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Introduction to special issue on Forensic Linguistics: European Perspectives

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This special issue of *Nordic Journal of Linguistics* is dedicated to the emerging field of forensic linguistics. There are competing definitions and delimitations of this term but here we will use it to refer to the investigation and elucidation of language evidence in a legal context. This includes the scrutiny of language data from different stages of the legal process, ranging from emergency calls to police interviews and courtroom interaction, as well as expert assessment and witness testimony in cases where the meaning or authorship of texts or utterances are questioned. While the analysis of authentic case data is often preferred or even required, access to such highly sensitive data types is naturally restricted by legal and ethical boundaries. An increasing amount of studies therefore employ experimental designs to test hypotheses and improve methodologies.

For a Nordic audience, it may hold a certain allure that the first use of the term ‘forensic linguistics’ is attributed to the Swedish linguist Jan Svartvik, who used it for his famous analysis of the so-called *Evans Statements* (Svartvik 1968). Svartvik showed that it was unlikely that Timothy John Evans, sentenced for the murder of his wife and baby daughter, had authored the most incriminating parts of his alleged confession. Unfortunately, this analysis came many years too late for Mr Evans, whose death sentence was carried out in 1950. Professor Svartvik’s analysis paved the way for authorship analysis to become an integral part of the methods developed, explored and discussed within forensic linguistics (see McMenamin 2002, Grant 2007, Stamatatos 2009, Butters 2012, Solan 2013).

It is no wonder that the use of linguistic theory and methods for investigatory purposes continues to intrigue the public and scholars alike. Worldwide, an increasing number of forensic linguists are solicited by practitioners in law enforcement, intelligence agencies and legal aid who require expert opinions on language data pertinent

to ongoing criminal or civil cases (see Shuy 2006 for helpful advice on reporting and testifying as an expert witness). While this is arguably one of the most direct applications of linguistics onto real-world problems, both descriptive and experimental forensic linguistics studies are rightfully described as applied linguistics as well; such research is instrumental in guiding the legal system and its participants to develop better and more just practices. For instance, forensic linguists express increasing concern about how the legal rights of minority speakers are upheld (or not) throughout the legal system, from the issuing of warnings to suspects (e.g. Cotterill 2000, Berk-Seligson 2002, Rock 2007; but see also van der Houwen & Jol 2016) over the linguistic assessment of asylum seekers' demographic backgrounds (e.g. Eades 2005, Verrips 2011, Patrick 2012, Nick 2018) to live interpretation during police interviews or in the courtroom (e.g. Berk-Seligson 1999, Shlesinger & Pöchhacker 2008, Nakane 2011).

Thus, the five individual contributions comprised in this special issue can offer only a glimpse of the thematic and methodological diversity of current forensic linguistics. As scholars in the field continue to reveal new aspects and layers of the intersections of language, law and professional practice, eclectic approaches are explored, coupling language studies with insights and methodologies from criminology, sociology, anthropology and psychology, to mention just a few. The special issue is an example of this diversity and ingenuity, characterizing a field still in development, yet growing from firm roots, and with an ambition to promote justice through the study of language.

The first two contributions are concerned with police reports, perhaps the most central text type in daily law enforcement practice, and one that is becoming an object of growing interest among forensic linguists, not least in the Nordic countries. On the one hand, it is hard to overestimate police reports' decisive impact on justice as they travel through the legal institutions and are interpreted by various decision-makers for each criminal case. On the other hand, forensic linguists are fascinated by the patchwork nature of the texts, comprising, and to some extent merging, the observations, claims and opinions of several individuals from the crime scene, including the police themselves.

Sofia Ask's "'She had it coming?'" An experimental study of text interpretation in a police classroom setting' compares Swedish police trainees' perceptions of police interview reports that were linguistically modified on selected parameters, including modality, reporting verbs and the use of scare quotes. Ask finds that certain kinds of modification tended to influence how the police trainees perceived the situation described, the persons involved and where guilt and blame might rightfully be placed.

Moving from an experimental, perception-oriented approach to a descriptive one informed by critical discourse analysis and dialogism, Gunilla Byrman & Ylva Byrman's 'In evidence: Linguistic transformations of events in police interview reports' studies how statements from victims and offenders are represented, and linguistically marked as representations, in a corpus of Swedish police reports.

Byrman & Byrman find inconsistencies in the linguistic marking of sources and their statements, potentially obscuring the evidential status of the police reports.

The next two contributions deal with another increasingly important topic within forensic linguistics, i.e. the language of verbal threats, treated again from two quite different methodological approaches. ‘In the wake of hate: A mixed-method analysis of anonymous threatening communications sent during the 2016 US presidential election’, by I. M. Nick, examines a corpus of authentic anonymous threatening communications by means of statistical analysis. The study reveals patternings of (para-)linguistic features associated with verbal and physical threats. Nick further lifts the discussion from an American context to the comparable political debates in the Nordic countries, and proposes more statistically-based linguistic research into the phenomenon.

Karoline Marko then takes an experimental, production- and perception-oriented approach to the study of threatening language in ‘Underlying motivations for the use of linguistic disguise in written English and German threats and ransom demands in an experimental corpus’. The attempt to linguistically mask one’s identity as an author is a frequent feature of threatening communication, which leads Marko to investigate the (meta)linguistic resources and effects pertaining to intentions to disguise. Having had test subjects write and read threats and ransom demands and subsequently respond to questionnaires for (meta)linguistic reflection, Marko finds that the ability to manipulate language for disguise purposes is closely connected to sociolinguistic and metalinguistic awareness.

The fifth paper of the thematic issue is concerned with the black box, as it were, of trial hearings, i.e. the all-important deliberation process leading to the conclusion of a trial. For her contribution, ‘Using legal language as a non-lawyer: Danish lay judges’ linguistic strategies during criminal trials’, Louise Victoria Johansen was exclusively allowed inside the deliberation room in a Danish court to observe the negotiations between lay judges. Johansen finds that the lay judges strive to ‘learn’ the legal register and take note of subtle linguistic signals from witness testimonies in order to strengthen their argumentative position.

Finally, an editorial warning is warranted: Some of these articles include data that contain offensive language. Such, at times, is the nature of the object of study. Should readers wish to avoid this, we advise they steer clear of the articles pertaining to threatening messages in particular.

Otherwise, enjoy reading!

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