

# **STRATEGIES OF CONTROLLING THE LINGUISTIC RESPONSE FROM CROSS-EXAMINED WITNESSES: LAY DEFENDANTS AS CROSSEXAMINERS IN A KENYAN RESIDENT MAGISTRATE'S COURT<sup>1</sup>**

**Emmanuel SATIA**

## **ABSTRACT**

This paper analyzes strategies of controlling the linguistic responses of prosecution witnesses that were employed by two accused persons in a grievous-bodily-harm case involving family members at a magistrate's court in Kenya. The accused persons were ordinary rural women. The first one was a middle aged woman while the second was a young lady in her twenties. Prosecution witnesses, on the other hand, were two young children aged 12 and 14. The study analysed audio-recorded court proceedings lasting about 1¼ hours using a discourse analytic approach and found that the range of controlling strategies used by the defendants included aggressive questioning styles, the use of multiple questions, formulaic questions, epistemological challenges and accusatory remarks against the witnesses. Although the lay defendants demonstrated an unusual level of awareness of cross-examination strategies, the paper questions where they would have learnt such strategies and proposes further research on this area.