

**THE CONSTRUCTION OF ‘INNOCENCE’:
COMPARING RESPONSES TO CRIMINAL
ACCUSATIONS ACROSS LEGAL AND NON-
LEGAL SETTINGS**

by

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ABSTRACT

This thesis explores the discursive construction of ‘innocence’ in responses to criminal accusations across different interactional settings. Constructing ‘innocence’ here refers to the achievement of interactional tasks, such as deflecting or avoiding blame, across both admissions and denials. With the birth of the television and the internet, accountability for a criminal act does not stop and start within legal settings. Suspects may construct ‘innocence’ publicly, and regardless of any legal decision made. It is important to examine this in order to demonstrate the discursive resources accessible to suspects responding to criminal accusations in their specific interactional setting compared to suspects responding to criminal accusations in others.

The data acquired for this study therefore comprises police interviews, television journalist interviews, and internet vlogs. The pre-existing and naturally occurring interactions collected each contain an individual’s response to a criminal accusation. These interactions are analysed using discursive psychology (DP) to examine how psychological matters are discursively negotiated as part of suspects’ minimisation of blame. The analysis also explores the role of context, and if and how suspects’ discursive exonerative practices orient to affordances of the interactional setting within which they are performed.

The three analytic chapters of this thesis respectively demonstrate how suspects’ responses to criminal accusations: 1) claim epistemic primacy about their level of involvement in the alleged offence; 2) detach the alleged crime from a criminal category, and themselves from incumbency in that category; and 3) claim incumbency in the category ‘victim’. Overall, the findings reveal that suspects utilise the conversational tools of everyday talk available to them, as well as orientations to, or subversions of, the conventions of their setting. The findings in this thesis also demonstrate that the categories of ‘criminal’/ ‘non-criminal’, ‘perpetrator’/ ‘victim’, and ‘guilty’/ ‘innocent’ are not so bifurcated when it comes to their construction in interaction.

The thesis extends our understanding of the interactional manifestation of ‘innocence’, particularly the under-researched area of how affordances of different interactional settings (ways in which speakers are enabled or restricted to discursively do something) may be made relevant by the suspects. It significantly examines different ways suspects can respond to criminal accusations in the era of the internet, comparing public, non-legal settings with the police interview setting, and how these *can* happen because of what is discursively and technologically available to the suspects here. This thesis addresses these

matters for the first time, thus contributing to the field of DP by demonstrating how psychological business and categorisation is discursively built in suspects' interactions across both legal and non-legal settings.

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INTRODUCTION

There is considerable interest in the discourse of suspected criminals. Crime is an issue that is of significant cultural, social, and political importance, and so innocence and guilt are popular subjects in both academic and non-academic discourse. In terms of non-academic discourse, there are numerous documentaries, news reports, podcasts, television series, films, literature (and various other fictional and non-fictional media), where the topic of crime is used as a basis for entertainment and/ or documentation. Recent examples include *24 Hours in Police Custody* (2014-); *Broadchurch* (2013-2017); *Making a Murderer* (2015); and *Serial* (2014-2016). In these media, suspects' discourse, or behaviour in general, is put under examination, and their innocence scrutinised by others in the media itself and/ or by the audience consuming that media.

In terms of academic discourse, innocence and guilt are defined and studied in order to examine theories of offending and victimhood (Abel, Becker, & Cunningham-Rathner, 1984; Abel, Gore, Holland, & Camp, 1989; Agnew, 1992; 2001; Lombroso, 1911; McGuire, 2000; Merton, 1968; Miller, 1999; Murphy, 1990). This includes the causes, patterns, and impact of crime in society, how best to respond to crime as a social issue, in order to reduce recidivism (Hollin, 2002; McNeill, 2012; Sivasubramaniam, 2012), and how those involved in a crime are categorised and labelled, and the impact of this (Bernberg, 2009; Klein, 1986). Another area of research concerns how to go about effectively convicting suspects who are guilty of an alleged offence, whilst avoiding doing so with those who are not: those who are innocent.

Defining innocence as the lack of guilt, as is the case in legal and socio-legal realms, can be problematic. These definitions of innocence are rigid, predefined, and detached from the interaction (in which suspects provide their account) itself. Instead of treating words and language in general as simply a system of classification lying between the static individual perceiver and the world around them, social constructionist approaches take the view that language is part of a set of social practices used to achieve things. This allows for a much broader and more flexible definition of innocence. It treats innocence as having a life in a social domain (which is more graded, subtle, and nuanced), that is not necessarily from a legal world/ perspective (where you either are or are not innocent). For suspects, constructing 'innocence' is not only useful, but *vital* to achieve interactional tasks in their highly consequential settings, such as deflecting or avoiding blame.

My first research question therefore asks what are the discursive actions performed in responses to criminal accusations, and how do these contribute to and reinforce a credible construction of ‘innocence’ across both admissions and denials? I aim to examine this both in the ways the suspects describe the events in question, as well themselves and others involved. EMCA approaches have already examined the notion of ‘guilt’ as a part of the work of courts, police, and other formal legal institutions where a person may be directly affected as a result of the decisions made. However, Fitzgerald and Austin (2008) describe the importance of examining these discursive constructions across different settings, not just formal or legal contexts. This is because deciding someone’s ‘guilt’ or resisting this categorisation is part of the work of everyday social practices.

In the digital age in which we live, accountability for a criminal act does not stop and start within legal settings. Suspects may construct ‘innocence’ publicly, and regardless of any legal decision made, for the public to assess guilt or innocence for themselves. It is therefore important to examine how ‘innocence’ is constructed across public or non-legal settings. Accounts given in this manner are at least as important and consequential for the suspects who provide these as those given in legal situations. Something that has remained unexamined is the discursive and technological resources accessible to suspects responding to criminal accusations in their specific interactional setting compared to suspects doing so in others. This is required in order to gain a fuller understanding of the interactional manifestation of ‘innocence’. My second research question therefore asks to what extent do suspects orient to affordances and constraints¹ of their interactional setting?

The thesis begins with the literature review: Chapter One. Here, I will outline and review research which studies innocence in interaction, in the fields relevant to this thesis, in order to address omissions present. Legal and socio-legal definitions of innocence, as well as cognitive psychological studies, will be examined as a comparison to the approach taken for this research, which serves as an alternative to and critique of these, particularly the latter. The discursive psychology (DP) approach, its ethnomethodological foundations, key epistemological assumptions, and discursive examinations of fact construction and the management of accountability will be examined in this chapter. This is to explore how this approach may be appropriately applied to the topic of innocence in suspects’ interactions. Existing literature will be examined to demonstrate that much of the DP research of suspects’

¹ The terms ‘affordances’ and ‘constraints’ here refer to the features of an interactional setting which allow or limit (respectively) a speaker to discursively do something in that interaction.

interactions focuses on legal settings only. I will argue that it is important to extend research of suspects' interactions into more public and non-legal settings, such as television interviews and internet vlogs. This is to examine what is discursively and technologically available to the suspects here, and if and how this is oriented to as such by the speakers themselves. I also will outline what I mean by the 'affordances' and 'constraints' across these different settings, and why it is important to study these in examining the discursive construction of 'innocence'.

Chapter Two will report the method and the research design. The data acquired for this study comprises police interviews, television journalist interviews, and internet vlogs, each containing an individual's response to a criminal accusation. I will outline the approach taken to gathering these interactions, the pre-existing and naturally-occurring nature of these data, and how these were acquired. I will also detail the ethical considerations and transcription process, as well as the analytic method (discursive psychology) and the analytic procedure taken.

Chapter Three will be the first analytic chapter of this thesis. This chapter will examine how suspects exonerate themselves through claiming epistemic primacy about their involvement (or lack of) in the alleged offence. I will demonstrate that this may be done by: claiming entitlement to knowledge of 'what really happened'; constructing evidence to bolster claims; and assessing and challenging versions. This analytic chapter will demonstrate how the suspects' level of agreement or consent to participating in the interaction, in terms of the accusations or questions put to them, and when and how they are able to respond to these, is made relevant in how the suspect achieves these actions. This affordance can be invoked by the suspect to portray themselves as being cooperative, authentic, and credible. The number of speakers in the interaction and the a/synchronicity of it will also be examined as an affording or constraining factor for the suspect in their claims of epistemic primacy.

Chapter Three will also demonstrate how evidence is introduced, voiced, challenged, and oriented to as known or owned across the settings, in a way which makes relevant the purpose, timing, topics, and level of publicity of the accusation and interaction. I will show how these are oriented to in suspects' responses to accusations, especially in terms of who they are claiming epistemic primacy in relation *to*. How suspects do so credibly, in response to the presentation of conflicting evidence (be it subjective/ descriptive evidence, or physical/ 'objective' evidence), whilst managing the stake of the interaction, without appearing interested, will be explored in this chapter. I will also reveal that suspects may *subvert* affordances of their interactional setting in order to achieve their construction of 'innocence'.

Claiming epistemic access allows the suspect to construct what happened, their ability to know what happened, and their epistemic primacy over others, even in the face of conflicting evidence. However, to convincingly distance the suspect from blame, they must do further category work other than just being a knowledgeable or credible person.

In Chapter Four, the second analytic chapter, I will demonstrate how suspects exonerate themselves through detaching their alleged crime from a criminal category, and themselves from incumbency in that category. This serves to back up their accounts and make them more effective. I will demonstrate that suspects may achieve this by: denying a criminal category; affirming a category contrary to a criminal one; and attributing a criminal category to their past. Across all three of these practices, the suspect may use a category name explicitly, or may, more implicitly, describe category bound features of the category. I will reveal that denying a criminal category, or affirming a category contrary to their alleged crime, is done in similar ways by suspects across the three interactional settings. I will also demonstrate that denying or affirming category bound features can be done to reinforce more explicit category constructions, or can simply imply this when used on their own.

I will also explore in Chapter Four how the criminal accusations are brought up, challenged, or oriented to in different ways that orient to the purpose of the interactional setting. I will demonstrate in this chapter how the suspect must manoeuvre their discursive action within the constraints of their respective interactional setting in order to achieve it, staying within the limits of the topic relevant to the questions asked of them. The time in which the interaction takes place, in relation to the initial accusation being made, is also revealed to be made relevant across different settings as part of suspects' detachment from a criminal category. This is especially so as part of suspects' attributing a criminal category to their past. I will also explore how the particular relationship between the suspects in the internet vlogs and their audience is an affordance made relevant in attributing a criminal category to their past, as well as the universalising practices that this allows them to achieve.

Chapter Five is the third and final analytic chapter. I will show that suspects are able to go one step further with their detachment from the criminal category. This can be done by instead, or also, claiming incumbency in the victim category. This serves to not only deflect blame away from themselves but to attribute blame elsewhere. I will demonstrate that victimhood is more commonly, and most effectively, claimed implicitly, rather than explicitly so. I will show that claiming incumbency in the category 'victim' allows the suspect to emphasise suffering that they have experienced, rather than that which they have allegedly caused others. This therefore positions themselves as the subject of sympathy rather

than that of blame. I will also reveal how emotion discourse plays an important role in achieving incumbency in the victim category.

In Chapter Five, I will distinguish between the suspect implicitly claiming to be victimised by excessive, unfair, or unjust treatment or punishment as a result of the criminal accusation made against them, and the suspect implicitly claiming to be a victim of an actual crime or offence themselves, which provoked their alleged offence. I will demonstrate how these are situated differently in relation to the chronology of the initial criminal accusation, and how these are elicited and organised in a way which makes relevant affordances and constraints of each interactional setting. These include the topic, questions, probes, or challenges (or lack of) put to the suspect, the timing, audience and level of publicity, and the stake and potential ramifications/ outcomes of the interaction.

In Chapter Six, the final chapter of this thesis, I will summarise my research aims, as well as the findings across all three analytic chapters, which follow a progression of increasingly radical ways of claiming 'innocence'. I will also detail the contribution these findings make to both research and practice, the limitations of this research, and potential directions for future research.

CHAPTER ONE:

STUDYING INNOCENCE IN INTERACTION

1.0 Introduction

This research aims to explore the construction of ‘innocence’ in the discourse of suspects across interactional settings by examining responses to criminal accusations. The term ‘suspect’ refers to an individual who is accused of, or thought to be guilty of, committing a crime or offence. This is generally associated with legal settings, as criminal accusations are commonly and explicitly introduced and responded to here. In this thesis, I use the term ‘suspect’ as a concise term to refer to a speaker in an interaction, across both legal and non-legal settings, who is responding to a criminal accusation.²

I will argue that accounts given in a public, non-legal manner are at least as important and consequential for the suspects who provide these as those given in legal situations. This is because, given the nature of the internet (as well as television), the public are given access to these interactions; they can assess guilt or innocence for themselves, regardless of any legal decision made. Existing literature has not given sufficient attention to how criminal accusations are responded to in more public, non-legal settings. This is something which is required in order to gain a fuller understanding of the interactional manifestation of ‘innocence’. Studying this in only one legal setting is not enough; different settings need to be brought together in the same analysis to draw comparisons between the ways suspects can publicly respond to criminal accusations in the digital age in which we live.

My research importantly examines why and how ‘innocence’ is constructed in public, non-legal settings (compared to those in the police interview setting), and how these *can* happen because of what is discursively and technologically available to the suspects here. This is to identify if and how suspects orient to affordances and constraints of the interactional setting in which their discursive negotiation of blame takes place. My research sheds light on the workings of specific institutions, and is therefore institutionally applied (Antaki, 2011). It contributes to the illumination of the routine institutional work of suspects’ interactions, putting these interactional settings under examination to reveal the ways they operate.

² However, not all criminal accusations are put to a suspect by someone who has the same level of authorisation to formally do so.

This chapter outlines and reviews research, particularly on how truth, lies, facts, versions, and accountability may be built in interaction as part of an overall construction of ‘innocence’. Some of the research covered in this chapter study interactions with non-suspects, those responding to non-criminal accusations, or those partaking in more everyday or mundane conversations. The focus for this thesis will specifically be suspects’ responses to criminal accusations. The aim of the present research is to bring together: the topic of innocence, the approach of discursive psychology, the multiple settings of suspects’ interactions, and the subject of affordances.

Bearing in mind that the relativist and social constructionist approach of discursive psychology (DP) is taken for this research, in Section 1.1 I will, from this perspective, interpret and review existing research on the topic of innocence. I will start by outlining how innocence is typically defined and approached from legal and socio-legal perspectives, and the limitations of this. Cognitive psychology studies of innocence and language will then be briefly examined, to compare how their approaches differ to the one taken for this research. DP serves as an alternative to, and reworking and critique of traditional psychology, with differing assumptions about the nature of the world, facts, and what can be known; I will outline how this relates to issues of truth and lies, and innocence and guilt, as relevant to this thesis. In Section 1.2, the common themes and features studied in DP research will be examined in more depth. This is to explore how this may be appropriately applied to the topic of innocence, approaching this in a more anti-cognitivist and anti-realist way, and exploring ‘innocence’ as a construction in discourse. This approach is particularly important for a study of suspects’ interactions as it enables an examination of suspects’ dilemma of the stake in their highly consequential situations: how they produce an account which attends to their interests without being undermined as such (Edwards & Potter, 1992). Sections 1.1 and 1.2 therefore pertain to the first research question of my thesis. This asks what are the discursive actions performed in responses to criminal accusations, and how do these contribute to and reinforce a credible construction of ‘innocence’?

Section 1.3 will review the existing literature to demonstrate that much of the DP research of suspects’ interactions focus on legal settings only. It demonstrates the need to extend research into more public and non-legal settings involving suspects’ interactions, such as television interviews and internet vlogs. In Section 1.4, I will outline what I mean by the ‘affordances’ and ‘constraints’ of interactional settings, and why this is important to study in examining the discursive construction of ‘innocence’. Sections 1.3 and 1.4 therefore pertain to the second research question of my thesis. This asks how are suspects’ discursive actions

performed across, and within the confines of, different interactional settings, and to what extent do suspects orient to affordances and constraints of each? Finally, Section 1.5 will summarise this chapter, detailing how the gaps present in these fields of research may be bridged in this thesis.

1.1 Innocence as a Topic of Research

1.1.1 Definitions of innocence.

Aside from purity or modern notions of childhood (Robinson, 2008), the term ‘innocence’ is used to generally refer to an individual’s lack of legal guilt with respect to the committing of a crime. There is considerable interest in innocence and guilt across academic discourse. These become topics to define and study in order to examine theories of offending and victimhood (Abel et al., 1984; 1989; Agnew, 1992; 2001; Lombroso, 1911; McGuire, 2000; Merton, 1968; Miller, 1999; Murphy, 1990) including the causes, patterns, and impact of crime in society, how to respond to crime as a social issue, and how offenders should be dealt with, in terms of incapacitation, retribution, rehabilitation, and deterrence in order to reduce recidivism (Hollin, 2002; McNeill, 2012; Sivasubramaniam, 2012). This also includes examining how those involved in a crime are categorised and labelled (as victims, perpetrators, and witnesses etc.), and the impact of this, including the potential for stigmatisation or self-fulfilling prophecies (Bernberg, 2009; Klein, 1986).

Another area of interest is how to go about convicting suspected criminals who are guilty whilst *avoiding* doing so with those who are innocent. This is done to better understand, and therefore prevent, wrongful convictions, for example by examining the guilt-presumption of police interrogations. How accusations put to a suspect can be worded in a way that encourage or coax a confession (Gudjonsson & Clark, 1986; Gudjonsson & Henry, 2003; Kassin, 2005; 2014) has been explored, as well as the strength of evidence considered sufficient to convict someone. In order to establish how to convict ‘correctly’, some within legal studies break innocence into separately defined sub-categories. These distinctions are made to differentiate between varying degrees of the standard of proof, or level of involvement with the crime in question (Aglialoro, 2014; Burnett, 2002; Laufer, 1995; Raymond, 2001). One of the most common distinctions made amongst these sub-categories tends to be between ‘legal innocence’ and ‘actual innocence’ (Aglialoro, 2014). ‘Legal innocence’ is where a jury may believe that the suspect is guilty of a crime but does not have enough evidence to support this. ‘Actual innocence’, on the other hand, is where a jury does not believe that the suspect committed the crime at all. ‘Exoneration’ and ‘exculpation’, in

the legal sense, refer to officially absolving someone of blame or guilt (Gross, Jacoby, Matheson, Montgomery, & Patil, 2005), for example through a demonstration of innocence, or a flaw in the investigation. Making these distinctions, in order to define and study innocence, is deemed to be of great importance, particularly in relation to wrongful convictions (Findley, 2011).

Legal definitions of innocence, although covering different subcategories, are a restrictive way of approaching innocence. This is because the term is defined by the absence of something, the lack of convincing proof that a suspect is guilty. This view of innocence is widely accepted and apparently appropriate for legal contexts, in which evidence ('beyond reasonable doubt') is what innocence and guilt hinge on, and where the onus is on the prosecutor to prove someone's guilt (as the suspect is 'innocent until proven guilty'). Much of the preceding academic research has tended to focus on suspects' interactions in legal settings only (Auburn, Drake, & Willig, 1995; Benneworth, 2006; 2009; Edwards, 2008; Edwards & Stokoe, 2011; Haworth, 2017; Stokoe, 2006; 2009a; 2010; Stokoe & Edwards, 2008). However, legal contexts are not the only situations where innocence and guilt are relevant (Fitzgerald & Austin, 2008) (see Section 1.3.2), something which this thesis will demonstrate further. Furthermore, defining innocence as the lack of guilt, as is the case in legal realms, can be problematic. This is because it simply separates those who have not been found guilty from those who have, treating innocence and guilt as objective dichotomies.

Instead of treating words and language in general as simply a system of classification lying between the static individual perceiver and the world around them, Edwards (1994) argues that language is part of a set of social practices used to achieve things. A fundamental idea of discursive psychology, the approach taken for this thesis, is that words and categories are there for what speakers do with them, how they use them, and the contexts in which they do so (Hepburn, 2003). The approach of discursive psychology can therefore be described as social constructionist; reality and categories are considered as being systematically constructed and maintained through social practices. Discursive psychology can also be described, in terms of epistemological assumptions, as adopting relativist views (Abell & Stokoe, 1999). This is because the assumption is made there is no such thing as a versionless reality, and that objective grounds to prove or disprove the truthfulness of claims, for all practical purposes, do not exist and therefore cannot be known. Applying a discursive psychological approach to the topic of innocence, language and criminality in this thesis somewhat reduces the issues that come with the restrictive and divisive definition typically used. It instead utilises a much broader and more flexible definition of innocence which

refers to a speaker's minimisation or deflection of blame for a criminal offence via their use of psychological categories in their descriptions of events in question, themselves, and others involved. This definition therefore considers 'innocence' as having a life in a social domain, which is more graded, subtle, and nuanced, that is not necessarily from a legal world/perspective, where you either are or are not innocent.

Discursively constructing 'innocence' is not necessarily legally helpful to the suspect; it will not provide them immunity from punishment for their own alleged wrongdoing. Rather, constructing 'innocence' is useful, if not *vital*, as part of the achievement of interactional tasks such as constructing facts, intentionality, category membership, emotions etc. to deflect or avoid blame, across both admissions and denials. The suspects are in highly consequential situations, regardless of whether they are responding to a criminal accusation in a legal setting or in a more public, non-legal setting. Depending on how the audience (which is much larger in public settings) assesses their level of guilt, the suspect's interaction may have lasting legal, reputational, or financial ramifications. The suspects have a dilemma of the stake to manage: they must produce an account which attends to these interests in such a way that avoids being undermined as such (Edwards & Potter, 1992) (see Section 1.2.1), and avoids the category of 'offender' in more implicit ways than simply 'I am innocent' (Maynard & Schelly, 2017). Maynard and Schelly (2017) emphasise that speakers mostly do not name their actions in this way; 'innocence' is claimed more implicitly by utilising features of the social context, especially through placement of an utterance in an organised sequence of talk (Schegloff, 2007), to do so. This thesis aims to examine and demonstrate the importance of constructing 'innocence', its manifestation in interaction across different environments and contexts, and how the speakers themselves orient to this.

Exploring innocence in this way (rather than approaching the topic with its legal definition only) may help to work towards a respecification of it. This is because it allows for an exploration of its construction as a category in discourse. My thesis troubles the notion of 'perpetrators' and 'victims', and how we understand these, treating these as intersubjective, contextually bounded, and relational. This therefore has the capacity to develop and extend forensic psychological, forensic linguistic, or socio-legal fields of research, in addition to discursive psychological/ conversation analytical fields. This is done to enrich our understanding about the actions performed in the discourse of suspects across interactional settings. For this approach, analysing suspects' discourse in of itself, and as contextually situated, is therefore of paramount importance.

1.1.2 Cognitive approaches to innocence and language.

So far, I have made the distinction between how ‘innocence’ as a term is used and considered in legal realms compared to social constructionist domains. I will now turn to those approaches which take a traditional cognitive psychology approach to innocence and language. The literature reviewed in this section will not be directly linked to or direct precursors of this current thesis. Considering these are important because doing so exemplifies and highlights the key epistemological differences between existing approaches to innocence and the radical nature of the discursive psychology approach to innocence, the latter of which is adopted in the current research. In other words, I will first distinguish the approach that I will *not* be using in order to further clarify and highlight the approach that I will be.

Those taking a cognitive psychology approach to innocence and language attempt to establish how innocence, as it is considered in the legal realm, can be objectively uncovered or understood. This includes studies which aim to explore methods of lie detection (Granhag & Strömwall, 1999; Hartwig, Granhag, & Strömwall, 2007; Mann et al., 2012; Masip & Herrero, 2013; Vrij, Leal, Mann, & Granhag, 2011; Vrij et al., 2008; Vrij, Mann, Leal, & Granhag, 2010), the occurrence of false confessions (Gudjonsson & Clark, 1986; Gudjonsson & Henry, 2003; Kassin, 2005; 2014), and how cognitive distortions (Abel et al., 1984; 1989; Murphy, 1990) can be revealed in language. Suspects’ thoughts and cognitions are examined through analysing their discourse, to attempt to determine some objective truth about their part in the alleged offence. This is done with the view to reduce errors in conviction, or to understand more about the cause of criminal activity, and to attempt to effectively treat these.

As valuable and useful as this existing research is, there are several issues to be considered which highlight the need for an alternative approach to be taken in the present research. Within cognitivist approaches, language is considered as a direct route to mental entities and processes which, in turn, are treated as the cause of an individual’s actions. These studies are non-interactional and based on definitions of innocence which are rigid, predefined, and detached from the interaction itself. These studies do not explore in close qualitative detail what discursive actions are being performed in the suspects’ discourse, or how these are sequentially organised across legal and non-legal settings. Talk about crime is examined in a broad, hypothetical or retrospective manner, without considering the stake or potential outcomes of the interaction. For example, lie detection studies often involve only interviewing mock suspects who have no real stake in the interaction. They are participants

who have been told either to tell the truth or to tell a lie in response to a particular question (Granhag & Strömwall, 1999; Mann et al., 2012; Vrij et al., 2011), to *imagine* either innocence or guilt with regards to a crime (Hartwig et al., 2007; Vrij et al., 2008; Vrij et al., 2010), or to *hypothesise* what they would do in an interview if they were innocent compared to if they were guilty (Hartwig et al., 2007; Masip & Herrero, 2013). Psychological research of cognitive distortion often administers questionnaires to examine these (Abel et al., 1984; 1989), and therefore also does not allow for an examination of how the stake of the interaction is managed. This approach therefore does not enable an examination of real-life interactions where the outcome has the potential to be highly consequential for the suspect in question.

Discursive psychology, on the other hand, allows for a focus of how stake and interest are managed in interaction. It is used in this thesis to examine how lies and truth and guilt and innocence are topicalised to perform actions and achieve tasks, and how these are negotiated within the specific interactional setting in which they occur. DP aims to respecify and critique traditional cognitive psychology and the realm of the mental. However, it does not deny the existence of this realm, or claim that discourse is all there is in the world. It offers a reworking of the nature of psychology, in particular the status of cognition. It moves away from the idea that cognition is a separate mental space that has a determinate effect on action, and towards the idea that it is through the primary work of discourse that cognitions and experiences and so on are made accountable (Potter, 1998; Edwards, 2006a). These issues become the topic of analysis, exploring how people orient to and construct these things (Potter, 2012). Discursive psychology therefore provides an alternative approach to the notion of 'lies', that these are 'worked up' in interaction (Potter, 2004a; Reynolds & Rendle-Short, 2011) through being topicalised, oriented to, and labelled as such by the speakers. Discursive psychology therefore does not attempt to analyse internal or motivationally based phenomenon, but *social* phenomenon that are apparent in the discourse of speakers in the interaction (Reynolds & Rendle-Short, 2011). Innocence and guilt, truth and lies etc. therefore must be considered in the contexts in which they are told, taking prior and subsequent talk into account (Reynolds & Rendle-Short, 2011). This is the approach taken in my research to study the discourse of suspects across legal and non-legal contexts.

My research builds upon others in the DP field who have studied interactions with suspects or offenders, as a reworking of traditional cognitive psychology approaches. For example, it has been argued that the sorts of phenomenon addressed by traditional

psychological research, such as cognitive distortions, are better understood by adopting a discursive psychological approach (Auburn & Lea, 2003). This treats cognitive distortions as social practices which serve to manage or minimise blame and responsibility for an offence (Auburn, 2005; Auburn & Lea, 2003). They are therefore considered as discursively negotiated and accomplished throughout the course of therapy (MacMartin & Lebaron, 2007), rather than internal, mental entities (Auburn, 2010). They are treated as, not as something people have, but something people *do* (Auburn, 2010). A DP approach is therefore much more nuanced, as it considers how the speakers themselves orient to and construct ‘innocence’. It rejects the notion of a ‘versionless reality’ (Cuff, 1993), and is anti-cognitivist. It instead examines how facts and thoughts are topicalised and made relevant live in the interaction in order to achieve tasks, such as negotiating blame in response to a criminal accusation. Maynard and Schelly (2017) stress that it is difficult to know what suspects are thinking, and that cognitive elements should instead be examined as real-time interactional features and practices. Taking this approach allows for a demonstration of how ‘innocence’ as a status, and other psychological categories, can be discursively achieved in response to criminal accusations. This is an alternative to examining suspected criminals’ discourse to access their thoughts, or attempt to uncover some objective facts or truths about whether they are ‘really’ guilty or not. This allows sequential practices, rather than internal entities, to be the topic of focus, examining the interactions in-depth and in close microanalytic detail.

A DP approach is most appropriate for my study to achieve its aims of examining the interactional manifestation of ‘innocence’, which entails the discursive negotiation of psychological business (such as emotions, intentionality, dispositions, truth, and lies). This thesis aims to examine and demonstrate the importance of suspects’ construction of ‘innocence’ in high-stake interactions, and the ways in which their responses orient to the interactional setting in which they occur. The interactions are examined in real time, considering the potential consequences the interaction might have for the suspect, and with the analysis demonstrating what actually happens, what is analytically visible (Maynard & Schelly, 2017). This is something which is not necessarily achieved with a traditional cognitive psychological approach.

1.2 Discursive Approach to Fact Construction and Management of Accountability

Given the criticisms and omissions of existing traditional psychology approaches, discursive psychology, which somewhat bypasses these criticisms and addresses these omissions will now be outlined further in contrast. This is not to say that DP is a more accurate way of

examining innocence, it is to say that it is fundamentally different to the approaches outlined previously. Applying discursive psychology to the topic of innocence, language and criminality allows for a radical, alternative, anti-cognitivist and anti-realist approach. Bearing this in mind, this section will therefore detail how DP treats cognition and reality as matters which are actively managed in talk and text in general, thus rejecting the assumption that discourse is the product or expression of thoughts or intentional states lying behind or beneath it.

As a relativist, social constructionist approach, fact construction and the management of accountability are key (and often connecting) areas of focus in discursive psychological research in general. These are explored in many different types of interaction, including mundane or everyday conversation. Fact construction and the management of accountability are also particularly relevant in exploring suspected criminals' discourse.³ This is because responding to criminal accusations requires the suspect to construct their own version of reality or 'what really happened', and to account for their alleged behaviour in some way. Regardless of whether the suspect is 'actually' guilty or not, an accusation or an accusatory context interactionally implies or presumes guilt (Maynard & Schelly, 2017). Suspected criminals are therefore in particularly delicate position. If they provide a denial in response to an accusation, this may not be sufficient to deflect blame; it may be treated as a lie by an audience or other speakers in the interaction who are making the accusation on some grounds. Alternatively, if they provide an admission, this may not deflect blame either; they are admitting to committing to some criminal act which places them in a position of blame. Suspects therefore must do some form of accounting or categorisation work in order to reinforce their constructions of 'innocence'.

A DP approach is particularly important for a study of suspects' interactions as it enables an examination of suspects' dilemma of the stake in their highly consequential situations. It can explore how they produce an account which attends to their interests without being undermined as such (Edwards & Potter, 1992), and how they build their response in such a way that not only reduces their blameworthiness, but also does so convincingly. Fact construction and the management of accountability will now each be detailed in turn, to

³ The ways by which facts are constructed and accountability is managed in both suspected criminals' discourse and those who are not may well be done in similar ways. The focus of this study is specifically the discourse of suspects responding to criminal accusations across interactional settings.

demonstrate their relevance for this thesis in more depth, and to outline how this extends existing DP research.

1.2.1 Fact construction.

A key theme of discursive psychology research is the construction and function of discourse, how descriptions are constructed to seem like descriptions rather than claims, speculations, or lies, and how these are used to accomplish a range of functions (Edwards & Potter, 1992). This not only formulates what people do, but also implies what sort of people they *are* (Edwards & Potter, 1992). Again, this is relevant to any kind of interaction in which an individual is describing a version of events, not only a suspect giving their version of ‘what really happened’. For this research, fact construction will be examined as part of the interactional business involved in responding to a criminal accusation.

Potter (1996) describes three themes that have important implications for understanding facts and descriptions: 1) anti-cognitivism; 2) discourse; and 3) rhetoric. The first theme, anti-cognitivism, is based on the view that the idea of inner representation is problematic, and that taking a cognitive focus separates representations from the practices in which they are used. Discursive psychology therefore explores the construction of descriptions of the world of cognition just as much as descriptions of the world of actions and events. The second theme, discourse, refers to the idea that the concern of discursive psychology is with talk and texts as parts of social practices, and producing a form of analysis ‘where the reader has as much information as the author and can reproduce the analysis’ (Sacks, 1992, I, p. 27). The third theme, rhetoric, refers to how constructions of ‘the real’ are made persuasive.

Potter (1996) reviews a range of rhetorical procedures which serve to construct factuality and establish a person’s descriptions as being credible and independent of themselves. These rhetorical procedures come under three broad categories. The first is how the credibility of the speaker and (therefore their description) is built up or undermined, for example through category entitlements and managing the dilemma of the stake (Edwards & Potter, 1992). The second is the way speakers manage issues of their own accountability when they produce descriptions, for example through the business of footing (Goffman, 1979) and active voicing (Wooffitt, 1992). And the third is how a description is produced as external and independent of the speaker, for example through empiricist accounting, consensus and corroboration, extreme case formulations (Pomerantz, 1986), script

formulation (Edwards, 1994; 1995), narrative constructions of various kinds, manipulating levels of detail and vagueness, and lists and contrasts.

More recent discursive work continues to develop the examination of these rhetorical procedures across different interactions where facts are constructed. Potter's (1996) 'Representing reality' and the procedures outlined here are still found to be relevant in achieving a range of interactional tasks. This is particularly so in cases where the speaker is in a sensitive position, and must establish their credibility and authenticity. These include race talk and responding to accusations of racism (Augoustinos & Every, 2010; Robles, 2015), responding to accusations of sexism (Harris, Palazzolo, & Savage, 2012), talk about spiritual mediums and paranormal experiences (Childs & Murray, 2010; Wooffitt, Jackson, Reed, Ohashi, & Hughes, 2013), and interactions in online settings such as YouTube (Hall, Gough, Seymour-Smith, & Hansen, 2012), Facebook (Lillqvist & Louhiala-Salminen, 2013), and blogs (Neal & McKenzie, 2011).

These rhetorical procedures have also been examined in recent discursive work on the accounts of male internet sex offenders (Winder, Gough, & Seymour-Smith, 2015), and as part of the interactional work of Belgian criminal hearings (D'hondt, 2014). This demonstrates that fact construction is important for achieving a range of interactional tasks, such as constructing credibility, and responding to accusations which includes, more specifically, criminal accusations. My thesis also utilises classic DP notions of fact construction to examine responses to criminal accusations, but extends this work by demonstrating these across both highly consequential legal *and* non-legal settings. This is to explore how facts are constructed in response to criminal accusations in the digital age in which we live, and how these *can* happen because of what is discursively and technologically available to the suspects here.

Suspects' fact construction will be examined across all of the analytic chapters in this thesis, particularly so in Chapter Three. This will demonstrate how suspects claim epistemic primacy over others, constructing themselves as credible, honest, and as someone who knows 'what really happened'. This extends the work of Stivers, Mondada, and Steensig (2011) which shows how speakers attend to and negotiate who knows what (epistemic access), who knows more about what (epistemic primacy), and who is responsible for knowing what (epistemic responsibility). The present thesis enriches our understanding of how fact construction is achieved by suspects responding to criminal accusations across interactional settings, showing how building themselves as a knowledgeable and credible person is done as part of this.

1.2.2 Management of accountability.

As mentioned in the previous section (1.2.1), a key feature of discursive psychology concerns how accountability is managed in discourse. This section will explore how a DP approach can be used to examine the formulation of accounts. Accounts are examined by many different approaches, not only discursive psychology, and occur in both interactions with suspects as well as in more everyday interactions. This section will therefore start by defining the terms ‘account’, ‘accountability’, and ‘accounting’ as they are considered and used for this thesis. I will then, from a DP perspective, review Scott and Lyman’s (1968) classic literature on accounts, its limitations and impact. I will also examine how EMCA research has approached the study of accounts beyond overt explanations, and how my research will develop this further across all three analytic chapters (Three, Four, and Five) in the thesis. These will demonstrate how suspects negotiate their accountability in response to a criminal accusation made against them, to minimise or deflect blame for the alleged crime.

Antaki (1994) describes how explanations can be given by speakers as ‘accounts’ in order to excuse, justify, or otherwise exonerate themselves from socially sanctionable behaviour, and that these are given in times of trouble or when faced with some kind of accusation. These accusations could range from something highly serious (for example one of a criminal nature, in the case of the current research) to something very trivial. The account offered in mitigation can also vary from something very complicated to something very simple. For example, Dersley and Wootton (2000) examine everyday interaction, and how denials are formulated in response to complaints or accusations made against an individual during arguments. They show that there are two main types of denials: ‘didn’t do it’ denials and ‘not at fault’ denials. ‘Didn’t do it’ denials involve the individual denying the alleged behaviour completely, whereas ‘not at fault’ denials involve the individual admitting to the alleged behaviour but accounting for it in some way.

People produce accounts ‘in order to forestall the negative conclusions which might otherwise be drawn’ (Heritage, 1988, p. 140). Accountability and accounting in social interaction are therefore integral parts of the reputation economy of everyday life (Robinson, 2016). This can involve issues of accounting for conduct that has occurred outside of the interaction (for example a criminal act), and/ or accounting for conduct that has occurred within interaction. Robinson (2016) shows that, similarly to the preference for self-correction, there is a preference for self-accounting. For example, when speakers produce dispreferred, and thus accountable, actions, they tend to account for this in some way, either

prospectively or retrospectively, in order to modify other speakers' understandings or assessments. This usually takes place within the same turn as their dispreferred action however, *not* accounting for accountable conduct is oriented to as sanctionable failure, and missing accounts therefore tend to be solicited by other speakers. I will extend this by demonstrating if, and how, criminal conduct is accounted for by suspects, and if and how these accounts are elicited by other speakers in the interaction across different interactional settings.

Cody and McLaughlin (1990) describe the function of accounts as explaining actions that may allow the speaker to avoid negative evaluations and/ or penalties. They argue that studying accounts allows for an exploration of how laypersons explain their world, and that there are many failure events involving traffic police, judges, and bureaucrats, where providing a successful account benefits the individual, either monetarily or otherwise. I develop this further in this thesis by arguing that public accounts are at least as important and consequential for the suspects who provide these as those given in legal situations. This is because the public are given access to these interactions and can assess guilt or innocence for themselves, regardless of any legal decision made.

Although a key feature of discursive psychology concerns how accountability is managed in discourse, this is not where the study of accounts originates. Accounts, as a researchable area, was popularised in the late 60s by Scott and Lyman's (1968) classic work (Antaki, 1994). Scott and Lyman (1968) define an account as 'a linguistic device employed whenever an action is subjected to valuative inquiry', 'bridging the gap between action and expectation', and 'a statement made by a social actor to explain unanticipated or untoward behaviour' (p. 46). They describe that there are, in general, two types of accounts: excuses and justifications, and an individual may use one or both of these.

The split between Scott and Lyman's excuses and justifications is taken from Austin's 'A plea for excuses' (1961). Excuses are accounts in which a person admits that the act they are being accused of doing is bad, wrong, or inappropriate in some way, but denies full responsibility for the act. Scott and Lyman (1968) describe different types of excuses, including: appeal to accidents; appeal to defeasibility; appeal to biological drives; and scapegoating. Justifications, on the other hand, are accounts in which a person accepts responsibility for the act they are being accused of, but denies the pejorative quality associated with the act. Scott and Lyman (1968) describe different types of justifications, including: techniques of neutralisation (such as: denials of injury; denial of victim;

condemnation of condemners; appeal to loyalties); sad tales; and self-fulfilment.⁴ In my thesis, I will examine the formulation of these kinds of excuses and justifications as part of the discourse of suspected criminals.

Scott and Lyman's (1968) classic work is a taxonomy rather than an empirical study. Their list is not exhaustive; it simply categorises ways a person can account (or avoid accounting) for their behaviour, dividing these into various sub-types, and using quotes from elsewhere to exemplify and describe (rather than analyse) these. In the examples provided by Scott and Lyman (1968), they do not consider who is providing the accounts or who is receiving the accounts. Therefore, a consideration of the level of stake and potential consequences in the interaction is neglected. These are matters which are remedied in this thesis by exploring how suspects across highly consequential settings, both legal and non-legal manage their dilemma of the stake (Edwards & Potter, 1992).

Despite its limitations, the types of excuses and justifications identified by Scott and Lyman in their taxonomy have since been found to emerge in empirical and more recent research analysing interactions with offenders. These include discursive studies of online accounts of paedophiles (Durkin & Bryant, 1999), and of accounts given in interviews with prisoners such as carjackers (Jacobs & Copes, 2015) and gun offenders (Pogrebin, Stretesky, Unnithan, & Venor, 2006). This current thesis continues to extend research on accounts further to examine how suspects, in their provision of accounts, may orient to affordances and constraints of the interactional setting in which they do so.

As demonstrated above, the term 'account' is widely used in literature on deviance (as well as other topics). However, Atkinson and Drew (1979) argue that this term may be misleading, as accounts do not only refer to the motivational or explanatory objects suspects use to reduce the allocation of blame to themselves. Rather than overtly providing reasons for actions, blame and accountability are often managed through seemingly straightforward descriptions of the 'world as it is' (Abell & Stokoe, 1999; Edwards & Potter, 1993; MacMillan & Edwards, 1999; Sneijder & te Molder, 2005). Accounts are not only made up

⁴ Others who have created lists of ways in which an individual may account for their behaviour include: Sykes and Matza (1957), who identify techniques of neutralisation, as referenced by Scott and Lyman (1968); Semin and Manstead (1983), who utilise the same split between excuses and justifications as Scott and Lyman (1968), but include more specific subtypes and some alterations; and Nichols (1990), who places more emphasis on the split between those which precede the offence and those which follow it, as well as distinguishing between monothematic accounts (which utilise just one defensibility) and polythematic accounts (which utilise two or more).

of justifications and excuses but can be any number of discursive actions (Atkinson & Drew, 1979). For example, someone accused of committing a crime may not only have to downplay personal agency and accountability for their actions, but also distance themselves from the identity of an individual who commits the sort of crime they are being accused of (Stokoe, 2010; Winder, Gough, & Seymour-Smith, 2015). Robinson (2016) therefore calls for the need to extend the conception of accounts beyond overt explanations, such as Scott and Lyman's (1968) excuses and justifications, in order to be inclusive of much less overt forms.

EMCA approaches are more sensitive to exploring accounts in less overt forms, and in their sequential context. My thesis will develop this further across all three analytic chapters, utilising the approach of DP to analyse interactions with suspected criminals across interactional settings. These will demonstrate how suspects negotiate their accountability in response to a criminal accusation made against them, to minimise or deflect blame for the alleged crime in some way. This can be through claiming epistemic primacy about their part in the alleged offence (Chapter Three), detaching from the criminal category (Chapter Four), and claiming incumbency in the victim category (Chapter Five). This serves to support and demonstrate the DP notion that accounting does not consist of only excuses and justifications. Rather, it is also performed in interaction through descriptions of events in question (such as a criminal offence) and categorisations of those involved (such as the suspects, alleged victims, and witnesses).

1.3 Discursive Research of Suspects' Interactional Settings

As outlined in the previous section (1.2) discursive psychology as an approach can be applied to a range of topics and interactional settings. The ethnomethodological foundations of DP (see Section 2.4) and its sensitivity to examining fact construction and accountability (see Sections 1.2), make this a suitable analytic method for examining suspects' construction of 'innocence' across interactional settings. I argue that accounts given in a public, non-legal manner are at least as important and consequential for the suspects who provide these as those given in legal situations. In this section, I will outline existing discursive research across different settings, as relevant to this thesis, and highlight that insufficient attention has been provided to suspects' public or non-legal responses to criminal accusations. I therefore use DP in this thesis to develop our understanding of language, accountability, and the topic of innocence in a fundamental way. I achieve this by extending existing discursive research of suspects' interactions to examine the discursive resources available to suspects in their specific interactional setting compared to suspects in others.

1.3.1 Discursive analyses of the police interview setting.

A setting of suspects' interactions which has received much attention from discursive approaches is that of the police interview. This is well-covered ground, and so I will briefly outline this research to enable a subsequently equal focus on non-police interactions. Police interviews are a clear example of a highly consequential legal setting (Stokoe, 2010; Stokoe, Hepburn, & Antaki, 2012) in which innocence and guilt are explicitly topicalised as part of a criminal investigation. The suspect has been recently arrested, usually a few hours prior to the interview taking place. This means that there is a short amount of time between the suspect hearing the accusation for the first time and this interaction, where the opportunity to respond (or 'no comment') to it is given.

Due to the Police and Criminal Evidence Act (1984) and the PEACE framework (1991) for investigative interviewing (College of Policing, n.d.), all police interviews tend to follow a similar structure. Oftentimes the suspects', victims', and witnesses' accounts, collected as part of a police interview, are the only available evidence in a criminal investigation (Benneworth, 2006; Haworth, 2017). The negotiation of 'what really happened', is said to be an omnirelevant feature of most interviews (Stokoe & Edwards, 2008) involving the management of often conflicting versions and descriptions of the offence. Although these versions of events may be negotiated in police interviews as a joint project between the police officer and the suspect, this does not necessarily mean that this is achieved between individuals of equal status (Auburn, Drake, & Willig, 1995). The police interview is made up of question and answer sequences. Therefore, this asymmetrical discursive dynamic means that the individual who is asking the questions (in this case, the police officer) will inevitably have a much larger degree of control over the interaction, how it is structured and the topics it entails (Drew & Heritage, 1992; Haworth, 2017). The police officer does not only have a large amount of control over what is spoken about in the interview but also *how*. This includes seeking versions of events which are institutionally preferred (Auburn, Drake, & Willig, 1995), excessively precise (Gibbons, 2003), or explicit (Benneworth, 2006; 2009).

Edwards and Stokoe have done much research on specific actions performed in discourse, particularly those in the police interview context. This includes the interactional role of the lawyer (Edwards & Stokoe, 2011), the interactional purpose of orienting to the recording device ('for the benefit of the tape') (Stokoe, 2009a), and 'silly questions' (Stokoe & Edwards, 2008). Edwards (2008) also examines the construction of intentionality. This

work demonstrates how, in contrast to everyday interactions, police interviews involve a pervasive concern with suspects' intentionality in relation to the offence they are being accused of, often pushing for more than initial descriptions of actions. Stokoe (2010) examines how identity categories are used systematically in denials. Stokoe (2006; 2010) demonstrates how a suspect may use category-based denials designed to perform a certain action (such as denying a criminal accusation) in a certain setting where the outcome of the interaction may be highly consequential for the individual (such as a police interview). This can be achieved through the individual making claims about their own disposition, character, and identity memberships (Stokoe, 2010) which position themselves as someone who would not or could not commit the crime that they are being accused of.

Edwards and Stokoe have also conducted research on how specific actions performed in police interviews compare to other settings, such as 'honesty phrases' in police interrogations and domestic telephone calls (Edwards & Fasulo, 2006), and racial insults and reported speech in police interrogations and neighbour complaints (Stokoe & Edwards, 2007). However, in doing so, their focus is on how specific actions are done by any/ all speakers in general in the interactions; they do not examine the specific interactional role of a suspect across settings and how they discursively construct 'innocence'. They also do not explore how, particularly with the birth of television and the internet, suspects may negotiate their blameworthiness for an offence through publicly responding to a criminal accusation. Therefore, settings in which these sorts of public responses are given, and the discursive actions of suspects within these settings, must be considered in order to gain a fuller understanding of the interactional manifestation of 'innocence'. My thesis therefore extends Edwards and Stokoe's existing discursive research into suspects' interactions, and I now turn to these matters in more depth.

1.3.2 Discursive analyses of public or non-legal settings.

Accountability for a criminal act does not stop and start within a police interview, and so it is important to analyse interactions with suspects in this legal setting in comparison to more public or non-legal interactions with those accused of committing a crime. This enables an examination of why and how 'innocence' is publicly constructed in the digital, globalised world in which we live, and how these *can* happen because of what is discursively and technologically available to the suspects here. Something that has remained unexamined is the discursive resources accessible to suspects responding to criminal accusations in their specific interactional setting compared to suspects responding to criminal accusations in

others. I address these in the analysis of this thesis, and therefore demonstrate its significance and originality.

Fitzgerald and Austin (2008) describe the importance of examining discursive constructions of guilt across different settings. They argue that ‘whilst reasoning practices around deciding someone’s guilt are seen as the business of some institutional talk, ascribing, reasoning and negotiating guilt are not confined to institutional talk. Rather the work of accusations, assumptions, imputations and defense are a routine part of social interaction where deciding negotiating, defending, arguing and judging actions that can occur in any context’ (p. 96). Despite their suggestion that constructions of guilt are interactionally important across different contexts (and are therefore worth studying), Fitzgerald and Austin (2008) have not explored how suspects make relevant affordances and constraints of their interactional setting; this is an absence I will redress (see Section 1.4).

Suspects’ interactions in less formal legal contexts have started to be examined in CA/DP fields. An example of this is Maynard and Schelly’s (2017) study of a series of mundane police-suspect telephone interactions, where the criminal accusation acts as an implicit and background assumption rather than being overtly stated. However, the construction of ‘innocence’ in suspects’ interactions across more public or non-legal settings have not been given equal or sufficient attention in discursive studies as legal settings have, nor have they been brought together with legal settings in the same analysis before. Direct comparisons between equivalent, yet discriminable, settings are required in order to fully understand if and how exonerative and exculpatory actions may be performed across interactional settings, considering these social actions as both context-dependent and context-renewing (Heritage, 1984; Goodwin & Heritage, 1990; Hepburn & Wiggins, 2007). On that basis, I argue that DP approaches must be used to extend the study of suspects’ interactions into more public or non-legal settings, to explore how their psychological business and dilemma of the stake are discursively managed across these.

There is therefore a need to develop and extend discursive research of suspects’ interactions in this thesis in order to gain a fuller insight into how ‘innocence’ is manifested in interaction. Television interviews and internet vlogs are two examples of settings which have already received some focus in discursive research, but have received insufficient attention as being mediums through which suspects can respond to criminal accusations and construct ‘innocence’. Accounts given in this manner are at least as important and consequential for the suspects who provide these as those given in legal situations; as well as potential legal ramifications, there may be wider ramifications for their reputation or public

image. This is because, given the nature of these interactions, the public are given access to these, and can assess guilt or innocence for themselves, regardless of any legal decision made.

Existing discursive research into television interviews and internet vlogs will now be outlined. This is to detail what is already known about the interactions which take place here. It is also to detail what is missing in terms of our knowledge about the discursive resources available to suspects responding to criminal accusations in their specific interactional setting compared to those responding to criminal accusations in others. This is an omission I address in this thesis to explore how public responses to accusations are able to happen because of what is discursively and technologically available to the suspects here. We shall see the ways in which participants may orient to different affordances and constraints of their interactional setting, a dimension I will further elaborate on in Section 1.4.

Television interviews are one of the most developed and widely used mediums of public communication in the world (Corner, 1999). It is therefore worth studying this as a medium through which criminal accusations may be responded to, and using DP to examine how suspects in this setting give a public construction of ‘innocence’. Analysing television (TV) journalist interviews allows for an examination of how ‘what really happened’ is discursively negotiated in high profile cases in which an individual (usually a celebrity or well-known person) manages issues of accountability in a public, non-legal setting. Bringing together television interviews and police interviews into the same analysis allows insightful comparisons to be made and an examination of if and how suspects orient to the different purposes or audiences of these interactions as part of their responses to a criminal accusation.

Both police interviews and TV interviews are highly consequential settings (Baldwin, 1993; McKinlay & McVittie, 2011; Stokoe, 2010), and have potential legal repercussions for suspects. However, high profile or celebrity criminal cases, due to publicity, often achieve a broader cultural status and can act as a symbol of social concern (Payne, 2014), meaning there may be ramifications for the suspect’s reputation and/ or celebrity career. In television broadcast talk, the presentation of self is said to be carefully managed (Goffman, 1959). Television, as an institution, may be considered as a cultural ‘stage’ or a discursive framework where identities are constructed and reconstructed (Abell & Stokoe, 2001; Carbaugh, 1996), and is therefore a rich context to examine as a medium through which someone can construct ‘innocence’.

A further comparison to be made is that there is usually a much bigger time difference between the suspect hearing the accusation for the first time and the television interview

taking place. This is often due to legal issues which prevent the suspect from discussing these matters in public. Suspects may have had much longer in these interactions in which to design a response to the accusation (compared to police interviews). This also means that what they are being accused of and any evidence against them prior to the interview may be considered as more widely known, as the accusation made against them may be in the public domain with some level of diffusion in the world. This thesis allows for an empirical examination of if and how stake and temporal lag are made relevant and oriented to by the speakers in this setting, something which DP research has failed to examine in suspects' interactions thus far.

Television interviews, like police interviews, are dialogical and an interaction following a question and answer sequence. A television interview is conducted for the purpose of entertainment rather than for the purpose of a criminal investigation, even if a criminal accusation is brought up by the interviewer. TV interviewers are therefore able to ask questions or make allegations in a different way to police officers, as they are not under the same constraints that are present in a legal setting (Sidnell, 2010). It is common knowledge across DP/ CA research that questions in institutional settings do not simply ask for information, they embody the specificities and moral framework of that institution (Drew & Heritage, 1992; Freed & Erlich, 2010). But more needs to be done to examine how this applies to questions put to those accused of committing a criminal act across different interactional settings. If and how suspects' accounts are challenged and probed in different ways by the interviewer needs to be explored using discursive approaches; this is to gain a fuller understanding of the interactional manifestation of 'innocence'.

Discursive research of television interviews has found that 'some would say' (Abell & Stokoe, 1999; Clayman & Heritage, 2002) is a common rhetorical device used in television interviews to preface a question or accusation. It discursively creates distance from these words, positioning the interviewer as the animator rather than the author of the message. This is because journalists are expected to be both neutral and adversarial (Clayman, 1988); this is a 'fine balancing act' (Rendle-Short, 2007, p. 388), and the interviewer is subject to critique if they overbalance or cross the line either way (Heritage, 2002; Llewellyn & Butler, 2011). Interviewees on the other hand are required to answer questions (Clayman, 2001, p. 404) and, as such, not answering or not answering directly is normally treated as signs of guilt (Clayman & Heritage, 2002). This thesis examines if and how these findings apply to television interview interactions in which the interviewee is accused of committing a crime.

Television interviews have already been examined from a discursive psychological or conversation analytical perspective to explore how issues of accountability and identity are discursively managed in response to accusatory questions. However, these tend to involve non-criminal accusations made against politicians (Clayman & Heritage, 2002; Ekström, 2001; Ekström & Fitzgerald, 2014; Llewellyn & Butler, 2011) or others in the public eye (Abell & Stokoe, 1999; 2001; Llewellyn & Butler, 2011), or examine how individuals *evade* answering these sorts of accusatory questions made against them (Clayman, 2001; Ekström & Fitzgerald, 2014; Llewellyn & Butler, 2011). However, there is little discursive research exploring responses to *criminal* accusations through the medium of television interviews.

Internet vlogs (video blogs) are also a medium through which suspects are able to respond to criminal accusations but which is somewhat uncharted territory in terms of discursive research. Vlogs are a relatively new multimodal genre of computer-mediated communication (Frobenius, 2011; Pihlaja, 2014) and vlogs, as a genre, are therefore said to have a special theoretical significance, as the conventions are still in a process of negotiation (Frobenius, 2011). In the production of a vlog, there are usually two phases, the recording of the video and, in some cases, the editing of the video (Frobenius, 2011). Once complete, the vlog is then uploaded to the internet for others to view. Vlogs can be recorded at any time, can be about any topic, and may be reshot as often as the vlogger wishes.

Vlogs, like the TV interviews, are publicly accessible video data; however, these tend to be asynchronous, and monological rather than dialogical (Frobenius 2011). This means suspects' responses to allegations in these cases are uninterrupted and without being probed by someone else (at least in the vlog itself), again making for an interesting comparison to the interview settings. However, Garrod and Pickering (2004) argue that a monologue is more complex to produce than a dialogue. This is because, in the production of a monologue, there is no second speaker to negotiate interactional roles with and a lack of turn taking, and so the single speaker is required to use compensatory strategies that make up for this (Frobenius, 2011). Furthermore, although vlogs tend to be monologues, they are still recipient designed. It is also important to consider that vlogs are a single blind as, when making a vlog, the vlogger does not exactly know or see the people who will view it, whereas the viewers themselves, at the time of reception, will see and know who is talking (Frobenius, 2011). This thesis allows for an empirical examination of if and how the monological and asynchronous nature of internet vlogs is made relevant as part of a response to a criminal accusation, something which, thus far, DP research has failed to examine.

Vlogs have an increasing audience, with some of the most popular vloggers now able to rival prime-time television shows (Frobenius, 2011; Morris & Anderson, 2015). Vlogs, like television interviews, can also be a source of entertainment but, as well as this, can involve social networking, discussion and debate, or documenting the vlogger's life in some way. The status of a vlogger is therefore a distinctive one; they are 'micro-celebrities' (Hall, 2015; Pihlaja, 2013; Smith, 2014). This is because vlogs are expected to be reflections of real people and an expression of the self (Christian, 2009; Frobenius, 2011). Vlogs are considered to be 'new media', and a more authentic medium through which to achieve a celebrity status, with inauthenticity being prevalent in traditional or 'old media' (such as television) due to its institutional location (Tolson, 2010).⁵ Again, this thesis allows for an empirical examination of if and how an individual responding to a criminal accusation in this setting may utilise this assumption of authenticity to construct 'innocence', in comparison to other interactional settings.

Since its founding in 2005, YouTube has become an increasingly popular site for vlogs and social interaction, and this has led to subsequent scholarly interest, including examinations of 'drama', debate, agency and controversy on the site, such as religious debates (Pihlaja, 2011; 2013; 2014), and YouTube's role in social networking (Lange, 2007). The 'rules' of YouTube have also been explored in research (Christian, 2009), including the expectation of authenticity on the site (Hall, 2015; Morris & Anderson, 2015; Senft, 2008; Smith, 2014), and how vlogs are structured and audience-designed (Frobenius, 2011; 2014). Literature which applies ethnomethodologically grounded approaches to asynchronous online settings, such as vlogs, tend to involve exploring how issues of authenticity, accountability, and identity are dealt with and managed in discourse. As valuable as this is, little research has been done about vlogging as a medium through which suspected criminals can respond to criminal accusations made against them. This is therefore a fresh source of discourse to examine further. It is crucial in gaining an understanding of if and how 'new media', compared to 'old media' such as television, enable speakers within to achieve certain discursive actions, such as the construction of 'innocence', in a public forum.

This section has outlined how studies of interactions with suspected criminals tend to do so by examining legal settings. An exploration of responses to criminal accusations taking

⁵ 'Traditional' or 'old media' tends to refer to forms of mass communication that existed prior to the invention of the internet, such as television, and 'new media' tends to refer to those which have only existed since the invention of the internet (Gerhards & Schäfer, 2010), such as vlogs.

place in more public or non-legal settings would therefore be beneficial to extend DP fields of research, and to enrich our understanding of discursive actions performed in suspects' interactions. Bringing together the settings of police interviews, television interviews, and internet vlogs into the same analysis allows for an examination of what affordances are available to the suspects in each, and if and how these are made relevant in their discursive actions. This is something which DP research has thus far failed to examine, and the subject of affordances, and how this can aid a discursive analysis, will now be outlined further in the following section.

1.4 Studying Affordances across Interactional Settings

So far in this chapter, I have detailed how innocence can be treated either as an objective entity which can be uncovered by accessing suspects' cognition through their language, or as a social construction built in discourse. In terms of the latter, I have demonstrated that discursive psychology is suitable for studying innocence in this way, but that more needs to be done to explore the construction of 'innocence' in non-legal, public settings. Discursive psychologists draw on the conversation analytic notions of context (see Section 1.4.2), which prioritises speakers' orientations to what is relevant (Horne & Wiggins, 2009). Discursive psychology is therefore appropriate for an examination of what is oriented to within and across different interactional settings; this thesis aims to demonstrate the importance of this with regards to studying the interactional manifestation of 'innocence'.

In order to gain a fuller understanding of how 'innocence' is manifested, its manifestation across different environments and contexts ought to be considered and empirically demonstrated. By taking into account previous DP and CA findings (as seen in Section 1.3), there are grounds to suppose that there are a number of features across the different interactional settings that may be invoked or made relevant by the suspects within. These include: the purpose of the interaction; the suspects' consent to their participation in the interaction; the number of speakers; the status of the speakers; the audience; the time of the interaction in relation to the accusation first being made; the level of editing; and the potential consequences or outcome of the interaction. This thesis aims to examine this supposition empirically by studying if and how affordances and constraints of each setting (police interviews, television interviews, and internet vlogs) are made relevant by the speakers within. This helps forge a link between the approach of discursive psychology and the concept of affordances, providing insightful insights to both fields of study. I will now

outline what is meant by ‘affordances’, how DP/ CA approaches can be used to examine these, and what benefits this has.

1.4.1 Defining ‘affordances’.

By ‘affordances’ and ‘constraints’, I am referring to the features of an interactional setting which allow or limit (respectively) a speaker to discursively do something in that interaction. The concept of ‘affordances’ is originally associated with Gibson’s (1979) work on the psychology of perception. Gibson suggests that humans and animals orient to objects in their world in terms of what he called their affordances: the possibilities that they offer for action. This is not to deny that an object has particular properties, rather that these properties only emerge through interaction between actors and those objects. This is consistent with notions of the DP approach, which does not deny an objective reality, but argues that we can only understand reality through speakers’ orientations to and building of this in their interactions.

It is said that affordances are functional in that they are enabling, as well as constraining, factors in a particular organism’s attempt to partake in some activity. Affordances may shape the conditions of possibility associated with an action, as it may be possible to perform an action one way but not another (Gibson, 1979). As well as functional, something Gibson (1979) stresses, affordances are also relational in that affordances of an object may be different for one species⁶ than another (Hutchby, 2001; 2014; Hutchby & Barnett, 2005). Hutchby (2001, p. 447) outlines Gibson’s (1979) notion of affordances by exemplifying that: ‘a rock may have the affordance, for a reptile, of being a shelter from the heat of the sun; or, for an insect, of concealment from a hunter. A river may have the affordance, for a buffalo, of providing a place to drink; or, for a hippopotamus, of being a place to wallow. Affordances may thus differ from species to species and from context to context. However, they cannot be seen as freely variable. While a tree offers an enormous range of affordances for a vast variety of species, there are things a river can afford which the tree cannot, and *vice versa*’. Gibson’s (1979) original work on affordances continues to be influential in the study of affordances across many disciplines in the social sciences. Good (2007) suggests that all human affordances may be deemed to be social in that meaningful objects which we perceive are the products of a culturally and socially co-constructed world.

⁶ ‘Species’ is used to refer to different evolutionary species of animals, or to other members of our own species (see Hutchby, 2001).

Zebrowitz and Collins (1997) argue that people are perceived along with information about the opportunities they afford for acting, interacting and being acted upon.

The functional and relational nature of affordances is something which has yet to be given sufficient attention in terms of DP approaches, despite their shared roots in reworking cognitive theorising. Gibson's (1979) original work serves as a critique of two influential forms of cognitivist theorising in the study of perception. Firstly, it critiques the view of gestalt psychologists (such as Koffka (1935)) who suggest that the usefulness of something may change as the need of the observer does, whereas Gibson argues that this is not the case. Secondly, it critiques the view developed by traditional cognitive psychologists who describe the brain as playing an intermediary role in perception (by interpreting images transmitted), whereas Gibson (1979) argues that affordances of objects could be 'directly perceived'.

In outlining the importance of the concept of affordances, Gibson (1979) proposes that the ways in which animals and humans interact with an object is related to both its physical properties as well as to social norms and rules. A distinction can therefore be made between affordances that can be considered as physical or technological (see Section 1.4.1.1) and those that can be considered as socially normative or situated within a particular interactional setting (see Section 1.4.1.2). For both, there can be negative interactional consequences if these affordances are not taken into consideration by the speakers in that interaction. My research aims to bring together an examination of if and how both physical/ technological affordances and socially normative affordances are made relevant when managing psychological business. I therefore extend upon existing research of affordances, using this concept as a tool within a DP analysis, to demonstrate if and how suspects make features of their interactional settings relevant as part of their response to a criminal accusation. This is a valuable contribution to these fields of research, particularly in an era where responses to criminal accusations are increasingly being made in a variety of technology-mediated interactions such as on television and the internet.

1.4.1.1 Physical/ technological affordances.

Firstly, some affordances can be considered as physical or technological. The prior refers to what Hutchby (2014, p. 2) describes as 'situated within a multimodal system for the accomplishment of social interaction that includes not only gesture, gaze and bodily orientation but also texts, and the communicative affordances of objects and artefacts located and utilised within interactional settings'. The latter refers to what Hutchby (2014, p. 2) describes as 'affordances of technologies used in mediating social interaction'. In both these

cases, speakers literally can or cannot perform particular discursive practices in the interactional setting, and this is not within the speakers' control. For example, in a video chat, such as Skype, speakers are afforded the ability to use gestures such as smiling or nodding to supplement or substitute their discourse. However, those using a more traditional phone call to chat cannot do so, due to the technological constraints of this interactional setting.

Norman (1990, 1999) applied Gibson's work on affordances to discussions of technology, arguing that good designers purposefully build affordances into a technology as a way of suggesting how its features should be used. Norman, in a similar way to Gibson (1979) notes that an affordance should not be understood as a static feature or property, but rather as a relationship between the actor and the property. The existence of the affordance depends entirely on this relationship, and therefore the concept of affordances suggests that interactional practices are not determined by features of that interaction but how a speaker makes those features relevant. Hutchby and Barnett (2005) show that affordances represent a powerful and analytically tractable means of conceptualising the relationship between practices in talk in interaction and technological mediation. They demonstrate that this relationship can be explored by closely observing naturally occurring activities of what a particular technology does and does not make possible or 'afford'.

CA has traditionally been used to examine the sequential organisation of telephone conversation (Hutchby, 2014). Hutchby (2014, p. 5) argues that 'the internet affords new and distinctive forms of mediated interaction'. This means that Gibson's original concept of affordances (1979) can continue to have use and relevancy in studying new and developing technologies. For example, Meredith's (2014; 2017) comparison of spoken interaction with Facebook online written chat reveals how the organisation of online interaction demonstrates participants' orientations to the technological affordances of the online medium, and how a CA approach can be used to examine this.

My research will build upon Hutchby (2001; 2014) and Meredith's (2014) work to show how the concept of affordances can be used within a DP analysis. To stay consistent with a CA/ DP approach, caution must be taken to ensure that affordances are not treated as shaping an interaction or assuming what these are, but more how this is oriented to and made relevant by the speakers themselves. Schegloff (2002) suggests that we should study an interaction for what it is, and if and how speakers' conduct orients to the interactional setting in which they are participating (including its technological mediation). This does not mean presuming that affordances and constraints of an interactional setting (and the projects which are able to take place here) will impact interaction in a certain way. Instead, it is to examine

if, and how, these physical or technological features are oriented to as part of suspects' interactional practices, namely, their construction of 'innocence'. It is therefore important to analyse the interaction first and then examine if and how speakers' interactional practices invoke a certain affordance. This avoids making *a priori* assumptions about what will impact the interaction (Meredith, 2014). I will demonstrate in my analytic chapters (Chapters Three, Four, and Five) if and how speakers themselves make physical and technological features of their interactional setting relevant in order to achieve a discursive action. This includes: the number of speakers in the interaction (whether it is a dialogue or monologue); the time of the interaction taking place (in relation to the time of the criminal accusation being initially made); how the interaction is recorded (by audio alone, or by video); whether the interaction will be edited; and whether the interaction will be publicly broadcast.

1.4.1.2 Socially normative affordances.

The second kind of affordance to be outlined in this section can be considered as socially normative, rather than physical or technological. In these cases, speakers' discursive practices are not determined by what they can or cannot do, but what they should or should not do. This depends on what is expected of them in that particular situation, and what will socially benefit or cost them. For example, in an interview, the interviewee can ask the interviewer questions, in that nothing is physically preventing them from doing so. However, this does not follow the conventional 'rules' of an interview, and there may be some social cost to the speaker for breaking these.

Institutional interactions involve an orientation by at least one of the participants to some core goal, task, or identity or set of them conventionally associated with the institution in question (Drew & Heritage, 1992). The interaction is non-conversational, may have specific constraints on what one or both speakers may treat as acceptable contributions to the business at hand, and may be associated with inferential frameworks and procedures which are particular to specific institutions. Institutional and non-institutional data will be used as part of this thesis, which will examine the discourse of suspected criminals across different interactional settings.

An example of an affording or constraining feature of an interaction includes the epistemic and deontic rights a speaker has to do certain things in that interaction. 'Epistemic rights' refer to a person's knowledge and personal experience (Heritage, 2012; Stivers, Mondada, & Steensig, 2011). Their epistemic rights in a certain domain can be described as

epistemic status, and this status can be relied upon as an interactional resource in conversation and as an enduring feature of social relationships (Heritage, 2012). Epistemic stance concerns the ‘moment-by-moment’ expression of these relationships, and are negotiated through the design of speakers’ turns in the interaction (Heritage, 2012). ‘Deontic rights’ however refer to someone’s ability or responsibility to determine future actions (Stevanovic, 2013). Stevanovic (2013) emphasises that a speaker’s deontic rights cannot be determined by merely claiming authority, but also relies on other speakers in the interaction accepting them as an authority. These are matters which are negotiated as part of the work of suspects’ interactions in order to determine ‘what really happened’ and who has epistemic access to this (see Chapter Three). Examining suspects’ interactions across different settings allows us to examine if and how speakers’ levels of authority to make accusations or responsibility to respond, are made relevant as part of the interaction.

In addition to physical or technological affordances, I examine if and how suspects orient to these social features of the interaction. These include the authority or requirement to ask or answer questions, to make challenges or probes, and therefore guide the topics discussed in the interaction. This involves examining who knows what, who has the right to know what, who knows more about what, who is responsible for knowing what, and who can determine future actions, as matters which are made relevant and negotiated by speakers in an interaction to achieve some discursive action (in this case, constructing ‘innocence’). I will demonstrate in my analytic chapters (Chapters Three, Four, and Five) if and how speakers make these socially normative features of their interactional setting relevant in order to achieve a discursive action. This includes: whether the suspect has consented to participating in the interaction, or is participating due to being under arrest; the purpose of the interaction (for example as part of a criminal investigation, or as part of an entertaining public broadcast) and therefore the topics discussed in that interaction, the potential consequences of the interaction (such as legal, financial, or reputational), and the audience that the interaction is addressed towards (according to whether the interaction will be publicly broadcast).

1.4.2 DP/ CA approach to affordances.

In order to examine both these kinds of affordances (physical/ technological and social/ normative) and if and how they are oriented to in the discourse of suspected criminals, this thesis takes a DP approach, which has foundations in ethnomethodology (see Section 2.4). Although the term ‘affordance’ does not originate from ethnomethodological approaches, Gibson’s (1979) original work, as outlined in Section 1.4.1, serves as a critique of cognitivist

theorising in the study of perception. Edwards and Potter (1992) refer to this in their influential work on discursive psychology. They do not declare an interest in Gibson's perceptual theory itself, rather they outline Gibson's (1979) valuable promotion of the importance of studying how cognition operates within a context of action and perception in the 'real world'. Gibson's (1979) concept of affordances and the approach of discursive psychology can therefore both be said to provide an alternative to traditional cognitive psychology. The concept of affordances has received little attention as part of DP studies of interaction, but the importance of analysing natural interactions in the real-life context in which they take place has been a long-held notion of ethnomethodological research. Indexicality is a key ethnomethodological concept (Garfinkel, 1967). Indexicality refers to the idea that the meaning of a word or utterance is dependent on the context in which it is used. We should therefore be wary of research approaches that risk decontextualisation, or attempt to treat utterances as separate from the interactions in which they are produced (Kirkwood, 2016; Potter, 1996). Social action does not occur in a vacuum and so we must consider context when analysing interaction (Wood & Kroger, 2000).

Since its inception, CA insists that, in the 'real world' of interaction, utterances are never treated as isolated self-contained artefacts (Goodwin & Heritage, 1990). Instead, they are understood as forms of action situated within specific contexts and designed with specific attention to these contexts. A notion from CA is that of the affordances and constraints of paired actions and relevant slots. For example, that an invitation affords the production of a turn that is recognisable as, or can be legitimately interpreted as, an acceptance or declination (or as an evasion of these) (Hutchby & Wooffitt, 1998). The occasioned nature of discourse is not a contextual determinism; Potter (2004b) exemplifies that an accusation sets up the conditions for a range of actions that could happen next (such as a denial, an apology, a minimisation etc.), but does not force this. Good (2007) suggests that there are social affordances in interaction, in that the words or gestures of one speaker may afford words or gestures for the other. However, although an utterance may afford a certain kind of reply, each word of the sentence or other forms of minutiae in the interaction are, in themselves, not affordances. This is also clarified in Hutchby's (2003) work, who outlines his primary interests as being 'in those observable events in the social world where it appears that a technology – or more strictly its affordances – comes to play a role in the exchange of turns at talk, in the structures of those turns, and in the actions accomplished by those turns' (p. 587). The concept of affordances has been successfully utilised to study interaction, and

therefore has the potential to be useful as part of a DP analysis studying how interactional actions, particularly negotiating psychological topics, are achieved across different settings.

CA abides by the discourse analytic criteria of setting data in its context, and considers social actions as both context-dependent and context-renewing (continually developed with each successive action) simultaneously (Heritage, 1984; Goodwin & Heritage, 1990; Hepburn & Wiggins, 2007). Drew and Heritage (1992) describe context as both the project and product of a speaker's own actions, and therefore inherently locally produced, and with the capacity to transform at any point. DP, the approach taken for this thesis, draws on the conversation analytic notions of context, which prioritise speakers' orientations to what is relevant (Horne & Wiggins, 2009). Again, broader contextual determinism, which treats interaction as governed by the setting in which it takes place, should also be avoided in these approaches (Potter, 2004b). Therefore, I do not make the assumption that suspects' settings are a context that shapes or is imposed onto the interaction. Instead, my analysis demonstrates if and how speakers themselves make institutional activities and identities relevant through invocation, orientation, or even subversion, with context emerging turn by turn.

Due to concerns with sequentiality, the asynchronous nature of online data is something which raises challenges for traditional CA approaches (Giles, Stommel, Paulus, Lester, & Reed, 2015). Therefore, CA has only recently begun to grow as a method for studying conversation in its online context, through the work of those such as the Microanalysis of Online Data (MOOD) network (MOOD, n.d.). Meredith (2014) is a member of the MOOD network, and proposes that using CA alongside the concept of affordances can provide a lens through which to analyse both the interaction itself, but also the technological *context* of the interaction. This is beneficial in examining patterns of interaction across different platforms, as well as the intersection of technology and interaction. My research contributes to this developing field of important and timely research, bringing together suspects' interactions across police interviews and television interviews, as well as the online interactional setting of internet vlogs, in the same analysis.

Studying how affordances and constraints of institutional and non-institutional interactional settings, be they physical/ technological or social/ normative (see Section 1.4.1), are oriented to is beneficial. It allows for an exploration of how combining different interactional and recording modalities, with different recipients, provides speakers with a complex set of contingencies to manage in the interaction (Stokoe, 2009a). It also allows for an examination of what is oriented to as institutionally appropriate (Drew & Heritage, 1992;

Stokoe & Edwards, 2007), and what discursive practices appear to be robust across different settings, with variations adapted to, typical of, and performative of the business of those settings (Edwards & Fasulo, 2006). Drew and Heritage (1992) argue that, by taking a comparative perspective across diverse settings, it is possible to develop analytical and thematic connections, which may encourage stronger theoretical coherence and cumulativeness in the CA field of research.

This current research, also reaps these benefits. In order to gain a full understanding of how ‘innocence’ is constructed and the interactional role this plays, an empirical demonstration of its manifestation across different environments and contexts is required. This research is original as it takes a DP approach (Edwards & Potter, 1992), whilst also utilising the concept of affordances (Gibson, 1979; Hutchby, 2001; 2014; Schegloff, 2002), forging a link between the two to examine if and how these are made relevant in responses to criminal accusations across different interactional settings (police interviews, television interviews, and internet vlogs). These are important matters which, up until now, existing research has failed to bring together and examine. A unique aspect of this thesis is therefore that it draws upon the underused concept of affordances to examine if and how these are oriented to as part of suspects’ management of accusations in their highly consequential interactional settings. This research has the potential to make a significant contribution in strengthening links between DP and concept of affordances, providing helpful insights to both. My research therefore contributes to a fuller understanding of the interactional manifestation of ‘innocence’; it sheds light on the workings of three interactional settings and the vital discursive opportunities these settings provide to suspects.

1.5 Summary of Literature Review

In this chapter, research as relevant to this thesis were outlined and reviewed. This review has demonstrated the need to extend discursive research of responses to criminal accusations into non-legal or public settings in the era of the internet, examining what is oriented to as discursively and technologically available to the suspects here. In Section 1.1, I reviewed legal, socio-legal, and traditional psychological approaches to the topic of innocence from the perspective of DP, which serves as an alternative to, and reworking and critique of these. In Section 1.2, I reviewed existing DP research on fact construction and the management of accountability to show how these are, not only important for speakers in interaction in general, but particularly so in suspects’ interactions. Sections 1.1 and 1.2 therefore pertain to

my first research question, which asks what are the discursive actions performed in responses to criminal accusations, and how do these contribute to and reinforce a credible construction of ‘innocence’? In Section 1.3, I reviewed existing DP research of suspects’ interactions to demonstrate that these tend to focus on legal settings only, and more needs to be done to extend this research into more public and non-legal settings. In Section 1.4, I outlined what is meant by the ‘affordances’ and ‘constraints’ of interactional settings, and how these may be made relevant in suspects’ interactions. Sections 1.3 and 1.4 therefore pertain to my second research question, which asks how are these discursive actions performed across, and within the confines of, different interactional settings, and to what extent do suspects orient to affordances and constraints of each?

The present research brings together the bodies of: the topic of innocence, the approach of discursive psychology, the settings of multiple suspects’ interactions, and the subject of affordances. In doing so, this research sits within the research on accounts, categories, fact construction, and suspects’ interactions, whilst beginning to bridge some of the gaps present in these existing areas of research. This thesis achieves this by being the first to examine what discursive resources are accessible to suspects across both legal and non-legal settings, something which, thus far, DP approaches have failed to do. This involves examining the language of real suspected criminals (rather than hypothetical ones), regardless of whether they were convicted or not, examining their discourse live in the interaction (rather than retrospectively), and making discourse in itself (rather than cognition) the focus. This is done in order to identify if and how the suspects orient to affordances of the interactional setting in which their discursive negotiation of blame takes place.

The next chapter will be the methodology chapter, outlining the data analysed for this thesis, and how this research was conducted.

CHAPTER TWO: METHODOLOGY

2.0 Introduction

Bearing in mind the literature review of the previous chapter, the aim of this research is to explore suspects' discursive actions across different interactional settings, and if and how affordances and constraints they offer to the speakers within are made relevant. This chapter will outline the methods used to collect the data acquired for this research and the analytic procedure taken.

Section 2.1 will describe the approach taken to gathering interactions with suspected criminals, the pre-existing and naturally-occurring nature of these data, and how these were acquired. Section 2.2 will outline the ethical considerations of this research during the data acquisition and analysis stages. This section will also outline how it was decided which data would be anonymised during the transcription stage. In Section 2.3, the transcription process for each of the different interactional settings will be outlined, including *how* the sensitive data were anonymised as part of this. Section 2.4 will describe the analytic method of discursive psychology, and how terms taken from other approaches with foundations in ethnomethodology (such as conversation analysis and membership categorisation analysis) were utilised. Section 2.5 will outline the analytic procedure of discursive psychology, detailing the ways in which the data were analysed for this research. Finally, Section 2.6 will summarise this chapter, and look towards the analytic chapters that follow.

2.1 Data Collection

2.1.1 Approach to data collection.

EMCA approaches, such as DP, have tended to work from actual records of conduct, looking at the interactions themselves as they happen, rather than using interviews or questionnaires to retrospectively do so (Hepburn & Wiggins, 2007). Data acquisition was informed by this approach, and so collecting pre-existing and naturally-occurring interactions with suspects was deemed most appropriate. Pre-existing interactions are those which have already taken place and often, because of the nature of those interactions, are already recorded too. A benefit of using recorded data is that this allows for repeated listening, an asset that crucially aids both accurate transcription (see Section 2.3) and close micro-level analysis (see Section 2.5). Naturally-occurring interactions are those which, though produced in a context of some

kind, take place outside of a research context and are unaffected by the research procedure. This is also known as passing the ‘dead social scientist’ test, in which an interaction would still be the same even if the researcher had died before it had taken place (Potter, 1996). Manipulating variables, testing hypotheses, and attempting to establish causal relationships do not form part of the research aim. The research questions were refined and established whilst examining the collected data, rather than before (see Section 2.5.2). This means that this research takes a data-driven approach rather than a researcher-driven approach (Potter & Hepburn, 2005).

The relativist approach taken in this research required exploring how people *orient* to concepts such as ‘truth’ and ‘lies’, and ‘innocence’ and ‘guilt’ in their discourse, rather than treating these concepts as objective facts to be uncovered. Data acquired for this research were interactions in which an individual is responding to a criminal accusation made against them. Fitzgerald and Austin (2008) describe the importance of examining discursive constructions of guilt across different settings, as these are not restricted to highly ritualised and formal contexts such as police interviews and court rooms (see Section 1.3.2). For this reason, it was decided that the approach to data collection would be to acquire suspects’ interactions across different interactional settings (see Section 2.1.2). This was to show how ‘innocence’ is negotiated across more public or non-legal settings, as well as legal settings, bringing these together in the same analysis. I build upon Fitzgerald and Austin’s argument by making direct comparisons between these different interactional settings to explore if and how ‘innocence’ is constructed by suspects in a way which makes the features of their interactional setting relevant.

Some may take issue with the fact that this approach to data acquisition means that not every crime or every type of suspect may be represented in the data used for this research. However, generalisations, variables, or differences *per se*, in terms of the age, gender, race etc. of the suspect or the type of crime they are being accused of committing are not the focus in this research. This research is grounded in approaches with ethnomethodological foundations, and so these things are considered to be of relevance only if and when the suspects and other speakers in the interaction themselves make it so, and if and how they orient to these. This is because this allows for a close examination of membership categories deployed by the suspects in the interactions as part of their discursive construction of ‘innocence’.

I use the term ‘suspect’ here as a concise term to refer to the speaker in the interaction who is responding to a criminal accusation. Although ‘suspect’ is generally associated with

legal settings (as this is where criminal accusations are commonly introduced and responded to), the term, by definition, actually refers to anyone who is thought to be guilty of a crime or offence. This is irrespective of the setting in which the individual is in, or whether they have been dealt with by the criminal justice system. I therefore refer to these individuals as the ‘suspect’, unless they themselves orient to an alternative category as part of their negotiations of innocence and guilt in the interaction. A discursive perspective considers identities as always being situated; different identities may be deployed at different times, and therefore must be interpreted in the context where they are made relevant (Abell & Stokoe, 2001; Sidnell, 2010). It must also be noted that not all those who are making these criminal accusations, the accuser in the interaction, necessarily have the same authority to do so.

Despite apparent differences between the types of crime the suspects are being accused of across the interactional settings, all suspects, regardless of their alleged offence, may be in the same position in that they are responding to accusations made against them. If this is the case, it is an empirical matter for this to be shown by examining, comparing, and analysing the organisation of these responses across interactional settings alongside each other. The comparability and generalisability is instead in the discursive practices used to exculpate or exonerate the suspect, orienting to affordances or constraints of the interactional setting, examining whether there are patterns of methods and practices in the data.

2.1.2 Types of data collected.

There are many potential interactional settings where criminal accusations are responded to which could have been collected and analysed for this research. These include websites, court rooms, documentaries, offender therapy sessions, autobiographies, and radio interviews. These were all considered either during the literature review process or preliminary analysis process; however, to allow for intensive examination, the scope for this research was limited to just three settings. This was so that each could be explored in-depth whilst also making comparisons across them. The interactional settings analysed for this research were police interviews with suspects, television journalist interviews with celebrity suspects, and internet video blogs (vlogs) with ‘micro-celebrity’ suspects.

A key reason for pursuing these datasets is that this brings together an examination and comparison of ways criminal accusations can be publicly responded to in the digital age in which we live. Accounts given in this manner are at least as important and consequential for the suspects who provide these as those given in legal situations. This is because, given the nature of the internet (as well as television), the public are given access to these

interactions. They can subsequently assess guilt or innocence for themselves, regardless of any legal decision made. It is therefore important to examine why and how ‘innocence’ is constructed in public, non-legal settings (such as television interviews and internet vlogs compared to police interviews) in the era of the internet, and how these *can* happen because of what is discursively and technologically available to the suspects across the different mediums here.

To allow for consistency and for comparisons to be made across the different settings, certain criteria were established to determine what could be used as data. These were interactions in which:

- 1) the language used is English (so that translation would not be required to analyse the data)
- 2) a criminal accusation has been made against the suspect (rather than a non-criminal accusation)
- 3) a spoken response to the criminal accusation is provided by the suspect
 - a) the suspect has sufficient space and control to provide this response
 - b) the response contains some form of discursive exculpation/ exoneration

The rationale, data acquisition process, and the data used for police interviews with suspects, television journalist interviews with celebrity suspects, and internet video blogs (vlogs) with ‘micro-celebrity’ suspects will now be described further, outlining each in turn.

2.1.2.1 Police interviews with suspects.

The sensitive nature of police interviews can mean gaining access to these data can be a lengthy and complex process. For this reason, a pre-existing collection was acquired, rather than to attempt to start this process from the beginning with a new collection. This allowed for convenience and for some time to be saved in order to stay within the time limits of the research project. The police interview data set that was acquired for this research was originally collected as part of ESRC grant number RES-148-25-0010 ‘Identities in neighbor discourse: Community, conflict and exclusion’, and is held by Elizabeth Stokoe and Derek Edwards. It is a collection of approximately 130 police interviews, each already named with a ‘PN’ corpus number. These interviews vary in terms of duration, lasting anywhere from 15 minutes to over an hour or two. The tapes on which the interviews are recorded hold approximately 45 minutes of audio, and so interviews longer than this are split over two or more tapes. These interviews took place at police stations across the Midlands region of the

UK between 2003 and 2004. They are mostly concerning accusations of neighbour disputes, for example assaults, criminal damage, and using abusive and threatening language and behaviour, committed recently in relation to the interaction (rather than historic allegations). As well as the police officer/s and the suspect, there are sometimes others present in the interaction, including a lawyer and/ or an appropriate adult.

The way these sensitive data were accessed and securely stored is outlined in further detail in Section 2.2.1. Although some police interviews are video recorded, the police interviews in this particular data set are uni-modal as they were only audio recorded. This means the suspect is somewhat limited as, although the police officers interviewing them can see them, those who may subsequently listen to the tape cannot. The police officers may be required to remind suspects to *verbalise* their responses ‘for the benefit of the tape’ (Stokoe, 2009a) for example if the suspect nods or shakes their head, indicates the size of something with their hands, or mimes an action such as a punch. The suspect must construct their account convincingly in a way that is understandable through their speech, and not reliant on their expressions or gestures.

The police interviews were checked against the criteria decided upon (see Section 2.1.2), and by listening to the audio recordings of these interviews. Several of the police interviews were ruled out from being analysed due to being inaudible or with very poor sound quality. The rest were then listened to again and analysis was conducted on these, with any discursive exculpations and exonerations used by the suspect being noted to examine the key ways in which these emerged across the data set. To manage this large remaining data set, twelve of these interviews were then analysed in more depth based on which contained these key discursive exculpations and exonerations in use.

2.1.2.2 Television journalist interviews with celebrity suspects.

The data acquisition process for the television interviews differed slightly to the police interview data. As the police interview is inherently a legal setting, all the accusations in these cases were criminal. I was very fortunate to receive such a substantial collection of police interviews (see Section 2.1.2.1) but this acquisition does not indicate prioritisation of this data set over the television interviews (and internet vlogs), where fewer were acquired. Television interviews had to be carefully selected according to the criteria (see Section 2.1.2) ensuring that only those involving *criminal* accusations were analysed, with any that were not being ruled out. Another difference is that the police interviews were not edited (apart from when the tape had to be paused in order for it to be changed, or for the suspect to have a

consultation with their lawyer), whereas the television interviews often were (see Section 2.1.2).

The television interviews were publicly accessible interactions, which meant that acquiring these was a relatively straightforward process. The television interviews that were acquired for this research were located by using key words (such as television, TV, interview, criminal, accusation, response) to search for these on the internet. Results from these searches would often ‘snowball’ into finding others, accumulating several TV interviews that could be used as data. Accusations responded to in TV interviews mostly (but not exclusively) concerned rather newsworthy, sensational, and serious accusations, for example sexual assaults or murders such as Jimmy Savile, Michael Jackson, R Kelly, OJ Simpson, and Oscar Pistorius amongst many others.

Videos of interviews which met the criteria (see Section 2.1.2) were repeatedly viewed and listened to to aid the transcription and analysis process. As part of this, any discursive exculpations and exonerations used by the suspect were noted to examine the key ways in which these emerged across the data set. Four interviews were analysed in-depth based on which contained these key discursive exculpations and exonerations in use. The first of these was an interview between R Kelly, an American singer accused of committing sexual abuse, and Ed Gordon. This interview first aired in 2002 on the American TV channel BET, and is 30 minutes in duration. The second was an interview between Lance Armstrong, a former professional road racing cyclist from America accused of illegally doping, and Dan Roan. This interview was first broadcast on the British TV channel BBC in 2015, and is 53 minutes in duration. The third was an interview between Michael Jackson, an American singer accused of committing sexual abuse, and Martin Bashir. This interview first aired on the British TV channel ITV in 2003, and is five minutes in duration (taken from a 90-minute documentary, where other aspects about Jackson’s life and career are shown and discussed). The fourth of these was an interview between OJ Simpson, a former professional American football player accused of double murder, and Ross Becker. This interview was 90 minutes in duration, and was distributed as a videotape in 1996.

All of these interviews do not appear to have an audience present, as this is not seen or heard in the footage, nor is this oriented to by the speakers in the interactions. The interviews also do not appear to be heavily edited as there is a lack of ‘cuts’ and voiceovers in the footage; the question is always heard and the fact that the answer is a response to that question is heard too. As outlined in the criteria (see Section 2.1.2) this was deemed important, as the problem with heavy editing in a TV interview is that the way in which the

interviewee comes across is not entirely in their hands. This is unlike police interviews (which are unedited) and internet vlogs (which, *if* edited, are done so by the vlogger themselves). The TV interview interactions may have been subsequently changed in some way through the editing process, and may also be interspersed throughout a documentary, and thus sandwiched within a production. Therefore, for this analysis, the sequentiality of the television interview interactions were treated with caution (Ekström, 2001), i.e. considering that an interaction may have been edited into a different order, as part of a wider product: the programme's story. It was ensured that the interviews, or chunks of interviews, analysed involved a sufficient stretch through which the suspect is provided with enough room to manoeuvre the discursive practice.

2.1.2.3 Internet vlogs with 'micro-celebrity' suspects.

The internet vlogs were acquired in a similar way to the television interview data: settling on key words and using these to search online for potential videos to use as data. YouTube was a particularly valuable source of data for acquiring the internet vlogs. This is the most prominent video sharing website on the internet (Christian, 2009; Morris & Anderson, 2015) and, in recent years, has developed into an important site of social interaction on the internet (Pihlaja, 2014). A benefit of using YouTube to collect data is that, when watching a video, it will suggest other videos at the side of the screen. This allows for an accumulation of similar or related videos to the one currently being viewed, again, allowing for a 'snowball'-like effect to the data acquisition. Criminal accusations responded to in this medium are mostly of a serious nature, for example (but not exclusively) sexual assaults such as accusations made against Sam Pepper, Toby Turner, Alex Day, and Jason Viohni (BBC Newsbeat, 2014a; 2014b; 2014c), who all responded to these via vlogs on their respective YouTube channels.

The internet vlogs were publicly accessible interactions, which meant that acquiring these was a relatively straightforward process. Videos of vlogs which met the criteria (see Section 2.1.2), were repeatedly watched and listened to, with any discursive exculpations and exonerations used by the suspect being noted to examine the key ways in which these emerged across the data set. Four vlogs were then analysed in-depth based on which ones contained these key discursive exculpations and exonerations in use. The first of these was a vlog by the American YouTuber Toby Turner, who was accused of committing sexual and emotional abuse. This vlog was first uploaded onto YouTube in 2016 and is one minute in duration. The second of these was a follow-up vlog from Toby Turner, regarding the same allegations. This was also uploaded onto YouTube in 2016, and is also one minute in

duration. The third vlog was by American YouTuber Shane Dawson, who was accused of racist behaviour/ inciting racial hatred. This was uploaded onto YouTube in 2014 and is 12 minutes in duration. The fourth vlog was by British YouTuber Alex Day, who was accused of committing sexual and emotional abuse. This vlog was first uploaded onto YouTube in 2014 and is 31 minutes in duration.

The varied duration of these vlogs is typical of vlogs in general. Similarly to the television interviews, this number of interactions, as well as the duration of them, is not because of any prioritisation of the police interviews, it is simply due to the nature and purpose of these interactions, and which interactions met the criteria outlined in Section 2.1.2. Vlogs can vary in terms of their level of planning and editing (Pihlaja, 2012). Although vlogs in general are often edited in some way by the vlogger (Frobenius, 2011) (see Section 2.1.2), the vlogs analysed, which are all responses to *criminal* accusations, all appear to be unedited, with the vloggers themselves even orienting to or making a point of the unedited, ‘off-the-cuff’, or authentic nature of the vlog as a response to the accusation made against them. Furthermore, although vlogs tend to be monologues, they are still recipient designed. There are also various ways in which the video may be responded to that are very relevant in terms of how the construction of truth and lies are responded to, and if these constructions are shown to ‘work’ by the viewers’ responses. There is therefore a need to ground analysis of these individual videos in an understanding of the larger context in which the video is posted, for example its comments and other vlogs or social media posts that relate or respond to it in some way (Frobenius, 2011; Pihlaja, 2012). These were therefore a *consideration* throughout analysis, rather than data to be analysed in itself, in order to focus analysis on the suspects’ responses to the accusation.

2.2 Ethical Considerations

Loughborough University (n.d.) and the British Psychological Society (BPS) (2009; 2014) have a number of ethical guidelines to follow when it comes to conducting research. When checking this research project alongside these guidelines, an important consideration was that these are mostly in relation to data collection in which any interaction with human participants is required. Although this research does involve looking at the discourse of humans (namely suspected criminals), the data are pre-existing and naturally-occurring interactions. This means none of the suspects or other speakers came into contact with me, the researcher; the interactions took place outside of a research context.

Furthermore, this research does not change the nature of the interactions at all. The aim was not to say whether certain suspects were ‘truly’ innocent or guilty, but to simply look at the ways in which accusations can be responded to across interactional settings. However, there were still ethical issues to consider in the data acquisition, transcription, and analysis stages of this research. These will be outlined in turn for each of the different interactional settings.

2.2.1 Police interviews with suspects.

The police interview data are of a sensitive nature. Access to these data involved first gaining permission from Professor Elizabeth Stokoe to use them (see Section 2.1.2.1). Once this had been obtained, the next step was finding a secure way of storing these data. An encrypted USB was deemed unsuitable for this as, although its size allowed for a level of portability, this equally increased the risk of misplacement. Therefore, a larger encrypted external hard drive was sourced to store these sensitive data for use as part of this research.

As well as storing the data securely, so as to protect the identities of those within, the data were transcribed in a way that kept these undisclosed. For example, names of people or places that could be attributed to anyone involved in the investigation (including the suspect, the police officer/s, the lawyer, the appropriate adult, or anyone mentioned in the interview such as the victim/s or witnesses) were anonymised to maintain confidentiality (see Section 2.3.2.1). Although police interviews are conducted for the public record and may be played in court (College of Policing, n.d.), it was decided that these data would be anonymised. This was because the suspects did not necessarily *choose* to be partaking in the interaction, or for people outside of this interaction to hear it. The suspects in these cases had been arrested and may not have consented to taking part in the interaction, unlike the suspects in the TV interview data and the internet vlog data (Antaki, 2002). It was deemed important to protect the identities of these individuals, as is commonplace in other literature using these data (Edwards & Stokoe, 2011; Stokoe, 2009a; 2010; Stokoe & Edwards, 2008).

2.2.2 Television journalist interviews with celebrity suspects.

The television interview data differ from the police interviews as these interactions are in the public domain. After reading other literature involving the use of television interviews as data (Abell & Stokoe, 1999; 2001; Ekström & Fitzgerald, 2014; Llewellyn & Butler, 2011) as part of the literature review for this research, it was decided that, because of the public nature of these data, the suspects’ names in these settings would not be anonymised, and their consent

would not be required to analyse these (Antaki, 2002). Therefore, using these as data did not have as many ethical issues to consider as the police interviews, as the suspects had already consented to taking part in the interaction, and to it being broadcast to the general public. This is in line with the BPS ethics guidelines (2009; 2014) which state that, unless informed consent has been obtained, research should be restricted to observations of public situations in which those persons would reasonably expect to be observed by strangers.

As the criminal accusations in these data were highly publicised, it was decided that, even if pseudonyms were provided, these would not necessarily help to hide the identities of these suspects. Furthermore, the fact that they are well-known individuals could mean that their identities are actually of importance in maintaining a level of integrity of the data, whereas this is not so much the case with the police interview data. As this research is exploring the construction of ‘innocence’ across settings, part of this involves taking into account how the status of the suspects is made relevant; for example, that well-known suspects are able to partake in these sorts of public responses to accusations, and how this is oriented to by the speakers.

2.2.3 Internet vlogs with ‘micro-celebrity’ suspects.

A similar rationale taken with the television interviews was also taken with the internet vlogs. The use of online data has been the subject of much debate in terms of what is considered private and what is considered public, and whether the fact that something is openly accessible affects whether or not this makes it automatically acceptable to use as data for analysis (Benwell & Stokoe, 2006; Buchanan, 2011; Rodham & Gavin, 2006). As these were in the public domain, with the suspects themselves putting the interaction there and with similar literature using this rationale, it was decided that the suspects’ names in these cases would also not be anonymised (Antaki, 2002), and that their consent would not be required to analyse these (Pihlaja, 2011; 2012). This is also in line with the BPS ethics guidelines (2009; 2014) (as outlined in Section 2.2.2). The suspects in these cases are ‘micro-celebrities’ (Hall, 2015; Senft, 2008), all have a vast number of subscribers and an even larger number of viewers. If the vlogs were taken from less prominent channels, for example someone who was only gaining 100s of views, vlogging as a hobby rather than being a ‘YouTuber’ for a living, a different ethical approach may have been taken (Frobenius, 2014).

Another issue to consider is that, some vlogs used for this research were originally uploaded onto the respective vloggers’ YouTube channels, but have since been made ‘unlisted’ by the vloggers. This means that the videos can no longer be searched for on the

site and do not show up on their channel, they can only be accessed on YouTube by those who have a link to the video itself. As the videos are still available elsewhere on the internet, and can still be accessed on YouTube via a link, methodologically, the fact that these are ‘unlisted’ has little impact but, ethically, using the videos as data irrespectively may be called into question. To deal with this, it was decided to clarify this here that the creators, for whatever reason, have altered the accessibility of some of their content, which may suggest some sort of disaffiliation with it, but that, because of the nature of the internet, this is still accessible through other means. Furthermore, as part of the YouTube terms and conditions a vlogger agrees to when uploading a video to the site, the individual understands that, once uploaded, a video may be viewed by anyone and may spread to other locations on the internet (Pihlaja, 2017; YouTube, 2010).

2.3 Transcription

In terms of extract titles, extract numbers were used to simply label the extract with its respective position in the analytic chapter. For example, the third extract in the second chapter would be labelled ‘Extract 2.03’. The setting (whether the extract is taken from a police interview, television interview, or internet vlog) was also indicated in the title of the extract, along with a number referring to which specific interaction this was taken from. In the titles of extracts taken from police interviews, this was the PN number, which refers to the tape number assigned to each in the original data set (see Section 2.1.2.1). In the titles of extracts taken from television interviews and internet vlogs, this was a number I had assigned to each of these interactions. In all extracts, ‘S’ was used to indicate speech by the suspect in the interaction, the person being accused of committing a crime. In extracts taken from police interviews, ‘P’ was used to indicate speech by the police officer in the interaction, and ‘L’ to indicate speech by a lawyer present. In extracts taken from television interviews, ‘I’ was used to indicate speech by the interviewer in the interaction.

2.3.1 Notation system.

Prior to analysis, the data for this research were transcribed according to the Jefferson notation system (Hepburn, 2004; Jefferson, 1985; 2004; Potter & Hepburn, 2005), which is conventional for data used in conversational analytical/ discursive psychological type studies. These transcripts were produced by repeatedly listening to the recorded data and typing, not only what the words spoken were, but also *how* they were spoken (ten Have, 2007) through various symbols, according to the notation system (Hepburn, 2004; Jefferson, 2004) (see

Appendix). As well as utilising the symbols of the notation system, abbreviations (such as ‘goin’ instead of ‘going’), or words pronounced atypically in some way (such as ‘supposubly’ instead of ‘supposedly’) were reflected in the transcript in a way that ensured that the content of these utterances were not obscured.

Transcripts themselves are not the data, they represent the data in written form (ten Have, 2007), thus allowing the data to be analysed. This enables those features of interaction that are hearably relevant for the ongoing actions for the participants to be captured (Potter, 2012), in this case, how the suspects construct ‘innocence’. More than 50 years of conversation analytic research has explored how very subtle nuances (such as pitch and speed, overlaps, emphasis and volume, combined with gesture, gaze, the use of aspiration and laughter particles, combined with different lexical selections and grammatical forms) all have possible consequences for how an interaction unfolds (Potter, 2012). These affect the ways in which talk is heard, how it is responded to, and therefore how talk is organised, meaning that these are all important features to transcribe (Sidnell, 2010).

2.3.2 Anonymisation.

Anonymisation was also an important consideration while transcribing the data, and how best to do this whilst maintaining a certain level of context and integrity to the interactions (Tilley & Woodthorpe, 2011). As mentioned in Section 2.2, it was decided that only the police interviews would be anonymised. How this was done is outlined in more detail below.

2.3.2.1 Police interviews with suspects.

The process of anonymising the police interviews involved transcribing names of any people or places as something other than what they really were. It was decided that, for the names of people, the gender, style, and length of name would be retained to keep the integrity and vividness of the data as much as possible (Antaki, 2002). For example, it is standard in Jefferson’s (2004) transcription notation system to keep the same number of syllables and stress pattern in names so that, if any syllables are emphasised or cut off in some way, this can be portrayed accurately in the transcript. This also meant that, any names that were shortened at some point in the interview required careful treatment, transcribing these with a similar style of name that, not only had the same number of syllables, but that could also be shorted to something with the same number of syllables too.

Names of places were also anonymised, and this was done in different ways depending on the size of the location (Antaki, 2002). For example, if they were the names of

certain streets, these were simply transcribed with a fictional name (of a similar style and same number of syllables). Names of larger areas, such as cities, were usually transcribed with the name of another real location of a similar size (as well as a similar style and same number of syllables).

2.4 Analytic Method

My research questions asked how ‘innocence’ is constructed in responses to criminal accusations across different interactional settings, and to what extent suspects orient to affordances and constraints of each? As outlined in Chapter One, the analytic method used to analyse these data was discursive psychology (DP). I will now illustrate the foundations of DP, outline why this approach was required and appropriate for my research, and how and why terms taken from other approaches rooted in ethnomethodology including conversation analysis and membership categorisation analysis were utilised.

Ethnomethodology is a major foundation of discursive psychology (Edwards, 1997). Ethnomethodology was developed by Garfinkel in the 1960s (1967). Its aims include explicating the reasoning practices or rules that ordinary people exhibit in going about their everyday lives. It treats these as topics of empirical study, with the aim to learn about them as phenomena in their own right (Garfinkel, 1967). Three key ethnomethodological concepts are: 1) indexicality; 2) reflexivity; and 3) the documentary method of interpretation (Potter, 1996). Indexicality refers to the idea that the meaning of a word or utterance depends on the context in which it is used (see Section 1.4.2). Garfinkel (1967) explains that the properties of indexical expressions and indexical actions are orderly. Garfinkel uses the term ‘ethnomethodology’ to refer to the investigation of these properties as contingent ongoing accomplishments which are organised as part of everyday life. Reflexivity refers to the idea that descriptions are not only *about* something but also serve to *do* something. The documentary method of interpretation refers to the idea that events and actions are understood in terms of background expectancies, and that this is modified by gained understanding. This means that there is a continuous circular process taking place in which a certain utterance is used as evidence of a pattern and that, as this utterance is seen as part of this pattern, it is also used to make sense of it. Ethnomethodological approaches utilise these three concepts to study the methods people use to produce and understand factual descriptions, and how social life is conducted in a way that is accountable.

The broad theoretical perspective of discourse analysis is rooted in ethnomethodology (as well as speech act theory and semiology) (Potter & Wetherell, 1987).

It is made up of both conceptual and methodological elements, and concerns the nature of discourse and its role in social life (Potter & Wetherell, 1987). This involves analysing social practices in texts and talk and viewing discourse in terms of how it is used, rather than as an abstract entity. Furthermore, discourse analysis not only allows for an examination of what is present, but also of what is absent or missing (Billig, 1999; MacMartin, 2002). A key assumption of discourse analysis is that there is no such thing as a versionless reality. This does not mean to say that the discursive perspective denies a physical reality, it simply rejects the assumption that there is a world internal or external that can be known separately from its construction in discourse (Cuff, 1993).

Discursive psychology applies principles and methods from discourse analysis and (increasingly) conversation analysis (Edwards, 1997). Discursive psychology (DP) was the approach taken for this research. DP began development in the late 1980s, and this emerging field of research was originally labelled as such by Edwards and Potter in the early 1990s (1992). DP can be broadly situated within qualitative psychology. However, due to its ethnomethodological foundations, it does not share its overall ontological and epistemological views with many other methodological approaches under the qualitative psychology umbrella (Tileagă & Stokoe, 2015). Discursive psychology is both a meta-theory and an analytic approach (Edwards & Potter, 1992) entailing discursive psychologists to adopt a relativist stance that requires bottom-up, micro-level analyses (Abell & Stokoe, 1999). DP is a social constructionist approach, and is generally concerned with what discursive practices are in use and how these are organised across different kinds of everyday and institutional settings (Edwards & Potter, 1992; Stokoe, Hepburn, & Antaki, 2012).

DP allows for a qualitative focus on how psychological entities and processes are constituted in discursive acts (Edwards & Potter, 1992) with issues of cognition being bracketed off (Potter, 2012). Discursive psychology therefore has three major strands: 1) the respecification and critique of psychological topics and explanations; 2) the investigation of how everyday psychological categories are used in discourse; and 3) the study of how psychological business is handled and managed in talk and text (Edwards & Potter, 2005). All three of these are appropriate for this study, which explores the construction of 'innocence' and the psychological topics this entails (for example emotions and dispositions, truth and lies, innocence and guilt), in an anti-cognitivist, anti-realist way.

Discursive psychology reveals how suspects may discursively negotiate psychological business in responding to a criminal accusation. However, EMCA approaches such as DP, take a data-driven approach and, because of this, the data were treated with a somewhat

openness in terms of analysis. For example, alongside the discursive psychology approach and where relevant to the data, terms and specialist vocabulary taken from conversation analysis (CA) and membership categorisation analysis (MCA) were utilised in the analysis. Due to their shared ethnomethodological heritage, CA and MCA are compatible with DP in terms of their shared focus on how actions are achieved interactionally, in this case how ‘innocence’ is constructed in response to a criminal accusation. Occasionally utilising terms taken from CA (such as reverse negative polarity questions and self-repair) and MCA (such as standardised relational pairs and membership categorisation devices) approaches was therefore considered complementary to a DP study of suspects’ interactions. This allowed an analysis of how suspects’ construction of knowledge and understanding about events in question were invoked, oriented to and challenged (Potter, 2010; Potter & Hepburn, 2008), the sequential and organisational rules of suspects’ interactions across different contexts (Augoustinos & Tileagă, 2012), as well as suspects’ local use of categories regarding those involved (such as ‘criminal’, ‘victim’, ‘perpetrator’ etc.) to minimise their own blameworthiness. This enriched the analysis, and the next section will describe the procedure by which the data were analysed.

2.5 Analytic Procedure

2.5.1 Preliminary analysis.

Due to the pre-existing and publicly accessible nature of broadcast interviews and other public statements in which someone may respond to a criminal accusation made against them, it was possible to conduct preliminary analysis on these data in the early stages of this research. This allowed for several aspects of this research to be established. Firstly, the appropriateness of the chosen analytic method; secondly, to refine the research questions; thirdly, for key actions in how suspects discursively construct ‘innocence’ across different data to be identified; and finally, which exact data would be most appropriate to use for more in-depth analysis in the thesis.

2.5.2 Data analysis.

To begin the analytic procedure, the data collected (see Section 2.1.2) were repeatedly watched and listened to alongside the transcripts of these interactions (see Section 2.3). This was done to identify what discursive actions were being performed by the speakers, and particularly the ways in which these were achieved as part of a response to a criminal accusation. The research questions (to explore how the suspects construct ‘innocence’ and

how this is achieved, orienting to affordances of different interactional settings) were refined and established whilst examining the data, rather than before. Approaching data in this way without any specific hypotheses is commonly known in conversation analytic research as ‘unmotivated looking’ (Liddicoat, 2007). As I took a discursive psychological approach (Edwards & Potter, 1992) in this thesis, the analysis was not an attempt to predict or uncover who was ‘really’ guilty or innocent. Potter (1996) argues that methodological relativism is crucial for work on fact construction, truth and falsity must be considered ‘as moves in a rhetorical game’ (p. 40). Therefore, although some of the suspects may well be innocent, the focus of this analysis was on how they constructed this, rather than whether this is ‘really’ the case or not.

The action of focus for this research was therefore how suspects may exonerate themselves in response to a criminal accusation. Discursive psychology was used to approach the topics of cognition, mental states and psychological characteristics as matters which are actively managed in talk. While examining the data, I identified examples of where and when psychological categories such as intentionality, emotions, categorisation, dispositions, and knowledge were used as part of a response to a criminal accusation. I also identified what this discursively achieved in terms of suspects minimising their own blameworthiness for a criminal act. The analysis therefore predominantly focused on *suspects’* discourse but, for a sequential examination, also considered if and how their turns were elicited or responded to by other speakers in the interaction (see Section 2.4).

Once instances of psychological categories were identified, these were developed into collections in order to achieve the findings of the analytic chapters. These collections emerged from the data across all three interactional settings, each one revealing a different way in which a suspect may negotiate psychological business to construct ‘innocence’, thus minimising or deflecting blame for a criminal act. The collections were organised by identifying the action being performed and using this as the title of the collection. Extracts were brought together under each collection, to exemplify the same action being achieved. Each extract was labelled with what exact interaction it was taken from, as well as where in the interaction, in terms of time, it was taken from.

When collections were assembled, analysis was developed by presenting these and examining how each individual case within the collection contributed to and exemplified that collection. This enabled an examination of the distinctions to be drawn between collections, thus clarifying the content of each. This meant I could identify: how and which collections may be considered to overlap in some way; if and how collections might actually be doing

the same thing, and could therefore be combined, developing sub-collections within collections to demonstrate the practices by which the overarching action of that collection could be achieved; and which collections were not substantial enough in terms of examples to sufficiently form an analytic chapter of their own. These collections and sub-collections developed were used to form the structure of the three analytic chapters (Chapters Three, Four, and Five). Each chapter presented a collection, with each section of these chapters presenting a sub-collection, along with extracts to demonstrate the performance of the respective discursive action across the interactional settings.

Once these three collections (and their sub-collections) were developed, cases within these were examined further to identify if and when speakers themselves oriented to social or technological conventions of their interactional setting. It was explored what these conventions were exactly, and how these were made relevant as part of achieving a discursive action, thus contributing to the respective collection. The discursive analysis therefore enabled patterns in how the ‘innocence’ was constructed by suspects through the same actions across three diverse settings, examining the different practices by which is achieved across each. This did not merely involve just describing what is going on in the interaction (who says what), but also exploring the methodological production and sequential regularities found in the data, invoking constraints and affordances of the interactional setting. This involved examining if and how suspects’ utterances were elicited and responded to in the interaction, and how these utterances were made credible as part of their management of the dilemma of the stake through making relevant social or technological features of the interaction. This allowed the extent to which the suspects’ practices demonstrated the relevance (or irrelevance) of affordances and constraints of each of the settings to be investigated. The presumption was not made that these affordances *would* impact the interaction in a certain way, or that these affordances might be relevant, but to examine the interactions themselves and *if* and *how* affordances were oriented to by the speakers within to contribute to their construction of ‘innocence’.

2.6 Summary of Methodology

This chapter has given an outline of the approach taken to acquiring the data used for this research, and the rationale for the data chosen for analysis. This chapter also outlined the ethical considerations, the transcription process, method chosen, and the analytic procedure taken to do this.

The next chapter will be the first of the analytic chapters. This explores how suspects across police interviews, television interviews, and internet vlogs, exonerate themselves through claiming epistemic primacy about their level of involvement in the alleged offence.

CHAPTER THREE:

SUSPECTS' CLAIMS OF EPISTEMIC PRIMACY

3.0 Introduction

As outlined in the previous two chapters, the aim of my research is to explore the discursive actions performed in responses to criminal accusations. This first analytic chapter will show how suspects (those who have been accused of committing a criminal offence) claim epistemic primacy about their part in their alleged offence. It will examine if and how suspects orient to affordances and constraints of their interactional setting to construct and challenge knowledge, versions, facts, and evidence. These may be performed to achieve a number of tasks; in this thesis, I will focus in particular on how those who have been accused of an offence do so to achieve some exoneration or exculpation, and how this is done across interactional settings.

There is a wealth of recent CA research on epistemics in interaction. Two key examples come from Heritage (2012) and Stivers et al. (2011). Heritage (2012) focuses on epistemic stance and epistemic status, and the importance of these in achieving the social actions of asserting or requesting information in an interaction. Epistemic status refers to a person's level of knowledge within a certain domain; this is conceived as a somewhat enduring feature of social relationships. Epistemic stance, however, refers to the moment-by-moment *expression* of these relationships and how this is managed through the designs of turns in an interaction. Stivers et al. (2011), on the other hand, provide a focus on epistemic access, epistemic primacy, and epistemic responsibility (rather than epistemic status and stance), treating these as dimensions of knowledge in conversation. They examine the conversational practices used to manage these dimensions of knowledge, whilst also exploring what moral and affiliational implications these have on the interaction moment-by-moment.

Epistemic access refers to the extent to which a speaker knows or does not know something, their degree of certainty, as well as the source and directness of knowledge (Stivers et al., 2011). Stivers et al. (2011) outline two related social norms regarding epistemic access: 1) speakers should not inform recipients of something the recipient already knows, and 2) speakers should not make claims about something they do not have sufficient access to. Epistemic primacy refers to speakers' *relative* rights to know something (their epistemic access), relative rights to claim, and relative authority of knowledge. Speakers

orient to the asymmetries in their relative rights to know, as well as their relative rights to tell, inform, assert or assess something, and asymmetries in their level of knowledge; and this asymmetry is termed epistemic primacy (Stivers et al., 2011). ‘A event knowledge’ is used to refer to knowledge possessed primarily by the speaker and ‘B event knowledge’ is used to refer to knowledge possessed primarily by the recipient (Labov & Fanshel, 1977). There may be epistemic congruence when speakers agree who has access to what knowledge, and there may be epistemic primacy congruence when speakers agree who has greater authority or rights to know something (Stivers et al., 2011). Epistemic primacy can be derivable from social categories (such as doctor) or more locally from interactional roles (such as the teller).

As well as there being asymmetries in terms of speakers’ rights to know, speakers have particular responsibilities with respect to that knowledge; this is known as epistemic responsibility (Stivers et al., 2011). Epistemic responsibility refers to types of knowable (‘Type 1’ being those which subject-actors, as subject-actors, have rights and obligations to know, whereas ‘Type 2’ are those that subject-actors are assumed to be able to access, due to the knowings being occasioned (Pomerantz, 1980)). Epistemic responsibility also refers to recipient design of actions and recipient design of turns. Therefore, speakers have a right and an obligation to know personal details about themselves, but are not normally expected to know these things about others to the same degree. In terms of recipient design, speakers orient to the social norm that each other must be held responsible for knowing what is in the common ground, retaining what they have come to know, and also making use of what they know, particularly about the other speaker, in designing their turn (Stivers et al., 2011).

The notions of epistemics outlined in the work of both Heritage (2012) and Stivers et al. (2011) are valuable in examining how knowledge is invoked to achieve interactional business. In this analytic chapter, I will be drawing upon the latter; the dimensions of epistemic responsibility, epistemic access, and (especially) epistemic primacy, as outlined by Stivers et al. (2011), will be applied to enrich the analysis of this chapter. This is because these dimensions of knowledge are seen to be invoked across my data, and I will demonstrate how this is achieved between speakers to negotiate who is more knowledgeable (K+) and who is less knowledgeable (K-) about the alleged offence and what happened. This extends the work of Stivers et al. (2011) by demonstrating how epistemic access, primacy, and responsibility are invoked in interactions with suspected criminals, and how this contributes towards their construction of ‘innocence’. This is relevant to the settings I have studied where there are epistemic asymmetries between speakers to be negotiated with regards to establishing ‘what really happened’ during an alleged offence, and where the suspect must

manage their dilemma of the stake as part of this (Edwards & Potter, 1992). This can involve epistemic *incongruence* between the speakers in the interaction about who has epistemic primacy and responsibility: the suspect (who knows what they did or did not know) or the interviewer (who has access to external evidence that may call the suspect's account into question). In this analysis, I will therefore reveal how epistemics has implications on the suspect's blameworthiness in terms of what the speakers claim to know about the alleged offence, how they know it, and what rights they have to know it.

Therefore, in predominantly focusing on the suspects' discourse, I will consider how other speakers in the interaction (such as interviewers) may challenge, probe, or question the suspects' accounts. I will demonstrate that some categories of interviewers have more access to 'objective' evidence than others, that some are more entitled than others to pursue answers, and that some categories of suspects are less required than others to provide these answers. I will focus on how suspects construct 'innocence' (regardless of whether they admit to the crime they are accused of committing). I will show how suspects achieve this construction through interactionally building or reinforcing evidence that supports or corroborates their own accounts, while undermining or challenging physical or descriptive evidence presented to them that may call these into question. This analysis will therefore demonstrate how suspects must construct a plausible version of events by using the only tool available to them: language.

With these things considered, the next section (3.1) will have an analytic focus. The analysis in this chapter examines how epistemic primacy is claimed as part of suspects' construction of 'innocence' across public, non-legal settings (compared to the police interview setting) in the era of television and the internet. I demonstrate what is discursively and technologically available to the suspects across these settings, and how these are oriented to in the suspects' responses to a criminal accusation. I will then go on to summarise the key findings shown in the chapter, and outline the importance of these and the value of my research (Section 3.2).

3.1 Analysis

To demonstrate suspects' claims of epistemic primacy about their part in the alleged offence, I will firstly show how entitlement to knowledge of 'what really happened' is formulated in interactions with suspects. Secondly, I will show how evidence is constructed in these interactions to reinforce or bolster claims. And thirdly, I will show how versions are assessed and challenged in these interactions. These three actions may be performed together;

however, for the purpose of clarity, each will be examined separately, in turn, to explore if and how affordances are made relevant across police interviews, television interviews, and internet vlogs, concurrently.

3.1.1 Claiming entitlement to knowledge of ‘what really happened’.

This section of analysis will explore how speakers across the three interactional settings claim epistemic access, how they put themselves forwards as being a knowledgeable, honest, or credible person, and therefore how epistemic primacy and epistemic responsibility is negotiated, as well as how epistemic incongruence is dealt with. I will begin this analysis with a focus on the police interviews to enable later comparison with the television interviews and internet vlogs.

All police interviewing comes with the expectation that, for any offence, there are clearly defined features or ‘points to prove’ which need to be addressed (Baldwin, 1993). It is part of police officers’ training to have an awareness of what evidence is needed to establish *mens rea* for each type of offence (Calligan, 2000; Edwards, 2008). In the absence of this evidence, the law allows legal practitioners (such as police officers, lawyers, and judges) to appeal to what a ‘reasonable man’ (sic) would understand to be the basis of the actions in question (Edwards, 2008). As the police interview interaction comes with potential legal consequences for the suspect, such as being given a caution or charged for an alleged offence (as outlined further in Chapter Five), this is a high-stake setting. It is therefore vital that speakers establish ‘what really happened’ (Stokoe & Edwards, 2008) during the alleged offence and the suspect’s level of involvement. The speakers must put themselves forwards as being most credible or knowledgeable in order to effectively construct or challenge a version of events (Drew, 1992).

At the point of the police interview where the suspect has finished providing their free account, the police officer may ask questions to clarify or challenge parts of this. It is found that, here, the suspect may respond to these challenges by constructing that it is *them* who knows ‘what really happened’, and therefore them who has epistemic primacy, thus undermining or minimising the police officer’s epistemic access. This is established through language, and can be seen in the extract below (see Section 2.3 for details on transcription), taken from a police interview. Here, a suspect is responding to accusations of assault and, after denying this, is asked to speculate on why the alleged victim would make this up:

Extract 3.01 (Police interview PN-40):

1 S: →Know what I mean I try and be honest wi’ you and that and

2 you're tryin' to say oh there's a reason.
3 (0.5)
4 S: There ain't no reason.
5 S: →I'm telling you there ain't a rea[son. You] don't know,
6 P: [(The reason-)]
7 P: (Be[cause-])
8 S: → [I] know if I kicked him or not,
9 S: I ain't kicked him.

The suspect's response to being challenged utilises repetition to create contrasts (Wooffitt, 1992) between his entitlement to knowledge and the two police officers', and that his is superior. On lines 5 and 8-9 the suspect says 'you don't know, I know if I kicked him or not, I ain't kicked him'. The suspect uses the word 'know' in repetition to explicitly compare what he knows and what the police officers do not. This allows the suspect to go further than simply claiming his own epistemic access about his level of involvement in the alleged offence, but also his epistemic access *relative* to the police officers'. This undermines the police officer's directness of knowledge compared to him, and therefore constructs him as having epistemic primacy about 'what really happened'.

Despite this claim, there is physical evidence that the alleged victim was assaulted (as he has bruises), which one of the two police officers present posits to the suspect (in data not shown here). The police officer has access to this available physical evidence, whereas the suspect does not, and she uses this as a challenge to his descriptive evidence. The suspect has a stake in denying the offence in his descriptive evidence, whereas the alleged victim does not. Despite the physical evidence which supports the alleged victim's account, the suspect himself does not orient to the physical evidence as being superior in this way. He formulates access to an 'objective' truth that the police officer does not possess, not by denying the presence of the physical evidence, but by denying that it was he who caused the bruising, thus maintaining the denial of committing the offence given throughout the interview.

The 'oh' on line 2 is used as a preface. Heritage (1998) demonstrates that the particle 'oh' is commonly used to acknowledge new information and often functions as a 'change of state' token. It registers, or enacts a registration of, a change in the speaker's state of knowledge or information, as well as a change in the speaker's state of orientation or awareness. Heritage also shows that 'oh' can be used to register a noticing, followed by naming the object of this noticing. This can be seen in this extract, but here it is used in active voicing (Wooffitt, 1992). This clarifies that the suspect is animating her, the police officer's, words here rather than his own. 'Oh' acts as a noticing of the suspect's account, and 'there's a reason' serves to name the issue, that the suspect's account does not align with the alleged

victim's. The 'oh'-prefaced 'there's a reason' therefore formulates this as merely something the police officer is *claiming* in response to the suspect's account rather than something which is 'true', whilst also giving the claim a ridiculing, undermining tone. This again orients to an epistemic asymmetry between the speakers, contributing to the suspect's claims of epistemic primacy.

On line 1 of Extract 3.01, the suspect says 'I try and be honest wi' you'. These sorts of 'honesty phrases' (Edwards & Fasulo, 2006) are seen to be used by suspects across the data, and serve to bolster their claims of direct epistemic access about 'what really happened', framing their words, and themselves, as credible. Edwards and Fasulo (2006) reveal that honesty phrases can be used when framing assessments, opinions, dispreferred answers, or the inability to answer. This serves to position these as being done out of honesty, rather than some other kind of motive or attitude. In Extract 3.01, the suspect positions his denials or accounts as being made out of sincerity (because he has direct epistemic access to knowledge about the truth) rather than deviousness or a motivation to avoid potential legal consequences, the stake in the interaction. Suspects in the television interviews or internet vlogs, however, orient to potential consequences of a different kind. This will be explored in later extracts in this chapter.

Extract 3.01 demonstrates a suspect claiming epistemic primacy in response to inconsistencies between their version of events and the alleged victim's, presented by the police officer. Extract 3.02 will now demonstrate a police officer challenging a suspect's account by presenting inconsistencies *within* their version of events, thus challenging their credibility. The suspect here is being accused of assault and he responds by claiming he was provoked and acting in self-defence, as his door was broken down by the alleged victim/s. The police officer then goes on to point out an inconsistency with this:

Extract 3.02 (Police interview PN-100):

1 P: →There's no damage to your door so in all fairness I don't think
 2 they 'ave kicked your door.
 3 (0.2)
 4 S: →What so it just blew open in the wind.
 5 (2.0)
 6 (S): °Hn(hh).°
 7 (1.6)
 8 S: →↑All right then, (0.4) so 'OW'D- 'OW'D'YOU EXPLAIN THIS THEN.
 9 (0.3)
 10 P: I don't have to explain it mate.
 11 (.)
 12 P: Do I- I wasn't there how can I explain it.
 13 (0.2)
 14 S: →LOOK WELL THAT'S WHAT I'M SAYIN' I WAS THERE.
 15 (.)

16 P: [Yeah.]
 17 S: [THEY'RE] RUNNING DOWN [MY DRIVE,]
 18 P: [That's why I'm asking] you the
 19 questions.

Again, the suspect's claims of epistemic primacy (on line 14) are elicited by a challenge from the police officer ('there's no damage to your door so in all fairness I don't think they 'ave kicked your door' on lines 1-2). This challenge invokes the police officer's epistemic access to evidence ('no damage to your door') and how this leads him to deduce ('in all fairness') that he has epistemic access about the alleged victims' actions ('I don't think they 'ave kicked your door') which is incongruent with the suspect's claims. This demonstrates a negotiation of who knows 'the truth', and that suspects' accounts can be challenged either through the presentation of inconsistencies between their version of events and the alleged victim's, or of inconsistencies *within* their own version of events.

In Extract 3.02, the issue is between the suspect's presentation of descriptive evidence about his door compared to the police officer's presentation of the physical evidence. The suspect's deduction that, as the door was open, it must have been kicked in, and the police officer's deduction that, as the door was not damaged, it could not have been kicked in, are therefore competing for credibility, resulting in epistemic primacy incongruence (Stivers et al., 2011). After some further discussion repeating this point, the police officer suggests moving on to another line of questioning (about why the suspect went into his garden after the alleged offence took place), as they have 'done the front door bit as much as we can' (in data not shown here). Therefore, in this instance, neither speaker succumbs to agreeing with the other's evidence, each orienting to their own as most credible; neither the descriptive evidence nor the physical evidence 'wins'. As this persists, the police officer then must change topic, prioritising the progressivity of the interview (Stivers & Robinson, 2006).

Furthermore here, in Extract 3.02, the two speakers are negotiating their directness of epistemic access about the suspect's part in the alleged offence versus their epistemic responsibility to know and to prove this. For example, the suspect subverts the conventional dynamics of the police interview by asking the police officer to explain what happened ('what so it just blew open in the wind' on line 4 and 'so 'OW'D- 'OW'D'YOU EXPLAIN THIS THEN' on line 8) (Cerović, 2016). This deflects accountability onto the police officer and challenges the strength of the police officer's epistemic access about the alleged offence compared to theirs. The suspect reinforces his claims of epistemic primacy about his part in the alleged offence through 'LOOK WELL THAT'S WHAT I'M SAYIN' I WAS THERE'

(line 14). Sidnell (2007) demonstrates that ‘look’-prefaced turns, when in second position, mark a disjunction and redirection of talk away from the conditionally relevant next action and towards some alternative. Similarly, Bolden (2009) shows that ‘so’ can preface sequence initiating actions (such as questions). They indicate the status of these as ‘emerging from incipency’ rather than being contingent on the immediately preceding talk. This is demonstrated in Extract 3.02, where the suspect’s use of turn initials ‘what so’, ‘so’, and ‘LOOK’ serve to call into question the reasonableness or plausibility of the police officer’s challenge, and deflect accountability onto him for making this, rather than responding himself.

Similarly to Extract 3.01, repetition is used to create contrasts between the speakers’ epistemic access, relative to each other. However, the speakers in Extract 3.02 create this repetition collaboratively (Sidnell, 2010; Stokoe & Edwards, 2008), for example ‘OW’D-OW’D’YOU EXPLAIN THIS’ (line 8) compared to ‘I don’t have to explain it mate (line 10), and ‘I wasn’t there’ (line 12) compared to ‘I WAS THERE’ (line 14), and ‘THAT’S WHAT I’M SAYIN’ (line 14) compared to ‘that’s why I’m asking’ (line 18). The suspect uses the police officer’s words against him, reformulating the challenge in such a way that actually supports his own argument, reinforcing his claims of epistemic primacy about his part in the alleged offence.

When the police officer claims ‘I don’t have to explain it mate. (.) Do I- I wasn’t there how can I explain it’ on lines 10 and 12, this demonstrates the police officer making relevant their interactional setting and the epistemic asymmetries here. It implies that it is the suspect who is being accused and questioned here, that he has not given a sufficient explanation for his part in the offence, to which he has direct epistemic access to, and that it is the police officer’s obligation to press and pursue this. This particularly orients to who is entitled to know what, and who is obliged to ask or answer what, in order to establish this in the formal and official legal setting. These sorts of turns are not seen in the television interviews; the suspects here are not treated as such in the formal or official sense, and there is not the same level of epistemic incongruence about who has access to ‘what really happened’.

How credibility and entitlements to knowledge are claimed by speakers in the police interviews can be compared to that in the television interviews, and demonstrates how the purpose and potential consequences are made relevant in this negotiation. In the police interview setting, this interaction is taking place as part of a current, ongoing criminal investigation, where ‘what really happened’ must be established, and speakers’ epistemic access is highly pertinent to this. This is unlike the television interview setting where,

although a criminal investigation may be referred to as part of this interaction, as part of the suspect publicly responding to the criminal accusations made against them, the interaction *itself* does not take place as part of a criminal investigation. This is oriented to in the extract below, taken from a television interview, in which it is alluded that a suspect was framed for the murders he is alleged to have committed:

Extract 3.03 (Television interview 4):

- 1 I: →How many people were in on this conspiracy ↓that you claim.
 2 (0.5)
 3 S: I don't claim anything.
 4 (.)
 5 S: ↓I don't claim (.) anything.
 6 (0.4)
 7 S: You know.
 8 (0.2)
 9 S: →I- I just- (0.2) I don't clai:m that I'm innocent I am
 10 innocent.
 11 S: I don't make any claims outside o' that.
 12 I: →=Was the[re a conspiracy,]
 13 S: [I am an innocent] man.
 14 I: →To frame you.

The suspect claims direct epistemic access by formulating that he *is* innocent rather than merely *claiming* 'innocence' on line 9. The interviewer deals with this by responding in a way that reformulates the question 'how many people were in on this conspiracy ↓that you claim' (line 1) to 'was there a conspiracy, to frame you' (lines 12 and 14). This self-repair removes the problematic word 'claim' (Schegloff, Jefferson, & Sacks, 1977). This question differs to the kind asked by the interviewer in police interviews because it orients to alleged misconduct on the police's part, and to the suspect as having epistemic primacy in this interaction. The television interviewer may orient to knowing about the evidence against the suspect, whilst not necessarily having this at their disposal. In the police interviews, however, the police officer may have access to evidence, and orients to this as credible and objective, whilst not necessarily revealing this to the suspect until later in the interaction. It is therefore less clear what level of epistemic access the police officers possess whereas, in the television interviews, the interviewer asks questions which treat the suspect as having epistemic primacy, thus allowing the suspect to construct their answers in this way too.

This extract demonstrates similarities to the epistemic primacy incongruence seen in the police interviews. This is because, again, when probed or challenged about his version of events, the suspect responds with a claim of direct epistemic access to an 'objective' truth to therefore bolster their credibility and claim epistemic primacy. However, this television

interview involves the discussion of a criminal investigation which took place in the past, the verdict of which had already been decided prior to the interaction ('not guilty'). This can be utilised and made relevant by the suspect in this situation to manage his public image in his response to the criminal accusation in this non-legal setting (Abell & Stokoe, 2001; Hall, 2015). The police interview interaction, on the other hand, is taking place *as part of a* current criminal investigation (College of Policing, n.d.) rather than a reference to one or as a revisiting or recapping of a completed criminal investigation. Therefore, the police officers are entitled to press and pursue resisting suspects in order to establish 'what really happened' (without resorting to interrogation or coercive tactics) and negotiate epistemic primacy in a way that television interviewers, who are expected to remain neutral, cannot and/ or do not.

The timing of the interview taking place in relation to the accusation being made against them, is found to be made relevant in the television interviews, particularly if there is a greater length of time between the two. The speakers in the police interview setting (in the data set analysed for this research) orient to the interaction taking place a short while after an accusation has been made. This is demonstrated (in data not shown here) by questions such as 'do you want to tell me then what happened last night' (Police interview PN-100). The television interview setting, on the other hand, does not happen under this constraint; the interview can take place whenever the suspect agrees to it. In the extract below, it can be seen how the interviewer explicitly orients to this at the start of the interview:

Extract 3.04 (Television interview 1):

- 1 I: →Let's talk about why you decided to talk ↓now.
2 (0.8)
- 3 S: →.Hh hu(hh):hm. (0.5) I- ↑I've been wantin' to talk every since
4 (0.5) I hea:rd about (0.3) ↓all o' this, (.) and.
5 (0.5)
- 6 S: →But unfortunately you gotta go get lawyers, (.) you know what
7 I'm sayin' to get protected because o' the fact that I'm
8 ↑famous, and.
9 (0.3)
- 10 S: And it's just got a lot of people comin' at me right now so.
11 (0.3)
- 12 S: →Um (0.2) as soon as I went to the lawyers of course they tell
13 you to shut up,
- 14 S: You know you can't say this you can't say tha:t,
15 (0.4)
- 16 S: →And um that's one thing I really wanted people to understand is
17 I've been wantin' to say somethin' I've been wantin' to come
18 out and (0.4) you know and and say what I had to say but.
19 (0.3)
- 20 S: →Unfortunately when you are me (and you are or) (.) famous. (.)
21 They tell you you can't say nothin'.
- 22 S: So (0.5) I had to pound 'em over the head and tell 'em that you
23 know (it's j- it's j-)(0.5) enough is enough.
24 (0.5)

25 S: You know people comin' outta wood work now I gotta you know.
 26 (.)
 27 S: I gotta (0.4) come out and say somethin'.
 28 S: →So: even though one hand is be(hh)ind my back but I'm here.

'Let's talk about why you decided to talk ↓now' on line 1 demonstrates the interviewer orienting to the interviewee as having control over when, and under what conditions, this interaction takes place. It positions the suspect as not only having epistemic access regarding his level of involvement in the alleged offence but also having epistemic access regarding his experience since being accused. This is unlike the police interviews, where the suspect is only asked questions regarding their epistemic access to their level of involvement in the alleged offence. The suspect is being interviewed under arrest (College of Policing, n.d.), usually shortly after the occurrence of the alleged offence, and so questions like that seen in line 1 of this extract are not seen here. The settings differ in terms of this, and Extract 3.04 demonstrates that this is made relevant and oriented to in the interaction. The turn by the interviewer on line 1 is not an explicit question for the suspect to answer. However, it serves to challenge and elicit a response from the suspect which orients to the 'why' and the '↓now' (line 1), particularly why the suspect did not respond to the accusations of sexual assault *sooner* than the time in which the current interaction is taking place.

The suspect responds to the challenge with '↑I've been wantin' to talk every since (0.5) I hea:rd about (0.3) ↓all o' this' (lines 3-4). This constructs himself as being someone who has epistemic access to 'what really happened' and who has a desire to be open and responsive, thus constructing him as honest and credible rather than evasive. This willingness to cooperate is reiterated on lines 16-18 with 'that's one thing I really wanted people to understand is I've been wanting to say somethin' I've been wantin' to come out and (0.4) you know and and say what I had to say'. 'People' orients to his fans and audience, and 'come out' makes relevant the public nature of both the accusation and his response to it; these utterances position himself as being in a separate category, status, and space to these people. This constructs him as having epistemic primacy in terms of what he does (or does not) know, and therefore has the epistemic responsibility to inform the public of this, who do not have the direct access to know 'what really happened'.

The suspect's response, while constructing a desire to respond to the accusations, also serves to minimise his level of freedom in terms of when he was *able* to respond to the accusations by formulating the influence of 'lawyers' on lines 6 and 12. The suspect, at several junctures, shifts into second person when doing so. Examples include 'unfortunately

you gotta go get lawyers' (line 6), 'as soon as I went to the lawyers of course they tell you to shut up, you know' (lines 12-13), and 'unfortunately when you are me (and you know are) (.) famous (.) they tell you you can't say nothin' (lines 20-21). This positions the lawyers and their influence in providing a celebrity with legal advice as both negative ('unfortunately'), and as a category bound activity or predicate (Sacks, 1992; Watson, 1978) that is mutually understood ('of course') between the speakers in the interaction. It also invokes the stake and interest of this interaction, in that what he publicly says in response to the criminal accusations made against him has the potential to be highly consequential for him and his career.

The suspect's response closes with 'even though one hand is be(hh)ind my back but I'm here' on line 28. This serves to finalise his response by accounting for any lack of detail or evasiveness that may occur in the rest of the interview as being the result of the lawyers' advice rather than his own will or lack of cooperation, honesty, or openness. The suspect therefore positions himself as having epistemic access about the truth of 'what really happened', but cannot necessarily express this because of his lawyers, rather than because of deviousness on his part, or a motivation to avoid legal, financial, or reputational penalties. This demonstrates how suspects, even in non-legal interactional settings, may make relevant lawyers' legal advice in their responses (or non-responses) to criminal accusations.⁷ Line 28 of Extract 3.04 simultaneously emphasises the positivity of the suspect's decision to do the interview rather than avoid or refuse it, something which he is afforded the ability to do. This orients to the interviewee in the television interview settings as the one who has the control over when and under what conditions this takes place, unlike the police interviews, where the suspect is being interviewed under arrest (College of Policing, n.d.). The suspect in the latter can abstain from commenting on the questions and accusations put to them, but they cannot refuse to have these put to them.

Vloggers, on the other hand, invoke a high level of control over how the interaction plays out (Frobenius, 2011). The suspects in the internet vlog setting as well as those in the television interviews, orient to an affordance of more freedom (Frobenius, 2011) in terms of how and when to respond to a criminal accusation. However, suspects in the internet vlogs make relevant a deeper level of control, orienting to their opportunity to edit the footage themselves. The nature of the internet vlogs, which are often edited or scripted to allow for a clear and entertaining video, therefore affords the suspects here the ability to *subvert* this in

⁷ See Edwards and Stokoe's (2011) work on lawyers' contribution in police interviews with suspects.

order to formulate authenticity, unlike the police interviews and television interviews. How this is made relevant in suspects' interaction can be seen in the extracts below in which suspects orient to the unscripted or unplanned nature of their interaction. These extracts are taken from two different internet vlogs, with the suspect in Extract 3.05 being accused of racist behaviour, and the suspect in Extract 3.06 being accused of sexual assault:

Extract 3.05 (Internet vlog 3):

1 S: Hey.
 2 (.)
 3 S: What's up you guys.
 4 (1.2)
 5 S: Hu::::h (0.2) okay.
 6 (0.4)
 7 S: U:m (0.4) I don't really know how to do this video: ,
 8 (0.5)
 9 S: →Um I didn't really plan it out.
 10 (0.6)
 11 S: I didn't (.) like <write it (0.3) ↓do:wn.>
 12 (0.7)
 13 S: Because I I didn't wanna- (0.2) I wanted it to be real. I- (.)
 14 from my heart.
 15 S: I didn't wanna (1.3) <↓script it>.
 16 (0.7)
 17 S: →Um which I ↑probably should've? Beaus:e I'll probably be
 18 ↑rambling a lot?
 19 (0.6)
 20 S: →But just know it's- it's ↑heartfelt rambling?

Extract 3.06 (Internet vlog 4):

1 S: So here we ↑go.
 2 (1.0)
 3 S: Hhhhh.
 4 (0.3)
 5 S: →I haven't scripted this (.) if you couldn't tell.
 6 (.)
 7 S: I just wanted to speak (.) ↓honestly.
 8 (0.6)
 9 S: Uh: (.) or- (1.1) to the best of my abilities. (.) Anyway (.)
 10 like.
 11 S: →As honestly as I can. (.) Given that (.) I'm biased,
 12 (0.2)
 13 S: I'm only one person in this story,
 14 (0.5)
 15 S: And (0.4) these are my recollections,
 16 (0.2)
 17 S: My memory is as faulty as everybody else's,
 18 (0.3)
 19 S: And so on.

The suspects in the two extracts above orient to the video as unscripted or unedited by providing disclaimers at the beginning of the interaction. By the suspects claiming that their response to the criminal accusation is not scripted, this positions the response as being

impromptu and therefore more honest and authentic, whilst also accounting for any vagueness or inconsistencies (as being down to not remembering rather than not knowing). This occurs before they have even begun their actual response to the accusation, again acting as a disclaimer (Potter, 1996), for missing out or forgetting certain details of their account, rather than a lack of epistemic access about ‘what really happened’. This contributes to reinforcing the credibility and authenticity of their claims and therefore managing their dilemma of the stake. This can be seen on lines 9-14 of Extract 3.05 ‘Um I didn’t really plan it out. (0.6) I didn’t (.) like <write it (0.3) ↓d_o:wn.> (0.7) Because I I didn’t wanna- (0.2) I wanted it to be real. I- (.) from my heart’. This can also be seen on lines 5-11 of Extract 3.06 ‘I haven’t scripted this (.) if you couldn’t tell. (.) I just wanted to speak (.) ↓honestly. (0.6) Uh: (.) or- (1.1) to the best of my abilities. (.) Anyway (.) like. As honestly as I can’. This demonstrates that suspects’ epistemic primacy is invoked as part of constructing their cooperativeness in the interaction, communicating their ‘side of the story’ to their audience.

The internet vlogs differ from the police interviews and television interviews in terms of where and how the accusation is put to the suspect, and therefore how the suspect is able to respond to this. It is worth remembering, however, that not all criminal accusations put to a suspect are made by someone who has the same level of authorisation to formally do so. The internet vlogs are asynchronous interactions (Frobenius, 2011); the accusation which is being responded to has taken place outside of the interaction, usually in a separate online forum such as a Tumblr post or another YouTube video. In the television and police interviews, on the other hand, the suspect is responding to an accusation put to them in the interaction itself, as part of a more synchronous interaction. Extracts 3.05 and 3.06 demonstrate how there is no one in the interaction itself for the suspect to negotiate epistemic primacy incongruence with (Stivers et al., 2011). The suspect therefore manages their dilemma of the stake by fending off any possible accusations from the viewers about inconsistency, ‘rambling’ (lines 18 and 20, Extract 3.05), or other challenges themselves *before* they occur, pre-emptively, at the start of the interaction. This is opposed to the police interviews and television interviews, where the challenge is instigated by the interviewer, the one asking the questions (Clayman & Heritage 2002; Stokoe & Edwards, 2008). The suspects in these cases must respond to this in a way that reinforces or bolsters their credibility and their claims of epistemic primacy about their part in the alleged offence and ‘what really happened’.

The scripted or planned nature of vlogs is a convention the suspects in the vlogs can subvert (Frobenius, 2011) and the sequential placement of the disclaimers at the beginning of

the interaction orient to this. This is unlike the police interviews, where the fact that the suspect has not scripted their response is treated as a given; it is not made explicit in the interaction as it is not a common or expected feature of the interaction in the same way as it is in the internet vlogs. However, vloggers are also afforded the opportunity to construct their identity as a 'normal' person, unlike the celebrities in the television interviews. This makes relevant their 'micro-celebrity' status and the relationship that they have with their audience or community (Hall, 2015; Senft, 2008; 2013). For example, the suspect in Extract 3.06 on lines 11-17 describes himself as 'biased', 'only one person in this story', and that his 'memory is as faulty as everyone else's'. This is known as universalising, a group membership category where a person describes a particular behaviour as something everyone does, something that is the result of being a human and therefore imperfect (Edwards & Potter, 1992). This reinforces his account; it bolsters his authenticity even before he has begun providing his response. It also makes relevant the relationship between him and his audience, by constructing himself as a 'normal' person, who may forget to *say* parts of his account but nonetheless claims direct epistemic access about 'what really happened' and has epistemic responsibility for knowing about his own actions and intentions (Stivers et al., 2011).

3.1.2 Constructing evidence to bolster claims.

The previous section of analysis explored who has epistemic access about the suspects' part in the alleged offence, and how this is interactionally negotiated. This section will explore in further detail what is used as evidence, what is treated as physical, objective, or unarguable evidence to bolster these claims. It will also explore when this is brought up or elicited by the speakers in the interaction, how the evidence is used to bolster what the speaker is saying or the argument they are making, and the agency and provenance of the evidence. For example, a suspect may claim to know what they did or did not do, and present this through their descriptive evidence, as a 'Type 1 knowable' (Pomerantz, 1980). However, others in the interaction, such as a police officer, may *also* claim epistemic access, in terms of having access to evidence which conflicts with the suspect's version of events. They may therefore challenge a suspect's account through presenting descriptive evidence from the alleged victim, witnesses, and others, and/ or through presenting any physical evidence, as a 'Type 2 knowable' (Pomerantz, 1980). This, in turn, can then be responded to by the suspect.

In the police interview setting, the police officers have the epistemic responsibility to collect evidence, regarding a suspect's actions, as part of a criminal investigation. They may

have ‘objective’ evidence at their disposal, and there are certain points in the interaction where it is relevant for the police officer to put forward this evidence to the suspect (College of Policing, n.d.). Analysis of the police interviews shows that, in cases where there was closed-circuit television (CCTV) footage, or other kinds of tape recordings, this is brought up by the police officer *after* the witness statements have been read (and the suspect has responded to this) rather than before. This more objective or physical evidence (such as CCTV or other recordings of the offence) is usually only brought up by the police officer towards the very end of the interview. The suspect may say that a witness is lying, but claiming this with physical recordings of an offence is responded to in a way that orients to it as being more problematic. This does not mean to say that the suspect cannot deny these things (because, as seen in the extracts below, they can and do). This instead serves to render the suspect’s initial voicings of doubt, denials, or accounts as ridiculous or not credible in some way. Therefore, whether the police officer has less or equal epistemic access, in relation to the suspect, is less clear in these interactions compared to the television interviews and internet vlogs, and therefore has the potential for epistemic primacy incongruence later in the police interview interaction. A police officer using video evidence to treat a suspect’s denials as an invalid response can be seen in the extract below:

Extract 3.07 (Police interview PN-57):

1 P: ↑We’ve even got- some things we’ve got on tape. (0.4) ↓Angela.
 2 (1.2)
 3 P: All right.
 4 (2.1)
 5 P: She’s bee- because this has been goin’ on for so long.
 6 (0.8)
 7 P: Yeah?
 8 (1.1)
 9 P: Debra has had to put cameras up.
 10 (1.6)
 11 S: ↑Good.
 12 (0.6)
 13 P: Well these cameras have picked up (0.3) when you’ve been round.
 14 (0.7)
 15 P: So when you’re tellin’ me, (0.7) right that you ‘aven’t been
 16 round onto her dri:ve, (.) and you ‘aven’t been swearing, and
 17 you h:aven’t been (.) absusive towards ‘er,
 18 (0.7)
 19 P: We’ve got it on tape.
 20 (2.0)
 21 P: →Now is that because you can’t remember or you’re not (.) bein’
 22 ↑up front with us.
 23 (0.8)
 24 S: →No I ‘aven’t ↑done it.
 25 (1.3)
 26 P: →It’s on tape Angela.
 27 (0.8)
 28 S: No.

29 (.)
30 S: →I 'aven't ↓done it.

The tape as evidence is brought up after the speakers have finished discussing the witness statement evidence. This treats the tape as more compelling, objective, and unarguable evidence, as a more direct and reliable source of epistemic access in relation to a witness statement. For example, as the suspect denies being the person in the tape committing the offence (using abusive and threatening language and behaviour), one of the two police officers present (on line 21-22) asks whether this is 'because you can't remember or you're not (.) bein' ↑up front with us'. The PEACE framework describes questions like these as 'forced choice', and as problematic because of this (College of Policing, n.d.). The police officer's question treats what is seemingly depicted on the tape as strong evidence, which cannot, or should not, be denied by the suspect. The two options given do not include the possibility that she is denying that it is her in the tape because she did not actually commit the offence.

Despite a denial of the offence not being an option the police officer provides, it is the one the suspect responds with (on lines 24 and 30). The suspect's claims of 'no I 'aven't ↑done it' invokes her epistemic primacy to construct 'innocence'. It treats her denial as being a 'Type 1 knowable' (Pomerantz, 1980): that she has greater epistemic responsibility to know about her *own* actions, in relation to the officer (Stivers et al., 2011). However, this is treated by the police officer as an invalid response by the mere statement 'it's on tape Angela' on line 26. This treats the evidence as being undeniable and objective, thus strengthening his challenge and weakening her denials which she has been building throughout the entire interview. In another part of this discussion about the tape, while playing it, the police officer explicitly says things like 'there's you' and 'it is you' (in data not shown here). He also assesses her denials of her being the person in the tape (as opposed admitting to the offence and/ or apologising for this) as 'silly' (Pomerantz, 1984). He formulates that the court will take this view too, thus orienting to the potential legal consequences of this interaction, as well as what epistemic access the court will have when making their decision. Suspects themselves can also orient to the significance and 'objectivity' of evidence, or lack of it to bolster own their claims. For example, in Police interview PN-40 (in data not shown here), the suspect repeatedly demands that the police officer 'prove it' when faced with the criminal accusations put to him. This demonstrates that speakers must invoke and negotiate epistemic

access when managing the suspects' blameworthiness for a criminal offence. and that this is particularly pertinent in police interviews as part of establishing the 'points to prove'.

The three interactional settings analysed in this thesis differ in terms of when the interaction takes place in relation to the accusation first being made against the suspect. How this is made relevant in the interaction is demonstrated by the fact that, in the television interviews, evidence is usually oriented to and treated as known or mutually understood by the speakers from the start. There is epistemic congruence (Stivers et al., 2011) as who has access to what knowledge is agreed upon. Evidence used in the police interviews, however, is being introduced to the suspect in a way that orients to it as being for the first time. This is unlike the television interviews and internet vlogs where, the evidence in these cases are oriented to as widely known, publicised, and therefore with some significant level of diffusion in the world. For example, this is demonstrated in Television interview 1 (in data not shown here). Here, the speakers also talk about a tape seemingly depicting an offence taking place, similarly to Extract 3.07. However, it is frequently, and from the very beginning, referred to as '*the* tape', and is therefore very different to how the evidence in Extract 3.07 is oriented to. The use of the definite article 'the' treats the tape and the alleged contents of this as mutually understood between the speakers and the viewers or audience (Billig, 1995) in order to contribute to the bolstering of their claims.

The presentation of witness statements and other evidence in the police interviews also differ somewhat to that oriented to in the internet vlogs. The accusations often take place online, and are responded to online in a monologue. This is made relevant through how the suspect constructs 'innocence', and how the evidence of the witness statement, as a source of epistemic access, is formulated and challenged. The suspects in these situations are not necessarily enticed into a challengeable (Reynolds, 2011). As they are the only speaker, they are afforded the control of what gets spoken about and when in their account. For example, they have the freedom to put forward the alleged victim's version as being the weaker and their own version as being stronger *from the off*, and may orient to evidence to reinforce this. This is unlike the police interviews and television interviews, where the suspect must respond to the questions put to them regarding their epistemic access, which tightly guide the interaction. The extract below, in which a suspect is responding to accusations made against him on social media that he committed sexual assault, exemplifies the monological nature of the vlogs. Both 'sides of the story' are presented by the suspect, but in such a way that minimises blame, strengthens his account, and weakens or undermines the alleged victim's:

Extract 3.08 (Internet vlog 4):

1 S: →Like I could sit he:re and I could tell you (.) my side of the
2 story and be like (0.3) ↓WEll (0.2) she- (.) she was into it b-
3 and I have proof. The proof is that like (.) you know whatever
4 like.
5 (0.8)
6 S: →K(hh)s:how you some text message or email or somethin'. But.
7 (1.6)
8 S: ↑It doesn't ma'er.
9 (.)
10 S: Like it doesn't ma'er.

The suspect in this extract constructs proof of his version of events on line 6 with 'k(hh)s:how you some text message or email or somethin''. However, the monological nature of the interaction allows him to orient to evidence, to put this on record, without actually having to explicitly demonstrate what that is. He is able to be systematically vague (Potter, 1996) about evidence which supports his version of events, whilst also discounting, undermining, or challenging the level of detail or credibility of the alleged victim's version of events (for example 'she was into it', line 2). The audience must simply take his word for it, as the suspect claims epistemic primacy in relation to his audience, and there is no other person in the interaction itself to challenge the suspect into showing the evidence which supports his account. This is unlike the police interview, where it can be harder for suspects to construct 'innocence' and claim epistemic primacy in relation to the police officer, as police officers may have 'objective' evidence at their disposal. This is not the case in non-legal settings such as television interviews (where the interviewer does not have formal access to this type of evidence) and internet vlogs (where there is no interviewer at all). Here the suspects may claim epistemic primacy more effectively and clearly.

The internet vlog setting and the police interview setting differ in terms of their audience, and therefore suspect's obligation and epistemic responsibility to actually provide evidence, if referred to, which could support their account. Extract 3.08 demonstrates how this affordance for the suspect in the internet vlog is made relevant. Extract 3.09, which is taken from the same vlog as Extract 3.08 demonstrates how evidence which supports the accusations made against the suspect can be constructed as subjective:

Extract 3.09 (Internet vlog 4):

1 S: Um (0.8) I had reasons in every case to believe that those
2 people did want those things.
3 (0.4)
4 S: →And uh:h (0.9) I refuse to believe that they're just lying
5 about it for attention (.) or whatever.
6 S: Like I don't think that's true.
7 (.)

8 S: →I don't think that them being anonymous means that their
9 story's less or more valid.
10 (0.5)
11 S: →.hh um (1.8) ultimately >if that's how they felt that's how
12 they felt.<
13 (.)
14 S: I wish they'd told me (.) instead of the: internet.
15 S: And >in a couple of cases they di:d,<
16 (0.3)
17 S: And we spoke about it privately but.
18 (1.1)
19 S: Obviously that- (.) >those conversations were not to those
20 people's satisfaction< (0.2) because then they went (0.3)
21 ↓online about it you know.:
22 (0.5)
23 S: Un ↑that's fine,
24 S: Like I understand where- (0.3) what they were trynu achieve,
25 (.)
26 S: They thought that maybe I was just (0.5) a monster that wasn't
27 learning my lesson,
28 S: →And that (0.4) the only way to make me learn it, was to make
29 it this public shameful thing,

The suspect says that he does not believe the alleged victims are making up the allegations for attention (lines 4-5), or that their anonymity makes these more or less valid (lines 8-9). However, by saying this, this actually serves to construct these things as a possibility (a rhetorical trope known as 'apophasis' (Harris, 2002)). It brings these possibilities to the attention of the viewers watching, and makes relevant the nature of online interaction, which allows for anonymous attention. However, at the same time, his formulation of a refusal to believe these things constructs himself as being credible, or as sensitive to the idea that this is something a guilty person, who is denying an accusation made against them, may typically say. By merely mentioning potential problems with the evidence against him (even without necessarily taking ownership of these himself) the suspect bolsters his claims of 'innocence' as, ultimately, it is *he* who has epistemic primacy (in relation to his alleged victims and his audience) regarding his own intentions and actions (Stivers et al., 2011).

The suspect refers to the alleged victims' accounts as being made online, as a 'public shameful thing', rather than as witness statements collected as part of an official criminal investigation (College of Policing, n.d.), as they are oriented to in the police interviews. This serves to undermine, minimise, or challenge the credibility or integrity of those making the accusations against the suspect. Furthermore, the suspect refers to evidence that supports the alleged victims' versions of events as merely feelings (on lines 11-12). Edwards (1997; 1999) demonstrates that emotion discourse is flexible, can be used in blamings, excuses and accounts, and can be used to produce something as an internal state rather than an objective

or external one. In this extract, emotion discourse is utilised to construct the alleged victims' versions as being less solid and more questionable than the hypothetical evidence (such as text messages) that the suspect claims to have, which supports his version of events (line 6, Extract 3.08). Like in the police interviews, the more 'objective' evidence, even if hypothetical in this case, can be positioned as stronger than what an alleged victim or witness says or feels. However, the suspect's epistemic primacy regarding their own actions is oriented to by the suspect as even more powerful than these.

The interaction in the internet vlog setting is a monologue, and so the suspect in the interaction voices both the accusation made against them and their response to it (and may edit this too). This is unlike the television interview setting, which is a dialogue, and so these matters are negotiated *between* speakers (the interviewer and interviewee/ suspect). Therefore, in terms of the presentation of evidence in the television interviews, where accusations are also made (or repeated) in a public setting, and are responded to in this way too, evidence is put to the suspect by the interviewer on behalf of the public. This is done in such a way which challenges the suspect's account without the interviewer taking ownership of this challenge (Clayman, 1992; Edwards & Potter, 1992; Goffman, 1979). This is unlike the police interview when similar evidence is oriented to, where the police officers may make a challenge and take ownership of this, based on their own epistemic access sourced from the evidence for the criminal investigation. Television interviews, unlike police interviews, are broadcast to a large audience for the purpose of entertainment rather than a criminal investigation. The suspect must respond to this in a way which effectively and credibly resists blame, whilst also managing their public image. How this is made relevant by the speakers in the interaction can be seen in the extract below:

Extract 3.10 (Television interview 1):

1 I: →There are people who: (0.4) will say (0.4) if it's not him
2 (0.6) he's got a straight up ↓twin,
3 S: [°↓Mmm.°]
4 I: [That] he doesn' know about.
5 (0.2)
6 S: °Mm mm.°
7 (0.2)
8 I: Do you understa:nd (.) because,
9 (0.2)
10 I: →>↓I will °say this.° (.) I don't know if it was you or not.<
11 (0.5)
12 I: The person in the tape resembles you (.) a who:le lot.
13 S: °Mm ↓hmm.°
14 (1.5)
15 I: →Do yuh understand why people are- if that is the case,
16 (.)

17 I: Ih- this person if it is not you resembles you.
18 I: Do you understand why they think (0.3) that in fact (.) ↓it's
19 you.
20 (.)
21 I: Body type (.) face (.) etcetera.
22 S: No because I haven't seen the ↓tape.
23 S: So (0.3) but I've heard that °of course [(people.)°]
24 I: → [Why not] look at it
25 and- (.) and be able to say (0.2) that is not me unequitocally.
26 (.)
27 S: →Because I can say it wid all confidence right here that it's
28 not me because I didn't ↑do it.
30 (0.5)
31 S: You know it's just if a person tell me (.) you know did you rob
32 a ↑bank yesterday.
33 S: We- we have you on tape robbin' a ↑bank,
34 S: If I didn't rob a bank why would I go to see if I robbed the
35 bank,
36 (0.3)
37 S: On a tape.
38 S: That's- that's- (0.3) that's crazy.
39 S: I wouldn't ↑do that.

The television interviewer not only brings up the evidence of the tape (which seemingly depicts the suspect committing sexual assault), but orients to the impact of the tape, and the interpretation of the tape by the audience or the public in general. He does not orient to the tape as objective or unarguable evidence in the same way the police officer in Extract 3.07 does, as part of claiming his own epistemic access. The interviewer positions challenges, in the form of interpretation of the evidence (the tape) as coming from 'people', those watching. Examples of this include 'there are people who: (0.4) will say (0.4) if it's not him (0.6) he's got a straight up ↓twin, that he doesn' know about' (lines 1-2) and 'do yuh understand why people are- if that is the case, (.) ih- this person if it is not you resembles you. Do you understand why they think (0.3) that in fact (.) ↓it's you' (lines 15-19). The interviewer therefore voices the possibility that the suspect's denials are implausible or questionable, but without taking ownership of this. For example, he says 'I don't know if it was you or not.< (0.5) The person in the tape resembles you (.) a who:le lot' (lines 10-12). This allows the interviewer to challenge the suspect in a way that distances himself from this challenge, while still eliciting the suspect's response to it (Clayman, 1992; Edwards & Potter, 1992; Goffman, 1979).

The suspect claims to be aware of the tape but has not viewed it. By asking 'why not look at it and- (.) and be able to say (0.2) that is not me unequitocally' (lines 24-25), the interviewer implies that this claim is not adequate. The suspect's response to this is 'because

I can say it with all confidence right here that it's not me because I didn't [↑]do it' (lines 27-28). Again, despite seemingly 'objective' evidence supporting the criminal accusation made against the suspect, the suspect still claims epistemic primacy, in a similar way to that seen in the police interviews. This demonstrates the notion of Stivers et al. (2011) regarding epistemic responsibility: that speakers have a right to know personal details about themselves and their own actions. I have demonstrated that this is invoked by suspects across different interactional settings in response to a criminal accusation (Extracts 1-3, 7-8, and 10). However, the differences between the settings lies in how the accusation is put to the suspect in terms of who owns the challenge or probe, which the suspect then must respond to. This makes relevant the different audience, purpose, and potential consequences of each interactional setting, and who the suspect must negotiate epistemic primacy in relation *to* when there is incongruence (Stivers et al., 2011).

Later in the interview, the suspect claims 'I want America to know that you you can't believe everything you hear and and now and nowadays you can't believe everything you see. There's a lot of there's a lot of ways to doctor a tape there's a lot of ways to make things look like what they're not'. This serves to undermine the validity or objectivity of the evidence (Lynch, 1998) of the tape by claiming that it may be doctored, and therefore may not truly portray 'what really happened'. It treats the source and directness of the epistemic access as being questionable. This therefore also constructs himself as a knowledgeable person, with direct epistemic access about his level of involvement in the alleged offence, and thus bolsters his claims. Though not addressed publicly, and though the interviewers in each have different authority to access 'objective' evidence, this is a practice similarly seen to be used by the suspects in police interviews. The suspect may be confronted with tape recordings of them seemingly committing the alleged offence, and respond with a denial that it is actually them in the tape (as seen in PN-57 in Extract 3.07, and in PN-114c in data not shown here). This therefore demonstrates the suspect orienting to the interviewer's objective evidence as not so objective, and therefore themselves as having epistemic primacy, with greater epistemic access and authority about their own actions, relative to the interviewer.

3.1.3 Assessing and challenging other speakers' versions.

The previous sections of analysis explored how epistemic access is claimed and how evidence is constructed to bolster these claims. This section of analysis will now explore how the sorts of claims seen in the previous two sections may be made defeasible in some way by

another speaker. This section of analysis will demonstrate how versions are reinforced, assessed, or challenged and undermined by speakers in order to present one version as being stronger or more credible than another, and to claim epistemic primacy in the face of incongruence. It will also demonstrate further who ‘owns’ the challenge or assessment, where in the interaction this takes place, and what it achieves.

In the police interview, the interaction is a dialogue, and so the suspect is required to respond to the questions put forward by the interviewer, in this case the police officer (however, the suspect can choose to respond with ‘no comment’). The police officer voices the accusation, but in a way that positions the accusation as belonging to or as owned by the alleged victim. However, the police officer can also probe or challenge the suspect’s response to the accusation in a way that positions this as being owned by them. As a police officer, it is a requirement to probe any inconsistencies in order to build a case for the criminal investigation, and they therefore have the epistemic responsibility to know or find out details about the suspect and their actions. The suspect must therefore construct a credible version of events, claiming their direct epistemic access to this, and the police officer must put forward versions, based on available evidence, that may challenge or conflict with the suspect’s version, in order to test this.

The purpose of a police interview is to obtain a full and accurate account as part of a criminal investigation (College of Policing, n.d.). Therefore, an objective truth is oriented to, despite the presentation of conflicting versions of events. How this is made relevant can be seen in the two following extracts (3.11 and 3.12), both of which are taken from the same police interview. The suspect is accused of committing assault, and responds by claiming the assault was provoked:

Extract 3.11 (Police interview PN-100):

1 P: →He said ↑yeah I came over,
2 (0.5)
3 P: I’ve seen my mate, (0.8) tt ‘avin’ a set to with this bloke.
4 P: I’ve come over,
5 (0.6)
6 P: →U:m (1.3) and you’ve struck him on the ↑street.
7 (0.2)
8 S: →°Hnh.h°
9 (0.4)
10 S: →What jus’: (.) just ↓struck him.
11 (.)
12 P: As you’ve seen him coming over,
13 S: [°Hnhhh.°]
14 P: [That’s] what he’s sayin’.
15 (0.9)
16 S: →Well ‘ah- that’s a surprise innit.
17 (0.5)

18 S: I wa' really expectin' him to come and tell you the truth.
19 (2.0)
20 P: () is tellin' me the truth?
21 (0.4)
22 S: ↑Mmm?
23 (.)
24 P: →Because to be quite honest wi' you mate.
25 S: →=I was stone cold sober.
26 (.)
27 S: They were all pissed outta their 'eads.
28 (.)
29 S: →I'm not going to come out and lie am I.

In Extract 3.11, the police officer challenges inconsistencies between the suspect's version of events and the alleged victim's version of events. This is done in a way that positions only the alleged victim's as being compatible with the truth. The police officer uses reported speech (Wooffitt, 1992), which serves to position the version of events as not coming from himself but from the alleged victim, in their witness statement. This can be seen clearly on lines 1-6 when the police officer switches between reported speech (being the animator) on lines 1-4, to his own (being the author) on line 6 (Goffman, 1979). This also demonstrates a shift in terms of epistemic primacy: from knowing what the witness has said, to knowing that this is true. The police officer positions the alleged victim in a way that treats them as such-as the victim. It positions the alleged victim as being unprovocative and less blameworthy, and therefore the suspect as more so, whilst also not claiming ownership of this.

The suspect reformulates the police officer's use of the institutional word 'struck' in 'struck him' on line 6, with the turn-initial 'what jus':' in 'what jus': (.) just ↓struck him' on line 10, to challenge this. This comes in addition to the initial response of laughter he provides on line 8. The suspect also utilises sarcasm (lines 16-18). Sarcasm involves a speaker conveying a pragmatic opposite to the attitude or assessment in formulation (Gibbs, 2000). In this case, it is used to call the credibility of the alleged victim into question as part of claiming epistemic primacy.

'To be quite honest wi' you mate' (line 24) suggests a dispreferred turn from the police officer, that a further doubt or a challenge of some kind regarding the suspect's version of events is coming. The suspect's response on lines 25-29 orients to this with a further bolstering of his own credibility: 'I was stone cold sober. (.) They were all pissed outta their 'eads. (.) I'm not going to come out and lie am I'. The two extreme idioms (Drew & Holt, 1988; Pomerantz, 1986) 'stone cold sober' and 'pissed outta their 'eads' serve as contrastive emphasis. The suspect here claims epistemic primacy, as he has greater rights to know what

happened, relative to the alleged victims, due to his sobriety and their intoxication. They construct the suspect's version as most credible, reliable and most fitting with 'the truth' whilst undermining the alleged victim's.

The suspect performs 'positive modality' (Latour & Woolgar, 1986) in the formulated certainty of 'I'm not going to come out and lie am I' on line 29. This orients to the fact that it was the suspect is the one who contacted the police first, and this works to construct himself as cooperative and the 'true' victim in the situation (see Chapter Five). Although the idea that a sober person is not going to lie does not necessarily follow, it does position himself as being someone who is more reliable and rational than the alleged victims, who were drunk. It also positions telling the truth (rather than lying) as being in his best interest, as it is this that exonerates him.

As well as the police officer challenging inconsistencies between the suspect's version and the alleged victim's, as seen in Extract 3.11, the police officer in Extract 3.12 challenges inconsistencies *within* the suspect's version:

Extract 3.12 (Police interview PN-100):

1 P: →You've just told me a minute ago:.
2 (0.3)
3 S: ↑Yeah.
4 P: →=Yeah you've seen 'em kickin' the door down.
5 (0.3)
6 P: →Tryna kick in your door.
7 (0.8)
8 P: Yeah?
9 (0.3)
10 P: →And now you're tellin' me you've not actually seen 'em kick
11 your doo:r.
12 (0.5)
13 S: →I didn't actually see them physically kick the door,
14 S: I saw them runnin' towards the doo:r,
15 (0.2)
16 S: Let's [get in his f-]
17 P: → [That's not what you] told me a minute ago.
18 (0.2)
19 P: Yeah?
20 (0.5)
21 P: →So why u'n't you tell me <exactly what's happened> ↑last night.
22 (1.0)
23 S: →<↑What's this guy on?>
24 (1.3)
25 (S): (°Ih-°)
26 (0.4)
27 S: (°Is-°)
28 P: I'm just asking you some questions.

Here, the issue is between two different versions of events both given by the same person, the suspect. For example, on lines 1-11 the police officer says 'you've just told me a minute ago:.

(0.3) Yeah you've seen 'em kickin' the door down. (0.3) Tryna kick in your door. (0.8) Yeah? (0.3) And now you're tellin' me you've not actually seen 'em kick your door'. This formulation by the police officer uses 'kick' in three different ways, each time getting weaker: the first actually witnessing damage (line 4); the second seeing or assuming intentionality (but no damage) (line 6); and the third being the weakest- not actually seeing them kick the door (lines 10-11). This serves to reflect the changing and inconsistent versions provided by the suspect, and therefore question, challenge, or undermine the credibility of these. The police officer uses the 'specificatory just' (Lee, 1987), 'a minute ago:', and 'now' to frame and highlight the position in time in which these inconsistencies occurred within the interview. Using these time references substantiates his claims, adding authenticity and credibility (Horne & Wiggins, 2009; Wooffitt, 1992), and therefore contributes towards his challenge of the reliability of the suspect's version of events.

The police officer formulates a reverse polarity negative interrogative (Bolinger, 1957; Koshik, 2002; Heritage, 2002), on lines 17-21 when he says 'that's not what you told me a minute ago. (0.2) Yeah? (0.5) So why u'n't you tell me <exactly what's happened> ↑last night'. Heritage (2002) shows that negative interrogatives can be argumentative or challenging. This is because they are designed to favour a response from the interviewee which contrasts with their earlier statements or actions, while not permitting them to do so without acknowledging inconsistency. In this case, the police officer's question 'so why u'n't you tell me <exactly what's happened> ↑last night' not only has an interrogative function but also, more subtly, implies something; it treats the suspect's version of events as faulty in some way. The police officer is able to pass off accusations or accusatory statements he makes as 'just asking questions'. Therefore, invoking their different institutional roles and epistemic responsibility, the suspect is accountable to the police officer but the police officer is not necessarily accountable to the suspect. The police officer uses 'yeah' in the same position twice (on lines 8 and 19); this position is between a reiteration of what the suspect claimed earlier on in the interview, and what he is claiming now. This, again, highlights the inconsistency, questioning the credibility of the suspect's response, and therefore its likely incompatibility with an 'objective' truth.

On lines 13-14, the suspect reformulates the police officer's turn on lines 10-11, regarding the suspect not actually seeing the alleged victims kick his door, to not actually seeing them *physically* kick his door. The repeat of 'actually' but with the addition of 'physically' is a self-initiated other-repair (Schegloff, Jefferson, & Sacks, 1977), and serves

to alter the turn. This alteration reduces the discrepancy between the inconsistent versions he has provided to the police of what happened, in a way which makes these not inconsistent at all, thus accounting for the original inconsistency. The suspect is in a delicate, contentious position as, to maintain his claims of epistemic primacy (Stivers et al., 2011), he must stick to his original version of events, whilst also managing the challenges that have been put to this version.

The suspect's response of '<↑what's this guy on?>' on line 23 allows him to disrupt the flow of the conversation and reverse the dynamics of it (Cerović, 2016). The question makes the police officer accountable for the accusatory questions he is asking, rather than treating the suspect's version as the truth. This break acts as a 'time out' in the interaction; it is meta in that it is referential to the talk taking place in that interaction. It also serves as an appeal to the suspect's lawyer (Edwards & Stokoe, 2011), who soon afterwards intervenes to elucidate the suspect's version of events. Unlike Extract 3.11, where the suspect is working to discredit the alleged victim (as it is the discrepancy between their two versions of events being pointed out by the police officer), here he is working to discredit the police officer himself (as it is he who has pointed out a discrepancy within the suspect's own version of events). '<↑What's this guy on?>' on line 23 therefore rebuts the police officer's accusation, whilst also avoiding giving an admission or denial (both of which are responses the accusation makes relevant).

The police interview setting occurs in order to obtain a full and accurate account as part of a criminal investigation (College of Policing, n.d.). The television interviews and internet vlogs however do not take place with this aim. Therefore, the ways in which speakers orient to evidence, negotiating epistemic access, and how challenges and versions are owned, claimed, and negotiated is achieved in ways which make relevant their different interactional settings. The way the television interviewer puts forward arguments or evidence that put the suspect in a position of blame, or the alludes to this, on behalf of the audience, can be seen in the extracts below. Here, the interviewer asks the interviewee about sharing a bedroom with children, and how this may relate to past allegations made against him that he sexually abused children:

Extract 3.13 (Television interview 3):

- 1 I: →When Gavin was there he talked about the fact that he shares
 2 your bedroom.
 3 (0.3)
 4 S: →£Ye::s:.
 5 (0.8)
 6 I: →Can you understand why people would ↓worry about that.

7 (0.3)
 8 S: →.Hh cos they're ↑ignorant.

When recounting a conversation he had with the suspect's friend, who is a child, the interviewer formulates 'the fact that he shares your bedroom' (lines 1-2). This does not explicitly accuse any criminal behaviour on the suspect's part, and it is responded to with an agreement by the suspect on line 4 with '£ye::s:'. However, after this agreement has been acquired, the interviewer can then go on to pivot the question in a way that *does* imply that a criminal offence took place, thus challenging the suspect's version of events (Atkinson & Drew, 1979; Drew, 1992; Reynolds, 2011).

This is achieved through 'bedroom' being used as a euphemism for sex (Warren, 1992). Therefore, the interviewer utilises this to imply that 'people' (line 6), those at home, may interpret this behavior as being potentially criminal. In contrast, the interviewer's question on line 6 serves to question the credibility or rationality of the suspect. For example, he asks 'can you understand why people would ↓worry about that'. This works to test the suspect's awareness of sharing a bedroom as having sexual connotations. The suspect's response, in turn, serves to deflect this questioning of morality and epistemic access back onto those who accuse him. He does this by calling them '↑ignorant' (line 8). This puts them into a position of blame rather than him, whilst also denying the criminal implications the question suggests. This object-side assessment (Edwards & Potter, 2017) undermines their negative interpretation of his behaviour in a way that constructs himself, the suspect, as having greater authority to epistemic access relative to theirs (Stivers et al., 2011).

'People' on line 6 is taken to mean the viewers or the public in general. It formulates the argument as coming from people in general, 'normal' people, and from many people, rather than the one interviewer personally. It is conventional in television interviews, particularly when the interviewer is formulating an argument, question, or assessment which is particularly controversial or denouncing, to preface these with 'people may say' or 'some may say' (Clayman & Heritage, 2002). Analysis of the television interviews found that, on occasions where this is not done, it is positioned in addendum or repair. This, reformulates the argument or question or assessment as coming from somewhere other than the speaker, the interviewer, who is merely voicing these challenges. This can be seen to occur twice in the extract below in which the speakers are discussing how an ex-athlete, the interviewee, was banned from participating in his sport due to using illegal methods to cheat:

Extract 3.14 (Television interview 2):

1 S: I mean we're in this situun because (.) the United States of

Extract 3.15 (Internet vlog 1):

1 (2.9)
2 S: Hhhhh.
3 (3.5)
4 S: →A person I dated. (1.2) A few years ago. (1.5) Has just (0.7)
5 made some (0.8) extremely (0.5) serious (0.9) false (0.7)
6 accusations.
7 (0.9)
8 S: About me.
9 (2.0)
10 S: →And I wanna be: (0.2) crystal clear,
11 (1.3)
12 S: →I've never done anything> without her consent?
13 (1.5)
14 S: I've never (0.7) tried to (0.5) ↑trick her?
15 (1.2)
16 S: Into ↑anything.
17 (2.8)
18 S: I read her- (0.4) her Tumblr post.
19 (0.8)
20 S: And I was (1.1) I was shocked.
21 (2.1)
22 S: And I was hurt,
23 (2.3)
24 S: →These allegations are (1.5) absolutely false.
25 (2.5)
26 S: °I just (0.4) >wanted to address it.<°
27 (1.4)
28 S: °>That's all.<

Extract 3.16 (Internet vlog 2):

1 S: →As I said in the last video I didn't (.) <do the things:> I was
2 accused of,
3 (.)
4 S: →>And I never would,< (.) and that's a ↓fact but.
5 (0.5)
6 S: .Hh <this whole hh> (1.0) experience, has been (0.6)
7 uh (0.2) a wake up call,
8 (1.1)
9 S: To me,
10 (0.6)
11 S: To just (0.6) reevaluate (0.3) ↓who I a:m.
12 (0.7)
13 S: And(0.5) cos I'm not ↓perfect.
14 (1.3)
15 S: Uh (0.2) and there are a lot of ways I could (0.7) hh become a
16 better person.

The suspect presenting both the accusation, and his response to it, affords him the ability to refer the accusation in a way that glosses over it, and weakens or undermines it preemptively from the moment of utterance. This therefore constructs opposing versions of events as weak and his as strong. The suspect negotiates epistemic primacy without the alleged victim or an accuser even having to be in the interaction itself. This is unlike those partaking in a

synchronous dialogue (those in the police interviews and television interviews). They must fend off accusations and challenges as and when they come, and are restricted by the interviewer or police officer's questions.

On lines 5 and 24 of Extract 3.15, the suspect describes the accusations made against him as 'false', in the same turn as introducing them, but without actually stating what the accusations are. 'A person I dated. (1.2) A few years ago. (1.5) Has just (0.7) made some (0.8) extremely (0.5) serious (0.9) false (0.7) accusations. (0.9) About me' (lines 4-8, Extract 3.15) and 'I didn't (.) <d_o the things:> I was accused of' (lines 1-2, Extract 3.16) are vague constructions (Potter, 1996), as they do not detail the name of the accuser or what the accusations are. This vagueness also orients to the fact that these accusations were made in a public arena (on the social media website Tumblr), treating the accusation as recent, publicly accessible, and common knowledge between the vlogger and their audience (Billig, 1995).

The vagueness of the alleged victim's version is subsequently contrasted and reinforced with the constructed strength of his, the suspect's version (Potter, 1996). For example, the way in which he refers to the accusations as 'false' (lines 5 and 24, Extract 3.15) compared to his version, his denial, as a '↓fact' (line 4, Extract 3.16) orients to there being two incongruent versions but that only his is the objectively 'true' one. This therefore bolsters his account as a response to the accusation, and minimises blame. The title of the vlog from which Extract 3.15 is taken is 'The Truth'. This formulates the vlog as being credible and factual even before the viewer has clicked onto the video, and acts as an interpretative frame to the discourse that follows. The title positions the suspect as having direct epistemic access about his alleged behaviour, and that he has the epistemic responsibility to know this and to inform his audience of this, who do not possess the direct epistemic access he does. His use of the idiom 'crystal clear' (line 10), and the repetitions of the extreme case formulations 'never' and 'anything' (lines 12-16) also serve to bolster the strength of the denial in his version in comparison to the alleged victim's accusations (Drew & Holt, 1988; Pomerantz, 1986).

As well as naming videos, suspects in the internet vlogs are afforded the opportunity of making follow-up videos (Frobenius, 2011; Pihlaja, 2011) to reinforce their initial response to the accusation, which is not the case in the police interviews or television interviews. For example, in this case, Extract 3.16 is taken from a follow-up video of the video from which Extract 3.15 taken. This allows the suspect here the opportunity to add further content to his initial account or response, to repair something said in his initial

account or response, or to formulate a passage of time or some sort of change between the previous video and the follow-up video. These all contribute to bolstering his response to the accusation, challenging opposing versions, claiming epistemic primacy, and the distancing of himself from blame as part of this.

3.2 Summary of Analytic Chapter

This chapter showed how suspects exonerate themselves (distance themselves from blame) through claiming epistemic primacy, having more direct access about their level of involvement in an alleged offence relative to others, be they inside or outside the interaction. The analysis showed suspects (and other speakers in the interaction with them) may construct and challenge knowledge, versions, facts, and evidence by: claiming entitlement to knowledge of ‘what really happened’; constructing evidence to bolster their claims; and assessing and challenging versions. Suspects’ discursive actions were explored in terms of how these are organised across police interviews, television interviews, and internet vlogs. This brought together an examination of different ways suspects can respond to criminal accusations in the digital, globalised age in which we live, and how these *can* happen because of what is discursively and technologically available to the suspects in each. This examination is significant because, given the nature of the internet (as well as television), the public are given access to these interactions, and can assess guilt or innocence for themselves, regardless of any legal decision made. Therefore, accounts given in this manner are at least as important and consequential for the suspects who provide these as those given in legal situations (such as police interviews). The suspects must all interactionally build credible accounts which attend to their interests without being undermined as such to manage their dilemma of the stake (Edwards & Potter, 1992).

Overall, this analytic chapter demonstrated how suspects’ level of agreement or consent to participating in the interaction, in terms of the accusations or questions put to them, and when and how they are able to respond to this, is made relevant through their construction of evidence, knowledge, versions, and facts. This is done as part of their construction of ‘innocence’, within the standard or expected structure or conventions of the interaction. I also demonstrated how those suspects partaking in synchronous dialogues (the police interviews and television interviews) were required to fend off accusations or challenges regarding their epistemic primacy. However, those in the asynchronous monologues (the internet vlogs) could invoke this affordance to preemptively, and from the moment of utterance, construct opposing versions of events as weak, and theirs as strong. In Chapters Four and Five, I will

continue to accumulate evidence, further demonstrating this orientation in the ways suspects construct their category memberships. The analysis in this chapter also explored how evidence is oriented to as objective or subjective, and as mutually understood or otherwise, who voices and/ or owns challenges put to the other speaker, and who the suspect is required to convince, due to their stake in the interaction, and the potential consequences of it. This chapter also demonstrated how suspects could subvert affordances of their interactional setting in order to enhance their own credibility, authenticity, and claims of epistemic access and epistemic primacy about their part in the alleged offence.

Claiming epistemic primacy, as we have seen in this chapter, allows the suspect to construct what happened in a convincing way, as well as their own ability to know what happened, how they know this, and what rights they have to know this, relative to others, even in the face of ‘objective’ evidence. By applying the dimensions of knowledge as outlined by Stivers et al. (2011), I have demonstrated how epistemic access, primacy, and responsibility is invoked as part of the construction of ‘innocence’ in the discourse of suspected criminals, where epistemic asymmetries about an alleged offence are to be negotiated. This analytic chapter has begun to demonstrate ways in which suspects may make relevant social and technological affordances of their interactional setting as part of their response to a criminal accusation. The following analytic chapters will allow for further examination of this, following a progression of increasingly radical ways of claiming ‘innocence’, and explore if and how the suspects’ interactional settings are oriented to as part of this. I will show that suspects do further category work other than being a knowledgeable person. One of the ways in which this is done will be explored in the next chapter, the second of the three analytic chapters. It will more closely examine how suspects across police interviews, television interviews, and internet vlogs may construct ‘innocence’ through their descriptions of themselves, by detaching from incumbency in the criminal category.

CHAPTER FOUR:

SUSPECTS' DETACHMENT FROM A CRIMINAL CATEGORY

4.0 Introduction

In the previous chapter, it was demonstrated how suspects (those responding to a criminal accusation) make relevant their interactional setting to claim epistemic primacy. It was examined how this is done as part of a construction of 'innocence' across police interviews, television interviews, and internet vlogs. This second analytic chapter will now show how suspects across these same settings may construct 'innocence' through discursively separating their alleged crime from their membership of a given category of person. This is to deny being a criminal, or the type of person likely to commit a crime. This category work therefore goes further than claiming to be a knowledgeable or credible person. It reinforces their accounts by positioning themselves either as the sort of person who would not commit the crime they are being accused of, or crime/ wrongdoing in general, or the sort of person who would not *intentionally* or would not *normally* commit the crime they are being accused of, or crime/ wrongdoing in general. This chapter will also demonstrate how suspects orient to affordances and constraints of their interactional setting to detach their alleged crime from a criminal category, and themselves from incumbency in that category.

This chapter, as well as Chapter Five, builds on the work of Edwards' (1991, 1997, 1998), who examines categorisation from a DP perspective. In cognitive psychology, categorisation is considered as a process which converts sensory input into perceptions of objects, persons, and events, classifying these into clear and recognisable types, in order to experience the work intelligibly. Edwards, however, explains that categorisation is '*something we do*, in talk, in order to accomplish social actions (persuasion, blamings, denials, refutations, accusations, etc.)' (1991, p.517), rather than some perceptual machinery that is switched on by stimulus events (Edwards, 1997; 1998). By examining categorisation in this way, perception and cognition are treated as resources which speakers can use as part of performing communicative tasks (Edwards, 1991), such as constructing 'innocence', as demonstrated in this thesis. I will demonstrate how this can be done whether or not a suspect admits to the crime they are accused of; the current thesis does not only focus on suspects who are denying a criminal accusation, but also those who admit to committing the alleged offence, yet deny that this act defines or reflects them as a person in some way. I will focus

on how those who have been accused of some offence construct category features and membership to achieve a discursive exoneration or exculpation, minimising their own blameworthiness, and how this is done across interactional settings.

Edwards argues that we should examine how speakers categorise themselves and others as one sort of person rather than another (Edwards, 1998). As category features and membership are contextually constructed in talk (Edwards, 1997), speakers have considerable flexibility in terms of which exact words they chose and deploy in their descriptions of an event in question, such as a criminal act. We must examine potential alternatives, especially the range of close, equally acceptable but not actually chosen descriptions, in order to observe what actions are being done (Edwards, 1997). These choices deployed in descriptions perform subtle interactional work, and there can be no ‘reality checking’ process that is independent of these descriptions (Edwards, 1997). Edwards argues that the discursive approach requires categories to be flexible (Edwards, 1997), and that ‘fuzzy’ categories enable various indexical possibilities to be invoked without having to make more explicit claims that may be easier to refute (Edwards, 1998). Since categorical descriptions involve choice and are rhetorically consequential, they may position the speaker as interested and accountable, especially when describing something which is disputed or unusual, where the speaker’s own credibility is potentially at issue (Edwards, 1991). Taking this approach, I examine in this chapter how suspects manage their dilemma of the stake to avoid appearing interested; not only how they position themselves as not a criminal, but how they *credibly* do so.

How categories are used in discourse to achieve interactional tasks, relevant to innocence and guilt, is well-covered ground in terms of existing literature. Of particular relevance is Edwards’ (2006b) work on how the modal ‘would’ is used in police interviews to interactionally build facts, norms and dispositions as part of the work of ‘eliciting, offering, examining and defending accounts of actions and their intentionality’ (p. 476). Edwards shows that ‘would’ is a scripting device (Edwards, 1994) used to construct someone’s recurring actions or tendencies as a basis for implying or inferring their character, invoking a range of psychological states and characteristics of a person. Also of particular relevance is Stokoe’s work on category-based denials, and how these are occasioned in response to questions about a particular allegation of criminal behaviour in police interviews (Stokoe, 2010) and in complaints in mediation settings (Stokoe, 2009b). Stokoe (2010) demonstrates how suspects position themselves as someone who would not or could not commit the crime

that they are being accused of by making claims about their own character, disposition, and identity memberships.

In this chapter, I too will explore how suspected criminals respond to accusations in police interviews, and how categorisation is achieved as part of this. However, my research extends Edwards and Stokoe's by bringing together three different interactional settings where criminal accusations are responded to in the same analysis. This is to explore if and how suspects make relevant affordances of their respective interactional setting. It will also have a focus on how suspects may attribute an alleged crime, criminal category or category bound features, to their past, something not explored in detail in Edwards and Stokoe's work. I will now address these omissions in the following analysis (Section 4.1). This will show how suspects across (police interviews, television interviews, and internet vlogs) discursively detach their alleged crime from a criminal category, and therefore themselves from incumbency in that category. Section 4.2 will then go on to summarise the key findings of this chapter, the importance of these, and the value of my research.

4.1 Analysis

To examine suspects' detachment from the criminal accusation being made against them and the type of person that they are, I will firstly show how suspected criminals deny incumbency in the criminal category. Secondly, I will show how suspects affirm incumbency in a category contradictory to a criminal category. I will thirdly show how suspects attribute incumbency in the criminal category in their past. These three ways of separating the suspect's category from the alleged crime may be used together. For the purpose of clarity, each will be examined separately, to demonstrate how these are discursively organised by suspects in a way that orients to affordances and constraints across police interviews, television interviews, and internet vlogs, concurrently.

For all three of these ways, the suspect may explicitly claim or deny membership to a category, or may claim or deny a disposition that invokes category bound features of that category (Edwards, 2006; Sacks, 1992; Watson, 1978); this distinction will be made throughout the analysis. Another consideration made throughout is that suspects' category work may or may not be directly related to the exact alleged crime in question. In terms of the latter, this could be a denial of partaking in criminal activity or of having criminal tendencies more generally. Either way, the suspect is working to categorise themselves in ways inconsistent with criminality (Edwards, 2006b); this will be demonstrated in this chapter.

4.1.1 Denying incumbency in the criminal category.

This first section of analysis will demonstrate how suspects formulate their alleged crime as counter-dispositional, as something they would not (or would not *normally*) do because of the sort of person they are. This section of analysis will demonstrate how suspects deny membership to a criminal category to either deny committing the alleged crime completely, or to admit to it yet assert that this is unusual or exceptional for them in some way (see Edwards' (1994; 1995; 1997) work on script formulations in accounts and responses to non-criminal accusations).

4.1.1.1 Denying membership to a criminal category.

A suspect may claim the crime they are accused of committing is counter-dispositional by explicitly denying that they belong to a particular category or explicit label associated with that crime. This therefore serves to separate the suspect in some way from the alleged offence. An example of this can be seen in the extract below in which the speakers in the television interview are discussing a tape which seemingly incriminates the suspect, apparently depicting him sexually assaulting an underage girl, something the suspect denies:

Extract 4.01 (Television interview 1):

- 1 I: I guess that what I'm tryin' a get at it is (.) if you have made
2 them >if you have made them in the past< how can yuh say as you
3 are (.) alleging (0.4) that it's not you on this tape ↓if
4 you've not seen it.
5 (0.3)
- 6 I: °That's my question.°
7 (0.3)
- 8 S: Well (0.5) if I've never done anything like that?
9 (.)
- 10 S: And this particular tape is supposedly be bein' a a tape with
11 me an' a young girl.
12 (1.1)
- 13 S: →I've done a lotta wrong things in my ↓life.
14 (0.6)
- 15 S: →But I am not a criminal, (0.6) I'm not a monster that people
16 (0.3) that people are sayin' I am,

In response to the challenging question from the interviewer, the suspect admits to doing 'wrong things' (line 13), while denying belonging to the category of 'criminal' or 'monster' (line 15). In both, he uses the indefinite article 'a' to construct these as generalised categories (Stokoe, 2010). 'Criminal' is used to deny belonging to a category of people who break the law, whereas 'monster' implies someone who is inhuman, immoral, or condemnable in some way (McAlinden, 2014; Payne, 2014), again, something he denies being. These categories of

‘criminal’ and ‘monster’ are somewhat related to the crime he is being accused of, but not specifically so (for example, he does not say ‘I am not a paedophile’ or ‘I am not a rapist’). However, denying membership of these two categories serves to strengthen his denial of the accusation; it deflects the criminal accusation being put to him by constructing this behaviour as counter-dispositional due to the type of person he denies being.

The suspect’s denial of membership of criminal categories in Extract 4.01 is strengthened by him going onto say ‘that people are sayin’ I am’ (line 16). This implies the categories of ‘criminal’ and ‘monster’ have been assigned to him by other people, that his supposed membership of these categories is not the case, and are conjecture rather than fact. The use of the category ‘people’ allows an implication of a certain group without explicitly stating who they are exactly. It is not a neutral term, rather it refers to a moral category of people who share certain features (Malone, 1997). The use of ‘people’ in this case deflects a level of blame onto these people for giving him these labels, rather than on to him for committing the alleged offence. ‘People’ can be used to imply either the alleged victims or the general public at large, those uninvolved in the case yet those who can assess guilt or innocence for themselves, regardless of any legal decision made. This makes relevant the public nature of this interaction, and is something that is not oriented to or treated as taken for granted knowledge between the speakers in the police interview. This therefore affords the suspect to deny, on a public scale, membership of a category associated with the alleged crime by claiming that this label has been wrongly assigned to him.

The interviewer responds to the suspect’s denials by orienting to the evidence (see Section 3.1.2) of the tape, and that he himself has watched it. The interviewer says that, although he does not know if it the suspect or not, it very much resembles him, and this may be why ‘people’ are saying it is the suspect in the tape. Therefore, the suspect’s denial of a category associated with the alleged crime is challenged and undermined by the interviewer, who is voicing this on behalf of ‘the people’ who have watched the tape, while remaining neutral himself (Clayman, 1992).

The deviant identity (such as ‘criminal’ and ‘monster’, which the suspect in Extract 4.01 denies being) is often described as a mark or stigmata in labelling literature (Goffman, 1963). Once labelled by others, a consequence of this is that their stories or versions may be denied, constructing the person in a unidimensional way, as *only* the label (Garfinkel, 1956). This is why it is necessary for suspects, in response to criminal accusations, to do category work as part of this, in order to manage the extent to which others receive their accounts as

credible or not (Auburn & Lea, 2003; Edwards, 1997; Potter, 1996; Sacks, 1992; Wooffitt, 1992) (see Chapter Three).

As well as the denial of membership of criminal categories seen in Extract 4.01 and other television interviews, this is done across police interviews and internet vlogs where someone is responding to a criminal accusation. Despite these seemingly very different interactional settings in which a suspect can respond to an accusation, the explicit denial of incumbency in a criminal category is seen to be achieved across each, thus achieving exoneration. For example, in the police interviews, a suspect who is accused of committing assault can deny membership of a category associated with that crime. This can be seen (in data not shown here) in claims such as ‘I’m not a fucking violent person’ (Police interview PN-78) and ‘I’m not a violent person’ (Police interview PN-100). A suspect who is accused of assault can construct the alleged offence as being counter-dispositional by utilising gender as part of this category denial, for example (in data not shown here) a male suspect accused of assaulting a female describing himself as ‘not a woman hitter’ (Police interview PN-60) (Edwards, 2006b; Stokoe, 2009b; 2010).

Denying incumbency in a criminal category is a discursive action seen to be similarly achieved in the internet vlogs. For example, a particular suspect, who claims that people on the internet have accused him of racist behaviour, (in data not shown here) responds to this with ‘I’m not racist’ (Internet vlog 3). Another suspect, who claims that people on the internet are accusing him of sexual assault, responds to this (in data not shown here) with ‘I’m not a rapist, I’m not a sexual predator’ (Internet vlog 4). Both of these examples demonstrate how criminal categories are denied as part of constructing the alleged offence as counter-dispositional in some way, even though both of these suspects somewhat admit to (unintentionally) committing the acts themselves.

Friestad (2012) reveals that, in sex offender therapy, offenders may talk in the group as a person separated from the acts they have committed whilst still taking responsibility for them. One of Presser’s (2008) interviewees states ‘I did rape but I’m not a rapist, I’ve never done it before and it won’t happen again’. Presser calls this a ‘stability narrative’, which formulates the person as someone who is morally decent and that this is a constant part of their persona. Even if they commit some wrong doing, in general, they are good, and this is enduring. This can be compared to Edwards’ (1994) notion of ‘script formulations’, which can be used to describe an activity or behaviour etc. as either routine and expected of a person, or unusual and exceptional of them.

Stokoe (2009b; 2010) found that denying membership of a category could be used to deny an alleged behavior across different settings. My analysis demonstrates that denying membership of a category associated with the alleged crime is a discursive action achieved by suspects across television interviews, police interviews, as well as the internet vlogs. This suggests that, denying membership of a category associated with the alleged crime is something afforded to each of the suspects, but may be elicited or responded to in different ways across each. For example, the suspects in the internet vlogs are able to make these claims at any point in the interaction; as the only speaker, they are not guided by the questions or challenging responses of another speaker in the interaction (unlike those in the television interviews and police interviews). Therefore, the monological nature of the internet vlogs means that, among other actions underway, the category constructions executed by the suspect can go uninterrupted or unchallenged, at least during the interaction itself. Despite this, the suspects in the internet vlogs interestingly do not deny membership of a category associated with the alleged crime any more blatantly than those in the police interviews or television interviews.

4.1.1.2 Denying category bound features of a criminal category.

So far, my analysis has examined how suspects may deny membership to a category associated with their alleged crime. Suspects may formulate the alleged crime as counter-dispositional in more implicit ways. Therefore, this section of analysis will demonstrate how instead of, or as well as, denying membership to a criminal category, suspects can deny that they partake in behaviours, or have characteristics, that are associated with the alleged crime. Denying category bound features of a category associated with an alleged crime can be done to reinforce more explicit denials of membership of this category, or can imply this when used on its own.

The suspect may resist category bound activities or predicates (Sacks, 1992; Watson, 1978) of an offender who commits the crime of which they are accused. Category bound activities are actions which are routinely associated with particular categories. This is done to the extent that, if the category is known, then the activity can be inferred and *vice versa* (Sacks, 1992). Watson (1978) extends the idea of category bound activities to category bound predicates; this is more inclusive as it not only refers to what a member of a certain category does but to any features of that category. Denying category bound features of a criminal category can be seen in the extract below in which a suspect is denying committing double murder:

Extract 4.02 (Television interview 4):

- 1 I: You didn't kill °↓her.°
2 S: →No I did not. (0.3) Kill (.) anybody.
3 (.)
4 S: →I could not and would not.

On line 1, the interviewer reiterates and summarises the accusation put to the suspect, as well as the suspect's response to this (a denial), which he has been providing throughout the interview. On lines 2-4 the suspect does not explicitly deny membership of a category associated with the alleged offence (as seen by the suspect in Extract 4.01), for example describing himself as 'not a killer/ murderer'. He *implies* this through his description of his characteristics 'I could not and would not' (line 4). These claims ('could not' and 'would not') do slightly different things in both denying the accusation, as well as orienting to an agreement of the interviewer's turn on line 1. It is not just that he 'could not' kill somebody (that he is unable to do so either physically or practically) but also that he 'would not', which implies his moral standing (Edwards, 2006b). Furthermore, 'could not and would not' is an example of an 'epistrophe' (also known as an 'antistrophe' or 'epiphora'). This is where the concluding word of a clause or sentence is repeated, and this is commonly used in persuasive language (Corbett, 1965) to create emphasis, in this case, the emphasis of a denial. Describing himself in this way bolsters the suspect's direct denial of the allegation ('I did not. (0.3) Kill (.) anybody' (line 2)). This extract further demonstrates that a category-based denial (Stokoe, 2009b; 2010; 2012) is a practice, not only performed by suspects in police interviews, but elsewhere too.

The extract is taken from a point in the interaction in which the interview is being brought to a close. The interviewer has control over when the interaction ends (unless the interviewee walks out (Llewellyn & Butler, 2011)), and the suspect is therefore constrained by this. The interviewer in this case can be seen to make relevant his control by responding to line 4 of Extract 4.02 with a 'thank you', thus indicating to both the suspect and the audience that the interaction is over. This also omits providing an assessment or response to the suspect's final denial, instead leaving it up to the audience to decide for themselves the level of credibility of his claims.

A further constraint for suspects in the television interview setting is that the interviewer is afforded the ability to ask direct questions on behalf of the viewers or the public in general, and the interviewee is obliged to answer. However, because of the stake and potential consequences in the interaction, they must do so in a way which is not only

persuasive to the interviewer, but to the wider audience too. This is unlike the police interviews; these interactions are occurring as part of a criminal investigation (College of Policing, n.d.), and so questions are asked which orient to that, rather than to what will be most entertaining for an audience.

‘No comment’ is an acceptable way of responding to a question in a police interview (College of Policing, n.d.; Edwards & Stokoe, 2011) whereas, in a television interview, an interviewee is obligated to answer a question (Clayman, 2001; Clayman & Heritage, 2002; Ekström & Fitzgerald, 2014; Llewellyn & Butler, 2011), and would therefore be held accountable if they did not answer certain questions. They have agreed to the interview in the first place, something which a suspect in a police interview (who is under arrest) usually has not. In this extract then, a short denial ‘no’, though *possible*, therefore would have been insufficient or deemed evasive. The category work that follows therefore serves to support and strengthen this denial.

Edwards (2006b) shows that, when denying a charge put to them, suspects may use modalised declaratives to ‘claim a disposition to act in ways inconsistent with whatever offence they are accused of’ (p. 475) and found ‘a relationship between deployments of modal reasoning and the invocation of membership or identity categories’ (p. 498). This formulates that, because the suspect would not, in general, do the action they are charged with, they did not do it this specific time. This is also seen in how the suspect not only denies murdering the female victim that the interviewer refers to on line 1, but denies killing ‘anybody’ (line 2). This extends the denial further and reinforces his implicit construction of himself as not partaking in murderous behaviour. It also serves to extend his denial of murdering his alleged female victim (whom the interviewer is referring to) to his alleged male victim too.

Suspects denying that they partake in behaviours, or have characteristics, that are associated with the alleged crime are found to be performed across the police interviews, despite the different purposes of these interactions. In the extracts below, a teenage suspect is denying assaulting a child by describing himself and his own characteristics:

Extract 4.03 (Police interview PN-40):

- 1 S: →I’m not gonna beat a seven: year old up. You know wha’ I mean.
2 (0.2)
3 S: →I got morals.
4 (0.2)
5 S: →’S a little kid.

Extract 4.04 (Police interview PN-40):

1 S: I'VE TOLD YOU THE TRUTH YEAH-
2 (0.2)
3 S: YOU'RE SAYIN' THERE'S A REASON WHY HE'S SAYIN' I BEAT HIM UP.
4 (0.2)
5 S: IF I BEAT HIM UP I'D TELL YOU.
6 S: →BUT I AIN'T- (0.3) I'M NOT- I'M NOT GONNA GO THAT LOW TO BEAT A
7 SEVEN YEAR OLD [UP.]
8 P: [(Now.)]
9 S: →YOU KNOW WHAT I MEAN I'M SEVENTEEN.

When asked by one of the two police officers present to provide a reason why the alleged victim might make an accusation that was false, the suspect responds by constructing the category of both himself and the alleged victim, particularly their ages, to instead provide a reason why it did *not* happen. The suspect in Extracts 4.03 and 4.04 uses category-based denials (Stokoe, 2009b; 2010; 2012). He makes his and the alleged victim's ages relevant as part of this, categorising the alleged victim as 'a seven year old' (Extract 4.03, line 1 and Extract 4.04, line 7) and 'a little kid' (Extract 4.03, line 5) and categorising himself as 'SEVENTEEN' (Extract 4.04, line 9). Stokoe shows that some denials work on the basis that assaulting members of *equivalent* categories (in terms of power, physical strength, and vulnerability) is more morally acceptable than assaulting members of members of relatively 'weaker' categories. This is the case with this example, and the suspect refers to this as being unacceptable in his description of himself on line 3 of Extract 4.03, 'I got morals'. This implies that, because of his moral standing, he would not commit the crime he is being accused of committing, thus enabling his denial of this offence.

'I'M NOT- I'M NOT GONNA GO THAT LOW TO BEAT A SEVEN YEAR OLD UP' (Extract 4.04, lines 6-7) also formulates the suspect's moral standing. 'THAT LOW' is a deictic reference to the acceptability of the accused crime. It serves to assess this behaviour, and suggests a metaphorical line in terms of what crimes the suspect deems acceptable or likely of him committing, and that the crime he is being accused of is beyond that line. This therefore strengthens his denial, and also acts as a disclaimer (Potter, 1996). He admits that he may commit offences of a lower level of seriousness, in order to more credibly deny this particular, more serious, accusation. This supports Stokoe's (2009b; 2010) CA examination of police interviews, and McAlinden's (2014) discussion of offender and victim identities in discourses on child abuse from a victimology perspective. Both examine hierarchies of blame and morality concerning power imbalance or asymmetry between offender and victim (including age), and how some offenders and victims are therefore oriented to as more 'legitimate' than others.

This suspect is therefore describing the sort of person he is (by his behaviour and morality as well as his explicit category membership) to directly deny committing the offence. However, the suspect's claims in both Extracts 4.03 and 4.04 do not 'succeed' in constructing 'innocence'; this is seen in the police officer's responses. For example, when responding to the suspect's claims in Extract 4.03, the police officer challenges these (in data not shown here) by asking whether the suspect would assault older children. When responding to the suspect's claims in Extract 4.04, the police officer also challenges these by correcting him (in data not shown here), that the accusation is of kicking/ assaulting the child, not beating him up.

Suspects denying category bound features that are associated with the alleged crime can be seen across the asynchronous, monological interactional setting of internet vlogs. In the extract below, a suspect is responding to accusations of sexual assault by describing himself and what he enjoys:

Extract 4.05 (Internet vlog 4):

1 S: →Ss- I di- I certainly didn't realise at the time that they felt
2 pressured.
3 (.)
4 S: When I think back to those moments (.) <.hh it doesn't feel
5 like (0.4) in most cases.> (1.0) Feels (1.0) °pretty reciprocal
6 man.°
7 (0.5)
8 S: →I wun- I wouldn't get anything out of being with someone (0.1)
9 who didn't wanna be with me.
10 (0.2)
11 S: Like (.) I enjoy (0.2) pleasing people.
12 (.)
13 S: →So (1.1) the idea of someone doing things with me they didn't
14 wanna be doing then is is ↓shit. And really sucks. And not (.)
15 nice.

In this extract, the suspect formulates ignorance to minimise the level of intentionality of his criminal actions (Edwards, 2008; Stokoe & Edwards, 2008). 'I certainly didn't realise at the time that they felt pressured' (lines 1-2) is used to imply that he is not the type of person to *intentionally* partake in sexual assault, that he is not a premeditative criminal. This is furthered by his euphemistic description of the alleged victims as 'doing things with me' (line 13) rather than framing this as sex, or as sexual assault, which is what he is being accused of committing (Lea, 2007; Lea & Auburn, 2001).

The negotiation of accounts (excuses and justifications) can be considered as a negotiation of identities (Pogrebin et al., 2006), and accounts can be used to minimise the threat to a person's identity (Goffman, 1967). The suspect therefore describing their criminal

actions as unintentional serves to attribute the offence to ignorance rather than maliciousness or immorality on their part. The suspect goes on to provide an assessment of the alleged offence as ‘↓shit. And really sucks. And not (.) nice’ (line 14-15). Evaluative expressions are a common feature of interaction (Pomerantz, 1984). This assessment can also be described as a fusion of an object-side assessment and a subject-side assessment, as ‘shit’ and ‘really sucks’ and ‘not nice’ are attributed to the alleged offence (the object), but in his own experiential terms (the subject) (Edwards & Potter, 2017). The suspect’s use of this assessment here further formulates a negative stance of his alleged behaviour, but without explicitly admitting or denying *committing* it (Drew, 1992).

As this interaction is a monologue, the suspect is afforded the freedom to bring up the criminal accusation made against him by himself, whenever and however suits him. The accusation can therefore be framed in such a way that is beneficial to the suspect, which undermines the credibility of it even as it is uttered, in addition to the suspect’s response to it. This is unlike the police interviews or television interviews, where suspects cannot control how the accusation is put to them, only how they respond to it, and this is at risk of being challenged or interrupted in some way. Therefore, despite the similarities in how criminal categories are denied across the police interviews, television interviews, and internet vlogs, the criminal accusations are all found to be brought up in different ways that orient to the setting. These have different audiences and stakes and potential consequences, and different levels of freedom or obligation for the suspect to respond or not respond. This means that the suspect must manoeuvre this same discursive action (of denying a criminal category) within the constraints of their respective interactional setting in order to achieve it

On lines 8-11, the suspect claims that he ‘wouldn’t get anything out of being with someone (0.1) who didn’t wanna be with me. (0.2) Like (.) I enjoy (0.2) pleasing people’. This describes himself as having no motive to do what he is being accused of, as he is the sort of person who enjoys ‘pleasing people’ rather than harming them. The first part (‘I wun- I wouldn’t get anything out of being with someone (0.1) who didn’t wanna be with me’) is a denial of a category bound predicate (Watson, 1978) associated with the criminal category. This is reinforced by the second part (‘like (.) I enjoy (0.2) pleasing people’), which is an affirmation of a category bound predicate (Watson, 1978) *contrary* to the criminal category. Further examples of suspects affirming a category contradictory to a criminal one will be demonstrated in the next section of analysis (Section 4.1.2).

4.1.2 Affirming incumbency in a category contradictory to the criminal category.

My analysis so far has examined how a suspect may deny membership of, or having category bound features of, a category associated with an alleged crime. This section of analysis will now turn to how suspects achieve the same result by instead (or as well as) affirming membership of, or having category bound features of, a category contrary to an alleged crime. Again, this formulates their alleged crime as counter-dispositional, and can be done to either deny committing the alleged crime completely, or to admit to the crime yet assert that this is unusual or exceptional for them in some way. This category work may not necessarily be directly related to the alleged crime. These categories or category bound features can counter the allegation that the suspect is the type of person who generally commits crime, who causes suffering to others.

4.1.2.1 Affirming membership to a category contradictory to a criminal.

Suspects may position the crime they are accused of committing as counter-dispositional by explicitly claiming membership of a particular category. This is a category which conflicts with the criminal category, and therefore serves to separate the suspect in some way from the alleged offence. This can be seen in the extract below in which a suspect in an internet vlog is constructing membership of a category contrary to the type of person who commits the crime he is accused of committing (racist behaviour):

Extract 4.06 (Internet vlog 3):

```
1      S: →Hopefully at some point in my career I will be able to: (0.9)
2          have people not look at me like that.- Like the offensive
3          shocking YouTube guy.
4      S:  Because I'm not.
5          (0.7)
6      S: →>I'm a ni(hh)ce per(hh)son.<
7          (0.7)
8      S: →And I just wanna make funny shit.
```

This extract is taken from a part of the interaction in which the vlog is coming to an end, where the suspect is 'summing up' the video. On line 6, the suspect explicitly describes himself as a 'ni(hh)ce per(hh)son'. This categorisation goes unchallenged; this interaction, like most internet vlogs, is a monologue (Frobenius, 2011), and this affords the suspect complete control over the choice of topic in the interaction. Therefore, the suspect in this case (unlike those in the police interviews and television interviews) can describe himself in such ways without running the risk of someone interrupting to challenge this categorisation.

Rapley, McCarthy, and McHoul (2003), in their work on categorisation in accounting for a crime in public media discourse, describe how categorisation can do social and moral work. In Extract 4.06, the suspect can be seen to do social and moral work by categorising himself to account for his alleged offence in a public forum. He uses a category which, in itself, does not directly contradict that of a racist, which he is accused of being, but reinforces his denial of being ‘the offensive shocking YouTube guy’ (lines 2-3) which indirectly aligns with his accused behaviour. He does not deny committing offensive acts but instead claims a category which formulates innocent intentions, maintaining a level of moral decency. When the suspect says ‘I just wanna make funny shit’ (line 8), this positions and emphasises himself as a person whose intention is to make people laugh rather than to offend them. The use of ‘just’ in ‘just wanna make make funny shit’ is a ‘depreciatory just’ (Lee, 1987) which minimises the significance of a process, in this case alleged racist behaviour. Lee (1987) shows that, with a ‘depreciatory just’, a speaker may deny the referent process (in this case denying being ‘the offensive shocking YouTube guy’) and then go on to affirm the focal process (‘wanna make funny shit’), which is prefaced with the minimisation ‘just’. This therefore legitimises the innocence of the activity, and affirms membership of a category contradictory to the alleged crime.

4.1.2.2 Affirming category bound features of a category contradictory to a criminal.

Suspects may formulate the alleged crime as counter-dispositional in more implicit ways. Instead of, or as well as, claiming to belong to a category (which contradicts that of a ‘criminal’ category) suspects can claim that they partake in behaviours, or have characteristics which imply membership to this category.

In the data, suspects in the television interviews often orient to a certain level of wealth or status as part of formulating that they do charitable acts. This can involve saying things like ‘I’ve been involved in raising money for many charities’ (Television interview 4) and ‘I spent a long time uhh trying to build up a organisation to help a lot of people’ (Television interview 2) (both in data not shown here). Constructing themselves as having the characteristics of being charitable does not directly contradict the suspects’ alleged offences. However, it does this more generally, as it positions the suspect as someone who helps people (rather than harms), and wants to do good (rather than bad) (Sacks, 1992; Watson, 1978). It serves to indirectly respond to the accusation in a way that attends to the suspect’s interests without being undermined as such. These self-descriptions are constructed as enduring, dispositional, and as part of their identity; they go beyond ‘what really happened’ (to describe

the type of person the suspect is) in a way that is harder to dispute and which, in turn, *reinforces* their version of ‘what really happened’.

The suspects in the television interviews are offered more space by the interviewer to discuss these topics. These matters are treated as tying into their career, the basis of the interview. The police interviews, on the other hand, do not as easily afford the suspects the opportunity to highlight their favourable categories or category bound features. They must stick to the topic of the events in question in order to establish ‘what really happened’ (Stokoe & Edwards, 2008), as demonstrated by suspects in several police interviews being verbally admonished by the police officer for straying from this.

However, just because the television interviews offer the suspects more room for the construction of category bound features which contradict that of a criminal, does not mean that these are not challenged by the interviewer. This can be seen in the extracts below which are all taken from the same television interview, and are in chronological order of where they occur in the interview. Here, a suspect in a television interview describes himself as part of his denial of the criminal accusation put to him (that he has sexually assaulted children while sharing a bed/ bedroom with them, both recently and in the past):

Extract 4.07 (Television interview 3):

1 I: When Gavin was there he talked about the fact that he shares
2 your bedroom.
3 (0.3)
4 S: \$Ye::s.\$
5 (1.0)
6 I: Can you understand why people would ↓worry about that.
7 (.)
8 S: .Hh cos they’re ignorant.
9 (1.0)
10 I: →But i- is it really appropriate for a forty four year old man.
11 (0.5) <To share a bedroom.> (1.5) With a child who is not
12 >related to him at all.<
13 S: Thassa beautiful ↓thing.
14 (0.3)
15 I: That’s- that’s not a worrying ↑thing?
16 (0.3)
17 S: Why should it be worr’ing?
18 (0.2)
19 S: Who’s the criminal?
20 S: Who’s- who’s Jack the Ripper in the ↓room.
21 (0.7)
22 I: [Wuh.]
23 S: →[Hhhh] this is a guy tryna help heal a child.

Extract 4.08 (Television interview 3):

1 I: Did you ever sleep in the bed with them.
2 S: °No.°
3 (1.0)

4 S: But I have slept in a bed wid many children.
5 (0.3)
6 S: >I'd sleep in the bed wid all of em.
7 (.)
8 S: When Macaulay Culkin were little,< (0.3) Kiery- Kieran Culkin
9 >would sleep on this side, Macaulay Culkin's on this side,<
10 (0.2) his sister's in there we're all wuh just (0.2) jammin'
11 the bed.
12 (0.3)
13 S: And we'd wake up like °dawn°, (0.4) and go in the °hot air
14 balloon°.
15 (0.7)
16 S: You know we wuh- we have the footage. We- I have all that
17 footage. [Uhh.]
18 I: → [But] is that right Michael.
19 S: I's very right.
20 (0.5)
21 S: It's very loving.
22 S: That's what the world needs now.
23 (0.2)
24 S: More love.
25 (.)
26 S: More [mmm more- more heart.]
27 I: → [The the world the world needs a] the world needs a man
28 who's forty four [sleeping in a bed with children?]
29 S: → [No you're making it- no] no you're
30 making it all ↓wrong.
31 (.)
32 S: That's wrong.

Extract 4.09 (Television interview 3):

1 S: →I was shocked because (.) umm (1.8) God knows in my heart how
2 much I adore chi(hh)ldren. [Uhh.]
3 I: → [But] isn't that precisely the
4 problem.
5 I: That when you actually invite children into your bed, (0.3) you
6 never know [what's gonna happen?]
7 S: → [See] but when you say bed. (0.5)
8 You're thinking sexual.
9 (.)
10 S: They make that sexual.
11 S: It's not sexual.

In these extracts, the suspect's description of himself is elicited by a question about how he feels about accusations made against him (these include a recent allegation which is put to the suspect in Extract 4.07, and a past allegation which is put to the suspect in Extract 4.09). The suspect constructs himself as being kind to those he has allegedly victimised. This is achieved by using category bound activities/ predicates (Sacks, 1992; Watson, 1978) which counter the criminal category consistent with his alleged offence. He describes himself as being 'a guy tryna help heal a child' (Extract 4.07, line 23) and claims 'God knows in my heart how much I adore chi(hh)ldren' (Extract 4.09, lines 1-2) to achieve this.

In these extracts, however, the interviewer takes up the opportunity afforded to him in the interaction by challenging the suspect's category bound predicates with pointed questions. These include 'but is that right' (Extract 4.08, line 18), 'the world needs a man who's forty four sleeping in a bed with children' (Extract 4.08, lines 27-28), and 'but isn't that precisely the problem. That when you actually invite children into your bed, (0.3) you never know what's gonna happen' (Extract 4.09, lines 3-6). These sorts of questions are a format of problematising (Thornborow, 2007), and are used to take issue with or challenge a story teller's version. These are often found in television talk shows, usually used by the host or a member of the audience to challenge an interviewee's versions (Thornborow, 2007). 'The world needs a man who's forty four sleeping in a bed with children' (Extract 4.08, lines 27-28), is a challenging question which repeats some of the interviewee's own words and then adds to it. This is done in such a way which questions the adequacy or correctness of what he has said (Sidnell, 2010). Again, this is commonly found to be used in television interviews (Ekström & Fitzgerald, 2014). The challenges seen in Extracts 4.07, 4.08, and 4.09 demonstrate how the suspect describing themselves favourably may be scrutinised in the interaction of the television interview, a dialogue, unlike the interaction of the internet vlog, a monologue, and taking place for the purpose of entertainment rather than a criminal investigation such as the police interview setting.

The suspect in these cases replies in a way which pushes back against the challenges. Examples include 'no you're making it - no no you're making it all ↓wrong. (.) That's wrong' (Extract 4.08, lines 29-32) and 'see but when you say bed. (0.5) You're thinking sexual. (.) They make that sexual. It's not sexual' (Extract 4.09, lines 7-11). This places blame onto the interviewer (and others) for misconstruing or misinterpreting his behaviour as criminal, rather than on to him for committing the alleged offence. 'Bed' and 'sleeping' have implied sexual connotations (Warren, 1992), and the suspect therefore must fend these off as part of his denial of the criminal accusation. He does this by admitting to sharing a bed or bedroom with children, but not to the crime of sexual assault taking place.

Like Extracts 4.03 and 4.04, age is made relevant as part of this negotiation of categories and level of acceptability (Stokoe, 2009b; 2010; 2012). However, here, it is the interviewer who uses the suspect's specific age to suggest inappropriateness and allocate blame, rather than the suspect doing so as part of their denial. In television broadcast talk, the presentation of self is something which is carefully managed (Goffman, 1959). For example, in this case, the suspect refers to himself as a 'guy' (Extract 4.07, line 23), which implies a

male of any age. The interviewer, however, refers to him as a ‘forty four year old man’ (Extract 4.07, line 10), and ‘a man who’s forty four’ (Extract 4.08, line 27-28) which emphasises the suspect’s specific age in comparison to the children he shares his room, and sometimes his bed, with. Conflict such as that seen in these extracts often occur in television interviews (Clayman & Heritage, 2002; Ekström & Fitzgerald, 2014; Hutchby, 2005; Llewellyn & Butler, 2011; Reynolds, 2011; Thornborrow, 2007). This can constrain the suspect in the interaction in that they must manage this conflict when affirming category bound features of a category contradictory to the alleged crime.

4.1.3 Attributing incumbency in the criminal category to the past.

So far, my analysis has examined how suspects may deny membership of, or having category bound features of, a category associated with an alleged crime. It has also examined how suspects affirm membership of, or having category bound features of, a category contrary to an alleged crime. This section of analysis will now demonstrate how suspects may formulate a criminal category or category bound features as attributed to a past category or self rather than an enduring or current disposition. This is done to admit that they have committed wrong-doing in the past (not necessarily the current allegation), and to assess this as such, but that they have since changed or have become a different person. This admission is made to either deny the current allegation, or to admit to it but attribute this to a past category which they no longer claim incumbency to. It also acts as a stake confession (Potter, 1996), which allows the speaker to admit to one thing in order to effectively and credibly deny, or account for, another.

Suspects can assess their alleged offence or actions as a mistake or as wrong by saying things (in data not shown here) such as ‘I shouldn’t have done that it was stupid it wasn’t mean spirited. It wasn’t malicious it was just stupid and offensive’ (Internet vlog 3). Pomerantz (1984) demonstrates that assessments are likely to be provided on some basis, with some orientation to their experiential or other knowledge grounds. In these data, the suspects use them to formulate the experience or knowledge they have gained since committing an offence (either one they have committed in the past or the one they are currently being accused of).

4.1.3.1 Attributing membership to a criminal category to the past.

Suspects may reinforce their assessments, by formulating the person that they are now has improved in some way or is actively taking steps to do so. This separates the suspect from the

alleged offence by utilising the concepts of time and changing thoughts or behaviour. Linde (1993) argues that ‘the reflexivity created by the act of narration means that the speaker is always moral, even if the protagonist of the narrative is not’ (p. 123). This means that, simply by narrating, a person can separate themselves from past wrongdoing. This can be seen in the extract below in which a suspect in a police interview is responding to the criminal accusation made against him by describing past category membership:

Extract 4.10 (Police interview PN-78):

1 S: →Now I used to be a thief,
2 (0.2)
3 S: →>I used to do all that sort of stuff.<
4 P: [Mmmm.]
5 S: [But] (.) I 'ave nohht touched any of his mobile phones and I
6 certainly 'a'n't stole his dee vee dee player and I would say
7 that in court.

Constructing his membership of the category of ‘a thief’ (line 1), in addition to doing ‘all that sort of stuff’, (line 3) in the past tense serves to position this as something which no longer applies to the suspect. Potter (1996) suggests that the identity of the agents who produce descriptions can be worked on to affect their credibility, and that the facticity of an account can be enhanced through working up category entitlements. The suspect’s admission of belonging to the category of ‘thief’, and the crimes this entails, in the *past* allows the suspect to more credibly deny the *current* accusation made against him. The suspect is positioned as having changed since committing a crime which occurred in the past rather than the one currently being alleged. It also works as a disclaimer (Potter, 1996), allowing the suspect to present himself as sensitive to the accusation and thus inoculate against criticism. He presents himself as being aware of why the police officers may believe him to have committed a crime, because of his past, but that he is no longer like this. The suspect therefore attributes membership of a category associated with alleged crime to their past. Due to its location in early stage of the interview, this is not challenged by the two police officers present as, here, the speakers are still just establishing the suspect’s version of events.

Previous wrongdoing is brought up in relation to current accusation, but the suspect separates himself from that category (‘thief’); by claiming to no longer belong to this category that he did when he committed previous wrongdoing. This serves to bolster his denial of the current accusation. As this interaction takes place in a legal setting, the suspect’s construction of past membership of an explicitly criminal category has relevance, and the suspect’s criminal record is something that can be accessed by the police officer. However, in an internet vlog or television interview, a criminal history is not something the suspect brings

up. Internet vlogs and television interviews are interactions which take place in a public forum (Clayman & Heritage, 2002; Corner, 1999; Ekström & Fitzgerald, 2014; Heritage, 2002; Pihlaja, 2011; 2012) for the purpose of entertainment. Therefore, the suspects responding to accusations in these settings are afforded the opportunity to avoid discussing their past criminal history, instead focusing on the current accusation in question, or orienting to them as a person, as a public figure, more generally.

4.1.3.2 Attributing category bound features of a criminal category to the past.

Instead of, or as well as, explicitly constructing past membership of a criminal category, suspects may construct criminal behaviour or characteristics as something they participated in in their past, but no longer. This can be seen in the extract below in which a suspect in a police interview is admitting to committing wrongdoing in the past:

Extract 4.11 (Police interview PN-40):

1 P: She says that there's things like you've called her Large Marge
2 and stuff like that.
3 (2.0)
4 S: Yeah.
5 P: ↑Yeah?
6 (0.2)
7 P: But you've stopped that now.
8 (0.3)
9 S: Know what I'm sayin'?
10 (0.4)
11 S: Yeah I 'ave.
12 P: [She says uh-]
13 S: →[I've calmed-] I've cooled myself down yeah, I'm tryna sort my
14 'ead out yeah,

In Extract 4.11, the suspect is admitting to harassing his neighbour in the past. This formulation of past wrong-doing is related, but indirectly so, to the current accusation (assault). This is utilised as part of the denial of the current accusation, that he is no longer like that and has therefore changed since. 'Cooled myself down' (Extract 4.11, line 13) sums up his turn by distinguishing who he is now in comparison to the past, that his desires and temperament are now not criminal in nature. By describing his disposition in this way, this is inconsistent with the type of person who commits assault, which he is accused of being, thus reinforcing the categorisations he formulates earlier in the interview (see Extracts 4.03 and 4.04).

The suspect here is not claiming to have changed since the crime he is *currently* being accused of, but *other* wrong-doing he has committed in the past which, if consistent with who he is today, may make it appear more likely that he is guilty for committing the crime

currently in question (Auburn, Drake, & Willig, 1995). Again, as the police interview is a legal setting, the police officers present are afforded the ability to view suspects' complete criminal history, something a television interviewer does not necessarily have access to. Previous wrongdoing is therefore oriented to by the suspect in relation to current accusation, but the suspect separates himself from this, and therefore a criminal category. By claiming to no longer have those characteristics that he did when he committed previous wrongdoing, this serves to bolster his denial in response to the current accusation (Edwards, 2006b).

Auburn and Lea (2003) reveal that, when an offender provides an account which places blame and responsibility outside themselves, this is vulnerable to scrutiny and so they must maintain as much credibility as possible through presenting themselves as a 'normal' person. This can be seen in Extract 4.11 where the suspect attributes category bound features associated with his with alleged crime to the past. However, this is treated as problematic by one of the two police officers present, who formulates (in data not shown here) that the suspect's demeanour throughout the interview makes her believe he has 'quite a nasty temper', thus challenging his claims.

Suspects may construct the passing of time and the increasing of maturity/ knowledge by claiming that they have learnt or have begun to learn from committing the crime they are *currently* being accused of in the interaction. This can be seen in the extract below in which a suspect in an internet vlog is responding to accusations that he has been inciting racial hatred:

Extract 4.12 (Internet vlog 3):

1 S: So (1.3) ↑honestly what happened today was ↓I read it.
 2 (1.0)
 3 S: #I actually read a blog about me. (0.2) And about (0.4) all the
 4 shit I've done.
 5 (0.4)
 6 S: And I: ss- I read the tweets,
 7 (0.5)
 8 S: Usually I just ignore the:m, or (0.5) write something sassy, or
 9 (0.5)
 10 S: I read them.
 11 (0.8)
 12 S: →And um it really fucked me up,
 13 (1.0)
 14 S: And >really broke my heart.<
 15 (0.5)
 16 S: →And um (0.3) and I'm glad that it happened. Because (0.4) now I
 17 can uhh (1.9) °pruhhh° learn. (.) And move ↑on, and hopefully
 18 (.)help others (.) um (0.5) who are uneducated and ignorant
 19 when it comes to (0.3) uh (0.2) >this type of shit.<

In this extract, the suspect narrates the moment when he supposedly realised the offence he had caused, accounting for why he had not realised this before, and formulating his emotions

(Edwards, 1997) such as ‘it really fucked me up, (1.0) and >really broke my heart<’ (lines 12-14). The flexible and rhetorical potential of emotion terms means this can effectively be used to perform a range of actions in interaction (Edwards, 1997; Hepburn, 2003). In this case, emotion is used by the suspect to assess the offence he has allegedly committed. This orients to his categorisation of ‘first of all I’m not racist’ (in data not shown here) earlier in the vlog when introducing the accusations made against him online on Tumblr and Twitter.

The suspect in this case is claiming to have changed since the accusation currently being made against him. By the suspect saying that he hopes other people can learn from his experiences, this distributes the offence as being something others commit too, due to being ‘uneducated and ignorant’ (line 18) rather than racist or deliberately offensive. This is known as universalising, a group membership category where a person describes a particular behaviour as something everyone does, something that is the result of being a human and therefore imperfect (Edwards & Potter, 1992). A ‘YouTuber’s’ relationship with their audience is something which the suspects in these cases make relevant to do this; problems or issues may be distributed to the whole community, not just the centre of that community (the vlogger). This allows the suspect to distribute accountability, and distance himself from blame. This is not the case with the non-celebrity suspects in the police interviews. Although they may distribute blame to others, this tends to be to those they have allegedly victimised (see Section 5.1.2.2), rather than an audience or community uninvolved in their case; this is not something they possess.

Vlogs can have a potentially large audience (Morris & Anderson, 2015) who may make written comments or video responses to videos, and vlogs are therefore an ideal ground for the construction of identity. The fact that these interactions occur online allows both vloggers and viewers to establish relationships despite being physically distant (Frobenius, 2011). By the suspect in Extract 4.12 presenting himself as learning and helping others to learn, this emphasises him becoming a better person, rather than the alleged crime occurring in the first place. The suspect formulating hope that he can ‘learn. (.) And move ↑on’ (line 17) also implies the suspect distancing himself, through time and growth of knowledge to deflect blame. As this interaction is asynchronous, the suspects in the internet vlogs will not be responded to, challenged, or interrupted within the video itself, but viewers may leave comments on the video which formulate affiliation or disaffiliation with the claims made in the video.

Vlogs can be recorded at any time (Frobenius, 2011), and this affordance is made relevant in the suspect's attribution of his behaviour to his past rather than the person he is at this moment (Linde, 1993) while recording the vlog. Those in the police interviews (in the data set used for this thesis) do not have this opportunity to choose when to respond; they have been recently arrested and informed of their accusation. Those in the police interviews may claim to have had time to reflect on or change their criminal behaviour/ category for *past* allegations (as seen in Extract 4.10 and Extract 4.11), but cannot so easily make this claim with regards to a *current* allegation made against them. The television interviews and internet vlogs, on the other hand, often take place later, and the suspects here are able to orient to having time to reflect on this or change themselves.

4.2 Summary of Analytic Chapter

This chapter showed how suspects, across police interviews, television interviews, and internet vlogs, exonerate themselves (distance themselves from blame) through separating their alleged crime from their membership of a given category of person. It demonstrated how suspects detach the alleged crime from a criminal category and themselves from incumbency in that category, regardless of whether they admit to committing the alleged crime or not. The analysis demonstrated how suspected criminals may respond to an accusation in this way by: denying incumbency in the criminal category; affirming incumbency in a category contradictory to the criminal category; and attributing incumbency in the criminal category to the past. For all three of these, the suspect may explicitly claim or deny membership to a category or may, more implicitly, describe their disposition in a way that is consistent with characteristics or behaviours of that category, and inconsistent with the offence they are accused of committing.

Overall, this analytic chapter showed that denying a criminal category, or affirming a category contrary to their alleged crime, was achieved in particularly similar ways across the three interactional settings, all of which involve a person responding to a criminal accusation made against them. Claims made in response to a criminal accusation can be bolstered by the denial of a criminal category or category bound features. Denying category bound features of a criminal category can reinforce more explicit denials of membership of this category, or the prior can *imply* the latter when constructed without. Despite these similarities in how criminal categories were denied, the suspects were found to manoeuvre this discursive action in ways that made relevant affordances and constraints of their interactional setting. These include the time the interaction is taking place in relation to the initial accusation, the purpose of the

interaction, and therefore the sorts of questions and challenges put to them, and the audience of the interaction. For example, the suspects in the television interviews, unlike the police interviews, are asked questions that offer more space to discuss charitable or generous behaviour or other things about themselves that may contradict a criminal category, and the suspects in the internet vlogs also have the room to do this. This orients to the purpose of the interaction and therefore its topic. The police interviews, however, do not as easily afford the suspects the opportunity to highlight their favourable categories or category bound features. This is a point I will return to in the next analytic chapter (Chapter Five) to further demonstrate this. These findings therefore extend previous DP literature on suspects' category constructions and category-based denials by exploring and comparing how these are interactionally organised in settings other than the police interview.

These analytic chapters follow a progression of increasingly radical ways of claiming 'innocence'. The next chapter will be the third, and final, analytic chapter. This will demonstrate how suspects are able to go another step further with their detachment from the criminal category. This can be done by instead, or also, claiming incumbency in the victim category. Chapter Five will therefore examine how suspects across police interviews, television interviews, and internet vlogs may construct 'innocence' through discursively positioning themselves as a victim or as someone who has been victimised in some way.

CHAPTER FIVE:

SUSPECTS' CONSTRUCTION OF THEMSELVES AS A VICTIM

5.0 Introduction

In the previous chapter, it was demonstrated how those who have been accused of committing a criminal offence discursively separate their alleged crime, and themselves, from incumbency in a criminal category. This was examined across police interviews, television interviews, and internet vlogs. This third, and final, analytic chapter will show how suspects across these same settings may also construct 'innocence' through discursively positioning themselves as a victim or as someone who has been victimised in some way. This serves to not only deflect blame away from themselves but to attribute blame elsewhere. This positions themselves as the subject of sympathy, emphasising the suffering they have experience rather than that which they have allegedly caused others, and therefore is a more radical way for the suspect to detach from incumbency in the criminal category. The status of 'victim' is very well researched across the social sciences including criminology, discourse analysis, and media studies. I will start by briefly addressing some of this literature in order to examine the shared interest with the current thesis, and how I will extend this research. I will then go on to my analysis to demonstrate if and how suspects make relevant affordances and constraints of their interactional setting to claim incumbency in the victim category, and to exculpate them.

The legal definition of 'victim' is 'a natural person who has suffered harm, including physical, mental or emotional harm or economic loss which was directly caused by a criminal offence' or 'a close relative of a person whose death was directly caused by a criminal offence' (Ministry of Justice, 2015, p. 1). Relying on definitions of victimhood from penal law only risks neglecting social or cultural definitions of the victim which, in turn, influence legal definitions (Strobl, 2004). For example, Walklate (2006), from a critical victimology perspective, argues that not everyone who can be legally defined as a victim is necessarily automatically considered as such. Some people readily and easily acquire the status of 'victim'; for others, this takes more work (Strobl, 2004; Walklate, 2006). The term 'victim', like the term 'criminal', can be seen as a social status that is ascribed to a person according to formal and informal rules (Strobl, 2004). I will examine how these social statuses of 'victim' and 'criminal' are made relevant in suspects' interactions to achieve the interactional task of minimising and deflecting blame.

Christie (1986, p. 19) speculates that the ‘ideal victim’ (in Western cultures) is: 1) weak, sick, old or very young; 2) someone who was carrying out a respectable project when the victimisation occurred; 3) someone who cannot be blamed for being at a particular place during a certain time; 4) physically harmed by a big, bad offender; and 5) someone with no personal relationship with the offender. Strobl (2004, p. 298), based on qualitative interviews with Turkish men and women, goes on to add two more criteria to these, finding that the ‘ideal victim’ is also: 6) someone who did not behave provocatively towards the offender; and 7) someone who cooperates perfectly with police and courts. Within media studies, some theories of victimhood take the view that, in order to be considered worthy of attention, sympathy, and support, an ‘ideal victim’ must be morally good, honest, and respectable (Payne, 2014), or someone who is perceived to be vulnerable, defenseless, and innocent (Greer, 2007). Greer and Payne use case studies of high-profile criminal cases in Western cultures to support this, and demonstrate that those who acquire the status of the ‘ideal victim’ may attract much media attention compared to those who do not. However, more needs to be done to explore how these matters are oriented to or made relevant in an interaction by the speakers themselves in order to perform discursive actions (such as deflecting blame), particularly by those who are considered as a suspect or criminal. This allows for a more relativist, social constructionist perspective to be taken, such as the one taken for this thesis.

Both the legal definition of ‘victimhood’ and the ideological concept of the ‘ideal victim’, without explicitly stating so, categorise ‘victim’ in a way that suggests a distinct separation from the category ‘perpetrator’, implying that a person who is involved in a crime is either one or the other. These binary oppositions can be manufactured in discourse, lending themselves to rhetoric (Edwards, 1997). Lee (1984), from a MCA perspective, establishes that certain crimes, such as rape, co-select or partition the parties to the activities into two morally contrastive categories: innocent victims and evil-doers. However, Lee also explains that, although certain crimes can be seen as morally unjustified, the victims can be made monitorable for their innocence and for the degree of this.

McAlinden (2014), drawing on a range of literatures (including victimology, transitional justice, feminist criminology, and sex offending) argues that the victim and perpetrator identities are often considered in a way that is too dichotomous, bifurcated, and static. More needs to be done to examine the flexibility and fluidity of these identities as they are formulated in discourse. Zverina, Stam, and Babins-Wagner (2010), from a discourse analysis perspective, suggest that definitions of who is considered to be the victim or the

perpetrator continually adjust according to who is participating in the interaction, when this takes place, and what the topic of the interaction is. The legal definition of victim and the concept of an 'ideal victim' are therefore useful as ideals, but may not be reflective of a situation in which a suspect is questioning the validity of the alleged victim's status or when a suspect is actually claiming to be a victim *themselves*. These matters are addressed in this chapter. My thesis troubles the notion of 'perpetrators' and 'victims' and how we understand these categories, treating these as intersubjective, contextually bounded, and relational.

Section 5.1 will therefore have an analytic focus which addresses how suspects position themselves as a victim or as someone who has been victimised in some way. Watson (1978) shows how social categories can be invoked by a speaker to apportion blame and responsibility to others, portraying themselves as a blameless victim whilst also positioning their own talk as being unbiased or disinterested. Therefore, 'victim' is considered as a category built interactionally, exploring how 'legitimate' membership to this category is claimed, and how the category aligns with other terms and contrasts with alternatives (Edwards, 1998). Analysis will show how suspects orient to affordances and constraints of their interactional setting in their construction of victimhood and their overall discursive exculpation. Section 5.2 will then go on to summarise the key findings shown in the chapter, and demonstrate the importance of these.

5.1 Analysis

To demonstrate how suspects claim incumbency in the category 'victim', utilising elements of legal and popular discourses of victimhood, I will firstly present analysis of explicit claims found in the police interview setting. I will then go onto show, in more depth, the more implicit ways that this can be done across police interviews, television interviews, and internet vlogs to contribute to the overall action of constructing 'innocence'. Two aspects of this will be demonstrated: victimisation as an assessment of incommensurate treatment, and victimisation as provocation. These will be examined in turn to concurrently explore if and how these are organised to make relevant affordances and constraints of each interactional setting. However, in this chapter, two sections of analysis (5.1.1 and 5.1.2.2) will focus solely on police interviews, as this is the setting in which the discursive actions examined in these sections occur.

5.1.1 Explicit claims of incumbency in the victim category.

In a similar way that suspects rarely explicitly say ‘I’m innocent’ (Police interview PN-101, in data not shown here), this is also the case with claims of incumbency in the victim category such as ‘I am a victim’. In terms of the latter, there were just two protestations of this kind found in the data used for this research, both of which are from the police interview data set. An example of a suspect explicitly describing themselves as a victim can be seen on line 4 of the extract below. Here, a suspect in a police interview is responding to accusations of harassment:

Extract 5.01 (Police interview PN-46):

1 S: I mean my daughter don’ even want to go back school. (.) You
2 know next week. (.) Cos of all this trouble that’s gone on.
3 P: And [ih-]
4 S: → [WHY] when we’re the victims ’ave my family have gotta
5 suffer (0.3) because of them.
6 P: [Well.]
7 S: → [It’s] totally unfair.
8 P: → At the end of the day >as I say< I’m dealing with (.) other
9 complaints and my colleague who details you’ve got (.) are
10 dealing with your issues.
11 (0.3)
12 P: You’re fully aware of that ’ave been told that on a number of
13 occasions.

On lines 4-5, the suspect asks ‘WHY when we’re the victims ’ave my family have gotta suffer (0.3) because of them’. On line 7, she reinforces this with the provision of the assessment ‘it’s totally unfair’ (Pomerantz, 1984). This explicitly constructs her and her family as victims, suffering as the result of the alleged victims’ behaviour. This is deployed in exoneration by the suspect in response to the criminal accusation being made against her; it distances herself from blame, instead attributing it to someone else, the alleged victims. This can be likened to Stokoe and Edwards’ analysis of category usage and reported speech in neighbour dispute interactions, such as mediation sessions and calls to mediation centres (Stokoe & Edwards, 2007; Stokoe, 2009b). This also revealed how speakers formulate and enhance complaints and grievances with regards to another’s wrongdoing, and how denials and counter-accusations are constructed in response to their own alleged wrongdoing.

These sorts of protestations are vulnerable to being challenged because of their explicit nature; they do not have the provisional or deniable quality that implicit category constructions do (Benwell & Stokoe, 2006). The police officer in this extract resists the suspect’s explicit claims to victimhood by saying that his colleague is dealing with her issue, and that ‘you’re fully aware of that ’ave been told that on a number of occasions’ (lines 9-

13). This allows the police officer to formulate her responses of claiming victimhood as something she has already done several times, and as something separate to the current accusation at hand. For example, on line 8, the police officer begins responding to her complaints with ‘at the end of the day’. He then goes on to emphasise how complaints made against *both* parties are being explored separately, and that this interview is just about the allegations made against *her*, making relevant the interactional setting. This treats her making complaints (and explicitly calling herself a victim) here as inappropriate. Drew and Holt (1988) describe how ‘at the end of the day’ is an idiom with interactionally terminal features. This can be used by an individual to achieve some institutional objective, such as its use by the police officer in this extract to close off or dismiss the suspect’s explicit construction of victimhood.

In PN-63 (in data not shown here), a suspect explicitly constructs himself as a victim in a different way to that seen in Extract 5.01, referring to an officially given legal status of his. For example, when responding to accusations that he committed criminal damage, the suspect says ‘I’m also up in court as a victim from an assault charge’ and ‘I’m a victim’. In the prior, the suspect is using his legal status as a victim to assign blame to the other person. He formulates the alleged victim as laughing at him, and classes this as being intimidating, and legitimately so due to his own status as a ‘victim’. However, this is treated as challengeable after the suspect explicitly repeats this victim category in the latter. Although the police officer formulates agreement that the person has been given a condition not to intimidate witnesses, he formulates a disagreement with the qualification of laughing as intimidation. The explicit construction of victimhood is therefore also treated as challengeable in this case as, again, the police officer resists it as being a valid account for the suspect’s behaviour.

In the few instances where explicit claims of victimhood are made, sequentially, they are executed in conjunction with counter-allegations made against the alleged victim (see Section 5.1.1). This is done particularly when these have not been ‘working’ throughout the interview, for example continually being dismissed or not taken up by the police officer. The explicit claims of victimhood therefore occur in a position of the interaction designed to reinforce the counter-allegation, and explicitly frame it as being illegal or denounced in some way. However, these are ironically treated as challengeable in the next turn by the police officer. This is done either through a direct challenge, or by undermining the validity of these claims being made in that particular time and place (Antaki, 2008; Cuff, 1993).

In studying how an action is achieved across different settings, it is important to look, not only at how it is organised in the instances where it occurs, but also look at instances where it does *not*. It is therefore worth examining where explicit claims of incumbency in the victim category are *not* made, in terms of affordances and constraints of the interactional setting (see Schegloff's (1993) reflections on negative cases and nonoccurrence in the study of conversation). In the data analysed for this research, explicit claims of victimhood are not common; the instances only emerge in the police interview data, and only at certain points. Because of the explicit nature of a suspect calling themselves 'a victim', a suspect who deploys this in a more public forum such as a television interview or an internet vlog is vulnerable to wider criticism or challenge. This could come, not just from others in the interaction, as is the case in the police interview, but by a much larger audience of those watching at home (Abell & Stokoe, 2001), with this having potential negative consequences for the celebrity suspect and their career.

Furthermore, the suspects in these settings are not explicitly or as officially being treated as such in the interaction in the same way that a suspect in the legal setting of the police interview is (College of Policing, n.d.). Police officers have guidelines for how to interview a suspect, and these differ to the guidelines they have for how to interview a witness. Suspects may orient to and discursively counteract their suspect status through explicit claims of victimhood in the police interviews, but not in the television interviews or internet vlogs, where the suspect is not treated as such to the same extent. Those claiming victimhood in public settings are especially required to formulate this in more implicit ways. Given the nature of the internet (as well as television), the public are given access to these interactions and can assess guilt or innocence for themselves, regardless of any legal decision made. The audience in the interaction, and what is at stake for the suspects here, therefore differ from those suspects in the more private interaction of the police interview. How this is made relevant by speakers across the three interactional settings will now be explored further in the first part of the next section of analysis (Section 5.1.2.1), with the second part (Section 5.1.2.2) returning to police interviews in order to enable comparisons to be made.

5.1.2 Implicit claims of incumbency in the victim category.

I have outlined that it is uncommon for suspects to claim incumbency in the category 'victim' in an explicit way. This section will now show more implicit ways a suspect can construct victimhood in exoneration, which allows for the suspect's victim status to be inferred rather than directly or overtly stated. Sacks (1992) shows that categories are 'inference-rich', and

that mentioning category incumbent features can imply identities. He also argues that ‘there are ways of introducing a piece of information and testing out whether it will be acceptable, which don’t involve saying it’ (p. 47). So, rather than claiming incumbency in the category ‘victim’ – which may be unpacked *in situ* in terms of the category bound features of ‘victim’, suspects can instead describe those features but without using the category itself.

As well as inference rich, there is said to be an inherent ambiguity of categorisation (Sacks, 1992). Stokoe (2012) asks to what extent a categorical phenomenon can be considered relevant is if it is not formulated explicitly and unambiguously by a speaker? However, the fact that categorisation *can* be so implicit and ambiguous is a central resource for both speakers and analysts (Rapley, 2012). To quote Stokoe (2012): ‘Edwards (p.c.) argues, it is not the job of analysts to be more specific about categorization practices, or, more generally, about *designedly ambiguous* descriptions and actions, than members themselves are. The fact that we cannot be definitive about relevant categories and inferences is what gives language practices their *defeasibility*’ (p. 11). Therefore, although subtle category constructions may seem subjective or ambiguous, this allows the category to remain provisional and deniable (Benwell & Stokoe, 2006). Instead of the suspect explicitly taking ownership of the victim identity (and everything that category entails, including weakness (Zaykowski, 2015; Zverina et al., 2010)) which may be subject to challenge, it is constructed in more implicit ways. Baker (2000) suggests that ‘the more natural, taken-for-granted and therefore invisible the categorisation work, the more powerful it is’ (p. 111).

This first part of the analysis will firstly demonstrate suspects implicitly claiming victimisation or persecution as a *result* of the initial criminal accusation being made against them. Extracts demonstrating this are taken from across police interviews, television interviews, and internet vlogs. Following this, the second part of the analysis will demonstrate suspects implicitly claiming *they* are a victim of a crime or offence, which preceded their alleged crime, and therefore took place before the initial criminal accusation against them was made. Extracts demonstrating the second part are all taken from police interviews (orienting to the factors of this data set which afford this (see Section 5.1.2.2)).

5.1.2.1 Implicit claims of victimisation as an assessment of incommensurate treatment.

One way for suspects to implicitly construct victimhood (thus distancing themselves from guilt) is to construct themselves as unfairly suffering in some way as a result of the accusation being made against them. This implies that the way they (the suspect) are being

treated is incommensurate or excessive in some way, therefore constructing their actions as less blameworthy, and them as less deserving of the punishment they are receiving. This may include the impact on them in terms of legal punishment and, in turn, the impact of this on their emotions and on their reputation. This has been found to be used to bolster suspects' responses to the accusation, regardless of whether they construct a denial, or an admission (but with a justification or excuse accounting for this admission). This works as an assessment to compare their position with the accusation and the level of impact that the accusation has had on them to construct victimisation of some kind. This will be examined across the police interviews, television interviews, and internet vlogs. Each of these different interactions have a different audience and involve a different stake for the suspects. The suspect may orient to these affordances and constraints, making these relevant in their claims of incumbency in the victim category as a result of the accusation made against them.

To construct unjust *legal* consequences, suspects can formulate contrasts to display differences or disparity between one thing and another. For example, these can be used to minimise the blame and emphasise the suffering of the suspect, and to emphasise the blame and minimise the suffering of the alleged victim. They may also be used to construct some sort of injustice through a comparison of the ways in which they, as the suspect, have been treated by the legal system compared to how the alleged victim has. The formulation of unfair treatment can be deployed, not only in comparison to the alleged victim, but also in comparison to others who have been accused of the same offence as the suspect, yet have not received the same treatment. Legal injustice can be claimed by suspects in the police interviews (see Extracts 5.03 and 5.06), however, suspects in the television interviews may invoke a celebrity status as being a reason for, and as an extra 'layer' of victimisation. This can be seen in the extract below in which a suspect in a television interview is discussing how being accused of illegal doping has caused him to be banned from participating in certain sporting activities for life, and having certain competition results and titles made void:

Extract 5.02 (Television interview 2):

1 I: You said earlier on that (0.2) tt (0.2) you're getting close
 2 now you felt to that time when it's (.) appropriate to (0.5)
 3 for people to feel it's time to °move on.°
 4 S: =°Mm hmm.°
 5 I: And some would say (0.7) tt (0.6) °you know° (1.7) they'd say
 6 that's (0.3) that's not good enough.
 7 S: (°Right.°)
 8 I: You know what sort of message would that send out (0.2) to
 9 anybody (0.7) tempted as (you said) they may well be in the
 10 future.
 11 (0.8)
 12 I: →Is there a danger that by forgiving you it would (0.3) send

13 the wrong message out.
14 (1.7)
15 S: →Tt (2.2) and the hundreds of others that're- the thousands of
16 others that have been forgiven.
17 (2.0)
18 S: →You gotta have one. We're gonna make a- we have to make one
19 example?
20 (0.7)
21 S: That's the way our system's gonna work?
22 (1.8)
23 S: →Cos if we- if that's the deal if if everybody says if we all
24 agree (0.3) that we're gonna make one example.
25 (1.5)
26 S: →>Everybody did the same thing< but we're gonna make one example
27 and we're good.
28 (1.5)
29 S: →↓Then I'll be that guy.
30 (1.8)
31 S: I don't think everybody °thinks that way.°
32 (0.8)
33 S: →But ih but ih but if (0.4) if we thi (hh)hnk (1.0) okay. (0.2)
34 That's it. (0.4) We're hangin' one dude.
35 (3.2)
36 S: →↑Give me the noose.

This extract demonstrates the suspect deploying victimisation by arguing he has been treated unfairly compared to others who allegedly have committed the same offence, and that they have all been forgiven whereas he has not. The interviewer's question on lines 12-13 overtly emphasises the suspect's alleged wrongdoing and orients to his fame within the sport. This is done through the use of 'you' in 'is there a danger that by forgiving you it would (0.3) send the wrong message out'. The suspect's response to this can be described as 'condemning the condemners' (Scott & Lyman, 1968). This is because it implies the offence he is being accused of is nothing unusual or pejorative, for example '>everybody did the same thing<' on line 26. He uses quantification as part of a contrast formulation to emphasise this disparity, comparing 'hundreds of others' and 'thousands of others' (lines 15-16), who have allegedly committed the same offence he is being accused of yet have been forgiven, to 'one' (lines 18, 24, 26, and 34), himself, who has not. This discursively places him in a separate category to these people to formulate that he is being unfairly singled out because of his particular prominence within his sport.

The suspect can be seen to use an if/ then structure in this extract. This formulates a hypothetical scenario in which *if* everyone agrees one person is punished severely and excessively (by 'hangin' one dude' (line 34)) *then* he will 'be that guy' (line 29). If-then structures can be considered as a general scripting device (Sneijder & te Molder, 2005). As this hypothetical formulation does not refer to specific events, it more generally offers a

pattern that reduces the requirement to provide an explanation. This metaphor serves to treat his lengthy ban on playing sports (when others accused of doping have not received this) as humiliating and excessive, by comparing it to a public hanging (‘↑give me the noose’ (line 36)). It also serves to separate himself from ‘everybody’ (both the general public and others who have been accused of the same offence), again invoking a celebrity status to construct victimisation, placing himself in a different category (Sacks, 1992). This is enhanced by the suspect drawing on extreme dimensions (Pomerantz, 1986) such as ‘everybody’, and by executing shifts between third person ‘we’ and the first person ‘I’ to further position himself as being singled out. Therefore, the suspect makes relevant the affordance of a large audience viewing as part of his public construction of incommensurate treatment.

This can be compared to the extract below, where the suspect in a police interview provides his response to being arrested (for using abusive and threatening language and behaviour). The suspect here creates a more powerful contrast formulation, constructing unfair treatment compared to the alleged victim, rather than to another suspect:

Extract 5.03 (Police interview PN-13):

1 S: But when you nicked me I couldn't believe it.
 2 (2.0)
 3 S: After all we've had to put up wi' wi' this neighbour. And you
 4 nick me?
 5 (.)
 6 S: I cannot believe it.
 7 (2.0)
 8 S: Broken ar:ms, bloody scratches all over the car::, car tyres
 9 let down,
 10 S: The whole lot-
 11 S: →Everything has happened to us and nobody has done a thing.
 12 (.)
 13 S: She called ((clicks)) once and we're ni(hh)cked.

In this extract, which is taken from the suspect's free account, the suspect formulates incredulity as to why he and his wife (the suspect in Police interview PN-12) were arrested and the alleged victim was not. The contrast formulation (lines 11-13) deploys victimhood in exoneration. This constructs the suspects as the ‘true’ victims, therefore distancing themselves from blame and thus constructing ‘innocence’. Contrast formulations can be used to establish appropriate norms of behaviour, juxtaposing what is acceptable and what is not (Wooffitt, 1992). Auburn (2010) demonstrates that offenders often deploy contrast formulations to exonerate them in some way by positioning themselves as less culpable for their actions. The suspect formulates his being arrested, in conjunction with the counter-allegation (see Section 5.1.2.2), as an assessment to emphasise the supposedly unfair treatment he is receiving. This prefaces the counter-allegation to work as an interpretive

frame, and again at the end of the counter-allegation to ‘sum up’ his turn. Sequentially, this is in a position where other suspects in the police interview setting do this same action.

The suspect uses extreme case formulations such as ‘everything’ in ‘everything has happened to us’ and ‘nobody’ in ‘nobody has done a thing’ (line 11). Extreme case formulations such as these make a report or version more effective by drawing on the extreme points of relevant descriptive dimensions (Pomerantz, 1986). They tend to be used when people are attempting to justify, accuse or argue some conclusion (such as this suspect’s construction of victimisation and injustice) in situations when these claims are being bolstered against some disagreement or doubt (Edwards, 1995) (for example, in a police interview such as this). These contrast formulations serve to emphasise the suffering the suspects have experienced as a result of the alleged victim’s behaviour, and how their complaints were not listened to by the police. This is used to compare to the minimal suffering the alleged victim has experienced, yet whose complaint has been responded to straight away. This constructs an injustice which positions the suspect and his (co-accused) wife as victims. The suspect does not have to explicitly use the words ‘victim’ or ‘perpetrator’; his account is constructed in a way which *implies* this through category bound activities (Sacks, 1992; Stokoe, 2012), thus claiming victimisation as an assessment of incommensurate treatment.

The police interview is a legal setting where the aim is to obtain a full and accurate account (College of Policing, n.d.). Questions asked in the police interview therefore tend to be concerned with establishing ‘what really happened’ (Stokoe & Edwards, 2008). Therefore, the suspect is not necessarily afforded invitations to comment on how they feel about the impact the accusation has had or may have on their lives. The suspect is therefore only able to do so when asked a more open question for example, when asked what led up to them being arrested, and when asked if there is anything else they would like to add at the end of the interview. However, in the case of the television interviews, as seen in the previous extract (5.02) this interaction is taking place for the purpose of entertainment. This means the suspect may be asked specifically to talk about the effect the accusation has had on their life, and this is where doing so takes place.

A suspect can reinforce the unfairness or injustice of how they have been treated as a result of the accusation by formulating the impact that this has had on them *emotionally*. Deploying victimisation in this way also serves to more subtly exonerate the suspect; it emphasises suffering they are experiencing or have experienced rather than that which they have allegedly caused others. Displaying emotion is utilised by suspects across the internet

vlog data to deploy victimisation. This can be seen in the extract below in which a suspect in an internet vlog is responding to an accusation that he assaulted his ex-partner during their relationship:

Extract 5.04 (Internet vlog 1):

1 → (2.9)
2 S: →Hhhhh.
3 (3.5)
4 S: →A person I dated. (1.2) A few years ago. (1.5) Has just (0.7)
5 made some (0.8) extremely (0.5) serious (0.9) false (0.7)
6 accusations.
7 (0.9)
8 S: About me.
9 (2.0)
10 S: And I wanna be: (0.2) crystal clear,
11 (1.3)
12 S: I've never done anything> without her consent?
13 (1.5)
14 S: I've never (0.7) tried to (0.5) ↑trick her?
15 (1.2)
16 S: Into ↑anything.
17 (2.8)
18 S: →I read her- (0.4) her Tumblr post.
19 (0.8)
20 S: →And I was (1.1) I was shocked.
21 (2.1)
22 S: And I was hurt,
23 (2.3)
24 S: →These allegations are (1.5) absolutely false.
25 (2.5)
26 S: °I just (0.4) >wanted to address it.<°
27 (1.4)
28 S: °>That's all.<

On lines 1-3 of this extract, the vlog starts with a long silence, a sigh, and another long silence. Due to the nature of vlogs, these could have been edited out by the suspect (Frobenius, 2011) but, in this case, they remain and they play a crucial role in formulating emotion. This is not the typical way of opening a vlog (Frobenius, 2011), and thus highlights the vlog right from the beginning as being of a serious nature, or as something out of the ordinary. The suspect therefore subverts the convention of how vlogs are normally opened, in order to authentically and credibly perform his discursive action. This display of emotion is then contextualised by the suspect vaguely referring to the accusation (lines 4-8), how he became aware of this being made (line 18), and how this has impacted him emotionally ('I was shocked. (2.1) And I was hurt' (lines 20-22)). He describes the allegation as 'absolutely false' (line 24). This deploys victimhood, as it implies the accusation against him is undeserved and has caused him emotional suffering.

In the television interview, these protestations tend to be probed by specific questions about the various ways in which the accusation has affected the suspect. This is not the case in the internet vlogs as there is normally only one person, the suspect, speaking in these interactions. This means there are no probes *per se* in this interactional setting but the claims of victimisation appear where they are made relevant in the interaction by the sole speaker. Sequentially, this is found at the start of the video when stating the reason for making the vlog (the accusation made against them), and at other relevant points throughout the vlog. This affords the suspect more discursive freedom to negotiate their claims of victimisation. This is particularly the case as they also have the opportunity to edit this content themselves before uploading to the internet, should they wish, or to subvert this affordance.

The suspect in this internet vlog is afforded the opportunity to subvert the conventions of this setting as part of his implicit claims of victimisation as an assessment of incommensurate treatment. This is something which those in the police interview and television interview are not afforded. It is treated as a given that suspects in these situations are not able to script or edit their responses. Furthermore, these interactional settings also have different conventional openings to the internet vlog, which do not necessarily make relevant displays of emotion or claims of victimhood straight from the off.

Emotion discourse can be seen to be used in the extract below, in which a suspect in a television interview is responding to an accusation in a much more retrospective manner. In this extract, the suspect and the interviewer are discussing how the suspect felt at certain moments throughout his trial for double murder:

Extract 5.05 (Television interview 4):

1 I: <Did you> think about Nicole?
2 (1.1)
3 S: .Hh at that moment ↓no.
4 (0.8)
5 S: No at that moment I was thinkin' about (0.2) I was gonna hu:g
6 Sydney and Justin.
7 S: I was gonna hu:g Arnelle and Jason.
8 S: .Hhh I had gone,
9 (1.3)
10 S: .Hhh I had gone what sixteen months when- when I was- (0.6)
11 hadn't been able to touch anybody that I lo:ved.
12 (.)
13 S: →I could touch ↓laywers but no(hh)body that I can love.
14 S: →And it was real tough,
15 (0.4)
16 S: And I'm a toucher I'm a hugger,
17 (0.2)
18 S: >Everyone who knows me knows I'm a very affectionate person,<
19 (0.4)
20 S: And my kids- >my son and I he's twenty five< we kiss. .hh
21 (0.5)

22 S: You know my young son and I we kiss.
 23 (.)
 24 S: →Sydney Arnelle we're kissers and huggers,

The emotional suffering the *suspect* has experienced as a result of the criminal accusation is emphasised rather than the victimisation the alleged victims have supposedly experienced from the crime itself. The suspect not only deploys victimisation via the emotional suffering on his part (as a result of being away from his family), describing this as 'real tough' on line 14, but also the emotional impact this has had on his children who, like him, are also 'kissers and huggers' (line 24). This categorises him and his children, positioning their affectionate behaviour as dispositional, as part of their identity rather than temporal or circumstantial (Edwards, 1995; 1997; 1999; 2006b; Locke & Edwards, 2003) (see Section 4.1.2). This is reinforced on line 13 when the suspect says 'I could touch ↓lawyers but no(hh)body that I can love', utilising standardised relational pairs (Sacks, 1992; Stokoe, 2012) to deploy victimisation. This orients to the relationship between a client and their lawyer not generally involving affection, whereas the relationship between a person and their loved ones generally does, and that this is something he claims to have been denied as a result of the accusation being made against him.

This interaction is situated many months after the initial accusation, and the suspect designs his account in such a way that narratively situates some parts of the impact the accusation has had in the past. This is positioned as something which has already happened rather than something which is currently *happening*. Furthermore, this orients to the question asked by the interviewer, eliciting a reflection on moments during the suspect's trial rather than the present day. This is unlike the police interview, where questions are being asked by the police officer about an alleged offence which has very recently taken place, and oriented to as such by the speakers. The suspect here is therefore not able to invoke the affordance of formulating impact the accusation has had in the past (as part of their claims of victimisation as an assessment of incommensurate treatment), as the accusation has only just been made.

As well as verbal constructions of emotion, displays of emotion can be achieved paralinguistically. This can be seen in the extract below in which a police interview with a suspect (accused of racially aggravated assault) is coming to a close:

Extract 5.06 (Police interview PN-114c):

1 P: Anything from you:
 2 (1.5)
 3 L: Well-
 4 (2.0)
 5 S: →I'm just upset that they're taping ↑me..

6 (0.4)
 7 S: And blaming ↑me for everything.
 8 (1.0)
 9 S: →It TAKES ↑TWO.

When the suspect is given the opportunity to say something before the interview is finished, the suspect's response on lines 5-9 performs a counter-allegation; it puts some of the blame for her actions onto the alleged victim. This deploys victimhood in exoneration by emphasising her own suffering, claiming to feel 'upset' that she is being blamed for 'everything' despite the fact that 'it TAKES ↑TWO'.

'Everything' is an extreme case formulation, with the suspect using this extreme term to construct that she is receiving an unfair amount of blame for what she is alleged to have done. Extreme case formulations are shown to be factually brittle (Edwards, 2000) as they display a speaker's investment in a claim rather than that claim's literal accuracy, therefore making the claim difficult to challenge. Idioms are also said to be robust with respect to challenge because of their figurative, formulaic quality (Drew & Holt, 1988). This can be seen in the suspect's idiom formulation 'it TAKES ↑TWO'. This allows the suspect to distribute the blame between her and the alleged victim in a way that is difficult to dispute (Edwards, 1995).

This suspect also formulates emotions paralinguistically to deploy victimhood, as do other suspects across the three interactional settings. The suspect in this extract cries at various points throughout her interview. Crying, and its location in an interaction, can be used to perform social actions (Hepburn, 2004; Sacks, 1992, Stokoe, Hepburn, & Antaki, 2012) and, in this instance, formulates emotional distress experienced as a result of the allegations being made against her. Sacks (1992) suggests that crying is not situated as a first sequence, but follows something. In this instance, crying reinforces the suspect's implicit claims of incumbency in the victim category that she has been constructing throughout her interview in response to the accusation made against her.

The police officers in the room are able to both hear and see this construction of emotion. However, as the suspect is participating in an interaction that is only audio recorded (unlike the television interviews and internet vlogs) (Stokoe, 2009a), she is constrained by the fact that anyone who subsequently listens to this cannot see her crying, only hear it. Therefore, formulations of emotion by the suspects in the police interview setting must be made hearable, whereas the suspects in the television interviews and internet vlogs do not necessarily need to do so, as this can be achieved in other ways.

Suspects can deploy victimisation as a result of incommensurate treatment on a more personal level through formulating the unfair or unjust impact this has had or *may* have on their reputation. For example, the suspect may formulate that the allegation will cause those around them to perceive or treat them in a negative way, particularly allegations that the suspect may be especially criticised for. This can be seen in the extract below in which a suspect in a police interview is being accused of committing assault occasioning actual bodily harm (ABH) on a child:

Extract 5.07 (Police interview PN-40):

1 S: LICKle fings like this yeah right- all right.
2 (0.2)
3 S: It might not be little yeah ay bee aytch.
4 (.)
5 S: You know what I mean.
6 (0.3)
7 S: →And I'm feeling like (0.1) like a twat now because I've gotta
8 go out there if I get charged with fucking beating a seven year
9 old up.

In this extract, the suspect constructs age and space to deploy victimhood. On lines 7-9 he says 'I've gotta go out there if I get charged with fucking beating a seven year old up'. 'Gotta' implies lack of choice, and 'out there' implies outside of the police interview room. Person, place, and time are three dimensions of deictic reference (Edwards, 1997). In this case, the suspect's use of 'out there' (line 8) works as a form of rhetorical pointing, the two police officers present must interpret this from the suspect's position to understand it (Billig, 1995). As such, this allows the suspect to refer to the location of outside the police interview without explicitly saying so. This deploys victimisation as the criminal accusation has not just made him subject to scrutiny from the two police officers, with the potential of a legal charge inside the police interview (College of Policing, n.d.), but also the impact of what receiving this charge may have on him in terms of his reputation and how others will perceive him when he is in the 'outside world'. This demonstrates the suspect making relevant the potential outcome of this interaction. 'Like a twat' (line 7) serves as an assessment which others will, hypothetically, make of him. This formulates humiliation and victimisation, and the alleged victim's young age is made relevant to emphasise this. The idea that a child is an unacceptable victim for a teenage male to pursue (Stokoe, 2009b) is oriented to, and that the suspect (who denies the accusation) will be unfairly negatively judged because of the accusation.

Reputation is oriented to in the celebrity or 'micro-celebrity' suspects' accounts, via the same discursive practices as the non-celebrity suspects, but in a much stronger way. The

criminal accusations made and the responses in these cases take place in a much more public forum. This public element is oriented to in the interaction through the questions asked here, as being the very basis of the suspect's career. Audience design (even in the more asymmetrical situations where the speaker may not know or cannot see some or all of their audience) has been found to be to be an important driving factor in the organisation of interaction (Ekström & Fitzgerald, 2014; Frobenius, 2011; Pogrebin et al., 2006), with the speaker orienting to conventions that are appropriate or acceptable for their audience.

The much larger audience of the television interviews and internet vlogs, provides a different stake (Edwards & Potter, 1992) for the suspects in these interactions compared to that of those in the police interviews. This is made relevant in terms of how the suspect exonerates themselves through deploying the victim status. The institution of the media especially is treated as a cultural 'stage' or discursive framework where the identities of those within it are continually constructed and reconstructed (Carbaugh, 1996). Accounts given in this manner are at least as important and consequential for the suspects who provide these as those given in legal situations. This is because, given the nature of the internet (as well as television), the public are given access to these interactions and can assess guilt or innocence for themselves, regardless of any legal decision made. As a public figure, their career is essentially linked to the ways they present themselves (Abell & Stokoe, 2001; Hall, 2015). There are therefore not only potential legal ramifications but also much wider reputational and financial ones.

Television interviews differ from police interviews due to their position in time in relation to the *initial* accusation. There is usually a much bigger time difference between the suspect hearing the accusation for the first time and the television interview (the response to the accusation) taking place. This means that any victimisation that has allegedly occurred as a result of the accusation can be designed as 'actual' rather than 'hypothetical'. This invokes that this interview is taking place in retrospect whereas in the police interview, the suspect has recently been arrested and told the accusation. The suspect can only orient to the impact of the accusation as being arrested and how they feel about this; anything else is oriented to as hypothetical.

In the case of the celebrity or 'micro-celebrity' suspects, there is the opportunity to discuss the negative impact on their reputation as a result of a criminal accusation. They are offered space by the interviewer to make relevant a subsequent negative impact on their career or finances. This can be seen in the extract below in which a suspect (accused of

sexual assault) in a television interview describes his reputation, the impact on his career, and the significant wider impact this may have on his life:

Extract 5.08 (Television interview 1):

1 I: →When (Ron Isley) mentioned you at the Soul Train Awards.
2 (0.7)
3 I: There were boos in the audience.
4 (0.6)
5 I: Are you concerned about your career.
6 (1.0)
7 S: →I'm very concerned about my career but most of all I'm
8 concerned about my life.
9 S: Becau:se (0.4) the career's after that.
10 S: →And and that's where I should have seen in beginning.
11 S: >In the beginning I didn't see it.<
12 S: →It was the career, it was R Kelly, it was the bling bling, it
13 was (0.4) the women, the the the clubs,
14 S: But (.) but now I'm I'm I'm looking at my life.
15 (0.2)
16 S: →Here(.) you know and this is I'm a human being I have a life
17 here to protect.
18 S: Um (.) of course I care about what people think about me, what
19 they think about my music, I love my fans, love my music.
20 (0.4)
21 S: →But um (0.2) this is this is a bit more important than (0.6) um
22 (.) um (.) the music career you know and um.
23 (.)
24 S: And I love my career,
25 S: >Everybody know I love music.<
26 S: →But (0.2) I'm tryna protect my life right now.

The interviewer's question in this extract formulates a somewhat puzzle to be solved on lines 1-5. In the first turn, he states that 'there were boos in the audience' when the suspect's name was mentioned at an awards ceremony. Then, in the next turn, the interviewer asks 'are you concerned about your career'. This implicitly links the two together, implying a relationship between boos in the audience being reflective of how the suspect is perceived in the 'outside word', and as this as being potentially worthy of causing concern about his career.

The suspect responds with an agreement which orients to this puzzle, deploying victimisation by the impact the accusation has had on his public perception and, in turn, his concerns for his career. However, the suspect does not leave it at this; he instead formulates acknowledgement of these things but upgrades his victimisation by formulating concerns about his *life* too, and as this as being more important to him. This serves to exonerate him; it aligns him as someone who is a victim as he is having to protect his life (Christie, 1986), rather than as someone who is only interested in fame or money, which could undermine this construction (Edwards & Potter, 1992). The suspect is therefore able to invoke the category

of a public figure to formulate victimisation (something which those in the police interview are not afforded).

As well as invoking the category of a celebrity, the suspect must also simultaneously work to discursively build himself as being a 'normal' person (something which is treated as a given with regards to the non-celebrity suspects in the police interviews), and as somebody worthy of being considered as a victim. The suspect's practices here could be referred to as 'doing being ordinary' (Sacks, 1992), and this positions him as human and therefore vulnerable. For example, using his stage name 'R Kelly' (line 12) in third person separates the person who is interested in fame and wealth from the victimised person who is having to defend his life. Therefore, his implicit claims of victimisation serve as an assessment of incommensurate treatment.

5.1.2.2 Implicit claims of victimisation as provocation.

So far, the analysis has demonstrated how suspects explicitly claim incumbency in the category 'victim', compared to how suspects more implicitly claim victimisation as an assessment of incommensurate treatment. As well as, or instead of, a suspect implicitly claiming victimisation as an assessment of incommensurate treatment, a suspect may implicitly construct victimhood through the use of counter-allegation, implicitly describing themselves as a victim of an actual crime or offence committed by someone else. Self-defence, revenge, or provocation can be deployed by suspects in exoneration. This can account for their actions as being a reaction or a response to some initial wrongdoing committed by the alleged victim, which has caused some suffering to the suspect. This constructs 'innocence' in their response to the criminal accusation. It implies that the suspect did not initiate the dispute, that they did not go out searching for the trouble, the trouble came to them.

Counter-allegations can therefore undermine the current accusations being made against the suspect (Edwards & Stokoe, 2011), and make the alleged victim at least partly responsible by shifting some or all of the blame onto them (Dersley & Wootton, 2000). This section will also demonstrate this, but will expand further by also considering if and how speakers make relevant affordances of the police interview to enable this, in comparison to other interactional settings of television interviews and internet vlogs. It must be noted that

this particular set of police interviews are all concerning accusations of neighbour disputes.⁸ Furthermore, as the interaction is taking place in a legal setting, the suspect is more ostensibly treated as such, with different guidelines in place for how to interview suspects and witnesses (College of Policing, n.d.). Therefore, the suspect must work particularly hard to discursively reverse these categories of ‘perpetrator’ and ‘victim’. This is unlike the suspects in the television interviews and the internet vlogs as, although they are still responding to a criminal accusation, they are not necessarily formally treated as a ‘suspect’.

This use of counter-allegation to deploy victimhood in exoneration can be seen in the extract below, in which a suspect in a police interview is asked to describe what happened on the night that he is alleged to have committed assault:

Extract 5.09 (Police interview PN-100):

1 P: Time by my watch (.) i:s twenty past one,
2 (1.0)
3 P: In the afternoon (0.3) of the ninth of July two thousand <and
4 three.>
5 (2.0)
6 P: →D’you wanna tell me then (0.4) um (0.4) what happened (0.3)
7 last night?
8 (2.5)
9 S: →U::m (2.0) well (0.2) I was um (0.2) in bed, (0.7) tryna s’go
10 sleep, (0.7) and I could just ‘ear some constant noise (.)
11 some shoutin’ and whatever,
12 (1.0)
13 S: →So I left it for a bit, and it continued,
14 (0.4)
15 S: So I opened my window, and um (0.6) tt shou’ed um (0.4) shu’
16 up. (0.7) or (0.4) I’ll shu’ you up myself so.
17 (0.5)
18 S: →And to that. (0.4) Um (1.0) the response I got to that was suck
19 my dick.
20 (1.0)
21 P: Yeah.
22 (0.2)
23 S: So. (1.0) I went outside (0.3) to sort it out with ‘em,
24 (0.5)
25 P: Right.
26 (3.0)
27 S: When I got outside there was two of ‘um. (0.6) On- outside my
28 house but on the opposite side of the road,
29 (0.2)
30 P: Yeah.
31 (1.5)
32 S: So I went over to them (2.0) told ‘em to fuck off basically un
33 (0.2) they just stood there squarin’ up to me.
34 (1.0)
35 S: Tt I pushed one of ‘um (0.7) ‘e fell over.
36 (0.3)
37 P: Mmm hmm.

⁸ These were originally collected as part of ESRC grant number RES-148-25-0010 ‘Identities in neighbour discourse: Community, conflict and exclusion’ and are held by Elizabeth Stokoe and Derek Edwards.

38 (1.0)
 39 S: → Then a third one (0.4) came runnin' uh runni-runnin' towards me
 40 sayin' I'm gonna fuckin' kill you you fuckin' nigger.
 41 (0.5)
 42 S: → So I retreated back (0.5) kept goin' back to my- (0.2) onto my
 43 proper'y (0.2) wuh he's manhandlin' me (0.4) and that's when I
 44 'it him (0.2) with my- (0.2) with ↓my bar.
 45 (0.4)
 46 P: [Mmm.]
 47 S: → [In] self-defense. (0.4) To get 'im off me.

The suspect's counter-allegation, in response to the accusation made against him, positions himself, the suspect, as the *initial* victim. It deploys the victim category by implying victimhood, describing things a victim may experience, without explicitly using the word 'victim' (Sacks, 1992). It constructs victimisation *prior* to his alleged offence, rather than victimisation caused by incommensurate treatment after the alleged offence, as seen across the extracts in Section 5.1.2.1. However, it still serves to perform the same action: to position the suspect in a way that emphasises suffering he has experienced rather than that which he has allegedly caused others.

On lines 6-7, the police officer asks 'd'you wanna tell me then (0.4) um (0.4) what happened (0.3) last night?'. This elicits the 'free account' phase of the interview and, on lines 9-10, the suspect describes that he was 'in bed, (0.7) tryna s'go sleep, (0.7) and I could just 'ear some constant noise'. This is known as an x/y formulation (Wooffitt, 1992). The x component formulates a recollection of a routine or normal activity the speaker was doing just before an event in question happened (in this case 'in bed (0.7) tryna s'go sleep'), and the y component reports the speaker's first awareness of something unusual happening (in this case 'constant noise'). This formulates him as doing something ordinary, trying to sleep, and that this normal activity was disrupted by the actions of others. He goes onto say that he 'left it for a bit, and it continued' (line 13). This constructs the suspect as a person who did not go out seeking trouble, that the trouble came to him, and that he even waited before responding to it.

The suspect formulates reported speech to construct himself as the victim of offensive language and threats, for example "suck my dick" on lines 18-19 and "I'm gonna fuckin' kill you you fuckin' nigger" on line 40. Reported speech is said to formulate information credibly and concisely (Wooffitt, 1992), and provide objectivity to a description of events (Lea & Auburn, 2001). In this case, it also edits the suspect's version of events in a way that displays a position, and serves his interests in his construction of victimisation. Stokoe and Edwards (2007) show that, in police interviews, reported speech containing racism is often

unrelated to the basis on which the suspect has been arrested. It instead performs mitigation for the suspect's behaviour or a counter-allegation about the alleged victim. This can be seen in this instance, in which the suspect is implicitly claiming victimhood at the hands of the alleged victims.

On lines 42-44 and 47, the suspect constructs a justification for him hitting one of the alleged victims with a metal bar. He says that he, the suspect, 'retreated back (0.5) kept goin' back to my- (0.2) onto my proper'y (0.2) wuh he's manhandlin' me (0.4) and that's when I 'it him (0.2) with my- (0.2) with ↓my bar' 'in self-defense. (0.4) To get 'im off me'. The suspect in this case implicitly deploys victimhood. His counter-allegation of provocation formulates the protection of himself and his property as being a valid justification for his actions (Scott & Lyman, 1968). This reduces the pejorative quality of them, and therefore serves to exonerate him. His admission, which comes at the very end of his free account, is therefore bracketed by a justification, which serves to soften this admission.

The same suspect goes on to continue (in data not shown here) that he rang the police during the altercation. This formulates a category bound activity (Sacks, 1992; Stokoe, 2012), as phoning the police is something victims are expected to do when a crime has been committed against them. Therefore, this aligns the suspect with the victim category rather than the perpetrator category as it constructs a willingness to cooperate with police (Strobl, 2004). This also emphasises the suffering he has experienced rather than that which he has allegedly caused others.

Counter-allegations commonly take place at the start of the 'free account' phase of the police interview, when a suspect is describing the events that led up to them being arrested (see Extracts 5.03 and 5.09). They also take place at the very end of the police interview where the police officer may ask if the suspect (or anyone else in the room) wishes to add anything (see Extract 5.06). At this point, the suspect may take this opportunity to request a formal complaint be made, as a counter-allegation against the alleged victim/s. The open questions asked by the police officers at these junctures afford the suspect more freedom to manoeuvre discursive actions.

Unlike the television interviews and the internet vlogs, the accusations made in the police interviews often afford suspects the ability to claim victimhood of an actual crime or offence themselves or provocation for the crime they have allegedly committed. There are junctures in the interaction in which these are made relevant. This orients to the nature of neighbourhood disputes, the accusation made in most of the police interviews in the data set

used for this research. Neighbourhood disputes, by nature, involve close proximity and a certain relationship between the suspect and the alleged victim; their location is something they share as well as a somewhat symmetrical relationship and status. The suspect is able to design this within their account to reinforce their deployment of the victim category in exoneration.

As well as implicitly claiming incumbency in the victim category for themselves, suspects in the police interview data set are seen to construct those around them, such as their family, in this way too, thus creating victimhood more extensively. This can be seen in the extract below in which a suspect, who is responding to being accused of criminal damage, describes suffering he and his family have experienced:

Extract 5.10 (Police interview PN-59):

1 S: →From day one 'e's just been a nightmare neighbour.
 2 (1.0)
 3 P: In what respect. I mean (0.2) wh-what goes o- >I d- I don't
 4 know what goes on< [between you two.]
 5 S: → [Loud mu]si:c, disco:s, partie:s,
 6 barbecue:s, (0.2) threatenin',
 7 (2.0)
 8 S: Callin' my wife- (0.2) well not my wife my partner a Paki
 9 bastar:d,
 10 (1.0)
 11 S: His daughter picks on my daughter at schoo:l,
 12 (0.8)
 13 P: Mmm.
 14 (1.5)
 15 S: →#'E: (0.2)that caravan outside's a runnin' youth club,
 16 (1.5)
 17 S: As far as I know there's under-age drinkin' and drugs go off
 18 in (that) 'ouse,
 19 S: I don't know if he's a drug- drug dealer,

Following the 'free account' phase of the interview, the speakers in this extract discuss how long the suspect has lived at his address, and the relationship between him and his neighbour. Here, the suspect claims victimhood for himself and his family in the way he assesses and categorises one of the alleged victims as a 'nightmare neighbour' (line 1). Assessments are provided on some basis, orienting to the speaker's experiential or knowledge ground (Pomerantz, 1984), in this case, the suspect's formulation of experiencing victimisation as a result of the alleged victim's actions. The assessment performs an evaluation of the alleged victim and his behaviour towards the suspect and his family (Antaki, 1994). This attributes blame to him, and formulates that it is he who ought to be punished or reprimanded in some way.

The suspect expands on this assessment by formulating activities the alleged victim partakes in on lines 5-10 and 15-19. The suspect describes ‘loud musi:c, disco:s, partie:s, barbecue:s, (0.2) threatenin’, (2.0) callin’ my wife– (0.2) well not my wife my partner a Paki bastar:d, (1.0) his daughter picks on my daughter at schoo:l’. This counter-allegation not only constructs the suspect as a victim of the alleged victim’s actions but also the suspect’s *family* as victims too, as his partner and daughter have also suffered in some way. This utilises membership categorisation devices (Sacks, 1992; Stokoe, 2012) to separate the two families, implicitly positioning the suspect and his family as ‘victims’, and the alleged victims as ‘perpetrators’. The legal setting of this interaction (unlike those in the television interviews and internet vlogs) is made relevant, affording the suspect the opportunity to implicitly orient to these categories, and create this dichotomy without having to explicitly utter the categories’ names in order to achieve this category reversal.

Formulating emotions experienced prior to the alleged offence may bolster suspects’ counter-allegations. This can be seen in the extract below, in which the suspect (accused of using abusive and threatening language and behaviour) is describing emotional distress that the alleged victim has put her through, thus accounting for her own behaviour:

Extract 5.11 (Police interview PN-12b):

- 1 P: →Because all three of you made certain comments.
2 P: Certain threats.
3 S: →We were just all been pushed to the limit.
4 S: We’d all just had enough.
5 (2.0)
6 S: I’m just sick of it.
7 S: I’m sick of sittin’ cryin’ over it.
8 S: I’m- I’m not going to cr- I can’t- ‘ow much- ‘ow much can one
9 person ↓take.
10 (1.0)
11 S: In all fairness.
12 S: And I ain’t gonna kill anybody.
13 P: [Ghhm ghhm.]
14 S: [I have fought with] people in the street before but
15 (.)
16 S: I’ve never killed anybody.
17 S: I’m not gonna kill anybody.
18 (1.0)
19 P: °Okay.°
20 (10.0)
21 P: °What else do we need to go over while you’re here.°
22 (3.0)
23 P: What do you think your behaviour-
24 P: How do you think of your behaviour now that you’re actually
25 sitting down [and thinking about it.]
26 S: [Well I’m not exactly prou]d of it.
27 (.)
28 S: I’m not proud of it but-
29 S: And all’s I can do is apologise.
30 P: Right.

31 S: I mean.
 32 (1.0)
 33 S: And like I said 'ow much can one person take.
 34 P: Obviously er-
 35 S: (I mean) I can't s- when I've been up all night I can't lay in
 36 bed all day.
 37 S: I've still gotta go work.
 38 S: →I work with mentally ill people.
 39 (.)
 40 S: →I've got a- quite a- um stressful job you know,
 41 (2.0)
 42 S: Um (1.0) that don't make it right for me to go and do what I
 43 did tonight,
 44 S: But I couldn't-
 45 S: →I- I I do twelve hour shifts when I do work I do twelve hour
 46 shifts and I want me sleep.
 47 S: I want it to stop.
 48 S: I want all this crap to stop that we're having to purrup with.

When one of the two police officers present overtly alleges that the suspect, her husband (the suspect in Police interview PN-13), and their daughter made threats against the alleged victim (lines 1-2), the suspect responds by claiming victimhood. She accounts for their actions by formulating emotional distress that the alleged victim has caused her and her family through being noisy late at night. This performs the action of discursive exoneration or exculpation in response to a criminal accusation as, again, this formulates suffering that the suspect has experienced at the hands of the alleged victim.

The flexible and rhetorical potential of emotion discourse means this can effectively be used to perform a range of actions in interaction such as accounting for behaviour (Hepburn, 2003), and assigning motives and causes to actions (Edwards, 1997). For example, on lines 3-7, the suspect constructs herself and her family as victims by formulating suffering such as them being 'pushed to the limit', that they had 'had enough', that she is 'sick of it', and 'sick of sittin' cryin' over it'. This emotion construction serves as an excuse (Scott & Lyman, 1968) for the suspect's actions, as the emotions she claims to have felt as a result of all of the noise formulates that she was not responsible for her actions.

The suspect also goes on to formulate emotional distress she has suffered as a result of having 'quite a- um stressful job' (line 40) working 'with mentally ill people' (line 38). The category 'mentally ill people' works on the 'economy rule' (Sacks, 1992; Stokoe, 2012) as this category is sufficient in describing her job; it works on mutual understanding of what working with mentally ill people entails and the emotional impact that could come with this. This suspect formulates 'a sad tale' (Scott & Lyman, 1968; Semin & Manstead, 1983) in this extract. This is where a person constructs a dismal past to thus 'explain' the individual's

present state. Scott and Lyman (1968) categorise this as a justification whereas Semin and Manstead (1983) argue it is more appropriately categorised as an excuse. Either way, in this instance, it constructs herself as a victim as she formulates the stress of her job as being exacerbated by the stress caused by her neighbour, the alleged victim. This serves to subsequently reinforce her counter-allegations as part of her implicit claims of incumbency in the category 'victim'.

The suspect goes on to use a three part list to formulate what it is she wants on lines 46-48, saying 'I want me sleep. I want it to stop. I want all this crap to stop that we're having to purrup with'. Three part lists are shown to summarise something in a complete and representative way (Jefferson, 1990), in this case the suspect's formulation of desire for her victimhood to stop. She formulates victimhood as impacting her day-to-day life. This can be compared to suspects' claims of incumbency in the victim category across other settings such as television interviews and internet vlogs. The suspects here may invoke a celebrity (or 'micro-celebrity') status as being a reason why someone may treat them differently or may make a false allegation against them, even in cases where the alleged victim is admittedly known to the suspect. However, they must also do category work in order to invoke the status of a 'normal' person, who is worthy of sympathy.

5.2 Summary of Analytic Chapter

This chapter showed how suspects, across police interviews, television interviews, and internet vlogs, exonerate themselves (distance themselves from blame) through claiming incumbency in the category 'victim', or as someone who has been victimised. This chapter began by briefly outlining the legal and 'ideal' definitions of 'victim' in order to compare this to how the term 'victim' would be treated in this chapter: as a category built in discourse. This chapter contributes to the diverse field of research conducted on the category or status 'victim' across the social sciences such as discourse analysis, criminology, victimology, and media studies. It extends this by taking a relativist, social constructionist approach to exploring how suspects may claim incumbency in this category in their responses to accusations across interactional settings.

This analytic chapter showed that victimhood can be claimed regardless of whether or not the suspect admits to the crime they are accused of. It also showed that victimhood is most effectively claimed implicitly, rather than explicitly so, which is met with a challenge when this occurs. The analysis showed an important distinction between suspects implicitly claiming to be victimised by excessive, unfair, or unjust treatment or punishment as a result

of the criminal accusation made against them, and suspects implicitly claiming to be a victim of an actual crime or offence themselves, which provoked their alleged offence. These are situated differently in relation to the chronology of the initial criminal accusation. However, both are deployed to achieve similar things: to position the suspect in a way that emphasises suffering that they have experienced rather than their blameworthiness. It was also revealed that the construction of emotion plays a key role in claiming incumbency in the victim category.

Furthermore, the purpose of the interaction and therefore the questions (or lack of) put to the suspect here, the audience and potential ramifications of the interaction, and when this takes place in relation to the accusation first being made are constraints and affordances which are made relevant. For example, suspects partaking in synchronous dialogues (the police interviews and television interviews) are required to fend off accusations or challenges regarding their self categorisations, whereas those in the asynchronous monologues (the internet vlogs) are afforded the ability to do so uninterrupted. Furthermore, the suspects in the television interviews, unlike the police interviews, are asked questions that offer more space to discursively detach from the criminal category (as seen in Chapter Four), or go further to reinforce a victim category due to incommensurate treatment as a result of the accusation (as seen in this chapter). The police interviews, however, do not as easily afford the suspects this; they are treated more formally and officially as ‘suspects’, and so must work even harder to resist this. These findings therefore support some of what we have already seen in Chapters Three and Four.

The next chapter will be the discussion chapter, which will summarise the findings of this thesis across all three analytic chapters, examining their contributions and limitations, as well as the potential for future research.

CHAPTER SIX:

DISCUSSION

6.0 Introduction

The final chapter of this thesis will reflect on the previous chapters within. This will involve a summary of my research aims, as well as the findings across all three analytic chapters (Section 6.1). I will discuss the contribution of these findings to both research and practice (Section 6.2). I will also review these findings by examining the limitations of this research, and potential directions for future research (Section 6.3). The chapter will then finish by concluding the thesis as a whole (Section 6.4).

6.1 Summary of Thesis

6.1.1 Summary of research aims.

The aim of my research was to, firstly, explore the discursive actions in suspected criminals' responses to criminal accusations, and particularly how these contribute to and reinforce a credible construction of 'innocence'. I aimed to examine the ways suspects describe the events in question, as well themselves (and others involved), to manage their dilemma of the stake in their highly consequential situations (Edwards and Potter, 1992). I used a discursive psychological approach (Edwards and Potter, 1992) to examine this in a way that reworks traditional cognitive psychology approaches to innocence.

Secondly, I aimed to help address omissions in current discursive approaches to the study of suspects' interactions. I aimed to do so by examining how innocence and guilt are negotiated outside of legal settings, and how these discursive actions are organised and negotiated across, and within the confines of, different interactional settings (namely police interviews, television interviews, and internet vlogs). Taking the general concept pioneered by Gibson (1979), and later utilised in interactional research by Hutchby (2001; 2014), I aimed to empirically demonstrate the extent to which the suspects orient to affordances of their interactional setting. Fitzgerald and Austin (2008), though demonstrating the importance of examining constructions of guilt outside legal or formal settings, have not examined how speakers orient to affordances and constraints of their interactional setting; this is an absence I redressed.

By taking into account previous DP and CA findings and their approach to context, I outlined that there are grounds to suppose differences in suspects' interactions across

interactional settings (Drew & Heritage, 1992; Edwards & Fasulo, 2006; Gibson, 1979; Hutchby, 2001; Schegloff, 2002; Stokoe, 2009a; Stokoe & Edwards, 2007). I aimed to examine this supposition empirically in this thesis. I concluded that it is therefore important to bring together the three diverse sites of police interviews, television interviews, and internet vlogs. This allows us to examine the ways someone can respond to a criminal accusation to construct ‘innocence’ in the digital age in which we live, and how these *can* happen because of what is discursively and technologically available to the suspects here. I did this by examining how the speakers orient to or make relevant the interactional setting in which they are participating in (Schegloff, 2002) including its affordances. Gibson (1979) uses the term ‘affordances’ to refer to something which offers a possibility or an opportunity for action, and is therefore functional. Affordances are also relational in that they may offer something different for some compared to others, or may offer something different across different contexts (Hutchby, 2001; 2014; Hutchby & Barnett, 2005).

Much of the preceding research has tended to focus on suspects’ interactions in legal settings only, particularly the police interview (Edwards, 2008; Edwards & Stokoe, 2011; Stokoe, 2006; 2009a; 2010; Stokoe & Edwards, 2008), meaning those in more public or non-legal settings have not been given equal or adequate attention. This research aimed to address this omission by exploring the construction of ‘innocence’ in these settings. This was to achieve a fuller understanding of the interactional manifestation of ‘innocence’, and if and how affordances of suspects’ interactional settings were made relevant as part of this.

6.1.2 Summary of research findings of analytic chapters.

Bearing in mind the rationale and aims for this research, Chapter Three began the analytic portion of this thesis. This chapter examined how suspects across police interviews, television interviews, and internet vlogs, exonerate themselves (distance themselves from blame) through claiming epistemic primacy (Stivers et al., 2011) about their involvement (or lack of) in the alleged offence. By utilising the framework of dimensions of knowledge (epistemic access, epistemic primacy, and epistemic responsibility) as outlined by Stivers et al. (2011), I analysed how these were invoked in the discourse of suspected criminals to construct ‘innocence’. My findings have implications for the study of epistemics; I demonstrated how epistemic primacy about a suspect’s involvement in an alleged offence is negotiated between speakers by: claiming entitlement to knowledge of ‘what really happened’; constructing evidence to bolster their claims; and assessing and challenging versions.

This analytic chapter demonstrated how suspects' level of agreement or consent to participating in the interaction is made relevant in how the suspect is able to construct 'innocence'. I revealed how this is invoked in terms of the accusations or questions put to the suspect (Drew & Heritage, 1992; Haworth, 2017), and when and how they are able to respond to these (Clayman & Heritage, 2002; College of Policing, n.d.; Frobenius, 2011). The number of speakers in the interaction and the a/synchronicity of it were also found to be affording or constraining factors for the suspect. Interestingly, I also revealed that suspects may *subvert* affordances of their interactional setting, in order to enhance their claims of epistemic primacy about their part in the alleged offence. This supports Meredith's (2014) argument that, just because a particular setting offers an affordance to an individual, presumptions about the particular ways in which it might be oriented to in the interaction should not be made.

The analysis also demonstrated how evidence is introduced, voiced, challenged, and oriented to as known or owned across the settings (Clayman & Heritage, 2002; Goffman, 1979; Potter, 1996) in a way that orients to the purpose, time, and level of publicity of the accusation and interaction. These are therefore made relevant in suspects' responses to the accusations, and how they claim epistemic primacy about their part in the alleged offence in terms of who they are claiming greater epistemic access in relation *to*. Stivers et al. (2011) reveal that the management of epistemics has moral and affiliational implications on the interaction. We also saw this here with regards to how speakers in suspect interactions deal with asymmetries in knowledge to establish a suspect's innocence or guilt. Chapter Three of the current thesis therefore contributed to the study of epistemics by applying the notions of epistemic access, primacy, and responsibility (Stivers et al., 2011) to the study of interactions with suspected criminals across interactional settings.

How suspects claim epistemic primacy credibly, in response to the presentation of conflicting descriptive evidence, or the stronger physical evidence (Potter, 1996), while managing the stake of the interaction, without appearing interested (Edwards & Potter, 1992), was also explored in this chapter. These are matters which typologies, such as Scott and Lyman's classic (1968) work on accounts, do not demonstrate. Therefore, as well as contributing to the field of epistemics, these findings support Potter's (1996) points about the rhetorical procedures used to build up or undermine the credibility of a speaker, and how descriptions can be produced as external and independent of the speaker.

Chapter Four led on from Chapter Three by shifting the focus from how suspects describe themselves as having epistemic primacy about their involvement (or lack of) in the

alleged offence to how suspects describe themselves in a way that detaches themselves from an alleged offence or criminal category. Chapter Four built on existing research of the police interview setting, such as Edwards' (2008) work on how dispositions are built and Stokoe's (2010) work on category-based denials. This was to demonstrate that legal settings, such as police interviews, are not the only places where these discursive practices occur, with regards to an individual responding to a criminal accusation. The chapter revealed how suspects, across police interviews, as well as the public and non-legal settings of television interviews and internet vlogs, exonerate themselves through detaching the alleged crime from a criminal category, and themselves from incumbency in that category.

Chapter Four showed that, in responding to a criminal accusation, suspects may separate their membership of a given category of person from the alleged crime by: denying a criminal category; affirming a category contrary to a criminal one; and attributing a criminal category to the past. These three ways were found across police interviews, television interviews, and internet vlogs and, for all three of these, suspects may use category names explicitly, or may, more implicitly, describe category bound features of categories (Sacks, 1992; Watson, 1978).

It was revealed that denying a criminal category, or affirming a category contrary to their alleged crime, is done in similar ways across the three settings. It was also demonstrated that denying or affirming category bound features can be done to reinforce more explicit category constructions, or can simply imply this when used on their own (Sacks, 1992; Watson, 1978). The criminal accusations were all revealed to be brought up, challenged, or oriented to in different ways that make relevant the purpose of the interactional setting. This means that the suspects must manoeuvre their detachment from a criminal category within these constraints in order to achieve this action. The time in which the interaction takes place, in relation to the initial accusation being made, was also revealed to be oriented to by suspects across different settings to perform the same action. This chapter therefore takes a discursive approach to categorisation, based on the work of Edwards (1991; 1997; 1998), and expands upon this field of research by examining how suspects are able to discursively detach themselves from incumbency in a criminal category across different settings.

Chapter Five followed on from Chapter Four by shifting the focus from how suspects detach themselves from alleged wrongdoing or a criminal category to how suspects claim incumbency in the victim category, and as therefore being on the *receiving* end of some wrongdoing. Chapter Five demonstrated how suspects, across police interviews, television interviews, and internet vlogs, exonerate themselves through claiming incumbency in the

category 'victim'. This chapter began by briefly outlining the legal definition (Ministry of Justice, 2015) and 'ideal' definitions (Christie, 1986; Strobl, 2004; Walklate, 2006) of 'victim' in order to compare this to how 'victim' would be considered in this chapter, as a category built in discourse (Lee, 1984; Watson, 1976; 1978).

It has been shown that subtle category constructions are more robust than explicit claims (Baker, 2000; Benwell & Stokoe, 2006), and I demonstrated that victimhood is also more commonly, and most effectively, claimed implicitly. I demonstrated an important distinction between suspects implicitly claiming to be *victimised* by excessive, unfair, or unjust treatment or punishment as a result of the criminal accusation made against them, and suspects implicitly claiming to be a victim of an actual crime or offence themselves, which provoked their alleged offence. These are situated differently in relation to the chronology of the criminal accusation being made against the suspect. Furthermore, the latter was found only in the police interviews. The prior, however, was found across all three settings, and is elicited and organised in a way that orients to affordances and constraints of each. This included the timing of the interaction in relation to the initial accusation being made, the questions, probes, or challenges (or lack of) put to the suspect, the audience and level of publicity of the interaction, and the stake and potential ramifications/ outcomes of the interaction.

Chapter Five showed that claiming incumbency in the category 'victim' allows the suspect to position themselves in a way that emphasises suffering that they have experienced, rather than their blameworthiness for that which they have allegedly caused others (thus deflecting blame elsewhere). This empirically demonstrated some of Scott and Lyman's (1968) notions about the function of certain excuses and justifications used in accounts such as 'condemning the condemners' and 'sad tales'. Analysis also revealed that displaying emotions plays an important role in claiming incumbency in the victim category. This supports the DP notion that emotion discourse can be used to perform a variety of social actions (Edwards, 1997, Hepburn, 2004; Sacks, 1992, Stokoe, Hepburn, & Antaki, 2012), whilst empirically demonstrating this across three different interactional settings with suspects.

6.1.3 Synthesis of research findings overall.

The analytic chapters in this thesis followed a progression of increasingly radical ways of claiming 'innocence'. Claiming epistemic access (see Chapter Three) allows a suspect to construct not just what happened in a convincing way, but also their ability to know what

happened, and their epistemic primacy over others including other speakers, victims, witnesses, even in the face of ‘objective’ evidence. However, regardless of whether a suspect provides a denial or an admission, simply doing this is not enough to convincingly distance themselves from blame. Denials only are not sufficient to deflect blame, as they may not be treated as believable. Admissions only also do not deflect blame, as they put a suspect in a vulnerable position at risk of blame. Suspects must do further category work other than being a credible or knowledgeable person. They must detach from the criminal category (see Chapter Four) to make their accounts effective. Suspects must therefore construct themselves as either the sort of person who would not commit crime, or as the sort of person who would not *intentionally* or *normally* commit crime. However, suspects are able to go one step further with their detachment from the criminal category. This can be done by instead, or also, claiming incumbency in the victim category (see Chapter Five). This serves to not only deflect blame away from themselves but to attribute it elsewhere. This therefore positions the suspect as the subject of sympathy, emphasising the suffering they have experienced rather than that which they have allegedly caused others.

The findings of this thesis have also revealed that there are notable differences in how these discursive actions, used by suspects across police interviews, television interviews, and internet vlogs in their construction of ‘innocence’, are achieved, elicited, and responded to across each. The findings from my analysis builds upon the work of Hutchby (2001; 2014) and Meredith (2014; 2017), similarly utilising Gibson’s (1979) notion of affordances and applying it to interaction, to demonstrate how suspects make relevant affordances and constraints of the interactional setting in which their response to a criminal accusation takes place.

A difference across the interactional settings is that suspects in the television interviews and internet vlogs are oriented to as having more control over if and when they could respond to the accusation. This is made relevant in the interaction as part of their construction of ‘innocence’. Suspects orient to this affordance by constructing cooperativeness, and therefore credibility (see Chapter Three) in responding to the accusation (Potter, 1996), rather than ignoring it (which they had the opportunity to so). This is unlike those in the police interviews, who do not necessarily *choose* to partake in the interaction, as they are doing so under arrest, and so cannot invoke this affordance (College of Policing, n.d.). This examination of how affordances are oriented to by suspects therefore expands our understanding of how credibility can be interactionally built.

The criminal accusations were all revealed to be brought up or oriented to in different ways, orienting to the purpose of the interactional setting. This means that, in order to minimise or deflect blame, the suspects must manoeuvre this discursive action within these constraints. For example, in the police interviews, the purpose is to gather material in relation to an alleged offence as part of a criminal investigation (College of Policing, n.d.). Therefore, the questions in the police interviews constrain the suspects (Drew & Heritage, 1992; Haworth, 2017), requiring them stick to the events in question, and with the suspect being verbally admonished by the police officer if they stray from this topic. This constraint can be fully appreciated and clearly demonstrated in comparison to affordances provided to, and made relevant by, those responding to criminal accusations in the television interviews and internet vlogs.

Allegations and challenges made in the police interview are voiced by the police officer, and treated as owned by either themselves or by the alleged victim (see Chapter Three) (Clayman & Heritage, 2002; Goffman, 1979; Potter, 1996). Evidence calling suspects' versions of events into question is treated as objective, particularly physical evidence, and is found to be introduced to the suspect in a way that orients to it as being for the first time the suspect has heard this (see Chapter Three). This is unlike the television interviews (and internet vlogs) where the public nature, suspects' high status, and temporal lag of the interaction are invoked, to orient to evidence as being widely known about, and treated as known or mutually understood by the speakers from the start (see Chapter Three). In the television interviews, the allegations or challenges are voiced by the television interviewer, but as owned by the public or those watching (Clayman & Heritage, 2002; Goffman, 1979; Potter, 1996). Evidence calling the suspects' versions of events into question are treated as subjective public opinion or open to interpretation (see Chapter Three).

Furthermore, the suspects in the television interviews, unlike the police interviews, are asked questions that offer more space to discuss charitable or generous behaviour or other things about themselves that may contradict a criminal category (see Chapter Four), or reinforce a victim category (see Chapter Five) due to incommensurate treatment received as a result of the accusation. This makes relevant their career, the basis of the interview (where the topic of the criminal accusation may only be discussed in one part of the interview). The police interviews, however, do not as easily afford the suspects the opportunity to highlight their favourable categories or category bound features (Sacks, 1992; Watson, 1978). Like any other legal setting, such as courts, they are treated more formally by other speakers in the interaction as a 'suspect' or 'offender', and the criminal accusation under investigation is the

entire basis for this. However, unlike the television interviews and the internet vlogs, the accusations made in the police interviews often afford suspects the ability to claim victimhood of an actual crime or offence themselves or provocation for the crime they have allegedly committed. There are certain junctures in the interaction in which these are made relevant (see Chapter Five). This also makes relevant the nature of neighbourhood disputes, the accusation made in most of the police interviews in the data set used for this research, which enables suspects to design their account in this way.

These findings support Potter's (2012) suggestion that questioning can 'embody preferences, manage neutralism, establish presuppositions and build a range of constraints that the recipient must manage' (pp. 17). Potter exemplifies this point by referring to the various CA work on the organisation of questions and answers across different settings. This includes everyday mundane interactions (Stivers & Hayashi, 2010), as well as institutional interactions such as court rooms (Atkinson & Drew, 1979), focus groups (Puchta & Potter, 2002), psychological assessment interviews (Antaki & Rapley, 1996), and news interviews (Clayman & Heritage, 2002). These examples show that the powerful role of the interviewer's questions in eliciting certain kinds of responses has been the subject of examination across other EMCA literature. My research builds upon these by bringing together an examination of three different settings in which a suspect may respond to a criminal accusation, and how these responses are generated through questions asked in each.

Those partaking in a synchronous dialogue (those in the police interviews and television interviews) were found to claim epistemic primacy about their part in the alleged offence (see Chapter Three) or construct their category membership (see Chapters Four and Five) to fend off accusations and challenges as and when they came. The suspects here are therefore constrained, as their responses could be restricted by the interviewer or police officer's questions, probes, or challenges. However, those partaking in an asynchronous interaction (those in the internet vlogs) can invoke this affordance. Garrod and Pickering (2004) argue that a monologue, such as giving a speech or presentation, is interactionally more complex to produce than a dialogue, such as holding a conversation. This is because there is no second speaker to negotiate interactional roles with, and no turn taking. Frobenius (2011) demonstrates how vloggers, as single speakers, are therefore required to use compensatory strategies. I have expanded upon this to show that, in cases where a suspect is using this medium to respond to a criminal accusation, this affordance is made relevant. They must produce both 'sides of the story' themselves. They can therefore preemptively, and from the moment of utterance, construct opposing versions of events as weak, and theirs as strong

(see Chapter Three). They can construct their category membership in ways that are uninterrupted or unchallenged, at least during the interaction itself (see Chapters Four and Five).

Speakers negotiating blame by constructing knowledge at the time of an offence compared to the time of the interaction taking place has been studied as part of the business of court interactions (Atkinson & Drew, 1979; MacMartin, 2002), public politician apologies (McNeill, Lyons, & Pehrson, 2014), and offender therapy (Auburn, 2005; 2010). The time in which the interaction takes place, in relation to the initial accusation being made, was also revealed in this thesis to be made relevant by suspects across different settings to perform the same action. Those in the police interviews may claim to have had time to reflect on or change their criminal behaviour/ category for *past* allegations, but cannot so easily make this claim with regards to a *current* allegation made against them (see Chapter Four). They have often only recently been arrested and informed of the accusation made against them (College of Policing, n.d.), and this is therefore a constraining factor which is made relevant. The television interviews and internet vlogs, on the other hand, take place later, and the suspects here can make relevant the affordance of having time to reflect on this or change themselves.

This is also the case for suspects constructing themselves as a victim (see Chapter Five). Due to the time in which the interaction takes place, in relation to the initial accusation being made, those in the police interviews are constrained as they can only construct ‘hypothetical’ victimisation as a result of the accusation/ arrest (which is lower on Latour and Woolgar’s (1986) hierarchy of modalization for the making of factual claims). Those in the television interviews and internet vlogs, on the other hand, can orient to this affordance by constructing ‘actual’ victimisation as a result of the accusation being made against them.

Existing studies of vlogs have examined the ‘micro-celebrity’ status of the vlogger and the relationship they have with their audience (Christian, 2009; Frobenius, 2011; Hall, 2015; Pihlaja, 2013; Smith, 2014). I have expanded on this research by demonstrating these factors as affordances which can be oriented to by suspects in the internet vlogs in their construction of themselves as a ‘normal’ person (see Chapter Three), and their attribution of a criminal category to their past (see Chapter Four).

The different purpose and level of publicity of each of the three interactional settings produces different potential ramifications and consequences for each (such as legal, reputational, and financial). It was found that these are oriented to by the speakers across the three interactional settings, but done so as part of the achievement of similar discursive actions. Suspects can particularly orient to potential consequences of the interaction as part of

the construction of themselves as a victim of incommensurate treatment or unfair punishment resulting from the criminal accusation (see Chapter Five). However, in suspects' construction of epistemic primacy (see Chapter Three), they must manage their interest in this stake by claiming that their version of events is objectively 'what really happened', rather than dismissible as lies given only to avoid the potential ramifications of the interactional setting. This therefore demonstrates how the DP notion of the 'dilemma of the stake' (Edwards & Potter, 1992) is managed in responses to criminal accusations, making relevant affordances and constraints of the interactional setting.

Supporting the work of Lee (1984) and McAlinden (2014), who also examine how blame for a crime is discursively negotiated, the findings in this thesis have demonstrated that the categories of 'guilty'/'innocent', 'criminal'/'non-criminal', and 'perpetrator'/'victim' are not so bifurcated when it comes to their construction in interaction. This gradient is shown in the progression of each analytic chapter, demonstrating increasingly radical ways of claiming 'innocence'. I showed how the suspects' accounts can serve to distance themselves at varying degrees from the categories of 'guilty', 'criminal', and 'perpetrator', discursively shifting themselves towards the categories of 'innocent', 'non-criminal', and even 'victim'. This is achieved through the use of excuses, justifications, counter-allegations, minimisations, and denials. These categories can be built implicitly or explicitly in the interaction (Baker, 2000; Benwell & Stokoe, 2006), and can be discursively manipulated by suspects to avoid or deflect blame. This thesis has importantly demonstrated how this is achieved across three diverse settings, and how the different opportunities provided for the suspects in each are made relevant as part of this.

However, an interesting finding revealed in this thesis was that, just because a setting affords a suspect the opportunity to do something in their response to the criminal accusation, this does not necessarily mean that they invoke this. Affordances can be subverted to reinforce the suspects' construction of 'innocence'. For example, the suspects in the internet vlogs ostensibly not scripting, planning, or editing their response to the criminal accusation, contributed towards their construction of credibility and authenticity (see Chapter Three). Suspects in the police interview were also seen to subvert the conventional dynamics of this setting. This could be done by asking the police officer questions, thus deflecting accountability, and challenging the strength of the police officer's epistemic access about the alleged offence compared to theirs (see Chapter Three). Because of this, I support Meredith's (2014) argument that we should not presume that affordances of an interactional setting necessarily will shape an interaction. This is because speakers can explicitly *not* utilise them,

and this can sometimes help to effectively achieve their discursive actions. Therefore, subversions of an affordance can still maintain the feature of functionality in achieving some action, as described by Gibson (1979). By making these subversions relevant in their responses to a criminal accusation, by breaking through certain expectations about the conventional workings of the interaction and their role within it,⁹ this can allow suspects to further achieve or reinforce their discursive actions.

This thesis revealed that suspects attend to technological and social affordances in a variety of ways (Gibson, 1979; Hutchby, 2001; 2014; Schegloff, 2002). It showed that taking a discursive approach (Edwards & Potter, 1992) can demonstrate these ways, examining the extent to which these are oriented to by the speakers. Despite the suspects in these data being situated in one of three different specific interactional settings, suspects across all three are seen to utilise the conversational tools of everyday talk available to them, as well as orientations to, or subversions of, the conventions of their setting, to construct ‘innocence’ effectively.

6.2 Applications and Contribution of Research Findings

According to Antaki (2011), there are two main kinds of application when it comes to findings from research with a CA-based approach. The first is applying findings to discover or shed light on the workings of a specific institution. The second is applying findings to suggest or prescribe improvements in the service that those specific institutions provide. This thesis fits within the prior, and can also be described as institutionally applied (Antaki, 2011). This is because it contributes to the illumination of the routine work of police interviews, television interviews, and internet vlogs, bringing these together in the same analysis and putting these interactional settings under examination to reveal the ways they operate. Antaki (2011) here uses ‘application’ to refer to the analyst’s focus on the worlds of work and social institutions, and the interactional imperatives present here, rather than continuing to stick to the study of ordinary conversation, where much of CA work began. I will now go into more detail about the contribution the findings of this current thesis provide to both research and practice.

⁹ Schegloff (1993) refers to instances of speakers displaying orientation to a discursive practice, in the very course of superseding it, as ‘negative cases’.

6.2.1 Contribution to research.

My research contributes to our understanding of ‘innocence’ as a discursive construction. By analysing how this is done in response to criminal accusations in an anti-cognitivist, anti-realist way (Potter, 1996), this has advanced our knowledge of how this is achieved within, and by invoking, interactional affordances and constraints. This has furthered the work of Hutchby (2001; 2014) by demonstrating how affordances are made interactionally relevant in responses to criminal accusations. The analysis clarifies how ‘innocence’ is constructed. It shows not only how suspects formulate their behaviour, but also their formulation of their motives and intentions, and how this ties in with their categorisation of themselves and others (Sacks, 1992; Watson, 1978).

In terms of contribution to DP literature, my findings sit within the discursive research on accounts (Atkinson & Drew, 1979; Cody & McLaughlin, 1990; Durkin & Bryant, 1999; Heritage, 1988; Housley & Fitzgerald, 2008; Jacobs & Copes, 2015; Pogrebin et al., 2006; Scott & Lyman, 1968), categories (Fitzgerald, 2012; Fitzgerald & Austin, 2008; Sacks, 1992; Stokoe, 2012) and categorisation (Edwards, 1991; 1997; 1998), epistemics (Heritage, 2012; Stivers et al., 2011), and fact construction (Edwards & Potter, 1992; Hepburn, 2003; Potter 1996; Wooffitt, 1992). It also sits within the discursive research of specific kinds of interactional settings such as suspects’ interactions in legal settings (Edwards & Fasulo, 2006; Edwards & Stokoe, 2011; Stokoe, 2009a; 2010; Stokoe & Edwards, 2007; 2008), public accusatory questions (Clayman, 2001; Ekström & Fitzgerald, 2014; Llewellyn & Butler, 2011), agency, and controversy on YouTube (Pihlaja, 2011; 2013; 2014), and the expectation of authenticity in vlogs (Hall, 2015; Morris & Anderson, 2015; Senft, 2008; Smith, 2014).

This thesis builds on these existing fields of research to demonstrate the discursive resources accessible to suspects responding to criminal accusations in their specific interactional setting compared to suspects responding to criminal accusations in others. In comparison to police interviews, I examined responses to criminal accusations given in television interviews and internet vlogs. I argued that accounts given in this manner are at least as important and consequential for the suspects who provide these as those given in legal situations. This is because, given the nature of the internet (as well as television), the public are given access to these interactions and can assess guilt or innocence for themselves, regardless of any legal decision made.

The nature of the three interactional settings examined in this thesis has enabled a direct comparison of legal and non-legal, synchronous interview interaction and

asynchronous computer mediated interaction, and public and non-public settings. It has allowed the application of discursive analytic methods from the ‘real life’ social world to the ‘online world’ and the ‘television world’, which have not been given sufficient attention as sites for suspects’ interactions. Hutchby (2014, p. 5) argues that ‘the internet affords new and distinctive forms of mediated interaction’. I have built upon this argument to show how the theory of affordances can be applied to study different mediums through which a suspect may respond to criminal accusations in the era of the internet. This provides unique insights into the discourse of suspected criminals. Suspects’ interactions are highly consequential and I show how suspects respond to the accusation in a way that constructs ‘innocence’, managing their dilemma of the stake, and making relevant affordances and constraints of their interactional setting to do so. This is something which, up until now, a DP approach has failed to examine. As Meredith (2014) argued that the notion of affordances can be used as a lens through which CA analysis can be refracted, I have shown this with DP. I have therefore contributed to the theory of affordances as my findings show that this can be a useful tool in discursive analyses of suspected criminals across interactional settings. My research makes a significant contribution in forging and clarifying links between discursive psychology (Edwards & Potter, 1992) and concept of affordances (Gibson, 1979), and therefore providing helpful insights to both fields.

Our understanding of the discourse of suspected criminals across different settings has therefore been enriched and expanded, and there are several disciplines which this may of benefit to, such as: forensic linguistics; communication and media studies; and socio-legal fields. The focus of how ‘innocence’ is constructed across three diverse interactional settings, in a way that invokes affordances of these settings, demonstrates the originality and significance of this thesis and its contribution.

6.2.2 Contribution to practice.

In terms of practical applications, findings from previous research with an interactional approach have successfully been applied in the creation of training material (Drew, Toerien, Irvine, & Sainsbury, 2010; Heritage, Robinson, Elliott, Beckett, & Wilkes, 2007). This includes the development of the Conversation Analytic Role-Play Method (CARM) (Stokoe, 2014). This is a programme where findings from the analysis of naturally occurring data (rather than simulated interactions) are presented to practitioners for which these findings are relevant for the execution of their work. This is done so they can see how sequences unfold

turn by turn, as well as gain an insight to how interactional norms govern discursive practices.

The findings from my research (see Sections 6.1.2 and 6.1.3.), as well as the findings from future research which could build on mine (see Section 6.3.2.), could also be utilised in a CARM programme, as an empirical basis for training. This could entail presenting the data to police officers who interview suspects, or those who work in television broadcasting media who may interview celebrity or non-celebrity suspects in their career. This would exemplify responses to criminal accusations given in these settings, and how these are elicited and responded to by other speakers in the interaction (such as the interviewer), making relevant certain affordances of the setting.

Another potential avenue, in terms of practical applications for this research, would be to include the findings as examples in restorative justice interventions such as the Victim Awareness Course (Victim Support, n.d.). Here, attendees (who have committed criminal offences such as assault, theft, and harassment) learn about the impact of crime. As part of this, one of the tasks is to examine how excuses and justifications are used by suspects or offenders in response to a criminal accusation to avoid taking responsibility for what they have done, particularly in situations where they have a stake in the matter (for example where they may receive negative judgement from others, or some legal punishment). Findings from this thesis, and others like it, can be shown in courses like these to empirically demonstrate the content of this part of the course. They may show how excuses and justifications are used across different settings and situations.

6.3 Limitations of this Research and Directions for Future Research

6.3.1 Critical reflections and limitations.

There are some limitations, or perceived limitations, of this thesis. For example, I restricted the scope of this research to just three settings so that each could be explored in-depth whilst also making comparisons across them. This means, however, that this research can only tell us how suspects construct ‘innocence’ in these three settings, rather than being representative of settings outside of this. However, the findings of this thesis are the basis of a good first examination that extends how criminal accusations are dealt with and responded to outside of solely legal settings, whilst also demonstrating consistency with findings from prior DP/ CA research into accounts and fact construction in interaction (Atkinson & Drew, 1979; Edwards & Potter, 1992; Hepburn, 2003; Heritage, 1988; Housley & Fitzgerald, 2008; Potter 1996; Wooffitt, 1992).

A perceived limitation is the fact that affordances and constraints for each interactional setting are not necessarily everlasting. Conventions and norms in internet vlogs especially are changing rapidly, due to the characteristic transience of the technology which facilitates online interaction (Crystal, 2001). However, it is also the case with police interviews and television interviews, as with many interactional settings, that the conventions and norms of these may change over time, and therefore affordances provided for, and made relevant by, the speakers in these settings may also change. This is because affordances are described as relational (Hutchby, 2001; 2014; Hutchby & Barnett, 2005) and the findings of this thesis, like any study with a social constructionist approach, are all socioculturally located. The findings of this thesis add to this body of research, importantly demonstrating to us how suspects invoke affordances and constraints of their interactional settings, and how social order is created, organised, and maintained by speakers *in their particular place and time*.

Another potential issue concerning generalisability is that the data set of police interviews used in this research concern a particular kind of police interview. This data set was originally collected as part of ESRC grant number RES-148-25-0010 'Identities in neighbour discourse: Community, conflict and exclusion' by Elizabeth Stokoe and Derek Edwards (see Section 2.1.2.1). These all involve interviewing suspects who have been involved in some sort of neighbour dispute, accused of committing an offence such as assault, criminal damage, or using abusive and threatening language and behaviour. This means that this data set is not representative of all police interviews, for example where allegations of other kinds of offences (such as murder or sexual assault), or historic allegations, may be made and responded to. However, the focus on this research is if and how the structure or features of an interactional setting allow or restrict suspects' discursive actions in that setting. Therefore, the police interviews all still follow the same structure as any other concerning different criminal accusations (due to the Police and Criminal Evidence Act (1984) and the PEACE framework (1991) for investigative interviewing (College of Policing, n.d.)), which is the matter of interest for this research.

Researchers from other approaches or perspectives may perceive further limitations with this thesis. For example, criminologists may argue that the findings of this research, despite demonstrating how criminal accusations are responded to, do not tell us anything about the nature, causes and prevention, or impact of crime itself. Furthermore, some from an ethnography perspective may claim that my comparison of suspects' discourse between

settings is limited. This is because I, as the researcher, have not personally interacted with the people, or sorts of people (such as police officers, suspects, celebrities etc.), I am studying. I have not put myself into the position or point of view of the suspects themselves, nor have I put myself into any of the three interactional settings to gain a holistic insight into their workings. Although these things are commonplace in ethnography research, and have their value, I never aimed to do these as part of this research; to stay within the time limits of the project, I was required to somewhat restrict the scope of it.

In terms of the analysis of this thesis, some sociologists, as well as some critical discourse analysts, may argue that there is an insufficient focus on power. Some within EMCA approaches can be reluctant to use the term 'power', or to consider this as an analytic focus (Wooffitt, 2005). These approaches tend to avoid making links between the micro-phenomena of interaction and the more macro-level order, where power relations and the influence of culture, amongst others, are said to operate (Wooffitt, 2005). For example, my analysis did not consider potential power relations between participants such as police officer and suspect, celebrity/ 'micro-celebrity' and their audience, or interviewer and interviewee, whereas those from other perspectives or using other approaches may consider this to be a significant omission. My analysis instead gave more focus to entitlement and how this was oriented to and enacted in the interaction. However, the work of Hutchby (1996) for example, demonstrates that power can be understood as being mobilised in the allocation of turn types between speakers, and could therefore be considered important in the analysis of the organisation of the interaction.

Another perceived limitation of my analysis may come from those who study embodied action and multimodality as part of their analysis of social interaction (see Mondada, 2003). This is because my thesis mainly focuses on just the *discursive* actions of suspects, rather than how these are supported by, or in addition to, embodied action such as facial expressions and gesture etc. However, a deeper consideration of these could add further richness to an analysis examining how suspects make relevant affordances offered by their interactional setting. This perceived limitation, as well as others, could be remedied as part of future research into suspects' interactions, and this will be detailed in the next section.

6.3.2 Directions for future research.

The findings of this thesis have contributed an interactional specification of the construction of 'innocence' to the field of DP (see Section 6.2). As outlined in Section 6.3.1, this thesis is by no means a comprehensive study of all contexts where someone can respond to a criminal

accusation. Hopefully, future work will address the shortcomings of this thesis, whilst continuing to develop further analyses of suspects' interactions. This could include examining more/ other interactional settings, and/ or examining certain features or practices present in the interaction at a deeper level than the analysis of this research does. I will give examples and suggestions for each of these in turn.

Future research could build upon this thesis by continuing to examine if and how suspects across other different settings orient to affordances of those settings. This would further extend our understanding of how Gibson's general concept of 'affordances' (1979) are made relevant as part of interactional business, as demonstrated by Hutchby (2001; 2014). This could include a continuation of research into responses to criminal accusations, particularly in overlooked settings, that this research has started, using findings from this thesis as a point of comparison. These settings could include websites, documentaries, offender therapy sessions, court rooms, autobiographies, and radio interviews (see Section 2.1.2).

I chose in this current research to only examine spoken responses to criminal accusations, for convenience and consistency, when collecting data and making comparisons between the three settings (see Section 2.1.2). However, there is the potential for future research to examine suspects' construction of 'innocence' in *written* interactions in comparison (such as letters, or the aforementioned websites and autobiographies), or responses to non-criminal accusations in the same settings used in this thesis in comparison. Taking this comparative approach across diverse settings has the capacity to encourage stronger theoretical coherence and cumulateness in CA fields of research (Drew & Heritage, 1992).

As well as examining more or other interactional settings, another potential direction for future research could be to examine certain features or practices present in the interaction at a deeper level than the analysis of this thesis. There need not be a significant change in how the analysis is to be done, but simply a shift in where the focus is and what is to be examined. An example of this is that future research on suspects' responses to criminal accusations could include a more multimodal focus. This would allow for an examination of how an interaction being video recorded (for example those in the television interviews and internet vlogs) affords suspects the opportunity to construct 'innocence' through gestures or facial expressions. This could act as a reworking or critique of lie detection studies, which aim to uncover guilt through suspects' verbal and non-verbal cues (Mann et al., 2012; Vrij et al., 2008). This would also build on Stokoe's (2009a) study on how embodied conduct is

formulated in designedly uni-modal recorded police-suspect interrogations, by empirically comparing this to multi-modal recorded interactions with suspects.

Another direction for future research could be to conduct analysis from a different perspective, in terms of who the analytic focus is on. An example of this could be to focus on the discourse of the interviewer and/ or the audience of the interaction, rather than the suspect. A more specific example of this could be to analyse YouTube comments posted on internet vlogs containing responses to criminal accusations, to examine what is received or treated as authentic or acceptable according to viewer responses. The analysis of future research could also contain a deeper focus of how an interaction is edited, and what this achieves in terms of positioning someone as guilty or innocent.¹⁰

There were also discursive practices that suspects utilised in their construction of ‘innocence’ which did not receive sufficient attention in this thesis, due to the limited scope of it. These include: how suspects avoid answering (for example by changing or altering the topic, giving a ‘no comment’ or a silence (Edwards & Stokoe, 2011), or asking a counter-question in response to an accusation or question (Cerović, 2016)); the use of humour, jokes, and laughter between the speakers in the interaction (building on the work of Carter, 2015); suspects using institutional discourse (such as ‘mitigating circumstances’); how suspects start or round off their free account; how suspects’ ‘stories’ change over the course of the interaction, in response to probes or challenges; and how suspects explicitly apologise, or say that there is ‘no excuse’ for their alleged offence. Each of these, in their own right, could be the potential focus for future research, particularly how they are executed across different interactional settings with suspects.

6.4 Conclusion

In this thesis, I have demonstrated how ‘innocence’ is interactionally manifested, and how this is done across different interactional settings. I argued that, with the birth of television

¹⁰ For example, during data collection, I found that ‘Living with Michael Jackson’ (2003), the ITV documentary (from which an interview used as data in this research was taken), had been responded to with a somewhat counter-documentary, a rebuttal video named ‘The Michael Jackson Interview: The Footage You Were Never Meant to See’ (2003). Despite much of the footage for these two documentaries being the same or similar (due to the fact that, as well as the ITV camera crew, Jackson also had a camera crew filming the interactions between him and the interviewer) these both conveyed the subject in a different way through the manner in which they were edited and put together. This case, or cases like this, could be the focus for a future research project.

and the internet, accountability for a criminal act does not stop and start within legal settings. Suspects may construct ‘innocence’ publicly, and regardless of any legal decision made. I have examined the legal setting of police interviews as well as extending discursive research of responses to criminal accusations into more public and non-legal settings, television interviews and internet vlogs, which have previously received insufficient attention.

I have shown how suspects manage their dilemma of the stake across these highly consequential situations (Edwards & Potter, 1992). In doing so, I have demonstrated the importance of studying ‘innocence’ as a discursive construction in an anti-cognitivist, anti-realist way. I have empirically examined if and how affordances and constraints provided to suspects in each setting are made relevant in their response to a criminal accusation. This thesis serves as a foundation from which future studies of responses to criminal accusations, both in and outside of legal settings, can build, giving new points of comparison as well as strengthening existing ones. Our understanding of suspects’ interactions, and the settings within which these take place, have been extended and enriched as a result of this thesis.

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APPENDIX

Jefferson Transcription Notation System Key:

| | |
|-------------|---|
| [word] | Speech in square brackets indicates overlap with another speaker. |
| = | An equals sign indicates no break or gap. |
| - | A hyphen indicates a cut off. |
| (0.0) | Numbers in brackets indicate elapsed time by tenths of seconds. |
| (.) | A period in parentheses indicates a brief interval within or between utterances. |
| <u>word</u> | Underscoring indicates some form of stress, via pitch and/ or amplitude. A short underscore indicates lighter stress than does a long underscore. |
| wo::rd | Colons indicate prolongation of the immediately prior sound. The longer the colon row, the longer the prolongation. |
| ↑ | An upwards arrow indicates shift into especially high pitch. |
| ↓ | A downwards arrow indicates shift into especially low pitch. |
| .,? | Punctuation markers indicate ‘the usual’ intonation. |
| WORD | Upper case indicates especially loud sounds relative to the surrounding talk. |
| °word° | Degree sign brackets indicate that the sounds are softer than the surrounding talk. |
| > word< | Right/ left caret brackets indicate that the sound is speeded up compared to the surrounding talk. |
| <word> | Left/ right caret brackets indicate that the sound is slowed down compared to the surrounding talk. |
| () | Empty parentheses indicate that the transcriber was unable to decipher either what was said or who said it. |
| (word) | Speech in parentheses indicates that either what was said or who said it is especially dubious. |
| ((word)) | Text in double parentheses indicates the transcriber’s descriptions. |
| £ | A pound sign indicates a certain quality of voice which conveys ‘suppressed laughter’. |
| # | A hash sign indicates a ‘croaky’ quality of voice. |
| ~word~ | Tilde brackets indicate a wobbly voice. |
| .hh | A period-prefixed row of ‘h’s indicates an inbreath. |
| hh | A row of ‘h’s without a period indicates an outbreath. |

(hh) A parenthesised row of ‘h’s indicates plosiveness which can be associated with laughter, crying, breathlessness, etc.