



Forensic Linguistics

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Discussion Outlines

- What is forensic Linguistics?
- Recent concernsWhy?
- How an Applied Linguist is supposed to contribute in the legal arena ?
- what is the relevance of forensic linguistics to different types of crimes?

Forensic Linguistics

- ❖ -The word « **Forensic** » comes from the latin word « **Forensis** » meaning of the forum where the law courts of ancient **Rome** were held.
- ❖ FL is a Branch of applied linguistics .
- ❖ FL is also called **legal linguistics** or language and the law.
- ❖ FL is the application of linguistic knowledge to legal matters. i.e it covers all areas where language and law intersect.

Forensic Linguists and Law

- Since 1980s, Forensic linguists examines different matters ,mostly:
- **Voice identification** where speakers profiles are generated on the basis of their vocal characteristic .
- **Authorship profiling** where authors of textual material can be identified on the basis of their particular textual styles.

What is the Relationship Between Language and Law?

Applications of Forensic Linguistics include:

- ❖ Voice identification, interpretation of expressed meaning in laws and legal writings,
- ❖ Analysis of **discourse in legal settings**, interpretation of intended meaning in oral and written statements (e.g., confessions)
- ❖ **Authorship identification**, the language of the law (e.g., plain language),
- ❖ Analysis of courtroom language used by trial participants (i.e., judges, lawyers, and witnesses)
- ❖ **trademark law**, and interpretation and translation when more than one language must be used in a legal context.

From where do we collect the linguistic data?

From forensic texts:

- ❖ **Emergency calls** (the analysis of the voice of the speaker).
- ❖ **Ransom** demand (video, audio or written).
- ❖ **Hate mail** , **Suicide letters** (the main question is did the author kill Him/herself?)

How can we analyze these texts?

- ❖ Author profiling also known as **Forensic Stylistics** because Language is like a fingerprint.
- ❖ **linguistic choices**. It identifies **writer's nationality, native language, occupation, education, age, experience**, etc.
- ❖ The use of **comparative methods**
- ❖ e.g (The case of Australian ransom where the kidnapers pretended to be an Asian gang, and from their language, Forensic linguist knew that they are native speakers of English)
- ❖ **Authorship markers** by ;Lexis (register)
Phrase choice punctuation syntax.

Challenges of Forensic Stylistics

- 1. Text Length:** Forensic texts are usually short (text messages, ransom notes etc.) therefore we do not have enough data to establish a solid argument.
- 2. Reliability:** Our language changes, so how can be sure about the identity of the author.

Solution: Forensic linguistics can help in narrowing the suspects' list; however, it is not yet able to certainly identify the criminal.

Other Methods

- ❖ There is also a method called linguistic **dialectology** which means that if they hear a criminal saying (**wah** which means **yes** in Algerian Arabic) they will conclude that this person is from the west of Algeria.
- ❖ But how far is this true? Due to social media and television, dialects became more similar than ever, so relying on this evidence may seem very weak.

Voice Identification

- ❖ (also known as forensic phonetics)
- ❖ Its goal is to produce an accurate transcriptions of what was being said.
 - They use audio recordings to:- Speaker profiling (dialect, social background, age and gender)
 - Speaker identification (to know exactly who is the speaker).

Challenges of Forensic Phonetics

- ❖ The **quality** of the recordings because of the noise which will make it so hard to have an objective transcription.
- ❖ The **authentication** of the recordings (if there is any change in the recordings).

Use of linguistic evidence in legal proceedings

- Unclear jury instructions
- Lawyer-client communication breakdown
- Problems in written legal discourse
- Defamation
- Trademark infringement
- Product Liability
- Court room interpretation
- Translation difficulties
- The nature of tape recorded conversation used as evidence.

Conclusion : The Contribution of Forensic Linguists

- Those who do **authorship identification** deal with syntax ,stylistics, lexicon.
- Those who analyze **tape-recorded conversation(voice identification)** deal with phonetics, phonology, discourse analysis, syntax.
- Others analyze the written and spoken use of language by judges and lawyers in **legal procedures**.
- They also are called upon to reveal the **ambiguity and vagueness** of laws, procedures ,jury instructions and business contracts.
- They work with bureaucracies in helping them send **understandable and clear documents** to their beneficiaries. As well as **TV advertising** and **police interrogation techniques**

References

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