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Problems in the neighbourhood: Formulating noise complaints across dispute resolution services

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Problems in the neighbourhood: Formulating noise complaints across dispute resolution services

Abstract

When people are in dispute with their neighbours, there are multiple routes to resolution and different services have a range of remits to support it. This article explores how noise complaints are reported to dispute resolution mediation and local council environmental services in the UK. A collection of 315 recorded telephone calls were transcribed and analysed using discursive psychology, underpinned by conversation analytic methods. Analysis focused on how the same kinds of noise complaint were formulated for the remit and provision of the service called. In mediation calls, callers directly attributed the source of the noise to the agent of its production (e.g., “it’s about the neighbour”). However, reference to ‘the neighbour’ was typically omitted (at least initially) in calls to environmental health services (e.g., “I need to speak to someone about disturbance”). This comparative analysis of different settings reveals the significance of service remit for the design of complaints and the relevance of attributing cause in making a case for aid. Comparing two settings provides a propitious opportunity to demonstrate that noise is not a physically objective phenomena or neutral category, but institutionally formulated social conduct.

Keywords: Neighbour disputes, noise, agency, mediation, environmental health, complaints, recipient design, comparative analysis, discursive psychology, conversation analysis

Introduction

Every year, thousands of people contact services in the UK to report problems in their neighbourhood. Over a recent 12-month period, more than 577,000 members of the public contacted their local council¹ to complain about noise, rubbish, access to property, and other neighbourhood problems (Jarrett, 2018). Most of the issues reported were the consequence of actions by *others* - music is *played*, rubbish is *dropped*, driveways are *blocked*, with noise problems overwhelmingly representing the highest percentage (48%) of callers' concerns (Jarrett, 2018). Accordingly, noise problems not only effect peoples' everyday lives, but are matters that people commonly seek help with. The very word 'noise', in contrast to other words that describe something auditory (e.g., sound, decibel) has synonyms such as 'din' and 'racket' – words which build in a negative valence. While the cause of 'noise' may be natural (e.g., a thunderstorm) or mechanical (e.g., a washing machine), in this article we are interested in noise that is controlled by people – or, more particularly, how sound is formulated as noise and how blame is attributed for its production. We will show that when people call services for assistance, blame may or may not be attributed directly to alleged perpetrators. This attribution varies systematically in requests for aid to different services.

By applying discursive psychology (DP), underpinned by the methodological framework of conversation analysis (CA), our goals in this paper are twofold. First, we contribute to a body of research on the discourse of neighbourhood disputes (e.g. Edwards & Stokoe, 2007; Stokoe, 2006; Stokoe & Edwards, 2007; Stokoe & Hepburn, 2005; Stokoe & Wallwork, 2003), by showing that and how different interactional strategies may be used when building complaints about neighbourhood noise. Second, we contribute to the core

¹ Freedom of information (FOI) request issued to 387 local councils across the UK, of which 324 (89.4 per cent) provided usable content. All figures used are extrapolated to cover the entire UK, based on the populations in each local authority. The total population of the councils that provided usable content accounted for 85.9 per cent of the total UK population.

conversation analytic topics of comparative analysis (Sidnell, 2009) and recipient design (Sacks, Schegloff, & Jefferson, 1974), by showing how complaints are formulated to display an orientation to co-present others, across different interactional environments. Most studies of complaints examine how people formulate a case for assistance in *one* setting (e.g., Firth, Emmison, & Baker, 2005; Heritage & Robinson, 2006; Whalen & Zimmerman, 1987), rather than what we do in the current paper: investigate how the *same* social problem is designed and managed across *different* institutional contexts.

Building the case for assistance in neighbour disputes

As a physical phenomenon, sound may permeate neighbourhood boundaries – for instance, loud music does not cease being heard once it reaches an adjoining wall (Stokoe & Wallwork, 2003). Further, while sound can be treated as something physical and measurable (e.g., by its volume or frequency), it becomes ‘noise’ via its cultural and social interpretation – “what one person counts as ‘delightful music’ may be defined as a ‘hideous cacophony’ by another” (Stokoe & Hepburn, 2005, p. 648). Noise is not only a social irritant, but can present health concerns for those effected, such as anxiety, depression, and cardio-vascular problems (Babisch, 2014; Hill, Billington, & Krägeloh, 2014; Stansfeld & Shipley, 2015).

In discursive psychology, Stokoe and Hepburn (2005) examined how people report the sound of children crying and screaming to mediation services and child protection helplines. They showed that and how callers, who could not see the children but only ‘hear through the walls’, used very similar words and phrases as constitutive of either problematic ‘noise’ or evidence of potential ‘abuse’. For instance, callers to mediation services treated crying/screaming noise as breaches of acceptable day-to-day social conduct and thus establishing grounds for a complaint (e.g., “ha:lf seven last↓ni:ght the kids were playing in their bedroom”, p.651). Such descriptions carried implicit assessments that such noise was

unreasonable and that this is a shared understanding among reasonable people. In calls to mediation, then, callers are reasonable people who are passive recipients of problematic noise, not concerned neighbours about potential abuse. However, in child protection helpline calls, the same types of sounds were formulated not as problematic ‘noise’ but as evidence of potential child abuse. While callers again reported themselves as passive recipients of sounds that they do not want to hear, they built the action of concern not complaint.

Stokoe and Hepburn’s article is a rare empirical example of the way physical phenomenon are socially constructed to accomplish particular actions, designed for the recipient – in this case, different service providers with very different remits for dealing with incoming calls. This article takes the idea of examining the design and trajectory of calls for aid to different services but focuses on sound that is, from the perspective of callers to mediation and environmental health services, unambiguously ‘noise’ and thus problematic and complainable. Given this, we focus on how the same problem is nevertheless formulated differently, within the same overall action of complaining. Our comparative datasets enable us to analyse social conduct in ways that have rarely been the focus in discursive psychology or conversation analysis.

Callers to mediation and environmental health services are ostensibly engaged in the broader, goal-oriented business of getting help. The type of assistance offered by a particular service can vary, and so it might be that callers characterise their problems in a way that orients to the ‘grant-ability’ of their request for aid; in so doing, displaying knowledge (or not) of the type of assistance that service provides (e.g., Edwards & Stokoe, 2007; Heritage & Robinson, 2006; Meehan, 1989; Whalen & Zimmerman, 1990). For instance, in the UK, members of the public may report neighbourhood issues by calling their local environmental health services, run through local council authorities. These services have a duty to

investigate any ‘statutory nuisance’.² The support on offer helps with evidence-gathering, and, if a case of ‘statutory noise nuisance’ is established, a ‘noise abatement order’ may be issued to the problematic neighbour.

Alternatively, people may contact mediation organisations, which provide a range of dispute resolution services for employment, divorce, and family conflict (Edwards & Stokoe, 2007). In fact, callers often report that they have called other services (e.g., lawyers, police, the council – including environmental services) before calling mediation (Stokoe, 2013; Stokoe & Edwards, 2009). Mediation services are commonly independent, often charitable organizations, whose remit is to facilitate two disputing parties resolving their differences by coming to an amicable agreement (Stokoe & Sikveland, 2016). It is common practice for mediators to visit disputants individually, with a view to both parties meeting, and working out their problems in ‘round table’ discussions. While environmental health services may resolve neighbour noise by constraining the behaviour of a guilty party, mediation services offer a talk-based solution in which both parties reach a shared agreement. Thus, the best way to build a complaint, and a case for help, may be significant for callers, both in terms of formulating a problem *as a legitimate concern*, but also providing for a prospective, institutional orientation to the assistance that is possible to offer.

Discursive psychologists and conversation analysts have studied many aspects of complaining as a social action (see Drew, 1998; Edwards, 2005b for an overview). We investigate the ways in which complaints are described in terms of how *actions* (e.g., making noise), and *objects* (e.g., what the noise is, physically/acoustically) are grammatically tied to *actors* (e.g., the neighbour) through grammatical process of ‘transitivity’ (Halliday, 2004; Hopper & Thompson, 1980). Transitivity is a property of verbs that can reveal how action, actors and objects are related through the use of cohesive grammatical categories. For

² Statutory nuisance complaints are types of complaints in Part III of the Environmental Protection Act 1990.

instance, “the teacher (actor) taught (action) the pupils (object)” is an active form of the transitive process, whereas “the pupils (object) were taught (action)” is a passive form, with the actor (the teacher) omitted (Benwell & Stokoe, 2006). In this way, agency is bound (or not) to particular actions by adding or omitting actors, maximising or minimising the rhetorical impact of some particular description (Edwards, 2005a).

In the analysis that follows, we shall refer to utterances in which neighbours are invoked as ‘agentive’ and utterances in which neighbours are omitted as ‘agent-free’. However, these categories, although discrete, should be considered on a continuum which feature as participants’ descriptions of others (or not) and their conduct. Matters of agency are discursive psychological practices (e.g., blame, dispositions, accountability) treated as relevant by participants through their turns-at-talk in various ways. Furthermore, the categories used to formulate the human noise source (e.g., ‘the neighbour’) are central to complaint-building. The selection of a particular category from myriad possibilities (e.g., ‘neighbour’, ‘mother’, ‘single woman’, ‘slut’; see Stokoe & Edwards, 2007) is important because of the moral implications that alternative categorizations carry (Jayyusi, 1984; Sacks, 1992b; Stokoe & Edwards, 2009). Descriptions become complaints from the outset partly through the words selected that may infer (and often not spell out) the moral character of the neighbour – as the kind of person *disposed* to be inconsiderate or badly behaved in general, and therefore noisy in particular.

Data and method

The dataset for the project comprised a corpus of 315 audio-recorded intake calls from community mediation services and environmental health services, all based in the United Kingdom. From the corpus, we identified fifty ‘noise-related’ initial contact calls (e.g. noise sources such as ‘music’, ‘shouting’, and ‘vehicles’, but also descriptive adjectives such as

'loud noise' and idiomatic expressions such as *'a hell of a racket'*). The data were originally collected in 2006 for a British research council-funded project on neighbour disputes³. All participants consented to have their calls recorded for research purposes, and all names and other identifying features of the calls were anonymised. Extracts headings were coded to identify a specific service (e.g., *'DC'*), and the order in which the call was recorded (e.g., *'57'*). Average call times were eight minutes (mediation) and six minutes (environmental health). The data were transcribed using the Jefferson (2004) method, which includes information about the delivery of speech, such as its pacing, overlapping talk, and intonation.

All instances of noise complaints were analysed using discursive psychology (DP), which examines how psychological business is managed as a member's concern *in* and *for* interaction (Edwards & Potter, 1992; Hepburn & Wiggins, 2007). We draw on CA's principles of turn design, action formation, and sequence organization which served as a methodological framework (Sacks, 1992a; Sacks et al., 1974). Thus we analysed the overall structure of sequences in which noise complaints were first formulated; their constituent actions, and the specifics of, and patterns in, turn design (how a turn of talk was designed to do something), turn-taking (who spoke when), action formation (how actions were formed within and across turns of talk), and sequence organisation (how actions were organised in a sequence) (Schegloff, 2007). CA and DP are inextricably linked ways of analysing the world through talk. That said, DP affords us the opportunity to identify and make empirically-evidenced observations about how psychological states (e.g., stance, attitude, disposition, and blame) are attributed to the self and others when complaining about neighbours (see Wiggins, 2017).

³ Project title: "Identities in neighbour discourse: Community, conflict and exclusion". ESRC funding award number: RES-148-25-0010

Analysis

Our initial analysis of callers' reasons for calling mediation or environmental health services showed that they sometimes did attribute the cause of noise problems to an agent ('my neighbour's music is really loud') and occasionally did not ('there's some noise in my street'). Coding all fifty instances revealed (see Table 1 below) that all agentive formulations were located in mediation calls, while the majority of agent-free formulations occurred in initial problem descriptions in the environmental health dataset.

Table 1: Initial iterations of noise complaints by service (n=50)

	Agentive	Agent-free
Mediation	14 (100%)	0 (0%)
Environmental health	15 (42%)	21 (48%)
Totals	29	21

We unpack the interactional details of this systematic difference to show how callers formulate their case for assistance either agentively or agent-free. We consider the affordances of these different designs for the uptake by the service providers – mediators or environmental health officers – and, ultimately, the outcome of the call.

Attributing agency in complaints about noisy neighbours

In this section, we examine mediation service calls. In Extract 1, the mediator (M) is returning a call from member of the public (C).

Extract 1: DC-57

01 M: Hello:.= Can I speak t' Mrs Richards ↓please.
02 C: ↑Speakin[g,
03 M: [.hh Hi, my name's Anna I'm calling from
04 mediation in Newtown.=.hHH u:m you r- you rang
05 yesterday and left a message. .HH
06 C: Ye:a[:h. a couple of days ago:..
07 M: [#U- um a-#
08 M: Ye:ah.
09 C: It's about the neigh:bour.
10 M: .HH Ri:ght,
11 C: Um it's um HHh I'm in Newtown Park.=.hh An:d to the
12 right side of me there's some fla:ts.
13 M: Rig[ht.
14 C: [.hhh And <directly at the side of me at the top
15 flat hh there's um there's a man: in the flat there:..
16 .hh[who plays music.=.hh[h ()
17 M: [Yeah. [Can I just stop you for a
18 moment and just <tell you that we're recording all our
19 calls today for: training an rese[arch purposes.=Are=
20 C: [° O k a y. °
21 M: =you okay with that.

After the preliminaries, C describes her reason for calling mediation services: “It’s about the neigh:bour.” (line 9). Note that C produces the referent ‘the’ (and not ‘my’) neighbour, such that, right from the start of her account, any relationship between the two parties is pushed apart – the neighbour is displayed as not in C’s ‘here-space’ (Stivers, 2007). Note M’s “Ri:ght,” (line 10), which is sequentially positioned to receipt the caller’s prior talk but also marks out something previously said as being epistemically built upon (i.e., evaluated in some way), rather than “merely progressing the interaction with a relevant next” (Gardner, 2007, p. 319). C provides some information about the location of her property (lines 11-12) and the orientation of the neighbour’s property relative to hers (line 12, 14-15), before reporting what is latterly confirmed as the main issue (lines 15-16). Note that ‘a man’ (line 15) replaces the initial referent, ‘the neighbour’, once this locational work is done.

Conversation analysts have found that, following an initial reference, subsequent references regularly take the form of a third-person pronoun, such as ‘he’ (Fox, 1987). In Extract 1, ‘the

man' is also an *initial* reference, but in *subsequent* position (Schegloff, 1996), thus enhancing the agentive status (and consequently, the accountability) of the neighbour. "A man" is also, like 'the' neighbour, a description that serves to minimise any sense of a pre-existing relationship between parties, and thus any pre-existing circumstances in which the caller's own neighbourliness is hearably relevant to the current situation. Note also, "in the flat there:." which further pushes apart the connection between C and the neighbour.

From the start, then, noise is directly attributed to 'the neighbour' as the source of the problem that C is calling for help with. C indexes the agent ('the man'); the spatial orientation to C's property ('in the flat there'), and the problem activity ('who plays music'). Note also that C's first formulation of the problem does not contain a detailed report of the time and date of music being played, but a summary description of the neighbour's general behaviour, in that he "plays music" – by implication, as he dispositionally would (Edwards, 2006). Furthermore, C's description is not initially framed as a *complaint* per se, as she reports that the neighbour "plays music" but does not assess this negatively. However, this formulation is enough for M to hear it as complete, and relevant to the mediation service, as she stops the caller explaining further and moves to the ethics script and consent-gaining to record the conversation (lines 17-19). In sum, Extract 1 illustrates that indexing the neighbour at the first interactional opportunity not only assigns blame, implying that C is a passive recipient of unwanted noise, but can be a strategy for effecting the call's outcome - projecting others as morally in the wrong, and self as morally in the right.

In Extract 2, the neighbour, as the source of loud music, is formulated explicitly in the 'reason for call' slot, in a second call to mediation.

Extract 2: DC-73

01 M: <Hi.=how >can I< hel[p.
 02 C: [.hh U:m mcht I've complained
 03 about (0.2) <the girl downstairs with her mu:sic.
 04 M: .HH Righ[t.

05 C: [To the council'n they've give me: (.) your
 06 numbe[r.
 07 M: [.hHH right okay.
 08 (0.2)
 09 M: Mcht #I: e- i- i- i- <is it loud noise that
 10 you've [complained about.
 11 C: [Y e : a h I ph:oned up security again last
 12 night. b[u- i- i- .hh hh from mornin' to night it's on=
 13 M: [Right.
 14 C: =(.) now.
 15 (0.3)
 16 M: Right.

Following M's generalised problem elicitor (line 1), C begins to formulate her reason for calling mediation (lines 2-3) – a turn grammatically completed by an increment (lines 5-6), notwithstanding M's treating of C's prior talk as potentially complete (line 4). The source of the noise disturbance ('the girl') is, then, identified right at the start of the call. Unlike Extract 1, in which the caller described the neighbour's noise but did not explicitly formulate her stance towards it, in this case C makes her stance clear in her first iteration of the reason for calling. The 'music' is of a nature that has warranted a complaint; she has "complained" to the council. Compared to Extract 1, C refers to '*the* girl downstairs', and not '*my* neighbour', which potentially minimizes the relationship between them and, indeed, reduces their relationship to an artefact of proximity. Like Extract 1, C provides information about her location relative to the complaine ('downstairs'), before formulating the problematic behaviour ('with her music'). The spatial information is the warrant for C's complaint; coming from 'downstairs' the music is near enough for C to be disturbed (Stokoe & Wallwork, 2003). Also significant is how agent and action are fused together: in contrast to 'the man who plays music' (Extract 1), here 'the girl' is tied to the action itself – it is '*her* music' that is being played. This formulation can be considered in terms of how subject/object (neighbour conduct/music) relations are invoked, and the ways in which experience and reality are managed by speakers when building descriptions of the world (Edwards & Potter, 2017).

Note that, like many callers to mediation, C has phoned somewhere else before calling mediation (Stokoe, 2013) - the council has given C the number of the mediation service. When M pursues C for clarification of the complaint's nature, C reformulates 'music' as "loud noise." (lines 9-10). While 'music' may or may not be a complainable activity, 'loud noise' is better fitted as a problem requiring a solution. C confirms M's reformulation in overlap, before providing further unsolicited details about her neighbour's behaviour, and the steps she has already taken to endeavour to address the problem (lines 11-12, 14). C supplies evidence that this is a problem that might be recognised as such by an external third party ("I ph:oned up security";) as well as the regularity ("again last night), persistence ("from mornin' to night") and immediacy ("it's on (.) now.") of the noise. To summarise, Extract 2 demonstrates how accountability can be attributed to the neighbour, but also shows how opening turns can implicate the present service as accountable for providing a service, in the face of a rejection of assistance elsewhere.

In the final agentive formulation of a noise complaint to a mediation service, C is reporting loud music, amongst other domestic issues, that are adding to the overall problem.

Extract 3: EC-37

01 E: .HH Hh Okay missis Willoughby.=I'm just really would
 02 like to know what it's all about?=.hh Is now a good
 03 time to ta[l:k? .h h h
 04 C: [↑Yeah no no it's fine.=U:m .hhh w- we moved
 05 I moved in to a:: (.) this: flat. We bought this flat
 06 back in December. >I' was< myself my husband and my
 07 daugh:ter.
 08 E: Okay,
 09 C: U:m:, .hh mcht .h (.) From the s:tart of us movin' in:
 10 um: (.) the neighbours upstairs were .hh #uh:# makin a
 11 h:ell of a racket with loud music an' bangin:' an'
 12 shoutin' and arguin',
 13 E: Myeah.

Note the initial 'scene-setting' from C relating to the property (lines 4-7), including the repairs 'we' to 'I' to 'we', and 'a' to 'this' flat (lines 4-5), which although replacing

something ‘incorrect’ with something ‘correct’, do not display obvious errors (Lerner & Kitzing, 2007). Observe also, the shift from *moving* to *buying* the flat and the inclusion of all C’s family members. There is a sense that these unsolicited ‘category-relevant descriptions’ give greater rhetorical weight to C’s complaint – not only is she a responsible home *owner*, their home is a *family* home (see Stokoe & Edwards, 2009). By bringing into the narrative these morally implicative details, the complaint that follows can be seen as a breach of certain reasonable standards and expectancies afforded to house owners and responsible parents (Stokoe & Hepburn, 2005). Furthermore, C reports that the problems occurred “from the s:tart of us movin’ in:” (line 9), and so, by implication, the neighbours were noisy “back in December” (line 6), which infers an (undisclosed) period of time the problem has been persisting for. In this way, and like callers in previous extracts, C describes events in such a way as to reduce or remove any sense of a relationship (or even contact) between the parties. This has the advantage of locating the cause of the noise in the neighbour’s ongoing, pre-existing behaviour, which has no connection to a two-sided relationship with their neighbour (i.e., is not done in response to anything the caller does, or in a retaliatory way – this is *just how they behave*).

The source of the noise is initially formulated as “the neighbours upstairs” (line 10). As with the previous example, ‘the’ (and not ‘my’) neighbours are tied directly to the noise as they “were .hh #uh:# makin’ a h:ell of a racket with loud music” (lines 10-11). Notable also is the listing format of “bangin:’ an’ shoutin’ and arguin’,” (lines 11-12). A complaint about a primary noise source such as music (played for pleasure) is potentially less complainable than secondary noise sources such as banging, shouting and arguing (the consequences of something else, such as a dispute), and in its own way, a three-part list of sorts (Jefferson, 1990). And so, Extract 3 illustrates how the category ‘family’ (through its invocation and orientation), can be a strategy for framing the unreasonableness of neighbour behaviour,

which in turn displays, for the call-taker, the grantability of assistance to C as ‘good’ neighbour.

One way to complain about neighbour noise is, then, to attribute noise directly to its source. However, our analysis shows that callers deploy particular features in the design of their turns to maximize ‘complainability’ (Schegloff, 2005). For example, callers described the agents of noise using definite articles (“*the* neighbour”) rather than possessive pronouns (e.g., “*my* neighbour”), and included details to attribute the noise to the routine behaviour of the neighbours. When one is in the business of making a complaint, minimizing the relationship one has (or might be expected to have) with the other party is a powerful rhetorical strategy. In our data, it functioned to construct the neighbours’ behaviour as not occasioned by something that callers have done, thereby attributing *all* culpability for the dispute to neighbours. Significantly, in the calls above, assistance was offered by mediators, although not always accepted by callers (Alexander, 2018).

However, it is possible to complain about neighbour noise without directly attributing blame to any individual. We consider such cases in the next section.

Reporting neighbour noise without assigning agency

How are complainable matters formulated by callers *without* the agent of the noise being attributed directly? In this section, we examine calls to an environmental health service (E). In these cases, we will include in the transcript any *subsequent* attributions of agency when they occurred. However, our primary interest is on callers’ first formulations of their problem. Consider Extract 4.

Extract 4: EH-43

01 E: Good afternoon environmental health, Deirdre speaking?
02 C: Hi I ↑don’t know whether you can help me:, um I need to
03 speak to s’meone .Hh about uh: disturbance an:d=
04 (0.3)

05 E: Oka[y:.
 06 C: =[Some loud music?
 07 E: Okay.=Um:: we're recording at the moment for training
 08 and research purposes.=Is that okay with y[ou?
 09 C: [↑That's
 10 ↓fin[e.
 11 E: [.HH okay then, well how can I help.=Have you got a
 12 neighb↑our: or: is it.
 13 C: Yeah.=It's actually: the person backing onto my house.

C's issue is, like previous extracts, about sound, including "loud music". But unlike the cases in our first analytic section, C has called a service with a different remit and purpose. After the service greeting/identifier (line 1), C frames her upcoming complaint with a pre-request "Hi I ↑don't know whether you can help me:," (line 2). We note the lack of displayed knowledge about the grantability of any upcoming request, entitlement to ask this service for help, or knowledge about what the particular service provides. However, this is followed by an account ("I need to speak to s'meone"; lines 2-3), demonstrating a degree of urgency C may hold in resolving the issue – specifically the declarative 'I need'. That said, the ambiguity of 'someone' displays the interactional complexity, and C's potential uncertainty, of who can offer assistance.

Like Extract 2, which starts with C reporting that she called "the council" before calling mediation, these callers display lack of knowledge regarding who to turn to for aid, what each service does, or whether or not they can help. Also, like Extract 2, and in contrast to Extract 1, the caller in Extract 4 builds her stance towards, or assessment of the noise, in her report of the issue: it is "disturbance". Taken together, the grievance components "about uh: disturbance an:d some loud music?" (lines 3, 6) omit the source or agent of the disturbance, and, further, are interestingly ambiguous. That is, a 'disturbance' can be a mild disruption or annoyance, or a major disruption and disorder.

The term ‘disturbance’ also has pseudo-legal connotations. Speakers may formulate their utterances in ways that might be commonplace in more legally consequential settings, such as a courtroom, a police station, by invoking matters of *the law*, legality, citizens’ rights, and so on (see Kitinger & Mandelbaum, 2013). Accordingly, “legal discourse is a creative speech which brings into existence that which it utters” (Bourdieu, 1992, p. 42). And so, by framing her neighbour’s behaviour in pseudo-legal terms, C’s concern is reinforced in terms of its *factual* status (Edwards & Potter, 1992, 2005; Potter, 1996). The word ‘disturbance’, used in C’s turn as a noun, is also nominalized, serving “important ideological functions such as deleting agency and reifying processes” (Billig, 2008, p. 783). Thus, the design of C’s complaint is demonstrably oriented to the relevance of a particular kind of legal discourse, and a particular type of aid that may be ‘offerable’ (e.g. Edwards & Stokoe, 2007; Heritage & Robinson, 2006; Whalen & Zimmerman, 1990), although, not necessarily by *this* service.

After C has given her consent to record the call, note that it is the call-taker who introduces a candidate cause of the disturbance, asking if C has “got a neighbour:.” (lines 11-12). However, E immediately adds another (incomplete) component to her turn, “or: is it.” (line 12), which transforms her question from a yes-no interrogative that prefers a ‘yes’ confirmation, to one that leaves much more open the possible agent of the noise. In so doing, E upgrades C’s entitlement to know the details of the problem, including the agent of the noise, and downgrades E’s own entitlement to make assumptions about it (Koshik, 2002). In response, C confirms E’s initial candidate answer, that there is “a neighbour”, who is “the person backing onto my house” (line 13). It might be that, as with the mediation calls, the production of the agentive referent ‘the person’ subsequent to confirming that it is C’s ‘neighbour’ C has called to report is a practice for revealing a minimised relationship – unpinned by the contrastive “actually” (line 13), displaying potential dispreference (Clift, 2001). In contrast to the mediation examples where blame is attributed directly to the

neighbour, Extract 4 shows how noise concerns are designed as factual, objective, and in terms of the call's consequences, potentially more difficult to challenge.

In Extract 5, a caller is reporting loud music and shouting from the property next door.

Extract 5: EH-104

01 E: Good afternoon environmental health?
02 C: Mcht hh ↑hello.=>N'd t'speak to some'n f'some< advice:
03 uh: concernin' (.) disturbance.
04 (.)
05 C: [Or (wh't'ver) it's called,
06 E: [R : : i : : g h t̥
07 C: <Duh:m (0.6) breach of the peace ([)
08 E: [.HH okay:, we're
09 recording for training and research at the moment, is
10 that okay:?
11 C: Yeah >th's fine< yes: I don't mind at all.

(21 lines omitted for address details)

33 E: What's the problem then Mr Johnson.
34 C: Right.= um:: (.) w'l the last nights worst of uhm::
35 (0.4) them all really.=.hh Uhm: >it w's comin about< t-
36 half past two: (.) >lady sorta< comes back with
37 friends,

C's complaint is initially characterised as 'advice-seeking' (lines 2-3). Although this turn is more straightforwardly a request, there are similarities with Extract 4, such as declarative 'need to', contrasted with the ambiguously designed referent 'someone'. Note also "f'some< advice:" – specifically the mitigated 'some', and lexical 'advice', which may frame matters of aid being *offerable*, rather than *requestable* and thus, displaying the agency of the service rather than caller. The complainable element of C's turn "uh: concernin' (.) disturbance.", is also similar to the previous extract, in terms of its nominalization and pseudo-legal terminology. And again, the neighbour is omitted and no action (how the disturbing is being done) is included.

The increment (line 5), does further rhetorical work in C's production of the complaint, treating "disturbance" as a category that belongs to another discourse he does not have full

access to. But by using the category in this way, C formulates the noise as an object that is classifiable by other professionals in their category system. By not knowing exactly what the correct category is (line 5), it also positions C as not overly invested in the complaint (Edwards, 1995). Notably, E's information receipt "R::i::ght" (line 6) is in overlap, indicating that C's turn-final "disturbance." (line 3) is treated as adequate enough to move on with the call, although potentially indicating assessment of the prior talk (Gardner, 2007). Yet, C takes another interactional opportunity to re-characterise the trouble (line 7). Note C's jumpstarted and stretched word search "<Duh:m", followed by a long pause. In conversation analysis, this indicates a move to take, and hold, the interactional 'floor', so that further talk may be produced – in this case, another pseudo-legal term "breach of the peace". Thus, as with the prior example, an agent-free initial iteration of a complaint can be produced with two contrasting elements – the use of pseudo-legal terminology that is simultaneously mitigated or downgraded in some way.

Following the disclosure of C's address, E pursues further details (line 33). Note that E frames the upcoming talk by pre-categorising the matter *as* a "problem" (in a similar way that the "neighb↑our:." in Extract 4 is a candidate cause of the disturbance). There is a tacit acceptance of there being a problem, as indicated with C's discourse marker "Right." (line 34), which may prepare the ground for a complainable matter (Schiffrin, 1987). C describes the incident as an 'extreme case formulation' - "worst of uhm:: (0.4) them all" (lines 34-35) (Edwards, 2000; Pomerantz, 1986). Yet the delivery of C's turn is problematic; littered with perturbation, word searching, and pauses. As we have seen in other cases, complainability is enhanced by pushing apart C's relationship with the neighbour as source of the problem; in this case, a "lady" who "sorta comes back with friends," (lines 36-37). As with 'the person' (Extract 4), 'lady' is characterised in a *prototypical non-recognitional* way "designed to do virtually nothing else but convey non-recognition-ality" (Schegloff, 1996, p. 459), and

further, is *not* grammatically tied to the action (how the noise is being made) or object (what the noise is). In this way, ‘the lady’ (and ‘the person’) may be a strategy when recipient designing the case for aid to this environmental health service, to display, in a different way to the mediation examples, the minimalization of the relationship between caller and neighbour. And so, Extract 5 (as with Extract 4) shows how noise is designed in terms of factual status, but also illustrates how callers display themselves as non-complainers which in turn, reinforces the activity as just reporting events as they objectively are.

In the final example, C is reporting loud music from a vehicle. The extract begins just after a technical issue with the answer machine message starting, and E’s apology for the interruption, to which C is responding.

Extract 6: EH-06

01 C: ↑No problem at al[l.=It’s just a query.
 02 E: [t c h o k a y.
 03 E: Yeah.
 04 C: ↑Um what is the law regarding um (.) noi:se nuisance
 05 during the daytime.
 06 (.)
 07 E: [↑Wh-
 08 C: [Or isn’t there any law.
 09 E: .hh ↑well.=Ooh yes there- there ar(h)e some l[aws yeah.
 10 C: [It’s just
 11 that I’m ah this its[so f- .HH it’s quite a long way=
 12 E: [mm hm
 13 C: =from my house.=But we’ve jus[t moved into a house=
 14 E: [hm;
 15 C: =an t[here’s someone .HH with um ex:tremely loud=
 16 E: [righ:t,
 17 C: =stereo- I th- I’ve got a feeling it’s actually .HH in
 18 his car outside the house.

Compared to previous environmental health calls, in which pseudo-legal terms and categories were built into callers’ initial descriptions of problems, in Extract 6 the *(il)legality* of particular kinds of behaviour is foregrounded explicitly. C makes a request for information (“It’s just a query.”). The low entitlement indexical word “just” frames this request as

something that may be more grantable by the service than any other action or intervention they may be able to offer. After E's go-ahead (line 3), C produces an inquiry (lines 4-5). Not only is there an explicit invocation of legal matters ("what is the law regarding"), C uses another pseudo-legal formulation, "noi:se nuisance". 'Nuisance' (not 'disturbance') is, in fact, the category applied to problematic noise in UK legislation under the Environmental Protection Act (1990), though 'disturbance' appears in USA noise ordinances. Again, C omits both action and agent, though includes a timeframe for the problematic noise ("during the daytime.", line 5). C does not observably wait for a response to her query but produces another turn (in overlap) which reformulates her request for information as an alternative interrogative question: "Or isn't there any law." (line 8). By adding this turn construction unit, C orients to the presupposition built into her prior request, that there *are* laws, as being potentially incorrect – possibly due to the occurrence of noise in the daytime, rather than more antisocial hours of the evening.⁴ Like Extract 5, C treats the call-taker, rather than herself, as the expert in such matters, while simultaneously prefacing any subsequent descriptions of a neighbour's noise as potentially illegal, and the agent of the noise as objectively 'in the wrong'.

The beginning of E's response indicates an upcoming problem in selecting either option formulated by C. She says, ".hh ↑well.=Ooh yes there- there ar(h)e some laws yeah." (line 9). While the "↑well." is likely to be a redoing of E's earlier "↑Wh-" (line 7), other elements, particularly the aspiration or 'laugh particle' in "ar(h)e", index something problematic with C's prior turn. While hearably *doing* laughing, these particles may orient to there being interactional trouble in some way (Potter & Hepburn, 2010). Note how C's response, which is in partial overlap, seems oriented to E's potential stance: the turn-initial

⁴ As a general note, the time of day at which problematic neighbourhood problems such as noise occurs is a factor for call-takers in endeavouring to establish the seriousness of a particular issue.

“It’s just that” (lines 10-11) and “it’s quite a long way from my house.” (lines 11, 13) which somewhat mitigates the strength of her request (although might be designed as a more grantable bid for aid). As with previous examples in this section, the neighbour is indexed subsequent to the initial iteration of the problem - here, that “there’s someone .HH with um ex:tremely loud stereo” (line 15, 17). In addition, while the ‘someone’ is grammatically tied to the object of the noise, there is no explicit invocation of the stereo being *played* (action) by the neighbour (actor). Thus, Extract 6 shows that framing a complaint as an information request, followed by invoking the neighbour as noise source, can be a strategy for casting C as prioritising matters of law, which in turn, may serve to minimise C’s stance towards the neighbours’ conduct; in so doing displaying the neighbour as doing some objectively wrong.

In sum, our analysis shows that people may complain about noise in the neighbourhood without directly and immediately attributing the source of the noise to an agent – leading to assistance being offered by call-takers in the environmental calls shown above (Alexander, 2018). Significantly, we found that the agent-free initial formulations – even when agents were introduced subsequently – appeared exclusively in calls to environmental health services. What might account for this difference? We know from the way callers formulate their initial reasons for calling both mediation and environmental health services that they do not have a clear sense of the remit of either service: callers often call somewhere else before calling mediation (“I called the council and they give me your number”) and downgrade their entitlement to make a request for help when calling environmental health (“I don’t know if you can help”). The starts of these calls are very different to, say, calls to general practice surgeries, in which callers’ first turns formulate direct, high entitlement requests (e.g., “can I make an appointment for Friday afternoon please” – see Stokoe, Sikveland, & Symonds, 2016). They are more like calls to the constituency offices of members of parliament (e.g., “I was ↑told to ring you by a friend” –

see Hofstetter, 2016). And so, it might be that mediation and environmental health services are somewhat ‘unknown institutions’ (Stokoe, 2013), (or at least, institutions that callers display a “lack of familiarity” with; Hofstetter & Stokoe, 2018, p. 566) on a continuum of services that people show they know and use regularly, or do not know and use occasionally or just once.

Given a general lack of familiarity, we nevertheless suggest whatever knowledge callers do have is displayed in the way they build their initial reasons when accounting for their troubles. When calling environmental health services, callers describe a situation or issue in nominalized, vague, minimised, and pseudo-legal terms – both, agentively and agent-free. By establishing first, the law around noisy behaviour (i.e., the legal aspects that can constrain the behaviour of those making problematic noise), the neighbour is, by implication, doing something that is objectively problematic. In contrast, when calling mediation services, callers prioritize naming the neighbour, source of the problem, pre-categorizing behaviour as problematic, and distancing themselves from any pre-existing relationship with ‘the neighbour’ that might be regarded as a potential cause of a dispute between two parties. That said, callers to environmental health services in the corpus routinely distance themselves from neighbours subsequent to initial iterations of complaints. Unlike environmental health services, mediators do not have any authority to constrain the behaviour of parties to a dispute. All parties are equally accountable in terms of identifying a solution. For these reasons, ensuring that the problematic party is identified and categorized as such as soon as possible, and as often as possible, is a priority for callers to mediation.

Discussion

When people complain to external organizations about their neighbours, as part of an ongoing dispute, what are the options for formulating the cause of their problems? This article has

examined the way that people construct neighbourhood noise as the basis of dispute in complaints to the organizations that provide solutions to such problems. In our analysis of telephone calls to mediation and local council environmental health services, we identified two distinct but recurrent ways in which callers formulated initial iterations of their noise complaints. In mediation calls, callers attributed problematic noise directly to its agent (e.g., “it’s about my neighbour”), but in calls to environmental health services callers typically produced agent-free descriptions (e.g., “I need to speak to someone about disturbance”). In mediation calls, the agent was always invoked prior to the complainable matter, while in most environmental health calls reference to the neighbour was omitted or attributed only after the complainable matter. Callers to environmental health also used pseudo-legal terminology, fitting their case for aid to that particular service (which has some legal remit, unlike mediation).

Both types of practice launched a complaint sequence, and demonstrate the transitional arrangement between actors, actions, and objects (Halliday, 2004; Hopper & Thompson, 1980). In the *agentive* form, neighbours are invoked as the source of the problem from the outset; ‘it’s about the neighbour’ (actor), ‘the girl downstairs with her music’ (actor + object) and ‘the neighbours upstairs were making a hell of a racket with loud music and banging and shouting and arguing’ (actor + action + object). In contrast, in the *agent-free* form, callers characterise similar social problems without initial reference to the neighbour - ‘I need to speak to someone about disturbance and loud music’ (object), ‘I need to speak to someone for some advice concerning disturbance’ (object), and ‘what is the law regarding noise’ (object). By either adding or omitting an agent when reporting neighbourhood problems, callers can be seen as assigning more or less criticism, accountability or blameworthiness for the social actions of others (Edwards & Potter, 1993). However, these features should not necessarily be regarded as distinct categories (i.e., agentive *or* agentive-free). Rather, these differences

provided a foundation from which a transitive relationship could be framed. And so, we considered this distinction as one of a range of agentive/agent-free interactional practices, through which the relatedness of actors, actions, and objects are combined (or not) to various extents.

Whether neighbourhood noise is formulated differently for a particular service, and whether accountability is assigned to neighbours or not, complaints to organisations are occasioned *in the service of* other interactional business – that something should be done about the caller’s concern (e.g. Antaki, Barnes, & Leudar, 2007; Clayman, 2010; Edwards, 1997; Mondada, 2009). A common feature of service encounters is that some particular problem is institutionally recognised as appropriate for the service being contacted (Edwards & Stokoe, 2007). Essentially, there is an established normative framework in which a certain problem requires a certain type of service, and vice-versa. Members work to establish the nature of their particular grievance *as a problem* for the service they seek help from; in so doing, displaying what is offerable by a particular institution (e.g., Edwards & Stokoe, 2007; Heritage & Robinson, 2006; Meehan, 1989; Whalen & Zimmerman, 1990). Consequently, it might be that particular features of calls to environmental health services, such as pseudo-legal talk (followed by the subsequent introduction of neighbours), display and project an “environmental health-ability” in callers’ accounts of their troubles.

Significant discursive psychological interest is in how subject-side (S-side) and object-side (O-side) relations are managed between co-participants (Edwards, 1997). When people talk (and in text), they sometimes formulate subjectivity (S-side), such as stance or attitude displays, and connect them to a ‘reality’ of what the world is like (O-side) (Edwards & Potter, 2017). In this way, descriptions can be designed in relation to objective and subjective status, which can work to undermine or strengthen claims about something, someone, or some state of affairs. As a means of making the case for aid, callers to the

mediation service above, systematically invoke the neighbour as *the source* of the noise, and so it is the neighbour's *character* that is the focus of the trouble, rather than the noise itself. Accordingly, the neighbour is portrayed as *disposed* to be noisy through the caller's 'factual' accounting for it (Stokoe, 2009). In a different way, callers to the environmental health service regularly use pseudo-legal terminology when reporting noise problems, which may can be used to strengthen an account against potential challenge, in the sense of invoking moral distinctions between right and wrong. In addition, concerns are framed as other actions, which display *callers* in characteristic terms; as non-complainers, non-exaggerators, and "not disposed to say too much" (Edwards, 2007, p. 2).

Overall, then, through this comparative analysis, we have shown that people use different strategies when building complaints about sound in the neighbourhood, and making the case for assistance, to help resolve problems and disputes. Our findings show that people carefully craft their descriptions of problems, and do not simply 'dump' a complaint, including a perpetrator, into a conversation, regardless of setting, recipient or context. We have shown the value in comparing how ostensibly similar social problems are recipient designed for, and managed across, *different* institutional contexts, each with different implications for the unfolding aid that may be provided. Our fundamental concern is not with callers' underlying motivations for characterising their troubles to particular services in particular ways, but the kind of explicit and implicit *moral* work that callers' do when complaining about others (Drew, 1998; Stokoe & Edwards, 2015). The examples above demonstrate that characterisations of neighbours' conduct are not 'mere descriptions', but are rhetorically accomplished through the ways in which the case for aid is designed (Edwards & Potter, 2012). Consequently, this article illustrates how it is that *noise*, as a phenomenon, is not a neutral category, but culturally and institutionally formulated social conduct.

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