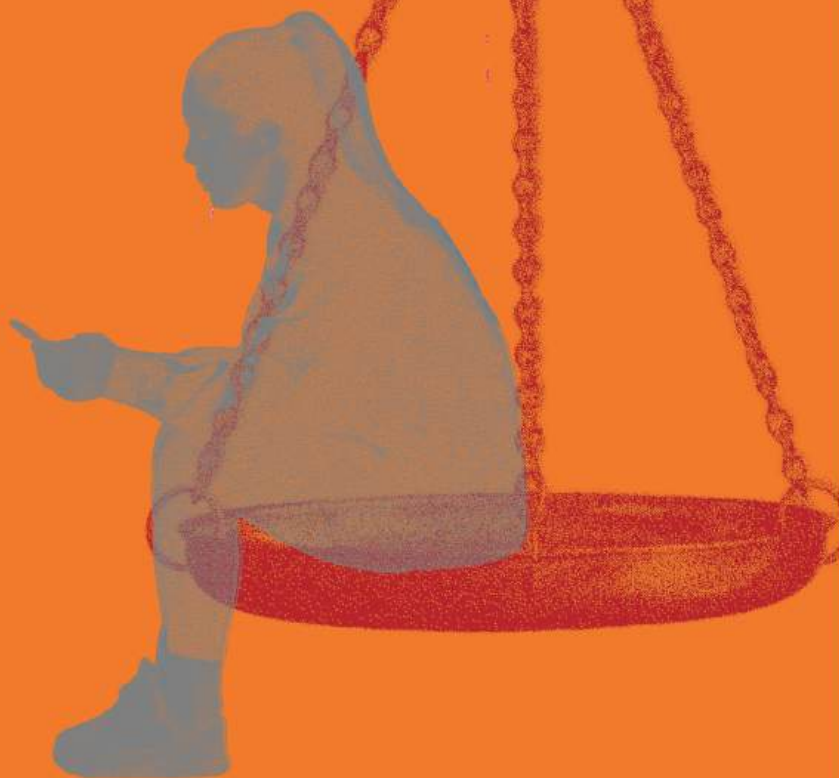


Adopting a trauma-informed and responsive **justice framework** for TFGBV



A handout for lawyers,
prosecutors, court officials,
magistrates and judges

Part A:

How does trauma present in interactions with the justice system¹?



Many survivors of technology-facilitated gender-based violence (TFGBV) and gender-based violence (GBV) have experienced physical, psychological or emotional trauma. It is important to recognize that this can affect how they interact with you or the court. Trauma looks different for each person, and it is useful to develop skills in understanding and recognizing the various signs of trauma. These include:

¹ This document originates from UNFPA's global TFGBV Training Package for Frontline Responders, which builds capacity of service providers to support survivors across the humanitarian-development nexus. The complete package can be requested from UNFPA from 2026. Please note that all requests will undergo a review process to determine eligibility for access.

Trauma

What signs to look out for

Hypervigilance

(being in a constant state of alert, checking and monitoring for and fearful of further attacks or danger)

- ☐ Unsettled
- ☐ Alert
- ☐ Nervous
- ☐ Distrustful

Avoidance

(survivors may avoid anything that reminds them of trauma they have experienced)

- ☐ Reluctant to discuss matters with police
- ☐ Indifferent
- ☐ Uncooperative
- ☐ Avoiding eye contact

Recall and communication impacted

(memory and cognitive function)

- ☐ Difficulty communicating with police
- ☐ Difficulty recalling events
- ☐ “Jumping around” in chronology when recounting events

Emotional

(with heightened emotion or unemotional)

- ☐ Intense anger
- ☐ Intense distress
- ☐ Reserved
- ☐ Surprisingly unemotional
- ☐ Hypervigilant or anxious around devices

Physical

(Note: physical symptoms may be mistaken for signs of alcohol or drug intoxication.)

- ☐ Shaking
- ☐ Sweating
- ☐ Difficulty speaking



Identifying and understanding how trauma presents itself ensures that you can understand why a survivor might not present in a way that you might expect. You may need to reflect on your initial interpretation of a survivor as being deceptive, untrustworthy or uncooperative; instead, this may be evidence of trauma.

Part B:

Listening and validation



Active listening

- **Pay attention** to spoken and unspoken cues.
- Show understanding and **make survivors feel heard**.
- **Listen with empathy** and **without judgment**.

Validate

- Reflect their feelings in your responses, ask for clarification and **ensure you have understood their needs** correctly.
- **Validate feelings**, reactions and their choice whether or not to disclose.
- As permitted by law and procedure, **respect their wishes regarding whether or not to pursue accountability measures**, including through the criminal, civil or administrative processes.

Validating language

There are myths and misconceptions about TFGBV. Sometimes it is viewed as “less serious” than other forms of GBV, including physical violence. However, TFGBV has profound impacts on a survivor’s life, including psychological, emotional and physical harm—and in the gravest cases, femicide and suicide—as well as other impacts on their security, rights, freedoms and access to justice.. Legal actors play a critical role in recognizing this harm and reflecting it in the language used during proceedings.

Use language that validates survivors’ experiences and communicates that their case is being taken seriously.

Avoid using language that minimizes TFGBV and its impact on survivors – for example:	Instead, use language that validates a survivor’s experience – for example:
“It’s not real violence.”	“I understand what you’re feeling is real.”
“It’s not that serious.”	“This conduct is unacceptable and can infringe on fundamental rights.”

Avoid language that shifts blame to the survivor or suggests their actions justified the abuse. Use language that holds perpetrators to account.

Avoid victim-blaming language – for example:	Instead, use language that holds perpetrators to account – for example:
“You shouldn’t have sent a nude image.”	“Non-consensual image-sharing is a violation of...”
“You shouldn’t be on social media.”	“Everyone has the right to participate in digital spaces safely.”
“What do you expect when you behave like that online?”	“Everyone has a right to feel safe online.”

Part C:

Safety and security



Understanding survivors' needs

- Survivors are the **experts of their experience** – respect their wishes.
- Determine the survivor's physical and tech safety.
- Provide information about relevant services that may address their **physical, emotional, economic, legal and practical needs**.
- Provide **information about police and court responses as well as civil and administrative remedies, survivors' options and updates** about their case (with their consent and safe communication).
- Demand **high standards of probity** and respectful demeanour from all legal representatives.

Recognise risks

- Recognise risks associated with technology
- Evaluate if there is a high risk of **repeat, escalating or lethal violence**
- **Refer** to a shelter or other services as needed
- Examine how **court settings can be unsafe** and consider measures that can **aid safety**, for example: remote testimony; safe or segregated waiting rooms; seating arrangements that prevent contact between parties; security, or escorting the survivor out of court; separate entry and exit points; requesting the alleged perpetrator to wait a period of time before leaving, if released.
- Consider **risk when setting bail** and other (e.g. protection orders) conditions for the alleged perpetrator.

Survivors' tech concerns

Once technology has been used to harm, it is normal for survivors to be hypervigilant and highly concerned about what is happening on their devices as well as technology around them. Anxiety may manifest in hypervigilance around functions of devices or digital accounts, including glitches or updates. This does not discredit the survivor as a witness. Their concerns are valid, even if the cause is uncertain.

As justice actors, how you listen and respond matters. Acknowledging these concerns helps reinforce survivors' confidence in the legal process, encourages cooperation and affirms their rights. Below are some examples of what survivors might say and how you can respond.

Ways survivors might communicate their fears	How you can validate their experience and build trust, cooperation and confidence in the justice system
"I'm probably crazy" or "I feel like I'm insane."	"When you have been harmed through technology, it is understandable to be worried, concerned or anxious about technology."
"I'm paranoid" or "I feel like I'm paranoid." "I know it might not be [the perpetrator], but..."	"You don't have to be certain. What matters is that you feel unsafe, and we take that seriously."



Considerations for bail and other forms of pretrial release

Consider escalation indicators

- TFGBV often intensifies or escalates when survivors report or disclose violence, or attempt to end contact or a relationship with the perpetrator, and can potentially be lethal (femicide or filicide). Take into account any perpetrator threats of self-harm, or violence towards survivors, children or others (including animals) in legal considerations. The perpetrator may also display obsessive behaviours, such as high-frequency communications, persistent social media monitoring, stalking or location-tracking.
- Ensure that conditions of release prioritize the safety of the survivor, as well as their children, family members and others affected. Such conditions should also be applied to prevent further acts of violence, including but not limited to TFGBV.
- Ensure that survivors are always notified in advance of the perpetrator's release (whether on bail, or at the post-sentence stage). Ensure that the survivor is provided with additional support for updated safety planning well in advance of the release date.

Data protection and privacy

- Ensure that stringent data protection protocols are applied so that sensitive information about the case is accessed only by authorised court and legal personnel for the purposes of court proceedings only.
- Implement strict protocols to ensure that the survivor's location (the address of the shelter or new residence, or new telephone numbers, etc) are not disclosed to third parties, including the accused person or perpetrator. Implement robust oversight and accountability mechanisms for any breach of these protocols.

Part D:

Preparation and prediction



Link to support

- Explain what **remedies and reparations** are available, including restitution and compensation.
- Explain what **criminal, civil and administrative processes** are available.
- Proactively engage with **GBV service providers**, including legal aid, and **help the survivor to identify support networks**.
- Provide the survivor with **all available information** relating to access to justice and GBV services.
- Help the survivor consider and weigh their options.
- Consider greeters and support persons at courts.
- Ensure that interpretation services are available where necessary.
- Provide childcare services (or information about such services) to ensure that children do not need to be present during legal proceedings.
- Consider educational pamphlets or videos in court waiting areas.

→ Supporting survivors

Explain legal processes in plain language

- Survivors often do not understand legal or court procedures. Provide information in plain language about all court processes to ensure that the survivor is aware of all next steps.

Acknowledge trauma and cognitive load

- Survivors may experience physical, emotional or psychological trauma. Information may be hard to retain. Offer brief written summaries or handouts, and ensure follow-up is shared through a safe and appropriate channel.

Provide updates to and maintain regular communication with survivors

- It is vital to keep survivors informed about the status of their case throughout the process. This applies equally in civil and criminal proceedings. Even where an investigation, charge or case is not pursued, is withdrawn, or where available options and outcomes are limited, survivors must still receive timely updates. As noted above, it is particularly important to ensure that survivors are informed in advance of any decision regarding a perpetrator's release from custody (whether on bail or a post-sentence release).
- Clear, consistent communication helps build survivor confidence in the justice system. When doing so, always assess which communication channels are safe and appropriate for the survivor's context, recognizing that preferred and safe methods may vary by case (and change over the course of the case).

Provide safe referrals

- Where possible, provide safe and appropriate referrals to information about tech safety, GBV services and other relevant support services. Refer to the Referral Pathway from Module 5.

Part E:

Holding perpetrators to account



Recognize systems abuse

Prepare for and examine the perpetrator's possible misuse of legal and court processes (systems abuse), for example using ongoing court proceedings to maintain contact with the survivor for harassment, stalking or coercive control purposes, or seeking to misuse/abuse court processes to cast the survivor as mentally unstable, a vexatious complainant or an unfit parent (pursuant to child custody disputes and/or divorce settlement proceedings).

Sentencing and enforcement of judicial measures

Apply for or impose appropriate sanctions and sentences in line with the severity of the offence, ensuring that penalties reflect the harm caused to the survivor and the wider community. Take swift action for violations, including breaches of protection orders, bail conditions or other judicial measures.