

JUSTEqual: Justice Professionals' Understandings of Judicial Language and Gender Stereotypes in Cases of Violence Against Women

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Abstract

Violence against women remains a major human rights and public health concern. Within judicial proceedings, language plays a crucial role in shaping women's experiences of justice, influencing how facts are interpreted, communicated, and ultimately understood. As part of the JUSTEqual project (Eradicating JUDicial STEReotypes and gender discriminatory language. EQUAL access to justice for women in cases of gender-based violence), the present psychosocial study explored how professionals (e.g., judges, lawyers, and forensic psychologists) conceptualise the relationship between judicial language and gender stereotypes in cases of violence against women. Twenty-one semi-structured interviews were conducted and analysed using reflexive thematic analysis. Four themes were identified. Participants described judicial language as technical, perceived as objective, and grounded in procedural requirements, reflecting a strong commitment to the ideal of professional neutrality. At the same time, the «possible» use of stereotypes and biased language was frequently attributed to external factors, such as the cultural system or other colleagues, rather than acknowledging the possibility of using them in one's own professional practice. This pattern may be interpreted in light of social psychological research on attribution processes, particularly the fundamental attribution error, whereby problematic behaviours tend to be explained in terms of situational influences when referring to oneself, while being more readily recognised in others. Participants also emphasised the challenge of balancing evidentiary standards and defence rights while minimising harm to victims. Finally, time pressure, workload, and the demands of courtroom interactions were seen as interfering with opportunities to reflect and use language sensitive enough to avoid biases and stereotypes. Taken together, these findings suggest that the influence of gender stereotypes is perceived as something operating beyond the boundaries of one's own professional practice, making it more difficult to recognise how judicial cultures, professional norms, and language practices contribute to unequal access to justice.

Keywords: gender; justice; equity; heuristics; decision-making