ASIAN-BASED CONTRIBUTIONS TO FORENSIC LINGUISTICS RESEARCH AND THE POTENTIAL OF LOCAL MULTILINGUAL LAW

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Abstract

While second language acquisition dominates the field of applied linguistics throughout most of Asia, as elsewhere around the world, in recent decades an growing body of scholarship on forensic linguistics has also developed. Although the region has few institutions specifically dedicated to forensic linguistics, this paper sets out to show that it has contributed significantly to international research, both in core areas such as author identification and the discursive analysis of forensic and legal communications, and in related areas that fit within the International Association of Forensic and Legal Linguistics' objectives of improving the delivery of justice through the analysis of language. The paper argues that in order to raise field awareness Asian forensic linguists should firstly reinforce their knowledge of the work being done by their peers across the region, and secondly focus on areas where Asia may offer particular insights into issues surrounding language disadvantage before the law. One such area, it is suggested, is multilingual law, which has evolved more extensively and perhaps more deeply than anywhere else in the world. Greater regional awareness, it is hoped, will not only enhance scholastic rigour but also attract the attention of law enforcement authorities and legal professionals and help build collaborations that will increase the field's social impact, but without sacrificing its academic independence.

Keywords: forensic linguistics, law, linguistic justice, multilingualism

1. The parameters and potential of forensic linguistics in Asia

Supported by substantial academic funding and by long-term cooperation with state-backed institutions such as the police, the immigration services and social welfare bodies, research into key areas of forensic linguistics such as author identification, forensic phonology, courtroom discourse, court and police interpreting, and trademark law has progressed rapidly in western countries, especially English-speaking ones. Several institutions (e.g. Aston University and Cardiff University in the UK and Hofstra University in the United States) offer courses at masters level and above that are devoted to the field, attracting candidates with specific professional aims as well as those with more general academic outlooks. While non-linguists frequently associate applied linguistics with language teaching alone, forensic linguistics highlights the potential of linguistic analysis to contribute productively to tackling real-world problems in other areas.

Cardiff describes its MA in forensic linguistics as the world's first, designed to equip researchers to address issues of justice, fairness and equality before law and focusing on three areas: the use of language in legal contexts; expert testimony on forensic matters; and the role of expertise in legal systems (Cardiff University, 2022). Hofstra emphasises the application of linguistic science to real-world situations such as extortion, bribery, trademark protection and defamation cases and highlights its stock of material from legal cases on which it has been consulted (Hofstra, 2022). Perusal of recent publications by researchers associated with Aston's Institute of Forensic Linguistics suggest a particular strength in multi-authored studies drawing on large corpora, with advanced quantitative analytical methods being applied not only to legal communication (e.g. profiling online sexual predators, examining reports of domestic violence made to the police) but also medical communication (rating the effectiveness of interactions in trauma wards), and much of this work implies long-term collaboration with authorities in order to negotiate access to confidential interactions (Aston, 2022). In 2019 the Institute received a £5.4m award from Research England to expand upon its work (Aston, 2022). The parameters and ethics of giving expert evidence are increasingly frequent topic among the Institute's research output, indicating the degree to which the field is becoming recognised by judges, lawyers, the police, social services and other authorities involved in legal disputes and legal investigations.

In comparison, there seems to be some way to go before law enforcement officers, medical institutions or government authorities in Asia express sufficient confidence in the benefits of forensic linguistics for it to secure extensive funding or develop dedicated academic departments. A 400-page report on forensics presented to the Indian Ministry of Home Affairs mentions "language" just once, in a reference to "voice identification" among a list of equipment either held or needed by forensic science laboratories (Misra & Damodaran, 2010). Field awareness among Asian legal practitioners also appears to be in its infancy. A recent paper setting out to uncover awareness and interest in forensic linguistics in Pakistan, for example, did not find a single academic courses available in Sindh, a province of 50 million people (although there were some classes in Legal English at Sindh University); only a third of lawyer respondents reported knowledge of the field; and follow-up questions revealed that even those expressing some awareness of it lacked specific or accurate knowledge (Ali et al, 2022: 4-6). In Southeast Asia Komunitas Linguistik Forensik Indonesia (KLF, 2022), founded at the University of Lampung in 2014, stands out for its initiatives to conduct workshops and publish work in areas such as forensic voice comparison, online hate speech, legal discourse and the use of language evidence in court, and for its effort to reach out to other linguists in the region and beyond. But in general it can be concluded that Asian institutions devoted to forensic linguistics remain thin on the ground.

In addition to the perennial lack of funding for branches of applied linguistics that are not directly related to language-learning, one reason for Asia's current lag behind the west in terms of field awareness may be uncertainty about the nature of the field, which is often assumed to be confined to core areas where regional expertise remains weak, such as forensic phonetics and author identification, and these are typically the areas in which government authorities tend to be most interested. Yet a review of the past decade of research in East and Southeast Asia

should serve as a reminder that the region has nevertheless been contributing actively to forensic linguistics at an international level. While expressing confidence that the work being done in areas such as author identification will continue to expand, this paper also calls for greater appreciation of the value of Asian forensic linguistics scholarship in areas such as legal interpreting, discourse analysis and language planning, all of which may contribute to the effective and impartial delivery of justice.

The paper further aims to highlight a recurrent theme in Asian forensic linguistics whereby the region might contribute particular insights to the field: multilingual law. While multilingual societies are hardly unusual around the world, multilingual legal systems are relatively uncommon. Most jurisdictions supporting more than one language (other than through translation and interpreting) are clustered either in Europe (Belgium, Switzerland, regions of Italy and Spain) or in Asia (Bangladesh, Hong Kong, India, Malaysia, Pakistan, Philippines, Sri Lanka). If we include subnational legal institutions, such as the religious and customary courts that persist, and in some cases thrive, across ASEAN and beyond, it is reasonable to conclude that Asia has produced the most numerous and diverse examples of multilingual law. Whether the result of initiatives to replace colonial languages with national languages in the legal domain, or a corollary of attempts to balance the interests of different ethnic and cultural groups participating in legal institutions, Asian law offers a number of approaches to the problem of alleviating language disadvantage before the law. In turn, much Asian-based forensic linguistics reflects a keen awareness of macro-level, as well as micro-level, influences on language choice in both oral and written legal communication.

2. Field definition and compatibility with existing Asian-based research

Field definition and terminology have been perennial sources of debate ever since the term ‘forensic linguistics’ began to be used. Svartvik, a corpus linguist from Sweden, may have been the first to coin the term when he described the need for linguists to exam the authorship of statements used in a British criminal investigation (Svartvik, 1968). While helping to initiate decades of research in areas that remain central to the field, such as the detection of coercion in criminal cases and author identification in both criminal and civil law, the word ‘forensic’, even though it is related to ‘forum’ in the sense of a place to examine disputes, tends to evoke criminology-related fields such as forensic science and forensic psychology, and this background in turn has impelled discussions among those involved in language and law studies about the extent to which research should employ quantitative methods with a view to convincing courts of its findings on a par with DNA, ballistics or medical evidence.

Most forensic linguists resist pressure to reduce their findings to quantifiable levels of probability, and many lawyers employing forensic linguistic evidence offer it to reinforce other kinds of evidence rather than to stand on its own. In forensic phonology cases, for example, it is unlikely that an analyst will be asked to determine the number of people in a general population who exhibit certain features in their speech: rather, they will be asked to focus on a much narrower sample that includes the voice of someone already suspected of being the author of a communication on the basis of other evidence. Some areas of forensic linguistics are undoubtedly very technical, and it is unsurprising that a significant proportion of the studies

published by dedicated institutions such as Aston University employ software to produce quantitative analysis to written or spoken corpora (Aston University, 2022). Another common research topic is how forensic linguists should present evidence to the police or to the courts under sceptical or even hostile questioning.

However, a great many studies associated with the field are of a more qualitative nature. Forensic linguists have thrown light on power structures in courtroom interactions (Atkinson and Drew, 1979; Conley and O'Barr ,1998, Eades, 2008) and described legal registers while debating whether these are professionally useful or socially exclusive (Maley 1994; Gibbons 1999, 2003, Tiersma, 2001). Such research is not easily reducible to quantifiable conclusions and solutions, yet it fits into a definition of the field proposed by a former president of the International Association of Forensic Linguists (IAFL) as "Improving the delivery of justice through the analysis of language" (Grant, 2017). In a recent reappraisal of the field the founder of the IAFL and his co-authors implicated both quantitative and qualitative research in describing the field as encompassing phonological, morphological, syntactical, lexical, discoursal, textual, and pragmatic linguistic analysis (Coulthard et al., 2017).

The broadening of the field, while fully justifiable inasmuch as it engages with more of the complex ways in which language influences the delivery of justice, has fomented discussion about whether 'forensic linguistics' should refer more narrowly to the analysis of oral and textual evidence, or whether it should cover research sometimes cast more broadly as 'legal linguistics' or more widely still as 'language and law'. While some European languages favour separate terms for use of language in law and the analysis of linguistic evidence (e.g. *Rechtslinguistik* vs. *Forensische Linguistik* in German), most Asian language appear to group them together either under a general term such as 法と言語学 ('law and language') or 司法语言学 ('judicial linguistics') in Japanese and Chinese respectively, or by way of loanwords (*linguistik forensik* in Indonesian and Malay.)

Several international bodies involved with language and law go by more inclusive names, such as the International Academy of Linguistic Law), which emphasises language diversity and linguistic rights (IALL, 2022); the International Language and Law Association, which was founded in 2007 by legal linguists also associated with IAFL but seekinga broader analytical framework that places language at the heart of social conflict and legal methodology rather than as an object of forensic enquiry (ILLA, 2022).The IAFL itself debated long and hard before renaming itself the International Association for Forensic and Legal Linguistics (IAFLL) on the grounds that 'forensic linguists' might suggest the exclusion of research beyond the examination of legal evidence or of researchers with backgrounds in fields other than linguistics ( ).

In this article, then, a wider rather than narrower approach toward forensic linguists has been adopted. It should nonetheless be noted that many linguists and lawyers see the examination of legal evidence as the core concern of the field, and is possible that this stance has impeded progress in Asian forensic linguistics, not only because linguists not involved with the close analysis of written or oral texts may be reluctant to identify with the field, but also because

researchers who do analyse texts may compare their professional situation unfavourably with the degree of access to police and judicial data and opportunities to collaborate with authorities that have opened up in many western countries.

If we look merely at the last decade of papers emerging from Asian research sites that have been presented at conferences organised by the IAFL (IAFLL) itself, we can not only avoid debate about what constitutes forensic linguistics but also demonstrate that the region has presented a wide range of relevant research to international audiences.

The most popular discipline appears to be the application of various modes of discourse analysis to written and oral texts, with at least twelve papers examining court discourse, including Nurshafawati's (2017) focus on tag questions in Malaysian criminal proceedings, and others covering areas such as ADR (e.g. Xu, 2017, on China's court-mediated conciliation), jury instructions (Cheng, 2015, on Hong Kong), suicide notes (Jha, 2017, on Nepal), and media reports (Khan, Azirah & Ng's 2012 study of Malaysian custody disputes). This is followed by legal interpreting, exemplified by Nakane & Mizuno's (2017) analysis of Japanese court rulings about the accuracy of translations and Lee's (2017) study of interpreter-mediated investigative interviews in Korea. The third most common topic is the nature of legalese in various languages, including Lintao and Madrunio (2017) on English in the Philippines and Mohammed's (2012) comparison of Arabic and English texts. Language planning has been the focus of a number of papers, including Powell and Chew's (2015) survey of language policy at a Malaysian law department, as has author identification, with and Weng (2012) covering an allegation of ghostwriting in China and Yuzer (2016) taking a corpus-based approach to the subject in Turkey. In comparison, some areas that appear to be at the core of forensic linguistics in many western countries, such as intellectual property disputes, forensic interviews and forensic phonetics, have been less represented, although we should note examples such as Noraini and Nambiar (2012) on Malaysian trademarks, Ashrova and Mizuno (2019) on legal interviews in Japan and Susanto's (2012, 2013) work on features of Indonesian and implications for speaker identification.

Having argued that there is already a significant body of Asian-based scholarship that falls within the parameters of internationally recognised forensic linguistics, this account will now turn to the potential of Asian multilingual law to enhance and expand research in the region. Multilingual Asian law is frequently addressed in forums that are particularly concerned with language rights issues, such as IALL (see, for example, Liao & Wu, 2012, on Xinjiang), but many of the papers presented at IAFL/IAFLL-sponsored meetings also draw on data that is either bilingual or emerges from bilingual legal settings. This is the case not only with analyses of legal communication that involve code-switching and code-mixing, as is frequently the case in Hong Kong, Malaysia and the Philippines, but also applies to evaluations of legal interpreting in multilingual settings, where interpreting is likely to be conducted in the presence of legal professionals and members of the public fully acquainted with the languages in question. The implications of multilingual law can also be seen in investigations of judgments and jury instructions, legislative drafting and legal education in jurisdictions that recognize the legitimacy of more than one language, as well as in countries such as Malaysia, the Philippines,

Singapore and Sri Lanka where parallel dispute resolution systems exist to accommodate different cultural traditions.

3. Multilingual law as a productive resource for forensic linguistic scholarship

For the purposes of this article, 'multilingual law' means legal settings where more than one language has *de jure* or at least *de facto* standing without the intervention of translation or interpreting. It implies that the same polity, jurisdiction, or even institution recognises the legitimacy of more than one language, and it may also involve oral or written communication that is itself multilingual. The phenomenon should be distinguished from conceptualisations such as Berk-Seligsen's (1990) influential treatment of courtroom interpreting whereby all but one language is eliminated from official records (even if other languages linger in the memories and attitudes of courtroom participants).

All legal jurisdictions have some kind of language policy, even if it is implicit rather than explicit. And indeed Kymlicka (1995:111) has argued even if a state adopts a neutral stance or laissez-faire on matters such as religion it cannot avoid involvement in language-related matters. Even jurisdictions recognising more than one language do not seek to replicate the multilingualism of the society in they serve. Of Singapore's four official languages, for example, English alone is recognised for court proceedings and submissions in the common law-based courts, although this is made explicit only in Rules of Court (1996) Order 92, which requires the translation of documents in any other language. The acceptability of Malay for the *Syariah* courts, on the other hand, is evident from the availability of bilingual application forms.

Specific examples from around the continent will be used as a reference of typologising multilingual law, drawn primarily from the South and Southeast Asia as this is where the author has been able to supplement data from legislation and government portals with observational and interview data. Proceeding from the linguistic implications of institutional separation to the juxtaposition of different languages in the same institutions and even the same proceedings, we will begin with the tradition found in many parts of the region of preserving community-specific legal traditions, often with minimal interference from national judicial authorities.

As Fig. 1 shows, Muslim law is administered in Brunei, Malaysia, the Philippines, Singapore and Sri Lanka largely through separate court systems. In Malaysia these are authorised under local state enactments largely in Malay, which has also become the default language of law for West Malaysia's civil courts except at higher levels, but with most measures also published in English. Sri Lanka retains *qazi* courts functioning in Tamil or English rather than Sinhala (the main language of the civil courts at subordinate level), but the system is under the umbrella of national enabling legislation, and before losing power in 2022 President Gotabaya Rajapaksa appointed a task force to look into bringing religious law into the fold of national law (Vatican News, 2021). Sri Lanka also retains *Thesawalamai* law for the Tamil-speaking inhabitants of Jaffna, and Kandyan law as courts for family, inheritance and land matters involving Sinhala-speaking Buddhists from the Central Highlands.

Although customary *adat* law has been absorbed into national law in West Malaysia, in Sabah and Sarawak it retains its own tribunals administered not only in Malay but also Bornean languages, with several enabling ordinances (e.g. Native Courts Ordinance, 1992) published in English since this remains the default language of Federal Law in East Malaysia. The Philippines has preserved and even strengthened its tradition of *Katarungang Pambarangay* customary adjudication, and while national law is administered overwhelmingly in English, customary justice operates in Tagalog, Cebuano, Ilocano and other regional languages (Vigo & Manuel, 2004).

Another way in which multilingual law has been maintained is through regionalisation. In most of India's states, many of which were created according to majority-language considerations, the state language has standing in lower courts, and sometimes in the High Court too, although a barrier to the use of state languages at higher levels is that final appeals go to the Supreme Court in Delhi, where English continues to be used despite a growing movement behind Hindi (Fig. 2).

Malaysia and Sri Lanka also have clear regional demarcation, with the former divided between West Malaysia, where Malay is the official court medium but English also be admitted, and East Malaysia, where English remains the official language of the law. In Sri Lanka Sinhala- and Tamil-majority areas are accorded separate language policies. In Pakistan there is also evidence of regional variation, but with less formal delineation. Several courts in the Tagalog-majority province of Bulacan used the Tagalog-based national language for five years, but the initiative failed to gather momentum.

Another common pattern of multilingualism is differentiation between lower and higher courts. This is typically the case where jurisdictions retaining an exogenous medium of law after decolonisation have introduced a local language into the legal domain.

It is rather apparent that local languages fair better in subordinate courts, where the focus is on oral discourse about more straightforward matters rather than on written records based in complex matters that may contribute to jurisprudence. It was not until 2006, for example, that Malaysia produced its first Federal Court judgment in Malay (with one minority opinion in English), with a ruling in *Lina Joy* v *Majlis Agama Islam Wilayah Persekutuan, Kerajaan Malaysia* on religious conversion that anticipated to be of particular interest to the Malay-speaking Muslim majority.

Sri Lanka is unusual in specifically assigning one language (Sinhala or Tamil, depending on the location) to subordinate courts and another (English) to the Appellate and Supreme Courts, and even here it seems that the division is not strictly adhered to, with the topic of legal conversation appearing to trigger English in some lower courts – which includes the High Court, officially designated as a subordinate court. The preponderance of evidence from around the region is that legal practice rather than clear-cut policy produces particular language preferences. Moreover, the same institutions at the same level may use more than one language, as Fig. 4 shows.

Some of the earliest work on Asian bilingual law, for example, was done by David (1993), who not only recorded frequent code-switching and code-mixing in Malaysian proceedings but concluded that language choice often had specific discursive purposes and hence added a rhetorical weapon for legal practitioners, as well as an occasional counter-offensive for witnesses.

One area offering research opportunities into a more formal linguistic demarcation is bilingual legislation. Fog.5 shows that at least seven Asian jurisdictions publish dual sets of enactments, although neither the national language of Bangladesh nor that of the Philippines has yet to develop an equivalent corpus to English, despite legislation apparently requiring this in the former or Executive Order 335 in the latter, which reinforced the constitutional status of Filipino.

Where there is comprehensive bilingual drafting, the interesting question arises of which version prevails in the event of a conflict between texts, and although this is largely a legal matter calling for application of rules of interpretation, linguists, and especially translators, have a role to play. One approach, adopted by Hong Kong, is to declare both language authentic and to resolve apparent conflicts through legal principles (such as retrieving the intention of the legislators) or, if necessary, by redrafting. Another, favoured by Malaysia and Sri Lanka, is to declare one language version to be the authentic one. It should be noted that the text that is designated as a 'translation', such as English in the case of post-1967 Malaysian laws, may in practice be the one in which a law was originally drafted.

The above typology of bilingual law is by no means exhaustive. Other areas lending themselves to linguistic research include legal education, with Bangladesh, India, Macau, Pakistan and (in a small number of law schools) Malaysia offering courses and setting exams in more than one language; and law enforcement practices, where the police may operate orally in local languages but be constrained by national language policy for written tasks. A recent and potentially productive area for exploring the justice implications of language choice is emerging from data collected from the Philippines police, with Ang (2016) looking at the communicative functions of crime reports.

4. Discussion: tapping Asia's abundant forensic linguistics potential

The reason various patterns of bilingual law were highlighted in the previous section was partly to suggest that some existing research focusing on monolingual data might be enhanced by reference to the multilingual contexts from which it has emerged, and partly to argue that the Asian region may have particularly insights to offer through analysis of multiilingual legal practices themselves.

While perhaps less relevant to largely monolingual such as Japan, Korea or Thailand (although internationally-oriented arbitration cases there may be conducted in languages other than the national language, framed within enabling legislation made available bilingually), much of the research being undertaken elsewhere in Asia could be expanded by considering language choice questions in surrounding legal structures, even when the data being analysed is

monolingual. Servano (2020), for example, has extended work being initiated in the Philippines on police reports by focusing on how oral complaints made in local languages may change in the process of being recorded in English. In traditional core areas of forensic linguistics such as voice and author identification, the possibility of authors possessing phonetic or stylistic features associated with first language interference or with communitarian discourses is high enough in many Asian societies to warrant special attention. In discourse analysis, which has so far attracted the largest body of work in the region, it seems likely that some work based on officially monolingual records may in fact be missing a degree of code-switching and code-mixing that may have implications for power dynamics. Masmahirah (2016), for example, has identified (but not pursued) a practice in Bruneian civil courts whereby participants converse in Malay when all are conversant in the language, even though this violates official courtroom language policy and is not reflected in written records. Legal interpreting, another area that has attracted a great deal of Asian scholarship, may in some ways constitute the antithesis of multilingual law, but it entails a wide range of professional and discursive implications when conducted in bilingual settings that rarely arise in monolingual settings.

Since this review, by concentrating on work produced within an acknowledged international forensic linguistics paradigm, has drawn mostly on work presented or published in English it is likely that there are a number of relevant studies in other languages that could contribute to the field if cited or reviewed by Asian writers, but even taking account of work in other languages as yet unknown to the author it is apparent seems that a number of areas capable of enhancing our understanding of language disadvantage are currently under-researched. One example is the linguistic implications of jurisdictional choice. Parallel jurisdictions and traditions do not always mean parallel choices. Malaysian Muslims, for instance, have family and inheritance cases assigned to *Syariah* hearings, while non-Muslims go to the common law courts. But in other cases there may be a choice, as with Sri Lankan *qazi* court disputants who may have recourse to the civil courts (p.c. Sri Lankan Attorney Fathima Marikkar, 2022.7.30). A choice of forums may mean a choice of languages. The increasing popularity of arbitration in many parts of Asia may also entail language policies and discursive practices distinct from those of litigation (Azirah & Powell, 2011).

Another neglected research area is legal education and professional training. Even where most lawyers need to function in at least two languages, as in Malaysia, there is little in the way of comprehensively bilingual legal education, with practitioners consequently having to learn how to manage language choice on their feet in courtrooms and law offices. Some countries, including Bangladesh and Sri Lanka, have introduced law courses and exams in multiple languages in order to broaden professional access (e.g. for those not educated in local languages), but failure to implement bilingual education has raised the risk of language-based class-discrimination, with those able to function in English (or Portuguese or other ‘international languages’) dominating more lucrative and prestigious work. A particularly interesting case, though currently not easy to explore, is language policy in Myanmar legal education, as it heavily favours English despite nearly all legal practice there being conducted in the Myanmar language (Powell, 2022).

5. Conclusions

While still lacking in institutions formally dedicated to forensic linguistics, Asia has been active across all key areas of the field, especially in its eastern and southeastern regions (which, perhaps not coincidentally, tend to have better funded educational systems than elsewhere in the continent), but a great deal of its potentially has hardly been tapped. It has been argued here that one resource that might be especially productive for expanding on existing scholarship is multilingual law, which has evolved more extensively and perhaps more deeply here than anywhere else in the world.

However, in order to attract funding and expand access to data it is incumbent upon linguists involved in all these forensic linguistics areas to demonstrate the relevance and reliability of their work to potential collaborators among the legal professions and related academic disciplines. One key question here is the extent to which the interest of law enforcement authorities and legal professionals can be attracted, and initiatives such as existing cooperation with the police in Indonesia and the Philippines are well worth paying attention to. Indeed one of the prime movers of the field has remarked that the UK police were at first wary of a field that they saw more as a tool for the defence than for investigators and prosecutors, yet gradually came round to acknowledging its importance for supporting the delivery of justice (Coulthard, 2007). On the other hand it is crucial that in gaining the trust of government-backed collaborators linguists do not compromise their independence or neutrality or allow the discipline to reinforce power hierarchies rather than serve to support those suffering language-based disadvantage before the law.

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Figures

Fig. 1: Parallel Jurisdictions or traditions
(Where not specifically referenced, data collected in Powell, 2020)

JURISDICTION	INSTITUTION	LANGUAGES
Brunei	Civil law	English
	Syariah	Malay
Malaysia	Federal law	Malay, English
	Syariah	Malay, some English
	Adat	Malay, Bornean languages, some English
Philippines	National law	English, some Filipino
	Katarungang Pambarangay	Tagalog, Cebuano, Ilocano & others, some English
	Shar'iah	English, Mindanao languages, Arabic
Singapore	National law	English
	Syariah	Malay, English
Sri Lanka	National law	Sinhala, Tamil, English
	Kandyan law	Sinhala, and largely codified in English
	Muslim law	Tamil, and largely codified in English
	Thesawalamai	Tamil, and largely codified in English

Fig. 2: Regionalisation
(Where not specifically referenced, data collected in Powell, 2020)

JURISDICTION	DIVISION	LANGUAGES
India	States	State languages + English and/or Hindi
Malaysia	Malaya, Borneo	Mainly Malay in Malaya, mainly English in Sabah & Sarawak
Pakistan	Provinces	Pashto in Northwest Frontier, Sindhi in Sindh (+ Urdu and/or English)
(Philippines)	(Provinces)	(Filipino in some Bulacan cts. 2007~2012)
Sri Lanka	Districts	Sinhala- & Tamil-majority districts

Fig. 3: Court-level policies and practices
(Where not specifically referenced, data collected in Powell, 2020)

JURISDICTION	LEVEL-BASED RULES OR PRACTICES
Bangladesh	Bangla the main language of lower courts; English used extensively in High Ct., Appeals Ct, Supreme Ct. Bengali Language Introduction Act (1987) 'requires' Bangla for records & proceedings.
Hong Kong	Chinese & English in lower cts; mostly English in High Ct. Ng (2016) reported 40% lower ct. proceedings in Chinese
India	State languages admissible in lower courts & some state High Cts; English in Supreme Ct.
Malaysia	Malay official in all West Malaysian cts, but English used extensively in High Cts. and predominantly in Federal Ct.

Pakistan	Provincial languages in many lower courts, mostly English, some Urdu, in Supreme Ct. (Supreme Ct. Rules (Ord. VII, 2) allows submissions in Urdu)
Sri Lanka	Sinhala or Tamil up to High Ct., English in Supreme Ct. (1978 Constitution).

Fig. 4: Multilingual courts
(Where not specifically referenced, data collected in Powell, 2020)

JURISDICTION	POLICIES & PRACTICES
Bangladesh	Both Bangla & English reported at all levels, but latter mostly limited to higher cts. (Powell, 2016)
Hong Kong	Despite official assignation of trials as Chinese or English, Ng (2009:121) found many trials to be in mixed mode.
Macau	Chinese (Cantonese) & Portuguese have official status (Art. 9, 1990 Basic Law)
Malaysia	Malay & English heard without translation at all court levels. Malay dominates lower courts in Malaya but rare in Federal Ct. & in E. Malaysia
Pakistan	Urdu reported in District Ct. proceedings (Siddique, 2012) and also in High Court, although often translated into English for the record (Mhd Arif Sayeed, interviewed in Powell, 2020)
Philippines	Tagalog (Benitez, 2009, Martin, 2012) & Cebuano (Powell, 2012) reported in lower courts
Sri Lanka	Powell (2012) reported English in lower court land cases where Sinhala mostly used for other matters, and some English als in the High Court.
Timor Leste	Under 2002 constitution Portuguese & Tetum co-official; cts. may accept submissions in English which, alongside Indonesian, is a "working language"

Fig. 5: Multilingual legislation
(Where not specifically referenced, data collected in Powell, 2020)

JURISDICTION	DRAFTING POLICIES
Bangladesh	1987 Bangla Promulgation Act requires bilingual drafting.
Hong Kong	Bilingual Laws Advisory Committee has translated principle ordinances and subsidiary legislation into Chinese. Both Chinese and English considered co-authentic.
Macau	Laws published in Portuguese & Chinese (Imprensa Oficial, Governo de Região Adminstrativa Especial de Macau)
Malaysia	Bilingual drafting. English regarded as authentic for pre-1967 enactments unless provided for, and Malay for post-1967.
Philippines	Although legal corpus overwhelmingly in English, some key legislation translated into Filipino, including narcotics law referred to by Bulacan Filipino-medium trials 2007~2012.

Sri Lanka	Constitutional Article 23 requires new legislation be published in the Sinhala & Tamil, with translations in English. In *Thilanga Sumathipala* (2004) Sinhala text of Criminal Procedure Code deemed authentic.
(Timor Leste)	So far only some key legislation has been published in Tetum, such as the constitution, penal code, criminal procedure code and civil procedure code, and perusal of official portals such as that of the Procurador-Geral (Attorney-General) suggests that after Portuguese, there may be more focus on English than Tetum.