing work and life (relationship conflict, disconnect and attachment issues)
- a high-pressure and competitive environment (anxiety, depression, collegial trust, self criticism)
- negative bias (generalized to personal life)
- intensity of client stories (vicarious trauma, reactivity and triggering)
- pre-existing or pre-disposition
- stigma

Elevated Incidence of Mental Illness in the Legal Profession McGill Journal of Law and Health <https://mjlh.mcgill.ca/2019/11/28/elevated-incidence-of-mental-illness-in-the-legal-profession/>



Working at the individual level

- **Although the academic literature reflects a variety of different conceptualizations of the stigma associated with mental health, it is generally understood as being composed of several elements: a lack of knowledge (ignorance), negative attitudes (stereotypes and prejudice) and excluding or avoiding behaviours (discrimination).**
- While some level of stigma surrounds mental health and substance use disorders in nearly all populations, legal professionals face some unique factors that can amplify its effect and deter help-seeking behaviours.

The Individual: Strategies for a Supportive Workplace

Be aware of the lens in which you view mental health.

Educate myself and others about mental illness. Know about promotional days e.g., Bell Lets Talk. Know and promote the facts/stats. Read “The Path to Lawyer Well-Being: Practical Recommendations for Positive Change” (“National Task Force Report”) 2017.

Normalize and Validate conversation around mental health by encouraging open dialogue, and using correct terms. Be aware of words, attitudes and behaviours. Don’t use disrespectful terms or reduce people to a diagnosis. Challenge media stereotypes. Don’t be afraid of people with mental illness. Be a role model. Share your story (**see below).

Be Non-Judgmental, Be Inclusive, Be Responsive: Give support quickly as it can prevent a more serious problem. Take positive action promptly towards supporting mental health. Know available resources, e.g., eap, LAP.

Be an emotionally intelligent lawyer: Look for changes signs and symptoms in yourself and others and start a conversation.

Importance of the emotionally intelligent lawyer - Be a role model

Share your story (**).

Disclosure can be amazingly powerful but is not something you are required to do. This is totally optional, circumstantial, and depends on trust factors. Consider carefully.

Having a Conversation

- When to have a conversation
- Boundaries
- Confidentiality
- Assisting not enabling
- Empathy
- What to say
- Managing personal triggers/emotions
- Self care
- Resources

When to have a conversation

Changes in signs and symptoms from usual behavior. Look for changes in **PACE**:

Physical

- Deterioration in personal appearance
- Deterioration in personal hygiene
- Increased nervousness
- Increased shakiness
- Having many physical ailments that have no real cause
- Obvious sweating
- Tremors

Cognitions

- Difficulty in concentration
- Difficulty in remembering directions or details
- Difficulty in dealing with complex tasks
- Having strange beliefs not based in reality (delusions)
- Hearing or seeing things that are not there (hallucinations)
- Thinking about harming or killing oneself
- A growing inability to cope with daily problems or activities, confused thinking
- Not admitting to obvious problems

Actions

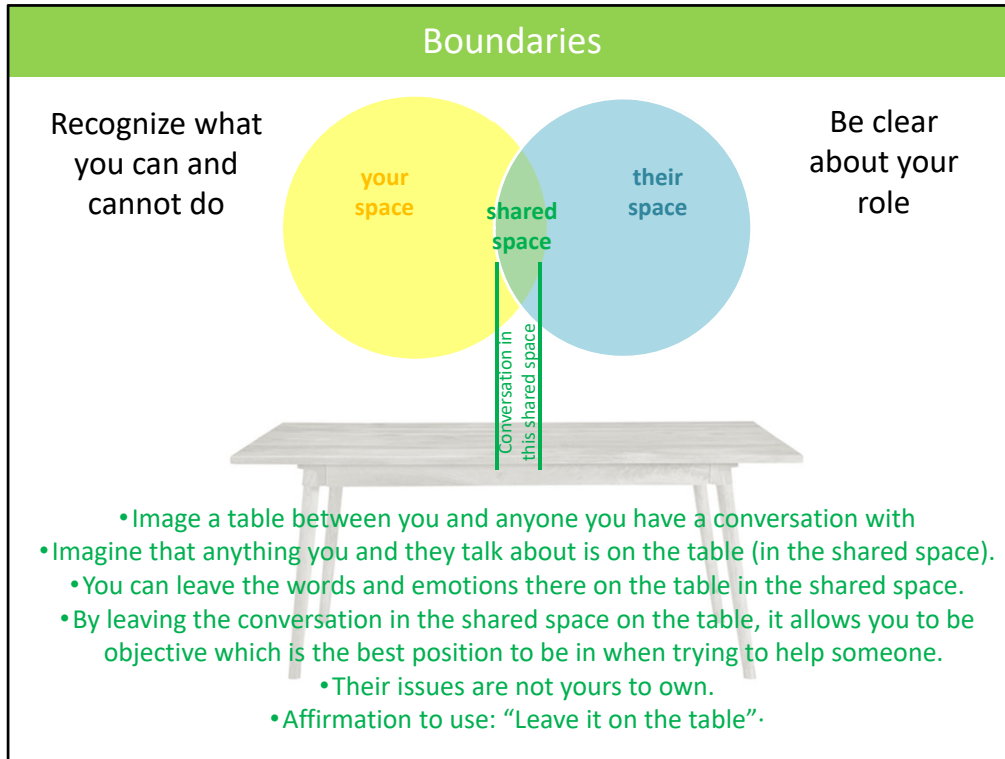
- Arriving late to work
- Taking excessive sick time off
- Alternating periods of high and low productivity
- Making more mistakes than usual
- Missing deadlines
- Major changes in eating habits
- Having strong feelings of anger
- Substance abuse
- Spending more time alone or avoiding others
- Interpersonal difficulties

Emotions

- Over-sensitivity
- Irritability
- Having periods of high and low morale
- Overreacting to criticism
- Having strong feelings of anger
- Feeling sad or irritable
- Feelings or extreme highs and lows
- Crying
- Doubt
- Decreased self esteem

Changes in signs and symptoms from **usual** behaviour:

- may vary
- may be cause of concern
- are seen over an extended period of time



Maintain your own boundaries when supporting others

Confidentiality

Confidentiality is important when having a discussion about mental health. But there are limits, for example:

- high risk of self harm
- suicidal thoughts
- Information which places you at risk
- Information which negatively impacts your work

Action will depend on level of severity and eminence of the concern. Some actions to take if you need to break confidentiality:

- Let the person know you are concerned and its out of your confidence limits/ability to help
- Seek assistance/consult with a trusted person/health care profession e.g., counsellor
- Call a counsellor together
- Use calm tone and words
- Make sure you and they are safe
- Get support
- Do not leave them alone
- **Call 911 if eminent risk to self or others**

Assisting not enabling

Assisting:

To give aid or help. To be present. To empower an individual to want to help themselves.



Enabling:

When the intention is to help fix a specific problem but in fact perpetuates the problem.



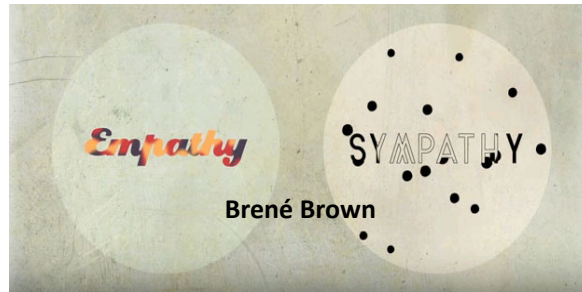
Empathy

Empathy

- is the ability or process used in understanding someone's situation and feelings.
- is crucial to trust, cooperation, openness, and mutual understanding.

Why is it so important to distinguish between empathy and sympathy?

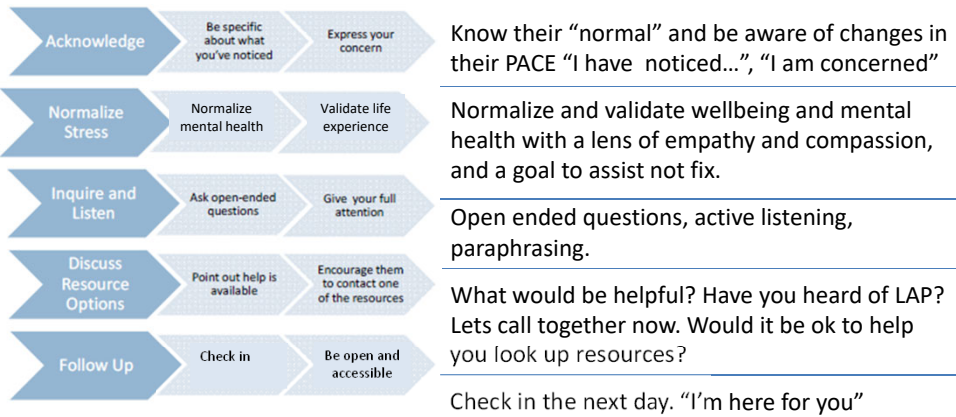
Expressing sympathy can leave a person feeling that people have taken pity on them, or are feeling sorry for them, which can create a sense of inferiority and disempowerment. Empathy empowers and positions everyone on the same level



Watch: <https://www.youtube.com/watch?v=1Ewgu369Jw>

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What to say



Personal Triggers and Emotions

- Be aware and maintain role
- Be overt and ask for a break (role modeling and validation of personal toll)
- Ask for assistance
- Contain what is yours and what is theirs
 - The Table
 - Breathing
- Your own counselling/debriefing

What if you cant hold the boundaries because you are triggered? Being triggered – past personal/professional issues/events – unresolved emotions.

Self Care

In the Moment:

- Breath count 2/4
- PMR - Tense/release muscles
- Mindfulness - (see, hear, smell, taste, touch)
- Thought stop
- The Table - Boundaries space diagram



At home:

- Physical - Take care of your body: run, walk, play sports, go outside, get 8 hours of sleep, eat well
- Actions - Do things that feel good: Spend time with others, spend time alone, travel, garden, be with your family
- Cognitions - Take care of your brain: Allow opportunities to slow down, play games, read fiction, find change from monotony
- Emotions - Listen to yourself: Acknowledge emotions, breathe, mindfulness

Resources

- Anna Kline, Student Wellbeing Counsellor, Allard Hall, Rm 147b, 604.822.4928 kline@allard.ubc.ca
- UBC Counselling 604.822.3811
- Student Counselling Services (24/7)
 - UBC Student Assistance Program (UBC SAP)
 - 1 833 590 1328 (In North America)
 - 1 604 757 9734 (Outside North America)
 - Here2Talk 1.877.857.3397
- Lawyers Assistance Program 1.888.685.2171

Supreme Court Justice Gascon, 2019

“For over twenty years, I have been dealing with a sometimes insidious illness: depression and anxiety disorders. This is an illness that can be treated and controlled, some days better than others.... I can neither explain nor justify what I understand to have been a panic attack” He said he is fully capable of performing his duties as a judge.....that he wishes to thank his colleagues, family, friends and others who have supported him through a difficult time.

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