Framing Guilt: Legal-Pragmatic Insights into Tag Questions in the Shipman Trial

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Abstract
This paper investigates the legal-pragmatic functions of tag questions in the Shipman trial, analysing their significance in courtroom discourse. Although declarative and yes/no questions were prevalent in barristers' discourse, tag questions, despite their overall infrequency, proved to be strategically important during cross-examinations. A corpus-based forensic discourse analysis was utilised. Quantitative research revealed patterns in questions and their distribution across examination and cross-examination. Subsequently, a legal-pragmatic analysis examined the formal qualities of tag questions, encompassing polarity and grammatical structure, to elucidate their legal-pragmatic functions. The analysis demonstrated that reversed polarity tag questions (e.g., positive-negative) have specific legal-pragmatic functions: articulating the lawyer's epistemic position, verifying or soliciting information, reconstructing the defendant's identification, and questioning the credibility of witnesses' responses. The prosecution utilised these strategies to depict Dr Shipman as duplicitous, whilst the defence employed them to alleviate juror prejudice towards the defendant. Constant polarity tag questions (e.g., positive-positive) were deliberately crafted to interrogate witnesses' responses. The findings indicate that tag questions, albeit nuanced, are essential in formulating trial strategy, affecting jury perceptions, and crafting legal narratives, highlighting their pragmatic significance in forensic discourse.
Keywords: Tag Questions, Legal-Pragmatic Functions, Courtroom Discourse, Forensic Linguistics, Corpus-Based Analysis

Introduction
Questions in everyday conversation serve purposes like maintaining dialogue, introducing topics, clarifying information, or expressing phatic elements. Unlike everyday

discourse, institutional interactions such as those in courtroom settings serve distinct goals shaped by asymmetrical power relationships and institutional objectives. In courtroom discourse, legal professionals use questioning not only to elicit narratives from witnesses but also to reconstruct these narratives within legal frameworks, revealing a power dynamic unique to legal-lay interactions (May et al., 2020).

This study focuses on the Shipman trial, a 58-day criminal trial, as a case study to explore how questions, especially tag questions, are employed by lawyers in examination-in-chief and cross-examination. Utilising a corpus-based forensic discourse analysis, the study examines the formal properties, frequencies, and pragmatic functions of tag questions. The findings also provide a foundation to understand how coercive and conducive questioning affects lay participants and their resistance to such interactions.

Existing studies on courtroom discourse predominantly employ qualitative, descriptive methods, focusing on discourse analysis and pragmatics. While recent work has introduced corpus-based methods, quantitative analyses remain limited due to challenges such as data accessibility and analytical tools (Sani et al., 2024). This study aims to address these gaps by applying a corpus-based approach to the Shipman trial, offering both quantitative insights and legal-pragmatic interpretations of question use. The analysis reveals patterns and strategies employed by lawyers, shedding light on how questions function beyond information-seeking to serve strategic legal objectives. This study aims to examine the formal and pragmatic dimensions of questions used by lawyers in the Shipman trial, with a particular focus on tag questions. It seeks to answer:
1. What are the formal properties of tag questions used in examination-in-chief and cross-examination?
2. How are tag questions strategically employed in examination-in-chief and cross-examination?

This research highlights the value of corpus-based forensic discourse analysis as a methodological framework to explore institutional interaction in legal settings. The findings contribute to understanding lawyers' linguistic strategies, providing a basis for examining courtroom data in future studies.

Forensic Corpus-Based Discourse Analysis
Forensic discourse analysis is a sub-domain of discourse analysis, and it is part of the study of institutional discourse (Coulthard, 2016). This approach can be seen as a combination of insights from different linguistic fields, including speech act theory, corpus linguistics, register and even psycholinguistics. Commenting on the forensic corpus-based method, Cotterill (2010) notes, 'the use of corpora in many types of forensic linguistic analysis is becoming increasingly commonplace'. This is because the use of corpora in forensic linguistics sheds light on 'the prototypical language patterns and functions of various professional domains' (Flowerdew, 2004), such as questioning in the courtroom. The use of specialised corpora also brings benefits to the field of forensic linguistics because it can be used to identify specific purposes and objectives of legal-professional discourse. The utilisation of corpora in forensic linguistics elucidates the prototypical language patterns and functions of various professional domains, including courtroom questioning.

Pragmatics of Questioning in the Courtroom

In courtroom discourse, a question is not an object *per se*, recognisable on its own merits, but it has to be treated with the study of meaning in relation to speech situations. Elicitative force or control is related to the force of the questions imposed on the recipients (Archer, 2011). Similarly, a conducive question 'indicates that the speaker is predisposed to the kind of answer he has wanted or expected' (Quirk et al., 1985). Tag questions are frequent in many languages, but tag questions with constant or reversed polarity are common in the English language (Tottie, 2006). In present-day English, the four common types of tag questions with constant or reversed polarity are illustrated in (1) to (4) in Table 1.

Table 1
The Four Common Types of Polarity in Tag Questions

	Anchor	Question Tag	Polarity	Source
(1)	*It **has** been able* [sic] *to demonstrate that you have lied, lied and lied again about patients ringing your surgery,*	***hasn't it?***	Positive-Negative (+/-)	Henri_Cross_D38
(2)	*That copy **was not** made in your surgery that afternoon, the 9th June,*	***was it?***	Negative-Positive (-/+)	Henri_Cross_D33
(3)	*But she **was** delighted with both those events, the British Council*	***was it?***	Positive-Positive (+/+)	Henri_Exam_D4
(4)	*And that **was untrue**,*	***wasn't it?***	Negative-Negative (-/-)	Henri_Cross_D35

Clauses (1) and (2) are reversed polarity tag questions with a positive statement followed by a negative tag and vice versa, while clauses (3) and (4) are tag questions with constant polarity in which both statements and tags have the same polarity. In this investigation, the polarity properties of tag questions are examined because it is suggested that the 'differences in polarity are often correlated with the pragmatic functions of the tag questions' (Tottie, 2009, p. 137).

In the courtroom, questions have different degrees of coerciveness, and it is found that coercive questions are more highly utilised in cross-examination than examination-in-chief (Archer, 2011). Woodbury (1984, p. 221) notes that leading questions are 'questions that incorporate answer-expectations' or questions that 'suggest the desired answer to the witness'. Therefore, they are not encouraged in examination-in-chief because they 'tightly control what a witness is going to say, which consequently gives them tremendous power over the outcome of testimony' (Berk-Seligson, 1999, p. 34). Tag questions, which are one of the types of leading questions (i.e. negative grammatical yes/no and tag questions) and which have a high degree of coerciveness in the courtroom, are worthy of mention in this investigation. Tag questions are classified according to their pragmatic categories that consist of three macro-categories: epistemic modal, affective and hortatory functions. Table 2 illustrates the three categories of tag questions and examples from the Shipman trial.

Table 2

Classification of Pragmatic Categories of Tag Questions

Macro-category	Category	Explanation	Examples
Epistemic modal	Confirmatory	Tag questions that clearly seek and receive answers and which do not have strong affective function.	MD: That in fact is a locum ***it is not?*** S: It is. *Davies_Exam_D27* *Witness: Dr. Shipman (S)*
Affective	Attitudinal Challenging Facilitative	Tag questions that express a speaker's attitude.	H: You were terrified of post-mortem examination, ***weren't you?*** S: No. *Henriques_Cross_D33* *Witness: Dr. Shipman (S)*
Hortatory	Softening Emphatic Neutral	Tag questions with a directive function.	MD: Let's take it in stages because we can see the diagram there, ***can't we?*** O: Yes *Davies_Cross_D18* *Witness: Dr.John Brian O'Driscoll (O)*

Confirmatory tag questions that are under the macro-category of epistemic modal are about making facts certain, as can be seen in the example of cross-examination between Miss Davies and Dr. Shipman on Day 27. The affective macro-category consists of attitudinal, challenging and facilitative tag questions that express a speaker's attitude such as attitudinal tag question expressed by Mr. Henriques when cross-examining the defendant. Finally, hortatory tag questions (i.e. softening, emphatic and neutral) express directive functions such as the instruction given by Miss Davies in her cross-examination with Dr. John Brian O'Driscoll, a consultant dermatologist who diagnosed Mrs. Maureen Alice Ward with a basal cell carcinoma which is a tumour of the skin. The next section presents the methodology for this investigation.

The Shipman Trial: A Specialised Corpus

Harold Frederick Shipman (or Dr. Shipman) was found by the Shipman Inquiry to have killed up to 260 of his patients between 1974 and 1998. On 31 January 2000, he was convicted of 15 murder charges and one of forging the Will of one of his victims. A trial was conducted for 58 days in which the jury decided that Dr. Shipman was guilty on all counts. Thus, he was sentenced to life imprisonment. The data used in this study is taken from the Shipman trial transcript that is available on the National Archives website. The available transcripts had already been transcribed from the official recording of spoken discourse of courtroom interaction by a company of professional court transcribers. Some of the speech features such as hesitation or non-verbal modes are not found in this data. Two lawyers appeared on behalf of the defendant – Miss N. Davies and Mr. I. Winter – while the prosecution was presented by Mr. R. Henriques, Mr. P. Wright and Miss Blackwell, though this study only use the data from Miss Davies and Mr. Henriques. The judge for this trial is Mr. Justice Forbes. The 15 murder charges related to Kathleen Grundy, Muriel Grimshaw, Lizzie Adams, Ivy Lomas, Jean

Lilley, Winifred Mellor, Jean May Melia, Norah Nuttall, Bianka Pomfret, Marie Quinn, Irene Turner, Maria West, Laura Kathleen Wagstaff, Maureen Alice Ward and Pamela Marguerite Hillier. The trial begins with an opening speech by Mr. Henriques (lead prosecutor) from Day 2 to Day 3. The trial then continues with the examination-in-chief and cross-examination from Day 4 to Day 39. In this stage, the barristers exercised their best strategies to construct, deconstruct and reconstruct their prosecution and defence narrative through questioning. Almost 232 witnesses were called upon to give evidence in the trial. Closing speeches come on Day 40 to Day 42 where the lead barristers from the prosecution and defence summarised their arguments. Day 43 onwards to Day 58 is where Mr. Justice Forbes summed up the case and, following the guilty verdicts, sentenced Dr. Shipman.

This specialised corpus is made up of 500,000 words of questions and answers in the Shipman trial. Although it is a small corpus in size, it is 'best suited' (Flowerdew, 2004, p. 15) to understand specific linguistic patterns in questions and has the advantage of enabling the study of tag questions in courtroom talk. The selection is taken from the lead counsels (i.e. Mr. Henriques and Miss Davies) and any examination and cross-examination done by their assistants (i.e. Mr. Winter, Mr. Wright and Miss Blackwell) is removed. Table 3 presents the dataset for this investigation.

Table 3
Dataset of Mr. Henriques and Miss Davies

Description	Mr. Henriques	Miss Davies
Examination-in-chief	Day 4 to Day 26 153,227 words 4416 questions asked	Day 27 to Day 38 142,916 words 3614 questions asked
Cross-examination	Day 32 to Day 38 141,107 words 3894 questions asked	Day 4 to Day 27 156,080 words 3723 questions asked
Number of interviewed witnesses in relation to the victims (all 15 victims)	89 witnesses were examined in examination-in-chief and the defendant, Harold Shipman was questioned in the cross-examination.	The defendant, Harold Shipman and one witness, Mr. David Mycock, were examined in examination-in-chief and 71 witnesses were cross-examined.

A total of 8310 questions were asked by Mr. Henriques while 7337 questions were asked by Miss Davies in both activities. Mr. Henriques examined 89 witnesses and only 71 witnesses were cross-examined by Miss Davies. The difference is because some witnesses (i.e. expert witnesses and police officers such as Dr. John Rutherford or Detectives Sergeant O'Brien) were not cross-examined by Miss Davies; thus no questions were asked of these witnesses. The saved .txt files are labelled according to the name of the barrister (Mr Henriques and Miss Davies) and the activity: examination-in-chief as *exam_henri.txt, exam_davies.txt*; cross-examination as *cross_henri.txt* and *cross_davies.txt*. The data are cleaned of elements that are not related to the analysis, such as interruption or questions uttered by the judge to the witnesses, because such interruptions affected frequency calculations of types of questions uttered by the counsels. The interruptions are put in brackets (i.e.<…>) so that they were not included in the word frequency counts. The

automated search uses Wordsmith Tools Version 8.0 (Scott, 2024). However, the utterances remain in the data because it could be a significant discourse feature that is important to the pragmatic discussion. Prior to this stage, a set of search terms that reflects the formal properties of tag questions is built so that concordance listings can be generated. As an example, a specific search term of *isn't it* is entered to determine the frequency of tag questions that have this as the operator from Mr. Henriques's cross-examination activity. From the procedure explained, it is observed that the corpus method provides possibilities of accuracy and impartiality in the analysis however, it also has some limitations for language analysis because its 'context' (Flowerdew, 2004, p. 16) is taken out. To do this, the tag questions are classified according to the classification of pragmatic categories, consisting of three macro-categories of epistemic modal, affective and hortatory function.

Tag questions in Shipman's Trial

In cross-examination, the lawyer's goal is to test the validity of information presented (Coulthard et.al, 2016) in examination-in-chief. Figure 1 illustrates the percentages of questions used by the lawyers in the cross-examination. In this activity, Miss Davies cross-examined the prosecutor's witnesses while Mr. Henriques cross-examined Dr. Shipman. It is observed that the tag questions in cross-examinations are higher that the examination in-chief with 8.4% in Miss Davies and 27% in Mr. Henriques whilst in examination-in-chief only 0.6% (i.e. Miss Davies) and 0.2% (i.e. Mr. Henriques) of tag questions are used, respectively.

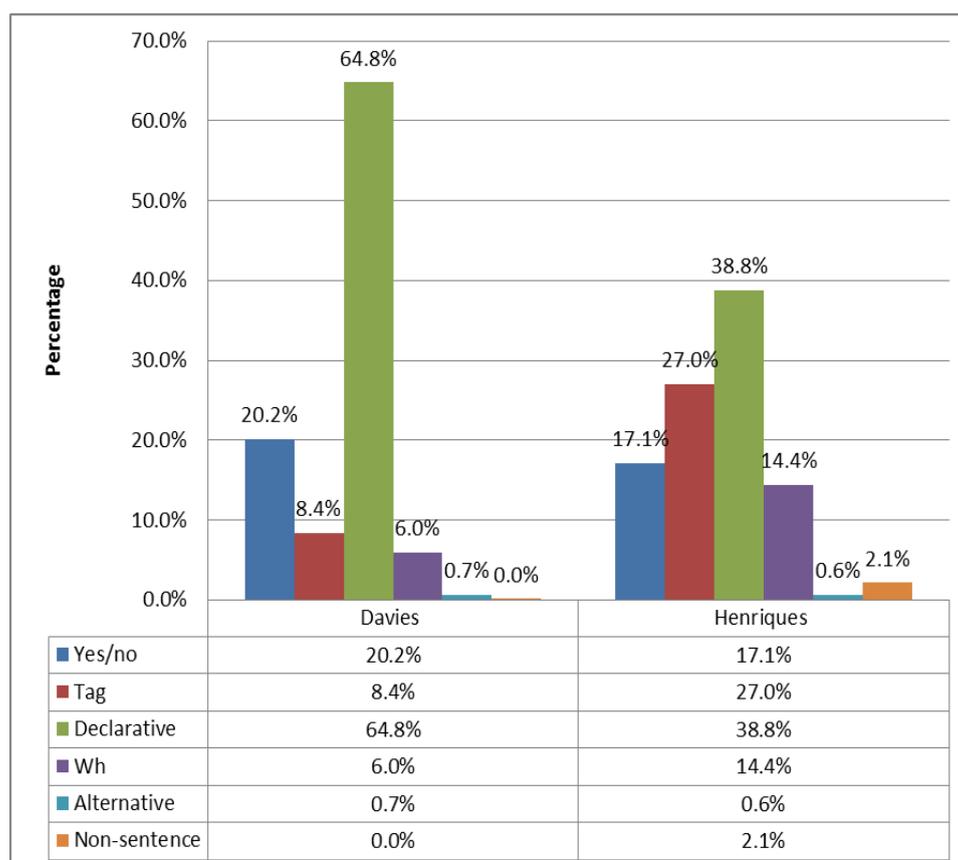|	Davies	Henriques
■ Yes/no	20.2%	17.1%
■ Tag	8.4%	27.0%
■ Declarative	64.8%	38.8%
■ Wh	6.0%	14.4%
■ Alternative	0.7%	0.6%
■ Non-sentence	0.0%	2.1%

Figure 1: The Percentages of Questions Used by the Lawyers in the Cross-Examination

An initial pragmatic explanation of why tag questions occurred more in the cross-examination is because they can lead the recipient's response during the interaction. Leading questions

are the type of interrogative form that gives suggestions to the witness on how [they] should be answered and these questions should not be used in examination-in-chief, but are permissible in the cross-examination. This raises a question about tag questions and their pragmatic value in the two activities. This observation leads us to conclude that Miss Davies and Mr. Henriques largely follow the rules set out by the court. A distinct difference can be seen in the cross-examination, with the high use of tag questions by both lawyers, though with a marked difference for Mr Henriques. Miss Davies's utterances consist of 8.4% of tag questions while Mr. Henriques consists of 27%. An interesting observation that deserves further exploration is the need to explain tag questions and their pragmatic values in legal discourse.

Legal-pragmatic functions of tag questions in the Shipman trial

In courtroom discourse, there is an 'unequal social relationship' (Gibbons, 2008, p. 120) between lawyers and witnesses. Lawyers will attempt different rhetorical strategies by constructing and reconstructing questions to validate, extract, confirm or even challenge the evidence presented in the examination. In the section, it will be argued that, from a legal-pragmatic perspective, tag questions have the functions to: express lawyers' epistemic stance, seek and confirm information, and cast doubt on witnesses' answers. Tag questions can also express individual styles such as a tool to reconstruct identity or to face-threaten the addressee.

Reversed polarity tag questions portray lawyer's epistemic stance

The distribution presented in Figure 2 shows that the most preferred form of tag question in this analysis is positive-negative (+/-) with more than 75% of incidences for both lawyers. This finding supports the idea that 'tags are most often added to a positive statement' (Biber et.al, 1999, p. 211). In this investigation it is observed that, reversed polarity tag questions can express a lawyer's epistemic stance, as they seek or challenge the truth presented by the witnesses or defendant. An epistemic stance is referring to a person's expression of their relationship to their talk. In other words, the epistemic stance is how the speakers position themselves in relation to their knowledge in their speech. Thus, do barristers in the Shipman trial use tag questions to express their epistemic stance in questioning their witness? The data presented in Figure 2 shows that tag questions with positive-negative (+/-) polarity occurred more in the cross-examination by Miss Davies and Mr. Henriques. From a legal-pragmatic perspective, it can be argued that tag questions with positive-negative (+/-) polarity display a speaker's epistemic stance to the examination.

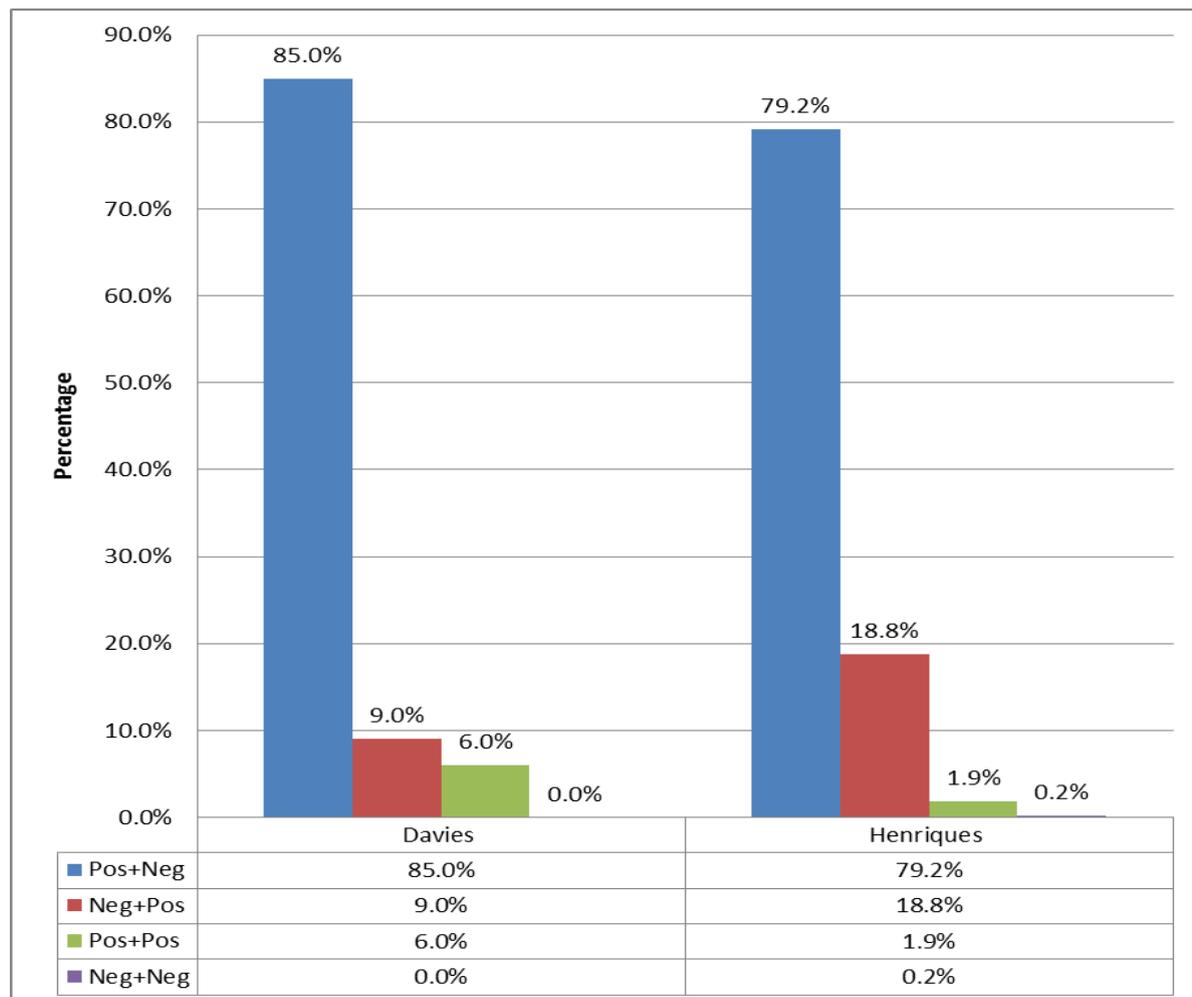|	Davies	Henriques
■ Pos+Neg	85.0%	79.2%
■ Neg+Pos	9.0%	18.8%
■ Pos+Pos	6.0%	1.9%
■ Neg+Neg	0.0%	0.2%

Figure 2: Distribution of polarity of tag questions between Miss Davies and Mr. Henriques

In extract (1) we see how positive-negative (+/-) tag questions display the speaker's epistemic stance.

Extract (1)
Henriques_Cross_D32

1	H.	Do you remember the lady by the name of Ann Brown giving evidence, Mrs. Grimshaw's daughter, Mr. Jones's widow?
2	S.	Yes I do.
3	H.	Do you remember her evidence about you taking drugs away from her home just after her husband, Mr. Jones, had died?
4	S.	I remember the evidence she gave.
5	H.	Mrs. Brown is a lady of truth, *is she not*?
6	S.	(No reply.)
7	H.	***Is she not?***
8	S.	I am not aware of any grounds that I could make that decision upon.

Prosecutor: Mr. Henriques (H)
Defendant: Dr. Shipman (S)

This excerpt is taken from the lead prosecutor's third day of cross-examination of the defendant, Dr. Shipman, on Day 32. The defendant was questioned on the evidence of drug

abuse. On Day 15 of the trial, Miss Ann Shirley Brown gave evidence that the defendant took away drugs from her home. Those drugs were medication prescribed by Dr. Shipman to her mother, Mrs. Muriel Grimshaw, who was one of the victims. Turns (1) through (4) is an exchange between Mr. Henriques and Dr. Shipman about the evidence mentioned earlier. He invites the defendant to confirm the evidence. In turns (5) to (8), Mr. Henriques uses a tag question with positive-negative (+/-) polarity, which he repeats after no response, to firmly assert his epistemic stance as to what happened to the drugs taken from Muriel Grimshaw's house. Mr. Henriques expressed his attitude regarding the removal of the drugs. By doing so, he manages to portray the defendant to the jury as untrustworthy, which is an ironic value as a medical practitioner. This function falls under the affective function because the speaker expresses his point of view on the drug abuse. Hence we can say that, in the cross-examination, Mr. Henriques designed tag questions with reversed polarity not only to display his attitude but also to directly place pressure on Dr. Shipman to agree with his assertions that Dr. Shipman transgressed the legal and moral principles of a medical practitioner.

Reversed Polarity Tag Questions to Confirm the Truth

While tag questions with positive-negative (+/-) polarity are used by Mr. Henriques to express his epistemic stance when cross-examining the defendant, it is found that Miss Davies designed hers (i.e. positive-negative tag questions) during the cross-examinations of the prosecutor's witnesses to confirm the truth presented in their answers. Extract 2 is from the cross-examination by Miss Davies on Mrs. Gilchrist and Mr. Promfret from Day 7 and 8 of the trial.

Extract (2)
Davies_Cross_Day 7, Day 11 & Day 12

1	MD	When he was describing it to you it wasn't so much that she was leaving the money to him but to the patients' fund in the surgery, that's right, ***isn't it?***
2	G	He said that he thought there would be a donation to the patients' fund.
3	MD	Because in the surgery in Market Street there was a patients' fund, ***wasn't there?***
4	G	Yes.
		Defence Lawyer: Miss Davies (MD)
		Witness: Mrs. Gilchrist (G)
5	MD	He had given her an antibiotic, ***hadn't he?***
6	MS	Penicillin to be exact.
		Defence Lawyer: Miss Davies (MD)
		Witness: Mr. Steele (MS)
7	MD	Mrs. Chapman, it is difficult. For the first time in October of 1998 you are asked to make a statement to the police about events over a year before, ***aren't you?***
8	MC	Yes.
		Defence Lawyer: Miss Davies (MD)
		Witness: Mrs. Chapman (MC)

In extract 2, Miss Davies cross-examined Mrs. Gilchrist, Mr. Steele and Mrs. Chapman on the evidence relating to the deaths of Kathleen Grundy, Joan May Melia and Ivy Lomas. Reversed polarity of positive-negative (+/-) tag questions are used to confirm the information given by the three witnesses in the examination-in-chief. In turns (1) to (4), Nurse Gilchrist was interviewed by Miss Davies on the conversation that she had with Dr. Shipman about the sum of money he received from Mrs. Grundy prior to her death. Miss Davies used tag

questions to seek confirmation from Mrs. Gilchrist that the donation was meant to be put into the patients' fund. Indirectly, she tries to shed good light on the defendant's tarnished identity in front of the jury. This observation will be discussed further in the following section. In turns (5) to (8) Miss Davies expects agreement from Mr. Steele and Mrs. Chapman with her statement that preceded the tags. This function falls under the 'confirmatory' micro-category (see Table 2).

Reversed Polarity Tag Questions to Reconstruct Defendant's Identity

Turning now to Miss Davies's cross-examination it will be argued that the defence lawyer mostly used tag questions in a facilitating way to reconstruct the defendant's tarnished identity during the examination-in-chief by the prosecutor. The facilitative tag is a type of tag question where the speaker is sure of the truth of what s/he says but wants to involve the listener. This observation is mostly found in Miss Davies's speech during the examination of Shipman. A legal-pragmatic explanation behind this is because this is one of her strategies or style to reconstruct the defendant's tainted identity, so that she can reduce possible prejudice against the defendant on the part of jury. It can also be treated as a confirmatory tag depending on the context it appears in in the trial. Extract 3 explicates how tag questions are used by the defence lawyer to reconstruct the defendant's identity.

Extract (3)
Davies_Cross_D8

1	MD	Do you remember Dr. Shipman talking about your mother's mental health and the medication that she was taking?
2	P	No.
3	MD	Do you remember Dr. Shipman talking about the fact that your mother was a smoker?
4	P	Yes.
5	MD	She was a smoker, ***wasn't she?***
6	P	That's right.
7	MD	Quite a heavy smoker?
8	P	A. No.
9	MD	You don't accept that?
10	P	A. No.
11	MD	And what Dr. Shipman was discussing with you was what he thought could be the cause of death and what had contributed to that death?
12	P	Well, as far as I was to believe he knew what she died of. That was heart attack.
13	MD	And he mentioned angina?
14	P	And that she was suffering from angina, did I know of it. I said, "No."
15	MD	And he mentioned smoking?
16	P	Yes.
		Defence Lawyer: Miss Davies (MD)
		Witness: Mr. Pomfret (P)

In turn (5), a tag question is postulated by the defence lawyer to facilitate her attempts to reconstruct the narrative presented earlier by the prosecutor. In the examination-in-chief, the witness, Mr. Pomfret gives evidence that Dr. Shipman told him that the cause of her death was angina. The evidence uttered by Mr. Pomfret had been used by the prosecutor to

deconstruct Dr. Shipman's identity as a doctor as somebody who simply played with his patients' lives. However, in the cross-examination by Miss Davies, she used a tag question to involve the witness to agree with her that Mrs. Pomfret was indeed a smoker. Miss Davies is aware of the fact that Mrs. Pomfret smoked, but in this event she wanted to involve the witness to confirm her statement. By doing so, apart from confirming facts and evidence presented, she tries to reconstruct the narrative by stating that the angina and smoking habit might be related to the cause of death of Mrs. Pomfret. In this example she left the jury with the suggestion that the smoking was a contributory factor to the angina and therefore supports Dr. Shipman's defence that Mrs. Pomfret died of natural causes rather than because of a lethal injection of morphine. Turns (7) to (16) illustrate her action. As a conclusion, tag questions can be a linguistic marker used to deconstruct and reconstruct a narrative.

Reversed Polarity Tag Questions to Seek the Truth
From Figure 2, it is observed that negative-positive (-/+) polarity is the second highest with 9% and 18.8% of occurrences. In the cross-examination by Mr. Henriques and Miss Davies it is found that they utilised negative-positive (-/+) polarity to seek information, which is illustrated in extract 4 below.

Extract (4)
Henriques_Cross_D34 & Davies_Cross_D22

1	H	Let's come to the crux of this whole matter, this lady <u>did not</u> have any symptoms of angina at all, ***did she***?
2	S	Yes she did.
3	H	But you <u>had never offered</u> her any test in January 1998 or the 1st May 1998, ***had you?***
4	S	No, because I didn't know about the chest pain and she made the decision not to have any tests done.
		Prosecutor: Mr. Henriques (H)
		Defendant: Dr. Shipman (S)
5	MD	Because she <u>had not</u> been embalmed, ***had she?***
6	R	No.
7	MD	But not every clot necessarily blocks the coronary artery, ***does it?***
8	R	No, that is true.
		Defence Lawyer: Miss Davies (MD)
		Witness: Dr. Rutherford (R)

In extract 4 it is observed that all the question tags in this example end with positive checking tags. In turns (1) to (4) between Mr. Henriques and Dr. Shipman on the charges relating to the deaths of Mrs. Mellor and Mrs. Pomfret, the questions signal a genuine request for information, which invites Dr. Shipman to provide either a positive or negative response. A similar case is found in turns (5) to (8) between Miss Davies and Dr. Rutherford, a forensic pathologist. On Day 22, Miss Davies cross-examined Dr. Rutherford on his findings on the toxic level of morphine in Ivy Lomas's body.

Constant polarity tag questions 'to cast doubt' on witnesses' answers

Finally, the least frequent tag question types were those of constant polarity: positive-positive (+/+) and negative-negative (-/-) with less than 7% of appearances in the trial. Data from the defence lawyer, Miss Davies shows no utterance of negative-negative polarity at all throughout the case. From the analysis it is observed that constant polarity tag questions used by Mr. Henriques and Miss Davies can be used to throw doubt on the credibility of a previous statement. Extract (5) demonstrates some of the examples of how constant polarity tag questions are utilised to throw uncertainty on to the witness's account of events.

Extract (5)
Henriques_Cross_D35 & Daviess_Cross_D8

1	H	But you had no problem with the ECG machine, did you?
2	S	You could argue that the inability to get an ECG was the problem but I won't, I will just say that those were the words I said to Carol.
3	H	And having said those words they were untrue because you had had no problem with the ECG, had you?
4	S	With the machine, no.
5	H	But you were indicating to her that you had, weren't you?
6	S	Yes.
7	H	And that was <u>untrue</u>, ***wasn't it?***
8	S	It wasn't the truth.
9	H	Is it ever right for a doctor to tell untruths to his employees within his surgery?
10	S	I'm not quite sure what you are asking me there.
		Prosecutor: Mr. Henriques (H)
		Defendant: Dr. Shipman (S)
11	MD	If you cannot specifically recall speaking to him, both yourself and your colleague were there, weren't you?
12	NH	Yes.
13	MD	It <u>would be</u> usual practice, ***would it***, for either one or other of you to talk to the GP when he would arrive at the home?
14	NH	If he arrived while we were still there that's correct.
15	MD	Although you cannot remember exactly when you did arrive, Dr. Shipman did arrive before you left?
16	NH	I think so, yes
		Defence Lawyer: Miss Davies (MD)
		Witness: Neil Harrop (NH)

In turns (1) to (10) Mr. Henriques cross-examined Dr. Shipman on the events of Nora Nuttall's death who was found dead in the defendant's surgery. In turns (1) to (6), Mr. Henriques questions the defendant's inability to get an electrocardiogram (ECG) machine that is used to monitor patients' heart rhythm. Prior to this cross-examination, Mrs. Carol Chapman, who was the receptionist in Dr. Shipman's general practice, attested that she was informed by the defendant that he had problem getting an ECG machine for their practice. However, in turn (7) the constant polarity of a negative-negative (-/-) tag question is used by the prosecutor to indicate doubt on Dr. Shipman's version that he encountered difficulties getting hold of an ECG machine in his practice. In the following turn (9), it is observed that Mr. Henriques conveys his perspective to the jury that Dr. Shipman was not telling truth to the court regardless of his denials of not speaking the truth. Similarly, in turns (11) to (16), a constant polarity tag question is employed by Miss Davies to test the evidence presented by

Mr. Neil Harrop, who was the paramedic that tried to revive Mrs. Pomfret. In conclusion, the polarities in tag questions have effects on the legal-pragmatic functions: to portray the lawyer's epistemic stance, to confirm and seek information, to reconstruct the defendant's identity and to cast doubt on witnesses' answers.

Conclusion

The integrated quantitative and micro-analysis provide substantial insights into the utilisation of questions in courtroom discourse. Quantitative study revealed that declarative and yes/no questions were the most prevalent, succeeded by wh-questions, while tag questions first appeared insignificant. Nonetheless, a detailed review of examination-in-chief and cross-examination activities revealed a higher prevalence of tag questions in cross-examinations, necessitating additional micro-analysis. Tag questions were analysed for their formal characteristics, encompassing polarity and grammatical structure, which disclosed unique legal-pragmatic purposes. Reversed polarity tag questions (e.g., positive-negative) exerted a more significant influence than continuous polarity. Both counsels employed these strategically to convey epistemic positions, validate or question information, rebuild narratives, and undermine the credibility of witnesses' responses.

Mr. Henriques employed reversed polarity tags to portray Dr. Shipman as duplicitous, utilising scepticism and adverse perceptions to sway the jury. In contrast, Miss Davies utilised these markers to recreate the defendant's identity, seeking to diminish the prosecution's impact on the jury. Both barristers employed tag questions with consistent polarity (e.g., positive-positive) to contest the responses of their interlocutors and reinforce their points. In summary, tag questions possess significant pragmatic relevance in courtroom dialogue, serving as instruments for strategic inquiry and narrative construction during both examination-in-chief and cross-examination.

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