



**University
of Victoria**

Graduate Studies

Notice of the Final Oral Examination
for the Degree of Doctor of Philosophy

of

AGNIESZKA DOLL

MA (Simon Fraser University, 2011)
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**“Lawyering for the ‘Mad:’ An Institutional Ethnography of
Involuntary Admission to Psychiatric Facilities in Poland”**

Faculty of Law

Friday, October 20, 2017
1:00 p.m.
Clearihue Building
Room B017

Supervisory Committee:

Prof. Maneesha Deckha, Faculty of Law, University of Victoria (Supervisor)
Dr. Pamela Moss, Studies in Policy and Practice, UVic (Co-Supervisor)
Dr. Kevin Walby, Faculty of Law, UVic (Member)

External Examiner:

Dr. Emma Cunliffe, Peter A. Allard School of Law, University of British Columbia

Chair of Oral Examination:

Dr. Gordon Fulton, Department of English, UVic

Dr. David Capson, Dean, Faculty of Graduate Studies

Abstract

Located squarely within the experiences of legal aid lawyers, with particular emphasis on the challenges they face in delivering effective representation, this dissertation, designed as an institutional ethnography, problematizes the provisions and practices related to involuntary admission in psychiatric facilities in Poland, as well as the organization of legal aid representation in involuntary admission cases. Through detailed accounts of paramedics, psychiatrists, judges, and legal aid lawyers' work, connected and coordinated by legal and administrative texts, I demonstrate how the disjuncture between institutional regimes and lawyers' experiences is institutionally produced by the set of legal, professional, financial, and social relations that organize both the involuntary admission procedure and the system of legal aid in Poland. While I start my exploration with legal aid lawyers' embodied experiences of performing their work, accounting for how that work is organized and coordinated in local sites, this dissertation moves beyond a solo ethnographic description in seeking to discover *relations*, especially the social and legal relations mediated by the texts that govern these local experiences and practices. I trace the material and discursive practices that operate in key sites to organize the legal aid system, involuntary commitment procedures, and judicial decision-making. In Poland, the overwhelming majority of involuntary commitment cases are taken on by legal aid lawyers, whose work conduct is bound by both the law and a code of professional ethics. In this dissertation, I advance my thesis by closely reviewing the legal context of involuntary commitment; the material practices associated with legal aid lawyers, such as appointment, client access, and remuneration; the processes through which psychiatric documents are created and attached to admittees; and the role psychiatrist-generated texts play in court. I argue that within the context of involuntary admission, lawyering is organized in such a way that legal aid attorneys are unable to perform at their utmost, in a way that would most benefit their clients. Moreover, through my research I show that—despite perhaps their best intentions—legal aid lawyers not only actively participate in the practices that circumscribe the space for their legal advocacy for admittees, but also reproduce the very discourses and practices that objectify people during involuntary admission procedures to psychiatric facilities in Poland.