

Editorial

First, let us as the editors of *The International Journal of Speech, Language and the Law (IJSLL)* apologise to subscribers and other readers for the late appearance of the current issue. Like everyone else, our authors, reviewers and section editors have been working under lockdown and other safety restrictions imposed by the Covid-19 pandemic. For many of us, this has meant moving teaching, research supervision, research collaboration, legal consultations and other events to online meetings, and this has resulted in a vast amount of extra preparation. It seems time has never been so much in demand; neither has it been in such short supply. We are confident, however, that the high-quality content of this issue will have made the wait worthwhile.

High-quality content takes us to our second announcement. We are delighted to announce a very great achievement by a group of *IJSLL* co-authors. The American Association for Applied Linguistics (AAAL) has awarded its 2021 AAAL Research Article Award to Aneta Pavlenko, Elizabeth Hepford and Scott Jarvis for their article ‘An illusion of understanding: how native and non-native speakers of English understand (and misunderstand) their Miranda rights’, which appeared in issue 26.2 of *IJSLL*. This adds to and enhances the body of prestigious and influential articles that *IJSLL* has hosted over the years.

The AAAL bestows the Research Article Award annually ‘upon the author or authors of a published refereed journal article which is recognized by leaders in the field to be of outstanding quality and to hold the broadest potential impact on the advancement of applied linguistic knowledge’ (AAAL 2020). This is the first time that the award has been given to a paper on forensic linguistics.

In their paper, Pavlenko, Hepford and Jarvis examine the comprehension of the Miranda rights by advanced second language speakers of English ($n = 183$, with Arabic or Chinese as L1) and compare this to its comprehension by native speakers ($n = 82$). Their results show that ‘most of the L2 participants failed to understand their Miranda rights and displayed significant disadvantages in basic level processing in comparison to native speakers’ (Pavlenko et al. 2019: 200). Furthermore, they found that the advanced L2 speakers were not aware of their

failure to understand. Using proficiency level definitions from the Common European Framework, the authors note that ‘faced with unfamiliar words, speakers at the level B1 and higher infer their meanings from context, and, faced with complicated sentences, they extrapolate their meanings, using contextual, syntactic and lexical cues ... Unfortunately, in the absence of a basic understanding of the US criminal justice system, compensatory strategies useful in academia lead L2 speakers astray in legal contexts – the plausible alternative meanings they infer create “an illusion of understanding” (Pavlenko et al. 2019: 201).

These findings support the recommendations made in the Guidelines for Communicating Rights to Non-native Speakers of English (CoRG 2015), endorsed by AAAL and IAFL among other organisations, particularly the recommendation that suspects should be asked to restate the rights in their own words to demonstrate their understanding. The findings also demonstrate the need for more research on L2 speakers in the legal sphere. As the authors note, ‘(p)lacing Second Language Acquisition tools in the service of human rights, such research has great potential to assist in protecting the rights of vulnerable L2 speakers to due process and equal treatment’ (Pavlenko et al. 2019: 201). It is to be hoped that the AAAL award inspires more second language acquisition scholars to conduct research in the legal sphere, and the editors of *IJSL* are looking forward to future submissions on the topic.

We are proud that the authors of the award-winning article made *IJSL* their publishing venue of choice. The paper follows in, and consolidates, the Journal’s tradition of publishing ground-breaking research and high-quality discussion of matters spanning linguistics, speech science, acoustics and the law. At the most technical end of the spectrum of areas covered by *IJSL*, for example, a much earlier article, by Grigoros (2005) and entitled ‘Digital audio recording analysis: the Electric Network Frequency (ENF) Criterion’, reported the author’s hitherto unpublished research on how electrical mains leakage (‘mains hum’) found in recordings could provide a means of establishing the exact date and time a recording was made, and could also be used to detect editing or manipulation. Up to that point, if forensic audio examiners conducting authenticity examinations of a recording found no evidence of its having been edited, that was the most they were able to say. Given that digital recordings could quite easily be edited in ways that defied forensic detection, examiners were in most cases unable to make positive statements supporting the position that a recording actually *was* authentic. The work of Grigoros reported in *IJSL* changed that and enabled more positive reporting of findings. Recognition of the enormous benefits arising from the article to the field of forensic audio analysis were attested by the implementation of an ENF analysis system in the Metropolitan Police Forensic Audio Laboratory in London, and, consequently, the Queen awarding our IAFPA member, Dr Alan

Cooper, then Head of Research at the Laboratory, the Order of the British Empire (OBE) for spearheading the development. The method is now accepted and used internationally.

At the opposite, i.e. legal and linguistic, end of our coverage spectrum, the very recent Flagship article by Watt, Harrison and Cabot-King, published in 26.2, 2020 and entitled ‘Who owns your voice? Linguistic and legal perspectives on the relationship between vocal distinctiveness and the rights of the individual speaker’, discusses and provides new perspectives on aspects of voice, intellectual property, commercial uses and personal data protection. This article is already being deployed in determinations of these issues by lawyers working in relevant areas of civil law (ongoing case negotiations, presently protected from public exposure).

Between these articles at the ‘polar positions’ of our range of coverage, there are, of course, many others in the more ‘centrally located’ areas of forensic phonetics and linguistics that have formed the basis of developments in casework methodology and legal practice. Just one notable example concerns the recent (2020) inauguration of the Research Hub for Language in Forensic Evidence at the University of Melbourne centring on a collaboration between linguists, the judiciary and law enforcement personnel. The purpose of the hub, initiated by Helen Fraser, is to establish standards for transcribing ‘difficult’ recordings for use as criminal evidence and procedures for training transcribers. The stream of research informing this development can be followed directly back to its fount: Helen Fraser’s seminal and unchallenged (2003) article entitled ‘Issues in transcription: factors affecting the reliability of transcripts as evidence in legal cases’, which appeared in *IJSL* 10. 2.

Not wishing to further labour the case by excessive exemplification, but with an eye on avoiding offence to any authors who might feel their work has been omitted here – a delicate balance if ever there was one – we would simply reiterate that, having established a tradition of publishing the highest quality and highest impact articles in our field, the most recent addition to our list – the AAAL award-winning article by Aneta Pavlenko, Elizabeth Hepford and Scott Jarvis – gives us great pleasure and pride. We hope that this development will provide inspiration and encouragement to other authors considering *IJSL* as a venue for their work.

Next, we are very sorry to announce Michael Jessen’s retirement from the position of Phonetics and Acoustics co-editor. He has fulfilled this role since July 2009. During that time, he has worked unstintingly, providing a major impetus to the further modernisation of our publication profile, fitting submissions to reviewers – and, on more than one occasion, stepping in to provide a review himself where a reviewer had let us down at short notice or failed to produce what he considered was a sufficiently stringent set of revision criteria. He upheld and pro-

moted the highest standards of scholarship. That, of course, was in addition to the regular grind of proofreading, author-liaison and all the rest of the behind-the-scenes work of an editor. An exceptional colleague, facilitator and developer of the subject area. We are sure that readers will wish to join us in thanking Michael for having always gone way above and beyond the letter of his duties, in spite of his many other academic, casework and management commitments, to which he will from now on be devoting his time. He joins the Editorial Board of *IJSL* from this issue onwards.

Michael will be replaced by Kirsty McDougall. Kirsty is well known and respected within the forensic speech science community internationally. She is a Lecturer in Phonetics at the University of Cambridge and a Fellow of Selwyn College, Cambridge. Her research interests are primarily in forensic phonetics and speaker characteristics, alongside broader interests in theories of speech production and the phonetic realisation of varieties of English.

Among other things, her forensic phonetic research has focused on speaker-characterising properties of dynamic features of speech, perceived voice similarity and its implications for voice parade construction, and the development of techniques for analysing individual differences in disfluency behaviour. She was a member of the 'DyViS' project team at the University of Cambridge, whose forensically oriented speech database has led to significant developments in the number and breadth of forensic phonetic studies carried out in recent years. She is currently Principal Investigator on 'IVIP', 'Improving Voice Identification Procedures', an interdisciplinary project on earwitness evidence bringing together researchers in phonetics, linguistics, psychology, criminology and law.

Finally, and sadly, we begin the contents of this issue with a remembrance of Ronald R. Butters: 11 February 1940 – 6 April 2021. Most people working in the area of speech, language and law knew Ron for his extensive work in forensic linguistics and, from 2009 to 2011, as President of the International Association of Forensic Linguists. The current editors of *IJSL* also recognise his service as co-editor of this journal from 2007 to 2010, and we are grateful to Ed Finegan for giving us such an enlightening account of his life and work.

We wish all our readers and contributors a safe, freer and happier passage through the coming months of 2021.

References

- AAAL (2020) Research article award winner. Retrieved on 24 February 2021 from <https://www.aal.org/news/2021-research-article-award-winner>
- CoRG (Communication of Rights Group) (2015) *Guidelines for Communicating Rights to Non-native Speakers of English in Australia, England and Wales, and the USA*. Retrieved on 24 February 2021 from <https://www.aal.org/guidelines-for-communication-rights>

- Fraser, H. (2003) Issues in transcription: factors affecting the reliability of transcripts as evidence in legal cases. *International Journal of Speech, Language and the Law* 10(2): 203–226. <https://doi.org/10.1558/sll.2003.10.2.203>
- Grigoras, C. (2005) Digital audio recording analysis: the Electric Network Frequency (ENF) Criterion. *International Journal of Speech, Language and the Law* 12(1): 63–76. <https://doi.org/10.1558/sll.2005.12.1.63>
- Pavlenko, A., Hepford, E. and Jarvis, S. (2019) An illusion of understanding: how native and non-native speakers of English understand (and misunderstand) their Miranda rights. *International Journal of Speech, Language and the Law* 26(2): 181–207. <https://doi.org/10.1558/ijssl.39163>
- Watt, D., Harrison, P. S. and Cabot-King, L. (2020) Who owns your voice? Linguistic and legal perspectives on the relationship between vocal distinctiveness and the rights of the individual speaker. *International Journal of Speech, Language and the Law* 26(2): 137–180. <https://doi.org/10.1558/ijssl.40571>

