

Appendix B

Exhibit GG



F231

A Trauma Informed Care Guide to Preparing for Trial to prevent Re- Traumatization: A guide for Judges, Council and Court Staff

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Crisis Intervention Services to be aware of for Claimants:

1. Eden Dales Social Work (ESDW)

- EDSW is a community based social work practice, specializing in trauma
- EDSW is comprised of a group of registered social workers, who will be available to claimants over the course of the trial to offer crisis counselling, to address intense emotional experiences during the trial.
- Services can be offered by video or phone, and provided within 48 hours of your request.
- Requests for social work services should be directed to the main office, by email info@edendales.com or phone 416.398.1888
- Rate for services is \$200.00 per hour and services are covered by most extended health benefit plans

2. Public Mental Health and Crisis Resources:

- If crisis intervention is required, you are encouraged to proceed to the emergency department, call 911, or call the Toronto Distress Line, <https://www.dcoft.com/> or 416 408-4357 or 408-HELP
- These are free resources and can be accessed immediately.

Recommendations for Judge, Counsel, and Court Staff

1. In Advance of Trial

Trial Overview:

- Explanation of Legal Process: Provide a clear and simple overview of the trial process, including key stages, such as opening statements, examination of evidence, witness testimonies, and closing arguments.
- Provide as much information as possible about the schedule, agenda, plan.
- Reassure claimants any information they are excluded from hearing is a protective measure, decided upon by the judge, council, and court staff as a protective measure to prevent re-traumatization.
- Inform claimants you will do your best to notify them prior to sensitive information being presented, offering a chance to take a break.
- Inform claimants when breaks will be offered.

Trial Preparation:

- Take 5 -10 minutes to read about trauma, complex trauma and how trauma impacts functioning.
- Your knowledge and awareness of trauma will be communicated in your approach and will help reduce the risk of re-traumatization.
- Resources about trauma, complex trauma, how to communicate empathy, and how to have a positive impact on claimants are all included below.
- Review when breaks will be provided, advise how to take breaks effectively (support person, meet physiological needs regardless of how they feel - something to eat, something cold to drink, breathe fresh air, connect with a trusted supportive person-regulate nervous system, re-set, H.A.L.T. model)
- Address potential triggers and develop coping strategies.
- Ensure claimants have trial prep pack ready:
 - pen and paper (to note down thoughts, feelings, perceived inaccuracies, concerns)
 - large cold water
 - snack

- something to hold/squeeze to maintain stress
- cheat sheet of stress reducing activities: reminders such as this is not personal, this all part of the process, this is over soon, visualize cool air on face, muscle relaxation exercise -tighten and release each muscle group from head to toe (stress starts in the body, therefore healing must start with the body, not the mind), reminders of helpful tips

Their Role in the Process:

- Understanding Participation: Clarify the client's role during the trial, whether they will be testifying, attending specific sessions, or providing input on key decisions.
- Empowerment: Emphasize the claimants to take notes during the trial, write down questions and thoughts, which can be discussed with council outside of the courtroom.
- Communicate empathy and compassion and validate claimants' input, questions and thoughts, as their input is valuable.

Nature of Evidence:

- Detailed Explanation: Prepare clients for the type of evidence that will be presented, explaining that it may include documents, reports, and potentially graphic or detailed information.
- Anticipating Challenges: Discuss potential challenging aspects of the evidence, allowing clients to mentally prepare for what they might encounter.

Trauma Triggers:

- Identification: Help clients identify potential triggers related to the evidence, such as specific details, images, or testimonies.
- Think empathetically about what may be triggering and notify claimants ahead of trial and prior to discussing these topics during trial

A Trauma Informed Guide to Reduce Risk of Re-Traumatization

- Coping Strategies: Discuss coping strategies to manage triggers, including breathing exercises, grounding techniques, or requesting breaks during testimony.

Legal Terminology Review:

- Encourage claimants to refer to the Ontario Court Glossary of Terminology to familiarize themselves with the language in the courtroom.
- <https://www.ontariocourts.ca/ocj/criminal-court/definitions-and-glossary/>
- Languages: Encourage claimants to have a support person who speaks English and can help them understand the process in their language
- Refer to Costi Agency for resources in a variety of languages- <https://www.costi.org/lb/languages.php>

Supportive Services:

- Access to Mental Health Professionals: Refer to the information above about how to access crisis resources and familiarize yourself with this in the event that a claimant is in distress and needs urgent support, encourage them to take a break and reach out for help
- Peer Support: Facilitate connections with support groups or peer networks to share experiences and coping strategies.

Safety Measures:

- Security Measures: Discuss security measures in place to ensure the physical safety of clients during the trial.
- Confidentiality: Emphasize confidentiality measures to protect sensitive information.

Provide Information and Education:

- Clearly communicate the trial process, potential triggers, and what to expect during proceedings.
- Offer information on the legal terminology and procedures to empower claimants and reduce uncertainty.

Create a Safe and Supportive Environment:

- Establish a safe space for meetings and discussions, ensuring physical and emotional safety.
- Provide access to mental health professionals and support groups before, during, and after trial proceedings.
- Encourage them to bring a pen, pad of paper, drink, and snack to have with them for sustainability and coping and have someone they trust available by phone to help support them.
Encourage claimants to know themselves best and remove themselves when topics that have been triggering previously are discussed.

Trauma-Informed Legal Support:

- Educate yourselves in trauma informed care and court proceedings as a method to prevent re-traumatization.
- Ensure that legal teams use empathetic language, avoid retraumatizing questions, and prioritize sensitivity during interactions.

Crisis Intervention Plan:

- Encourage claimants to prepare a personal crisis intervention plan in case of heightened emotional distress during the trial, who to call, have number handy.
- Identify designated professionals who can provide immediate support if needed.

2. During Trial

Trauma Informed Communication:

- Communicate empathy, compassion, humanity, make direct eye contact, soften, remember this is another human being who has suffered unimaginable pain, and remember demonstrating compassion has nothing to do with your defence/position/outcome/advocacy for your client. Both can occur simultaneously. Imagine if this was your loved one...

- *Statements that communicate empathy:*
 1. thank you for sharing that....
 2. I am glad you are telling me....
 3. I am so sorry this happened...
 4. is there someone you would like to be here with you?
 5. Is this ok ?
 6. can we continue?
 7. Is it ok if I ask about....
 8. I am thinking about how devastating this must be for you....
 9. We will continue for xxxx minutes, and then you can have a break, would that be ok?
 10. This will take xxxxx time....
 11. Now we are going to review evidence, ok?
 12. Do you need a minute before we proceed?
 13. Pause, soften, allow space for grief-this will always help and never hurt

Community and Peer Support:

- Encourage peer support and group therapy sessions, fostering a sense of community among claimants.
- Share stories of resilience and recovery from individuals who have experienced similar traumas.

Continuous Communication:

- Maintain open lines of communication, allowing claimants to express their concerns and ask questions.
- Provide regular updates on trial proceedings and any changes in the legal process.

3. Post-trial

Post-Trial Support:

A Trauma Informed Guide to Reduce Risk of Re-Traumatization

- Refer to resources above for ongoing mental health support after the trial, recognizing that the conclusion of legal proceedings may bring up new emotions.
- Review above information about available resources for grief counseling and support groups.
- Offer support regardless of outcome.
- Remember that every individual's response to trauma is unique, so flexibility and individualized support are crucial. Regularly assess the effectiveness of your approach and adjust based on the evolving needs of the claimants.

Legal Team Collaboration:

- Collaborative Approach: Ensure effective communication between mental health professionals and the legal team to address the client's emotional well-being during trial proceedings.
- By providing comprehensive information, addressing concerns, and offering ongoing support, clients can be better prepared to navigate the trial process with a reduced risk of re-traumatization.

Trauma-Informed Approach to Post-Trial Coping:

- Detailed Information: Provide clear and detailed information about the post-trial process, potential challenges, and plan for addressing perceived inaccuracies and heightened emotions related to the experience of the trial
- Manage expectations for future actions.
- Check in on them, this goes a long way
- Debriefing Sessions: Encourage clients to debrief daily after trial, discuss their emotional experience that day, with those who have a shared experience, to obtain and offer support, and prepare them to cope with future trial dates.
- Continued Support: Ensure ongoing access to mental health support and resources after the trial concludes.

Clear Communication:

- Regular Updates: Keep clients informed about the trial's progress, changes in schedule, and any developments to minimize uncertainty.
- Communication Channels: Establish clear channels for clients to express concerns and ask questions during and after the trial, outside of the courtroom and how to access this information (refer to their own council)

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F238