Trauma-Informed Lawyering

Justice Barbara MacFarlane, Ontario Superior Court of Justice Teresa Donnelly, Sexual Violence Crown, Ministry of the Attorney General Anna Matas, St. Lawrence Barristers Rasha El-Tawil, Siskinds LLP Straight from the Bench Conference Middlesex Law Association, May 5, 2025

AGENDA

- Defining Trauma
- The Neurobiology of Trauma
- How to Apply a Trauma-Informed Approach in your case
- Trauma-Informed Submissions
- Being Trauma-Informed with
 Opposing Counsel and Colleagues
- Final Thoughts Take Care of Yourself



Defining Trauma

- "A traumatic event is one in which a person experiences something that is frightening, and overwhelming, and that entails a sense of loss of control. In experiences of extreme threat, such as a rape or torture, it can feel like a threat to one's ability to survive. Because events are viewed subjectively, this expansive trauma definition is more of a guideline. Everyone processes a traumatic event differently because we all endure them through the lens of earlier experiences in our lives."
- Dr. Melanie Randall and Dr. Lori Haskell, The Impact of Trauma on Adult Sexual Assault Victims, 2019 Report Submitted to Justice Canada.

Defining Trauma

Trauma can be **acute** (single traumatic event time limited), **chronic** (multiple traumatic events), or **complex** (mix of events).

Includes a wide range of events:

- emotional, physical, and sexual abuse;
- neglect;
- witnessing violence in the family, school, or community;
- war;
- racism;
- bullying;
- acts of terrorism;
- fires;
- serious accidents;
- natural catastrophes,
- serious injuries;
- intrusive or painful medical procedures;
- loss of loved ones;
- abandonment; and separation.

Melanie Randall, Lori Haskell, Trauma-Informed Approaches to Law: Why Restorative Justice Must Understand Trauma and Psychological Coping, Dalhousie Law Journal, 2013, Vol. 36, Issue, 2, Article 9

The Neurobiology of Trauma

- Helps us understand what happens when a person experiences a traumatic event. Can impact on all aspects of your case
- What appears to be an inconsistency in the way a victim reacts or recounts the incident can be a typical, way of responding to and coping with a traumatic event
- It is a "simple and irrefutable proposition" that there is no inviolable rule on how people who are the victims of trauma like a sexual assault will behave": R. v. D.D., 2000 SCC 43, at para. 65.
- Rooted in research on the neurobiology of trauma: Drs. Lori Haskell, Rebecca Campbell, David Lisak, Jim Hopper

The Neurobiology of Trauma

- When a threat to physical survival is imminent, a neurobiological response is triggered in the brain – survival mode of fight, flight, or freeze (or fawn) responses.
- The defence circuitry dominates brain functioning resulting in brain, body, attention, thinking, behavior, and memory processes being altered
- The prefrontal cortex (where the good thinking happens) is the center of executive functions in the brain. It is involved in managing complex processes like reason, logic, problem solving, planning and memory. Stress hormones flooding the brain can cause a rapid and dramatic loss of prefrontal cognitive abilities, limiting our ability to think, plan and reason in the face of threat.
- All this impacts on what happens during and after a traumatic incident.
- Randall and Haskell, 2019 Report Submitted to Justice Canada.

The Impact of Trauma on Memory

- The activation of the defence circuitry impacts on how memories are encoded in the brain.
- The amygdala (animal brain) is in charge encodes memory as sensory fragments, not a logical chronology
- Broca's Area (speech centre) can be offline at time of attack and also when trying to access those memories
- This is crucial to understand to ensure that you are able to assist a witness to recount what happens.
- Don't expect a linear, start to finish, detailed account

Neurobiology of Trauma: Effect on Behaviour and Memory In other words, it may impact:

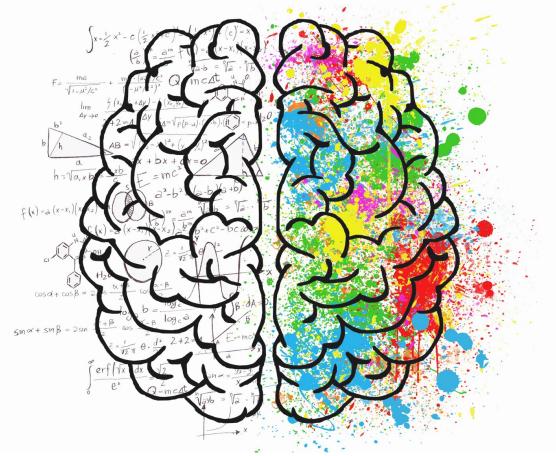
The witness's behaviour during assault The witness's behaviour after assault The witness's ability to recall and describe assault

And these are the things we assess in determining credibility!

A Trauma-Informed Approach

"A trauma-informed approach strives to deliver services and interventions in a way that avoids inadvertently retraumatizing people and doing further harm."

Melanie Randall, Lori Haskell, *Trauma-Informed Approaches to Law: Why Restorative Justice Must Understand Trauma and Psychological Coping*, Dalhousie Law Journal, 2013, Vol. 36, Issue, 2, Article 9



A Trauma-Informed Approach

- "A trauma-informed approach to programs and services begins from an acknowledgment of the extent of traumatic experiences in the human population and an understanding of the ways in which trauma responses affect people's lives, capacities, and abilities to cope with life's challenges. It recognizes that effective interventions with people require both the **avoidance of re-traumatization** and the presence of **respectful and supportive interventions** that help people rebuild their lives"
- Haskell and Randall, 2013

A Trauma-Informed Approach

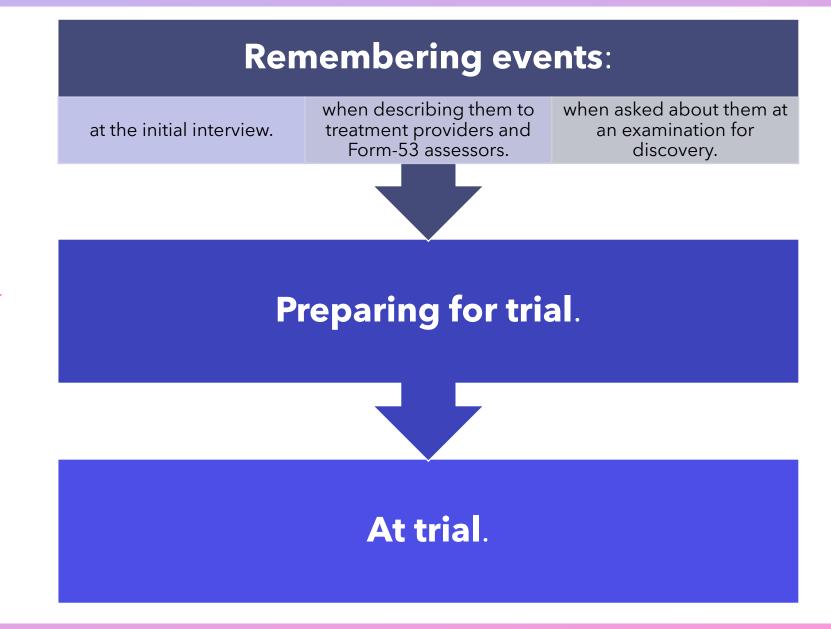
S. v. Ukraine International Airlines JSC, 2024 ONSC 3303 (Akbarali J.)

[100] First, it is important to describe what I mean by a trauma-informed process. It is not one that aims to heal the trauma that participants in the process have experienced. It is not about manners or kindness. It is about adapting our processes in a way that seeks to minimize the trauma that the legal process itself can create, and it is about understanding how a person's trauma might inform or affect their interactions with the legal system. A trauma-informed process can thus operate to remove barriers to just outcomes, and enhance public respect for, and the legitimacy of, the administration of justice. [Emphasis added]

How to Apply A Trauma-Informed Approach in your case



When this may be seen in Civil Litigation



Tips for a Trauma-Informed Interview

- Allow the witness to express what their experience was, rather than just what they remember or do not remember.
 - During a traumatic event, people can dissociate as a way of coping. This may lead to them not being able to remember the event later. Victims who dissociate may not be able to tell you what they felt because they were disconnected from their bodies.
 - They may, however, vividly remember some specific aspect on which they focused, such as the colour of the carpet or some other detail of the experience (while not recalling other peripheral details at all).
 - Knowing about dissociation explains why asking victims questions about what happened next, or other questions about peripheral details, often does not elicit useful information. Instead, it is more important to ask victims what they did focus on and what, if any, sensory memories they can recall (colour, smell, etc.).
 - Interviewer must be empathetic, patient, and respectful
 - Source: Best Practices for a Trauma-Informed Police Victim Interview (Haskell, Randall 2019)

Tips for a Trauma-Informed Interview

- Use an uninterrupted narrative allowing the victim to tell what happened in their own words.
- Engage in active listening and avoid blaming questions such as "Why did you...?"
- Use open-ended questions eliciting information about sensory experiences of sights, smells, and sounds.
 - What are you able to tell me about your experience?
 - Where would you like to begin?
 - What was the most difficult part of this experience for you?
 - What can't you forget?
 - Tell me more about ..." "What was your thought process during this experience?
 - "What are you able to remember (with your six senses)?"
 - "Do you recall hearing anything?
 - "Do you recall smelling anything?"
 - "What were your reactions to this experience?"
 - "What do you remember feeling physically?" or emotionally?"

Source: Best Practices for a Trauma-Informed Police Victim Interview (Haskell, Randall 2019) Best Practices for a Trauma-Informed Police Victim Interview (Haskell, Randall 2019)

When to Use these Strategies in Civil Litigation (spoiler: in *every client interaction*)





Understanding what happened



When preparing your client for examination, to meet an expert or for trial



Eliciting evidence from the witness in a discovery or court



Ensuring that evidence is properly understood through submissions

Think of the Discovery and Courtroom Processes and Their Impacts on a Trauma Survivor



Recognize

"If one set out intentionally to design a system for provoking symptoms of traumatic stress ... it might look very much like a court of law."

Judith Herman, *Trauma and Recovery*, at 574



We Take This for Granted – Consider the Impact on a Witness











Court Language Can be Intimidating and Confusing

"Oyez, Oyez, Oyez: Anyone having business before The King's Justice of the Superior Court of Justice, attend now and you shall be heard. Long Live the King."

Opening of an Ontario Superior Court trial



Examination for Discovery Processes Can be Intimidating

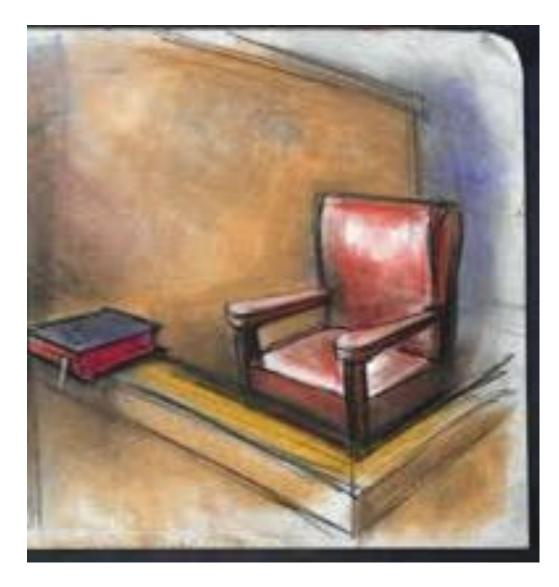
"Do you affirm that the evidence you give today is the truth." A reporter typing each word said by the witness. A long board room table with "opposing" counsel in a row on the other side of the witness.

The perpetrator/defendant attending perhaps to intimidate the witness. Being required to walk through the nitty-gritty detail of the traumatic events.

Improving the Witness's Experience

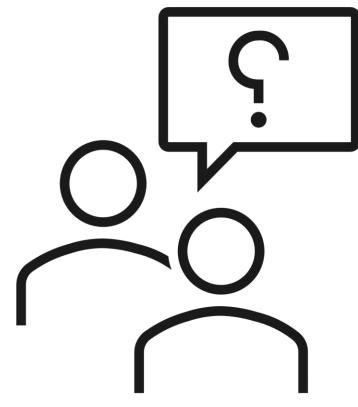
The anxiety and stress caused by re-living the incident when testifying in court, in the presence of the defendant and others, can be nearly as traumatizing as the incident itself.

Think about what you can do to reduce stress prior to and during testimony, thereby improving the witness's ability to recount what happened, further the truth-seeking function of a trial and improve the witness's experience in the justice system.



Consider How Many Times the Witness has to Testify about it

- Does there have to be an oral discovery of every witness?
- Strategies to avoid the oral discovery of a traumatized witness include:
 - Written discovery
 - Evidence by way of Litigation Guardian
 - Evidence by way of Affidavit
 - A discussion with defence counsel about what information they require to determine if evidence can be provided in a different manner.
 - Split examinations for discovery to determine if a "damages" discovery is required after listening to liability.
 - Examination for damages only where a transcript of the complainant's evidence is available from a criminal trial and/or there was an ASF.



Prepare the Witness To Testify

"I was not prepared for the questions. I didn't think they would affect me emotionally, having to **relive** that after I had completely let it go from my mind for two years, you know

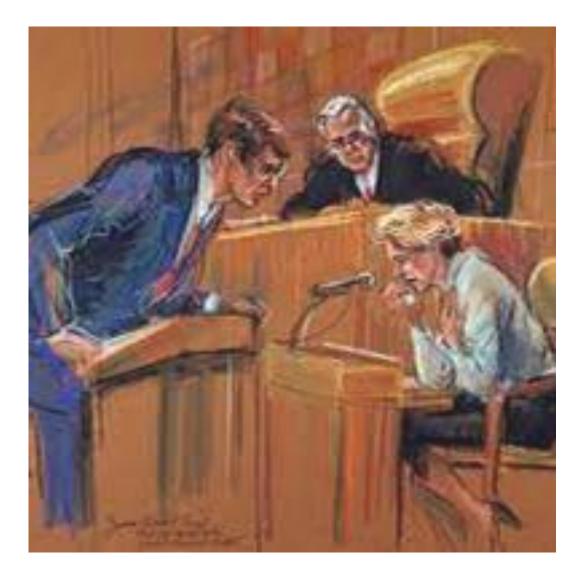
Complainant - Alberta, 2014



Prepare the Witness to Testify

"No competent advocate presents a case at trial with witnesses unprepared for the rigours of cross-examination. **No ethical advocate coaches witnesses, but no competent advocate fails to prepare them.**"

Alice Woolley, "What Ought Crown Counsel to do in Prosecuting Sexual Assault Charges? Some Post-Ghomeshi Reflections," ABlawg.ca, 2016/03/29.



Preparation of the Witness to Testify

"This preparation should go much further than cautioning witnesses to tell the truth. Witnesses have varied backgrounds, education, intelligence. They have varied capacities to observe and recall events, and varied capacities to relate their recollections to the trier of fact. There is no one way to prepare a witness, and counsel will assess the degree of assistance a witness needs as the preparatory interview proceeds."

R. v. Liard, 2013 ONSC 5457, paras. 424-6, 2015 ONCA 414, leave ref'd [2015] S.C.C.A. No. 402



Proper Witness Preparation: Why?

1) Reduces the traumatic impact of testifying about a traumatic event 2) Promotes the truth-seeking function of the trial (and as a result trial fairness)

3) Ensures that the witness is treated with dignity and respect

Witness Preparation – the Rules

- 5.4-2 A lawyer must not influence a witness or potential witness to give evidence that is false, misleading or evasive.
- The role of an advocate is to assist the witness in bringing forth the evidence in a manner that ensures fair and accurate comprehension by the tribunal and opposing parties - Commentary [1]
- A lawyer may prepare a witness, for discovery and for appearances before tribunals, by discussing courtroom and questioning procedures and the issues in the case, reviewing facts, refreshing memory, and by discussing admissions, choice of words and demeanour. It is, however, improper to direct or encourage a witness to misstate or misrepresent the facts or to give evidence that is intentionally evasive or vague - Commentary [2]
- Model Code of Professional Conduct, Federation of Law Societies of Canada

Investing Time in Witness Preparation

The courts have awarded higher costs:

[63] I agree with the Plaintiffs that it is not appropriate in this case, for the purpose of assessing the reasonableness of the Plaintiffs' costs and determining the expectations of the parties, to compare the Plaintiffs' costs to the costs incurred by the Defendant. [...]

[65] Taking the foregoing into account as well as the factors set out in Rule 57.01(1) of the Rules of Civil Procedure, I find that the fair and reasonable award of costs in favour of the Plaintiffs is in the all-inclusive amount of \$145,000.00. In my view, this is an amount that D.T. should reasonably have expected to pay in the event that it was unsuccessful given, among other things, the importance of the issues for the parties, the number of Plaintiffs and **the particular difficulties associated with** [sexual abuse] cases.

V.T. v. D.T., 2021 ONSC 5926 [Emphasis added]



Consider other ways in which the Examination for Discovery/ Courtroom Process Can be Less Intimidating



Steps taken at an Examination for Discovery

- Consider asking permission for a caregiver or family member to be present.
- Can the Plaintiff/Defendant testify at home for their own comfort.
- If the examinations are virtual, should you be with your client in person?
- Encourage taking breaks, and ensure you are advocating for your client if you believe she requires a break.
- If defendant insists on attending, discuss virtual attendance or watching from another room

Consider Steps to Reduce the Length of the Testimony / Evidence at an Examination for Discovery

Can you lead the evidence through a different person.

Can you provide documentary evidence of the damages to mitigate time spent on certain topics.

Can you facilitate a witness statement to reduce length of testimony (example a child witness, agreeing to produce Mom in addition to the child).

Look to the Civil Process for Ideas

- Anonymization: requires a motion, grounds will include the Courts of Justice Act
- **Convictions:** s. 22.1 of the Ontario *Evidence Act* = proof of liability
- R.34.14: Adjournment (of ED) to Seek Directions use where the examination "is being conducted in bad faith, or in an unreasonable manner so as to annoy, embarrass or oppress the person being examined"; careful, risk personal costs.
- Rule 36: Taking Evidence Before Trial discretionary decision of the court, which can include factors such as "whether the witness ought to give evidence in person at the trial" and "any other relevant consideration".
- Rule 50: Conferences R.50.01 Purpose = settle issues without a hearing; if not settled "to obtain orders or directions to assist in the just, most expeditious and least expensive disposition of the proceeding, including orders or directions to ensure that any hearing proceeds in an orderly and efficient manner."

Look to the Civil Process for Ideas

- **R50.06: Pre-trial Conference -** The following matters shall be considered at a pre-trial conference:
 - 1. The possibility of settlement of any or all of the issues in the proceeding. [...]
 - 3. The possibility of obtaining admissions that may facilitate the hearing.
 - 4. The question of liability. [...]
 - 11. Any other matter that may assist in the just, most expeditious and least expensive disposition of the proceeding.
- 50.07 (1): If it doesn't settle ask for orders re conduct of trial the presiding judge or associate judge may, [...] (c) make such order as the judge or associate judge considers necessary or advisable with respect to the conduct of the proceeding
- 50.10 (1): Ask the trial judge A judge who conducts a pre-trial conference shall not preside at the trial of the action or the hearing of the application, except with the written consent of all parties. BUT
 (2) Subrule (1) does not prevent a judge before whom a proceeding has been called for hearing from holding a conference either before or during the hearing to consider any matter that may assist in the just, most expeditious and least expensive disposition of the proceeding without disqualifying himself or herself from presiding at the hearing.

Look to the Criminal Process for Ideas

- s.486.1 Support Person/Animal
- s.486.2 CCTV or screen
- s.486.3 Appointment of Counsel for cross-examination
- s.715.1/2 Video-recorded evidence admitted, and witness is available for crossexamination
- s.486 Exclusion of public
- s.486.4 Publication ban (sexual offences)
- s.486.31 Non-Disclosure of Witness's Identity
- S. 540 (7) Filing Statement of Evidence at Preliminary Inquiry
- S. 537(1) Limiting abusive, repetitive or inappropriate questioning
- S. 714.1 Remote testimony (audio / video link)
- Criminal Code of Canada provisions

Other steps that can be taken

Support animal

Smaller courtroom

Reduce the lights in the courtroom

Positioning of people in the courtroom

Casual clothing for court participants - lawyers, judge, clerks

Trigger warning, agreed statement of fact: *R. v. Marratt,* 2019 ONCJ 618



Minimizing Trauma of Video Evidence

"I conclude that the showing of these videos in court so that the public can see and hear the audio component would result in an undue hardship to the complainant and have the potential for further victimization. Limiting the public showing of the videos supports efforts to address the underreporting of sexual offences." *R. v. Marsden,* [2020] O.J. 3059 (OCJ), at para. 13

R. v. Hwang, 2022 ONSC 4323, at para. 11

Minimizing Trauma of Video Evidence



Can you avoid showing the Plaintiff/victim video evidence.



At a mediation, can the Plaintiff step out of the room if a video must be played for the mediator.



Can the video be admitted through another person or on consent?



Should there be a limit on the number of times the video is shown to the victim/witness

Minimizing Trauma of Video Evidence

- If a video of the incident or photos going to be shown, consider:
 - Muting sound so only counsel, witness, Judge and accused can hear it (headphones)
 - Turning monitors so only counsel, witness, Judge, accused can see it
 - Does the courtroom have screens that prevent the public from viewing parts of the trial? Can they be lowered?
 - Should other steps be taken to maintain witness dignity and privacy? Reduce trauma?
 - Should the exhibit of the video/photos be sealed to deny public/media access?
 - R. v. Marsden, [2020] O.J. 3059 (OCJ)

Minimizing Trauma in the Courtroom

In S. v. UIA, 2024 ONSC 3303, the following steps were taken to minimize trauma:

- Trauma Informed Trial Guidelines were prepared, which required
 - Participants in the process to be given both ample advance notice and immediate advance notice before evidence led that was expected to be traumatic (102)
 - Guidelines for trauma informed care for claimants, guidelines for trauma informed care for counsel + court staff, and a trauma informed guide to preparing for trial were available in hard copy in the court room and were posted in the zoom chat at various points (103)
- One individual was allowed to give evidence through affidavit (104)
- Trauma specialists were available by phone during the trial for English and Farsi speakers (105)
- Akbarali J. reviewed with counsel throughout the trial "where we were in the process, and what evidence was expected next." (106)

Minimizing Trauma in the Courtroom

"I am sure there is room for improvement in the process we employed, but I am equally sure that employing the process we did was infinitely better, and more human, than conducting the trial on a business-as-usual basis. **The issues between the parties remained hotly contested and counsel were all able to advocate effectively for their clients. The trauma-informed guidelines counsel consented to, and I approved, did not, and were not intended to, alter the adversarial nature of the trial. Rather, they allowed the contested trial to unfold without causing unnecessary trauma to the trial participants and observers."** [Emphasis added.]

S. v. UIA, 2024 ONSC 3303, at para. 108

Submissions

"Applying a trauma-informed approach to the legal context reveals how an understanding of trauma is vital to the administration of justice and the truth-seeking function of the legal system. The failure to properly account for trauma in the context of witness credibility assessment risks undermining these functions."

Thor Paulson, Benjamin Perrin, Robert G. Maunder and Robert T. Muller, "Toward a Trauma-Informed Approach to Evidence Law: Witness Credibility and Reliability," Canadian Bar Review, Vol. 101 No. 3 (2023) 496, at p. 505.

Trauma-Informed Submissions

- Victims are often negatively judged on what they did or did not do during the course of a traumatic event and how well they are able to detail every minute aspect of the event.
- However "what might appear to be an 'inconsistency' in the way a victim reacts, or tells her story, may actually be a typical, predictable, and normal way of responding to life-threatening events and coping with traumatic experiences."
- In R. v. Hoggard, 2024 ONCA 613, while the expert evidence of Dr. Lori Haskell ought not to have been admitted, it was important that the jury was aware of the information, a well-crafted jury instruction was preferable so that expert evidence was not necessary. The instruction saves time and expense and is less complex, detailed and confusing.

The Impact of Trauma and Memory

- In R. v. GMC, <u>2022 ONCA 2</u> the Court recognized the impact of trauma on memory and identified "propositions, grounded in common experience, that are familiar to every trial judge, lawyer and lay people":
- observations made in the course of traumatic events can be difficult to recall and to describe accurately at a later date;
- a witness cannot be expected to have a faithful memory of minor incidents that occurred during a traumatic event and the inability to recall a minor or insignificant event does not detract from the witness's overall reliability or credibility;
- it is human nature to try to make sense out of bits and pieces of memories and this may impact the accuracy of a witness's testimony concerning events; and
- a child caught up in a family conflict is likely to have conflicting loyalties and a judge should be cautious of accepting the child's recollection, recounted several years later, about events that may not have been particularly significant to the child at the time.

The Impact of Trauma on Memory

Courts have accepted that impact of trauma on memory can vary, but does not necessarily impact credibility and reliability assessments in a negative way. In addition to *R. v. G.M.C.,* some observations by the courts include:

- Victims of sexual assault can be presumed to have suffered psychological trauma: *R v. McCraw*, [1991] 3 SCR 72 at 84-85.
- "[T]he combination of trauma and passage of time would result in lapses of memory": R v. Eze, 2022 ONSC 277 at para 55.
- "[P]eople exposed to traumatic events can and do suppress memories of the same": R v. J.D.H., 2022 SKQB 6 at para 45.

Trauma-Informed Submissions

 "Rather than "fixating on the alleged deficiencies in trauma survivors' testimonial evidence, what is needed is an approach that focuses on those elements of memory that are reliable despite the adverse impacts of trauma."

- Perrin, at p. 527 which cites Joe Singer Shoes Limited v A.B., <u>2019 ONSC 5628</u> (Div. Ct), at paras. 4, 44, 46, 94-97 as applying a trauma-informed approach to memories assessing the *quality* rather than *quantity* of memories.
- Look to criminal caselaw for assistance: R. v. D.D., <u>2000 SCC 43</u>, at paras. 65-66; R. v. GMC, <u>2022 ONCA 2</u>; R. v. Musara, <u>2022 ONSC 2835</u>; R. v. Taylor, <u>2023 ONSC 1101</u>; R. v. K.P., <u>2022 ONSC 7135</u>, at para. 12; R. v. Augustin, <u>2022 ONSC 5901</u>.

Trauma-Informed Submissions

In the civil context, *F.H. v. McDougall*, 2008 SCC 53, provides useful guidance on the weight to be given to any inconsistencies:

- where proof is on a balance of probabilities, there is no rule as to when inconsistencies in the evidence of a plaintiff will cause a trial judge to conclude that the plaintiff's evidence is not credible or reliable. (57)
- The trial judge must not consider the plaintiff's evidence in isolation, but should consider the totality of the evidence in the case, and assess the impact of any inconsistencies on questions of credibility and reliability pertaining to the core issue in the case. (58-59)

Being Trauma-Informed Includes Your Interactions with Opposing Counsel and Others

Colleagues, Opposing Counsel and Trauma

- Consider that each of us may be impacted by trauma at different times and in different ways - background, illness or death of child, parent, sibling
- Remember Rule 7.2-1:
 - A lawyer shall agree to reasonable requests concerning trial dates, adjournments, the waiver of procedural formalities, and similar matters that do not prejudice the rights of the client.
- How much information should opposing counsel have to divulge to justify the adjournment request?
- **Resources:** The Advocates' Society Principles of Civility and Professionalism for Advocates:; Marrese v. Moscone, 2023 ONSC 5857; The Rules of Professional Courtesy: Recent Lessons and Reminders from the Caselaw on Civility, November 28, 2023, Geneviève Fauteux, OBA.

Colleagues, Opposing Counsel and Trauma

• The Court in refusing to order that a motion be heard on a Saturday:

 "The court takes very seriously issues of health and wellness of practitioners, members of the judiciary, and court staff during the pandemic in particular. While lawyers and the courts are in a service business, there has to be a brake applied to service providers' willingness to compete themselves (or their juniors) into unhealthy states in the ordinary course of business. Recognizing that young counsel and staff may have other responsibilities or just need down time does not impair access to justice provided that everyone understands the need to make personal sacrifices when truly urgent circumstances arise."

713949 Ontario Limited v. Hudson's Bay Company ULC, 2021 ONSC 621

Final Thoughts

It is very important to take care of yourself

We Are All Vulnerable

2.2.7 | WORKING WITH CLIENTS: THE RISK OF COMPASSION FATIGUE

Compassion fatigue: refers to a phenomenon experienced by those providing care to others. It involves a state of tension and preoccupation with the suffering of those being cared for, to the point of creating traumatic stress for the caregiver (Figley, 2020).

- Compassion fatigue is associated with an increase in perceived stress, psychological distress, anxiety, depressive symptoms, and burnout.
- National Study on Towards a Healthy and Sustainable Practice of Law in Canada; PHASE I | 2020-2022; National Study on the Health & Wellness Determinants of Legal Professionals in Canada, N. Cadieux, et. al

What makes us Vulnerable?

Interacting with traumatized victims

Exposure to horrific details

Exposure to graphic imagery

Significant workload

High profile cases with media scrutiny

Pressure to see a just result

) Lack of control

"The expectation that we can be immersed in suffering and loss daily and not be touched by it is as unrealistic as expecting to be able to walk through water without getting wet."

~ Naomi Rachel Remen, Kitchen Table Wisdom - Stories that Heal

"I didn't expect that the visual depiction of crime would be so traumatic. It was like being hit with a sledgehammer. It was a very traumatic experience to watch a crime being committed, particularly against wonderful, young children."

> Ontario Superior Court Chief Justice Patrick LeSage -Globe & Mail 2002

Tools for Processing What you See and Hear: Low Impact Debriefing



Low-Impact Debriefing - is a trauma-informed technique for sharing and processing difficult stories and images



Four steps to protect your colleagues, friends, family and self



SELF-AWARENESS – ask are the details really necessary



FAIR WARNING - warn the listener details will be traumatic

CONSENT - is this a good time to talk?

LIMITED DISCLOSURE – limit what you share

Low Impact Debriefing Document | The TEND Toolkit - tendtoolkit.com

Strategies to Minimize Exposure to Graphic Imagery

- Limiting exposure to graphic material by setting limits through
 - shared roles,
 - taking breaks,
 - reducing the length of viewing periods and avoiding such content in their personal lives through drawing physical and mental boundaries between work and home
 - Being thoughtful on how you view them, where you are, what else you see, overview first, sound, time of day
- Resources: Arija Birze, Cheryl Regehr, Kaitlyn Regehr, Organizational support for the potentially traumatic impact of video evidence of violent crime in the criminal justice system: 'We're almost making more victims'; International Review of Victimology 1– 21, 2022,
- What You Wish You Hadn't Seen: How to Cope With Viewing Graphic Images, National District Attorneys Association

Look After Yourself

We are all susceptible

Be alert to the risk factors for yourself and others

Seeking help is NOT a sign of weakness

Remember that you are not alone

Reach out, including for professional help, if you need help Thank you