



Forensic Linguistics

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What is forensic linguistics?

The study of legal language

- ▶ the analysis of legal texts like your mobile phone contract
- ▶ providing explanations for the strange language in these texts

Language in the judicial process

- ▶ the analysis of language used in police interviews, courtroom interaction, jury instruction, etc

Linguistic evidence

- ▶ providing courts with evidence of linguistic competence
- ▶ providing courts with evidence of meaning and use
- ▶ providing courts with evidence of authorship

Forensic Linguistics (roughly!)

► **Wide definition:**

- Any interface between language and law

► **Narrow definition:**

- Expert linguistic evidence

Centre for Forensic Linguistics, Aston

- ▶ World's first Centre for Forensic Linguistics (May 2008)
- ▶ Founded by the world's first professor of Forensic Linguistics, **Prof. Malcolm Coulthard**
- ▶ Members of staff (and main research area):
 - ▶ **Dr Tim Grant** (authorship analysis)
 - ▶ **Dr Jack Grieve** (dialectology, quantitative methods)
 - ▶ **Dr Kate Haworth** (language in the legal system)
 - ▶ **Dr Krzysztof Kredens** (interpreting in legal contexts)

CFL Activities

- ▶ Research
- ▶ Casework
- ▶ Professional Training
- ▶ Teaching

Current research (selection)

- ▶ Authorship analysis for counter terrorism:
 - ▶ Identifying the first language (L1) of non-native writers
- ▶ Police investigative interviewing:
 - ▶ The use of linguistic data (i.e. interviews) as evidence in court
 - ▶ Institutional approaches to investigating rape
- ▶ Interpreting and translation in legal contexts

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► **Research Associates, PhD students**

- Witness interviews with rape victims
- Plagiarism in Portugal
- Identifying the first language of blogs written in English by non-native writers (Farsi & others)
- Using Systemic Functional Grammar as a tool for authorship analysis
- Establishing methods for detecting authorship of very short texts (SMS, Twitter)

Casework: meaning, use and interpretation cases

- ▶ Internet Relay Chat: "***I'll get da fiend to duppy her den.***" (= conspiracy to murder)
- ▶ Reported speech: "***Come here man***" as a threat
- ▶ Interpreted / translated police interviews
- ▶ Trademarks; product warnings

Authorship cases



Dhiren Barot
2004 – 2006
Terrorism offences -
Linguistic analysis
used to charge



Marcus Alder
2008
Fraud and firearms
offences



Murder of Jenny
Nicholl
2009
Text messaging
analysis

Professional training

- ▶ **Training police**
 - ▶ Interviewing
 - ▶ Managing interpreters in interviews
- ▶ **Training interpreters**
 - ▶ Aston Interpreter Network
- ▶ **Lawyers and judges?**

Teaching

- ▶ **Part of Undergraduate BSc English Language**
- ▶ **Postgraduate programmes:**
 - ▶ MA Applied Linguistics (Forensic Linguistics track);
 - ▶ MSc Forensic Linguistics by distance learning
- ▶ **International Summer Schools:**
 - ▶ This year: Barcelona & Kuala Lumpur
- ▶ **Short courses:**
 - ▶ Delivered at Aston and at other institutions

INTERPRETATION OF MEANING

Trademarks

- ◀ Companies protecting their name / identity / brand
- ◀ Are the terms generic?
- ◀ 'Dilution':

◀ 'I'm going to hoover later'.

◀ 'I wanted to know more about
vacuum cleaners so I _____ it.'
[searched the internet]

Trademarks: 'Mc'

- ▶ Has 'Mc...' become generic?
- ▶ A company wanted to open a chain known as 'McSleep' hotels ('Mc...' = cheap, basic: 'Scottish frugality')
- ▶ McDonalds sued them for infringing their trademark ('Mc...' = the company McDonalds: McFries, McNuggets, McShakes)
- ▶ Can they 'own' the prefix 'Mc...?'

Trademarks: 'Mc'

- Linguist Roger Shuy looked at actual language use
- e.g.: McCinema, McSurgery, McThrift Motor Inn
- Concluded 'Mc' means something like 'basic, convenient, inexpensive and standardised' (2002: 99)

- McDonald's used market research:
 - 'Mc' is associated with McDonald's
 - reliability, speed, convenience and cheapness

McDonald's won the case

Trademarks: 'Mc'

- ▼ 'McJob: an unstimulating, low-paid job with few prospects, [especially] one created by the expansion of the service sector'. (Oxford English Dictionary)
- ▼ McDonald's suggested changing this to 'reflect a job that is stimulating, rewarding and offers genuine opportunities for career progression and skills that last a lifetime'.
- ▼ OED not persuaded...

Threat or prediction?

'Your Husband, David Goldstein will have his health take a turn for the worse this Christmas Season and you will be widowed in 1990. I am truly sorry that this is the "Kay Ser Ra Ser Ra" scenario that has to take place. However you will always be the foci of my desires as I remember you to be the most exuisite [sic] creature that has ever taken me in. I'm always grateful that we have had the moments given to us and I will be there should you ever desire me again. I can say with all sincerity, I Love You.'

20-year history of stalking and harassment:
on appeal held to be a threat

AUTHORSHIP ANALYSIS

Dear Sir,

If my son
grows up to
be a murderer
I'll be sure
to send him
your way first.

God Bless!



Extortion letter

Dear Sir:

Proceed immediately to the back platform of the train. Watch the east side of the track. Have your package ready. Look for the first LARGE, RED, BRICK factory situated immediately adjoining the tracks on the east. On top of this factory is a large, black watertower with the word CHAMPION written on it. Wait until you have COMPLETELY passed the south end of the factory - count five very rapidly and then IMMEDIATELY throw the package as far east as you can.

Remember that this is your only chance to recover your son.

Yours truly,

GEORGE JOHNSON

Suicide note

Naw you can
be happy
Feel & be in the
better of than I
Am. I called my
parents
I'm dead now. Know.

Photo from DAVID RIGSBY

Forensic Authorship Analysis

Sample A

Criminal

Examples:

Extortion letters

Threats to
harm/kill

Suicide notes

Sample B

Referential

Examples:

Personal

correspondence

Letters of application

Letters of complaint

Forensic Authorship Analysis

- ▶ Not 'linguistic fingerprinting'
- ▶ Size of data sample often limiting factor
- ▶ Often only small number of potential suspects
- ▶ Which is most likely to be the author of a disputed text?
- ▶ Are texts written by same author?

Forensic authorship analysis

Timothy Evans

1950 - hanged for the murder of his wife and child.

1968 - Jan Svartik analysed Evan's witness statement and suggested the language was inconsistent.



A case for forensic linguistics.

Derek Bentley

1953 – hanged for his part in the murder of a policeman.



1998 – Court of Appeal set aside the conviction in part because of Malcolm Coulthard's evidence that his statement to the police had been falsified.

Dhiren Barot



2004 – charged with terrorist offences on the basis of linguistic evidence indicating that he had written conspiracy documents including the **Gas Limo Project**.

2006 – sentenced to 30 years imprisonment after pleading guilty.

Danielle Jones

Last seen 18th June 2001.

After her disappearance a series of **text messages** were sent from her phone.

Linguistic analysis showed that the later messages were more likely to have been sent by her Uncle, **Stuart Campbell**.

Campbell was **convicted of** Danielle's **murder** 19th December 2002 in part because of the linguistic evidence.



Jenny Nicholl

Last seen 30th June 2005.

After her disappearance a series of **text messages** were sent from her phone.

Linguistic analysis showed that the later messages were more likely to have been sent by her ex-lover, **David Hodgson**.

Hodgson was **convicted of** Jenny's **murder** 19th February 2008 in part because of the linguistic evidence.



JENNY NICHOLL HISTORIC MESSAGES

Sum black+pink k swiss shoes and all the other **shit** like socks.We r **goin2the** indian.Only16quid.What u doin x

Yeah shud b gud.i just **have2get** **my** finga out and do anotha tape.wil do it on sun.will seems **keen2x**

Shit is it.fuck icant2day ive **already** booked2go bowling.cant realy pull out.wil go2shop and get her sumet soon.thanx4tdlin me x

No reason just seing what ur **up2.want2go** shopping on fri **and2will's** on sun if ur **up2it**

Sorry im not out2nite havnt seen u 4a while aswel.ru free2moro at all x

No im out wiv jak sorry it took me so long ive had fone off coz havnt got much battery

Only just turned **my** **fone**.havnt lied bout anything.no it doesnt look good but ur obviously jst as judgmental than the rest.**cu** wen i **cu&i** hope its not soon

I havnt lied2u.anyway im off back2sleep

I know i waved at her we wer **suppose2go** at4but was a buffet on later on so waited.anyway he had a threesome it was great **cu** around

Im tierd of defending **myself** theres no point.bye

Happy bday!wil b round wiv ur **pressent2moz** sorry i cant make **it2day.cu2moz** xxx

SUSPECT TEXT MESSAGES

Thought u wer grassing me up.mite b in trub wiv **me** dad told mum i was lving didnt giv a **shit.been2** kessick camping was great.**ave2** go cya

Hi jen tell jak **i am** ok know ever 1s gona b mad tell them **i am** sorry.living in scotland wiv **my** boyfriend.shitting **meself** dads gona kill **me** mum dont give a **shite.hope** nik didnt grass me up.keeping **phone of**.tell dad car jumps out of gear and stalls put it back in auction.tell him **i am** sorry

Y do u h8 me i know mum does.told her i was goin.i aint cumin back and the pigs wont find me.i am happy living up here.every1 h8s me in rich only m8 i got is jak.txt u couple wks tell pigs i am nearly 20 aint cumin back they can **shite off**

She got me in this **shit** its her fault not mine get blame 4evrything.**i am** sorry ok just had **2** lve shes a bitch no food in and always searching **me** room eating **me** sweets.**ave2** go ok **i am** very sorry x

**MY/MYSELF
SPELT AS
ME/MESELF**

JENNY NICHOLL HISTORIC MESSAGES

Sum black+pink k swiss shoes and all the other **shit** like socks.We r **goin2the** indian.Only16quid.What u doin x

Yeah shud b gd.i just **have2get my** finga out and do anotha tape.wil do it on sun.will seems **keen2x**

Shit is it.fuck **icant2day ive** allready **booked2go** bowling.cant realy pull out.wil **go2shop** and get her sumet soon.thanx4tdlin me x

No reason just seing what ur **up2.want2go** shopping on fri **and2will`s** on sun if ur **up2it**

Sorry **im not out2nite** havnt seen u 4a while aswel.ru **free2moro** at all x

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Happy bday!wil b round wiv ur **pressent2moz** sorry i cant make **it2day.cu2moz** xxx

SUMMARY OF STYLE DIFFERENCES

IM / I AM

AM NOT/I`M NOT / AINT

IVE / AVE

MY/MYSELF /ME/MESELF

OFF / OF

TO/2 - SPACE / TO/2 + SPACE

CU /CYA

FONE / PHONE

SHIT / SHITE

SUSPECT TEXT MESSAGES

Thought u wer grassing me up.mite b in trub wiv **me** dad told mum i was lving didnt giv a **shit.been2 kessick** camping was great.**ave2 go cya**

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Y do u h8 me i know mum does.told her i was goin.i **aint** cumin back and the pigs wont find me.**i am** happy living up here.every1 h8s me in rich only m8 i got is jak.txt u couple wks tell pigs **i am** nearly 20 **aint** cumin back they can **shite off**

She got me in this **shit** its her fault not mine get blame 4evrything.**i am** sorry ok just had **2** **lve** shes a bitch no food in and always searching **me** room eating **me** sweets.**ave2 go** ok **i am** very sorry x

Who wrote this?

◀ Thanx bella! - gonna go 2 the student bar at 9. My room is huge! This place is v lux. Have a gd night!
xx

Author A

- ▶ Hey, both! - but soph wont make it 4 dinner, she has a late lecture, prob b bk about half 8?
- ▶ She called but i cant get hold of her so i hope thats stil the plan x
- ▶ Thanks my bro! i'll c you at xmas- so far away! Take care 2
xx

Author B

- ▶ Yeah that sounds good. Is it the 25th thats her actual birthday?
- ▶ Hey chick, did you have a good weekend? I went to watch dave go kart rancing last night which was super fun as you can imagine!
- ▶ I can't wait to go home, dave's downloaded the new adam sandler film for me to watch tonight. What you guys up to? Xxx

INVESTIGATIVE FORENSIC LINGUISTICS

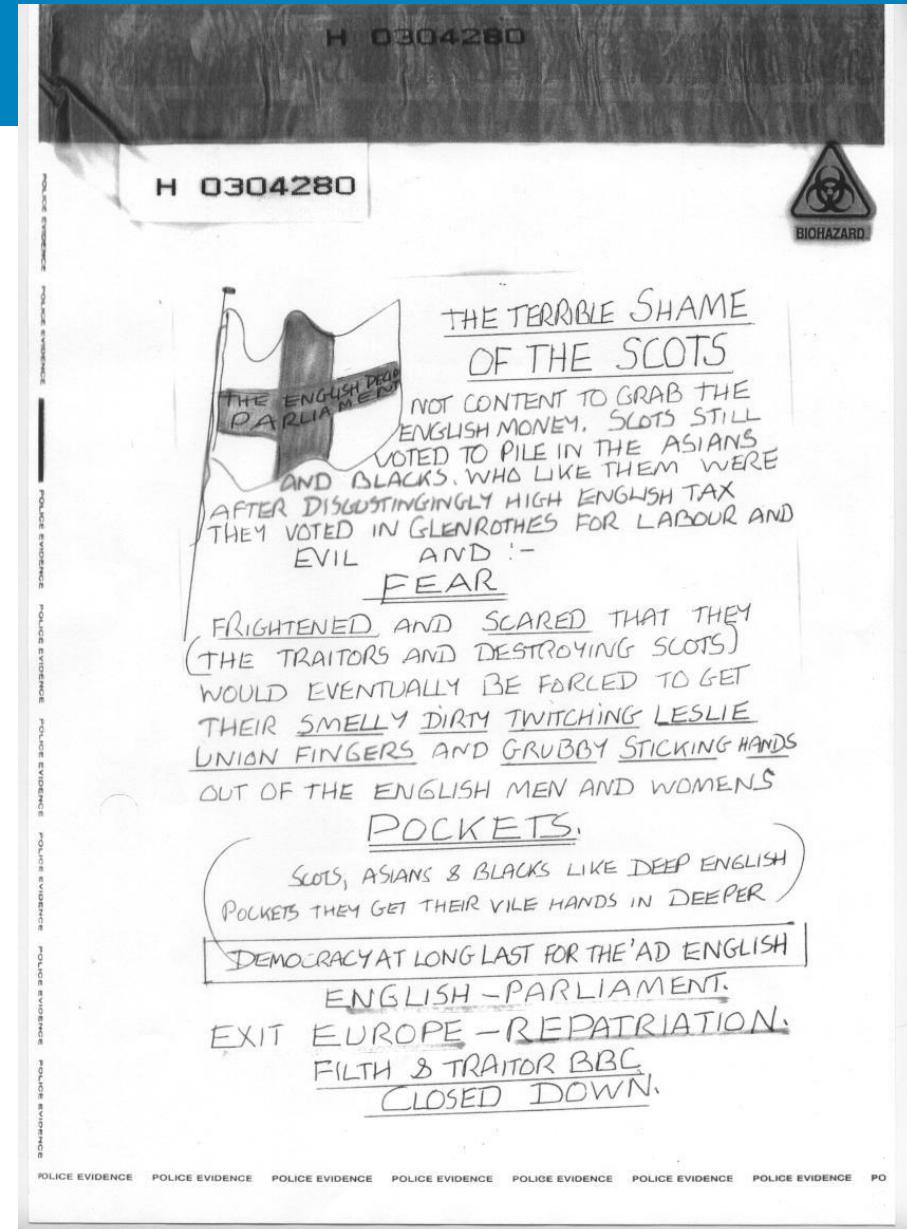
What sort of person wrote this text?

- ▶ What sort of **linguistic** person... ?
 - ▶ Age ✓
 - ▶ Gender ✓
 - ▶ Educational background ✓
 - ▶ Social background ✓
 - ▶ Non-native English speaker's first language ✓
 - ▶ Polish, Spanish, Arabic, Urdu, Farsi (and informally others).
- ▶ What sort of **psychological** person... ?
 - ▶ Personality ✗
 - ▶ Threat assessment ✗
 - ▶ Truth/ deception ✗

Profiling can only be intelligence, not evidence.

Sociolinguistic profiling

...She was an **innocent girl** who tried to do her best in a world governed by old cruel farts. [...] Sir, the whole system stinks. Sometimes, I am **ashamed to be white** by the things others are allowed to say and do. Why did many stand by and allow Diana to be killed? Surely, this cannot be right? Many in this force are gutted by the things we have come to know and are told to keep quiet about. Sir, it is time to bring these **shameful things** out into the open. Please. Don't let our country go down the pan just to protect the interests of a few **bad-minded people**.



Investigative linguistics

Do you ever want to see your precious little girl again? Put \$10,000 cash in a diaper bag. Put it in the green trash kan on the devil strip at corner 18th and Carlson. Don't bring anybody along. No kops!! Come alone! I'll be watching you all the time. Anyone with you, deal is off and dautter is dead!!!

(Shuy, in Leonard 2005)

Investigative linguistics

*Do you ever want to see your precious little girl again? Put \$10,000 cash in a diaper bag. Put it in the green trash **kan** on the **devil strip** at corner 18th and Carlson. Don't bring anybody along. No **kops**!! Come alone! I'll be watching you all the time. Anyone with you, deal is off and **dautter** is dead!!!*

(Shuy, in Leonard 2005)

CFL Case Log

Client	Query
Private health company	Are these complaint letters written by an employee?
Police	Can I read a text message over the phone to you and you tell me what it means? (Triple murder enquiry)
Police	Was this suicide letter written by our suspect?
Police	Is this suicide note written by the deceased?
Glasgow police	Can you give me a contact for a Roma interpreter?
Defence	Was this diary written by a teenager or an adult?
Family	Child custody case – who wrote these emails?
Police	Can you decode this teenager's private diary?



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