

## Bipolar disorder



### What is bipolar disorder?

Bipolar disorder is a mental health condition, characterised by periods of mania (feeling high and overactive) and depression (feeling very low). These periods can last for several weeks.

Symptoms of bipolar disorder can be well-managed, or may fluctuate considerably depending on which phase the individual is in. Symptoms can also vary between people of different ages, genders, ethnicities - they can look different for everyone.

During a depressive episode, an individual may experience low mood, low motivation, low self-esteem, negative thinking, difficulty concentrating, difficulty making decisions, irritability, suicidal thoughts and other symptoms of [depression](#).

During a manic episode, they may feel extremely happy, energetic, ambitious and creative. In a manic state, they may also make impulsive, risky decisions, present as irritable, forgo sleep, neglect their daily needs and, in some cases, experience psychotic symptoms such as delusions or auditory and visual hallucinations.

### Impact on communication

During a depressive episode, your client's expressive communication may change noticeably. They may communicate less overall. It may take them longer to formulate what they want to say. Their responses may be short, vague and lacking in detail, which could result in miscommunication.

They may present as unwilling to engage with conversation partners and may simply agree with information or ideas which they would otherwise disagree with. You can learn more about the impact of [depression on communication here](#).

In a manic state, they may speak at considerable length, at a rapid rate or feel that they cannot speak fast enough to express their thoughts. Their expressive language may be digressive, and it may be difficult to focus your client on the topic at hand.

Whether in a manic or depressive phase, your client may find concentrating extremely difficult.

Some people who have bipolar take medication. They may experience side effects from this medication such as tiredness. This may further impact their ability to concentrate or process information.

### Facts & statistics

1%

of UK adults will be diagnosed with bipolar disorder during their lifetime (NHS, 2022)



There is a higher prevalence of bipolar disorder in prison populations compared to the general population (Fovet et al, 2015)

4.3%

of mothers involved in Welsh care proceedings had a serious mental illness, such as bipolar disorder (Johnson et al., 2021)

# Communication tips

Strategies which will support your client to participate in legal proceedings are likely to vary considerably between individuals with bipolar disorder, and depending on factors like their management of their condition, medication and whether they are in a manic or depressive state. The following general points may prove helpful, but adaptations should be person-focussed.



## Invest time in building rapport.

This will support your client to feel more at ease and better able to share information with you, including how they are feeling and strategies which are helpful to them.

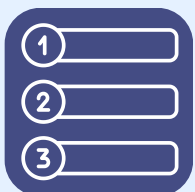


## Explore supportive strategies

your client already uses to manage their emotions, whether that's a breathing exercise, listening to music, having a family member close at hand or getting some fresh air. Encourage your client to use these strategies and request the court makes adjustments to accommodate them where appropriate (e.g., permitting a friend not connected to the case to sit in the courtroom for emotional support).



**Allow frequent breaks** from processing information. Emotional dysregulation can make it more challenging to focus on, take in, understand and remember information. Breaks can support emotional management and allow time for your client to rest and reflect. They may think of additional points they wish to raise or questions they need to ask.



**Use a topic list or topic cards** to help your client remain focused on the topic at hand, or to help them shift their attention to a new topic. This may be helpful for clients in a manic state.

If your client is experiencing a depressive episode, the following adjustments may prove helpful. You can find a more detailed document on working with a [client with depression here](#).



**Tell your client in advance what they should expect** from a meeting, phone call or hearing. A resource such as a timetable of what will be discussed could help to prepare them.



**Regularly recap key points** from discussions and hearings to assist your client to retain the information.



**Provide simple written notes** which record key information from each meeting or hearing day, if your client has the required level of literacy. If they have difficulties with literacy, strategies like sending voice note recaps may be helpful.



**Allow extra time** for your client to process and respond to questions, both in conferences and during any evidence they may give. They may experience reduced attention or difficulties with decision-making.



**Use visual aids** (such as flow charts, mind maps or pros and cons lists) to display key information which impacts decision making. Tools of this nature can help your client to hold important details in mind and ensure all aspects are taken into consideration (not only negatives). Learn more about [using visual aids here](#).



**Arrange for an appropriate supportive person** to attend meetings and/or hearings with your client. This may be a trusted friend or family member not involved in proceedings. Request permission from the court for this supportive individual to attend hearings and (if possible) sit with your client.

## Further reading

- **The Advocate's Gateway** - [Toolkit 12: Planning to question someone with a suspected \(or diagnosed\) mental health disorder](#).
- **Bipolar UK** offer a [free online course](#), introducing important information about bipolar disorder and ideas for supporting individuals with the condition.
- **Mind** provide detailed information about bipolar disorder, including information about symptoms, medications and how to provide support.

## Facts & statistics references

**NHS website**, <https://www.nhs.uk/mental-health/conditions/bipolar-disorder/overview/>  
Accessed: September 2022.

Fovet, T., Geoffroy, P.A., Vaiva, Adins, C., Thomas, P., Amad, A. (2015) [Individuals With Bipolar Disorder and Their Relationship With the Criminal Justice System: A Critical Review](#), *Psychiatric Services: Volume 66, Issue 4*.

Johnson, R.D. et al. (2021). [Health vulnerabilities of parents in care proceedings in Wales](#). London: Nuffield Family Justice Observatory.

## From The Access Brief

- [How to create visual aids](#)
- [How to make easy read documents](#)
- [How to check understanding](#)
- [Supporting emotional regulation](#)
- [Communication tips for conferences](#)
- [Intermediary assessments](#)
- [How can an intermediary assist at trial?](#)
- [Does my client need an intermediary?](#)

## Intermediary services

If you are concerned about your client's ability to communicate effectively and participate in legal proceedings, Communicourt can help.

We will assess your client to understand their communication needs and how these might affect them in court. Your client does not need to have a diagnosis. Our reports will identify any particular communication issues and make bespoke recommendations to help you and your client throughout proceedings.

If intermediary assistance is recommended, one of our highly trained intermediaries can be there throughout proceedings to facilitate those recommendations.

**Intermediaries are mostly funded by HMCTS, with no charges or payments required by legal representatives.**

## How to book an intermediary

- 1 Refer online.** Refer your client for an assessment through [our online portal](#) (5 minutes).
- 2 Funding.** We send a quote for you to send to Legal Aid / HMCTS to approve (24 hours).
- 3 Book assessment.** Once funding is approved, please let us know. We will schedule an assessment (2-6 weeks).
- 4 Assessment will** take up to 3 hours and can be conducted in person or remotely. You will then receive a report (7 days).
- 5 Book dates** for hearings or conferences. We will send you booking forms to be signed by the court. Once signed, we will book the intermediary.