Forensic Linguistics: Applying Language Analysis to Questions of Crime & The Law

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8th November 2017
University of Cologne
Me:

- 2003  BA English Language, Bangor University
- 2004  MA Forensic Linguistics, Cardiff University
- 2010  PhD Forensic Linguistics, Aston University
- 2010- Research Associate/Teaching Associate, CFL; Freelance Forensic Linguistic Consultant
The Centre for Forensic Linguistics at Aston University is the first of its kind in the world. We combine leading-edge research and investigative practice with teaching and training in forensic linguistics. Research at the Centre involves all aspects of forensic linguistics from how the police and the courts can best work with interpreters to the development and refinement of methods for identifying the author of disputed forensic texts. We have published widely and have lectured about our research in some 30 countries. Through high-quality research, we ensure that our undergraduate, postgraduate and professional courses, as well as our investigative work, have a solid academic foundation.
What is forensic linguistics?

- **The study of legal texts**
  - the nature of legal language: statutes, contracts, wills
  - language reform (e.g. Plain English Movement).

- **The study of legal linguistic practices.**
  - comprehension and use of the police caution.
  - investigative interviewing.
  - interpreting issues.
  - courtroom linguistics.

- **The provision of linguistic evidence**
  - evidence of competence.
  - ascertaining meaning
  - evidence of textual origin.
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I, Elvis A. Presley, a resident and citizen of Shelby County, Tennessee, being of sound mind and disposing memory, do hereby make, publish and declare this instrument to be my last will and testament, hereby revoking any and all wills and codicils by me at any time heretofore made...

I direct my Executor, hereinafter named, to pay all of my matured debts and my funeral expenses, as well as the costs and expenses of the administration of my estate, as soon after my death as practicable…
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and then what happened?

they said "ah s- can we come back to your house" (.).
and I said "ok fine it's not very often I get company" (.).
didn't have a problem with it (.)

so how had you felt about the night so far with=

=okay (.).
no problems at all (.)

and you'd said yes because you were w- w- enjoying the company

[yeah][I felt safe]

[so then] you felt safe •hh what u:m what happened after that then how did you get (.)[home]
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**Investigative linguistics:** the investigation of forensically interesting texts to aid investigation and or provide evidence
Questioned authorship (did the person who wrote Text A also write Text B?)

Sociolinguistic profiling (what can we say about the person who wrote this text?)

Ascertaining meaning (what does this word or phrase mean in this context?)

Forensic discourse analysis (did this person understand the conversation? Is this conversation or text as it seems?)
Authorship analysis

- R v Lunn – Leeds Crown Court
- Two blackmail letters sent to elderly residents of a housing estate

LADY

I NOW KNOW FOR SURE THAT YOU HAD A PART IN THE LOSS OF MY HORSES. IT HAS TAKEN A LONG TIME TO FIND OUT BUT WE NEVER GAVE UP WHEN SOMEONE TAKES OUR PROPERTY.
YOU MAY THINK THAT OUR SORT ARE LOW LIFE AND DON'T MATTER, BUT YOU ARE WRONG.
WE MAY BE TRAVELLERS BUT WE ARE JUST AS GOOD AS YOU OR ANY ONE ELSE.
YOU ARE RESPONSIBLE FOR TWO OF THE HORSES AT £600 PER HORSE, so lady you owe us £1200. we know who else is responsible and we will sort it out with them for the other £1200.
we are back in the area and will remain here till we get our compensation, its only right. you took too you pay, it was not yours to take.
how would you like it if we took your dog?
we do a drive by twice a day for scrap, and we know you walk your dog.
we also know the cars you own and we have followed you to your caravan. You stole from us and we take that very seriously.

NOW HERE IS WHAT YOU DO UNLESS YOU WANT TROUBLE?
DO NOT FORGET MY FRIEND WE KNOW THAT YOU HAVE THIS CASH AND THIS IS A GOOD OFFER CONSIDERING WHAT WE KNOW ABOUT YOU . . . ??

WE ARE STILL WATCHING YOU VERY CLOSELY SO RICHARD MY FRIEND WE MUST KEEP THIS TO OURSELVES DO NOT INVOLVE ANYONE

OR WE WILL PROMISE TO REPORT YOU AND MAKE LIFE VERY VERY DIFFICULT.

YOU MAY BE THINKING THAT WE WILL CONTACT YOU AGAIN AND WANT MORE CASH

NO THIS WILL NOT HAPPEN . . . . . . YOU PAY THE £4000 YOUR ITEMS WILL BE RETURNED AND THAT WILL BE THE END OF IT.

IF YOU DECIDE NOT TO KEEP THIS TO YOURSELF AND INVOLVE OUTSIDERS WE WILL GO AHEAD WITH REPORTING YOU . . . . . WE DO NOT loose WE WILL STILL GET OUR FEE BUT SADLY FOR YOU YOUR LIFE AS YOU KNOW IT . . . . . WILL TAKE A DRAMATIC CHANGE IN DIRECTION !!!

WE CAN MAKE TROUBLE WITH YOU . . . . . YOUR NEIGHBOUR YOUR VILLAGE IN FACT YOUR WHOLE COMMUNITY AND GUESS WHO WILL TAKE THE BLAME ?? ?? YOU . . . .

WE HAVE CONTACTS WITHIN THE MEDIA WHO WOULD .... (GIVEN THE GRAVE HEADLINES
Authorship analysis

Typical cases of questioned authorship present a questioned writing to be compared or contrasted to the known reference writings of one or more candidate authors. Such an analysis is accomplished by examining the writing style of all available questioned and known writings.

McMenamin (2010: 163)
R v Lunn

Notes 30th June

8:45 - Noon with advice from -
Janice Fitzpatrick - 126.329
Call made - 19:00

Arrived at 61 at 8:45pm
Janice went round and back to her
Mums - Sukey, next door neighbour
made it very difficult for Janice -
Following her everywhere

Janice entered house
Through back door
Neighbours - Sukey spotted
What are you doing?
If I should phone your
Father -
I'd like you to come out now because I
am leaving gate -
This is not your
House - I know

Police - I have been
Was sat in the car
Out the front gate


### Table 2: Misspellings

<table>
<thead>
<tr>
<th>Word</th>
<th>Q1</th>
<th>Q2</th>
<th>K1-K12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neighbour(s)</td>
<td>Nieghbours (4)</td>
<td>-</td>
<td>Nieghbours (7)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Neighbours (5)</td>
</tr>
<tr>
<td>Ourselves</td>
<td>Ourselves</td>
<td>-</td>
<td>Ourselves (5)</td>
</tr>
<tr>
<td>Elderly</td>
<td>Elderley (3)</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Difficult</td>
<td>Difficult</td>
<td>-</td>
<td>Difficult</td>
</tr>
<tr>
<td>Careful</td>
<td>Carefull</td>
<td>-</td>
<td>Careful (5)</td>
</tr>
<tr>
<td>Personal</td>
<td>Personnal</td>
<td>-</td>
<td>Personal (13)</td>
</tr>
<tr>
<td>Hear</td>
<td>Hear</td>
<td>Here</td>
<td>-</td>
</tr>
<tr>
<td>Affected</td>
<td>-</td>
<td>-</td>
<td>Affected</td>
</tr>
</tbody>
</table>
## Table 3: Compound words

<table>
<thead>
<tr>
<th>Item</th>
<th>Q1</th>
<th>Q2</th>
<th>K1-K12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Infact</td>
<td>1</td>
<td>-</td>
<td>5</td>
</tr>
<tr>
<td>In fact</td>
<td>0</td>
<td>-</td>
<td>0</td>
</tr>
<tr>
<td>Infront</td>
<td>-</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>In front</td>
<td>-</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Anytime</td>
<td>-</td>
<td>-</td>
<td>3</td>
</tr>
<tr>
<td>Any time</td>
<td>-</td>
<td>-</td>
<td>2</td>
</tr>
<tr>
<td>Anymore</td>
<td>-</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>Any more</td>
<td>-</td>
<td>-</td>
<td>0</td>
</tr>
<tr>
<td>Anyone</td>
<td>4</td>
<td>0</td>
<td>8</td>
</tr>
<tr>
<td>Any one</td>
<td>4</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>Whatever</td>
<td>-</td>
<td>-</td>
<td>0</td>
</tr>
<tr>
<td>What ever</td>
<td>-</td>
<td>-</td>
<td>1</td>
</tr>
</tbody>
</table>

Note: The percentages in parentheses indicate the proportion of occurrences for each item.
R v Lunn

Google search results:
  ➢ neighbours: 962,000 hits
  ➢ neighbours + ourselfs: 409 hits
  ➢ neighbours + ourselfs + infact + infront: 113 hits
Based on my linguistic analyses I conclude the following:

- There are multiple points of linguistic consistency between the two questioned documents, with both texts containing examples of the same highly marked choices.

- There are no significant points of inconsistency between the two questioned documents that cannot be explained by the different modes used to produce the documents.

- There are multiple points of linguistic consistency between the questioned documents on the one hand, and the known writings on the other, with both sets containing examples of the same highly marked choices.

- There are no significant points of inconsistency between the questioned documents on the one hand and the known writings on the other that cannot be explained by the different modes used to produce the documents.

- This provides evidence to support the position that the author of K1-K12 is also the author of Q1 and Q2.
Amanda Birks
Died 17th January 2009, Stoke-on-Trent, UK.

House fire - Christopher Birks rescued children but could not rescue Amanda.

Evidence of murder?
No smoke inhalation.
No attempt at escape.
Wearing outside clothes in bed.

Evidence of timing?
Amanda sent SMS text messages throughout the day until 19:48.
Amanda Birk’s texting style.

No use by CB
- ‘ad’ for ‘had’
- ‘don’t’ for ‘don’t’

Rare use by CB
- ‘t’ for ‘the’
- ‘bak’ for ‘back’
- ‘av’ for ‘have’
- ‘wud’ for ‘would’

Some use by CB
- ‘w’ for ‘with’
- ‘wil’ for ‘will’
- ‘y’ for ‘yes’
- ‘wen’ for ‘when’

Christopher Birk’s texting style.

No use by AB
- ‘2’ for ‘to’ with no trailing space
- ‘4’ for ‘for’ with no trailing space
- ‘wiv’ for ‘with’
- ‘jst’ for ‘just’
- ‘dnt’ for ‘don’t’

Rare use by AB
- Use of ‘,’ (comma)
- ‘4get’ for ‘forget’
- ‘thanx’ for ‘thanks’

Messages sent from AB’s phone
17/1/09

I love u my gorgeous sexy babe!
Xxx
00:40:00

Got go fetch milly. Val cant cope w her x
10:04:00

Wen r u up 4a repeat performance?
X x
11:39:00

Wot do think? Cant believe theresa!
X x
11:49:00

Txt me, talkin with chris. X x
12:07:00

About your route, spk lata, talkin with chris. X x
12:10:00

U wen u filled ur application in. X x
12:39:00
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- ‘wil’ for 'will'
- ‘y’ for 'yes'
- ‘wen’ for ‘when’

Messages sent from AB’s phone 17/1/09

Am talkin wiv chris, am confused. Ur 2 young 4me. X x
12:39:00

Txt u lata. X x
12:41:00

Chris is sayin the same, giv me space, u know wot i think of u. X
12:54:00

Not sure yet, am jst talkin wiv chris so will txt u lata, dont worry.
13:02:02

Dnt kno, need think, am goin relax in bath then go sleep, really tired. X
14:03:00

Will do when i wake up, so tired. Need talk 2 chris. Still hav feelins
4him. X
14:05:00

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‘4get’ for ‘forget’
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Messages sent from AB’s phone
17/1/09

Sorry just want time 2think. Been talkin 2chris so tryin get my head 2getha! R u out with wayne 2nite? X
17:32:00

Thanx tim, i just want chris talk 2me right, he needs learn not take his stresses out on me, then we can b happy. X
17:37:00

Goin stay in and look through my aromatherapy books, 2tired u hav fun. X
18:11:00

Dont really want talk, am shattered, nan says i shud sort it, we had a talk n probably will, he just needs talk 2me better! Xx
19:34:00

Weve come so far, had a great xmas, things just ontop of us, think we need a holiday. Xx
19:34:00
Forensic discourse analysis – ‘textual origin’.

- **Her Majesty’s Advocate (HMA) v O’Brien – Glasgow Sherriff Court**
  - 8 police witness statements in the names of four individual officers;
  - 4 collected 2012 as part of original investigation;
  - 4 collected 2013 in response to official complaint against police lodged by the defendant
Eventually we were granted access to the flat by the now accused Marcus O’Brien after repeatedly knocking on the door. Immediately I could see that the now accused O’Brien was under the influence of alcohol. After the accused allowed us into the flat he began trying to talk over PC Allan who was explaining the reason why the police were again in attendance at the accuseds address. As PC Allan was speaking to the accused he repeatedly stated “I’VE STAYED HERE FOR YEARS” he then began to tense up his arms and clench his fists and shouted “NAEBODY HAS HAD A FUCKING PROBLEM WITH ME BEFORE”. I warned the accused regarding his conduct and told him to calm down to which the accused replied “GET TAE FUCK OUT MA HOUSE” and then with both hands pushed me to the chest causing me to stumble backwards. PC Allan immediately took hold of one of the accuseds arm and attempted to hand cuff the accused but the accused continued to be aggressive and pulled his arm away from PC Allan and began lashing out with his arms. PC Capon and myself then assisted PC Allan in taking hold of the accused and I was able to handcuff the accused. As I took hold of the now accused O’Brien the living room door within the property swing open and I observed approx 6 people within with one male being held back the now accused Martin Wilson. The accused Wilson was attempting to enter the hallway area where we were with the accused O’Brien. He was aggressive in demeanour with one hand in a clenched fist and was attempting to engage PC Allan and Schofield in a fight whilst being held back by another male within the.

Due to the aggressive behaviour of the accused Wilson and the number of people within the living room I observed PC Allan rack his police issue baton into a high profile stance and shouted “GET BACK” which made the accused Wilson step back several paces. PC Allan then broadcast for urgent assistance at our locus. At this time the accused O’Brien lunged forward attempting to head butt myself, however I was able to avoid the attempted strike and with the assistance of PC Capon I placed the accused O’Brien in the prone position. Upon being placed in the prone position the accused O’Brien began kicking out with his feet attempting to kick PC Capon and myself. Whilst I was on the ground attempting to restrain the
(a)
I drew and racked my police issue baton into a high profile stance and shouted “GET BACK” (O3)

(b)
I observed PC Allan rack his police issue baton into a high profile stance and shouted “GET BACK” (O1)
Disciplines employed by forensic linguistics

- grammar,
- semantics,
- pragmatics,
- sociolinguistics,
- linguistics of the individual speaker,
- discourse analysis
- corpus linguistics
- ethnography
- computational linguistics,
- psycholinguistics,
- morphology,
- EFL studies,
- translation studies,
- language acquisition,
Further reading

- Papers from Language and Law/ Linguagem e Direito (free) [http://tinyurl.com/linguagem-direito](http://tinyurl.com/linguagem-direito).
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