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# A SURVEY OF FORENSIC LINGUISTIC SERVICES IN NIGERIAN POLICING AND JUDICIAL PROCESS

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**Abstract-** This paper examines the level of awareness and utilization of forensic linguistic services in the Nigeria justice dispensation system. It surveys the employment of forensic linguistic services during interrogation and cross-examination of crime suspects in Police stations and law courts, respectively, as well as the admissibility of forensic linguistic evidences in courts. Data for the study were gathered from security and legal personnel in police stations, law chambers and courts with questionnaires. Data analysis was done by a simple statistical method. The study finds that the level of awareness about Forensic Linguistics among police and other legal personnel is high, even though only a few of them have ever consulted or worked with any. They however submitted that forensic linguist' evaluation and advise are useful and will make their work easier, and that forensic linguistics programs should be established in Nigerian universities to enhance its practice of among the people.

Keywords: Forensic Linguistics, Linguistic evidences, Nigerian Justice System.

### I. INTRODUCTION

A 2020 Nexflix mini-series titled When They See Us, directed by Ava DuVernay motivated this study. In the movie, five teenagers; four African Americans and one Latino were wrongly accused of assault and rape and subsequently convicted in a case involving a white female jogger in New York after the boys were coerced by police officials into admitting to the crimes. Conversational and behavioral cues such as consistent tapping of fingers on the table, distorted speeches, and repeated request for names of other accused and supposed partners in the crime (since the boys never really knew one another until their arrests) were observed during the court proceedings. Such cues are easily detected and investigated if the services of forensic linguists are employed in the policing and judicial processes.

The aim of the present study is to examine the level of awareness on the relevance of the services of expert forensic linguists among police and judicial personnel, and in addition, investigate the utilization of such services in the legal process. The study, seeks to answer the following questions:

- (a) Are the services of forensic linguists employed in Nigerian police stations?
- (b) Do forensic linguists observe police interrogation of crime suspects?
- (c) Are the services of forensic linguists employed in Nigerian courts?
- (d) Do forensic linguists observe crossexamination of witnesses in Nigerian courts?
- (e) Are forensic linguistic evidences admissible in Nigerian courts?

To these research questions, the following hypothetical answers are posited:

- (a) The services of forensic linguists are not employed in Nigerian police stations.
- (b) Forensic linguists do not observe police interrogation of crime suspects.
- (c) The services of forensic linguists are not utilized in Nigerian courts.
- (d) Forensic linguists do not observe proceedings during crossexamination of witnesses.
- (e) Forensic linguistic evidences are admissible in Nigerian courts.

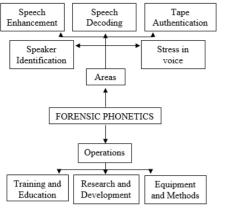
The remaining parts of this paper are organized as follows:

Section 1. reviews the concept of forensic linguistics, section 2 discusses the methodology adopted in the study including the method of data collection and how the collected data were analyzed. In section 3, the analysis and discussion of data is presented, while section 4 and 5 contains the summary of findings and the conclusion of the paper, respectively.

Linguistics "involves Forensic the application of scientific knowledge of language in the context of criminal and civil law" (Mohsen, Fatemeh & Mahin, 2014:223). It involves the application of the knowledge, insights and methods of Linguistics to the forensic aspects of law, crime investigation, trial and judicial procedures. As Olsson (2009) explains, Forensic Linguistics involves the analysis and measurement of language with reference to (1) dispute, (2) crime, or (3) the judicial procedures that are involved in the resolution of the aforementioned (1) - (3). He also opined that the preparation and presentation of written or oral evidences are of interest to the forensic linguist. For Farinde (2008), Forensic Linguistics is also an aspect of language study. Although Farinde's work does not include the extent to which language is studied in Forensic Linguistics, it stated that it is the study of language in the context of law. This gives a broad assumption that studies such as those of legal terms may also qualify Forensic Danielewicz-Betz (2012) Linguistics. and Correa (2013) paid much attention to the interdisciplinary nature of Forensic Linguistics, describing it as an aspect of Applied Linguistics since it involves the application of knowledge gained in Linguistics to solving problems, elsewhere, such as providing explanations that relate to presented reports in the law courts to help solve issues of disputed utterances (Coulthard and Johnson, 2007; Hollien, 2009) and help in avoiding convictions (Olalere, 2020)

Forensic Linguistics can be practiced from the point of view of Phonetics (Forensic Phonetics), orthography and style (Forensic Stylistics), Phonology (Forensic Phonology), Morphology (Forensic Morphology), and others of these, Forensic phonetics which deals with the analysis of acoustics features in speech and the utilization of the speaker specific features in the identification of crime suspect is most popular, Hollien (1990) explained that Forensic phonetics has been widely established with different concerns as summarized below.





Many related studies in the existing literature such as Ehighalua (2013), Sanni (2016) and Omoroghomwan (2018) have considered the issues of suspects and personal behaviours in the process of police interrogations and during judicial proceedings from the perspective of the law. However, Sanni (2016) presents the several useful roles that a forensic linguist may play during courtroom cross examination as a way to enhance justice administration in Nigeria. Omozuwa (2008) presents the methodology and theoretical tools for the identification task. In speaker addition. Omozuwa (2008) examined the prospects of Forensic Voice Investigation in Nigeria and concluded that its effective practice is, at the time, limited by factors such as corruption and nepotism. Since 2008 when Omozuwa's work was published, a lot is expected to have changed in terms of awareness and utilization of the services of forensic linguists in the proper dispensation of justice in Nigeria

#### **II. METHODS**

The data analyzed in this study are quantitative in nature and were solicited by the means of a structured questionnaire. The questionnaire is structured in line with the research questions. A total number of 100 copies of the questionnaire were administered to lawyers, police personnel and administrative officers in police stations and law courts in Edo State, Nigeria. Of this number, 97 copies were successfully retrieved and analyzed. Attempts to recover copies of the questionnaire administered to judges through their office assistants were not successful.

1	able	1:	Summ	ary o	f the	age	ranges	of	the	resp	pond	ents

Age Range	No. of	Percentage
	Respondents	
21-30 years	28	28.9%
31-40 years	31	32%
41-50 years	24	24.7%
51-60 years	13	13.4%
61-70 years	1	1%

Thirty-three of the questionnaires were administered to police officers, thirty-nine to lawyers and twenty-five to administrative officers in different courts. Other factors that were considered in view of ensuring variation in the data sample collected include the official rank and level of education of each respondent, their ranks are summarized in table 2, below.

Occupation	Rank	Number	Percentage
	Private Lawyers	37	38.1%
	Legal Research	1	1%
.awyers	Assistant to a		
	Judge		
	State Counsel	1	1%
	Inspectors	15	15.5%
	Detectives	4	4.1%
	Sergeants	5	5.2%
	Divisional Police	2	2.1%
	Officers (DPO)		
	Assistant	3	3.1%
olice Officers	Superintendent of		
	Police (ASP)		

	Corporal	1	1%
	Deputy Superintendent of Police (DSP)	1	1%
	Superintendent of Police (SP)	2	2.1%
	Registrars	12	12.4%
Admin Officers	Secretaries	10	10.3%
	Bailiffs	3	3.1%

### III. RESULT

The responses from our informants, as contained in the completed questionnaires are discussed in this section. The sections is organized into 4 sub sections, The first sub section presents responses from all informants on the level of awareness about Forensic linguistics and it areas of application in the policy and legal system, The second and third sections focus on the utilization of the services of forensic linguists in the police stations and in the courts ,respectively, while the last sub section presents the general opinions of all respondents on the necessity of employing the services of forensic linguists in their line of duties.

#### 1. Forensic Linguistics Awareness

Here, the respondents were given 'yes' or 'no' questions with a 'not sure' option for respondents who would pick neither 'yes' nor 'no'. The question asked and the summary responses gotten are as follows.

Q1: Do you know what Forensic Linguistics is about?

Table 3: Respondents' knowledge aboutForensic Linguistics.

1	Table 5. Responde	ins knowledge abt	Jui Porensie Emiguistics
	Table 3: Reenonde	ente" knowladga abo	out Forensic Linguistics

YES	NO	NOT SURE	
74	18	5	
76.3%	18.6%	5.2%	

The data shows 74 respondents (76.3%) affirmed that they know what forensic Linguistics is.18 respondents (18.6%) do not know, while 5 respondents (5.2%) were not sure. This implies most of the respondent have basic knowledge of forensic linguistics. other five informants who are not sure, some may actually have heard of the concept at one time or the other.

Q2: Do you know what Forensic Linguists do?

1	Table 4: Respondents' knowledge about what Forensic Linguist do.					
	YES	NO	NOT SURE			
	70	18	9			
	72.2%	18.6%	9.3%			

Again, a great majority of the informants i.e., 70 of them (72.2%) know what forensic linguists do.18 respondents (18.6%) do not, while 9 respondents (9.3%) were not sure. It is however, notable that what the informants know or the extent to which they can show how knowledgeable they are on the subject matter was not tested in this question.

Q3: Are the services of Forensic Linguists utilized in your place of work?

Table 4: Respondents' responses on the use of Forensic Linguistic services in their place of work

YES	NO	NOT SURE	
37	42	16	
38.1%	43.1%	16.5%	

The services of forensic linguists are utilized in the workplace of 37 respondents but not in those of 42 respondents (43.1%). However, 16 respondents (16.5%) were not sure if such services have ever been employed in their place of work. This implies that 43.1% of the respondent had not employed the services of forensic linguists in their place of work, as at the time that the questionnaires were administered. However, a fair number of 37 (38.1%) respondents claimed to have utilized the services of forensic linguists.

Q 4 If yes, are the services rendered by Forensic Linguists helpful to you?

Table 6	; Respon	dents' response on h	elpfulness of Forens	sic Linguists in their place of work.
	YES	NO	NOT SURE	
30		3	4	
	92.8%	3.1%	4.1%	

Out of the 37 informants that have utilized the services of forensic linguists in their workplace, (81.1%) are of the opinion that the services of the forensic linguistics were helpful to them, (8.1%) of them think that such services were not of any help while (10.8%) of them were not sure. The implication of these responses is that the services of forensic linguists are of help to the greater number of those who have utilized such services in one way or the other.

# 2. Forensic Linguistics Services in The Nigerian Police

Like in 3.1 the respondents were given simple yes/no questions and options to tick "yes" to affirm or "no" to reject the information under question in addition the respondents were given the "Not sure" option for those who would not choose one of the either "yes" or "no". recall that 33 police officers participated in the study.

Q1. Are the services of Forensic Linguists used in Nigerian Police stations?

Table 7; Respo Police Station.	ndents' response o	on the us	e of the	services	of Forensic	Linguists	in Nigerian
	YES		NO	NO	T SURE		

125		110	norsen
24	9		-
72.7%		27.3%	-
nacmandan	<b>t</b> a	(77 70/	) offirmed

24 respondents (72.7%) affirmed that the services of forensic linguists are employed in the Nigeria police station, 9 respondents (27.3%) claimed that such services are not utilized at all while no respondent said that he/she is not sure. In addition, many of the respondents who affirmed that the services of the forensic linguists are employed in Nigeria police stations noted that there is an inadequate number of forensic linguistics in Nigeria and their services are restricted to a few police station in Nigeria. This responses in Table 7 invalidates first hypothesis because the services of forensic linguists are actually employed in Nigeria police stations. This is so, given that 72.7% of the respondents whose daily work experiences are centered around the police stations confirm that such services are actually employed and utilized in their places of work.

Q.2 Do Forensic Linguists participate by observing spoken and body language in Police interrogation of suspects?

Table &; Respondents on Forensic Linguists participation by observing spoken and body language in Police interrogation of crime suspects.

YES	NÖ	NOT SURE
25	8	-
75.8%	24.2%	-

25 respondents (75.8%) confirm that forensic linguists whose services are employed in the police stations do participate in observing and

analyzing linguistics and other cues during police interrogation of suspects. 8 respondents (24.2%) however think otherwise. In addition to observing and analyzing the suspect's verbal and non-verbal cues, the forensic linguists are also said to engage in giving expert evaluation to help the police in reaching better conclusions. The responses in table 8 invalidates our second hypothesis given that forensic linguists actually observe police interrogation of crime suspects.

Q3. Are crime suspects confessions videotaped?

Table 9: Responses on crime suspects confessions being videotaped.						
	YES	NO	NOT SURE			
	26	3	4			
	78.8%	9.1%	12.1%			

A total of 26 respondents (78.8%) affirmed that suspect' confessions are recorded in audiovisual formats, 3 respondents (9.1%) disagreed on this while 4 respondents (12.1%) were not sure. In Nigerian Police Stations, therefore, crime suspects confessions are videotaped as confirmed by 78.8% of police officers that participated in the survey. However, this practice is greatly affected by the availability of equipment, manpower, and the technical knowhow to effectively utilize the available resources.

Q4. Are forensic linguistic evidences admissible in Nigerian courts?

Table 10: Respo	onses on the admissit	oility of forensic ling	uistic evidences in N	igerian courts.
	YES	NO	NOT SURE	
	28	4	1	
	84.9%	12.1%	3.0%	

28 respondents (84.9%) affirmed that forensic linguistic evidences are admissible in courts, while 4 respondents (12.1%) claimed that such evidences are not recognized during court proceedings. 1 respondent (3.0%) is not sure whether forensic linguistic evidences are admissible or not. From table 10, it is observed that greater population of our respondents opined that the forensic linguistic evidences are recognized in courts in Nigeria and are as a matter of fact, admissible in the courts. This confirms the fifth hypothesis to be true because forensic linguistic evidences are admissible in Nigerian courts.

Q5: Are Forensic evidences such as emergency calls, suicide notes, and threat texts handled by forensic linguists?

Table 11: Respo	onses on forensic ling	guists handling	forensic linguistic evidence.	
	VES	NO	NOT SURF	

YES	NO	NOT SURE
23	5	5
70%	15%	15%

23 respondents (70%) stated that forensic evidences are handled by forensic linguists while 5 respondents (15%) claimed otherwise. 5 respondents (15%) were not sure. 70% of the respondents that participated in the survey affirmed that forensic linguists analyze and give expert advice on language-based evidences such as recorded emergency calls, threat texts and suicide notes, after which they may be called upon by a court to testify in defense of such evidences.

# 3. Forensic Linguistic Services in the Nigerian Law Courts

In this sub-section, forensic linguistic services in the Nigerian law courts are surveyed. The participants were given simple questions which they were required to answer either "YES" (to confirm) or "NO" (to refute). A total of thirtynine (39) persons participated in this survey.

Q1: Are the services of forensic linguists utilized in Nigerian courts?

Table 12: Respo	onses on the use of th	e services of forensi	c linguists in Nigeriar	Courts.
-	YES	NO	NOT SURE	
	19	12	8	
	48.7%	30.8%	20.5%	

48.7% of respondents who participated in this survey affirm that the services of forensic linguists are employed. 30.8% of them opined that such services are not employed, while the remaining 20.8% of respondents were not sure. However, the respondents are unanimous in the view that there is an inefficient utilization of the services of forensic linguists in Nigerian courts due to the shortage of forensic linguists in the country. In addition to the above, some legal personnel do not fully appreciate the invaluable contributions of forensic linguists in the justice dispensation system. The responses in table 12 invalidates our third hypothesis because the services of forensic linguists are actually employed in Nigerian courts.

Q2: Are Forensic Linguistic evidences admissible in Nigerian courts?

Table 13: Responses on the admissibility of FLEs in Nigerian courts.

•	YES	NO	NOT SURE
	24	11	4
	61.5%	28.2%	10.3%

24 respondents (61.5%) confirmed the admissibility of forensic linguistic evidences in courts, 11 respondents (28.2%) refuted while 4

respondents (10.3%) were not sure. Forensic linguistic evidences are therefore admissible in Nigerian courts as confirmed by 62.5% of legal practitioners. Hate mails, suicide notes, threat text and so on are said to be admissible as evidences in Nigerian courts. Emergency calls and other recorded evidences are also admissible, given that the Law of Evidence in Nigeria made provision for the admissibility of computer generated or electronic evidence through section 84 of the Evidence Act, 2011 (Fagbohun, 2018). This further confirms our fifth hypothesis that affirms the admissibility of forensic linguistic evidences in Nigerian courts. O3: Do Forensic Linguists testify in Nigerian courts?

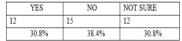
Table 14: Responses on forensic linguists testifying in Nigerian courts.

YES	NO	NOT SURE
12	6	5
30.8%	15.4%	12.8%

12 respondents opined forensic linguists do testify in Nigerian courts in defense of their expert advice, 6 respondents think that they do not, while 5 respondents were not sure. It is notable that 41% of participants did not provide any answer to this question. 30.8% of respondents confirmed that forensic linguists can be called upon to give a professional testimony in Nigerian courts. However, factors such as inadequate number of professionals and funding are among factors that have limited the professional testimony of forensic linguists to high profile cases and those of individuals that can afford such services.

Q4: Do Forensic Linguists participate by observing spoken and body language during cross-examination of witnesses in Nigerian courts?

Table 15: Responses on forensic linguists' participation during cross-examination of witnesses in Nigerian courts.	
- ngenim courts.	



30.8% of respondents affirm that forensic linguists observe cross examinations in Nigerian courts with a view to detecting and analyzing verbal and non-verbal linguistic cues while 38.5% of respondents think that they are usually not part of the process. A total of 12 respondents (30.8%) were not sure. Given the values in table 15, forensic linguists cannot participate or observe during cross-examination of crime suspects and witnesses since only 12 participants agree to this. Although more respondents (that is, 15) think that forensic linguists are not employed as observers during cross-examinations in Nigeria courts, the

difference between the values of participants who chose "YES" and those that chose "NO" is minimal. Our fourth hypothesis can, in this sense, neither be confirmed nor invalidated. This is so, given that another 30.8% of respondents were not sure of what the situation is.

Q5: Have you personally used the services of a Forensic Linguist for a case?

Table 16: Responses on personal use of the services of a forensic linguist.						
	YES	NO	NOT SURE			
	7	31	1			

79.5%

2.6%

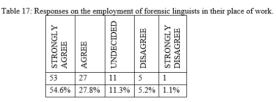
17.9%

Only 7 respondents (17.9%) have personally consulted the services of a forensic linguist, 31 respondents (79.5%) have not, while only 1 respondent (2.6%) is not sure if he/she has ever done so. As at the time the questionnaires were administered, majority of the respondents, 31 (that is, 79.5%)) had not personally employed or utilized the services of a forensic linguist for any legal case. This stems from the inadequate number of forensic linguists present in Nigeria and the expensive nature of the process of engaging the services of the available few.

# 4. Forensic Linguistic Services in the Workplace

Here, the opinions of the respondents on the need for forensic linguistic services in the workplace are discussed. Statements of research were presented to each participant and each person is required to state if he/she strongly agrees, agrees, disagrees, strongly disagrees or is undecided. The responses are presented below.

Q1: Forensic Linguists should be employed in my place of work.



53 respondents (54.6%) strongly agreed, 27 respondents (27.8%) agreed, 11 respondents (11.3%) were undecided, 5 respondents (5.2%) disagreed and 1 (1.1%) respondent strongly disagreed. The implication of these values is that many police and judicial staff members would like to have expert forensic linguists assist in making their work easier. This is so, given that 76.3% of participants know what Forensic Linguistics is about and 72.2% of them are also aware of what forensic linguists do.

Q2: The services of a Forensic Linguist will make my work easier.

Table 18: Res	ponses or	1 the servi	ices of a I	orensio	Linguis	t making their work easier.
	STRONGLY AGREE	AGREE	UNDECIDED	DISAGREE	STRONGL Y DISAGREE	
	36	39	10	3	3	
	37.1%	40.2%	10.3%	3.1%	3.1%	

36 respondents (37.1%) strongly agreed, 39 respondents (40.2%) agreed, 10 respondents (10.3%) were undecided, 3 respondents (3.1%) disagreed and 3 respondents (3.1%) strongly disagreed. 6 (that is, 6.2 participants left this question with no option ticked. 37.1% and 40.2% of respondents which make up 77.3% of participants either strongly agreed or agreed that employing a forensic linguists will bring ease to their work. The respondents who are lawyers believe that a forensic linguist handling forensic linguistic evidences in legal cases with such will bring ease and efficiency to their work and help in enhancing justice delivery in Nigeria. The police officers were of the opinion that the forensic linguists will help in picking out verbal and non-verbal cues from crime suspect during interrogation, an aspect that is very relevant but mostly ignored due to lack of manpower.

Q3: A Forensic Linguist should be employed by the court for both the prosecuting and defense teams to ensure neutrality.

Table 19: prosecuting						orensic	Linguist	by	the	court	for	both
	STRONGLY AGREE	AGREE	UNDECIDED	DISAGREE	STRONGLY DISAGREE							
	43	35	9	2	3							
	44.3%	36.1%	9.3%	2.1%	3.1%							

44.3% of respondents strongly agreed, 36.1% of them agreed, 9.3% were undecided, 2.1% disagreed 3.1% of them strongly disagreed. This means that a total of 80.4% of participants are of the opinion that a Forensic Linguist should be employed by a court to work with both the prosecuting and defense counsels. This, according to our informants will ensure that there is neutrality on the part of the forensic expert. It is notable, again, that 5 persons which is 5.2% of the respondents did not provide any response to this assertion.

Q4: Forensic Linguists should testify in Nigerian courts.

Table 20: Responses on forensic linguists testifying in Nigerian courts.

STRONGLY AGREE	AGREE	UNDECIDED	DISAGREE	STRONGLY DISAGREE	
46	39	5	-	2	
47.4%	40.2%	5.2%	-	2.1%	

46 respondents (47.4%) strongly agreed, 39 respondents (40.2%) agreed, 5 respondents (5.2%) were undecided, no respondent

disagreed and 2 respondents (2.1%) strongly disagreed. 5 (that is, 5.2) of the respondents did not provide any response to this assertion.

The services of forensic linguists are utilized in Nigerian police stations, contrary to our earlier hypothetical assumption in this study, which has now been invalidated by the collected data. forensic linguists are employed in Nigerian Police Station to participate in the interrogation of crime suspects. They observe verbal and non-verbal cues from crime suspects during interrogation. Forensic linguists also analyze and give opinion on videotaped confessions of crime suspects.

The services of forensic linguists are not used in Nigerian courts. They do not participate and also do not observe cross-examination of suspects in Nigerian courts. Forensic linguists testify in Nigerian courts but the limited number of forensic linguistic experts in the country and the huge financial implication involved has restricted their testimonial of forensic linguist to high profile cases and those of rich Nigerians.

The present study could, however, not confirm if forensic linguists are employed or consulted to attend court sessions and observe proceedings during cross-examination of suspects. Forensic linguistic evidences like suicide notes, hate mails, and ransom letters are admissible in Nigerian courts. Recorded evidences such as emergency calls are also admissible in Nigerian Courts as contained in section 84 of the 2011 Evidence Act which makes provision for the admissibility of computer-generated evidences in Nigerian Courts.

Many respondents had not utilized the services of forensic linguists as at the time the questionnaires were administered but they are aware that consulting such experts will be of great benefit to them and their works.

### **IV. CONCLUSION**

The study set out to examine the place of Forensic Linguistics in the Nigerian legal system. This was done by examining the level of awareness among police personnel and judicial staff members on the concept of Forensic Linguistics and how well or otherwise the services of forensic linguists are utilized in their place of work. This study is only but a survey on the use of the services of forensic linguists in the Nigerian legal system. Only one of the hypotheses set at the beginning of the study was confirmed after they were tested in relation to the data collected and analyzed. Three hypotheses were invalidated while one could neither be confirmed nor invalidated.

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