

DOCTORAL THESIS

Forensic Linguistics and Gender-Based Violence in Italy: Insights from Literature, Language Analysis in the Judiciary, and Language as Evidence

Novella Benedetti



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Forensic Linguistics and Gender-Based Violence in Italy: Insights from Literature, Language Analysis in the Judiciary, and Language as Evidence

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Non esistono narrazioni prive di conseguenze: nemmeno la più innocente delle fiabe lascia il mondo come lo ha trovato.

Michela Murgia

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¹ This is the only section which will be completely multi-language. This work would not have been possible if it had not been for all the amazing people I have met in these years, people coming from all over and whom I wish to thank accordingly.

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E poi, naturalmente, a Marito: ogni giorno ci insegniamo a vicenda che ci si può amare anche se si è profondamente diversi, e anche quando non ci si capisce proprio del tutto. E che forse, lontano dai grandi proclami, alla fine l’Amore è proprio questa cosa qui: la grandissima libertà che ci si regala quando si ama ciò che è, e ci si tiene alla larga dalle gabbie di ciò che si vorrebbe fosse o che per qualcun altro dovrebbe essere.

Abstract of the Research

This research is a collection of papers which focus its efforts on Gender-Based Violence (GBV) and, more specifically, Violence Against Women (VAW) in Italy, developing its analysis from the perspective of Forensic Linguistics (FL). Statistical data on the issue show that the magnitude of the problem in Italy is aligned with the global situation: around a third of Italian women suffer from VAW during their lives (Istat, 2015). However, unlike other countries, the situation is not improving despite the legal efforts implemented by several governments. As many authors have highlighted, one of the main problems is related to a pervasive patriarchal system, which is still very strong and acts as a continuum line ranging from symbolic violence to physical and psychological violence (e.g., Burgio, 2020, p. 223; also in Scheper-Hughes et al., 2003, cited in Oddone, 2020, pos. 547).

The measures implemented to counter VAW have been mainly legal, with little or no effort to bring about a change in the cultural system. Several laws have been enacted since CEDAW¹ was adopted in 1979: there are new legal procedures, new GBV crimes have been defined and prosecuted, and punishment has become heavier. Besides the criminal acts, another difficulty in dealing with VAW is how little victims are believed by the legal system. This matter can be framed as an epistemic injustice (Fricker, 2007). FL has been chosen to approach VAW to support the administration of justice. FL is a branch of applied linguistics, and it is defined as a discipline studying the intersection of language and the law. It is generally divided into three subfields: legal language, the language used in judicial proceedings, and language as evidence (Turell, 2005, pos. 74). This thesis focuses on the latter two subfields and is comprised of two articles published and one article accepted in peer-reviewed indexed journals.

The first article is titled “A Literature Review Of The Role Of Forensic Linguistics In Gender-Based Violent Crimes In Italy: Supporting Legal Professionals And Providing Scientific Evidence”, and it was written by the doctoral students and one of her thesis director, Dr. Sheila Queralt. Published by the journal *Llengua i Dret // Journal of Language and Law* in 2023. It deals with FL as applied to GBV, detecting several ways the discipline can support the administration of justice. After a review of the research literature, two psychological models

¹ Convention on the Elimination of All Forms of Discrimination Against Women.

are introduced (Pence, 1993; Walker, 1979) to contextualise GBV. Then, two directions are taken: first, the communication between victims and legal sector professionals is considered. Subsequently, the language used as evidence for police and judicial investigation is described. Conclusions are drawn with an eye to future directions for further studies, which the second and third articles have partially addressed.

“Linguistic Analysis Of Gender Asymmetry In Courtroom Interaction Discourse. Analysis Of Questioning Strategies In Domestic Violence Trials In Italy” is the second article, and it was published by the journal *Pragmalingüística* in 2024. This article deals with the language used by the judicial system and analyses questioning strategies in Italian trials of domestic violence cases (breach of Art. 572 of the Italian Criminal Code). The aim is to detect whether a situation of gender asymmetry exists (i.e., differences in the treatment of complainants and defendants) by comparing the interrogation strategies implemented by legal professionals, especially lawyers. The analysis is carried out on a dataset that includes three cases for a total of eight hearings: complainants and defendants gave their testimonies in four hearings each. The analysis builds on Archer (2005) and Mortensen (2020) as to the method employed. The analysis considers both quantitative elements (turn-taking, words spoken, average number of words per turn) and qualitative ones (coding the different morphosyntactic question types). Even considering the various roles defendants and complainants have in the process, the results show that a situation of gender asymmetry may exist, in that quantitatively speaking, complainants are asked more questions yet speak less in their answers. From a qualitative perspective, in direct examination, high-control question types are asked more to defendants. In cross-examination, the opposite occurs.

The third and last article is called “Cyberstalking and Gender-Based Violence in Italy: A Speech Act Analysis”, and it has been accepted for publication in 2025 by the journal *Círculo de Lingüística Aplicada a la Comunicación*. It focuses its analysis on the subfield of FL called language as evidence, and it studies a dataset composed of three cyberstalking cases (breach of Art. 612bis of the Italian Criminal Code). On the one hand, the analysis aims to explore whether a common linguistic pattern can be found among different offenders. On the other hand, it observes how emotional abuse is carried out linguistically using FL. The method builds on Lorenzo-Dus et al. (2023) and uses the Speech Act Theory (Austin, 1962; Searle, 1969/1975). To begin with, the dataset was coded according to the SAT. Each speech act was detected, whether direct or indirect. Results show that a common pattern exists: every stalker

(albeit in a different proportion) prefers directive speech acts, followed by expressives, assertives, and commissives. Indirect speech acts are strongly preferred to direct ones. Then, the analysis focussed on how speech acts combine to carry out emotional abuse, and here is where personal preferences emerge remarkably. No pattern can be found in this sense, and the way is paved for future studies (for instance, focusing on threats, insults and slurs, and the functions of questions).

Thus, the research successfully identifies if, how, and to what extent FL—specifically as the language used in judicial proceedings and as evidence—can support the administration of justice in Italian cases involving GBV and, more specifically, VAW.

Resum de la recerca

Aquesta recerca és una col·lecció d'articles que se centren en la Violència de Gènere (VG) i, més específicament, en la Violència contra les Dones (VD) a Itàlia. La seva anàlisi es desenvolupa des de la perspectiva de la Lingüística Forense (LF). Les dades estadístiques mostren que la magnitud del problema a Itàlia és coherent amb la situació global: aproximadament un terç de les dones italianes pateixen VD al llarg de les seves vides (Istat, 2015). No obstant això, a diferència d'altres països, la situació no millora malgrat els esforços legals implementats pels diferents governs. Com han destacat molts autors, un dels principals problemes és el sistema patriarcal predominant, encara molt potent, que actua com una línia contínua que va des de la violència simbòlica fins a la violència física i psicològica (Burgio, 2020, p. 223; també en Scheper-Hughes et al., 2003, citat en Oddone, 2020, pos. 547).

Fins ara les mesures implementades per contrarestar la VD han estat principalment legals, amb poc o cap canvi cultural. Des de l'adopció de la CEDAW¹ el 1979, s'han promulgat diverses lleis: hi ha nous procediments legals, nous delictes de VG s'han definit i perseguit, i les penes s'han fet més severes. A banda dels actes criminals, una altra dificultat en el tractament de la VD és la poca credibilitat que les víctimes tenen dins del sistema legal. Aquest problema es pot emmarcar com una injustícia epistèmica (Fricker, 2007). La recerca utilitza la LF com a eina per donar suport a l'administració de la justícia. La LF és una branca de la lingüística aplicada que estudia la intersecció entre llengua i dret. Es divideix generalment en tres àmbits: llenguatge legal, el llenguatge utilitzat en els procediments judicials, i el llenguatge com a evidència (Turell, 2005, pos. 74). Aquesta tesi se centra en els darrers dos àmbits i consta de dos articles publicats i un article acceptat en revistes indexades.

El primer article es titula "A Literature Review On The Role Of Forensic Linguistics In Gender- Based Violent Crimes In Italy: Supporting Legal Professionals And Providing Scientific Evidence", i va ser escrit per l'estudianta de doctorat i la codirectora de tesi, la Dra. Sheila Queralt. Publicat per la revista *Llengua i Dret // Journal of Language and Law* el 2023, tracta sobre la LF aplicada a la VG, detectant diverses maneres en què la disciplina pot donar suport

¹ *Convention on the Elimination of All Forms of Discrimination Against Women*, Convenció sobre l'eliminació de totes les formes de discriminació contra la dona.

a l'administració de la justícia. Després d'una revisió de la literatura, es presenten dos models psicològics (Pence, 1993; Walker, 1979) per contextualitzar la VG. A continuació, es prenen dues direccions: primer, es considera la comunicació entre les víctimes i els professionals del sector legal. Després, es descriu el llenguatge utilitzat com a evidència en les investigacions policials i judicials. Les conclusions tenen una mirada posada en futures línies d'investigació, que els segons i tercers articles han abordat.

“Linguistic Analysis Of Gender Asymmetry In Courtroom Interaction Discourse. Analysis Of Questioning Strategies In Domestic Violence Trials In Italy” és el segon article, publicat per la revista Pragmalingüística el 2024. Aquest article tracta sobre el llenguatge utilitzat pel sistema judicial i analitza les estratègies d'interrogatori en els judicis italians de casos de violència domèstica (violació de l'Art. 572 del Codi Penal italià). L'objectiu és detectar si existeix una situació d'asimetria de gènere (és a dir, diferències en el tractament de denunciants i acusats) comparant les estratègies d'interrogatori implementades pels professionals del dret, especialment advocats. L'anàlisi es realitza sobre un conjunt de dades que inclou tres casos i un total de vuit audiències: els denunciants i els acusats van donar els seus testimonis en quatre audiències cadascun. L'anàlisi es basa en Archer (2005) i Mortensen (2020) i considera tant elements quantitius (intercanvi de torns, paraules dites, mitjana de paraules per torn) com qualitius (codificació dels diferents tipus de preguntes morfosintàctiques). Malgrat els diversos rols que acusats i denunciants tenen en el procés, els resultats mostren que pot existir una situació d'asimetria de gènere, ja que quantitativament parlant, els denunciants reben més preguntes, però parlen menys en les seves respostes. Des d'una perspectiva qualitativa, en l'examen directe, es fan més preguntes de control elevat als acusats. En el contra examen, passa el contrari.

El tercer i últim article es titula “Cyberstalking and Gender-Based Violence in Italy: A Speech Act Analysis” i ha estat acceptat el 2025 per la revista Círculo de Lingüística Aplicada a la Comunicació. Aquest article se centra en l'anàlisi de l'àmbit de la LF anomenat llenguatge com a evidència, i estudia un conjunt de dades compost per tres casos de ciberassetjament (violació de l'Art. 612 bis del Codi Penal italià). D'una banda, l'anàlisi té com a objectiu explorar si es pot trobar un patró lingüístic comú entre els diferents agressors. D'altra banda, observa com s'exerceix lingüísticament l'abús emocional utilitzant la LF. El mètode es basa en Lorenzo-Dus et al. (2023) i usa la Teoria dels Actes de Parla (Austin, 1962; Searle, 1969/1975). Per començar, el conjunt de dades es va codificar d'acord amb la TAP. Es va detectar cada acte de

parla, registrant si és directe o indirecte. Els resultats mostren que existeix un patró comú: cada assetjador (tot i que en diferents proporcions) prefereix els actes de parla directius, seguit dels expressius, assertius i commissius. Els actes de parla indirectes són molt més preferits que els directes. A continuació, l'anàlisi es va centrar en com els actes de parla es combinen per dur a terme l'abús emocional, i aquí és on emergeixen de manera notable les preferències personals. No es pot trobar un patró en aquest sentit, i s'obre el camí per a futures investigacions (per exemple, centrant-se en amenaces, insults, i les funcions de les preguntes).

Així doncs, la recerca identifica amb èxit si, com i fins a quin punt la LF (específicament el llenguatge usat en els procediments judicials i com a evidència) pot donar suport a l'administració de la justícia en els casos italians que impliquen VG i, més específicament, VD.

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1. Introduction

Gender-Based Violence (GBV) is one of the most pressing human rights issues of our time. Cultural, social, and legal factors intertwine, contributing to a situation impacting individuals, families, and societies on a global scale. In Italy, members of the judiciary have frequently stated that it is much easier to fight and end the mafia than femicide and GBV (e.g., Benedetti, 2021). Data prove them right, one example being femicides. In Italy, their number has remained stable, while the number of homicides has sunk in the past two decades (Istat, 2019). Moreover, when it comes to GBV-related crimes, underreporting is a common phenomenon (Corsi, 2020, p. 165). Yet, when women report, they are seldom believed. A recent qualitative sample of three cases¹ that appeared in Italian newspapers (summer 2024) provide a vivid example.

Rome, June 15th: the janitor of a high school, aged 66, is judged innocent of sexually harassing a 17-year-old student as the fact is considered “a merely clumsy action of the defendant”. According to the victim, she was walking up the stairs of the school when the janitor put his hands in her underpants, under her panties. Then he first touched her buttocks, then grabbed her panties (La Repubblica, 2024).

Milan, June 24th: a trade unionist is judged innocent of sexual violence against a hostess who had asked for help in a working situation. The court ruled that a period of 20 seconds to resist and withhold consent to sexual violence was excessively long, thus casting doubt on the credibility of the victim’s testimony (Rossi, 2024).

Agrigento, 21st July: a life sentence for femicide was overturned in the name of “Covid stress”. The murderer, a 29-year-old nurse, had strangled the girlfriend, a 27-year-old near-to-be doctor, at the end of March 2020 amid the pandemic. From now on, “COVID stress” appears officially as a mitigating factor influencing femicide sentences (ANSA, 2024).

This news shows the pervasive problem and why such significant underreporting occurs. What is interesting to note here is that the facts are not being questioned. The point is not whether the three aggressors did what they did; the point is that they did so unintentionally,

¹ The cases are randomly chosen among the ones covered by the media in this time frame; they come from all over Italy and involve different GBV offences.

according to the judiciary. The impact of their actions on their victims is irrelevant, and victimhood is thus denied. Yet, using credibility and intention to judge criminal offences is slippery. In the field of epistemic injustice studies, Sullivan convincingly argues that intention is irrelevant, as the consequences of the crimes remain. Citing as an example the victims of car accidents, he states that their injuries “are no less injuries for having been caused unintentionally, and they would wonder why the cost is left to fall entirely upon them simply because the injurer didn’t mean to cause harm” (2017, p. 298). Yet, in the three cases above, according to the judiciary, the first aggressor was joking, the second aggressor was flirting, and the third aggressor was stressed. The victims probably should have felt amused, flattered, and empathetic, accordingly. De Carvalho Figueredo (2003, p. 272), speaking about legal decisions on rape trials, notes that “the judicial discourse on rape serves as a warning and example both to those directly involved with the trial (offender and victim) and to women and man in general”. Albeit with different criminal offences, the same can be said for the three aggressions described above. It is a problem when professionals working in such a delicate field have little training or expertise in GBV, even if they carry out the work to the best of their ability. Judges can reinforce stereotypes or eradicate them from society with their work (Di Nicola Travaglini & Menditto, 2024, p. 92). In these cases, the former is likely to have happened – as victims were *de facto* punished for reporting the crime, thus inverting the allocation of blame – something also noted in the literature (e.g., Di Nicola Travaglini & Menditto, 2024, p. 93).

Cases like those illustrated are not rare in the Italian media. Fighting GBV is of paramount importance, yet highly complicated: more often than not, even legal professionals (e.g., judges) are not aware of their stereotypical way of thinking. This gives rise to issues that often elude traditional analysis and intervention methods, and Italy is an emblematic example of it. Alternative analysis tools are urgently needed if a solution to GBV is to be found, and this is precisely what this thesis is doing: it aims to address the problem by introducing forensic linguistics as a powerful, interdisciplinary tool to address the crimes and injustices stemming from GBV.

This thesis focuses on the situation of Gender-Based Violence (GBV) in Italy and the crimes it is associated with, presenting forensic linguistics as a tool of analysis. While speaking about GBV, it is to be noted that within this thesis, all cases analysed fall within the subfield of Violence Against Women (VAW). Thus, within this context, the two terms are used

interchangeably. The main goal and motivation behind the research is to support the administration of justice; the focus is on the Italian context. Yet, since VAW is a highly pervasive and complex problem (Poggio & Celebrin, 2024, p. 17) that occurs globally (e.g. Amnesty International, 2004; Di Nicola Travaglini & Menditto, 2024, p. 2), the findings of the research reported here could be applied far beyond the Italian setting.

This section is divided into three parts. The first (1.1.) provides an overview of VAW, its socio-cultural roots, its behaviours, and the specific situation in Italy. It then closes with a view on potential solutions (or lack thereof) from an educational and legal perspective. The second section (1.2.) introduces the discipline of forensic linguistics, including its definition, fields of study, and to what extent it has been employed in the Italian context. Then, by framing VAW within the theory of epistemic injustice, a case is made for the application of forensic linguistics in contributing to solve the problem of VAW. The last section (1.3.) presents the justification for the thesis and concludes this first part.

1.1. Violence Against Women in Italy

This section deals with VAW in Italy. First, it explores its foundations, e.g., the persistence of gender-based stereotypes, contributing to a lack of gender equality in society (a comparison is drawn between the countries where part of the research activities was carried out: Spain, Austria, and Italy). Secondly, VAW is illustrated with reference to international and Italian literature, that is, considering the behaviours it involves. It then moves on to consider statistics of VAW in Italy – primarily focusing on femicide, being the most extreme VAW-related crime (Di Nicola Travaglini & Menditto, 2020, p. 177). Finally, potential ways to address the problem – education and justice - are presented. Lastly, the following section on forensic linguistics is introduced.

In Italian media, news related to VAW has been gaining momentum, as shown in Section 1: every femicide is reported, and several crimes related to domestic violence, sexual harassment, sexual violence, and stalking appear almost daily. These crimes are narrated from the perspective of a sudden emergency (Oddone, 2020: pos. 58), something which is in strong contrast with the facts, which clearly show how VAW is a structural problem (Carsana, 2020; Di Nicola Travaglini & Menditto, 2024, p. 251; Lorenzetti, 2020; Pezzini, 2020), rooted in the socio-cultural context (Di Nicola Travaglini & Menditto, 2020, p. XI) stemming from a stereotypical view of gender-based roles in society and gender inequality. Such stereotypes

are the main obstacle for women victims of violence (Di Nicola Travaglini & Menditto, 2020, p. 62); they are at the roots of the violence and are connected with the expectation of traditional gender roles, i.e. how men and women should act (e.g., García Collantes & Garrido Antón, 2021, p. 83). It is to be pointed out that negative stereotypes regarding women are nothing new; in fact, they can be found extensively in different historical periods and are reported through various disciplines worldwide, being deeply rooted. For instance, in philosophy, they are pointed out in different historical periods by Foucault (2022, p. 174; 2015, pp. 88-89 and 133; 2014, p. 221); or in psychology, they are considered by Walker (1979, p. 15-16); and Pence & Paymar (1993, pp. 9-11).

In Italian society, as well as in the judicial sector, stereotypes about women appear to be still very strong (e.g., Di Nicola Travaglini & Menditto, 2024, p. 76-80), especially in men. According to Istat² (2023), the situation is improving, but the change has been brought about mainly by Italian women. Some examples of such socio-cultural stereotypes still relevant in Italian society according to Istat (2023) are: men are less suitable for housework (24.6 % men, 18.3 % women agree); to feel complete, a woman needs to have children (24.2 % men, 17.7 % women agree); being successful at work is more important for men compared to women (20 % men, 20.7 % women agree); breadwinning is mainly a man's duty (23 % men, 11.5 % women agree); and taking care of children is primarily a mother's duty (19.6 % men, 20.7 % women agree)³. Stereotypical thinking has been found in violent men, too. Oddone (2020) points out that they attribute responsibility for violence to the victims, whose behaviours are interpreted as unfair provocations (an injustice which needs to be fixed, Burgio, 2020, p. 226), ultimately leading to the man's reaction. Aggressors consider themselves victims of society (Burgio, 2020, p. 229) or of their victims (Pence & Paymar, 1993, p. 5), which is another way to hide VAW (Ciccone, 2019, p. 77). Aggressors' views on the duties of women as wives and mothers also emerge clearly, and deviance from this role is framed as a lack of respect. Confusion regarding what is a conflict and what is violence also comes up (Bonura, 2016, p. 69); violence is seen as a tool to educate women – a means of reasserting male power in response to the loss of it that men have experienced due to historical societal changes

² Italian National Institute for Statistics. In Italian, "Istituto Nazionale di Statistica", own translation.

³ Unfortunately, information as to the opinion of the remaining percentage (e.g., whether partially agree, strongly disagree, etc.) is omitted.

(Oddone, 2020, pos. 3045-3155) and to deal with their emotional world in reaction to these changes (Ciccone, 2019, p. 16). Specifically as to stereotypes and prejudices in the judicial sector, some examples are:

the victim lies or exaggerates things; she files an official complaint to get an advantage; she chases notoriety; she provoked or consented; she has a low degree of trustworthiness and credibility; she did not cry, did not scream, did not flee, did not fight, and therefore invented everything (...)⁴ (Bigotti, 2011, p. 111)⁵

This can have significant consequences on the judicial proceedings, namely:

distorting the actual events of a specific context of violence; omitting essential elements; blaming the victim and deeming her not credible because her behaviour does not conform to what is assumed she should have done; allowing the admission of irrelevant or highly prejudicial evidence against the victim; downplaying the reported violence and justifying violent behaviours; causing a misinterpretation of legal norms; influencing the final decision⁶ (Cook & Cusak, 2010, cited in Di Nicola Travaglini & Menditto, 2024, p. 84).

To sum up, “many men still believe their rights to rule their women are primary. This notion has been supported not only by religion but by the law” (Walker, 1979, p.12); moreover, “the tactics used by batterers reflect the tactics used by many groups or individuals in positions of power” (Pence & Paymar, 1993, p. 2). Therefore, “it is not exaggerated to compare masculinity to a form of nobility” (Bourdieu, 2014, p. 73): these considerations clearly show the cultural roots of VAW (Bonura, 2016, p. 79).

Naturally, this stereotypical thinking leads to a situation of gender inequality; in Italy, the problem is defined as a situation displaying a formal status of equality between men and women – while substantive equality is still lacking (Di Nicola Travaglini & Menditto, 2020, p.

⁴ In Italian: “La vittima mente o esagera; denuncia strumentalmente; va a caccia di notorietà; ha provocato o ha acconsentito; ha una scarsa attendibilità e credibilità; non ha pianto, non ha urlato, non si è sottratta, non ha lottato e quindi ha inventato tutto (...)”, own translation.

⁵ To deepen the view as to gender-based stereotypes and prejudices within the judicial sector please refer also to Di Nicola Travaglini & Menditto, 2024, pp. 81-82; and Di Nicola Travaglini & Menditto, 2020, pp. 63-67).

⁶ In Italian: “distorcere la realtà concreta di ciò che è avvenuto in un particolare contesto di violenza; omettere elementi essenziali; colpevolizzare la vittima e ritenerla non credibile perché il suo comportamento non corrisponde a quello che si ritiene avrebbe dovuto assumere; consentire l’ammissione di prove irrilevanti o altamente pregiudizievoli per la vittima; ridimensionare la violenza denunciata e giustificare le condotte violente; causare un’errata interpretazione delle norme giuridiche; incidere sulla decisione finale”, own translation.

10). Gender equality has been studied by the World Bank since 2006. It ranks 146 countries according to parameters which include men's and women's access to education, health, politics, and the economy. Table 1 illustrates the situation regarding gender (in)equality in Italy, Spain and Austria – the three countries where research activities were carried out - during the years of the current research.

	2020	2021	2022	2023	2024
Italy	76 th	63 rd	63 rd	79 th	87 th
Spain	8 th	14 th	17 th	18 th	10 th
Austria	34 th	21 st	21 st	47 th	49 th

Table 1. Annual performance of Italy, Spain, and Austria out of 146 countries considered in the World Gender Gap Report, own elaboration.

As mentioned, the report's first edition was released in 2006; that year, Italy ranked 77th, Spain 11th, and Austria 27th (Hausmann et al., 2006). From the data, Spain has shown fluctuations over the years – yet consistently remains in the top 20 countries worldwide in terms of gender equality. Unfortunately, the same cannot be said for Austria and Italy: a concerning trend emerges where the situation worsens. If gender-based stereotypes are still widely spread, and if the situation as to gender equality does not improve, it is not a surprise to experience a pervasive VAW situation. Studies show how being a woman suffices to be considered at risk (Bonura, 2016, p. 40; Corsi, 2020, p. 166; Walker, 1979, p. 19). Similarly, no specific profile for aggressors is possible: the mere fact of being a man suffices (García Collantes & Garrido Antón, 2021, p. 192).

Moving from gender stereotypes and inequality to VAW *stricto sensu*, in literature, this has been visually described in three ways: as an iceberg (e.g., Burgio, 2020), a tree (Bonura, 2016) or a continuous line (Burgio, 2020, p. 223; also in Scheper-Hughes et al., 2003, cited in Oddone, 2020, pos. 547). The idea of an iceberg or a tree is quite similar: VAW has a visible and an invisible part. The visible part represents every kind of violence which can be observed. This includes, e.g., femicide, physical and sexual violence, emotional manipulation, and controlling and denigrating behaviours. Then there are invisible and subtler forms of violence, e.g. sexist language and sense of humour, sexualised representations of women in the media, and discrimination (e.g. Bonura, 2016, p. 82; Burgio, 2020, p. 223). It is thus made visually

apparent how the problem with VAW lies not only in the visible violence as such but in all the social and cultural elements (visible or not) which ensure its symbolic extension⁷ (Oddone, 2020, p. pos. 90).

As to the model portraying a continuous line, on one end of the spectrum there is physical aggression, while on the other end there is symbolic violence (Scheper-Hughes et al., 2003, cited in Oddone, 2020, pos. 547). According to the authors, the former is considered an extraordinary and pathological exception, an anomaly; the latter is made invisible through a normalisation process (2020, pos. 563). This normalisation process has also been described by Bourdieu (2014); it involves natural differences generally used to explain (and legitimise) social differences. Differences, being something “natural”, then become “inevitable” (Bourdieu 2014, p. 16) and invisible. From here, inequality arises – providing the foundations for VAW (Oddone, 2020, pos. 4716).

Statistical data as to VAW shows that 31.5 % of Italian women have been victims of physical or sexual violence and 16.1 % of stalking; the most violent crimes are perpetrated chiefly by current or former partners (62.7 %) (Istat, 2015)⁸. Interesting quantitative elements emerge when considering killings of both men and women: data show that the overall number of victims has been steadily decreasing since the 1990s. Yet, this is primarily true when dealing with male victims: in 1992, 3.95 of every 100,000 men were killed; in 2020, the number sank to 0.46. According to Istat (2019, p. 2), this trend mirrors a dramatic decrease in mafia-related killings. When considering female victims, the reduction within the same time frame is from 0.64 to 0.29 (Istat, 2020⁹). That is, the hard core of crimes against women did not share the same overwhelming progress. Judge Di Nicola Travaglini and Prosecutor Menditto have pointed out several similarities between VAW and the mafia criminality of the 70s-80s, e.g.

⁷ By symbolic extension, a reference is drawn (in Bourdieau’s terms) to a form of social power that is exercised through the imposition of meanings, values, and cultural norms, often without the use of physical force. It is a subtle, invisible form of domination that shapes individuals’ perceptions, behaviours, and beliefs to reinforce existing power structures.

⁸ At the time of writing, Istat has carried out two far-reaching studies on VAW, one in 2006 and one in 2014. Only physical and sexual violence are considered. More information is available at: <https://www.istat.it/statistiche-per-temi/focus/violenza-sulle-donne>

⁹ The graph visually depicting this information can be found at: <https://www.istat.it/statistiche-per-temi/focus/violenza-sulle-donne/il-fenomeno/omicidi-di-donne/>

the fact that it struggles to be effectively recognised by authorities, the vital role played by families and how violence is perceived as something normal, including the code of silence surrounding it. A substantial cultural shift is needed (2020, p. XII) if the situation is to be changed. As to the mafia, this took place massively in the 90s; as to VAW, the problem is more complex, as it involves a culture lasting a couple of millennia, not a couple of centuries. Data support these statements; considering only the timeframe during which this research was carried out, the number of women being killed every year is relatively stable - as Table 2 illustrates. A difference is made between general killings (e.g., women murdered during a robbery) and femicides (i.e., women being killed based on their gender).

	2020	2021	2022	2023	2024
Killings of women	116	119	126	117	100 ¹⁰
Estimated femicides	104	104	106	96	100

Table 2. Women killed in Italy during the PhD research, own elaboration based on Istat, various years¹¹. Own elaboration.

As confirmed by Istat (2024, p. 11), about 4 out of 5 killings of women take place within the immediate or extended family. This implies that while men tend to be murdered in a public space, for women, the most dangerous space is the private one. “The family is a place where power is exercised¹²”, asserts Judge Di Nicola Travaglini (2018, p. 124); this aspect is far from being trivial in that it highlights difficulties at all levels for women: interpersonal (e.g., leaving a violent situation if the aggressor is the father of the children is challenging), intrapersonal (e.g., accepting that the partner is not who the victim thought he was), and judicial (e.g., fear of not being believed, also because VAW is often perceived as a private and not a public problem). This fear is one of the reasons behind the low percentage of victims filing official

¹⁰ At the time of this writing, Istat has not disclosed the number of women killed and of femicides in 2024. The number is the most recent from a reliable source, namely Osservatorio Diritti, an NGO focussing its work on human rights.

¹¹ As reported by Di Nicola Travaglini & Menditto (2024, p. 258), various bodies, such as the Ministry of the Interior, the Ministry of Justice, EURES, and NGOs, collect data on femicide in Italy. Therefore, these data should be taken with caution.

¹² In Italian: “La famiglia è un luogo di esercizio del potere”, own translation.

legal complaints, i.e. generally speaking, about 10 % (Di Nicola Travaglini & Menditto, 2020, p. 1), with Italy being one of the EU countries with the lowest level of legal complaints (Di Nicola Travaglini & Menditto, 2024, p. 4). Considering femicides in the years 2017 and 2018, it is shocking to see that 15 % of victims had filed an official complaint before the murder: 58.6 % of them filed more than one, and 34.5 % had filed three or more (Di Nicola Travaglini & Menditto, 2024, p. 7). Yet the femicide took place. Obviously, something is not working. At a judicial level, Di Nicola Travaglini & Menditto (2024, p. XI) also report the following obstacles: “the fear of social stigma and the prejudicial consequences of reporting, the cultural perception that only men (and not women) have rights, and finally, the certainty of not being believed by institutions¹³”.

Potential solutions to VAW need to work in two directions: encouraging a socio-cultural change in society and ensuring justice for victims. Education and raising awareness can save lives in the long term (Corsi, 2020, p. 167), while bringing perpetrators to justice can save lives in the short term. Regarding the socio-cultural aspect of VAW, the Istat report addressing the *Commissione Parlamentare d’Inchiesta sul Femminicidio, nonché su ogni Forma di Violenza di Genere*¹⁴ explicitly stated:

The data on homicides and femicides of the Ministry of the Interior and the long historical series of data (available since 2002) reaffirm the cultural matrix of violence and the need to define appropriate policies.

The messages from victim surveys and stereotype surveys emphasise the need to invest in training in schools and socialising environments, including through awareness campaigns. The training of professionals is essential for the prevention of secondary victimisation, the surfacing of the phenomenon and the way out from violence itself¹⁵. (Gazzelloni, 2024: 8)

¹³ In Italian: “la paura dello stigma sociale e delle conseguenze pregiudizievoli dovute alle denunce, la percezione culturale che solo gli uomini (e non le donne) siano portatori di diritti e, infine, la certezza di non essere credute dalle istituzioni”, own translation.

¹⁴ *Parliamentary Commission of Inquiry into Femicide and all forms of GBV*, own translation.

¹⁵ In Italian: “I dati sugli omicidi e sui femminicidi del Ministero dell’Interno e la lunga serie storica di dati (disponibili dal 2002) ribadiscono la matrice culturale della violenza e la necessità di definire politiche adeguate. I messaggi che derivano dalle indagini sulle vittime e da quelle sugli stereotipi sottolineano la necessità di investire sulla formazione nelle scuole e negli ambienti di socializzazione, anche attraverso campagne di sensibilizzazione e consapevolezza. La formazione degli operatori è essenziale, invece, per la prevenzione della vittimizzazione secondaria, l’emersione del fenomeno e l’uscita dalla violenza stessa”, own translation.

A public debate on education and gender roles was raised in Italy as early as 1973, also thanks to the book “On the Girls’ Side¹⁶” by Elena Gianini Belotti. Since then, however, the Italian state has implemented no systematic approach concerning education. On the contrary, effective local practices that were beneficial in the past have been dismantled with the rise of populist governments (Poggio & Celebrin, 2024). Despite the vast body of scientific literature, according to the current political landscape, schools should not deal with education on equality. Instead, families should be solely responsible for it. The fact that most VAW crimes develop within families raises serious concerns as to how effective this approach can be (Poggio & Celebrin, 2024, p. 88). Results show up in statistics about Italian teenagers¹⁷ beliefs. According to them, the following actions are not a sign of violence: touching another person without their consent (11 % of girls and 29 % of boys); kissing another person without their consent (9 % of girls and 26 % of boys); having sexual intercourse with another person without their consent (2 % of girls and 14 % of boys); moreover, 32 % of girls and 56 % of boys believe that jealousy is a sign of love (Fondazione La Libellula, 2024). This situation might appear shocking. Still, it is the natural consequence of considering VAW a private and not a public issue. Besides families, education and prevention are left to the goodwill of individual citizens and activists – e.g., teachers trying to implement special school projects or parents of victims creating NGOs to raise awareness and stop violence¹⁸. Given the actual political climate, systematic action in the field of education is not likely to take place any time soon.

Recent governments have promoted heavier punishment for dealing with VAW. Unfortunately, this measure alone is insufficient either to prevent VAW (Oddone, 2020, pos. 1628) or to solve the problem. From a legal perspective, Italy has enacted several laws against VAW. Globally, the most important international document signed and ratified by Italy is the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), a United Nations international treaty adopted as early as 1979 which defines, for the first time, the different kinds of discriminations women face. In 1993, the UN also approved the

¹⁶ In Italian: “Dalla parte delle bambine”, own translation.

¹⁷ 14-19 years of age.

¹⁸ Some examples of which are *Io Sono Giordana* - Giordana was a 20-year-old woman murdered by her ex-boyfriend in Sicily in 2015, *Associazione Albachiara* - Albachiara was a 22-year-old woman who was leaving her boyfriend, who killed her and then killed himself in Trentino in 2017; *Fondazione Giulia Cecchettin* - Giulia was a 22-year-old woman who was leaving her boyfriend, who killed her in Veneto in 2023.

“Declaration on the Elimination of Violence against Women”, defining violence against women as the manifestation of a historical inequality in the power relations between men and women. Decades later, at a European level, the Istanbul Convention was signed (2011). This document is a legally binding treaty which frames VAW as a human rights violation. At a national level, several laws were passed to support the administration of justice in GBV cases – and to enact the contents included in international treaties. Laws are formulated neutrally, yet this is fake gender neutrality (Di Nicola Travaglini & Menditto, 2020, p. 184). In theory, both victims and perpetrators can be of any gender, yet this raises significant concerns. At present, a son assaulting his father is treated the same as a husband assaulting his wife - both are categorised under the offence of domestic violence. However, these are crimes with distinct characteristics and underlying dynamics. Most notably, the former does not occur within the same systemic framework as the latter. Besides, in practical terms, data show an overwhelming presence of the standard dynamic of patriarchal heterosexual relationships: victims are women and girls, and offenders are men (Di Nicola Travaglini & Menditto, 2020, p. 2). Hiding behind supposed gender neutrality is not helping in framing the crimes for what they are (Di Nicola Travaglini & Menditto, 2024, pp. 94-96). Among the laws worth mentioning are especially Law 66/1996, modifying the definition of rape as a crime against the person (and not morality); Law 11/2009, framing stalking as a crime for the first time; Law 77/2013, implementing the Istanbul Convention; law 69/2019 (“The Red Code”), introducing new crime typologies (e.g., porn revenge), an urgent procedure for VAW crimes, heavier punishment and education for offenders, and training for armed forces. Despite such legal means, as shown, the number of violent crimes against women has been stable over the years. In addition, in 2022 alone the European Court of Human Rights condemned the Italian state five times in VAW cases because of “judicial passivity” and the use of sexist stereotypes in sentencing (Di Nicola Travaglini & Menditto, 2024, p. XII). As can be seen, the problem lies not in having an adequate legal framework but in how laws are enacted (Di Nicola Travaglini & Menditto, 2020, p. 50); socio-cultural factors interfere with the effective administration of justice.

Given the GBV situation depicted, the next step is to consider how to address the problem. On the one hand, besides educating younger generations, the need for specialised training for legal professionals also emerges (Di Nicola Travaglini & Menditto, 2020, p. 414). On the other hand, understanding what happens in the judicial sector becomes paramount. Forensic

linguistics is a tool that has all the characteristics to enable that understanding; the following section addresses how.

1.2. Forensic linguistics

GBV and VAW have been addressed from several perspectives and disciplines: sociologically, to understand the issue at a public level (e.g., Oddone 2020); psychologically, to develop a sound understanding of victims and the cycle of violence (e.g., Walker, 1979) as well as aggressors (e.g., Pence & Paymar, 1993); legally, to see if the Italian tools of jurisprudence are enough to tackle these crimes (e.g., Di Nicola Travaglini & Menditto, 2024 and 2020); from a communication perspective, to see how different narratives affect the construction of genders, thus contributing to violence (e.g., Ciccone, 2019). This section briefly introduces an overview of the discipline, providing its definitions and subfields of action. It then illustrates the connection between international and Italian bodies of literature. VAW is then presented and framed as epistemic injustice, and it is shown how forensic linguistics can counterbalance the injustice surrounding it. Finally, the last section presents the justifications for the thesis.

First, forensic linguistics is a branch of applied linguistics that deals specifically with the intersection of language and the law. This should not come as a surprise since “the law is an overwhelmingly linguistic institution” (Gibbons, 2003, pos. 53). In the international debate, two definitions can be found – a narrow and a more extensive one (Benedetti & Queralt, 2023, p. 142). According to the former, forensic linguistics refers solely to the language brought as evidence in judicial proceedings and during the investigation process. According to the latter, forensic linguistics comprises three subfields: legal language, the language used in judicial proceedings, and language as evidence (Turell, 2005, pos. 74). Each subfield involves several different genres, which are studied using various tools from applied linguistics, e.g. pragmatics, or (critical) conversation and discourse analysis. A body of sound academic literature illustrating the discipline from a general perspective (e.g., Coulthard et al., 2017; Coulthard & Johson, 2007; Garayzábal et al., 2019; Olsson, 2008; Turell, 2005) as well as from the standpoint of collecting case studies (e.g., Queralt, 2021; Heydon, 2018) already exist in the English and Spanish speaking scientific world. To the best of the researcher’s knowledge, the same cannot be said for the Italian context, where a comprehensive view of forensic linguistics appears lacking at the time of writing. Yet, this does not imply that legal and judicial language have been overlooked; studies have been conducted in each subfield, depicting a

fragmented - yet lively - image. Therefore, in the next paragraph, examples of the three subfields will be provided, trying to create a connection between the international and Italian bodies of literature: legal language, judicial language, and language as evidence.

The first sub-field is legal language. Traditionally, it has concentrated its efforts mainly on the intelligibility and interpretation of the law. Since, generally speaking, people are confronted with several legal documents in everyday life (from insurance policies to contracts, from last wills and testaments to real estate purchases), their understanding is paramount. Yet this is not always possible because of the language used – which, on the one hand, needs to be as specific as possible while, on the other hand, being as simple as possible to ensure intelligibility. This tension has been found in several studies (e.g., Alcaraz Varó, 2005; Coulthard et al., 2017, pp. 31-50; Gibbons, 2003; Stygall, 2003), and it is expressed through a series of elements which, according to Tiersma (1999), are connected, e.g., to lexical elements (e.g., the presence of technical, archaic and/or unusual words) and sentences, which are often very long and include elements such as for instance, multiple negations, and the use of the passive form. The same findings were confirmed in other studies, e.g. Gibbons (2003). In Italy, studies of this nature have followed similar paths: a shift towards the use of plain language, such as the Directive on simplifying the language of administrative texts (2002); analyses of intelligibility, such as those on indictment texts (Benevieri, 2022, pp. 47-48); or the intersection of gender and legal language (e.g., Cavagnoli, 2013).

The second sub-field dwells on the language used in judicial proceedings, when lay people officially resort to the administration of justice. This can involve oral texts (sometimes also in their official transcript form) and written ones. Oral texts (and their official transcripts) may involve different kinds of interactions, e.g. police interrogations with vulnerable witnesses and courtroom interaction, to mention a few (Correa, 2013). Such interactions are said to be asymmetrical in that legal professionals have control in terms of legal goals and conversation agendas (Coulthard & Johnson, 2007, p. 16); studies, therefore, lead in the direction of power dynamics, be it about police interviews (e.g., Heydon, 2018, pp. 41-59; Johnson, 2003), or courtroom interaction (e.g., Atkinson & Drew, 1979; Cotterill, 2003; Eades, 2010; Fernández León, 2019; Gibbons, 2005; Heffer 2005; Solan, 2003; Torres Álvarez, 2017;). As to written texts, the language used in official proceedings has also been studied, e.g. in sentences and legal decisions (Carvalho Figueiredo, 2003), instructions to the jury (e.g., Gibbons, 2003; Dumas, 2003), or the Miranda warning (e.g., Berk-Seligson, 2003) or 'cautions' (e.g., Gibbons,

2003). Professionals of the legal sector operate through a specific language, which, on the one hand, includes them in a particular group. On the other hand, it excludes all others, namely lay people (Gibbons, 2003, pos. 493) – bringing about several different consequences. In Italy, this field has been known as “judicial linguistics¹⁹” and has been studied primarily to contextualise and describe the characteristics of this institutional communication in oral/transcribed interaction. The main reference is Bellucci (2005); other scholars have also focused on this subject (e.g., Benevieri, 2022; Gnisci & Pace, 2016; Gnisci & Pontecorvo, 2004). In rulings, one interesting study (albeit more from a sociological perspective, grounded on lexical items) is by Saccà (2021).

The third sub-field of forensic linguistics is the language used as evidence. This type of language has apparent differences when compared with the other two. For one, it involves the analysis of language samples that were not meant for legal proceedings and mostly took place in a lay context, be it orally or through a written medium. Several crimes can be carried out solely through language, e.g., bribes, threats, extortion, and perjury (Gibbons, 2003, pos. 3169); in other cases, linguistic evidence can support the discovery of the truth. A typical example would be authorship analysis (e.g., Coulthard et al., 2017, pp. 151-173; Garayzábal et al., 2019, pp. 59-82), e.g. in cases of “abusive emails, threatening tweets, ransom notes, blackmail or extortion letters, falsified suicide notes, or text messages sent by a person acting as someone else” (Coulthard et al., 2017, p. 151). This kind of analysis helps establish the likelihood of whether a person has effectively written the text or not. Yet several other crimes can benefit from the discipline; numerous examples can be found in Shuy (2014; 2012; 1996). At the time of this writing, to the researcher’s best knowledge, no scientific study has been published on language as evidence when considering the written medium in Italy. As to oral texts, studies have been carried out by Labfon²⁰ (Calabria University) and other authors, focussing extensively on judicial and legal transcription (e.g., Orletti & Benevieri, 2023; Orletti & Mariottini, 2017; Romito & Ciardullo, 2015; Romito & Frontera, 2017) and the training of professional experts in this field (Romito, 2013). It should be noted that this latter subfield is the only one currently using the label of “forensic linguistics” within the Italian context.

¹⁹ In Italian, “Linguistica giudiziaria”, own translation.

²⁰ *Laboratorio di Fonetica*, Phonetics Laboratory – own translation.

Forensic linguistics is thus a complex and multifaceted discipline that can be applied in various crimes and judicial situations but whose inputs can also make a substantial difference when focusing specifically on VAW, as this thesis describes. As illustrated in the previous section (1.1.), one of the main reasons for victims not to resort to official institutions for protection and justice is stereotypical thinking in that they fear they will not be believed. Consequently, only a few aggressors are brought to justice. Even when they are, conviction rates are low (Council of Europe, 2019, p. 69) – thus contributing to the idea that reporting violence to the police is useless. This picture is a vivid example of an injustice, which, rather than being an exception, has unfortunately become the norm – at least within the Italian context (as illustrated in the examples in Section 1). As the forensic linguists Conley and O’Barr state, “Justice is contingent, and the critical contingencies are such categories as gender, race, and class. What has been missing from much sociolegal research, in our view, is a detailed explication of what injustice looks like as it happens” (2005, p. 130). Switching lenses from justice to injustice can bring about an interesting paradigmatic shift.

This can be done by framing VAW within the theory on epistemic injustice developed by Fricker (2007) and showing how forensic linguistics can bring its contribution to redress the problem. According to Fricker, there are two forms of epistemic injustice: hermeneutical and testimonial injustice; both can be observed in VAW. Hermeneutical injustice occurs when a gap in the collective resources to interpret a situation disadvantages one of the parties involved. Considering VAW, an example might be sexual harassment at work. Before this behaviour was framed as a crime, women were struggling to understand, describe, report it and, consequently, to achieve justice. Before being socio-legally coded, harassment was seen as a wrong and harmful by its victims but as innocent flirtation by the aggressors. There was no frame for this wrongdoing, and victims did not have the tools to understand fully what was happening (Fricker, 2007, p. 155). Over the years, several GBV crimes underwent this process: e.g., rape in marriage, which was not considered rape; stalking, which was seen as love – perhaps too passionate, but love; or femicide itself. In Italy, femicide is not legally coded as a crime, even if it is to be hoped that this will change (Di Nicola Travaglini & Menditto, 2024, p. 254). At least, having the socio-cultural category helps in understanding the reasons why mainly women are murdered. When these socio-legal categories do not exist, victims experience a hermeneutical injustice in that there is a gap in interpreting a criminal situation – and, consequently, in addressing it.

Testimonial injustice is even more helpful in framing VAW and its impact on the approach connected to forensic linguistics in this research. It involves a wrong done to someone in their capacity as knowers. It consists of an interaction between individuals: in the economy of credibility, one of the actors experiences a higher amount of it (i.e., an excess of credibility), while the other experiences a lower amount of it (i.e., a credibility deficit). The reasons behind this unequal situation lie in social and identity power, often influenced by stereotypical thinking. When dealing with VAW within the frame of epistemic injustice, gender is seen as both an example of social power (2007, p. 9) and an “arena of identity power” (2007, p. 14). Both can be exerted by an individual agent or can be a structural part of society. Fricker defines the former as “a practically socially situated capacity to control others’ action” (2007, p. 13), while the latter focuses on the individual and how they are perceived. Within a testimonial exchange, both powers achieve different results depending on the actors involved; that is, credibility is interactive (Medina, 2011, p. 18). An example can be found during courtroom interaction – one of the subfields of forensic linguistics. The credibility differentials are in place before witnesses’ testimonies are taken (Medina, 2011, p. 23); the author reports an example from the novel “To Kill a Mocking Bird”. Here, white women are perceived as more credible than Afro-American men; yet white men are perceived as more credible than white women (Medina, 2011, p. 23) – following stereotypical threats as identified by Saul (2017, p. 37). These lenses help in reading the legal and judicial context, where

opportunities for epistemic injustice abound (...) because our institutions and ourselves are not up to the challenges of understanding the experiences of others in difficult situations foreign to our own and because we remain unaware of the role that unexamined prejudice and bias play even in our best efforts to be impartial. (Sullivan, 2017, p. 293)

Similarly, in VAW cases brought to court in Italy, it can be seen on one hand how male aggressors may not only experience an excess of credibility (as mentioned in Di Nicola Travaglini & Menditto, 2024, p. 76) but are also protected by a system that states how their right not to self-incrimination prevails during the process. When they take the witness stand (which they seldom do), it is only to provide their version of the story, which is supposed to have no legal consequences. Victims, on the other hand, may incur a deficit of credibility (as mentioned in Di Nicola Travaglini & Menditto, 2024, p. 76) – to be believed, they need to correspond to socially imposed models (Bigotti, 2020, p. 112) and stereotypes as to what a victim is and how a victim acts (Di Nicola Travaglini, 2018, pp. 134-161) – otherwise,

victimhood can be denied. This tends to happen when dealing with GBV crimes, e.g., sexist stereotypes are easily found in Italian sentences (Benevieri, 2022, p. 126). Lawyers also use them within VAW cases to defend aggressors. In cases of rape, for example, victims may be portrayed as having invited the rape (Gibbons, 2003, pos. 1391), and they can be asked questions about their sexual life (Gibbons, 2003, pos. 2735) despite the different laws on rape shields. In forensic linguistics, Gibbons (2003) speaks about lawyers needing to control both the information and the person (witnesses). Therefore, their work consists of either discrediting the content of what witnesses say or discrediting witnesses themselves. The former is called an attack on ‘testimony’; the latter is an attack on ‘credibility’ (Gibbons, 2003, pos. 1215). In Fricker’s terms (2007, p. 45), they attack the epistemic trustworthiness of witnesses, namely their competence and sincerity. Yet victims’ testimonies in court are considered evidence, and as such, they are a crucial element in trials (Di Nicola Travaglini & Menditto, 2020, p. 153). Indeed, the victim’s testimony is often the only evidence (Di Nicola Travaglini & Menditto, 2024, p. 214). Even though, legally speaking, victims are supported by the presumption of truthfulness (Di Nicola Travaglini & Menditto, 2024, p. 215), the testimonial trustworthiness is questioned: “trust that she knows what she is talking about, trust that she is sincere, and potentially much more” (Hawley, 2017, p. 72). It comes as no surprise when this evidence is taken away. How this is done linguistically is a relevant factor that this thesis sheds light on. Consequences at a judicial level are numerous and have been highlighted in Section 1.1. Legal professionals (e.g., judges) can attribute to themselves an excess of credibility and act from this premise (Medina, 2011). In these cases, language as evidence can support overcoming personal biases and stereotypes in court by bringing sound scientific evidence which supports victims’ statements. This research also has a section dedicated to this topic. In terms of epistemic injustice, Sullivan (2017, p. 295) has highlighted different ways to fight epistemic injustice in trials, the first one being detecting the practices that can mitigate the effect of biases and stereotypes. In this thesis, forensic linguistics has been used precisely to this end.

“Durable epistemic injustices are kept in place thanks to social and cultural support that spans across generations”, states Medina (2011, p. 24); as shown, forensic linguistics can counterbalance a situation of injustice. On the one hand, it can support judicial proceedings

so that victims do not suffer (too much) secondary victimisation in court²¹, thus trying to redress a situation of testimonial injustice. On the other hand, it can contribute by bringing sounder evidence to VAW cases, hence supporting the victim's narrative from a scientific perspective and preventing testimonial injustice. These are the main elements of this research; in the next section (1.3.), justifications are deepened.

1.3. Justifications

Testimonial injustice in VAW cases is based on prejudices that forensic linguistics alone cannot eradicate. A cultural change is needed, as stated also within epistemic injustice (e.g., Saul, 2017, p. 241). Yet, it can undoubtedly contribute to redressing the situation. Section 1.1. highlighted the problem of VAW in Italy and the changes that need to be made. Section 1.2. presented the discipline of forensic linguistics and how it can benefit the administration of justice in VAW cases — framed as epistemic injustice. This section provides justifications, both from a social and an academic perspective.

To begin with, if the point is about credibility, the first possible way to redress epistemic injustice is to learn more about how it is carried out within the judicial sector. Detecting how crimes are narrated, understood, and dealt with is essential to improve justice administration and prevent secondary victimisation. This can be done by deepening linguistic studies of judicial proceedings, whether police interviews or courtroom interactions. Once scientific studies in the field are carried out, they can also be used to train legal professionals, thus improving the experience victims go through – and, eventually, the administration of justice. Contrary to the international literature, studies in Italy appear fragmented in this field. Thus, the current research aims to bridge this gap, bringing international and Italian studies closer together.

Furthermore, if victims are not fully believed due to stereotypes and false biases, evidence can speak for them. Forensic linguistics can support the investigative process (e.g., Queralt, 2023). It can also provide sounder evidence, thus reinforcing the testimony of the victims. Here, the subfield of language as evidence applies; when forensic linguistics analysis is paired

²¹ According to Di Nicola Travaglini & Menditto (2024, p. 423), “The judicial process itself is victimising” (in Italian: “Il percorso processuale è di per sé vittimizzante”, own translation).

with other disciplines (e.g., psychology), a complementarity of evidence appears, thus building an even sounder foundation for a legal case.

To the best of the researcher's knowledge, no scientific study has been published in the subfield of language as evidence at the time of writing; thus, this research could be the first step in addressing this topic.

Finally, as described in the previous section (1.2.), forensic linguistics as a tool can contribute to redressing the epistemic injustice currently experienced by many VAW victims during legal action against their aggressors. Given the scope of the problem in Italy, action is paramount. Considering that the current and previous political landscapes have led nowhere in terms of improvements to gender equality, it is difficult to see that change will be brought about by politicians. Therefore, actions bringing together scientific approaches, the judicial sector, and activism are greatly needed. From this perspective, this thesis hopes to make a contribution.

From an academic perspective, research in forensic linguistics has been conducted in several countries and has proved useful; extensive work is still to be performed in Italy. Thus, the present study addresses this gap and hopefully paves the way for future research. The following sections describe the research structure, including the hypothesis, goals, and theoretical and methodological approaches.

2. Research Structure

This thesis is a collection of papers accepted and/or published by internationally indexed journals between 2023 and 2025, reflecting a coherent body of research. This section starts with a comprehensive view of the hypotheses and objectives (Section 2.1.), followed by the theoretical and methodological approaches adopted (Section 2.2.). It then concludes with an overview of the thesis structure, outlining the specific criteria established by Universitat de Vic - Universitat de Catalunya (UVic - UCC) and a summary of the articles (Section 2.3.), highlighting the rigorous academic standards met throughout this work.

When designing a research project, the hypotheses and objectives (main and specific) are among the first factors to consider. Therefore, these are included in the first part of this section (2.1.). The second part (2.2.) considers the theoretical and methodological approaches adopted – and as such, it is more extensive and comprises different factors. To facilitate the reading, this part is divided into four sub-sections. The first (2.2.1.) presents considerations regarding data collection. Since the material collected and analysed contain extremely sensitive information, the project was submitted to the Research Ethics Committee of UVic-UCC, and a presentation was given in order to be granted permission to proceed (Decision n. 149/2021). Subsequently, section 2.2.2. presents the material, including how the corpus was collected and how the data were managed. Section 2.2.3. provides the method used in the analysis and the scientific journals chosen for publication. Since the research involved extensive data regarding violence, which may impact the person exposed to it, Section 2.2.4. describes some considerations regarding the researcher's well-being. Finally, Section 2.2.5. illustrates other research activities connected to the PhD project, mainly participation in a research group and presentations given, the international experiences as a visiting scholar, and the scholarships awarded connected to the research. Lastly, the third part of this section (2.3.) presents the thesis structure and highlights how GBV was addressed from a forensic linguistics perspective. It also introduces the common research line, the different analysis methods implemented, and the three articles that were produced.

2.1. Hypothesis and objectives

The overall hypothesis and goals are presented and, subsequently, specific research aims connected with each study. Table 3 illustrates the main and specific hypothesis, following the structure of this thesis as a collection of papers.

Main hypothesis	
The administration of justice in cases involving GBV and, more specifically, VAW in Italy benefits from the support of the discipline of forensic linguistics in its different subfields.	
Specific hypothesis 1	Specific hypothesis 2
Within the subfield of language used in the judicial proceedings, forensic linguistics may detect differences of treatment between complainants and defendants.	Within the subfield of language as evidence, forensic linguistics may provide sounder evidence – thus assisting both the investigative process and court decisions.

Table 3. Main and specific hypothesis. Own elaboration.

The same approach was followed regarding objectives. Therefore, a comprehensive goal is provided, followed by specific ones, depending on each subfield connected to forensic linguistics. The first article then addresses the main objective; the second article works on specific objectives 1; and the third article focuses on specific objectives 2. Table 4 describes each objective in detail, following the stance taken in the hypothesis.

Main objectives	
The main objective is to identify if, how, and to what extent forensic linguistics – specifically as the language used in the judicial proceedings and as evidence - can support the administration of justice in Italian cases involving GBV and, more specifically, VAW.	
Specific objectives 1	Specific objectives 2
<ul style="list-style-type: none"> a) Creating a homogeneous dataset on judicial proceedings (same genre), and involving accusation of the same legal violation; b) Within forensic linguistics, detecting the most helpful tools of analysis; c) Carrying out the analysis and detecting if a situation of gender asymmetry arises (i.e. a difference of treatment regarding victims and aggressors); d) If the former is the case, exploring how this is carried out. 	<ul style="list-style-type: none"> a) Creating a homogeneous dataset of private communications between aggressors and victims, involving accusations of the same legal violation; b) Within forensic linguistics, detecting the most helpful tools of analysis; c) Carrying out the analysis and exploring if a consistent linguistic pattern among aggressors can be observed; d) Exploring how emotional abuse is perpetrated linguistically.

Table 4. Main and specific objectives. Own elaboration.

The main hypothesis and objective detail this thesis's overall framework of action. Previous findings in literature have highlighted how psychological and verbal abuse come together (Walker, 1979, p. 2). Forensic linguistics focuses on language analysis, so it can help in investigative proceedings and study what happens within the justice system. With this view in mind, it might be that, on the one hand, it can provide sound language-based evidence. On the other hand, it can also support the legal professionals working in the field (e.g. police forces, judges, and lawyers). Three articles have been written to address both hypotheses and objectives.

The first one, "A Literature Review On The Role Of Forensic Linguistics In Gender-Based Violent Crimes In Italy: Supporting Legal Professionals And Providing Scientific Evidence", provides a literature review on GBV and the support that forensic linguistics has provided and could provide in the administration of justice. The focus is especially on Italy, even though

extensive research in other countries has also been considered. While meeting the main objective, the article shows the importance of working mainly in two directions: language in judicial proceedings and language as evidence. The second article, “Linguistic Analysis Of Gender Asymmetry In Courtroom Interaction Discourse: Analysis Of Questioning Strategies In Domestic Violence Trials In Italy,” after a literature review as to the language used in judicial proceedings (thus meeting the main objective), moves the focus on to the interrogation strategies used during direct and cross-examination in domestic violence trials in Italy, meeting specific objective 1. Finally, the third article: “Cyberstalking And Gender-Based Violence In Italy: A Speech Act Analysis”, addresses specific objective 2 – working on language as evidence through the analysis of a dataset including three cyberstalking cases. Before doing that, it carries out a literature review of the language used as evidence which shares the same characteristics (i.e., online private communication within patriarchal power dynamics).

Naturally, writing the three articles required several steps, which are included in the following section (2.2). This section illustrates the theoretical and methodological approaches used and includes the activities carried out to implement the research project.

2.2. Theoretical and methodological approaches

This section details every step of the research process. Several activities were developed over the last five years, as illustrated in Figure 1 (Gantt chart).

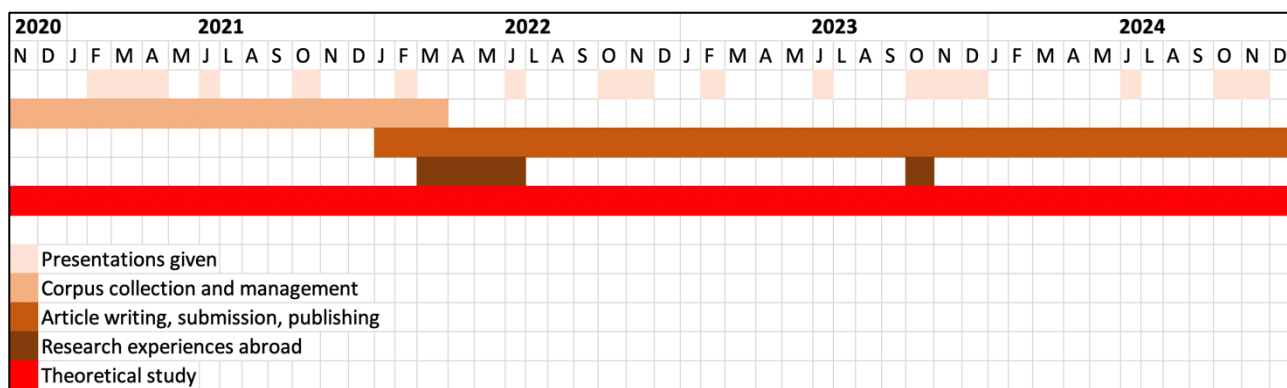


Figure 1. Gantt chart as to the research project. Own elaboration.

Firstly, work on the corpus involved different activities. Given the sensitivity of the data to be collected, ensuring participants’ privacy was paramount (Section 2.2.1). Subsequently, the material was collected, organised, and followed a rigorous anonymisation process (Section 2.2.2). Next, the analysis was carried out; simultaneously, a search was developed to find the

most suitable scientific journal to submit the findings to (Section 2.2.3). In the process, keeping an eye on the well-being of the researcher was essential, as illustrated in Section 2.2.4. Within the five years of the process, various other research activities were also undertaken, including participation in research groups, presenting the findings, and spending time abroad in international research centres: these are illustrated in Section 2.2.5.

2.2.1. Data privacy and ethics

Studying the language involved in GBV cases is unquestionably a delicate issue. First of all, having access to the material is difficult: the nature of the language analysed involves traumatic experiences that victims have endured, sometimes for years on end. Asking permission to enter such fragile moments of the victims' lives could well open old wounds. After having been granted permission, it is paramount to follow a rigorous anonymisation process to avoid any possibility of the victim being detectable from the data. This includes, on the one hand, erasing any personal details (e.g. names of the actors involved) and on the other hand, altering minor details of individual communications, so to render them completely unrecognisable (e.g. changing any reference to timing/location).

Considering all these aspects, support from the UVic-UCC Ethics Commission to carry out the research was essential. Therefore, part of the first year of activity was devoted to exploring the ethical considerations and preparing a set of documents to present to the Commission: the request to consider the project¹, the abstract and the research project and the informed consent to be signed. This latter document is formulated both in Spanish and Italian. It is divided into two parts: in the first one, information about the project is provided. This includes the description of the project and its justifications, its main and specific objectives, the consideration of possible consequences which might arise from participation in the study (risks and benefits), guarantees as to data safety, according to Italian and European privacy laws²; and inclusion of the researcher's contact details in case of questions from participants. In the second part, informed consent is sought – and signed by the three parties involved: the

¹ The documents described the original research project, which focused on the intersection of GBV violence and forensic linguistics from a slightly different perspective. Subsequently, changes were made due to the material collected and the type of analysis that could be carried out.

² Decreto Legislativo 30 giugno 2003, n. 196, "Codice in materia di protezione dei dati personali"; GDPR 679/16; d.p.r. 445/2000.

victim, her lawyer, and the predoctoral student. It is to be pointed out that an Italian lawyer carefully assessed and checked this document from a legal perspective. These documents were sent to the Ethics Commission and presented orally; permission to proceed was granted on the 23rd of March, 2021, via Decision 149/2021. The formal decision of the Ethics Commission in English and Spanish is included in the Appendix (Appendix A), and so is the informed consent in both languages (Appendix B). Figure 2 illustrates the first page of the consent in both languages.

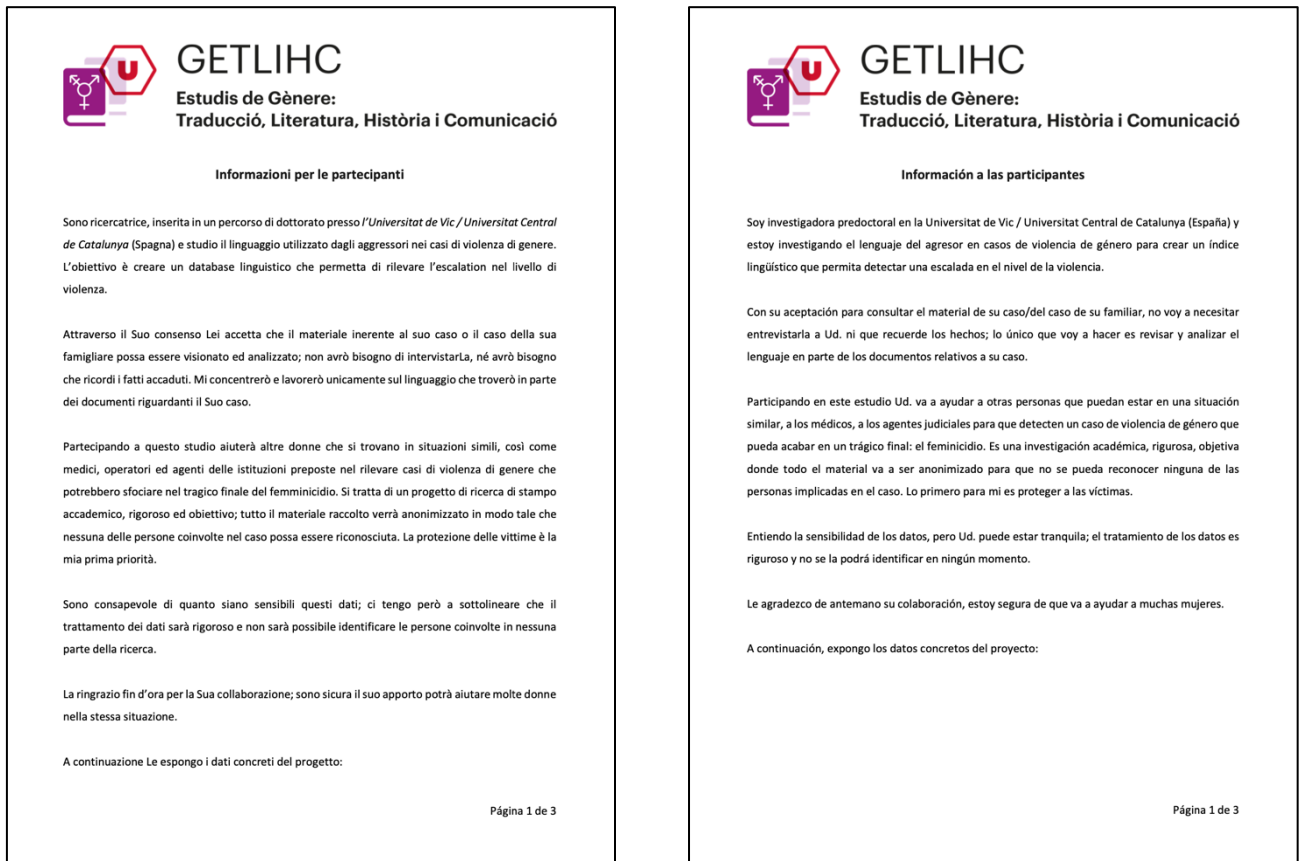


Figure 2. Informed consent, first page. On the left, the Italian version; on the right, the Spanish one. Own elaboration.

Following this process, the researcher could officially begin collecting the material, as illustrated in the next section. However, despite the anonymisation process and informed consent, the nature of the data is still extremely sensitive. For this reason, the raw data collected and used in the research cannot and shall not be disclosed in any publication, including this thesis. However, the researcher is available and can be contacted if needed.

2.2.2. Corpus collection and management

This section deals with two main elements. First, it explains how the material was collected and organised. This included creating a professional network to support the research, collecting the material, deciding how to manage it, creating a dataset for each case, detailing what documents were included, and deciding what material to analyse. Secondly, the research questions were formulated concerning the specific goals of each part of the research; subsequently, a decision was made regarding which specific material to analyse (thus guaranteeing genre homogeneity). Considering the research questions, the most useful forensic linguistics analysis instruments were identified. Then, the decision was made about which scientific journals to contact. The following paragraphs describe each step.

From the beginning of the research project (officially November 2020), the researcher began creating a professional network with GBV-specialised professionals located in different parts of Italy. Finally, this included 18 lawyers, one state prosecutor, one judge, five NGOs dealing with VAW and orphans of femicide, and the secretariat of the *Commissione Parlamentare di Inchiesta sul Femminicidio, nonché su ogni forma di Violenza Di Genere*. This database of contacts was created using, on the one hand, word of mouth - taking advantage of the snowball effect; on the other hand, online research. The former allowed contact with lawyers and some NGOs, while the latter allowed contact with the state prosecutor, the judge, the secretariat, and the other NGOs. To collect the material, some travel was necessary in different parts of Italy (e.g. Bolzano, Ravenna, Pisa), while in other cases, the material was sent via email. The phase of collecting the material started after the official decision of the Ethics Committee in March 2021; it lasted approximately a year.

At the end of this process, nine lawyers and two NGOs helped gather the material; the global corpus included 27 cases. It was subsequently divided into two sub-corpora as follows:

- 20 cases of VAW (named individually as C1, C2, C3 etc.): 17 involving ill-treatment, stalking, and rape; 2 cases of harassment in the workplace; 1 case of violence against an underage person;
- 7 cases of femicides (named C1F, C2F, C3F, etc.).

The division between the two sub-corpora was made in consideration of the gravity of femicide in comparison with the other forms of VAW. Each case included different documents. Therefore, creating a database to organise all the information regarding the available material

became paramount. The database included the following information: case number; criminal offence involved; and the presence (or absence) of the following documents:

- Private communications: of the victim, of the aggressor to the victim, of the aggressor to the witnesses, of the witnesses;
- Police reports: from the victim, the aggressors, the witnesses;
- Judicial reports from: investigators, social workers on the victims and the aggressors, the victims' and the aggressors' lawyers;
- Official declarations: of the victims and the aggressors;
- Official courtroom transcripts, with the courtroom hearings of: victims, aggressors, and witnesses;
- Judicial sentences.

Figure 3 illustrates visually how the database appears.

Case n.	GBV hypothesis of crime	Messages of the victim	Messages of the aggressor to the victim	Messages of the aggressor to witnesses	Messages of the witnesses	Letter of the aggressor	Police report with direct language of the victim	Police report with direct language of the aggressor	Reported language of the aggressor (de denuncias o declaraciones víctimas)	Police report with language of witnesses	Judicial report on facts	Social workers report on the victim	Social workers report on the aggressor	Declaration of the victim	Declaration of the aggressor	Report from the victim's Lawyer	Report from the aggressor's Lawyer	Court hearing: aggressor	Court hearing: victim	Court hearing: witnesses	Sentence	
1	violación de la privacidad, difamación, molestias telefónicas, amenaza		X				X		X	X				X								
2	malos tratos; lesiones personales; amenazas	X	X	X			X		X	X	X					X						
3	persecuciones	X	X	X		X	X		X	X	X			X								
4	violación de las obligaciones hacia la familia; malos tratos; secuestro de persona; violencia privada; persecuciones; violencia sexual; amenazas; lesiones; palizas								X					X								
5	malos tratos; violencia privada; persecuciones								X					X								
6	persecuciones								X		X		X									
7	persecuciones molestias en el lugar de trabajo, más víctimas => malos tratos								X		X		X									
8				X (IG)		X	X		X	X	X		X	X		X			X	X	X	X
9	violación de las obligaciones hacia la familia; malos tratos; persecuciones; lesiones personales; agravantes						X		X	X	X			X	X	X	X				X	Una decisión del tribunal de los menores
10	persecuciones		X				X		X		X			X - hija de la víctima y víctima también								
11	persecuciones; crimen continuativo						X		X		X											

Figure 3. Database with information on the corpus collected. Own elaboration.

Secondly, following this process, a decision had to be made concerning the research questions. The first specific goal (as detailed in Section 2.1) involved creating two homogeneous datasets to study the language of judicial proceedings and evidence, i.e. two of the subfields within forensic linguistics.

For the former, official transcripts from courtroom interactions in domestic violence cases (violation of Art. 572 of the Italian Criminal Code) were chosen. The connected research questions explore whether and how gender asymmetry can be found in the courtroom setting (i.e., a difference in treatment between complainants and defendants). The characteristics of this dataset are illustrated in Table 5.

Comprehensive dataset				
	Complainants		Defendants	
	Turn-taking	Words spoken	Turn-taking	Words spoken
Case 1	131	5,625	317	5,679
Case 2	1,360	29,136	695	16,995
Case 3	322	6,327	142	6,067
Total	1,813	41,088	1,154	28,471

Table 5. The dataset collected as to courtroom interaction. Own elaboration.

Regarding language as evidence, private online stalking communications were considered (violation of Art. 612bis of the Italian Criminal Code). The connected research question explores how emotional abuse is linguistically carried out and if common linguistic patterns among different aggressors can be detected. Table 6 presents the main quantitative features of this dataset.

Comprehensive dataset						
	Aggressors			Victims		
	Messages	N. words	N. Words per message	Messages	N. words	N. words per message
Case 1	220	2,956	13.45	33	200	6.06
Case 2	111	3,167	28.53	1	72	72
Case 3	116	2,164	18.65	37	476	68
Total	447	8,287	18.54	71	748	10.54

Table 6. The dataset collected as to online communication. Own elaboration.

It should be noted that only part of the overall corpus has been considered for analysis to meet the research goals. The material not used for this specific research project could be employed in the future to deepen other aspects related to GBV in Italy and forensic linguistics.

2.2.3. Methods

After deciding on the specific documents to analyse and the research questions, the next step was to detect, within forensic linguistics, the most helpful analysis tools related to the research questions on each dataset (second specific goal, Section 2.1).

After reviewing the literature, regarding language in the judicial process the focus of analysis was placed on the interrogation strategies implemented by lawyers, especially in direct and cross-examination. Since the aim was to investigate possible gender asymmetries, interrogation strategies implemented by complainants and defendants were compared. Whereas the analysis of interrogation strategies in connection with power dynamics has a sound bases in forensic linguistics (e.g., Adelswärd et al., 1987; Bellucci, 2005; Cotterill, 2003; Eades, 2010; Luchjenbroers, 1997; Woodbury, 1984), a broader and more specific approach was found in Archer (2005). This author builds on previous findings and places different morphosyntax questions on a continuum from most to least controlling: at one end of the spectrum, are open and closed wh- questions (e.g., *What did you do last night?*; *Who were you with?*); at the other end tagged declaratives (e.g., *You went with the defendant voluntarily, didn't you?*). Mortensen (2020) builds on this approach: while adapting the morphosyntax scale to his dataset, he compares Danish and US American court hearings. Since the comparative approach was judged helpful for the research question on gender asymmetry in courtroom interaction, the analysis builds further on this – with an adaptation to the peculiarities of the Italian language. The scientific journal chosen for this article was *Pragmalingüística* (ISSN 1133-682X; SCOPUS – SJR: 0.141 (2023) Q3 Linguistics & Language).

Regarding language and evidence, the choice was to analyse online stalking communication (cyberstalking). Previous linguistic analysis of this specific kind of communication was not found at the time of writing. However, forensic linguistic analysis of similar interactions was found in romance fraud (Carter, 2024; Queralt, 2022) and online grooming (Chiang & Grant, 2017 and 2018; Lorenzo-Dus et al., 2023). All approaches were considered for the analysis; finally, the one adopted by Lorenzo-Dus et al. (2023) was deemed the most suitable, as explained in the article. The authors implement speech act analysis (SAT;

Austin, 1962; Searle, 1969/1975), resorting to (im)politeness theory focusing on the structure of the texts while identifying different moves with different pragmatic functions. Since the research questions involved how emotional abuse is carried out linguistically and if linguistic patterns can be found, the SAT was deemed the best approach. The scientific journal chosen for the third article was *Círculo de Lingüística Aplicada a la Comunicación* (ISSN 1576-4737; SCOPUS – SJR: 0.446 (2023) Q1 Linguistics & Language).

To sum up, this research incorporates several steps: from creating a professional network, collecting and organising the material, to then deciding on the specific focus of analysis, namely courtroom interaction in judicial proceedings of online stalking communication as to language as evidence. Finally, different forensic linguistic analysis tools were assessed and chosen. The studies were then written up to be sent to appropriate and well-chosen scientific journals. A more detailed and deeper view of all the papers comprising this dissertation is provided in Section 2.3. The final two subsections focus on other relevant aspects of the overall work: considerations of the well-being of the researcher (2.2.4) and research activities (2.2.5).

2.2.4. The well-being of the researcher

Very often, “forensic linguists are confronted with occupational hazards deriving from the content they are exposed to as part of their jobs” (Giménez, et al., 2020, p. 235). Hence, it is no surprise that the discourse on their well-being is currently growing (Giménez, et al., 2020, p. 234). This is especially true when dealing with data related to GBV. This section provides a view of the stressors involved in this research, then moves on to the different effects they may have in general, depending on various factors, which are then illustrated. Then, potential ways to address the distress are presented as well as the strategy implemented by the researcher.

During this research, two kinds of contact with violence took place: the written form, by reading, coding, and analysing the material to meet the goals of the investigation, and the spoken form, through the different conversations not only with professionals and NGOs involved in the field but also with victims and the mothers of victims. Section 2.2.1. details considerations of ethics and privacy, together with the process that led to the creation of an informed consent form. As stated, the consent form displayed the researcher’s contact details; two victims of stalking and two mothers whose daughters had been killed by their former partners contacted the researcher to have more information. With regard to written

documents, the material was potentially distressing. But conversations with primary and secondary victims involved a much deeper process. Here, a balance needed to be struck between the need to gain access to the data and, at the same time, actively listening to the legitimate concerns of the victims, mixed with the story-telling of their personal experiences.

According to the literature, several consequences may be listed when dealing with distressing data, namely vicarious trauma; burnout; compassion fatigue; and secondary traumatic stress (Giménez et al., 2020, p. 235). Billings et al. (2015) define each one of these consequences. Vicarious trauma is “the cumulative effects of working with traumatized clients that may transform and interfere with the therapist’s feelings, cognitive schemas (‘world view’), memories, sense of safety and self-esteem (Hernandez, Gangsei et al. 2007; McCann & Pearlman 1990; Pearlman & Saakvitne 1995, cited by Billings et al., 2015, p. 22). With burnout, authors refer to “a collection of symptoms, including feelings of hopelessness, failure, apathy, having an alienated and uncaring, cynical attitude toward clients; exhaustion; and feeling overburdened by workload (Pross 2006, cited by Billings et al., 2015, p. 22). Compassion fatigue is described as “the convergence of traumatic stress, secondary traumatic stress and cumulative stress/burnout in the lives of helping professionals and other care providers” (Dunkley & Whelan 2006; Figley 2002, cited by Billings et al., 2015, p. 22). Secondary traumatic stress is “the emotional distress experienced by persons who have direct contact with those who show symptoms of post-traumatic stress disorder (PTSD). This may refer to family members and others directly involved in the care of persons with PTSD” (Jenkins & Baird 2002; Nelson 2003; Salston & Figley 2003, cited by Billings et al., 2015, p. 22).

According to Elstein & Kredens (2023), suffering such consequences (or not) and to what extent depends mainly on three factors: exposure to data, the working environment, and personal circumstances. Within this research, exposure to data could not be helped. The most that could be done was to limit the time spent analysing it. As to the working environment, remote support by thesis directors was always present. Yet, the conditions in which the research was carried out (at a long distance, with the first two years spent amidst the COVID-19 crisis with its limitations on social gatherings) made it difficult to receive proper support from the research community. Therefore, in the development of the current work, personal circumstances – i.e., what happens in the individual’s inner and outer world - were primarily explored and used to cope healthily with violence. When considering the outer world, any event that alters the researcher’s balance and impacts their lives (e.g., the COVID-19

emergency) and their mental health (besides the research itself) is considered. By the inner world, the elements affecting the researcher to be considered are empathy, age and experience, lack of training, gender, own personal history of violence and/or mental health problems, wanting the research to make a difference, and feelings of guilt and discomfort (Billings et al., 2015, p. 8). In particular, according to the literature, the presence or absence of these specific elements may affect the researcher's mental health negatively or positively. It is relevant to point out that the lack of appropriate training as an essential factor has been explicitly stressed also in forensic linguistics (Elstein & Kredens, 2023, p. 66). Analysing personal strengths can help raise awareness of the resources that may be used when dealing with violent data.

Trying to prevent distressing situations and working on them are both likely scenarios when considering personal circumstances (especially the inner world) and dealing with the research. According to Van der Kolk (2014), the essential element is to integrate the traumatic event within the life of the person involved. To do this, different elements may be considered: cognition (i.e., the thoughts the researcher has), emotions (i.e., what feelings are triggered), and body (i.e., how is the body reacting to the experience). Under this view, some instances of practical tools to deal with a (potential) traumatic experience are psychological therapy (cognitive level - Van der Kolk, 2014, p. 211), art, music and dance (emotional level - Van der Kolk, 2014, p. 242); yoga (physical level - Van der Kolk, 2014, p. 263). A key element is keeping an open and curious mind as to what is happening (Van der Kolk, 2014, p. 273). Choosing one level is merely an indicator of personal preference since all levels are supportive in a distressful situation - i.e., there is no absolute best, only what is best for the individual (Van der Kolk, 2014, p. 4).

When carrying out the research activities, the researcher followed and integrated different approaches related to personal circumstances to prevent distress and, at times, deal with it, too. From personal experience, yoga, meditation, and breathwork were the most helpful instruments used by the researcher. These tools aim to bring awareness to the present moment, recognising what is happening to cognition, emotions, and the body from a holistic perspective (Desikachar, 1997). Observing what occurs in a specific moment builds a distance between the self and actions (Desikachar, 1997, p. 113). Ultimately, this distance proved to be the most effective tool for preventing the potential psychological distress involved in the research.

2.2.5 Research activities

Several activities were carried out as part of the research: participating in research groups, presenting various parts of the work in different contexts, visiting international research centres and preparing the necessary documents to secure financial support. The following paragraphs illustrate these factors.

The author was involved in the *Grup d'Estudis de Gènere: Traducció, Literatura, Història i Comunicació (GETLIHC)*³ (2021 SGR 399) at UVic-UCC. Professor Pilar Godayol coordinates the international group, which meets three times a year (usually in October, March, and June). The researcher had the opportunity to encounter the different projects carried out by the different members of the group and to meet its international scholars and academics, thus enhancing my professional network. Moreover, several presentations (minimum once a year) were given to provide the group with an updated view of the state of the art of the research project. These presentations paved the way for other presentations to be given, including outside UVic-UCC, i.e. in April 2021, in a seminar organised by the *Laboratorio SQ-Lingüistas Forenses*⁴; in November 2023 and November 2024, at the annual conference organised by the Germanic Society of Forensic Linguistics. As illustrated in the following paragraphs, other presentations were given during the periods spent abroad as a visiting scholar.

Besides participating in conferences and research groups, time was devoted to visiting international research centres and finding scholarships to support the research financially. The first experience as an international scholar was at the Centre of Interdisciplinary Gender Studies, Innsbruck University (Austria). This activity was carried out in person (from March to July 2022) and then online and in person until December 2023. Two Catalan foundations granted financial support for the first part of the research: *Fundació Universitaria Balmes* and *Fundació Antiga Caixa Manlleu*. When present, the time was spent in observation – carrying out the personal research project while at the same time learning how a research centre works. The Centre comprises several research groups working on gender studies from different perspectives. As a visiting scholar, the researcher had the opportunity to participate in the meetings of the working group and the whole centre, too. The latter meetings are held

³ *Gender Research Group: Translation, Literature, History and Communication*. Own translation.

⁴ *SQ Forensic Linguistics Laboratory*. Own translation.

twice a year (*das Sommer- und HerbstKolloquium*⁵) and are a chance for the research groups to present activities carried out and future plans. Professional connections were thus established with international scholars and professors dealing with gender studies from various disciplines: besides linguistics, also philosophy, ethnography, history, and educational sciences. This variety of approaches brought an improved and more profound understanding of the power dynamics in GBV. In the second part of the experience, the researcher had the opportunity to participate in online seminars and events while travelling to Innsbruck on specific occasions. From July 2022 to December 2023, two presentations were given in the bachelor and masters classes of applied linguistics of the University, and two talks were also presented in specific workshops organised by the research groups. Subsequently, the researcher kept in contact with the Centre. In June 2024, another presentation was held during an event called “*Das kleine Kolloquium*”, a smaller version of the more comprehensive research group meeting.

The second experience as an international scholar was at the *Centro di Ricerca Grammatica e Sessismo*⁶ at Tor Vergata University (Rome, Italy). This activity developed during the month of October 2023; *Fundació Universitaria Balmes* provided the researcher with a second scholarship. This second experience as a visiting scholar was more time-constrained but by no means constrained in the richness of the inputs found. During the period in Tor Vergata, on the one hand, the researcher had the chance to connect with established professors working in law and linguistics. On the other hand, it was also possible to meet activists and social workers from different social organisations – particularly an anti-violence centre and an NGO working with men on the topics of masculinity and identity. Within this context, a presentation on forensic linguistics was held for the research centre within a course open to the general public, and another presentation was held for the bachelor’s degree. Also in this case, contacts were kept by the researcher, and a third presentation was held after the end of the period – namely, in December 2023: this was a lecture for doctoral law students on forensic linguistics.

To conclude this section, it is important to highlight that in addition to the financial support received by *Fundació Universitaria Balmes* and *Fundació Antiga Caixa Manlleu*, the

⁵ *Summer and Autumn Talks*. Own translation.

⁶ *Research Centre on Grammar and Sexism*. Own translation.

Autonomous Province of Trento awarded the research three scholarships covering the annual university fees for the academic year 2021/2022, 2023/2024, and 2024/2025.

2.3. Structure of the thesis

The previous sections introduced the hypothesis and objectives of the research (Section 2.1.), as well as the material collected and the analysis carried out (Section 2.2.2). This section combines these two sections and within the broader context of the thesis. First, the University rules and regulations to be met in a thesis as a paper collection are introduced. Then, the overall structure is provided, followed by a detailed description of each article: its meaning within the research hypotheses and the goals, the underlying research questions, the material and the methods used, results achieved, and the publishing journal. At the end of this section, the way is paved for the published and accepted articles introduced in Section 2.1. to be presented.

To begin with, according to the rules and regulations of UVic-UCC, for a thesis as a collection of papers to be considered valid, it needs to fulfil the following criteria:

- To have a minimum of three published or accepted articles in the same line of research, two of which must be indexed in Journal Citation Reports (JCR - Clarivate), which includes the Science Citation (SCI), Social Science Citation Index (SSCI) and the Arts Humanities Citation Index (AHCI) and/or the Scimago Journal Rank (SJR- Scopus) (...);
- At least the two articles in the thesis with the best indexing need to have been published or accepted for publication within a maximum of four years before the submission of the thesis;
- The co-authors of the articles may not form part of the thesis examining board, nor can they be considered as evaluators;
- Whenever possible, the articles should state the doctoral student's link with the UVic-UCC, either through the affiliation of the thesis director or of the PhD student, or in the acknowledgements or a footnote, with the expression "This work has been carried out within the framework of the doctoral programme in... at the Universitat de Vic/Universitat Central de Catalunya" or similar;
- The thesis shall include, in addition to a copy of published works, a general introduction where the work is presented and the thematic unity of the thesis is justified, as well as the coherence of the collection of papers included in the doctoral dissertation. A global summary of the achieved results, the discussion of these results and the conclusions shall also be included;

- Any other requirements that may be established by the Academic Committee for the Doctoral Programme (CAPD)⁷. (UVic-UCC, 2020, p. 16)

The following paragraphs illustrate how all criteria have been met. The study's hypotheses stated that the administration of justice in cases involving GBV in Italy could benefit from the support of forensic linguistics. Such support could manifest both in the judicial proceedings and in language as evidence. Therefore, the general structure of the thesis needed to implement the following steps:

- first of all, carrying out due diligence as to previous literature findings in the field of GBV and forensic linguistics, and when possible, within the Italian context;
- within this context, first carrying out the analysis of the language in the judicial proceedings – namely, the analysis of courtroom interaction;
- then, within this context, analyse the language of the judicial proceedings brought as evidence in stalking cases.

The three steps were designed to meet the main objective of this thesis, namely identifying if, how and to what extent forensic linguistics can support the administration of justice in Italian cases involving GBV and, more specifically, VAW. Table 7 illustrates the final structure of the thesis.

⁷ In Spanish: "Tener un mínimo de tres artículos, publicados o aceptados, sobre la misma línea de investigación, dos de los cuales indexados en el Journal Citation Reports (JCR), que incluye el Science Citation Index (SCI), el Social Science Citation Index (SSCI) y el Arts Humanities Citation Index (AHCI), y/o Scimago Journal Rank (SJR)(...); que como mínimo los dos artículos de la tesis con mejor indexación hayan sido publicados o aceptados para su publicación como máximo en los cuatro años anteriores a la presentación de la tesis; los coautores de los artículos no pueden formar parte del tribunal evaluador de la tesis, ni pueden ser tomados en consideración como evaluadores externos de la tesis; que, siempre que sea posible, en los artículos conste la vinculación del doctorando con la UVic-UCC, o bien a través de la filiación del director de tesis o del doctorando, o bien en los agradecimientos, o en una nota a pie de página, con la expresión «Este trabajo ha sido realizado en el marco del programa de doctorado en... de la Universidad de Vic - Universidad Central de Cataluña», o similar; que, además de una copia de los trabajos publicados, la tesis contenga una introducción general en la que se presenten los trabajos y se justifique la unidad temática de la tesis, así como la coherencia del compendio de artículos que se ofrecen en este formato de tesis doctoral, y que incluya un resumen global de los resultados obtenidos, de la discusión de estos resultados y de las conclusiones finales; los requisitos que pueda establecer a tal fin la CAPD", own translation.

Forensic linguistics and GBV in Italy	
<p>Article 1</p> <p>“A Literature Review On The Role Of Forensic Linguistics In Gender- Based Violent Crimes In Italy: Supporting Legal Professionals And Providing Scientific Evidence”</p> <p>Journal: <i>Revista de Llengua i Dret / Journal of the Language and the Law</i></p>	
Language in the judicial proceedings	Language as evidence
<p>Article 2</p> <p>“Linguistic Analysis Of Gender Asymmetry In Courtroom Interaction Discourse. Analysis Of Questioning Strategies In Domestic Violence Trials In Italy”</p> <p>Journal: <i>Pragmalingüística</i></p>	<p>Article 3</p> <p>“Cyberstalking And Gender-Based Violence In Italy: A Speech Act Analysis”</p> <p>Journal: <i>Círculo De Lingüística Aplicada A La Comunicación</i></p>

Table 7. Thesis structure. Own elaboration.

“A Literature Review On The Role Of Forensic Linguistics In Gender- Based Violent Crimes In Italy: Supporting Legal Professionals And Providing Scientific Evidence”, is the first article of this thesis. As the title suggests, it is a literature review on the intersection between GBV and forensic linguistics, primarily focusing on the Italian context. Firstly, an overview of the discipline of forensic linguistics is provided alongside its subfield of study, namely language and the law, language in judicial settings, and language as evidence. Then discourse analysis within forensic linguistics is considered, focusing on the linguistic samples arising from the legal proceedings (e.g., victim statements to the police) and from the lay world, which may be helpful in the investigation (e.g., letters written from the aggressor to the victim). Especially in this latter case, knowing the context and dynamics of GBV becomes paramount to understanding the interaction. Therefore, a section of the article is devoted to this factor. Two psychological models used to train social workers and volunteers dealing with victims of GBV (mostly VAW) are presented, namely the cycle of violence (Walker, 1979) and the power and control wheel (Pence & Paymar, 1993). Finally, these two factors are brought together, concluding that, on the one hand, forensic linguistics can be used to support legal professionals working in this field (police, lawyers, and judges); on the other hand, it can help when considering language as evidence (focusing on linguistic elements which assist in

detecting manipulation of reality, coercion and threats). Conclusions drawn from this article are consistent with both the hypotheses and the goal of detecting if and how forensic linguistics may be an effective tool to support the administration of justice. This article was written by the researcher together with one of the thesis directors. It was published in 2023 in the academic journal *Revista de Llengua i Dret, Journal of Language and Law* (ISSN 2013-1453; SCOPUS – SJR: 00.207 (2023) Q2 Linguistics & Language). The journal is published twice a year, in June and December; given its strong focus on the intersection of linguistics and the law, it was deemed the most suitable journal for submission. As illustrated in Section 2.2.5, this article was presented at Innsbruck University (lecture for bachelor and Master students) and at Tor Vergata University (open course). At the time of writing⁸, the article has been downloaded 104 times and cited 4 times in international indexed journals. The first article paves the way for the other two: On the one hand, direction is given regarding the language used in judicial proceedings. The goal is to support legal professionals in their work by providing a sound scientific analysis. On the other hand, language is provided as evidence to support the investigative process and the assessment of the crime.

The second article is titled: “Linguistic Analysis Of Gender Asymmetry In Courtroom Interaction Discourse. Analysis Of Questioning Strategies In Domestic Violence Trials In Italy”. It comprises a dataset with three cases of domestic violence (violation of Art. 572 of the Italian Criminal Code) brought to court; complainants (the alleged victims) and defendants (alleged aggressors) each witnessed in four hearings. This paper answers addresses if and how gender asymmetry affects the way domestic violence is dealt with. Gender asymmetry is defined as a difference in treatment between the two parties (despite the apparent different roles they play in the process). The article opens with a literature review of previous studies on courtroom interaction in general. It then narrows its focus on direct, cross, and re-examination in the Italian legal system, considering questioning strategies. Given the power dynamic at play in this arena, a section about power and control and gender asymmetry in the courtroom follows. Having thus set the context within which the analysis takes place, the data collected and the method are illustrated. The study carried out is both quantitative (number of turn-taking, words spoken, average words spoken per turn, questions asked) and qualitative (the analysis of the morphosyntax of question forms in relation to the power and control

⁸ January 2025.

continuum), following Archer (2005) and Mortensen (2020). It draws a comparison between complainants and defendants. Results are promising: both from a quantitative and a qualitative point of view, a situation of gender asymmetry may be said to exist. From the quantitative perspective, complainants are asked to speak more than defendants in actual terms (839 turns versus 566, and 25,308 words uttered versus 19,573). Yet, they participate the least in the interaction in proportional terms (46.28 % of turn-taking versus 49.05 %; and 61.59 % of words uttered versus 68.65 %). In cross-examination, complainants are asked more than twice as many questions of defendants (632 and 278; that is, 69.45 % and 30.55 %, respectively). From a qualitative perspective, defendants are asked more controlling questions in general (54.34 % versus 50.42 %) and during direct examination (65.25 % versus 51.09 %). The situation is reversed in cross-examination, where more controlling questions are asked of complainants (56.96 % versus 46.76 %). The paper ends with considerations regarding the study's limitations and future directions which could be taken. It was published in 2024 by the scientific journal *Pragmalingüística* (ISSN 1133-682X; SCOPUS – SJR: 0.141 (2023) Q3 Linguistics & Language). The journal is published annually, and it was chosen because its main objective is the dissemination of studies in the research areas of theoretical and applied linguistics as well as discourse. This article was presented at the conference organised in 2023 by the German Society of Forensic Linguistics and in 2024 at Innsbruck University. At the time of writing⁹, the article has been downloaded 41 times.

The third article deals with language as evidence with a focus on cyberstalking (violation of Art. 612bis of the Italian Criminal Code). It is entitled “Cyberstalking And Gender-Based Violence In Italy: A Speech Act Analysis” and the research explores how emotional abuse is carried out linguistically and to what extent linguistic patterns among different offenders may be found. To provide an answer, firstly, an introduction to stalking and cyberstalking in Italy is provided. In the second section, a review of the current discussion on the definition of cyberstalking is dealt with, clarifying the author's stance. Then, the focus is narrowed to GBV and the language in evidence: from a narrative perspective, language in GBV cases has been studied across several disciplines – e.g., applied linguistics, sociology, communication, and psychology. They are all taken into consideration to clarify how GBV is framed. Subsequently, the discipline of forensic linguistics is considered, highlighting how, in GBV cases, it has been

⁹ January 2025.

a helpful tool in judicial settings and in providing sound evidence. Within this general framework, a specific section provides a literature review on similar crimes involving cyberviolence and forensic linguistics. Here, other online crimes affecting victim-aggressor online interaction are considered, i.e. romance fraud (Carter, 2024; Queralt, 2022) and online grooming (Chiang & Grant, 2017 and 2018; Lorenzo-Dus et al., 2023). After considering the different approaches, the direction of the current study is provided. Then, the data and method of the study are illustrated, finally building on Lorenzo-Dus et al. (2023), who carried out their analysis according to Speech Act Theory (Austin, 1962; Searle, 1969/1975). When presenting the data collected, information related to age, place of birth, duration of the online communication, and number of legal complaints presented is introduced. General information on each case is also illustrated before proceeding with the specific linguistic inputs. These are followed by the analysis and discussion sections. Firstly, a general and case-by-case view is provided. Then the analysis is deepened to consider how speech acts are combined in interaction. A specific side coding as to questions, threats, insults and slurs is also provided. The conclusions are encouraging: data show that a common pattern exists, namely, all three aggressors (albeit in different proportions) display a preference for directives (45.56 %), followed by expressives (24.40 %), assertives (18.19 %), and commissives (6.35 %) – irrespective of the victim’s reaction. Indirect speech acts are used more than direct speech acts (84.88 % versus 15.12 %). Within this pattern, individual preferences emerge when considering how speech acts are combined and the use of questions, threats, insults and slurs. In this case, future research could explore individual preferences, which could help detect a correlation between the language used to carry out a specific type of verbal abuse and emotional violence. The article was accepted by the scientific journal *Círculo de Lingüística Aplicada a la Comunicación* (ISSN 1576-4737; SCOPUS – SJR: 0.446 (2023) Q1 Linguistics & Language), which publishes four issues every year (February, May, September, and November). This journal was chosen because it focuses on how linguistic theories may apply to reality, focusing also on applied linguistics; forensic linguistics is one of its subfields of interest. This research was presented at the annual conference organised in 2024 by the German Society of Forensic Linguistics.

Thanks to the research carried out in these three articles, it is apparent that forensic linguistics is a powerful and effective tool for supporting the administration of justice in GBV cases. Its application proves valuable both in judicial proceedings and in the analysis of

language as evidence, highlighting its interdisciplinary potential and practical relevance. The next section presents a table summarizing key information about each article. Afterwards, conclusions are drawn – with an eye on the study's limitations and suggestions for potential future research directions.

3. The First Article: Overview table

Title of the article	A Literature Review On The Role Of Forensic Linguistics In Gender-Based Violent Crimes In Italy: Supporting Legal Professionals And Providing Scientific Evidence
Author(s)	Novella Benedetti, Dr. Sheila Queralt
Year of publication	2023
Journal	Llengua i Dret // Journal of Language and Law
ISSN	2013-1453
SCOPUS – SJR	0.207 (2023) Q2 Linguistics & Language / Q3 Law
Other metrics	CARHUS+ 2028 (A Filologia, Lingüística i sociolingüística), Sello de calidad FECYT (C1 Ciencias Jurídicas), LATINDEX, DOAJ, ERIHPlus, DIALNET métricas (C1 Filologías), ESCI (JIF 0.2 Q4 Law)
Presentations given	<p>Benedetti, Novella. (2022). The role of forensic linguistics in Gender-Based Violent crimes in Italy. <i>Lecture during the bachelor and master class in linguistics</i>. Innsbruck, 19/10/2022.</p> <p>Benedetti, Novella. (2023). Il ruolo della linguistica forense nella gestione della violenza di genere in Italia. <i>Cittadinanza attiva e paritaria</i>. Webinar by the research institute “Grammatica e Sessismo”, 06/10/2023.</p>
Downloads	104 times according to the academic journal. Data available at: https://revistes.eapc.gencat.cat/index.php/rld/article/view/10.58992-rld.i79.2023.3857
Citations	<p>The article has been cited in the following articles.</p> <p>Lubandy, Diana and Stawnicka, Jadwiga. (2023). Analysis of the legal framework and evolution of forensic linguistics in Poland and worldwide. <i>Zeszyty Naukowe Akademii Górnośląskiej</i>. 130-139. https://doi.org/10.53259/2023.11.15</p>

	<p>Benedetti, Novella. (2024). Linguistic Analysis Of Gender Asymmetry In Courtroom Interaction Discourse. Analysis Of Questioning Strategies In Domestic Violence Trials In Italy. <i>Pragmalingüística</i>, 99-142. https://doi.org/10.25267/Pragmalinguistica.2024.i32.04</p> <p>Carretero González, Cristina. (2024). El lingüista forense: concepto, perfil y aportación procesal de este perito. <i>Revista de Estudios Jurídicos y Criminológicos</i>. 97-140. https://doi.org/10.25267/REJUCRIM.2024.i9.04</p> <p>Rubio-Martín, María José and Gordo, Ángel. (2024). Violencias de género digitales. Una propuesta desde la arquitectura de los entornos digitales y la lingüística forense. <i>Revista Española de Investigaciones Sociológicas</i>, 187: 129-146. https://doi.org/10.5477/cis/reis.187.129-146</p>
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Table 8. Article n. 1, general overview. Own elaboration.

A LITERATURE REVIEW OF THE ROLE OF FORENSIC LINGUISTICS IN GENDER-BASED VIOLENT CRIMES IN ITALY: SUPPORTING LEGAL PROFESSIONALS AND PROVIDING SCIENTIFIC EVIDENCE

Novella Benedetti*

Sheila Queralt**

Abstract

The focus of this article is forensic linguistics as applied to gender-based violence (GBV), a current social problem which persists despite the many measures adopted to eradicate it. Gender-based violence leads to different kinds of crimes, which have been studied from several perspectives such as psychology, criminology and law. In this preliminary study of forensic linguistics applied to GBV crimes in Italy in particular, we aim to provide a review of the research literature on GBV and forensic linguistics. We begin by considering the discipline of forensic linguistics and introducing two psychological models – Walker (1979) and Pence (1993) – which are helpful in contextualising GBV. We then proceed in two directions: first, we examine communication between victims and legal sector professionals; and second, we consider linguistic evidence for police and judicial investigation through discourse analysis of communication between perpetrators and victims. Finally, conclusions are drawn with an eye to future scenarios.

Keywords: gender-based violence; forensic linguistics; linguistic evidence; cycle of violence; coercive control; manipulation; threats.

UNA REVISIÓ DE LA LITERATURA SOBRE EL PAPER DE LA LINGÜÍSTICA FORENSE EN ELS DELICTES DE VIOLÈNCIA DE GÈNERE A ITÀLIA: COM DONAR SUPORT ALS PROFESSIONALS DEL DRET I PROPORCIONAR PROVES CIENTÍFIQUES

Resum

El focus d'aquest article és la lingüística forense aplicada a la violència de gènere, un problema social actual que persisteix malgrat les nombroses mesures adoptades per erradicar-la. La violència de gènere dona lloc a diferents tipus de delictes, que s'han estudiat des de diverses perspectives, com la psicologia, la criminologia i el dret. En aquest estudi preliminar de lingüística forense aplicada als delictes de violència de gènere a Itàlia en particular, pretenem oferir una revisió de la literatura de recerca sobre violència de gènere i lingüística forense. Comencem abordant la disciplina de la lingüística forense i introduïm dos models psicològics —Walker (1979) i Pence (1993)— que són útils per contextualitzar la violència de gènere. A continuació, procedim en dues direccions: primer, examinem la comunicació entre les víctimes i els professionals del sector jurídic; i, en segon lloc, tractem l'evidència lingüística per a la investigació policial i judicial mitjançant l'anàlisi del discurs de la comunicació entre infractors i víctimes. Finalment, s'extreuen conclusions amb vista a escenaris futurs.

Paraules clau: violència de gènere; lingüística forense; evidència lingüística; cicle de violència; control coercitiu; manipulació; amenaces.

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Recommended citation: Benedetti, Novella, & Queralt, Sheila. (2023). A literature review of the role of forensic linguistics in gender-based violent crimes in Italy: supporting legal professionals and providing scientific evidence. *Revista de Llengua i Dret, Journal of Language and Law*, 79, 140-157. <https://doi.org/10.58992/rld.i79.2023.3857>

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1 Introduction

Gender-based violence (GBV) is a worldwide phenomenon with no specific victimology profile: women are potential victims merely because they are women (García & Garrido, 2021, p. 201). According to the United Nations Convention on Elimination of All Forms of Discrimination Against Women (CEDAW, 1979), GBV is a human rights violation. Since it bears a heavy toll on women's health, it has also been recognised as a health issue. The World Health Organization (2021) reports that, in Europe, 26% of women between 15 and 49 years of age will live through a situation of violence at some point in their lifetime. According to Istat¹ (2014), in Italy² the percentage rises to 31.5%. An important characteristic of GBV is that numbers remain stable throughout the years for which data are available, and trends can therefore be calculated. In Italy, gender-based violent crimes (GBV crimes) continue to be treated as emergencies rather than as a consequence of a structural problem in society (Pezzini, 2020; Carsana, 2020; Lorenzetti, 2020). This approach leads to a focus on punishment with limited financial resources for prevention and awareness-raising campaigns, a limited number of instruments to monitor violence (Pezzini, 2020, p. 19), and a lack of fundamental understanding of GBV (Carsana, 2020, p. 27).

The application of forensic linguistics to GBV crimes enables the systematic study of coercion, manipulation and threatening language, thus facilitating the detection of recurring patterns in discourse across cases. This helps to modify the perception of instances of GBV as emergencies and promotes deeper understanding of the problem which improves awareness-raising campaigns and judicial counselling. Forensic linguistics can be extremely useful in detecting psychological and verbal abuse (Queralt, 2022) since, as Walker points out, these two aspects go hand in hand (1979, p. 72). The objective of this article is to review the existing literature on forensic linguistics in relation to GBV, with specific reference to the Italian context. Searches of library and Google Scholar databases, among others, were performed using the following key words in English, Spanish and Italian: gender-based violent crimes and gender-based violence, with and without "Italy" as the geographical location; forensic linguistics; forensic linguistics and gender-based violence. In this article, forensic linguistics and GBV will first be introduced separately. The intersection of the two fields will then be presented and two main applications of forensic linguistics to GBV (i.e., supporting professionals in their work and providing linguistic analysis as evidence) will be illustrated. In relation to the former, the focus is placed on language interactions between victims and members of the judicial sector. In relation to the latter, the focus is placed on discourse analysis in GBV crimes, considering both perpetrators and victims. Finally, conclusions are drawn.

2 Forensic linguistics: an overview

In this section, an overview of the discipline will be presented, from its definition to its characteristics. Aspects of discourse analysis within forensic linguistics will then be explored in greater detail, focusing on characteristics that have implications for GBV crimes.

Within the broader field of applied linguistics, forensic linguistics is a discipline which focuses on the analysis of language in the legal context (Garayzabal et al., 2019, p. 11). The study of forensic linguistics draws from a wide range of other areas of linguistics: pragmatics, (critical) discourse and conversation analysis, sociolinguistics and corpus linguistics (Coulthard et al., 2017, p. 31).

Two definitions of forensic linguistics are commonly accepted. According to the first, broader definition, also adopted by the International Association for Forensic and Legal Linguistics (n.d.), forensic linguistics is the discipline that studies all areas where language and the law intersect; while in line with the second, narrower definition, forensic linguistics focuses solely on the use of language as evidence in court (Queralt et al., 2018, pp. 1560–1561). Authors referring to the broader definition identify three subfields (Gibbons & Turell, 2008): the study of language and the law, the study of language in the legal process, and the study of the language as evidence. By *language and the law*, we refer to the study of legislation, understanding of

1 Istituto Nazionale di Statistica.

2 Since the article is a preliminary study on the application of forensic linguistics to GBV crimes in Italy, examples will be drawn from the Italian context wherever possible.

legal texts, language minorities and legal systems, to name a few. Legal texts are often perceived as obscure and difficult to understand (Stygall, 2003). Analysing the language used to clarify potential ambiguities while ensuring that victims understand what is happening in terms of legal proceedings is essential to dealing with GBV crimes and eventual litigation in court.

Language in the legal process, in contrast, refers to the analysis of police interviews and courtroom interactions. In terms of GBV crimes, this can include, for instance, analysing how police officers conduct interviews with victims, perpetrators and witnesses; how questions are asked in examination and cross-examination in court proceedings; and how judges intervene during proceedings and their interpretation of acts from the language used in judgements.

Finally, language as evidence includes, for instance, authorship analysis as well as the analysis of confessions and suicide notes, among other linguistic evidence. In GBV crimes, language as evidence can be studied by focusing on communication between the perpetrator and the victim: analysis of potentially threatening language included in emails, chats or WhatsApp messages, for example. Discourse analysis is another essential tool in GBV crimes and will be examined in detail below.

2.1 Discourse analysis in forensic linguistics

Discourse analysis is broadly defined as the analysis of language in use (Brown & Yule, 1983). When considering discourse analysis, context plays an essential role: any sentence that is spoken or written has a situated meaning. Any aspects of the context can affect the meaning of a spoken or written utterance, yet context is a broad, difficult-to-define concept that combines elements of time, location and culture. It is therefore no surprise that discourse analysis can be used in different situations, for other purposes, by a number of disciplines, including forensic linguistics.

In forensic linguistics in general, and specifically in relation to GBV crimes, two types can be identified. The first is found in a sample produced by speakers in a police or judicial context when a victim of GBV goes to the police and files a report, for example. The second is found in language samples which, although produced outside these contexts, are yet relevant to various types of legal proceedings or police investigations. This is the case for language used as evidence, and it includes any kind of communication expressed by perpetrators, victims and witnesses.

The types of analysis applied in courtrooms are an example of the former type. In relation to cases of GBV, Conley and O’Barr (2005) analyse what they call the patriarchal discourse of law in the trial of a rape case,³ arguing that legal discourse is, in its essence, an expression of gender-based male dominance. One example considers the different ways of recounting events used by men and women. Due to different gender socialisation, men generally prefer rule-oriented accounts (i.e., linear and sequential thinking, telling events from the beginning to the end with the focus on rules and duties); while women tend to prefer relational accounts (i.e., with the focus on personal status and social position). Rule-oriented accounts match the logic of legal discourse, while relational accounts do not. Communication within a courtroom can thus be said to disfavour women unless they are supported in expressing themselves in the way the court expects them to (Conley & O’Barr, 2005, pp. 67–74).

With respect to discourse produced outside the forensic context and GBV, we might refer, for example, to any kind of conversation between the perpetrator and the victim, as well as with potential witnesses. In Ribeiro Carreira (2021), the author analyses a corpus composed of written WhatsApp messages exchanged between a victim of femicide and her best friend. Close attention is paid to context, which is interpreted as a subjective element constructed by the participants in a given situation. Through a detailed analysis of discursive stylistic markers, the author was able to highlight the presence of physical and psychological violence within the couple as part of the context within which communication took place.

To fully illustrate the extent of the contribution that forensic linguistics can make in GBV cases, it is thus essential to reflect on the context: that is, on how violence is conceived and acted out – its dynamics, actors, and the strategies implemented, which we will explore in the following section.

³ Trials of rape cases have been the object of several studies, among which we can also find Benevieri (2022); Carvalho Figueiredo (2002); Ehrlich (2001; 2002; 2007; 2010); Matoesian (1993; 2001; 2003; 2010); and, from a critical conversation analysis perspective, Fairclough (1995).

3 GBV: an overview

Gender-based violence is a deeply-rooted social phenomenon, stemming from the gender disparity that has been present throughout history in virtually every country and every culture, at a systemic and pervasive level (World Health Organization, 2021, VIII). In this section, we will explore the phenomenon of GBV, from definition through to studies on the dynamics of violence and the strategies implemented by its perpetrators, in order to provide the context to which forensic linguistics can be applied.

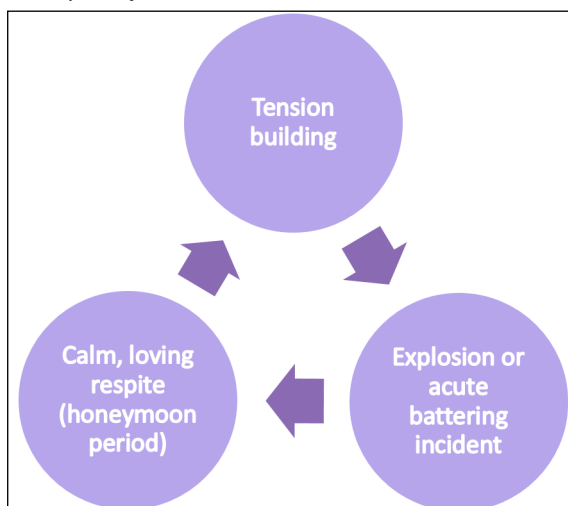
The term GBV is used to refer to a type of violence perpetrated mainly by men against women (Gondolf, 2007, p. 646). At the European and international level, several legal instruments have already been approved⁴ to address the problem. In Europe, the most relevant to court hearings is the Istanbul Convention (Council of Europe Convention, 2011), ratified by Italy in 2013. In this document, “gender-based violence against women” is defined as “violence that is directed against a woman because she is a woman or that affects women disproportionately” (Council of Europe Convention, 2011, p. 3), while the term “violence against women” is defined as follows:

A violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in or are likely to result in physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life. (Council of Europe Convention, 2011, p. 3)

Within these definitions, GBV can be categorised into four main types: physical, sexual, psychological, and economic (Council of Europe Convention, 2011). Every kind of violence can involve various violent acts, which can also be intertwined.

Although a number of models have been devised to interpret the dynamics of GBV and the strategies implemented by its perpetrators, those most commonly used in training courses for volunteers and professionals working in women’s shelters (Bastarelli, 2022) are the Cycle of Violence (Walker, 1979) and the Power and Control Wheel (Pence, 1993), shown in Figures 1 and 2, respectively. While the first model presents the dynamic of violence in a simple yet effective way, the second goes deeper, identifying strategies used by the perpetrator to achieve power and dominance in their relationship with the victim.

Figure 1
The Cycle of Violence



Source. Based on Walker, Lenore E. (1979, p. 55), *The battered woman*. William Morrow and Co.

According to the first model, violence is a cycle that repeats itself. Most of the time, these relationships begin without violence (Walker, 1979). Sometimes the man creates the framework of a passionate and romantic relationship that is at times a little too passionate and too romantic. This is referred to as love-bombing: an

⁴ A comprehensive overview of international instruments can be found in García and Garrido (2021, pp. 86–87).

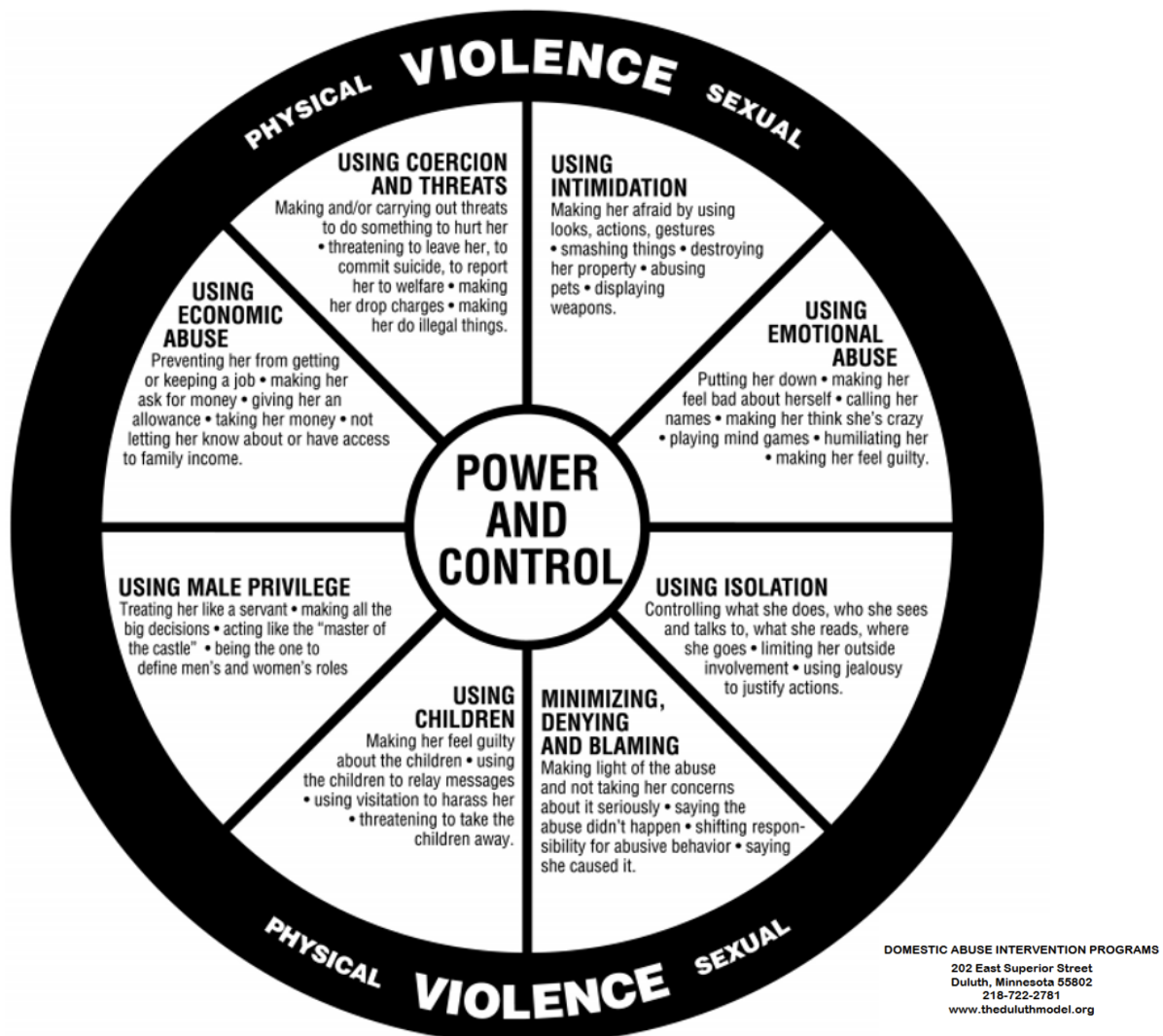
excess of romantic communication at the beginning of a relationship in order to obtain power and control over the other's life (Strutzenberg, 2016, p. 3). Once the relationship is secured, the cycle begins.

The tension then begins to build, and although violence is not yet visible, it gradually permeates the relationship (Walker, 1979, p. 55). At first, emotional pressure tends to build on the victim through non-verbal actions (Bonura, 2016, p. 86) such as silences, indifference and hostility. Then a violent incident occurs, characterised by an uncontrollable discharge of tension and a complete absence of predictability as to what will happen (Walker, 1979, pp. 59–66). This is followed by a “honeymoon period”, during which the perpetrator needs to secure the relationship again. He asks for forgiveness and promises never to be violent again. He may buy his partner gifts, promising to change and vowing eternal love. The woman forgives him and the relationship resumes. The tension builds again before erupting in another violent incident. On average, women endure seven such cycles before asking for help (García & Garrido, 2021, p. 169). The cycles continue and are unpredictable, with the duration of the honeymoon and tension periods varying according to a number of factors such as job loss, economic struggles or alcohol consumption (Walker, 1979).

The second model, the Power and Control Wheel (Pence, 1993) provides a detailed framework of strategies implemented by the perpetrator.

Figure 2

Power and Control Wheel



Source. Pence, Ellen, & Paymar, Michael (1993, p. 3), *Education groups for men who batter: the Duluth Model*. Springer Publishing Company.

According to this model, violence is placed on the outside of the wheel, while all the tactics (besides physical violence) used to gain power and control are placed in the middle. All of these strategies involve language interaction. While Walker (1979) posited that men use violence to “teach the woman a lesson”, Pence (1993) took the position that perpetrators feel entitled to have control over women. When this feeling of entitlement is violated, violence is a means to take back what is perceived as having been taken away, an injustice that needs to be fixed (Gondolf, 2007; Burgio, 2020). Walker and Pence concur that perpetrators of GBV see themselves as victims, describing women’s behaviour with utterances such as “she doesn’t respect me”, “I can’t just be her silent victim”, and “she doesn’t have the right to do this” in an attempt to justify their acts (Burgio, 2020, p. 226). This can clearly be detected in the strategies used by the perpetrator of GBV against his victim: it is through language that the perpetrator manages to change the woman’s perception of herself and present violence as a direct consequence of her behaviour. In this way, the strategy provides both justification and a shifting of responsibility. Society at large supports this view: not only are women held partially responsible for being battered (García & Garrido, 2021, p. 79), but they are also told they should take care of their perpetrators (Walker, 1979, pp. 15–16). While feeling pity for the perpetrator is a common feeling in victims, and one which persuades them to remain in the relationship (García & Garrido, 2021, p. 209), creating and reinforcing a sense of guilt is also a strategy used by the perpetrator (Baumeister et al., 1995). In any incidence of GBV that occurs within the context of an intimate relationship, language can be used to undervalue the victim, downplay violence, or make the woman mistrust her own perceptions and feel guilty. At the same time, language can be used by the woman herself to minimise violence and maximise the loving acts of the man in a type of self-defence strategy (Bastarelli, 2022).

4 Forensic linguistics and GBV

Forensic linguists working in the field of GBV can collaborate with justice in two main ways: first, by supporting victims and professionals in the aftermath of the violent event (or series of events); and second, by supporting the judiciary system with scientific evidence (Queralt, 2022). However, a number of peculiarities of GBV crimes require consideration when framing the context as well as when dealing with a forensic linguistic analysis.

Unlike other types of crimes (theft, fraud, etc.), categories of GBV (battered/victim/good vs. batterer/perpetrator/bad) can be blurry (Johnson, 2002, p. 87). The building of a violent relationship is a process, as is leaving it (Gribaldo, 2014, p. 748); this can be hard to understand. Many women leave their batterers but later resume the relationship. This can happen a few times before they leave for good (Walker, 1979, p. 199). Instead of seeing this as part of the healing process (García & Garrido, 2021), Italian institutions tend to blame women and cast aspersions on their credibility (Gribaldo, 2014).

Moreover, most GBV cases do not end up in legal proceedings. Victims do not speak about the violence they suffer for a number of reasons, such as a lack of trust in institutions, a wrong belief that they can manage the situation or that they are somehow responsible for the violence, fear of losing face due to social judgement, and fear for their safety (Benevieri, 2022; Queralt, 2022; Commissione parlamentare di inchiesta sul femminicidio, nonché su ogni forma di violenza di genere, 2021). Even when women do go to the police, they may change their minds (or be forced to do so) and withdraw the complaint (Commissione parlamentare di inchiesta sul femminicidio, nonché su ogni forma di violenza di genere, 2021). With respect to femicide, legal action also depends on whether the perpetrator is still alive: in Italy, 34.9% of men who killed women between 2017 and 2018 committed suicide shortly afterwards (Commissione parlamentare di inchiesta sul femminicidio, nonché su ogni forma di violenza di genere, 2021, p. 18).

All of these are just some examples of the different ways in which GBV may be dealt with (or not), whether in court or out of court, hence support to the victim giving evidence in court may or may not be needed; and that therefore women may come into contact with some professional support providers, but not all of them. Depending on different factors, victims may turn to a number of professionals, the most important of which are illustrated in Figure 3: healthcare professionals, social workers, lawyers, police officers and judges.

Figure 3

Professionals in possible contact with the victim of GBV



Source. Own elaboration.

Considering the scope of this article, the focus will be on cases in which victims decide to report the perpetrator to the judicial system. In section 4.1, therefore, we explore the ways in which forensic linguistics can support judicial professionals in their work with victims, while section 4.2 will review how language can be used as evidence in GBV crimes.

4.1 Language in the legal process in GBV cases: supporting professionals

Before we begin to examine the ways in which forensic linguistics can support communication between professionals and victims, two considerations are worth mentioning. First, even when several professionals work in close contact with GBV victims, they rarely detect violence in its overall context (Daré, 2021; Commissione parlamentare di inchiesta sul femminicidio, nonché su ogni forma di violenza di genere, 2021; Perez Trujillo & Ross, 2008); and when they do, they often minimise it (Commissione parlamentare di inchiesta sul femminicidio, nonché su ogni forma di violenza di genere, 2021, p. 44). Canning (2021) analyses the linguistic choices found in a 2010 corpus of judicial reports of domestic violence. She shows how lexical and syntactic choices used by police officers downplay suspects' culpability, undermining victims. Similarly, Ainsworth (2021) points out that, with certain types of crimes, including GBV crimes, there is current evidence that the victims may be treated as suspects, their credibility questioned, and their stories minimised or trivialised.

The second consideration is that, where women are speaking with police officers, lawyers or judges, information needs to be understood. Yet documents are usually generated in a language often perceived as obscure and difficult to comprehend, particularly when the victim is not a native speaker (Heydon, 2019) or comes from a vulnerable background with a low level of education, for example. Especially in GBV crimes, being able to understand what is happening in terms of legal procedures is essential for victims: not only for their current life, but also to take steps in the direction of self-empowerment (Rodríguez & Bodelón, 2015). Victims of GBV are experiencing a trauma which makes them feel anxious, stressed, depressed and powerless (Walker, 1979); being able to make decisions on their own based on clear information is extremely helpful,

therefore. Studies dealing with the same topic from a different perspective can be used as a model.⁵ For example, Stygall (2003) analyses the immigration documents needed to enter the United States and reaches conclusions as to how difficult it is for migrants to actually understand what they need to do. It is extremely important that legal documents relating to GBV crimes be analysed and simplified: to support this process, the forensic linguistics expert can study the documents produced and draft a more understandable version of them. Bearing in mind the issues raised so far, in the next paragraphs we offer a detailed analysis of police officers, lawyers and judges in their dealings with victims of GBV.

4.1.1 Police forces

Police officers enter in contact with victims of GBV in three different circumstances. First, they may be called to intervene during or after an abusive episode; second, they may be contacted by a victim wishing to report violence; and third, they may be called upon to facilitate the finding of facts.

In the first of these circumstances, it should be considered that a person other than the victim may have called the police (e.g., children or neighbours). When this is the case, during the police intervention the woman may defend her batterer, hoping to decrease the violence, aware that after the police are gone the battering will resume (Walker, 1979, p. 64). If the woman did call the emergency number, however, she may find it difficult to describe the violence as such. Studies show that victims tend to feel unreasonable in asking the police to intervene (Johnson, 2002, pp. 82–86), also because an official police intervention transforms a spouse into a criminal (Tracy & Agne, 2002, p. 86).

When the victim herself reports the violence, it is essential that she perceives clear support (García & Garrido, 2021), and receives information on organisations and institutions that can help her. García and Garrido (2021, p. 178) list behaviours that police officers should avoid: minimising and/or judging the events, creating a discussion or showing indifference. Bonura (2016, p. 178) focuses on indications of how to improve the work of Italian police officers, who should introduce themselves and clearly explain their role, their professional obligations, the implications of filing a report, and the procedures involved in the intervention. They should ensure that the victim understands their work step by step (Queralt, 2022, p. 127) to increase her perception of being in control of the situation (Bonura, 2016, p. 185). The contribution of forensic linguists may be to first focus on examining current procedures, then create a document that supports the work of police officers. For example, they could create a list of specialised technical terms⁶ for police officers to avoid and replace with easier synonyms, or reformulate legal documents in plain language (European Commission, 2012).

The finding of facts involves asking women specific questions, yet officers should avoid pressing (Bonura, 2016, p. 178) questions designed to determine the motivation of the perpetrator (e.g., “What did you tell your husband before he hit you?”, “Why did he hit you? What did you do?”). The victim may be unaware of the aggression triggers; questions like these may suggest the idea of a potential co-responsibility, and they are useless in detecting the typology of the crime (Bonura, 2016, p. 178). The forensic linguist, after studying the questions already asked by police officers, could provide some practical examples on how to improve their formulation (e.g., open and investigative, wh-questions vs. yes/no questions), and how to adapt communication to the specific situation and sociolinguistic profile of the victim.

4.1.2 Lawyers

When lawyers deal with victims, three moments are worth considering: piecing facts together; deciding which legal route to follow; and subsequently, if they go to court, preparing the victim for examination and cross-examination.

Victims will very seldom speak about the abuse during the first meeting (Bonura, 2016); it is up to the lawyer to support them in piecing facts together, asking clear and judgement-free questions, and using active listening and empathetic language. This creates a bond of trust which facilitates cooperation (López Samaniego, 2021;

5 Several studies deal with the characteristics and difficulties of legal language: Alcaraz, 2005; Salvador et al., 2005; Orts Llopis, 2005; Coulthard & Johnson, 2007; Bhatia, 2010; Stygall, 2010; Ainsworth, 2010; and Tiersma, 2010.

6 By “technical terms”, we refer to specialised legal, scientific and judicial terms (García & Garrido, 2021, pp. 182–184).

Sanahuges & Curell, 2021). Depending on the woman's emotional state, some concepts might need to be repeated and reformulated (García & Garrido, 2021, p. 181).

In the event of a judicial process, victims need to receive proper training before going to court (Massidda, 2021, p. 89).⁷ The forensic linguist can support the lawyer in finding the best way to ask questions and build a consistent narrative (Queralt, 2022, p. 130) that follows rule-oriented accounts (Conley & O'Barr, 2005, p. 67) in chronological order (Fernández León, 2019, p. 25), starting with the event that triggered the legal proceeding and going back in time to the first event (Observatorio contra la Violencia Doméstica y de Género, 2018, p. 15). During the examination, open wh-questions will be used to allow the witness to tell her story (Fernández León, 2019, p. 116). Some examples of essential questions are whether children witnessed the event; whether the man used any kind of weapon; whether he threatened the woman. Then, the victim should explain why she decided to report the violence to the police now and not before (e.g., fear, shame). Lastly, she needs to focus on her daily routine: how was the man controlling her (e.g., Did he repeatedly insult or humiliate her? Was she obliged to change elements of her life or people she was friends with?). As much evidence as possible must be collected, and the linguistic evidence can then be examined by the forensic linguist, who can provide a scientific point of view by highlighting, for instance, the use of manipulation, abusive language or threats by the perpetrator.

Lastly, lawyers should prepare victims for cross-examination. Defence lawyers for the perpetrator have a number of strategies at their disposal (Gibbons, 2003); in cases of GBV, their goal tends to be mostly to confute the version of the woman and impeach her credibility.

Lawyers may try to confute the victim's version of events using a primary strategy of asking long questions that contain her version of the story, to which the woman can only answer yes or no. It is important to train victims to avoid this trap, by illustrating how they can confute the first part of the question instead of providing a yes/no answer.

In order to impeach the woman's credibility, lawyers will tend to use cultural mythologies surrounding GBV violence (Benevieri, 2022) and stereotypes as to how a GBV victim should act, talk and recollect facts (Queralt, 2022; Bodelón, 2014; Conley & O'Barr, 2005; de Carvalho Figueiredo, 2002). The victim can be made to come across as lacking emotional control or trustworthiness, or her ability to think clearly may be called into question, even though this is a common consequence of having suffered a traumatic experience. Lack of consistency in her story,⁸ potential interest in the case (Matoesian, 2010, p. 548), and her behaviour preceding and following the violence might also be used against her.

4.1.3 Judges

With respect to judges, a distinction may be drawn between the language used in judgements and linguistic strategies used in court interactions which judges should be aware of.

In relation to judgements specifically, it should be noted that, on the one hand, these display the cultural framework of reference; on the other hand, they also act to reinforce this framework. In judgements, judges are called upon to define identities, relationships and events, and build a narrative – that is, to co-create a symbolic order (Di Nicola, 2018, p. 20). Therefore, avoiding gender-based biases is extremely important; unfortunately, these biases are so deeply rooted that sometimes judges themselves can be influenced by them. Recently, however, this situation has experienced some improvements thanks to the support of international bodies: Daré (2021) highlights how a statement by the Inter-American Commission on Human Rights led to the “Maria da Penha” law (the national law against GBV in Brazil), which has contributed to a change of perception of GBV in Brazil. Libardi (2021) points out a similar situation in relation to Mexico and the sentence by the Inter-American Court of Human Rights in González and Others (“Campo Algodoeiro” vs. Mexico). Similarly, Italy has been condemned by the European Court of Human Rights several times for not effectively protecting women's right to life in cases of domestic violence (*Case of Rumor v. Italy*, 2014;

⁷ Examples of lack of adequate preparation and its impact can be found in Gribaldo (2014).

⁸ More on the veracity of witness narrative can be found in Olsson (2008, pp. 113–127); and on switching culpability from the accused to the witness or victim in Atkinson and Drew (1979, p. 140).

Case of Talpis v. Italy, 2017; *Affaire Landi c. Italie*, 2022; *Affaire de Giorgi c. Italie*, 2022). A new law was approved in 2019, following the emergency pattern previously described, and the situation has not improved. More recently, Italy was also condemned for using language and arguments that conveyed prejudices and stereotypes about the role of women in a case of group rape (*Affaire Jessica Marchi c. Italie*, 2021); the consequences of this decision remain to be seen.

With regard to the language used in court, aspects of language that display an imbalance of power between the victim and the perpetrator need to be considered to prevent secondary victimisation (Rodríguez & Bodelón, 2015). During court procedures in GBV cases, victims are asked to testify, their credibility thus becoming a central aspect of the trial. In cases of femicide, victims speak only through written communication records (messages, letters, emails, etc.) or spoken conversations recalled by family members, friends and professionals. In both cases, the perpetrator will use a set of strategies to shift attention from the crime to the victim, distancing himself from his violent actions and shifting responsibility (Pence, 1993), all the while undermining, patronising and silencing her.

Examples of power dynamics in the relationship include using verbal abuse strategies, including disqualification of the victim; using her first name and no last name or titles (Giuliani, 2021); in Italian, avoiding the courtesy form of address in favour of the informal form; and the use of the sense of guilt (Di Nicola, 2018). In Italian, some examples of strategies used to distance the perpetrators from the crime and, more generally speaking, from any kind of violent acts are the use of nominal and passive constructions (Melluzzi et al., 2021) and the reframing of violent acts. With reference to shifting responsibility from the perpetrator to the woman (Benevieri, 2022, p. 27) and silencing her, all the strategies mentioned above support this objective. Unfortunately, these strategies can be found in judgements as well as in the perpetrator's defence. Nunes-Scardueli (2015) carried out a discourse analysis of documents produced in twenty criminal cases in Brazil during the period from 2006 to 2013. He found that not only the acts of violence but also the victims were silenced, and that this silencing occurred as a result of judicial decisions as well as interaction during the trials.

4.2 Language as evidence in GBV cases

In GBV crimes, a considerable part of the violence is contained in the language used by the perpetrator. In this section, we provide an overview of the most relevant literature and draw a connection between forensic linguistics and the models created by Walker (1979) and Pence (1993). Having explored evidence complementarity, we will delve into the discourse of perpetrators and victims, focusing on manipulation of reality, coercion and the use of threats.

Close attention must first be paid to collecting all the evidence necessary to demonstrate the dynamics presented in the two models. This may include, but is by no means limited to letters, emails, messages and WhatsApp conversations, as well as documents containing the victim's experience: declarations, diaries and chats with friends or family members. By studying the linguistic evidence, it is possible to assess and show whether and how coercive control and manipulation were used. The forensic linguist will focus on the different elements of violence (Queralt, 2022), such as feelings of entitlement to power, delegation of responsibility to the victim, the presence of threats, coercive control, and manipulation. The definition of power has sparked a lively discussion in the literature; however, for the purpose of this article, power is defined as the capability of obtaining the desired effect on another person (Mayora Pernía, 2015, p. 60). Whether this power is to be obtained through violent or peaceful means, one of the first tools used to this end is language. Whenever an asymmetrical hierarchy exists between two people, language is used to transmit and perpetuate it. For example, perpetrators may describe themselves as more intelligent, or stronger; they may use diminutive suffixes with a negative implication, insults, warnings and threats (Martínez, 2016; Queralt, 2022).

All these linguistic clues can be taken into consideration and inserted into the Cycle of Violence and/or the Power and Control Wheel models, providing a context to the detection of different linguistic strategies used by perpetrators and the violence displayed.

As previously illustrated, the cycle of violence includes three stages, the first of which is "tension building". Here we find coercive control: the perpetrator isolates the woman from her social context and family ties (Martínez, 2016); controls economic resources and other aspects; and displays intimidatory, manipulative and

threatening behaviour (Queralt, 2022). The second stage is the violent act, which can be physically damaging and/or it can involve verbal abuse. Verbal abuse may include the strategic use of silence, abusive language and speech acts such as insults and threats. The final stage is the “honeymoon period”: here the perpetrator needs to secure the relationship again, so he tends to ask for forgiveness and renews his vows of endless love, including speech acts such as promises and excuses.

In relation to the power and control wheel, linguistic strategies are intertwined and highlight the different strategies used by the perpetrator. Use of intimidation can be found in the perpetrator’s strategic use of silence (Queralt, 2022, p. 178), the detection of implicatures to be inferred, and threat analysis. Emotional abuse, isolation, minimisation, denial and blaming are achieved by strengthening hierarchy in the relationship through insults and abusive language, for example. These can be detected in both grammar (e.g., using diminutive suffixes to denigrate the woman) and lexicon (e.g., use of adjectives pertaining to the semantic fields of “crazy”); use of evasive language (Bavelas, 1990) with indirect, ambiguous and contradictory forms as well as nominal and passive constructions (Melluzzi et al., 2021); and the use of language connected to emotions (Alba-Juez & Larina, 2018) in relation to potential face-threatening acts or FTAs (Grande, 2005; Brown & Levinson, 1987). Using children, male privilege or displaying economic abuse can be found by analysing the stance and attitude of the speaker (Polayi & Zaenen, 2006) as well as the detection of implicatures to be inferred. Regarding coercion and threats, these can be assessed by analysing the speech acts used, the stances taken, and assessing the likelihood of the threat being displayed (Gales, 2015).

So far, we have analysed two psychological models and the contribution forensic linguistics can make in proving GBV crimes. However, when it comes to language as evidence, working on the discourse of both victims and perpetrators plays a significant role in displaying manipulation and coercive control, as well as the use of threats. In the following paragraphs, we will explore how the most relevant literature available has dealt with these aspects.

The discourse between perpetrator and victim displays how the two parties experienced the relationship. In an abusive relationship, linguistic traces of persuasion, manipulation, coercive control and threat can be identified in the discourse (Queralt, 2022, p. 8). In such cases, the forensic linguist can analyse conversations between the woman and the man (via WhatsApp, SMS, email or chat) looking for instances of verbal abuse. In her book, Queralt (2022) analyses a number of cases of romance fraud in Spain to determine the psychology behind the men’s actions and the linguistic evidence that derives therefrom, highlighting a number of strategies.

Among the often intertwined strategies that can be observed are creating a persistent sense of guilt in the woman by manipulating reality, displaying coercive power, and using different types of threats. With respect to the manipulation of reality, Queralt (2022, p. 53) proposes taking into consideration the theories of Fauconnier (1985) and Pascual (2012). Fauconnier (1985) studies the manipulation of reality through the concept of mental space, referring to the way in which individuals create their own reality based on discourse and language structures. According to Pascual (2012, p. 151), mental spaces represent potential realities which are not precise and objective descriptions of the concrete reality; such spaces are described by language tools (grammar, syntactic structures and lexical choices), defined as space builders (Pascual, 2021, p. 150). In order to conceal or change reality, then, perpetrators tend to use mental space-building linguistic strategies to convince the victim of a certain version of reality and events.

Coercive power is exercised continuously and yet so subtly that most of the time the victim is not aware of it. As Queralt (2022, p. 62) points out, an example might be when the perpetrator organises a romantic weekend at exactly the same time as the woman was planning on having a night out with her friends. On one hand, this can be seen as a nice idea on the part of a loving romantic partner; on the other, it can be interpreted as an indirect way of preventing the woman from meeting her friends and an attempt to isolate her and control her free time. Isolating the victim is a typical strategy of coercive control (Pence, 1993; Queralt, 2022, p. 80).

The last important linguistic aspect of GBV is the use of threats. Threats are among the most common strategies used by perpetrators of GBV (Herrera et al., 2004) and one of the most common forms of verbal abuse, especially in psychological violence (Queralt, 2022, p. 108). According to Walker (1979, p. 148), perpetrators not only threaten their partner but also their family, with particular focus on female family members. In cases of GBV, after years of abuse, many victims have interiorised the potential harm of their

perpetrator so deeply that he no longer needs to resort to threats: the victim limits her own life (Walker, 1979). Analysing conversations between perpetrator and victim at the beginning of the cycle is therefore essential.

Threats may take different forms. The crime of threat is regulated by arts. 612 and 339 of the Italian criminal code, but no definition of threat is provided. Consultation of a legal dictionary provides a definition of threat as an “intimidating attitude concerning the moral sphere of the victim, whose capacity for self-determination is impaired, consisting of the implicit or explicit prospect of an unjust and future evil”.⁹

According to Fraser (1998, p. 162), for an act to be deemed a threat, three conditions must be met, all of which involve the speaker’s perspective: the speaker must (a) have the intention to carry out the threat (or be responsible for its commission); (b) believe that the act will damage the victim; and (c) intend to intimidate the victim by explaining their intentions. The model created by the FBI distinguishes between different kinds of threats: (1) direct, through explicit declarations such as “I will kill you”; (2) indirect, such as “You will see”; (3) conditional: “If you leave now, you will never be able to come back”; (4) veiled, such as, for example: “She is going to pay for this” (Garayzábal et al., 2019). Studying such a speech act is necessary to be able to prove whether the man is displaying a threat or not. Perpetrators might argue that they were not threatening, but merely warning victims; the forensic linguist can analyse language clues to try to determine the speaker’s intention. According to Fraser (1998, p. 160), in different contexts the sentence “I’m going to take away your scholarship” can be perceived either as a threat or a warning, depending on the context and the speaker’s intention.

Once a threat has been detected and classified, an assessment of the likelihood that the perpetrator will carry out the threatened violent act is essential for the safety of the victim. Detecting the intentions behind a threat can be a daunting task, yet this is an essential element of the risk assessment. The risk can be assessed as low, moderate or high. In situations of low risk, several authors (Davis, 1997; Turner & Gelles, 2003) point out that these kinds of threats display the use of general, vague language. Gales (2015) points to Napier and Mardigian’s (2003, p. 18) observations that a threat is normally considered low risk when it contains lexically mitigated or conditional language (e.g., the use of modal verbs). Moderate risk tends to be perceived as believable, though a degree of doubt that the threat will be carried out remains. Here, descriptive language and a certain level of planning of the violent act is employed, especially in relation to the victim (Napier & Mardigian, 2003). Finally, high-risk threats tend to involve specific, detailed language (Davis, 1997; Turner & Gelles, 2003), and the language used is generally more decisive (Napier & Mardigian, 2003, p. 18).

5 Conclusions

In this article, we have provided a literature review of the contribution that forensic linguistics can make to the investigation of GBV crimes. Having introduced GBV, we gave an overview of forensic linguistics, placing particular focus on discourse analysis. We went on to consider GBV dynamics and strategies through the psychological models devised by Walker (1979) and Pence (1993). Next, we considered how forensic linguistics can deal with GBV in two main directions (Queralt, 2022): firstly, by supporting communication between professionals (police officers, lawyers and judges) and victims; and secondly, by providing scientific evidence, in particular through discourse analysis of the language used by perpetrators and victims. Future directions are revealed by this dual lens approach: forensic linguistics is, after all, a science that seeks to transform practice (Coulthard et al., 2017, p. 13) and can be especially relevant in relation to GBV crimes.

On the one hand, improving communication between victims and judicial actors includes a subset of actions which should be implemented in the future, in the drafting of clearer documents as well as creating professional training for police forces, lawyers and judges. Such training could be designed with the focus on forensic linguistics while bearing in mind the dynamics and peculiarities of GBV. Using a holistic approach is essential to the study and analysis of these crimes, especially considering the weight played by interpersonal relationships therein, and the stereotype against women that still exists today.

⁹ In Italian: “Atteggiamento intimidatorio riguardante la sfera morale della vittima di cui risulta compromessa la capacità di autodeterminarsi e consistente nella prospettiva implicita o esplicita di un male ingiusto e futuro” (own translation). [Brocardi.it](https://www.brocardi.it) (n.d.). Retrieved on 23 November 2022.

Victims can be supported by the forensic linguist in their preparation for examination and cross-examination in court, where both the lawyer of the victim and the lawyer of the perpetrator need to build different narratives of the same crime in order to support their clients. They do so through a detailed questioning strategy; an analysis of what actually happens could be vital to the unmasking of potential gender-based biases in the storytelling. In order to support the judicial system, further studies are needed to assess whether such biases are indeed used, and to what extent.

We must also consider the role of the forensic linguist in supporting victims *a posteriori* (Queralt, 2022, p. 132), that is, by helping her to improve the way she communicates her identity. Most victims experience a lack of clarity when expressing themselves, due to the trauma they have experienced, yet this lack of assertive language can produce a number of consequences in daily life: in the professional field, for example.

Language can be used as evidence in court in GBV crimes to prove coercion, control and manipulation. Most abusive relationships start with psychological violence, which can be detected in the use of language: analyses of corpuses of messages written by violent men could be important in detecting eventual patterns and identifying abusive relationships, ideally from the onset. A scientific and analytical approach can help to reinforce the victim's credibility, regardless of stereotypes. Moreover, the scientific assessment of verbal threats can also help in the early detection of violence, thus preventing its escalation. Finally, further in-depth study of both these aspects may shed light on all elements of GBV, thus assisting in the creation of more effective awareness-raising campaigns and incorporating prevention as well as punishment.

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4. The Second Article: Overview table

Title of the article	Linguistic Analysis Of Gender Asymmetry In Courtroom Interaction Discourse. Analysis Of Questioning Strategies In Domestic Violence Trials In Italy
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Presentations given	<p>Benedetti, Novella. (2023). Linguistic analysis of gender asymmetry in courtroom interaction discourse. Analysis of questioning strategies in domestic violence trials in Italy. <i>Roundtable of the Germanic Society of Forensic Linguistics (GSFL)</i>. Online, 18/11/2023.</p> <p>Benedetti, Novella. (2024). Linguistic analysis of gender asymmetry in courtroom interaction discourse. Analysis of questioning strategies in domestic violence trials in Italy. <i>Das kleine Kolloquium</i>. Innsbruck, 28/06/2024.</p>
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Table 9. Article n. 2, general overview. Own elaboration.

Linguistic analysis of gender asymmetry in courtroom interaction discourse. Analysis of questioning strategies in domestic violence trials in Italy*

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LINGUISTIC ANALYSIS OF GENDER ASYMMETRY IN COURTROOM INTERACTION DISCOURSE. ANALYSIS OF QUESTIONING STRATEGIES IN DOMESTIC VIOLENCE TRIALS IN ITALY

ABSTRACT: The article conducts an exploratory analysis of questioning strategies in Italian trials of domestic violence cases. The aim is to compare the questioning of complainants (survivors) and defendants (alleged aggressors) to determine whether gender asymmetry exists (i.e., differences in the treatment of complainants and defendants). The dataset collected includes three cases involving four hearings where complainants and four where defendants were witnesses. The analysis builds on Archer (2005) and Mortensen (2020) and is carried out through a quantitative (turn-taking, words spoken, average number of words per turn) and qualitative (morphosyntactic question types) analysis. Quantitative results show that complainants are asked more questions and can speak less in their answers. Regarding their morphological question types, in direct examination, high-control question types are asked more to defendants; in cross-examination, the opposite occurs. According to these findings, it may be said that a situation of gender asymmetry exists.

ANÁLISIS LINGÜÍSTICO DE LA ASIMETRÍA DE GÉNERO EN LA INTERACCIÓN ORAL EN LA SALA DE VISTAS. ANÁLISIS DE LAS ESTRATEGIAS DE INTERROGATORIO EN LOS JUICIOS POR VIOLENCIA DOMÉSTICA EN ITALIA

RESUMEN: El artículo realiza un análisis exploratorio de las estrategias de interrogatorio en juicios italianos de violencia doméstica. El objetivo es comparar el interrogatorio de denunciantes (supervivientes) y acusados (presuntos agresores) para determinar si existe asimetría de género (es decir, diferencias en el tratamiento de denunciantes y acusados). Los datos recopilados incluyen cuatro audiencias en las que las denunciantes y cuatro en las que los acusados fueron testigos. El análisis se basa en Archer (2005) y Mortensen (2020) y se lleva a cabo mediante una perspectiva cuantitativa y cualitativa (morfosintaxis). Los resultados cuantitativos muestran que a los denunciantes se les hacen más preguntas y pueden hablar menos en sus respuestas. En cuanto a la morfosintaxis, en el interrogatorio directo se hacen más preguntas de alto control a los acusados; en el contrainterrogatorio ocurre lo contrario. Según estos resultados, puede que exista una situación de asimetría de género.

ANALYSE LINGUISTIQUE DE L'ASYMÉTRIE DE GENRE DANS L'INTERACTION AU TRIBUNAL. ANALYSE DES STRATÉGIES D'INTERROGATION DANS LES PROCÈS POUR VIOLENCE DOMESTIQUE EN ITALIE

RÉSUMÉ : L'article propose une analyse des stratégies d'interrogation dans les procès pour violence domestique en Italie. Il vise à comparer l'interrogatoire des plaignantes et des défendeurs afin de déterminer s'il existe une asymétrie de genre (traitement entre les sexes). L'ensemble des données collectées comprend trois cas impliquant quatre audiences où les plaignantes étaient des témoins et quatre où les défendeurs étaient des témoins. L'analyse s'appuie sur Archer (2005) et Mortensen (2020) et est réalisée grâce à une analyse quantitative (prise de parole, mots prononcés, nombre moyen de mots par tour) et qualitative (types de questions morphosyntaxiques). Les résultats quantitatifs montrent que les plaignantes se voient poser plus de questions et parlent moins. En ce qui concerne les questions, lors de l'interrogatoire direct, des questions à contrôle élevé sont davantage posées aux défendeurs ; lors du contre-interrogatoire, c'est l'inverse. D'après ces résultats, on peut dire qu'il existe une situation d'asymétrie de genre.

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KEYWORDS: forensic linguistics; gender asymmetries; courtroom interaction discourse; domestic violence trials; Italy.

SUMMARY: 1. Introduction. 2. Courtroom interaction. 3. Power and control in the courtroom. 4. Data and method of the study. 5. Analysis and discussion. 6. Conclusions and future directions. 7. References

PALABRAS CLAVE: lingüística forense; asimetrías de género; interacción en tribunales; juicios por violencia doméstica; Italia.

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MOTS-CLÉS : linguistique judiciaire ; asymétries de genre ; interaction dans la salle d'audience ; procès pour violence domestique ; Italie.

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1. Introduction

Understanding the scope of Gender-Based Violence (from now GBV) in Italy is difficult due to the lack of recent data. Since 2000, only two official studies have been carried out by the Italian National Institute of Statics (Istat): one in 2006 and one in 2014. In both cases, GBV is dealt with as violence against women. According to the 2014 study, violence against women in Italy is a pervasive phenomenon affecting the lives of 31.5 % of individuals (six million and 788 thousand) between 16 and 70 years of age. Generally, violence is exerted by partners or former partners¹; it is often defined as severe or extremely serious: 37.8 % of women reported physical injuries, and 36.1 % feared for their lives. When considering femicide, Istat (2018) highlights that the total number of victims² has remained stable through the years, whereas the number of murders has been steadily decreasing.

To deal with this problem, Italy has been promoting 19 national legal measures between 1990 and 2022 (without mentioning the local ones adopted by regions and autonomous provinces³). At a national level, the most critical initiative is the so-called “Codice Rosso,” i.e. Law n. 69/2019, and at a European level, the Convention of Istanbul, ratified by Italy in 2013 (GREVIO, 2020). The former is the last relevant law implemented by the Italian government: on the one hand, it aims at speeding up the time for action from legal officers: when a woman reports violence, the judicial sector is provided new tools to act timely; on the other hand, it introduces new typologies of crimes, e.g., revenge porn. The latter represents a global framework of reference to eradicate GBV, considering different approaches such as prevention through civil society, protection for the victims, monitoring the phenomenon, and punishment for defendants.

¹ While acknowledging that GBV includes many different dynamics, this article focuses on traditional heterosexual relationships.

² In its research, Istat considers the relationship between victims and defendants; therefore, it is possible to speak about femicides, not general murders.

³ See Appendix 1 for more information.

Despite the legal means, conviction rates are meagre and take a long time. This is partly due to the low rate of women entering the judicial system (Istat, 2014); according to the last available data on verdicts, in 2018, only 3,462 men were convicted because of ill-treatment within the household⁴. A further problem is the length of time: on average, complainants need to wait around 30 months for the sentence in the first degree and 63 months for the definitive one (Istat, 2018). The duration of legal proceedings has been a long-lasting and well-known problem that prevents the administration of justice not only regarding GBV cases – even though consequences to the mental health of complainants can be more significant than in other crimes. Given the seriousness of GBV crimes, the long duration of the process and the low conviction rates, it becomes paramount to understand the dynamics of courtroom interaction to explore if and how such dynamics might be detrimental to the delivery of justice. Questions arise regarding how GBV crimes, such as domestic violence, are dealt with in Italian court hearings and whether complainants and defendants are treated fairly (even considering their different roles in the process). This article is an explorative study to provide answers by comparing questioning strategies with complainants and defendants in three cases of domestic violence brought to court between February 2017 and July 2022. The debate about the definition of domestic violence is ongoing; therefore, for this article, domestic violence refers solely to the violation of Art. 572 of the Italian penal code, i.e. Ill-treatments against family members or persons living in the same household. Salient aspects regarding courtroom interaction (Bellucci, 2005; Heffer, 2005; Eades, 2010) will be introduced to move on to questioning, especially in direct and cross-examination (Atkinson & Drew, 1979; Gibbons, 2003). Subsequently, an analysis of power dynamics within the courtroom will be carried out (Luchjenbroers, 1997; Benevieri, 2022), and gender asymmetries (Tannen, 1993); followingly, the dataset and the methodology will be introduced to deal with the results and the discussion.

2. Courtroom interaction

Courtroom hearings have been studied in different fields, notably sociology (e.g., Carlen, 1976b) and ethnomethodology (e.g., Garfinkel, 1967). As to courtroom interaction itself, its discourse has been approached using several perspectives, such as conversation analy-

⁴ Specific data are lacking; however, an attempt to cross-analyse police statements by complainants with conviction rates is possible. As an approximate example, in 2014, there were 13,261 cases of domestic violence reported to the police; since, on average, in order to reach a sentence, around 3-5 years are needed, this data can be compared with the conviction numbers of 2018. While it is only an approximate estimate that does not consider all factors, it gives an idea of how many domestic violence cases end up with no punishment.

sis (Atkinson & Drew, 1979), critical discourse analysis (e.g., Ehrlich, 2001), forensic linguistics (e.g., Gibbons, 2003), sociolinguistics (Eades, 2010). In this section, firstly, courtroom interaction as a genre will be addressed; secondly, the language and communication challenges it involves will be dealt with; and lastly, studies focusing on courtroom interaction regarding GBV cases will be illustrated.

Firstly, according to Heffer (2005), trials are a “complex genre”; this is so, both because trials are complex and because they comprise three phases (genres): the procedural, the adversarial, and the adjudicative. From these genres, several sub-genres arise, depending on the activities performed; all genres and sub-genres together shape the discourse of the trial. The procedural genre involves the sub-genre of the jury selection, the calling and swearing-in of witnesses and the indictment; the adversarial genre includes opening speech, witness examination, and closing argument; the adjudicative genre includes summings-up, deliberation, and sentencing (Heffer, 2005: 67). This article focusses on the adversarial genre; here, while the prosecutor (and the civil party, in this dataset) provides a story, the defence generally either provides a different story or rejects the prosecutor’s one; that is, whatever the prosecutor will try to construct, the defence will try to de-construct – in a strategic contest between the opposing legal professionals (Heffer, 2005). The competing stories will then be used over and over again throughout the adversarial phase (from opening statements to closing arguments), either with narrative or argumentation means (Heffer, 2005: 69). Within the adversarial genre, several studies have been focusing on its different sub-genres: for example, Hobbs (2008) deals with the analysis of the opening speech of a defendant representing himself at his murder trial, exploring the relationships between language, personality, and identity in the construction of legal persuasion. Chaemsaitong (2019) focuses on the opening speeches given by the prosecution and the defence of a mass shooter and exposes the strategies used by the different sides through functional linguistics. Regarding closing statements, Rosulek (2014) focuses on silencing, de-emphasising and emphasising as means to construct different versions of reality – and hence, how the prosecutors and the defence lawyers concentrate on different elements to convince the jury. This article focuses on the witness examination – the part of the trial concerned with presenting the evidence in the case, which is controlled discursively mainly by lawyers (Heffer, 2005: 67); section 2.1 is devoted entirely to this sub-genre.

Secondly, the language and communication challenges involved in criminal trials are related to the fact that, for their very nature, trials are emotionally charged linguistic events (Bellucci, 2005: 188) where goal-oriented legal stories are told. Such stories, on the one hand, deal with the reconstruction of the crime and, on the other hand, with the

construction of a case (Heffer, 2005: 65). This implies a continuous tension between legal and lay discourse, especially during the phase of examination and cross-examination of witnesses. Within courtroom studies, a great emphasis has been placed on this interaction. The difficulty lies both in the courtroom talk and the legal procedure itself. As to the former, courtroom talk is essential “fairly ordinary language being put to special use. Institutional participants are expert users, whereas the lay participants – in this article, complainants and defendants – are not. Since the key resource is the highly controlling institutional exploitation of the interrogative turn or question, institutional users are equipped to exploit the special pragmatic uses that language can be put to, making legal talk a potent source of institutional control” (Holt & Johnson, 2010: 24). As to the latter, speakers are expected to fully know the rules of discourse governing the event (Woodbury, 1984: 3) and yet for lay people that may not always be the case. According to Pallotti (1998: 14), the specificity of procedural and conversational languages at play during trial is such that lay actors are disadvantaged in that they are familiar neither with the language used nor with the procedure; hence, different actors access a different degree of understanding regarding what is happening (Bellucci, 2005: 152).

Lastly, as to GBV and trial discourse, previous studies have been focusing primarily on rape and sexual assault (mainly, but not limited to: Matoesian, 1995; Ehrlich, 2001; Cotterill, 2007b) and, to a lesser extent, to domestic violence and murder (Cotterill, 2001; 2003a). As to the former, while recognising that these specific crimes present some differences compared to the broader concept of domestic violence, which is at the core of the dataset collected (e.g., rape can be carried out in a different context and by one or more defendants), they are still valuable for that on one hand, power asymmetry and gender bias are at work; on the other hand, they mostly happened within the household. As to domestic violence, this is in itself a highly emotive issue (Cotterill, 2001: 294) involving several biases; the O. J. Simpson Trial that the author analysed is quite a paradigmatic case as to stereotyped gender roles: on one side, the prosecutor claimed the murder was committed after years of domestic abuse; on the other side, the defence claimed that the victim was a manipulative and promiscuous woman; finally, the jury perceived the relationship as a mutually violent one. Not only gender-based stereotypes as to supposed reciprocity in a violent relationship are to be found in these studies, but also as to how a victim should be and act. Some interesting examples are found also in Wells (2012), who used discourse analysis to analyse the sentencing of battered women who kill their partners. The author indicates that women must be “credible, sweet and helpless victims whom tyrannical men brutalise” (Wells, 2012: 12); her findings suggest that

abused women who do not fit traditional stereotypes are given less sympathy within the courtroom. What is considered to be typical behaviour of a victim was also included in the strategy used by defence lawyers in rape cases, according to Rosulek (2014: 134). Here, while focusing on strategies related to silencing, de-emphasising, and emphasising information, the author found that “the defence emphasised the victim’s agency during the crime even more than the prosecution did because they constructed her as an active participant rather than a victim” (2014: 148).

These dynamics brought about heavy criticism during the years, especially regarding the impact that this kind of administration of justice has on victims (Matoesian, 1995; Conley & O’Barr, 2005), who often suffer secondary victimisation (Queralt & Benedetti, 2023). In this sense, Ehrlich (2010: 265), who analysed rape trials, convincingly argued that the failure to deliver justice to victims lies not in the crime itself but in the details of legal practice. Satisfying solutions are yet to be found; this article’s comparative analysis considers domestic violence cases and how complainants and defendants are interrogated during courtroom hearings, mainly in direct and cross-examination. Therefore, in the next section, these aspects will be deepened.

2.1 DIRECT, CROSS, AND RE-EXAMINATION IN THE ITALIAN LEGAL SYSTEM

The Italian judicial system has some differences from the Anglo-Saxon system; these will be addressed at the beginning of this section. Followingly, characteristics related to the three examinations will be considered, with some general considerations leading to the following section on questioning.

Regarding the differences between the two systems which are relevant for this article, the first to be highlighted is that according to the Italian legal system, defendants have the right to remain silent⁵ and also not to perjure themselves – i.e., the right not to incriminate oneself prevails. Secondly, the role of judges differs: in the Italian system, they may question witnesses, but only after prosecutors and lawyers have concluded⁶. However, this is not always the case – as emerged from the dataset, where judges participated in the trial according to their assessment (no sanction by the Italian legal system is foreseen). The number of lawyers involved represents another variable. It is not uncommon to have more than one defence lawyer coming from the same law firm; as for the civil party, however, this is seldom the case. This may be partially explained by the fact that, according to the Ita-

⁵ Personal communications with lawyers specialized in GBV cases highlighted defendants usually do not participate in trials at all. Such statement is also partially found in Rosulek (2014: 138) when dealing with rape trials.

⁶ Art. 506 of the Italian penal code.

lian legal system, complainants of GBV crimes have the right to free legal support, which is paid for by the Italian state. The same does not apply to defendants; thus, depending on the financial situation of defendants, they may hire one or more lawyers to have what might be perceived as a “strong” defence. It could also happen that the complainant decides not to proceed as a civil party and may thus be called in as a witness only by the prosecutor. In these cases, if defendants are to testify, no questions from the civil party arise - simply because there is no civil party. From a procedural point of view, the examination phase of the trial begins with the witnesses called by the prosecution, then the witnesses called by the civil party and finally, the witnesses called by the defence. The first to speak are complainants and witnesses supporting complainants; then, it is the turn of defendants and witnesses supporting defendants. In domestic violence trials, declarations given by the complainants are considered legal evidence; not so for the declarations by defendants.. A witness may be questioned in three stages: i.e. direct, cross, and re-examination.

During the direct examination, lawyers will start eliciting all or part of the story when interrogating their clients. Here, a balance needs to be found between asking their witnesses to speak freely since spontaneity has been connected to a greater degree of trust (Stone, 1995: 95) and taking them step by step through evidence in framed questions (Stone, 1995: 94). According to Gibbons (2003: 1893), moving more in one or the other direction depends on to the extent which the lawyer has faith that the witness will produce the desired story. The main goal of the direct examination is to introduce “new information” (Bellucci, 2005: 190), building the narrative and clarifying aspects related to the case (Galatolo, 2002: 143).

“Cross-examination is an adversary sequence in which an attorney questions an opposing witness, ostensibly to test his or her veracity, accuracy, or bias” (Hobbes, 2003: 501). That is, during cross-examination, the lawyers’ aim differs radically: the primary goal of the cross-examination is to verify, confirm, or contradict (Bellucci, 2005: 190), i.e., to challenge the narrative created and build a new one (Galatolo, 2002: 143); therefore, the questioning strategy changes accordingly. Gibbons (2003) highlights how the lawyer’s work consists of either discrediting the content of what witnesses say or discrediting witnesses themselves. This may be done through questions that are introduced by statements to provide the counter-narrative (e.g., According to the police report... do you agree?) or polar questions to threaten the consistency of the story told by the witness (e.g., did or did you not decide to go out with the defendant?). According to Luchjenbroers (1987: 483), the use of closed questions reinforces the lawyer’s control of both the witness and the information presented; it also makes the witness appear recalcitrant or inarticulate. Other tools might also be

used: for example, pausing. Pausing usually happens following the answer of a witness (i.e. the completion of a pair in conversation turns); this is often seen as an interactional strategy from the lawyer in order to express disbelief or scepticism (Atkinson and Drew, 1979: 68). Unfortunately, transcripts provided for the analysis in this article do not include this type of information, as they are official court transcripts.

After cross-examinations, there may be a re-examination, aiming at establishing the credibility of the testimony again (Gibson, 2003: 1890), further clarifying some aspects, or re-establishing the first version of the story (Bellucci: 2005: 190). This may lead to a further cross-examination to underline consistencies or discrepancies in the witness's story: the whole tension between direct and cross-examination still at play, in a similar pragmatic functioning.

As previously stated, in each stage, the prosecution and the defence will have different goals (Atkinson & Drew, 1979: 35; Rosulek, 2014: 51) and, thus, different conversation agendas (Fernández León, 2019); during the trial, they will work to create positive or negative impressions about witnesses and their credibility (Luchjenbroers, 1997: 484). Witnesses may know or perceive this and act accordingly, e.g. through resisting strategies (Galatolo & Drew, 2006) and/or vague language (Cotterill, 2007a). No matter the resisting strategies, lawyers will need to elicit a testimony that fulfils the need for detail, clarity and exactitude (Cotterill, 2007b: 98). As highlighted before, besides supporting judges in understanding what happened, when witnesses are questioned, other goals may arise. For instance, when the complainant is testifying, the lawyer of the civil party could also establish her credibility and highlight consistencies throughout her story-telling. When the defence lawyer asks complainants a question, the aim could be precisely the opposite: the core of the strategy is building a counter-narrative, thus invalidating what has been said before through several means. When the defendant is testifying, the situation could be inverted. In Heffer's words (2005: 129), "the examiner presents what happened; the cross-examiner claims that this presentation is not accurate nor reliable".

During direct, cross, and re-examination, lawyers will tend to elicit specific information, ask for confirmation of something that has been said (Gibson, 2003), and avoid asking questions when they do not know or are unsure about the answers (Ponterotto, 2007: 107). As it has been pointed out, since during the three phases, the legal actors have different goals, the questioning strategy changes: as to the distribution of sequences (e.g., facts may be established progressively to end up in an accusation, sometimes presenting the information as part of police reports) and as to the type of questions which might be asked (e.g., more or less controlling) (Atkinson and Drew, 1979:

115). Throughout the different stages of the trial, blame allocation becomes an essential part of the story (Gibbons, 2003: 1773). Blame is often allocated while exploiting gender-based biases (particularly in cross-examination) to distort the narrative provided by complainants (Erhlich, 2003: 136). This emerges through questioning; the following section deals with the topic.

2.1.1. Questioning

According to Heffer (2005: 111), during the adversarial phase, lawyers tend to ask witnesses three main actions: to confirm the proposition stated in their elicitation, to specify given details, and to narrate what happened. This can be done through different legal and linguistic means; in this section, firstly, an illustration of the Italian legal limits as to questions is given; then, a linguistic perspective (both as to morphosyntax and pragmatics) is provided.

From a legal perspective, the *Italian Code of Criminal Procedure* (1988) includes only one special provision regarding questions that may or may not be asked in GBV cases – and this regards mainly victims of different crimes related to sexual violence. According to Art. 472 (3a), questions about the private life or sexuality of the offended person are not allowed in legal proceedings unless they are necessary to reconstruct the fact. No further special provisions are foreseen for GBV victims. Generally speaking, relevant articles as to the testimony are n. 194 (subject and limits of the testimony); and art. 499 (rules as to the delivery of the testimony).

According to the former, witnesses can be examined only as to the facts and not the morality of the accused – except if they are suitable for qualifying their character concerning the offence and social dangerousness. Testimony on facts that could help in defining the personality of the person offended is admissible when the fact of the defendant is to be assessed concerning the conduct of that person. Rumours are not admitted unless it is impossible to separate them from the testimony on the facts.

According to the latter, and most interestingly for the article, some limits are established on the type of questions allowed during the examination (but not cross-examination). First, a witness can be asked questions only on specific facts; then, questions that could impair the sincerity of the answers are prohibited. Suggestive questions are also prohibited in the examination conducted by the party requesting the witness and the party with a common interest. However, suggestive questions are allowed – and used – during cross-examination.

Moving on to a linguistic perspective, questions can be used for different purposes; in court, through questions, speakers exercise control or offer deference (Harris, 1984); they are a means of obtaining

information or a confirmation of a particular version of events that the lawyer has in mind (Gibbons, 2003: 1187). As Harris (1984: 21) highlights, questions can also function as an accusation – no clear-cut separation exists. In this sense, it is essential to underline that actions, such as accusations, challenges, justifications, denials, and rebuttals, can come in the form of questions and answers (Atkinson & Drew, 1979: 70). The range of acceptable answers tends to be more or less constrained (Harris, 1984: 6); since blame allocation plays a key role it is difficult, for witnesses, to see questions simply as a mean to obtain information. Because of the social nature of the actors involved, questions can and are indeed perceived as a way of allocating blame throughout the process. At the same time, comments or statements uttered by lawyers are perceived as questions – without necessarily being put in the interrogative form (Bellucci, 2005: 201); that is, “questioning is not limited to the use of standard interrogative forms (e.g. a rising intonation in Italian; inversion of subject and verb in English); the critical feature is that the function of the utterance is a request of information” (Gnisci & Pace, 2016: 34).

Since very often trials have been described as a competition between lawyers (Woodbury, 1984: 4) – rather than a means to support the court discovering facts (Gibbons, 2003: 1194), several studies focused predominantly on questioning techniques during witness examinations and cross-examinations (Atkinson & Drew, 1979; Woodbury, 1984; Chang, 2004; Aldridge & Luchjenbroers, 2007); and on the different strategies adopted by witnesses in order to resist lawyers (Drew, 1990; Gnisi & Pontecorvo, 2004; Galatolo & Drew, 2006). Studies on questioning strategies have been mainly focused on morphosyntax (Harris, 1984; Luchjenbroers, 1997; Archer, 2005; Olanrewaju, 2009; Seuren, 2019) and pragmatics (Woodbury, 1984; Gibbons, 2003), or both (Mortensen, 2020).

Regarding morphosyntax, the choices made during questioning can be more or less controlling as regards the answer they are eliciting, as was previously highlighted (Harris, 1984: 7). In this sense, starting from Woodbury (1984), several scholars have been working on hierarchical typologies of questions forms, placing control on a continuum. According to these studies, the most controlling questions are yes/no questions (e.g., did you see a man?); followingly, yes/no questions with tags are to be found (e.g., you saw a man, didn't you?); at the other end of this continuum, there are the least controlling questions, which are the broad *wh*-questions (e.g., what/whom did you see?) (Eades, 2010: 44).

Regarding pragmatics, Gibbons (2003) highlights a range of devices used so that an interpretation of the facts is more powerful than another. Here, question strategies aim at discrediting the witness (strategy targeting the person) or the narrative provided (strategy targeting

the idea); strategies can overlap as there is no clear-cut (2003: 1382). Strategies also depend on witnesses: a witness with an expansive style needs little prompting, while a restricted style may cause repeated and explicit requests (Heffer, 2005: 125). According to Gibbons (2003), some person-targeted pragmatic strategies are status manipulation (status support or reduction), sarcasm, and address forms, while some idea-targeted pragmatic strategies are vocabulary choice, hedging, repetition, and reformulation. As to questioning techniques, Mortensen (2020) analyses the speech act functions in direct and cross-examinations, comparing US American and Danish trials – considering mainly regulative, constative, and communicative functions.

Since in questioning, a great deal happens as to coercion and control when eliciting the testimony, in the following section, an analysis of power and control is provided – followed by considerations on gender asymmetry within courtroom interaction.

3. Power and control in the courtroom

According to Bellucci (2005: 155) and Benevieri (2022: 49), courtroom interaction is an institutional and asymmetric event: institutional because of specific roles (e.g., judges, lawyers) and asymmetric because of the imbalances in power. Bellucci, in particular (2005: 158), explicitly states how asymmetrical interactions are characterised by the specific frame within which they occur, whereby some participants assume the role of leading figures or directors of the interaction – while others may simply react. Asymmetry leads to power and control; when it comes to power and its definitions, Eades (2010: 122) points out that scholars have taken different stances: On one hand, those who see the power in the courtroom as unidirectional control over witnesses by lawyers; on the other hand, those who see power as something which is negotiated every time by speakers. Either way, power asymmetries in courtroom discourse (leading to interaction asymmetry) have been at the core of several studies in applied linguistics. To mention a few of them, they appear in Atkinson & Drew (1979), who applied the elements of ethnology and conversational analysis to courtroom interaction while dealing with turn-taking as to direct examination, justifications and excuses during cross-examination; the sequencing and court rituals; as well as the management of the accusations. Power asymmetries are further explored in the art of questioning performed by lawyers in Woodbury (1984), referring to direct and cross-examination. Woodbury analyses the different degrees of control exerted by questions on witnesses in a criminal trial, depending on the morphosyntax used. Adelswärd et al. (1987) analysed 40 recorded Swedish trials, revealing how several dimensions of interactional asymmetries are present – and, thus, how multifaceted dominance

and control in trial discourse can be. Luchjenbroers (1997) analysed questions and answers in a six-day Supreme Court murder trial involving sixty examinations between lawyers and witnesses. The results have shown that most of the crime narrative is provided by the lawyers and that the questioning strategies primarily serve the goal of raising sympathies for their witnesses.

Regarding the different types of power which can be exerted in trials, Bellucci (2005: 158-160) and later Benevieri (2022: 52-56) distinguish among four types of imbalances within courtroom discourse, which they call dominance: 1) quantitative dominance (the length of speech); 2) interactional dominance (who takes the initiative in the dialogue); 3) semantic dominance (who decides the topics); and 4) strategic dominance (the hidden agenda of the actors involved). Hidden agendas, in particular, have been dealt with by Bellucci (2005: 161), who stated how they are especially apparent during cross-examination and how the role of the judge is to render them as explicit as possible to avoid inferences and, thus, sometimes, misunderstandings. As can be noticed within the courtroom, the four types of dominance are usually exerted by legal professionals, especially lawyers; quantitative dominance may vary, and it will be assessed using the data collected.

The four types of dominance have also been studied in forensic linguistics. According to Gibbons (2003: 2441), “the courtroom is a place where power is unequally distributed, being overwhelmingly in the hands of the legal professionals”; taking this conclusion a step further, Luchjenbroers (1997: 477) argues that “courtroom discourse is unilateral in that barristers enjoy a one-sided topic control of discourse”. The impression is that lawyers are the real protagonists in court, being the primary and authoritative tellers in the trial (Cotterill, 2003: 149) – while witnesses are reduced to puppets in their hands (Luchjenbroers, 1997), with events narrated mostly by lawyers while questioning (Cotterill, 2004: 514). Eades (2010: 52) provides a list of linguistic mechanisms that show how power asymmetry works, e.g., witnesses speaking very little compared to lawyers, with no possibility to interrupt or remain silent, or how lawyers can reformulate and manipulate what the witnesses said.

Power asymmetry within the courtroom has been addressed; adding the variable related to gender might bring about further reflections. Since dynamics related to gender influence what is happening outside and inside the court, and considering the role of such dynamics, especially within GBV cases, in the next section, the concept of gender asymmetry is further explored and expanded.

3.1. GENDER ASYMMETRY

The previous section analysed power asymmetry within courtroom interaction, focusing on institutional actors and their roles. In this section, a variable is added – namely, gender. When studying power, solidarity, gender and dominance in casual conversation, Tannen (1993) adopts a cross-cultural approach to dealing with men and women’s different conversation styles. She believes that “power governs asymmetrical relationships where one is subordinate to another; solidarity governs symmetrical relationships characterised by social equality and similarity” (1993: 167). When analysing courtroom interaction through the lenses of the concepts of symmetry/asymmetry and power/solidarity, a focus on how defendants and complainants are treated is essential in order to detect if (and to what extent) these dynamics are at play - besides the courtroom dynamics themselves which were previously illustrated. Here, a situation of (a)symmetry may arise, in that complainants and defendants may be treated differently depending on 1) the gender of legal professionals involved (and the stereotypes thereby associated); 2) written and non-written rules governing courtroom interaction; and 3) complainant’s and defendants’ gender role (and the stereotypes thereby associated). As Tannen (1999: 237) points out, “speakers who exhibit gendered patterns may be unaware of the influence of gender on their styles and may resist acknowledging that influence even if they are aware of it”; therefore, studying whether such differences arise in the treatment of defendants and complainants is essential. Such potential imbalances are labelled under “gender asymmetry”.

Regarding the first aspect, namely how the gender of legal professionals may affect courtroom interaction, it is to be noted that gender is a vast concept that also involves the concept of personal identity(s); people interact according to their roles in different situations, representing only a part of their (perceived) identities. Without entering into details as to the concept of identity, it suffices to say that this is shaped through the judgments and appraisals made by others in response to specific behaviours (Bogoch, 1999: 331). Both professional and gender identity play an essential role for each actor involved and, in the interaction stemming as a result. In her study, Bogoch (1999) showed that in Israeli courtrooms, women lawyers were perceived by their male counterparts and male witnesses (such as the defendants in this dataset) as women (e.g., lower power status); on the other hand, their self-perception went in the direction of being lawyers, before being women (e.g., higher power status). When carrying out their work, their language styles matched the one required by court dynamics. However, several obstacles were placed by the other actors, whether lay or professionals (e.g., the higher number of interruptions by the

counterpart and uncooperative male witnesses). Bogoch (1999: 332) further states that women working as legal professionals in courts face a double bind: on the one hand, they need to adopt the (male) interaction style of the court; on the other hand, if they do so, they may incur disapprobation (e.g., coming across as too confrontational, too aggressive). Besides the obvious implication of undermining the professional identity of women lawyers, it is relevant to add that by doing this, the story they are telling will be perceived as less credible, with an obvious result on the outcome of the process (Bogoch, 1999: 369).

Regarding the second aspect - namely rules governing courtroom interaction - it is to be highlighted that "It [the court] is an institutional setting charged with the maintenance and reproduction of existing forms of structural dominance" (Carlen, 1976a: 38 in Atkinson and Drew, 1979: 14). Patriarchy itself is a structure of dominance (Bourdieu, 1998); it can be said that the court becomes the place where the patriarchal discourse of the law takes place (Conley & O'Barr, 2005). According to Ponterotto (2007: 123), the courtroom is also where lay people and professionals can be conditioned by gender stereotypes (with or without realising it, as previously stated). Another element affecting courtroom interaction is that due to different socialization, men and women communicate differently (Conley and O'Barr, 2005: 63), e.g., using relational vs. rule-oriented accounts. Relational accounts tend to emphasize the narrative of the relationships between actors and the feelings involved without following a specific order. In contrast, rule-oriented accounts follow a logical structure, telling the narrative chronologically and sticking more to the facts. In her studies, Tannen (2013: 74) illustrates the same differences in casual conversations and calls the former rapport talk and the latter report talk. The latter - the male model - adheres to the standard of narrative in court; this means that women - whether lay or professionals - need to translate their thoughts into different categories to fulfil the expectations regarding communication in court hearings. Professionals are aware of it and act accordingly; as to lay people, especially complainants in GBV trials, it is to be highlighted that guidelines have been written to support them when witnessing and expressing themselves as the court expects them to (Queralt, 2022). On the one hand, this can bring about several advantages, e.g., being prepared for it, court hearings might be a less traumatic experience for GBV complainants. On the other hand, it might be argued that such an approach could bring about symbolic violence (cf. Bourdieu, 1992 and 1998) since complainants are forced to express themselves in a way that does not necessarily suit them⁷; further studies to deepen such considerations are needed.

⁷ Casual conversations with lawyers specialised in GBV crimes have highlighted that several women, for various reasons, present their testimony without any preparation at all - with all possible consequences.

Regarding the last aspect, namely the influence of gender roles on complainants and defendants, several researchers have investigated how communication occurs. First, a focus has been placed on victimhood: this is built through the interaction and the description of the facts (Bogoch, 2007: 160). Therefore, the first struggle for complainants in telling their stories to their lawyer is being understood in legal terms. Lawyers need to translate the complexity of GBV crimes in a way acceptable in legal terms; therefore, they focus on specific facts and dates – which for GBV complainants might make little sense if compared with their experience (Eades, 2010: 190). For the written affidavit to be perceived as more credible, the story can be presented according to gender-based stereotypes. Thus, this part is removed if complainants refer to lawyers about how they tried to stand up against their defendants. Complainants are presented as mere victims (Eades, 2010: 199). This may lead to struggles in the court hearing, as such discrepancies are typically used to invalidate the testimony. When complainants come to court, societal expectations concerning their behaviour and representation of the event have been studied by Ponterotto (2007) in rape trials; they are presented in Table 1. On the one hand, complainants must be perceived according to traditional gender roles concerning their identity (e.g., non-aggressive, nonassertive, indirect and passive). On the other hand, they need to speak about the violence according to what is perceived as a standard male representation (e.g., how complainants rejected the defendant actively, directly, and confrontational).

Expectations of women’s self-representation	vs.	Expectations of women’s representation of the event
Non-aggressiveness		Physical force
Non-assertiveness		Assertive speech
Indirectness		Directness
Passivity		Action

Table 1: Societal expectations of women’s behaviour in court, according to Ponterotto (2007: 121)

Several biases concerning rape and how a complainant should be and act are underlying these expectations. Benevieri (2022: 17-18) writes a list comprising twelve items, which includes (but is not limited to): rape is actual only when a stranger carries it out in a violent way and outside the household; complainants can fight back and manage their consent – which can be assumed by the way the complainant is dressed or acts; women are responsible for putting themselves in the violent situation; real victims react emotionally when speaking about the rape, and yet they will provide a detailed description of facts. Even

though the data sample of this article focuses on domestic violence, it is interesting to notice how some biases similarly affect courtroom interaction – for example, if only violence perpetrated by strangers is considered actual violence, questions arise as to what is of the violence carried out by (ex) partners inside the household. The same consideration can be drawn as to the other aspects – e.g., fighting back, remaining in a violent relationship for several years, and being able to provide a detailed description of single episodes of the violence. The last aspect that is interesting to consider is the low conviction rate highlighted in the introduction. Bogoch (2007) analyses the language of acquittal decisions concerning sexual offences in the Israeli Supreme Court. In her study, she considers what is “the norm” and what is “the other” when it comes to actors in the court hearing; the conclusion is that the norm is to be a white Israeli man – therefore, whoever does not fit this description, is labelled as “the other”, including women victim of GBV. This bears direct implications: when judges accept that the complainant is “the other”, her credibility is at stake, and victimhood is denied. Since where there is no victim, there is no crime – a higher range of acquittal follows (Bogoch, 2007: 176). In sentencing, gender roles are also at play: in their study on gender in sentencing domestic violence homicide cases in Poland, Matczak and Rekosz-Cebula (2022: 287) reveal how, so as for lawyers to win their case, they present male defendants as “hard workers, breadwinners, caring fathers and providers”; and female complainants as “good mothers and caretakers”.

Bearing in mind all of this, it can be said that the court is represented chiefly through male linguistic and social models within the framework of a patriarchal system (Conley & O’Barr, 2005: 63); its actors (whether lay or professionals) may be affected by gender-based biases during interaction, without necessarily being aware of it (Tannen, 1999: 237) both in the way they perceive and transmit their identity, and in the linguistic forms they choose to convey their communication. The following sections will highlight how this is reflected in the interaction between legal professionals and lay people in GBV cases of domestic violence in Italy, with a stronger focus on complainants and defendants to detect if and how they are treated differently (i.e., whether a gender asymmetry is found to exist in the interaction even considering their different role in the process).

4. Data and method of the study

The dataset was collected through collaboration with lawyers specialised in GBV crimes in Rome and Trento; it includes three domestic violence cases filed under art. 572 of the Italian Criminal Code – Ill-treatments against family members or persons living in the same

household⁸. Unfortunately, it was not possible to access the recording; the transcripts provided are the official court transcripts. In Italy, transcripts of courtroom hearings are regulated by Art. 318 et seq. of the Code of Criminal Procedure. The article states that the tapes imprinted with stenotype characters have to be transcribed in common characters no later than the day following the day on which they were formed and then attached to the trial record together with the transcript. If it is not possible for the technical staff employed by the Minister of Justice to take care of the procedure, the court can order that the transcript be entrusted to a suitable person outside the state administration. This is what happens commonly: a private company wins the tender and thus develops the job for the Ministry. Transcribers are professionals using IT tools to deal with the transcriptions; no interpretation or reformulation is provided, only what was said during courtroom hearings. Yet, as Coulthard (2011: 177) points out, even the most carefully produced verbatim will always have a degree of inaccuracy. Any kind of alterations in the flow of the speech appear only partially: in some cases, interruptions could be detected – but hesitations, false starts, prolonged syllables or pauses do not show, despite their importance in contributing to the overall communication (De Leeuw, 2007). At the same time, inconveniences may occur: e.g., participants will speak far away from the microphone or in a too-low tone of voice; voice overlapping might also take place - the transcriber will thus signal it in the transcript without further information. Despite the lack of linguistic information connected to prosody, due to their accuracy, official court transcripts provide an interesting tool for analysing turn-taking and questioning strategies with complainants and defendants.

Following Mortensen (2020), the analysis carried out is comparative, considering quantitative and qualitative data. As to the quantitative analysis, the number of words, turn-takings and the average number of words per turn-taking are considered. A further coding including cumulative questions was added, to explore the statistical relevance of this phenomenon within Italian courtroom interaction. A distinction is drawn between interactions among legal professionals and interactions between legal professionals and lay people. The dataset includes several interruptions by legal professionals while witnesses are still testifying; since it falls beyond the scope of this article to focus on these aspects, such interventions have been left out from the dataset - only a mention shall be presented in the conclusions. The qualitative analysis focuses on the morphosyntactic of questions, following the adaptation of Archer's (2005) and Mortensen's (2020) models and considering peculiarities of the Italian language and conversational style.

⁸ In the Italian Penal Code, "*Maltrattamenti contro familiari o conviventi*".

The following two sections illustrate in detail the dataset (Section 4.1) and the method (Section 4.2).

4.1. DATASET

The dataset is composed of three cases of domestic violence, involving a total of 8 court hearings (named individually as C1, C2a, C2b, and C3; and D1, D2a, D2b and D3), which took place between February 2017 and July 2022. The dataset was acquired for the sole purpose of this study according to the norms included in the Italian and European privacy law⁹; access was granted through the collaboration with lawyers, who provided the official court transcripts following a process of anonymity, in compliance with the guidelines of the Research Ethics Committee of Universitat de Vic/Universitat Central de Catalunya. The research was officially approved by REC (decision n. 149/2021); in no case data allowing the recognition of the actors and the facts shall be disclosed. Moreover, the content of the examples in this article has also been slightly modified to preserve the anonymity of the speech samples.

To understand the profile of complainants and defendants, general questions have been asked to lawyers about place of birth (North, South, centre of Italy), age at the time of the court hearing, and education (high school or university degree). As stated, these questions were asked to the lawyers to avoid contact with complainants, which might have triggered some traumatic responses in remembering what happened. Table 2 shows the profile of the data collected.

Complainants		Defendants	
Place of birth	North (1); Centre (1); South (1)	Place of birth	North (1); Centre (1), South (1)
Age	37-50	Age	40-54
Education	University degree (3)	Education	High school diploma (2); university degree (1)

Table 2: Profile of complainants and defendants, own elaboration.

In the three cases examined, besides the violation of Art. 572 other accusations of different kinds of violence were also added to the charges and changed according to the specificity of each case. Another interesting aspect to consider is that even though the main topic was the accusation of domestic violence, other non-related sub-topics were addressed to counter the accusation: in two cases, children were invol-

⁹ Decreto Legislativo 30 giugno 2003, n. 196, "Codice in materia di protezione dei dati personali"; GDPR 679/16; d.p.r. 445/2000.

ved (complainants were accused of preventing defendants from spending time with them); in one case, the complainant and the defendant had a business together (and the complainant was accused of having economic motives in accusing her partner¹⁰); moreover, in two cases the couples were married and going into divorce at the same time. Therefore, several topics were brought about from a content perspective - not merely Art. 572 related ones. As previously stated, trials took place in Rome and Trento, yet as the table shows, complainants and defendants came from different areas of Italy, providing a mild representation at a national level. The three complainants and one of the defendants completed a university degree; two defendants had a high-school diploma. As to age, the criteria used was considering how old the actors were at the time of the hearing in court; since domestic violence usually includes regular acts of violence taking place during a long and variable amount of time (in one case, around a decade before going to court), it was essential to fix the exact moment for all participants.

Regarding linguistic elements, the dataset comprised 2,967 turn-takings and 69,559 words spoken. This data includes all interactions between legal professionals and lay people (i.e., the interaction between legal professionals was left out). This is an overall presentation of the dataset collected; in order to carry out a comparative analysis between the appearance in the trial of complainants and defendants, the comprehensive dataset was then divided into two sub-datasets:

- Dataset C: court hearings where complainants were witnessing, which included 1,813 tokens for turn-taking and 41,088 tokens for words spoken;
- Dataset D: court hearings where defendants witnessed, which included 1,154 tokens for turn-taking and 28,471 tokens for spoken words.

As previously reported, the analysis carried out for this article considers the comprehensive dataset as divided into two sub-datasets; therefore, Dataset C and Dataset D bring together the three cases. In the following section, a highlight of the method followed in the analysis is illustrated.

4.2. METHOD

The analysis aimed at exploring both from a quantitative and a qualitative point of view if there are differences when GBV complainants and defendants appear before the court to testify; if so, what are these differences and if a gender asymmetry is to be found.

¹⁰ Very much alike in one case analysed by Rosulek (2014: 194).

From a quantity perspective, the turn-taking and words spoken in both datasets were considered from a general perspective (following Mortensen, 2020). The aim was to determine whether an asymmetry could be found. A closer look was taken considering the interaction between legal professionals and witnesses; here, besides counting the words spoken and turn-takings, a calculation of how many words were used on average per turn-taking was included. Followingly, the same analysis was conducted considering the direct and the cross-examinations; since re-examination were rare in the dataset, and considering the similarities in their aims, questions in these parts of the interaction have been accounted in direct/cross-examination. One peculiarity emerged: as it will be illustrated, both datasets showed that sometimes cumulative questions were asked in the same turn-taking. Therefore, this data was coded on a side note to detect the statistical relevance of this peculiarity.

From a quality perspective, questions were first analyzed according to Archer's scalar model (2005) while simultaneously adapting it partially following Mortensen (2020). Archer's scalar model distinguishes among seven types of questions according to their morphological structure and places them on a continuum of control, as illustrated below; despite the apparent differences in grammar between Italian and English, from a morphological perspective, the question forms used were very similar.

Type of question	Amount of control	Conducivity	Type of response question – type typically expects
1. Broad Wh-	Least	Low	- Open range
2. Narrow wh-	↑ ↓	↑ ↓	- Naming of specific variable
3. Alternative			- Choice of answers restricted
4. Grammatical yes/no			- Yes/no
5. Negative grammatical yes/no			- Anticipated response, whether affirmative or negative
6. Declarative			
7. Tagged declarative	Most	High	- Confirmation of proposition

Figure 1. Continuum of control in question types (Archer 2005:79).

To this taxonomy elaborated by Archer (2005), Mortensen (2020: 1) modifies the term “grammatical yes/no-question” into “yes/no question” to avoid misconceptions about what is grammatical and what is not; 2) avoids negative grammatical yes/no questions, as virtually

nonexistent in his data; 3) includes echo questions in declaratives; and adds a category called “other/indeterminable” including elliptical, embedded, combined, imperative constructions and otherwise syntactically ambiguous questions (Mortensen, 2020: 250-253). In this article, both aspects n. 1 and 3 were adopted; negative grammatical yes/no-questions have been included in the study due to their presence in the data; the category’s name has been modified in “negative yes/no-questions”. Since the category called “other/indeterminable” was extremely present (27.95 % in Dataset C and 25.38 % in Dataset D), further coding was carried out to understand what was happening in these exchanges. According to this further coding, five major question types were detected to occur: 1) impossible to decipher, 2) unfinished utterances, 3) third turns, 4) imperatives, and 5) indirect questions and polite requests. Furthermore, there were remaining which did not present homogeneous characteristics.

Questions coded as “impossible to decipher” refer to utterances that the transcriber could not understand and write down; the most common reason was that either participants were speaking far away from the microphone or their voices were overlapping. “Unfinished utterances” were considered following Bellucci (2005: 206), who distinguishes between utterances intentionally left open or utterances left unfinished because of an interruption. Unfortunately, due to the constraints of the official court transcript, it was not possible to separate the two – who were then considered jointly. “Third turns”, “imperatives”, and “indirect questions and polite requests” were coded following Gnisci (2000) and Bellucci & Torchia (2013). “Third turns” have no clearly-defined morpho-syntactical form; most of the time, they are a single lexical unit uttered by the lawyer (e.g., “good”, “ok”), and sometimes not even that – as Hobbs (2003: 489) writes, one common example includes the physician’s “mmhm”. “Imperatives” refer to requests formulated as orders (e.g. Tell us what happened that night); they also appear in Adelswärd et al. (1987) under the tag “requests”. “Indirect questions and polite requests” (e.g. “I would like to know what happened on that night”) appear less coercive than imperatives (while still conveying an order) and were also side-coded. Here, the question is introduced by a subordinate clause introducing cognitive elements of the speaker or the interlocutor (Gnisci, 2000: 60), e.g. statements explicating what the speaker is doing (e.g., I am asking you what happened); or statements underlying the obligation to answer (e.g. Now you must tell us what you saw that night). It is to be noted that in some studies (e.g., Gnisci, 2005), imperatives, indirect questions, and polite requests are considered as one category. Given the difference in their structure and how witnesses may perceive such questions, this article has considered them separately.

The dataset collected presented two more peculiarities, which are illustrated followingly.

Firstly, the dataset showed legal professionals asking two to five questions in the same turn (17.04 % when dealing with complainants, 16.84 % when dealing with defendants). Consequently, answers were not always complete, as shown in the extract below.

- (1) Cumulative questioning in the same turn-taking, C2A
Difesa: Allora, la domanda è questa, in che giorno è avvenuto, in quello che lei indica nella querela? È avvenuto in quel giorno, a che ora è successo, chi era presente?
 Defence: So, the question is this, on what day did it happen, on the day you indicated in the police statement? Did it happen on that day, what time did it happen, who was present?
Parte offesa: Beh, se mi... in questa cosa mi riferisco a un giorno che era in soggiorno con... mi pare che era l'ora di cena, sì.
 Complainant: Well... if I... as to this thing, I am referring to a day when I was in the living room with... I think it was dinner time, yes.

Each element was considered in the analysis: namely, in the example provided, three narrow wh-questions and two yes/no questions were counted. Because of this peculiarity, there is a discrepancy between the total amount of turn-taking and the questions asked. Since this peculiarity emerged clearly from the dataset, a side coding was implemented, as previously illustrated. Considering that it does not involve the morphosyntactic form but rather characteristics of turn-taking, this aspect was included in this quantitative section of the analysis.

Secondly, the dataset also showed legal professionals asking yes/no questions and receiving expanded answers from witnesses. Yes/no questions asked to complainants amount to 32.86 %; 15.95 % of these questions received an expanded answer. Considering defendants, they were asked yes/no questions at 26.48 %; 11.46 % received an expanded answer.

- (2) Yes/no question receiving an expanded answer, C2A
 PM: Senta, altri litigi in cui è stata sbattuta a terra e presa a pugni e calci se li ricorda?
 Prosecutor: Listen, what about other arguments where you were thrown on the ground and punched and kicked, do you remember them?
Parte Offesa: Sì, spesso succedevano in camera da letto, il tema è sempre lo stesso, i soldi, la casa, il risarcimento, la colpa, è sempre colpa mia e io, addirittura, mi diceva "Non si sa come hai fatto a laurearti, cioè non capisco".
 Complainant: Yes, it often happened in the bedroom, the topic is always the same, the money, the house, the compensation, the guilt,

it is always my fault, and I, he even told me, “I don’t know how you graduated from university, I mean I don’t understand”.

In these cases, questions were coded as yes/no-questions, with a side note – again, so to detect the statistical relevance.

Finally, two analysis models were implemented: firstly, the quantitative and qualitative one, following Archer (2005) and Mortensen (2020), while bearing in mind the peculiarities emerging from the dataset – as illustrated above. Secondly, a comparative approach was adopted, following Mortensen’s (2020). In his article, Mortensen compares Danish and US American court trials; following this method, a comparative analysis between the hearings that complainants and defendants witnessed was drawn. The analysis and discussion are illustrated in the following section.

5. Analysis and discussion

This section includes the results stemming from the data collected; firstly, a general presentation with some considerations as to the dataset is introduced; secondly, a focus is placed on a comparison between trials in the two datasets: turn-taking, words spoken, words per utterance, number of questions asked, and the distribution of morphosyntactic question types in the interaction with witnesses during court hearings; and thirdly, a more specific look will be taken at both direct examination and cross-examinations, following the same criteria.

As illustrated in section 4.1, the dataset includes 1,813 tokens for turn-taking and 41,088 tokens for words spoken in Dataset C and 1,154 tokens for turn-taking and 28,471 tokens for words spoken in Dataset D. In percentage, this means that considering the overall dataset, 61.1 % of turn-taking were found in Dataset C, and 38.9 % in the Dataset D. Regarding the amounts of words spoken, the ratio shows that 59.07 % belongs to the Dataset C, and 40.93 % to the Dataset D. Thus, a first and general quantitative analysis would seem to show an imbalance. It appears that when complainants witness, their testimony is more extensive compared to defendants. However, disaggregated data draws a different picture, as in the following table.

	Turn-taking, C	Turn-taking, D	Words spoken, C	Words spoken, D	Average words per turn-taking, C	Average words per turn-taking, D
Case 1	131 (29.74 %)	317 (70.76 %)	5,625 (49.76 %)	5,679 (50.24 %)	42.94	17.91

Case 2	1360 (66.18 %)	695 (33.82 %)	29,136 (63.16 %)	16,995 (36.84 %)	21.42	24.45
Case 3	322 (69.4 %)	142 (30.6 %)	6,327 (51.05 %)	6,067 (48.95 %)	19.65	42.72

Table 3: Disaggregated datasets, author's own elaboration.

As seen in Table 3, each case shows a different picture, presumably a portrait of how differently GBV can be treated in court. From a quantity perspective, the second case included much more data (the case involved two hearings where the complainant witnessed, two hearings where the defendant witnessed, with two defence lawyers interrogating the complainant). Here, a total of 2,055 tokens as to turn-taking and 46,131 words spoken are to be found (out of a total of 2,967 to turn-taking and 69,559 words spoken). Regarding individual differences, in the first case, complainants spoke more words (average, 42.94) in less turn-taking (131), meaning their testimony was less constrained. The opposite was true for the defendant, who spoke fewer words (average, 17.91) on more numerous occasions of turn-taking (317). In the second case, words per turn were similar (21.42 and 24.45, respectively), but the complainant spoke approximately twice as much compared to the defendant (1,360 and 695 turn-taking, respectively). In the third and last case, we have a picture that is a mirror of the first case; the defendant spoke more words (average, 42.72) in less turn-taking (142) than the complainant (average, 19.65 words in 322 turn-takings). These considerations are helpful in order to understand the limits of the present study while highlighting, at the same time, the need for more data for a deeper analysis to establish a common pattern.

5.1 COURTROOM INTERACTION: A QUANTITATIVE ANALYSIS

Firstly, a quantitative analysis will be illustrated considering turn-takings, words spoken, words per turn-taking and number of questions asked by legal professionals. Then, considerations will be drawn as to the participation of complainants and defendants. Regarding the former, results are shown in Table 4.

The first aspect deserving attention is the imbalance as far as the two lawyers are concerned. In Dataset C, defence lawyers are running the cross-examination – their turn-taking amounting to 26.97 %, and the words spoken to 20.96 % of the corpus. Defence lawyers also ask more than half of questions, with a percentage of 52.59 %. A comparison can be drawn to the civil parties in Dataset D when they lead the cross-examination with defendants: their turn-taking amounts to 19.76 %, and words spoken to 12.43 % of the dataset. As to the num-

ber of questions, this amounts to 38.02 %. It might be argued that the conversation agenda of prosecutors and civil defence could, somehow, overlap – thus, the two could be considered, in very approximate terms, as a single actor. Looking at the trial in these terms, prosecutors and civil parties show a higher percentage as to turn-taking (32.15 % versus 26.97 %) and questions asked (62.67 % and 52.59 %) – and yet even so, the amount of words spoken is higher among defence lawyers (20.96 % versus 18.73 %). Thus, from the data, defence lawyers play the leading role among legal professionals in GBV crime trials. Prosecutors seem more active in Dataset D; while judges in Dataset C, especially regarding turn-taking.

	Turn-taking	Words spoken	Average words per turn-taking	Number of questions ¹¹
Dataset C				
Judge	238 (13.13 %)	3,650 (8.88 %)	15.37	259 (21.54 %)
Prosecutor	135 (7.44 %)	2,065 (5.03 %)	15.3	174 (14.48 %)
Civil party	112 (6.18 %)	1,454 (3.54 %)	12.98	137 (11.39 %)
Defence lawyer	489 (26.97 %)	8,611 (20.96 %)	17.6	632 (52.59 %)
Complainant	839 (46.28 %)	25,308 (61.59 %)	30.16	-
Dataset D				
Judge	119 (10.31 %)	2,180 (7.66 %)	18.32	153 (21.07 %)
Prosecutor	143 (12.39 %)	1,795 (6.3 %)	12.55	179 (24.65 %)
Civil party	228 (19.76 %)	3,540 (12.43 %)	15.53	276 (38.02 %)
Defence lawyer	98 (8.49 %)	1,383 (4.86 %)	14.11	118 (16.26 %)
Defendant	566 (49.05 %)	19,573 (68.75 %)	34.58	-

Table 4: Quantitative analysis of the two datasets, including turn-taking, words spoken, words per utterance and number of questions asked. Own elaboration.

¹¹ As illustrated in the previous section, the dataset showed a presence of cumulative questions within the same turn-taking; therefore, the number of questions is different than the number of turn-taking.

Cumulative questioning was present throughout the dataset and deserves some considerations. Overall, 17.04 % of turn-taking in Dataset C and 16.84 % in Dataset D present this peculiarity. This data remains relatively stable in direct examination, accounting for 18.75 % of turn-taking in Dataset C and 19.39 % in Dataset D, and changes slightly in cross-examination: 19.43 % in Dataset C and 16.23 % in Dataset D. Attempting an explanation while analysing the dataset, two directions can be pointed out. On the one hand, cumulative questioning was used to encourage witnesses in their story-telling; on the other hand, it has also been used to exert pressure on witnesses. Unfortunately, detecting when it was the former and when the latter is impossible due to the limitation of official court transcripts. Whether cumulative or not, the number of questions asked to complainants and defendants is an interesting element to consider, as this could be significant in visualizing the pressure placed on witnesses when called to testify: their role is to answer (limited amount of power), while the role of legal professionals involves asking (higher power status). Since data differed depending on the case, disaggregated data regarding the number of questions asked by each actor are presented in Table 5.

	Judge	Prosecutor	Civil Party	Defense
Dataset C				
Case 1	17 (1.41 %)	2 (0.17 %)	29 (2.41 %)	34 (2.83 %)
Case 2	239 (19.88 %)	109 (9.07 %)	70 (5.82 %)	518 (43.09 %)
Case 3	3 (0.25 %)	63 (5.24 %)	38 (3.16 %)	80 (6.67 %)
Total Dataset C	259 (21.54 %)	174 (14.48 %)	137 (11.39 %)	632 (52.59 %)
Dataset D				
Case 1	70 (9.64 %)	46 (6.33 %)	77 (10.61 %)	4 (0.56 %)
Case 2	70 (9.64 %)	115 (15.84 %)	182 (25.07 %)	83 (11.43 %)
Case 3	13 (1.79 %)	18 (2.48 %)	17 (2.34 %)	31 (4.27 %)
Total Dataset D	153 (21.07 %)	179 (24.65 %)	276 (38.02 %)	118 (16.26 %)

Table 5: Quantitative analysis of the two datasets considering disaggregated data regarding the number of questions asked. Own elaboration.

Again, Case 2 stands out regarding the amount of data, while Case 1 and Case 3 present divergencies in any possible item considered. Overall, most questions are asked by civil parties and defense lawyers during cross-examination; the difference is quite striking: regarding civil parties interrogating defendants, questions amount to 38.02 %;

then the defense interrogates the complainants, the percentage rises to 52.59 %. And yet differences among the cases are remarkable, as more questions are asked in Case 2. Once again, Case 1 and 3 are a similar mirror version of each other. If, during direct examination, the difference is relevant but not so striking, the same cannot be said about cross-examination – where the amount of questions is more than double. From the outside, it could look as though complainants had to tell (justify?) their story, while defendants needed not (are not asked? Is it strategically better if they do not?) to participate in the trial as much. Even considering that the burden of proof rests in the hands of the prosecution, and that the word of the complainants is considered evidence (while the defendant one is not) it is hard not to note how - to put it in Bourdieu's terms (1998) - the management of symbolic power involves that the dominated must justify its existence (and not merely tell the story), while none of this is required of the dominant. However, the number of questions greatly depended on the single case; the only common pattern was that complainants were asked more than twice as many questions in the cross-examination.

Prosecutors appear to play an active role with defendants in Case 1 and 2 (6.33 % and 15.84 % versus 0.17 % and 9.07 % with the complainants), while the opposite is true in Case 3 (2.48 % versus 5.24 %). Overall though, they present a balanced picture when it comes to questioning complainants (174) and defendants (179) in real terms, while proportionally speaking the difference emerges (14.48 % and 24.65 %). Judges appear not to follow any specific pattern; overall though, it is interesting to notice that while proportionally speaking they ask a similar quantity of questions to complainants and defendants (21.54 % and 21.07 %), in real terms complainants are asked many more questions (259 versus 153) – with a high unbalance regarding the data provided in Case 2 as to complainants (most questions asked, namely 239), and Case 3 as to defendants (least questions asked, namely 13).

Regarding complainants and defendants, they show a difference both as to turn-taking (46.28 % and 49.05 %), words spoken (61.59 % and 68.75 %), and words per turn-taking (30.16 and 34.58). Proportionally speaking, defendants appear less constrained in their testimony than complainants.

Shifting slightly perspective, a further element needs to be highlighted, namely the number of turn-takings and words spoken by legal professionals compared to lay people, i.e., defendants and complainants.

	Turn-taking	Words spoken	Words per turn-taking
Dataset C			
Legal professionals	974 (53.72 %)	15,780 (38.41 %)	16.2
Complainant	839 (46.28 %)	25,308 (61.59 %)	30.16
Dataset D			
Legal professionals	558 (50.95 %)	8,898 (31.25 %)	15.95
Defendant	566 (49.05 %)	19,573 (68.75 %)	34.58

Table 6: Quantitative analysis of the two datasets, including turn-taking and words spoken. Own elaboration.

As shown in Table 5, proportionally speaking, defendants are more present in the trial compared to complainants (49.05 % of turn-taking and 68.75 % of words spoken compared to 46.28 % of turn-taking and 61.59 % of words spoken); their amount of turn-taking is almost the same compared to legal professionals (49.05 % and 50.95 % respectively) and they utter more than double the number of words of legal professionals (68.75 % and 31.25 % respectively) in longer turns (averagely, 34.58 words per turn). Compared to defendants, complainants speak less under all elements considered: turn-taking, words spoken, and words per turn-taking. The degree of participation between legal professionals and complainants is similar to the one of the defendants, with a higher presence of the former in comparison with the latter (53.72 % versus 46.28 % in turn-taking, and 38.41 % versus 61.59 % as to words spoken). It is interesting also to notice that legal professionals in Dataset C speak almost double in real terms compared to legal professionals in Dataset D (974 and 558 of turn-taking, respectively; and 15,780 and 8,898 words spoken, respectively); however, this does not reflect equally in terms of participation from the defendants and the complainants (839 and 566 as to turn-taking, and 25,308 and 19,573 words spoken). Again, quantitative dominance can be highlighted. Drawing a connection with the presentation of the comprehensive dataset, complainants appear to witness for more extended periods while participating less in the interaction.

5.1.1 Distribution of morphosyntactic question types in courtroom interaction

The following figures shows the distribution of the different morphosyntactic question types in the two datasets. The occurrences have been calculated in percentage.



Figure 2: Frequency distribution of morphosyntactic question types in the two datasets. Own elaboration.

Two aspects will be considered: firstly, the morphosyntactic question types, and secondly, the category “other/indeterminable”.

As to morphosyntactic question types, it can be noticed that most differences are related to “yes/no questions” (32.86 % and 26.48 %) and “negative yes/no questions” (1.75 % and 3.86 %); “declaratives” (9.07 % and 15.86 %) and “tagged declaratives” (2.41 % and 4.69 %). “Yes/No questions” appear more present when dealing with complainants than with defendants. During direct examination, “yes/no questions” are used to provide the details of the story in a consistent way (Bellucci & Torchia, 2013: 94); during cross-examination, they are used to verify what has been previously said in order to highlight inconsistencies (Bellucci & Torchia, 2013: 96). As previously stated, there were times when “yes/no questions” involved an expanded answer, not limited to yes/no (this appears in both Dataset C and Dataset D). Therefore, even though this question type is traditionally defined as controlling, in Italian courts, witnesses also used it to develop their story further – without incurring sanctions by the court.

Data shows that “yes/no questions” “answered as “broad” or “narrow-wh” questions appear at 15.95 % in Dataset C and 11.46 % in Dataset D. Two explanations may be possible: one involving the lawyer’s intention and one involving the witness’ intention. Regarding the former, according to Bellucci (2005: 199), such questions are closed when looking at their morphosyntactic aspect, but considering them from the conversational interaction, they function as open questions. “Do you know what happened that day?” could provide an example; when considered strictly according to the morphosyntactic form, this question would need a yes/no answer, and yet the lawyer might be simply omitting the segment “and can you tell us about it?”. Regarding the latter, according to Galatolo & Drew (2006), witnesses may

also use expanded answers to resist lawyers. Such expanded answers tend to provide further evidence, which helps contextualize the events spontaneously narrated, thus avoiding the – sometimes – oversimplified version of events proposed in the yes/no questions.

Regarding “declaratives”, they were asked much more to defendants (15.86 %) than complainants (9.07 %); the same applies even more strikingly to “negative yes/no questions” (1.75 % and 3.86 %) and “tagged declaratives” (2.41 % and 4.69 %). Even though they are present in the dataset in a low percentage, it is interesting to notice that proportionally speaking, they are used with defendants nearly double compared to complainants. Generally speaking, if more controlling questions are to be considered on the scale starting from (and including) alternative questions while excluding the questions categorized as “other/indeterminable”, defendants appear to be asked more controlling questions (54.34 %) compared to complainants (50.42 %). This differs significantly when considering direct and cross-examination, as it will be further illustrated. The fact that generally speaking, controlling questions are used more in courtroom settings was also found in previous studies (Bellucci & Torchia, 2013: 92).

From a quantity perspective, the category “other/indeterminable” also deserves careful reflection, as previously illustrated; it accounts for 27.95 % of the questions asked to complainants and 25.38 % to defendants. Table 7 highlights the general findings.

	Impossible to decipher	Unfinished utterances	Third turns	Imperatives	Indirect questions and polite requests	Other
Dataset C	9.23 %	23.21 %	22.62 %	10.12 %	27.98 %	6.84 %
Dataset D	14.13 %	47.83 %	21.74 %	6.52 %	6.52 %	3.26 %

Table 7: Quantitative analysis of the two datasets, including the most commonly shown utterances in the “other/indeterminable” category. Own elaboration.

Relevant differences are found in all categories except for “third turns”, which show similar results (22.62 % as complainants and 21.74 % as defendants). Firstly, it is impressive to notice how requests, in general, are more numerous in Dataset C: considering “imperatives” and “indirect questions and polite requests” together, they amount to 38.1 % - while only to 13.04 % in Dataset D. Secondly, a striking difference is also to be noticed when considering questions that were “impossible to decipher” (9.23 % as to claimants and 14.13 % as to defendants) and “unfinished utterances” (23.21 % in Dataset C, and 47.83 % in the Dataset D). Finally, utterances that were impossible to tag and fell

in the “other” category amount to 6.84 % in Dataset C and 3.26 % in Dataset D. Given the significance of the differences highlighted, an attempt of explanation is needed – bearing in mind all the limits already mentioned, primarily referring to the study of official court transcript and the quantity of data.

A partial explanation that deserves further studies about the category “impossible to decipher” might point in the direction of more confrontational exchanges (and thus, overlapping); if this were the case, it would be a sign of dominance by the defendants. The same could also be said when referring to “unfinished utterances”: 1) utterances left unfinished intentionally by the lawyer and 2) utterances interrupted by the witness (Bellucci, 2005: 206). An attempt to explain the former could be that lawyers left the question unfinished for witnesses to pick up the statement and expand their answers (thus displaying solidarity and empathy); as to the latter, an interruption could display the witness’s power and dominance. This happened nearly twice when defendants witnessed (47.83 % versus 23.21 %). Since transcripts used for the analysis were official court transcripts with no information regarding prosody, knowing how the interaction went is not possible.

When considering requests in general, it is essential to remember that “imperatives” explicit coercion (Bellucci & Torchia, 2013: 104), while “indirect questions and polite requests” may be perceived as less face-threatening (even though, within the courtroom, witnesses are still obliged to answer). Another element to consider is that previous studies have highlighted how witnesses in court are asked to fulfil Grice’s maxims (Galatolo, 2002: 147; also Bellucci, 2005: 167) and how, by showing the willingness to collaborate, they are perceived as more credible (Galatolo, 2002: 149). When dealing with GBV cases, it has been pointed out that survivors struggle when telling their stories (e.g., they violate Grice’s maxim of quantity) and are asked more questions to satisfy the court’s needs. Heffer perfectly describes the clash between the need of the prosecution to elicit the full story of sexual violence and the complainant’s reticence in producing the story (2005: 120); this might be an explanation as to the reason behind so many requests for information, especially during direct examination. During cross-examination, however, requests can be a strategy by the opposing lawyer to appear friendly and not threatening while still placing pressure on complainants during the testimony.

5.2 DIRECT AND CROSS-EXAMINATION: QUANTITATIVE AND QUALITATIVE ANALYSIS

As previously stated, re-examination by the civil party and the defence lawyers were extremely rare in the dataset collected (5.16 %); because of their pragmatic similarities in questioning strategies with direct and cross-examination, they have been considered together. In

Figure 3, the results are shown and commented on regarding the morphosyntactic distribution of questions during direct examination; afterwards, data regarding cross-examination are presented.

Two elements will be assessed: morphosyntactic question forms and a close analysis of the “other/indeterminable” category. Firstly, when dealing with the morphosyntactic distribution, low control question types (“broad” and “narrow wh-”) are asked more to complainants (overall, 33.58 %) than to defendants (overall, 27.97 %). “Yes/no questions” appear to be evenly distributed (37.95 % and 37.29 %); the same balance can be found when further coding “yes/no questions” receiving an expanded answer (13.46 % in Dataset C and 13.63 % in Dataset D). Moreover, certain question types are only present in the direct examination of defendants – namely, “negative yes/no questions” (2.54 %) and “tagged declaratives” (5.93 %). “Alternative questions” appear approximately three times as much in Dataset D (0.73 % and 2.54 %), and “declaratives” are also asked more in Dataset D (12.41 % and 16.95 %). Generally speaking and considering how control can be exerted through questioning, it appears that during direct examination, such control is exerted more extensively on defendants (65.25 %) than complainants (51.09 %). Explaining this difference is complex; one possibility might be that defence lawyers do not trust their clients will spontaneously provide the narrative they need in order to win the case – thus, they tend to ask questions in a more controlling way compared to civil parties and complainants (as found in Gibbons, 2003: 1893).

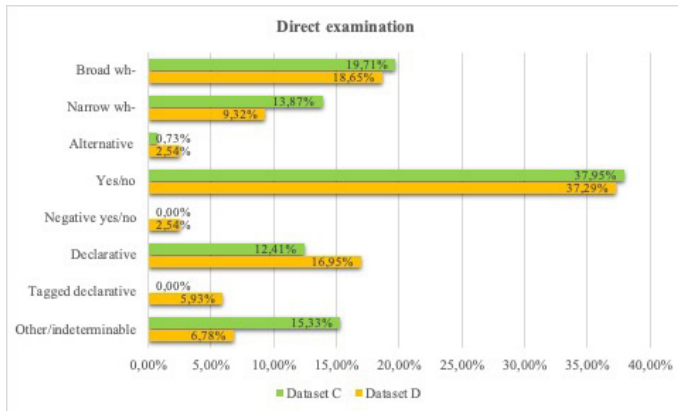


Figure 3: Frequency distribution of morphosyntactic question types as to friendly cross-examination. Own elaboration.

As to the category “other/indeterminable”, the specific coding detected was the following.

	Impossible to decipher	Unfinished utterances	Third turns	Imperatives	Indirect questions and polite requests	Other
Dataset C	14.29 %	38.1 %	0 %	14.28 %	33.33 %	0 %
Dataset D	0 %	37.5 %	25 %	12.5 %	12.5 %	12.5 %

Table 8: Quantitative analysis of the two datasets regarding direct examination by lawyers, including the most commonly shown utterances in the category “other/inde-terminable”. Own elaboration.

While it needs to be pointed out that the category “other/inde-terminable” was not so relevant in direct examination, especially in Dataset D (6.78 % of the questions as to defendants, and 15.33 % in Dataset C), with the further coding some differences arose. In direct examination, it can be seen how “third turns” are addressed only to defendants, as well as utterances coded under “other”. Questions “impossible to decipher” were only present in Dataset D. “Unfinished utterances” show a balanced picture, while the same cannot be said regarding requests. While the use of “imperatives” is quite similar (14.28 % in Dataset C and 12.5 % in Dataset D), the same does not apply to “indirect questions and polite requests” – which are strikingly more present in Dataset C (33.33 % versus 12.5 %).

Cross-examination of complainants and defendants shows a different pattern of questions, as illustrated in Figure 4.

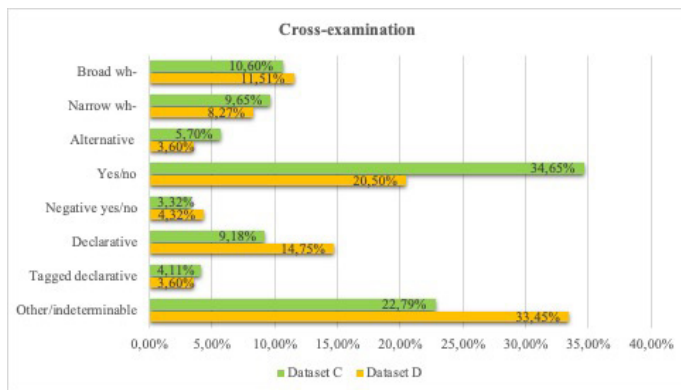


Figure 4: Frequency distribution of morphosyntactic question types as to cross-examination. Own elaboration.

Differences in questioning strategies arise when taking a look at direct and cross-examination, with the former showing a higher presence

of “broad” and “narrow wh- questions”, as well as “yes/no questions” in comparison to the latter – as it can be expected, in cross-examination, lawyers tend to ask more coercive questions. As in direct examination, morphosyntactic question types and the category “other/indeterminable” will be subsequently analysed.

Firstly, the morphosyntactic analysis shows that “broad” and “narrow wh-questions” are divided relatively equally between complainants and defendants (overall, 20.25 % and 19.78 %); a slight difference emerges regarding “alternative questions”, which are asked more to complainants (5.70 % versus 3.60 %); the same applies to “tagged declaratives” (4.11 % versus 3.60 %). “Negative yes/no questions” are asked slightly more to defendants (4.32 % versus 3.32 %). Higher differences are found in “yes/no questions”, “declaratives”, and “other/indeterminable”. “Regarding yes/no questions”, they are asked more to complainants than to defendants (34.65 % and 20.50 %). About a third of these questions received an expanded answer in Dataset C (10.05 %), while the proportion rose to half in Database D (10.53 %). “Yes/no questions” seem to be the favourite to ask complainants, even though – as was previously illustrated – these types of questions could also be answered while including an expanded answer, hence not limiting the range of options to yes/no. On the other hand, “declaratives” were asked more by defendants than by complainants (14.75 % versus 9.18 %). Data shows that in cross-examination, controlling questions tend to be asked more by complainants (56.96 %) than defendants (46.76 %).

When considering cross-examination, the picture changes drastically when taking a closer look at the category “other/indeterminable” compared to direct examination; here, a remarkable difference is to be found between the two datasets: they amount to 33.45 % as to defendants and 22.79 % as to complainants. Further coding was carried out, as illustrated in Table 8.

	Impossible to decipher	Unfinished utterances	Third turns	Imperatives	Indirect and polite questions	Other
Dataset C	9.03 %	23.61 %	21.53 %	3.47 %	32.64 %	9.72 %
Dataset D	21.5 %	50.54 %	19.35 %	0 %	1.08 %	7.53 %

Table 9: Quantitative analysis of the two datasets regarding cross-examination by lawyers, including the most commonly shown utterances in the category “other/indeterminable”. Own elaboration.

As it can be seen, data as to cross-examination differ radically compared to direct examination. First of all, we have utterances” impos-

sible to decipher”, which was not present during the examination in Dataset D; the same applies to “third turns”, which in direct examination did not appear in Dataset C. On the contrary, “imperatives” were found in both datasets in direct examination but were not present in the defendants’ cross-examination. Considering cross-examination solely as to complainants and defendants, some differences are remarkable; once again, questions “impossible to decipher” and “unfinished utterances” are more present in Dataset D (21.5 % versus 9.03 % as to the former, 50.54 % and 23.61 % as to the latter). A further attempt can be made to find an explanation based on the concept of gender asymmetry illustrated in section 3.1. Riger *et al.* (1995: 466) claim that gender bias is a pervasive problem in courts on various levels - the first element to consider is perception and self-perception. In the dataset collected, all civil party lawyers were women – and they were carrying out the cross-examination of defendants. If women lawyers’ identity comprises both the professional and the gender aspects, then power dynamics in interaction will change depending on whether the priority is attributed to the former or the latter by the actors involved. Thus, a possible explanation might be that defendants (lay people) considered themselves more powerful than women lawyers (professionals) for the mere fact of being men (e.g., assigning priority to gender over profession, even within the context of a court). Even though, as previously stated, “unfinished utterances” could also serve the purpose of requesting an open answer, throughout the dataset, questions that needed to be asked in 2-3 turns to be completed by the lawyer emerge: these undoubtedly represent blatant interruptions.

To continue with the analysis, “third turns” are quite balanced (21.53 % as to complainants and 19.35 % as to defendants); “imperatives”, “indirect and polite questions”, and “other” are mainly present in Dataset C. It is interesting to notice how requests generally account for 36.11 % of “other/indeterminable” as to complainants but only for 1.08 % as to the defendants. Considering the characteristics of cross-examination, this could be explained as a politeness strategy by defence lawyers to mitigate their questioning while still keeping the pressure on the witness.

6. Conclusions and future directions

The article attempted to analyse if gender asymmetry can be detected in court hearings dealing with domestic violence in Italy; and namely, if a different treatment of defendants and complainants emerges (even considering their different roles during the trial), and if so, what kind of differences are to be found that may affect the delivery of justice. In this section, firstly, conclusions are drawn; then, a hint as to future directions is provided.

Regarding conclusions, results are promising, even though this has been an explorative study that would require more data to confirm the findings. This article has shown that, within the dataset considered, a gender asymmetry could be revealed in the quantitative and qualitative analysis. From a quantitative point of view, on the one hand complainants are asked to speak more than defendants in real terms: 839 turn-taking versus 566, and 25,308 words uttered versus 19,573 – on the other hand, they participate the least in the interaction in proportional terms: 46.28 % of turn-taking versus 49.05 %; and 61.59 % of words uttered versus 68.65 %; averagely, each answer provided by complainants contained 30.16 words, compared to 34.58 of the defendants. Especially remarkable is the difference in the number of questions asked on average during cross-examination: when considering complainants, they were asked more than twice as many questions of defendants (632 and 278; in percentage, 69.45 % and 30.55 %). Considering how stressful cross-examination can be, it is no surprise that, at least from the quantitative findings, complainants could suffer further victimisation (also bearing in mind that sometimes they are asked questions by more than one defence lawyer, as was the case in Dataset 2Ca and Dataset 2Cb). In contrast, usually, defendants are only questioned by one lawyer.

From a qualitative perspective, the analysis of the morphosyntactic question types revealed that defendants are asked more controlling questions than complainants in general (54.34 % versus 50.42 %) and in direct examination (65.25 % versus 51.09 %). The situation is reversed in cross-examination, where more controlling questions are asked to complainants (56.96 % versus 46.76 %) - an aspect that may add further stress on them, especially considering the combination of the quantitative and qualitative analysis findings.

When looking at these results through the lenses of the concepts of symmetry/asymmetry and power/solidarity illustrated in section 3.1, we can thus say that there may be a situation of gender asymmetry, where defendants are treated more favourably than complainants.

In order to restore gender symmetry – even in the context of power asymmetry, which characterizes trials - some actions need to be carried out since such asymmetry harms complainants and may bring about a poor administration of justice, too. The European Court of Human Rights has ruled several times on the limits regarding what elements can be brought in trials to discredit complainants - verdict against Italy in 2021 (final judgement *J.L. v. Italy*, application no. 5671/16). Limits on where legitimate defence ends and where intimidation of witnesses starts have been explored in the 2015 verdict against Slovenia (in particular par. 104 and 106 of final judgement *Y. v. Slovenia*, application no. 41107/10). Besides that, raising awareness through legal professionals about communication and linguis-

tic dynamics is also essential. As previously mentioned, people are not always aware of their own gender biases; due to the dynamics of courtroom interaction, some legal actors may be aware of them and use them in their questioning strategies on purpose. Awareness as to the former and limits as to the latter are greatly needed to prevent secondary victimisation. As explored by Queralt & Benedetti (2023), providing specialised training courses for legal professionals (judges and lawyers alike) could prove to be a helpful option that needs to be further explored; such topic has already been addressed in previous studies regarding linguistics (e.g., Bellucci, 2005: 437) and has been brought to the attention also of the public opinion by recent national newspapers regarding GBV (Visentin, 2023): results stemming thereof await.

Regarding future directions, further developments may take at least three different paths: 1) the study of questions in the Italian language as to courtroom setting, 2) the study of interruptions by lay people, and 3) the study of interruptions by legal professionals.

Regarding questioning strategies in Italian courtrooms, several conversational elements are similar between Italian and English courtroom interactions. Even so, some elements differed significantly – especially when examining “yes/no questions” and the category “other/indeterminable”. On the one hand, it could be significant to deepen further the control continuum applied from the English to the Italian language and consider whether other categories might be added and where precisely on the continuum. Besides that, even though most of the time the morphological form does not change from one language to the other, from the official transcript, it appears that some questions deemed controlling in English (i.e., “yes/no questions”) receive different treatment in Italian (i.e. expanded answers). This happened to 15.95 % of “yes/no questions” in Dataset C and to 11.46 % of “yes/no questions” in Dataset D. Thus, the same linguistic form can be used to achieve different pragmatic functions (Bellucci & Torchia, 2013: 93). Gnisci (2000: 48) has also underlined how in Italian courts there is an excessive use of “yes/no questions”.

The Italian language has different conversational means to encourage an expanded (open) answer, which only sometimes matches the morphosyntax of “broad wh-questions”. From the dataset, the following ones emerged: 1) “third turns” (which appeared 22.62 % in Dataset C and 21.74 % in Dataset D); 2) cumulative questions (which appeared 17.04 % in Dataset C and 16.84 % in Dataset D); and 3) “unfinished utterances” (which appeared 23.21 % in Dataset C and 47.83 % in Dataset D). As previously illustrated, “third turns” were used as a conversational marker to witnesses they had been listened to; the reaction was to expand the answers further. However, this can also imply a duality in terms of meaning in the interaction: sometimes

markers were used by lawyers in a sceptical way, thus signalling disbelief regarding what the witness said, and sometimes markers were used as an encouragement to continue with the story-telling. Gnisi (2000: 56-57) highlighted the importance of considering elements related to the prosody connected to questioning, which, unfortunately, are not available in official court transcripts (see Section 4). A further interesting element to consider is that “third turns” appear also to be used and understood differently depending on gender. Maltz &orker (1983: 201-202) call “third turns” “minimal responses”; according to the authors, they serve a different purpose (have a different meaning) depending on gender. For women, a minimal response means that the speaker has been listened to and encourages them to continue talking; for men, it has a more substantial meaning in that it signals agreement with what has been said.

Regarding cumulative questions in the same conversational turn, this has been used in the dataset as a strategy to encourage open answers and as a strategy to exert pressure on the witness, depending on the actors involved and the phase of the trial. As to the former, traces are to be found in literature, too (Bellucci & Torchia, 2013: 97). Regarding unfinished utterances, it was not possible to fully detect whether the intention of the legal professional was to leave the sentence open, waiting for the witness to pick up the topic and expand it in their answer; or if legal professionals were just interrupted. In the former case, unfinished utterances also acted as an encouragement to speak. Tannen (1993: 173) has shown the relativity of specific linguistic strategies (e.g., indirectness, interruption, silence versus volubility, topic raising, and adversativeness), which can act both as dominance and as solidarity strategies, depending on many contextual elements. Further research might shed light on such aspects and detect the different pragmatic functions that can be applied to the same utterance.

The second and third element of further studies is interruptions by lay people and legal professionals. As to the former, in this article, such interruptions were coded under “unfinished utterances”, which, as previously illustrated, on the one hand, can be used by lawyers as a tool to encourage witnesses to expand their answers (as it may happen also in spontaneous conversations, according to Clark & Fox Tree, 2002: 90); on the other hand, when they are to be coded as actual interruptions, they could also be seen as a trait of dominance. Subsequently, since the dataset involved mostly women legal professionals (whereas men were mainly defence lawyers and approximately half prosecutors), it could be interesting to see if and how gender biases are at work – not only as to complainants but also as to legal professionals. Detecting how women legal professionals are perceived in their role as women and legal professionals by defendants could be interesting in that it would add elements to gender

biases at work during trials; at the same time, depending on how other legal professionals perceive such occurrences could bring about interesting outcomes also on how the overall trial is dealt with. For instance, data showed that “unfinished utterances” were much more present in cross-examination in Dataset D (50.54 % of the category “other/indeterminable”) – thus, women lawyers of the civil party were interrupted/left their questions unfinished when examining men defendants; this happened much more frequently compared to complainants interrupting women and men lawyers of the defence during their cross-examination (23.61 %).

Regarding interruptions in the testimony due to interactions among legal professionals, even though they were not the focus of this article, some considerations are worth mentioning. In Dataset C, such interruptions were more numerous than in Dataset D; they accounted respectively for 24.99 % versus 13.17 % of turn-takings, 16.6 % versus 5.41 % as to words spoken. Hence, many more interruptions in testimonies (i.e. lawyers objecting or judges intervening) are to be found among complainants – and for more extended exchanges. If and how this may affect testimonies and, hence, trials, it is to be further studied.

Appendix 1

The full list of national legal measures is as follows:

- Legge 5 maggio 2022, n. 53 “Disposizioni in materia di statistiche in tema di violenza di genere”;
- D.P.C.M. 17 dicembre 2020, “Reddito di libertà per le donne vittime di violenza”;
- Legge 19 luglio 2019, n. 69, “Modifiche al codice penale, al codice di procedura penale e altre disposizioni in materia di tutela delle vittime di violenza domestica e di genere”;
- Legge 11 gennaio 2018, n. 4 “Modifiche al codice civile, al codice penale, al codice di procedura penale e altre disposizioni in favore degli orfani per crimini domestici”;
- Art. 11 della Legge 7 luglio 2016, n. 122 “Disposizioni per l’adempimento degli obblighi derivanti dall’appartenenza dell’Italia all’Unione europea – Legge europea 2015-2016. (16G00134)”;
- D. Lgs. 15 dicembre 2015, n. 212 “Attuazione della direttiva 2012/29/UE del Parlamento europeo e del Consiglio, del 25 ottobre 2012, che istituisce norme minime in materia di diritti, assistenza e protezione delle vittime di reato e che sostituisce la decisione quadro 2001/220/GAI”;
- Art. 1, comma 16, della Legge 13 luglio 2015, n. 107 “Riforma del sistema nazionale di istruzione e formazione e delega per il riordino delle disposizioni legislative vigenti”;
- Art. 24 del D. lgs. 15 giugno 2015, n. 80 “Congedo per le donne vittime di violenza di genere”;
- Art. 14, comma 6, della Legge 7 agosto 2015 n. 124, “Deleghe al Governo in materia di riorganizzazione delle amministrazioni pubbliche”;

- Legge 27 giugno 2013, n. 77, Ratifica ed esecuzione della Convenzione del Consiglio d'Europa sulla prevenzione e la lotta contro la violenza nei confronti delle donne e la violenza domestica, fatta a Istanbul l'11 maggio 2011La c.d. legge sul femminicidio (d.l. 14 agosto 2013, n. 93, convertito in Legge 15 ottobre 2013, n. 119, in materia di contrasto alla violenza di genere);
- Legge 23 aprile 2009, n. 38, Misure urgenti in materia di sicurezza pubblica e di contrasto alla violenza sessuale, nonché in tema di atti persecutori;
- Legge 9 gennaio 2006, n. 7, "Disposizioni concernenti la prevenzione e il divieto delle pratiche di mutilazione genitale femminile", del D.P.R. 30 maggio 2002, n. 115 "Testo unico in materia di spese di giustizia";
- Codice penale: art. 583-bis (Pratiche di mutilazione degli organi genitali femminili);
- Legge 5 aprile 2001, n. 154 "Misure contro la violenza nelle relazioni familiari";
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5. The Third Article: Overview table

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Table 10. Article n. 3, general overview. Own elaboration.

Cyberstalking and Gender-Based Violence in Italy: a Speech Act Analysis

Author

Novella Benedetti¹

Abstract

This article focuses on Gender-Based Violence and applied linguistics; it is an exploratory analysis of a dataset composed of three cyberstalking cases. The three cases were filed under violation of Article 612bis of the Italian Criminal Code (Persecutory Acts), and there was a recognition from the legal sector as to the veracity of the accusation. The analysis aims to describe how emotional abuse is carried out linguistically using Forensic Linguistics (FL). The methodology follows the Speech Act Theory (Austin, 1962; Searle, 1969/1975) and builds on the study of Lorenzo-Dus et al. (2023). Firstly, the dataset was coded according to the SAT, i.e., type of speech act and whether direct or indirect. Then, the analysis focussed on how speech acts combine to carry out the abuse. Results show that even though individual preferences emerge, a general pattern can be found, e.g., an overwhelming presence of directive speech acts, followed by expressives, assertives, and commissives.

Keywords

Gender-based violence; cyberstalking; forensic linguistics; speech acts.

Index

1. Introduction.
2. Cyberstalking.
 - 2.1. GBV and language in use
 - 2.1.1. Forensic Linguistics
 - 2.1.2. Cyberviolence and Forensic Linguistics Approaches
3. Data and method of the study

¹ This article is part of a thesis registered in the PhD program “Translation, Gender and Cultural Studies” at Universitat de Vic – Universitat Central de Catalunya, under the direction of Dr Pilar Godayol and Dr Sheila Queral. ORCID number of the author: 0000-0003-3616-3875.

3.1. Dataset

3.2. Method

4. Analysis and discussion

4.1. Assertive speech acts

4.2. Commissive speech acts

4.3. Directive speech acts

4.4. Expressive speech acts

5. Conclusions and future directions

Notes on contributor

References

1. Introduction

Online crimes have been the object of growing interest from international bodies (e.g., Amnesty International, 2017; UN Women, 2021) because of the violation of human rights they imply and the impact they have on victims. Specifically regarding cyberstalking, the European Union has recently approved the directive 2024/1385, which introduces specific modifications to this offence. The Italian government will also go in this direction, adopting the directive and adapting its legal framework in the near future. The crime has been included in the Italian police forces' list of the so-called "early warning crimes²", i.e. crimes which are an indicator of a potential escalation into more severe GBV crimes (Ministero dell'Interno, 2024, p. 2).

As a crime, cyberstalking is considered an "emerging and increasingly common phenomenon that the law has struggled to keep pace with as the technology has evolved" (Henry & Powell, 2016, p. 410). Unfortunately, according to the literature, stalking is an underreported crime (Istat, 2015), especially at the national Italian level: about 21.5 % of women aged 16-70 are estimated to have experienced stalking during their life at the hands of their former partner. In these cases, stalking is part of a more general framework of violence. Only 15 % of victims reported to the police, and almost half of them (40.4 %) decided not to proceed officially (Istat, 2015, p. 6). This figure is higher compared to Europe, where women who do not report to the police amount to 26 % (EU Agency for Fundamental Rights, 2014, p. 81). This is so, despite how pervasive the stalking had been: in 70 % of the cases,

² In Italian "reati spia" or "reati sentinella", own translation.

stalking incidents took place more times during the week, and within them, in 39 % of cases, they took place every day. These behaviours continued for months (58.8 %) or over a year (20.4 %).

Besides being underreported, cyberstalking is also understudied - possibly for a combination of reasons, e.g., it is a relatively new crime stemming from the opportunities provided by ICT³. Moreover, other behaviours may appear more dangerous since it does not display physical violence. Yet considering cyberstalking as a less concerning crime compared to physical violence may bring about terrible consequences, given that cyberstalking can end in the murder of the victim (De Fazio & Sgarbi, 2012, p. 155). Data on the UK context show that “76 % of women who were murdered by their current or former intimate partners were stalked by their attacker within 12 months of the murder” (Maple et al., 2011, p. 1). Unfortunately, there is a lack of systematic studies on the analysis of such crime (García Collantes & Garrido Antón, 2021, p. 57), which this article tries to bridge by focusing strictly on cyberstalking carried out within GBV cases in Italy.

The first part of the article provides an overview of stalking, cyberviolence and Forensic Linguistics (FL). In stalking, context plays a crucial role: depending on it, the same message can be interpreted differently. In this article, context is understood as “the particular situation in which sentences are used, constructed from the rest of the conversation, the physical environment in which it takes place, the identity of the interlocutors, but also the complex mix of purposes, intentions, beliefs, desires, fears, prejudices, and knowledge they share⁴” (Bianchi, 2003, p. 10). First, a general view of cyberstalking and the debate about its definition is drawn, illustrating the position taken in this article. Followingly, a focus on GBV and language in use is provided: the Section opens with previous studies on the narrative adopted by victims and aggressors in GBV cases, drawing from the fields of applied linguistics, sociology, communication, and psychology. Afterwards, the focus is narrowed to scientific literature combining GBV and FL. The last part of this Section provides insights into cybercrimes investigated by FL, namely romance fraud and grooming.

³ Information and Communications Technology (or Technologies).

⁴ “Il contesto è la situazione particolare in cui le frasi vengono usate, costruita dal resto della conversazione, dall'ambiente fisico in cui essa avviene, dall'identità degli interlocutori, ma anche dalla complessa rete di scopi, intenzioni, credenze, desideri, timori, pregiudizi e conoscenze che essi condividono”, own translation.

The second part of the article deals with the presentation of the dataset and method of the study, which focuses on the Speech Act Theory (Austin, 1962; Searle, 1969/1975) and builds on Lorenzo-Dus et al. (2023). In the analysis and discussion, first, speech acts are considered jointly to provide a general overview; then, a specific analysis of each speech act is provided (i.e., assertives, commissives, directives, and expressives), and attention is paid to threats, questions, and insults/slurs. Lastly, conclusions and future directions are presented.

2. Cyberstalking

The literature has been sparkling with debate about whether cyberstalking should be considered a specific social problem or one of the many behaviours that stalkers may resort to (Sheridan & Grant, 2007, p. 629). Therefore, this section provides a short presentation of the two arguments. It then clarifies which direction this article follows and why. Next, it illustrates the linguistic aspects related to GBV.

To begin with, consensus appears not to be reached. Studies point in two different directions: according to some (e.g., Bocij & McFarlane, 2002), cyberstalking needs to be differentiated by what they call ‘conventional stalking’: in their view, cyberstalking could be a deviant behaviour related to conventional stalking; but not entirely so, and not necessarily so. On the one hand, cyberstalking does not require geographical proximity to the victim. On the other hand, cyberstalking could be carried out by groups of people against one single victim – both aspects are seldom the case in conventional stalking. Finally, apparent differences in the legal measures sanctioning both behaviours exist. Therefore, their definition of stalking reads as follows:

A group of behaviours in which an individual, group of individuals or organisation uses information and communications technology to harass one or more individuals. Such behaviours may include, but are not limited to, the transmission of threats and false accusations, identity theft, data theft, damage to data or equipment, computer monitoring, solicitation of minors for sexual purposes and confrontation.

Harassment is defined as a course of action that a reasonable person possessing the same information would think causes another reasonable person to suffer emotional distress. (Bocij & MacFarlane, 2002, p. 38)

Other authors (e.g., Sheridan & Grant, 2007) believe that a rigid definition of cyberstalking is not necessary, given that in terms of effects on the victim and of the stalking process, no difference is to be found between the two. De Fazio & Sgarbi (2012) also draw the same

consideration. Specifically considering gender-based cyberviolence, García Collantes & Garrido Antón (2021, p. 53) see cyberstalking as an extension of offline stalking. According to Italian legislation, cyberstalking is framed as one of the strategies used by aggressors in stalking, not as a specific crime. Art. 612bis of the Italian Criminal Code considers a person guilty of stalking as someone who, “with repeated conduct, threatens or harasses someone in such a way as to cause an enduring and serious state of anxiety or fear or to create a well-founded fear for his or her safety or that of a close relative or person linked to him or her by affectionate relationship or to force him or her to alter his or her living habits”; and it continues, “the punishment is increased if the act is committed by a spouse, including a separated or divorced spouse, or by a person who is or has been linked by affectionate relationship to the offended person or if the act is committed through a computer or telematic means⁵” (Brocardi, n.d.). The law has subsequently undergone some modification, primarily toward heavier punishment but not including other substantial modifications (2013, 2019).

This article shares this latter view. Aggressors of the cases analysed used cyberstalking as one weapon among others (e.g., showing up at the victim’s working places, threatening and/or contacting the family, following the victims). This relationship between aggressors and victims has been found in the literature (Bocij & MacFarlane, 2002, p. 34; Sheridan & Grant, 2007, p. 628); under this light, cyberstalking in these cases has thus been considered as part of a broader GBV crime, rather than a specific crime.

2.1. GBV and language in use

From a narrative perspective, language characterising GBV has been studied using a variety of approaches (e.g., applied linguistics, sociology, communication, and psychology). This section provides a brief overview of such studies because they frame how stories of intimate partner

⁵ In Italian: “Salvo che il fatto costituisca più grave reato, è punito con la reclusione da un anno a sei anni e sei mesi chiunque, con condotte reiterate, minaccia o molesta taluno in modo da cagionare un perdurante e grave stato di ansia o di paura ovvero da ingenerare un fondato timore per l'incolumità propria o di un prossimo congiunto o di persona al medesimo legata da relazione affettiva ovvero da costringere lo stesso ad alterare le proprie abitudini di vita.

La pena è aumentata se il fatto è commesso dal coniuge, anche separato o divorziato, o da persona che è o è stata legata da relazione affettiva alla persona offesa ovvero se il fatto è commesso attraverso strumenti informatici o telematici”, own translation.

violence are told – something that also emerges in the dataset. Subsequently, a deeper view of FL and GBV is provided, concluding with studies focusing on online communication in other crimes (i.e., romance fraud and online grooming).

In the first place, perpetrators' accounts of their violence have been examined in studies from fields such as applied linguistics (e.g., Adams et al., 1995), sociology (e.g., Anderson & Umberson, 2001; Mullaney, 2007), communication (e.g., Wood, 2004), and psychology (e.g., Boonzaier, 2008). The context of such analysis is commonly focus groups or individual interviews carried out by the authors. Here, the narrative provided serves the only function of telling the facts from the points of view of victims (not very often) and perpetrators (more common). The broad aims are to understand more about GBV and especially to find new ways to deal with offenders and prevent violence. In this sense, Adams et al. (1995) explore the rhetoric used by men to discuss their violence; here, a range of different devices are detected, namely reference ambiguity (especially the use of pronouns), axiom markers, metaphor, synecdoche and metonymy. Together, they all serve the purpose of minimising and hiding violence while expressing men's entitlement to power and their domination. Anderson & Umberson (2001), instead, are interested in exploring the construction of gender – i.e., how men construct their masculine identities thanks to violence – through the way they tell their violent acts. In their findings, perpetrators of intimate partner violence in heterosexual couples tend to use excuses, rationalise, and minimise the violence when building their identities in the narrative. Through different strategies, men present themselves as nonviolent and rational while being batterers. A focus on perpetrators and their narrative is also placed by Mullaney (2007); in her research, justifications are the most present element in men's discourse, together with a variety of creative verbal strategies used to regain a sense of masculinity that perpetrators feel to have lost on hands either by their victims or by the State. Wood (2004) focuses again on the perpetrators' narrative, following the Grounded Theory Analysis. Through individual interviews, she detects three main categories of themes in the accounts of intimate partner violence: justification, dissociation, and remorse; she then analyses the three in detail. With justifications, aggressors accept responsibility for the violence but explain why their reaction was reasonable and within their right (Wood, 2004, p. 562). In dissociation, aggressors differentiate between "real violence" and what they did – hence reframing the situation and distancing themselves from "real abusers" (Wood, 2004, p. 565). Lastly, with remorse, aggressors show regret the actions taken (Wood, 2004, p. 567).

Finally, Boonzaier (2008) examines from a feminist poststructuralist perspective – i.e., intersecting language, meaning, and subjectivity - how both women and men speak about violence in intimate heterosexual relationships. In her findings, both perpetrators and victims display conflictive subjectivities in their narrative, both describing themselves as victims and as active agents alternatively. The element of interest here is that within the narrative, categories such as “victim” and “perpetrator” are not static nor distinguishable.

To wind up, the literature shows a direction as to how the protagonists narrate GBV and highlights linguistic strategies mainly used to minimise the violence and shift responsibility for the violent acts. The picture drawn is thus helpful, yet only partial. The narrative analysed is primarily one-sided and does not involve an interaction between aggressors and victims. Therefore, it does not show how language can exert power in the relationship – which is what happens in cyberstalking. FL can shed light on this aspect; thus, the discipline and studies in the field of cyberviolence are illustrated in the next section.

2.1.1. Forensic Linguistics

Studies like those mentioned in Section 2.1 help reach a broader understanding; however, a specific FL approach is used for this article. This discipline is the subfield of applied linguistics, which studies all areas where law and language intersect: language as evidence is one of its subfields, the other two being the study of language and the law and the study of language in the legal process (Turell, 2005, pos. 74). Regarding the field in general, studies on GBV have been gaining momentum; in the following paragraphs, two valuable examples are drawn as to the language in the legal process, and then two as to language as evidence (the focus of the current article). In FL, several main elements change in the analysis compared to the abovementioned narrative. The main one is that communication and language are considered in real-life contexts: the authors are not interviewing the speakers but are studying what speakers said (to each other or third parties) to meet various objectives, whether in legal or personal contexts.

Regarding language in the legal process, two examples are illustrated: the first one deals with police interviews, and the second one with pre-mediation meetings. In the former, Stokoe (2010) has been exploring how men deny accusations of assaulting women. Using Conversation Analysis, she highlights how perpetrators appear to define their identity as men who do not hit women, in contrast with men who do – thus developing a member

categorisation functional to their communication goals. In the latter, De Lourdes Pereira et al. (2022) have studied the narrative of domestic violence in pre-mediation meetings involving divorce cases with custody of children. They focus on the role of the mediator in re-telling the stories for judges. To this end, they use tools from Discourse and Conversation Analysis, detecting differences in how the mediator actively listens and participates in the conversation and how the narrative is presented. Both examples show a certain degree of analogy with the studies on narrative previously described, even though conversation goals differ substantially.

When moving to language as evidence, differences are radical regarding actors, goals, and context of the interaction: it is about aggressors and victims speaking to each other or with third parties about the (violent) situation. Traditionally, language as evidence has focused on authorship analysis, also in crimes against women – even though not explicitly framed as GBV cases. One example is Heydon (2018, p. 15), who writes about the murder of a young woman in Australia, where the boyfriend was the prime suspect, as the police believed he had written anonymous violent letters to the victim before the murder. Through a stylistic analysis, Heydon compares the anonymous letter (i.e., the text of unknown or disputed authorship) with a dataset of writings from the boyfriend (i.e., the text of known or undisputed authorship) – thus highlighting the likelihood of the two datasets being written by the same person. Conversations between one of the two actors and third parties have been the focus of Ribeiro Carreira's study (2021), which also uses the tools of discourse analysis in dealing with a dataset composed of WhatsApp messages between a femicide victim and her best friend in Brazil. In her article, the author analyses discursive stylistic marks using the theoretical support of Charaudeau (2001), Cano (2012), van Dijk (2012), and Sousa-Silva & Coulthard (2016), detecting how a discursive context can be said to exist between the two actors, and how this can reveal states of violence and possible violent actions in the victim's life.

As illustrated, FL can drastically integrate other studies in the field of GBV. The following paragraph builds on the previous ones. It provides examples of romance fraud and online grooming, where language as evidence strictly focuses on online interaction between aggressors and victims — both characteristics of cyberstalking.

2.1.2. Cyberviolence and Forensic Linguistics Approaches

This section presents the literature on FL analysis related to online criminal interaction in romance fraud and grooming cases. Firstly, similarities between romance fraud, grooming and

cyberstalking are introduced; then, the analysis tool implemented in the different studies is presented.

Within cybercrime and online interaction, recent FL studies have focused mainly on romance fraud (Queralt, 2022; Carter, 2024) and grooming (Chiang & Grant, 2017 and 2018; Lorenzo-Dus et al., 2023). There are several similarities between romance fraud, online grooming, and cyberstalking discourse; mainly, they involve an online interactional process where power dynamics are at play and where offenders exert power on their victims. Of course, power dynamics play a role in everyday life in different contexts, both in offline reality – e.g., judicial interaction (Benedetti, 2024) or online, i.e. social media (e.g., Dragotto et al., 2020).

When dealing with both grooming and cyberstalking, patriarchal power structures (Lorenzo-Dus et al., 2023, p. 9; García Collantes & Garrido Antón, 2021, p. 51) frame these relationships with an imbalance favouring adult men. Lorenzo-Dus et al. consider online grooming as communicative manipulation (2023, p. 7), something which can also apply to romance fraud (Queralt, 2022, p. 53) and cyberstalking. Romance fraud is defined as “a crime type where the perpetrator engages with an individual to defraud them of their money” (Carter, 2024, p. 2); online grooming as “a practice of communicative manipulation, specifically as an adult’s use of technology-mediated communication comprising multiple modes to get a child to partake in sexual activities online and at times also offline” (Lorenzo-Dus et al., 2023, p. 8). Communicative manipulation implements several strategies to achieve the goal; the same applies to cyberstalking, which has the goal of (re) establishing some kind of relationship with the victim. One example of manipulation in romance fraud, grooming, and cyberstalking is narrating cyberviolence in the form of romantic love (García Collantes & Garrido Antón, 2021, p. 51). Within this frame, offenders may show an apparent vulnerability to relationships to get victims to do what they want (Carter, 2024) or portray themselves as the real victims, inverting roles (Queralt, 2022, p. 30). Both aspects are present in the analysed dataset. Another example is leading victims to believe that what happened is their fault, triggering feelings of shame and self-blame (Carter, 2024, p. 4; Lorenzo-Dus et al., 2023, p. 8; Kamphuis et al., 2003, p. 153). This impacts whether the crime is reported or not, with romance fraud and cyberstalking considered widely underreported (Carter, 2024, p. 2; Istat, 2015, p. 6).

Linguistically speaking, different aspects can be considered in the analysis. Carter (2024, p. 7) chooses a qualitative approach based on Critical Discourse Analysis combined with principles from Conversation Analytic Theory. The former aims to examine the discursive practices in their context while exposing the power dynamics which facilitate the manipulation of the victim; the latter is used to explore the developments in the interaction, situating the tactics of the fraudster as talk-in-action. Lorenzo-Dus et al. (2023, pp. 15-16) opt for a complementary approach between Discourse Analysis and Corpus Linguistics. They resort to (im)politeness theory and SAT, focusing on the structure of texts (e.g., genre analysis) to identify moves (i.e., discursal rhetorical units) serving distinct pragmatic functions. This approach has sound bases in FL: Giménez García et al. (2019) provide a detailed description of how using it in its different subfields - the language of the law, the language in the legal process, and the language as evidence – proves to be fruitful in the administration of justice. As to a corpus-assisted approach, similar to Carter (2024), a focus is placed on factors relevant to the theme of ‘power’. Lorenzo-Dus et al. (2023) successfully present evidence of the power dynamics, identifying different features: explicit and implicit within the talk of online groomers, but also what they call “the language of resistance”, i.e., how children resist the abuse.

3. Data and method of the study

The dataset was collected thanks to a collaboration with lawyers specialised in GBV crimes in Rome and Trento. It includes three stalking cases, including cyberstalking, filed under Art. 612 bis of the Italian criminal code – *Atti persecutory* (i.e., Persecutory Acts). Cyberstalking played an essential role in the overall strategies implemented by offenders, and interactions took place through various online tools, primarily Facebook, WhatsApp, and E-mails. The choice of what online tool to use is related to the offenders’ preferences and the counter-strategy implemented by victims. Victims often block offenders on one platform; in this case, offenders must adapt and use a different one. Within the dataset collected, emails were the last tool offenders resorted to. Some tool-related strategies included creating fake Facebook profiles to contact the victim and using different phone numbers to call and send messages.

As illustrated, the method followed Lorenzo-Dus et al. (2023). Firstly, coding was carried out using pragmatics and the SAT (Austin, 1962; Searle, 1969/1975). Then, the results were analysed. In practical terms, this involved coding the dataset according to the different speech

acts found and adding a note as to whether the speech act was direct or indirect. Of course, different intentions can be inferred from the same speech acts (Gumperz, 1982, p. 135), depending on socio-cultural conventions. According to Shuy (1981, p. 42), “Any conversational analysis must take into account not only what is said about what by whom to whom but also what is understood by whom about what is said to whom”. Pragmatics in itself can be seen (among others) as an intersection of the philosophy of language, linguistics, sociology, psychology, and ethnomethodology (Bianchi, 2003, p. 12). This approach was deemed the most effective one, given the dataset collected and the purposes of the article.

3.1. Dataset

The dataset comprises three cases of stalking, i.e. C1, C2, and C3. The online messages were sent between May 2016 and February 2020. The dataset was acquired for the sole purpose of this study according to the norms included in the Italian and European privacy law⁶. Access was granted through collaboration with lawyers and victims, i.e. the material was provided by lawyers, and it is part of the body of evidence submitted to the police. In one case, the messages were collected and copied from the phone to different Word files from the victim; in the other two cases, screenshots were provided.

The communications followed a process of anonymity: that is, all personal information which may lead to the identification of the protagonists has been deleted. Moreover, the content of the examples in this article has also been slightly modified to preserve the anonymity of the speech samples. In no case shall data allowing the recognition of the actors and the facts be disclosed. Multiple coding sessions were carried out by the author, who was also responsible for the anonymisation process. The research abides by the guidelines of the Research Ethics Committee of Universitat de Vic/Universitat Central de Catalunya, and it was officially approved by REC (decision n. 149/2021).

General information was collected regarding the place of birth (North, South, centre of Italy) and age at the time of the first legal complaint filed to contextualise the crime. All cases involved more than one legal complaint, ranging from a minimum of two to a maximum of five. Since the duration of stalking is an essential element in this kind of crime, the information

⁶ Decreto Legislativo 30 giugno 2003, n. 196, “Codice in materia di protezione dei dati personali”; GDPR 679/16; d.p.r. 445/2000.

regarding legal complaints has been included. The timing of online communications and legal complaints do not always match, as stalkers use different strategies to meet their goals. From the data collected, it was impossible to have a clear view of when stalking started or ended. Information is presented in Table 1.

Age of victim	Age of offender	Place of birth, victim	Place of birth, offender	Duration of online communication	N. of legal complaints
27	27	North	South	02/2018 - 07/2018	5, from 01/2018 to 10/2018
27	32	North	North	05-06/2016	2 in 06/2016
38	41	Centre	Centre	09/2016; 03-10/2019; 02/2020	5, from 09/2016 to 08/2019

Table 1. Profile of victims and offenders, own elaboration.

All aggressors paired cyberstalking with offline stalking. This includes actions such as following the victim, waiting for her near her house/workplace, and approaching (confronting) her but also her relatives and friends. The victims of the three cases reacted in different ways: in one case, the victim engaged in a conversation to remain friends with the aggressor; in one case, the victim got involved in a conversation to ask the aggressor to stop contacting her; in one case the victims sent only one message, following the police suggestion. No matter the reaction, offenders continued with their intent of establishing a relationship through an imposed conversation. If a conversation is said to be a cooperative act, which needs the collaboration of all interlocutors (Bianchi, 2003, p. 97) towards a common goal (Queralt, 2022, p. 44), it can be seen how different cyberstalking is. Also, the violation of Grice's cooperative principle and quantity maxim (1975, p. 45) appears to be one of its main characteristics. All three aggressors claimed not to be affected by a potential police intervention. In all three cases, the offence of stalking was recognised by the legal system, even though the three ended differently. In one case, a plea bargain was negotiated between the victim and the offender through their legal representatives to avoid further proceedings in the criminal trial. In

another case, the aggressor was sentenced to six months. In a third case, the aggressor passed away before the conclusion of the trial.

Regarding linguistic elements, the dataset comprises 518 messages and 9,035 words. The global dataset includes the interactions between offenders and victims. Therefore, it was subsequently divided into two sub-datasets:

- Dataset A (Aggressors), including 447 messages and 8,287 words;
- Dataset V (Victims), including 71 messages and 748 words.

Information is presented in Table 2.

	Dataset A			Dataset V		
	Messages	N. words	Average Words per message	Messages	N. words	Average words per message
Case 1	220	2,956	13.45	33	200	6.06
Case 2	111	3,167	28.53	1	72	72
Case 3	116	2,164	18.65	37	476	68

Table 2. Number of messages, words, and average words per message, own elaboration.

The stalker in Case 2 sent significantly longer messages than stalkers in Cases 1 and 3; this is so despite sending the least number of messages. As to victims, the number of words used in Cases 2 and 3 shows how they tried to explain their point of view before interrupting contacts. In Case 1, the victim wanted to remain friends, so her conversation goal probably differed from the other two's. Because of the purposes of this article, only Dataset A has been considered for the analysis.

3.2. Method

First, coding took place; solely stalkers' messages were considered. The linguistic approach follows discourse analysis as a tool, focusing on SAT (Austin, 1962; Searle, 1969/1975). The language is considered in action, as performative (see also Bianchi, 2003, p. 61). According to SAT, a difference must be drawn between 1) the straightforward pronunciation of words (locution – the act of saying something); 2) the meaning intended with what has been said (illocution – the reason to use the locution); 3) the understanding of what has been said

(perlocution – the effect of what was said) (also in Queralt, 2022, p. 32). The taxonomy of speech acts employed follows Lorenzo-Dus et al. (2023, p. 36), who built on Searle (1969/1975) and its adaptation by Grant & Macleod (2020, pp. 41-43). It is partially adjusted with the findings in the dataset. Such taxonomy includes:

- Assertives (affirmative or negative): statements which can be labelled as “true” or “false”, which describe the world and commit the speaker to the truth of the statement;
- Commissives: e.g., promises and threats. That is, acts committing the speaker to future action. Threats are side-coded within commissives, following Lorenzo-Dus et al. (2023);
- Declaratives: e.g., marriages, waging war. In short, acts altering the state of things with their mere uttering. Since no declarative was found in the dataset, this speech act was left out;
- Directives: e.g., commands and requests. With directives, the speaker tries to get the hearer to carry out a specific action. In this analysis, interrogatives (questions) are side-coded within directives; both Lorenzo-Dus et al. (2023) and Grant & Macleod (2020) consider them separately since, in their dataset, questions are used to introduce new conversational topics and maintain the relationship. Within the dataset collected, questions are used for different purposes (e.g., as a covert strategy to intimidate and threaten, and make victims feel guilty);
- Expressives: e.g., thanking and apologising. These acts express the speaker’s emotions or attitudes about something – generally, the psychological state. Insults and slurs were present in the dataset and side-coded as expressives, following Archard (2014) (they were absent in Lorenzo-Dus et al., 2023).

In their analysis, both Lorenzo-Dus et al. (2023) and Grant & Macleod (2020) also included a category called “Acknowledgements”, which is not present in the dataset examined and thus has been left out – just like declaratives. As previously mentioned, when applying the SAT analysis, the type of speech act (direct/indirect) is also essential; therefore, coding includes these elements. Consider, for instance.

(1) Direct and indirect speech acts, C1

Ti ammazzo giuro sbloccami

I'll kill you I swear unblock me

Example (1) displays a direct speech and an indirect speech act (and is thus coded accordingly): a direct commissive (an oath in the first part) and an indirect directive (in the second part). That is, a single message could convey different speech acts; thus, it was coded under more than one category.

Emoticons were coded as expressives in Grant & MacLeod (2020, p. 42), yet they are not always evident in the current dataset. Therefore, to carry out a consistent analysis throughout the three cases, they have been left out. Other problematic communication items left out of the analysis are emojis, links, pictures, videos, songs, and incomprehensible utterances. Even though assessing how much they contribute to the overall communication is relevant, a decision needed to be made regarding what elements to include in the analysis. Ultimately, only utterances involving the use of lexical items have been considered.

4. Analysis and discussion

This section presents the analysis and discussion of the collected data. Firstly, a general overview illustrates the overall results and general patterns found in the linguistic analysis. In the second part of this section, a sub-section is dedicated to every speech act (i.e., assertive, commissive, directive, and expressive), its frequency and the distinction between direct/indirect – divided case by case. In some cases, stalkers use various speech acts in the same message. Hence, the analysis also includes which speech acts appear together. Figure 1 highlights the global findings regarding the linguistic coding of speech acts.

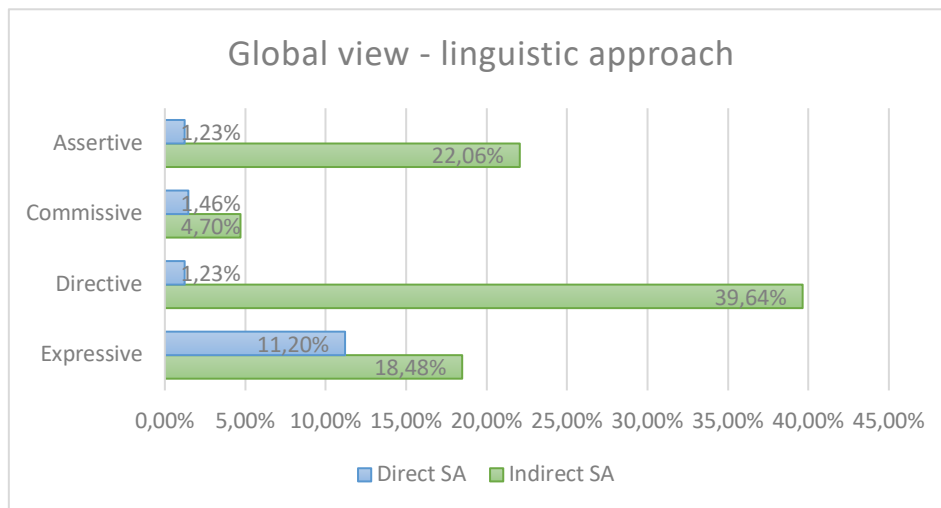


Figure 1. Dataset overview of the speech acts, own elaboration.

Figure 1 underlines the usage of directives (40.87 %), followed by expressives (29.68 %) and assertives (23.29 %). Commissives were the least employed (6.16 %). The other element of interest is that indirect speech acts are more conspicuous (84.88 %) than direct ones (15.12 %), with no exception – although within expressives, the difference is not as high as in other speech acts (11.20 % direct and 18.48 % indirect). According to Lorenzo-Dus et al. (2023, p. 21), indirect speech acts “tend to carry more persuasive force than direct acts”; and they are of “particular practical importance as they lend themselves well to the regular use of covert manipulation” (Lorenzo-Dus et al., 2023, p. 22). Moreover, an indirect speech act can easily be retracted (Caffi, 2017, p. 68).

This is the general overview. Yet, when examined closely, differences among the three cases emerged. These may depend on contextual factors, such as the stalker’s communication style, personality, and/or previous relationship with the victim. Therefore, a second step was introduced to consider each case individually. Figure 2 (Case-by-case view) illustrates the results.

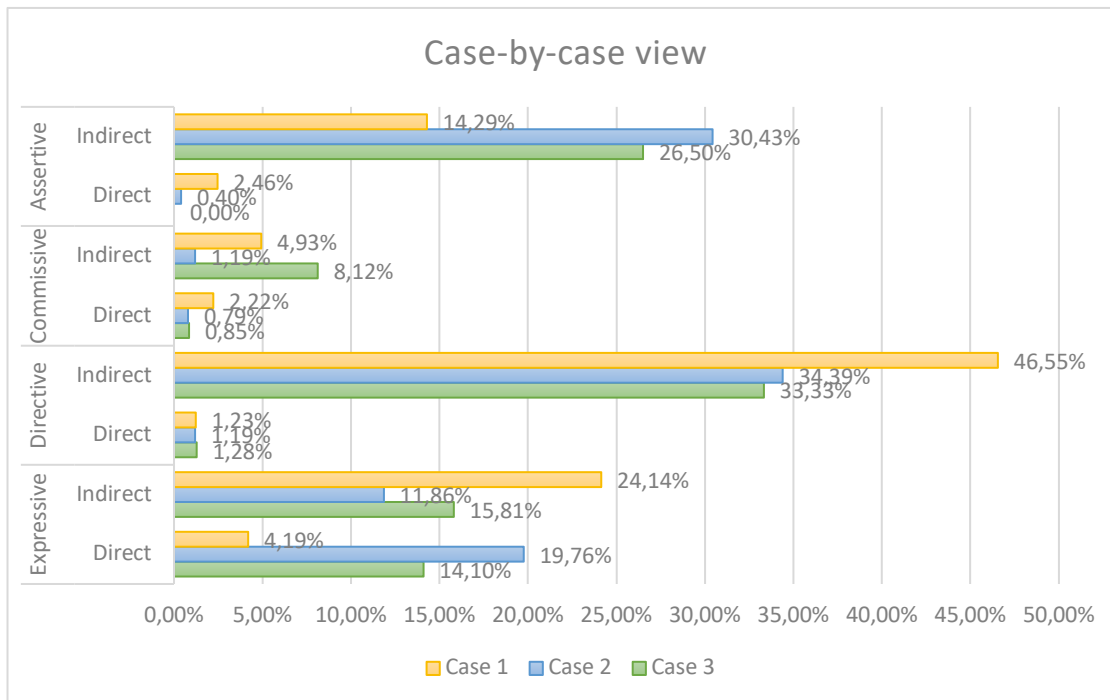


Figure 2. Case-by-case view of the speech acts, own elaboration.

Figure 2 provides information regarding individual preferences in the content of cyberstalking messages. The case-by-case pattern follows the general one: directive speech acts are mainly used in all three cases, followed by expressives, assertives, and commissives. Yet considerable differences emerge.

Case 1 shows a clear preference for directives (47.78 %); secondly, expressives (28.33 %) and then assertives (16.75 %); lastly, commissives (7.15 %). The aggressor greatly preferred indirect speech acts (89.90 %) to direct speech acts (10.10 %). Case 1 involved a stalker who had been in an intimate relationship with the victim (with cohabitation), and the communication style was the most overtly violent one. The counter-strategy of the victim was trying to remain friends.

Case 2 displays a preference for directive speech acts (35.58 %) to a lesser extent. In fact, expressive and assertive speech acts are used with a similar frequency (31.62 % and 30.83 %). The overall impression is of a more balanced approach to communication, with a strong dispreference for commissives (1.98 %). In this case, the preference for direct speech acts is less marked (77.87 %) than in Case 1; when considering solely expressives, the trend is reversed (19.76 % are indirect speech acts, and 11.86 % are direct). This stalker had been in an intimate relationship with the victim (without cohabitation), and the communication style

was the most passive-aggressive one. The counter-strategy of the victim was sending one message (as suggested by the police officer).

Case 3 somehow recalls Case 2 in that a similar and quite balanced preference: directives (34.61 %) are still the most used speech acts, followed by expressives (29.91 %), assertives (26.50 %) and commissives (8.97 %). Most of the time (83.76 %), this aggressor used indirect speech acts. This stalker was an acquaintance of the victim, with whom he wished to have a relationship. The victim's counter-strategy was explaining to him why he was hurting her with his behaviour and asking him to stop.

None of the approaches changed the communication style and behaviour of the stalkers. Moreover, in all three cases, stalkers also confronted the victim in person. The three stalkers were psychologically violent, yet stalkers of Cases 1 and 3 were also physically violent. The following sections analyse each speech act separately, also considering them in combination; it also provides some examples taken from the Dataset.

4.1. Assertive speech acts

Assertives are used "to commit the speaker (in varying degrees) to something being the case, to the truth of the expressed proposition" (Searle, 1979, p. 12). Within assertives, conjectures, presuppositions, assertions, presumptions, and guesses are to be found (Green, 2013, p. 390). Figure 3 shows the distribution of assertives divided per case, including the percentage of direct/indirect. In some cases, one message displayed more than one speech act. Therefore, Figure 3 shows which speech acts appear together with assertives and whether they are direct or indirect.

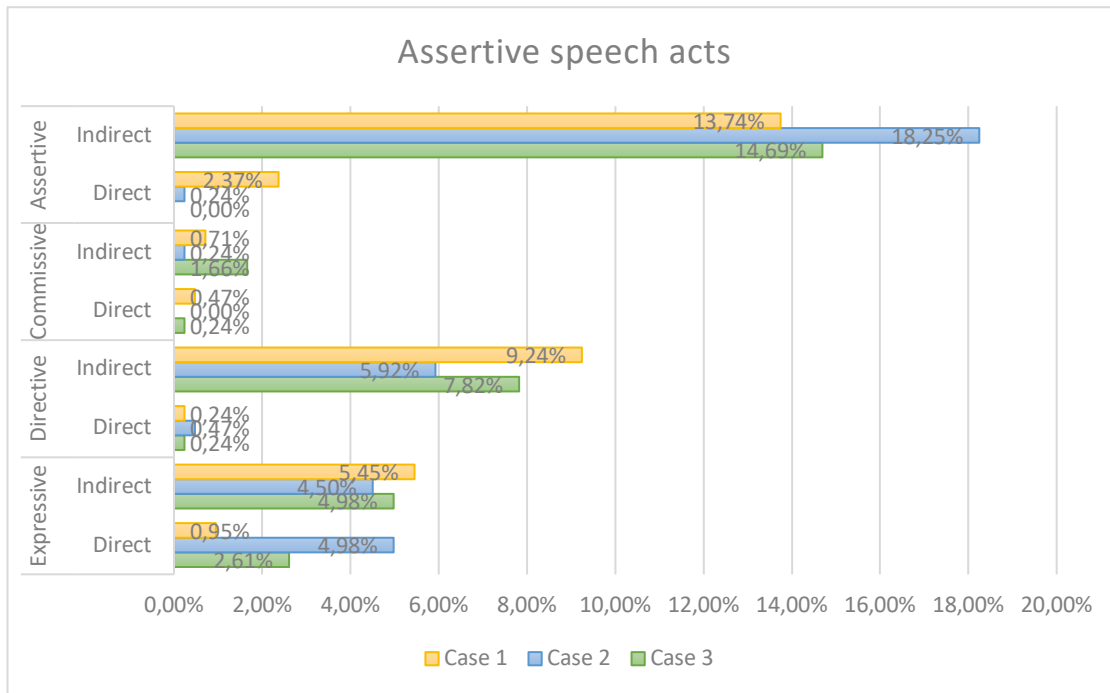


Figure 3. Assertive speech acts, own elaboration.

As emerged from the data, assertives appear together with directives and expressives. The specific preference, however, varies from Case to Case. Cases 1 and 3 display similar preferences, namely assertives tend to be paired mostly with directives (9.48 % and 8.06 %), followed by expressives (6.40 % and 7.58 %). An incongruity appears in Case 2: on the one hand, when considering solely indirect directives, the patterns hold true. However, the situation appears inverted when considering indirect and direct directives cumulatively (expressives are 9.48 %, and directives 6.40 %). No direct commissive is employed in Case 2; generally speaking, such speech acts are not widely employed (1.18 % in Cases 1 and 3, 0.24 % in Case 2). An example of an assertive speech act paired with a directive and an expressive is provided:

(2) Assertive speech act, C1

Vorrei solo tornare a parlarti normalmente...pensi sia possibile? Questi tuoi silenzi non ci portano da nessuna parte sai...

I just would like to go back and speak normally... do you think it's possible?

These silences of yours are leading us nowhere, you know...

In this example, the three speech acts are found: a direct expressive, displaying a conditional mode (i.e., *I just would like to go back and speak normally*); an indirect direct speech act with a question (i.e., *do you think it's possible?*); and an indirect assertive speech act (*these silences of yours are leading us nowhere, you know*).

Case 2 is especially resorting to assertives, e.g., using this speech act to recreate a world that once was imagined as possible but no longer is:

(3) Assertive speech acts, C2

Avremmo dovuto guardare Friends stasera

We should have watched Friends tonight

And to recall the memory of the lost love – thus, again, recreating a world that once existed but no longer does:

(4) Assertive speech acts, C2

Avevamo qualcosa di speciale

We had something special

In both cases, verb modes and tenses generate a feeling of nostalgia or guilt about something special that once was or could have been. In Case 2, the victim received 111 messages and only replied once, so presumably, the stalker was not expecting an answer but was still trying to elicit one.

To sum up, this Section demonstrates that assertive speech acts are mostly indirect (Case 1: 13.74 %, Case 2: 18.25 %, and Case 3: 14.69 %) and employed mainly with indirect directives (Case 1: 9.24 %, Case 2: 5.92 %, and Case 3: 7.82 %). However, when both direct and indirect speech acts are considered, variations emerge: Case 2, in particular, displays a preference for pairing assertives with expressives (9.48 %) and not directives (6.39 %). Adopting a slightly different approach, when examining the distribution of speech acts excluding assertives, it is observed that Case 1 employs mainly directives (55.57 %), Case 2 favours expressives (58.84 %), and Case 3 presents a more balanced distribution between directives (45.93 %) and expressives (43.25 %).

4.2. Commissive speech acts

This Section analyses commissives (direct/indirect), i.e., speech acts committing “the sender to a future course of action, which may have either positive or negative consequences” (Grant & MacLeod, 2020, p. 42), and it includes threat analysis. Figure 4 showcases commissive speech acts in the dataset and the other speech acts employed in combination. Disaggregated data and the percentage of direct/indirect speech acts are included.

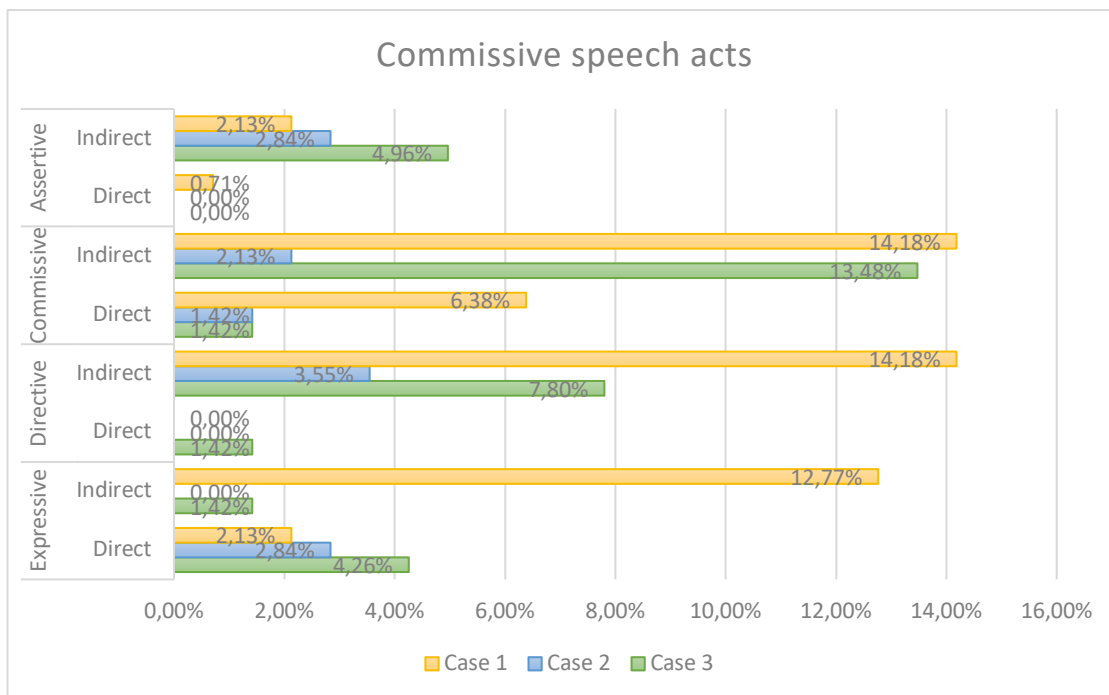


Figure 4. Commissive speech acts, own elaboration.

Commissives are the least employed speech act, and mostly together with indirect directives. In Case 2, commissives are used only 3.55 %, chiefly with indirect directives (3.55 %) followed by assertives and expressives, both at 2.13 %. The stalker in Case 3 follows, using commissives 14.89 % of the time, paired again with directives (9.22 %, 7.80 % of which indirect) and expressives (5.67 %); assertives are 4.96 %. The stalker in Case 1 is slightly different: he is the most likely to resort to commissives (20.57 %), mainly with expressives (14.89 %) and indirect directives (14.18 %); assertives are used only 2.84 %. An example follows:

(5) Commissive speech act, C2

lo ti prometto che ti lascio in pace e tu però per favore torna a rivolgermi la parola e a parlarmi...vorrei poterti parlare di persona... te lo prometto... ci stai?

I promise to leave you alone, but please come back and talk to me... I wish I could speak with you in person... I promise you... are you in?

Here, two direct commissive speech acts of promising are displayed, paired with two indirect directives: a request, namely: *please come back and talk to me*, and a question, namely: *are you in?* In the message, a direct expressive is found, namely: *... I wish I could speak with you in person.*

Threats were side-coded with commissives; they can be explicit or implicit. Throughout the dataset, threats are also used to exert power on the victims, a way to show the aggressors' superiority (in power, resources, etc.), as Queralt also found (2022, p. 108). Results can be found in Table 3.

Dataset	Threats – commissive speech acts		Total
	Direct	Indirect	
Case 1	3.45 %	44.86 %	48.28 %
Case 2	0 %	20 %	20 %
Case 3	0 %	28.57 %	28.57 %

Table 3. Proportional presence of threats within commissive speech acts, own elaboration.

Quite significantly, 48.28 % of commissives used in Case 1 are threats. Similarly, threats are also present in Case 3, amounting to 28.57 % of the commissives. They are more limited but still present in Case 2 (20 %). Even though explicit, most threats are carried out as indirect speech acts (93.40 %). According to Caffi (2017, p. 39), future tenses indicate commissives; as to threats, these tend to be formulated using this tense or the present simple (Queralt, 2022, p. 108). This is confirmed in the Dataset. Consider:

(6) Indirect commissive speech act – explicit threat, C1

Non la finiremo mai se non sblocchi e mi fai parlare anzi può andare sempre peggio

We will never see the end of it if you don't unlock and let me talk, it will only get worse and worse.

Implicit threats also appear in the Dataset, only carried out using speech acts other than commissive, as in Example 7:

(7) Direct expressive speech act – implicit threat, C3

Spero tu abbia capito che qualcuno si farà male

I hope you understood that somebody is going to be hurt

The proposition is explicitly formulated as a hope for the future, displaying a subjunctive and a future tense in terms of grammar construction and vague language when considering lexis. Yet, if one considers the proposition's meaning, it is an implicit threat.

To conclude, commissives were primarily employed indirectly and about one-fourth to half of the time to perform threats. Generally, commissives are paired with directives and expressives in varying proportions, depending on the stalker's preferences. More specifically, when analysing the distribution of speech acts (excluding commissives), Case 1 shows quite a balanced use of expressives (46.68 %) and directives (44.42 %), while both Case 2 and 3 exhibit a clear preference for directives (38,46 % and 46.43 %, respectively).

4.3. Directive speech acts

Directives are “intended to result in the recipient taking a specific action” (Grant & MacLeod, 2020, p. 41). Figure 5 shows the frequency of direct and indirect directive speech acts and with what other speech acts they appear within the same message (if any).

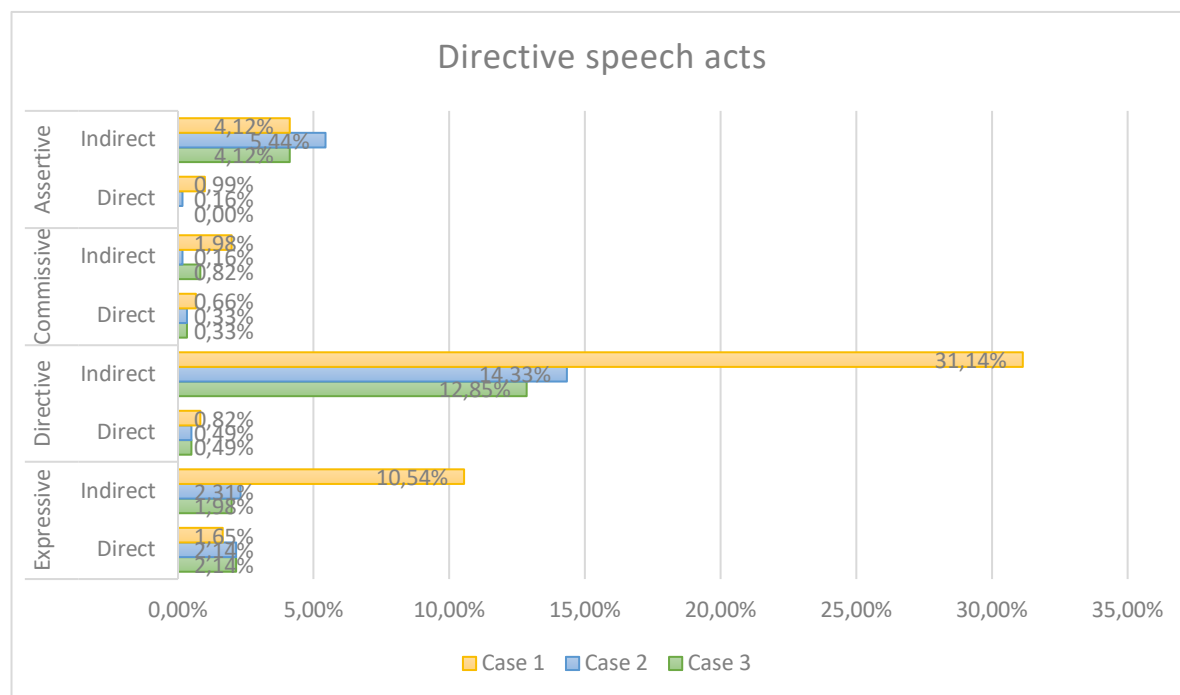


Figure 5. Directive speech acts, own elaboration.

Generally speaking, directives are primarily employed in an indirect way (58.32 %); a strong dispreference in matching them with commissives is observed in all three cases (Case 1: 2.64 %, Case 2: 0.49 %, and Case 3: 1.15 %). However, the use of assertives and expressives varies depending on the Case. Case 1 resorted to directives mostly with expressives (12.19 %); assertives follow but are not as widely employed (5.11 %). Case 2 used directives mostly in combination with assertives (5.60 %) and expressives (4.45 %), which appear quite balanced. Finally, Case 3 uses directives with a perfectly balanced match of assertives and expressives (both 4.12 %).

Interrogatives have traditionally fallen within directives. Generally speaking, “the standard function of asking an information question is to get information, but that is not always what the questioner primarily aims for” (Borge, 2013, p. 416), as the correlation between interrogative form and function is not straightforward (Borge, 2013, p. 424). This is also evident in the dataset; questions are often asked, with different communication aims; a side-coding was carried out. The results are shown in Table 4.

Dataset	Questions – Directive speech acts		Total
	Direct	Indirect	
Case 1	0.52 %	58.25 %	58.76 %
Case 2	2.22 %	57.78 %	60 %
Case 3	2.47 %	41.98 %	44.44 %

Table 4. Proportional presence of questions within directive speech acts, own elaboration.

The proportions appear high: about half or more of the directives in all cases are questions. An indirect speech act is usually used (96.99 %). Besides questions, at a morphosyntax level, the imperative form is employed; orders and questions are sometimes paired with an expressive speech act (insult or slurring). Consider the following examples:

(8) Directive Speech act, C3

...ma tu con lui pensi di essere l'unica? Povera illusa...

...and you think you are the only one for him? Poor delusional girl...

In Example 8, a question is proposed as an indirect speech act (i.e., *...and you think you are the only one for him?*) paired with an indirect expressive speech act, namely an insult (i.e., *Poor delusional girl...*).

Example 9 displays numerous requests both in affirmative and negative imperative forms, paired with expressives and a commissive:

(9) Directive Speech act, C2

E non dire che sono uno stalker che sono stronzate...io vorrei solo sapere come stanno le cose, né più né meno...e poi ti lascio anche in pace...ma cazzo sii sincera una volta

And don't say I'm a stalker that's bullshit...I just want to know how things are, no more and no less...and then I can leave you alone...but be fucking honest for once

By requesting the victim “to be honest”, the stalker implies that she has not been honest so far. In terms of face and im/politeness, although this type of face attack is indirect, it serves the impolite goal of insulting while being polite at the level of locution (Wright et al., 2022, p. 9).

To summarise, directive speech acts are used mainly in an indirect form (Case 1: 31.14 %, Case 2: 14.33 %, and Case 3: 12.85 %). Even though case-to-case differences emerge, approximately half or more of such speech acts consist of questions (Case 1: 58.76 %, Case 2: 60 %, and Case 3: 44.44 %). A common pattern regarding the use of expressives and assertives did not emerge; however, a strong dispreference for commissives was observed. More specifically, when excluding directives and focusing on the other speech acts, it is evident that expressives are most frequently used in Case 1 (61.13 %) while assertives are the main choice in Case 2 (53.13 %). Case 3 displays a balanced distribution between assertives and expressives (both 43.88 %).

4.4. Expressive speech acts

Expressive speech acts “express the sender’s emotions or attitudes about a subject” (Grant & MacLaoed, 2020, p. 42). Figure 6 shows their frequency, case by case, the proportion of direct/indirect, and with what other speech acts they appeared. A side coding was carried out as to insults and slurring.

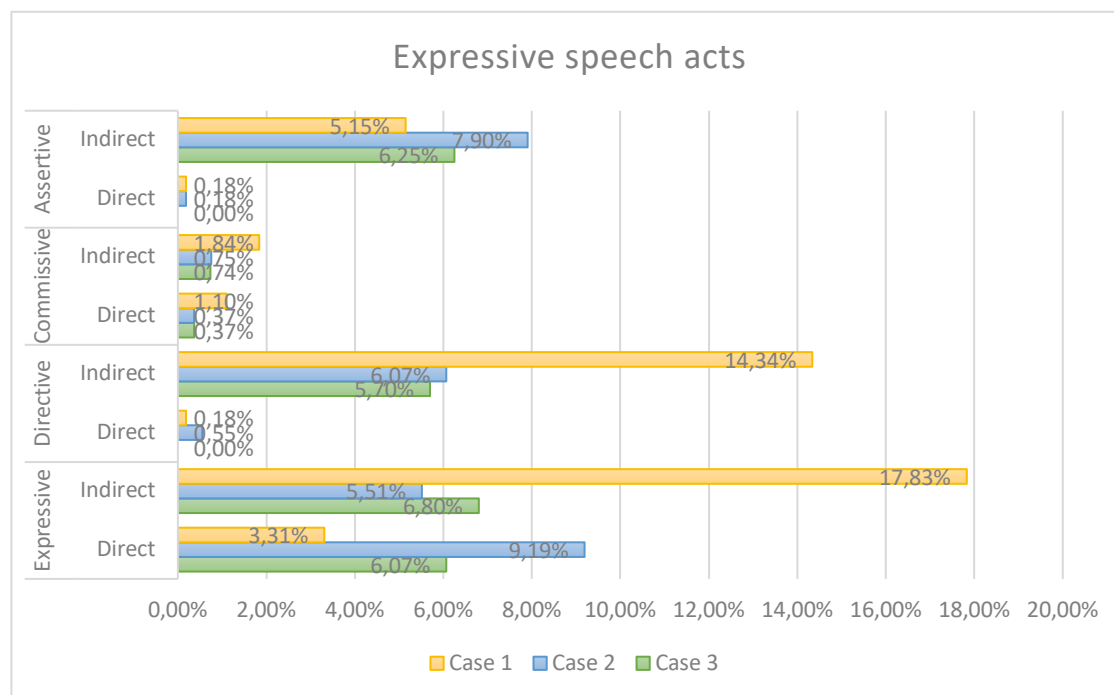


Figure 6. Expressive speech acts, own elaboration.

Generally speaking, expressive speech acts appear to be the speech acts chosen to be carried out in a direct way quite often, compared with the others: generally speaking, 18.57 % of them are direct, and 30.15 % are indirect. Expressives tend not to be used together with commissives (overall, only 5.17 %). The use of assertives and directives differs from Case to Case. Cases 2 and 3 use expressives mainly with assertives (Case 2: 8.09 %; Case 3: 6.25 %) followed by directives (Case 2: 6.62 %; Case 3: 5.70 %). In Case 1, the situation is reversed: directives amount to 14.52 %, and assertives to 5.33 %. That is, similarly to the previous section, there is a divergence of preferences regarding what other speech acts appear combined with an expressive.

Expressive speech acts express our feelings and emotions, attitudes towards something/somebody, wishes, and desires. Insults and slurs fall within this category. In line with GBV, many slurring utterances are oppressive speech with the objective of “achieving and maintaining unjust power over the target” (Popa-Wyatt & Wyatt, 2017, p. 2880). Abusive language can be expressed implicitly or explicitly: the latter is easier to detect than the former. Yet, in many cases, stalkers resorted to implicit abusive language – thus, one needs to take a look at the propositional meaning more than its form (Queralt, 2022, p. 178). It is to be noted that the same happened with threats (Section 4.2). Instances of this aspect are highlighted subsequently; results are shown in Table 5.

Dataset	Insults and slurs – expressive speech acts		Total
	Direct	Indirect	
Case 1	0 %	53.04 %	53.04 %
Case 2	0 %	0 %	0 %
Case 3	0 %	2.86 %	2.86 %

Table 5. Proportional presence of insults within expressive speech acts, own elaboration.

Case 1 displayed the highest level of aggressivity, shown in his use of insults and slurs – about a third of all his expressive speech acts (35.49 %). Cases 2 (0 %) and 3 (2.86 %) are different: Case 2 adopted a subtler approach, using other speech acts to insult the victim. Case 3 was the case where the stalker was trying to create a romantic relationship with the victim from zero: it might be that resorting to insults and slurs was not thought of as the most helpful

strategy. Since explicit insults are not particularly interesting, a focus is placed on implicit ones. Throughout the Dataset, insults to victims tend to be directly or indirectly related to sexuality, or they tend to allude to their cognitive skills. Two examples are provided to illustrate this point: one in the expressive speech act (Example 10) and one in the directive speech act (Example 11).

(10) Expressive speech acts – implicit insult, C2.

Sai cosa mi fa invidia e allo stesso tempo non capisco? Come fai a passare da uno ad un altro come nulla fosse... mi spieghi come fai? Così magari riesco a dimenticarti. Tanto ti fa dormire con me e subito dopo con un altro? Complimenti fuori uno e dentro un altro, in tutti i sensi proprio...no?

You know what makes me envious, but at the same time, I don't understand? How do you go from one to another, as if it meant nothing... Can you explain to me how you do it? So maybe I can get over you. To you, it doesn't matter; you can sleep with me and immediately after with another man, right? Compliments, one man out and another man in, in every sense, really... right?

At first sight, this message involves four questions – indirect directive speech acts paired with congratulations – an indirect expressive speech acts. Yet the purpose of the message is not to elicit an answer but to convey what the speaker thinks of the victim – a heartless woman who has no problem having sex with different men. Followingly, an example where the victim is portrayed as being unreasonable is presented:

(11) Directive speech act - implicit insult, C3

Ma mi vuoi fare rinchiudere per un po' di messaggi e chiamate?!

Do you want to have me locked up for some messages and phone calls?!

Again, there is no straightforward insult through an expressive speech act. There is a question, so it is a directive. Yet the illocutionary force of the question conveys a clear message: You are overreacting, I am only sending you some messages and calling you. This matches Queralt's findings (2022, p. 105). Inverting the victim/aggressor role is a common

trait also found in romance fraud (Carter, 2024; Queralt, 2022), which can be carried out through different linguistic means (e.g., through a directive speech act).

To conclude, expressive speech acts emerge as the most diversified category. First of all, insults and slurring were primarily present in Case 1, where 53.04 % of the expressive speech acts belong to this sub-category (0 % in Case 2 and 2.86 % in Case 3). Moreover, expressive speech acts were used in an indirect way in Cases 1 and 3 (17.83 % and 6.80 %), while Case 2 prefers direct, expressive speech acts (9.19 %). A dispreference for commissives emerged, used cumulatively only 5.17 %. In Cases 2 and 3, expressives appear mostly together with assertives (8.09 % and 6.15 %), while in Case 1 the opposite is true, and they appear mostly together with directives (14.52 %). Shifting perspective once again, when considering the distribution of speech acts excluding expressives, it can be seen that Case 1 prefers pairing expressives with directives (63.71 %). In comparison, Cases 2 and 3 prefer assertives (51.07 % and 47.85 %, respectively).

5. Conclusions and future directions

This article has shown how dealing with GBV crimes with the tools provided by FL can be a fruitful approach (Benedetti & Queralt, 2023); this is true considering the different subfields of FL, be it the language used in judicial contexts or the language as evidence, as it was the case. In judicial contexts, a FL approach has shown the presence of gender asymmetry during court hearings. This aspect would require corrective actions in order to prevent a poor administration of justice (Benedetti, 2024). Regarding language as evidence, the article aimed to detect how emotional abuse is carried out by stalkers from a linguistic point of view. The dataset studied included three Italian cases of stalking, which were analysed using SAT (Austin, 1962; Searle, 1969/1975) and building on Lorenzo-Dus et al. (2023). It provided an overall view, which was then broken down to consider the different speech acts: assertives, commissives (with a side coding on threats), directives (with a side coding on interrogatives), and expressives (with a side coding on insults and slurring). Whether the speech acts were direct or indirect was considered; tangible examples were displayed.

Results met the goal of shedding light on how abuse is linguistically carried out. In the cases analysed, overall patterns emerge. Generally speaking, stalkers show a preference for directives (45.56 %), followed by expressives (24.40 %), assertives (18.19 %), and commissives (6.35 %). This holds true in different proportions, also when considering cases individually.

This differs partially from Lorenzo-Dus et al.'s results regarding grooming (2023, p. 31). On one hand, in grooming directives are also the most widely used (44.05 %, 23.36 % directives and 20.69 % interrogatives). On the other hand, the second most used speech act is assertive (42.71 %, 34.41 % assertives affirmative and 8.3 % assertives negative) and not expressive.

Within these overall patterns, individual preferences emerged – e.g., when considering how speech acts combined and in the use of threats, questions, and insults. For instance, threats represent 32.28 % of commissives and are mostly indirect speech acts (93.40 %); in Case 1, they amount to 41.38 %, in Case 2 to 20 %, and in Case 3 to 28.57 %. Questions are 52.67 % of directives, yet in Case 1, they amount to 58.76 %, 60 % in Case 2, and 44.44 % in Case 3. Insults and slurs are 18.63 % of expressives (53.04 % in Case 1, 0 % in Case 2, and 2.86 % in Case 3). Further deepening individual preferences could help explore if and how a potential correlation between the level of physical violence and verbal violence is to be found.

Results are promising in establishing patterns and providing the basis for a deeper analysis. Future studies might work in different directions: for instance, questions, threats, and insults could be the object of a study on their own. Since “(...) the same syntax structure can match different speech acts; (...) the same speech act can match different syntax structures” (Caffi, 2017, p. 53), threats and insults do not need an expressive and commissive speech act to be carried out, even though they can indeed be carried out through expressives and commissives. Detecting what linguistic tools stalkers use to threaten and insult victims would help understand the communication dynamics at play; the same applies to questions, and their real purpose (which is not necessarily eliciting an answer) could benefit another type of analysis.

Further research on this topic is necessary, particularly considering the anticipated legislative changes in Italy in the near future. The recently approved EU directive on combating violence against women and domestic violence (2024/1385) frames cyberstalking as a distinct crime, thereby reinforcing its criminalisation. However, it also imposes a limitation by requiring proof of “serious harm to the person” (Di Nicola Travaglini & Menditto, 2024, p. 350). Providing sounder evidence will hence become increasingly important. Cyberviolence is often either the beginning of offline violence or the continuation of offline behaviour, and an overlap between cyberstalking and more conventional forms of stalking is often the case (Henry & Powell, 2016, p. 409).

Within intimate partner violence contexts, cyberstalking may be part of a broader strategy using different means to monitor, harass, and threaten the victim (Henry & Powell, 2016, p. 409). Understanding the scope of cyberstalking is challenging for several reasons, e.g. the absence of both an internationally agreed definition and methodologies for measurement and the low number of victims reporting the crime (UN Women, 2022, p. 4). And yet, overcoming the limit regarding the quantity of data analysed could help deepen personal preferences and confirm common patterns in stalkers.

Notes on contributor

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6. Conclusions

This section presents the key conclusions drawn from the thesis, providing a comprehensive overview of its findings and contributions. It begins by addressing the central hypothesis and objectives, followed by specific conclusions derived from hypotheses 1 and 2. These conclusions not only validate the research framework but also underscore its relevance in understanding and addressing VAW through the lens of forensic linguistics.

Furthermore, this section highlights the connection between the current research and prior work in forensic linguistics, emphasising this study's innovative contributions. By integrating interdisciplinary approaches and applying them to the Italian context, this thesis has introduced novel insights and methodologies that enrich the field and pave the way for further advancements.

Finally, two additional subsections are included. The first discusses the limitations encountered during the research process, offering a reflective perspective on areas that could be improved. The second explores possible future directions, providing ideas and inspiration for expanding and applying the findings and methodologies presented here in academic and practical contexts. Together, these elements aim to ensure that the research addresses current gaps and lays a solid foundation for continued progress in the fight against epistemic injustice and improving justice delivery systems.

To reiterate, the main hypothesis and objective are set out in Table 11 below.

Main hypothesis
The administration of justice in cases involving GBV and, more specifically, VAW in Italy benefits from the support of the discipline of forensic linguistics in its different subfields.
Main objectives
The main objective is identifying if, how, and to what extent forensic linguistics – specifically as the language used in the judicial proceedings and as evidence - can support the administration of justice in Italian cases involving GBV and, more specifically, VAW.

Table 11. Main hypothesis and objective. Own elaboration.

The first article, namely “A Literature Review On The Role Of Forensic Linguistics In Gender-Based Violent Crimes In Italy: Supporting Legal Professionals And Providing Scientific Evidence”, successfully addressed the main hypothesis and objective, paving the way for the methods to be applied in the next articles. As for the impact of this article, it has been presented at renowned international institutions, namely Innsbruck University (Austria) and the University of Tor Vergata in Rome (Italy). To date, it has been downloaded 104 times and cited four times, as reported by the academic journal *Llengua i Dret // Journal of Language and Law* (see Section 2. for further details). This article provides a literature review to describe how forensic linguistics can support the administration of justice in crimes related to GBV. It does so by introducing the field of study (i.e., GBV and VAW in Italy) and the tool used for the analysis (i.e., forensic linguistics). Moving from the general context of VAW to its specific psychological aspects, it then illustrates two models (Pence & Paymar, 1993; Walker, 1979) that need to be considered when analysing the context within which interaction occurs. This sets the stage for examining specifically how forensic linguistics might contribute (Queralt, 2022): on the one hand, by supporting the communication process between victims and professionals (i.e., police, lawyers, and judges). On the other hand, by providing sounder scientific evidence concerning the psychology of aggressors. Different analysis tools are described, such as conversation/discourse analysis and threat assessment. In this article’s conclusions, the foundations are laid for potential future articles: the suggested fields of study are language as evidence and language in judicial proceedings. A focus on courtroom interaction is placed within the latter, as described below.

The second article, “Linguistic Analysis Of Gender Asymmetry In Courtroom Interaction Discourse: Analysis Of Questioning Strategies In Domestic Violence Trials In Italy”, partially addresses the future directions highlighted in the first article. It is consistent with the hypothesis and it meets the objective, then deals with the specific hypotheses (1) and objectives (1), which are illustrated in Table 12.

Specific hypothesis (1)
Within the subfield of language used in the judicial proceedings, forensic linguistics may detect differences of treatment between complainants and defendants.
Specific objectives (1)
<ul style="list-style-type: none"> a) Creating a homogeneous dataset on judicial proceedings (same genre), and involving accusation of the same legal violation; b) Within forensic linguistics, detecting the most helpful tools of analysis; c) Carrying out the analysis and detecting if a situation of gender asymmetry arises (i.e. a difference of treatment regarding victims and aggressors); d) If the former is the case, exploring how this is carried out.

Table 12. Specific hypothesis and objective (1). Own elaboration.

In order to explore if the hypothesis was correct, each specific objective was met. Firstly, a homogeneous dataset involving the same legal violation (specific objective 1a) was created. This included three cases of domestic violence (breach of Art. 572 of the Italian Criminal Code), comprising eight court hearings. Within the framework of the same criminal offence, the official transcripts of courtroom interaction were analysed. In the three cases, both alleged victims (complainants) and alleged aggressors (defendants) testified – each in four different hearings. The research question aimed to explore if a gender asymmetry (i.e., a difference of treatment) between the two is to be found, and if so, how it is expressed. After carrying out a specific literature review on the language used in courtroom interaction and how forensic linguistics has supported this field (meeting the main objective), different methods to address the research questions were considered. Finally, as highlighted in the article, Archer (2005) and Mortensen (2020) were deemed the most suitable ones (specific objective 1b). Building on this approach, the analysis focused on the morphosyntax of the questions emerging from the official transcripts. It places them on a continuum line – from the most to the least coercive and controlling. Archer (2005) and Mortensen (2020) worked with the English language; therefore, the peculiarities of Italian morphosyntax construction have also been addressed. Results proved to be promising: data revealed that a gender asymmetry may be found in both the quantitative and the qualitative analysis (specific objective 1c). As to how this is actually happening (specific objective 1d), the article has described that from a quantitative

perspective, data show that in real terms, complainants are asked to speak more than defendants (i.e., 839 turn-taking versus 566 and 25,308 words uttered versus 19,573). This can be seen especially in the number of questions asked on average during cross-examination: 632 to complainants (69.45 % of the questions asked) and 278 to defendants (30.55 %). Yet real terms are not reflected in proportional terms, where data show how complainants participate less than defendants in the interaction (i.e., 46.28 % of turn-taking versus 49.05 % and 61.59 % of words uttered versus 68.65 %). This difference is mirrored also in the average number of words uttered in each conversational turn: 30.16 for the complainants and 34.58 for the defendants. From a qualitative perspective, data show that complainants are asked more controlling questions than defendants in cross-examination (56.96 % versus 46.76 %). Yet the opposite happens in direct examination (65.25 % versus 51.09 %). This is relevant in that according to literature in direct examination, controlling questions tend to be avoided. It might be, as Gibbons has pointed out (2003: 1893), that lawyers are not sure their defendants will provide the version of the story they need in order to win the case. Therefore, they resort to coercive and controlling questions to successfully manipulate the narrative. This article has also been presented internationally, namely at Innsbruck University (Austria) in the annual conference organised by the Germanic Society of Forensic Linguistics. According to the academic journal *Pragmalingüística*, to date, it has been downloaded 41 times (see Section 2 for further details).

To conclude, the evidence is consistent with the specific hypothesis (1). Forensic linguistics detected differences in treatment between complainants and defendants within the subfield of language used in judicial proceedings. This emerged from the dataset analysed, and a description of such a difference in treatment has been provided. Establishing with absolute certainty that such a difference in treatment is due solely or mostly to gender dynamics is a field that requires further investigation, as will be highlighted in the section dedicated to future directions (Section 7.2).

Moving from the subfield of forensic linguistics, which deals with the language used in judicial proceedings, to the subfield of the language used as evidence, another set of specific hypotheses and objectives was advanced. Table 13 describes them.

Specific hypothesis (2)
Within the subfield of language as evidence, forensic linguistics may provide sounder evidence – thus assisting both the investigative process and court decisions.
Specific objectives (2)
<ul style="list-style-type: none"> a) Creating a homogeneous dataset with private communications between aggressors and victims, involving accusation of the same legal violation; b) Within forensic linguistics, detecting the most helpful tools of analysis; c) Carrying out the analysis and exploring if a consistent linguistic pattern among aggressors is to be found; d) Exploring how emotional abuse is linguistically carried out.

Table 13. Specific hypothesis and objective (2). Own elaboration.

The third article is called “Cyberstalking And Gender-Based Violence In Italy: A Speech Act Analysis” and it follows the main hypothesis and objective. It also addresses specific hypotheses and objectives (2). As before, the procedure followed was to address each specific objective (2) to prove the validity of the specific hypothesis (2). Therefore, firstly, a homogeneous dataset with private communications between aggressors and victims was created. This involved the same crime, namely stalking (violation of Art. 612bis of the Italian Criminal Code). Within the overall crime of stalking, cyberstalking played a significant role. Thus, the dataset to be analysed included online private messages sent between aggressors and victims in three different cases (specific objective 2a). Accordingly, within forensic linguistics, specific literature research was carried out to find out the most suitable analysis tool (thus meeting the main objective). To the best of the author’s knowledge, at the time of writing no scientific article dealing specifically with the language used in cyberstalking in Italian had been written. The same applied to English and Spanish bodies of literature. Therefore, forensic linguistics analysis tools used in other – yet similar – crimes were considered. The dataset involved online private communication between aggressors and victims, who were engaged in power dynamics related to gender. Romance fraud and online grooming were detected as the most helpful examples. After comparing the three crimes and considering the different analysis tools, the choice was to build on the study of online grooming by Lorenzo-Dus et al. (2023). They resort especially to SAT theory (Austin, 1962;

Searle, 1969/1975), combining quantitative and qualitative analysis elements. The same approach was used in the study on cyberstalking (specific objective 2b). The dataset was coded according to the type of speech acts, whether direct or indirect. A side coding of questions, threats, insults and slurs was also carried out. Afterwards, the analysis was developed, focusing on whether a consistent linguistic pattern among aggressors was to be found (specific objective 2c) and exploring how emotional abuse was carried out linguistically (specific objective 2d). From the data, a consistent pattern among the three cases emerged: all aggressors showed a preference for directives (45.56 %), followed by expressives (24.40 %), assertives (18.19 %), and commissives (6.35 %). This holds true also considering each case, albeit in different proportions. Partial similarities with online grooming were found, e.g. directives appear to be the most used speech act by groomers, not only stalkers.

Regarding how emotional abuse is carried out, data show that a different interplay of speech acts is employed – and also, the frequency of questions, threats, insults and slurs differs between aggressors. Personal preferences emerge here: threats represent 32.28 % of commissives and are mostly indirect speech acts (93.40 %). Each aggressor used them in different proportions: 41.38 % in Case 1, 20 % in Case 2, and 28.57 % in Case 3. Insults and slurs are paint a diversified picture: overall, they amount to 18.63 % of expressives. Yet in Case 1 they are 53.04 %, and 2.86 % in Case 3. Case 2 displays none. The use of questions shows fewer variations: overall, they represent 52.67 % of directives. In Case 1, they amount to 58.76 %, in Case 2, 60 %, and in Case 3, 44.44 %. Regarding the impact of this article, it is to be pointed out that it was presented internationally at the annual conference of the Germanic Society of Forensic Linguistics.

As it emerges, the articles follow in the footsteps of the traditional areas of forensic linguistics analysis yet bring innovative elements. Generally speaking, the fact that the research has been focusing on analysing the Italian language in forensic linguistics is already innovative. As highlighted in Section 1.2, no comprehensive study on the discipline has been carried out in this language – much less focusing solely on GBV-related crimes. As described, some books have been published – mainly focusing on the subfield of legal language and language in judicial proceedings and mostly in Italian (therefore being accessible only to a limited audience). No scientific study on the subfield of language as

evidence has been found. In the following paragraphs, innovative elements introduced by each article are presented.

The first article, by providing a general overview of different scientific publications dealing specifically with GBV, helps bring together all the methods which have been and which could be implemented in the future to fight these crimes. As highlighted in the article, previously there have been several publications dealing with specific aspects of VAW and forensic linguistics. The work carried out aimed at bringing them together to support further developments in the field. This has proven successful, given the data regarding how often the article has been downloaded and cited in international journals.

The second article focused on courtroom interaction and questioning strategies: tradition in this subfield is extensive, given that the first publication dates go back almost fifty years (Atkinson & Drew, 1979). Since then, the scientific world has moved forward, and within courtroom settings, several subgenres have been studied: from opening statements to closing arguments, from questioning strategies to sentences. Dealing with questioning strategies, a model connecting morphosyntax with coercive and controlling strategies has been developed and used in several studies (e.g., Archer, 2005; Harris, 1984; Luchjenbroers, 1997; Mortensen, 2020; Olanewaju, 2009; Seuren, 2019). Yet the comparative approach has been found solely in Mortensen (2020), who dealt with the differences between US-American and Danish trials. Comparing how different witnesses are treated (in this thesis, alleged victims and alleged aggressors) has not been done before – at least, to the best of the researcher’s knowledge at the time of writing. Yet, given the secondary victimisation¹ dynamics which can occur in Italian courts (Benevieri, 2022, p. 57), exploring what is happening in this context is paramount.

The third article further develops the subfield of language as evidence, focusing on private online written texts in cases related to (cyber)stalking. As highlighted, to the best of the researcher’s knowledge, no analysis had been carried out on these texts at the time of writing. As a result, in order to answer the research questions, a literature search on other crimes with similar characteristics had to be carried out.

¹ “Secondary victimisation occurs when the victim suffers further harm not as a direct result of the criminal act but due to the manner in which institutions and other individuals deal with the victim”, (European Institute for Gender Equality, n.d.).

To conclude, this section has connected the research carried out with the hypotheses and objectives (in both cases, main and specific) detailed in Section 2. It has shown how all objectives have been met and the evidence is consistent with all hypotheses (1). That is, the administration of justice in cases involving VAW in Italy can benefit from the support of the discipline of forensic linguistics and contribute to addressing situations of epistemic injustice VAW victims often experience, as illustrated in the Introduction. This is true both for the subfield of language used in the judicial proceedings (where forensic linguistics can detect differences of treatment between complainants and defendants) and for the subfield of language as evidence (where forensic linguistics can provide sounder evidence – thus assisting both the investigative process and court decisions). These hypotheses have been demonstrated by meeting the different objectives. Generally speaking, this thesis has identified how and to what extent forensic linguistics can support the administration of justice in Italian cases involving VAW. It has done so by creating homogeneous datasets on judicial proceedings and language as evidence. Then, within forensic linguistics, it has identified the most helpful tool of analysis to use. Finally, it has carried out the analysis, exploring in detail what happens in terms of abuses (primary or secondary victimisation) in institutional public contexts, such as the court as well as in private contexts, such as in personal relationships.

As in all research, a number of limitations can be identified together with future directions. Although each article partially described these elements, bringing them together to provide a comprehensive overview fosters a better understanding of the global picture. Therefore, the following two sections present a detailed survey of both limitations and future directions for research in this field.

6.1 Limitations

This thesis is a compendium of papers, and limitations can refer both to the general research and the specific focus placed on each scientific article. First, this section will provide an overview of general limitations, which cover two areas: the objective difficulty of finding a consistent amount of data to be analysed and the well-being of the people involved in the research. Then, specific limitations regarding each paper will be addressed.

Finding a consistent amount of data to analyse is an objective difficulty and nothing new in forensic linguistics – as a matter of fact, it is an issue that has been pointed out

several times in the literature (e.g. Christensen & Mortensen, 2018, p. 129; Heydon, 2019, p. 139). There are so many variables to consider that providing a complete list of them is a daunting task. Thus, only some examples will be illustrated, drawing from experience and valuable insights gained from extant research.

To begin with, working with lawyers to collect data implies that the victim decided to resort to the official institutional channels of justice. Yet the introduction (Section 1) highlighted that, on average, only about 10 % of VAW cases are reported. Therefore, the vast majority of potential material (the remaining 90 %) is out of reach when working through official channels. Collaborating with lawyers, however, is extremely useful when trying to create a consistent dataset for a specific criminal offence. This would typically be more difficult if resorting to other organisations, e.g. women's shelters.

The quantity of data is also limited by the need to work on a homogeneous sample. As illustrated in Section 2.2.2. the collection of material lasted about a year. Finally, the global corpus included 27 cases of GBV – including various offences, ranging from stalking to femicide. Documents in the corpus include private communications, police and judicial reports, official declarations and courtroom transcripts, as well as judicial sentences. This thesis focused on 1) written and not spoken texts 2) belonging to the same genre (e.g., courtroom transcripts) 3) created by native Italian speakers. These three aspects alone – which are essential to carry out a rigorous scientific study – prevented other kinds of material from being used in this research, even though it was collected.

Contextual factors must also be taken into consideration. For example, when it comes to femicide, relatives of the victims tend to resort to lawyers specialised in murders, not in VAW. Therefore, lawyers contacted for VAW were mostly unable to provide consistent material in femicide cases. Besides this aspect, another significant contextual element is to be found in the report by the *Commissione Parlamentare di Inchiesta sul Femminicidio, nonché su ogni forma di Violenza Di Genere*. After analysing investigations and sentences in femicide cases between 2017 and 2018, it was found that 34.9 % of aggressors commit suicide after killing the woman (2021, p. 22). If the aggressor dies, no case is brought to justice. If no case is brought to justice, no material is available – unless the researcher wishes to contact relatives of the victims directly.

This observation leads to a second limitation on research, namely the well-being of the research participants (including the researcher). The well-being of the researcher has been

extensively dealt with in Section 2.2.4. Here, it is just relevant to point out that sometimes, in order to preserve such well-being on both sides, some actions that could be pursued on a theoretical level may not be pursued at a practical level. For instance, once having been in contact with relatives of the victims or with victims' organisations, insisting on having access to the material is something that, in theory, could bear some fruits. Yet the cost of insisting, in terms of burden on victims and the researcher, is perhaps too high to be justified by the research.

Specific limitations also come into play when considering the papers written within this research. The first article, "A Literature Review On The Role Of Forensic Linguistics In Gender-Based Violent Crimes In Italy: Supporting Legal Professionals And Providing Scientific Evidence", provides a framework for the potential method of dealing with GBV from a forensic linguistics perspective. In this article, a limit explored during the literature review has been how forensic linguistics is dealt with in the Italian context. As illustrated in Section 1.2, in Italy this discipline is fragmented into three autonomous fields of study, and the label of "forensic linguistics" is used solely when dealing with forensic phonetics. Grasping this aspect and subsequently exploring the three distinct subfields was crucial for making effective progress. It does, however, limit the potential impact of the discipline.

The second article, "Linguistic Analysis Of Gender Asymmetry In Courtroom Interaction Discourse. Analysis Of Questioning Strategies In Domestic Violence Trials In Italy", examined the questioning strategies in three domestic violence cases, using official transcripts. Such transcripts are accurate but naturally lack prosodic information: they are typically aimed to be used by legal professionals – therefore, only lexical items are considered. Being able to work on the recording (in addition to the official transcript) could shed light on interesting aspects of communication which remain untouched by the current research: e.g., a falling or rising pitch might signal to the witness that the yes/no question is to be intended as an open question, not a closed one. This could explain why so many yes/no questions received an expanded answer (15.95 % out of 32.86 % when the complainant provides testimony and 11.46 % out of 26.48 % when the defendant does). Moreover, thanks to the recording, it was possible to differentiate between actual interruptions and unfinished utterances: the former might be a sign of coercion and control, the latter an invitation to speak.

Another limitation of this article is that, even though gender asymmetry may have occurred, it was not possible to establish this with absolute certainty. Other analytical tools need to be considered and implemented to establish this beyond doubt.

The third article, “Cyberstalking And Gender-Based Violence In Italy: A Speech Act Analysis” examined private online communications. The dataset created was coded according to pragmatics (SAT theory). Coding was carried out multiple times by the same researcher, which is both an advantage – a single person knowing the dataset in detail – and a disadvantage, as carrying out multiple coding sessions by different researchers could reinforce the statistical findings. The research could thus benefit also from inter-rater reliability, not only from the intra-rater.

A second limitation in this article has been the presence of links, pictures, emojis and emoticons in the dataset. Their presence was not always visible or clear. Such elements are obviously important when considering the overall communication. In some cases, though, no previous literature studies were found (e.g., with pictures or links). In other cases, some literature was present (e.g., emoticons being coded as expressive speech acts as in Grant & Macleod, 2020, p. 42), yet the dataset was not homogeneous. In some cases, emoticons were in evidence; in others, that was not the case; it was not possible to determine whether they were, in fact, emoticons or mistypings. Therefore, the ultimate decision was to consider lexical items alone. Being able to code such elements as emoticons could bring about interesting shifts in the model found, particularly considering how expressives were employed.

As outlined, general and specific limitations were considered throughout the research process. These aspects are particularly valuable as they highlight areas with potential for enhancement and provide insightful guidance for future research directions inspired by the current work. The following section explores these opportunities in greater detail.

6.2 Future directions

This last section follows the pattern of the previous ones. First, future directions will be addressed from a comprehensive perspective, dealing with GBV and forensic linguistics. Then, future directions for each specific article will be highlighted, and finally, conclusions will be drawn.

Generally speaking, the thesis succeeded in its goals; future research could both deepen and further develop the issues explored or use forensic linguistics to analyse GBV further. For

instance, besides official courtroom transcripts and online private communication, other texts could be considered: studying police reports or suspect interrogations could shed significant light on other aspects of VAW. Another relevant direction could be carrying out the same studies in other languages: given that VAW and GBV are present in every culture worldwide (World Health Organization, 2021, VIII), it could be interesting to see if universal patterns can be detected.

More specifically, the first article highlights several future directions to support victims fully. One of the main inputs is improving communication with the judicial sector: this applies at every step – before, during, and after a process. Before the process, exploring the possibility of drafting clearer documents (e.g., police reports which are easier to understand) could be a meaningful and necessary step. Analysing what is currently done in terms of communication with victims and designing professional training for the different legal actors (i.e., judges, police forces, and lawyers) could be the next step. Such training could have as a goal both understanding better GBV dynamics and providing linguistic instruments for professionals to be more aware of the impact of their communication with victims and hence improve it. During the process, interrogation strategies that avoid secondary victimisation should be implemented: this is true both with respect to the content of the interrogation and the way questions are posed. Here again, specific training could be designed and implemented both on GBV and forensic linguistics. At the same time, victims could be prepared for the process – also from a linguistic point of view. For example, such preparation could help them understand and use assertive language. In order to support the administration of justice, collaborating in the investigative process to provide sounder scientific evidence – potentially from an interdisciplinary perspective – would also be extremely helpful. Lastly, after the process, as highlighted by Queralt (2022, p. 132), a forensic linguist could also help victims improve the way they communicate with society (e.g., in job interviews) to support their healing process.

The second article deals specifically with one factor, namely the experience that victims and aggressors undergo when they testify in court. Qualitative and quantitative differences emerge when considering both complainants and defendants. On the one hand, more data could help detect whether such differences hold true at a statistical level. On the other hand, further developing the analysis in relation to the Italian language could

be interesting. The article has highlighted some differences between English and Italian in the morphosyntax model. Being able to insert the peculiarities of Italian on the English scale of coercion and control in questions would be an interesting first step. The second step could be to study courtroom interaction not only from the official transcripts but also from the recorded versions so as to be able to detect eventual differences which could emerge thanks to prosodic elements (e.g., in relation to yes/no questions receiving expanded answers). Prosodic elements could also be helpful in detecting whether a lawyer is putting pressure on the witness or only encouraging detailed answers (e.g. through the use of cumulative questions or third turns). They could help detect whether a lawyer left a question unfinished – so for the witness to pick up the sentence and elaborate on it, or if they were interrupted by the witness. Interruptions can play a relevant role both when it comes to witnesses interrupting legal professionals and when legal professionals interrupt the judicial proceedings. When it comes to unfinished utterances, the dataset shows that they were especially frequent when female lawyers cross-examined male defendants (50.54 % of the category “other/indeterminable”). In comparison, unfinished utterances occurred only 23.61% of the time when male lawyers cross-examined female complainants. Courtroom interaction in these cases has also shown that interruptions by legal professionals are more numerous when complainants give testimony (i.e., 24.99 % versus 13.17 % of turn-takings, 16.6 % versus 5.41 % as to words spoken). Further deepening if, how, and to what extent such interruptions may affect the witnessing of victims is another direction which could be undertaken.

Finally, this article considers where legitimate defence ends and where secondary victimisation begins, observing that the distinction needs to be better defined. Human beings are not always aware of their own gender biases, and this includes legal professionals. Lawyers and judges need better tools to assess the situation. Designing and delivering appropriate training could bring about significant improvements (as has been highlighted for about two decades, e.g., Bellucci, 2005, p. 437).

As to the third article, according to Istat (2024), stalking crimes are rising (+ 97 % between July and September in 2024, compared to the data from April and June). Therefore, continued work on this offence is paramount. The article detected common linguistic patterns in terms of speech acts – although the three cases were very different in terms of the relationship between aggressors and victims as well as counter-strategies enacted by victims to stop the

violence. A relevant future direction could be to explore the connection between linguistic and psychological abuse. As Pence & Paymar (1993) pointed out, psychological abuse manifests in several different behaviours, which can also be detected through language. Exploring the possibility that certain combinations of speech acts are used to carry out specific types of abuse is a fascinating possibility, which further highlights the importance of interdisciplinary research when dealing with GBV crimes. Moreover, other psychological models could be considered. If the dataset allows, the cycle of violence (Walker, 1979) could also be described linguistically to highlight specific patterns among abusers. Besides VAW *strictu sensu*, different taxonomies of stalkers' profiles could also be taken as objects of study (e.g., Mullen & Purcell, 2009), and a connection could be drawn between behaviours enacted and the language used. At the same time, the findings would benefit from more data to establish whether they can be supported statistically. Besides quantitative factors, specific analysis could focus on using threats (and threat assessment), insults and slurs, and questions. Previous literature findings have highlighted that most cases of femicide are preceded by stalking (76% in the UK, according to Maple et al., 2011). It would be interesting (and valuable) to see if the violence displayed through messages changes as the level of violence increases. It would be compelling to determine whether particular linguistic markers can be found in stalking messages which lead to femicide, and if so, what they are. This could help the investigative process and contribute to the prevention of crime.

As highlighted throughout, interdisciplinarity has been a cornerstone in addressing complex phenomena like Violence Against Women. Previous contributions from philosophy (e.g., Fricker, 2007), philosophy and history (e.g., Foucault, 2022; 2015; 2014), and sociology (e.g., Bourdieu, 2014) have provided a robust foundation for understanding the broader context of VAW, while psychology has illuminated the intricate dynamics of violence at a personal level (e.g., Bonura, 2016; Pence & Paymar, 1993; Walker, 1979). Integrating these perspectives with forensic linguistics represents a natural and forward-thinking evolution. Language and communication are among the most powerful tools human beings possess, and harnessing them within an interdisciplinary framework enhances our ability to understand, address, and act upon the phenomenon of VAW. This integration not only deepens our theoretical understanding but also holds tangible

potential to produce more substantial evidence in legal contexts, helping to address the epistemic injustices women face in courtrooms.

A recent case serves to illustrate the discussion. Giulia Cecchettin became one of the most well-known femicides in Italy. Giulia was a young engineering student who had recently lost her mother. She was just days away from graduating when she disappeared. Her picture circulated widely on social media in the hope of finding her. In the polarised discussions that often take place on these platforms, opinions were divided: either she had been murdered by her boyfriend, or she had run away due to anxiety related to university life. Ultimately, her body was found, and it was revealed that her ex-boyfriend, after months of unreported harassment, had stabbed her 75 times. Of note, the court dismissed the aggravating factors of cruelty and stalking, further fuelling the debate on how GBV is handled by judicial institutions (ANSA, 2024).

This is just another example – if need be – that much work remains to be done. Allen (2017, p.192) recalls Foucault's claim that where there is power, there is resistance and adds the corollary that where there is power/knowledge, there is epistemic resistance. This research is intended as an act of epistemic resistance. Research concentrates on data, yet there is an actual person behind every piece of data, and this should not be forgotten. Hopefully, this thesis serves as a meaningful step toward improving justice delivery in Italy, inspiring further advancements and contributions in the field.

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APPENDICES

Appendix 1. Acceptance letter by the journal “Círculo de Lingüística Aplicada a la Comunicación”

Appendix 2. Research Ethics Committee Approval in English

Appendix 3. Research Ethics Committee Approval in Spanish

Appendix 4. Information for participants and informed consent in Spanish

Appendix 5. Information for participants and informed consent in Italian

APPENDIX 1

Acceptance letter by the journal
“Círculo de Lingüística Aplicada a la Comunicación”



Círculo de Lingüística Aplicada a la Comunicación
Universidad Complutense de Madrid
Avda. Complutense s/n
28040 Madrid

D. ^a Shima Salameh Jiménez, secretaria adjunta de la revista electrónica **Círculo de Lingüística Aplicada a la Comunicación** de la Universidad Complutense de Madrid, ISSN 1576-4737, <http://revistas.ucm.es/index.php/CLAC>,

C E R T I F I C A

Que el artículo «Cyberstalking and Gender-based violence in Italy», escrito por Dña. Novella Benedetti, ha sido aceptado para su publicación en la revista CLAC. El artículo fue recibido el 18 de mayo de 2024, revisado el 16 de julio de 2024 y aceptado el 24 de enero de 2025.

Y para que así conste, firmo el presente certificado en Madrid, a 3 de marzo de 2025.

Firmado: Shima Salameh Jiménez

APPENDIX 2

Research Ethics Committee Approval in English

Dr Ester Busquets Alibés
Technical Secretary of the UVic-UCC Research Ethics Committee

CERTIFIES

That at its meeting of 22 March 2021, the UVic-UCC Research Ethics Committee considered the research project:

Title: *Language and gender violence in Italy (2015-2019): a proposal for a linguistic index of the threat level.*

Internal code: 149/2021.

Lead researcher: Novella Benedetti.

Considers that:

- It meets suitability requirements in relation to objectives and design methodology.
- It meets ethical requirements for obtaining informed consent and aspects relating to confidentiality.
- The competence of the lead researcher and the resources available are appropriate to carry out the study.

Consequently, this Research Ethics Committee has issued a FAVOURABLE REPORT¹.

23/03/2021

Signed by the Technical Secretary

¹A favourable report places the following obligations on the lead researcher:

- a) If necessary, to submit the project to external competitive or non-competitive calls with the same key features that have been favourably considered by this Research Ethics Committee.
- b) If necessary, to carry out the project with the same key features that have been favourably considered by this Research Ethics Committee.
- c) To present an explanatory report on completion of the project, including a summary of no more than 5000 characters and all the documents that are considered necessary to submit to the CER. This material will be kept in the UVic-UCC archives for future consultation.

APPENDIX 3

Research Ethics Committee Approval in Spanish



Dra. Ester Busquets Alibés
Secretaria técnica del Comité de Ética de la Investigación de la UVic-UCC

CERTIFICA

Que el CER de la UVic-UCC en la reunión del día 22 de marzo de 2021, ha evaluado el proyecto de investigación:

Título: *Lenguaje y violencia de género en Italia (2015-2019): una propuesta de un índice lingüístico del nivel de amenaza.*

Código interno: 149/2021.

IP: Novella Benedetti.

Considera que:

- Se cumplen los requisitos necesarios de idoneidad en relación a los objetivos y el diseño metodológico.
- Se cumplen los requisitos éticos, tanto en la obtención del consentimiento informado como en los aspectos vinculados a la confidencialidad.
- La competencia de los IP y los medios disponibles son apropiados para desarrollar el estudio.

Por lo cual el CER emite un **DICTAMEN FAVORABLE**¹.

23/03/2021

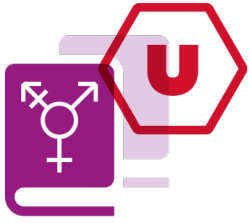
Firma de la secretaria técnica

¹ Un dictamen favorable comporta para el investigador principal las siguientes obligaciones:

- a) Presentar, si es necesario, el proyecto a convocatorias externas (competitivas o no) con los mismos elementos esenciales que han estado evaluados favorablemente por el CER.
- b) Desarrollar, si es necesario, el proyecto con los mismos elementos esenciales que han estado evaluados favorablemente por el CER.
- c) Presentar una memoria justificativa completa del proyecto a su finalización, incluyendo un resumen de máximo 5000 caracteres y todos los documentos que se consideren necesarios entregar al CER. Este material se conservará en los archivos de la UVic-UCC para futuras revisiones.

APPENDIX 4

Information for participants and informed consent in Spanish



GETLIHC

Estudis de Gènere: Traducció, Literatura, Història i Comunicació

Información a las participantes

Soy investigadora predoctoral en la Universitat de Vic / Universitat Central de Catalunya (España) y estoy investigando el lenguaje del agresor en casos de violencia de género para crear un índice lingüístico que permita detectar una escalada en el nivel de la violencia.

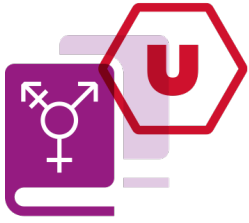
Con su aceptación para consultar el material de su caso/del caso de su familiar, no voy a necesitar entrevistarla a Ud. ni que recuerde los hechos; lo único que voy a hacer es revisar y analizar el lenguaje en parte de los documentos relativos a su caso.

Participando en este estudio Ud. va a ayudar a otras personas que puedan estar en una situación similar, a los médicos, a los agentes judiciales para que detecten un caso de violencia de género que pueda acabar en un trágico final: el feminicidio. Es una investigación académica, rigurosa, objetiva donde todo el material va a ser anonimizado para que no se pueda reconocer ninguna de las personas implicadas en el caso. Lo primero para mi es proteger a las víctimas.

Entiendo la sensibilidad de los datos, pero Ud. puede estar tranquila; el tratamiento de los datos es riguroso y no se la podrá identificar en ningún momento.

Le agradezco de antemano su colaboración, estoy segura de que va a ayudar a muchas mujeres.

A continuación, expongo los datos concretos del proyecto:



GETLIHC

Estudis de Gènere: Traducció, Literatura, Història i Comunicació

Datos

- **Título del proyecto:** Lenguaje y violencia de género en Italia (2015-2019): una propuesta de un índice lingüístico del nivel de amenaza
- **Nombre y apellidos de la estudiante:** Novella Benedetti
- **Centro al que pertenece:** Universitat de Vic / Universitat Central de Catalunya
- **Nombre de la institución en la que se lleva a cabo el proyecto:** Universitat de Vic / Universitat Central de Catalunya (España).

Descripción

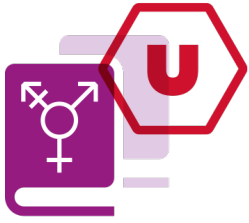
Objetivos del proyecto de investigación

El objetivo principal es identificar patrones de comportamiento lingüístico en el corpus que se va a crear para realizar un índice lingüístico sobre el grado de amenaza a través del análisis lingüístico de la escalada de violencia que pueda contribuir a prevenir el feminicidio.

Por lo que se refiere a los objetivos específicos, indicamos: crear un corpus lingüístico en esta materia; detectar las variables lingüísticas de casos que llegaron al feminicidio y de casos que no terminaron en feminicidio; comparar las variables lingüísticas entre el corpus de feminicidio y no feminicidio; identificar marcadores lingüísticos únicamente presentes en los casos de feminicidio; crear una propuesta lingüística para determinar el nivel de amenaza en casos de violencia de género.

Participación en el proyecto

La participación en el proyecto no prevé una participación activa por parte de la víctima, de sus familiares o de su abogada. La investigadora se compromete a revisar el material judicial (denuncias, sentencias, y todos los documentos relacionados) y utilizar para su análisis aquel material que sea relevante para la investigación. Todos los datos serán anonimizados, para que las víctimas no se puedan reconocer en ningún momento y bajo ninguna circunstancia. La investigación se va a realizar en un plazo temporal entre 2021 y 2025. En cualquier momento la participante tiene la posibilidad de clarificar dudas antes de aceptar participar y el derecho a conocer los resultados del estudio.



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Estudis de Gènere: Traducció, Literatura, Història i Comunicació

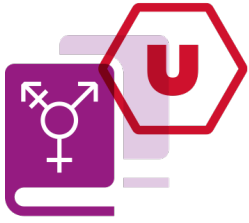
Beneficios en la participación: posibilidad de ayudar a otras mujeres que sean víctimas de violencia de género. Ayudar a prevenir casos con un trágico final para otras víctimas.

Riesgos en la participación: en todo momento se ha minimizado cualquier riesgo de identificación de las participantes; con las medidas tomadas, no se identifica ningún riesgo.

Se informa además que en cualquier momento la participante tiene derecho a retirarse de una parte o de la totalidad del estudio, sin expresión de causa o motivo y sin consecuencias para ella.

Garantía de protección de datos

- La confidencialidad de la información se asegurará de la siguiente manera:
- la investigadora se compromete a no revelar lo declarado por otras personas con las que interactúe durante el proceso de intervención;
- en lo que se refiere a la protección de los datos, se hace referencia a la Ley italiana n. 196/2003, *Codice in materia di protezione dei dati personali* y al Reglamento General (UE) 2016/679, de 27 de abril de 2016, de Protección de Datos (RGPD);
- los datos serán almacenados en una carpeta de OneDrive de la UVic-UCC, a la cual sólo podrá tener acceso la investigadora del proyecto;
- en todo momento la participante podrá contactar con la investigadora por correo electrónico a la dirección: novella.benedetti@uvic.cat y ejercer los derechos ARCO (Acceso, Rectificación, Cancelación y Oposición);
- no habrá difusión del uso de imagen.



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Estudis de Gènere: Traducció, Literatura, Història i Comunicació

Consentimiento informado

Yo, _____, nacida en _____ el _____,
con DNI _____, actuando

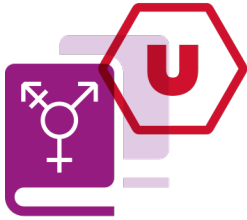
- en nombre e interés propios, en cuanto víctima
- en nombre e interés de la víctima, en cuanto familiar

DECLARO QUE:

He recibido información sobre el proyecto **“Lenguaje y violencia de género en Italia (2015-2019): una propuesta de un índice lingüístico del nivel de amenaza”** del que se me ha entregado la hoja informativa anexa a este consentimiento y por el que se solicita mi participación. He entendido su significado, se me han aclarado las dudas y me han sido expuestas las acciones que se derivan del proyecto. Entiendo las características y el objetivo de este estudio, así como los posibles beneficios y riesgos; he tenido el tiempo y la oportunidad de realizar preguntas y aclarar dudas. Todas las preguntas han sido respondidas satisfactoriamente. Se me ha informado de todos los aspectos relacionados con la confidencialidad y protección de datos con respecto a la gestión de datos personales que conlleva el proyecto y las garantías dadas en cumplimiento de la Ley italiana 196/2003, *Codice in materia di protezione dei dati personali* y el Reglamento general (UE) 2016/679, de 27 de abril de 2016, de protección de datos y normativa complementaria.

Mi colaboración en el proyecto es totalmente voluntaria y tengo derecho a retirarme en cualquier momento, revocando este consentimiento, sin que esta retirada pueda influir negativamente en mi persona en ningún caso. En caso de retirada, tengo derecho a que mis datos sean cancelados del archivo del estudio.

Por todo ello,



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Estudis de Gènere: Traducció, Literatura, Història i Comunicació

DOY MI CONSENTIMIENTO A:

1. Participar en el proyecto: **“Lenguaje y violencia de género en Italia (2015-2019): una propuesta de un índice lingüístico del nivel de amenaza”**;
2. Que la investigadora predoctoral de este proyecto, Novella Benedetti, pueda gestionar mis datos personales/los datos de mi familiar y difundir la información que el proyecto genere. Se garantiza que se preservará en todo momento identidad e intimidad, con las garantías establecidas en la Ley italiana 196/2003, Codice in materia di protezione dei dati personali y el Reglamento general (UE) 2016 / 679, de 27 de abril de 2016, de protección de datos y normativa complementaria.
3. Que la investigadora predoctoral de este proyecto, Novella Benedetti, conserve todos los registros efectuados sobre mi persona/mi familiar en soporte electrónico, con las garantías y los plazos legalmente previstos, si estuvieran establecidos, y a falta de previsión legal, por el tiempo que fuera necesario para cumplir las funciones del proyecto para las que los datos fueron recaudados.

Asimismo, autorizo a la abogada _____, quien tiene el archivo de toda la documentación judicial de mi caso y quien va a firmar este consentimiento, dar acceso a la investigadora predoctoral a dicho material.

En _____, a _____ de 2021

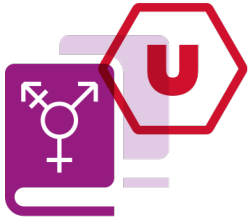
La participante

La abogada

La investigadora predoctoral

APPENDIX 5

Information for participants and informed consent in Italian



GETLIHC

Estudis de Gènere: Traducció, Literatura, Història i Comunicació

Informazioni per le partecipanti

Sono ricercatrice, inserita in un percorso di dottorato presso *l'Universitat de Vic / Universitat Central de Catalunya* (Spagna) e studio il linguaggio utilizzato dagli aggressori nei casi di violenza di genere. L'obiettivo è creare un database linguistico che permetta di rilevare l'escalation nel livello di violenza.

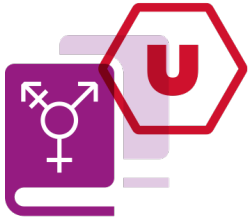
Attraverso il Suo consenso Lei accetta che il materiale inerente al suo caso o il caso della sua famiglia possa essere visionato ed analizzato; non avrò bisogno di intervistarLa, né avrò bisogno che ricordi i fatti accaduti. Mi concentrerò e lavorerò unicamente sul linguaggio che troverò in parte dei documenti riguardanti il Suo caso.

Partecipando a questo studio aiuterà altre donne che si trovano in situazioni simili, così come medici, operatori ed agenti delle istituzioni preposte nel rilevare casi di violenza di genere che potrebbero sfociare nel tragico finale del femminicidio. Si tratta di un progetto di ricerca di stampo accademico, rigoroso ed obiettivo; tutto il materiale raccolto verrà anonimizzato in modo tale che nessuna delle persone coinvolte nel caso possa essere riconosciuta. La protezione delle vittime è la mia prima priorità.

Sono consapevole di quanto siano sensibili questi dati; ci tengo però a sottolineare che il trattamento dei dati sarà rigoroso e non sarà possibile identificare le persone coinvolte in nessuna parte della ricerca.

La ringrazio fin d'ora per la Sua collaborazione; sono sicura il suo apporto potrà aiutare molte donne nella stessa situazione.

A continuazione Le espongo i dati concreti del progetto:



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Estudis de Gènere: Traducció, Literatura, Història i Comunicació

Dati

- **Titolo del progetto:** Linguaggio e violenza di genere in Italia (2015-2019): una proposta di indice linguistico del livello di minaccia
- **Nome e cognome della dottoranda:** Novella Benedetti
- **Università di appartenenza:** *Universitat de Vic - Universitat Central de Catalunya*
- **Nome dell'Istituzione in cui si realizza il progetto:** *Universitat de Vic - Universitat Central de Catalunya (Spagna).*

Descrizione

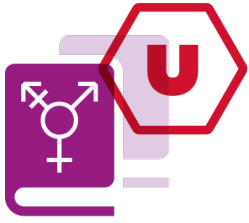
Obiettivi del progetto di ricerca

L'**obiettivo principale** è identificare schemi comportamentali di linguaggio nel corpus che si compilerà, in modo da realizzare un indice linguistico sul livello di minaccia attraverso un'analisi linguistica dell'escalation di violenza che possa contribuire a prevenire il femminicidio.

Per quanto riguarda gli obiettivi specifici, segnaliamo: creazione di un corpus linguistico in questo ambito; rilevazione delle variabili linguistiche dei casi che sono sfociati nel femminicidio e dei casi che non hanno avuto questo tragico epilogo; identificazione dei marcatori linguistici presenti unicamente nei casi di femminicidio; creazione di una proposta linguistica per determinare il livello di minaccia nei casi di violenza di genere.

Partecipazione al progetto

La partecipazione al progetto non prevede un ruolo attivo da parte della vittima, dei familiari, o dell'avvocata. La dottoranda si impegna a realizzare una revisione del materiale giudiziario (denunce, sentenze, e tutti i relativi documenti) per poi utilizzare nella sua analisi il materiale relativo alla ricerca. Tutti i dati verranno anonimizzati, in modo che le vittime non possano essere riconosciute in nessun momento e in nessuna circostanza. La ricerca si realizzerà tra il 2021 ed il 2025. In qualsiasi momento la partecipante avrà la possibilità di chiarire i propri dubbi prima di prendere parte allo studio, ed avrà altresì diritto di conoscere i risultati dello stesso.



GETLIHC

Estudis de Gènere: Traducció, Literatura, Història i Comunicació

Benefici nella partecipazione: possibilità di aiutare altre donne vittime di violenza di genere. Aiutare a prevenire casi dal finale tragico per altre vittime.

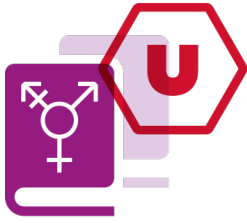
Rischi nella partecipazione: in tutto il lavoro si sono minimizzati i rischi di identificazione delle partecipanti; con le precauzioni adottate, non si identifica pertanto nessun rischio.

Si informa inoltre che la partecipante ha diritto a ritirarsi in maniera parziale o completa dallo studio in qualsiasi momento, senza che sia necessaria nessuna spiegazione della causa o del motivo, e senza che incorra in nessuna conseguenza.

Garanzia di protezione dei dati

La segretezza delle informazioni si assicurerà come segue:

- La dottoranda si impegna a non rivelare quanto verrà dichiarato dalle persone con cui interagirà durante la ricerca;
- Per quanto riguarda la protezione dei dati, si fa riferimento al D. L.gs. n. 196/2003, Codice in materia di protezione dei dati personali e al Regolamento (UE) 2016/679 del Parlamento europeo e del Consiglio del 27 aprile 2016, Regolamento Generale sulla Protezione dei Dati (GDPR);
- I dati verranno salvati in una cartella OneDrive di UVic-UVV, a cui solamente la dottoranda potrà avere accesso;
- La partecipante potrà contattare la dottoranda in qualsiasi momento all'indirizzo: novella.benedetti@uvic.cat per esercitare i propri diritti ARCO (Accesso, Rettificazione, Cancellazione ed Opposizione);
- non è prevista la diffusione di immagini.



GETLIHC

Estudis de Gènere: Traducció, Literatura, Història i Comunicació

Consenso informato

La sottoscritta, _____, nata a _____ il
_____, con documento di identità n. _____, agendo

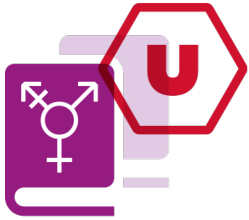
(barrare la casella applicabile)

- nell'interesse ed a nome proprio, in quanto vittima
- nell'interesse ed a nome della vittima, in quanto familiare

DICHIARA

Di aver ricevuto le informazioni sul progetto: **“Linguaggio e violenza di genere in Italia (2015-2019): una proposta di indice linguistico del livello di minaccia”** di cui Le è stato consegnato il documento informativo insieme a questo modulo per il consenso informato e nel quale si chiede la Sua partecipazione. Ha compreso il significato del documento, ha chiarito i dubbi e le sono state esposte le azioni che possono derivare dal progetto. Comprende le caratteristiche e l'obiettivo di questo studio, così come i possibili benefici e rischi; ha avuto tempo e modo di fare domande e chiarire eventuali dubbi. A tutte le domande è stata data una risposta soddisfacente. È stata informata in merito a tutti gli aspetti relativi alla segretezza e protezione rispetto alla gestione dei dati personali che il progetto comporta, così come le garanzie per quanto riguarda l'adempimento del D. L.gs. n. 196/2003, Codice in materia di protezione dei dati personali e al Regolamento (UE) 2016/679 del Parlamento europeo e del Consiglio del 27 aprile 2016, Regolamento Generale sulla Protezione dei Dati (GDPR).

La Sua collaborazione nel progetto è a titolo volontario ed ha il diritto di ritirarsi in qualsiasi momento, revocando questo consenso, senza che ciò in nessun caso possa influire in modo negativo su di sé. Nel caso la sottoscritta si ritiri, rientra nei suoi diritti la cancellazione dei propri dati dall'archivio della ricerca.



GETLIHC

**Estudis de Gènere:
Traducció, Literatura, Història i Comunicació**

Consapevole di tutto ciò,

PRESTA IL SUO CONSENSO:

1. A partecipare al progetto: **“Linguaggio e violenza di genere in Italia (2015-2019): una proposta di indice linguistico del livello di minaccia”**;
2. Affinché la dottoranda di questo progetto, Novella Benedetti, possa gestire i Suoi dati personali/i dati personali della sua famiglia e diffondere le informazioni che il progetto può generare. Le viene garantito che in ogni momento verranno salvaguardate identità ed intimità, secondo le garanzie stabilite dal D. Lgs. n. 196/2003, Codice in materia di protezione dei dati personali e al Regolamento (UE) 2016/679 del Parlamento europeo e del Consiglio del 27 aprile 2016, Regolamento Generale sulla Protezione dei Dati (GDPR).
3. Affinché la dottoranda di questo progetto, Novella Benedetti, possa conservare tutto il materiale relativo alla Sua persona/alla Sua famiglia su un supporto elettronico, con le garanzie ed i termini legalmente previsti, ove presenti; e ove assenti, per il tempo necessario a realizzare il progetto per cui detti dati sono stati raccolti.

Autorizzo l'avv. _____ che è in possesso del fascicolo processuale e che sottoscrive la presente, a mettere a disposizione della dottoranda il materiale in suo possesso.

A _____, il _____ de 2021

La partecipante

L'avvocata

La dottoranda

DOCTORAL THESIS

Understanding gender-based violence in Italy through Forensic Linguistics

Gender-based violence, particularly violence against women, remains a pressing issue in Italian society despite numerous measures to combat it. This thesis explores how forensic linguistics can contribute to the administration of justice, shedding light on the role of language in legal contexts.

The research first introduces key areas of forensic linguistics, including legal language, courtroom discourse, and language as evidence. It then delves deeper into how language is used in judicial proceedings and as evidence in gender-based violence cases.

One part of the study focuses on courtroom interrogation strategies in three domestic violence cases, analyzing eight court hearings. A key finding is that complainants (alleged victims) are asked more questions but given less speaking time than defendants (alleged aggressors), revealing a possible gender imbalance in judicial treatment.

The second part examines language as evidence, specifically in cyberstalking cases. By applying speech act theory, the study uncovers recurring linguistic patterns in aggressors' messages, showing how emotional abuse is constructed through a combination of directives, expressives, assertives, and commissives.

Overall, this thesis demonstrates how forensic linguistics can be a powerful tool in addressing gender-based violence, offering insights that could contribute to fairer legal proceedings and inspire further research in this crucial field.

