

This is the accepted version of: Wright, D., Jackson, J., Doak, J., Saunders, C. and Cooper, D. (2026) Signposting topics in the cross-examination of vulnerable witnesses. In T. Grieshofer and K. Haworth (eds.), *Language and Justice: Communication in Legal Practice*. Cambridge: Cambridge University Press, pp. 142–156.

Signposting topics in the cross-examination of vulnerable witnesses

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The research reported in this chapter was undertaken as part of the project ‘Mapping the changing face of cross-examination in criminal trials’ funded by the Nuffield Foundation between 2020 and 2024. Professor John Jackson (PI), Jonathan Doak, Candida Saunders, David Wright and Debbie Cooper.

1. Introduction

Cross-examination is regarded as ‘beyond doubt the greatest legal machine ever invented for the discovery of the truth’ (Wigmore 1940: §1367). Generally, cross-examination is seen to have two main aims: ‘to weaken the case for the other side and to establish facts which are favourable to the case for the cross-examiner’ (Du Cann 1964, p. 95). Questioning during cross-examination can be challenging for witnesses and this is particularly the case for vulnerable witnesses. The Criminal Practice Directions, which govern the procedure to be followed in criminal courts, specify that accommodating the needs of vulnerable people ‘may require a radical departure from traditional cross-examination’ (CrimPRC(23)90(b), section 6.1.8). Recent research in law, linguistics, psychology and criminology has highlighted that cross-examination can be detrimental to truth-finding and to the rights and interests of vulnerable victims and witnesses (Doak et al. 2021: 35) and there have been calls for cross-examination to shift away from its traditional adversarial roots and towards a more reliable ‘forensic’ tool for testing a witness’s evidence (e.g. Henderson 2014). One such change that is recommended by professional guidelines for advocates is the need to clearly introduce new and changing topics during questioning, to avoid any confusion caused by rapidly shifting topics. Drawing on transcripts of cross-examinations in criminal trials in the UK and Ireland, this chapter provides the first linguistic analysis of how this signposting is performed by advocates when questioning vulnerable witnesses and reveals some of the interactional issues that arise as a result of this signposting. The chapter shows how linguistic theory, methods and analysis can shed light on cross-examination in practice and demonstrates the value of linguistic research in providing evidence-based professional guidance for improving the experiences of vulnerable witnesses.

2. Cross-examination of vulnerable witnesses

It has been increasingly acknowledged that the rigour and combative nature of traditional cross-examination can be bruising and distressing for vulnerable witnesses (Jacobson 2015: 15). Vulnerability is not a condition inherent only to certain groups or individuals but is a condition to which we are all subject (Jackson et al. 2024: 22). However, legislation across UK jurisdictions designates the term ‘vulnerable’ to particular categories of witness who are eligible for ‘special measures’ (Youth Justice and Criminal Evidence Act 1999 ss 16-17, Criminal Evidence (NI) Order 1999 arts 4-5, Criminal Procedure (Scotland) Act 1995 s271(1)). Special measures are procedural adjustments to enable witnesses to give their ‘best evidence’

(UK Ministry of Justice 2022) and include screening the witness from the accused in court, witnesses giving evidence by live link or evidence being video-recorded and played to the court, examination of a witness through an intermediary and the use of communication aids (see Marchant 2017). Under such statutory definitions, ‘vulnerable’ witnesses include children under 18; elderly and frail witnesses; witnesses with a mental or physical disability, or significant impairment of intelligence and social functioning; and witnesses who may suffer fear and distress such as victims of sex offences.

Forensic and legal linguistics research has analysed the strategies used by lawyers to control cross-examination, such as the use of specific question types (Woodbury 1984; Gibbons 2003; Tkačuková 2010), reformulation of witnesses’ words (Cotterill 2004), quoting witnesses’ earlier testimony back to them (Johnson 2013), and manipulating witnesses’ responses until they give a response preferred by the cross-examiner (Matoesian 2005). Various elements of traditional cross-examination are problematic when cross-examining vulnerable witnesses, including a difficulty in understanding legal terminology (Crawford and Bull 2006), suggestive, tagged or structurally complex questions (Andrews and Lamb 2017) or questions that relate to abstract concepts or aim to elicit memory reports (Morrison et al. 2021). The aspect of cross-examination that this chapter is chiefly concerned with is topic management and in particular the explicit changing of topics. Conversation analysis research in institutional contexts has long shown that topic control and unilateral changes of topic characterise power-asymmetric interactions (e.g. Ainsworth-Vaughn 1992). Although it is acknowledged by forensic linguists that topic control is a major tool available to cross-examiners in exerting interactional power over witnesses in legal settings (Conley et al. 2019: 30; Grieshofer 2024: 10), the discursive mechanisms by which this is achieved have received little linguistic attention (although see Heydon 2005 on police interviewing).

Topic management and rapid topic changes can be used strategically by advocates to exercise interactional power over the witness and to restrict the time that the jury have to process the details of an ongoing narrative (Aldridge and Luchjenbroers 2007: 95). However, sudden switching from one topic to another can easily confuse and disorientate a vulnerable witness (Davies et al. 2010: 353). One possible safeguard against this is for counsel to ‘signpost’ the topics that they are going to ask questions about and to signal when they are changing topics (Henry et al. 2021: 1395). The Inns of Court College of Advocacy national training guide to cross-examining vulnerable people and children (The Council of the Inns of Court 2022) outlines ‘20 principles of questioning’, one of which (Principle 8) implores advocates to signpost a new topic, stating that ‘signposting is important to help vulnerable people and children focus attention and remain focused’. Similarly, The Advocate’s Gateway, which produces good practice toolkits for advocates when questioning witnesses or defendants with communication needs, encourages the signalling of topic changes as this gives the witness transition time to focus on the upcoming topic and questions (The Advocate’s Gateway 2023: 7). This study aims to find out whether this guidance is being followed in practice, to examine the linguistic means by which counsel signpost topics and topic shifts and to discuss some potentially unforeseen consequences of signposting.

3. Metadiscourse

This chapter adopts the discourse-analytic concept of *metadiscourse* as a means by which to understand and interpret the signposting identified in cross-examination. ‘Metadiscourse’ refers to how people use language out of ‘consideration for our readers or hearers based on our estimation of how best we can help them process and comprehend what we are saying’ (Hyland

2017: 17). In his model of metadiscourse, Hyland (2005) distinguishes between *interactive* and *interactional* dimensions. The interactive dimension of metadiscourse is concerned with linguistic resources that are used to help guide the listener or reader through the text and includes features such as *transitions* (e.g. ‘in addition’), *frame markers* (e.g. ‘finally’), *endophoric markers* (e.g. ‘noted above’), *evidentials* (e.g. ‘according to X’) and *code glosses* (e.g. ‘in other words’). The interactional dimension, meanwhile, relates to language that aims to involve the reader in the text, and make the writer/speaker’s views explicit. It includes *hedges* (e.g. ‘perhaps’), *boosters* (e.g. ‘definitely’), *attitude markers* (e.g. ‘unfortunately’), *self-mentions* (e.g. ‘I’, ‘we’) and *engagement markers* (e.g. ‘you can see that’). Previous linguistic studies of metadiscourse in legal contexts have examined interactive and interactional features in international legislation (Orts-Lopis 2017), opening statements (Chaemsaihong 2014) and court judgements (Trklja and McAuliffe 2019). The analysis of metadiscursive practices in the examination of witnesses in court has received comparatively less attention in the literature, though Cavalieri (2011) analyses metadiscourse in the questions asked of witnesses in UK public inquiries. The current study therefore breaks new ground by analysing metadiscourse in the questions put to (vulnerable) witnesses during cross-examination in criminal trials. The findings of this analysis have the potential to impact and inform professional guidance, court practice and the experience of vulnerable witnesses in court.

4. Data and approach

The corpus analysed in this chapter contains 56 cross-examinations from 23 trials which took place across six Crown Court Centres in the UK and Ireland between 2020 and 2023. It includes the cross-examination of 29 complainants, 18 defendants, 8 prosecution witnesses and 1 defence witnesses. There are 40 advocates represented in the data, most of whom (n=28) appear only once. Nine advocates appear in two cross-examinations, two cross-examine three witnesses and one cross-examines four. The trials all involve serious offences including assault, child sexual abuse, murder and rape. Of the 56 witnesses, 34 are vulnerable witnesses and 22 are ‘non-vulnerable’ witnesses. Witnesses with a range of vulnerabilities are represented in our data, including child witnesses (under 18), witnesses with significant impairment of intelligence and social functioning, complainants in sexual offences trials, victims of serious crime and relatives of victims of serious crime. Most of the vulnerable witnesses are complainants (n=29), but there are three other vulnerable prosecution witnesses and two vulnerable defendants in the data. The transcripts used in this corpus are the official transcripts provided by the relevant Crown Court Centre and produced by professional transcribers, and can therefore be considered accurate accounts of what was said in court (see Tkačuková 2015: 151). The full corpus contains 10,553 cross-examination questions and 189,757 words.

This analysis applies a corpus-assisted approach to discourse study (CADS). This approach involves the use of specialist computer software and processes to analyse large bodies of language use to uncover quantifiable linguistic patterns (see Baker 2023: 1) and has been fruitfully applied in previous socio-legal research (e.g. Tkačuková 2020). The first step in this process was to compute the most frequent 3-word ‘n-grams’ (3-word strings) in the questions posed to all witnesses in our corpus, generated by the corpus software *SketchEngine* (Kilgariff et al. 2014). The next stage involved identifying those n-grams which act as ‘lexical bundles’ (Biber et al. 2021: 982) which ‘help language users carry out particular discourse functions’ in a given context (Gray 2016: 33). Although they are often not complete structural units, 3-word lexical bundles essentially reflect ‘extended collocational association’ and are much more common than longer sequences (Biber et al. 2021: 984). The top 20 most frequent n-grams in the corpus contained three lexical bundles that serve signposting functions in questions: *to ask*

you, I want to and *going to ask*, which were found to be used in most cross-examinations and by most advocates in our data (Table 1). There is overlap between the three bundles; namely, *to ask you* is part of the longer sequences *I want to ask you* (n=35) and *I am/I'm going to ask* (n=80).

Table 1: Distribution of *to ask you*, *i want to* and *going to ask* across the corpus

	Frequency	Cross-examinations (n=56)	Advocates (n=40)
<i>to ask you</i>	162	38 (67.86%)	32 (80.00%)
<i>i want to</i>	92	28 (50.00%)	25 (62.50%)
<i>going to ask</i>	82	27 (48.21%)	10 (25.00%)

It should be noted that there are instances in the data where advocates signpost changing topics in other ways that do not rely on these bundles, saying things such as: “moving onto a different topic”, “the next topic is...” or simply just “new topic”. However, these explicit references to ‘topic(s)’ are much less common. There are only 22 instances of the word ‘topic’ used in this way in the data, and only five advocates use such signposts more than once. Therefore, the metadiscursive lexical bundles analysed in this chapter are the most common way in which signposting is performed by lawyers in our data. The analysis below focuses on the lexical bundles: *to ask you*, *I want to* and *going to ask*. It begins by demonstrating the ways in which advocates use these metadiscursive devices to signpost topics in the questioning of vulnerable witnesses, before moving to examine some of the interactional problems that arise from doing so.

5. Analysis

5.1. Metadiscursive signposting in cross-examination

In our data, signposting sequences are more common in the questions to vulnerable witnesses than they are in the questions to non-vulnerable witnesses (Table 2). This indicates a recognition from advocates that they serve a particular function in helping vulnerable people during cross-examination and is in line with the recommendations from The Inns of Court College of Advocacy and The Advocates Gateway. Examples (1) and (2) show how these sequences are used to signpost (new) topics:

(1) Cross-examination of a complainant in a rape trial (transcript ref: viw_13)

- 1 Q. *I want to ask you* a little bit about drugs.
- 2 A. Okay.

Table 2: Signposting sequences in the corpus (freq ≥ 2)

Lexical bundle/ signposting sequence	Frequency	Vulnerable witnesses	Non- vulnerable witnesses
I'm going to ask you	53	45	8
I want to ask you	35	21	14
I'd like to ask you	10	1	9
I'm now going to ask you	7	7	0
I now want to ask you	5	5	0
I just want to ask you	4	2	2
I'm just going to ask you	4	3	1
I wanted to ask you	4	2	2
I am going to ask you	4	3	1
me to ask you	3	1	2
I just wanted to ask you	3	3	0
I'm not going to ask you	2	2	0
have to ask you	4	4	0
questions to ask	2	2	0
I need to ask you	2	0	2
Total	142	101	41

(2) Cross-examination of a complainant in a historical sexual abuse trial (transcript ref: viw_33)

- 1 Q. Well you know *I'm going to ask you* some questions on behalf of [defendant
2 name] and hope to deal with them in order of topics so that you know
3 beforehand the kind of area I am going to ask you about. It's very important
4 if you're confused by a question or you don't understand it, please say so
5 and I'll just rephrase it
- 6 A. Okay

These lexical bundles have a discourse organising function as 'topic introduction/focus' bundles reflecting relationships between prior and coming discourse (Biber et al. 2004: 391). First and foremost, they serve an *interactive* function, intending to guide the witness through

the interaction and to point the witness in the direction that the questions are heading (cf. Hyland 2005: 75). They show counsel's awareness of the witnesses' interactional needs and 'shape and constrain' the discourse to meet those needs (cf. Hyland 2005: 49). More specifically, these signposts are *frame markers* which 'signal text boundaries or elements of schematic text structure' (Hyland 2005: 51). Frame markers are oriented towards the listener and explicitly sequence the interaction, order stages and shift topics and can be used to *preview* 'things that will immediately happen as well as things that will follow later' (McKeown 2021: 226). Their scope is reflected in the extracts above; whereas in (1) counsel signals that they are imminently about to embark on questions on the topic of drugs, in (2) the signposting occurs at the beginning of the questioning and sets out a preview for the full cross-examination.

Although the frame markers in counsel's questions are ostensibly used to signpost topics and topic shifts, they also 'signal an interactive relationship' with interlocutors, 'indicating that their text processing needs are being taken into account' (Hyland and Zou 2020: 32). By involving the witness in the discourse in this way, frame markers reach into the *interactional* dimension of metadiscourse. 'I'm going to ask you' and 'I want to ask you' might both be considered *engagement markers* (Hyland 2005: 151). Counsel explicitly address the witnesses as participants in the questioning (through the pronoun 'you'), acknowledge their expectations of inclusion in the discourse and, in doing so, build a relationship with them. Engaging in interpersonal work with vulnerable witnesses can create the conditions that allow for the elicitation of best evidence while minimising the stressfulness of the courtroom experience. These lexical bundles are therefore not only used by counsel to signpost new and changing topics but also give the impression of mutual engagement with witnesses, 'pulling them along' (Hyland 2005: 52) as the questioning unfolds.

5.2. Issues with signposting in practice

The examples in (1) and (2) are both from cross-examinations of vulnerable adult witnesses. The same signposts are also used in the cross-examination of child witnesses, for example in (3), which is taken from the opening exchange in a cross-examination of a 12-year-old complainant. Note that the transcription conventions used in the examples below are those of the official transcribers. The double dash mark (--) indicates an incomplete turn.

(3) Cross-examination of a child complainant (12 years old) in a grooming case (transcript ref: viw_1)

1 Q. Another thing I'm going to do is I'm going to tell you what topic I want to
 2 ask you about before I ask the questions, and I'll try and give you a reminder
 3 of what was happening at the time in case it helps you to remember to
 4 answer the questions, okay. So, I'm going to ask you questions in four
 5 different topics, and all of the questions are about things that happened in
 6 [year]. The topics are, firstly, how you and [defendant] met; secondly, a
 7 police chase; thirdly, a visit from your social worker; and then, finally, the
 8 contact that you had with [defendant], all right. Good. So, the first topic is
 9 how you and [defendant] met. So, think back

10 A. It was in (Inaudible) --

11 Q. I'll ask you the question and then you answer it, and then that's how,
12 hopefully, we will move forward. So, think back, please, to [year] when all
13 of this happened when you were [age], all right. First of all, *I'm going to*
14 *ask* questions about how you and [defendant] met, and I want to start with
15 a few questions about social media, okay. What types of social media did
16 you use in [date]?

17 A. Facebook and Snapchat

This extract shows a lengthy introduction in which counsel previews the full cross-examination, outlining the topics that they are going to ask questions about and the order in which those topics are going to be covered. Following the preview, counsel explicitly signposts the first topic (line 9), and the witness begins to respond before counsel has asked a question. Although we cannot be sure, we might presume that the witness was going to tell counsel when or where they met the defendant ('It was in--'). The witness is offering an answer to the *signpost*, rather than a *question*. This causes counsel to interrupt the witness, emphasising the question-answer sequence that must be followed, then repeats the signpost. Here, the witness follows the turn-taking conventions of everyday conversation (giving a desired response to an albeit indirect request for information), rather than the interactional expectations of cross-examination (waiting for counsel to ask a question). In this example, counsel could have allowed the witness to cooperate in the way that she tried to, being somewhat more flexible in the strict question-answer sequence they enforce. Alternatively, or additionally, it may be that listing all of the topics to be covered in the cross-examination, which leads to a lengthy preamble and repetition of signposts, may in fact not be of help to the witness who cannot predict the lawyer's agenda (see Henderson's (2014: 13) criticism of enumerating topics in this way). It might be argued that if this 'previewing' of topics imposes rigidity at the expense of the witness, as in (3), then it is best avoided. After all, the purpose of signposting is to ameliorate, not exacerbate, the challenges of cross-examination for vulnerable witnesses.

Furthermore, one of the assumptions built into the notion of signposting is that one topic is signposted at a time. This is to avoid confusing the witness and will 'help vulnerable people and children focus attention and remain focused' (The Council of the Inns of Court 2022: 10). The previewing of all of the topics at once at the outset of questioning would seem to flout this assumption. Similarly, extract (4) presents an example in which more than one topic is signposted as the cross-examination unfolds:

(4) Cross-examination of a child defendant (12 years old) with ADHD in a GBH with intent case (transcript ref: viw_34)

1 Q. You can probably tell, [defendant name], that I'm moving on to the topic
2 of asking you about the clip and the incident, all right
3 A. Yes
4 Q. That's what *I'm going to ask you* about. So, we're getting into what
5 happened on [date], all right
6 A. Yeah

- 7 Q. While that's being set up, I can ask some other questions. Did you lose
8 your temper badly?
- 9 A. Yes
- 10 Q. You completely lost it.
- 11 A. Yes.
- 12 Q. When you were looking at [complainant name], you could see that you'd
13 hurt him.
- 14 A. Yes.
- (Nine questions and answers removed for space)*
- 15 Q. Did you mean to hurt him?
- 16 A. Not to this extent, no.
- 17 Q. Did you mean to hurt him at all?
- 18 A. (Pause). Yes.
- 19 Q. Did you mean to injure him at all?
- 20 A. (Pause). It wasn't -- yes.
- 21 Q. Why did you go so far then?
- 22 A. I didn't realise how far I went.
- 23 Q. Who was doing the kicking and the stamping?
- 24 A. Me
- (six questions and answers removed for space)*
- 25 Q. Thank you very much, we're ready.
- 26 Judge: [Defendant name], do you want to look at the screen that's closest to you.
Tell me if you can see it properly and, if you can't, let me know and we'll
pick another screen, all right.
- (Video footage played)*
- 27 Q. Thank you. You watched that at the start, but not throughout. Is that fair?
28
- 29 A. I don't want to watch it.

At the start of this extract, which occurs about a quarter of the way through the cross-examination, counsel clearly signposts a change of topic, but in doing so they mention two topics: (i) 'the clip', and (ii) 'the incident'. To make matters (more) confusing, counsel follows up this signpost by stating 'That's what I'm going to ask you about'. It is unclear here whether 'that', a demonstrative pronoun usually used with singular nouns, refers to the clip or the incident. This is a potential source of difficulty for the witness, who is a child defendant with ADHD. However, the witness responds positively to both signposts and does not appear to

signal any difficulty. The ‘clip’ here refers to footage of the assault which the defendant was accused of committing, and that was recorded on a mobile phone. This footage was to be played to the court but, as can be seen in (4), the playback caused some technical difficulties, and counsel decided to carry on asking questions ‘while that’s being set up’. There are 22 questions asked and answered between the signpost and the video footage being played, all of which are evidentially significant questions about the defendant’s intention to hurt the complainant, some of which are shown in (4). When the footage was eventually played, the defendant watched the start of the video but then turned away and when asked about it, said ‘I don’t want to watch it’ (line 36). We might assume that upon first mention of the video, the defendant knew that he did not want to see what it showed. It is therefore fair to deduce, perhaps, that the child defendant’s attention may be divided when answering highly evidentially significant questions about one signposted topic (the incident) as they anticipate questions about another signposted topic (the clip, that they do not want to watch). That is to say, rather than counsel *focusing* the child witness’ attention on a single topic, the signposting of two topics at once may in fact *distract* them at a key point in their evidence, undermining their ability to give their best evidence.

Extract 5 presents a separate issue in which counsel signposts a topic but then asks a question that is not explicitly related to that topic:

(5) Cross-examination of a complainant in a rape case (transcript ref: viw_13)

- 1 Q. *I’m going to ask you* about leaving the club now
- 2 A. Okay
- 3 Q. Do you agree that there is a big difference between remembering something
- 4 and consenting to something happening?
- 5 A. (Pause). I’m not -- I’m not sure what you mean.
- 6 Q. Putting it another way, just because you don't remember something, you can
- 7 still have been capable of making a free choice to do it, can't you?
- 8 A. I'm not sure I agree because, if you're not in a state to control your body, or
- 9 your actions, or your decisions, then you're not in a state to consent.
- 10 Q. So, if you can't control your body or your actions.
- 11 A. I couldn't even walk.

One of the fundamental points underpinning the usefulness of topic signposting is that the questions that follow should relate to the topic signposted. That does not happen in (5), where the topic that counsel signposts is about leaving a nightclub, but the leading question asked is an evidentially significant one about the nature of consent. The question itself, ‘do you agree...’, is highly suggestive and coercive, restricting the witnesses’ answer to ‘yes’ or ‘no’ and strongly favouring a compliant response (Henry et al. 2021: 1400). ‘Do you agree’ questions are challenging for witnesses due to the amount of pressure that they place on them to agree with the proposition of the question (Gibbons 2008: 123). Preceding this question with a signpost that does not signal the topics of consent or memory may have a disarming effect on the witness. In turn, following this signpost with a question directly related to the topic that was signposted may exacerbate the question’s suggestiveness; its unexpectedness may amplify

the pressure on the witness to agree. Indeed, this sequence does cause a problem for the witness who becomes confused (line 5) and this is followed by a more combative exchange on the important difference between remembering and consenting. Signposting a topic and then asking a question that is seemingly unrelated to that topic, particularly significantly evidential ones (such as about the nature of consent), may have the same effect as suddenly shifting topics, a practice that confuses witnesses and which signposting is supposed to avoid.

Finally, there are instances in the cross-examinations wherein an ostensibly frame-marking lexical bundle is used but it does not serve a discourse organising function:

(6) Cross-examination of a complainant in a historic child sexual abuse case (transcript ref: viw_16)

- 1 Q. *I'm going to ask*, [witness name], when you say grazed on your hands and
2 your knees, do you accept that you told the police you only had grazes on
3 your knees? You never mentioned grazes on your hands?
- 4 A. If you're telling me that I didn't say on my hands...
- 5 Q. Sorry, sorry, I want...sorry, [witness name], I want be, I want to be fair to
6 you. Sorry, you did mention your hands, okay, so you did mention your
7 hands. Now, as far as any medical treatment is concerned, you didn't receive
8 any medical treatment for that?
- 9 A. No

In this case, the lexical bundle *I'm going to ask* does not signpost a topic shift. Rather, it simply serves as a preface to a restrictive and suggestive 'do you accept' question. Because it does not serve its signposting frame marking function as we have seen elsewhere in the analysis, it is rendered an unnecessary part of an already lengthy leading question. Questions become more complex when they are 'padded with redundancies' (Plotnikoff and Woolfson 2015: 194), and so instead of making questioning easier to follow for witnesses by signposting topics, attempts to give the *impression* of signposting can actually lead to questions becoming more complex, convoluted and confusing.

6. Conclusion

Both academic literature and recent professional guidance on cross-examining vulnerable witnesses have recommended that advocates should clearly signpost topics and topic changes during questioning. This moves away from the strategy in traditional cross-examination where sudden changes of topic can be used to confuse or 'trip up' a witness. This chapter has identified that there are recurring metadiscursive lexical bundles that advocates use to perform this signposting function, namely, *I'm going to ask you* and *I want to ask you*. These sequences are more common in the cross-examination of vulnerable witnesses than non-vulnerable witnesses, suggesting that advocates are aware of their usefulness in guiding the vulnerable person through the questioning. However, this analysis has also revealed issues that can arise in the interaction as a result of ineffective or inconsistent signposting and some important considerations that should be made regarding their use:

- Counsel's intentions to signpost topics should not unduly interfere with questioning, should not place extra restrictions on witnesses or come at the expense of cooperative witness responses.
- Signposting more than one topic at a time can distract a witness. Rather than focusing their attention, this leads to witnesses answering questions about one topic while anticipating questions about another. This includes previewing several or all of different topics to be covered at the start of a cross-examination, from which witnesses may derive no assistance whatsoever (Henderson 2014: 13).
- Asking questions that are not obviously or explicitly related to the topic that has just been signposted can exacerbate the effect of already difficult questions and can cause interactional problems for the witness.
- In some instances, phrases (or lexical bundles) typically associated with topic signposting are used but serve no organising function. In these cases, they instead 'pad' questions with 'redundancies' (Plotnikoff and Woolfson 2015: 194), making them longer and more complex for the witness than is necessary.

This analysis has been the first to closely examine the way(s) in which advocates signpost topics when they are cross-examining vulnerable witnesses. It is hoped that the analysis presented here can inform more specific and nuanced guidance and recommendations for practitioners and can demonstrate the potential for incorporating linguistic theory and analysis into training and court practice. Examples such as those shown here can be used to provide an empirical evidence base for professional good practice guidance. At the very least, this analysis has shown that simply recommending to advocates that 'topics should be signposted' is not enough.

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