DISCURSIVE MANIFESTATIONS
OF THE STATUTORY CHILD-ADULT DIVIDE
IN POLICE INTERVIEWS
WITH SUSPECTS AGED 17 AND 18

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THESIS SUMMARY

Synopsis:

This study investigates how the statutory divide between children and adults is manifested in the language of police interviews with 17- and 18-year-old suspects. In England and Wales, persons up to and including age 17 are classed as *children* and therefore considered by default vulnerable. In the context of the legal process, this vulnerability means that suspects are entitled to a number of special measures, the most prominent of which is the mandatory presence of an appropriate adult (parent/guardian or social worker/volunteer) during the police interview. The day a person turns 18 and thus acquires the status of an *adult*, they are no longer eligible for additional support and are expected to navigate the legal system on their own. Crucially, the change form *child* to *adult* happens overnight.

Given this statutory divide and the associated special measures for vulnerable interviewees, this study examines how the language of police investigative interviews is affected. The data consist of 19 audio-recorded interviews from two police forces in England, that is, ten interviews with 17-year-old suspects and nine interviews with 18-year-old suspects. Drawing upon a multi-method approach combining tools from Conversation Analysis and Critical Discourse Analysis, the data are analysed inductively.

The findings reveal both interviewers and suspects discursively orienting to the age divide and associated ideological assumptions by means of marked lexical choices, terms of address, and references. Examinations of the cautioning exchange show a tendency for interviewers engaging in verbal behaviour consistent with tick-box consent (Rock 2016). Finally, this study presents the first qualitative linguistic enquiry into verbal contributions by appropriate adults in interviews with juveniles. It is revealed that whilst their role is overall passive, particularly familial appropriate adults are called upon by suspects to provide practical information, and as a means of corroborating their statements in an attempt to gain credence.

Keywords: adolescent, police caution, appropriate adult, conversation analysis, critical discourse analysis

ACKNOWLEDGEMENTS

CONTENTS

TRANSCRIPTION CONVENTIONS & KEY TO SPEAKERS

[text]	Square brackets indicate onset and end of overlapping speech
=	Equal sign indicates latching: no discernible gap between turns
(1.2)	Numbers in parentheses indicate duration of pause (in seconds)
(.)	Dot in parentheses indicates beat / micropause, usually less than 0.2 seconds
↑	Upward arrow indicates rising pitch / intonation
↓	Downward arrow indicates falling pitch / intonation
-	Hyphen indicates abrupt halt or interruption in utterance
>text<	Greater than / less than symbols indicate enclosed speech is delivered more rapidly than usual for speaker
<text>	Less than / greater than symbols indicate enclosed speech is delivered more slowly than usual for speaker
°text°	Degree symbol indicates utterance is spoken at reduced volume
°°text°°	Double degree symbol indicates utterance is spoken at extremely reduced volume
TEXT	Capitalised text indicates shouting / increased volume
<u>text</u>	Underlined text indicates emphasis / stress
te:::xt	Colons indicate elongation of preceding sound
<text	Single less-than symbol symbolises jump start, i.e. 'a practice by which speakers bring off a start to the following talk that sounds earlier than it is, and seems to be produced by an over-loud first syllable' (Schegloff 2005: 473; Hepburn & Bolden 2013).
hhh	Multiples of letter h indicate audible exhalation
.hhh	Multiples of letter h with preceding period indicate audible inhalation
(text)	Text in parentheses indicates speech which is unclear or in doubt in the transcript
((text))	Text in double parentheses are annotations of non-verbal activity
…	Ellipsis signals turn on-going by same speaker preceding & succeeding excerpt

IR   Interviewer*
SU   Suspect
AA   Appropriate adult
SOL   Solicitor

*In interviews with more than one interviewer present, they are labelled IR1 and IR2 respectively.

All 19 interviews are labelled using the format [Suspect Age]_[Force]_[Number] as well as the suspect's first name (pseudonym). Data examples in the main text are labelled sequentially with reference to the chapter in which they appear.

A list of all interviews can be found in the data section of the Methodology chapter (4.5).

Full transcripts are in a restricted appendix and are only available upon request from the author. In-text references to the restricted appendix are abbreviated as 'Res. App.'.

LIST OF ABBREVIATIONS

AA	Appropriate adult
ACPO	Association of Chief Police Officers
CA	Conversation Analysis
CCQ	Comprehension-checking question
CDA	Critical Discourse Analysis
CJPOA	Criminal Justice and Public Order Act 1994
CPS	Crown Prosecution Service
DOB	Date of birth
DRL	Data request letter
E&W	England and Wales
EHRC	Equality and Human Rights Commission
FN	First name
IR	Interviewer
IV	Interview
PACE	Police and Criminal Evidence Act 1984
PC	Police Constable
Res. App.	Restricted appendix
SOL	Solicitor
SN	Surname
SU/SUS	Suspect
TESOL	Teaching English to Speakers of Other Languages
UNCRC	United Nations Convention on the Right of the Child
VIC	Victim
YJCEA	Youth Justice and Criminal Evidence Act 1999

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1. INTRODUCTION

1.1. Introduction

This study will analyse how the statutory divide between children and adults in the legal system of England and Wales (henceforth E&W) is reflected in the discourse of police interviews with suspects aged 17 and 18. The child-adult divide is defined in s.105(1) of the Children Act 1989, which states that '"child" means […] a person under the age of eighteen' (see also Children and Young Persons Act 1933). Children up to and including age 17 have a number of restrictions imposed upon them; obtaining 'adulthood' at age 18 means these restrictions are lifted, and persons acquire adult privileges (e.g. voting and standing for election as a politician), duties (e.g. serving on a jury), and leisurely rights (e.g. buying alcohol and gambling). Crucially, this transition from 'child' to 'adult' happens from one day to the next.

The child-adult divide at ages 17/18 as manifested in the law is somewhat arbitrary. Neurological research (e.g. Gogtay *et al*. 2004) has long established that the human brain is not fully developed until a person reaches their mid-twenties, and there are no significant steps in terms of a person's cognitive, psychological, or linguistic development between the ages of 17 and 18. Certainly, people are continuously developing in these areas, but the progress between ages 17 and 18 is no more significant than between, say, 16 and 17, or 18 and 19. The age of majority in E&W used to be 21, and was lowered to 18 in 1970 following recommendations by a committee led by Justice John Latey (Family Law Reform Act 1969, s.1(1)). The reasons for the dividing line to be set exactly between ages 17 and 18 cannot be determined conclusively; a common assumption is that 18 coincides with the age at which students typically complete secondary education. In some European countries, the secondary school exit exam is named *Matura*, from Latin *maturitas* meaning 'ripeness'. This matriculation examination is held typically at age 18, and an 18-year-old graduate is thus considered 'ripe' and 'mature'; traits commonly associated with adulthood.

In the context of the legal process, suspects up to age 17 are considered by default 'vulnerable' and are thus entitled to a number of special measures designed to provide them with support and protection. Once again, those special measures cease to apply overnight when a person turns 18. The sudden nature of the change from 'child' to 'adult' means that, as an example, a teenager getting arrested and questioned by police on the eve of their 18th birthday would be treated as a child and would thus be able to benefit from having an appropriate adult (henceforth AA) present during questioning. If the same teenager were to be arrested and questioned in the early morning hours of his 18th birthday, the provisions would be different and the suspect would not be entitled to the presence of an AA, as they are no longer considered vulnerable. The E&W judiciary is not unique in its observation of the child-adult divide at 17/18; indeed a great many legal systems worldwide also observe the same threshold (Unicef & Youth Policy Labs 2016: 19). An example of an utmost adherence to the child-adult divide is briefly illustrated here by means of a recent case from the USA. The case concerns a 17-year-old juvenile called Tracey who had been arrested and charged with a robbery in 2018. Whilst awaiting the next step of the legal process in the Louisville Youth Detention Center in Kentucky, Tracey was

> dreading how his birthday may unfold. When he turned 18 at midnight, he would be escorted out. Officially an adult, he could no longer be housed with juveniles. He'd get loaded into a Metro Corrections vehicle that would drive around the corner and deposit him into the "adult jail," a place Tracey could only imagine is all edges and land mines, especially for a wiry, 5-foot-8 newbie (Marshall & Howard 2020).

This example shows a judiciary that carries the observance of the age divide to an extreme level, by planning to move a suspect not just on the very day he turns 18, but virtually begin the process punctually to the minute. Albeit not primarily related to interviewing, the case of Tracey illustrates vividly the real-life implications of the arbitrary age divide.

The current research is not concerned with the *transition* from the 'child' status to the 'adult' status in a single suspect, but rather with 'child' and 'adult' suspects immediately on either side of the age divide. In E&W, after a person is arrested, they can be held in police custody for up to 24 hours, at which point the suspect must be either charged with a crime or released without charge (PACE s.14(1)).[1] During the 24 hours, the police conduct an investigative interview with the suspect and gather other forensic evidence pertaining to the suspected offence. As mentioned previously, juveniles are, as vulnerable suspects, entitled to a number of protective measures whilst they are in custody. Unarguably, the most prominent of these special measures is the mandatory presence of an AA, i.e. a parent, guardian, social worker or volunteer, before, during, and after an interview.

The aim of this study is to examine the ways in which the strict statutory age divide, the associated special measures for juveniles, and the lack of said special measures for adults are manifested in police interviews with suspects aged 17 and 18. Statutorily, 17-year-olds are subject to the same conditions as 10-year-olds, and 18-year-olds stand under the same laws as 50-year-olds. The discourse in an interview with a 10-year-old suspect is certainly expected to differ from the discourse in an interview with a 50-year-old suspect; however, this clear expectation becomes much more subtle when considering suspects immediately on either side of the child-adult divide.

The data for this study are 19 real-life police interviews from two police forces in England. Ten of the interviews are with 17-year-old suspects, and nine are with 18-year-old suspects. The interviews have been conducted in the years 2016 and early 2017 without the knowledge that they would be used for research in the future; they thus represent authentic police interview practice, which precludes any potential Hawthorne effect considerations.

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[1] For a person suspected of a serious offence, such as murder, the police can apply for an extension to 36 or 96 hours. A person arrested under the Terrorism Act 2000 can be held in custody without charge for up to 14 days.

The element of authenticity in the data is absolutely imperative for this type of forensic linguistic research.

1.2. Research questions

It must be noted that this is not a *comparative* study between 17- and 18-year-old suspects' interviews, despite the binary formulation of the two age groups. A comparative study implies a quantitative, statistical approach to the data, which is not what the aim of the current study is. Instead, the study examines the interplay of phenomena including age, institutions, power, and related ideologies, and explores how they are manifested in the discourse across the data. A common critique of qualitative research is that it does not yield representative (i.e. statistically relevant) results. However, this study does not claim or aim to yield findings that are representative of overall police practice in E&W; instead, it aims to shed light on some of the most salient issues that emerge out of the discourse in a set of 19 interviews. Especially for research that aims to explore new angles of linguistic phenomena, such as the current study does with the focus on suspect age and related measures, a qualitative and inductive approach allows for the identification of features and findings that would likely go unnoticed when employing a broader, more quantitative research design. In line with the social constructivist paradigm and the highly qualitative approach rooted in Conversation Analysis (CA), the interview data are examined with the simple premise that salient issues related to the age divide will emerge out of the discourse. The overall research question is thus: *What can be observed in terms of the discourse of police interviews with suspects aged 17 and 18, and how do these observations relate to the two age groups' respective statutory statuses?*

An initial, broad evaluation of the data overall, partly during the detailed transcription process, has revealed three particular lines of inquiry, which are reflected in the three analysis chapters in this study. The three sub-questions stand under the umbrella of the overarching question stated above.

The first aspect under investigation is dedicated to overall discursive orientations to the child-adult age divide, and the concept of age with related ideological assumptions more generally. With all suspects being in a position of either imminently acquiring the 'adult' status, or having just acquired it, this question addresses how this factor becomes explicit throughout the interviews. The first sub-question is formulated as: *How do participants in interviews with 17- and 18-year-old suspects discursively orient to age?*

The second analysis chapter is dedicated to the administration and reformulation of the police caution, collectively referred to as the 'cautioning exchange' (Rock 2007: 157). The recital of the caution is an institutional requirement of every interview, regardless of suspect age or level of vulnerability. Previous research on the police caution has revealed concerns regarding its comprehensibility and comprehension, in that the wording is short but complex, and many adults have difficulty understanding the meaning and implications of the caution (e.g. Cotterill 2000). The analysis examines the way in which the caution exchange takes place, particularly in connection with comprehension assessment by means of checking questions and young suspects' increased risk of suggestibility. The second sub-question is thus: *How is the caution recited and reformulated to 17- and 18-year-old suspects?*

The third analysis provides an exploration of discursive contributions made by AAs in interviews with 17-year-old suspects. The role of the AA has not previously been analysed from an applied linguistics perspective. The data include a range of AAs including a social worker, nondescript professionals, parents, and a grandparent. Observations can thus be made with the AA's relationship to the suspect in mind in order to investigate how particularly familial relationships are discursively oriented to in the course of the interview. The focus of the analysis is on verbal contributions from the AAs themselves, and a brief excursion is dedicated to AAs' non-linguistic presence. The final sub-question is: *What is the discursive role of the AA and how does their non-verbal presence affect the interaction in interviews with 17-year-old suspects?*

1.3. Outline of thesis

The thesis begins with a chapter dedicated to the relevant legal background to this study (Chapter 2). The chapter covers recent developments in interviewing practices in E&W, and, for context, also briefly looks at methods employed in the USA. The chapter furthermore discusses the role of age in the legal system in general and explores age-based vulnerability in the context of police interviews. Chapter 3 presents the relevant research background from an academic perspective and discusses the concepts of institutional discourse as well as language and power. Furthermore, existing literature pertaining to police interviews with both adults and juveniles is presented. In Chapter 4, the methodology is discussed. The study is positioned in the social constructionist paradigm and explores the methodological approaches of Conversation Analysis and Critical Discourse Analysis. The chapter outlines the extensive data collection process and finishes with a presentation of the research data. Chapters 5-7 make up the analytical part of this study. Chapter 5 is dedicated to discursive orientations towards age and Chapter 6 examines the cautioning exchange between the interviewer and the suspect (and, in one case, with the AA as an additional participant). Chapter 7 explores the discursive role and non-verbal presence of the AA in the interview. Chapter 8 provides a collective discussion of the findings from the three analysis chapters and evaluates them against the existing literature. The final Chapter 9 briefly evaluates the current study with regards to its strengths and weaknesses, provides considerations on both the practical implementations of this research as well as potential aspects of future research.

Throughout the study, the terms 'child' and 'juvenile' are used to describe suspects up to and including age 17, and 'adult' is used when referring to suspects aged 18 and over. When talking about 17- and 18-year-olds together, the collective term 'adolescent' is used. The World Health Organisation (2014) 'defines "Adolescents" as individuals in the 10-19 years age group and "Youth" as the 15-24-year age group. While "Young People" covers the age range 10-24 years'. According to the WHO then, 17- and 18-year-olds are grouped together in all three of these definitions, despite their vastly different statutory statuses. To

minimise the risk of confusion, the current study will not use 'youth' or 'young people' as a collective term when referring to 17- and 18-year-old suspects together. The reason for this is that E&W sees a number of parliamentary Acts whose titles include these terms (e.g. Youth Justice and Criminal Evidence Act 1999; Children and Young Persons Act 1933) and they are all pertinent to persons up to and including age 17, but not persons aged 18. It is for this reason that the term 'adolescent' is used for collective reference to suspects aged 17 and 18.

2. LEGAL CONTEXT

2.1. Introduction

This chapter will first provide the socio-historical context for this project, and examine some recent developments in investigative interviewing practice in E&W. The Police and Criminal Evidence Act 1984 as well as the PEACE framework are discussed, and some relevant background is given on police interviewer training. The chapter also reviews age-related legislation, with a particular focus on the child-adult divide between 17 and 18. Finally, a closer look is taken at special measures and safeguards for children in the legal system, which includes interviewers' awareness of the increased risk of suggestibility, acquiescence and compliance, as well as the very prominent special measure that is the AA.

2.2. Developments in police investigative interviewing in England & Wales

Policing in E&W has undergone many changes over the past 70-odd years. Many of them have been in connection with the question of what the purpose of policing is, i.e. whether to take a 'force' or a 'service' approach (James 2014: 76). Times of force-focused policing are characterised by a tendency to prosecute, which is often manifested by unethical methods of investigation employed by police. Evidence gathered from a suspect in the form of interviews or statements was easily falsified in times before mandatory record-keeping as we know it today. One such case where investigative evidence was manipulated is that of Timothy Evans, a Welsh van driver living in Notting Hill, London in the mid-twentieth century. In 1949, Evans turned himself in to police for the murder of his wife Beryl and baby daughter Geraldine at their multi-occupancy house at 10 Rillington Place (Svartvik 1968: 7). During the subsequent investigation, Evans was questioned on multiple occasions and a total of four statements were produced. Evans, who was 25 years old at the time, had his mental age assessed at 10½ years old and having severely struggled during his short education was classified as illiterate with a vocabulary equivalent to that of a 14-year-old child (Svartvik 1968: 20). He was thus neither able to write his own statements, nor to read through his

statements before signing them. Instead, Evans dictated the statements to the interviewing officers, who allegedly wrote them down verbatim and then read them back to him (Svartvik 1968: 25). The statements were used against Evans during trial, alongside prosecution witness evidence from Evans' neighbour John Christie. Evans was found guilty of the murder of his 14-month-old daughter and sentenced to death on the 13th of January 1950. Less than two months later, on the 9th of March, Evans was hanged by Chief Hangman Albert Pierrepoint at HMP Pentonville in London (Klein 2006: 125). In 1953, Christie moved out of 10 Rillington Place and the new tenants soon after started discovering decomposing bodies in alcoves, under floorboards and in the garden of the property. Christie was subsequently arrested and admitted during questioning to killing all the victims at the property, including Timothy Evans' wife and daughter some four years earlier. Christie was convicted of the murder of his wife and hanged on the 15th of July 1953, also by Albert Pierrepoint at HMP Pentonville, just like Evans a good three years before him (Svartvik 1968: 17). Following Christie's admissions regarding the Evans victims, a public inquiry into the evidence gathered during the Evans investigation was conducted by the Honourable Sir Daniel James Brabin, in which he concluded that 'it is more probable than not that Evans did not kill [his daughter] Geraldine' (UK Parliament Hansard 1966). The controversy around Timothy Evans' case played a prominent role in the movement towards the abolition of the death penalty for murder in 1965[2], and Evans was posthumously granted a royal pardon by the Home Secretary Roy Jenkins on the 18th of October 1966 (Svartvik 1986: 17).

In *The Evans Statements: A Case for Forensic Linguistics* (1968), Svartvik conducts a linguistic analysis of the four police statements dictated by Evans and concludes that the police statements that are meant to reflect Evans' personal account of the events in question are not consistent with the language of an illiterate man with severe cognitive limitations. These discrepancies are manifested by 'remarkable internal differences of style' (Svartvik

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[2] The death penalty remained a punishment for certain crimes including treason; however, it was never again used until its complete abolition in 1998.

1968: 19). Naturally, police statements of this kind are edited (sometimes 'tidied up') by police officers prior to signing. Whilst the documents show some elements consistent with dictation from a working-class, unlettered person, such as double negatives and non-standard features, in some of the crucial parts (including two alleged confessions) 'certain words and phrases occur which appear to be uncharacteristic of the idiolect of an illiterate' (Svartvik 1968: 24). This gives rise to the assumption that the statements and confessions in the Evans case were, at least to an extent, falsified by the police.

The abolition of the death penalty did not mean the end of force-focused policing in E&W. In fact, prosecution and conviction rates remained high, and police questionings, which were at this point still not subject to mandatory recording, continued to produce statements that were used as key pieces of evidence for the prosecution in many trials. This was also true of the trial and subsequent conviction of the Birmingham Six in 1975. All six men were given life sentences after being convicted of the Birmingham pub bombings of November 1974 and spent 16 years in prison before being freed. It was established after the fact that the men's confessions had been coercively elicited by means of various intimidation and pressure tactics, including threats, beatings, food deprivation, and in some cases even mock executions (Bearchell 2010). The case of the Birmingham Six was by no means the only severe miscarriage of justice in E&W in that time. Others include the wrongful convictions of the Guildford Four, a name given to a group of four men convicted and sentenced to life imprisonment for the Guildford pub bombings in 1975. The four suspects' confessions formed a crucial part of the prosecution's case, despite the fact that they were obtained by means of highly coercive methods and retracted by the suspects before the beginning of the trial (Ewing & McCann 2006). It was only after 14 years of repeated appeals that their sentences were finally quashed in 1989. Another prominent miscarriage of justice is the case of Sean Hodgson who falsely confessed to the murder of Teresa De Simone in Southampton in 1979. He was given a life sentence and spent 27 years in prison before being exonerated and released (Young 2009).

It can be argued that if the cases of the Birmingham Six, Guildford Four and Sean Hodgson had been tried before the abolition of the death penalty for murder, the people involved would have likely been executed before their convictions could be overturned. As can be seen from the case of Timothy Evans, but also from others such as Derek Bentley[3] and Ruth Ellis[4], death sentences were routinely carried out within a matter of months, and sometimes even weeks after sentencing. And yet, the consequences in the post-abolition era are grave, considering the decades lost by the people who are wrongfully incarcerated.

The emergence of discussions about a number of controversial convictions in the 1970s raised serious questions about police conduct when gathering evidence, in particular when questioning suspects. During this time, it was the Judges' Rules that loosely governed police interviewing methods (Griffiths & Milne 2006: 169). First issued in 1912, the Judges' Rules were little more than a set of guidelines on police procedures when dealing with suspects. In 1977, public outcry about mistreatment of suspects and seemingly unsound interrogation tactics led to the establishment in 1981 of the Royal Commission on Criminal Procedure (Griffiths & Milne 2006: 169; MacLeod 2010: 28). The nationwide investigation that followed uncovered that in many cases 'persuasive and manipulative tactics were used by interviewers to obtain confessions' (Irving and Hilgendorf 1980 in: Griffiths & Milne 2006: 169). One part of the resulting report was a small research study by Irving and Hilgendorf (1980) entitled *Police Interrogation – The Psychological Approach*. In this report, they critically review existing psychology literature on interrogation and provide findings about suspects' voluntariness to share information and the reliability of the evidence obtained. It was determined that factors such as the length of a suspect's detention in police custody and the conditions thereof have an impact on the suspect's willingness to give

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[3] Derek Bentley was found guilty of the murder of a policeman in a case sparking national controversy. He was convicted and sentenced to death on the 11th of December 1952. The original execution date was scheduled for the 30th of December of the same year; however, this was postponed pending an appeal. The appeal was rejected on the 13th of January 1953 and Bentley was eventually hanged at HMP Wandsworth by Albert Pierrepoint on the 28th of January 1953, aged 19.
[4] Ruth Ellis admitted to shooting her abusive lover David Blakely and was sentenced to death on the 20th of June 1955. She was hanged at HMP Holloway by Albert Pierrepoint on the 13th of July of the same year.

information to the police. The longer a suspect is detained, the greater their desire to get out of the situation; as a result, the suspect's willingness to share information increases. For a true confession, this is not *per se* problematic; however, difficulties emerge when suspects arrive at a point where they will tell police anything they want to hear, even if the information does not actually correspond with the truth. Furthermore, Irving and Hilgendorf (1980) draw attention to the uneven power relations between police and suspect, considering the police interviewer's institutional authority and the high tendency for the suspect to submit to this authority. The report raises awareness of this institutional power and encourages interviewers to minimise bad habits in the interview room by proposing standardised police interview training. The enquiry contributed substantially to the UK Parliament passing the Police and Criminal Evidence Act 1984 (Clarke & Milne 2016).

2.2.1. The Police and Criminal Evidence Act 1984

The Police and Criminal Evidence Act 1984 (henceforth PACE) consists of 12 parts and covers a wide range of topics from the police's power to stop and search, to warrants, arrest, and detention. Of particular interest to this research project is Part V on 'Questioning and Treatment of Persons by Police'. This part includes the newly introduced right to free and independent legal advice for everyone (s.58), as well as notices about the new mandatory audio recording of all police interviews (s.60) and visual recording in certain cases (s.60A). PACE is accompanied by eight Codes of Practice (A-H). The layout and language of the Codes of Practice are less consistent with the complex genre of legal language than PACE and hence generally more accessible to the general reader and objectively easier to understand. Code C, entitled 'Code of Practice for the detention, treatment and questioning of persons by police officers', is widely considered to be the replacement of the Judges' Rules. Code C is routinely revised and updated, with the most recent version dated August 2019. The Code gives practical guidance on elements found in PACE (e.g. Chapter 6 'Right to legal advice'), with the additional provision of 'Notes for Guidance' for each chapter.

Chapter 11 of PACE Code C provides extensive guidance on interviewing procedures, including information about interviewing juveniles and otherwise vulnerable persons. Crucially, Code C states that juveniles must not be interviewed 'in the absence of the appropriate adult' (PACE Code C, s.11.15). This particular safeguard is discussed in detail in Sections 2.6.1 and 3.3.3.3 of this study.

2.2.2. The PEACE framework

The implementation of the mandatory recording of police interviews resulted in the production of an abundance of highly valuable data now accessible not only by Royal Commissions but also by academic researchers. Analyses of recorded interview data helped to uncover more unethical practices within the police environment, such as nervous and thereby unprofessional interviewers (Baldwin 1992), interviewers unable to appropriately challenge suspects' accounts (Baldwin 1993), and interviewers with accusatory attitudes and an apparent main goal of securing a confession (Moston *et al*. 1992). Those new findings mirrored the public's ever-diminishing trust in law enforcement nationwide, with over 70% of the public in a contemporaneous survey stating that police interviewers were employing inappropriate methods in order to obtain confessions (Williamson 1991). This apparent absence of a standardised interviewing practice and lack of training was finally acted upon by the Association of Chief Police Officers (ACPO), who developed the PEACE framework of investigative interviewing. The framework was implemented in 1993 and serves as a scaffold for interviews with all types of interviewees, namely witnesses, victims, and, most importantly for this research, suspects (Clarke & Milne 2016: 101). The mnemonic PEACE stands for the five stages of the investigative interview, as demonstrated in Figure 1 below.[5]

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[5] Figure available for re-use under the Non-Commercial College License version 1.1. Available from: https://www.college.police.uk/Legal/Documents/Non-Commercial%20College%20Licence%20v1-1.pdf.
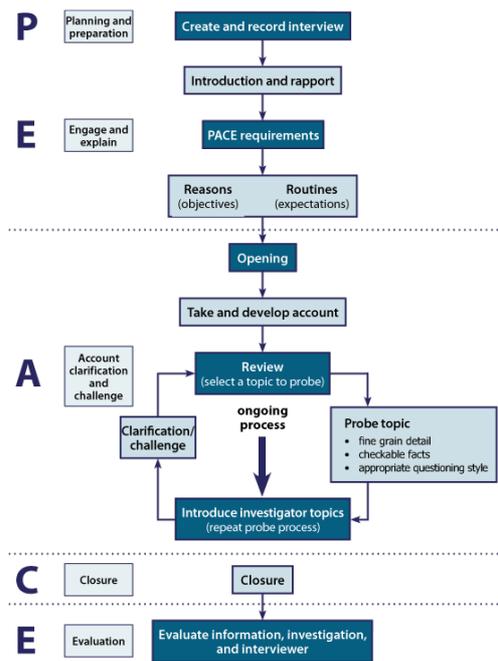
Figure 1: The PEACE framework of investigative interviewing (College of Policing 2013)

Both the 'Planning and preparation' and the 'Evaluation' stages take place in absence of the interviewee, i.e. immediately before and after the interview. This means the 'Engage and explain', the 'Account, clarification and challenge', and the 'Closure' stages constitute the audio-record of the interview and thereby the primary evidence. In terms of additional materials produced in connection with the interview, the following elaborations are taken from personal correspondence with a Detective Superintendent from a police force in England:

> Any notes made by the interviewer before, during or after recorded interviews are covered under the Criminal Procedure and Investigations Act 1996, which provides a framework for disclosure. In cases where the police think that information they hold may undermine the prosecution case or assist the defence they are obliged to provide it to the [Crown Prosecution Service] for delivery to the defence. Notes must be retained in case they fall into that category as the investigation and prosecution progresses. The defence is entitled to ask for material like interview notes under this legislation and the requested material is normally provided; however, this typically happens only if the defence has good reasons for doing so (2019).

The pre-interview 'Planning and preparation' stage allows the interviewer to establish the purpose of the interview, as well as make special arrangements for vulnerable interviewees (e.g. arrange for an appropriate adult to attend the police station). The 'Engage and explain' stage represents the opening of the interview where the interviewer outlines the process of the interview and aims to build rapport with the suspect. During this stage, the interviewer also has to fulfil the PACE requirements, which include the identification of all persons present, the formal cautioning of the suspect (see Chapter 6) and reminding them of their right to free and independent legal advice. If an AA is present during an interview, they are instructed of their duties during the 'Engage and explain' stage (Chapter 7). During the 'Account, clarification and challenge' stage, the interviewer's aim is to obtain the interviewee's personal account of the events in question, typically in the form of a free narrative. Once the narrative is obtained, the established topics are divided into sub-topics, and additional details about selected sub-topics are requested or aspects of the account challenged and clarified. This is also the stage of the interview during which the police typically introduce the available *corpus delicti* and prompt the suspect to relate to said evidence. As Johnson (2006; 2008) observes, during the 'Account' phase a shared account of the events in question is negotiated, and this has to be done in a way that safely produces sound and formal evidence for the judiciary. During the 'Closure' stage, the interviewer summarises the suspect's account with the aim of achieving a mutual understanding by all participants of the events related to the alleged offence. Furthermore, interview participants are routinely given the opportunity to provide a final comment (see Section 7.2.2). Finally, interviewees are typically informed of the procedure following the interview, such as for example what happens to the recording if the suspect is charged with a crime. A constructive 'Closure' stage can have a positive impact on the interviewee's perception of the police, which in turn will make them more likely to come forward and cooperate with law enforcement in the future (Oxburgh *et al*. 2016: 145). After the interview has been terminated, interviewers move to the 'Evaluation' stage, during which the obtained information is evaluated with regards to its investigative value. The interviewers' own

interviewing skills should also undergo a critical self-evaluation. This last PEACE stage remains virtually unexplored from an academic research perspective (Clarke & Milne 2016: 112).

The College of Policing states that the overall aim of investigative interviews in E&W is to 'obtain a full and accurate account' from the suspect, and this goal is achieved by means of employing sound interviewing techniques, which in turn are 'underpinned by seven key principles' (College of Policing 2013). The *7 Principles of Investigative Interviewing* have been developed and defined by the National Strategic Steering Group on Investigative Interviewing and the Professionalising Investigation Programme (College of Policing 2013), and their aim is to 'guide investigators on how to use the PEACE framework'. A brief summary of each principle is given below (College of Policing 2013).

Principle 1 emphasises the importance and value of obtaining 'accurate and reliable' information, in order to best further the investigation at hand. The accuracy aspect means interviewers are encouraged not to omit anything during their questioning, even if this increases the risk of an interview potentially becoming long. This can happen, for example, when a suspect has to identify and describe a great number of individual witnesses or co-defendants. Securing 'reliable' information from a suspect means the account must be true and withstand scrutiny during further investigation or in court.

Principle 2 states that interviewers ought to 'act fairly' when interviewing suspects, which means adhering to both the Equality Act 2010 and the Human Rights Act 1998. Furthermore, interviewers must enter an interview situation without prejudice of presumption of the suspect's guilt. Finally, interviewers are urged to take into account interviewees' 'clear and perceived' vulnerabilities and provide safeguards when needed. This third point is relevant to this study with regards to the vulnerability of juvenile suspects. In interviews with 17-year-old suspects, it is a legal requirement to have an AA present.

Interestingly, one of the AAs' duties is to 'observe whether the interview is being conducted properly and fairly' (PACE Code C, s.11.17), which echoes the 'act fairly' provision for interviewers. The questionability of AAs being instructed to essentially police the police's conduct is discussed in Chapter 7.

Principle 3 emphasises the importance of good and thorough planning prior to the interview, so that the account obtained in the course of the interview can on the one hand be critically evaluated against existing evidence and on the other hand used to further the enquiry. This Principle echoes both the 'Planning and preparation', as well as the 'Evaluation' stages of the PEACE framework; in other words, it is dedicated to the interviewer's tasks that are not part of the audio-recorded evidence.

Principle 4 mentions the interviewer's privilege to ask the suspect 'a wide range of questions', as opposed to the more restrictive questioning guidelines for prosecutors in court for example. The Principle does not explain in any more detail what the broad description of 'a wide range of questions' entails. Reference is made, however, to the fact that the style of interviewing 'must not be unfair or oppressive'. The mandate 'not to be unfair' can be regarded as mirroring Principle 2's guideline of 'acting fair' during the interview. The term 'oppressive' is defined by Lord Chief Justice Taylor as

> the exercise of authority or power in a burdensome, harsh, or wrongful manner, or unjust or cruel treatment of subjects or inferiors, or the imposition of unreasonable or unjust burdens in circumstances which would almost always entail some impropriety on the part of the [interviewer]. *R v Fulling* (1987).

According to this definition, the 'exercise of power and authority' is not deemed problematic, as long as the *manner* in which the power and authority are exercised is not 'wrongful'. This reflects broadly the notion of institutional power and discourse as discussed in Section 3.2, insofar as it is acknowledged that the interviewer possesses power and

authority by default, and that this in and of itself is not a negative thing. It is by means of discourse that power and authority are made explicit. The fact that the notion of power and authority itself, as well as the dangers of abusing them in order to oppress the suspect are both discussed in this Principle means that at the very least, interviewers are made aware of their innate position of being institutionally more powerful than their interviewee.

Principle 5 discusses the benefits of an early admission of guilt by the suspect. 'Early' here does not refer to the timing within the course of an investigative interview, but rather in terms of the wider legal process. Beneficiaries of a suspect's early admission of guilt are, according to Principle 5: police, prosecutors, resources, victim, court, and defendant. A defendant (i.e. a former suspect) *may* receive a lesser sentence depending in part on the timing of the suspect's admission; however, this assessment is not made by the interviewer. Interviewers are thus not instructed to directly relay this information about potential lenience to a suspect; instead, the Principle phrases it simply as '[i]nvestigators should *recognise* the positive impact of an early admission' (italics added for emphasis).

Principle 6 states that following an interviewer's aim to obtain accurate and reliable information, they are entitled to make use of 'persistent questioning' if they are under the impression that the suspect is lying or not telling the whole truth. The argument is made that 'questioning is not unfair merely because it is persistent', but it is also made very clear that persistent questioning must only be conducted in a manner that does not oppress the suspect. Whilst the notion of 'oppressive' is defined and discussed in Principle 4, Principle 6 further provides reference to clarification in this admittedly precarious area between persistence and oppression: Code C of PACE states that a suspect shall be informed of negative consequences (i.e. they are liable to detention) if they refuse to provide their name and address when being charged (s.10.9; also note that charging is *not* part of the interview process). The charging situation with an un-cooperative suspect is the only instance during which a person may be somewhat pressured into, by means of persistent questioning,

answering a question. During the investigative interview, 'no interviewer shall indicate […] what action will be taken by the police if the person being questioned answers questions, makes a statement or refuses to do either' (PACE Code C, s.11.5). Not exerting pressure by discussing consequences of interview co-operation, or lack thereof, is of particular importance when dealing with juvenile suspects, for their adolescence makes them more susceptible to suggestibility and gratuitous concurrence (see Section 3.3.4.1).

The seventh and final Principle states that even when a suspect exercises their right to silence, as outlined in the police caution administered during the 'Engage and explain' stage of the interview, the interviewer is obliged to put questions to the suspect. It is the suspect's choice to decide at every question whether or not to respond, and in what way. A suspect refusing to answer questions puts a challenge to the interviewer, seeing as from a conversation-structural point of view it is counterintuitive to keep putting questions to a person when they remain verbally unanswered. Interviewers thus routinely instruct suspects to answer 'no comment' if they choose not to answer, as a means of signalling that they have heard the question.

The document *Achieving Best Evidence in Criminal Proceedings: Guidance on Interviewing Victims and Witnesses, and Guidance on Using Special Measures* (Ministry of Justice 2011; henceforth ABE) does not contain information pertaining specifically to suspect interviews; however, its name has provided the mantra of the intelligence-led style of policing now employed in E&W. Furthermore, ABE contains some helpful insights into the police's approach to vulnerability, and some of these guidance points can undoubtedly be applied to vulnerable suspects. Interviewee vulnerability inside the interview room is discussed further in the next chapter.

The data analysed in this project are audio recordings of interviews following the PEACE framework, and interviewers are expected to follow the accompanying guidelines as

laid out in PACE Code C, as well as the seven Principles published by the College of Policing (2013). Familiarity with the PEACE framework and the Principles allows for a more critical evaluation of the interview proceedings.

2.2.3. Police interviewer training

When the PEACE framework was first introduced, the training that came along with it was in the form of a week-long course (O'Mahony *et al*. 2012: 305). The training included developing skills in 'psychologically-informed strategies' for conducting interviews (MacLeod 2010: 28), and the police officers were issued two guidance booklets: *A Guide to Interviewing* and *The Interviewer's Rule Book* (Central Planning and Training Unit 1992a, 1992b). In 2004, following recommendations from Clarke & Milne (2001), the training was expanded (albeit still almost exclusively based on psychological research) and turned into a five-tier training model (Shawyer *et al*. 2009; see also Milne *et al*. 2007). This approach allowed for a training programme that was tailored to individual officers' experience within the police service. For example, the Tier 1 training course is designed for recruits who get to learn basic interviewing tactics. Tier 3 is where 'specialist interviewers' learn how to deal with vulnerable interviewees, and the upper Tiers are where management roles can be learned (O'Mahony *et al*. 2012: 305-306; for an in-depth discussion of the five tiers, see Griffiths & Milne 2006). Audio recordings of interviews do not typically reveal the interviewer's training background; however, seeing as the data for this study consist of interviews conducted in the past five years, it can safely be assumed that all the interviewing officers will have completed similar training. Furthermore, interviews with 17-year-olds and other vulnerable suspects would be conducted by somebody who has completed Tier 3 training.

2.3. Contrast: the Reid Technique in the United States

When conducting research on the topic of police interviews, it is helpful to look beyond one's own borders and explore the rules and regulations of other countries. Some academic

sources discussed in the current and the subsequent chapters are based on data from the USA, and so it seems appropriate to take a quick look at US practice when it comes to police interviews, or rather, interrogations. There are fundamental differences between the interview and the interrogation approach to police questioning. Interviewers in E&W tend to take a less confrontational approach, whereas interrogators in the USA routinely employ practices that would violate E&W legislation and guidelines. Suspect *interviews* based on the PEACE model, as conducted in E&W, as well as 'Norway, New Zealand, and parts of Australia and Canada' (Heydon 2019: 42), have as a primary goal the securing of information about a purported offence; *interrogations* as conducted in the USA tend to see an admission of guilt as the ultimate goal. For an in-depth comparison of police questioning in E&W versus the US, see Dixon (2010) and Heydon (2019). Shuy (1998), who has for decades been an advocate of the interview rather than the interrogation approach, also discusses contrasting qualities of the two, noting that interviews are characterised by probing, inquiring, guiding, and include a lot of open-ended questions; interrogations often include cross-examining, challenging, dominating, demanding and the use of suggestive tag questions. In other words, the difference between the two approaches is clearly shown when adding their ultimate aim in the form of a pre-modifier, namely *information-seeking* interview vs. *confession-seeking* interrogation. Research from disciplines including forensic psychology and forensic linguistics has shown that interrogators put interviewees in a considerably more vulnerable position than interviewers do (Oxburgh *et al*. 2016: 135). Interrogators elicit higher numbers of false confessions and their conduct has led to torture allegations (Oxburgh *et al*. 2016: 135; Meissner *et al*. 2014). Many Western countries have adapted an information-seeking interviewing approach with their own equivalent of the PEACE framework. The USA, with its persistence in the use of the interrogation method, is generally considered an outsider.

The 'standard' of interrogation in the USA is the Reid Technique, which was developed by John Reid in the 1970s (Oxburgh *et al*. 2016: 137; Blair 2005). The core of the

Reid Technique includes the '9 steps of accusatory interrogation', which are highly likely to evoke a confession from the interviewee (Oxburgh *et al*. 2016: 139). Whilst the high number of confessions obtained is viewed as proof of the success of their technique (John E. Reid & Associates, Inc.), most notably Meissner *et al*. (2014) have shown that within this high number of confessions is also a considerable proportion of false admissions of guilt. In other words, interrogations produce both more true and false confessions, whilst interviews have been shown to produce more true confessions and fewer false ones (Meissner *et al*. 2014). As mentioned above, information obtained during interviews is often crucial evidence in a case, and is commonly discursively co-constructed by the interviewer and interviewee (see Haworth 2017). If the information (and in many cases the resulting confession) obtained during police questioning is false, then this can have serious negative implications for the suspect in the further judicial proceedings, as many cases from the USA alone have shown.

One such case involves the murder of three young schoolboys in West Memphis, Arkansas in 1993, and the subsequent arrest of three young men from the local area. The three young men, dubbed the 'West Memphis Three', were accused of having abused and killed the three boys in the context of a satanic ritual. One of the suspects, Jessie Misskelley Jr. was 17 at the time and had an IQ of 72, making him 'borderline intellectual functioning' (Alloway 2010). Misskelley confessed to the crime, implicating the other two adolescents, after being interrogated on his own for 12 hours. Only two hours of the interrogation were audio-recorded. The recordings show the police using techniques such as feeding Misskelley information he does not have and repeating the same question until the interviewers get the answer they desire. Research has shown that particularly children will change their answers if questioned repeatedly, as they assume that previous answers are 'wrong' (Myers 1996: 23; Lyon 2002). With little forensic evidence, the (false) confession became the most prominent piece of evidence in the case and resulted in the jury finding all three suspects guilty of three counts of capital murder. Misskelley was sentenced to life in prison with the possibility of parole, Jason Baldwin (16 years old at the time) was sentenced to life in prison without

parole and Damien Echols (18 years old) was sentenced to death. After nearly two decades of appeals and support from volunteer activists, the three were released after entering Alford pleas (i.e. admitting guilt whilst simultaneously asserting innocence (Shipley 1986)) in 2011. The state of Arkansas has never had to admit to eliciting a false confession from Misskelley; in fact, some prosecutors still insist on the West Memphis Three's guilt, despite the presence of new evidence that suggests otherwise. Since 1989, the US has seen more than 2,600 exonerations, amounting to more than 23,000 years wrongfully spent in prison (National Registry of Exonerations 2020). According to the same source, it is estimated that false confessions based on inappropriate interrogation tactics were a contributing factor in around a quarter of all exoneration cases.

The West Memphis Three case vividly illustrates the dangerous implications of inappropriate approaches to interviewing, in particular when dealing with young people or otherwise vulnerable suspects. Furthermore, Misskelley's interview records raises the issue of persistent questioning, which is a common tactic in interrogations. Having said this, it is by no means a tactic that is discouraged in investigative interviewing: as mentioned above, Principle 6 of the police guidance pertinent to E&W states that '[q]uestioning is not unfair merely because it is persistent' (College of Policing 2013). Whilst the case of the West Memphis Three presents an extreme example of how harmful inappropriate interviewing techniques can be, similar practices on a smaller scale can still have a detrimental impact on both the quality of the information obtained, as well as the interviewee's mental welfare.

This section has provided an overview of two contrasting questioning models, i.e. the PEACE model used in E&W, and the Reid Technique used in the USA. Familiarity with these two frameworks is helpful for being able to critically evaluate findings from this study, and consider them in a more international context.

2.4. The police caution and s.34 CJPOA

Persons are first cautioned when they are arrested, then again at the beginning of the police interview, and an additional time if they are charged with a crime[6] (Rock 2012: 313). During the 'Engage and explain' stage of every PEACE interview, the suspect is informed of a number of procedural points: after telling the suspect that 'the interview is being audibly recorded', the interviewer(s) must (i) identify themselves with their name, (ii) prompt the suspect and any other persons present (solicitor, AA, interpreter) to identify themselves, (iii) state the date, start time and location of the interview, and (iv) inform the suspect of the conditions under which they can get access to a copy of the interview recording (PACE Code E, s.4.3). During the same interview stage, the police must furthermore inform the suspect of their on-going right to free and independent legal advice, and finally the police must caution the suspect (PACE Code E, s.3.6). The wording of the police caution used in E&W is stated in PACE Code C, s.10.5:

> You do not have to say anything. But it may harm your defence if
> you do not mention when questioned something which you later
> rely on in court. Anything you do say may be given in evidence.

The purpose of the caution is to inform the suspect of their right to silence, of the concept of adverse inference, and of the fact that the interview record can be used as evidence at a later stage. The caution largely explains the rights as set out in s.34 of the Criminal Justice and Public Order Act (CJPOA) 1994; summarised concisely on the website of the Crown Prosecution Service:

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[6] The wording of the caution upon charge is slightly different from the caution upon arrest and interview (Rock 2012: 313).

Section 34 [of the CJPOA] allows an inference to be drawn if a suspect is silent when questioned under caution prior to charge and subsequently relies upon a relevant fact at Court, which he or she could reasonably have been expected to mention when questioned. Just because a suspect declines to answer questions, does not automatically mean that an adverse inference can be drawn. It is only when he or she later seeks to put forward an account or explanation that the adverse inference provision is triggered (2018).

The police will continue to put questions to a suspect, even if the suspect decides to give 'no comment' responses or not answer questions at all. This practice is a condition for the adverse inference provision to work in the first place for the suspect must be given the opportunity to answer any and all questions, even if they decide not to actually provide any answers at all. For an in-depth discussion of the triggering of the adverse inference clause, see Haworth (2009: 314-316). Research by Ainsworth (2008; 2012) examines the right to silence in the *Miranda* warning in the USA; for the Australian context see Heydon (2007).

The caution, its complex structure and its problematic comprehensibility have been discussed extensively by Kurzon (1996) and more recently Rock (2005, 2007, 2012). Police interviewers are instructed to mitigate apparent comprehension issues as follows: '[i]f it appears a person does not understand the caution, the person giving it should explain it in their own words' (PACE Code C, Note 10D). The interviewer's paraphrasing of the caution is referred to as the *reformulation* (Rock 2005; Godsey 2006). This means that amidst this highly institutional context, and following the clearly prescribed recital of the caution, the interviewer is assigned a substantial level of freedom in terms of how they reformulate the caution. As will be discussed in this study, some interviewers appear to act on the belief that the mere reformulation of the caution warrants the suspect's comprehension of the caution. Crucially, PACE does not provide guidance as to how comprehension is best checked. Interviewers often resort to polar yes-no comprehension checking questions, which suspects tend to answer affirmatively. Another popular comprehension checking method involves the

interviewer prompting the suspect to explain the caution back to them. Typically, suspects are unable to explain the caution, and the cautioning exchange ends up including a reformulation by the interviewer. Whilst this section has provided a brief statutory background to the caution, Section 3.3.1 will examine the issues of comprehensibility and comprehension as seen through the lens of linguistics research.

2.5. The role of age in the legal system

As mentioned in the Introduction chapter, the child-adult divide at 17/18 is defined in the Children Act 1989. It must be noted that up until 2015, the age divide within the police interview and pre-charge custody process was set at 16/17. In s.37(15) of PACE an 'arrested juvenile' was defined as covering persons aged 10-16. This meant that whilst 17-year-olds were considered 'children' according to the Children Act 1989, they were 'treated as adults for bail purposes' (Pierpoint 2011: 149). With this arbitrary status, 17-year-olds were not entitled to the safeguard of an AA during their stay in custody, which crucially includes the police interview (Pritchard 2006). Recommendations to redefine the notion of 'juvenile' in the E&W legal system came from the Home Office Working Party Appropriate Adult Review Group and a report by Pritchard (2006). According to Pritchard, members of the National Appropriate Adult Network as well as members of Youth Offending Teams were strongly in favour of the proposed change, whilst police authorities were voicing their views against it (2006: 10-11). A powerful driving force behind the push to amend the legislation came from young persons who had themselves experienced negative treatment by the police as 17-year-olds, as well as bereaved family members from a number of adolescents who had taken their own lives after being in police detention as 17-year-olds (Martin 2013). It was the introduction of s.42 of the Criminal Justice and Courts Act 2015 that amended the PACE definition of an 'arrested juvenile' to include 17-year-olds. This change of definition meant that, going forward, the child-adult divide within the custody suite was aligned with the divide more broadly. The interviews analysed in this study were conducted in late 2016 and early 2017, i.e. in a time after the change in the Criminal Justice and Courts Act 2015 and

PACE.

Age 17 signals the upper end of the 'child' status when it comes to the legal system. For the purpose of comprehensiveness, let us briefly look at the lower end of the age spectrum. It is at this point that an important distinction between different types of interviewees must be drawn. For witnesses and victims there is no lower age limit, meaning that there are cases where toddlers as young as two years old have provided specially trained police officers with reliable information during interviews, often in connection with cases of domestic violence between the parents of the child (Marchant 2013). When it comes to suspects, however, the lower age limit is ten, which is the age of criminal responsibility in E&W (Children and Young Persons Act 1933). This means that a person below the age of ten is considered *doli incapax* (Crime and Disorder Act 1998, s.34), and can therefore not be arrested for a crime. E&W have, alongside only Switzerland, the lowest age of criminal responsibility in Europe (Schweizerisches Jugendstrafrecht 2003, Art.3; Kelly 2019)[7]. Recently, the Equality and Human Rights Commission (2019; henceforth EHRC) has called upon lawmakers to increase the age of criminal responsibility in E&W following 'repeated recommendations made by the UN Committee on the Rights of the Child' (87). This report from the EHRC is submitted to the UN Committee against Torture, and mentions that

> a large number of children at a vulnerable age are exposed to a
> judicial system which may potentially have harmful effects on their
> wellbeing and development. There is evidence that criminalisation
> makes these children more likely to reoffend (2019: 87).

Discussions pertaining to the rising of the age of criminal responsibility have also taken place in the media recently, which goes to show that issues at the crossover of age and criminal justice are omnipresent (e.g. Bulman 2019).

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[7] In Scotland, the age of criminal responsibility is eight years old; however, children under the age of 12 cannot be prosecuted: 'Children under 12 can be referred to a children's hearing if they appear to be at risk or vulnerable, for example because they're assaulting others or stealing. They're referred for their own care and protection, not for committing an offence. […] Children under 12 can't be convicted or get a criminal record' (Citizens Advice Scotland 2019).

According to current legislation, then, suspects and witnesses can each be split into two age groups, as illustrated in Figure 2 below:
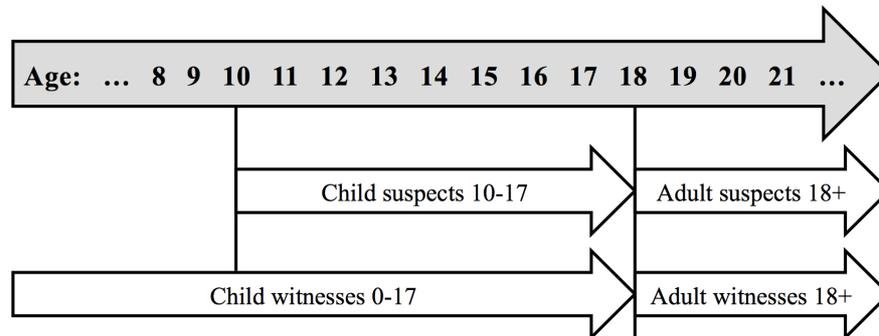
Figure 2: Police interviewee age groups in England and Wales

Figure 2 makes it evident that there are no increments within the two age groups. Putting all adults into one bracket, although it encompasses a greater spectrum of ages, is probably less problematic than grouping together all children up to age 17. Narrowing in on the relevant context of suspects, the child bracket ranging from ten to 17 years old still raises cause for concern. Throughout this time span, crucial cognitive, linguistic and social developments take place. However, it appears that, rather worryingly, neither legislation nor police guidance acknowledge this. Instead, reference is made to 'children' in general terms, and it often becomes apparent that who is meant by this are mostly younger children, certainly not teenagers towards the upper end of the age bracket. The academic literature follows suit, with policing, psychological, sociological and linguistic research about 'child interviewees' using data involving (very) young children, rarely over the age of 13. When 16- or 17-year-olds are the subject of research, it often has to do with cases from the US in the context of children being tried as adults.

Aside from the more commonly known developmental differences between boys and girls (Lim *et al*. 2015), there are also far more nuanced micro-developments in each person, to do with linguistic abilities, cognitive strength and social skills. Albeit perhaps a rare occasion, it is possible to imagine a 15-year-old being more cognitively and socially mature

than some 19-year-olds, and it is certainly not unreasonable to picture a 17-year-old who is more mature than an 18-year-old. As mentioned previously, the human brain is still developing after a person reaches the age of 18 (Gogtay *et al*. 2004). In fact, psychological research suggests that there exists essentially an 'in-between stage' between adolescence and adulthood. The term 'emerging adulthood' denotes the life stage between ages 18 to 25 (Tanner & Arnett 2009). The process of maturing into an adult is described by neuroscientists as 'a nuanced transition that takes place over three decades' and that hence everybody is 'on a pathway, they're on a trajectory' (Jones 2019 in: Gabbatiss 2019). One central element of the adolescent stage is that the brain's prefrontal cortex is still developing. This part of the brain is responsible for delaying and reflecting prior to acting, considering a multitude of options for problem-solving, contemplating consequences, and having social intelligence (Tyler 2015: 124). The lack of this development thus means that young people are more impulsive, sensation-seeking, and more susceptible to peer pressure (Tyler 2015: 124). Put simply, age and maturity can be regarded as individual curves, and there is no safe way of drawing a legally binding line between two ages to denote becoming a mature adult.

The combination of grouping wide spectra of ages together with the strict dividing line between the groups can be harmful in two ways: whilst the instinctive assumption is to consider some 18-year-olds as perhaps too young and too immature to be expected to navigate the legal system on their own with no extra support, it must be considered that it can be equally detrimental to treat certain mature 17-year-olds as 'children', and cossetting them with age-related safeguards they perhaps do not need or appreciate.

2.6. Age-related vulnerability and associated special measures

It is not just the interview situation that can be stressful for young, or otherwise vulnerable, people. The interview typically happens as part of a 24-hour period of detention, during which the police conduct their investigations and gather evidence, and the suspect is locked in a cell. It is important to consider this fact when looking at interview data, that the

interview itself is just one part of the detention process. There are a number of bodies of rules that set out the treatment of children when navigating the legal system. According to the Youth Justice and Criminal Evidence Act 1999, a person under 18 or anyone suffering from mental disorders, diminished intelligence or a physical disability qualifies as 'vulnerable' (s.16). PACE lists 'additional rights of children and young persons' (s.57). Back-references are hereby made to the Children and Young Persons Act 1933, and within this to Part III on the 'Protection of Children and Young Persons in Relation to Criminal and Summary Proceedings', although no mention of police interviews with children is made explicitly.

A very prominent document in the context of age-related treatment is the United Nations Convention on the Right of the Child (1990, henceforth UNCRC), which is an international treaty outlining minimal standards on how to treat children.[8] It states that 'the arrest, detention or imprisonment of children shall be in conformity with the law and shall be used only as measure of last resort and for the shortest appropriate period of time' (UNCRC Art.37(a)). This provision is echoed by the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (1991), as well as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice ('The Beijing Rules' 1985); all three publications explain that detention of any kind is 'harmful' to young people. The UNCRC states that 'every child deprived of liberty shall be treated with humanity and respect […] and in a manner which takes into account the needs of persons his or her age' (Art. 37(c)). What exactly these age-related needs are is not discussed further; however, this is not surprising as international treaties will often present more general guidelines which are then complemented by participating countries' own laws and regulations.

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[8] The UNCRC is currently ratified by 194 countries; the USA is the only UN country that has signed the UNCRC but is not a party to it.

Littlechild (1998) illustrates the negative effects that detention can have on the interview evidence that is produced during this time by arguing that

> individuals from vulnerable groups [i.e. young people] are often in a de-stabilised state as a result of detention, and are very keen to be released at almost any cost as soon as possible. This factor may result in false confessions and unreliable evidence (8).

Negative experiences with police during detention and interviews have been linked to young people's negative opinion of state government authority, which in return increases the likelihood of re-offending at a later point (Pierpoint 2008: 398; Oxburgh *et al*. 2016: 145). Overall, reoffending rates among juveniles in E&W are fairly high at 40.9% (Ministry of Justice 2019: 2) Some research reports that some police officers believe that arrest and detention act as a deterrent (Evans 1993). However, this 'tough on crime' stance is often not backed by scientific research. A comparison can be drawn for example between incarceration and recidivism rates in the USA and Norway; the former being a country with an extremely high conviction and incarceration rate at 700 prisoners per 100,000 people of the national population, and the latter being a country with a very low incarceration rate at 72 prisoners per 100,000 (Deady 2014). Despite the USA's stance of being tough on crime and imposing long and harsh sentences (including the death penalty), the sentences do not act as deterrents to offenders. The USA has a national recidivism rate of 52% within the first three years post release and 70% within five years; Norway, which bases its penal system on rehabilitation and reintegration, prides itself on the lowest recidivism rate in the world at only 20% (Deady 2014). For comparison, the overall incarceration rate in E&W is 102 per 100,000 people with an overall recidivism rate of 46% (Deady 2014).

Whilst treaties such as the UNCRC and the Beijing Rules (1985) set out more general rules, selected legislation and police manuals in E&W provide more specific guidance as to how to conduct interviews with young suspects and what to consider by way

of special needs. Unquestionably the most prominent safeguard for juveniles is the mandatory presence of the AA.

2.6.1. The appropriate adult

This section covers the role of the AA from a statutory perspective; the role of the AA from an academic perspective is discussed in Section 3.3.3.3 of this study. The role of the AA was introduced as part of PACE in 1984. The eligibility for suspects to have an AA present is laid out in PACE Code C, s.11.15:

> [a] juvenile or vulnerable person must not be interviewed regarding their involvement or suspected involvement in a criminal offence or offences, or asked to provide or sign a written statement under caution or record of interview, in the absence of the appropriate adult […].

Whilst the AA's role is most prominently known as a safeguard during police questioning, they are in fact present throughout much of the processes during a juvenile's time in custody. They have the right to privately consult with the suspected offender at any time (PACE 1984, Code C, s.2.4; 2.4A; 2.5), and are legally required to be present not just during the interview but also when the young person is 'informed of his or her rights, cautioned, […] subject to an identification procedure (e.g. fingerprinted), intimately or strip searched, given a reprimand or final warning or charged, or gives a urine or non-intimate sample' (Pierpoint 2008: 399).

The role of the AA is taken on by either a parent or a guardian (familial relationship to the suspect), or by a social worker or a volunteer (non-familial relationship to the suspect). Regardless of the relationship to the suspect, an AA must neither be a police officer or somebody who works for the police service in any capacity (Pierpoint 2006: 220), nor be involved in the case at hand, e.g. as a victim, witness, or as another suspect (Bucke & Brown 1997: 5). PACE (Code C, s.11.17) mentions that

[i]f an appropriate adult is present at an interview, they shall be informed:
- that they are not expected to act simply as an observer; and
- that the purpose of their presence is to:
    - advise the person being interviewed;
    - observe whether the interview is being conducted properly and fairly; and
    - facilitate communication with the person being interviewed.

The negative instruction that an AA is 'not expected to act simply as an observer' is echoed as 'the AA is expected to be an *active* participant' in the section headed 'what can appropriate adults do?' in the online guidance of the National Appropriate Adult Network (emphasis in original). The descriptions of the duties use general wording without providing more explicit definitions. In this context, a number of participants from both legal and lay backgrounds come together, including legislators, police officers, custody staff, interviewers, the courts, suspects, AAs, legal representatives, etc. and all of them can interpret the tasks and duties of the AA in their own way based on their experience, knowledge and agenda. 'Advising' can be interpreted in different ways, e.g. in terms of welfare advice vs. legal advice (Pearse & Gudjonsson 1996: 573; Palmer 1996; Pierpoint 2004). Instinctively, the task of providing legal advice is assigned to the legal representative. Considering that the presence of a legal representative during an interview with a juvenile is not mandatory, it can occur that in the absence of a solicitor, the AA adopts part of this role, as the duties of the legal representative and those of the AA are understood to overlap in some areas (Gudjonsson 2003).

Furthermore, PACE 1984 does not specify what constitutes a 'proper' or 'improper' interview (Pierpoint 2006: 221; Palmer 1996; Sanders & Young 2000). Lastly, to 'facilitate communication' can also be understood in different ways, and interpretations have ranged from 'checking comprehension' of the suspect (Littlechild 1995), to 'advocating to suspect' (Brayne & Martin 1999) and 'advocating to police' in the interest of pursuit of crime control (Pierpoint 2006: 221). The latter of these interpretations is consistent with s.37 of the Crime

and Disorder Act 1998, which states that all persons involved in the youth justice system (which includes AAs) are expected to do their work with the ultimate goal of crime prevention (Williams 2000b: 47). This interpretation in turn contradicts the point about 'advising' the suspect, in whichever sense of the word (Fennell 1994). Similarly, advising a suspect on their right to silence can be seen as contradicting the point about facilitating communication (Dixon *et al*. 1990).

It becomes apparent then that the descriptions provided in PACE 1984 are in fact onerous and confusing. They are not just confusing for AAs directly, but some custody officers and legal representatives remain ignorant of the primary role of the AA, too (Bean & Nemitz 1994). Pierpoint (2006) argues that the legal and lay participants mentioned above all approach the situation with their own objectives, which in turn are informed by their own personal models of crime control, due process, welfare or crime prevention. She further argues that as a result, 'the role of the appropriate adult has been socially constructed', and that '[i]ts nature has been constructed by the different perceptions of what the appropriate adult should do' (Pierpoint 2006: 222).

Since its inauguration by means of PACE in 1984, there have been two reviews of the AA safeguard, both instigated by the government (Home Office 1995; Pritchard 2006). The latest review proposed recommendations including (i) a change in the legislation so that the AA safeguard covers persons aged 17, (ii) the professionalisation of the role of the AA so that it is limited only to those who have received adequate training (which, incidentally, in almost all cases would eliminate familial AAs), and (iii) the extension of the role to include the task of facilitating between police and parents/guardians. Point (i) was addressed with the amendment of s.42 in the Criminal Justice and Courts Act 2015 and the subsequently updated definition in PACE. Point (ii) once again raises the question on how to train prospective 'professional' AAs, given the obfuscated descriptions of the objectives provided in PACE. Point (iii) logically eliminates familial AAs too and supports the notion of

professional AAs that are not personally related to the suspect or the suspect's parents/guardians. The implementation of the changes proposed in points (ii) and (iii) combined would redefine who the AA is on a fundamental level.

For the past three decades, a number of researchers and reviewers have examined the role of the AA, have identified issues and provided suggestions for improvements; however, it appears that not many of them have really been looked into in great detail, and the actual legislative and practical impacts seem to be minimal. A certain gap lies in the complete absence of any linguistic research into the discursive contributions by the AA in interviews with juvenile suspects, as will be discussed in Chapter 3.

2.7. The 17/18 divide beyond the interview

In the context of the legal process more broadly, the 17/18 divide is manifested in a multitude of ways, some of which will be discussed in this section. The embodiment of the child-adult divide and age-based ideologies become apparent in connection with personal privacy, suspects' treatment in police custody, and convicted persons' sentencing. Juvenile defendants in E&W enjoy the privilege of anonymity, and it is only in exceptional circumstances that the judge can decide to waive said privilege. A well-known and controversial instance of this was Mr Justice Morland's decision to lift reporting restrictions pertaining to the anonymity Jon Venables and Robert Thompson, the two boys who murdered two-year-old toddler James Bulger in 1993 when they were both just ten years old. Note that in E&W, identities are typically revealed, if at all, upon charge and not upon arrest. In the USA, adult and juvenile suspects routinely have their identity revealed to the public, even before they are formally charged with a crime. In the USA, public identification rules for juveniles are more restrictive than for adults; however; names of suspects are still frequently made public. Arrestees of any age are often subject to the so-called 'perp walk'. The perp walk denotes a controversial practice whereby the handcuffed and sometimes otherwise shackled suspect is led through a public place, often from a police vehicle or a

police station, whilst the media and members of the public are in attendance to document the event. This procedure is deemed to be especially harmful to vulnerable arrestees such as juveniles, and can harm their right to a fair process, including a potential trial.

In 29 US states, becoming an adult, i.e. turning 18 years old, means that one becomes eligible for the death penalty (Death Penalty Information Center 2020).[9] The death penalty for juveniles was officially abolished in 2005 following the Supreme Court decision in Roper v Simmons 543 U.S. 511 (2005). Thus, the harshest sentence that can legally be imposed upon a juvenile is life without the possibility of parole. The Supreme Court case of Miller v Alabama 567 U.S. 460 (2012) decided that *mandatory* life without parole sentences for juveniles violate the 8th Amendment that protects Americans from 'cruel and unusual punishment'. However, this means that life sentences without parole for juveniles are still legal and being handed down in 29 US states; two thirds of those sentences are passed in Pennsylvania, Michigan and Louisiana (Rovner 2019). With recent developments in terms of US Supreme Court decisions pertaining to sentencing laws for juveniles, as well as rising public awareness (and international criticism) of the United States' growing prison population and harsh sentencing laws overall, the number of juveniles receiving life without parole sentences is not as high as it used to be. Crucially, however, the child-adult age divide in the USA is very fluid and tends to get shifted around when under-18-year-olds commit violent crimes. The concept colloquially known as 'adult crime – adult time' has seen as many as 13,000 juveniles being tried in adult courtrooms rather than juvenile courtrooms annually throughout the nineties (Ruddell *et al.* 1998). Juveniles charged and tried as adults are subject to adult sentencing (bar extreme sanctions like the death penalty), which includes life without parole.[10] Juveniles sentenced as adults are in some cases sent to adult prisons, where they are largely denied access to education and rehabilitative programmes. This

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[9] Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, Nevada, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, and Wyoming.
[10] A Google News search for 'USA juvenile charged as adult' yields a steady stream of news stories of often 16- and 17-year-olds being charged and tried as adults in the USA.

practice of charging and trying children as adults begs the question of the validity of US Supreme Court decisions such as Miller v Alabama (2012), when a juvenile's age can simply be revised upwards and thereby their protections can be stripped away from them. In other words, US courts can circumvent provisions that are in place to protect juveniles by changing a juvenile's age for the purpose of a case.

The Crown Prosecution Service in E&W sets out that all juveniles charged on their own are to be tried at a youth court, which is a type of magistrates' court and has no jury. Youth courts further hold their proceedings behind closed doors, which is in line with the defendants' right of the suppression of their identity from the public. However, there are a number of exceptions to this rule. Juveniles can be tried at adults' magistrates' court only if they are indicted for a crime alongside an adult co-defendant (Magistrates' Court Act 1980, s.24). Youths must be tried at a crown court if the offence in question is homicide or certain firearms offences, and may be moved to an alternative venue in the case of a number of 'specified offences' as defined in the Criminal Justice Act 2003, s.224 (see also Sentlinger 2000).[11] Juveniles may stand trial in a magistrates' court or a crown court, and may be subject to receiving adult prison sentences (Powers of Criminal Courts (Sentencing) Act 2000, s. 91); however, the actual severity of the penalty is always individually calculated, taking into account aggravating and mitigating factors such as the guilty party's age, criminal record, admission of guilt, as well as the overall seriousness of the crime committed. Finally, convicted juveniles are routinely housed in a Young Offenders Institution until they are at least 20 years of age (Power of Criminal Courts (Sentencing) Act 2000, s.96-98). When considering the statutory provisions in E&W in contrast to the story of Tracey from Kentucky, discussed in the Introduction Chapter, it becomes apparent that while E&W and the US observe the 17/18 age divide, when it comes to incarceration the E&W judiciary errs on the side of caution by keeping 'newly adult' offenders in Young Offenders

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[11] A recent example is the May 2019 murder of Ellie Gould, whose 17-year-old murderer Thomas Griffiths who was sentenced at Bristol Crown Court to life with a minimum term of 12 years and six months. Reporting restrictions were lifted when Griffiths entered his guilty plea, despite his status as a juvenile (Morris 2019).

Institutions, whilst the US seems keen on moving detainees over to the adult side sooner.

This short discussion of international viewpoints pertaining to age-related legislation, with a focus also on the trial and sentencing aspect, has illustrated that legal conditions tied to a person's age have consequences far beyond the police interview. Whilst the focal point of this study is the language of police interviews, it is important to keep in mind the greater context of age-related legislation and the far-reaching effects of the statutory age divide.

2.8. Chapter summary

This chapter has presented a recent history of police interviews in E&W, and has introduced PACE as well as the PEACE framework of investigative interviewing. It has furthermore discussed in detail relevant age-related legislation both in E&W and in the US, and has pointed out the arbitrary nature of the age line between children and adults at the 17/18 threshold.

When transitioning overnight from child to adult, what can be interpreted as an *acquisition* of responsibility can also be regarded as the *revocation* of protective measures applied to underage persons. In particular when it comes to age-related phenomena in the context of police investigative interviews, it makes sense to consider the *revocation* of protective measures, because the vast majority of the laws and guidelines apply to all persons, regardless of age. It is then in addition to this basis that underage or otherwise vulnerable individuals are entitled to extra support and safeguards when navigating the legal system. In other words, the special measures that underage persons are entitled to cease overnight when a person turns 18 and therefore becomes a legal 'adult'.

3. RESEARCH BACKGROUND

3.1. Introduction

This chapter focuses on the academic background to this research project. It first presents a critical examination of literature in connection with institutional discourse, as well as the concept of language and power. Next, research on the language of police interviews is discussed, with special attention given to the police caution as a staple element of the PEACE interview. The chapter also covers discursive contributions by 'extra persons' in interviews, i.e. solicitors, interpreters, and AAs. The linguistic presence of solicitors and interpreters has been researched fairly extensively, whereas the role of the AA as part of the police interview is a virtually un-researched area. Finally, the language of police interviews with juveniles specifically is discussed, for its obvious relevance to the current study that involves child interviewees. In connection with juveniles, age-related vulnerabilities including suggestibility are discussed. The literature covers aspects that are of importance to the overall research question, as well as the more specific analysis topics.

3.2. Institutional discourse

Police interviews as a genre fall under the domain of institutional discourse. Depending on the researcher's field and epistemological stance, institutional discourse can be defined in different ways, as discussed by Haworth (2009). The definition of 'institutional discourse' used in this project is by Thornborrow (2002) and has been endorsed by other researchers in the same field of research (see Haworth 2006; MacLeod 2010). According to Thornborrow,

> […] institutional discourse can perhaps be best described as a form of interaction in which the relationship between a participant's current institutional role (that is, interviewer, caller to a phone-in programme or school teacher) and their current discursive role (for example, questioner, answerer or opinion giver) emerges as a local phenomenon which shapes the organisation and trajectory of the talk. In other words, what people do in institutional encounters is produced, overall, as a result of this interplay between their interactional and discursive role and their institutional identity and status (2002: 5).

Institutional discourse is dictated by a speaker's affiliation to an institution, but naturally the discursive event itself relies on interaction and is thus co-constructed by the speakers. Closely connected with institutional discourse is the concept of language and power. Once again, defining and describing the intricate relationship between language and power is no straightforward affair. In any case, for the purpose of this project, the definition by Fairclough (2015) will be used. Approaching the issue from a Critical Discourse Analysis perspective, he sees power as being contextualised 'both in terms of asymmetries between participants in discourse events and in terms of unequal capacity to control how texts are produced, distributed and consumed […] in particular sociocultural contexts' (Fairclough 1995: 1). This definition aligns with the understanding of institutional discourse held by many quantitative researches in forensic linguistics, in that it views power as a concept that is co-constructed between speakers and that the power relations are negotiated discursively.

Police interview discourse presents a classic legal-lay dichotomy; the interviewer is familiar with the institutional rules and norms and the associated language, which puts the interviewee in a weakened position both institutionally and discursively (Fairclough 2015; van Dijk 1993). This effect is true for any police interview, but it acquires an even more significant meaning when we consider interviews with persons suspected of having committed a crime, rather than persons questioned as witnesses. In fact, this power imbalance is perpetually reinforced by means of language (see Haworth 2009). Understanding the concepts of institutional discourse as well as language and power is of

crucial importance in order to be able to critically examine police interview data from a linguistic perspective. In the current study, it must be considered that the interaction between interviewer and suspect is not only marked by the legal-lay imbalance that is inherent to police interviews, but, in addition to this, by the adult-child asymmetry. The uneven distribution of power, both institutionally and discursively is thus reinforced by the superimposition of the two factors.

3.3. Language of police interviews

Police interviews represent a central part of the judicial process, for they (or rather, their record) frequently represent a highly important piece of evidence in a case. Interviews constitute *per se* an unusual communicative event, for what is produced in the conversation between the police and an interviewee only serves the present point in time to a small extent. More importantly, the interaction shapes and develops into legal evidence, intended for future audiences, such as investigating officers, as well as different parties in the courtroom including judges, barristers, and above all the members of the jury. Haworth (2009, 2010, 2018) has examined the journey of the interview through the judicial process in its different formats (spoken vs. written) and has explored how the different prospective uses are manifested in the interview discourse.

Much of the research into police interviews has been informed by psychological, quantitative approaches (Benneworth 2010: 139). This is a study firmly embedded in the field of forensic linguistics, and within it in the domains of both legal language and legal-linguistic practice. It is thus important to critically examine and acquire a good understanding of research that has been conducted into the *language* of police interviews that goes beyond descriptive analyses of the literal content. A substantial portion of the research into this topic is mainly based on interviewers' self-reflections and descriptions of their interviewing techniques (e.g. Dando *et al*. 2008; Kassin *et al*. 2007); however, for this section a conscious focus is put on previous studies that analyse real-life, authentic interview

data. This is mainly in the interest of accuracy, for previous studies have found self-reports and self-evaluations by interviewers to be inaccurate in that they do not corresponds with empirical research of authentic data (Clarke & Milne 2016: 101; Oxburgh *et al*. 2015).

Much of the existing research in the field of police interviews focuses on interactions between the main players, namely the interviewer(s) and the suspect. Analyses have been conducted on different questioning strategies (and with this the perpetual aim of devising a sound, linguistics-based categorisation of question types), and how they relate to and wield positive and negative effects on the information produced by the suspect (e.g. Oxburgh *et al*. 2010; Grant *et al.* 2016; Benneworth 2010; Haworth 2006; Edwards 2006; 2008).

In terms of overall approaches to questioning, Benneworth (2010) has observed what she calls 'open' and 'closed' approaches to interviews with suspected sex offenders. Closed interviews typically start with a narrative by the interviewer, which in turn provokes short answers (frequently denials) from the interviewees, as the manner of the question constraints the interviewee's answer possibilities dramatically. In open interviews, the interviewer poses short, open-ended questions, which allow the interviewee to be much less restricted and allow them to give narrative answers. As mentioned above, Benneworth (2010) attaches the qualifiers 'open' and 'closed' to the interview as a whole rather than just to the question types that are being used. The PEACE approach, which strongly promotes the use of open-ended question types, is therefore an example of an 'open' interview, in that it allows suspects to recite their own version of events.

Early research taking a qualitative approach based on Conversation Analysis was conducted by Watson (1990), who investigated interview data from the US involving suspected murderers. He examined the interactional structure of the interrogations and discovered various ways in which interviewing officers would assert their influence over the

conversation. This work must be considered in light of the previously discussed US way of interrogating suspects using the Reid technique. And yet, there exists research from the UK (Auburn *et al.* 1995) that also found interviewers' tendency to push for a seemingly objective truth, in other words a 'preferred version' of events. Similar persuasive strategies can also be found in other parts of the judicial process, such as the courtroom, where witnesses are being questioned by both the prosecution and the defence lawyers for the benefit of the jury (Cotterill 2003; Aldridge & Luchjenbroers 2007; Gnisci & Pontecorvo 2004).

Other research has looked at the vocabulary used during interviews. Gibbons (2003) argues that police use legal speech (or 'policespeak', see Hall 2008) in order to avoid misunderstandings considering the interview in the wider legal context. The lay word 'killing' can mean 'murder' or 'manslaughter' in legal terms, which present two very different circumstances. Heydon (2005) sees the legal language used by police in interviews as a means of negotiating power (see also Haworth 2006). Interviewers who skilfully insert 'policespeak' succeed in constraining possible answers that can be given by the interviewee; however, the same thing can happen involuntarily when legal jargon in a certain context is unavoidable. The findings of the two studies are by no means mutually exclusive, but instead illustrate the complexity of the environment of police interviews. On one hand, legal language is necessary in order to avoid ambiguity within the interview and further down the legal process (investigations, courtroom). On the other hand, it can be seen (and abused) as a disadvantage for the layperson, whose aforementioned fundamentally inferior power position can be further compromised. This complexity is also described by Johnson (2006), who recognises that police language is a 'hybrid form', which 'contains elements of both legislative and conversational language' (666-667). The legislative part refers to the highly specialised and technical language used by the police in order to minimise ambiguity. This precision is of paramount importance considering that the police's goal is not just to obtain a full account from the suspect, but also to match said account to the offence for which the

suspect has been arrested (Johnson 2006: 666; Heydon 2005). The conversational aspect of the police interview refers quite simply to the 'relatively conversational' register of the police interview (666).

3.3.1. The police caution: comprehensibility and comprehension

While the primary focus of this section is on the police caution used in E&W, some of the literature discussed is about the *Miranda* warning in the US. The wording of the *Miranda* warning is much less standardised than the one of the caution.[12] For the purpose of discussing the issues pertaining to the suspects' understanding of their rights, the insights are still applicable.

The police caution in E&W is a central element of any police interview, as well as a focal point of this study. To reiterate, the caution must be given to every interviewee regardless of age and status, and has the following wording:

> You do not have to say anything. But it may harm your defence if
> you do not mention when questioned something which you later
> rely on in Court. Anything you do say may be given in evidence.
> (PACE Code C, s.10.5)

The police caution, albeit comprised of only three sentences and 38 words, presents a complex structure. The middle sentence in particular can cause confusion. First of all, it starts with 'but' which 'effectively signal[s] the removal if the suspect's non-prejudicial "right to silence"' (Cotterill 2000: 6). It furthermore contains a conditional clause, '…if you do not mention…' and multiple embeddings: 'But it may harm your defence [if you do not mention [when questioned] something] [which you later rely on in court]'. Lastly, it contains legal, or otherwise unusual terminology, such as 'harm…defence' and 'mention'. As a result,

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[12] With the absence of an official *Miranda* wording, researchers have found 560 unique English versions of the Miranda warning being used across the US (Rogers *et al.* 2007).

many adults struggle or outright fail to understand the meaning and implications of the police caution (Cotterill 2000; Brown 1997).

The caution in reference to s.34 CJPOA tells the suspect to adapt their behaviour and participation in the interview at the present time on the basis of a potential scenario in the future, which is not an easy concept to get one's head around. It goes without saying that the problems in terms of comprehension of the caution by suspects have a strong tendency to escalate when the suspect happens to be a juvenile or otherwise considered vulnerable. This general stance is echoed by Morgan *et al*. 1991, who state that

> while rights were generally stated in a manner which would be adequate for comprehension by the "reasonable" man […] few suspects are in a reasonable frame of mind at the time (79).

As mentioned previously, PACE states that '[i]f it appears a person does not understand the caution, the person giving it should explain it in their own words' (Code C, Note 10D). How interviewers ought to find out whether suspects understand the caution is not discussed in PACE. Interviewers typically resort to simple comprehension-checking questions (henceforth CCQs), which take on a polar yes-no format, e.g. 'do you understand what the caution means?' The issue with such CCQs is easily conceivable, and was noted by Shuy (1997) in relation to the *Miranda* warning in the US:

> there is at least some evidence that suspects say 'yes' to the follow-up question about understanding their rights when they may, in fact, understand little of what the Miranda warning means (182).

The tendency to answer CCQs with 'yes', also known as 'gratuitous concurrence' (Eades 2015) is strong for any type of suspect, given their inferior positioning in the interview interaction. For juvenile suspects, who are subject to increased levels of suggestibility (see Section 3.3.4.1), the risk of engaging in this kind of linguistic behaviour is even higher. The

standard yes-no CCQ entails a bigger meaning in the cautioning context: the suspect, by affirming comprehension of the caution at the same time consents to exercising or not exercising their right to silence (Ehrlich & Eades 2016). When interactions such as the cautioning exchange or the information about legal representation are framed by interviewers as ritualised formalities, it is not surprising that suspects routinely give preferred, affirmative responses. Frequently, suspects are not aware what exactly they are consenting to. As Rock (2016) puts it, 'the request is apparently an institutionally mandated formality and made at a time that the hearer might feel compelled to acquiesce' (99). Rock's work on tick-box consent in policing is crucially important in this context; the term tick-box is used 'in a pejorative sense […] invoking bureaucratization, managerialism, or overly simplistic quantification of complex issues' (Rock 2016: 97). As will be shown in the data, the cautioning exchange is frequently framed as little more than a box that needs to be ticked.

CCQs are often put to the suspect following the official caution recital, and CCQs are effectively always answered affirmatively. Interviewers, instead of accepting this response as the truth, challenge the suspect by prompting them to explain the caution back to them (Clare *et al*. 1998: 328; Rock 2007: 159 for a typical cautioning exchange structure). The method of prompting the suspect to explain the caution back to the interviewer is based on research on classroom interaction, where the method is known as 'retelling' (Hoyt 2009; Fisher & Frey, 2015). In research concerned with Teaching English to Speakers of Other Languages (TESOL), comprehension checking is a vast area of study. Whilst classroom interactions and police interviews are fairly different contexts, TESOL research can still come in very useful, in that for a non-native English speaker trying to comprehend English texts (both oral and written) can be considered similar to a native English speaker trying to comprehend the complex and *legalese* police caution. In that sense, prompting suspects to retell in their own words what they had just heard when the officer recited and potentially reformulated the caution appears to be the most certain way to check a suspect's

comprehension. Retelling has the benefit of allowing the questioner to pinpoint exactly what the areas are that the interlocutor struggles with; however, in the police interview context this presupposes a suspect being able to explain their understanding of the caution, whether right or wrong, without being interrupted by the interviewer. In the vast majority of cases, suspects are unable to fulfil the reformulation task satisfactorily; however, it must be noted that this is not necessarily always because they do not understand the caution, but could be for reasons of being too shy or nervous for example (Rock 2012: 317). A failed explanation attempt by a suspect triggers Note 10D of PACE Code C and signals to the interviewer that a reformulation is needed.

The wording of the reformulation is not prescribed, which gives interviewers a level of linguistic freedom in terms of how they word their explanation of the caution. Rock (2007) has examined the sequence of caution reformulations, that is, the order in which interviewers recontextualise the three 'ideational sections' (Russell 2000: 33) of the official wording:

(1) You do not have to say anything.
(2) But it may harm your defence if you do not mention when questioned something which you later rely on in court.
(3) Anything you do say may be given in evidence.

Across Rock's (2007) dataset of 144 reformulations, she observed that 42% followed the original sequence 1-2-3, and 25% produced a re-sequenced reformulation 1-3-2; the remaining interviewers do not incorporate all three sentences, include sentences more than once, or show other anomalies (182-183). Many of her observations pertaining to the reformulation structure appear to be force-dependent (184). The analysis surrounding the cautioning exchange in the current study will not look at the structure of the reformulation in no greater detail than a brief examination of the reformulation based on the three caution

parts as listed above. An element that is examined in the reformulation context is the use of CCQs throughout and immediately following the paraphrasing.

Checking comprehension, then, is not an easy problem to tackle, regardless of the legislative background (Cotterill 2000: 20). In the case that a reformulation occurs, it often sounds equally as rehearsed as the caution itself, with the interviewer reciting their own personal explanation of the caution in the style of a text they have learned by heart. Bringing the matter of unhelpful caution explanations to a head is illustrated by an example from Cotterill (2000), where an interviewer's reformulation takes on the highly tautological form of 'we use the caution to caution people when they're arrested' (14). Interviewers who are very familiar with the technical and legal jargon used during police investigative interviews may well become oblivious to the fact that they can develop a tendency to communicate using 'policespeak' (Hall 2008). Policespeak is characterised in part by lexical items whose legal meaning differs from their everyday 'primary' meaning (e.g. 'caution', 'harm', 'mention'). This deviation can lead to misunderstandings between the interviewer and the suspect, which in the context of police interviews can have serious and far-reaching consequences.

Suggestions on how to address the problems of comprehension struggles and unsatisfactory reformulations include officially issued, standardised paraphrases of the caution, or an extended version of the caution which would, albeit of a higher world count, be more informative and easier to understand by suspects (Cotterill 2000: 21). The latter of these suggestions was tried and tested in the form of a version of the caution created specifically for intermediaries (interview support for vulnerable witnesses and victims). That version, from the Criminal Justice and Public Order Act 1994 consisted of 80 words and read as follows:

> You do not have to say anything. But if you do not mention now
> something which you later use in your defence, the Court may
> decide that your failure to mention it now strengthens the case
> against you. A record will be made of anything you say and it may
> be given in evidence if you are brought to trial.

The extended caution was scrutinised and criticised heavily and abolished after only a year after being implemented for being too complex (Cotterill 2000: 21). Today, only one official version of the caution is in use, and the interviewer is still free to paraphrase it in their own words when explaining it to the interviewee. The problems surrounding the comprehensibility and the comprehension of the caution remain.

The cautioning exchange is a staple part of the 'Engage and explain' stage, and this stage of the interview is also considered to serve as a good opportunity for interviewers to instigate rapport building (Walsh & Bull 2010). Analyses of authentic cautioning exchanges show, however, that interviewers tend not to employ rapport building tools and instead treat the caution alongside the other institutional provisions, as a mere formality (Rock 2016; Clarke & Milne 2016).

The issues mentioned in this section, namely the low comprehension rate in suspects and the claims by suspects that they do understand, are even more marked when suspects are vulnerable. For non-native speakers, the cautioning exchange is negotiated by means of an interpreter, which raises the level of interactional complexity (see Nakane 2007; Pavlenko 2008). For juvenile suspects, the comprehension of the *Miranda* warning has continuously been evaluated as poor (e.g. Oberlander & Goldstein 2001). Throughout adolescence and into early adulthood, linguistic abilities continue to develop (Nippold 1993); this includes semantic abilities such as the 'accurate comprehension and use of sophisticated vocabulary' and 'comprehension of figurative expressions with abstract or multiple meanings' (Goldstein *et al.* 2012: 301; Nippold 1993). In the context of the police caution, a young suspect is likely aware of the term 'harm' as meaning 'to inflict pain', but may not necessarily

understand its meaning when used in 'harm your defence'. As juvenile suspects are overall more at risk of suggestibility and gratuitous concurrence, it becomes apparent that CCQs are of little use for accurately checking their comprehension.

3.3.2. Rapport

In this study, discursive elements of rapport building and maintenance are examined overall throughout the analysis chapters. Especially in interviews with juvenile suspects, interviewers' uses of different terms of address and reference are of interest. It has been shown that good rapport between interviewer(s) and suspect can have a 'significant impact upon the overall quality of the interview and the interview outcome' (Clarke & Milne 2016: 106). Rapport is something that is strongly promoted in police guidance, despite not being clearly defined in either the legislation or police guidance. In the description of the 'Engage and explain' stage of the PEACE framework, it is mentioned that 'active listening' can help establish and maintain rapport; however, the guidance pertaining to rapport does not go beyond this statement (College of Policing 2013). Furthermore, interviewers are advised not to use 'inflammatory language' when challenging the account of an interviewee, as this can lead to a rapport breakdown (College of Policing 2013). No definition of rapport, or rapport breakdown, is given. Rapport is also listed as one of the four main elements of a sound investigative interview, alongside honesty, empathy and appropriate question types (Oxburgh *et al*. 2016: 145).

Abbe & Brandon (2014) have also investigated the issue of rapport in investigative interviewing. What becomes apparent in their research, as in the abovementioned guidelines, is that there is no definitive definition of what rapport is and what elements it entails; instead, various interpretations are employed by practitioners, rendering the matter inconsistent (Abbe & Brandon 2014: 208). This lack of definition is part of the reason why the issue of rapport does not receive enough attention in police training across the country (208). As a result, rapport is often not evident in recordings of suspect interviews (Hall

1997). Another reason for the lack of rapport can also be seen in many interviewing officers' lack of ability in viewing an interviewee as 'a human being', particularly when they are suspected of having committed serious crimes such as child murder or various sex offences (Oxburgh *et al.* 2015: 37).

One important finding is that rapport is a social construct, in other words it needs at least two participants in order to take place (Abbe & Brandon 2014: 209). Whilst it can be, and often is, initiated by one person, unless it is reciprocated by another person, it cannot be built up, let alone maintained. This factor is also reflected in Walsh & Bull (2010), who found that even if rapport was successfully established in the beginning stages of an interview, it is rarely kept 'alive' and tends to be neglected at later stages. In other words, it is important to remember that rapport is not self-sustaining and must be perpetually reinforced by means of discursive interaction.

Psychologists Tickle-Degnen and Rosenthal came up with their Theory of Rapport in 1990, which is to this day considered the most comprehensive theory of rapport in use. According to them, there are three elements that are necessary in order for rapport to develop, namely mutual attention (i.e. the degree of involvement that the parties each experience), positivity (i.e. mutual respect) and coordination (i.e. pattern of reciprocal responses between the parties, this may reflect synchrony, complementarity or accommodation, depending on the context) (Tickle-Degnen & Rosenthal 1990; Abbe & Brandon 2014: 209). A prominent element of rapport, especially during police interviews, is terms of address. Addressing suspects by their preferred name and title can have a significant impact on the overall success of an investigative interview (Walsh & Bull 2012: 74; Griffiths 2008).

Based on the Theory of Rapport and considering the narrower context of police investigative interviews, seven techniques can be employed by speakers in order to achieve

the three elements (Abbe & Brandon 2014): immediacy behaviours, active listening, mimicry, contrast, self-disclosure, common ground as well as contact and persistence (209-212). Here, the assumption is made that the interviewer is attempting to develop rapport with the interviewee; in other words, the interviewer is the instigator.

Immediacy behaviours are non-verbal and include actions such as leaning forward, making eye contact and more generally attaining an open posture towards the interviewee in order to signal attention and engagement. Active listening is characterised by frequent back-channelling, personalisation of the conversation by using the interviewee's (preferred) name or title (see Brown & Levinson 1987). Mimicry refers to the very subtle mirroring of the interviewee's non-verbal behaviour, whereas contrast is the opposite of this, i.e. the interviewer subtly contrasts the interviewee's non-verbal behaviour. Contrasting has been found to be beneficial when applied to behaviour related to status and control, seeing as those tend to invite complementary responses. For example, if one speaker exhibits a dominant posture, the second one tends to take on a subversive one, in other words complements the first speaker's behaviour rather than mirrors it.

Personal disclosures should absolutely be disconnected from the subject matter of the case at hand; instead, an interviewer may reveal some autobiographical details. It has been shown that self-disclosure can lead to less misinformation being reported (Abbe & Brandon 2011: 211). Furthermore, according to Stokoe (2009), self-disclosure allows both parties to build social identities, which can temporarily overtake the given interviewer and suspect identities. Common ground can be a result of self-disclosure, and refers to the instance when both parties share some of the same values and views, or share similarities such as a geographical or educational background. Contact and persistence refers to the fact that the more an interview takes place between the same two parties, the easier it is for the interviewee to feel 'comfortable'. A repeat interview between the same interviewer and suspect has the benefit of an already existing familiarity between the two.

Overall, rapport can be seen as 'necessary but insufficient means to a successful investigative interview' (Abbe & Brandon 2014: 112). In other words, an interviewer's ability to instigate rapport, and for both parties to develop and maintain said rapport, is an important part of any investigative interview; however, on its own it does not automatically mean that the interview will be successful. When interviewing vulnerable interviewees, rapport instigation during the 'Engage and explain' stage is furthermore beneficial to the interviewer, in the sense that they can familiarise themselves with potential 'communicative limitations' (Milne & Bull 2001) on the side of the interviewee (Milne & Bull 2006: 17). Particularly when interviewing children, the importance of rapport is emphasised (La Rooy *et al*. 2016: 66; Ministry of Justice 2011: 65).

The aforementioned techniques are ones that have been deemed beneficial for building and maintaining rapport, and the inclusion of them in police training nationwide is of utmost importance. In addition to this, there are some set factors that can affect rapport in an investigative interview setting, the most prominent being the interviewer's personality (Abbe & Brandon 2014: 213; Clarke & Milne 2016: 113). Regardless of a person's professional face, personal characteristics such as being an introvert vs. an extrovert or being empathic or not can have a big impact. If those traits are shared by both parties, better rapport has been shown to develop (Abbe & Brandon 2014: 213). Depending on quickly-assessed traits of the suspect, an interview coordinator then has the ability to match that suspect with an interviewer who is most similar, in order to maximise the potential of good rapport. Some of the rapport features outlined in this section will not be part of the analysis, for the simple reason that visual data is not available in this dataset. Discursive correlates of rapport that are subject to examination in this project include active listening, which can be linguistically manifested by means of frequent back-channelling. In addition to this, the politeness strategy of using the interviewee's preferred name as a terms of address is also part of this element. A further rapport feature is personal disclosure, which can take on various discursive forms. The aspect of contact and persistence can be manifested by means

of discourse, for example in the case of explicit reference to previous interviews with the same interlocutors.

3.3.3. Contributions by 'extra' persons

This section will briefly examine discursive contributions by three types of extra persons to the interview. The section starts with discussion of solicitors' and interpreters' contributions, before moving to the (linguistic) role of the AA. Having a clear understanding of how the linguistic presence of persons other than the primary interlocutors (i.e. interviewer(s) and suspect) affects the interaction is of crucial importance for the critical evaluation of contributions by AAs in interviews with 17-year-old suspects.

3.3.3.1. Solicitors

Stokoe & Edwards (2010) and Edwards & Stokoe (2011) have examined police interviews where legal representatives are present and have studied how they interject during a conversation and how this affects the structural organisation. Theirs are some of the first linguistic studies that investigate contributions not from the main players, i.e. interviewer(s) and suspect. Stokoe and Edwards use Conversation Analysis tools to examine the 'location, design and action orientation' of the solicitors' interjections, that is, contributions prompted by their client (i.e. the suspect), spontaneous advice, and repairs (Stokoe & Edwards 2010: 158, 167). Suspects intending to (or, following their solicitor's advice not to) provide no answers to the police, in other words do a 'no comment' interview, can find this endeavour surprisingly difficult. In other words, *not* answering a question is inherently counterintuitive, and thus solicitors can find themselves having to interrupt and remind their clients not to provide answers. Police may try to pose questions that are slightly more provocative, in hopes of obtaining some kind of a reactive response from the suspect. The effect of the blanket statement about the right to remain silent at the beginning of the interview can 'wear off' over time, and in those cases it can be helpful for the suspect to have a solicitor present to remind them of their strategy. All suspects are entitled to free and independent legal

representation during police interviews, and, as discussed above, child suspects are obliged to have an AA present. This means that in all ten interviews with 17-year-old suspects in the dataset of this project there is a parent/guardian or a social worker/volunteer present in addition to the interviewer(s) and the suspect. An interesting extra layer when looking at AAs rather than solicitors is the legal/lay dichotomy. Solicitors are familiar with the legal system and therefore part of the former category. The categorisation of AAs into familial vs. non-familial also means splitting them into lay vs. (quasi-)legal. Parents and guardians can be assumed to be unfamiliar with the processes of the judicial system, whereas social workers and volunteers can be assumed to be at least somewhat familiar with the nature of the judiciary.

3.3.3.2. Interpreters

This discussion will not focus on the practicalities of sourcing interpreters, but instead look at how their presence and participation according to PACE Code C s.13 affects the conversational structure (e.g. Gallai 2013; Kredens 2017). Some institutionally required elements are provided especially for speakers of languages other than English; e.g. the police caution and its official wording is available in 54 languages as part of the written information given to detainees (PACE Code C, s.3.2; Home Office 2013). Interpreters in interviews reshape the structure of the interaction fundamentally, as there is no direct discursive contact between the interviewer and the suspect. Instead, a method called liaison interpreting is employed, in which 'a primary participant [e.g. the interviewer] will speak in "chunks" of, say, 10 seconds, wait until the interpreter has translated [for the suspect] then speak for another 10 seconds and so on' (Russell 2002: 116). When the suspect provides their answer, the same system is used. The interpreter in this context is not simply a 'mechanism' that the spoken text gets fed through; instead interpreters take on a role of facilitator or mediator, in that they co-construct the text alongside the primary speaker (Wadensjö 1998).

Interpreters in suspect interviews are expected not only to translate between two languages but also between the interviewer's and the suspect's respective social spheres (Russell 2002: 117), which both come with their individualised registers. The interviewer's institutional status means a higher register in comparison to the suspect's lay register available in the context of the interview. Hale (1997) refers to this dichotomy as a 'clash of world perspectives' (197). The AA, in observation of their duty to 'facilitate communication', can perhaps exaggeratedly be considered a stand-by interpreter for register misalignments. The data show instances of AAs being explicitly brought into the conversation to help reformulate interviewers' questions in a way that the suspects can understand, as well as occurrences of AAs being implicitly prompted to simplify interviewers' contributions.

3.3.3.3. Appropriate adults

As was mentioned in the previous chapter, the role of the AA can be taken by either a parent/guardian, or a social worker/volunteer. There exists research examining both familial and non-familial relations to the suspect; however, it focuses on the more practical aspects of this special measure. According to Haley & Swift (1988), social workers are easier to track down and contact than parents; however, parents are, once they have been located, quicker to arrive at a police station than social workers (Brown *et al.* 1992; Evans & Rawstorne 1994). Considering the time pressure that police often have to work under, it is understandable that convenience and efficiency in contacting and securing the required support is paramount, but it appears that there are no significant benefits of one group of AAs over the other in this context.

Observations by Bucke & Brown (1997) suggest that familial AAs show a tendency to be 'unclear about their role' and when they are instructed by police they are 'finding it hard to put [it] into practice' (10). This comes after previous researchers have found that AAs of both familial and non-familial relationships regularly experience difficulties in

fulfilling their role (e.g. Palmer & Hart 1996; Evans 1993; Brown *et al*. 1992), and very often the issues are based on the ambiguous (Thomas 1995; Palmer 1996) and somewhat contradictory (Dixon *et al*. 1990; Fennell 1994) definition of what the AA's role exactly includes.

Research about AAs 'on the job' is preponderantly based on observations in custody areas, excluding the interview room (Bucke & Brown 1997), or on anecdotal evidence, interviews with AAs, and questionnaires (Pierpoint 2006). Even in research where AAs' actual contributions are examined, they are typically coded in broad categories and analysed quantitatively (Evans 1993). Evans' (1993) analysis is based on police transcripts from six police stations within one force. It reveals an overall tendency for AAs to be passive observers and not to contribute to the interview verbally at all (74.8%). This finding is reflected in Farrugia & Gabbert (2019), who note that 'the passivity of the appropriate adult coupled with the complexities of the vulnerable suspect could present a clear challenge in the criminal justice system' (139). Evans (1993) coded AAs' contributions into categories such as 'supportive' and 'unsupportive', seemingly without analysing the turns more in-depth or taking into account the conversational context they are produced in; Farrugia & Gabbert (2019) coded 'actual interventions' and 'missed interventions' by appropriate adults. Both studies are rooted in quantitative methodologies and thus do not provide a detailed insight into the discursive elements. Evans (1993) also observes a certain level of 'hostility' directed at both children and police by familial AAs: children are being rebuked for getting into trouble, the police are criticised for depriving a juvenile of their liberty. In both of these cases it appears a suboptimal trait to have for an AA; however, it is not described specifically how exactly this hostility is manifested discursively. Medford *et al*. (2003) find that in 79% of cases AAs get the PACE description read to them by way of instructions as to their role. Medford *et al*. (2003) further promise to be the 'first study that has examined in detail the contributions that the AA makes in the police suspect interview process' (264) but it becomes apparent quickly that the authors also seem to disregard the discursive context of

each contribution. Using interview data with juveniles as well as vulnerable adults from 1997, they assign each AA contribution a code based on the three descriptions from PACE, 'advise suspect', 'observe interview is being conducted properly and fairly' and 'facilitate communication', as well as the objective of 'protect welfare' (Medford *et al.* 2003: 258). This design is somewhat flawed in as much as it does not provide clear definitions of these objectives; a serious problem that has been identified numerous times previously. It further appears unsafe to assign each turn to one of the four objectives, for in terms of pragmatics it can be assumed that one contribution's illocutionary force can cover multiple objectives.

The monograph 'Vulnerability in police custody: police decision-making and the appropriate adult safeguard' (Dehaghani 2019) constitutes a timely contribution to this particular field of research, particularly when it comes to how vulnerability is defined when it is not considered 'default' such as in children. The socio-legal approach is principally ethnographic, in that qualitative data used in the study were collected though 'semi-structured interviews [with custody officers] and non-participant observation [...] at two custody suites in England' (Dehaghani 2019: 3). The study thus offers an interesting insight into the custody environment and reveals officers' attitudes towards the AA safeguard. Dehaghani notes discrepancies between officers' statements in the research interviews and things that were overheard during the observations (2019: 3). It should also be noted that previous research has uncovered that police officers' perceptions of their own practices (i.e. self-assessment given in research surveys or interviews) are frequently inaccurate, and do not reflect officers' actual, 'operational' behaviour inside the interview room (e.g. Hill & Moston 2011; Dando *et al.* 2008; Kassin *et al.* 2007).

Dehaghani's (2019) work focuses primarily on the implementation of the safeguard and officers' perceptions and assessments of who counts as 'vulnerable'. The statutory criteria of vulnerability in adults are somewhat murky, and the ultimate decision whether or not to classify an adult as vulnerable rests with the custody sergeant. In connection with

juvenile vulnerability, two officers' interviews reveal interesting attitudes towards the *ipso facto* status of juveniles as 'vulnerable':

> A lot of the juveniles are effectively wrong people who have done something and basically they want their parents here out of choice…the difference with the juvenile is that they're not vulnerably necessarily unless they're vulnerable juveniles. But if you take a normal juvenile, just by virtue of their age, they are deemed vulnerable by law, but they're not necessarily vulnerable by nature (Dehaghani 2019: 128).

The disputed nature of the vulnerability of juveniles is also exemplified by another subject in Dehaghani's research, who ponders: '[t]here are juveniles that you wonder whether or not really do need somebody sat with them. But we have no discretion on that' (2019: 128). If the default vulnerability of juveniles is disputed, then perhaps the default non-vulnerability of adults ought to be questioned too. Granted, adults are assessed for signs of vulnerability; however, the criteria for this are set at a high bar (e.g. *diagnosed* mental disorder or learning disability). The current report from the National Appropriate Adult Network notes that during the 2017/18 period[13], the need for an AA was ordered for only 5.9% of adult detainees (Bath 2019: 31). This is a steep increase from previous testing periods, e.g. in 2013/14, AAs were deemed necessary in 3.1% of interviews, and in 2012/13 in only 2.7% (Bath 2019: 31). Having said this, there still exists a vast disparity between the number of AAs ordered and the number of adults in police custody with mental disorders or learning difficulties. Research has indicated mental vulnerability to be prevalent in around 35% of adults (Gudjonsson *et al*. 1993). More recently, McKinnon & Grubin (2013) found that, according to clinical interviews, 38.7% of adults in custody have mental disorders; 25.6% of adults suffer from psychosis, major depression, and other severe conditions that can inhibit detainees' capacity to consent (McKinnon & Grubin 2014). To illustrate the discrepancy, picture Suspect A, a 17-year-old who, as is statutorily prescribed, gets assigned an AA as a matter of course, regardless of any mental disorders or learning disabilities. 18-year-old

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[13] Records relate to one-year period ending on 31/03/18 (Bath 2019: 5).

suspect B, who is potentially only a day older than suspect A, may not to get assigned an AA at all even if he has a mental disorder or learning disability, depending on the assessment by the custody sergeant in charge.

This brief excursion has illustrated the challenges concerned with (default) vulnerability in police contexts. While crucial research on the AA safeguard and aspects of vulnerability in the legal system has been conducted in the fields of psychology, criminology, psychology, and law (e.g. Pierpoint 2004, 2006, 2008, 2011; Dehaghani 2017, 2019; Littlechild 1995; Pearse & Gudjonsson 1996; Cummins 2011; Williams 2000a, 2000b; Robertson *et al*. 1996) very little is known about the discursive role of the AA in the actual interview setting. Applied linguistics research, and more specifically forensic linguistics research, relies on real-life interview data, and the current research makes an important and timely contribution in this context.

In terms of its impact on the conversational structure of the interview, the role of the AA is more similar to that of the solicitor than that of the interpreter. AAs are not expected, or indeed required, to contribute throughout the full interaction. The verbal role of the AA and the solicitor in comparison to that of the interpreter is much more passive. Having said this, the data will show that AAs sometimes engage in discourse that is structurally similar to an interaction with an interpreter (see Figure 4 in Chapter 4). This happens when an AA takes on a kind of interpreting role when translating the interviewer's policespeak into lay language for the benefit of the suspect.

Previous research examining AAs from legal, criminological, and psychological perspectives provides us with important findings pertaining to the role of the safeguard in more abstract terms. Research dedicated to AAs' contributions inside the interview room is largely linguistically uninformed and does not go beyond semantic observations. The current

study thus provides the first linguistic analysis of the AAs' discursive presence inside the interview room.

3.3.4. Interviews with juvenile suspects

PACE Code C states, in connection with vulnerable interviewees, that

> Although juveniles or vulnerable persons are often capable of providing reliable evidence, they may, without knowing or wishing to do so, be particularly prone in certain circumstances to providing information that may be unreliable, misleading or self-incriminating. Special care should always be taken when questioning such a person, and the appropriate adult should be involved if there is any doubt about a person's age, mental state or capacity. Because of the risk of unreliable evidence it is also important to obtain corroboration of any facts admitted whenever possible (Note 11C).

Interviewing children in the context of a police investigation can be a challenging endeavour. Research on investigative interviews with children has thus far primarily focused on witness interviews, arguably because it is a more common occurrence for children to find themselves in the position of a victim/witness as opposed to a suspect. This section thus relies, at least in part, on witness interview research, because studies on interviews with child suspects, in particular in the E&W jurisdiction, are virtually non-existent.

Research on both child witnesses and suspects was conducted by Redlich *et al*. (2008). However, the study presents an experimental setting and reports on undergraduate participants' perception of child victims and suspects on the basis of fabricated police transcripts. As such, no useful insights into the interview discourse are given. Furthermore, the oldest 'child' victim/suspect persona in the experiment is only 14 years old.

Two informative sources in this context are works by Milne & Bull (2006) and more recently La Rooy *et al*. (2016). The former focuses on child victims in interviews, the latter

on child witness interviews. They are both theoretical papers and offer good insights from both a linguistic and psychological perspective. When looking at children in any research context, it is important to note there are basic differences between the brain of a child and that of an adult (Milne & Bull 2006: 14). The human brain will have reached between 80% and 90% of its adult size by the age of five (Dekaban 1978); however, as mentioned in the previous chapter, the human brain is not fully developed until a person reaches their mid-twenties (Gogtay *et al.* 2004; Tyler 2015). Whilst certain parts of the brain of 17- and 18-year-olds are still developing, certainly no neurological changes occur overnight. Furthermore, 'children' do not constitute a uniform group of people but instead individual persons with individual stages of development and characteristics (La Rooy *et al.* 2016: 58). To reiterate, considering the highly individual, on-going cognitive development of the brain in adolescent persons, it can be concluded once again that a strict dividing line between childhood and adulthood is not realistic and in fact arbitrary. This refers, amongst others, to neurological, physical, cognitive, and linguistic aspects of development.

The aim of an interview with a child is the same as that of an interview with an adult, namely, to gather as much information as possible to assist further investigations (Milne & Bull 2006: 8). ABE (Ministry of Justice 2011) sets out guidelines for appropriate interviewing techniques for children and other vulnerable witnesses. Whilst no direct sources are listed in the document, meaning that it is unclear as to what findings the guidance is built upon, the guidance appears to be informed more by forensic psychology than by any other field. References to language, for example, are only made in connection with British Sign Language and foreign language interpreting.

Before an interview with a child, the interviewer should assess the child's mental and linguistic competences and lay down ground rules for the interview process as part of the 'Planning and preparation' stage (La Rooy *et al.* 2016: 65). This assessment can be done by means of inquiring about how best to communicate with them, which in turn can help

build rapport between the parties (Milne & Bull 2006: 16). Another important aspect of this phase is ensuring that the child fully understands what the purpose of the interview is and what the ground rules for the subsequent conversation are (La Rooy 2016: 65). Children typically understand the social implication of a question-answer sequence from an early age (La Rooy 2016: 63); however, at the same time many children perceive any authoritative figure as 'all-knowing' and are prone to go along with whatever they propose (Milne & Bull 2006: 17). This attitude can harm the course of an interview in two ways. The first is that children may see themselves as merely being present in order to verify a story rather than to tell their own (17). It is hence of crucial importance for the interviewer to establish the interviewer's and interviewee's respective roles (Milne & Bull 2006: 17; La Rooy 2016: 64). The second is that children, based on their understanding that a question requires an answer, may not see 'I don't know' or 'I don't remember' as appropriate responses, which constitutes another point that must be made clear from the side of the interviewer prior to the start of the interview (Milne & Bull 2006: 19; La Rooy *et al*. 2016: 65).

Considering the main part of the interview, La Rooy *et al*. (2016) have compiled a number of linguistic factors that can impact the process and thereby affect the quantity and quality of information obtained from the suspect: the factors are phonology, vocabulary, time, syntax, and voice. In terms of phonology, it is important for the interviewer to understand that a child's ability to produce phonemes is the result of a much slower learning process than accurate phoneme perception (59). Whether this is an issue that can still be observed in older children can only be speculated upon. It presents another example of where no age specification beyond 'children' is given, but it can be assumed that this issue is largely pertinent to younger children.

Connected with the phonological development is the standard use of vocabulary (60). This is also highly dependent on a child's upbringing, such as the level of literacy in parents and people in the immediate environment. It has been shown that suspects overall are

often of a lesser intelligence and from poorer and more uneducated backgrounds than witnesses (Grisso *et al*. 2003 in: Redlich *et al*. 2004: 112; La Rooy *et al*. 2016: 60). In other words, suspects are often from backgrounds where literacy and more generally education are of a lower standard. This can negatively affect a child's linguistic abilities, which presents a deficit that can roll over into adulthood, too.

Another factor that can affect a child's understanding of vocabulary items being used is an unfamiliar context. A common feature of legal language is that 'everyday' expressions can have specific meanings in the legal context, such as for example the word 'address'. A child may be familiar with what an address is, but may be unable to make sense of a question such as 'how long were you at that address for?'. In other words, the meaning of a word may only be clear in a specific context but not when it is removed from it (La Rooy *et al*. 2016: 60). This phenomenon was already observed by Bornstein *et al*. (1998), who examined vocabulary production in children around 18 months old. Although child witnesses are getting younger as more advanced interviewing techniques are being developed (see Marchant 2013), this example illustrates the potential dangers of applying findings from one 'child' study to other environments involving 'children', as the age spectrum is so vast.

The interviewer must furthermore be aware of the difficulty that can arise when children are dealing with the concept of time (La Rooy *et al*. 2016: 61). Overall, Friedman (2014) states that 'accuracy of reconstruction should increase between childhood and adulthood' (404). Earlier research (Friedman 2007) investigates memory reconstruction with reference to time in children and adults, whilst dedicating a substantial part of it to the developments observed during adolescence. Upon further inspection, it becomes apparent that the oldest participant of the 'adolescent' data set is 13 years of age. 'Adults' are no further defined in terms of their age; however, assuming that they are considered 18+ leaves a substantial 4-year gap in his data. This illustrates once more that juveniles towards the

upper end of their age group are often not represented in vital research.

With regards to syntax, it has been proven beneficial for the course of an investigative interview to keep questions as syntactically simple as possible, and particularly to avoid the passive voice (La Rooy *et al*. 2016: 61). This is based on research by De Villiers & De Villiers (1974), who conducted analyses of children's syntactic developments, including their understanding of the active and passive voice outside the institutional context. Again, however, the subjects in this study were considerably younger[14] than the 'average' child in a police interview and considerably younger than the suspects I intend to research in my study. Complex questions have previously been shown to be counterproductive in interviews with adults, and it can be assumed that the challenge for children would be even bigger. In terms of pragmatics, it is notable that in children, topic management is not fully developed, which can result in them jumping back and forth between topics without properly signalling or initiating (Poole & Lamb 1998). This is a factor that the interviewer must take into account when interviewing children.

At the end of the interview when the relevant information is summarized, the interviewer is encouraged to use formulations such as 'as you told me...' in order to make the story that of the child (La Rooy *et al*. 2016: 64). The interviewer should aim to leave a good impression on the child in order to promote future collaboration (Oxburgh *et al*. 2016: 145). Furthermore, the child should be invited to provide any final additions to their account; this is particularly important for children since they often do not remember everything the first time they are being questioned (Milne & Bull 2006: 20).

Research examining actual interview data with juvenile suspects is overall scarce. Worden & Meyers (2000) examine encounters between law enforcement and juveniles in the

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[14] The linguistic developments and abilities of the child subjects in De Villers & De Villers' (1974) study are not measured by the children's age, but rather by the Mean Length of Utterance (MLU) they are able to produce. Children mentioned in this particular study measure MLUs between 1.00-2.00. According to the MLU – age conversion this corresponds to children of not much older than 2 years old (Williamson 2014).

USA by means of in-person observations. The only references to formal questioning of the suspects come in the form of 'field interrogations', which take place prior to, or sometimes in lieu of an arrest. A more insightful study comes from Cleary (2014), who presents an analysis of 57 video-taped interrogations with juveniles from across the US. The age range of the suspects is 13-17, which means it is the only published research that includes 17-year-olds (Cleary 2014: 275). The analysis looks at features such as the layout of the interview room, the people present during the interview, the duration of the interview, whether the suspect is restrained or whether the interviewer is armed, amongst others. Bearing in mind the different laws regarding juvenile interrogations, it is perhaps not surprising that only 31 out of 57 interrogations saw a parent (21 interviews), two parents (3 interviews) or an 'interested adult' or social worker (3 interviews) present (Cleary 2014: 255). In almost half of these cases, the adult was only present for less than half of the interrogation before leaving as a result or being requested to do so by either the juvenile or the interviewer (277). Whilst this study provides some insights into interrogations with juveniles in the US, which allow for some interesting comparisons in terms of the parental presence, the interrogations are not analysed in terms of their discursive content or interactional structure.

3.3.4.1. Suggestibility and gratuitous concurrence

Throughout the whole police interview, interviewers must be aware of children's and other vulnerable interviewees' increased risk of suggestibility, acquiescence and compliance. (O'Mahony *et al*. 2012: 303). Suggestibility has been defined as 'the extent to which, within a closed social interaction, people come to accept messages communicated during formal questioning, as the result of which their subsequent behavioural response is affected' (Gudjonsson & Clarke 1986: 84). In the police interview concept, a vulnerable interviewee is hence likely to accept what a police officer says, even if this does not correspond with the truth. Similarly, acquiescence refers to an interviewee's tendency to answer questions with 'yes', regardless of what is being asked (Cronbach 1946). This tendency has been found to be culturally distinctive, with Aboriginal English-speaking people in Australia often giving

affirmative responses to questions. For Aboriginal people, replying 'yes' to a question does not signal agreement, or even that they have understood the question (Eades, 1994, 2012). This phenomenon of replying 'yes' is known as 'gratuitous concurrence' and is used by linguistically and culturally oppressed people in a broad sense (Eades, 1994, 2015: 47). Naturally, gratuitous concurrence can easily result in an interviewee providing contradictory and therefore unusable information. According to Gudjonsson (2003), interviewees provide 'yes' as an answer because it appears to them to be the most plausible one. In other words, in can be argued that an acquiescent answer is seen by the speaker as somewhat of a 'safe bet'. Compliance, as discussed by O'Mahony *et al*. (2012), has a specific significance in police interviews; a compliant interviewer 'may go along with a particular idea even though they disagree with a given statement' (303). This is done in an attempt to avoid conflict and get out of the stressful situation that is the police interview. An important point to note here is that compliance is not the same thing as cooperation: an interviewee who only provides 'no comment' answers is cooperative with regards to the interaction, but not compliant with the interviewer's agenda.

ABE (Ministry of Justice 2011) includes the abovementioned concepts explicitly, in order to remind practitioners to be aware of potential inconsistencies resulting from a vulnerable interviewee's increased suggestibility, acquiescence and compliance. Special measures for vulnerable interviewees are also discussed, as briefly mentioned earlier, in the PEACE manual. Another source that refers to the issue is the aforementioned document *The 7 Principles of Investigative Interviewing*, which was introduced in the early 1990s (Curtis 2013). Most relevant for the current research is principle (ii): 'Investigators must act fairly when questioning victims, witnesses and suspects. Vulnerable people must be treated with particular consideration at all times' (College of Policing 2013).

What stands out about these rules and regulations is the fact that, whilst awareness is raised and police interviewers are reminded of their responsibilities, few sources offer actual

guidance as to how to deal with vulnerable suspects. For witness and victim interviews, ABE (2011) provides some advice. No equivalent document can be found for interviews with suspects, although it can be argued that many items discussed in witness/victim sources are also valid for suspects.

3.4. Chapter summary

Overall, all interviews must be conducted in an appropriate manner by fully trained interviewers, and this becomes even more important when dealing with children or other vulnerable interviewees (Milne & Bull 2006: 20). In this context, it is important for an interviewer not to rush the interviewee into answering questions, for vulnerable persons are likely to require more time to understand, process and answer a question (15). Furthermore, an interviewer must be aware that vulnerable persons often have a limited concentration span, meaning that regular breaks are necessary (15).

To summarise, the ultimate goal in any interview is to 'balance the needs of law enforcement with the best interest of children' (La Rooy *et al*. 2016: 58). However, as mentioned earlier, it is not surprising that this is an often nearly impossible balancing act. Guidance for the police, such as ABE (2011) 'does not constitute a legally enforceable code of conduct', which means that whilst interviewing officers are encouraged to follow the proposed guidelines, they are not legally obliged to do so. As a result, it can happen that approaches are taken which are less than favourable for the vulnerable interviewees.

What is striking about the child interview literature is that there is often no specification as to what age of children we are dealing with. The literature is typically focused more on the lower end of the age groups, both for witnesses and suspects. Older children are very rarely directly discussed; instead the research appears to be looking at young children and interviewers' potential struggles with questioning them. It can be argued that whilst some of the suggestions from the literature do apply to all children (in particular

observations in connection with the special measures imposed by the law), others are indeed aimed at young children and the use of them in an interview with a 17-year-old could be counterproductive. It appears that this phenomenon has thus far largely remained unquestioned. One potential reason for this might be that in terms of semantic prototype theory, on the typicality scale for the category 'child', a 10-year-old person ranks higher than a 17-year-old (Rosch 1975). This lack of representation of adolescents in the literature strongly suggests that this is in fact an under-researched area that requires attention.

4. METHODOLOGY

4.1. Introduction

The overarching research question of this project is: *What can be observed in terms of the discourse of police interviews with suspects aged 17 and 18, and how do these observations relate to the two age groups' respective statutory statuses?* As was discussed in Chapter 2, 17- and 18-year-old suspects are, due to their respective statuses as 'children' and 'adults', subject to different legal provisions when it comes to the way in which the police are instructed to conduct interviews. The current research project is dedicated to exploring the ways in which these legal provisions affect the language used in the interviews. An initial appraisal of the data has revealed the following three sub-questions, pertinent to specific elements of the interviews, as outlined in the Introduction Chapter:

> *(i) How do participants in interviews with 17- and 18-year-old suspects discursively orient to age?*
> *(ii) How is the caution administered and reformulated to 17- and 18-year-old suspects?*
> *(iii) How does the (linguistic) presence of the AA affect the discourse in interviews with 17-year-old suspects?*

The methods employed to answer these questions are discussed in the current chapter. It opens with some considerations on epistemological positioning, before presenting the analytical tools used in the current research project. The subsequent section provides a detailed description of the research data, its collection process and its properties. The chapter concludes with a discussion of the data transcription process. In order to answer the research questions thoroughly, a multi-method approach using tools from Conversation Analysis (CA) and Critical Discourse Analysis (CDA) is taken. Perhaps the most elementary tenet of CA is its demand for 'naturally occurring language' (Wodak & Meyer 2001), which is why the data for this research are 19 real-life police interviews. In other words, rather than starting with a dataset and applying a rigorous methodology to it, in this research project it is

the overall methodological approach that postulates the type of data used. Once data of the appropriate type are obtained, the CA approach is highly inductive with the intention of 'letting the data speak'. This data-driven approach allows the researcher to identify the most salient issues, and thus choose the most fitting individual analytical tools.

4.2. Research paradigm

The project, like much of forensic linguistic research, is embedded firmly in the field of applied linguistics. The position of applied linguistics as 'the theoretical and empirical investigation of real-world problems in which language is a central issue' is taken on mainly for its real-life relevance (Brumfit 1995: 27). As Roberts (2003) states, fields like CA show a tendency to 'reject practical relevance and see 'applied' as meaning application to different settings only (133). In other words, hard-line CA scholars would argue that the wider (institutional) context is of little to no relevance to an interaction beyond explicit verbal orientations that emerge out of the discourse (e.g. Schegloff 1997). However, not only is the extent of this reluctance to consider the context often exaggerated (Haworth 2009: 50), but the act of combining perhaps conservative CA approaches with more broad, critical approaches to discourse analysis has been shown to yield significant findings in a range of research topics. A number of relevant sources have been discussed in Chapter 3.

In terms of the overall epistemological stance, this research project is rooted in the postmodern position of social constructionism, which broadly speaking subscribes to the view that knowledge is 'a linguistic creation that arises in the domain of social interchange' (Guterman 2013: 17; Berger & Luckmann 1967). Postmodernism started emerging as a rejection of the modern, structuralist view that there is an ultimate truth embedded in hidden structural systems and it is waiting to be discovered (Burr 2015: 12-13). Postmodernism is therefore often mentioned alongside poststructuralism, which is a movement characterised by subjectivism and a broad scepticism of the ultimate truth. Postmodernism furthermore holds a pluralist perspective, as it 'emphasises co-existence of a multiplicity and variety of

situation-dependent ways of life' (Burr 2015: 14). This perspective aligns with the notion of context-dependent identity performance by means of discourse (e.g. Austin 1962; Butler 1990), which is also relevant in the context of police interviews: the interviewer(s) and the suspect, as well as any other participants present in the interview room are performing their identity depending on the specific situation, their ideas and their institutional or personal goals. Particularly when examining ideology-driven verbal orientations to age, the notion of discursive co-construction of identity becomes a central element.

Social constructionism opposes positivist empiricism (Burr 2015: 2), which is a position that holds the view that, according to Carnap (1928), 'science consists of logical prepositions which are empirically tested and verified' (Eberle 2019: 132). While the positivist approach works well in most hard sciences, as well as for example research on sociolinguistic variation; in other words, in domains where variables are numerically countable and measurable, analysing discourse qualitatively demands a different position. Schütz (2004) refers to the social world as being 'meaningfully constructed, unlike nature' and 'pre-interpreted by the involved actors themselves' (Eberle 2019: 132). Gergen (1985) argues that the move towards discourse analysis as an analytical approach is automatically a move away from positivist empiricism and therefore towards social constructionism. The methodological approach is empirical within the social constructionist paradigm, in that the study analyses authentic discursive data. Social constructionism then is not simply the view that reality is created by means of discourse, but that in fact there are many realities that are highly individual, as well as historically and culturally specific (Burr 2015: 3-4).

Within social constructionism, there is understood to be a division between micro and macro constructionism. Micro social constructionism looks at everyday interaction between two or more persons and considers the social construction that is created in this context (Burr 2015: 25). The concept of the dialogue is at the heart, and the emphasis here is on 'the dynamic, interpersonal process of construction' (Burr 2015: 25), or what is also

known as 'joint action' (Shotter 1993). Researchers in this realm, many of whom are active in the field of discursive psychology, employ tools rooted in Conversation Analysis when analysing naturally occurring language under the micro social constructionism lens. Macro social constructionism also subscribes to the construction of knowledge by means of the discourse paradigm, although it considers this to be in connection with 'material or social structures, social relations and institutionalized practices' (Burr 2015: 25). It comes as no surprise then that the notion of language and power is of fundamental importance when looking at police interview data through a macro constructionist lens (Fairclough 2015; 2010). One prominent form that macro social constructionism takes today is Critical Discourse Analysis (Fairclough 2010).

Micro and macro social constructionist approaches are by no means mutually exclusive; they are fully compatible and in the context of this current research, are in fact perfectly complementary. In order to uncover exactly what takes place discursively in the interactions between police and adolescent suspects, it is of great importance to 'zoom in' as closely as possible in order to uncover the most salient issues that would not be visible when employing approaches less qualitative than Conversation Analysis. In addition to this, it is then the macro level that allows for the thorough consideration of the context in which the interaction is taking place. Considering the combination of the highly institutional setting of police interviews and the different legislative backdrops against which the conversations with the two different age groups take place, it makes sense to embed the observation from the detailed analysis on a micro level into the larger context of legal-lay communication and the highly discrepant power relations.

Now that the epistemological considerations relevant for this research have been presented and discussed, we will move on to the analytical tools for this research.

4.3. Conversation Analysis

Conversation Analysis (CA) is a discourse analytical approach to the study of real-life social interaction that 'provides a method of exposing the resources used by speakers to construct a coherent conversation' (Heydon 2019: 81). CA was developed in the 1960s by Harvey Sacks, Emanuel Schegloff and Gail Jefferson (see Sacks *et al.* 1974; Schegloff *et al.* 1977; Schegloff 2007), influenced by Erving Goffman's and Harold Garfinkel's 'sociologies of everyday life' (Bilmes 1985: 319). Goffman's concept of the interaction order (1983) and Garfinkel's ethnomethodology (1967) can be considered highly influential to the evolution of CA. CA's early beginnings can be defined as 'an approach to the study of social action which sought to investigate social order as it was produced through the practices of everyday talk' (Liddicoat 2011: 4) The approach is highly inductive and started with Sack's interest in audio recordings of telephone calls made to a suicide prevention centre in California (ten Have 2007: 6), and soon moved on to other telephone conversations and direct spoken interactions (Paltridge 2012: 91).

Today, CA is by no means limited to the field of sociology, but is instead used by researchers of various disciplines, including forensic linguistics (e.g. Heydon 2005, 2011, 2012; Haworth 2009, 2017; Rock 2007; MacLeod 2010; Stokoe & Edwards 2010). Regardless of the field of research that CA approaches are employed in, it is worth pointing out that it is not the *topic* of a conversation that is being analysed; instead, the focus of a CA investigation is the *action* being performed discursively. According to Burns & Joyce (1997) the conversational structure is affected by both the situational context of the interaction (e.g. informal chat between close friends vs. police interview) and the relationship between the interlocutors (e.g. close friends vs. police interviewer – suspect). In the current data, the context is highly institutional which in turn brings with it a number of discursive provisions and restraints. The relationship between interviewer and interviewee is characterised by a default asymmetry: suspects are in a weaker position compared to the interviewer, and this

asymmetry is even more pronounced in the relationship between interviewers and juveniles, i.e. vulnerable suspects.

4.3.1. Conversational structure and turn-taking

The term 'conversational structure' implies rightly that conversation, even in a non-institutional context, is not random, but instead follows a pattern. Bilmes (1985) states that 'an utterance-in-conversation has a conversational history' (323), meaning that a specific utterance is produced not by accident but dependent on a combination of interactional factors. When analysing an interaction, then, the analyst ought to ask themselves the question 'why that now?' (Schegloff & Sacks 1974: 241). Taylor & Cameron (1987) echo the ethnomethodologists who have pointed out that

> many commonplace features of talk display "precision timing" and orderliness where one might in principle expect chaos (the classic example being turn-exchange). Interlocutors standardly "know what to expect" in various sorts of talk and manage to meet, on indefinitely many occasions, acceptable standards of relevance and politeness (they answer questions; they recognise greetings; they inform each other of things; and so on). The result is co-operative and non-bizarre talk, quite often involving the repetition of extremely predictable sequences (5).

A point worth highlighting at this point is that the concept of cooperation in terms of conversational structure must be kept separate from the concept of co-operation in connection with the police interview as an investigative event. For example, a suspect who does not co-operate with the police by refusing to provide information (i.e. exercising their right to silence as outlined in the police caution) is still cooperating conversationally:

Example 4.01: Charlie
```
244  IR1  did you (1.5) steal twenty pounds from Tom↓
245   SU  no comment
246  IR1  did you hit Tom
247   SU  no comment
```
                                                                    17_1_3

The example shows two complete question-answer 'adjacency pairs' (see below). The suspect provides answers to the interviewer's questions, even if the content of said answers is limited to 'no comment'.

Structurally, a conversation is built up of the speakers' turns, which themselves consist of one or more building blocks called turn-constructional units, or TCUs. There are three organisational resources for building and recognising TCUs: according to Schegloff (2007) the first one is that TCUs are largely based on the grammar of the respective language, and they are typically sentences, clauses, phrases, or lexical items (3). The second organisational resource is the 'phonetic realization' of the talk, which is to say the way in which a speaker uses intonation (3). Finally, and this links to what was said above, a TCU must constitute at least one action in the context that it is spoken (4). Turns are made up of at least one, but frequently multiple TCUs. A conversation typically bounces between different speakers, and this change from one speaker to the next happens at the end of a TCU, at what is called a transition-relevance place (TRP; Schegloff 2007: 4). At any TRP, the initial speaker may either nominate the next speaker, or the next speaker may take the floor without having been offered it by the initial speaker (Sacks, *et al*. 1974). The end of a speaker's turn can be signalled in different ways, and these are unsurprisingly equivalent to the organisational resources of the TCUs discussed above. A turn can be signalled as being finished by presenting a completed syntactic unit (Paltridge 2012: 95), or, closely connected to this, by the phonetic realisation of an utterance (e.g. turn-final rising intonation). An example of this can be seen below:

Example 4.02: Jack
```
256  IR1    [>can you remember<] (.) anything specific
257         that Matt said (0.3) before he's (0.7) gone
258         round the corner↑
259  SU  no
                                                    17_2_5
```

In this excerpt, the interviewer's turn performs a question (lines 256-258). It is syntactically complete, has a sound pragmatic meaning, and the rising intonation at the end reinforces the function of this turn as a question. The suspect's turn in line 259 shows an answer in response to the interviewer's question.

A further prominent element of conversational organisation is the concept of adjacency pairs. Broadly speaking, they are 'utterances produced by two successive speakers in a way that the second utterance is identified as related to the first one as an expected follow-up to that [first] utterance' (Paltridge 2012: 97). More detail is provided by Schegloff (2007), according to whom an adjacency pair must fulfil three conditions: (i) consist of two subsequent turns by different speakers, (ii) be 'relatively ordered' into a first pair part and a second pair part, and (iii) be 'pair-type related', meaning that a first pair part cannot simply be followed by any second pair part, but must be followed by one that matches the first pair part (13; Levinson 1983). Perhaps the most well-known type of pair is question – answer, which naturally also plays a central role in police interviews. Questions *per se* are a discursively strong resource, for they pre-select 'answer' as the next turn, and they allow the questioner (i.e. police interviewer) to control the topic of the conversation.

There are preferred and dispreferred second pair parts to every pair type. The following table taken from Levinson (1983: 336) shows some adjacency pair types with their typically preferred and dispreferred second pair part.

First pair part	Second pair part	
	Preferred	Dispreferred
Request	Acceptance	Refusal
Offer/invite	Acceptance	Refusal
Assessment	Agreement	Disagreement
Blame	Denial	Admission
Question	Expected answer	Unexpected answer or non-answer

Table 1: Adjacency pairs with preferred and dispreferred second pair parts

It should be noted that the context largely dictates the preference organisation. For example, in certain situations the preferred second pair part to an offer/invite is a refusal. This phenomenon is discussed in connection with AAs' responses to being invited to provide a final comment during the 'Closure' stage of the interview.

The notion of preference organisation becomes particularly important when considering the increased risk of suggestibility in young suspects. As discussed earlier, suggestibility can be defined as the inclination to accept information presented to a suspect, even if it does not correspond with the truth. In the context of a police interview, where a (presumed innocent) suspect is questioned about their potential involvement in a crime, a suspect's heightened tendency to provide not only a preferred second pair part, but within that also typically a response affirming the interview's point of view, can have serious legal ramifications. Consider the example below, where the police officer asks the 17-year-old suspect whether he has understood the meaning and implications of the police caution that he has just recited.

Example 4.03: Charlie
```
061  IR1  …
062       given in evidence (0.6) d'you know what that
063       caution means=
064  SU   =yeah
065  IR1  (0.4) can you explain it to me↑
```
<div align="right">17_1_3</div>

Lines 062-064 present a common question-answer adjacency pair with a preferred response in 064, when the suspects provides the answer 'yeah'. The second pair part is at the same time an affirmative response, which, especially considering the interview context and the latched nature of the response, can be seen as a response fuelled, or at the very least impacted, by suggestibility. As mentioned earlier, non-vulnerable adults routinely claim to understand the caution, even if they are then unable to explain it back. In order to 'prove' his understanding, the suspect is asked to explain the caution back to the interviewer, which he fails to do (see Section 6.3.1.2 for a full analysis of Charlie's cautioning exchange).

Insertion sequences, also known as embedded pairs, can appear when an adjacency pair comes between the first pair part and the second pair part of another adjacency pair. This is particularly relevant in relation to the (linguistic) presence of the appropriate adult, where a suspect can relay a question to their AA whilst remaining the second speaker in a question-answer adjacency pair with the interviewer. A simple schematic representation of this can be seen below:

Question 1 – interviewer to suspect
Question 2 – suspect to appropriate adult
Answer 2 – appropriate adult to suspect
Answer 1 – suspect to interviewer
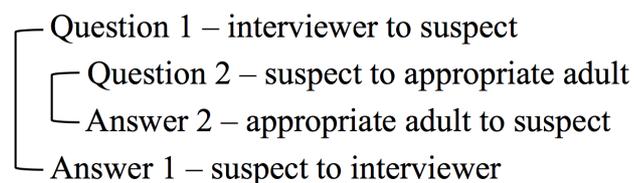
Figure 3: Schematic representation of insertion sequence in interview with AA

This structure may well be reminiscent of interview interactions with interpreters: an interviewer's question in the interview language (L1) is put to the interpreter, who then relays the question in the target language (L2) to the suspect. The suspect's L2 answer is given to the interpreter, who in turn relays it in the L1 to the interviewer:

```
┌─ Question (L1) interviewer to interpreter
│  ┌─ Question (L2) – interpreter to suspect
│  └─ Answer (L2) – suspect to interpreter
└─ Answer (L1) – interpreter to interviewer
```
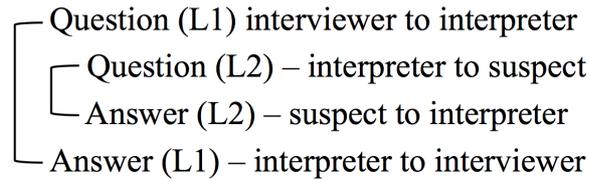
Figure 4: Schematic representation of insertion sequence in interview with interpreter

Of course, the insertion sequence in the interaction with the interpreter is the same question in a different language, rather than a clarification question. The fact that the suspect's answer in the interpreted interview has to be relayed to the interviewer is obvious, as the answer has to be translated into a different language. In other words, the interviewer can hear the suspect's answer, but is likely to be unable to understand it. All interviews in the current dataset are conducted only in English. When we thus consider the insertion sequence with the AA in Figure 3 where the suspect relays the question to the AA, the fact that the suspect later relays the answer back to the interviewer is less obvious. It can be assumed that the interviewer hears and understands the AA's answer, which on the surface renders the suspect's final turn redundant. Perhaps this shows the powerful nature of the question as a linguistic turn, in that it demands its second pair part even if the content of the answer had already been provided as part of a separate, inserted adjacency pair.

Persons engaged in conversation, although subconsciously following a rigid system of turn-taking and adjacency pairs, can encounter trouble in producing, hearing or correctly understanding a turn. When this occurs, the source of the trouble must be identified and the problem *repaired*. To every repair there are two parts, namely its initiation and its completion. Either party of a dialogue can be the one causing the problem, but also either can initiate or complete the repair, in various combinations. Common occurrences in the realm of repairs are either for a speaker to both initiate and complete repair their own discursive troubles (i.e. self-initiation leading to self-repair), or for the recipient of a turn to initiate the repair and for the speaker to complete it (i.e. other-initiation leading to self-repair; Schegloff 2013). In everyday conversation, repair initiations often take the form of

clarification questions of varying degrees of specificity (Schegloff 2007: 101). In the context of a police interview with an adolescent suspect, the interviewer not only has at their disposal the question as a powerful discursive resource, but it also institutionally more powerful. As a result, suspects who struggle to understand the meaning of a question show a tendency to produce a response that they assume will please the interviewer, rather than put forward a clarification question to the interviewer. The data in the current study reveal that there exists a tendency for juvenile suspects to put clarification questions to their AAs (see Chapter 7).

4.3.2. Terms of address and reference

As discussed in Chapter 3, the successful establishment and maintenance of rapport is a vital aspect of the interview. Tickle-Degnen & Rosenthal (1990) list the use of a person's name or other preferred term of address as an efficient rapport tool. The use of terms of address in relation to rapport, both beneficial and detrimental, is examined across all three analyses.

The issue of personal reference becomes a central element in the analysis surrounding the role of the AA, for particularly when the interviewer is instructing the AA, the suspect is often talked *about* whilst obviously being present in the room. When examining discursive orientations towards age, the way in which suspects as well as persons inside and outside of the interview room are referred to can reveal a lot about a speaker's position. Furthermore, the ways in which interviewers address and refer to AAs depending on their familial or non-familial status is a topic of analysis. Overall, the analyses will include linguistic examinations of how people talk *to* each other and how they talk *about* each other.

4.3.3. Lexical choice

Lexical choice is a powerful tool for speakers to 'evoke and orient to the institutional context of their talk' (Drew & Heritage 1992: 29). A primary linguistic feature within this domain is

concerned with the use of specialised, technical language that is part of the institution that a speaker represents. In the context of police interviews, that is, interactions between representatives of the law and laypersons, interviewers resort to legal jargon (i.e. 'policespeak', Hall 2008), which can be difficult and at times impossible for an interviewee to understand. This phenomenon of potential incomprehension is stronger when the layperson is also vulnerable. In other words, interviewers' use of legal jargon in any case reinforces the uneven power relations in a legal-lay interaction, and the adverse effect for the interviewee is more severe in interactions with juveniles. The use of 'policespeak' is of particular interest in connection with the presence of the AAs, whose duties include the facilitation of communication between the interviewer and the suspect.

Lexical choice goes beyond the use of technical jargon and often includes more generally descriptive utterances produced in an institutional context (Jefferson 1974; Sacks 1979). When looking at explicit references to age by both interviewers and suspects, a close look at descriptive terms and their discursive context is vital in uncovering speakers' underlying attitudes. The use of lexical markers of evidentiality, in particular the token 'obviously' is examined in more detail in connection with the comprehensibility and comprehension of the police caution and its reformulation. The token 'obviously' does not constitute an 'evidential' as defined by Aikhenvald (2004) as a 'morpheme [that has] "source of information" at its core meaning; that is, the unmarked, or default interpretation' (3). 'Obviously' does not reveal the source of information in that the speaker does not reveal how they have learnt something. Instead, speakers are semantically denoting something as being obvious, and perhaps worth pointing out, obvious *to them*. The study will refer to tokens such as 'obviously' simply as an 'evidential adverbial' (see Diewald & Smirnova 2010: 7). In the context of caution reformulations, evidential adverbials are also considered with regards to their (positive and negative) impact on rapport building and maintenance. Whilst the use of evidentiality markers during the explanation of the caution can be used to establish common ground and therefore build rapport, they can also be used to widen the gap

between interviewers and suspects, which in turn hinders rapport building. The latter phenomenon takes place when interviewers assume complex legal issues to be 'obvious' to the suspects.

A related feature in this context is interviewers' use of the institutional 'we', in particular when used during caution negotiations and instructions for AAs. According to Drew & Heritage (1992) a singular speaker can use 'we' to 'invoke an institutional over a personal identity, thereby indicating that they are speaking as representatives, or on behalf, of an organisation.' (30). Interviews' use of 'I' vs. 'we' depending on their interlocutor (i.e. juvenile suspect, adult suspect or AA) is part of the analyses of this project.

This section has presented the basic concepts of CA as well as the linguistic features relevant to the different analyses in the current project. While the tools rooted in CA are a good fit for the examination of the interview data on a micro level, the subsequent section shows how CDA is the ideal complement.

4.4. Critical Discourse Analysis

In order to be able to thoroughly investigate the discursive manifestations of the child-adult divide in police interviews, it is important to take the wider context of the interaction into consideration. This includes not only an appreciation of the institutional nature and power inequalities of the police interview *per se*, but also the additional layer of age as a legislative and ideological component, and related concepts such as ideology and youth justice. The data-driven CA examination of the data is thus complemented by approaches under the umbrella of Critical Discourse Analysis (CDA). Fairclough defines *discourse* as 'language as a form of social practice' (2015: 53). The purpose of CDA in the current study is to reveal manifestations of age-based ideologies and highlight the arbitrary nature of the strict age divide in the (youth) criminal justice system. In that, the study follows Foucault's stance that

critical analyses 'show the arbitrariness of institutions and show which space of freedom we still can enjoy and how changes can still be made' (1988: 11).

To briefly reiterate, the relationship between power and discourse is not static, but is instead highly dynamic. Power is constantly negotiated, evaluated and renegotiated between interlocutors by means of discourse. Especially when looking at 'unequal encounters', meaning interactions where the speakers are institutionally or otherwise uneven, power struggles are a common occurrence (Fairclough 2015: 73). On the one hand, police interviewers represent and act on behalf of a powerful institution and are therefore by default in a more powerful position. The suspect, on the other hand, is inferior not only by virtue of their non-institutional, lay status, but also because they are being questioned about their possible involvement in some kind of illegality. This dichotomy places a negative stigma on the interviewee, and it is hence not surprising to witness discursive attempts to gain a level of control over the conversation, initiated by the inferior party. In some cases, this is manifested simply by the interviewee's resistance to comply with the interactive norms set out by the institution, in this case the police (Fairclough 2010: 53).

According to van Dijk a general property of CDA is that 'rather than merely *describe* discourse structures, it tries to *explain* them in terms of properties of social interaction and especially social structure' (2008: 86, italics added). The element of suspect age must be considered both in the context of age-based legislation that informs police practice, as well as broader concepts of age-based ideologies and youth justice.

In terms of CDA's practical application to conversational data, Rogers (2004) describes how we are

concerned with a critical theory of the social world, the relationship of language and discourse in the construction and representation of the social world, and a methodology that allows them to describe interpret and explain such relationships (3).

CDA is 'discourse analytical research that primarily studies the way social-power abuse and inequality are enacted, reproduced, legitimated, and resisted by text and talk in the social and political context' (van Dijk 2004: 352). According to Fairclough, CDA combines 'critique of discourse and explanation of how it figures within and contributes to the existing social reality, as a basis for action to change that existing reality in particular respects' (2015: 6). Given that discourse is always 'socially, politically, racially and economically loaded' (Rogers 2004: 6), it is only through critical analysis of texts that these entities can be critically interpreted. Fairclough & Wodak (1997: 271-280) present eight basic principles of CDA, all of which are to some extent relevant to this research.

1. CDA addresses social problems
2. Power relations are discursive
3. Discourse constitutes society and culture
4. Discourse does ideological work
5. Discourse is historical
6. The link between text and society is mediated
7. Discourse Analysis is interpretative and explanatory
8. Discourse is a form of social action

Of particular interest for the current research are principles 2 and 4; the fact that power relations are discursively created and negotiated was discussed in Section 3.2 in the context of institutional discourse: police interviews take place in an institutional setting, meaning that they constitute *ipso facto* a type of institutional discourse. In this context, power relations between the interlocutors are uneven on the basis of institutional status of the police vs. lay status of the suspect. According to Fairclough (2015), 'language is centrally involved in power and struggles for power, and […] it is so involved through its ideological properties' (51). This aspect of discourse is of crucial importance, particularly in the context

of the setting of police interviews. It is only by critically evaluating discourse that subtle and sometimes hidden power negotiations and struggles can be observed and interpreted.

4.4.1 Discourse and ideology

The concept of discourse as ideological work is a central element of the current research. Simpson & Mayr (2009) define ideology as 'the way in which a person's beliefs, opinions and value-systems intersect with the broader social and political structures of the society in which they live' (4). According to Heiphetz *et al.* (2013), 'ideological beliefs contain elements of both fact and preference', making them objective and subjective at the same time (560). There exists a divide between adults and children which is, at its core, based on the ideological assumption that younger humans are immature and vulnerable and thus deserve to be treated differently in society, and this includes extra protection. This modern concept of 'childhood' began to emerge during the 18th century and superseded earlier notions that did not understand childhood as a distinct life stage and considered children little more than small adults (Ariès 1962). Today's basic idea of children sees them as not fully developed, not just physically but more importantly in terms of cognition and capacity to understand things. In the three centuries since the emergence of 'childhood', age-based ideologies have been so firmly embedded that they are difficult to overcome. The issue with such general ideologies as guiding philosophies is that they do not take into account an individual's needs, but instead they form a shorthand which compartmentalises people and the way in which they are treated, by society as well as the legal system. What is even more problematic is the notion imposed by the legal system that the protection for children vanishes overnight and maturity and capacity suddenly occur when a person turns 18. As a result of the legal framework based on the arbitrary divide between children and adults, a police interviewer's set of expectations and assumptions when they walk into an interview room are wholly different depending on whether a suspect is 17 or 18.

What can perhaps be considered an extension of the ideology about children being vulnerable is the notion that a child in care is considered even more vulnerable. Looked-after children rely on the care and protection of the state, of which both the care system and the police are members. Further relevant ideological assumptions about children are that they are irresponsible, unreliable, and lack sexual maturity. The issue of responsibility is connected with their state of cognitive development which means they are not generally able to look after themselves and make informed decisions. As a result, children require (adult) supervision. The ideological notion of non-reliability in children is based the limited capacity to understand things, retain information, and regurgitate accurate and reliable information. The notion of children being regarded as 'sexually innocent' came about alongside the modern notion of childhood; before, then 'the idea did not yet exist that reference to sexual matters […] could soil childish innocence [because] nobody thought that this innocence really existed' (Ariès 1962, in Heins 2007: 19). Today, the strong ideological notion exists that children's sexual innocence must be protected at all cost, and this is also reflected in the perception of sexual violence against children as one of the most despicable crimes (see King & Roberts 2015). Children are not regarded as sexual beings, and the notion of sexual maturity in connection with 'older children' will become relevant in the subsequent analyses.

Of course, it is not only children who are subject to ideological assumptions, but adults too. In simple terms, assumptions regarding adults are largely the opposite of those imposed on children, i.e. adults are mature and have full capacity, they do not require protection or support, they are responsible, reliable, and do not need special explanations. The juxtaposition of ideologies about children vs. adults highlights the arbitrary nature of the strict dividing line between the two groups, and this will be illustrated in the subsequent analyses of interviews with 17-year-old children and 18-year-old adults.

The notion of ideology is of central interest to this research, as institutions such as the police 'legitimize their own interests and existence through discourse through which they seek to transform or recontextualize social practices' (Mayr 2008: 2). Various assumptions that youth justice works on are frequently informed by ideological principles, some of which in turn are reinforced and perpetuated by means of discourse in the course of a police interview with an adolescent suspect. Knowing that according to Mayr (2008) 'institutions are primary sites for reality constructions', it becomes crucial to consider the far-reaching impact that interview discourse can ultimately have on broad concepts of justice and injustice in the legal process.

In the current research, observations from the micro-level discursive analysis will be interpreted in relation to two levels of power and ideology. In addition to the legal-lay dichotomy discussed in the previous paragraphs, there is the also the central dimension of suspect age. It is safe to assume that in the current dataset all suspects are younger than their interviewers[15], and this age gap between the interlocutors affects the power dynamics. When looking at the individual age groups, it becomes apparent that on the one hand 17-year-olds are legally considered children and therefore by default vulnerable. According to police guidelines, interviewers must take into account the increased risk of suggestibility in juvenile suspects; this presents great concerns, e.g. when considering CCQs following a caution recital or reformulation. CCQs rendered virtually redundant by suspects' answer turns borne out of suggestibility can have the effect of preventing vulnerable suspects from exercising their rights. On the other hand, 18-year-old suspects somewhat stand in limbo: they are no longer considered legal 'children', but there is still a discernible gap between interviewers and suspects, not just institutionally but also age-wise. Whilst the older age group no longer have the 'child' and 'vulnerable' labels, the analyses reveal that interviewers and suspects still orient to age and age-based ideologies. Considerations of the findings from interviews

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[15] In theory there is a possibility; the minimum age to apply to the police service is 18 years old; however, the chances of an 18-year-old interviewer in the current dataset are so slim that they are negligible.

with 17- and 18-year-old suspects exemplify the arbitrariness of the strict age divide, as well as its implications for the legal system more broadly.

The age-based differences between the two groups of suspects are substantial in terms of the law: from a statutory perspective, the difference between a 17- and an 18-year old suspect is the same as the difference between a 10- and a 50-year-old suspect, which once again emphasises the arbitrary nature of the age divide as discussed in the Introduction Chapter. Granted, it seems perfectly obvious to say that a 10-year-old and a 50-year-old should be treated differently by the law. However, it seems much less obvious to say that a 17-year-old and an 18-year-old should be subject to fundamentally different treatment. Even though the legal provisions behind both comparisons are exactly the same, the example with the two adolescent suspects does not 'roll off one's tongue' that easily. The central issue of the arbitrariness of the child-adult age divide must be kept in mind throughout this research. As discussed in previous chapters, the statutory age divide in the UK is strict and leaves very little room for manoeuvre, and this rigidness undoubtedly shapes the discourse that takes place within this context.

After the zoomed-in micro analysis of salient features in the data, the critical evaluation of the findings means 'having distance to the data, embedding the data in the social, taking a political stance explicitly, and a focus on self-reflection as scholars doing research' (Wodak 2001: 9). The aim is to expose institutional and ideological patterns in the discourse, generally 'from a perspective that is consistent with the best interest of dominated groups (van Dijk 2001: 96). In other words, there is a clear social justice angle to this research where the safeguarding of vulnerable participants in the legal system is paramount. The complementary CA/CDA approach to data analysis has been successfully applied to forensic contexts, e.g. police interviews (Heydon 2005; Haworth 2009; MacLeod 2010) and courtroom discourse (Matoesian 1993). The combination of micro and macro is important, not to say necessary, in order to address the research questions of this project thoroughly.

Summarised very briefly and as a convenient heuristic, when examining the interview data in this project, CA asks the question 'why that now?', and CDA follows up with 'so what?'.

4.5. Data access

This section is going to take a closer look at the research data, which given the inductive and data-driven analytic approach of this project holds a central position. The section starts with a discussion on ethical considerations and a description of the data collection process, before presenting the complete dataset comprising of 19 police interviews. The section concludes with some remarks on the transcription process.

CA dictates to a large extent the nature of the data needed. As discussed above, the basis for any CA project is recordings of naturally occurring language; this means, language that is not collected in a lab setting for research purposes, but instead speech that occurs naturally. It was hence absolutely crucial to gain access to genuine, real-life police interviews, which is invariably a challenging endeavour. In order to fully be able to *let the data speak*, as the inductive nature of CA presupposes, it is important not to impose unreasonable restrictions on the data. In other words, one must not be too selective when looking for data, for this would defy the purpose of the bottom-up approach where relevant features are reflected in the discourse. This objective was furthermore reinforced by the fact that the higher the number of prescribed variables, the higher the risk of police forces being unwilling or unable to assist, as this could be seen as considerably more effort for them, without the prospect of additional benefit. The very first step towards securing data access was to obtain an understanding of the ethical challenges presented by this type of research, and to address these challenges thoroughly.

4.5.1. Ethical considerations

The first step in the data collection process was the securing of ethical approval from the ethics committee at Aston University. This section provides an overview of the most salient ethical issues of this research. The full ethics application form can be found in Appendix II.

This project presents a number of ethical issues. Primarily, police investigative interviews contain by their very nature sensitive personal data. In addition to this, some of the data used in this project involves legal 'children'. Adult suspects' identities are, if at all, released only after an interview, in other words when a person has been charged and/or convicted of a crime. Children's identities are typically never made available to the public. Considering the suspects' anonymity at the time of police interviews, and seeing as the data is highly sensitive in and of itself, means that interview recordings and transcripts are (reassuringly) very well protected.

In order to address those ethical issues, I have consulted the Data Protection Act 1998, s. 33(1)[16] of which exempts the use of sensitive data for research purposes. I have furthermore ensured that a background check by the nationwide Disclosure and Barring Service was not necessary for the researcher. Constabularies are legally entitled to share data, as long as it is ensured that the subject's identity is protected and not shared with a third party under any circumstances. This implied consent is where the anonymisation comes in: any audio data have to be thoroughly anonymised and stored only on password-protected external storage devices.

Admittedly, it can be argued that someone directly involved in an interview may be able to recognise themselves, even in an anonymised extract in the final thesis. It is important that all necessary steps are taken to ensure that the risk of this happening is

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[16] Current at time of writing data request letter. In the most current version of the Act (25.05.2019) the 'processing personal data that is necessary for scientific or historical research purposes' is discussed in s.19 (1b).

absolutely minimal. Realistically, however, the chance of a former suspect reading the thesis and being able to identify themselves is so small that they can be considered negligible. Furthermore, the alternative, namely tracking down subjects and obtaining consent personally, would be a considerably more invasive approach. What happens to the interviews once the research has been completed was to be determined by the data providers themselves. In any case, the audio data would not stay in possession of the researcher after the work has concluded.

Approval from the University's ethics committee was obtained in January 2016, thereby opening the doors for making contacts with potential providers.

4.5.2. Approaching data providers

The next step of the data collection process was the composition of a data request letter (DRL). The intention was to keep the DRL short and crisp, i.e. no longer than two A4 pages in total. The DRL starts with a short introduction of the researcher and the research project. The DRL furthermore demonstrates awareness and appropriate understanding of the relevant legal background, as well as implications of conducting research with sensitive personal data, and an appreciation of the ethical considerations as outlined above. A description of the required data is given, with the only two restrictions imposed being the ages of the suspects (17 and 18), and the fact that the interviews should only be from closed cases. Other factors, including the nature of the crime, gender of interviewer and suspect, duration of the interview etc. were not specified in order to decrease the required efforts by the forces and thereby increase their willingness to collaborate. No explicit mention was made regarding the number of interviews desired as it was deemed safer to let the individual forces decide how much data they would share.

Finally, it was also mentioned in the DRL that any relevant findings from this research would be disseminated back to data providers, in order to help them (in their words)

achieve best evidence in their proceedings. Overall, the narrative used in the DRL promised minimum efforts and maximum benefits for the police forces, in that they 'only' had to share with me interviews with suspects of a specific age, and would in turn receive tailored feedback from thorough analyses on their data.

The DRLs were addressed to the Chief Constable of each police force. Although it was clear that the Chief Constable would not typically deal with enquiries of this nature personally, it was decided to address the DRL to them as they, according to the law, are ultimately in charge of all of their force's decisions.

In terms of distribution, the DRLs were sent out in three batches to police forces around E&W. The reason why this staggered approach was taken was that it would allow for amendments based on potential feedback from the initial batch. The first batch was sent out in May 2016, the second one in early August 2017 and the third in late August 2017. In total, 28 forces were contacted and ultimately, data was secured from two forces in England. A number of face-to-face meetings resolved any unclear points, such as for example the misalignment in the police's vs. the researcher's understandings of what it means to 'publish' a paper or a thesis that includes excerpts from interview transcripts. The final negotiation with each of the two forces was the data sharing agreement. In the case of the current project, the two forces were happy to communicate with each other and share a template for the written agreements. Once the paperwork had been signed and the internal vetting had been completed, I was able to travel to the designated police stations to physically collect the data.

4.5.3. Audio anonymisation

With both forces, it was agreed that the anonymisation of the audio recordings would take place on-site at a police station, in order to ensure that no identifying details left police premises. In total, three full days were spent anonymising data with Force 1 and four full

days with Force 2. In both cases, I was assigned a supervised office, where I was also instructed to present my anonymisation technique to the officers in charge. The interviews were provided on CD-ROM and were imported directly onto the plugged-in secure storage device on my personal laptop. This way, no data (non-anonymised or anonymised) was ever stored on my personal hard drive.

Due to the fact that age is a central element of this research, the suspects' ages in years and months was noted down for each interview. The date of the interview is stated in each interview, and where the suspect is not prompted to state their date of birth for the tape, this information was available to me from the labels of the CDs containing the audio files. In order to conduct the audio anonymisation, the software *Audacity* was used, which allows a user to select part of a recording and replace that part with Brownian noise. Replaced features included all personal names, place names, street names, dates, registration numbers, police exhibit numbers as well as any other identifying factors that were deemed to run the risk of being identifiable by a potential reader. Features replaced by Brownian noise were each provided with a placeholder on a separate label track. This was conducted in this manner in order to ensure that the context remains intact when producing the transcript based on the anonymised audio data. A screenshot of the audio track and the label track can be seen below:
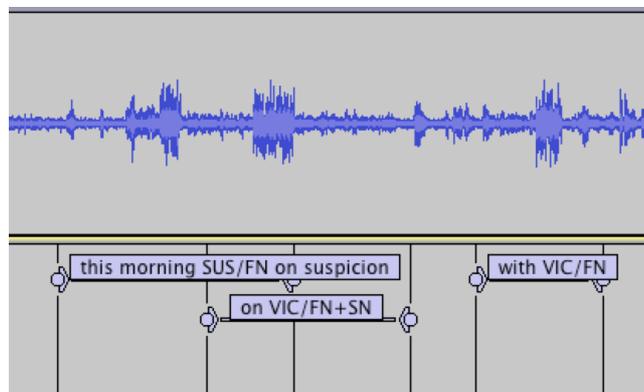
Figure 5: Audio track (top) and placeholder track (bottom) in Audacity software

Persons talked about in the interview were assigned a shorthanded code for easy identification: Figure 5 includes SUS = suspect, VIC = victim, FN = first name, and SN = surname and it is revealed that the interviewer addresses the suspect by his first name when she states his charges for the record. Furthermore, the first time the victim is mentioned, the interviewer uses her full name, and shortly after she refers to her only by her first name. Having the label track enabled me to simply replace the placeholders with pseudonyms for persons, places and other identifying elements when transcribing the data. This process is discussed in more detail in Section 4.6 below.

The anonymised audio files were taken off-site on an encrypted storage device with 256-bit encryption, as specified by the data providers. This meant that the data were stored securely, for even if the storage device was lost, the encryption means it is virtually impenetrable. The encrypted USB drives irreversibly erase themselves after three failed login attempts with a wrong password.

4.5.4. Complete dataset

The data collection was concluded in October 2017 after 18 months, with a grand total of 21 interviews from two forces. The interviews were labelled using the age group (17 or 18), the force number (1 or 2) and then a number starting from 1; these elements are divided by an underscore. The original audio files were labelled in this way on-site during the audio anonymisation process. Initially, Force 1 provided me with five interviews with 18-year-old suspects; however, two of these interviews were later discarded because the suspects in 18_1_2 and 18_1_5 each have an AA present. This means that despite the suspects' adult age, they were deemed to be otherwise vulnerable. Because the two interviews were discarded after the labelling had taken place, the age group 18 interviews from force one are numbered 1, 3 and 4.[17] In order to facilitate identification and cross-reference, each interview

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[17] The Audacity software is notoriously unaccommodating with regards to changing metadata (such as file names). Saving a file under a different name results in the software being unable to open said file due to its

was eventually given an additional label consisting of the respective suspect's first name (pseudonym). The suspects' names follow an alphabetical order.

The final dataset used for this research contains 19 interviews across two age groups. The two tables below list all interviews including some basic information: suspected offence, duration (in minutes), and persons present in the interview (SU = suspect, IR = interviewer, AA = appropriate adult, SOL = solicitor). The horizontal double border signals the division between Force 1 and Force 2.

Interview	Suspected offence	Duration	Persons present
17_1_1: Andrew	Sexual assault	32 min	SU, IR1, IR2, AA (mother), SOL
17_1_2: Ben	Arson with the intent to endanger life; Robbery	23 min	SU, IR1, IR2, AA (father), SOL
17_1_3: Charlie	Robbery	18 min	SU, IR1, IR2, AA (mother), SOL
17_1_4: Daniel	Possession of a controlled substance	05 min	SU, IR, AA (care-worker)
17_1_5: Eric	Dangerous driving; Aggravated taking without consent	08 min	SU, IR, AA (non-familial, not specified), SOL 1, SOL 2
17_2_1: Frankie	Criminal damage; Assault	29 min	SU, IR1, IR2, AA (mother)
17_2_2: Gavin	Assault; Sexual assault	67 min	SU, IR, AA (grandfather)
17_2_3: Helena	Possession of a controlled substance with intent to supply	17 min	SU, IR, AA (non-familial, not specified), SOL
17_2_4: Ian	Assault	55 min	SU, IR1, IR2, AA (mother)
17_2_5: Jack	Possession of a controlled substance with intent to supply	31 min	SU, IR1, IR2, AA (mother), SOL

Table 2: Full list of interviews with suspects aged 17

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inability to locate the original data folder. It was thus deemed to be the safer option to carry on with the slightly imperfect labelling sequence.

Age group 17 consists of ten interviews, with the youngest one having turned 17 no more than a month ago, and the oldest one being no more than a month away from turning 18. This data subset includes the questioning of persons suspected of a broad variety of offences, including sexual assault, arson, robbery, drug possession, criminal damage and assault. In terms of duration, the interviews range from five to 67 minutes, with a total running time of approximately four hours and 47 minutes. Nine out of the ten suspects are male, with the only exception being Helena (17_2_3).

Interview	Suspected offence	Duration	Persons present
18_1_1: Kevin	Assault	14 min	SU, IR1, IR2, SOL
18_1_3: Luke	Assault	26 min	SU, IR
18_1_4: Matt	Criminal damage	12 min	SU, IR
18_2_1: Nathan	Assault	36 min	SU, IR
18_2_2: Olivia	Criminal damage	34 min	SU, IR, SOL
18_2_3: Olivia	Criminal damage	04 min	SU, IR, SOL
18_2_4: Paul	Robbery; Possession of a firearm; Possession of a controlled substance	25 min	SU, IR, SOL
18_2_5: Robert	Assault	12 min	SU, IR1, IR2
18_2_6: Samuel	Assault	13 min	SU, IR

Table 3: Full list of interviews with suspects aged 18

Age group 18 is comprised of nine interviews. The youngest person in this age group is being questioned no more than two months after their 18th birthday; the oldest interviewee is 18 years and 11 months old. The shortest recording lasts four, and the longest 36 minutes. The total running time is just short of three hours. Suspected offences include assault, criminal damage, robbery, firearms possession and drugs possession. Much like in the younger age group, only one of the suspects is female, and the dataset includes two of Olivia's interviews pertaining to a number of related incidents.

Excerpts from interviews used in the subsequent analysis chapters are numbered with reference to the chapter in which they appear, and they are labelled with the name of the

suspect. The right bottom corner of each example shows the interview's label following the 'Suspect Age_Force_Number' system.

Overall, the dataset for this analysis is of considerable scope, with diverse range of durations, offences and ages within the individual age groups. The fact that all interviews were conducted around 2016 and 2017 makes this dataset very recent, meaning that the observations reflect current practice in E&W. For a data-driven project such as this, being able to work with authentic interviews of high audio quality is absolutely crucial.

4.6. Transcription

First and foremost, it must be mentioned that there are fundamental differences between spoken and written language (see Biber, 1988; Halliday 1989). No transcript, however detailed, will ever be able to reflect speech fully and encompass all the relevant extra-, para-, and linguistic elements. Having said that, CA transcription conventions perhaps allow us to get as close as possible to an accurate and detailed representation of spoken language. The transcription conventions for this project are largely based on the work of Gail Jefferson (2004). Over the years, the notation system for CA research has been expanded in order to accommodate for new topics being analysed in new fields (Psathas 1995: 12). A full list of both old and new symbols with explanations and examples can be found in Jefferson's introductory chapter (2004: 24-31); a list of the transcription elements used in this research can be found at the beginning of this study.

Crucially, transcription itself must be considered as part of the analytic process, because it is by no means an objective endeavour. In other words, 'the choices made in transcription link the transcript to the context in which it is intended to be read. Embedded in the details of transcription are indications of purpose, audience and the position of the transcriber toward the text.' (Bucholtz 2000: 1440). According to Green *et al.* (1997), there are two dimensions to transcribing, namely an interpretive process and a representational

process. The interpretive process is concerned with *what* is transcribed, in other words means decisions on selecting certain parts of an interaction. The representational process means *how* something is transcribed. This process often takes place on a phonetic level, for example when considering how to represent features distinctive of certain accents or language varieties. Research has shown that these decisions often take place subconsciously (Bucholtz, 2000: 1446), and that transcribers sometimes perceive it as doing the speaker a favour when correcting their language as part of the transcription process (1452).

The language in this dataset was transcribed as accurately as possible, including instances of non-standard expressions and mispronunciations. As data providers were promised that the identity of their subjects would be protected at all cost, the (extremely rare) usage of regionally specific language with the potential to give clues about the geographical origin of the data were 'standardised' or replaced with synonyms. Apostrophes are used where grammatically appropriate as they are not used to denote anything else specifically. Punctuation was omitted and replaced by CA transcription symbols denoting intonation. Capitalisation was used where grammatically correct for proper nouns and the first-person personal pronoun 'I', but was otherwise used in agreement with Jefferson's conventions denoting shouted or increased volume speech (which is a rare occurrence in the dataset). One extra symbol adopted is the ellipsis '…', which is only adopted in the extracts in the analysis chapters but not in the full transcripts.

Example 4.04: Luke
```
196   IR  right↓ obviously bit of blood (0.6) erm and
197       …
                                                    18_1_3
```

An ellipsis signals the preceding or succeeding continuation of a turn by the same speaker. In Example 4.04 above, the ellipsis signals succeeding continuation of the interviewer's turn.

In order to neatly incorporate pseudonyms for the aforementioned placeholders (names, dates, geographical information, etc.), a 'cast and fact sheet' for each interview was prepared alongside the transcription process. Each 'cast and fact sheet' contains a list of all placeholders used as well as the names they are replaced with in the final text. In terms of transcription practicalities, the interviews were played in Audacity and manually transcribed into a table in Microsoft Word. The transcription font used is 'Courier New'; however, any font with fixed-width characters works to ensure that overlapped speech is neatly aligned:

```
Example 4.05: Robert
124  IR1  °o[kay↑°]
125   SU   [cause] it was- I was here by eleven
                                              18_2_5
```

Thanks to the fixed character width, the square brackets indicating overlap are perfectly aligned and thereby minimise the risk for confusion (see also Hepburn & Bolden 2013). On average, a minute of police interview would take around 30-40 minutes to transcribe, depending on various factors such as the number of speakers, the audio quality etc. The transcripts of all 19 interviews amount to a total of 264 A4 pages and constitute the Restricted Appendix, which is only available upon request.

4.7. Chapter summary

This chapter has discussed the epistemological context that this research is embedded in, and also presented the analytical tools used in the subsequent three analysis chapters. The multi-method approach combining elements from CA and CDA allows for the identification of the most salient issues pertaining to the research questions, as well as the critical evaluation of these observations. The data are the most central component of this project, and the 19 interviews subject to analysis are invaluable thanks to their authenticity, recentness and good audio quality.

5. DISCURSIVE ORIENTATIONS TO AGE

5.1. Introduction

This chapter addresses the question: how do participants in interviews with 17- and 18-year-old suspects discursively orient to age? It examines instances of explicit and implicit age-related communication across the complete dataset. In line with the inductive CA paradigm, the presence of age-specific orientations means that age as a factor is of relevance to the participants. The analysis aims to find out how age-related ideologies are discursively constructed and perpetuated in the interaction. The analysis is undertaken focusing largely on lexical choice by both the suspect and the interviewer, and speakers' use lexical choice for both explicit and implicit references to age. Lexical tokens include numerals in connection with age (e.g. 'age seventeen', 'eighteen years old'), as well as age-related words such as for example 'child', 'adult', 'young', 'old' etc. It is analysed who makes what age-related lexical choices in reference to whom and in what context. The chapter opens with a brief examination of suspects stating their date of birth during the identification process at the beginning of the interview. The subsequent section is concerned with suspects from both age groups making references to themselves as 'kids' in an act of self-infantilisation to invoke vulnerability. Section 5.4 focuses on interviewers and juvenile suspects talking about adult persons, which reveals ideological attitudes towards children as being vulnerable and in need of supervision. The following section also deals with interviewers and juvenile suspects, in that it looks at interviewers admonishing juveniles' perceived inappropriate behaviour. The penultimate section explores the ideological notion of maturity, and the final part of the analysis is concerned with victims' age-related descriptions with reference to the suspects.

5.2. Age in the identification process

Suspects are routinely prompted to introduce themselves for the tape during the 'Engage and explain' stage of the interview. Section 12.7 of PACE Code C states that interviewers should

'identify themselves and any other persons present' before they start questioning a suspect. In the current dataset, all 19 suspects are prompted to state their full name; most suspects are additionally prompted to state their date of birth (14 out of 19) and some suspects are also prompted to state their home address (8 out of 19).

Table 4 below shows all 19 interviews divided by police force. It lists for each interview whether the suspect is prompted by the interviewer to state their date of birth (YES) or not (NO). Within each force, the divide between 17- and 18-year-old suspects is denoted by a horizontal double border.

Interview	DOB	Interview	DOB
17_1_1: Andrew	YES	17_2_1: Frankie	YES
17_1_2: Ben	YES	17_2_2: Gavin	NO
17_1_3: Charlie	YES	17_2_3: Helena	NO
17_1_4: Daniel	YES	17_2_4: Ian	NO
17_1_5: Eric	YES	17_2_5: Jack	NO
18_1_1: Kevin	YES	18_2_1: Nathan	YES
18_1_3: Luke	YES	18_2_2: Olivia	YES
18_1_4: Matt	YES	18_2_3: Olivia	YES
		18_2_4: Paul	YES
		18_2_5: Robert	NO
		18_2_6: Samuel	YES

Table 4: Suspects state their date of birth during the 'Engage and explain' stage

The table shows that in all interviews conducted by Force 1 the suspects are prompted and thus state their date of birth at the beginning of the interview. Interviewers from Force 2 appear to be less consistent in this; in four out of five interviews with 17-year-old suspects the date of birth is neither prompted nor stated. In interviews with 18-year-old suspects, they are prompted for their date of birth in all but one case. The prompts for personal information during the 'Engage and explain' stage are made by the interviewer either in one single turn or, more commonly, across multiple turns. Examples of the two ways can be seen below:

Example 5.01: Nathan
```
002   IR  …
003       police station (1.2) erm going to interview
004       Nathan could you please state your full name
005       date of birth and address for me please
006   SU  er: Nathan Biggs sixteenth of July nineteen
007       ninety eight and one twenty two Chester Avenue
                                                    18_2_1
```

Example 5.02: Andrew
```
008  IR1  thank you↓ (.) being interviewed is↑ could you
009       give me your full name↓ please
010   SU  Andrew Max Cohen
011  IR1  a:nd your date of birth Andrew
012   SU  ninth of June two thousand
013  IR1  thank you↓ and your address↓
014   SU  (0.9) er one oh five High Street in Coventry
                                                    17_1_1
```

In all cases the prompts are posed as a matter of routine for the benefit of the tape and thus as a legal requirement. This formality is partly characterised by the fact suspects are only asked to state their date of birth and not their actual age. The primary interest for the interviewer is thus not the suspect's actual age, but rather the fixed date of birth which can serve as an identifier.

The dataset shows two instances of interviewers explicitly mentioning the 17-year-old suspects' actual age during the 'Engage and explain' stage; in both cases interviewers do so in the context of giving instructions to the AAs and not as part of the identification process.

Example 5.03: Daniel
```
078   IR  basically because Daniel is seventeen we have
079       to we have to implement that okay
080   AA  okay
                                                    17_1_4
```

In this interview, the interviewer states to the AA that 'because Daniel is seventeen we have to' use the AA safeguard (lines 078-079). The interviewer furthermore formulates the justification for the AA's presence using the pronoun 'we', thereby foregrounding his

professional identity as a representative of the police institution. The emphasis on 'have' in the interviewer's turn reveals something about his attitude towards the safeguard, in that he regards it as a legal obligation imposed upon the police establishment. As will be discussed in Chapter 7, the way that Daniel's AA is instructed is *ad-lib* and incomplete in nature.

Similarly, Frankie's mother's instructions are pre-empted by the following justification:

Example 5.04: Frankie
```
0017  IR1  …
0018       erm obviously mum in relation to why you're
0019       ↓here↑ (0.7) er is because- (0.7) Frankie's
0020       only seventeen↓ er but you you're acting as an
0021       appropriate adult basically that means you are
0022       …
                                                    17_2_1
```

Frankie's interviewer reminds the AA that she is present in the interview 'because Frankie's only seventeen' (lines 0019-0020). The use of the adverb 'only' is a powerful lexical choice for it emphasises the suspect's 'young' age (in the eyes of the interviewer) and thus his statutory status as a juvenile. Even though the interviewer's turn in Example 5.04 is directed at the AA, the interviewer's contribution highlights the asymmetry between himself as the primary and the suspect as the secondary interlocutor in the discursive context of the interview.

Both examples show interviewers using the suspects' age to warrant the presence of the AA. Certainly, PACE stipulates the mandatory presence of an AA in interviews with juveniles, with the primary goal of assisting the suspect to navigate this highly complex institutional discursive environment. This reason for the AA's presence does not need to be stated for the tape, and the emphasis on Daniel's and Frankie's status as juveniles, especially considering their approximation to the adult side of the age divide, can thus be seen as marked. The physical presence of the AA is an evident reminder of the suspects' status as

juveniles, and interviewers' underlining of this fact reveal certain ideological assumptions that the interviewers hold towards their interviewees.

Table 5 below shows all 19 interviews, once again divided by force and with the horizontal double border dividing the two age groups. For each interview, in addition to the information about the date of birth prompt, the table also shows whether or not interview participants discursively orient towards age in any way during the main part of the interview, i.e. during the 'Account, clarification and challenge' stage. In other words, the 'Account' column reveals whether or not the respective interview will be discussed in the remainder of the current chapter.

FORCE 1			FORCE 2		
Interview	**DOB**	**Account**	**Interview**	**DOB**	**Account**
17_1_1: Andrew	YES	YES	17_2_1: Frankie	YES	YES
17_1_2: Ben	YES	YES	17_2_2: Gavin	NO	YES
17_1_3: Charlie	YES	NO	17_2_3: Helena	NO	NO
17_1_4: Daniel	YES	NO	17_2_4: Ian	NO	YES
17_1_5: Eric	YES	NO	17_2_5: Jack	NO	NO
18_1_1: Kevin	YES	NO	18_2_1: Nathan	YES	YES
18_1_3: Luke	YES	NO	18_2_2: Olivia	YES	NO
18_1_4: Matt	YES	YES	18_2_3: Olivia	YES	NO
			18_2_4: Paul	YES	NO
			18_2_5: Robert	NO	NO
			18_2_6: Samuel	YES	YES

Table 5: Date of birth stated and verbal orientations towards age during 'Account' stage

Table 5 reveals that there is no correlation between stating the date of birth during the 'Engage and explain' stage and references to age during the 'Account' stage. While with regards to the stating of the date of birth we saw an apparent divide between the two forces, the same cannot be said for age-related discourse during the 'Account' stage. The presence and absence of orientations to age are equally distributed across both age groups. What the table thus shows is that in eight out of the 19 interviews from across both age groups and forces, age matters in some manner. The subsequent analysis examining explicit and implicit

references to age by means of a variety of lexical choices draws upon the interviews with suspects Andrew, Ben, Frankie, Gavin, Ian, Matt, Nathan, and Samuel.

5.3. Suspects invoking vulnerability

As has been discussed extensively elsewhere, 17-year-olds are legally considered children. However, with 17-year-olds being no more than a year away from reaching legal adulthood, and thus being very close to gaining a level of autonomy and independence, the labels 'child' and 'kid' for a 17-year-old seem more marked than, say, for a 10-year-old. Yet, it is revealed that there are instances in which both 17- and 18-year-old suspects refer to themselves as 'kids', and more specifically as 'care kids', thereby discursively playing with the ideological notion of children (in care) as vulnerable and immature.

The first two examples come from an interview with 18-year-old suspect Matt, who has been arrested on suspicion of causing criminal damage. In the first example, Matt is reiterating that he was angry because a care worker at his living quarters had refused to give him a travel ticket for a family visit. As a reaction to this alleged refusal the suspect admits to have caused damage to some property.

Example 5.05: Matt
```
098   SU  …
099       w- I questioned her and says woah for <four (.)
100       three four months prior to this you've given me
101       cards for it so why can you do it one week but
102       not the other that don't make sense you can't
103       do that to kids e- e- especially in care
104       they're already messed up as it is (3.4)
105       <specially when I just wanna go see family it's
106       my birthday weekend so >was just gonna< go down
107       and ha:- have a laugh (1.0) instead I'm being
108       sat on me own
109   IR  and how were you feeling at the time at that
110       point
111   SU  oh I was mad I was wild- I was wildly
112       aggressive
```
<div align="right">18_1_4</div>

Initially, the suspect refers to the care worker in the third person, 'I questioned *her*' (line 099) and then uses reported speech to tell of his interaction with her, '*you*'ve given me cards…' (line 100) and 'why can you do it one week…' (line 101). As part of Matt's turn in which he voices his frustration, he makes the statement that 'you can't do that to kids' (lines 102-103). The 'you' in this context can be seen as another instance of reported speech addressing the care worker, or as an impersonal generalised 'you'. Interestingly, the suspect does not explicitly label himself as a kid, but instead makes a more general statement in which he implicitly includes himself. Matt is 18 years old and thus legally no longer a child, meaning that he engages in a phenomenon I have termed 'self-infantilisation'. This can be seen as invoking vulnerability in an attempt to evoke sympathy from the interviewer. By assigning the label of 'kid' to himself, he creates an interesting power dynamic in the interview. Given his institutionally less powerful position in the interview, his orientation to age and status can be interpreted as 'doubling down': by emphasising his young age, he draws on ideological concepts of behaviour associated with children. He essentially plays on the idea that 'kids' have the tendency to react irresponsibly when encountering opposition, such as a ticket refusal from a care worker. Line 106 shows Matt referring to his imminent birthday. The fact that the suspect is only days away from his 19th birthday makes the self-reference as 'kid' even more marked. Furthermore, the mention of the upcoming birthday itself is an emotional trigger aimed at the interviewer to evoke sympathy. In addition to the implicit self-labelling as a kid, the suspect adds an intensifying clause 'especially in care' (line 103). It had been openly established at an earlier point in the interview that the suspect is 'part of (…) social services and stuff' (Res. App., 18_1_4: Matt, lines 087-089), meaning that the added qualifier can be regarded as self-reference. The suspect criticises the care worker's seemingly arbitrary policy pertinent to travel cards, and labels himself as a kid 'in care' in order to emphasise that such situations are even more burdensome for him than for a 'kid' not in care. The suspect makes explicit reference to care kids' struggles by stating that 'they're already messed up as it is' (line 104). The interviewer does not directly react or

respond to the suspect's statement but instead carries on with the next clarification question 'and how were you feeling at the time at that point' (lines 109-110).

At a later stage during the interview, Matt produces a similar turn to the one discussed above, in which he explains again why he was so frustrated that he ended up causing the damage.

Example 5.06: Matt
```
170   IR   so you were annoyed about the situation=
171   SU   =oh yeah I was yeah I was- that's why I was
172        <wildly mad about the situation it's not fair
173        to play with with kids' emotions I might be
174        what like eighteen I still suffer with a lot-
175        I- I work with the social services and for them
176        to take the piss out of me it's- it's not nice
177        (2.2) all I asked was very politely to go see
178        me family
179   IR   were you given permission to damage the door
180   SU   no course not
```
<div align="right">18_1_4</div>

In his answer turn, Matt first responds directly to the interviewer's arguably silly question (line 170) enquiring about the suspect's state of mind at the time of the offense (see Stokoe & Edwards 2008). Matt then reiterates a similar sentiment to what he had stated earlier by saying 'it's not fair to play with kids' emotions' (lines 172-173). Interestingly, Matt subsequently changes back to first person for an explicit age-related reference, namely 'I might be what like eighteen' (lines 173-174). The suspect hereby creates an interesting age-specific dichotomy by implicitly labelling himself as a 'kid' (for the second time), and in the same breath explicitly stating his actual age as being 18, which makes him an adult. He immediately qualifies the latter 'adult' statement by adding 'I still suffer with a lot' (line 174). In other words, the suspect is clearly aware of his own age, the associated status as an 'adult' and related ideological expectations, and he invokes vulnerability in an attempt to justify his arguably reckless behaviour.

The two examples discussed above show 18-year-old Matt downplaying his status by referring to himself as a 'kid' on multiple occasions and thereby increasing his perceived vulnerability.

The dataset also shows 17-year-old suspect Gavin invoking vulnerability. Gavin is accused of committing assault and sexual assault on two of his care workers. Throughout the course of the interview, Gavin is getting increasingly irritated by the interviewer's questions, many of which are based on discrepancies between the suspect's account and the two victims' statements. As a matter of routine, the police interviewer challenges the suspect in an attempt to align the differing versions of events. As a result of this negotiation, Gavin appears to feel increasingly stressed and overwhelmed by the interview, which is characterised by a number of diffuse turns.[18] Part of one such disjointed interaction can be seen below.

Example 5.07: Gavin
```
1720   IR  did you not say anything else to Brad↓
1721   SU  no↓ I just told Tamsin what he said to me the
1722       other day (0.6) well not the other day but bout
1723       two weeks ago I told her↑ (0.6) and she didn't
1724       like it she went na:h↓ (.) and then (0.5) ah:
1725       well I'll tell someone↓ >d'you know what I<
1726       mean↓ >d'you know what I< mean that's not right
1727       man↓ (1.7) that's not right man only cause I
1728       told them tray- straight what Henry said to me↓
1729       they- ever since that they they'd been wrong
1730       (0.5) they've been doing stuff wrong↓ treating
1731       me differently >d'you know what I< mean
1732   IR  right↓ okay↓
1733   SU  I don't think it's fair on me maybe I'm a care
1734       kid yeah↑ (0.5) but I got feelings
1735       >you [know what I< mean I've] got feelings↓
1736   IR       [ of course you have↓  ]
1737       what did Brad say to you↓
1738   SU  he said↓ (.) I will knock your head off if you
1739       come near this hel- er house again (0.4) I said
1740       …
                                                17_2_2
```

_____

For an illustration of how the increasingly irritated and irrational interaction between Gavin and the interviewer comes to a head, see Res. App., 17_2_2: Gavin, lines 2244-2311.

In his rather lengthy turn starting in line 1721, Gavin claims that he had been treated differently by his care workers ever since a verbal altercation had taken place. After the interviewer acknowledges the long turn (line 1732), Gavin adds 'maybe I'm a care kid (…) but I got feelings' (lines 1733-1734). This contribution puts forward the implication that children in care are somehow not thought of as having feelings, even if neither the immediate nor the broader context provide grounds for such a suggestion. Similar to Matt's examples discussed above, Gavin is labelling himself as a 'care kid' in order to provide a justification for his getting upset by the recent altercation. The interviewer reacts to the suspect's claim by validating 'of course you have [feelings]' (line 1736). This TCU is overlapped with a discourse marker often used by this particular suspect, namely 'do you know what I mean' (line 1735), which is why it is unclear how meaningful the interviewer's reassurance is to the suspect. The suspect's self-reference as a 'care kid' is not elaborated on further by either interlocutors. The subsequent question put to the suspect is a means of topic control in that the interviewer brings the focus back on the initial incident (line 1737).

A more neutral, status-based self-reference can be seen in the interview with Ian. In this example, a discussion takes place between Ian and the interviewer which is concerned with alcohol consumption during the festival where the alleged offence happened. In this context, the suspect revels that him and his same-aged peers only drink on the camping ground, i.e. outside the festival grounds.

Example 5.08: Ian
```
0628   SU   yeah well like (0.5) 'cause you can't take d-
0629        you can't take drinks up to the s- like the
0630        (0.3) music festival bit
0631   IR1  r[i:ght↓]
0632   SU    [   you] have to buy them in there but you're
0633        >not an adult (inaudible)< so you can't buy
0634        drinks in there
0635   IR1  mhm↑
0636   SU   so we drink before (0.7) (inaudible) (0.5)
0637        …
```
<div align="right">17_2_4</div>

Ian explains this behaviour simply by acknowledging his status as a juvenile who is not legally able to purchase alcohol in E&W. However, instead of labelling himself as a juvenile or a child, Ian describes himself and his peers, using the impersonal generalised 'you', as 'not an adult' (line 633). The lexical choice 'not an adult' shows that Ian is aware of his position somebody who has legal restrictions imposed upon them, and he reveals this without attempting to evoke sympathy from his interlocutor. Ian is also orienting to age as a means of explaining his behaviour; however, Ian's behaviour hardly runs the risk of being associated with irrational or irresponsible behaviour, as is the case with Matt's violent reaction to the refused ticket and Gavin's severe upset after an altercation with his care workers. In fact, Ian uses self-reference to show awareness of his status and reveals 'sensible' behaviour in accordance with his minority.

5.4. Interviewers and juvenile suspects describing adults

This section examines how interviewers and juvenile suspects refer to adults outside the interview room. In Andrew's case, the interviewer makes an implicit reference to Andrew's friend's parents. The example from Ben's interview shows the suspect giving a description of two persons he had seen near the crime scene. In Frankie's interview, the suspect and the interviewer have a rather lengthy discussion about a man who was present at the crime scene, and both parties use various terms of reference when talking about him.

A marked lexical choice used by interviewers in interviews with juvenile suspects is the collective term 'adults', which is used by interviewers to emphasise the suspects' juvenile status and to perpetuate the ideological notion of children being in need of supervision. In Andrew's interview, a discussion is held about the persons present during the night of the offence. Andrew states that he and three other juveniles were at a friend's house, and when the interviewer verifies the suspect's information the following statement is made:

Example 5.09: Andrew
```
552  IR1  right↓ so there was no adults around then↓
553  SU   °no°
```
<div align="right">17_1_1</div>

The interviewer makes a point of emphasising that the suspect and his friends are not adults. Without being explicit, it can be assumed that the interviewer's question about 'adults' is referring to 'older' adults, such as parents or guardians, rather than, say, an 18-year-old friend of Andrew's. What the interviewer is revealing by her orientation to age is the underlying ideology of children as vulnerable persons in need of (adult) supervision. The interviewer discursively paints the picture of Andrew and his friends being home alone unsupervised, thereby creating an ideologically marked backdrop for the alleged offence to take place.

When Ben is asked to describe two men he has allegedly seen near the scene of the crime, he produces the following turn:

Example 5.10: Ben
```
645  IR1  do you remember roughly (.)
646       [maybe what they were wearing            ]
647   SU  [yeah I can >remember the (weight) of them<]
648       one was quite (.) <fat fatish and the other one
649       was quite middle built (1.0) in their forties
650  IR2  (2.9) how tall were they
```
<div align="right">17_1_2</div>

The prompt for Ben to provide a description starts in line 645, and he interrupts the interviewer which results in a fairly long overlap between the two (lines 646 and 647). Ben's description initially focuses on the persons' builds, and after a one-second pause, he provides the age range 'in their forties' (line 649). This is the only age-related reference the suspect gives about the two men; throughout the interaction he refers to them as 'two blokes', 'two males' and 'white males' (Res. App., 17_1_2: Ben, line 144 and 630). The latter two terms of reference are reminiscent of police jargon and perhaps unusual language for a suspect to use.

The following shows an analysis of a rather lengthy interaction between the interviewer and the suspect Frankie, in which they both make reference to the two adult witnesses who were at the crime scene. The majority of the interaction talks about the male witness; the female witness is mentioned as the person seen sitting in the passenger seat a little later on in the excerpt. The interaction reveals orientations towards age beyond the simple reference and is thus examined as a larger excerpt.

Example 5.11: Frankie
```
0797  SU   I walked home and then they the police officers
0798       the police car pulled over (0.9) and then he
0799       just <came out and just said (1.2) you alright
0800       mate and I said are you here about my friend
0801       (0.9) and he goes what do you mean about my
0802       friend (0.5) and I said my mate is drunk
0803       talking to the old man down the road
0804  IR1  hmm
0805   SU  and he's gone yeah from what we know but don't
0806       say anything just yet (0.5) cause I don't know
0807       what's actually happened
0808  IR1  yeah yeah
0809   SU  and then he turned on his camera and I told the
0810       camera what happened↓
0811  IR1  (1.1) at any time did you- just to clarify:=
0812   SU  =hm↑
0813  IR1  this one I would eh- and be totally honest with
0814       [ me ]
0815   SU  [yeah]
0816  IR1  (0.7) at any time did you have a conversation
0817       with (0.5) any other (0.4) adults↓=
0818   SU  =no↓ (2.0) the only time >I had a-< the only
0819       time someone said something to me was when the
0820       old man pulled up behind the police officer
0821       (0.6) and said (0.6) that's one (1.0) er the
0822       other one's gone down the road↓ that's the
0823       [only t]ime
0824  IR1  [right↓]
0825       when you say that man pulled up (1.0) <did you
0826       recogn[ise that man↓    ]
0827   SU        [nah I've never s]een this man in my
0828       life↓
0829  IR1  why do- did you recognise his voice for
0830       instance↓
0831   SU  no I've never heard his voice I've never known
0832       him I've never seen this guy before=
0833  IR1  =who did you think he was or did you
0834       (0.3) [<guess ]
0835   SU        [I'm ass]uming he was the homeowner yeah↓
0836       (0.4) when he came over (0.7) but I've n- I've
```

```
0837        never seen this guy
0838        I'd ne[ver seen the (inaudible)  ]
0839 IR1        [right↓ what sort of car wa]s it↓
0840  SU    't was like a Corsa↑
0841 IR1    how just a small car↓
0842  SU    yeah a five door
0843 IR1    yeah↑ anybody in the car with him↑
0844  SU    I:'ve (.) seen his wife↓ there was a [person]
0845 IR1                                         [yeah↑ ]
0846  SU    in the passenger seat so I [°(inaudible)°]
0847 IR1                               [    so     ] was
0848        it male female
0849  SU    well I think female but it was quite dark so I
0850        couldn't really [see ]
0851 IR1                    [yeah] yeah↓ so they they were
0852        <the man driving and [poss]ibly a female
0853  SU                         [yeah]
0854        he like he like pulled up quite fast
0855 IR1    yeah=
0856  SU    =got out of the car and was like that's one of
0857        'em the other ones gone down the road↓
0858 IR1    right↓
0859  SU    (though) they didn't (they went) that way and
0860        then [  (inaudible)   ]
0861 IR1         [and that's the f]irst time these two
0862        adults spoke to you↓=
0863  SU    =yeah spoke to me talked to me saw me↓
0864 IR1    and that was in the presence of the
0865        poli[ce officer↓]
0866  SU        [     yeah] that was the only time
0867 IR1    you've never seen them earlier↑=
0868  SU    =no >never seen them earlier< I've never seen
0869        them in my life
                                                    17_2_1
```

The interviewer and Frankie discuss the nature of verbal interactions at the crime scene, on the one hand between the suspect and a police officer, and on the other hand between the suspect and a male witness.

Throughout the interaction shown in Example 5.11, both Frankie and the interviewer make reference to police officers who were present during this crucial point in time. The police officer that the suspect reports having spoken to is also a male of unspecified age and both interlocutors refer to them simply as that, 'police officers'. The suspect does so in lines 797 and 820, and the interviewer in line 865. There is no reference to the police officers' age or 'adultness' at any point.

The witness that is being talked about is a male of unspecified age. Frankie twice refers to the witness as 'the old man' (lines 803 and 820).[19] A juvenile labelling somebody as an 'old man' can mean a range of ages, for the majority of a 17-year-old's fellow humans are older than they are. The connotations of 'old' are broad and the boundaries for who counts as old or young are blurry, culture-specific, and subjective. In other words, what a 10-year-old child considers to be 'old' likely differs quite significantly from what a 50-year-old adult considers to be 'old'. At the same time, there exist some objective perceptions of old and young age; for example, in the Europe a person aged 90 is considered to be 'old' considering the average life expectancy.

When the interviewer puts a clarification question to the Frankie, he uses the term 'adults' to refer to the officers explicitly and the witness implicitly; 'at any time did you have a conversation with any other *adults'* (lines 816-817). This can be considered a more formal, 'policespeak' restatement of the suspect's term 'old man' (Hall, 2008); police interviewers as representatives of their institutions are expected to use neutral and objective language. The question remains whether the interviewer is likely to have labelled the persons at the crime scene as 'adults' had the suspect not been a juvenile. It can be assumed that a 50-year-old suspect would have been asked about potential conversations 'with anybody else'. Frankie's interviewer is representing his question about witnesses in a particular way, which perpetuates the notion of 17-year-old Frankie as a juvenile. A question in the same context posed to a hypothetical 50-year-old would be represented in a different way, which would result in a 'very different significance' (Fowler 1996: 4).

After Frankie's second reference to the witness, i.e. 'the only time someone said something to me was when *the old man* pulled up behind the police officer', the interviewer picks up on this sequence and clarifies with the suspect in his subsequent turn, 'when you

---

[19] Frankie also says about the witness 'if he's an old (inaudible)' during an earlier stage of the interview, but due to the inaudible nature of the linguistic context, this instance is not subject of the current analysis. (Res. App., 17_2_1: Frankie, line 466).

say *that man* pulled up did you recognise *that man*' (lines 825-826). The opening of the turn 'when you say…' implies that what follows is reported speech, in this case from the suspect. However, the interviewer 'cleanses' the suspect's language and replaces 'the old man' with 'that man'. This progression is strongly reminiscent of the concept of formulations, a discursive resource used by interviewers in order to negotiate a 'preferred version' (Heydon 2003; MacLeod & Haworth 2016). This particular reformulation does not include anything that was not included in the suspect's original contribution; instead, the interviewer removes the lexical item 'old' in order to make the token more neutral. Crucially, the suspect desists from referring to the witness as 'old man' from this point onwards and instead echoes the interviewer's reformulation 'that man' with a different determiner, i.e. 'I've never seen *this man* in my life' (lines 827-828). This phenomenon illustrates the powerful potential of a reformulation in which the interviewer uses language indicative of reported speech, 'when you say…'. In a later turn, when mentioning the witness two final times, Frankie retains a low level of formality but refrains from using any age-related lexis; he refers to the witness simply as 'this guy' (lines 832 and 837).

When asked about other persons present, Frankie refers to the witness' 'wife', in the passenger seat of the witness' car (line 0844). The suspect makes no explicit age references when talking about the woman in the car; however, the term 'wife' in this context instinctively suggests a similarity in terms of age between the male witness and her. If the second person had been considerably younger, for example, the suspect may well have oriented towards the age gap by using a descriptor that emphasises this. Frankie appears to realise that he was being assumptive, in that the person in the passenger seat may not be the witness' wife, and so he relativizes his statement by paraphrasing 'there was a person in the passenger seat so I-' (line 0844 and 0846). The suspect is trying to show his process of deduction, i.e. he had seen a female person in the passenger seat and thus assumed that she was the witness' wife. The interviewer interrupts Frankie, rendering the final part of his turn inaudible.

When summarising the suspect's contributions at the end of the exchange, the interviewer confirms that the suspect had seen 'the man driving and possibly a female' (line 0852) and that Frankie had not spoken to the witnesses before, 'and that's the first time these *two adults* spoke to you' (lines 861-862). The interviewer uses neutral language and police jargon to refer to the witnesses, but then also refers to them as 'two adults' to once again reinforce the suspect's status as a juvenile.

The following table serves as an illustration of the progression of the terms of reference throughout the interaction. Utterances marked with an asterisk* denote references to the female in the passenger seat of the male witness' car.

Frankie	Interviewer
…my mate is drunk talking to the **old man** down the road	
	…did you have a conversation with any other **adults**
...when the **old man** pulled up behind the police officer	
	when you say that **man** pulled up…
	…did you recognise that **man**
…I've never seen this **guy** before	
…I've never seen this **guy** before	
I've seen his **wife***…	
…there was a **person*** in the passenger seat	
	…they were the **man** driving and possibly a **female***
	and that's the first time these two **adults** spoke to you

Table 6: Progression of the terms used by IR and SU to refer to two adult witnesses

When considering the columns individually, we can see the suspect using a range of terms to refer to the witnesses. Particularly when talking about the male witness he uses the overt age-related descriptor '*old* man' twice, before moving to the more informal 'guy'. When talking about the female witness, he uses 'wife' and 'person' to refer to her. The interviewer's column shows more formal terms. He mainly refers to him as 'man' and to her

as 'female'. The term 'adults' to refer to the witnesses is used because the suspect is a juvenile. It can be assumed that the interviewer would not be referring to witnesses as 'adults' in an interview with a 50-year-old suspect.

5.5. Expectations regarding juvenile vs. adult behaviour

This section shows two examples of interviewers in some way denouncing or criticising juvenile suspects for acting 'immaturely' or 'naïvely' and thereby revealing their ideological attitudes. The first example is taken from the interview with Gavin who, as was mentioned in the previous section, is showing overt signs of distress in his behaviour. According to statements made by the alleged victims, Gavin had been 'in a troubled mood' during the day of the alleged attack and during a visit to a fast food restaurant: '[he] was having a full-blown conversation with himself and laughing and talking to himself' (Res. App., 17_2_2: Gavin, lines 1617-1619). Following this allegation by the victims, Gavin gets more and more irritated. An excerpt from this lengthy and progressively aggravated exchange can be found in Appendix I (Example 5.12); it shall illustrate Gavin's increasingly irrational and disjointed contributions and serve a context provider for the upcoming analysis.

The interviewer's repeated questions pertaining to the suspect's alleged soliloquy (lines 1632, 1634, 1637 and 1639) are all categorically denied by the suspect. After the final refutation the suspect reveals that he is 'stressed out' (line 1640), which is immediately trivialised by the interviewer's subsequent turn. The interviewer's statement that they're 'only having a conversation' (lines 1641-1642) seems somewhat out of place considering that the four preceding turns coming from the interviewers have been repeated questions about the suspect's alleged habit of talking to himself. Each of the questions by the interviewer is formulated in a slightly altered manner with the last one in line 1639 taking on a negative form. The interviewer thus invalidates the suspect's voiced discomfort.

The suspect expresses concern: 'I'm getting blamed for something I haven't done' (lines 1646-1647). Sensing the rising tempers and the threat of losing control of the suspect, the interviewer starts to tell the suspect that there is 'no need to get upset' (line 1656). At this point of the interview, the interviewer reminds the suspect of his right to silence. At the end of the interviewer's reiteration of the suspect's right to silence, the following interaction takes place:

Example 5.13: Gavin
```
1673   IR   but I will go through the interview and ask you
1674        the questions >now there might be some stuff in
1675        here that you don't< l:ike↑ (0.3) what I'm
1676        gonna ask ye↑
1677   SU   yeah
1678   IR   but I don't want you >to get< upset↑ by↓ it↑
1679   SU   al[right    ]
1680   IR     [and just-] (0.5) we're all adults↓ in here↑
1681        ↑aren't we↓ you're seventeen you're getting
1682        towards an adult ↑aren't ye↓=
1683   SU   =yeah
1684   IR   so we'll just have an adult conversation↓ about
1685        it no one- I'm not shouting no one's getting
1686        upset↑ (0.6) so we just need to keep calm don't
1687        we
1688   SU   yeah
1689   IR   alri:ght↓ (0.8) so (0.4) >ask you again< have
1690        you got any past history↓ of speaking to
1691        yourself
1692   SU   no
```
                                                        17_2_2

Once again, the interviewer makes a point of not wanting Gavin to get 'upset' by his questioning (line 1678). The interviewer's subsequent turn offers an interesting selection of age-explicit tokens. After a short turn-initial overlap with the suspect, the interviewer makes the factually incorrect statement 'we're all adults in here' with the added tag question 'aren't we' (lines 1680-1681). Granted, of the three persons present in the interview room, both the interviewer and the AA are adults; however, the suspect unequivocally is not. The interviewer appears to realise this and immediately starts back-pedalling by uttering the relativizing statement 'you're seventeen you're getting towards an adult' followed by the tag question 'aren't you' (lines 1681-1682). The interviewer reveals his ideological standpoint

that being upset and loud are manifestations of behaviour reserved for children, and that adults ought not act in this way. The contribution reveals the interviewer's orientation to the 17/18 age line as a definitive divider between children and adults, with the implied expectation of respective behaviours. The interviewer's cautionary tone and the expectation of the suspect acting in a more mature manner will be revisited in the subsequent section, where the notion of being 'old enough' will be discussed. Following the turn with the interviewer's suggestive tag questions, the suspect unsurprisingly ratifies the interviewer's statements. Gavin thus takes part in his own reprimand, which in turn is an illustration of how the uneven power relations in the interview are discursively co-constructed. While the powerful interviewer exerts power by dominance, the powerless suspect takes part in the construction by consent (Gramsci 1971; MacLeod 2010: 34).

Following the suspect's affirmative response 'yeah' in line 1683, the interviewer continues describing his vision of how the interview ought to progress, namely 'so we'll just have an adult conversation'. It appears more natural to consider this turn as a continuation from the first part of the interviewer's previous turn, i.e. 'we're all adults in here (…) so we'll just have an adult conversation about it' (lines 1680 and 1684-1685). Like this, the statement is logical within itself, albeit blatantly inappropriate in the context of this interview. Considering that the contribution 'you're seventeen you're getting towards an adult (…) so let's just have an adult conversation' throws up logical issues, for the first two clauses 'you're seventeen' and 'you're getting towards an adult' can both be equated to 'you're *not* an adult' or 'you're a child'. Thus, the so-prefaced second clause 'so let's just have an adult conversation' stands in direct conflict with the first one. With his contribution, the interviewer is also implying that the suspect is behaving like a child and therefore inappropriately. He mentions 'shouting' and 'getting upset' and signals that this is not how adults ought to behave. The interviewer thus orients towards the age divide and attempts to push Gavin across the line into adult territory.

Another example in which an interviewer makes reference to the child-adult line and reprimands the suspect over ideologically naïve behaviour is taken from the interview with Ian, who is accused of assaulting a fellow teen with a single punch during a group fight. In the context of describing to Ian the severity of the victim's injuries and the long-lasting recovery ahead, the interviewer makes the following contribution.

Example 5.14: Ian
```
1681  IR1  …
1682       couple of< operations as well (1.3) °so° it's
1683       as easy as that well↓ people don't realise I
1684       mean your mum will and we realis::e er: (0.4)
1685       Ian that things like this going off one punch
1686       can kill somebody↓
1687   SU  yeah=
1688  IR1  =quite easily↓ (1.4) you know↓ >can< cause
1689       damage an::::d you know (0.6) life changing
1690       injuries↓ basically from one punch so (1.0)
1691       just gotta bear in mind what can happen↓
                                                     17_2_4
```

The interviewer groups together the suspect's mother (who is acting as the AA) and himself as the adults who *know*, and positions himself opposite the suspect and his peers as the naïve children who *don't know*. Interestingly, the interviewer verbally bestows the awareness of the one-punch-kill upon Ian's mother based solely on the fact that she is an adult. Similar to Example 5.13 above, stereotypically 'childish' behaviour is reproached, whilst the sensible adult traits are ratified. The example from Ian's interview also serves to illustrate the discursive superiority of the interviewer over the other interview participants: the turn is directed at the suspect and makes reference to the AA in the third person; however, the interviewer offers the floor to neither. The partly latched nature of the suspect's interjected back-channelling token suggests that the interviewer was holding the floor in a monologic fashion. The interviewer evidently holds a higher capacity to control what discourse is produced and how (see Fairclough 2015; Wodak 1996). In both examples discussed in this section, the interviewer resorts to the other adult(s) in the room, refers to himself and the

other adults collectively, and positions the 'adults' with their mature attributes opposite the juvenile suspects and their immaturity.

5.6. The notion of being 'old enough'

17-year-old Andrew is being questioned on suspicion of sexual assault by penetration. In order to establish mutual understanding of some basic sexual concepts, the specially trained female interviewer is trying to get the suspect to verbally define a few sexual acts that he and his victim had consensually engaged in prior to the alleged assault. The suspect is reluctant to answer the question and shows signs of discomfort and embarrassment, manifested by long pauses, hesitations, stuttering and using a quiet and mumbled voice throughout large parts of the interaction. The suspect's contributions do not go beyond phrases such as 'just normal sex' (Res. App., 17_1_1: Andrew, line 157) when prompted to provide descriptions. It seems that the suspect is not struggling to answer the interviewer's prompts because he does not *know* what is asked of him, but rather because he does not want to say out of embarrassment and shame. This is not surprising considering both the highly intimate and sensitive nature of the topic being discussed as well as the physical presence of the suspect's own mother as the AA.

Embedded in a long turn and book-ended by her acknowledgement of how 'tricky' and 'not easy' the situation is for the suspect (lines 181-182), the interviewer first makes reference to her own age and gender, before telling Andrew that he is 'old enough to talk about it'.

Example 5.15: Andrew
```
175   SU   (4.2) um: (2.4) hard >to like↓< think 'cause
176        I'm not- I can't even remember
177   IR1  °aight°↓ okay what↓ other sexual activity would
178        you engage (0.7) with in erm in >with Amanda<
179        what other things would you do apart from (.)
180        sexual intercourse↓ just (0.5) this i- this is
181        tricky for you I know (.) okay↑ I'm a forty
182        something year old woman and it's not easy for
183        you and I get that↓ alright↓ but just to let
184        you know↓ I work on a team and I've worked on
185        this sort of- these sort of teams for a very
186        very long time↓ (0.3) alright↑ so it can be
187        candid↑ (0.3) I'm not gonna be shocked (0.6)
188        I'm not gonna be offended and I don't want to
189        shock or offend you↓ okay↑
190   SU   yeah
191   IR1  it is really important that we are honest here↑
192        and that we talk about things as- as openly as
193        we can↓
194   SU   hm↓
195   IR1  and (.) <to be quite honest with you↑ if you're
196        old enough to do it you're old enough to talk
197        about it alright↑ I know it's not easy (0.3)
198        but let's get that out of the way↓ okay↑ (0.8)
199        so when we talk about sexual intercourse what
200        does that mean
201   SU   (1.6) erm (2.0) you know↓ when (inaudible)
202        slept with each other
```
<div align="right">17_1_1</div>

Interestingly, the interviewer does not state her exact age but instead uses the decade-spanning expression 'I'm a *forty-something*-year-old woman'. A more precise age reveal from the side of the interviewer is not relevant in this context; she is not stating her age to reveal exact personal information about herself, but instead she is acknowledging the age gap between herself and the suspect, as well as pointing out the fact that they are of a different gender. The aspect of interviewer gender in interviews investigating sexual offences is an interesting topic of analysis, however, it lies beyond the scope of the current study (see e.g. Thetela 2002; Rich & Seffrin 2012; Wowk 1984). In terms of the age, however, it can be assumed that it would be highly improbable for an interviewer to mention their own age in any capacity during an interview with a suspect closer to their own age. This is not to suggest that had the suspect been a year older and thus legally an adult, the interviewer would not have made such a comment. Instead, it is hypothesised that an

increase in the suspect's age and thus an approximation to the interviewer's age results in a decrease in the likelihood of the interviewer referencing her own age in this context of the interview. In other words, the smaller the age gap between the interlocutors, the less likely it is going to be explicitly referenced. The interviewer's reference to her own age can also be seen as an emphasis to her experience in order to signal to Andrew that she will not be 'shocked' or 'offended' by what he says (lines 187-188).

The statement 'if you're old enough to do it you're old enough to talk about it' as uttered by the interviewer is stated as if it were a universal truth, which it quite clearly is not. Certainly, the suspect, being over the age of 16, is *legally* old enough to engage in consensual sexual activity (Sexual Offences Act 2003); however, the interviewer's contribution is more suggestive of a comment on the suspect's sexual maturity. Furthermore, the second clause 'you're old enough to talk about it' lacks an interlocutor, meaning that two questions that remain include: 'old enough to talk about it *with whom*?' and also 'old enough to talk about it *in the presence of whom*?'. The interviewer naturally sees herself as the interlocutor and appears to be oblivious to the presence of Andrew's mother as the AA. The suspect may well be more open to talk about these types of topics with his friends, rather than with an adult stranger who represents a powerful institution. It can thus be assumed that Andrew's reluctance to talk about an intimate topic openly is not directly related to the suspect's age, but rather the nature of the topic at hand. The 'old enough' discursive device is typically used to raise a person's age status to where they reach a certain threshold. The interviewer in this interview pushes Andrew across an age-based threshold that inexplicably equates sexual activity with the ease of talking about this topic, despite the fact that the two are not directly connected.

The example below shows the second example of a speaker denoting somebody as being 'old enough'. In this case, the suspect Frankie produces the utterance when he is asked why he and his friends did not stop to search their other friend Felix. As is revealed during

an earlier stage of the interview, Felix is 17 years old and thus the same age as Frankie (Res. App., 17_2_1: Frankie, line 399).

Example 5.16: Frankie
```
0746  IR1  wh- why didn't you stop with them↓
0747   SU  (0.8) >why didn't I stop with them< I don't
0748       wanna get in trouble↑
0749  IR1  right
0750   SU  didn't see the point↑ (0.6) it's not my
0751       situation it wasn't my problem Felix got
0752       himself in that mess and he's old enough to
0753       sort himself out
0754  IR1  yeah↓ (1.8) but obviously he he still goes on
0755       so I'm just wondering why you didn't stop there
0756       you know with your mates↑ you're looking for
0757       your ↓friend↑
```
<div align="right">17_2_1</div>

Frankie's response to the interviewer's question includes an implicit reference to Felix's age. The suspect first states that he did not wait because he did not want to 'get in trouble' and then goes on to say that Felix 'got himself in that mess and he's *old enough* to sort himself out' (748 and 751-753). 17-year-olds are famously *not* 'old enough' to do a number of things, as was discussed in the Introduction; however, this contribution can be seen as an example of the suspect emphasising the maturity of his same-aged friend Felix. Frankie's comment reveals a level of assumed maturity, despite the fact that his friend was intoxicated at the time[20] and thus perhaps in a heightened state of vulnerability.

5.7. Negotiating witnesses' age-related descriptions

The two examples in this section are concerned with references to age as a descriptor, and they show suspects Samuel and Nathan, both 18 years of age, negotiating descriptions of themselves given by witnesses. To reiterate what was mentioned in Section 5.2, neither Samuel's nor Nathan's actual age is mentioned during the identification process; however, both suspects are prompted to state their date of birth only (see also Table 5). The examples

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[20] Res. App., 17_2_1: Frankie, line 138.

discussed in this section thus present the first and only times in both interviews that the suspects' age is explicitly referred to.

The first example is taken from the interview with Samuel, an 18-year-old who is being questioned about assaults on two people. In the example below, the interviewer is reading from the victim's statement in which they provide a physical description of the assailant, and the interviewer is in the process of comparing the victim's description with Samuel's physical appearance. The interviewer's turn continuing from line 195 is reported speech.

Example 5.17: Samuel
```
194    IR   …
195         waving his arms around↓ (.) I've never seen
196         this male before↓ (0.8) >I would< describe this
197         male as (0.5) white (.) twenty-two years old↓
198         (0.3) five foot nine (0.5) with a stocky build↓
199         how tall are you
200    SU   six foot
201    IR   right and how old are you [twen-]
202    SU                             [eight]een
203    IR   eighteen (2.1) with short brown hair which is
204         brushed forward↓ (1.2) he does describe you as
205         …
```
<div align="right">18_2_6</div>

In his statement the victim includes descriptions of the attacker's gender, race, age, height and build (lines 196-198). The interviewer is able to determine that gender and race match the suspect without asking for specifications; however, when it comes to other descriptors, he asks the suspect to provide details in order to verify or falsify. The interviewer asks for the suspect's height as a straightforward question and without providing a possible answer (line 199). The suspect's answer is registered by the interviewer by means of an affirmative feedback token 'right' (line 201). Immediately afterwards, the interviewer puts the age-related clarification question 'how old are you' to the suspect, and unlike in the question about the suspect's height, the interviewer here also provides the beginning of a possible answer, namely 'twen-'. This unfinished token, had it not been interrupted by the suspect's

partly overlapped turn in the subsequent line, would have very likely formed the word 'twenty'. Whether the interviewer was about to repeat the victim's age description of 'twenty-two' can only be speculated upon; however, it is possible that this is a phenomenon similar to the principle of recency (Shuy 2011), where the interviewer simply echoes the most recent (and in this case only) age statement. Seeing as the rest of the description from the victim's statement coincides with the suspect's appearance, it is perhaps not unlikely that the interviewer simply repeated the reported age.

Samuel's answer 'eighteen' (line 202) reveals that the victim's description differs from the suspect's actual age by four years. Whether or not the victim actually saw the suspect or if the assailant was somebody else is not known and not relevant for this analysis, but the fact that the interviewer begins to repeat the victim's age description of the suspect reveals not only the interviewer's unawareness of the Samuel's actual age, but also that the interviewer seems quite happy to project the victim's description of the assailant onto him. Given that the suspect is in reality only 18 years old and therefore very newly an adult makes this aspect quite worrying. Subsequently in line 203 the interviewer simply echoes the suspect's response 'eighteen', and after a 2.1-second pause carries on reading directly from the victim's statement to discuss other aspects of the assailant's description.

The second victim in Samuel's case describes the assailant as 'twenty to twenty-one years old' (Res. App., 18_2_6: Samuel, lines 284-285). This time, the discrepancy between the described age and the actual age of the suspect is not acknowledged by either participants.

18-year-old suspect Nathan is also questioned about an alleged assault, and similarly to Example 5.17 discussed above, the interviewer in the current example is reading from a statement where the assailant is described.

Example 5.18: Nathan
```
399   IR   right (1.0) as he describes it he was roughly
400        five foot eight (1.3) skinny and white↓
401   SU   yeah like yeah ((chuckles))
402   IR   sounds like you doesn't it
403   SU   a [bit-]
404   IR     [and ] short brown hair↓
405   SU   yeah I'm a bit smaller than five eight but yeah
406   IR   one inch is not bad is it five foot eight
407        [(inaudible)]
408   SU   [  no no  ] no it's erm good guess
409   IR   (4.9) er: he's looked around nineteen↓ t-
410        <years old
411   SU   (1.6) well I'm I'm e eighteen years old
412   IR   hm not bad is it
413   SU   °no°
414   IR   eh↑
415   SU   no ((chuckles))
```
<div align="right">18_2_1</div>

It becomes apparent that the witness' description is close to the actual physical appearance of the suspect. The suspect audibly chuckles in line 401, seemingly acknowledging the similarities between the witness' description and himself. The interviewer comments on the similarity explicitly when addressing the suspect in his subsequent turn, 'sounds like you, doesn't it' (line 402). The interaction at this point of the interview is light-hearted and suggests good rapport between the interviewer and the suspect: the conversation exudes positivity, manifested by mutual respect and attention between the interlocutors (Tickle-Degnen & Rosenthal 1990; Abbe & Brandon 2014).

They discuss the assailant's hair and height before getting to the topic of age in line 409. In this line, the interviewer reads from the witness statement: 'he's looked around nineteen (…) years old'. The interviewer's false start 't-' before the jump-started 'years old' in the subsequent line is too brief to be safely interpreted as a specific token. The interviewer does not ask Nathan any verification questions about the descriptions, but instead pauses as a means of signalling a TRP. After a 1.6-second pause, Nathan states his own age as 'eighteen years old' (line 411). The interviewer acknowledges the suspect's contribution once again with the evaluative comment 'not bad', to signal that the victim's description of the suspect

being 'around nineteen' essentially correlates to the suspect's actual age. The light-heartedness of the conversation persists when the suspect agrees that the victim was close in his description and he cannot help but once again audibly chuckle at the similarities between the victim's description of the attacker and his own physical appearance (lines 401 and 415). The chuckling in this interaction can also be seen as a means of making it easier to talk about potential troubles (Jefferson 1984; for an analysis of laughter in the police interview see Carter 2011); after all, the eyewitness evidence discussed seems compelling and can thus be severely incriminating to the suspect.

The victim's guess of Nathan's age is just one year off which can be seen as a good description. The data show that this is acknowledged by both Nathan himself, as well as the interviewer. The example also reveals how dependent on context the question of age is: a one-year difference between 17 and 18 means a completely different legal status and different related provisions, whereas in the real world, a year's difference is virtually indistinguishable. The victim's close description of the suspect is a cause for positive acknowledgement by both the interviewer and the suspect.

5.8. Chapter summary

The chapter has shown examples of interviewers as well as suspects from both age groups discursively orientating towards age. Unsurprisingly, the point of orientation is most frequently the age of the suspect, regardless of who the speaker is. In line with the inductive CA approach of 'letting the data speak' the examination of the interviews has revealed that the age of the suspect is indeed a relevant issue in these interactions. Suspects refer to themselves as '(care) kids' to emphasise their vulnerable state and to evoke sympathy from interviewers. Whereas the notion of 'kid' already suggests vulnerability, the additional reference to being in, or having been in, 'care' emphasises this status even more. This is also a reflection of the ideological notion that looked-after children are in need of and deserving of care from the state. The examples of both interviewers and juvenile suspects talking about

adults outside the interview room have yielded a number of interesting observations: interviewers making references to 'adults' emphasise the suspects' status as children. In the case of Andrew's interview, the confirmed absence of any adults during the time of the offence conjures up the problematic image of unsupervised children.

During the lengthy interaction between Frankie and the interviewer, we see a number of different terms of reference used for the same two persons. The suspect's initial description of the 'old man' is neutralised by the interviewer's descriptions of the 'man'. The interviewer twice asks the suspect about his interaction with the 'adults', which is unlikely to appear as a formulation in an interview with a middle-aged interviewee, for example. The analyses in this chapter have also shows interviewers admonishing juvenile suspects for behaving upset and naïve. Gavin is reprimanded by his interviewer and told that since they are all adults in the room they ought to have an 'adult conversation' The interviewer's implicit attempt at raising the suspect's status to an adult for the purpose of the interaction stands in conflict with the suspect's actual status as a vulnerable interviewee. The interviewer in Frankie's interview makes reference to himself and Frankie's mother as the adults who *do know* and to Frankie as the child who *does not know* about the risks of a so-called 'one punch kill'. The IR's assumption over the AA as well as the suspect are made solely on their respective ages; the AA does not get to verify that she is aware of the risk and the suspect does not get to verify that he is not. This assumption of adults as the persons who *know* is an important aspect of interviewers' evaluations of contributions by AAs, as will be discussed in Chapter 7.

The notion of being 'old enough' has been examined as well. The interviewer in Andrew's interview tells him that if he is 'old enough' to have sex then he is 'old enough' to talk about it. She makes reference to the suspect's perceived level of sexual maturity in order to try and get the suspect to talk. The data also show the suspect Frankie talk about his same-aged friend Felix as being 'old enough to sort himself out', thereby assigning him a level of

responsibility and autonomy, despite his legal status as a child. Finally, it was examined how victim statements' age-related descriptions are negotiated by interviewers and suspects. The descriptions in the interviews with Samuel and Nathan are overall consistent with the appearance of the two suspects (as is acknowledged by both suspects and interviewers), but they reveal a tendency for the suspects' ages to be overestimated. Especially in Samuel's interview the age estimate is a number of years off, and what is considerably more troubling is the lack of intervention of rectification from the part of the interviewer. Instead, the interviewer echoes the victim's description, which reveals his own lack of awareness of how old Samuel actually is. Particularly in the case where a suspect is very close to the legal child-adult divide, the interviewers ought to be conscious of the interviewee's 'newly adult' status.

6. THE POLICE CAUTION

6.1. Introduction

This chapter is concerned with the police caution and addresses the question: how is the caution recited and reformulated to 17- and 18-year-old suspects? As discussed in Chapters 2 and 3, the police caution is a central element of the legal process and must be given to each suspect prior to them being interviewed. Previous research has analysed caution interactions with regards to comprehensibility and comprehension; the current research additionally considers the dimension of age-based ideologies that emerge out of the interactions with 17- and 18-year-old suspects. To reiterate, the wording of the caution is as follows:

> You do not have to say anything. But it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence (PACE Code C, s.10.5).

The caution's complexity and resulting issues with suspects' comprehension have been discussed in previous chapters (Cotterill 2000; Brown 1997; Rock 2012, 2016). Briefly recapped, PACE prescribes that '[i]f it appears a person does not understand the caution, the person giving it should explain it in their own words' (PACE Code C, Note 10D). The recital of a strict legal text and the potential *reformulation* of the caution in a more 'freestyle' manner makes this part of the 'Engage and explain' stage of particular interest to this research. This process from the start of the official recital of the caution to the end of the reformulation is referred collectively as the 'cautioning exchange' (Rock 2007: 157). A cautioning exchange that includes a reformulation following the official recital can be seen as an example of what Johnson (2006) calls the 'hybrid' nature of police interview discourse: a mixture of both legislative elements (i.e. the official PACE wording of the caution) and conversational elements (i.e. the interviewer's explanation of the caution in their own words). With the overall theme of this project in mind, this analysis looks at how the caution

is administered and how the exchange is negotiated in interviews with suspects from both age groups.

In terms of this chapter's structure, first, all 19 interviews are analysed with regards to whether a reformulation of the caution takes place at all and how this relates to the suspects' ages and the force at which the respective interviews had been conducted. Following this, the interviews that contain a reformulation, i.e. 16 out of 19 interviews, are analysed with foci on the interviewers' transition from caution recital to reformulation, as well as the structure of the reformulation itself. Interviewers' uses of explicit and implicit CCQs and lexical markers of evidentiality are investigated in this context. The chapter will finally cover the three instances of interviews in which interviewers do not reformulate the caution after the official recital. Two of those three cases are characterised by a very brief interaction between the interviewer and the suspect about the comprehension of the caution. The third interview in this category presents a special case in which the AA verbally interrupts the negotiation between the interviewer and the suspect, which subsequently results in the interviewer's discontinuation of the reformulation.

6.2. Cautioning exchange categories

As mentioned in the introductory paragraph of this chapter, no distinction is made at this point between 17- and 18-year-old suspects, but instead the complete dataset of 19 interviews is examined with regards to the cautioning exchange. As a refresher, the table below shows the total 19 interviews split by suspect age and force number; the cautioning exchange categories will be interpreted with regards to both age and force in this section.

	Age 17 (total 10 IVs)	**Age 18** (total 9 IVs)
Force 1 (total 8 IVs)	5	3
Force 2 (total 11 IVs)	5	6

Table 7: Number of interviews per age group and force

In all 19 interviews, the caution is first recited in its official wording (PACE Code C, s.10.5). The data show some minor deviation in terms of the official wording; the deviation is limited to changed pronouns (from 'which' to 'that') and contractions (from 'do not' to 'don't'). Following the official recital, we observe two broad cautioning exchange categories: on the one hand exchanges that result in reformulations, and on the other hand exchanges that result in no reformulations.

One aspect that was briefly explored initially was the potential impact of the presence of a legal representative on the cautioning behaviour of the interviewer. Out of the total 19 interviews, ten interviewees have a solicitor present, and the remaining nine do not. From the ten suspects that are interviewed in the presence of a solicitor, nine also get the police caution reformulated. From the nine suspects that are interviewed without a solicitor present, seven get the caution reformulated. The current dataset does not appear to be influenced by the presence or absence of a solicitor *per se* and thus shows no overall correlation between the presence of a solicitor and the interviewer's tendency to reformulate the caution. One observation that could potentially be connected to the presence and absence of a solicitor concerns the three interviews with 18-year-old suspects from Force 1; Kevin's, Luke's and Matt's caution exchanges are discussed in detail in Sections 6.3.1.2 and 6.4. The impact of the factors 'suspect age' and 'police force' on the caution management yield more salient findings.

6.2.1. Cautioning exchange categories with regards to suspect age

In 16 out of 19 interviews the interviewers reformulate the caution for the suspects, and in three they do not. The distribution of interviews with reformulations vs. interviews with no reformulations with regards to the two suspect age groups can be seen in the following table.

	Reformulation	**No reformulation**
SU age 17	9	1
SU age 18	7	2
Total	16	3

Table 8: Cautioning exchange categories with regards to suspect age

Table 8 reveals that there seems to be no correlation between the suspect's age and the category of the cautioning exchange. The age distribution within each category is fairly even, which means that in this dataset the interviewers do not appear to customise their caution administration behaviour based on the exact age of the suspect. Instead, interviewers show a strong overall tendency to reformulate rather than not to reformulate and seem to regard the suspects as a homogenous, perhaps specifically 'adolescent' age group. Interviewers thus do not appear to treat the vulnerable 17-year-old suspects by default differently from their 18-year-old, 'adult' counterparts.

One age-specific observation can be made at this point: while two out of three interviews in the *no-reformulation* category are with 18-year-old suspects, it must be noted that the single no-reformulation instance in the 17-year-old age group is the special case involving the interruption by the AA. Thus, the lack of reformulation is not primarily the result of the suspect's age but rather that of a highly controversial contribution by the AA.

6.2.2. Cautioning exchange categories with regards to force

Table 8 above has revealed no correlation between the two cautioning exchange categories and the ages of the suspects. When considering the two exchange categories with regards to

the two police forces at which the interviews had been conducted, a clearer picture emerges, as can be seen in Table 9 below.

	Reformulation	No reformulation
Force 1	5	3
Force 2	11	-
Total	16	3

Table 9: Cautioning exchange categories with regards to police force

In this table, two main points become apparent: firstly, all three instances of interviewers not reformulating the caution for the suspect take place in interviews conducted at Force 1. And secondly, in all 11 interviews conducted by Force 2 the interviewers reformulate the caution. It can be assumed that different police forces have different guidelines in place that dictate cautioning exchange procedures. This assumption is based on the fact that beyond some of the national legislation and guidelines discussed in Chapter 2, police forces in E&W are largely autonomous and can implement their own procedural guidelines.

In the interest of completeness of contents, a combined table denoting the cautioning exchange categories with regards to both age and police force can be seen below.

		Reformulation	No reformulation
Force 1	SU age 17	4	1
	SU age 18	1	2
Force 2	SU age 17	5	-
	SU age 18	6	-
Total interviews		16	3

Table 10: Cautioning exchange categories with regards to suspect age and police force

6.2.3. Cautioning exchange sub-categories

Let us now focus on the two cautioning exchange categories in a little more detail to see how they result in either a reformulation or in no reformulation. Both the *reformulation* and the *no reformulation* categories can be further split into two sub-categories. The *formulation* category is divided into *direct reformulation* and *reformulation after CCQ*. The *no-reformulation* category is divided into *no reformulation after CCQ* and the *AA interruption* special case mentioned previously. The sub-categories with their corresponding numbers of interviews are listed in Table 11 below.

	Reformulation (total 16 IVs)		No reformulation (total 3 IVs)	
	Direct	**After CCQ**	**After CCQ**	**AA interruption**
All IVs (total 19)	13	3	2	1

Table 11: Cautioning exchange categories and sub-sections

In 13 out of the 16 interviews in the *reformulation* category, the interviewer recites the caution and then reformulates it directly without putting a CCQ to the suspect. The *direct reformulation* sub-category is thus by far the biggest one in the full dataset. The suspects in this sub-category are Andrew, Ben, Daniel, Frankie, Gavin, Ian, Jack, Nathan, Olivia (2x), Paul, Robert, and Samuel. The remaining three interviews in the *reformulation* category, namely those with Charlie, Helena, and Kevin, belong to the *reformulation after CCQ* sub-category. All three interviewers put a CCQ to the suspects; the CCQs all have a polar yes-no format, and all three CCQs are replied to with an affirmative response. Suspects Charlie and Helena are prompted (explicitly or implicitly) to explain the caution back to the interviewer, which is a popular method for the police to text suspects' caution comprehension. Consistent with previous research (e.g. Fenner *et al.* 2002), neither of the two suspects in the current dataset succeeds in producing an even remotely correct explanation of the caution. In Kevin's case, the trigger for the interviewer's reformulation is not audible and can therefore only be speculated upon.

All three interviewers in the *no reformulation* category put a CCQ to the suspect after they finish reciting the caution. The *no reformulation after CCQ* sub-category contains the interviews with Luke and Matt, in which the interviewers appear to content themselves with the suspects' affirmative response to the CCQ and subsequently proceed to the next topic. The *AA interruption* sub-category contains only Eric's interview as a special case. During the cautioning exchange, the AA interrupts the interaction between the interviewer and Eric, thereby deterring the interviewer from reformulating the caution. Figure 6 below shows a simple schematic representation of the cautioning exchange categories.
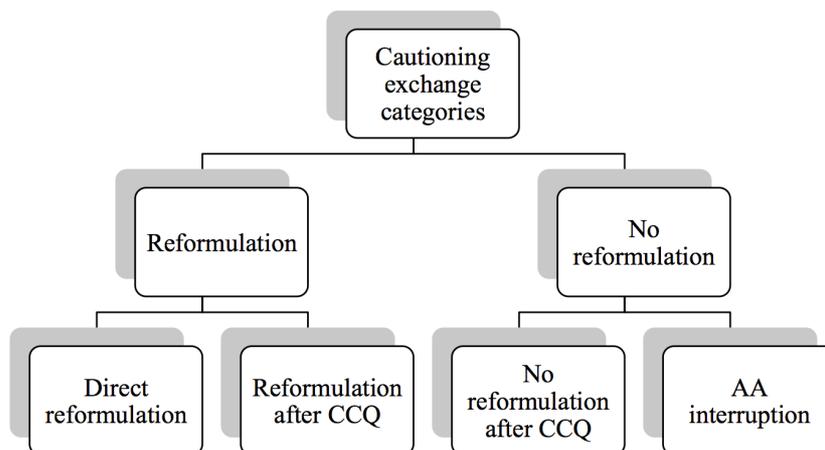
Figure 6: Cautioning exchange categories and sub-categories

All 19 interviews and their respective cautioning exchange sub-categories are listed in Table 12 below. For the purpose of clarity, all interviews are listed individually split into Force 1 and Force 2 in order to highlight the different procedures. The age divide within each force is signalled by a horizontal double border. Negotiations that result in reformulations are left in white; those that result in no reformulations are greyed out.

FORCE 1		FORCE 2	
Interview	**Sub-category**	**Interview**	**Sub-category**
17_1_1: Andrew	Direct reformulation	17_2_1: Frankie	Direct reformulation
17_1_2: Ben	Direct reformulation	17_2_2: Gavin	Direct reformulation
17_1_3: Charlie	Reformulation after CCQ and unsuccessful explanation attempt	17_2_3: Helena	Reformulation after CCQ and unsuccessful explanation attempt
17_1_4: Daniel	Direct reformulation	17_2_4: Ian	Direct reformulation
17_1_5: Eric	AA interruption (no reformulation)	17_2_5: Jack	Direct reformulation
18_1_1: Kevin	Reformulation after CCQ	18_2_1: Nathan	Direct reformulation
18_1_3: Luke	No reformulation after CCQ	18_2_2: Olivia	Direct reformulation
18_1_4: Matt	No reformulation after CCQ	18_2_3: Olivia	Direct reformulation
		18_2_4: Paul	Direct reformulation
		18_2_5: Robert	Direct reformulation
		18_2_6: Samuel	Direct reformulation

Table 12: All 19 interviews with cautioning exchange sub-category

Table 12 emphasises that Force 2 looks unified in its cautioning exchange proceedings. In all but one interview conducted by Force 2, the interviewer reformulates the caution directly after reciting it. The exception is the interview with Helena, who does not succeed in showing comprehension of the caution when prompted to explain it back to the interviewer. It is only after the failed explanation attempt that the interviewer reformulates the caution for her.

Force 1, conversely, looks less unified in its cautioning exchange methods. The table shows three instances of direct reformulations in the 17-year-old age group, and the rest of the cautioning exchanges all fall into one of the three less common sub-categories. Force 1 also points towards some potentially worrying trends, including primarily the AA's interruption in Eric's interview and also the two interviewers undiscerningly accepting Luke's and Matt's affirmative responses to the CCQs.

The introductory observations on the one hand reveal a greater correlation between cautioning exchange categories and force rather than exchange category and age. On the other hand, the observations also point towards many interesting and some problematic analytical issues that are examined in the subsequent sections.

6.3. 'Reformulation' category

6.3.1. Transition from caution recital to reformulation

This section is dedicated to the transition from the interviewer reciting the caution to the interviewer reformulating the caution. The initial focus hereby is the transition from official recital to reformulation, be it monologically by the interviewer in the case of the *direct reformulations*, or dialogically between interviewer and suspect in the *reformulation after CCQ* sub-category.

6.3.1.1. Direct reformulations

The first sub-category is characterised by an interviewer reformulating the caution directly after having recited it without asking the suspect a CCQ or explicitly offering the suspect the floor in another way. One interesting aspect about the direct reformulation is that it glosses over the prescribed procedures as laid out in PACE. As mentioned above, interviewers have a duty to reformulate the caution 'if it appears [that] a person does not understand [it]' (PACE Code C, Note 10D). In the 13 instances of direct formulations, it can safely be said that there are no verbal cues by the suspects that would convey incomprehension. We must consider the possibility of suspects' non-verbal cues, such as puzzled facial expressions for example, but it is argued that the reason for the interviewers' routine direct formulation is more likely to be connected with interviewers' *assumptions* of suspects' incomprehension rather than their reactions to suspects' cues suggesting incomprehension.

The first example shows the interviewer's complete caution recital (lines 040ff.); the subsequent examples in this chapter will be shortened to include only the last sentence of the

official wording, as the primary focus of these analyses is on what happens after the official

recital.

Example 6.01: Andrew
```
037   IR1   …
038         and we are at Newtown police station↓ (0.3) I
039         must remind you↑ that you are under caution↑
040         and that you do not have to say anything but it
041         may harm your defence if you do not mention
042         when questioned .hh something that you later
043         rely on in court anything you do say may be
044         given in evidence (0.7) I'm going to explain
045         that caution for you Andrew basically what that
046         means is you don't have to talk to me today if
047         …
                                                      17_1_1
```

Although the interviewer pauses right after reciting the caution (line 044), there are no

features in her language at this point that would indicate that she is at a TRP and offering the

floor to the suspect. The tone of the interviewer's voice is monotonous throughout much of

the recital and reformulation in this interview. The interviewer prefaces the reformulation

with an explicit announcement to the suspect, which includes a direct address using the

suspect's first name, using the meta-discursive phrasing 'I'm going to explain that caution

for you Andrew' (lines 044-045). By using meta-discursive language, the interviewer

virtually takes the suspect by the hand and explains the objectives and the 'Engage and

explain' stage. The use of meta-discursive formulations is a popular tool for engaging the

suspect during this initial part of the interview, and this in turn is in accordance with official

police guidance pertaining to the PEACE interview (College of Policing 2013). Using the

suspect's first name can also have positive effects as a rapport building tool (Walsh & Bull

2012). The interviewer introduces the reformulation whilst using the adverb 'basically' (line

045), which is revealed to be a fairly common lexical choice by interviewers in the

cautioning exchange part of the interview. Further examples of this can be seen in the

subsequent examples 6.02 and 6.03.

Olivia's interviewer also uses the adverb 'basically' when transitioning from recital to reformulation.

Example 6.02: Olivia
```
036   IR   …
037        on in court (.) and anything you do say may be
038        <given in evidence> (0.8) what that basically
039        me:ans that this is your interview here today↑
040        …
```
<div align="right">18_2_3</div>

Similar to the previous Example 6.01, the interviewer in Olivia's interview pauses after the official recital, before introducing the reformulation, 'what that basically means that…' (line 038). Interviewers' use of such lexis can be seen as an attempt to convey that whilst the official wording of the caution may be complex and convoluted, the actual content can be explained in simple, basic terms. A further interpretation of this lexical choice is that the interviewer believes a basic understanding of the caution is enough for the purpose of the interview. Another example of the use of 'basically' when introducing is the reformulation is seen below:

Example 6.03: Paul
```
055   IR   …
056        rely on in court (0.5) anything you do say may
057        be given in evidence (0.9) basically↓ I'm gonna
058        ask you a load of questions Paul
059   SU   (0.6) °okay°
```
<div align="right">18_2_4</div>

This example shows a minimalistic transition from recital to reformulation, signalled only by the adverb 'basically' following a 0.9-second pause (line 057). The interviewer uses the suspect's first name in order to personalise the relationship between him and Paul, which in turn is a good rapport building tool (Walsh & Bull 2012). Paul's quiet back-channelling can be seen as an expression of active listening (Abbe & Brandon 2014) that also embodies coordination in the way in which him and the interviewer interact in the current context (Tickle-Degnen & Rosenthal 1990).

Three other examples of interviewers using the adverb 'basically' when transitioning from official recital to the reformulation can be seen below. The first example is from the interview with Ian:

Example 6.04: Ian
```
0099  IR1  …
0100       anything you do say may be given in evidence↓
0101       (0.9) basically↓ Ian I'll go through: <what
0102       that is ex- <it's not just 'cause it's you I do
0103       it with everybody↓ (.) >basically you don't
0104       …
```
<div align="right">17_2_4</div>

Ian's interviewer uses 'basically' twice (lines 101 and 103). The first occurrence with its falling intonation introduces the meta-discursive announcement that the interviewer will 'go through' the caution. Interestingly, the interviewer further pre-empts the reformulation by ensuring Ian that he explains the caution to 'everybody' (lines 102-103). By saying this, the interviewer on the one hand claims to expand his personal cautioning method to include both the recital and the reformulation as a matter of course. Whether the interviewer is being truthful when he makes this claim cannot be verified; what he *does* by means of this statement, however, is he assures the suspect that he is not giving him any special treatment on the basis of his vulnerable status, but instead that he is treating him like he would any other suspect. On the other hand, directly reformulating the caution for 'everybody' can render the reformulation little more than just another formality.

In the interview with Jack, the interviewer transitions from the recital to the reformulation by stating 'right *basically* broken down all that means is…' (Res. App., 17_2_5: Jack, lines 050-051). Frankie's interviewer uses meta-discourse as well as the adverb when uttering 'now just to explain to you it sounds a long (turn) but *basically*…' (Res. App., 17_2_1: Frankie, lines 079-081).

Gavin's interview presents the only case of an interviewer meta-discursively announcing the reformulation prior to the official recital. A likely reason for this is the confusion voiced by the suspect as soon as the interviewer first mentions the term 'caution' in line 0085.

Example 6.05: Gavin
```
0084   IR   I must remind you that you're still under
0085        cau:tion↓ the caution it was the same one that
0086        [you  was  given↓-]
0087   SU   [what type of caut]ion is it↓
0088   IR   (0.5) it's the caution that everyone's (0.4)
0089        <given upon (.) arrest
0090   SU   alright↓=
0091   IR   =I'll [read it-  ]
0092   SU         [I don't kn]ow what that means
0093        [(inaudible)]                      [ okay ]
0094   IR   [      I'll] I'll read it out [to you] and
0095        [then I will e]xplain it to you [alri::ght↓]
0096   SU   [  alright   ]                  [yeah yeah ]
0097   IR   so the caution is you do not have to say
0098        anything↑ [but it may ha]rm >your< de[fence  ]
                                                    17_2_2
```

Gavin's inquiry about the 'type of caution' shows Gavin being confused by fact that there are two different 'cautions'. 'The caution' with a definite article means the one informing suspects of their rights; 'a caution' with an indefinite article means a reprimand or warning given to a suspect in lieu of a criminal charge (Cotterill 2000: 4; Rock 2007: 152). The label 'caution' has been shown to cause confusion in and of itself (Rock 2007: 150; Russel 2004: 41). Gavin's apprehensive and confused reaction to the announcement of the caution can be seen as an exemplification of what Morgan *et al*. (1991: 79) describe when they state that while the rights are generally introduced in a way that is reasonably understandable, 'few suspects are in a reasonable frame of mind' when they are getting interviewed on suspicion of a crime. As was discussed in Chapter 5, and as will come up in Chapter 7, 17-year-old Gavin is exhibiting signs of distress throughout the interview, so the fact that he is already overwhelmed during the cautioning exchange is not unpredictable.

The interviewer clarifies the type of caution by referring to the arrest; Gavin would have been cautioned upon his arrest too, and his turn 'alright' (line 0090) first suggests that the interviewer's explanation had aided his understanding; however, he voices his lack of understanding anew when interrupting the interviewer and stating 'I don't know what that means' (line 0092). The interviewer, meanwhile, is using meta-discursive language to announce his intentions of reading the caution to the suspect and 'then I will explain it to you' (line 0095). The interviewer senses that given Gavin's level of confusion prior to the recital of the caution means, an explanation of what the caution means is imperative in this case.

Following the official recital, the interviewer in Gavin's interview does not use the adverb 'basically' but synonymously introduces his reformulation with the phrase '*the basic gist* of the caution Gavin is…' (Res. App., 17_2_2: Gavin, line 0104). Gavin interrupts the interviewer a number of times throughout the caution recital and reformulation, which triggers another meta-discursive contribution from the interviewer during the reformulation: 'I'm just explaining the caution at the minute (…) just so you have a grasp of it' (Res. App., 17_2_2: Gavin, lines 0123-0126). In total, the cautioning exchange between the interviewer and Gavin stretches across 74 turns; the interaction characterised by Gavin's frequent back-channelling, as well as many interruptions and resulting overlaps (Res. App., 17_2_2: Gavin, lines 0084-0209).

6.3.1.2. Reformulations after CCQs

The reformulation category also includes three instances where the reformulations are preceded by an interaction instigated by the interviewer putting a CCQ to the suspect. Although not included in any official police legislation or guidance, the 'explain-it-back' method appears to be popular amongst interviewers to check suspects' comprehension of the caution after the official recital (Rock 2007). Suspects will routinely answer CCQs with an affirmative response (Rock 2007: 206; Shuy 1997), but whether this self-assessment is

'honest' and 'accurate' is questionable (Rock 2012: 317). Explanation attempts by suspects are routinely unsuccessful (Fenner *et al*. 2002: 89), which is also reflected in the current dataset: neither of the two 17-year-old suspects who attempt to explain the caution back to the interviewer succeeds in doing so. It must be noted that unsuccessful explanation attempts are not automatically to be equated to suspects not understanding the caution; factors such as nervousness or shyness can result in suspects being unable to fulfil the explanation task (see Rock 2012). The assumption that an interviewer's reformulation automatically guarantees a suspect's comprehension of the caution is also reflected in a piece of private communication with an experienced member of the police force, who, speaking from his own personal experience, states that

> if [the suspect] said they did understand it, I would ask them to explain it to me in their own words. They normally got it wrong and I would end up explaining it to them anyway. *In that way I could prove that the suspects knew and understood their rights*, which can help down the line when a defence statement is submitted before a hearing (personal correspondence 2019, italics added for emphasis).

The first example in this section is taken from Helena's interview and shows her interpreting the interviewer's polar CCQ as a prompt to explain the caution back.

Example 6.06: Helena
```
050   IR   …
051        evidence (1.3) do you understand what that
052        (0.3) <caution means↓
053   SU   (1.2) yeah that I can- (1.6)
054   IR   I can explain it to >you just< so (1.1) cause
055        >it i- i-< it's quite a longwinded
056   SU   yeah
057   IR   statement↓ (.) er::m (0.8) the first bit you do
058        …
                                                    17_2_3
```

Interestingly, the interviewer takes a relatively long, 1.3-second pause after the caution recital (line 051) and yet the suspect does not take the floor, not even for a verbal back-

channelling token. The interviewer's subsequent CCQ takes the classic yes-no format. The suspect's unease is revealed immediately, characterised by the 1.2-second turn-initial pause (line 053). The verbal contribution by the suspect is formulated as a direct response to the checking question, starting with an affirmative 'yeah' and the beginning of an explanation 'that I can-'; however, the explanation attempt ends abruptly after only these four syllables. The failed explanation attempt signals that the suspect's initial affirmation to the checking question was potentially inaccurate in that she is not able to reformulate the caution herself. As mentioned above, it is possible that the suspect understands the caution and is simply not able to explain it to the interviewer. However, considering the co-occurrence of the turn-initial pause, the less-than-substantial explanation, the abrupt ending to the verbal contribution, as well as the long pause at the end of her turn makes this possibility unlikely. It is more likely that the suspect's initial affirmation to the CCQ is an instance of gratuitous concurrence (Eades 2015), informed by a pattern of institutional constraints imposed on the suspect. The polar CCQ posed by the interviewer restricts the suspect's answer considerable, and unsurprisingly suspects do not consider the dispreferred answer, in this case 'no', as an option. The interviewer subsequently announces the reformulation using a meta-discursive formulation (lines 054-055). She does not literally announce that she *will* explain the caution but instead that she *can*; however, the interpersonal pragmatic context tells us that she is not referring to her cognitive or physical ability to explain the caution (Locher & Graham 2010). The interviewer's formulation 'it's quite a longwinded statement (lines 055-057) shows similarities to the phrase 'it sounds a long (turn)' from Frankie's interview briefly discussed earlier. In both examples, the interviewers refer to the official caution as 'longwinded' and 'long'; Rock (2010: 100) characterises 'problematizing the formulation of the consent request (e.g. characterising it as "difficult") as a potential characterisation of tick-box questions.

Another unsuccessful explanation attempt is produced by Charlie and can be seen in the example below.

Example 6.07: Charlie
```
060  IR1  …
061       in court< .hhhh anything you do say may be
062       given in evidence (0.6) d'you know what that
063       caution means=
064   SU  =yeah
065  IR1  (0.4) can you explain it to me↑
066   SU  (0.7) that I'm under arrest for (1.7) a robbery
067       (.) or something↑=
068  IR1  =°okay° (1.4) .hh so the caution
069   SU  yea[h ]
070  IR1     [so] we break it down into smaller <chunks
071       …
```
<div align="right">17_1_3</div>

Lines 063-064 show a quick interaction during which the interviewer asks Charlie a CCQ, and the suspect latches an (unsurprisingly) affirmative response. The interviewer subsequently prompts the suspect to explain the caution himself. The suspect's turn that follows is characterised by two very long pauses, which, in this context, can be interpreted as thinking pauses or hesitation pauses, meaning that the suspect is struggling to fulfil the task. The explanation attempt in this interview is more substantial than the one in Example 6.06 above; however, what this does more than anything is it confirms that the suspect's understanding of the caution is not accurate. The suspect's tentative explanation of the caution, [it means] 'that I'm under arrest for a robbery' (line 066) reveals that he has an incorrect understanding of the caution, rather than none at all.

The final interview discussed in the 'reformulations after CCQs' sub-category is the one with Kevin. This interview includes the only occurrence of an interviewer reacting to the suspect's affirmative response with a reformulation, rather than with a prompt (explicit or implicit) to the suspect to explain the caution back to them (Examples 6.06 and 6.07) or with a progression to the next topic without a reformulation (Examples 6.25 and 6.26).

Example 6.08: Kevin
```
033  IR1  …
034       court (0.5) anything you do say may be given
035       <in evidence↓ do you
036       understa[nd that      ]↓
037   SU          [((sniffles))] (.) yeah↓
038  IR1  (0.3) okay (0.3) I'll just break it down for
039       you what it me:ans is you do don't have to talk
040       …
```
<div align="right">18_1_1</div>

The interviewer asks Kevin a standard polar CCQ following the recital of the caution (035-036). The suspect provides an affirmative response (line 037), which is acknowledged by the interviewer, as can be seen from the feedback token 'okay' in line 038. The interviewer subsequently announces the reformulation regardless using the meta-discursive formulation, 'I'll just break it down for you…' (lines 038-039), and subsequently provides the reformulation. In other words, the suspect's affirmative response is virtually redundant, as the interviewer's CCQ is essentially a phatic question and constitutes a customary follow-up in the first place, and the subsequent reformulation is a matter of routine. A factor that could potentially influence the interviewer's behaviour in this case is the presence of Kevin's solicitor. As will be discussed in Section 6.5, the other two 18-year-old suspects from Force 1, Matt and Luke, both have no solicitor present and the interviewer does not explain the caution for them.

6.3.2. Reformulation characteristics

The previous two sub-sections have shown different ways in which the transition from caution recital to reformulation is negotiated. This section will take a look at the reformulations themselves. As mentioned in the introductory section of this chapter, according to PACE the interviewers explain the caution 'in their own words', which means they are at relative liberty in terms of the way in which they phrase the reformulation. One focus of this section is on the interviewers' methods of checking comprehension throughout the reformulation process. Connected with this, the suspect's responses, or rather lack thereof, are of particular interest. The observations feed into the notion that the caution

exchange as an entity is regarded as little more than a formality, and that the interviewers'

engage in the act of box-ticking (Rock 2016). Another element that is examined is the

interviewers' use of evidentiality markers in their reformulations. A special focus hereby is

on the evidential adverbial 'obviously'. Finally, a short description and evaluation of the

reformulation structure based on Rock (2007) is provided.

6.3.2.1. Checking comprehension and progression during the reformulation

As was shown in the previous section, all explicit CCQs following the official recital of the

caution take on the polar yes-no form similar to 'do you understand what the caution

means?'. CCQs put to the suspect during or at the end of the reformulation can be as explicit

as the ones right after the recital, i.e. 'do you understand…'; however, some questions are

more implicit and considerably shorter, often consisting of the single lexical tokens 'okay' or

'alright', marked with the interrogative, i.e. rising, intonation. An implicit CCQ's purpose

can be seen as being twofold, in that the questions ask both if the suspect is following and

understanding the reformulation. As such an implicit CCQ has the function of a progression-

checking question, which allows the interviewer to 'check in' with the suspect during

lengthy turns to check whether they are following what is being communicated to them,

'without necessarily expecting a verbal response' (Schleef 2005:178). This discursive act can

in turn be part of a rapport building and maintenance tool based on Tickle-Degnen &

Rosenthal (1990), as it shows an instigation of mutual attention by the interviewer. This

chapter has already shown that CCQs asked after the official caution recital are routinely

answered in an affirmative manner, so it comes as no surprise that all CCQs asked during the

reformulation get affirmative answers too, as is illustrated in the following example from

Andrew's interview.

Example 6.09: Andrew
```
053  IR1  …
054       officers in the first place when they first
055       asked you< (0.5) does that make sense to you↓
056       d'you u[ndersta]nd↓ okay
057  SU          °[ yeah  ]°
```
<div align="right">17_1_1</div>

The interviewer asks two polar CCQs between explaining the second and the third section of the caution, and Andrew gives an affirmative response after the first one, which in turn results in an overlap (lines 056-057). As was mentioned previously, CCQs are routinely answered affirmatively and thus the example from Andrew's interview presents a common occurrence in the current dataset.

Another interesting phenomenon in the dataset, however, is the instance of interviewers posing CCQs during the reformulation and the suspects not responding verbally at all. Note that in the current dataset, unanswered CCQs only occur in interviews with 18-year-old suspects. Below is an example of the interviewer putting an implicit CCQ to Kevin during the explanation of the caution, but Kevin not providing a verbal answer. The CCQ in this example comes in the middle of the interviewer's explanation of the second section of the official caution wording. The linguistic tokens acting as CCQs in this section's examples are highlighted in bold.

Example 6.10: Kevin
```
044  IR1  …
045       what's called an< inference (0.5) what that
046       means is they'll question why you didn't give
047       me an answer when you were first given the
048       opportunity okay↑ (0.6) and also if you answer
049       a question now (.) and the case goes to court
050       …
```
<div align="right">18_1_1</div>

The emphasis on the second syllable of 'okay' in line 048, the rising intonation at the end of the word and the subsequent pause make it clear that the token creates a TRP and acts as a progression-checking question. The floor is offered to the suspect, but the question remains

verbally unanswered, which can be seen from the 0.6-second pause that follows. A non-verbal response must always be considered as a possibility in these contexts. Either way, seemingly undeterred, the interviewer continues with the reformulation.

The example below also shows an unanswered explicit, yes-no CCQ asked during the reformulation, after the interviewer explains the second section of the official wording of the caution.

Example 6.11: Olivia
```
050   IR   …
051        to court↓ (0.4) then the judge may look less
052        favourably on your explanation because this is
053        your opportunity to tell me now↓ (0.3) does
054        that make sense↓ (0.7) and obviously I have
055        explained that the (.) <video- err the audio
056        …
                                                    18_2_2
```

The wording of this CCQ is more direct than the one in Example 6.10 above. Here the interviewer relies on interrogative syntax to signal the contribution 'does that make sense' as a CCQ (lines 053-054). Despite the fact that the floor is explicitly offered to the suspect at this TRP, what follows is not a verbal response but instead a 0.7-second pause. Again, whether or not the suspect provides a non-verbal answer in this context can only be speculated upon. The interviewer's turn continues after the pause with the conjunction 'and' as she moves on to the explanation of the third and final sentence of the official caution wording, i.e. the fact that the interview is being recorded and can be used as evidence at a later date (see Haworth 2009; 2018).

6.3.2.2. Checking comprehension at the end of reformulation

It would appear that checking questions throughout the reformulation are largely redundant, for they are either answered with an affirmative, regardless of the suspect's actual comprehension, or they are not verbally answered at all, which happens frequently with

indirect CCQs, or progression-checking questions. Interviewers tend to proceed with their reformulations largely unperturbed. The question of how to *ensure* that a suspect comprehends the caution is a tricky one that remains largely unaddressed in police guidance; PACE provides no guidance beyond the prompt to 'explain it in their own words' if it appears the suspect does not understand. In other words, there are no instructions for the interviewer as to what to do if the suspect does not understand the reformulation (see also Rock 2007: 161). The consequences of non-comprehension of suspects' rights, especially in juveniles, can be severe (see Section 8.5).

As was mentioned previously, there exists the assumption that the reformulation itself automatically means the suspect comprehends the meaning and implications of the caution. In the current dataset, this problematic assumption is illustrated in three ways. The first two ways involve interviewers putting CCQs to the suspects at the end of the reformulation. These CCQs are either affirmatively answered, or not answered at all. Neither of these two options appear to impact the interviewers' course of the reformulation in any way. The third way in which the assumption is, perhaps most vividly, illustrated is by interviewers skipping a reformulation-final CCQ altogether. An example showing the first way is taken from the interview with Andrew.

Example 6.12: Andrew
```
059  IR1  …
060       necessary (0.3) or a transcript of it read
061       °out°↓ (0.4) alr<u>i</u>ght↑ [is that a]ll
062  SU                            [ °hm::°  ]
063  IR1  ok<u>a</u>y for you
064  SU   °yeah°
065  IR1  °right okay° um I must <u>a</u>lso tell you Andrew
066       …
```
                                                              17_1_1

The interviewer's CCQ has two TCUs, namely 'alright', with the intonation rising at the end of the utterance, and the polar question 'is that all okay for you' (lines 061 and 063). The suspect's response to 'alright' is overlapped with the interviewer's checking question, and

the suspect's response to the checking question is an affirmative 'yeah' (line 064). At the end of the reformulation, Andrew is not prompted to explain the meaning of the caution back to the interviewer; in fact, an explanation prompt at this point would stand in clear contrast to what Rock (2007: 159) illustrates as cautioning exchange structure, where explanation prompts are placed, if at all, after the official recital and before the reformulation. The interviewer's progression to the next topic following a satisfactory reformulation and comprehension-checking sequence presents in fact a highly typical, essentially textbook, cautioning exchange. What becomes apparent, when one considers that this structure represents the 'gold standard' of informing suspects of their rights, is how unreliable the assumption of comprehension following the reformulation is. An explanation prompt *after* the reformulation would seem like an obvious tool to thoroughly check and potentially ensure, although it is acknowledged that there is a risk of entering into a lengthy spiral of reformulations and explanation attempts.

A thorough comprehension check, unsurprisingly also without an explanation prompt, can be seen in the interview with Ian.

Example 6.13: Ian

```
0152  IR1   …
0153        being interviewed as well↓ regarding it↓ okay
0154        (0.9) alright↓ is anything (0.4) you want to
0155        ask me↓
0156   SU   no
0157  IR1   anything you don't understand what I've gone
0158        through
0159   SU   no
0160  IR1   'cause that's all this pre<amble↓ (.) you know
0161        and then we'll start taking (.) you know more
0162        (0.6) generally about what's gone on↓=
0163   SU   =yeah
0164  IR1   yeah↑
0165   SU   mh[m↑ ]
0166  IR1     [alr]ight↑ you happy with that=
0167   SU   =yeah=
0168  IR1   =Polly you okay↑
0169   AA   yeah↑ yeah that's [fine]
0170  IR1                     [yeah] you alright↓ right so
0171        al- all it is you know when >you were< arrested
0172        …
```
<div align="right">17_2_4</div>

The interviewer concludes his reformulation by offering Ian the opportunity to ask him questions, and asks whether there is anything the suspect does not understand (lines 0154-0155 and 0157-0158). In line with affirming positively formulated CCQs (i.e. 'do you understand?' – 'yes'), Ian denies the offer to ask questions and negates the question (i.e. 'anything you do *not* understand?' – 'no'). In other words, Ian provides the preferred response to the interviewer's question, i.e. 'no' means the interview can progress (Rock 2016). Similar to the earlier examples from Helena's and Frankie's interviews in which the interviewers mentioned how the caution is 'long' and 'longwinded', the interviewer in Ian's interview makes reference to 'all this preamble' (line 160). The interviewer demonstrates curtesy when he informs the suspect of the imminent procedure following the cautioning exchange; an action that is positively encouraged in police guidance (College of Policing 2013). The suspect answers two more questions, 'alright' and 'you happy with that' (line 166), with one affirmative response 'yeah' (line 167). What follows is the only instance in the dataset of the interviewer checking understanding with any third party, in this case Ian's mother who is acting as the AA (lines 168-169). No other AAs and no solicitors at all are

addressed by any of the interviewers at the end of the caution exchange (see also Rock 2007: 159).

While the interviewer in Ian's interview certainly poses a number of checking questions to both the suspect and his AA, it is unclear whether the suspect has actually understood the caution and its implications. The caution for Ian was also reformulated directly without a CCQ or an explanation attempt, meaning that his only contributions during the entire caution exchange are predictably preferred responses to questions posed by the interviewer.

The dataset also shows instances of formulation-final CCQs going wholly unanswered. The first example is taken from one of Olivia's interviews.

Example 6.14: Olivia
```
049    IR  …
050        and obviously everything that you say as you've
051        just seen is being (0.3) <video rec- audio
052        recorded (0.4) er and may be used in evidence↓
053        (.) okay↑ (1.0) right Olivia we're here today
054        cause this is the second interview↓ er I
055        …
                                                    18_2_3
```

The rising intonation of the word 'okay' (line 053) marks this token as a question, and more specifically in this context an implicit CCQ, or progression-checking question. The one-second pause denotes that there is no verbal response from Olivia, and yet the interviewer moves on to the next topic. A similar situation can be seen in the following example from Robert's interview.

Example 6.15: Robert
```
058  IR1  (1.0) erm <there's a microphone on the: (0.3)
059       <the wall there >so you if can just< answer
060       your=
061  SU   =okay
062  IR1  (0.5) erm (.) questions verbally↑ (0.5) erm (.)
063       I'll <take notes throughout↓ >so just< bear
064       with me↑ (0.3) if you do wanna stop the
065       interview at any time to speak >to a<
066       solicitor↓ (0.3) <just let me know and we >can
067       stop< the interview↓ (0.3) **alright↑ (1.1)** okay↓
068       so↓ (0.5) you was arrested y:esterday well last
069       night erm for assault on Peter Mumford
070  SU   yeah
```
<div align="right">18_2_5</div>

The interviewer utters 'alright' with a rising intonation, which is seen as an implicit CCQ (line 067). Instead of a verbal response from the suspect, what follows is a 1.1-second pause. The interviewer's turn continues with two declaratives, 'okay' and 'so', both with falling pitch. In particular the 'okay' gives rise to the possibility of a non-verbal answer by the suspect, such as for example nodding, which the interviewer 'approves of' by means of this feedback token. Suspects are routinely instructed not to rely on non-verbal cues, especially in interviews that are audio- and not video-recorded; as can be seen in the current example, Robert is actually provided with this piece of instruction as part of the reformulation (lines 058-062). Whereas typically the interviewer will verbalise the suspect's non-verbal action for the benefit of the tape, it is perhaps in the context of what many interviewers see as a box-ticking exercise that it is not deemed necessary to clarify anything in this particular situation. Whether or not a non-verbal cue is present in this situation cannot be determined from the tape; however, this kind of ambiguity, especially at the end of the caution reformulation where the suspect's comprehension *should* be checked and ensured, relying on non-verbal cues or getting no answer from the suspect at all can be problematic.

The final two examples of this section show interviewers skipping a final check entirely and instead moving on to the next topic. These instances can be considered the most

blatant manifestation of the assumption that the reformulation in and of itself guarantees comprehension. The first example is taken from the interview with Jack.

Example 6.16: Jack
```
065  IR1  …
066       okay↓ (0.6) and er the last bit (0.2) <anything
067       you do say may be given in evidence↑ (0.3) that
068       just means↓ (.) it's all being recorded on the
069       (.) disc (1.5) okay so erm (2.0) you're here in
070       relation to an incident which happened earlier↑
071       …
```
<div align="right">17_2_5</div>

The way this reformulation ends can be considered slightly unclear, as the interviewer does not indicate by means of pitch or emphasis that the current sentence, let alone the topic is being concluded. The final word of the reformulation 'disc' is uttered in a monotonous way, as if something else was to follow; instead there is a long, 1.5-second pause. In this case, the suspect is not audibly offered the floor. After the pause follow a number of discourse markers, 'okay', 'so', 'erm', and after another two-second pause the interviewer monotonously introduces the next topic. What can be seen here once more is that according to PACE, the interviewer has completed his duty of 'explaining the caution in his own words'; however, he has failed to check, and not to mention ensure that the suspect has understood the caution. The example presents an instance of the interviewer dealing with the caution topic in a way that suggests his view of the caution as a mere formality.

The following example is from an interview with Nathan and presents a similar situation.

Example 6.17: Nathan
```
053   IR   …
054        mention↑ that the: is- being- err interview is
055        being audio recorded (0.6) at the end of the
056        interview↓ (0.6) e:rm (0.5) a disc will be
057        <sealed and er labelled as a master and that
058        °could° b- <potentially opened °and played in a
059        court↓°=
060   SU   =yeah
061   IR   (2.4) you was arrested early hours of this
062        morning at approximately two forty hours for
063        …
```
<div align="right">18_2_1</div>

In this example, the interviewer makes it clear that he has come, if not necessarily to the end of a topic, at least to the end of a sentence. This is exemplified by the falling intonation of the word 'court' (line 059). Latched is the suspect's turn 'yeah' in line 060, which in this case, considering the latching, is likely a back-channelling device that signals active listening from the suspect. Without putting a checking question to the suspect, the interviewer starts a new topic after a 2.4-second pause (line 0619). Once again, the 'reformulation box' has been ticked, but actual comprehension has not been checked, let alone ensured.

The controversial but seemingly common assumption that a reformulation by itself guarantees suspects' comprehension is problematic. In the current dataset, CCQs are always answered affirmatively, which is in line with previous research on the caution (e.g. Rock 2007: 160). As Rock (2016) points out, however,

> [e]ven simple affirmative answers to consent questions can poorly indicate genuine, knowing consent (Rock 2007). For example, the expression of consent becomes potentially meaningless if the [suspect] assumes that saying "yes" is simply a formality (95).

Furthermore, unanswered CCQs are also interpreted as affirmations; this reflects a phenomenon described by Eades (2008) in which non-consent is only recognised by interviewers if 'realised in a verbalised objection' (142). Affirmative responses as well as silence are thus both interpreted as 'apparent agreement' (Eades 2008: 144; Heydon 2007).

Both explanation attempts by suspects in the current dataset are unsuccessful. This observation is not surprising as it is in line with previous research that found that very few people are able provide correct explanations of the police caution: Shepherd *et al*. (1995) found that only one in eight non-detainee participants were able to demonstrate basic comprehension of all three caution sections. Clare *et al.* (1998) found that fewer than one in ten non-detainee participants was able to provide an explanation. For detainees, the understanding of the police caution was found to be even more limited overall, with the staggering difference that 'no [detainee] provided a correct explanation of all three sentences' (Fenner *et al.* 2002: 89). Again, it must be pointed out that explanation attempts can also be unsuccessful due to nervousness (Rock 2012).

6.3.2.3. Lexical markers of evidentiality

Another observation from the examination of caution reformulations is the interviewers' use of lexical evidentiality markers; in more than half of all cautioning exchanges at least one such marker is used by the interviewer. It is argued that they can have different effects on the interaction, which can ultimately affect the rapport between the interviewer and the suspect. We will first focus on how the evidential adverbial 'obviously' is used by interviewers to establish common ground when discussing the recorded nature of the interview and the fact that questions will be asked, before looking at some of the more detrimental uses of markers of evidentiality.

The three examples below show the interviewer using 'obviously' when explaining to the suspect that the interview is being recorded.

Example 6.18: Andrew
```
058  IR1  (1.3) and obviously it's being recorded (0.3)
059       and this recording can be played in court if
060       necessary (0.3) or a transcript of it read
061       °out°↓ (0.4) alright↑ [is that a]ll
                                                     17_1_1
```

Example 6.19: Ben
```
106  IR1                 [and the-] the next part is erm
107      (0.5)>anything you say may be given in
108      evidence↓< well obviously (0.5) this whole
109      interview (0.3) is tape recor- well↓ not tape
110      recorded anymore↑ (0.6) it's: stored (0.5) up
111      erm in (0.4) the clouds↑ (0.3) in the iclouds
112      …
```
<div align="right">17_1_2</div>

Example 6.20: Robert
```
053  IR1 (0.7) erm and th- <last bit >anything you do
054      say< may be given in evidence↓ (0.4) obviously
055      the disc's in↓ (.) which's recording what's
056      <be[ing sa]id↑
```
<div align="right">18_2_5</div>

Considering the layout of the interview room, with the recording device(s) frequently clearly visible either on the table between the participants, or attached to the wall by said table, and also the routine discussions that are held with the suspect prior to the beginning of the recording, it can be argued that this fact is actually fairly self-evident. The purpose of the marker 'obviously' is for the interviewer to establish common ground between them and their interlocutor, which is beneficial to rapport building and maintenance. The denotation of the recording as 'obvious' is considered 'emergent common ground, which is composed of shared sense and current sense, and mainly derives from the interlocutors' individual knowledge of prior and/or current experience that is pertinent to the current situation' (Kecskes & Zhang 2009: 333). Labelling something as obvious that is objectively obvious can be seen as renegotiating the power asymmetry in this institutional setting, whereby the interviewer puts themselves and the suspect on the same level of sense in this specific context. In the context of interviewers making reference to the evident nature of the interview being recorded, there is only one instance of an interviewer using a lexical token other than 'obviously': in Samuel's interview, the interviewer addresses the suspect directly: 'as you know it's all being audio recorded' (Res. App., 18_2_6: Samuel, lines 050-051).

Two other instances of interviewers using markers of evidentiality to establish common ground are discussed in the following two examples. In both cases, the interviewer refers to the fact that the suspect will be asked questions during the interview as 'obvious'.

Example 6.21: Robert
```
028  IR1  …
029       (0.5) so I'll just explain the caution to you↑=
030  SU   =yes=
031  IR1  ='s three parts to it the first bit you do not
032       have to say anything (.) obviously I'll ask you
033       some questions (0.4) you don't have to answer
034       them↓=
035  SU   =yeah=
                                              18_2_5
```

Example 6.22: Ben
```
082  IR1  …
083       anything (0.5) erm me and my colleague are here
084       (.) obviously to ask you some questions: about
085       what happened↑ (0.8) you can (.) tell us what
086       …
                                              17_1_2
```

In any case, the fact that there will be questions asked can objectively be labelled as obvious to both the interviewer and the suspect. The interviewers' use of markers of evidentiality is thus not problematic in this context, but instead states a piece of common knowledge shared by all interview participants. This phenomenon is also beneficial for rapport building and maintenance as it is also a manifestation of police guidance, whereby interviewers are instructed to explain clearly the objectives, routines, and expectations of the interview (College of Policing 2013).

Evidentiality markers are also used in inappropriate contexts; a practice that runs the risk of amplifying the existing asymmetry between the interviewer and the suspect. In the following example, evidentiality markers are used by the interviewer in connection with 'we' and 'they', two pronouns that are likely to cause confusion to a suspect, especially if

they are not familiar with the legal system and its processes. Shown below are interview examples from both age groups.

Example 6.23: Ben
```
110  IR1  …
111       erm in (0.4) the clouds↑ (0.3) in the iclouds
112       as it is (0.3) so obviously we can get access
113       to this: °is° h[ave it pla]yed in court=
114  SU              [   yeah   ]
115       =that's fine=
116  IR1  =or we do a transcript of it (0.3) and they can
117       obviously hear everything that we ask and
118       anything you say↓ alright↓
```
<div align="right">17_1_2</div>

This example illustrates first the interviewer stating that 'we can get access to [the tape]' (lines 112-113); however who exactly is meant by 'we' may not be obvious to Ben. 'We' is used by the interviewer to construct his identity as a representative of the police as a social institution. The 'we' in line 116 is used in a similar manner, i.e. it is a reference to the police as an institution, seeing as the typist who will inevitably produce the transcript is not present in the interview room (Haworth 2009). The third 'we' from the extract, in line 117, can be seen as a reference to the interviewer and her colleague (IR2) inside the interview room, as they will be the ones asking questions. Using the pronoun 'we' to represent the police institution, the police typists as part of this institution, as well as the two interviewers currently present inside the interview room demands a lot of capacity from the suspect, especially considering the fundamentally complex nature of the topic at hand.

When stating that '*they* can obviously hear everything' the interviewer again uses ambiguous language. The suspect will have interacted with other police personnel prior to the interview (arresting officer(s), custody sergeant, custody staff), so it would comprehensible for the suspect to interpret the pronoun as a reference to them. In reality, the interviewer refers to legal actors who would get involved if, and only if, (i) Ben gets charged with a crime, and (ii) the Crown Prosecution Service decides to proceed with a trial. This

involves investigating officers, solicitors, juries, judges, etc. In any case, the interviewer's turns reveal an unreasonable expectation of knowledge pertaining to legal proceedings from the suspect, especially when considering the uneven distribution of access to knowledge and specialised discourse in this context.

In the following example taken from the interview with Kevin, the interviewer uses a very explicit formulation as an expression of evidentiality, and he does so in a questionable context.

Example 6.24: Kevin
```
047       …
048  IR1  opportunity okay↑ (0.6) and also if you answer
049       a question now (.) and the case goes to court
050       (0.4) and your answer's >different they're
051       just< gonna be querying why which is er: (.)
052       which is common sense↓ d'you understand that↓
053       yeah↑=
054  SU   =yeah
```
<div align="right">18_1_1</div>

The interviewer finishes his explanation of the second sentence of the official caution with the explicit phrase 'which is common sense' (line 052). Similar to the previous Example 6.23, the interviewer here too uses 'they' (line 050), syntactically in reference to 'the court' (line 049), and pragmatically to other actors including the Crown Prosecution Service, solicitors, judges, and perhaps most prominently, the jury. The interviewer's declaration 'which is common sense' is problematic, not least because 'common sense' as a concept is relative. According to Kecskes & Zhang (2009), 'common sense' is a component of 'core common ground' alongside 'cultural sense and formal sense', and core common ground 'derives from the interlocutors' shared knowledge of prior experiences' (333). Kevin's interviewer disregards the lack of 'shared knowledge of prior experiences' with the suspect, and given his superior level of interactional control, it is not surprising that Kevin meets the interviewer's contribution and the tagged CCQ (lines 052-053) with a latched affirmation (line 054).

In conclusion, whilst evidentiality markers can be used as a rapport building tool when establishing common ground between the interviewer and the suspect, they can also have a negative effect when used inappropriately. Especially in a situation such as the cautioning exchange when the subject matter at hand entails a lot of legal jargon and presupposes an understanding of police practice and the legal system, using evidentiality markers to denote something as 'obvious' or 'common sense' that the suspect is unfamiliar with can be problematic.

6.3.2.4. Reformulation structure

While the bulk of the caution analysis is concerned with the interactive negotiation of the caution overall, as well as the comprehension checking of the reformulation, we shall take a quick look at the reformulation structure. The three sentences of the original caution phrasing are numbered as follows:

(1) You do not have to say anything.
(2) But it may harm your defence if you do not mention when questioned something which you later rely on in court.
(3) Anything you do say may be given in evidence.

In Rock's (2007) dataset, the most popular reformulation order was the retention of 1-2-3, and the second-most popular order was 1-3-2.

Table 13 below shows the interviews from the current dataset with their corresponding reformulation order. The horizontal double borders signal the divide between Force 1 and Force 2.

Interview	Order	Interview	Order
17_1_1: Andrew	1-2-3	18_1_1: Kevin	1-2
17_1_2: Ben	1-2-3	18_2_1: Nathan	1-2-3
17_1_3: Charlie	1-3-2	18_2_2: Olivia	1-2-3
17_1_4: Daniel	1-2-3	18_2_3: Olivia	1-2-3
17_2_1: Frankie	1-2-3	18_2_4: Paul	1-2-3
17_2_2: Gavin	1-2-3	18_2_5: Robert	1-2-3
17_2_3: Helena	1-2-3	18_2_6: Sam	1-2-3
17_2_4: Ian	1-2-3-1		
17_2_5: Jack	1-2-3		

Table 13: Interviews with corresponding reformulation structure

Suspects Eric, Luke and Matt do not get the caution explained to them, which is why they are not listed in Table 13. The table reveals that out of the 16 interviewers who provide a reformulation, all except for three follow the strict 1-2-3 order that matches the order of the official wording. The three interviews in which the interviewers derive from the strict 1-2-3 order are shaded in grey and are briefly discussed here. Firstly, Charlie's interviewer follows the 1-3-2 order of explaining the caution. Secondly, Ian's interviewer follows the 1-2-3 order and subsequently explains sentence number 1 again, resulting in slightly unusual 1-2-3-1 order. Finally, Kevin's interviewer explains sections 1 and 2 of the caution but makes no explicit mention of the interview being recorded and used as evidence. With a predominantly uniform reformulation structure of 1-2-3, and only the three interviewers deviating from this order, it would be unwise to draw any overarching conclusions at this point. Having said that, the data do reveal a somewhat unsettling fact about Force 1: as was mentioned previously, two out of three 18-year-old suspects (Luke and Matt) do not get a caution reformulation at all. The reformulation in the third suspect Kevin's interview only covers sections 1 and 2. The three 18-year-olds from Force 1 thus either receive an incomplete explanation of the caution or no explanation at all.

What is worth pointing out is that given the way in which interviewers 'check comprehension', i.e. by means of polar CCQs with predictably consistent, affirmative responses, no recommendations can be safely made about the order in which to make the

reformulation the most accessible. Regardless of the order, and even in reformulations that are incomplete, suspects will likely affirm comprehension and the interviewer will regard the caution box as ticked.

6.4. 'No reformulation' category

This final section explores interviewers who abstain from reformulating the caution for their suspects. The first two examples discussed are both from 18-year-old suspects Matt and Luke, where the interviewer recites the caution, puts a CCQ to them, and after an affirmative response transitions to the next topic. The third example is from the interview with Eric, whose AA interrupts the cautioning exchange, which subsequently results in the interviewer refraining from reformulating the caution.

The first example is taken from the interview with Matt.

Example 6.25: Matt
```
045  IR   …
046       you do say may be given in evidence↓ do you
047       understand what that means↓=
048  SU   =yeah↓
049  IR   yeah↑ (2.0) okay the reason for this interview
050       …
                                                    18_1_4
```

Here, after the caution recital, the interviewer puts a CCQ to Matt, which takes the well-known, polar form of 'do you understand what that means' (lines 046-047). The suspect's affirmative response is latched, meaning that there is no discernible gap between the utterances in lines 047 and 048. As was mentioned previously, suspects' replies to CCQs during the cautioning exchange, even when it transpires later that the caution was not understood, invariably take on affirmative forms. This unlikeliness of getting a non-affirmative response is reinforced yet again when considering the vulnerable status and the heightened risk of suggestibility in adolescents overall. In other words, non-affirmations are frequently not considered an option for suspects (see Rock 2007: 207). The interviewer

echoes Matt's response with a rising intonation, which can be interpreted as a follow-up question, much to the effect of 'are you sure' (line 049). This follow-up question remains verbally unanswered and after a two-second pause the interviewer moves on to the free narrative prompt and thus to the 'Account' stage of the interview. A similar situation can be seen in the following example from the interview with Luke.

Example 6.26: Luke
```
026   IR   …
027        on in court↓ anything you do say may be given
028        in evidence:↓ do you know what that means:=
029   SU   =yes
030   IR   okay↓ so the reason for your arrest is caus-
031        …
```
                                                          18_1_3

The CCQ put to the suspect in this example is 'do you know what that means' (line 028), and similar to Example 6.25 discussed above, the suspect's affirmative response is latched (line 029); however this suspect's 'yes' is more monotonous in tone than the Matt's 'yeah' in Example 6.25. Other than the interviewer in the previous example, the one in this example does not put a follow-up question to the suspect, but instead simply acknowledges his response with a feedback token 'okay' (line 030), before moving on to the next topic without a pause.

The two examples from Matt's and Luke's interviews show very short cautioning exchanges in which the interviewers accept the suspects' affirmative responses as valid and true. Whether or not the suspects did in fact understand the caution is debatable and cannot be determined conclusively from the data. Let us consider for a moment Matt's and Luke's interviews alongside the third one in their age and force group, namely Kevin's (Example 6.08). In all three interviews, the caution exchange starts similarly, with the official recital of the caution, a polar yes-no CCQ, and an affirmation by the suspects. Following this, in Kevin's interview, the interviewer reformulates the caution regardless; in Matt's and Luke's interviews, the interviewers do not provide a reformulation. Perhaps a noteworthy

observation at this point is that while Kevin had a solicitor present in his interview, neither Matt nor Luke has legal representation. It can thus be speculated upon whether the presence of the solicitor in Kevin's interview has an impact on the interviewer's sense of obligation to reformulate the caution.

The final data example in this chapter shows a controversial special case from the interview with 17-year-old Eric, whose non-familial AA interrupts the cautioning exchange in a way that results in the interviewer abandoning the reformulation. This interview (17_1_5) is the only example of the caution topic involving an extra speaker (i.e. the AA); in all other interviews the caution is negotiated solely between the (main) interviewer and the suspect.

Example 6.27: Eric
```
031   IR   …
032        and anything that you do say may be given in
033        eviden:c:e (0.9) now the caution↓ has it ever
034        been explained to you (.) at all (1.1) about
035        what it means
036   SU   (0.8) sort of
037   IR   yeah↓ (0.5) no worries (0.5)
038        [what I do↓ (0.6) have you-]
039   AA   [      we (inaudible)      ]
040   IR   have you have you >been through it with him
041        be[fore< like the caution]
042   AA     [ [         we did befo]re↓
043        yeah↓ [I reme]mber↓ but=
044   IR         [ yeah ]          =so d'you
045        [<understa]nd what >the< caution means then↓=
046   AA   [   hmm   ]
047   SU   =yeah
048   IR   yeah brilliant if not (.) let me know and I'll
049        explain it t'you okay
050   SU   (0.5) °yeah°
051   IR   (0.8) °cool° (1.9) right (.) the reason for
052        this interview taking place today (0.4) is
053        …
```
<div align="right">17_1_5</div>

It is the only occurrence in the dataset of a suspect answering the interviewer's question right after the recital with anything other than an affirmation. The interviewer does not put to the

suspect an explicit CCQ, but rather a 'procedural' question that indirectly asks for the suspect's comprehension. In other words, the interviewer asks whether the caution had been explained to the suspect before (lines 033-035). The suspect's 'sort of' in line 036 comes after a 0.8-second pause.

The interviewer appears to be receptive to this, 'no worries' (line 037) and begins to explain to the suspect 'what I do-' (line 038). Because the interviewer's contribution in this instance is interrupted and overlapped by the AA's unprompted turn in line 039, it cannot be said for sure what the interviewer would have said had she not been interrupted by the AA. Given the context, as well as considering all the previously discussed examples, it can be cautiously assumed that the interviewer possessed the intent to provide a reformulation and was in the process of forming a meta-discursive announcement thereof. After all, PACE stipulates that 'if it appears [the suspect] does not understand the caution, the person giving it should explain it in their own words' (Code C, Note 10D). Thus far, then, the interaction is fairly similar to ones discussed in Section 6.3.2, in which the interviewer recites the caution, and after an interjected question-answer adjacency pair (CCQ or progression-checking question) uses meta-discourse in the transition to the reformulation.

The suspect's hesitant 'sort of' in line 036 reveals little recognition of the wording or the caution as a concept, and the ambiguous response could also be a sign of the suspect being confused by the label itself (Russell 2000: 41). This is when the AA interjects (line 039), taking the floor without having been offered it. With her statement, the AA effectively discourages the interviewer from paraphrasing the caution for the suspect, as it is her that proposes that the caution and its implications had been discussed beforehand. The uneven power relation between interviewer and Eric is fortified in this interaction, for the interviewer reacts positively to the AA's comments. Whilst earlier in line 036 the suspect managed to voice his uncertainty by means of his response 'sort of', anything but an affirmative response seems extremely unlikely now, as Eric is put in an even more inferior

position than he was in the beginning. Not surprisingly then, the suspect becomes compliant and agrees to everything the interviewer says. It can be argued that the AA's interference has had a detrimental effect on the cautioning exchange as the interviewer's intent to produce a reformulation was no longer present after the AA interfered.

The first two examples discussed in this final section are very short and are both taken from interviews with 18-year-old, thus adult, suspects. With rising suspect age, the possibility of the interviewer not reformulating the caution rises too: in Rock's (2007: 159) illustrative cautioning exchange structure, the 'typical' cautioning exchange is listed simply as recital – CCQ – affirmation. This is worrying given what we know about adults' comprehension (or rather, lack thereof) when it comes to the caution. It is somewhat reassuring that the current dataset shows no occurrence of the 'caution/CCQ – affirmation – no reformulation/next topic' pattern in the juvenile age group; however, this practice in interviews with 18-year-old suspects is nonetheless worrisome. The final example analysed shows a blatant violation of the AA's duties that results in what can hardly be seen as a positive, successful cautioning exchange. The change of the interviewer's demeanour from forthcoming and willing to explain to putting the suggestive 'so you know what the caution means then' statement to the suspect is worrying, especially when considering that the presence of the AA is to safeguard the welfare of the vulnerable suspect and not to violate it. The AA's involvement in the cautioning exchange also draws attention to the characteristics of the different types of AAs. As will be discussed in the subsequent chapter, familial AAs can exhibit behaviour that violates their duties, partly due to an innate protective instinct over their protégée. Conversely, the nature of the non-familial, i.e. 'professional', AA's interjection in Eric's cautioning exchange can be seen as a manifestation of a lack of intent to safeguard and a primary aim of moving the 'administrative' part of the interview along quickly, which in turn can be seen as a mirroring of some police officers' attitudes towards tick-box consent (Rock 2016).

6.5. Chapter summary

This chapter has examined how the caution is recited and reformulated and how these observations relate to the overarching theme of the suspects' ages and the legal age divide. As prescribed by PACE, every suspect in the data gets the caution recited to them during the 'Engage and explain' stage of the interview. The official wording appears to be recited from memory and is altered only very minimally if at all. Considering the relative speed of the recitals, as well as the monotony of speech in many of the examples, it is safe to say that administering the caution is considered to be a formality by a lot of the interviewers.

A primary observation of the data reveals the broad division into two categories, namely the 'reformulation' category and the 'no reformulation' category. Overall, there are 16 interviews in which the cautioning exchange results in a reformulation and three interviews in which the exchange results in no reformulation. The two exchange categories are then examined in relation to the age of the suspect and the force at which the interviews were being conducted.

With the different age groups in mind, the data show no significant differences in the ways in which the cautioning exchange takes place. The only observation in this context is the fact that the only two interviews in which the interviewer accepts the suspects' affirmative responses to the initial CCQs and thus does not reformulate the caution take place in interviews with 18-year-old suspects. It is certainly positive to see that this type of cautioning exchange does not happen in interviews with juveniles; however, its occurrence in interviews with 'newly adult' interviewees is nonetheless worrisome. As was mentioned earlier, an 18-year-old suspect and a 50-year-old suspect are regarded the same in the eyes of the law. A cautioning exchange following the process of recital – CCQ – affirmation, in other words an exchange that does not result in a reformulation, would not be as marked in a hypothetical interview with a 50-year-old suspect. Yet, when a suspect has only just entered the legal world of adulthood, the interviewer's acceptance of the suspect's affirmative

response seems more problematic, especially considering what we know about the increased risk of young persons answering questions with preferred 'yes' answers.

When arranging the interviews with regards to the police force at which they were conducted, it is revealed that all three non-reformulations take place in Force 1, whilst Force 2 provide a reformulation for all their interviewees, regardless of age or any other factors. A closer look at 18-year-old suspects in Force 1 reveals that only one (Kevin) of the three suspects in this category get the caution explained to them. The other two suspects (Luke and Matt) were mentioned earlier as the only suspects who affirm comprehension after the recital and whose interviewers subsequently move on to the next topic. A brief discussion of force-specific observations with regards to all three analyses can be found in the discussion chapter.

Both the 'reformulation' and the 'no reformulation' categories can each be further divided into to sub-categories: Within the 'reformulation' category we find 'direct reformulations' and 'reformulations after CCQ's; within the no reformulation category we find 'no reformulations after CCQs' and one case of 'AA interruption'. A schematic representation of this was shown in Figure 6. The distribution of interviews amongst the sub-categories shows a clear frontrunner, namely the direct reformulation, which accounts for 13 out of the total 19 interviews. Three interviewers reformulated the caution after putting a CCQ to the suspect, and this sub-category includes the two interviewers using the explaining-it-back technique to check comprehension (or rather, miscomprehension). As discussed above, two 18-year-old interviewees do not get a reformulation after providing an affirmative response to the CCQ, and in one interview with a 17-year-old suspect the AA interrupts the cautioning exchange.

One aspect of the cautioning exchange that was investigated was the transition from recital to reformulation in the 'direct reformulation' sub-category. The habit of reformulating

the caution directly suggests clearly that the original caution wording is not expected to be understood by the suspects. As has been acknowledged and discussed by a number of researchers (e.g. Rock 2007; Cotterill 2000), the police caution is complex in its structure and thus not easy to understand even for non-vulnerable adults. Part of the reason for this is that the caution refers to a hypothetical event in the future, i.e. a criminal trial, and within this to a hypothetical triggering of a legal clause, i.e. s.34 of the Criminal Justice and Public Order Act 1994. A number of complex and at times dangerous assumptions and presuppositions can be found in s.34 CJPOA and conveying the full meaning of this is a demanding task.

The data reveal various interviewers' use of meta discourse to announce their reformulation, as a way of keeping the suspects informed of the on-going procedure. Many interviewers furthermore use the lexical token 'basically' to announce the explanation of the caution. Considering the aforementioned complexity of the caution content, pre-empting the reformulation with 'basically' suggests that what follows is a simplified version covering the basic meaning of the caution. The interviewers thus also suggest that a 'basic understanding' understanding of the caution is sufficient.

Whenever a CCQ is put to a suspect after a caution recital, the suspect answers it with an affirmative response, regardless of whether they had actually understood the caution or not. This is not surprising given a combination of the uneven power relations of the interview and the risk of gratuitous concurrence. In other words, suspects feel 'obliged to affect signs of comprehension' (Goffman 1981: 26). Two interviewers in this sub-category ask the suspects to explain the caution back to them, which neither of the two can do. Helena's attempt does not go further than 'yeah that I can-', whereas Charlie's attempt reveals him to have the wrong comprehension of the caution, 'that I'm under arrest for a robbery or something'. Suspects' failure to explain the caution back, such as in Helena's

case, does not always mean that they have not understood their rights, but that they cannot explain it back due to other factors such as nervousness for example.

Interviewers put CCQs to the suspects during as well as at the end of the reformulation, and the data show that many of these CCQs remain without a verbal response from the suspects. Where CCQs throughout or at the end of the reformulation are audibly answered, comprehension is always affirmed. Affirmative responses at the end of the reformulation are taken to be authentic and mean 'yes'. Affirmative responses from suspects after the recital were essentially taken to mean 'no', and triggered the explain-it-back request from two interviewers. This phenomenon echoes observations by Rock (2007), who writes that it appears that 'at the beginning of the cautioning exchange the detainee's affirmative response to comprehension checking is taken to indicate incomprehension, whereas at the end of the exchange it indicates the opposite' (161). After affirmative answers to the CCQs at the end of the reformulation, no suspect is asked to explain the caution back in their own words. The data thus show examples of the assumption that the reformulation itself ensures comprehension in suspects, which is not necessarily the case.

Throughout the reformulations, interviewers use the evidential adverbial 'obviously' in connection with various sections of the caution. The data show examples of 'obviously' being used as a rapport building tool when referring to common knowledge, e.g. when talking about the fact that the interview is being recorded. The fact that the interview is being recorded is routinely discussed prior to the start of the recording, and often the audio recording gear is well visible and thus serves as a physical reminder. It is thus argued that labelling the fact that the interview is being as 'obvious' causes no harm, and can in fact be beneficial for the rapport between the interviewer and the suspect. 'Obviously' is also used when referring to other aspects of the caution, including some related directly to s.34 CJPOA. In these cases, using such markers of evidentiality can put pressure on the suspect and emphasise their inferior position. In other words, when something is not evident to both

parties, the use of evidentiality markers by the more powerful party can have a detrimental effect on the rapport between the two interlocutors.

In terms of the structure of the reformulations, interviewers in 13 out of 16 interviewers follow the order of the caution itself, i.e. 1-2-3. The 1-3-2 order appears only once in the dataset, namely in the interview with Charlie, and takes place in a reformulation that follows an unsuccessful explanation attempt.

Finally, cautioning exchanges without reformulations were analysed. The examples of the two 18-year-old suspects Luke and Matt have been discussed, so let us briefly recapitulate the extraordinary case in this category, namely the AA interruption. Eric is not asked a classic, explicit CCQ after the recital, but the interviewer instead asks him if the caution had ever been explained to him. The question serves a similar purpose and works on the presumption that an explanation means comprehension. In other words, the question implies that if the caution had been explained to Eric before he would understand it, and if it had not then he would not. In any case, the interviewer's premise that the caution ought to be explained to the suspect remains. Eric's answer to the question is 'sort of' which suggests a level of insecurity and confusion from the suspect's part and rightfully acts as a trigger for the interviewer to provide a reformulation, as is prescribed in PACE. The AA's unprompted interjection makes reference to an interaction prior to the start of the interview, where the AA and the suspect had allegedly discussed the caution. The AA's duties extend beyond the interview room to include much of the custody process, so it is highly probable that such an interaction did in fact take place. The point of the interaction on record, however, is that the suspect is audibly unsure and should thus not be denied a reformulation by the interviewer. The AA's linguistic behaviour in this example can only be seen as a violation of her duties.

Overall, the chapter has revealed a number of interesting observations in connection with the police caution and its reformulation in interviews with young suspects. The findings

are more critically evaluated and embedded in the greater context of this project in the

discussion chapter.

7. THE ROLE OF THE APPROPRIATE ADULT

7.1. Introduction

This chapter addresses the question: what is the discursive role of the AA and how does their non-verbal presence affect the interaction in interviews with 17-year-old suspects? The AA constitutes a physical presence in the interview room, in that they are an extra person who is legally required to be present when a juvenile suspect is being questioned. The presence of the AA is at times discursively oriented to, both by suspects and interviewers, and this interactive phenomenon is briefly examined in this chapter. However, as part of a forensic linguistics study, the main focus of this chapter is an in-depth analysis of discursive contributions made by AAs inside the interview room, which in turn constitutes a wholly new contribution to the field. Previous research has looked at practicalities surrounding the safeguard and has examined verbal contributions on a broad, quantitative level. The current study investigates interactional structures between AAs, suspects, and interviewers and reveals how age-related ideologies are exhibited beyond the physical presence of the AA.

In terms of the structure, first, it is briefly reiterated who can be an AA and what their duties are. With this in mind, it is then analysed how AAs are introduced and instructed at the beginning of the interview. Following this, the AAs' linguistic contributions during the 'Account, clarification and challenge' stage are investigated and evaluated against the backdrop of the AAs' legislative duties as well as the known vulnerabilities of the juvenile suspects. The analysis reveals a force-specific instruction pattern, and discusses helpful verbal contributions by AAs, the detrimental effects of an AA violating her duties, as well as interviewers orienting towards AAs in situations where delicate topics are discussed.

The AA is a special measure for juvenile and otherwise vulnerable suspects during much of the police custody process, and perhaps most prominently during the police interview. PACE Code C, s.11.15 notes that

[a] juvenile or vulnerable person must not be interviewed regarding their involvement or suspected involvement in a criminal offence or offences, or asked to provide or sign a written statement under caution or record of interview, in the absence of the appropriate adult […].

The AA must be somebody who, in relation to the suspect, is

(a) the persons's [sic] parent or guardian or, if the person is in the care of a local authority or voluntary organisation, a person representing that authority or organisation,
(b) a social worker of a local authority, or
(c) if no person falling within paragraph (a) or (b) is available, any responsible person aged 18 or over who is not a police officer or a person employed for, or engaged on, police purposes
(Policing and Crime Act 2017, s.74, 45ZA (8)).

AAs have thus either a familial or a non-familial relation to the suspect. A person is not allowed to act as an AA if they are 'suspected of involvement in the offence; the victim; a witness; [or] involved in the investigation' (PACE Code C, Note 1B). Another reason for exclusion is if they have 'received admissions prior to attending to act as the appropriate adult' (PACE Code C, Note 1B). The offence investigated in the interview with Eric is the only one in the 17-year-old age group that involves a parental victim[21], and the AA present in his interview does not have a familial relationship to the suspect.

The overall role of the AA is broadly described as safeguarding the 'rights, entitlements and welfare' as well as 'the interests of children and young persons detained or questioned by police' (PACE Code C, s.1.7A; Crime and Disorder Act 1998, s.38(4)). For the purpose of this chapter, we will focus on the AAs' duties inside the interview room, although it should be noted that their supporting role extends into much of the custody context. In fact, in the current dataset, two interviewers make explicit reference to

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[21] 18-year-old suspects Luke and Olivia also have parental victims, but due to their age and state as 'adults' they have no AA present.

interactions between the suspect and the AA prior to the interview: Gavin's interviewer mentions 'we've just been through your rights again at the counter in the company of your granddad' (Res. App., 17_2_2: Gavin, lines 0058-0059). In Ian's interview, the interviewer states 'when you got booked in with the sergeant and he asked you about a solicitor (…) and you and your mother had a chat and you said no' (Res. App., 17_2_4: Ian, lines 0059-0063).

To reiterate, PACE Code C, s.11.17 describes the duties of the AA inside the interview room as follows:

> [i]f an appropriate adult is present at an interview, they shall be informed:
> - that they are not expected to act simply as an observer; and
> - that the purpose of their presence is to:
>   - advise the person being interviewed;
>   - observe whether the interview is being conducted properly and fairly; and
>   - facilitate communication with the person being interviewed.

Before the AAs' discursive role and linguistic contributions are examined, the data subject to analysis are briefly discussed. As mentioned above, the dataset consists of the ten interviews with 17-year-old suspects. All ten interviews see the presence of a suspect, one or two interviewers[22], and an AA. An important element to consider when looking at contributions by AAs is the presence or absence of another extra party, i.e. the solicitor. The table below lists for each interview the presence (YES) or absence (NO) of a solicitor. For additional context, the column on the right lists the suspected offence for each interviewee.

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[22] The interviews with Daniel, Eric, Gavin and Helena are conducted by a single interviewer; the interviews with Andrew, Ben, Charlie, Frankie, Ian, and Jack see the presence of two interviewers.

Solicitor	Interview	Suspected offence
YES	17_1_1: Andrew	Sexual assault
YES	17_1_2: Ben	Arson with the intent to endanger life; Robbery
YES	17_1_3: Charlie	Robbery
YES (2x)	17_1_5: Eric	Dangerous driving; Aggravated taking without consent
YES	17_2_3: Helena	Possession of a controlled substance with intent to supply
YES	17_2_5: Jack	Possession of a controlled substance with intent to supply
NO	17_1_4: Daniel	Possession of a controlled substance
NO	17_2_1: Frankie	Criminal damage; Assault
NO	17_2_2: Gavin	Assault; Sexual assault
NO	17_2_4: Ian	Assault

Table 14: Interviews with 17-year-olds, presence of solicitor, suspected offence

The table shows that six out of ten suspects have a solicitor present, and that Eric is the only interviewee in the entire dataset to have multiple legal representatives. Psychologists Medford *et al.* (2003) have found a correlation between the presence of AAs and solicitors; however, this phenomenon is only known to be true in the case of interviews with 'at risk' adults who have an AA present. Since juvenile suspects by default have an AA present, the impact of the AA's presence on the likelihood of the solicitor's presence cannot be measured in the current dataset.

The first analysis section of this chapter is dedicated to contributions by AAs in so-called 'institutionally provided-for slots' (Edwards & Stokoe 2011). These turns include the identification of the AA during the 'Engage and explain' stage, and the common interview-final 'anything to add' question during the 'Closure' stage. The subsequent section is concerned with the exchange that takes place when AAs are instructed of their duties by the interviewer. The instructions are also part of the 'Engage and explain' stage. In the next section, verbal contributions by AAs during the 'Account' stage of the interview are analysed. Within this section, foci include instances of suspects and interviewers seeking assistance from AAs by various discursive means, as well as interjections by AAs that

violate PACE guidelines. Consideration is finally given to AAs' non-verbal presence in instances of interviewers making reference to AAs without addressing them directly. Throughout the three subsequent sections, analytical foci include turn-taking, lexical choice, and terms of address.

7.2. AAs' turns in 'institutionally provided-for slots'

This section looks at AAs' routine turns produced during the beginning and the end of the interview (see Edwards & Stokoe's 2011). Firstly, the AAs' self-identifications during the 'Engage and explain' stage are analysed, before focusing on the 'Closure' stage where AAs are asked if they would like to add any final comments.

7.2.1. AAs' self-identifications during the 'Engage and explain' stage

Section 12.7 of PACE Code C prescribes that 'each interviewer shall […] identify themselves and any other persons present to the interviewee' during the 'Engage and explain' stage. Naturally, it is beneficial for rapport to know who is in the room; however, the formalised way of identification is more for the benefit of the tape rather than the benefit of the suspect (Edwards & Stokoe 2011; Stokoe 2009). The order in which the introductions take place typically starts with the interviewer(s) and the suspect, and then moves to additional parties such as the solicitor and the AA. Suspects are routinely asked to provide their full name, date of birth and address (see Chapter 5), whereas extra persons such as solicitors provide their full name and affiliation, and AAs provide their name and, in most cases, their affiliation or familial relationship to the suspect.

All suspects in the dataset state their first name and surname during the 'Engage and explain' stage, and are henceforth addressed by their first names (by both interviewers and AAs). AAs all state their first name and surname and are subsequently addressed by their first name or familial relation (by both interviewers and suspects). As is prescribed by police guidance, interviewers are expected to 'give their name and rank' at the beginning of the

interview (College of Policing 2013). The data show that all 26 interviewers across 19 interviews (note that some interviews see the presence of two interviewers) state their rank, collar number, and surname. Interviewers are less consistent when it comes to first names. The following table shows the interviews with the respective information whether the first name of the interviewer(s) is provided on record.

Interviewee	First name IR(s)	Interviewee	First name IR(s)
Andrew	YES	Kevin	YES / YES
Ben	YES / YES	Luke	NO
Charlie	YES / NO	Matt	YES
Daniel	YES	Nathan	NO
Eric	YES	Olivia	NO
Frankie	NO / NO	Olivia	NO
Gavin	YES	Paul	NO
Helena	NO	Robert	NO / NO
Ian	NO / YES	Samuel	NO
Jack	NO / YES		

Table 15: Interviewers providing their first names

Table 16 shows that only 12 out of 26 interviewers provide their first name on the record. Furthermore, interviews with 17-year-old suspects see more interviewers stating their first names (left half of Table 16) than interviews with 18-year-olds. Consequently, suspects across both age groups often only have at their disposal the interviewers' institutional title and surname, and thereby lack an amenable term of address for the interviewer.

As mentioned earlier, AAs can have a familial or a non-familial relation to the suspect. The table below shows all ten interviews and lists their respective AAs and relations.

Interview	AA relationship to suspect
17_1_1: Andrew	Familial (mother)
17_1_3: Charlie	Familial (mother)
17_2_1: Frankie	Familial (mother)
17_2_4: Ian	Familial (mother)
17_2_5: Jack	Familial (mother)
17_1_2: Ben	Familial (father)
17_2_2: Gavin	Familial (grandfather)
17_1_4: Daniel	Non-familial (support worker)
17_1_5: Eric	Non-familial (?)
17_2_3: Helena	Non-familial (?)

Table 16: AAs and their relationships to the suspects

In the current dataset, the AA has a familial relationship to the suspect in seven out of ten interviews. Familial AAs include mostly mothers (five out of seven), as well as one father and one grandfather. The three non-familial AAs include one support worker and two AAs with unidentified titles or affiliations. Daniel's AA is introduced as a support worker by the interviewer; however, the AAs in the interviews with Eric and Helena are not labelled in any detail.

Example 7.01 from Charlie's interview illustrates an AA being explicitly prompted by the interviewer to state her name and relationship to the suspect in two separate question turns.

Example 7.01: Charlie
```
022  IR1  >thank you very much< and also we have your-
023       (0.3) an- appropriate adult ↓here↑ could you
024       introduce yourself↓ please
025   AA  Sandra Moon
026  IR1  and your relationship to: Charlie please
027   AA  his mum
028  IR1  °okay° (0.8) Charlie can you just confirm that
029       it's- <those people that have spoken are the
030       only people in this interview room↓
                                                    17_1_3
```

Line 022 shows the interviewer first addressing the suspect directly when making reference to 'your' appropriate adult. The pronoun 'your' is uttered in full, but halted abruptly, and

after a short pause the interviewer utters an equally abrupt 'an-' (line 023). The token 'an-' can be interpreted in two ways: on the one hand it can be seen as a self-initiated same-turn repair, specifically a replacement of the personal pronoun 'your' with the neutral determiner 'an' (Schegloff 2013: 43). If this interpretation is followed, we can see that trouble source 'your' is not 'prematurely determined', as is typical in a common 'replacing' (Schegloff 2013: 45), but instead it is just halted abruptly. Havin said that, cut-offs in monosyllabic tokens are perhaps in itself a rare occurrence. Another possible interpretation of the 'an-' token is that it is a simple false start of the subsequent word 'appropriate', whereby 'appropriate' would constitute the completion of the self-initiated repair. Considering the former interpretation, it would seem as a somewhat redundant correction, seeing as the AA quasi 'belongs' to the suspect for the purpose of the interview, in that she is present as *his* safeguard. The AA is asked to introduce herself by means of a polite prompt, 'could you introduce yourself please' (lines 023-024). The politeness is realised by means of modality marker 'could' and the word 'please' (Held 1992: 134; Culpeper 2011a), as a means of promoting 'friendly relations' with the goal of 'enabl[ing] us to assume that our interlocutors are being cooperative in the first place (Leech 1983: 82). The use of politeness markers as a way of establishing rapport and encouraging the AA's cooperation is crucial, as previous research has revealed (and criticised) AAs' overall tendency to take on a passive role during the interview (e.g. Farrugia & Gabbert 2019). The interviewer's follow-up prompt for the AA, 'and your relationship to Charlie please' (line 026), also shows discursive features of politeness and reveals that the interviewer evidently deems it important to have on record the AA's relationship to the suspect. The interaction finally shows that the identification happens for the benefit of the tape and not the suspect, for Charlie obviously knows his mother's name and relation to him.

The AA in the interview with Ben responds to the identification prompt automatically with his familial status and full name, in that order.

Example 7.02: Ben
```
021  IR1  erm can you just intro[duce yourself↓]
022   AA                        [    yeah well] I'm his
023       dad Ewan Williams
024  IR1  okay fantastic erm (0.8) is this the first time
025       that you've acted as an appropriate adult↓
026   AA  no
027  IR1  okay↑ we- I just need to remind you that (.)
```
                                                        17_1_2

The interviewer's prompt 'can you just introduce yourself' (line 021) is formulated in a similar way to the one in example 7.01 above, albeit less polite given the more informal use of the auxiliary 'can' instead of 'could', and the omission of the politeness marker 'please'. The final three syllables of the interviewer's turn are overlapped by the AA initiating his response with two discourse markers, before revealing 'I'm his dad Ewan Williams'. The interviewer's feedback 'okay fantastic' (line 024) reveals that he is content with the response. As is revealed in lines 025 and 026, Ewan Williams had worked as an AA previously, so it is likely that him direct stating his name and relationship to the suspect when prompted to 'introduce' himself is a result of previous experience.

A similar example to this can be seen in the interview with Ian, where the AA is asked to state her name and she reveals both her name and relation.

Example 7.03: Ian
```
0010  IR1  thank you↑ (0.7) a::nd could you state your
0011       name appropriate adult please↓
0012   AA  yeah Polly McAllister mother
0013  IR1  Polly d'you want me to go through you:r (0.3)
0014       …
```
                                                        17_2_4

The interviewer prompts the AA to state her name (line 0010-0011), to which the AA provides her full name 'Polly McAllister' and her familial relation to Ian 'mother'. Interestingly, she states her relation formally as 'mother', whereas other familial AAs who identify themselves often use terms of endearment such as 'mum', 'dad' and 'granddad'. Again, the phenomenon of adding extra information without being explicitly prompted can

be seen as a sign of familiarity with the process. Considering the terms of address used by the interviewer, he first addresses the AA by her role 'appropriate adult' (line 0011). It can be assumed that the interviewer is aware of the AA's actual name at this point, but he chooses to address her by her role because of his prompt asking for her name specifically. After the AA provides her name, the interviewer then addresses her by her first name 'Polly' (line 0013). As will be discussed in Section 7.5, the interviewer in Ian's interview makes reference to the AA without addressing her directly using different terms of address depending on the context.

The AA in Gavin's interview is also asked for his name and subsequently provides both his name and his relation.

Example 7.04: Gavin
```
0018    IR   thank you↑ (0.4) also present is your
0019         appropriate adult↑ (.) will you please state
0020         your name↑
0021    AA   er: Peter Brown I'm Gavin's granddad
0022    IR   lovely↑ (0.4) this is to you Peter okay↑ you're
0023         …
```
                                                                    17_2_2

The interviewer is addressing Gavin at the beginning of his turn when he refers to 'your appropriate adult' (0018-0019). As opposed to the previous Example 7.03, Gavin's interviewer does not directly *address* the AA as his role but instead *makes reference* to him as such. After a beat the interviewer changes interlocutors and prompts the AA directly to 'please state your name' (line 0019-0020). The AA states his name and labels himself as 'Gavin's granddad' (0021). In the following turn by the interviewer, the AA is addressed by his first name 'Peter', although as will be discussed later, this interviewer too addresses and refers to the AA in different ways.

A final example of an AA being prompted for their name only and then providing extra information unprompted can be seen in the interview with Helena, whose AA has no familial relationship to her.

Example 7.05: Helena
```
014   IR  .hh and the appropriate adult can you state
015       your name please↑
016   AA  Jonathan Bailey coming from (inaudible)
017   IR  °thank you↓° I'll just read this notice out
018       (0.5) er <to you Jon you're not expected to act
019       …
```
                                                    17_2_3

The AA is labelled 'appropriate adult' by the interviewer, before being prompted for his name. He states his full name as 'Jonathan Bailey' (line 016); the extra information provided by the AA after 'coming from' could not be made out in the original recording due to poor sound quality. A combination of the facts that the AA provides his affiliation without being explicitly prompted, and that the interviewer addresses him by a shortened nickname 'Jon' (line 018) suggests that there exists a level of familiarity between the two persons and that Jon has likely acted in the AA role before. The unfamiliar relation between the suspect and the AA is juxtaposed to the familiar relation between the AA and the interviewer; this is an inverse situation of the one in the majority of interviews in the current dataset, where there exists a familiar (and familial) relationship between the suspect and the AA , and no existing familiarity between the AA and the interviewer(s). This phenomenon emphasises the differences in the different types of AAs, and undoubtedly raises questions about potential issues arising from the this.

AAs do not always state their own name and position (whether prompted or not prompted by the interviewer); the following example shows the interviewer herself identifying the AA by stating both her name and her relationship to the suspect Andrew.

Example 7.06: Andrew
```
015  IR1  thank you very much↓ and you have with you your
016       mother↑
017   AA  °yes°=
018  IR1  =and that's Lindsay Cohen Lindsay then your
019       role during this interview is just to make sure
020       …
```
<div align="right">17_1_1</div>

The interviewer reveals the AA's relationship to the suspect in a declarative turn that is directed at the suspect, 'you have with you your mother' (lines 015-016). The AA signals awareness of the fact that she is the new interlocutor by quietly uttering the token 'yes' in the subsequent line. This turn by the AA can be seen as a back-channelling token interjected in the interviewer's declarative. The continuation of the interviewer's utterance is latched, and she states the AA's first name and surname (line 018). At this point, the interviewer changes interlocutor and addresses the AA directly; this is signalled by the term of address 'Lindsay' and the subsequent explanation of 'your role during this interview' (lines 018-019). The identification process in this interview is thus fairly one-sided, with the AA's only contribution being a quiet back-channelling token.

There is only one interview in which the familial AA's relationship to the suspect is not revealed during the 'Engage and explain' stage. The following excerpt is from Jack's interview.

Example 7.07: Jack
```
017  IR1  brilliant↑ okay↑ (0.6) er >something< I just
018       need to read out (0.4) for you Anne here er:
019       'cause you're (.) classed as the appropriate
020       adult↑ (0.6) if you can just state↑ your name
021       for me↑
022   AA  Anne Miller
023  IR1  >okay< I just need to say er: (.) <you are no-
024       …
```
<div align="right">17_2_5</div>

The term of address clearly shows that the identification by name happens primarily for the benefit of the tape, and the interaction illustrates the regimented nature of this part of the

interview. The interviewer addresses the AA as 'Anne' (line 018) as a means of signalling that he is addressing her. The prompt that is subsequently put to her in terms of identification is 'if you can just state your name for me' (lines 020-021), as a response to which she provides her full name. The interviewer's fast-spoken feedback token 'okay' (line 023) signals his contentment with her response, and he subsequently transitions to the AA instruction topic. The AA's surname is the same as Jack's, which is an indication that the two are related; however, the relation between her and the suspect, i.e. the fact that she is Jack's mother, is not revealed during the 'Engage and explain' stage at all. The first reference to the familial relation takes place after Jack's free narrative when the AA produces a turn that includes the phrase 'there's no way my son's in possession of anything like that'[23] (Res. App., 17_2_5: Jack, lines 140-141).

As mentioned earlier, out of the three non-familial AAs only the one in the interview with Daniel is explicitly labelled as a 'support worker'.

Example 7.08: Daniel
```
013   IR  also  present  is  the  appropriate  adult  the
014       support  worker  of  erm  Daniel  erm  could  you  give
015       me  your  name  please
016   AA  er  it's  George  Brandon
017   IR  and  your  your  title
018   AA  I'm  a  support  worker  for  A&S  Care
019   IR  Daniel  can  you  please  confirm  that  there  are  no
020       …
```
                                                                    17_1_4

The interviewer mentions the fact that the AA is a 'support worker' (line 014), but then prompts the AA's 'title' anyway (line 017), as a response to which the AA states that he is a 'support worker' for a specific company (line 018). In other words, the fact that the AA in Daniel's interview has a non-familial relation to Daniel is made explicit twice in the current interaction, and a third time when the AA is given his instructions (Example 7.22). The interviewer does not provide any feedback to the AA after he provides the requested

---

[23] With 'anything like that' Jack's mother refers to drugs and paraphernalia; Jack is being questioned on suspicion of possession of a controlled substance with intent to supply.

information. Instead, the interviewer initiates his turn in line 019 with a question directed at the suspect. The routine of the identification process for the benefit of the tape becomes obvious in the interviewer's linguistic behaviour.

Eric's non-familial AA is the recipient of the least explicit prompt to identify herself out of all the AAs, in that it is formulated as an invite for grammatical completion, or a compound TCU.

Example 7.09: Eric
```
016   IR  °thank you° and also present today is
017   AA  yeah it's Meghan Turner er: appropriate adult↓
018       …
                                                          17_1_5
```

The AA states her full name 'Meghan Turner' as well as her role 'appropriate adult' (line 017). She does not mention the National Appropriate Adult Network or any other affiliation. Other examples in this section have shown AAs providing their name and familial relation or professional affiliation when prompted to identify themselves. Meghan Turner from Eric's interview is the only AA who goes beyond and explains her own role. Edwards & Stokoe (2011) have witnessed this phenomenon in solicitors' identification processes, where they 'use their invited slot as an opportunity to provide more than a basic identification' (25). This action suggests a level of familiarity with the institutional procedures; something that is likely more prevalent in professional AAs than in familial AAs. The continuation of the AA's turn in Eric's interview, i.e. the self-administered instructions, is analysed in Section 7.3.3.

Overall, AAs are routinely prompted by interviewers to introduce themselves, alongside all other persons present, as is prescribed by PACE. All AAs identify themselves (and in one case the AA is identified by the interviewer) with their full name. In all but two interviews, the AA's affiliation or relation to the suspect is also revealed during the 'Engage

and explain' stage. The two exceptions here are: first, Eric's AA who introduces herself only with her full name and her role 'appropriate adult', but who does not reveal her affiliation. Secondly, Jack's AA is not explicitly revealed to be the suspect's mother during the 'Engage and explain' stage; instead, the AA herself reveals this during the 'Account' stage when referring to 'my son'.

Having covered the AAs' introductions, let us take a closer look at AAs' turns during the 'Closure' stage of the interviews.

7.2.2. AAs' contributions during the 'Closure' stage

During the 'Closure' stage, it is routine for interviewers to invite the persons present to make a comment or ask a final question. In the 17-year-old age group, nine out of ten suspects, and three out of six solicitors get explicitly invited to provide a final remark. The table below shows the interviews and whether their AA is invited to add anything during the 'Closure' stage.

AA invited to provide final remarks	Interview
Invited (AA declines)	17_1_1: Andrew
Invited (AA declines)	17_1_4: Daniel
Invited (AA declines)	17_2_4: Ian
Invited (AA accepts)	17_2_2: Gavin
Not invited (AA makes unprompted contribution)	17_2_5: Jack
Not invited	17_1_2: Ben
Not invited	17_1_3: Charlie
Not invited	17_1_5: Eric
Not invited	17_2_1: Frankie
Not invited	17_2_3: Helena

Table 17: AAs invited to provide final remark during 'Closure' stage

The table reveals that four AAs are explicitly invited to add a final comment and six are not. Out of the four AAs who are invited to make a comment, three provide the preferred answer

by rejecting the offer. Gavin's grandfather is the only AA who accepts the invite. The AA in Jack's interview is not invited to make a contribution; instead, she interjects when her son is asked for his final comments.

The first two examples in this section show AAs declining the offer to add anything. Both extracts show the interviewers asking the suspects for their final comment before inviting the AAs to do the same. The AA in Andrew's interview is his mother.

Example 7.10: Andrew
```
856  IR1  okay↓ °right° there's nothing else you want to
857       say to me
858  SU   °no°
859  IR1  you're happy with what you've said and your
860       account that you've given
861  SU   yeah
862  IR1  okay↓ (0.8) mum are you happy
863  AA   yeah↑ yeah
864  SOL  nothing further from me
865  IR1  .hhh alright↓ gonna end this interview now↓
866       …
```
<div align="right">17_1_1</div>

The interviewer's prompts for the suspect are formulated as declaratives rather than interrogatives (lines 856-857 and 859-860), and the suspect provides two preferred second pair parts after each of the interviewer's initiations, 'no' (line 858) and 'yeah' (line 861). The interviewer's second turn aimed at Andrew asks if he's 'happy' with the account he's given, and the same phrase is then used in the subsequent turn aimed at the AA, 'mum are you happy' (line 862). The interviewer using the same theme for his two invitations can be seen as a sign of routine, in the she 'goes around the room' putting the same question to all parties. The interviewer is furthermore addressing the AA as 'mum' thereby foregrounding the familial relation and the AA's protective role over the suspect.

The 'Closure' excerpt from Daniel's interview shows similarities to that from Andrew's. Daniel's AA is a support worker.

Example 7.11: Daniel
```
153   IR  yeah↑ that's it done okay so er: I'm now- is
154       there anything that you wish to say
155   SU  no↓
156   IR  okay is there anything you wish to say
157   AA  no I'm happy
158   IR  erm the time is nine sixteen the date is still
159       …
```
<div align="right">17_1_4</div>

The interviewer too uses the same question for the suspect and the AA, in this case the formulation 'is there anything (that) you with to say' (lines 153-154 and 156). The interviewer does not verbally address the AA by name or role, so the change of interlocutor in line 156 is likely indicated by means of gaze and gesture. The suspect's rejection of the invitation is a monosyllabic 'no' (line 155); the AA echoes this and adds to his rejection a positive declaration 'I'm happy' (line 157). Considering the AA's role and duties, the AA signals his contentment in that nothing untoward had happened during the course of the interview.

The extract from Ian's interview shows the interviewer's final utterance of an interaction with the suspect before he asks the AA for a final remark.

Example 7.12: Ian
```
2017  IR1  (>on the train↑<) get to the bottom of it
2018       basi[cally] (0.5) e::r (.) Polly anything
2019   SU      [yeah ]
2020   AA  (0.8) no: no it's:: °it's-° (2.6) no↓ it's
2021       alright ((chuckles))
2022  IR1  no ((chuckles)) o:kay↓ (1.0) alright so↓ (1.1)
2023       …
```
<div align="right">17_2_4</div>

The interviewer's prompt for the AA is only minimal, 'Polly anything' (line 2018), which may account for the elongated pause prior to Polly's verbal response in the subsequent line. Polly's turn shows a number of signs indicative of hesitation: the elongated sounds in 'no' and 'it's' and the repetition of those words, as well as the abrupt halt followed by a substantial 2.6-second pause (line 2020). The interviewer does not take the floor at this TRP

and the AA finishes her turn in a more assertive manner, 'no it's alright' (lines 2020-2021).

It would appear that the AA was aware of the fact that the preferred and expected response was negative, and eventually aligned herself with the interviewer's expectations after the hesitant start of the turn. The chuckling from both the AA and the interviewer can be seen as signalling that they are both aware that the AA's rejection of the offer may not have been her planned response (see Carter 2011). Despite this, the interviewer does not make a repeat invite to the AA to make a final contribution.

Gavin has been arrested on suspicion of assault and sexual assault and his grandfather is the only AA who accepts the invite to make a final comment during the 'Closure' stage.

Example 7.13: Gavin
```
2469   IR  °okay↓°  (18.4) right↓ is >there anything< from
2470       yourself↓ (0.3) Peter >is there< anything you'd
2471       like to (0.3) say before we close the interview
2472       down↑
2473   AA  (1.2) ((coughs)) sorry what↓ about what they
2474       said or
2475   IR  anything j- anything in general↓
2476   AA  (1.2) right to be honest with you this sexual
2477       (1.8) sexual assault↓ I find very hard↓ (1.0)
2478       because he's had things happen to him↑ (1.6)
2479       an:d (0.3) he never talks about sex
2480   IR  hm
2481   AA  or anything like that [because-     ]
2482   SU                        [I don't think] (.)
2483       <dirty minded basically=
2484   AA  =yeah↓
2485   SU  I do not think dirty minded I don't [think-]
2486   AA                                      [  he-] he
2487       don't↓ but I will say that about him↑ (2.3) he
2488       don't see sort of (0.5) women as sex objects or
2489       whatever↓ (1.2) you know↑
2490   IR  °yeah↓°
2491   AA  (2.3) so I find that one very hard (.) <to
2492       believe↓
2493   IR  (4.7) okay↓ (1.4) anything from yourself↓
2494       Gavin=
2495   SU  =no
2496   IR  okay↓ what we'll do then we'll close the
2497       interview down↑
```
                                                              17_2_2

The AA is prompted by the interviewer first in broad terms 'is there anything from yourself' (lines 2469-2470) before being invited more directly when being addressed 'Peter' and subsequently being asked if there was 'anything you'd like to say' (lines 2470-2471). The AA was noticeably not expecting the prompt; his turn starts with a long pause before he initiates an insertion sequence with the goal of clarifying whether he is expected to make a comment about the contents of the victim statements, i.e. 'about what they said' (2473-2474). The interviewer's second pair part clarifies that the AA can add a comment about 'anything in general' (line 2475). The AA's subsequent contribution talks of his disbelief that Gavin would commit a sexual offence partly because 'he's had things happen to him' (line 2478). The turn is characterised by four relatively long pauses that can be seen as signalling the AA's difficulties in talking about the topic. The interviewer does not pick up on this piece of information shared by the AA. An AA who is close with the suspect and their history has the ability to reveal personal information in the course of the interview which can be harmful to the suspect in case it is a piece of sensitive information that the suspect does not want to be known. This risk rests with 17-year-olds; whilst 18-year-old suspects do not have the benefit of support from an AA, they are at the same time not at risk of having unwanted personal information disseminated in the course of an interview.

Another interesting aspect of the grandfather's contribution is the statement that Gavin 'never talks about sex or anything like that' (2450-2452). It can be assumed that 17-year-old teenagers do not routinely discuss intimate sexual details with their grandfathers, which does not automatically mean that they are not engaging in sexual activity. The situation is somewhat reminiscent of Andrew's interview about sexual assault, during which the interviewer admonishes the suspect that if he is 'old enough to do it' then he is 'old enough to talk about it (Section 5.6). With the highly private and sensitive nature of sexual intimacy *per se*, as well as the complex stigma of sexual offences, it appears that Gavin's grandfather understandably struggles to conceive of the idea of his grandson engaging in illicit sexual activity.

At this point during the 'Closure' stage, Gavin interrupts his grandfather, which results in a momentarily overlap (lines 2481-2482); however, he does not react to his grandfather's revelation directly, but instead voices repeated denials consistent with his account throughout the interview. The AA later interrupts Gavin (line 2486) and again states his disbelief. Audible in the background is the sound of note taking, which ceases right before the interviewer gives feedback to the AA, 'okay' (line 2493). The interviewer's invite for the suspect to make a final comment, 'anything from yourself Gavin' (line 2493-2494) has a similar form to the original prompt for the AA in lines 2469-2470.

Gavin's grandfather is the only AA who makes a final comment during the 'Closure' stage after being invited to do so by the interviewer. As the following example will show, Jack's mother contributes without being prompted, which is something that this particular AA does multiple times throughout the 'Account' stage (Section 7.4.4).

Example 7.14: Jack

```
856  IR1  okay↑ (1.1) er so do you wish to admit to:
857       (0.3) any further offences whilst in custody↑
858   SU  erm
859  SOL  °no°
860   SU  no↓
861  IR1  no (1.7) a:nd do you wish to add or clarify↓
862       anything (0.8) to what's been said
863   SU  er: °don't know what that is°
864  SOL  >is there is there is there anything< else↓
865       that you think (.) you should tell them that
866       they've not asked you about
867  IR1  okay that's it last chance if you wanna (say
868       out yeah↑)
869   SU  °yeah°=
870   AA  =tell ['em ] Jack that you're a user
871  IR1       [okay]
872   AA  because (0.5) you- you have [to]
873  IR2                             [ I] already have↑
874  IR1  yeah I've got that down↓
875       ye[ah I]'ve got that d[own yeah]
876   AA    [yeah]              [  he's  ]
877   SU  [ says I use ]
878   AA  [he definitel]y isn't a supplier or a dealer↓=
879   SU  =was just said (to them mom↓)
880  IR1  okay so↑ (0.4) the time is no:w five twenty
881       …
```
<div align="right">17_2_5</div>

After interviewer 1 briefly checks with interviewer 2 to confirm that they have no further questions, as is prescribed in police guidance (College of Policing 2013), interviewer 1 proceeds to put a controversial question to the suspect, namely 'do you wish to admit to any further offences whilst in custody' (lines 856-857). The question is labelled as controversial due to its suggestive nature manifested by a high level of formality, 'do you *wish…*' and the content as being a potential trigger for self-incrimination. This is the only occurrence of a 'Closure' question of this nature in the full dataset, and no comparable questions have been found in the literature. The suspect only utters a hesitant discourse marker 'erm' before the solicitor interjects and provides the answer 'no' for the suspect, which Jack then relays to the interviewer (lines 859-860). Without the solicitor's interjection, Jack may not have been able to answer this unusual question to the best of his ability and without incriminating himself. Instead of advising the suspect not to answer the question, which is a fairly common contribution by lawyers in interviews (see Edwards & Stokoe 2011; Stokoe & Edwards

2010), the solicitor instructs the suspect to give a negative answer. The interviewer echoes the response before inviting the suspect to 'add or clarify anything to what's been said' (lines 861-862).

Jack does not appear to fully understand what is asked of him, so his solicitor provides a paraphrased question (lines 864-866). The interviewer's final prompt for Jack is not fully audible but it starts with 'okay that's it, last chance if you wanna (say…)' (lines 867-868), as a reaction to which Jack's mother contributes an unsolicited, imperative turn directed at her son: 'tell 'em Jack that you're a user because you have to' (lines 870 and 872). Both interviewers subsequently implicitly label the AA's contribution as superfluous by stating that they both have a note of that. The AA continues to speak, first overlapping with one of the interviewers, and then giving the final statement that her son 'definitely isn't a supplier or a dealer' (line 878). The suspect virtually sides with the interviewers at this point and insinuates to her too that her contribution is unnecessary. The contribution stands in contrast to Gavin's behaviour in Example 7.13 discussed above. Whereas Gavin joined the interaction with statements that broadly support his grandfather's claims, Jack appears less supportive of his mother's contribution. This action makes the suspect's growing irritation and discomfort with his mother's behaviour obvious. Neither of the two interviewers verbally reacts to her contribution and interviewer 1 subsequently terminates the interview. The AA's unsolicited contribution results in the interviewers terminating the interview potentially prematurely. The solicitor was never asked whether she had anything to add. The AA was not asked either, considering that she virtually appropriated her son's opportunity to make a final comment. This example shows how the AA's behaviour directly impacts the other parties present during the interview, above all the suspect. What must also be noted when looking at the behaviour of Jack's mother throughout the interview is that Jack himself hardly reacts to his mother's contributions; in fact, as the interview progresses, both interviewers as well as Jack grow increasingly impatient and irritated, as can be seen exemplified in the example with the AA's unnecessary 'Closure' contribution.

7.3. AA instructions

Whilst PACE and other guidelines provide descriptions of what the duties of the AA are, there are no explicit rules as to the manner in which an AA ought to be instructed. Medford *et al.* (2003) have observed that despite police interviewers' legal obligation to instruct the AAs on the record, in their dataset 'this did not always happen' (262). In the dataset of the current project, eight out of ten AAs are instructed as a matter of course. In terms of how these duties are communicated to the AAs in the current dataset all eight interviews fall into one of two distinct categories: PACE-based instructions and *ad-libitum* (henceforth *ad-lib*) instructions. The two remaining interviews constitute special cases in that one AA provides her own instructions, and one AA rejects instructions altogether by implicitly citing previous experience.

Table 17 below lists the two main instruction categories as well as the two special cases. AA type and force number are also listed for added context. The horizontal double borders divide the instruction categories.

Instruction category	Interview	AA type	Force
PACE-based	17_2_1: Frankie	Familial	Force 2
PACE-based	17_2_2: Gavin	Familial	
PACE-based	17_2_3: Helena	Non-fam.	
PACE-based	17_2_5: Jack	Familial	
Ad-lib	17_1_1: Andrew	Familial	Force 1
Ad-lib	17_1_2: Ben	Familial	
Ad-lib	17_1_3: Charlie	Familial	
Ad-lib	17_1_4: Daniel	Non-fam.	
Special case (self)	17_1_5: Eric	Non-fam.	Force 1
Special case (rejects)	17_2_4: Ian	Familial	Force 2

Table 18: AA instruction categories

The table shows that, reminiscent of the caution negotiation patterns discussed in the previous chapter, the AA instruction patterns appear to be force-specific. On the one hand, in four out of five interviews conducted by Force 2, the interviewer's instructions for the AA

are verbatim, or near-verbatim taken from the official wording as written in PACE, albeit with the occasional discrepancy. On the other hand, four out of five interviews conducted by Force 1 show interviewers engaging in an *ad-lib* method of explaining the duties to the AA. Similar to the reformulation of the caution, *ad-lib* instructions for AAs are not a verbatim recital of a piece of a legal text, are instead individually formulated by the interviewers.

In terms of the structure of this part of the analysis, we will first examine the four interviews with PACE-based instructions, before focusing on the four interviews with *ad-lib* instructions. Finally, the two special cases mentioned previously are analysed.

7.3.1. PACE-based instructions

Interviews are categorised as PACE-based when the interviewer's instructions are clearly heavily influenced by the official legislation wording from PACE Code C, s.11.17. In the current dataset, all PACE-based AA instructions take place in interviews conducted by Force 2. An example of an interviewer using direct wording from PACE is taken from the interview with Helena. The AA in this case has a non-familial relation to Helena. Utterances in bold represent verbatim PACE wording.

Example 7.15: Helena
```
017   IR   °thank you↓° I'll just read this notice out
018        (0.5) er <to you Jon you're not expected to act
019        simply (0.4) as an observer the purpose of your
020        presence in this interview (0.5) is to advise
021        the person being questioned↑ and to ensure that
022        the interview is being conducted properly and
023        fairly (0.7) you're also required to facilitate
024        communication with the (.) <person being
025        interviewed
026   AA   (0.9) I'm okay with that (inaudible)
027   IR   yeah↓ you under<u>stand</u> your role don't you (1.5)
028        …
```
<div align="right">17_2_3</div>

The interviewer prefaces the actual instructions with the meta-discursive utterance 'I'll just read this notice out to you Jon' (lines 017-018), which unmistakably reveals the presence of

<div align="center">211</div>

a source text. Considering what follows, however, it becomes apparent that this source text is unlikely PACE itself, but instead a slightly altered version. The interviewer inserts 'in this interview' in line 020, which can be seen as being taken from an earlier point in the PACE instructions, namely 'if an appropriate adult is present at an interview' (Code C, s.11.17). The interviewer changes the wording of the first duty slightly, from 'interviewed' to 'questioned' (line 021), which does not alter the meaning in any significant way. The interviewer's wording of the second duty, however, can only be considered problematic, for the verb is changed from '*observe* whether…' to '*ensure* that…' (line 021). By doing this, the interviewer raises the level of the AA's responsibility rather drastically, and essentially assigns him the task of 'policing the police' to make sure they do their job appropriately. Such a seemingly insignificant lexical change can impact the meaning of the entire instruction. As will be seen in subsequent examples, this transition from 'observe' to 'ensure' is common both in PACE-based as well as *ad-lib* instructions for AAs. The interviewer in Helena's interview introduces the final duty with the phrase 'you're also required to' and then uses the exact wording from PACE to actually describe the duty (lines 023-025). A central point of criticism in this example is the manner in which this interviewer talks about the suspect Helena. Granted, the process of instructing an AA is an interaction between interviewer and the AA; however, the suspect is the subject of those instructions. The suspect is mentioned twice in the official PACE wording as 'the person being interviewed' (Code C, s.11.17). As mentioned above, the interviewer here alters the first mention of 'the person being interviewed' to 'the person being questioned' (line 021) and leaves the second mention as 'the person being interviewed' (024-025). The interviewer does not, in any case, replace any of the two placeholders with Helena's name. Not only can it be considered impolite to talk about Helena in such abstract terms *in front of her*, but it also makes the instructions less personal for the AA. Granted, the retention of the 'person being interviewed' placeholder does not evoke any 'negative attitudes' by either the AA (who is talked *to*) or the suspect (who is talked *about*) (Culpeper 2011b), and it is acknowledged that impoliteness is generally dependent on interaction (i.e. an interlocutor's reaction to an

impolite contribution). Recognising this, it is perhaps best to consider the interviewer's contribution as a light form of 'social harm', in that this involves the 'lowering of [target persons'] power status [by means of] insults, reproaches, sarcasm, and various types of impolite behaviour' (Tadeschi & Felson 1994: 171). It is argued that the interviewer engages in the lowering of the suspect's power status when failing to personalise the instructions. The identity of the suspect is being constructed as that, a person being interviewed by the police, instead of as a person with a name and individuality. Overall, conversational behaviour of this nature can have detrimental effects on the rapport between the interview participants, as it embodies a lack of personalisation and use of participants' preferred names (Walsh & Bull 2012).

In the following example taken from the interview with Jack, we can observe an almost uncanny similarity to the interview with Helena discussed above.

Example 7.16: Jack
```
023  IR1  >okay< I just need to say er: (.) <you are no-
024       not expected to act simply as an observer↑ the
025       purpose of your presence in this interview is
026       to advise the person being questioned↑ (0.6)
027       and to ensure that the interview is being
028       conducted properly and fairly (0.3) and you're
029       also required to facilitate communication with
030       the person being↑ interviewed↓ (0.8) do you
031       understand (.) what that roughly means
032   AA  I think so↑=
033  IR1  =yeah↑ (0.6) okay↓ so the date is (1.1) the
034       …
                                                    17_2_5
```

The wording is once again strongly based on the PACE wording; however, it becomes apparent very quickly that the discrepancies between PACE and the interviewer's version mirror those observed in the previous example. The interviewer in Jack's interviewer also inserts 'in this interview' in line 025, calls the suspect 'the person being questioned' in the subsequent line, uses the much stronger verb 'ensure' instead of 'observe' (line 027) and prefaces the final duty with the phrase 'you're also required to' (lines 028-029). To add to

the evaluation of the interviewer's retention of the impersonalised placeholder, the interviewer in Jack's interview does not only have at his disposal the suspect's name, but he could also make reference to the suspect by his status as the AA's son. This option is not available in interviews where the AA has a non-familial relation to the suspect. In Jack's interview, either option would make the interaction personalised and thus more beneficial for rapport building (Walsh & Bull 2012). The similarities in the way that the AA instructions are recited in this interview and the one in Example 7.15 are so particular and consistent in that the two explanations are closer to being identical than they each are consistent with the original PACE wording. The phenomenon suggests that the two interviewers have the same source that is not PACE itself, but instead a force-internal manual with a set formulation. The CCQ by the interviewer, 'do you understand what that roughly means' (lines 030-031) is formulated in a way that implies that a rough, i.e. broad understanding of the PACE duties is sufficient for the AA to fulfil her role. This way of posing a CCQ also points towards the interviewer's attitude towards the AA safeguard as a mere formality and the AA's relatively insecure affirmation 'I think so' does not inspire confidence either. Crucially, the suspect is also in danger of missing the understanding of what the role of the AA exactly entails.

The AA instructions in Frankie's interview offer a further indication that interviewers in Force 2 share an aide-memoire with the uniform instruction wording.

Example 7.17: Frankie
```
0017  IR1   …
0018        erm obviously mum in relation to why you're
0019        ↓here↑ (0.7) er is because- (0.7) Frankie's
0020        only seventeen↓ er but you you're acting as an
0021        appropriate adult basically that means you are
0022        responsible for him er just to give you an idea
0023        >you're< not expected to simply act as an
0024        observer >the purpose of your presence in the
0025        interview< is to advise the person being
0026        questioned↑ and to ensure the interview is
0027        conducted properly and fairly↓ you're also
0028        required to facilitate communication with the
0029        >person being interviewed< so- (.) <I'm gonna
0030        …
                                                    17_2_1
```

The interviewer addresses the AA as 'mum' (0018) to add weight both to the AA's maternal

status, as well as the suspect's status as the child. He furthermore makes explicit reference to

the suspect's age, 'because Frankie's only seventeen' as a justification for the AA safeguard

being in place. This explicit orientation to age is discussed in more detail in Chapter 5.

Frankie's interviewer presents all the same alterations as the previous two interviewers,

including the interjected 'in the interview' (lines 024-025), the use of the term 'questioned'

instead of 'interviewed' (line 026), the verb 'ensure' instead of 'observe' and the phrase

'you're also required to' as a preface to the third duty (lines 027-027). In addition, the

interviewer inverts the verb-adverb constellation from PACE from '*act simply* as an

observer' to '*simply act* as an observer' (line 023). The data furthermore show a that-deletion

and the ellipsis of an auxiliary verb: 'ensure [*that*] the interview is conducted properly and

fairly' (lines 026-027). In line with the previous examples, this interviewer too fails to

mention the name of the suspect.

The final example of a PACE-based AA instruction can be seen in the interview

with Gavin, where the AA is the suspect's grandfather.

Example 7.18: Gavin
```
0021   AA   er: Peter Brown I'm Gavin's granddad
0022   IR   lovely↑ (0.4) this is to you Peter okay↑ you're
0023        not expected to act simply as an observer↑
0024        (0.4) and the: <purpose of your presence during
0025        this interview is to advise the person being
0026        questioned↑ (0.4) and to ensu:re that the
0027        interview is being conducted fairly and
0028        properly↓ (0.6) erm you're also required to
0029        facilitate communication↓ (.) <with Gavin if
0030        necessary↓
0031   AA   yeah=
```
<div align="right">17_2_2</div>

This example too shows a great number of similarities to the three discussed above, further supporting the notion that the interviewers in Force 2 all use the same text as a base for their AA instructions. Also, the example presents the only instance of an interviewer replacing the placeholder 'the person being interviewed' with the suspect's name, in this case 'Gavin' (line 0029). Not only does the use of the suspect's name raise the level of personalisation, but also it is beneficial for building rapport, which is a crucial element of the 'Engage and explain' stage (College of Policing 2013).

An examination of the four PACE-based instructions reveals that their wordings are fairly consistent within each other, and they all show the same deviations from the original PACE text. It can therefore be safely assumed that interviewers in Force 2 likely use an aide-memoire with the prescribed wording. The meta-discursive utterance 'I'll just read this notice out to you Jon' by the interviewer in Helena's interview makes this more obvious (Example 7.15, lines 017-018).

Some of the interviewers in this category also make fairly informal additions to the instructive text, typically after its recital. Frankie's and Gavin's interviewers both paraphrase the 'facilitate communication' clause from PACE. Frankie's interviewer tells the AA 'if I ask [Frankie] a question and he's looking dead puzzled you may have to simplify it' (lines 030-032); Gavin's grandfather is told 'if I ask Gavin something he doesn't understand the

way I've put it you can put it into terms that he can understand' (lines 032-035). The interviewer shows awareness of potential miscommunication and instructs the AA to take on a kind of interpreting role in case the suspect struggles. Although having a conversation about this sensitive topic in front of the suspect can sound patronising, the interviewer puts the fairly complex PACE wording into simple, easily digestible terms, which is also a benefit to the suspect, who now knows in which situations he can rely on the AA. Miscommunication in police interviews is often caused by interviewers' policespeak and institutional requirements (e.g. asking seemingly silly questions for the benefit of the tape), and the risk of communicative problems exists in interviews with both children and adults. 18-year-old suspects who do not have an AA present thus also do not get any information about what to do if they are struggling to understand what is asked of them.

Much like after the caution given to the suspects (Chapter 6), interviewers put CCQs to the AAs at the end of their instructions. Unsurprisingly, not only the four AAs who get PACE-based instructions, but in fact but all AAs in the dataset affirm that they understand their duties whenever asked. In addition to this, interviewers frequently use the adverb 'just' to minimise the importance of the matter at hand, which once again reveals interviewers' attitudes towards the AA instructions as an institutionally required formality (Grant 2011).

Let us focus next on instructions for AAs that are not recited from an aide-memoire, but instead are given in an *ad-lib*, that is to say more 'freestyle' manner.

7.3.2. Ad-lib instructions

As mentioned previously, all *ad-lib* instructions occur in interviews conducted by Force 1. This phenomenon suggests that Force 1 does not have a prescribed memo in place that interviewers read from, but instead interviewers have the liberty to instruct the AAs in their own words. Most prominent in the *ad-lib* data is the interviewers' frequent usage of the verbs 'ensure' and 'make sure' when instructing AAs. Like with the PACE-based

instructions discussed above, framing the AAs' duties as having to 'ensure' and 'make sure' the police's proper conduct overstates their level of responsibility. Furthermore, it becomes apparent that this method of instruction oftentimes means that not all three duties as laid out in PACE are covered by the interviewers, leaving many AAs with incomplete explanations of their role. Finally, some interviewers also show a tendency to add an extra duty (or, admonishment rather), namely that AAs ought not answer questions on behalf of the suspects (PACE Code C, Note 11F). This additional piece of instruction is only given to AAs in interviews conducted by Force 1, meaning that no AA in Force 2 is advised not to answer for the suspect.

The first example in this section is taken from Ben's interview, where the AA is the suspect's father.

Example 7.19: Ben
```
024  IR1  okay fantastic erm (0.8) is this the first time
025       that you've acted as an appropriate adult↓
026   AA  no
027  IR1  okay↑ we- I just need to remind you that (.)
028       obviously you're here↑ to assist Ben erm
029       basically to facilitate communication between
030       me and Ben basically if: erm (0.8) if Ben's not
031       understanding what I'm saying then you're just
032       here to make sure that he does understand erm=
033   AA  =yeah
034  IR1  so if I ask a question he doesn't understand
035       then you just help sort of
036       [put that in a different] way
037   AA  [   explain it innit    ]
038       understanding for (inaudible)
039  IR1  yeah↓ erm so you're not here sort of to answer
040       any questions on: his behalf but to just
041       obviously make sure that things go okay whilst
042       he's in our ↑care alright↓
043   AA  's alright
044  IR1  erm (1.3) obviously Ben you're entitled to free
045       …
                                                17_1_2
```

The interviewer instructs the AA twice to 'make sure' of something: on the one hand he tells the paternal AA 'if Ben's not understanding what I'm saying then you're just here to *make*

sure that he does understand' (lines 030-032) and on the other hand that the AA is present 'just obviously to *make sure* that things go okay whilst he's in our care' (lines 040-042). In the first instance the interviewer paraphrases the PACE duty of 'facilitating communication' (lines 030-032) and he does so in a fairly unproblematic way. In fact, this interviewer's explanation is not dissimilar to the way Gavin's grandfather in the previous example 7.18 is instructed. The simple way of stating the AA's responsibility as 'making sure' that the suspect understands what is being asked of him is beneficial for both the AA as well as the suspect. The interviewer advising the AA to 'make sure that things go okay' (lines 041-042) is a more vague instruction. The passive formulation 'things go okay' removes the interviewers as explicit agents, despite the fact that naturally the police are primarily responsible for the welfare of the suspect and generally for 'things going okay'. The interviewer in this example transfers this responsibility onto the AA.

A similar *ad-lib* instruction takes place in the interview with Charlie, whose AA is the his mother.

Example 7.20: Charlie
```
045  IR1  …
046       know (1.1) as we go through↓ °alright° erm
047       (0.9) Sandra your role is the appropriate
048       adult↑ that's to ensure that he is treated
049       fairly↑ (0.3) it's not to answer questions on
050       his ↓behalf↑ erm but it's to ensure that if I
051       ask something that you don't believe Charlie
052       understands then: (0.3) you can help me (0.9)
053       make °make sure he does understand it° (0.5)
054       okay↑
055  AA   'kay
```
<div align="right">17_1_3</div>

The interviewer explains to Charlie's mother that her role as the AA is 'to ensure that he is treated fairly' (lines 047-048), using an impersonal, passive form. Once again, the police are shifting the responsibility onto the AA, despite the fact that the interviewers as

representatives of the police institutions are the ones 'treating' the suspect, be it fairly or unfairly. The same phenomenon occurs in the interview with Andrew.

Example 7.21: Andrew
```
018  IR1  =and that's Lindsay Cohen Lindsay then your
019       role during this interview is just to make sure
020       that (.) the way we speak to your son↓ (.) is
021       appropriate↑ and that you are happy that he
022       understands what it is that's being asked of
023       him
024   AA  y[eah↓]
025  IR1   [okay] it is not your role to answer for him
026       so [please] (.) <please don't do that
027   AA      [ no↓  ]
028  IR1  okay erm you're here for his welfare (.)
029       alright to make sure he's he's being treated
030       properly and appropriately
031   AA  right
032  IR1  right erm also present is you:r legal
033       …
17_1_1
```

Andrew's interviewer instructs the AA to 'make sure that the way we speak to your son is appropriate' (lines 018-020). There are two interviewers present during Andrew's interview, so the main interviewer who is instructing the AA refers to herself and her colleague collectively. The interviewer explicitly tasks the AA with ensuring that her and her colleague speak to the suspect in an 'appropriate' manner, which in other words assigns her the virtually impossible task of policing the police. After all, there is a clear discrepancy of status between the interviewers and the AA, even if it is not as pronounced as the one between interviewers and suspect. Familial AAs, i.e. non-professional AAs, are lay people taking on a quasi-legal role, and despite the nature of their role, they do not have access to the same level of power as the interviewers. In fact, as persons who are positioned outside the primary interlocutors, i.e. the interviewer(s) and the suspect, AAs fall under the realm of 'extra persons', much like solicitors, or intermediaries in witness interviews.

The interviewer further tells the maternal AA that she is present in the interview 'to make sure he's being treated properly and appropriately' (lines 029-030). Interestingly,

between the two of them, Charlie's and Andrew's interviewers use the PACE wording 'properly' and 'fairly' in their instructions, although they mention it in connection with the 'treatment' of the suspect whereas PACE states that the interview ought to be conducted 'properly and fairly'. Granted, one of the duties of the AA is to observe whether the interview is being conducted in a proper and fair manner; however, it seems that interviewers show a tendency to frame it in a way that suggests that AAs are responsible for the conduct of the interviewers.

An example of very short *ad-lib* instructions that also assign a disproportionate amount of responsibility to the AA can be seen here.

Example 7.22: Daniel
```
070   IR  (0.5) erm (0.8) basically you're- you- you're a
071       support worker for Daniel
072   AA  yep=
073   IR  =erm you're acting as an appropriate adult for
074       him so basically your- your role today is just
075       to ensure that I'm conducting this interview in
076       a fair and respectable manner↓
077   AA  yep
078   IR  basically because Daniel is seventeen we have
079       to we have to implement that okay
080   AA  okay
```
                                                    17_1_4

Daniel's interviewer instructs the AA to 'ensure that I'm conducting this interview in a fair and respectable manner' (lines 075-076). Again, the AA is instructed to police the police officer's conduct. The example from Daniel's interview also shows a very short and woefully incomplete manner of instructing the AA, as the interviewer makes no mention of the AA being expected to advise the suspect or facilitate communication between the interviewer and the suspect. The interviewer's justification for the presence of the AA in this interview with the explicit reference to the suspect's age, 'because Daniel is seventeen we have to implement that', was briefly discussed in Chapter 5.

An interesting observation is that the *ad-lib* group exhibits not a single instance of an interviewer referring to a suspect as 'the person being interviewed/questioned'. Instead, interviewers use suspects' names, e.g. 'you're here to assist Ben', and 'if you don't believe Charlie understands then…', familial relations 'the way we speak to your son', or they simply use third person pronouns. As was mentioned previously, the use of first name terms in interviews can have a positive effect on rapport building, which is a crucial objective during the 'Engage and explain' stage. First name use, whether as terms of address or terms of reference, is also generally considered a formula to manifest positive politeness (see Brown & Levinson 1978; Nevala 2004); although it goes without saying that this phenomenon is also context dependent. The preferred and most appropriate term of address and reference for juvenile suspects in E&W is the first name. The same is true for youth court proceedings, during which juvenile defendants are also addressed by their first name.

In three out of four interviews in the *ad-lib* group, the interviewers mention the fact that AAs ought not answer questions on behalf of the suspect.

Example 7.23: Ben
```
039  IR1  yeah↓ erm so you're not here sort of to answer
040       any questions on: his behalf but to just
041       obviously make sure that things go okay whilst
042       he's in our ↑care alright↓
```
                                                                17_1_2

Example 7.24: Charlie
```
048  IR1  …
049       fairly↑ (0.3) it's not to answer questions on
050       his ↓behalf↑ erm but it's to ensure that if I
051       ask something that you don't believe Charlie
052       understands then: (0.3) you can help me (0.9)
053       make °make sure he does understand it° (0.5)
054       okay↑
```
                                                                17_1_3

This piece of instruction is important, for a violation of it can prevent the suspect from getting their story on record. Both Ben's and Charlie's interviewers use the expression

'answer on [the suspect's] behalf' which is what is written in PACE Code C, Note 11F. Andrew's interviewer uses a less formal phrasing in his exhortation, but still follows it up with a reiteration of what the AA's role entails.

Example 7.25: Andrew
```
024   AA   y[eah↓]
025   IR1  [okay] it is not your role to answer for him
026        so [please] (.) <please don't do that
027   AA      [ no↓  ]
028   IR1  okay erm you're here for his welfare (.)
                                              17_1_1
```

The AA instructions in these three interviews conclude with a positive enforcement, which can be seen as an attempt by the interviewers to minimise the risk of AAs not contributing at all if the last item they hear is an instruction for something they ought *not* do. The instruction not to answer on behalf of the suspect is important, as a violation thereof has the potential to seriously interfere with interview proceedings by preventing the suspect from providing their account, and the police from achieving best evidence. The phenomenon of an AA answering questions on behalf of a suspect takes place only in the interview with Jack. Jack's mother is not instructed not to answer on the suspect's behalf; her instructions are PACE-based and were discussed in Example 7.16.

7.3.3. Two special cases

The two special cases discussed in this section are the interviews with Eric and with Ian. As can be seen from Table 15 in the beginning of this section, Eric's interview was conducted by Force 1 and the AA has no familial connection to the suspect.

Example 7.26: Eric
```
016   IR   °thank you° and also present today is
017   AA   yeah it's Meghan Turner er: appropriate adult↓
018        my role here today is to facilitate
019        communication with Eric
020   IR   thank you there are no other persons present in
021        …
                                              17_1_5
```

The example shows the interviewer asking the AA to present herself with a turn prompting grammatical completion (line 016). This open prompt is met by the AA not simply stating her name, but instead adding her role 'appropriate adult', as well as an explanation of her own 'role here today' (lines 017-018). The AA clearly borrows language from PACE Code C, s.11.17 in her self-introductory turn, by naming her sole duty as being expected to 'facilitate communication with Eric'. Other than the PACE-based instructions mentioned above, the AA in her self-instruction mentions the suspect's first name instead of labelling him as 'the person being interviewed'. The AA's use of the suspect's name and thus personalisation the instructions can be considered a positive element of this special instruction case, while other features in her contribution are a cause for concern: on the one hand the AA's self-instruction is plainly incomplete. The AA's introductions are not intended for the AA themselves, but in the interest of transparency and fairness it is also important for the suspect to understand the role of their safeguard. In the current example, the instructions are fundamentally incomplete, which means that Eric is also not informed as to what the exact role of the AA is and how he ought to 'utilize' this safeguard. On the other hand, the interviewer shows no indication at all of offering a supplementation to the incomplete instruction provided by the AA herself. The interviewer's feedback to the AA's self-instructive term comprises a simple 'thank you', and he subsequently progresses to the closure of the introduction topic 'there are no other persons present in the interview room' (lines 020-021). The AA's non-contested self-instruction is a vivid illustration of the level of institutional power that can be exerted by an 'extra person' in the interview; as Wodak (1996) states, 'the more powerful the people, the larger their verbal possibilities in discourse become' (66). The second special case shows that this lack of scrutiny when it comes to AA instructions is not a privilege reserved for professional, non-familial AAs: Ian's interview was conducted by Force 2 and the AA is the suspect's mother. The example shows the only instance where the interaction between interviewer and AA results in no AA instructions at all.

Example 7.27: Ian
```
0012   AA   yeah Polly McAllister mother
0013   IR1  Polly d'you want me to go through you:r (0.3)
0014        role↓ (0.3) here [you know about yeah↑]
0015   AA                    [no I'm (0.3) h::appy] that I
0016        know what I'm supposed to be do[ing]
0017   IR1                                  [e:x]cellent↓
0018        thank you↑ (0.4) the date is the fifth of June
0019        …
```
<div align="right">17_2_4</div>

Following the AA's introduction with name and familial relation to the suspect (line 0012), the interviewer puts a polar yes-no question to the AA in which he asks her whether or not she requires instructions (lines 0013-0014). Whether or not Polly had acted as an AA previously is not stated explicitly anywhere in the interview; however, it can be assumed that she must at some earlier point in time been instructed of her role. The interviewer's question conveys a number of messages, including his own view that instructions for this AA are not absolutely necessary. Furthermore, any question on whether or not the speaker should do something suggests a level of effort from the speaker, to which the preferred response is a refutation. In other words, the question is loaded in the sense that an affirmative response would require extra effort from the interviewer, which by virtue of the institutional nature of the interaction is discouraged. This links back to a phenomenon discussed by Rock (2016), whereby the answer 'no' means '"yes", we can get on with the interview' (106). It is thus not surprising that the AA gives a negative response to the interviewer's question, i.e. that she turns down the offer of having her role explained to her. The AA's answer does not come straight, as can be seen by the 0.3-second pause and the subsequent verbal addition 'here' by the interviewer (line 0014). It is at this point that the AA's negative response begins which results in an overlap of the two speakers (lines 0014 and 0015). The timing of the overlap suggests a preceding nonverbal clue from the side of the AA, for her answer coincides with the interviewer's declarative utterance 'you know about…' which supports the notion that the interviewer already knows that the AA's response is going to be negative and thus preferred to him. The two utterances are thus not only overlapped in terms of the timing but also with regards to the two interlocutors' position that the role of the AA will not be

explained. In her response, the AA confidently states that 'I'm happy that I know what I'm supposed to be doing (lines 0015-016), and the interviewer appears so content with her response that he starts providing his evaluative feedback 'excellent' (line 0017) before she has completely finished her turn. Once again, the complete lack of instructions for the AA also means a lack of information for the suspect about the role of his safeguard. In fact, this example shows the only instance in the dataset in which the suspect is not mentioned at all in the exchange relating to the AA's role; he is neither referred to as 'the person being interviewed, nor is he mentioned by name, relation or pronoun.

7.4. AAs' contributions during the 'Account' stage

During the introductions and instructions, in other words during the 'Engage and explain' stage, all AAs make at least a minimal verbal contribution. The previous section of this chapter has also shown that instruction behaviour is dependent on the force at which the interview is conducted. Table 19 below shows that when it comes to AA contributions during the main part of the interview, i.e. during the 'Account, clarification and challenge' stage, there seems to be a pattern regarding AA type and whether or not a contribution from the AA takes place (YES) or not (NO). The horizontal double border separates the interviews with AA contributions during the 'Account' stage from those without.

AA 'Account' contribution	Interview	AA type
YES	17_1_1: Andrew	Familial (mother)
YES	17_1_2: Ben	Familial (father)
YES	17_2_2: Gavin	Familial (grandfather)
YES	17_2_5: Jack	Familial (mother)
NO	17_1_3: Charlie	Familial (mother)
NO	17_1_4: Daniel	Non-familial
NO	17_1_5: Eric	Non-familial
NO	17_2_1: Frankie	Familial (mother)
NO	17_2_3: Helena	Non-familial
NO	17_2_4: Ian	Familial (mother)

Table 19: AAs' contributions during the 'Account' stage

The table shows that four AAs make verbal contributions during the 'Account' stage of the interviews and that the AAs who contribute all have a familial relation to the suspect. Medford *et al*. (2003) found that family members tended to contribute more than social workers and volunteers, and on the surface this trend sure seems to be echoed in the present interviews. Having said this, given the small size of the current dataset it would be unwise to make any statistical claims about general AA behaviour. Let us focus instead on the verbal contributions by Andrew's mother, Ben's father, Gavin's grandfather, and Jack's mother.

It has been discussed that previous research on the presence of AAs during the interview has been largely quantitative with a focus on how their contributions relate to the three duties listed in PACE. The current study explores the role of the AA inductively from a CA perspective, which is reflected in the headings of the subsequent subsections. From an interactional point of view, a primary observation is that AAs are addressed and offered the floor by both suspects and interviewers, despite the fact that the description of their role implies a primary relationship between them and the suspect. After all, they are present as the vulnerable suspect's safeguard. With the current study being the first one of its kind in relation to AAs, there is a limited frame of reference. The subsections on suspects and interviewers seeking assistance from the AAs are thus further split into rough patterns that could be observed; however, for a more comprehensive taxonomy of AA interactions, a broader and more substantial dataset is necessary. The final subsection of verbal contributions is concerned with duty violations and its effects on the interview. The chapter ends with a short discussion of AAs' non-verbal presence and shows that AAs can be used as a 'referential resource' without being an active participant in the interaction.

7.4.1. Suspects seeking assistance from AAs

The AA's presence is for the benefit of the suspect, and this section looks at how suspects make use of their safeguard. One way is by relaying questions to them and thereby explicitly prompting them for a verbal contribution. Suspects can also signal the need for assistance

more implicitly, e.g. when they make reference to the AA as a point of reference, or when they struggle to provide practical information. Finally, the phenomenon of AA corroboration is examined.

Suspects relaying questions to AAs

The first extract is taken from Andrew's interview. Following the suspect's free narrative, the interviewer verifies a number of practical details before discussing the actual offence under investigation. In this example, the interviewer asks Andrew for the address of his friend Oliver.

Example 7.28: Andrew
```
525  IR1  °right okay° and where does Oliver live↓
526  SU   (4.0) uh: d'you know what street↓
527  AA   me↓=
528  SU   =°yeah°
529  AA   erm Station Road isn't it↓
530       but [I don't know the number]
531  SU       [    ri:::ght on top of] Station Road
532  IR1  Station Road °okay↓°
```
                                                              17_1_1

Note that the interviewer does not use the police jargon 'address' or 'residence', but instead uses the very simple and accessible wording 'where does Oliver live' (line 525). The suspect's turn starts with a long pause, followed by the discourse marker 'uh' as he turns to his mother and relays the question to her in the slightly altered format 'd'you know what street'. By doing this, the suspect inserts a question-answer adjacency pair, i.e. an insertion sequence, into the question-answer sequence that the interviewer has instigated in line 525. The paraphrasing of the question is interesting, in that he only asks about the street, rather than the full address. Possible reasons for this can be that either the name of the city or town is already known by police, or that this is a piece of information that the suspect is also missing. The AA seeks clarification that she is indeed the addressee (line 527) meaning that the suspect's use of the second person singular pronoun 'you' in his preceding turn is not conclusive. The suspect confirms his mother as the addressee in the subsequent, latched line.

This very quick exchange is a further embedded adjacency pair within the adjacency pair the suspect has inserted in line 526. The mother provides the requested information in the form of the street name and a tag question, followed by the negative elaboration on her lack of knowledge of the house number (lines 529-530). The AA's inability to provide the house number does not seem to be causing any trouble in this context, for this is not a piece of information that was specifically requested in the suspect's question turn. Seeing as she has provided the information that the suspect had explicitly requested, i.e. the street name, he then overlaps his mother's turn by repeating the response (with the addition of the preceding qualifier 'right on top of') to the interviewer. This is an interesting communicative situation, for the interviewer was naturally present throughout the interaction between suspect and AA and would have heard the street name already from the AA's turn in line 529. What the suspect is doing here is he provides the second pair part to the interviewer's original question turn in line 525. The suspect thus observes the conversational norms of completing the original adjacency pair. He also observes the institutional expectation in that the interviewer asks the questions and the suspect answers them. Finally, Andrew's mother was explicitly instructed not to answer questions on behalf of the suspect. Whilst we have seen insertion sequences embedded within adjacency pairs before, this interaction shows an example of a doubly embedded interaction. A schematic representation of this can be seen in the figure below.

Question 1 – IR: *where does Oliver live?*
  Question 2 – SU: *do you know what street?*
    Question 3 – AA: *me?*
    Answer 3 – SU: *yes.*
  Answer 2 – AA: *Station Road.*
Answer 1 – SU: *Station Road.*
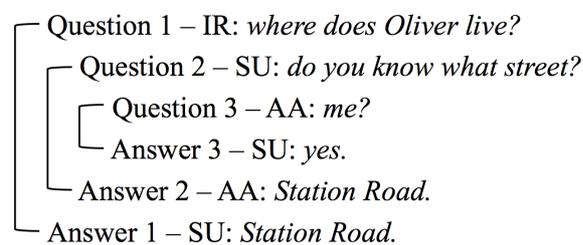
Figure 7: Schematic representation of two insertion sequences

A similar format of the suspect relaying a question to the AA takes place in the interview with Gavin, where he asks his grandfather for the location of a hospital that Gavin had previously been to.

Example 7.29: Gavin
```
0404   IR   yeah okay↓ and which hospital did you [go to↓]
0405   SU                                         [Queens]
0406        Hospital (0.5) d'you know by: (0.9) by argh do
0407        you know where it is granddad can't remember
0408        where it is
0409   IR   if you know where it is you can say
0410   AA   yeah Leeds yeah
0411   SU   no not Leeds the d'you know the one I went in:
0412        for twenty [eight days         ]
0413   AA              [yeah but you went] in Leeds
0414        [first ]
0415   SU   [that's] the first one it's somewhere down by
0416        Birmingham some that one
0417   AA   yeah you went into  Oldwood which is in
0418        Manchester (inaudible)
0419   SU   I think it was Huddlersfield Huddersfield
0420        Huddersfield yeah=
0421   AA   =I'm not too sure of the address as such erm
0422        and <the next one he went into was the same
0423        hospital Queens hospital that was in
0424   SU   Huddersfield
0425   AA   Huddlersfield Huddersfield
0426   IR   Huddersfield
0427   AA   Huddersfield in Yorkshire
0428   SU   was it↓
0429   AA   °was a (.) mental hospital as well°
0430   IR   you said that was for twenty eight days↓ Gavin
                                                    17_2_2
```

While Gavin can answer part of the interviewer's question, namely the name of the hospital, he calls on his grandfather to help him name the location of the hospital. Gavin's question for his grandfather can be seen in lines 0407-0408, and the transcript shows that is not immediately met with an answer from the AA, but instead is met by a turn by the interviewer who grants the AA permission to answer, 'if you know where it is you can say' (line 0409). Gavin's grandfather was not instructed not to answer on the suspect's behalf, but he still seems apprehensive about providing information when prompted by Gavin, who is not the default questioner in this setting. The interaction shows the discursive control that the

interviewer possesses, as it is him who is in control of 'who can and cannot talk to whom, in which situations, and about what circumstances' (Wodak 1996: 66). The AA's eventual answer 'Leeds' in line 0410 is not accepted by Gavin, 'no not Leeds…' (line 0411) and the two start a discussion about the different hospitals the suspect had been to.

The AA addresses the suspect directly on two occasions, 'you went in Leeds first' (lines 0413-0414) and 'you went into Oldwood' (line 0417), and the suspect's incorporated turns all include negations, rejections and corrections about what the AA is saying. In an attempt to reset the interaction, the AA abandons Gavin as an interlocutor and instead addresses the interviewer to deliver his answer to him directly. Whereas it can be assumed that AAs with a close familial connection are able to provide practical details such as hospital locations, addresses, and registration numbers, it must also be noted that this does not mean that the information provided by the AAs is automatically correct. What becomes apparent is that the AA is assigned a degree of trustworthiness higher than the suspect, which reflects ideological attitudes in connection with juveniles' vs. adults' perceived levels of reliability. The AA's contribution to the interviewer (lines 423 and 425) is not challenged by the interviewer, and he subsequently simply continues to question the suspect in line 430.

It is important to note that in Andrew's and Gavin's interviews discussed in this section, the suspects understand the question from the interviewer, they are simply missing the information to provide a complete answer. The information requested by the interviewers in both cases is not directly linked to the incident under investigation but instead constitutes important context for the interviewer. This type of practical information if often not known by young people, but known by adults, and in particular by parents and other close family members. To illustrate this, it is easy to imagine a child knowing where their school is and being able to find their way there on their own, whilst not knowing the actual address of the school or the name of the roads they take to get there.

Suspects implicitly prompting AAs

The data also show instances of suspects implicitly prompting AAs to help them answer questions. One such occurrence takes place in the interview with Ben, who is asked about the physical appearance of two men he had allegedly seen at the crime scene. Ben uses his father as a point of reference.

Example 7.30: Ben
```
649  SU   was quite middle built (1.0) in their forties
650  IR2  (2.9) how tall were they
651  SU   (1.8) like Ewan your size Ewan about Ewan's
652       [size my dad's size ]
653  AA   [I'm about five nine] six↑
654  IR2  yeah↑ (10.6) sorry I know I've asked this
655       …
```
                                                                    17_1_2

When asked by the interviewer about the height of the two men, Ben makes multiple verbal references to his father using his first name as well as the paternal relation, 'like Ewan, your size Ewan, about Ewan's size, my dad's size' (lines 651-652). The father is thus prompted to state his height without having been explicitly asked to do so. The AA provides his height (albeit not very precise) in a partly overlapped turn in the subsequent line, 'I'm about five nine, six' (line 653). The interviewer's feedback token has an inquisitive intonation but is not met with any verbal contribution from the AA or the suspect. After a substantial 10.6-second pause, the interviewer continues to question the suspect (line 654).

Jack's mother provides practical information pertaining to the registration number of her son's moped, after the suspect struggles to answer the question.

Example 7.31: Jack
```
559  IR2  yeah what's the registration number of your
560       moped do you know
561  SU   er: I (inaudible) before it is AB12 and then
562       summat [summat]
563  AA          [     C]B12
564  IR2  CB1[2]
565  AA      [D]EF
566  IR2  that's it mum knows yeah th[at's your mo-]
567  AA                              [  I: know↓   ]
                                                    17_2_5
```

The example shows that Jack is unable to fully answer the interviewer's question about the registration number of his moped (lines 561-562). In particular the suspect's utterances 'summat summat' which he uses as placeholders for numbers he is unable to recite, act as a prompt for the AA to help. The mother provides the registration number in lines 563 and 565, and the interviewer's feedback includes a reference to the familial relationship between Jack and the AA, 'mum knows' (line 566). This example constitutes a helpful contribution from this particular AA; Section 7.4.4 of this chapter will examine her less favourable involvement.

Similar to the two examples discussed in the previous subsection, the two examples discussed here have also shown examples of suspects understanding the question put to them but struggling to provide an answer. It would appear unlikely that a hypothetical 50-year-old suspect would require help with questions pertaining to addresses, hospital locations and registration numbers. With this in mind, let us consider 'newly adult' suspects; in fact, it turns out that 18-year-old suspects experience similar difficulties when asked for addresses and phone numbers (see Examples 8.05 and 8.06 in the Discussion Chapter for illustrations of this). Naturally, the privilege of being able to provide practical information rests preponderantly with familial AAs; professional adults are unlikely to know suspects' friends' addresses or suspects' moped registration numbers. It was signalled earlier that this kind of practical information is not necessarily of central evidentiary importance; however, the AAs' ability to provide the requested information means that interviewers will not have

to invest extra work finding the missing information after the interview. Furthermore, AAs can contribute to the smooth progression of the interview, which in turn has a positive effect on rapport (Tickle-Degnen & Rosenthal 1990).

The excerpt below shows Ben asking the interviewer for clarification and the AA perceiving this as a prompt to facilitate communication. In other words, regardless of the suspect's intention, his utterance has the effect of prompting his father to help. Contrary to the examples discussed previously, where suspects understood the question but were unable to provide the practical information requested, Ben in the current example struggles to understand the question as the interviewer uses policespeak when posing it (Hall 2008). The suspect asked about his friend Jamie who had stayed over the night before the offence occurred.

Example 7.32: Ben
```
193  IR1  okay↓ so h- h- had Jamie been with you at you:r
194       mum's↓ address then
195   SU  yeah yeah he stayed over yeah
196  IR1  okay↓ so so how long had he been at that
197       address for
198   SU  (1.3) >what do you< mean like
199  IR1  wh- when did he arrive↓ at your mum's
200   SU  ah
201   AA  when did [he get there did] he
202   SU          [   last night   ]
203   AA  get there last night or [yesterday]
204   SU                          [yeah yeah] last night
205  IR1  okay↓ alright so he went with you (.) to the
206       shop↓
```
                                                              17_1_2

In the interviewer's first turn in this example, he uses the expression 'your mum's address', which essentially enables the listener to simply ignore the 'address' bit and still get the full meaning of his question. The suspect can answer the question with no issues, and as can be seen in line 195 even though the question takes a polar yes-no format, the suspect provides some extra information about his friend, namely that 'he stayed over'. The interviewer's subsequent question takes on a complex form, and the suspect asks for clarification, 'what do

you mean like' (line 198) after a 1.3-second pause. It can also be assumed that the suspect is under the impression that he has already answered the question in his previous turn when he said his friend 'stayed over', which commonly implies that he had been there since the previous day. The interviewer's question is tricky for two reasons: firstly, the interviewer uses an interrogative past perfect form, which is complex way of asking a fairly simple question. The interviewer's subsequent paraphrasing 'when did he arrive' (line 199) illustrates the simplified wording. Secondly, the interviewer's original question in lines 196-197 includes the police jargon 'address' to refer to the suspect's mother's house. In the paraphrased question, the interviewer simply refers to 'your mum's' (line 199).

The suspect proceeds to ask the interviewer for clarification, 'what do you mean like' (line 198), and the interviewer revises his question without hesitation and paraphrases into a considerably easier version, 'when did he arrive at your mum's'. An interesting progression happens in the course of a small number of turns: in lines 193-194, the interviewer uses the combined expression 'your mum's address', in lines 196-197 he uses only the police jargon 'that address', and in line 199 he simply uses the casual 'your mum's'. The suspect welcomes this simplification with an expression of 'ah' in line 200, thereby signalling that the clarification negotiation has been successful. It is at this point that the AA joins the conversation, in order to dutifully facilitate communication between the interviewer and the suspect, even though the two interlocutors have at this point already resolved the conversational trouble. Nonetheless, the AA offers an even simpler formulation of the question by replacing the interviewer's 'arrive' with 'get there' (line 201). Unconcerned by the two overlaps in lines 201-202 and 203-204, the AA is determined to finish his simplified contribution by also offering the suspect two possible answers, 'did he get there last night or yesterday'. Already on the third syllable of the AA's first turn, long before the AA has offered the possible answers, the suspect answers the question with 'last night'. The suspect provides a double affirmation in line 204 'yeah yeah', which overlaps with the AA's turn-final 'yesterday', and then emphasises his answer by repeating 'last night' as the sole

speaker. The interviewer appears content with this response, which he signals with the discourse marker 'okay' with a falling pitch in line 205. Without a pause, he then introduces the next part of the topic, prefaced by 'alright'.

The excerpt shows conversational trouble between the interviewer and the suspect, which is due to the interviewer's complex grammar and use of police jargon. On the one hand, the suspect prompts the interviewer explicitly to provide him with a simplified version of the question, which the interviewer does in an instant. The AA, on the other hand, likely perceives the Ben's turn in line 198 as an implicit prompt for him. Even though the interviewer provides clarification in line 199 and the suspect acknowledges comprehension in line 200, the Ben's father still enters the conversation. His contribution is not verbally acknowledged by either of the other parties; the suspect even talks over him twice. The contribution can thus be deemed not strictly essential, but more importantly it is not harmful to the interaction. In fact, it can be argued that although the AA did not actually 'facilitate communication' between the interviewer and Ben, because the conversational trouble had already been cleared up, he still demonstrated that he is paying attention and that he is prepared to fulfil his duties as an AA.

Suspects seeking AA corroboration for credence

Suspects also call upon their AAs for what I am referring to as 'AA corroboration'. In these instances, suspects ask AAs to corroborate their statements, with the ultimate goal of giving credence to their statements. AA corroboration interactions reveal ideological assumptions that juvenile suspects hold about themselves as being potentially untrustworthy and in need of 'backup' in order to increase credence. An example of this phenomenon can be seen in the example below, where Gavin talks about how he had expected for police to take down a statement from him in connection with an unrelated incident a number of weeks prior.

Example 7.33: Gavin
```
1518    SU   …
1519         already calling↓ 'em (0.4) and when I expected
1520         'em to be there for my s:tatement to get
1521         across↑ (0.3) ask- didn't I tell↓ you that
1522         granddad↑
1523    AA   yeah he [did yeah    ]
1524    SU           [I did tell m]y granddad that before it
1525         happened (0.4) and it- I thought the police↑
1526         …
```
                                                          17_2_2

The example shows Gavin telling his story where he says that he 'expected 'em to be there for my statement to get across' (lines 1519 to 1521). After a short pause, he continues with the utterance 'ask' which is halted abruptly. In this context, it is reasonable to assume that Gavin's halted utterance was intended to be an imperative directed at the interviewer, 'ask my grandfather'. Instead, Gavin switches interlocutor and addresses his grandfather directly, 'didn't I tell you that granddad' (lines 1521-1522). The AA affirms and thus corroborates Gavin's statement in the subsequent line, and Gavin emphasises this in his next turn, which is again directed at the interviewer. The grandfather is talked about in the third person, 'I did tell my granddad that before it happened' (lines 1524-1525). The AA's affirmative contribution in this context has lent credence to Gavin's statement.

An additional example of AA corroboration in Gavin's interview takes place when he is asked whether his phone is a smart phone.

Example 7.34: Gavin
```
0894    IR   is that like a sma:rt↓ phone
0895    SU   yeah a smart touch screen phone that <you
0896         bought me didn't you granddad
0897    AA   hm:: same one I got [(inaudible)]
0898    SU                       [ yeahyeah  ]
0899    IR   (inaudible)
0900    SU   yeah it's the same one
0901    IR   (2.8) okay↓ (1.8) d'you know the: <telephone↓
0902         …
```
                                                          17_2_2

The suspect first affirms the question 'yeah a smart touch screen phone' and then addresses his grandfather for an arguably superfluous verification, in the form of the statement and tag question 'that you bought me, didn't you granddad' (lines 895-896). The AA's response affirms that he had bought the phone for Gavin, thereby validating the suspect's statement. Even though the AA's contribution in this example is only partly helpful in terms of the actual content, Gavin still succeeds in strengthening his trustworthiness.

The fact that Gavin's grandfather does not blindly agree with what his grandson tells him is illustrated by this unsuccessful corroboration attempt.

Example 7.35: Gavin
```
1048   SU  cause I never had any tobacco↓ I didn't even
1049       know it was Tuesday >see< I: got told it was
1050       Monday today by them
1051   IR  right
1052   SU  I swear to god I got told by- .hh (0.6)
1053       granddad↓ what day↓ did I think it was today
1054       Monday
1055   AA  I don't know [(inaudible)          ]
1056   SU               [I did↑ cause the mon-] their
1057       money they were on about they get from me like
1058       PIP (.) not PIP (0.7) but like cash money like=
1059   IR  =hmm↓
1060   SU  rent and stuff like that it comes Monday↓ (0.5)
1061       and they were saying it was Monday
1062   IR  r:ight=
```
                                                    17_2_2

Gavin explains that he was confused as to what weekday it was, and puts a question to his grandfather 'granddad, what day did I think it was today' and immediately provides the subsequent answer 'Monday' (lines 1053-1054). The AA's answer turn starts off with 'I don't know', and at this point the suspect starts his turn, which results in an overlap rendering the rest of the AA's turn inaudible. The interviewer shows no verbal acknowledgment or reaction to this interjected sequence between Gavin and his grandfather.

The following example shows a successful corroboration instigated by Ben. When Ben is asked who was present in his house on the morning of the incident in question, he provides the names of various family members; however, he does not mention his father, who is acting as the AA in the interview.

Example 7.36: Ben
```
166  IR1  okay↓ erm and can you tell me who else was with
167       you at the address at the time
168   SU  me my mum (1.2) my sister my little brother
169       (0.8) my other sister and my other brother
170  IR1  °okay° anyone else↑
171   SU  nah Ewan was out of town (inaudible) weren't
172       you
173   AA  yeah I was at meetings with (inaudible)
174  IR1  okay alright↓ so you said you had to go to the
175       shop↓
                                                    17_1_2
```

When the interviewer follows up on this by asking 'anyone else' (line 170), Ben first negates the question and then provides an explanation as to why his father had not been present in the morning. The explanation starts with a statement where he talks about his father in the third person using his first name 'Ewan was out of town' and ends with a tag question addressing his father directly, 'weren't you' (lines 171-172). The father confirms his son's statement in the subsequent line, and the interviewer acknowledges this with the feedback 'okay alright', before transitioning to the next topic. The suspect has thus successfully called upon his father to corroborate his statement.

AA corroboration is used by suspects to lend credence to their contributions. In the dataset, Gavin and Ben call upon their grandfather and father, respectively, in situations where events are discussed that can reasonably be verified by a parent, close family member or perhaps even a professional with a close relation to the suspect. It is safe to say that AAs are only able to corroborate suspects' statements when there exists a pre-existing familiarity between the two parties. Familial AAs are overall more likely to share this level of familiarity with the suspects than non-familiar AAs, especially when considering volunteers

from the latter category. Familiarity between suspects and AAs is not only positive for the AA corroboration, but can also have a positive effect on rapport building and maintenance (Tickle-Degnen & Rosenthal 1990). Corroborations are sought in connection with previous conversations between the suspect and their AA, e.g. when Gavin talks about the police statement and uses the form 'didn't I tell you…' (Example 7.33). AA corroboration is a powerful tool as a means for the suspect to 'prove' to the interviewer that they are being truthful in their statements. Interestingly, instead of emphasising their statements themselves, for example by means of repetition or other markers of insistence, suspects resort to the AA as a reliable source. The interviewers verbal reactions to AA corroboration sequences, i.e. their use of satisfied acknowledgement tokens, indicate that they share the ideological view of the juvenile suspect as being only conditionally reliable.

Naturally, the concern arises that an overprotective familial AA may ratify statements by the suspect that they know not to be correct. In the current dataset, this does not appear to be an issue. Gavin's grandfather does not back up his grandson's contributions blindly, but instead reveals openly if he does not know, as illustrated in Example 7.34 pertaining to the weekday confusion.

7.4.2. Interviewers seeking assistance from AAs

AAs are not only called upon by suspects, but in two instances it is the interviewer who instigates a conversation with them. Both examples are taken from Gavin's interview. The first one shows the suspect and the interviewer struggling to establish a timeline of the day of the alleged offence.

Example 7.37 Gavin

```
0957   IR   °okay↓° (5.7) so what time would you say you
0958        got there↓ then (0.6) about
0959   SU   er:m ['bout]
0960   IR        [ half] past one ish↑
0961   SU   no↓ (0.3) fifteen minutes to one
0962   IR   (1.1) to↓ one
0963   SU   yeah cause I wasn't there for long
0964   IR   wel- you say you was in Altrincham at one
0965        o'clock↓
0966   SU   yeah (0.5) it took- (.) didn't take me that
0967        long to get there
0968   IR   right↓ so it would be just after↓ one then
0969   SU   yeah↓ na:h no it was bout fifteen to one
0970        sixteen minutes >to< one (0.9) spot on sixteen
0971        minutes se[venteen minutes to one]
0972   IR             [      so- so twelve] something↓
0973        then
0974   SU   no (0.5) seven- it's either to one seventeen or
0975        sixteen (0.8) to one to one d'you know what I
0976        mean
0977   IR   right↓  do yo- do you (0.4) <understand
0978        [what he's trying to say or↓]
0979   SU   [       I- I can't I can't] time
0980        I [can't tell time d'you know what I mean]
0981   IR     [yeah I know↑ it's- it's alright relax ]
0982        s'alright
0983   AA   (0.6) right what time did you get there↑
0984   SU   yeah (0.8) I'm not sure about sixteen minutes
0985        to one d'you know what
0986        [I mean when it's one o'clock]
0987   AA   [ so that's that's a quarter ]
0988   SU   then (0.3) dot sixteen (there)
0989   IR   oh quarter past↓=
0990   SU   =yeah quarter past si[x yeah] y'know
0991   IR                        [got ya]
0992   SU   I can't tell the time (inaudible)=
0993   IR   =mate that's fine (7.0) that's one of the
0994        reasons why we have
0995        appropr[iate adults just cause o]bviously
0996   AA          [ yeah of course yeah   ]
0997   IR   you know (0.6) err (0.4) what he's trying to
0998        say rather than I do
0999        so it just clarifie[s that] point don't it
1000   SU                      [ yeah ]
1001        yeah
1002   IR   (4.7) so you've gone in- did you speak to
1003        anybody in the shop↑
```

<div align="right">17_2_2</div>

The interviewer's time suggestion 'half past oneish' (line 0960) is clearly refused by Gavin

in the subsequent line. Instead, he provides his own answer to the question, 'fifteen minutes

to one', which plants the seed for the interaction that follows. The interviewer's confusion

about this frankly impossible time designation is made abundantly clear by his 1.1-second pause at the beginning of his subsequent turn, followed by a strongly emphasised 'to one'. The emphasis suggests that it is not the designation 'one' that is the problem but the 'to', which logically should be 'past'. The suspect, however, does not pick up on this and instead instigates the unravelling of an arguably disjointed conversation. Lines 0963-0976 constitute an animated exchange between the suspect and the interviewer in which they unsuccessfully attempt to resolve the confusion.

In line 0977, the interviewer starts off his turn with a resigned 'right' to acknowledge the suspect's preceding contribution, but at the same time the interviewer signals an interlocutor change. What follows is a question directed at the AA, 'do you understand what he's trying to say' (lines 0977-0978). The interviewer uses the pronominal reference 'he' when talking about the suspect, which constitutes a 'third person reference, i.e. a reference to Gavin as neither the speaker nor the addressee (Broeder 2013: 2). The choice of 'he' instead of the first name when talking about Gavin in front of him lowers the level of personalisation of the interaction, which in turn can have a detrimental effect on rapport. The interviewer abandoning Gavin as the interlocutor and addressing the AA instead is reminiscent of the AA abandoning Gavin and addressing the interviewer when discussing the location of the hospital (Example 7.29).

Gavin does not let the interviewer finish his turn but instead gets defensive and provides an overlapped justification for him not being able to express himself well in this context, namely that he 'can't tell time' (lines 0979-0980). Gavin's agitation in this justification turn is manifested by a false start and is missing the word 'tell'. The interviewer's subsequent turn is again overlapped with much of the suspect's justification turn, rendering this interaction rather turbulent. The interviewer concurs with the suspect, 'yeah I know, it's alright' (line 0981), in an attempt to soothe the agitation.

The AA momentarily takes on the role of the interviewer and poses the question to his grandson anew, namely 'what time did you get there' (line 0983). This allows the AA to reset the interaction and reinitiate the initial first pair part. As such, the question-answer sequence takes place on a more level playing field: despite the fact that the AA has taken on a quasi-legal role, he is not a representative of the police institution and he is thus only more powerful than Gavin on a local level (i.e. in terms of interactional control as the temporary questioner), but not on a broader level in the context of the police institution. Gavin's second pair part starts off with 'yeah' and a pause, and Gavin shortly after begins talking about the 'sixteen minutes to one' concept that had caused trouble earlier. Gavin's turn may not differ greatly from his preceding contributions in terms of the content; however, his paralinguistic features suggest that he is calmer answering his grandfather's question rather than the interviewer's. Gavin continues an explanation of the time in very literal terms, 'do you know what I mean when it's one o'clock' (line 0986) Simultaneously, the AA reacts to the Gavin's previous token 'sixteen minutes', and converts it into 'a quarter' (line 0987), thereby eliminating the spiel with the numbers 15, 16, and 17 repeatedly mentioned by the suspect. These two interactions take place at the same time and are thus overlapped. Gavin's literal explanation finishes after the overlap in line 988, resulting in the complete phrase 'you know when it's one o'clock dot sixteen'.

The interviewer re-joins the conversation at this point with an utterance led by an interjection, 'ah quarter past'. The emphasis is hereby on the last syllable as if to react to his own turn in line 0962 when he questioned 'fifteen *to*'. In this turn, the interviewer pulls together the information provided by both the AA and the suspect, taking the 'quarter' from the AA and the 'past' from the suspect's literal description of 'one dot sixteen'. Gavin immediately latches an affirmation and also echoes the interviewer's preceding turn, but confusingly adds the number 'quarter past *six*' (line 0990). This blunder is not acknowledged by anybody in the interaction; the interviewer provides a mere partly overlapped 'got ya'

(line 0991) as a reaction to the Gavin's repetition of 'quarter past' to signal again that the issue had now been resolved.

Gavin provides the same explanation as earlier, stating again that he is unable to tell the time, and the addresses Gavin with the term of endearment 'mate' and tells him that 'it's fine' (line 0986). This way of talking to the suspect proves to be positive, for the otherwise highly talkative youth now stays calm for all of the seven seconds that the interviewer is pausing for. The interviewer then makes explicit reference to the AA, stating 'that's one of the reasons why we have appropriate adults' (lines 994-995) and then addresses the AA directly 'you know what he's trying to say rather than I do' (lines 0990-991). The interviewer then moves on to the next topic (line 0995).

The example illustrates an AA successfully resetting a conversation, which allows the suspect to be less agitated. The AA introduces the concept of 'quarter' but ultimately it is the interviewer who works out the suspect's rephrased response 'one dot sixteen'. The AA may not have single-handedly resolved the confusion between the interviewer and the suspect; however, his intervention must still be considered helpful as it instigated an interactional reset.

Another instance of the interviewer momentarily abandoning Gavin as his interlocutor and addressing the grandfather instead takes place during the discussion about Gavin's mental health.

Example 7.38: Gavin
```
0466   IR   e::rm (1.1) what- have you been (.) diagnosed↓
0467        with any mental health illnesses then↓
0468   SU   er:: (0.6) jus:t schizophrenia but I
0469        [don't hear voi]ces don't hear [voices   ]
0470   IR   [  schizophr- ]               [you don't] hear
0471        voice[s↓  ]
0472   SU        [nah ]
0473   IR   but you've been d[iagnosed and tested for it]
0474   SU                    [   I'ven't been tested on]
0475        for it no I haven't no I haven't been tested
0476        f[or ] it
0477   IR    [ha-] have the doctors said that he's got any
0478        condition↓
0479   AA   (1.0) I don't think he's (0.5) it's not
0480        schizophernia he's got↓ (0.5) but he has got a
0481        problem (0.5) <with his head
0482        he [he he's on] what tablets are you on
0483   IR      [  right    ]
0484   SU   Mirtazapine
0485        [that's for schiz]ophrenia (inaudible)
0486   AA   [   Mirtazapine  ]
0487        he's on Mirtaz[apine]
0488   SU                 [ plus] d'you know when you grow
0489        really skinny and you can't see=
0490   AA   =yeah
0491   SU   how skinny↓ no that's what I thought I had
0492        'cause it plays with your mind sometimes↓=
0493   IR   =right
0494   AA   Gavin Gavin they haven't actually diagnosed you
0495        as:
0496   SU   yeah↓ (0.3) I know↓ (0.7) none of that yeah I
0497        know
0498   AA   do you know what I mean
0499   IR   d'you suffer from any type of
0500        psychosi[s↓ or anyth]ing like th[at no]
0501   SU           [   no     ]            [ no  ]
0502   IR   (1.1) nothing diagnosed↓
```
                                                            17_2_2

After a lengthy interaction between the interviewer and the suspect about whether Gavin had ever been diagnosed with 'any mental health illness' (line 0467), the interviewer drops Gavin as an interlocutor and puts the question to the AA instead, 'have the doctors said he's got any condition' (lines 0477-0478). The AA is thus strictly speaking not asked to facilitate the interaction between the interviewer and the suspect, but is instead essentially prompted to answer on behalf of the suspect, as the suspect's original answers evidently did not satisfy the interviewer.

The AA wants to include in his response the name of a type of medication and puts this question to the suspect, 'what tablets are you on' (line 0482). The suspect provides his response to this insertion sequence, and the AA subsequently relays the name of the tablets to the interviewer by echoing Gavin's response (lines 0484-0487). When Gavin starts adding more health issues he has had (line 0488), his grandfather interrupts and admonishes him by addressing him very directly, 'Gavin Gavin, they haven't actually diagnosed you' (lines 0494-0495) which the suspect appears to be in agreement with, 'yeah I know' (line 0496). It would appear that medical diagnoses also constitute information that is sometimes missing for juvenile suspect and must thus be obtained from adults that are familiar with the suspect.

Interviewers seeking verification from AAs

Similar to suspects calling upon AAs for corroboration, the interviewer in Gavin's interview calls upon the AA to verify a section from the victim statement, in which Gavin's supervised living arrangements are described. The pronoun 'they' in line 1296 refers to the two victims.

```
Example 7.39: Gavin
 1294   SU       [ yeah yeah  ]                        [yeah]
 1295        yeah
 1296   IR   erm and they said it's a care company for
 1297        children who need support↓ (0.4) that had been
 1298        in social care services and <I think it's like
 1299        a stepping stone for sixteen to eighteen year
 1300        olds (0.5) just to get (0.4) get you from:
 1301        being in care to living independently
 1302   SU   yeah
 1303   IR   i- is that right↓ granddad [is that what it is]
 1304   AA                              [         yes: yes]
 1305        yeah
 1306   IR   alright (0.7) erm (1.0) he says he's been in
 1307        the role about five years↑ and he works in
 1308        …
                                                   17_2_2
```

The interviewer is going through a victim statement and is in the process of clarifying the role of the victim in the care facility that the suspect lives in. The suspect's turns in this interaction are limited to multiple utterances of 'yeah', which could be interpreted either as

back-channelling tokens, but also as compliant responses from a suggestible suspect. In line 1303, then, the interviewer asks the AA for corroboration, addressing him with his familial relation, 'is that right granddad, is that what it is' (line 1303). The interviewer directly addresses the AA as 'granddad', thereby foregrounding the suspect's juvenile status. The interviewer is sceptical of the suspect's contribution and thus paints Gavin as not a trustworthy source. The term of 'granddad' emphasises Gavin's status as a grandson and thereby infantilises him. The granddad affirms, and the interviewer's feedback 'alright' suggests that he is content that the information provided by the victim corresponds with the truth.

7.4.3. AA violating PACE duties

The data extracts in this section are all taken from the interview with Jack, who has been arrested on suspicion of possession of a controlled substance with intent to supply. The AA is his mother, and she makes a number of inappropriate contributions throughout the interview, although it must be noted that not all of them directly violate the duties as laid out in PACE. This first example is her first contribution during the 'Account' stage and takes place right after Jack's free narrative.

```
121   SU  =and (2.1) but (0.3) n::one of it's mine
122  IR1  okay↑ (1.5) so (0.4) when you say none of it's
123       yours can you just (0.3) kinda specify (.) what
124       y[ou me]an
125   SU   [like ]
126       the bag↓ (0.5) the- (0.8) the (0.4) <scales the
127       weed (0.7) all the money (1.4)
128   AA  am I allowed to just say something here↑ (0.3)
129       or not
130  IR2  (inaudible) yeah go on
131   AA  yeah (1.3) erm (0.8) yeah that's that's totally
132       (0.6) ri:ght because (0.9) erm (0.8) Jack isn't
133       a (0.6) dealer or anything like that
134  IR1  °thank you°
135  IR2  okay↓
136   AA  and his- (0.3) I know that Matt is (0.5) and
137       he's got in with the wrong person at the wrong
138       time and he's obviously been made scapegoat
139  IR1  alright
140   AA  because there's no way (0.3) my son's in (.)
141       <possession of anything like that (0.9)
142       everything that worries me is that he's had
143       some birthday money cause it was his birthday I
144       said
145       yes[terday↓ but it was act]ually now
146   SU     [     yeah I know      ]
147   AA  the day befo:re=
148  IR2  =°okay°
149   AA  but he had his birthday money (0.7) off me and
150       his dad an:d=
151  IR2  =yeah=
152   AA  =you know f[amily]
153  IR2            [okay ]
154   SU  can't do that confiscated it
155   AA  yeah you see
156  IR2  we'll come [  we'll come we'll come  ]
157   AA            [and that was his birthday] [money]
158  IR1                                        [yeah ]
159       yeah we'll come on to that in a little bit
160       [(inaudible)]
161   AA  [  alright  ] I'm just saying if he'd got that
162       bit of cash on him
163       [that was] what we give him
164  IR2  [  yeah  ]
165       [yeah] we'll come- we'll come back onto it
166  IR1  [okay]
167       so (0.6) got your kinda account there↑ Jack
168       >what I'm just gonna do is< ask you a few-
169       (0.3) few more questions on that↓
```
<div align="right">17_2_5</div>

As can be seen in line 127, there is a 1.4-second pause after the suspect's turn which the AA

follows with a question asking for permission to 'say something here' (line 128). She does

not get an immediate response, which is why after a short pause she adds the tag 'or not'. Interestingly, despite the fact that the interaction of the interview thus far has been between interviewer 1 and the suspect, the second interviewer comes in in line 130 to give the AA permission to speak. It appears that interviewer 1 is temporarily absent from the conversation as he is preparing for the imminent 'clarification and challenge' sub-stages, which are based on the account that the suspect had just given.

The AA's contribution serves the main purpose of backing up her son's story by stating 'that's totally right' (lines 131-132) followed by the justification 'because (…) Jack isn't a dealer' (lines 132-133). The AA's turn is dotted with no less than six pauses, giving the turn an improvised and unsure tone. Objectively speaking, the AA's contribution at this point does not correspond with any of the duties listed in PACE and her statement and justification of her son's innocence is unlikely to be taken into consideration by the interviewing officers. Both interviewers acknowledge her turn in manners that do not invite any further contributions, namely a quiet 'thank you' from interviewer 1 and 'okay' with a falling pitch from interviewer 2. Regardless of this, the AA continues talking for multiple turns. A clear violation of her role appears in the turn starting in line 136, where she explicitly incriminates the suspect's friend and co-arrestee Matt, stating 'and his- I know that Matt is [a drug dealer]' as a continuation from her previous turn. The self-correction suggests the initial intention of referring to Matt as 'his friend', but she opts not only for naming him directly, and also to avoid making the link between Matt and her son. Although the suspect never rejects the notion of Matt being his friend, Jack's mother refrains from labelling Matt as such. The interviewer's 'alright' in line 139 can be seen as both an acknowledgement of the AA's turn but also as a marker of instigation to start the next stage of the interview. The AA immediately carries on with another attempted justification as to why her son is innocent, echoing what she had said in her second turn in the excerpt. Again, the AA states alleged facts 'because there's no way my son's in possession of anything like that' (lines 140-141). She furthermore starts introducing the new topic of the suspect's

birthday money, which is not something that the suspect had mentioned in his free narrative. She no longer simply tries to give the suspect's account credibility by offering supporting statements, but also adds new information in support of her son, which can only be considered a violation of her duties. What follows this is an interaction between AA and suspect, which includes the suspect's acknowledgement of the AA's turn (line 146) and a comment by him stating that the police having confiscated said money (line154). This interaction is accompanied by repeated back-channelling by the second interviewer. Much like the police do with stating seemingly obvious things for the benefit of the tape, in this case the AA and the suspect hold a conversation for the primary benefit of the police officers. The AA's reaction to her son stating that his money had been confiscated by the police, 'yeah you see' (line 155), reveals a certain level of distain towards the police, as if to say 'see what you are doing to my son'. Interestingly, up to this point in the interaction, neither of the two police officers have had a turn that consisted of more than a minimal response (see lines 134, 135, 139, 148, 151, and 153). It is at this point that the second interviewer attempts to regain control of the conversation by stalling the AA's contributions by assuring her that they will revisit the topics she has mentioned (line 156); however, the AA continues to talk which results in overlaps first with the second interviewer (lines 156 and 157) and then with the first interviewer (lines 157 and 158). The first interviewer now tries to finish the assurance his colleague was unable to do earlier (line 159). The AA once again overlaps with the interviewer before he is able to finish his turn, rendering his turn-final contribution unintelligible. In this final contribution, the AA offers yet another explanation on behalf of the suspect, thereby again violating her duties as an AA. The second interviewer assures the AA again (line 165), before the first interviewer is finally able to introduce the next sub-stage of the interview. He makes it explicit that the suspect is again his interlocutor, which can be seen from his use of the suspect's first name 'Jack' (line 167).

Whether this excerpt shows a case of parental naïveté (i.e. the AA *genuinely* believes her son is innocent) or a case of parental overprotectiveness and her taking her son's side regardless of guilt and innocence cannot be determined conclusively. However, other interactions involving this AA throughout the interview suggest the latter of the two options. Offering alleged explanations and excuses on behalf of the suspect may instinctively feel like the right thing to do for a parent in the setting of a police interview, but the actual effects of such conduct is in fact detrimental for the course of the interview overall and ultimately for the suspect.

7.4.3.1. AA answering questions on behalf of the suspect

Jack's interview was conducted by Force 2, and the AA was not instructed not to answer questions on the suspect's behalf. The following example from Jack's interview shows the AA quite blatantly answering a question on behalf of her son.

Example 7.41: Jack
```
343  IR2  (2.2) and you knew what was in the bag↓
344   SU  ah yeah
345  IR2  so why have you gone (0.6) to speak to officers
346       what >did you think< was gonna happen
347   SU  (3.0) literally (0.4) like (2.9)
348   AA  I know because he's honest
349  IR2  yeah↑
350   AA  that's why↑
351   SU  literally↑ (0.5) like I thought we'd get a
352       warning innit (0.9) and then like we- (1.0)
353       …
```
                                                                17_2_5

The interviewer's question in lines 345-346 is double-headed, namely (i) 'why have you gone to speak to officers' and (ii) 'what did you think was gonna happen'. The nature of the two questions can be considered somewhat suggestive for they imply a level of naïveté from the side of the suspect. The turn that follows does not suggest that Jack is not understanding the question(s) put to him, but rather that the suspect is unsure as to *how* to answer without making himself look disingenuous. This is signalled by the fact that his response turn

consists solely of long pauses and the filler words 'literally' and 'like' (line 347). Jack's mother apparently interprets the suspect's turn as an implicit prompt for her help. She does this even though the questions asked do not request trivial, practical information that the suspect is unable to give, but instead are directly related to the suspected offence and it is therefore absolutely crucial that they are answered by the suspect himself.

Lines 348 and 350 show the AA's unsolicited answer to the interviewer's why-question (i) from line 345, 'I know because he's honest <u>that</u>'s why'. With these two turns, the AA has irrefutably violated PACE Note 11F by answering on the suspect's behalf. The two answer turns are interjected with an incredulous turn by the interviewer, who says 'yeah' with a rising inflection, as if to say 'oh really' (line 349). Jack re-joins the interaction with his response, which surprisingly does not build upon his mother's highly defensive answer. Instead, the suspect goes about answering question (ii) about what he thought the consequences of him talking to the officers would be, 'I thought we'd get a warning innit' (lines 351-532). While the AA has provided an (unsolicited and inappropriate) response to the first question, Jack follows the principle of recency (Shuy 2011) and answers the second, that is most recent, question.

Another example of Jack's mother answering on his behalf is seen in the following example where Jack is asked how much cannabis he consumes in an average week.

Example 7.42: Jack
```
737  IR2  no (1.0) >can I just< (0.7) ask how how much
738       cannabis d'you smoke↓ a week
739   SU  a week↑
740  IR2  °yeah° or a day then >if you don't know< how
741       much a week
742   SU  hhh it- erm (3.0) must s[moke about     ]
743   AA                          [you must smoke] at
744       least seventy pound a week's worth=
745   SU  =nah I smoke more than that↑ you gotta think my
746       mates have it and all (0.7) so I get- (0.5) get
747       it off them (more) so hhh in- it must be at
748       least about a Z a week
749  IR2  a- an ounce a week↓
```
<div align="right">17_2_5</div>

Jack's answer turn includes an audible exhalation, a false start, the discourse marker 'erm', as well as a three-second pause (line 742). Whilst Jack starts to provide an answer 'must smoke about', his mother interrupts and appropriates the interaction by stating 'you must smoke at least seventy pound a week's worth' (lines 743-744). The AA's turn is partly overlapped with the suspect's answer attempt. This interview stands in contrast to the interview with Ian, which will be discussed in Section 7.5. Whereas Jack's mother freely answers questions about her son's drug habit on his behalf, the interviewer in Ian's interview verbally acknowledges the fact that answering questions about drugs can be tricky in front of one's mother.

7.4.3.2. AA supplementing suspect's answers

Jack's mother also provides unsolicited extra information that she adds on to the suspect's answer turns. The example also illustrates a rising level of impatience from the side of the interviewer.

Example 7.43: Jack
```
439  IR1  okay↑ (1.7) er how did you pay for it (0.4)
440       were it cash↑
441   SU  cash
442  IR1  yeah
443   AA  from me I give him money every day (0.8) I give
444       him fifteen pound a day (1.0) so he can have
445       petrol (0.8) for his moped↑ and so that he can
446       (0.7) have a bite to eat o:r (.) <whatever=
447  IR1  =yeah=
448   AA  =he wants=
449  IR1  =yeah thank you
450   AA  (0.8) so (0.5) y'see
451  IR1  r[ight  ]
452   AA   [he has]n't got any regular cash on him↑
453  IR1  (0.9) where abouts did you buy it from↑ (1.8)
454       like where about were you when you bought it
455       from Matt=
```
                                                    17_2_5

The interviewer's question 'how did you pay for it' is followed by the suggested answer
'were it cash' (lines 439-440). The question with the answer provided can be considered
highly suggestive, but realistically such a small amount of money for marijuana is unlikely
to be paid by any other means than cash. The suspect affirms the method of payment (line
441) and his response is acknowledged by the interviewer in the subsequent turn. This
interaction presents a classical sequence of initiation – response – feedback. It is at this point
that the AA joins the conversation with a long turn of unsolicited, and arguably unnecessary
information about the suspect's pocket money and what it is intended for (lines 443-446).
There are a number of relatively long pauses within her turn, and the microphone appears to
pick up the sounds of paper rustling and note taking in the background. Whether the
interviewer's turn in line 447 is a minimal response or a first attempt to shut the AA's turn
down can only be speculated on; it is neatly latched in-between the AA's statement
'whatever' and 'he wants'. A more blatant attempt to signal to the AA that her contributions
are superfluous and not helping is the interviewer's subsequent turn where he utters 'thank
you' in a monotonous but stern manner (line 449). The AA starts to retake the floor after a
0.8-second pause and utters 'so', followed by another pause, and the discourse marker
'y'see' (line 450). The interviewer does not acknowledge the AA's contributions at all at this

point and instead instigates the next topic in line 541 by uttering 'right' in an attempt to get the conversation back on (his) track. Almost simultaneously the AA starts uttering her next turn, which overlaps with much of the interviewer's but is much longer. She shares the statement that the suspect does not have any 'regular cash' on him (line 452), which once again is not verbally acknowledged by either interviewer. The interviewer then simply addresses the suspect with his next question in a clear and structured manner.

Certainly, the interviewer's linguistic behaviour in between lines 447-453 could in isolation be considered impolite or even rude (i.e. interactional non-engagement); however, considering the AA's turns and her lack of appreciation and adherence to the linguistic cues given to her make the actions of the interviewer seem more relatable. The growing impatience in the interviewer in this situation is palpable, despite the fact that he uses no explicit textual means to express it. The impatience is manifested by ceasing to acknowledge turns produced by the AA and repeated attempts to 'move the interview forward. Throughout the interview, the suspect does not explicitly ask his mother for advice or help a single time, and he also does not verbally approve of his mother's unsolicited input at any time. The data do present instances of the suspect reacting to his mother's comments, as was discussed in Example 7.42 where he contests her contribution about the amount of drugs he consumes. In most instances, however, the suspect appears to ignore his mother's contributions and focus solely on the interviewers' turns. An example of this is Example 7.41 at the beginning of this section where the Jack appears to simply follow the recency principle and answer the last question put to him, i.e. 'what did you think was gonna happen' (cf. Eades 1994: 243; Shuy 2011).

The following example of the AA adding an intensifier to her son's answer can also be considered a supplementation. Jack is asked to relate to some of pieces of evidence.

Example 7.44: Jack
```
318  IR1  so the weed and the scales↓ yeah
319   SU  yeah an:d (0.4) °the bag°
320  SOL  (1.1) but are they yours↓
321   SU  no↓=
322   AA  =they're definitely not his
323  IR1  no no↓ just need to-
324   SU  I definitely
325       [   (inaudible)   ]
326  IR1  [that what you've] said there yeah]
327   AA  [              them scales every]thing (um)
328       drugs=
329  IR1  =yeah that's fine (3.5) >might sound a silly
330       …
```
<div align="right">17_2_5</div>

After the interviewer asks Jacks about whom the drug paraphernalia belong to, the solicitor interjects with a clarification question (line 320). The suspect replies with 'no' and his mother immediately latches 'they're definitely not his' onto his turn (lines 321-322). Once again, her contribution is not verbally acknowledged by either party. These well-intentioned contributions by Jack's mother end up having the opposite effect, in that they render the interviewers increasingly impatient, which ultimately affects the quality of the interview. The 'Closure' stage of Jack's interview was discussed in Section 7.2.2 and it was shown that after yet another interjection by the AA, the interviewers refrain from giving the solicitor a chance to make a final remark. This hindrance ultimately means the suspect's legal representative is missing out on the opportunity to make a potentially crucial contribution.

7.5. AAs' non-verbal presence

Making claims about somebody's presence risks being speculative, which is why the examples examined in this section are concerned with explicit discursive orientations towards the AA without directly prompting them to participate. The two examples in this section are taken from the interview with Ian, who is being questioned about a fight at a festival. The interviewer makes reference to Ian's mother twice, both times when discussing sensitive topics. In the first example, the suspect is asked whether any drugs had been consumed at a festival.

Example 7.45: Ian
```
0669  IR1  =a- anything else being taken (0.9) er: Ian
0670       drugs or anything
0671  SU   n[o]
0672  IR1   [I] know your mum's here↓ but y::ou know if
0673       anyone's ta[ken anything]
0674  SU              [I know yeah ] Chris said that (0.7)
0675       they were they were doing it apparently but
0676       (0.4) that's just rumours again like I don't
0677       know (0.3) [that's why-] (0.6) drugs
0678  IR1             [doing what↓]
0679       woul[d you know what sort↑      ] no
0680  SU       [don't know (.) I don't know]
                                                    17_2_4
```

In the conversation leading up to this excerpt, the interviewer had asked about alcohol being consumed, which is why his question at this point is 'anything *else* being taken'. The interviewer's question is not asking specifically about the suspect's drug use, but instead as a more general question, which in turn the suspect denies without hesitation (lines 0669-0671). At this point, the interviewer makes a reference to the AA using the suspect's relationship to her, 'I know your mum's here', before repeating the gist of the question in a slightly different format (lines 0672-0673). The interviewer refers to Ian's mother in an attempt to mitigate the impact of her presence. Having a parent present may cause the suspect not to want to answer this particular question, so the interviewer is appealing to Ian to be honest despite his mother's presence. Ian revises his response from the very confident 'no' to 'Chris said that they were doing [drugs]' (lines 0674-0677). The example shows how the AA's mere presence as well as the interviewer's verbal orientation towards the AA's presence can influence the course of the interview. In Ian's interview, the topic of drugs is being framed as sensitive by the interviewer when he makes reference to Ian's mother. By contrast, in Example 7.42 in the previous section, Jack's mother actively participates in the interaction surrounding her son's drug consumption, and the amount of cannabis that Jack consumes is thereby discursively constructed as a casual topic. The juxtaposition between Ian's and Jack's interviews underlines on the one hand the individual needs for same-aged suspects, and on the other hand illustrates the different attitudes that are being projected onto parents by interviewers, or attitudes that parents actively bring into the interview.

At a later stage of Ian's interview, the topic of discussion is rude graffiti that the suspect and his friends allegedly wrote on other festivalgoers' tents using tape.

Example 7.46: Ian
```
1350  IR1  and what did you write you know↑
1351  SU   yeah we just put three bellends
```
                                                                    17_2_4

Interviewer 1 is leading the interview at this point, and Ian answers that they had written the words 'three bellends' on one of the tents (line 1351). A short time later, the interviewer refers to a witness statement and points out a misalignment pertaining to the words written on the tent.

Example 7.47: Ian
```
1364  IR1  they've- they ↑mentioned↑ (.) excuse my
1365       language here Polly (0.6) the words <four
1366       cunts>
1367  SU   oh yeah yeah it was yeah yeah
1368  IR1  okay [well that's-]
1369  IR2       [    was it-] ba- bellend]s or cunts:=
1370  SU        [ yeah yeah it was it was ]
1371       =no it was cunts it was cunts
1372  IR1  okay↓ no I know it's not a nice word to use in
1373       front of [your mum so b]ut don't (.)
1374  SU            [ I know yeah ]
1375  IR1  don't worry about it [we need t]o (0.5) and
```
                                                                    17_2_4

When reading from the witness statement, the interviewer utters an interjected apology to Ian's mother Polly, 'excuse my language here Polly' before reading the words that the witnesses claim was written on the tents (1364-1366). The interviewer addresses the AA directly as Polly and thereby acknowledges her as a person. In other words, he is not apologising for the profanity because she is Ian's mother but because it is not a nice word to use in front of anybody.

No comment was made when talking about the word 'bellend' (example 7.46, line 1351); however, the interviewer deemed it necessary to pre-emptively apologise to Ian's

mother when talking about the word 'cunt'.[24] The interviewer's acknowledgement of the vulgarity of the subject matter not only acts as a tool of politeness towards the AA, but also has the effect that Ian subsequently affirms this statement in line 1367, thereby revising his previous statement that him and his friends had written 'three bellends'. Interviewer 1 accepts the suspect's amendment with the feedback token 'okay'; at this point the second interviewer joins the conversation and asks Ian to clarify (line 1969). The suspect verifies that the witness statement is correct, 'it was cunts' (line 1371), after which interviewer 1 again makes reference to the AA whilst addressing the suspect, 'I know it's not a nice word to use in front of your mum' (lines 1372-1373). Here the interviewer refers to the AA by her maternal relation to the suspect rather than her name. He is thus appealing to the suspect's status as her son. The example gives rise to the assumption that Ian may have downplayed the vulgarity due to the presence of his mother, by initially claiming that they had used the swearword 'bellend'. The interviewer's reference to Ian's mother acts as a kind of permission-granting tool to use bad language in front of one's mother.

The two examples from Ian's interview have shown how the presence of a parental AA can potentially impact on the suspect's willingness to contribute when discussing delicate topics, even if they are not central elements of the investigation. In other words, the drug consumption at the festival is talked about as a background element, and it does not constitute the suspected offence under investigation. The same goes for the swearwords written on the tents; the suspect does not have to worry about legal consequences, regardless of the level of vulgarity of the word used. Despite this, Ian mitigates both the drug consumption and the vulgarity in the presence of his mother, and revises his statement after the interviewer's references to the AA's presence.

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[24] The word 'bellend' is in the category 'strong words', whereas 'cunt' is one of only three in the 'strongest words' category (Ipsos MORI & Ofcom 2016: 44).

7.6. Chapter summary

This chapter has examined verbal contributions from AA throughout the interviews, as well as interviewers' orientations towards the AAs' presence. Because AAs are only present in interviews with juvenile suspects, the interviews with 18-year-old suspects were put aside momentarily.

Following guidance from PACE, all AAs identify themselves during the 'Engage and explain' stage. In the process of this, AAs typically reveal their full name as well as their relation to the suspect or professional affiliation. Even though PACE states that persons present must be identified for the benefit of the interviewee, it can be argued that particularly when it comes to familial AAs the identification process takes place for the benefit of the tape rather than the suspect. During the 'Closure' stage, four AAs get invited to provide a final comment before the interview closes. Three of them respond with a preferred refusal, and only one makes a verbal contribution in which Gavin's grandfather expresses his disbelief that his grandson would commit a sexual offence. Jack's mother makes a contribution during the 'Closure' stage without having been asked, and her interjection is one of many questionable contributions throughout the interview, as was discussed in Section 7.4.3.

When looking at how AAs are instructed as to what their duties are, a force-specific pattern emerges, not dissimilar to the cautioning exchange categories. It is revealed that interviewers from Force 2 are likely to read out a note to the AA with an instructive text based very closely on the original wording from PACE. The PACE-based instructions are reminiscent of the caution recitals, in that they entail important information for the addressees, written and recited in legal language. In the vast majority of cases, interviewers fail to replace the placeholders such as 'the person being questioned' and 'the person being interviewed' with the name of the suspect, which renders the interaction impersonal and hinders rapport building between the parties.

Interviewers from Force 1 provide the instructions for the AAs in an *ad-lib* fashion. By using their own words to instruct AAs, interviewers do not always cover all three duties as described in PACE. Instructions are thus often incomplete not just for the AA, but also for the suspect, who is also not aware of the role of his safeguard. It must be noted that interviewers in this category more frequently use suspects' names when talking about them during the instructions. An interesting observation in connection with the instructions is that three interviewers from Force 1, i.e. interviewers who instruct freely, add to their instructions the warning that AAs ought not answer questions on behalf of the suspects. After the instructions are given, AAs are routinely asked if they understand their role. Similarly to CCQs in connection with the police caution, AAs all give affirmative responses. Unlike suspects with the caution, AAs are never asked to explain their duties back to them.

The data also show two special cases in terms of the instructions: one in which the AA recites her own (partial) instructions, and one in which the AA rejects the interviewer's somewhat moot offer to explain the AA duties. The two special cases both result in the suspect not hearing the AA's duties, which can only be seen as a detrimental effect of the incomplete self-instruction and the complete lack of instruction.

During the 'Account' stage of the interview, four AAs make verbal contributions of any kind, and all of the AAs have a familial relationship to the suspect. Both suspects and interviewers turn to the AAs for assistance. Suspects frequently relay questions to AAs or prompt AAs implicitly when seeking help in answering questions concerned with practical information. This includes information pertaining to addresses, locations and registration numbers, all of which are things that adults are more likely to know than juveniles. When suspects relay questions to AAs they produce insertion sequences embedded in the original question-answer adjacency pair between the interviewer and the suspect. Another phenomenon observed is 'AA corroboration', in which suspects call upon their AAs to verify their statements in attempts to prove to the interviewer that they are being truthful. The

desire to be seen as reliable and believable is naturally paramount for any suspect, and AAs are able to lend credence to the suspects by ratifying their contributions.

Interviewers too seek assistance from AAs, although less frequently than suspects. The data show the interviewer in Gavin's interview drawing upon the AA for help after a lengthy interaction between the interviewer and the suspect in which they unsuccessfully try to negotiate a timeline of events. The discourse reveals that the suspect struggles to tell the time, and the interviewer asks the AA to help them facilitate communication. Gavin's grandfather resets the conversation and thereby calms the suspect down, and eventually the interviewer identifies the source of the problem and rectifies it. Gavin's interviewer furthermore calls upon the AA to verify answers by the suspect. In this case, the interviewer makes it explicit that he does not see Gavin as a trustworthy source and thus feels the need to have the AA corroborate the suspect's statement.

The data include one AA who abuses her role and violates her duties on multiple occasions throughout the interview. Jack's mother repeatedly advocates for her son's innocence, much to the detriment of the interviewers' patience and ultimately to the detriment of the quality of the interview. In spite of the suspect being cooperative, the AA provides answers on behalf of her son, and supplements his answers with intensifiers. As the interview progresses, the two interviewers either do not acknowledge the AA's turns at all, or they signal to her verbally that her input is not appreciated. Whether or not the AA's behaviour throughout the interview has an impact on one interviewer's highly suggestive question during the 'Closure' stage, 'do you wish to admit to any other offences whilst you're in custody?' cannot be determined conclusively. It is worth noting, however, that during this exchange in the 'Closure' stage the AA does not interfere, and instead the solicitor provides the negative answer for the suspect.

A final section the analysis shows interviewers orientating themselves towards the presence of the AA without offering the floor to them. The example from Ian's interview makes apparent that the presence of a family member can result in a suspect's reluctance to talk openly about drug consumption. The interviewer's awareness of this risk is revealed when he appeals to Ian to be honest in spite of his mother's presence; he hereby refers to the AA as 'your mum'. This endearing term of address reinforces both her parental status and Ian's status of her child. The interviewer's reference ultimately results in Ian slightly altering his original statement. The presence of the AA also plays a role during a discussion about graffiti depicting vulgar language, in that the interviewer apologises the AA about the rude language. In this context, however, the AA is addressed by her first name rather than her maternal relation to the suspect, meaning that the interviewer does not apologise to her in her role as the AA necessarily but rather to her as a fellow human being.

The effect of having a solicitor present on the way in which an AA carries out their role constitutes an interesting avenue for future research. This was also pointed out by Farrugia & Gabbert (2019: 139), who furthermore note that 'as the chances of accessing legal advice fall under cuts in legal aid, if appropriate adults do not intervene more, vulnerable suspects may be placed at a heightened risk of providing misleading and inaccurate information whilst not fully understanding their legal rights or the custodial process. Well-documented miscarriages of justice have occurred as a result of failures to support vulnerable suspects within an interview context' (Gudjonsson, 2018).

8. DISCUSSION

8.1. Introduction

This chapter provides a critical evaluation of the observations from Chapters 5, 6, and 7, in line with the CDA approach outlined in the Methodology Chapter. The first focus of this chapter is on age-based ideologies revealed by interview participants by means of marked lexical choices as well as terms of address and reference. The subsequent section of this chapter is dedicated to an evaluation of the findings in connection with the AA safeguard overall, as the observations from that analysis (Chapter 7) constitute a substantial new contribution to the field of forensic linguistics. As the current research was largely inductive, some of the findings were perhaps unforeseeable, such as the force-based patterns observed in connection with the cautioning exchange and the AA instructions, as will be discussed subsequently. The chapter finishes with some broader considerations about the impact of the current findings on youth (in)justice in E&W and beyond.

Note that the discussion of the findings from the three analysis chapters will at times refer to a set of hypothetical suspects. Some of the aspects observed in one of the two age groups can have their significance reinforced when picturing an equivalent linguistic event occurring in an interview with a 10-year-old child suspect or a 50-year-old adult suspect. These two prototypical 'child' and 'adult' suspects are used sporadically throughout the chapter as a means of illustration and to give the reader some food for thought.

8.2. Age-based ideology

Interviewers and suspects reveal certain ideologies in connection with age and status (child vs. adult) throughout the data. The general, stereotypical ideologies that are perpetuated in the discourse include the notion of children being immature and adults being mature, attributes closely tied with the very definitions of children and adults. Further ideologies are concerned with children being in need of support and protection. Alongside this, children are

deserving of explanations as per the ideological notion that children lack the ability to understand and interpret things. Adults are not in need of (or deserving of) support and protection. Ideologies of this nature are embedded firmly in society and are a reflection of how children and adults ought to be treated. The *ipso facto* institutional labelling of children as vulnerable and adults as not vulnerable (unless a specific, oftentimes *diagnosed* factor invokes the status) is a clear reflection of age-based ideologies that society holds. Overall, the ideological views of adults as sensible, responsible, reliable, mature, and views of children as the opposite, are constructed and perpetuated in the interview discourse.

8.3.1. Ideology and vulnerability

17-year-old suspect Gavin and 18-year-old suspect Matt both make references to themselves as a 'kid' and a 'care kid'. The term 'kid' today is no longer considered slang but is instead used frequently in familiar speech as an informal synonym of 'child'. On the one hand, Gavin is legally a child, and he makes a descriptive reference to himself, 'I'm a care kid (…)' (Example 5.07). On the other hand, Matt is legally no longer a child, and his references are more indirect in that he implies his affiliation by talking about 'kids (in care)' in the third person: 'you can't do that to kids (…) especially in care' (Example 5.05) and 'it's not fair to play with kids' emotions' (Example 5.06).

When talking about adolescents immediately on either side of the child-adult divide, the term 'kid' is undoubtedly marked. When Gavin and Matt assign the label 'kid' to themselves, they play with (and downplay) their official statutory status in order to invoke vulnerability. By invoking vulnerability in the presence of the interviewer, they can be seen to attempt to evoke compassion. In particular Matt, who is 18, performs this vulnerable identity when trying to vindicate his alleged offence, which is criminal damage. Matt feels that he was treated unjustly by a care worker, and as a reaction he damaged some property. The violent reaction to being refused a ticket can be seen as irrational, which is an ideology frequently assigned to children. His self-references as 'kid' and 'care kid' thus work on two

levels: on the one hand, he feels that the care worker acted in a way that is not suitable for 'kids', despite the fact that he himself is no longer legally a child. Matt claims the status of 'kid' which would warrant more considerate and perhaps softer treatment from the care worker. On the other hand, Matt also labels himself as a 'kid' for the benefit of the interviewer; an action which can be seen as an attempt to justify his irrational behaviour.

The ability to discursively play with one's age-related status in this way and the option to label oneself as a 'kid' for the purpose of invoking vulnerability is reserved for suspects close to the 17/18 age divide. When considering the hypothetical 10- and 50-year-old suspect, this fact becomes apparent: a 10-year-old is undeniably considered a child and can be expected to be treated with sympathy and protection that come with their status as a vulnerable person. A 50-year-old may well make reference to a childhood spent in 'care' as a means of evoking sympathy from an interviewer; however, resorting to the status as a 'child' or a 'kid' *per se*, i.e. committing to this type of self-infantilisation, would seem misplaced. The reference to being, or having been in, 'care' can also be seen as an indirect reference to the disproportionate overrepresentation of looked-after children in the criminal justice system, and the fact that a lot of criminalisation of looked-after children takes place unnecessarily (Prison Reform Trust 2017).

8.3.2. Ideology and sensibility

A common ideology expressed primarily by interviewers is that of children as not being sensible or rational, at times irresponsible, and, crucially, in need of adult supervision. Very marked in this context are references to 'adults' outside the interview room during interviews with 17-year-old suspects. References of this nature do not occur in any interviews with 18-year-old suspects, because they, as adults themselves, are now largely assigned the ideology-based attribute of being sensible. One exception to this rule will be discussed below, where an interviewer issues a cautionary warning not to act irresponsibly to

an 18-year-old suspect. The clear divide between the age groups in the current dataset can be seen to reflect interviewers' instinctive awareness of the age of the suspect in front of them.

To illustrate the phenomenon of interviewers invoking ideological notions about children's lack of sensibility, let us consider Example 5.09, in which 17-year-old Andrew is asked about persons present during the time of the alleged offence. After he lists a same-aged friend Oliver and two girls aged 15 and 14 as being present at Oliver's house, the interviewer enquires about the whereabouts of Oliver's parents. When Andrew states that the parents were away, the interviewer asks the suspect to verify, 'so there was no adults around?'. The positioning of the question in the interaction as well as the 'so'-preface suggest that the interviewer is seeking confirmation about the absence of parents, or other adults with a supervisory role. Given the age of the suspect and his friends, it is unlikely that the interviewer is asking about, for example, an 18-year-old friend. The interviewer is thus making implicit reference to parental supervision, or rather the lack thereof, during the time of the alleged offence, and by doing so she is discursively reinforcing the suspect's status as an unsupervised, irresponsible juvenile.

For comparison, the current dataset includes the interview with 18-year-old Paul, who was also spending time with a number of friends at one of their addresses. Paul is asked various questions about what they were doing at the address, but at no point does the interviewer make any reference, neither explicitly nor implicitly, about the suspect's age, any of his friends' ages, or asks about anybody's parents or other 'adults' being present. By not mentioning anything, the interviewer can be seen to orient herself to the suspect's age in a non-verbal manner, i.e. by treating him and his friends like adults who are not in need of parental supervision. The comparison between Andrew and Paul illustrates the predicament of the child-adult age divide. If, for a minute, we imagine the hypothetical 10- and 50-year-old suspects in the same respective positions as Andrew and Paul, it becomes apparent that the interviewers' verbal and non-verbal orientations towards the suspects' statuses as 'child

in need of supervision' and 'adult not in need of supervision' would not be marked. In the case of a 10-year-old suspect telling an interviewer about spending time with same- and similar-aged friends, it seems only natural for the interviewer to enquire about the presence of any 'adults'. Picturing a 50-year-old suspect who tells of spending time with his friends being asked about 'adults' present is essentially inconceivable. In other words, an interviewer not verbally orienting towards and thereby marking the status of a 50-year-old suspect as an 'adult' is expected and considered normal. The interviewers in Andrew's and Paul's interviews are thus acting in accordance with their interviewees' respective statuses, the difference simply appears so pronounced due to the close ages of the two suspects.

The ideological view of 'naïve children' and 'sensible adults' is discursively oriented to in the interview with 17-year-old Ian (see Example 5.14). Ian is questioned about an assault, and when describing the victim's injuries, the interviewer makes reference to the familial AA without addressing her, stating 'people don't realise I mean your <u>mum</u> will and we realise (that) <u>one</u> <u>punch</u> can <u>kill</u> somebody (…) quite easily'. The interviewer uses the AA as second 'adult', alongside himself, in order to emphasise his attitude that the juvenile suspect is naïve, if not ignorant. Interestingly, the interviewer's utterance makes the direct claim that Ian's mother *knows* about the dangers of the so-called 'one-punch kill'; an assumption that is made based on ideological assumptions of her as a mature and sensible adult. A cautionary comment of this nature is not out of the ordinary when coming from an adult to a child; however, the fact that Ian is less than a year away from being an adult himself makes the interviewer's contribution particularly marked.

In the interview with 18-year-old Paul the interviewer makes a comment that is reminiscent of the 'naïve juvenile' vs. 'sensible adult' ideology. The interlocutors are discussing motorcycles, when the interviewer asks Paul whether he owns one yet.

Example 8.04: Paul
```
457   IR   ↑right so have you got one yet=
458   SU   =yeah
459   IR   you have↓ (2.1) be careful ((chuckles))
460   SU   ah: I will
```
<div align="right">18_2_4</div>

The question whether Paul owns a motorcycle *yet* is already suggestive of the suspect's 'newly adult' status in that he would have only been allowed to get a license fairly recently. A 50-year-old suspect in the same position would likely, if at all, simply be asked whether they own a motorcycle, without the adverb 'yet'. In addition to this, the interviewer warns the suspect to 'be careful' (line 459), which also constitutes an utterance that would seem patronising if said to an older adult suspect. This example shows the interviewer blurring the age divide and expressing her (perhaps motherly) concern for the suspect, despite the fact that he is now officially an adult.

8.3.3. Ideology and reliability

Adults are routinely constructed as holders of reliable information, and these constructions frequently take place alongside the implication of juveniles being unreliable sources. The data have revealed that these constructions are instigated either by suspects or interviewers, most prominently in the context of AA corroboration, as was discussed in Chapter 7.

Juvenile suspects feel prompted to seek corroboration from familial AAs, which can be seen as a manifestation of their inferior institutional status. Interestingly, the data often show suspects seeking corroboration not after an explicit expression of scepticism or mistrust from the interviewer, but prompted by non-verbal cues. In other words, interviewers need not challenge a contribution by a suspect in order for them to engage in a corroboration sequence with their AA. Non-verbal behaviour is routinely interpreted by suspects as conveying scepticism or incredulity, likely resulting from suspects' lack of institutional and situational confidence. The instinctive reaction to this (perceived) intimidation is the seeking of 'backup', i.e. somebody who can lend credence to the suspect's contribution. An

illustration of this was discussed in Example 7.33 where Gavin seeks verification from his grandfather when talking at fair length about an unrelated incident a number of weeks ago. Gavin feels incited to put the question to his AA, 'didn't I tell you that, granddad?'. In addition to Gavin's construction of himself as potentially unreliable juvenile, he furthermore constructs his grandfather's identity as that of a trustworthy adult, whose corroboration would satisfy the interviewer and evade further scrutiny over this particular point. Gavin's multi-level inferiority is exemplified by a lack of confidence in his own statement, in that he does not appear to think of what he is saying as being capable of holding up to the interviewer's scrutiny, despite the fact that the interviewer had not expressed any explicit or implicit mistrust. In fact, the interviewer has no verbal presence in this particular interaction at all.

When interviewers are actively unconvinced by a statement or answer given by a juvenile suspect, they can go directly to the 'reliable' source. Chapter 7 has shown examples of interviewers seeking assistance from AAs, in cases where juvenile suspects were unable to provide answers to questions about practical information (e.g. Example 7.37 where the suspect is unable to tell the time). As a counterpart to the AA corroboration discussed in the previous paragraph, let us briefly focus on the implications of interviewers seeking verification from AAs by instigating a brief insertion sequence. In Example 7.39, the interviewer is having 17-year-old Gavin verify a number of facts about his current living situation; all of Gavin's contributions consist of the back-channelling token 'yeah'. The interviewer's apparent scepticism towards Gavin's responses is not addressed by means of an explicit verification request addressed to the suspect; instead, the interviewer's incredulity of the suspect as a source of information is revealed when he switches interlocutor and addresses the AA, 'is that right, granddad, is that what [the living situation] is?'. Not only is the interviewer thereby perpetuating the ideological notion of the juvenile suspect as being unreliable, he also assigns a default level of reliability to the AA as he addresses him and subsequently accepts his affirmation.

Another central aspect in connection with this particular interaction is the interviewer's choice of directly addressing the AA by the term of endearment 'granddad', rather than the AA's name or relying solely on gaze. Direct address using a term of endearment, e.g. 'dad' or 'granddad', is typically reserved for speakers who themselves are the addressee's child or grandchild, respectively. It is generally assumed that a child who addresses their father as 'dad', for example, does so as a result of a combination of factors: firstly, in connection with early language acquisition and phonetics, parental terms of endearment are based on easy-to-produce phonemes, e.g. /da/ → 'dada' → 'dad' (see Jakobson 1972). Secondly, and more relevant for the current context, a child addresses their father as 'dad' in order to reinforce their role as a parent, and thus, as a person superior in the classic, nuclear family hierarchy (see Georgas 2003; Pauletto *et al*. 2007). This latter point is based on cultural rules that govern familial structures. Gavin directly addressing his own grandfather as 'granddad' in Example 7.33 discussed earlier means that he reinforces the familial relation as well as the AA's role as somebody above himself in the hierarchy. The interviewer's direct address of the grandfather as 'granddad' during the verification turn in Example 7.39 means he is appropriating the term of endearment typically reserved for grandchildren in this case. This move is discursively and institutionally powerful, for it allows the interviewer to perpetuate the notion of Gavin as the juvenile grandson whilst emphasising the elevated positioning of the AA. Had the interviewer chosen to address the AA simply by his first name 'Peter', which was given at the beginning of the interview, the interviewer would have encountered the AA more at eye level and the insertion sequence would have been a brief exchange between two adults with much less ideological disclosure.

8.3.4. Ideology and maturity

A final ideological point in this section is concerned with suspects' presumed and expected maturity in connection with sensitive topics. In this study, this includes discussions about sex, drugs, and profanity.

The interviewer in Andrew's interview attempts a number of techniques to ease the tension that the suspect experiences when expected to share information about his sexual experiences. For example, her assurance that she will not be offended by any kind of rude language he may use is a method generally considered a beneficial tool for the flow of a conversation of this type of sensitive nature. She also shows empathy, which has been identified as an important element during interviews with interviewees suspected of sexual offences (Oxburgh *et al.* 2012: 260). Examples of emphatic behaviour by the interviewer is her verbal acknowledgement of the suspect's discomfort in talking about the sensitive topic at hand, 'this is tricky for you, I know' and 'I know it's not easy' (Res. App., 17_1_1: Andrew, lines 180-181 and 197). In the course of trying to encourage the suspect to be cooperative, the interviewer also resorts to a reference to age, namely 'to be quite honest with you, if you're old enough to do it, you're old enough to talk about it' (Example 5.15). This cautionary contribution by the interviewer is a powerful discursive tool, for it plays with the ideology of maturity by threatening Andrew's perceived maturity. The notion of being 'old enough' is ubiquitous during the process of maturing from a child to an adult: the Introduction Chapter of this study mentioned statutorily set limits for actions such as buying alcohol and gambling, i.e. an adolescent may or may not be 'old enough' to partake in such activities. Legally speaking, Andrew is 'old enough' to have sex, with the age of consent in E&W set at 16 (Sexual Offences Act 2003); however, the interviewer's contribution takes on the conditional form '*if* you're old enough to do it'. She thus equates the suspect's sexual maturity with his expected willingness to discuss the matter, despite the fact that the two are not directly related. She expresses what she *expects* of the suspect based on his portrayed maturity as a sexually active adolescent. Andrew eventually, albeit begrudgingly, provides the requested information, presumably prompted by a combination of techniques employed by the interviewer. Another reason for Andrew's reluctancy to answer the sensitive questions in the first place could be the presence of his mother as the AA; however, the mother is not verbally referred to at any point during the interaction, so the effects of her presence on the interaction can only be speculated upon. Once again, the tool of drawing on age-based

ideologies in order to persuade a suspect to provide sensitive information is available to interviewers when the suspect is in a particular, adolescent age range. To illustrate this phenomenon, when picturing a hypothetical 50-year-old suspected of the same offence, the interviewer is unlikely to suggest to them that if they are old enough to have sex, they are old enough to talk about it.

In relation to drugs and profanity, the discussion below is based on the interview with Ian who has been arrested on suspicion of assaulting somebody during a festival. In this interview, the ideological expectations are expressed by the interviewer by means of making reference to or briefly addressing the AA, who is Ian's mother. The micro-analysis in Example 7.45 has shown how the interviewer acknowledges the AA's presence in the process of asking Ian if there were illegal drugs being consumed at the festival, 'I know your mum's here…', after which the suspect revises his answer from 'no' to an admission that some of his friends had been doing drugs. The suspect's initial denial reveals his discomfort in talking about this topic in front of his mother. Drugs are illegal regardless of age, and so the interviewer appeals less to the suspect's age *per se* but more so to his filial relationship to the AA. The interviewer recognises that the presence of a familial AA can make it potentially harder for suspects to discuss these kinds of sensitive topics, which would make the intended safeguard work as a disadvantage for the suspect.

Example 7.47 showed the interviewers putting clarifying questions to the suspect when there is a misalignment between the suspect's account and a witness' account. According to Ian, him and his friends wrote the words 'three bellends' on a tent (Example 7.46), whereas the witness statement mentions the phrase 'four cunts' instead. Before the interviewer reads this particular section from the statement he interjects, 'excuse my language here Polly', as a warning to the AA that profanity is about to be uttered. When challenging the suspect on this discrepancy, Ian swiftly revises his account to correspond with the witness' account, 'no it was cunts'. The interviewer, in his subsequent turn aimed at

Ian, makes reference to the AA, this time without addressing her directly, stating that 'it's not a nice word to use in front of your mum'. He can thus be seen as implicitly acknowledging the suspect's immature behaviour that is likely to cause offence. Once again, Ian's account changes following the incorporation of the AA in the interaction, either as an addressee or a referent. This finding adds to the notion that having a familial AA present in the interview can deter the suspect from communicating openly when the topics at hand are of a sensitive personal nature. Sensitive topics such as sex, drugs, and profanity are all somewhat intertwined with age and related ideologies of (im)maturity, and the artificial dividing line imposed on adolescent suspects can easily cause issues, even for those suspects supposedly gaining benefit from it.

8.3. The AA safeguard

While some of the previous sections in the current chapter have touched upon the role of the AA in various contexts, it feels appropriate to include a section dedicated to some of the more general observations uncovered in the data, not least because the current study presents a new contribution to research on the AA safeguard. As was discussed in Chapters 2 and 3, previous research on the AA has focused on practicalities of different AA types (Pritchard 2006), the use of volunteers as AAs (Pierpoint 2008), police officers' and AAs' own reflections on vulnerabilities (Dehaghani 2019), and the implementation of AAs' duties with regards to the instructions as laid out in PACE (Evans 1993; Farrugia & Gabbert 2019; Medford *et al.* 2003). The latter three papers have all examined actual contributions by AAs inside the interview room based on police interview transcripts, employing quantitative methods to analyse the data. Farrugia & Gabbert (2019) coded their data in order to measure 'actual interventions' (appropriate and inappropriate) and 'missed interventions' by AAs (138-139); however, there is little indication as to how the interventions come about. In other words, the AAs' contributions are not considered as part of a wider interactional context. The question of who 'uses' the AA, be it for information, verification, corroboration, or facilitation, is important when we want to consider to what extent the AA's actual behaviour

in the interview room reflects the duties according to PACE. The issue of the PACE instructions being unclear, and at times contradictory, has been discussed extensively elsewhere (see Bucke & Brown 1997), but it is crucial to emphasise the potential practical dangers that are attached to this phenomenon. At best, an AA who is unclear about their duties can refrain from contributing completely, which appears to take place frequently given the repeated findings about AAs' passivity. At worst, an AA's lack of initiative can have serious ramifications for the course of the interview, thereby denying the suspect their principal chance to provide their side of the story. An interview in which a suspect is unable to provide an appropriate account can turn into an extremely powerful piece of evidence for the prosecution during a trial, and in turn has the potential to become a damaging cog in the criminal justice machinery that can ultimately end in a miscarriage of justice. As such, the role of the AA must be defined clearly and unambiguously, and interviewers must not treat the instructions for AAs as a box-ticking exercise.

The current study presents, to the best of the author's knowledge, the first qualitative, linguistic examination of AA contributions inside the interview room. One important factor hereby is that at the centre of the study is a collection of recently conducted, audio-recorded interviews, which were subsequently transcribed using highly detailed CA conventions. The 'routine contamination' of police interview data has been discussed in Haworth (2018); the current study can be seen as using interview data as close to real life as possible. It is acknowledged that even the most scientific and objective approach to transcription will always be impacted somewhat by the researcher's own ideologies, as well as interpretative and representational decisions (Bucholtz 2000). Nonetheless, the inductive approach to the high-quality, real-life data has produced a number of very valuable findings that constitute a timely contribution to the research of the AA safeguard.

Some of the broad findings from the current study align with recent research by Farrugia & Gabbert (2019), in that AAs are predominantly passive actors in the interview.

Farrugia & Gabbert (2019) have identified as a limitation in their research that they have no information about the types of their 27 AAs and list this issue as something to be addressed in future research. The current research can address this gap on a small scale; the data have shown non-familial AAs to be overall more passive than familial AAs, as we see no contributions whatsoever during the 'Account, clarification & challenge' stage by non-familial AAs. What this observation inevitably demands is an awareness of the duality of the role that a familial AA is prescribed; they are expected to simultaneously be a parent/guardian with inherently protective instincts, as well as an objective quasi-legal representative of a vulnerable suspect.

The majority of verbal contributions from AAs take place in connection with the provision of practical information (e.g. addresses, registration numbers), AA corroborations instigated by suspects, and AA verifications instigated by interviewers. AA corroboration/verification exchanges have been revealed to be powerful tools for the construction and perpetuation of speakers' underlying age-based ideologies, as has been discussed in Section 8.2. The following paragraphs will evaluate some of the findings pertaining to AAs' provision of practical information and embed them in the wider institutional context with regards to investigative processes. The discussion will also briefly draw on comparative data from the 18-year-old dataset.

One observation that has emerged from the data is that in interviews with juveniles, AAs frequently assist in providing practical information to suspects. This type of information includes geographical locations and a vehicle registration number. These details requested by interviewers are not directly linked to the crime under investigation, but instead serve as contextual information. For example, when Andrew is asked about his friend Oliver's address (Example 7.28), he consults his mother for help by relaying the question to her as an insertion sequence. The AA is able to provide a partial address, namely she recalls the name of the street but not the house number, and the interviewer appears content with the

information provided. Since the suspected offence took place in Oliver's (parents') house, the location is certainly an important aspect of the investigation. The familial AA is able to assist in verifying the address, which means she contributes to the contextual evidence gathered by the police. Had she not been able to provide the information, the investigators would have had to obtain this information after the interview, which would have meant extra work. The AA's contribution is thus highly valuable from an institutional perspective.

In Example 7.31, Jack is asked about his moped registration. For context, the police found drugs paraphernalia in Jack's moped, and the fact that the moped belongs to Jack has not been disputed by either party. Certainly, the registration number of the moped ought to be verified as it constitutes part of the investigation. When Jack struggles to name the correct registration number, his mother takes the floor and confidently provides the requested information. Had his mother been absent, Jack would evidentially not have been able to provide the full or correct registration number, and the interviewers would have had to clarify the issue as part of their investigative work. This is to say that whilst the AA's input in this situation was not absolutely crucial, it was still of great value institutionally, as otherwise resolving the situation would have required a lot of extra labour.

A similar situation is presented in the interview with Gavin, where the suspect consults his grandfather on the location of a hospital he had spent time in (Example 7.29). Whilst the discussion about the suspect's history with mental health is doubtlessly important for providing context, one of a number of hospital stays that took place months in the past does not constitute immediate and imperative relevance to the suspected assault charges at hand. Had the AA not been present to provide the required information, interviewers would have had to obtain it as part of the subsequent investigation. However, it must be emphasised that the AA's contribution was without question beneficial, and constitutes the kind of information that is typically only obtainable from familial AAs, and not from non-familial AAs.

What happens when 18-year-old suspects lack the knowledge of the practical information requested can also be observed in the data. In the interviews with adults, questions are primarily concerned with addresses and phone numbers. Consider the following example from Olivia's interview, in which she is asked to provide her grandmother's address.

Example 8.05: Olivia
```
495   IR  what's your nana's address then↓
496   SU  (1.7) I- I don't know↓
497   IR  (2.4)   you   don't   know   her   address   (0.4)
498       [where does sh-] where does she live↓
499   SU  [    no::↓      ]
500       erm she lives in the bungalows↓ near the high
501       school right on top↑ where (0.5) erm
502   IR  e- so you know how to get to get to it you just
503       [don't know the a]ddress
504   SU  [      yeah      ]
505       I just don't know the address yeah
506   IR  did you go to anybody else's house↓
```
                                                                    18_2_2

Olivia states that she does not know the address (line 496); a response that is echoed by the interviewer (line 497), before being rephrased to 'where does she live' (line 498). To this question, Olivia is able to provide a description of her grandmother's place of residence (lines 500-501). The example illustrates the phenomenon, discussed briefly in Section 7.4.1, of young people in particular knowing where a place is without knowing the postal address. As can be seen from line 506, the interviewer is undeterred by the fact that her original question has remained unanswered, and simply moves on to the next question. A familial AA in this case may well have been able to provide the requested information, thereby helping out the interviewing officers in gathering practical evidence.

Similarly, the following example takes place when 18-year-old Paul is asked about the address of his boss, who incidentally is a friend of his father's.

Example 8.06: Paul
```
207   IR   (8.0) okay↑ (0.9) what was his address↓
208   SU   erm I don't know the full address I know it's
209        just Broadway 'cause my dad- (0.5) my dad
210        pretty much <drew me a map of how to get to it↑
211        ((chuckles))
212   IR   okay↓ (0.4) do you still got that map somewhere
213   SU   er: yeah it's at home=
214   IR   =at home
215   SU   yeah=
216   IR   =ri:ght okay °dad drew map° (8.2) okay↓ (1.2)
217        …
```
<div align="right">18_2_4</div>

Paul is also unable to provide the requested information, 'I don't know the full address I know it's just Broadway' (line 208). Whilst he is aware of a street name, he does not know the house number, and makes reference to a map that his father had drawn for him. The interviewer asks about the whereabouts of the map, as it would likely constitute a piece of evidence in the investigation. With the map at the suspect's home and no familial AA present to provide assistance, the issue of the boss' address remains unclarified.

Assistance from AAs in connection with practical information is overall helpful, especially in helping interviewers bridge missing evidential links. With the goal of an investigative interview set as gathering as much reliable evidence as possible, any piece of practical information is deemed extremely valuable from an institutional and investigative perspective. The type of practical information provided by AAs in the examples discussed may not constitute traditionally high-brow forensic evidence, which results in the value of the information running the potential of being overlooked. The active involvement of the AA contributes to a smoother, more institutionally efficient interview for juvenile suspects. The examples from Olivia's and Paul's interviews illustrate how 18-year-old suspects exhibit similar struggles in being unable to provide such practical details, but in their cases the questions remain unanswered as a familial AA safeguard with the possible answers is not available to them.

8.4. Force-specific patterns

As outlined above, some of the analyses of the current study revealed patterns indicative of force-specific police practice. To reiterate, the research data were collected from two police forces in England; for the purpose of anonymity they are consistently referred to as Force 1 and Force 2. What these findings demonstrates is the significance of taking into account professional practice, interviewer training, and how PACE legislation and police guidelines are actually implemented on the ground. Furthermore, the findings show the CA/CDA combined methods approach working very well, whereas the detailed CA approach identifies the salient features, and CDA situates them in the critical context of institutional practice. The importance of police training becomes very apparent in this context, as it is revealed what impact different practices and policies can have on the interview discourse and hence on the rapport between interlocutors. Carefully implemented, findings from research of this nature can be used in training as a route to improving police practice. What follows are two brief summaries about the two forces and related observations overall, before the discursive data with regards to the cautioning exchange and the AA instructions are discussed in more detail.

Force 1 provided a total of eight interviews for the current research: five with 17-year-old suspects and three with 18-year-old suspects. All interviewees questioned by Force 1 are prompted to state their date of birth at the beginning. Interviewers in Force 1 display a level of liberty in the ways in which the cautioning exchange and the AA instructions are negotiated. In terms of the caution, the data shows that in interviews with 17-year-old suspects the interviewers either reformulate the caution directly or employ the explain-it-back method to test the suspects' comprehension. In one interview, the AA interrupts the cautioning exchange, which results in the interviewer abandoning the reformulation. In interviews with 18-year-old suspects, the interviewers from Force 1 either provide no reformulation at all, or they offer a reformulation which only covers parts of the caution. Especially in this age group, it would appear that interviewers accept suspects' affirmative

responses to CCQs to be genuine and true, in spite of evidence of a strong tendency for suspects to answer 'yes' to questions of this nature, even if this does not correspond with the truth (Rock 2007; Goffman 1981; Eades 2015). This means that out of the eight interviews, four interviewees receive either an incomplete reformulation or no reformulation at all. In terms of the way in which AAs are informed of their role, interviewers from Force 1 engage in an *ad-lib* manner of instruction. The result of this means, not dissimilarly to the reformulations, that instructions are routinely incomplete in that they fail to cover all three duties as laid out by the legislation. One doubtlessly positive aspect of the *ad-lib* instructions, it must be noted, is the addition of the warning for the AAs not to answer questions on behalf of the suspect. This warning is also mentioned in PACE, although not as part of the official instructions.

Force 2 provided 11 interviews in total, five with 17-year-old suspects and six with 18-year-old suspects. Interviewers in Force 2 appear to be less consistent than Force 1 when it comes to prompting interviewees to state their date of birth during the 'Engage and explain' stage. On the one hand, out of the five 17-year-old suspects, only one (Frankie) is asked to provide his date of birth. On the other hand, of the six 18-year-old suspects, five are prompted to state their date of birth and only Robert is not. Force 2 appears to have more structured methods of administering the caution and instructing the AAs. All but one interviewee in the Force 2 subset get the caution directly reformulated, regardless of age. The sole exception presents a case of a failed explanation attempt by the suspect and an eventual reformulation by the interviewer. All reformulations cover all three sections of the caution; however, this is not to say that this is a guarantee for suspects' comprehension. In terms of the way in which AAs are instructed, it appears that interviewers from Force 2 read the instructions from an aide-memoire, the text of which is based very closely on the official PACE wording. The strict adherence to this instructive text means that interviewers routinely do not replace placeholders such as 'the person being interviewed' with the suspect's name or a pronoun. Particularly during the 'Engage and explain' stage, during which the AA

instructions take place, rapport building is a central objective for the interviewer. Failing to make reference to the suspect in a more personal manner can only be seen as detrimental to rapport building.

8.4.1. Cautioning exchanges across forces

When considering the cautioning exchange across both forces, it is revealed that all deviations from the reformulation category take place in Force 1. In other words, cautioning exchanges in interviews conducted by Force 2 always result in a reformulation; in all but one interview the caution is reformulated directly. Despite the inconsistent practices in the two forces, it can be said that *legally* all interviewers observe the guidelines set out in PACE, where they are instructed to caution every suspect and provide an explanation 'if it appears a person does not understand the caution'. Even in the two interviews conducted by Force 1 during which the caution is not reformulated at all (suspects Luke and Matt), the 18-year-old non-vulnerable suspects both verbally affirm comprehension after the CCQs. Whether or not Luke and Matt realistically understand the caution and its implications for the interview and beyond is on the one hand questionable, but on the other hand not strictly relevant for the justified progression of the interview.

As was discussed in Chapter 2 and earlier in this section, all police forces in E&W work under the same strict rules set out in PACE and related police guidance, so the fact that the force-specific pattern in the analysis of the caution was revealed to be so salient illustrates how much room to operate individual forces still have. Related to this discovery, the finding that in particular in Force 2 there appears to be no distinction in treatment between 17- and 18-year-old suspects shows that, again, despite the clear statutory division between children and adults, the suspects in the current dataset are viewed as a homogenous 'adolescent' group of persons who are all subjected to the same treatment. An underlying element of Force 2's default cautioning exchange practice can be seen as the presumption of suspects' non-comprehension, which on its surface is not misplaced. As was discussed in

more detail elsewhere, research has repeatedly shown that many non-vulnerable adults exhibit difficulties in understanding the meaning of the police caution or Miranda warning (Cotterill 2000; Brown 1997; Rock 2007, 2016). Interviewers working under the conjecture that the suspect relies on an explanation of the caution beyond its official wording can thus be seen to show proactive practice. However, intertwined with this well-intended measure is the misconception that an interviewer's explanation of the caution in and of itself ensures the suspect's comprehension. This misbelief is exemplified in the current dataset by interviewers not employing the 'explain it back' technique; a technique that has been shown to be reliable in identifying potential gaps in the comprehension. Other manifestations include interviewers either failing to await verbal feedback when they put CCQs to suspects, and interviewers skipping CCQs altogether. Finally, in a piece of personal communication, an experienced police practitioner mentions he reformulates the caution so that he 'could prove that the suspects knew and understood their rights'. In particular the notion of being able to *prove* comprehension is not unproblematic, albeit understandably a concern for interviewers as they know that every interview is recorded and thus available for scrutinous examination in case of suspicion of misconduct.

Observing the 'direct reformulation' subcategory as the default for the collective adolescent age group of the current dataset stipulates a comparison to previous research by Rock (2007), who discusses in her research a typical, default cautioning exchange from interview data with non-vulnerable adults. Rock (2007: 159) observes that the 'typical' cautioning exchange with adults consists of three 'slots': recital – CCQ – affirmation (preferred response). She further states that the cautioning exchange 'maximally' consists of a 'much longer series of moves' (Rock 2007: 159). Figure 8 below illustrates two cautioning exchange sequences consisting of the maximum number of moves observed in practice. The left side shows the 'typical' cautioning exchange sequence as outlined by Rock (2007), albeit with slightly altered labels to mirror stages observed in the current research. The right side of

Figure 8 shows the process most commonly observed in the current dataset, i.e. the direct reformulation subcategory.

Adult suspects (adapted from Rock 2007: 159)	Adolescent suspects (present study)
IR: caution recital	**IR:** caution recital
IR: CCQ	IR: CCQ
SU: preferred response	SU: preferred response
IR: explanation prompt	IR: explanation prompt
SU: explanation attempt	SU: explanation attempt
IR: reformulation	**IR:** reformulation
IR: CCQ	**(IR:** CCQ)
SU: preferred response	(SU: preferred response)
IR: transition: new topic	**IR:** transition: new topic

Figure 8: Cautioning exchange sequence in adults and adolescents

The figure illustrates how interviewers in the current dataset presume the necessity to explain the caution to their adolescent suspects. As a result, the *spiel* of having the suspect attempt to explain the caution back to the interviewer is omitted wholly. The uniform presumption of adolescents' non-comprehension is in itself a powerful phenomenon constructed discursively by the interviewers. Previous research indicates that adult suspects further away from the statutory age divide are treated under the assumption that they can follow the official wording of the caution, and an affirmative response to a CCQ is generally accepted as true.

Interviews in the current study also show instances of interviewers skipping CCQs during or following a reformulation, which is why the elements of this question-answer sequence are listed in brackets. In connection with this phenomenon, it is important to note

that in cases were the interviewer skips the CCQ, the cautioning *exchange* is in reality a cautioning *monologue* instigated and performed by the interviewer. Where the interviewer does put a CCQ to the suspect, they provide a preferred response that affirms their comprehension. Considering the institutional setting of the interaction, the interviewer's discursive dominance, as well as the adolescent person's increased risk of suggestibility, it becomes apparent that the sequence 'CCQ – preferred response' is almost certainly redundant and does not actively contribute to ensuring the suspect's comprehension of the police caution.

8.4.2. AA instructions across forces

The distinctions between forces with regards to AA instructions are arguably even more marked than the ones pertaining to the cautioning exchange. The analysis in Chapter 7 examined ten interviews with 17-year-old suspects and revealed a clear, force-specific divide between PACE-based and *ad-lib* instructions given to AAs during the 'Engage and explain' stage. Interestingly, interviewers appear not to adapt their instructing behaviour based on the type of AA, i.e. whether the AA stands in a familial or a non-familial relation to the suspect. What the AA instruction categories and the clear division between the two police forces show is once again that despite the relatively clear-cut rules and guidelines that police are provided with, their implementation can vary from force to force. To briefly reiterate, the descriptions of the AA's duties inside the interview room have been criticised for their lack of comprehensibility, mainly due to vague language use such as 'advise the suspect' and 'observe that the interview is being conducted properly'. Thus, the extent to which an AA can be instructed satisfactorily when the statutory duties are described in such an obscure manner remains questionable. Having said this, similar to the cautioning exchanges discussed above, most interviewers in the current dataset generally adhere to the rules laid out in PACE when it comes to instructing AAs and convey the general gist of what is expected of the safeguard.

Interviewers from Force 1, when engaging in an *ad-lib* manner of instructing the AAs, frequently do two things: on the one hand, they omit one or more duties out of the three that are listed in PACE, thereby rendering the instructions incomplete. On the other hand, some interviewers add a piece of instruction not listed in the explicit PACE instructions, namely that AAs ought not answer questions on behalf of the suspect. The detrimental effects of an AA answering on behalf of her son Jack has been discussed elsewhere; however, the violation examples from Jack's interview are a powerful reminder of the challenging duality of the role as AA when one is at the same time the suspect's parent or guardian. Finding and managing the balance between the protective parental instinct while at the same time trying to remain a neutral safeguard is a difficult and unique task that should not be underestimated.

It must be noted, in any case, that despite the straight-forward guidance for interviewers regarding the instructions for the AAs, the execution is dependent on the force at which the interview takes place. The result of incomplete instructions can mean AAs being unclear about their own role, which in turn can lead to a passive presence that is of little assistance to the suspect. The mandatory presence of an AA in interviews with juvenile suspects is a very prominent safeguard. The vague language used in PACE and the at times incomplete instructions given by interviewers are causes for concern: particularly familial AAs, as lay persons who step into a quasi-legal role, depend on complete and comprehensive instructions in order to be able to fulfil the role to the best of their abilities.

Another element that emerged from the analysis into AA instructions is the interviewers' terms of reference when talking *to* the AA *about* the suspect. Crucially, interviewers who recite the AA's instructions more or less directly from PACE show a tendency not to replace placeholders such as 'the person being questioned' with the name of the suspect. This lack of personalisation can be seen as hindering rapport building, which is

something that interviewers are encouraged to actively pursue during the 'Engage and explain' stage.

The differences in practice between different police forces take place despite a set of rigorous rules that dictate every step of the legal process in E&W. Interviewers construct the different implementations on a micro-discursive level whilst largely adhering to the rules laid out in PACE and related guidance. As was discussed in Chapter 2, many other countries have legal systems that are not governed by a centralised agency with clearly defined rules of conduct. According to the latest available statistics from 2008, the US was home to '17,985 state and local law enforcement agencies' (Reaves 2011: 2), and these agencies enjoy a considerably higher level of autonomy than the 43 police forces in E&W. While in the US 'police laws' are in existence and technically in use, conduct by police throughout the legal process is regulated fairly loosely and agencies and their actors are held accountable for misconduct only to a limited extent. The inductive approach to the data in the current study has revealed marked differences in police conduct between two forces in E&W, and keeping in mind the lack of regulation elsewhere makes it clear that the potential for misconduct is rife. This phenomenon is of particular concern inside the interview room where institutionally superior interviewers are able to knowingly and unknowingly manipulate the course of an interaction with the potential result, for example, of a suspect being denied access to their rights due to non-comprehension. The level of concern is raised even more when considering interactions between the police and interviewees who are juvenile or otherwise vulnerable.

8.5. Youth justice

The police interview, as a staple part of the legal process in E&W, is an important element in the broader context of the justice system as a whole. Of central interest to the current study is the notion of age in the justice system, which, of course, warrants an examination of youth justice in particular. As was discussed in Chapter 2 and elsewhere, the strict divide between

children and adults as set out by the judicial system is arbitrary in nature. The analyses in Chapters 5-7 have exemplified this fact on multiple occasions.

8.5.1. England and Wales

The child-adult age divide in E&W was last amended in 2015, when it was moved to 17/18 for all intents and purposes. Previously, 17-year-olds were considered as belonging to either age group at the same time; they were legally children, but treated as adults in the context of police custody. This arbitrary rule and the resulting lack of assistance for 17-year-olds in the legal system has had devastating consequences in a number of cases in the years leading up to the statutory change. A number of suicides by 17-year-olds have been directly linked to their treatment in police custody, whereas most of these adolescents had been arrested on suspicion of low-level offences. In 2011, Edward Thornber died by suicide after being summoned to court instead of being given a warning, after having been arrested for the possession of 50p worth of cannabis (Cox 2013). In 2012, Joe Lawton was arrested and held in custody without his parents' knowledge. Two days before he was due to appear in court, he committed suicide; a later inquest listed a number of factors that contributed to the suicide, including 'failings in the performance of custody staff' (Britton 2015). In 2013, Kesia Leatherbarrow took her own life after being detained at a police station for two nights, during which time she had no contact with any officers specially trained to deal with juveniles (Slater 2015). The arrest and detention of 17-year-old Hughes Cousins-Chang in 2012 has been criticised harshly because of the police's refusal to inform the detainee's parents, despite repeated requests by Cousins-Chang. Furthermore, the detainee was cautioned in accordance with PACE; however, he was left 'confused about his rights [and] had refused a solicitor' (Martin 2013). Following his release from custody, Cousins-Chang successfully took his case to the High Court, supported by parents of 17-year-olds who had committed suicide as a result of their treatment by the police (Martin 2013). The success of this landmark case paved the way towards the eventual change of legislation to include 17-year-olds under the 'children' umbrella for the purpose of police detention.

Public debate about the flexibility of the age divide and who is considered 'old enough' to do certain things is constant and on-going. Perhaps most famously in the past few years was the debate about lowering the voting age for the historical Brexit referendum in 2016 from 18 to 16; a move that could have changed the outcome of the referendum according to a contemporaneous survey (Ali 2016). This example shows not only how powerful the decision can be depending on where this largely arbitrary line is drawn; it also emphasises that the line has relevance far beyond the legal system.

The broader legal context that prescribes mandatory recordings of all interviews regardless of suspect age, crime under investigation, etc., has undoubtedly reduced police malpractice and raised public confidence in the justice system since its instatement via PACE in 1984. The youth justice system in E&W recognises the vulnerabilities commonly associated with young people and has rules in place to safeguard their wellbeing during their journey through the system. The general rules of treatment for lay persons in the justice system apply in any case, and added to this is a layer of extra protection to address vulnerabilities of juveniles and otherwise at-risk persons. In connection with interviews overall, this means the use of video recordings for vulnerable witnesses (e.g. victims of child sexual abuse) and the mandatory presence of the AA in interviews with vulnerable suspects.

Naturally, a lot of the research that informs today's police practice in connection with youth justice is based on data involving 'children' of different ages. When examining the literature more closely, it becomes apparent that the data subjects or participants are tendentially young children, often roughly between five and fifteen. This overrepresentation can perhaps be explored from a prototype theory standpoint: for example, the concept of a 10-year-old represents the category 'child' better and more frequently than the concept of a 17-year-old (see Taylor 2003). With research based predominantly on young children and having found that older children are routinely underrepresented or unrepresented entirely, it comes as no surprise that some of the research recommendations and the youth justice

guidelines that police are instructed to follow are clearly aimed at young children. An example of this is a consideration of phonological development and an interviewee's ability to produce and perceive phonemes (La Rooy *et al*. 2016). In terms of language development, the acquisition of phoneme production takes place early on, followed by lexicon, syntax, and morphology (Herschensohn 2007). All of these linguistic elements that are necessary in order to communicate effectively are generally accepted to be acquired around age 10 (Chomsky 1972). Thus, explicit assessment about an adolescent interviewee's phoneme production, lexicon[25], syntax, and morphology are not necessary. In fact, it can be assumed that employing methods based on research with such young subjects in interviews with older juveniles up to and including 17-year-olds could well have detrimental effects. In the E&W youth justice system, older children are legally treated under the same statutory provisions as younger children, and the statutory provisions are largely based on research involving younger children. So perhaps there ought to be guidance for the treatment of older children based on explicit research on adolescents, in order to be able to fully meet their needs as they navigate the justice system. Adolescents do not have the same needs as young children, and yet they can also not be expected to negotiate the legal process with as little support as an adult. Crucially, the addition of an 'adolescent' group would likely override the 17/18 divide, for adolescent needs do not cease overnight once a person turns 18.

17-year-olds and 18-year-olds are not typically distinguishable by looks or behaviour, and yet the expectation of their treatment in the (juvenile) justice system is significantly divergent. The statutory child-adult divide in E&W may be set arbitrarily at 17/18; however, the line is observed strictly, and the law allows for little leeway in shifting the line up or down. What this means, for example, is that unless an adult has a diagnosed mental deficiency and is thus deemed vulnerable, they will not be entitled to assistance by an appropriate adult. Furthermore, only in very rare circumstances will a child be tried in

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[25] Of course, this is not to suggest that children over the age of 12 have at their disposal every single lexical item available; especially in the context of police interviews there are a lot of vocabulary items that are exclusive to the police interview and justice system genres.

anything other than a juvenile court. While the call for a more flexible age divide should be motivated by an interest in protection for the young and vulnerable, it must be understood that the same flexibility could be (ab)used for the harsher treatment of juveniles deemed non-vulnerable.

8.5.2. International perspectives

What a strict age divide in society but a flexible age divide in the criminal justice system looks like is perhaps exemplified best using the example of the US. As was briefly discussed elsewhere, when the US (youth) justice system shifts the child-adult line, it is rarely done to protect young or otherwise vulnerable persons. Instead, the line is moved in the opposite direction, so that persons who are legally considered children can be revoked of their protective status and treated by the legal system as though they are non-vulnerable, fully competent adults. This increased pliability of the child-adult line did not happen overnight; instead it is a result of a combination of changes in the youth justice system and the criminal justice system. Shook (2005: 461) states that

> legislative changes in the 1980s and 1990s have dramatically eased the process of transferring children to the criminal court by lowering or eliminating minimum age requirements, expanding offenses eligible for transfer, shifting transfer criteria toward more offense-based characteristics, and giving decision-making authority to additional actors in the system.

This increasingly punitive trend of the youth justice system in the US is a far cry from the mantra stated by one of its founders, the Honorable William Hibbler, who declared that 'children don't stop being children just because they commit a crime' (Walker *et al*. 1999: 196). The changes described here were all a reflection of public opinion in the US: according to Myers (2005: 9), a survey conducted in the 1990s revealed 73% of adults as being in favour of processing juveniles in adult court in case of violent offences. Having said this, most citizens were predominantly in support of transferring older children, i.e. those approaching the adult threshold, to adult court. What the legislation changes resulted in,

ultimately, were statutes that 'lowered minimum age requirements to include younger teens and even offenders in their pre-teenage years' (Myers 2005:10; see also Roberts 2004). Unsurprisingly, the effects of the punitive approach to juvenile justice int the US can be devastating, especially 'upon visible minority youth, who in the mid-1990s were already significantly overrepresented in custodial populations' (Sickmund *et al*. 1997 in Roberts 2004: 496). Whilst the youth incarceration rate in the US has been slowly decreasing, the trend of Black youth being significantly overrepresented in the justice system has persisted. In 2015, the overall rate of youth incarceration was 152 per 100,000; for Black juveniles the rate was 433 per 100,000 and for white juveniles 86 per 100,000 (The Sentencing Project 2017).

In E&W in 2003, Roberts & Hough conducted a survey via the Office of National Statistics where they gathered public opinion on sentences given to youth offenders. Responses to the question, 'In general, would you say the that the way that the police and the courts deal with young offenders, that is people aged 10 to 17, is too tough, or too lenient or about right?', revealed that almost three quarters of the respondents felt that the treatment of juveniles was either 'much too lenient' or 'a little too lenient' (2005: 214-215). It appears that the public in E&W consider the youth justice system to be working poorly with sentences that are too soft. The call for tougher sentences is not only present in the juvenile justice system but also echoed in the adult justice system, with a recent YouGov survey revealing 70% of respondents feeling that sentences are 'not harsh enough' (Ibbetson 2019). 14% feel sentences 'get the balance about right' and only 3% feel that sentences are 'too harsh' (Ibbetson 2019). Many of these views are undoubtedly based on misconceptions regarding (youth) crime rates. In E&W, and in many other English-speaking countries, public opinion on juvenile crime rates are 'systematically distorted in the direction of seeing the problem as being worse than it is' (Roberts 2004: 500). With the general view in E&W regarding youth justice and sentencing reflecting similar views as citizens in the US in the 1990s, the worry remains that E&W justice system could eventually move towards a less distinct border

between juveniles and adults in the way that it treats its suspects and defendants. The argument is made here that the strict divide at ages 17/18 is arbitrary and the overnight change of status from 'child' to 'adult' is not reflective of reality. Increased pliability of the child-adult divide could be beneficial if used for safeguarding adolescents in the legal system; after all, adolescents' brains and cognitive functions are not fully developed until they reach their mid-twenties (Gogtay *et al*. 2004). The risk remains, however, that if the age divide can be shifted one way, there will be a push for shifts in the opposite direction, where safeguarding vulnerable juveniles could no longer be warranted.

The discussion about youth and criminal justice highlights the significance of research based on real-life legal data. Academic research from fields including forensic psychology, forensic linguistics, sociology, and legal studies, amongst others, has repeatedly identified issues in the way that youth and adult criminal justice is administered, and this research has helped improve police practice. A very prominent example of this is the introduction of PACE combined with the PEACE framework of interviewing, which has resulted in reduced rates of false confessions and miscarriages of justice.

9. CONCLUSION

9.1. Introduction

This study's aim was to explore discursive manifestations of the statutory age divide in interviews with 17- and 18-year-old suspects, and it has yielded a number of interesting findings. This chapter will provide a brief evaluation of the project, comment on recommendations for practice, and give an outlook for future research based on identified but unexplored observations from the analyses.

9.2. Evaluation

The following section evaluates the study and provides some comments on strengths and weaknesses.

9.2.1. Strengths

9.2.1.1. Authentic interview data

For any qualitative, inductive study in the field of applied linguistics, being able to work on authentic, naturally occurring language data is paramount, and the dataset for this research is unquestionably of great value. Whilst the data collection process took more than 18 months, as was outlined in the Methodology Chapter, the effort was undoubtedly worth it. The interview recordings are of great quality, which facilitates the transcription process significantly. Furthermore, the interviews were all conducted recently and thus represent current police practice.

The scope of the dataset is well manageable, which allows not only the researcher but also the reader to get acquainted with the individual interviewees. The production of a complete transcript (Restricted Appendix) allowed me to build up a high level of familiarity with the 19 interviews and their individual traits. Some of the interviews feature much more prominently throughout the analysis chapters, whereas others only appear intermittently;

however, this does not mean that the interviews in the latter category were not of great importance to the overall research.

9.2.1.2. Combined methods approach

The combination of CA and CDA allowed for the identification of the most salient issues, whilst at the same time providing the tools for critical evaluation. The high level of detail in the transcripts and subsequent analyses is absolutely crucial, but in order to situate the observations in the broader domains of police practice, institutional discourse, and youth justice, a more critical evaluation tool was crucial. In addition to the manifestations of power asymmetry that is well known from more 'traditional' discourse analytic research on police interviews, the current research also considers the ages of the suspects and their respective statuses as children or adults. The CDA lens meant that participants' underlying assumptions based on strong ideological categories could be revealed and put into context. The strict age divide that is observed by the legal system of E&W is based firmly on ideological assumptions held by society on how children and adults are, and how they ought to be treated.

9.2.1.3. New contributions

Per definition, a PhD study is a new contribution to knowledge. This objective is fulfilled by virtue of including the aspect of the statutory age divide in the field of police interview discourse research. The language of police interviews has thus been examined through a new lens, which has yielded many new findings, on theoretical, analytical, and practical levels.

Crucially, this study works towards filling the 'adolescent' gap in the child interviewee literature. As was discussed in Chapter 3, existing literature on police interviews with juveniles tends to focus on young children, often vulnerable witnesses, in connection with language acquisition and processing, and this study contributes important findings to the older end of the juvenile spectrum. By doing this, it also draws attention to the fact that

perhaps more increments are needed when talking about the collective age group of 'children'. Another substantial new contribution of this study lies in the examination of the discursive role of the AA, as this is, to the best of my knowledge, the first qualitative linguistic analysis of this kind. Previous research has focused on the role of the AA as part of the custody process, or has examined AAs' contributions quantitatively in terms of their usefulness or appropriateness without taking into account the interactional context. The close examination of the verbal and non-verbal presence of the AA has uncovered AAs' valuable contributions in the form of practical information and their role as a source for corroboration and verification from the suspect and the interviewer. The presence of the AA in interviews with 17-year-olds is not without issues, however, as the data have shown how familial AAs can deter juvenile suspects from speaking openly about sensitive topics.

9.2.2. Weaknesses

9.2.2.1. Inability to control for certain factors

As was outlined in the Methodology Chapter, the list of specifications pertaining to the data requested from police was kept short, with the only conditions being the age of the suspect and the fact that the case is not still on-going. The dataset covers a broad range of suspected offences, interview durations, and participant constellations. However, there exist a number of uncontrolled factors that could have been helpful in providing some additional information about the interactions.

One such aspect is the suspect's previous experience with the legal system, especially when it comes to vulnerable interviewees. According to the most recent statistic, 40.9% of juveniles reoffend within 12 months (Ministry of Justice 2019: 2), which means that the likelihood of a juvenile suspect having previously been in a police interview situation is something worth considering. In some of the interviews, suspects refer to previous times they had been interviewed. How increased familiarity with the custody process affects the interaction inside the interview room cannot be determined from the

current dataset because information about individual suspects' histories are not available. Naturally, interviewers ought to follow the same guidance regardless of how many times a suspect has been questioned in the past; however, it is not inconceivable that institutional requirements such as the caution can increasingly become a box to be ticked if a suspect has had it recited, reformulated, and explained a number of times previously. Suspects' previous experience would be thus an interesting aspect to evaluate with regards to interviewers' tendency to view consent as a box-ticking exercise.

9.2.2.2. Anonymisation and transcription software

On a purely technical level, the use of the *Audacity* software for the audio anonymisation in combination with Microsoft Word for the transcription was not ideal; however, it appears to have been the only option for this study given the data providers' restrictions relating to data storage. Anonymised audio files are not allowed to be stored on a personal laptop and instead can only be opened directly from the encrypted USB drive, which means that they cannot be imported into a professional transcription programme without a copy of them being created. However, even if the storage restrictions were not in place, and a copy of the files could be stored on a personal machine, the problem remains that files in the *Audacity* format are not typically compatible with transcription software. The *Audacity* software was used primarily because it allows for the irreversible overwriting of identifying features in the, and also because of its convenient label track function. Since the audio and label track are both frequently referred to even after the transcription is completed, the anonymised audio file could not be converted into a file compatible with traditional transcription software.

Overall, the anonymisation and transcription processes worked fine, even if they had a somewhat archaic character and were highly time-consuming. For future projects with new data, more research about current CA transcription friendly software is needed and talks about this issue will be sought with the data providers from the start.

9.3. Considerations on recommendations for practice

As is common with qualitative research, the dataset of this study is too small to be able to make any generalised recommendations for police practice. In Chapter 4, it is stated that the DRL mentions that findings will be shared with data providers, which is a pledge I aim to follow through with. In addition to overall findings regarding the cautioning exchange and the role of the AA, the study has also revealed a number of interesting observations pertaining to the two individual data providers, a summary of which will also be disseminated to them. The force-specific patterns highlight the differences in interviewing practice between forces despite the fairly strictly regimented set of guidelines such as PACE and the PEACE model.

The topic of age in the legal context is omnipresent, with frequent discussions about the age of criminal responsibility (e.g. Pidd *et al*. 2019) as well as questions about (in)adequate treatment and punishment for adolescent offenders (e.g. Grierson 2020). The ubiquity of age-related topics in connection with youth justice means that there is work to be done in this field. Even though the current study does not aim to make recommendations for police practice on a broad level, it certainly contributes to a better understanding of the processes inside the interview room when adolescents around the statutory age divide are being questioned. Especially in connection with the AA as the most prominent safeguard for juvenile suspects, issues identified as problematic ought to be investigated further and subsequently disseminated to practitioners.

9.4. Outlook

Having a substantial and diverse dataset in a study in which the data are examined on such a high level of detail means that the data reveals issues that go beyond the scope of this particular study. The current study lays a solid foundation for exciting research opportunities in the future. An international perspective on statutory age provisions and police interview practices with adolescent suspects would allow for some interesting comparisons. A second

issue worthy of further investigation is the effect of a solicitor's presence on the role of the AA. The duties of the two extra persons have been found to overlap in some areas, and it would be interesting to examine how the notion of suspect vulnerability (both legally and in terms of age) are negotiated discursively. Whilst staying around the child-adult divide, an exploration of interviews with vulnerable 18-year-old suspects would provide interesting insights into the role of the AA and how this is reflected in the discourse. In this context, terms of address, particularly in connection with parental AAs, would be a promising piece of research. An intriguing question would furthermore address the way in which interviewers discursively navigate an interview with statutory adult who has the same safeguards as a child.

A final particular issue that stood out was that a number of suspects reveal during the course of the interview that they are not aware of the offence they have been arrested for. Ben, for example, even seems unsure of the fact that he has been arrested on suspicion of robbery, whereas the actual offences under investigation are arson with intent to endanger life and robbery. Gavin, who is being questioned about an assault and a sexual assault, exclaims at one point during the interview that he is 'not a rapist'. The interviewer attempt to ensure Gavin that he is not under arrest for a suspected rape, and Gavin reveals that he is not actually aware of what he has been arrested for. In both cases, the interviewer states the suspected offence at the beginning of the interview; however, the way in which this is done is highly reminiscent of box-ticking. In other words, the interviewer reads the charges in a string of other institutionally required contributions at the beginning of the interview, without making explicit or explaining to the suspect the exact nature of their charges. This lack of knowledge can have severe consequences, especially for vulnerable interviewees who may underestimate the severity of the situation they are in.

9.5. Conclusion

In conclusion, the study has answered its research questions and has met its objectives set out in the Introduction. The study presents a new contribution to the previously un-researched intersection of the strict child-adult divide and police interview discourse. In the analysis chapters, the data have revealed a number of interesting findings pertaining to implicit and explicit orientations to the arbitrary age divide at ages 17/18, the institutionally prescribed administration of the caution and the different way in which this exchange is negotiated, as well as the discursive role and impact of the presence of the AA in interviews with juvenile suspects. In line with the inductive nature of this research, the data has spoken and has unequivocally revealed that *age matters*.

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http://www.legislation.gov.uk/ukpga/Geo5/23-24/12/contents

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Criminal Justice and Public Order Act 1994, c. 33. Available from:
http://www.legislation.gov.uk/ukpga/1994/33/contents

Criminal Procedure and Investigations Act 1996, c. 25. Available from:
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Data Protection Act 1998, c. 29. Available from:
http://www.legislation.gov.uk/ukpga/1998/29/contents

Equality Act 2010, c. 15. Available from:
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Human Rights Act 1998, c. 42. Available from:
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Sexual Offences Act 2003, c. 42. Available from:
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APPENDIX I: CHAPTER 5 ADDITIONAL DATA

Example 5.12: Gavin
```
1631   IR  (4.5) and while you're in the restaurant then
1632       (1.2) have you spoken↑ to anybody↑
1633   SU  no=
1634   IR  =have you had a conversation with y[ours]elf↑
1635   SU                                     [ no ]
1636       no
1637   IR  have you done that before↓
1638   SU  no
1639   IR  you- nothing in your- in your past history=
1640   SU  =no (1.2) I'm just stressed out mate I am
1641   IR  >'s alright↑< sh- we're only having a
1642       conversation aren't we
1643   SU  yeah
1644   IR  I've got t'ask you questions about what they've
1645       said↓
1646   SU  yeah but I'm getting blamed for something I
1647       haven't done and
1648       it's a- [it's (use-) >well<] it's my name
1649   IR          [   I've not u-    ]
1650   SU  innit↓ Gavin what's wrong with my name
1651   IR  Gavin I've never I've never met you before↓
1652       [       (inaudible)       ]
1653   SU  [yeah I know you haven't↓] I know you haven't
1654       I'm just saying what's wrong with my name
1655   IR  (0.5) but (0.3) let's go through it↑ (1.0)
1656       there's no need to get upset I'm gonna ask some
1657       questions [and I-  ]
1658   SU            [yeah I'm] not getting upset I >I
1659       know what you're trying< to say right↑
1660   IR  no re- regardless↓ I've got to ask you these
1661       ques[tions↓ if you don't want to ans]wer them↑
1662   SU      [    yeah yeah I understand↓     ]
```
<div align="right">17_2_2</div>

APPENDIX II: ASTON UNIVERSITY ETHICS FORM

PhD Student Research Ethics
Approval Form (REC1)

PLEASE NOTE: You MUST gain approval for any research BEFORE any research takes place. Failure to do so could result in a ZERO mark
Name: *Annina B. Heini*
Student Number: *658960*
Proposed Thesis title: *An academic enquiry into the linguistics of police interviews with suspects around the "child"-"adult" age line in England and Wales*

Please type your answers to the following questions:

1. **What are the aim(s) of your research?**

In this research, I aim to explore the linguistics of police interviews with suspects who are immediately on either side of the legal age line between "child" and "adult", namely 17 and 18 year olds. Whilst studies have been conducted on the language of police interviews with adult suspects (e.g. Heydon, 2005; Haworth, 2009), adult witnesses (e.g. Dando et al., 2016) and child witnesses (e.g. Heydon, 2005), the field of child suspect interviews is virtually untouched from a linguistic perspective.

Official guidelines for police personnel in terms of the language used when interviewing vulnerable people (such as children) are limited, and this research aims to address potential issues that can arise when inappropriate linguistic methods are applied to the highly institutional context of police interviews.

The data I intend to obtain for this research are audio/video recordings or transcripts of police interviews from various police forces in England and Wales (who share the same jurisdiction, henceforth E&W).

Works cited:
Dando, C. J., Geiselman, R. E., MacLeod, N. and Griffiths, A. (2016) Interviewing Adult Witnesses and Victims. In: Oxburgh, G., Myklebust, T., Grant, T. and Milne, R. (Eds.) *Communication in Investigative Legal Contexts: Integrated Approaches from Forensic Psychology, Linguistics and Law Enforcement*. Chichester: Wiley Blackwell.

Haworth, K. (2009). *An analysis of police interview discourse and its role(s) in the judicial process*. A thesis submitted for the degree of Doctor of Philosophy. Nottingham: University of Nottingham.

Heydon, G. (2005). *The Language of Police Interviewing. A Critical Analysis.* Hampshire and New York: Palgrave Macmillan.

2. **What research methods do you intend to use?**

Once the data is obtained, it will first be transcribed (provided I get access to audio/video data) and anonymised; subsequently a detailed qualitative analysis will be conducted.

Data transcription. *Uniform level of detail in the transcription, where appropriate drawing on transcription methods by Jefferson (2004). Names, places and any other identifying information will be taken out so that the transcript will be entirely anonymous.*

Analysis. The primary analysis will consist of a broad examination of similarities and differences between the interviews with suspects of the different age groups. This approach also has an inductive function, meaning that anything linguistically salient that emerges during this first part of the analysis will be noted down and more closely examined in the secondary, in-depth analysis.

Primary analytical frameworks that will be used in this research are Conversation Analysis (CA; Sacks, Schegloff & Jefferson 1974) and Critical Discourse Analysis (CDA; Fairclough 1995). Other important contexts are the concept of language and power as well as the field of institutional discourse.

Given the unpredictable nature of data access and collection in the context of this forensic linguistic research project, more detailed methodological plans cannot be made at the present time.

Works cited:
Fairclough, N. (1995) *Critical Discourse Analysis: The Critical Study of Language*. Harlow: Longman

Jefferson, G. (2004) Glossary of transcript symbols with introduction. In: Lerner, G. H. (Ed.) *Conversation Analysis*. Amsterdam: John Benjamins

Sacks, H., Schegloff, E.A., and Jefferson, G. (1974) A simplest systematics for the organization of turn-taking for conversation'. *Language* 50(4): 696-735

3. **Please give details of the type of informant, the method of access and sampling, and the location(s) of your fieldwork. (See guidance notes).**

No fieldwork will be required for the data and analysis intended for this research. Since the initiation of the Police and Criminal Evidence Act 1984, *police interviews in E&W are routinely audio or video recorded and subsequently archived, meaning that there is a considerable pool of data already existent.*

In terms of method of access, I will be contacting police forces in E&W via email or post to request data. Primary contact points will be police officers within certain forces whom the CFL has previously collaborated with. Forces may ask me to attend an interview in order to further present my intentions. If they are willing to share interview recordings with me, they will either send them to me or ask me to go pick them up from them on a secure data storage device.

Works cited:
Police and Criminal Evidence Act 1984 (c. 60). Available from:
http://www.legislation.gov.uk/ukpga/1984/60/contents [Accessed: 22 May 2015].

4. **Please give full details of all ethical issues which arise from this research**

*Police interviews are by nature sensitive personal data (*Data Protection Act 1998, *Part 1, Section 2, (g) and (h)). Furthermore, some of the interviews intended for analysis involve legal "children", adding an extra layer of sensitivity to the data.*

Police interview data is generally undisclosed information. A suspect's identity will only ever be made public if they are charged with and convicted of a crime. As long as a person is simply interviewed by the police (whether as a suspect or a witness and regardless of the nature of the offence dealt with) they are treated anonymously and the resulting interview data is hence very well protected. It can furthermore be assumed that individuals who have been interviewed by the police as suspects (both those classified as "children" and as "adults") do not expect someone to analyse their interviews in the context of an academic research project.

Although the data used for this project will be anonymised, people personally involved in the analysed cases may still be able to identify themselves. Having said that, it appears highly unlikely that participants will end up reading this PhD.

5. What steps are you taking to address these ethical issues?

I have familiarised myself with the following relevant acts:

*In Part IV of the **Data Protection Act 1998**, exemptions are listed, including the use of data for research purposes (Section 33(1), p. 22). Sections 33(1)(a) and (b) mention two "relevant conditions" under which data can be used for research purposes. Data can be used, provided "(a) that the data are not processed to support measures or decisions with respect to particular individuals, and (b) that the data are not processed in such a way that substantial damage or substantial distress is, or is likely to be, caused to any data subject." Thanks to the intended anonymisation process, both these conditions will be fulfilled in the context of my research.*

*A background check by the **Disclosure and Barring Service** (DBS) is not necessary for the research I intend to do. Their "guide to eligibility" (2015), and more precisely their "child workforce guidance" (2014) both list professions/activities for which a person must undergo a DBS background check, all of which involve direct contact with a child subject. The DBS refer back to the Safeguarding Vulnerable Groups Act 2006, in particular Schedule 4, Part 1, which extensively defines "regulated activity relating to children". None of the many examples mentioned in the Safeguarding Vulnerable Groups Act 2006 apply to me and the research I intend to do, for I will not be conducting ethnographic research and/or be in direct contact with the children at any given point.*

*Police forces who provide data usually provide individual **vetting** for the respective researchers.*

*The individual police forces are **legally entitled** to share their recorded data with other parties, like for example with a researcher. Nonetheless, the question of the interviewee's consent arises when talking about sharing said recording. The alternative, however, namely going out to find the subjects in order to get personal consent would appear to be considerably more invasive. According to the planned procedures, it will be only the police and me who have certain demographic information about the suspects, and by transcribing the tapes into completely anonymised versions, none of the suspects involved will be able to be identified.*

*It is up to the individual police forces what **type of data** (audio/video/transcript) they are willing to share with me. My only specific requirements regarding the data are the following: (1) Ages of the interviewees, namely 17 and 18 years old. (2) The data is supposed to represent current practice, meaning that it should preferably not be older than five years. (3) The data must not be related to any active case in order to avoid the risk of prejudicing proceedings. Other factors such as gender (of both the interviewing officer(s) and the suspect), nature of offence etc. are not primary interests of this research and I am hence not controlling for these variables. Gaining access to forensically relevant data is a challenge in its own right; keeping the specific requirements to a minimum increases my chances of receiving decent quality and quantity of useful data for this research project.*

*Given the facts that I am choosing a primarily inductive approach, and that police interviews are all of individual duration and complexity, it is difficult to say with certainty what **quantity of data** I will end up analysing in the course of this PhD. I will leave it in the hands of the individual police forces to decide how much data they are willing to share with me. By doing this, I aim to collect a fairly substantial pool of data, from which I can then*

carefully select any number of interviews I wish to analyse in detail. Furthermore, having data from a number of forces around E&W enables me to be geographically broad and thereby increase the representativity of the findings.

In this project I aim to address issues such as potentially inappropriate methods used by police during suspect questioning, unreasonable discrepancies in the treatment between the two age groups, etc. This research can help police forces in E&W improve their practice and ultimately achieve best evidence in judicial proceedings. In addition to this, the findings from this research can improve the treatment of the vulnerable group that is children. Seeing as this field has not yet been examined from a linguistic perspective at all, and considering the valuable impact this research can have on the practice of law enforcement in E&W shows that this research is necessary; however, it is only authentic police interview data with subjects matching the demographics of my research questions that can make this project authentic and significant.

Anonymisation and data management. *It is understood that this data is highly sensitive and must not, under any circumstances, be shared with a third party. The data will be stored on a secure, password-protected external storage device, most likely an IronKey. As briefly mentioned in section 2 of this form, I will anonymise the data. By that, I mean that I shall remove all identifiers such as names and places from the data. The use of replacement terms (i.e. "First Name", "Surname", "Victim's House" etc.) will allow me to anonymise the data effectively in order to protect people involved whilst at the same time keep it authentic. Upon completion of the research, the data will be returned to the police or destroyed, depending on the requests made by the individual forces.*

Works cited:
Great Britain. *Data Protection Act 1998: Queen Elisabeth II. Chapter 29.* [Online] Available from: http://www.legislation.gov.uk/ukpga/1998/29/contents [Accessed: 24 May 2015].

Great Britain. Disclosure and Barring Service. (2015) *A guide to eligibility for DBS checks.* [Online] Available from: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/409805/DBS_guide_eligibility_v7.pdf [Accessed: 8 December 2015].

Great Britain. Disclosure and Barring Service. (2014) *Child workforce guidance*. [Online] Available from: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/405513/DBS_Child_Workforce_v8.pdf [Accessed: 8 December 2015].

Great Britain. *Safeguarding Vulnerable Groups Act 2006. Queen Elisabeth II. Chapter 47.* [Online] Available from: http://www.legislation.gov.uk/ukpga/2006/47/pdfs/ukpga_20060047_en.pdf [Accessed: 8 December 2015].

6. **What issues for the personal safety of the researcher(s) arise from this research?**

I am aware of the potentially detrimental effects this data can have on my psychological wellbeing, seeing as the mere subject matter can be very serious and upsetting depending on the nature of the crime dealt with in each individual taped interview.

7. **What steps will be taken to minimise the risks of personal safety to the researchers?**

I have a strong support network at my disposal, both professionally and personally. It has been agreed with my supervisor Dr Kate Haworth that she would be my first contact person in case I experienced negative effects from dealing with the data. Otherwise, I can make use of the counselling services offered by Aston University.

Statement by student investigator(s):

I consider that the details given constitute a true summary of the project proposed
I have read, understood and will act in line with the LSS Student Research Ethics and Fieldwork Safety Guidance lines.

Name	Signature	Date
Annina Heini		15th December 2015

Statement by PhD supervisor

I have read the above project proposal and believe that this project only involves minimum risk. I also believe that the student(s) understand the ethical and safety issues which arise from this project.

Name	Signature	Date
Kate Haworth		16th December 2015

This form must be signed and both staff and students need to keep copies.

RESTRICTED APPENDIX: INTERVIEW TRANSCRIPTS

Not publicly available.

Contact: Aston Institute for Forensic Linguistics, Aston University, Birmingham B4 7ET.