

**an introduction  
to  
trauma-informed lawyering**

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# becoming a “trauma-informed” lawyer means:

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You can identify trauma, recognize your own triggers and you depersonalize when trauma presents;

You adjust your approach to prioritize safety and empowerment while embracing empathy;

You adapt your litigation or hearing plan to accommodate trauma;

You prioritize connection and relationship by engaging with humility and compassion while checking your biases;

You safeguard your mental health (vicarious trauma/vicarious resilience).

# 1. trauma & the brain

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Broca's area /  
speech

Hippocampus /  
attention, learning  
& memory

Corpus callosum /  
coordination

Amygdala /  
fight or flight

Pre-frontal cortex /  
regulation

## **2. & 3. some best practices to adjust & adapt: empathy, connection, empowerment and safety**

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01

Avoid asking  
someone to repeat  
their trauma story

02

Prioritize safety  
and  
empowerment for  
the both of you

03

Be prepared to  
help someone  
refocus

04

Be transparent &  
honest

05

Practice self-  
awareness and  
adhere to your  
boundaries

## 4. distinguishing cultural humility

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**Cultural Safety** (origin: NZ) is focused on self-discovery and invites critical reflection of one's beliefs, biases, practices, etc. and changing attitudes. Ex: I don't know.... I can try...I will read..

**Cultural Competence** has an end point and suggests that we can become an expert in someone else's culture and experiences for the purpose of working with them more effectively. Ex: I know...I read...I heard....

**Cultural Sensitivity** means being aware of cultural differences (w/o assigning judgment) and the ways in which these differences influence values, beliefs and behaviours. Ex: I know that they...I read that they...I am aware that they...

# **cultural humility (connection + relationship)**

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Cultural humility is a **lifelong process** of self-reflection, self-critique and commitment to understanding and respecting different points of view, while engaging with others humbly, authentically and from a place of learning (Melanie Tervalon & Jann Murray-Garcia, 1998).

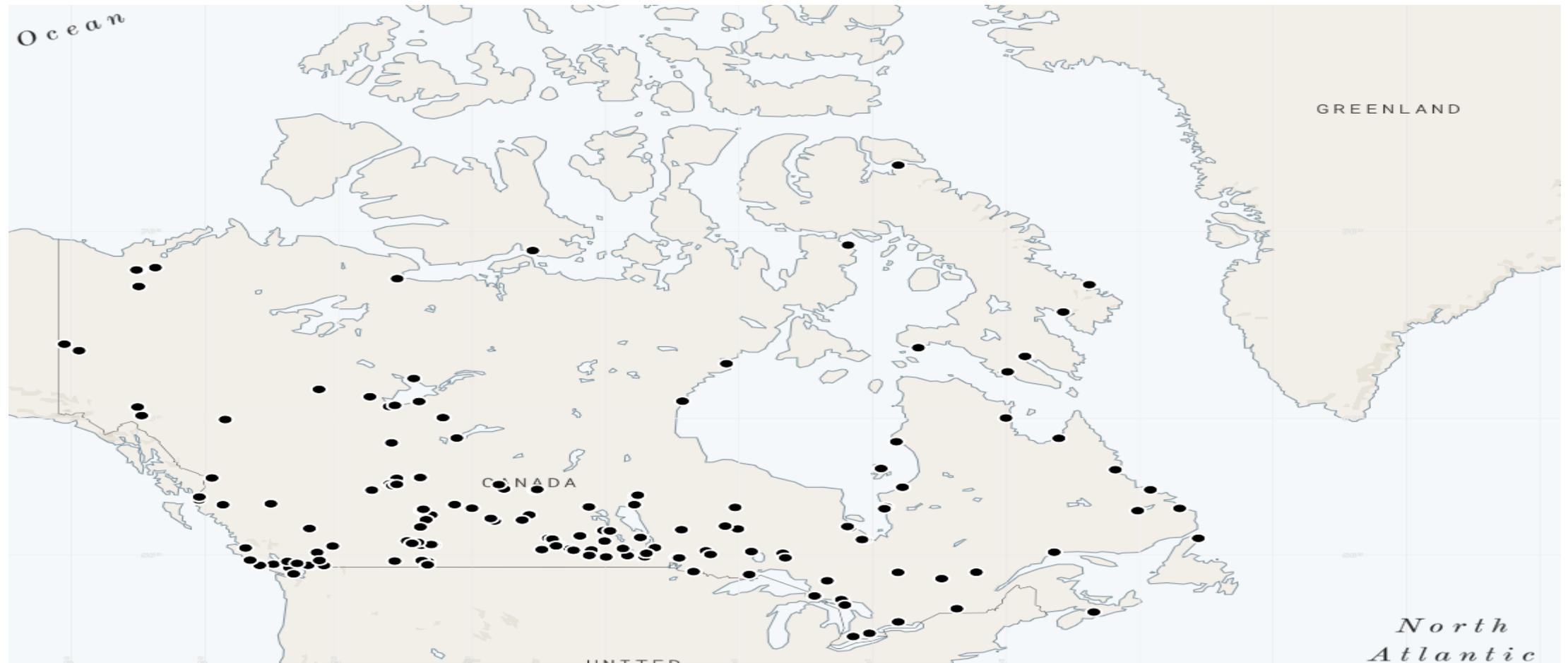
*Tervalon and Murray-Garcia developed this concept while addressing disparities and institutional inequities in the field of public healthcare in the USA.*

## **In *R. v. Holmes*, 2018 ABQB 916, Justice Langston said:**

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This is an Aboriginal offender. She is in a system which is imposed upon Aboriginal people, and I use that word deliberately. Our history, in relation to Aboriginal people, is one of deliberate destruction. We have systematically destroyed their culture, their way of living. We have done everything we can to take from them their sense of spirituality and identity. I'm not saying anything new. You can look in the volumes of reports and studies that have been done on Aboriginal people for decades. Those reports sit, gathering dust, in libraries and Parliament building (para 2).

...Aboriginal people are entitled to a sense of dignity when they come into our courts. They are entitled to a recognition of their history and their culture, and you cannot talk about those two things without a notional recognition of their spirituality...(para 3) ...There is a fundamental disconnect between the Aboriginal view of justice and the system that I am part of...(para 4).



Source: <https://www.cbc.ca/news2/interactives/beyond-94-residential-school-map/>

# Direct & Inter- generational trauma

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**Intergenerational trauma shows itself in various forms:**

- **an inability to parent (child welfare system);**
- **an inability to problem solve (educational system);**
- **an inability to cope with emotional and mental disturbance (addictions/self-harm);**
- **an inability to form healthy relationships (intimate partner violence);**
- **an inability to make good decisions (criminal justice system);**
- **and an inability to love which fuels it all while generating crisis and chaos.**

# 5. Vicarious Trauma

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The term **Vicarious trauma** (VT) was coined by Pearlman & Saakvitne (1995) to describe the profound shift in world view that occurs in helping professionals when they work with clients who have experienced trauma.

Helpers notice that their fundamental beliefs about the world are altered and possibly damaged by being repeatedly exposed to traumatic material.

## benefits of TIP & cultural humility

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Encourages culture change within an organization

Promotes a culture of safety & empowerment

Builds trust and transparency

Offers opportunities for peer support

Promotes collaborative engagement

Improves relational skill-building

## **Ekosi / Thanks!**

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