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Interpreting
in a Changing
Landscape

edited by

Christina Schäffner

Krzysztof Kredens

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Interpreting in a Changing Landscape

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Volume 109

Interpreting in a Changing Landscape. Selected papers from Critical Link 6
Edited by Christina Schäffner, Krzysztof Kredens and Yvonne Fowler

Interpreting in a Changing Landscape

Selected papers from Critical Link 6

Edited by

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Interpreting in a changing landscape

Challenges for research and practice

Christina Schäffner, Krzysztof Kredens and Yvonne Fowler
Aston University

1. Introduction

When, in early 2008, we came up with the theme of the sixth Critical Link conference our aim was merely to respond in a well-meaning inductivist fashion to a reality whose changing nature was certainly bewildering but seemed conceptually manageable. We felt it was time to take stock of what globalization processes, new human migration patterns and the resulting socio-political phenomena meant for research and practice in interpreting. Since then, the reality in which interpreters work has changed so much that our theme could not be more apt. The Critical Link 6 delegates held their discussions in July 2010, with the economic crisis rampant and the events of the Arab Spring just a few months away. Three years later the crisis is claiming ever new ground and political changes in the Arab world (but also elsewhere) seem to be far from over. The changing economic and political landscape has meant budgetary cuts and forced mobility. These in turn translate into a variety of new phenomena of relevance to interpreting, e.g. multilingualism in traditionally monolingual societies, the emergence of rare language pairs, or the need to revisit language solutions for immigration application procedures, social welfare institutions or prisons. Cross-cutting this cascading sequence are relatively old problems which have acquired a new urgency, e.g. the role(s) of the interpreter, emergency interpreting or the (mis)use of technology, to name just a few. In putting this volume together our aim has been both to introduce new, and revisit existing issues in interpreting research.

All papers in this volume were originally presented at the 2010 Critical Link conference and then re-written, refereed, and revised to be selected for inclusion. In this introductory chapter, we address some of the socio-economic and socio-political challenges providing the background to the contributions.

2. The impact of a changing world

A phenomenon with arguably the most far-reaching implications for interpreting practice in its entirety is that of countries, especially European ones, which have not hitherto been immigration destinations (e.g. Italy or Spain) now finding themselves receiving migrants escaping poverty and war. Many of them speak languages of lesser diffusion such as Amharic, Tigrinya and Tamil. Similarly, the enlargement of the European Union has meant new challenges for a number of Western European countries, where diverse and sizeable migrant populations have been arriving from Eastern Europe since 2004. The full implementation of the Human Rights Act (2000) in the UK and the United Nations Convention on the Rights of People with Disabilities (UNCRPD), together with the recent EU Directive (2010/64/EU) on the right to interpreting and translation in criminal proceedings which will come into force in the Autumn of 2013 (see Martin and Herráez, this volume), means that public services need to adapt more than ever before to the needs of a multilingual society.

Coincidentally, all this is taking place at a time of a global financial crisis. All over Europe public services are being affected by significant cuts in expenditure; societies have been experiencing a protracted period of unprecedented financial austerity due to the diminution of the tax revenue base and problems of the world banking system. Large parts of the public sector are in many countries being outsourced to private multinational companies. In the UK, for example, this has had an immediate and disastrous effect upon the quality of court and police interpreting and even upon the very availability of interpreters. Many of the gains which had been made in the UK over a period of twenty years have been set aside by the government (for example, formal qualifications and training for legal interpreters, the establishment of the National Register of Public Service Interpreters and the National Agreement on Arrangements for the Use of Interpreters, Translators and Language Service Professionals in Investigations and Proceedings in the Criminal Justice System, 2007) and the very future of the profession now seems quite bleak. Similar developments are being reported from other countries in the world.

3. Reflecting on the status of interpreting and the role of interpreters

Whilst activists, who are often both academics and practitioners, remain defiant on the political front, there is still no universal agreement on what the role of the interpreter should be, as evidenced by some of the papers in this volume. Should the role differ according to setting? Is the role of the interpreter as a cultural mediator acceptable in some settings but not in others? Does interpreter-mediated

communication always involve cultural mediation? What is the relationship between ethical practice and interpreting?

Questions about the role of interpreters are linked to the question of what interpreting is nowadays. Within the discipline of Translation and Interpreting Studies definitions of interpreting have been changing. The same applies to definitions of translation, and, in fact, interpreting has often been subsumed under the label of Translation (Studies). The issue has been debated repeatedly whether Interpreting Studies could constitute a research area in its own right, separate to Translation Studies. Translation and Interpreting Studies has become the widely accepted label (see, for example, Pöchhacker and Shlesinger 2002).

When translation and interpreting became objects of more systematic research in the 1950s, both were initially defined in the narrow sense of transfer. The focus of research was the comparison of linguistic systems in order to identify the potential equivalent units (at lexical and also syntactic level) which would be readily available for transcoding a message faithfully into the target language. This view of translation and interpreting as a mechanical process was linked to a communication model which described meaning transfer from a source to a target via some channel (speech or written text), assuming no loss during transfer. The communicative partners involved were labelled sender and receiver, with the translator or interpreter in the middle as a conduit transferring the message.

In the development of interpreting research specifically, the initially dominant conduit model has been challenged by researchers focusing on the triadic nature of interpreting as interaction (Wadensjö 1998; Mason 2001). Investigating interpreting (and also translation) as interaction automatically means including in the analysis the socio-cultural, institutional and situational context as well as actual people in their respective roles and power positions. As a consequence, translators and interpreters have been featuring much more prominently in the literature and new research questions have been asked. In Interpreting Studies, this focus on the role of the interpreter has been much more prominent for Public Service Interpreting (PSI) compared to Conference Interpreting, since the variety and unique nature of public service settings pose more challenges for interpreters. The conduit model, although still seen by a large number of PSI users as the only one valid, has in Interpreting Studies research been either replaced or complemented by models with the interpreter as an intercultural mediator, a culture broker, or a co-therapist (see especially the papers in Part I of this volume). This shift in theoretical reflection is largely motivated by the changing landscape of PSI practice. With countries becoming more and more multilingual and multicultural, PSI needs are growing, and the complexity of contexts and settings (police interviews, probation meetings, asylum hearings, healthcare, education etc.) as well as individual life stories and social profiles (refugees, prisoners, disabled people)

suggests that the traditional view of interpreters as neutral language mediators (which is also still the dominant view in most professional codes of conduct) does not fit reality anymore. It therefore comes as no surprise that a large proportion of papers in this volume are devoted to exploring the role of interpreters in various PSI settings. Indeed, we see this as only natural and timely.

4. Making sense of a changing landscape: The contributions

The topics of the papers are certainly also a reflection of the sociological turn in Translation and Interpreting Studies whereby focus on settings and people in increasingly multilingual societies is deemed more important, or at least more pressing, than focus on language per se. This shift is evident also in the research methods; the authors have used (semi-structured) audio- and/or video-recorded interviews with interpreters, PSI users and other stakeholders, questionnaires and transcripts of audio- and/or video-recorded interpreter-mediated interactions, reports and documents related to the interpreter-mediated event, text-based material (e.g. reflective reports), and observations.

We have grouped the papers into four sections designed to help make sense of the socio-political and socio-cultural issues in their relevance for interpreting practice and training. The papers explore how social and institutional conditions impact actual interpreting behaviour and what consequences this has for the perception of interpreting and interpreters by professional groups and by society more generally.

4.1 Part I

The papers in Part I of this volume address the impact of political and economic changes on interpreting roles, communication strategies, ethics and practice.

Erik Camayd-Freixas provides an account of his own work as an interpreter during the now infamous 2008 Postville immigration raid. He explains his own conflict between the assumed professional role as an interpreter, an officer of the court, and as a citizen. These respective roles are linked to divergent ethical duties. He gives an overview of the development of codes of ethics in relation to main traditions in ethical theory (deontology, consequentialism, moral sentiments, and virtue ethics) and examines their intrinsic and interpretive limitations. He argues that the changing landscape caused by immigration has led to an erosion of democratic principles, which makes an in-depth revision of interpreter codes

necessary. The Interpreter Code of Ethics of the Massachusetts Trial Courts is recommended as a model.

Uldis Ozolins argues that although basic ethical rules have been set down in various codes, there is hardly any recognition of how ethical issues are being played out in practice. His paper explores how thinking about ethics can be fostered in interpreter training, using as an example a training course in Australia. Role plays are undertaken between interpreting students and students of other faculties (from areas such as law, health, physiotherapy and social work). This has the additional benefit that also students from the other faculties are trained in working with interpreters. The interpreting students keep a journal of their experience of these role plays and also submit a reflective report. Ozolins analyses entries from the students' journals and reflective reports and illustrates how issues of ethics and role are illuminated by situations which challenge standard codes of ethics. These entries also illustrate a wider appreciation of the complexity of the interpreter's role, an awareness of crossing role boundaries, and the importance of a reciprocal understanding of roles. He concludes that for pedagogic purposes, the key to discussion of ethics must be understanding of not only the interpreter's role in certain settings, but also their role relationships with other professionals.

Lluís Baixauli-Olmos looks at the so far unexplored area of prison interpreting. On the basis of data collected through observation, questionnaires and interviews with interpreters and other stakeholders, he has identified specific contextual elements that condition public service interpreting in prison facilities, the main difficulties faced by interpreters, and the effect of these factors on the interpreter's ethics. Ethical dilemmas can be caused by primary participants expecting interpreters to carry out tasks beyond their duty, and also by interpreters themselves being uncertain about the course of action to take, which may happen when professional duties, ethical principles or personal and professional values seem to collide.

Michal Schuster's paper on language access in public services presents a sociological model for analyzing the development of language access and the factors underlying the public sector's inclusion of professional interpreting among the services rendered. Factors and forces which can facilitate the process can be an awareness of language-access solutions in other countries (for example as a result of professional contacts), community activism, political pressure, and media coverage. In applying her model, Schuster uses processes in the Israeli society since the 1990s as a case study, arguing that most of the services in Israel in 2011 are either in chaos or emerging awareness stages, with only a few institutions piloting professional interpreting services. She concludes that her model, which adds a sociological perspective to community interpreting research, can help action

researchers to “identify processes, actors, and forces involved and actively push the stakeholders to progress to the next stages.”

Christopher Stone reminds us of legislation which is relevant to the provision of sign language interpreting. His focus is on legislation in the United Kingdom, such as the 1995 Disability Discrimination Act and the 2010 Equality Act, both linked to the supra-national Human Rights Act and the United Nations Convention on the Rights of People with Disabilities. It is due to such legislation that interpreting provision is gradually becoming part of the socio-political agenda (a development which, incidentally, ties in with Schuster’s stages of emerging awareness and piloting professional interpreting services). Stone presents the results of a survey conducted in the United Kingdom, exploring interpreters’ and agencies’ awareness of the legislative documents and their understanding of requirements specified in them concerning who should work as an interpreter. He concludes that in order for sign language interpreting provision to improve further, the gains made in recent years need to be codified in domestic legislation, and local and national policies.

Anne Martin and Juan Miguel Ortega Herráez investigate how the role of interpreters and their performance during the Madrid train bomb trials was perceived by the legal professionals involved. Simultaneous interpreting was used at the trial, which is uncommon in Spanish courts, and the authors show that the legal professionals needed time to adjust to it. They perceived interpreters primarily as machines, in line with the conduit model, whether they performed in their role as interpreter or expert witness. Martin and Ortega Herráez conclude that closer cooperation between legal professionals and interpreters is needed in order to avoid problems of the kind that occurred during the trial.

4.2 Part II

As pointed out in the introductory comments above, the role of the interpreter has been a hotly debated issue in interpreting research of late. The papers in Part II of this volume address this issue explicitly, exploring the tension between interpreting and mediating/culture brokering.

Hanneke Bot and Hans Verrept investigate interpreting in mental healthcare. Their main argument is that due to their physical presence, interpreters can have a considerable influence on the course of the meeting between healthcare worker and patient. They present a model of the interpreter as a co-therapist as an alternative to the conduit and intercultural mediator models. Interpreting in this setting is seen as interactive, with the role of the interpreter being to ensure that the patient and the healthcare worker notice and act upon their mutual differences.

Jules Dickinson looks at perceptions and the actual role of sign language interpreters in the workplace. Her starting point is a change in the employment profile of deaf people in the United Kingdom, from traditional manual trades to, increasingly, office-based employment. Based on ethnographic data (transcribed excerpts of video-recorded interactions between deaf and hearing employees), she demonstrates the complexities of the sign language interpreter's position in workplace discourse, showing that even within a single interpreted interaction the role can switch between, among others, interpreter, assistant and co-worker. Such shifts can also mean that personal and professional boundaries are crossed and reflect the variety of power differentials in the relationship between the sign language interpreter and the deaf employee. Dickinson concludes that the pervasive perception of the interpreter's role as an invisible translating machine is insufficient for the situations in which they find themselves.

Letizia Cirillo and **Ira Torresi** explore child language brokering as a new practice in Italy. Italy has changed from an "emigration" to an "immigration" country, which means that the communicative needs of non-native populations with limited proficiency in Italian need to be met. The role of interpreters, or language brokers, is often performed by children. Using findings from semi-structured interviews with healthcare providers and general practitioners, the authors talk about the commissioning of interpreting services and institutional perceptions of child language brokering. They argue that research into such practices can also raise awareness of immigration-related issues, such as the inadequacy of available resources to meet the needs and ethical aspects involved in child language brokering.

Raquel Lázaro Gutiérrez investigates the performance of healthcare staff and untrained "natural interpreters" in Spain, where the provision of interpreters in hospitals and healthcare centres is not yet regulated. As a result, interpreting is very often performed by patients' relatives and other companions. Lázaro Gutiérrez reports on her study of doctor-patient conversations in situations where the non-Spanish-speaking patient communicates with or without the assistance of an interpreter. Based on her empirical analyses, she illustrates strategies used by doctors (e.g. using simple vocabulary, repetition, explanation, rewording) and concludes that the assistance of a natural interpreter reduces the asymmetry between healthcare staff and patients.

Ingrid Fioretos, **Kristina Gustafsson** and **Eva Norström** present a more general discussion of the role of the interpreter with a particular focus on the term "cultural broker", often used with reference to persons who have cross-cultural competences to explain and bridge cultural differences in multicultural contexts. Since professional ethics in interpreting practice precludes negotiation or trying to influence a certain outcome in an encounter, it seems that being an interpreter

and being a cultural broker are two different things. The authors approach the concepts of *culture*, *cultural competence* and *cultural broker* from the perspective of interpreters working in Sweden, whom they interviewed about actual events that had occurred during interpreted encounters. The interviews revealed that the interpreter actually cannot avoid the role of cultural broker and that it is intrinsic to interpreting itself.

Ana Isabel Foulquié Rubio and Isabel Abril Martí investigate the role of interpreters in educational settings in Spain. Like Italy, Spain too has seen an increase in linguistically disadvantaged immigrants, who should be guaranteed their right to education. The paper presents the results of a questionnaire-based pilot study designed to explore the perceptions teachers have of the communicative needs of immigrant children and their families, the current solutions being applied to address those needs, and ones the teachers would actually prefer. Since intercultural mediation is a new phenomenon in Spain, and as yet not recognized as a profession, the respondents' answers indicate that their expectations about what mediators can and should do are unclear and sometimes unrealistic. The authors argue that both intercultural mediators and community interpreters have an essential role to play in Spanish society but that a proper distinction between the two roles is essential.

4.3 Part III

The papers in Part III address interpreting strategies in different interactional contexts, exploring the impact of setting on both global and local strategies as reflected in linguistic features. The settings in which PSI occurs and participants' perceptions of the role of interpreters are factors that determine the progression of the interaction, including coherence between the turns, but also the actual linguistic features of interpreted utterances. The papers which address these features do so on the basis of a descriptive analysis. They are not concerned with a detailed comparison of the original utterance and its interpreted output in order to evaluate interpreting quality, but their main aim is to investigate systematic links between the linguistic features of the interpreted utterances and the institutional conditions in which they are produced.

Part III opens with Yvonne Fowler's paper. She illustrates how new technologies can have an impact on interpreter-mediated interaction in multilingual Magistrates Court hearings. She specifically analyses the observable effects of prison video link upon court actors' (verbal and non-verbal) behaviour and comments on proxemics, behavioural adjustments, and interpreter strategies. One of her main findings is that prison video link interpreting reduces the choice of interpreting

strategies compared to face-to-face hearings and makes interpreters highly visible and audible and their performance much more transparent. She also identifies several problems related to sightlines, sound, and defendant back-channelling.

Eva Ng is also interested in courtroom settings. She has found that interpreters often use reported speech when they interpret utterances of legal professionals from English into Cantonese but use the first person 'I' in interpreting from Cantonese into English during trials in Hong Kong. Ng argues that this strategy has to do with power asymmetry in the hierarchical setting of the adversarial courtroom. Interpreters seem to be conscious of the power differential between the legal professionals and the lay participants in the judicial process. She also illustrates how a shift from first to third-person interpreting can have an impact on the speech act, for example rendering a direct accusation less confrontational.

Raffaela Merlini investigates politeness and face-work in the settings of health care, education, and the social services. Her starting point is that interpreters act as fully-fledged social agents, which also means that their image of self is at stake during the mediated communicative event. Face-work performed by the participants (both face-threatening and face-enhancing acts) is determined by the status, power and knowledge differential between the communicative partners, with the presence of an interpreter adding to the complexity of face-work dynamics. Merlini's main aim is to identify shared behavioural patterns as well as distinctive variations which may be accounted for in terms of distance and power.

4.4 Part IV

The final part of this volume deals with the consequences of the changing socio-political landscape for interpreter training. PSI trainers are more frequently faced with new challenges: course participants are often immigrants themselves, they may have very different levels of education (ranging from basic education to doctoral degrees in specific fields), and their own economic status may differ (which is a problem if participants have to pay tuition fees). Nevertheless, it seems that research and practice in interpreter education have kept up with the changing reality.

Miranda Lai and Sedat Mulayim start by referring to changes in humanitarian intake patterns in Australia, which has seen increasing numbers of refugees. This development has resulted in an increasing need for interpreters and translators in a number of rare and emerging languages for government and community services, and thus also an increasing need for interpreter training. The authors present a programme offered at the Royal Melbourne Institute of Technology and leading to a Diploma of Interpreting in selected rare and emerging languages.

Since the students are drawn from the very refugee communities that they are going to serve, they face the same resettlement challenges as other members of their own ethnic communities. The authors argue that the students have a dual role as agents and subjects of social inclusion, and that in their role as interpreters they will facilitate integration upon which social capital is built.

Natacha S. A. Niemants explores role-playing activities in interpreter training at an Italian university. Her starting point is the “ideal template” of dialogue interpreting in which there is a clear pattern of turns (A-I-B-I-A). She investigates to what extent, when and why participants depart from this pattern. Her interest is also in identifying differences in such departures in medical-themed role-plays compared to real data in interpreter-mediated doctor-patient interactions. Combining notions from Conversation Analysis and Interpreting Studies, Niemants illustrates various ways in which departures from the “ideal” pattern are interactionally negotiated by participants during role-play performances, and generally initiated by the examiner. She asks whether role-playing is a good way of introducing students to actually taking on new mediating roles in multicultural healthcare settings and concludes that if interpreting trainees learn by doing, they also need to learn *what* they are doing and *why*.

Finally, **Danielle D’Hayer** makes a plea for the profession of public service interpreting to be fully recognised and states that professional qualifications only carry a value if they are combined with appropriate education. She argues that PSI training courses in the UK mainly offer a skills-based approach but show little awareness of pedagogical principles. Her paper is thus an attempt to define a PSI education pedagogy. The main issues she addresses are changes in the younger generation’s approach to learning and accessing knowledge, changes in student profiles, situated learning which involves engagement in a community of practice, new technologies and learning environments, as well as remote teaching and learning. Similarly to some other papers in this section, D’Hayer argues that curricula need to be flexible and reflective in order to integrate changes in the continuously evolving profession. She also insists that educational philosophies and teaching approaches should be evaluated as to their effectiveness for new generations of learners, stakeholders should be consulted for curriculum design, and teaching institutions should lead the way towards the professionalization of public service interpreting.

5. Conclusion

As is evident, the papers in this volume address the changing landscape of community interpreting in its diversity. They deal with political, social, cultural, institutional, ethical, technological, professional, and educational aspects of the field. As community interpreting is becoming more widespread and socially relevant in practice, it is important to increase awareness of the field in its complexity. We hope this volume can achieve just that.

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PART I

Political and economic changes

Their impact on interpreting roles,
communication strategies, ethics and practice

Court interpreter ethics and the role of professional organizations

Erik Camayd-Freixas
Florida International University

The changing landscape in interpreting includes a recent trend toward criminalizing unauthorized immigration, giving rise to a procedurally and ethically ambiguous area of the law: “cimmigration.” Its contradictions in terms of constitutional, civil, and human rights came to the fore in the 2008 Postville, Iowa immigration raid and mass felony prosecutions, a landmark case that challenged interpreter codes of ethics and the role of professional organizations in responding to such challenges. This paper examines both the intrinsic and interpretive limitations of existing ethical codes through a historical analysis of their development in relation to the main traditions in ethical theory – deontology, consequentialism, moral sentiments, and virtue ethics – and using Postville as a practical case study. Recommendations are made for an in-depth revision of interpreter codes and the proactive leadership role of professional organizations, proposing as model the interpreter code of ethics of the Massachusetts Trial Courts.

“I was just following orders.”
(Peter von Hagenbach, beheaded in 1474)

1. Introduction

The post-9/11 national security agenda has changed the political landscape in the United States and globally. A sense of expediency has come to reign over public policy, marked by the enactment of laws and the application of measures that often erode constitutional and democratic principles, civil liberties, and human rights (Camayd-Freixas 2013).

The field of immigration has been particularly impacted by this policy shift toward growing restrictionism that runs against the grain of globalization, as evidenced by an estimated 214 million international migrants worldwide, some 30 million of them unauthorized and evenly distributed among Asia, Europe, and

North America (IOM 2008). The expansion of immigration repression, with ever-harsher enforcement, arbitrary imprisonment, and indiscriminate deportations, has resulted in a global human rights crisis that profoundly undermines modern democracies (Amnesty International 2008). In 1990, the U.N. General Assembly adopted the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Two decades later, none of the world's major receiving countries had signed up, and the problem has become progressively worse.

At the base of this changing political landscape is the perpetuation of wartime governance structures in immigration policy, which typically fail to distinguish labour migration from criminality and national security. The evolving legal framework that is supposed to address security concerns thus becomes susceptible of political manipulation for the purpose of labour, racial, ethnic, and demographic control. The result is a growing trend towards criminalizing immigration, so prevalent in recent years in the United States that jurists have identified it as a new hybrid and highly unstable area of the law they ironically term “crimmigration” (NNIRR 2010; Chacón 2009; Moyers 2009). And while immigration policy is supposed to be the exclusive province of federal law, a series of agreements authorized since 1996 between U.S. federal agencies and local police precincts to conduct immigration enforcement has resulted in a policy tug of war between local states and the federal government, which parallels that between the European Union and its member states (Camayd-Freixas 2010).

Thus, at all levels, court interpreters formerly used to working in the neatly delineated and well regimented arenas of either immigration or criminal court now face unprecedented ethical challenges in a changing landscape suddenly marred by issues of social conflict, ethnic prejudice, and human rights. The divergent ethical duties of interpreter, officer of the court, and citizen, which were seldom problematized before – and therefore have remained unaddressed by the ethical codes of most courts and professional organizations – now all too often come into conflict.

For years now, many interpreters in the United States and elsewhere, but particularly in the states along the U.S. border with Mexico, have been confronting the ethical dilemmas of “crimmigration” on a daily basis. Without adequate guidance from their ethical codes or the concerted backing of professional organizations, they have had little choice but to quietly facilitate, as part of their work, questionable and downright abusive “crimmigration” proceedings against their own conscience, and frequently against members of their own ethnic group. Despite the high incidence of such cases, these difficult working conditions remained unreported until they were replicated in a high-profile case: the Postville, Iowa immigration raid and criminal prosecutions of May 2008.

In this landmark case, instead of simply deporting the migrants, as had been previously the norm, hundreds of indigenous and illiterate peasants from Guatemala and Mexico, who were slaving away at a meatpacking plant in Iowa, were raided and charged with the antiterrorism crime of “aggravated identity theft,” in order to force them to plead guilty to lesser charges of social security and document fraud. This resulted in an unprecedented criminalization of migrant labour (Downes 2008). Ten at a time, they were “fast-tracked,” convicted, sentenced, and incarcerated within seven working days. It was the only mass felony prosecution in American history, indeed in the history of modern democracy since WWII. It thus set a dangerous precedent; one month later, the European Union authorized the detention of undocumented migrants for up to 18 months, a measure that drew sharp criticism from most of the developing world (Amnesty International 2008: 3).

Thirty-six federally certified Spanish interpreters participated in the Postville prosecutions. Ten could only stay the first week, so another ten were brought in as replacements. I was one of the 16 who worked through both weeks of the proceedings. We were contracted by the federal criminal court in Iowa under false pretences for a secret mission that was supposed to have been a “continuity of operations exercise.” But when we arrived at the heavily guarded cattle auction fairgrounds turned detention compound and field court to begin work, we learned that it was in fact the largest immigration raid in U.S. history.

Each day of the proceedings, I saw a new irregularity, previously unknown in my experience of 23 years working for federal courts across the country. Like pieces of a puzzle, these irregularities compounded to produce wholesale injustice at the other end of the judicial conveyor belt. In individual interviews with detainees, it became apparent that most of them did not even know what a social security number was, and therefore were not guilty of intent crimes as charged. Held without bail, hundreds of workers were forced to plead guilty and accept a five-month sentence, or spend many more months in jail waiting for a dubious trial, while their families starved. The magnitude of the suffering was life-changing. By simply doing my job and following my code of ethics to the letter, I, like the rest of the participants, had facilitated the wrongful demise of hundreds of impoverished workers and vulnerable families. I further knew, from my communications with court personnel, that Postville was a pilot operation to be replicated at scale across the country. The moral burden was too heavy to ignore.

At the end of the proceedings, I discharged my reporting duties to the court by sharing my concerns with a senior judge. I was surprised to see that the judge himself was angered and disgusted at the entire operation. He had no sentencing discretion and was powerless to administer justice. I was witnessing the breakdown of the separation of powers, one of the pillars of our democracy. Months

later in a public interview, this exemplary judge, the Hon. Mark W. Bennett, criticized the Executive for forcing the hand of the Judiciary in the Postville case. He called the proceedings a “travesty” and expressed his moral sentiment stating: “I was ashamed to be a U.S. District Court judge that day” (Argueta 2010).

In order to understand the broader legal and political implications of the events, I proceeded to research and analyze numerous government documents. Once the cases were closed and I was no longer under contract with the court, I wrote a full report, which I emailed to judge Bennett and my interpreter colleagues in the case, who could verify my findings (Camayd-Freixas 2009a). With the judge’s knowledge, my colleagues sought my permission to share my report with their contacts in the legal profession. Within two weeks, counsel for the U.S. House of Representatives asked me to testify at a congressional hearing investigating the Postville raid and prosecutions (USHR 2008). Meanwhile, lawyers across the country urged me to make my report public. At that point, I had fully discharged my obligations to the court as an interpreter, and was now prepared to act upon my conscience as a citizen, entitled to freedom of speech by the First Amendment of the U.S. Constitution. I wanted the legal community and the press to scrutinize the case, in the interest of restoring the integrity of our justice system. Evidently, the scope of these matters went beyond personal or professional considerations. I urged journalists to conduct a full investigative report, but that would take months. Instead, the article “An Interpreter Now Speaking Up for Migrants” – with the sensationalist and erroneous caption “Breaking the code of confidentiality” – appeared on the cover of *The New York Times* (Preston 2008a).

In the following months, I was so consumed with the Postville relief effort, helping journalists with interviews and reports, lobbying labour unions, faith groups, NGOs, and government officials for a moratorium on raids, and advocating for immigration reform, that I hardly had time to follow up with my profession. I received many letters of support from lawyers, judges, and interpreters, spoke at law schools and bar associations, and received humanitarian awards from the National Association of Criminal Defence Lawyers, the Florida Immigrant Advocacy Center, the American Immigration Lawyers Association, the Guatemalan Foreign Ministry, and other organizations. I was even elected “Linguist of the Year” by Intranet Global Translators Network, based in Rouen, France, but our own professional associations in the United States remained silent and mired in controversy (Bierman 2008).

Some critics suggested that I should have withdrawn from the case citing conflict of interest. But by the time I realized the judges had no sentencing discretion, the case was already over. Not one of the 36 interpreters withdrew, even though many expressed disapproval about the proceedings. One even commented: “Even if we all withdraw, nothing keeps them from bringing in non-certified

interpreters.” The conflict, real or perceived, did not prevent us from discharging our professional duties to the letter. Every single interpreter, independently, arrived at the same personal decision to stay the course. It was the right decision both from an ethical and a professional standpoint. To withdraw from a high-profile case is tantamount to making a public statement, which could affect the outcome and violate the principle of non-interference and the cardinal rule that *the interpreter must not influence the outcome of the case*. Yet this cardinal rule, which underlies the code of ethics and the interpreter’s oath of *accuracy* and *impartiality* (whose purpose is precisely non-influence), is everywhere implied but nowhere expressly articulated in our ethical codes – this being the first lack to be remedied as part of the deontological revision I propose below.

Moreover, it was the court, not myself, that had acquired a conflict of interest, by the manner in which it accommodated the pre-approved prosecutorial strategy (Preston 2008b). New evidence now confirms that the Chief Judge secretly participated in the planning of the raid and prosecutions almost a year in advance of the operation (Black 2010). The court had failed to live up to the same standard of impartiality required of the interpreters. Impartiality, as defined in judicial codes, requires avoiding any situation that might give even the *mere appearance* of bias. It applies to all neutral officers of the court: to wit, judges, clerks, and interpreters (JCC 1994: 17; NCSC 1995: 202). Various critics have argued that abridgments of due process in the case compromised the professional ethics of all participants (Greenberg and Martin 2008; Andrade and Orr 2008). Working for a conflicted court turned everyone into agents of the prosecution. I had to interpret coerced guilty pleas I knew were perjured. All the participants were pressed into playing along, while fraud was perpetrated upon the court as an institution. Doing my job quietly and following the code of ethics to the letter violated in spirit my oath of accuracy and impartiality as an interpreter, and conflicted with my ethical reporting duties as an officer of the court. Confidentiality is not an absolute, nor is it part of the interpreter’s oath. Denouncing the proceedings after they were over, at my own personal and professional risk, was the only ethical choice.

Attempting to seek organizational support, I wrote a “Statement to the Profession” asking the National Association of Judiciary Interpreters and Translators (NAJIT) to review my case, but they were unable to adopt an official position or issue any supportive statement (Camayd-Freixas 2008). The American Translators Association (ATA) gave me the opportunity to present at the 2008 convention, where I received overwhelming support from colleagues, including members of the board, but again no official statement was issued. Our associations seemed unprepared to deal with a major ethical challenge. “No consensus is in sight”, reported Chris Durban in the *ATA Chronicle* (Sibirsky and Taylor 2010: 34–36).

Division and confusion reigned, signalling that a revision of ethical codes and the role of professional organizations is overdue.

As matters stand, if any colleague confronts abuse and decides to exercise *professional discretion* and report the violation, that interpreter will stand alone. This is unacceptable, inasmuch as a core role of professional associations is precisely to support the mission of the individual interpreter. We need not wait until the next mass prosecution. I have corresponded with many interpreters who confront similar abuses, and feel disenfranchised, afraid, and alone. In a changing landscape marked by the erosion of democratic principles and constitutional protections, including abuse of process, arbitrary detention, intimidation, and torture, interpreters are often forced to become tacit facilitators of such abuses (Inghilleri 2008). “In situations where conflicting agendas arise or where the proper exercise of human or legal rights may be in doubt, translators’ ethical and political judgments become as central to their task as cultural or linguistic competence. Translators cannot escape the burden of their moral proximity to others” (Inghilleri 2010: 153). Interpreters everywhere are often advocates for various social causes. Yet the role of advocacy in judicial interpreting is seldom recognized or contemplated (Boéri and Maier 2010).

In response to this changing landscape, it is incumbent upon professional organizations to revisit their ethical codes and draft principled resolutions. The California Federation of Interpreters (2010) has already taken the lead in appointing an exploratory committee on ethics. The present discussion seeks to contribute to that collective effort.

2. Pre-existing rules (deontology)

Any rigorous review of professional codes of conduct should go back to fundamentals: the main ethical traditions that constitute the foundation of all modern ethical codes. Since ancient times, philosophers have attempted to formulate a set of rules to capture our moral intuitions in all situations. After centuries of failing to bridge the distance between codification and reality, we understand that no code can ever fully achieve that. Instead, three complementary ethical systems have been handed down through the ages: Kant’s “categorical imperatives,” British “consequentialism,” and the Confucian “ethics of virtue.” Each has limitations, as well as useful implications for interpreter ethics.

Immanuel Kant (1724–1804) provides the philosophical basis for modern ethical codes – a system of *a priori* “categorical imperatives” or pre-existing rules and prohibitions to be universally observed. The term *a priori* or pre-existing rules refers to ethical tenets that pre-date the particular situation to which the

rules are supposed to apply. Although Kant placed a central emphasis on “will” or “intention” as a determinant of an act’s morality, such states of mind are not observable to others, and in law require an overt act. The fact that codes of ethics cannot practically provide for the “intentions” of an act suggests that the status of “categorical imperatives” accorded to pre-existing rules and codes is a distortion of Kantian ethics. Kant never advocated following rules blindly nor proposed any particular set of rules. By the same token the non-observable quality of intentions is a limitation in the applicability of Kantian ethics, which therefore cannot support any set of rules being construed as absolute or categorical. For Kant it is intentions that count, not rules or consequences.

Yet undoubtedly, a good set of rules will serve us well in most circumstances, and is particularly necessary for the beginning professional. But sooner or later, experienced interpreters will confront the inherent limitations of such purportedly “universal” codes. This is bound to happen whenever codified, pre-existing rules are tested against new social, political, and legal realities.

Inherent limitations in ethical codes belong to three categories: (1) grey areas in reality which fall “in between” ethical tenets, obscuring their interpretation and applicability; (2) situations where different tenets conflict or lead to divergent conclusions; and (3) bias in the way the code originated and evolved.

Regarding bias, consider that interpreter codes in the United States originated with the Court Interpreters Act of 1978, at a time when *ad hoc* interpreters were the norm, and administrators sought to suppress “non-professional” behaviour. Even after “professionalization” (if such historical achievement could be pinpointed), the desire to control new interpreters continues to perpetuate this “supervisory” bias. That is, our codes originated and evolved as administrative tools designed to empower supervisors, not professional interpreters.

Researchers find that “institutions sometimes negotiate the rules sensitively with their members and take account of their experience and values, but more often they impose these codes from the top down, as a response to some legal or public relations concerns” (Baker 2011:283f.). Thus “professional responsibility” came to imply “not rocking the boat” even if it means “ignoring broader moral standards in society” (Cheney et al. 2010:15; cf. Hennessy 2008). The resulting codes seek “compliance with regulations” more than “elevating behaviour” or “being morally responsible” – which sometimes may require “resisting an order, going public with private information, or leaving a job or career altogether” (Cheney et al. 2010:153).

Today, “model” court interpreter codes in the United States (Federal, California, and NAJIT – available at www.CourtEthics.org) are still unrevised supervisory codes. They continue to treat interpreters as though they were still *ad hoc* outsiders to the judicial process, denying them any professional discretion as

participants in the proceedings. This is profoundly at odds with rules 604 and 702 of the *Federal Criminal Code and Rules* (1989), which grant the interpreter the combined status of *expert witness* and *officer of the court* – roles whose scope of responsibility transcends interpreter canons (Dueñas et al. 1991: 160).

Canon 6 of the federal code illustrates this bias: “Interpreters shall not publicly discuss, report, or offer an opinion concerning a matter in which they are or have been engaged, even when that information is not privileged or required by law to be confidential.” This restriction obstructs constitutional freedom of speech and professional advancement through publication, and is neither required nor expected from any other officer of the court. For example, a court clerk in the Postville case published his own criticism of the proceedings, without raising any eyebrows (Moyers 2009). In contrast with this double standard, the most evolved code in our profession, *Massachusetts Code of Professional Conduct for Court Interpreters of the Trial Court*, deliberately states: “A court interpreter shall not discuss publicly, report or offer an opinion concerning a matter in which he/she has been engaged and *while such matter is pending*.” Given that the cases were closed even to appeal, my report was in absolute conformity with the Massachusetts Code. I knew this from the outset, since I trained at Boston Superior Court (1980–1986) where the Massachusetts Code originated.

Moreover, we will see later that the Massachusetts Code is the only one to offer *guiding principles*, the fundamental values that the rules are designed to protect. Precisely because other codes do not recognize any room for professional discretion, they see no need to offer principles for guiding the interpretation and applicability of rules, expecting interpreters to follow them mechanically. Therefore, such codes suffer from all three shortcomings outlined above: inapplicability to grey areas, conflicting tenets, and bias. In contrast, the Massachusetts code clearly states its guiding principles before issuing any rules or prohibitions. I will return to this under “Virtue Ethics,” but now I wish to emphasize that instead of serving to educate and empower interpreters, rigid supervisory codes actually foster what ethical philosophers call “rule worshipping” – following rules blindly, regardless of their consequences or rationales (cf. Hennessy 2008).

The following case illustrates the limitations of ethical codes and the potential consequences of rule worshipping. It concerns a trial where lawyer and interpreter were actually co-defendants, *U.S. v. Carbone and Mejía* (1999). The lawyer, through the interpreter, had coached a witness in preparation for a previous trial, and it backfired. Arguably, the interpreter followed the code of ethics to the letter, interpreting the lawyer’s coaching without interfering. Yet both were charged, convicted, and sentenced with the same level of culpability, for subornation of perjury. This case shows that the interpreter is a *facilitator*. If one interprets during the commission of a crime, interrogation by torture, or rights violations (as I

did in Postville), one has facilitated the abuse – as a full-fledged accomplice. The myth that the interpreter is not a participant is, and has always been, untenable.

Ethical codes do not exist in a vacuum. Over my years as a trainer, I developed with the help of students and colleagues the following “compliance priority”: The Law, Employer Policy, Interpreter Code of Ethics, and One’s Conscience. Before making an ethical decision, the interpreter must fully consider *all* of these sources of authority, without singling out any particular tenet or making any one principle absolute, to the detriment of other considerations. Finally, when searching one’s conscience, one should consider *the foreseeable consequences of one’s actions*: “What is the worst that could happen if I speak out and if I don’t, and can I live with the consequences?” This method has the advantage of properly incorporating rules, consequences, and the virtues or rationales behind the rules, into an ethical decision-tree. One or more factors should clearly justify one’s choice. In the absence of clear and distinct indication, do nothing.

3. Consequentialism

The question of consequences remains an insurmountable argument against “rule worshippers” and pre-existing rules. According to Jeremy Bentham (1748–1832) an act is moral only if its foreseeable consequences bring “the greatest happiness to the greatest number.” Consequentialism is the ethical side of British empiricism and utilitarianism, which together constitute the philosophical foundation of Anglo-American Common Law, linking ethics, justice, and democracy. In contrast, authoritarian rules impose a code of silence and acquiescence, predicated upon the system’s presumed infallibility.

Consequences, however, are not always clear-cut or easy to foresee, let alone quantify. How do we calculate happiness and suffering? Such are the limitations of consequentialism, and the reason why it cannot be relied upon exclusively, any more than pre-existing rules.

In the Postville case, I had to contend with the question of consequences: What if I didn’t speak out? But here, the magnitude of the events made the calculation easy: a community devastated, hundreds of parents wrongfully convicted, hundreds of children at stake – and this was just the pilot operation. The thought of it happening again in a democracy was horrifying. On the other hand, my report brought legal scrutiny to bear upon the case, and helped public defenders better prepare to represent their clients (Kansas Public Defender’s Office 2008). Mass prosecutions ceased and worksite raids subsided. My collaboration in an amicus brief to the U.S. Supreme Court resulted in a unanimous ruling to disallow the use of identity theft charges against unknowing migrants – protecting 7.8

million undocumented workers in the United States from frivolous prosecution (NYU 2008; Camayd-Freixas 2009b). Our fallible system works, because it allows us to challenge it.

4. Moral sentiments and meta-ethics

As a complement to consequentialism and ethical rationalism, the Scottish moral philosopher and political economist Adam Smith (1723–1790) wrote *The Theory of Moral Sentiments* (1759), the ethical foundation for his best-known work, *The Wealth of Nations* (1776).

How selfish soever man may be supposed, there are evidently some principles in his nature, which interest him in the fortunes of others, and render their happiness necessary to him, though he derives nothing from it, except the pleasure of seeing it. Of this kind is pity or compassion, the emotion we feel for the misery of others, when we either see it, or are made to conceive it in a very lively manner (I.I.1).
(Adam Smith 1759)

For Smith, the moral sentiments of sympathy (empathy), compassion, and benevolence are primary to any rationalization of ethics. Thus, the “utility” of our judgments is “plainly an afterthought, and not what first recommends them to our approbation” (I.I.33).

Two main principles in Smith’s theory are of import to court interpreter ethics. First there is the notion that the proper evaluation of ethical judgments requires, more than just rules and rationales, the participation of moral sentiments, which in turn require presence or affective immediacy. That is, we cannot fully evaluate a situation unless “we either see it, or are made to conceive it in a very lively manner.” Thus, presence and/or immediacy are required for the formation of empathy and moral sentiments, which are essential to judgment. “As we have no immediate experience of what other men feel, we can form no idea of the manner in which they are affected, but by conceiving what we ourselves should feel in the like situation” (I.I.2).

This quality of *empathy* is central to the interpreting process. The interpreter must convey *what* is said but also *how* it is said, that is, the state of mind of the speaker. This is only possible by identifying morally and culturally with each speaker. Further, the interpreter’s bilingual and bicultural competence provide for a high degree of cultural and historical familiarity with each speaker. This places the interpreter in a closer moral proximity to others than any other actor in the judicial process. If we add to this the oath of accuracy and impartiality, we can readily see that no one is in a better position to judge than an interpreter *who was there*.

Yet inevitably, those who were not there will pass judgment upon those who were, on the basis of abstract pre-existing rules, which – having no direct experience or affective immediacy to the attending facts and moral sentiments – they can only apply hypothetically and mechanically, as though rules applied infallibly and admitted of no possible exception. This underscores the importance of recognizing the role of *professional discretion* in ethical decision-making for those interpreters who are immersed in a particular situation of conflict.

The second of Smith's principles that concerns us is that of the primacy of moral sentiment, the idea that our moral intuitions or "gut feelings" about right and wrong come first, and only then do our rationalizations follow. This prefigures modern social psychology's "attribution theory of emotions," which suggests that we perceive complex situations pre-consciously as a physiological reaction, before subjecting them to discursive reasoning. We then attribute those physiological reactions to fear, love, anger, or other emotions depending on cues from the environment (Fónagy 2001: 108).

For me that moment of reckoning came during our individual attorney-client interviews at Newton State Penitentiary in Iowa. We were to explain to the Guatemalans the government's coercive plea agreement, and why it was "in their best interest" to sign it. That is when we interviewed Isaías, an illiterate peasant from the highlands of Chimaltenango, who had traversed Mexico on foot and crossed the desert into the United States, in order to toil gruelling hours at the Postville slaughterhouse for meagre wages, hoping to pay his debts and send a few pennies home, where his four children, wife, sister, and mother survived on his remittances. For him the government's plea bargain meant, "sign here or your family starves." We determined beyond doubt that he had no idea what a social security number was. With this, the entire case of the prosecution, based on identity theft and document fraud, crumbled. He was patently innocent of all charges, and yet there was nothing the attorneys could do for him or the other 300 workers. He distrusted both his attorney and his interpreters, for he rightly saw us as part of the same system as his captors. "God knows you are all doing your job to support your families", he said between bouts of tears, "and that job is to keep me from supporting mine." As I translated those words, I saw the attorney recoil, speechless. She took the truth exactly as I did: like a kick in the gut. The only difference is that, as an interpreter, I was not free to show any emotion. Beyond this point any ethical deliberation was mere rationalization, "plainly an afterthought."

In recent decades, the theory of moral sentiments has resurged in the field of "meta-ethics," which includes questions on the psychological foundations of ethics and the manner in which we arrive at ethical decisions. Slote (2010) argues that sentimentalism based on empathy can deal with significant aspects of ethical decisions that rationalism commonly tends to ignore.

Sibirsky and Taylor (2010) are among the first to apply the concept of meta-ethics to interpreter conduct, and particularly to the Postville case. In their subchapter on “Ethics, Meta-Ethics, and Postville,” they define meta-ethics as the “process of thinking about moral values, without participating in them or acting upon them” – that is, while maintaining a *neutral* role. They warn, however, that a *negative* aspect of meta-ethics, construed as “going above and beyond ethics,” consists of “crossing over into unethical conduct” when moral sentiments “compel courtroom interpreters to refuse to perform their duties [...] or to disrupt a proceeding” (Sibirsky and Taylor 2010: 34–36). In some instances, however, the difference between withdrawing on moral grounds and refusing to perform one’s duties may be a mere matter of semantics. Finally, Sibirsky and Taylor allow for a *positive* kind of action based on meta-ethical reflection: when the principle of non-interference is observed and the interpreter proceeds with extreme prudence. As to my role in the Postville case, they conclude: “A visible and verbal interpreter who risks everything to speak up for a just cause at the proper time, place, and manner put into motion meta-ethics” (Sibirsky and Taylor 2010: 36).

While I agree with the authors’ caveats and appreciate their even-handed treatment of the case, I would pose one important technical departure from their definition of meta-ethics. *Strictu sensu*, the term simply means a reflection about the “how” of ethical decision making. Thus, of the three branches of ethics, “ethical theory” and “applied ethics” are considered *normative*, while “meta-ethics” is merely *descriptive*. It does not entail or prescribe any particular course of action. Indeed, meta-ethics is what I am doing when I write this paper. But when I was acting as an interpreter in the Postville case, and as a *citizen* afterward, what I was doing was not meta-ethics so much as “applied ethics” – which is fully normative. That is, my actions were normative in the sense that they establish an important precedent, which I believe empowers individual interpreters and strengthens the profession.

5. Virtue ethics and the Massachusetts code

Instead of a set of prohibitions, Confucius (551–479 BC) with his “ethics of virtue” prescribes the enlightened pursuit of positive values (Sim 2011). Clearly this is the most lofty and advanced of the ethical traditions, but it is devoid of accountability. We cannot justify our actions by simply claiming virtue, any more than good intentions. Without observance of rules and consideration of consequences, even our most virtuous acts might appear self-righteous.

Therefore the values to be pursued in virtue ethics must not be individual values, but those sanctioned by a collective body; hence the importance of professional organizations and the success of the Massachusetts code. When confronted with grey areas, conflicting ethical tenets, and unclear consequences to our impending acts, the ethics of virtue can come to our rescue, provided that our guiding values are those of our society and our profession.

The key, then, to the success of the interpreter code of ethics of the Massachusetts Trial Courts is that it begins precisely by outlining its guiding principles. "These standards seek to: assure meaningful access, protect the constitutional rights, ensure due process, and ensure equal protection of the law for non-English speakers." The language of this preamble remits to the Civil Rights Act of 1964, arguably the most important piece of legislation in American history since The Bill of Rights, and the legacy of Massachusetts sons, President John F. Kennedy and Senator Robert Kennedy, as well as Dr. Martin Luther King, Jr., three martyrs of American democracy. This is how deep these values run in the State of Massachusetts and the whole of New England, which is served by the interpreters of the Boston Superior Court. Coming from this tradition, I was fully aware of my duty to protect these values, both as a citizen and as an interpreter – there no longer being any contradiction between both roles.

These, after all, are the fundamental values, based on law, which the rules of every ethical code for judiciary interpreters are designed to protect. After this preamble, the actual canons vary little from those of other codes. The difference is that by outlining the guiding virtues of the profession, there can be no question as to the proper interpretation and application of the rules.

Yet in order to empower the interpreter, as an officer of the court and as a citizen, in the pursuit and protection of these values, the Massachusetts code departs in one important way from other codes, by specifically preserving the interpreter's public voice and the citizen's constitutional right to freedom of speech: "A court interpreter shall not discuss publicly, report or offer an opinion concerning a matter in which he/she has been engaged and while such matter is pending." The duty of non-interference effectively ends with the disposition of the case. The opposite, the imposition of perpetual silence, actually hinders the protection of fundamental values.

These same principles apply to all officers of the court. Indeed, only by affording the interpreter the same rights and privileges as other officers, may the same duties be demanded, for such is the compact between the court as an institution and its officers. Only then will the court interpreter be recognized as a legal professional and not as an ad hoc outsider.

In sum, the positive discretionary guidance in the preamble of the Massachusetts code reflects the highest standards of the legal profession as a whole. As such, the language of the President's Commendation I received from the National Association of Criminal Defence Lawyers echoes that of the Massachusetts code, the Civil Rights Act, and the Bill of Rights. It proudly reads: "For distinguished service as an interpreter, courage in bearing witness to injustice, eloquence in giving voice to those who cannot adequately speak for themselves, and outstanding service in advocating for the rights of all persons, however humble, to be treated equally under the law."

As a sign of the coming of age of our profession, it is fitting for our organizations to take stock of the Massachusetts code and align their principles and resolutions accordingly. In addition to the values of meaningful access, constitutional rights, due process, and equal protection, which are specific to the legal field, organizations should adopt timely universal resolutions: for the individual's duty to advocate for human rights; against the use of children as interpreters; against facilitation of brainwashing and interrogation by torture;¹ and for the national duty to protect interpreters and their families serving our country in theatres of war. Ultimately, no code of ethics shall hinder the exercise of our highest professional virtues: the respect for human dignity and the pursuit of justice.

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1. Note: The American Psychological Association has long-standing resolutions against facilitating brainwashing and interrogation by torture. The sciences and academia have strict rules regarding research with human subjects. And the list goes on. By no means do such resolutions compromise the impartiality or integrity of professional organizations. On the contrary, they align the organization's public discourse with its fundamental values, which are presumed to also be those of its members.

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Role playing “Pumpkin”

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In September 2007 a three-year old Asian girl is found lost at city railway station in Melbourne, Australia. As police and child protection workers struggle to communicate with the child, they call an interpreter, guessing the girl – nicknamed “Pumpkin” – could be Chinese. Later, we find that the mother has been murdered by the father, who abandoned the girl; the father is eventually convicted. None of this is known at the time.

In the Advanced Diploma of Translating and Interpreting at Royal Melbourne Institute of Technology University, students engage in a role play with social work students on this scenario. It seems unpromising – interpreting for a three-year old? Yet of all the role plays that the students engage in, this raises perhaps the most intense debate and the most extensive investigation of role and responsibility.

Using material from the students’ journals and reports, this paper looks at how issues of ethics and role are illuminated by such a situation, which seems to challenge standard codes of ethics.

1. Introduction

In an article a decade ago, Mikkelson (2000/2001) looked at the literature on ethics in interpreting and concluded that concern over ethics is concentrated in particular areas of interpreting work – in legal and medical areas, as well as in sign language interpreting, but that “in conference interpreting [...] ethics does not appear to be a focal issue” (Mikkelson 2000/2001: 49). She surmises that this is “perhaps due to the sensitivity of the personal issues that arise in medical, legal, and sign language interpreting as opposed to the work of conference interpreters” (ibid.). Subsequent literature has, on the one hand, thrown doubt on seeing conference interpreting as being ethically unproblematic, with accounts of the degree of agency exercised by EU interpreters and their ethical issues (Beaton 2007), a close look at accuracy and ethics in simultaneous interpreting (Seeber and Zelger

2007) and problematic issues where conference interpreters work in the field in various conflict situations (*The Translator* 2001).

On the other hand, concern over ethics in community interpreting situations has increased. This field has witnessed some remarkable consistency in setting down basic ethical rules in various codes, but with little consistency in theoretical underpinnings of ethics, and only a patchy recognition of how ethical issues are being played out in practice. Pöchhacker in 1999 accurately described the field of community interpreting as being one of “getting organized”, with identifying basic needs in service provision, developing language services, commencing some training, developing embryonic professional associations, and establishing “an authority-driven or profession-based system of accreditation or certification more or less specifying standards of practice and professional ethics” (Pöchhacker 1999: 125).

Significantly, codes of ethics were early outcomes of getting organised. Already by 1994, Schweda-Nicholson could survey codes of ethics for interpreters internationally, concentrating on codes for legal and community interpreters, and outline a common spectrum of issues addressed in these codes:

- (1) the interpreter’s overall role; (2) competence and required skills; (3) impartiality; (4) completeness and accuracy; (5) conflicts of interest and grounds for disqualification; (6) confidentiality, and (7) continuing professional development.

(Schweda-Nicholson 1994: 82)

In a more recent survey in 2007, Hale found almost identical issues in contemporary Codes of Ethics, with one reservation: she noted that only a few codes define the role of an interpreter, but almost all state what the role of the interpreter is *not*, leading her to conclude that codes may have a professional improvement role: “...the codes seem to be attempting to rectify the practice of many practitioners who are mostly *ad hoc* and untrained” (Hale 2007: 124). This function still appears necessary in many countries.

Yet the codes of ethics, while significant as markers of growing professionalization, often give uncertain guidance to practice. Rudvin (2007) has questioned whether the guidelines set down in codes of ethics take account of interpreters’ diverse cultural backgrounds, where communication may be based on very different principles to those obtaining in such codes. From a different angle, Kredens and Fowler at Critical Link 6 in 2010 examined how interpreters go about resolving various ethical dilemmas, concluding that “public service interpreters are mostly left alone to deal intuitively with ethical emergencies that arise spontaneously and unpredictably in their work” (Kredens and Fowler 2010). And Mason (2010) at the same conference, looking at mental health interpreting, argued that “the literature relating to ethical decision-making by the interpreter [...] has mainly related

to the prescribed code of conduct, rather than the development of independent ethical competency”. Mason points to the limitations of many codes that prescribe particular roles for interpreters that are challenged in areas such as mental health interpreting, echoing the work of Bot (2005, 2009), who outlines the shortcomings of interpreters in mental health if they assume that a role they have adopted in other areas will be appropriate for mental health.

How, then, can independent ethical competency, and wider appreciation of the complexity of the interpreter’s role, be fostered?

Some of the most innovative recent work in interpreting ethics has come from Clifford (2004), who is sceptical of what he sees as simplistic assumptions of ethics as being conformity to one model of interpreter performance.

Clifford’s central concern is with role, and in particular with shortcomings of the *conduit* model of how interpreters should behave in community settings. He argues that the conduit model posits interpreters as pure transcoders and transmitters of messages, adding nothing and omitting nothing, and that this model has been drawn largely from conference interpreting where, following Mikkelson’s argument, there is little contact between interpreter and parties and the interpreter’s work is largely monologic with a passive listener. Other influences, Clifford argues, have included the desire of interpreters (particularly Sign Language interpreters) to get away for earlier welfare models of being “helpers”, and the desire of many professionals (particularly medical practitioners) to have the interpreter be as unobtrusive as possible, believing the alternative would be a patient advocate role. Clifford also considers that this conduit view is a reflection of lay persons’ untutored, spontaneous view of what interpreting should be – a largely unproblematic exercise in transcoding.

Clifford argues that the conduit model has been largely overtaken by advances in translation studies and newer theoretical perspectives, and describes a number of different ways of envisaging ethics, based heavily on the work of Pym and Chesterman. Clifford characterises the conduit model as representing the “ethics of representation” (Clifford 2004: 97) – to interpret with fidelity is to interpret ethically, but he asks “Is fidelity really the only pathway to ethical behaviour?” (ibid.). Clifford points to the diversity of views of those who work with interpreters as to what their expectations are of interpreters, as well as pointing to the empirical fact of great diversity of interpreter practice. The conduit model may not be the only role either performed or expected.

He posits three other ethical bases for interpreting:

1. an ethics of *service and loyalty*, both to the source of the utterance and to the listener (by analogy with authors and target readers) looking for the *skopos* or purpose of communication;

2. an ethics of *communication*, focusing on the Other to develop an understanding of them and shifting from an emphasis on texts to how people use texts. This comes with an awareness of participants in exchanges and, particularly relevant to interpreting, awareness of unequal power and knowledge;
3. an ethics of *respect for norms*, so that there is predictability in what the interpreter does, and this is built on *trust* between participants in communication. (Clifford 2004: 97–98)

Moreover, Clifford posits a developmental model that includes the above ethical stances as becoming increasingly available as participants in an interpreted exchange come to know each other and develop familiarity and trust, a point to which we return.

This paper looks at how thinking about ethics beyond a linguistic and conduit model can be fostered, taking examples from one training course for interpreters. It also examines how tenacious a hold the conduit model and a limited role expectation has on trainee interpreters as they come into contact with professional demands.

2. The setting

The Advanced Diploma of Translating and Interpreting (T&I) at the Royal Melbourne Institute of Technology University (RMIT) trains to a professional level of accreditation as determined by the Australian National Accreditation Authority for Translators and Interpreters (NAATI). It is a one year full-time or 2 year part-time program. In recent years, significant numbers of international students (largely Chinese, Japanese and Korean) have taken this program, which has raised issues in relation to the Practicum component: NAATI demands that accrediting courses at this level have a period of supervised Practicum as part of the program. While many T&I services and agencies do take local students on placement, they have been reluctant to take on international students for placement, as they are seen as likely to have limited commitment to the T&I field in Australia. As a response, RMIT has developed a program of simulated Practicum experiences for the students, involving various engagements with the T&I field – visiting speakers, visits to T&I services, supervised translation projects, and for the purposes of this paper, a series of interactive workshops with students from other professional faculties of RMIT or other institutions.

These other faculties have included areas of law, health, disability, justice, physiotherapy and social work. In each case, role plays are undertaken between students and staff of the respective faculties and T&I students, thus training the other faculties' students in working with interpreters, and exposing T&I students

to typical interaction and discourse of these other professions. T&I students keep a journal of their Practicum experiences, and also submit a reflective report in which they comment in more detail on their significant Practicum assignments. The Practicum is one component of the unit Ethics and Professional Aspects, where classes are used both to discuss ethical issues in T&I, as well as preparing for and giving feedback on the Practicum. When undertaking these role play sessions, classes would already have covered the Code of Ethics for T&I adopted in Australia, a code developed by the national professional body AUSIT (Australian Institute of Interpreters and Translators), which expounds a consistently conduit view of the role of the interpreter (AUSIT n.d.). Around 55 predominantly international students took part in the simulation exercises described here.

The “Pumpkin” scenario was one of the role plays written by Social Work staff, based on a real case. In September 2007, a three-year old Asian girl is found lost at a city railway station in Melbourne. As police and child protection workers struggle to communicate with the child, they call an interpreter, guessing the girl – nicknamed “Pumpkin” on account of the brand of clothing she is wearing – could be Chinese. Later, we find that the mother has been murdered by the father, who abandoned the girl; the father is eventually convicted. None of this is known at the time. The scenario seems unpromising – interpreting for a 3-year old? Yet of all the role plays that the students engage in, this raises perhaps the most intense debate and the most extensive investigation of role and responsibility. Entries from students’ journals and reflective reports are used here to illustrate the issues raised; expression used in the student writing is unchanged.

3. The first issue – technique: How to talk to a kid

An immediate issue raised was how to communicate with a child in an appropriate manner:

The police need to know her name, her parent’s name and where she lived to identify her. I played the role of the interpreter. I found that in that particular case, in order to make the 3-year old girl comfortable to talk to me, I had to choose easy and simple words and said in an acceptable way for a kid. That was a challenge I have never experienced in class.¹

Certainly, interpreting for children is in most cases a far less common interpreting experience than interpreting for adults (Sign Language interpreters in school

1. All quoted material in this discussion comes verbatim from the students.

classes for Deaf children would be the obvious exception). One other student used this occasion to comment on the need for interpreters to change their communicative style with different interlocutors:

I learned a lot about register and cultural differences during these role plays. While playing the role of the 3-year old child, I realized my interpreter was using a “grown-up” register, which I felt as a child I would not respond to. My interpreter’s voice was monotonous, which I felt did not come across as assuring and caring for a child let alone a child who was in a “shut-down” mode resulted from her possible traumatic experience prior to her abandonment. When it was my turn to play the role of the interpreter, I tried using a “kiddie” register which required a change in the tone of voice, more simple lexical items and shorter sentences. This change evidently was more effective because the child could relate herself to the social worker as perhaps a motherly figure.

4. “The interpreters would be expected to act proactively under the guidance of the professional”

While technique issues were noted, it was the more fundamental issues of role and ethics that raised most discussion. One student reflected on the Pumpkin case by contrasting it with the previous role-play in the same social work session: this was a scenario of two related interviews, one with a distraught mother with deep concerns about her son’s recently revealed homosexuality, the other an interview with the son. Here, the student stressed how absolutely important it was to follow the rules of confidentiality, accuracy, and above all impartiality as the social worker spoke with both parties. It was, in the student’s view, a classic situation for which the Code of Ethics and strict role demarcation were completely appropriate. But then came Pumpkin:

Once there are rules, there would be exceptions. In the real case of Pumpkin [...] an interpreter played a critical role when she was under the care of police, social workers and temporary foster parents. When we tried to go through the case in practicum, we discussed about the role of social workers and interpreters. Social work students explained that in such a special circumstance, all they would like to achieve was to comfort the young girl and try to figure out her basic information. But due to the language barrier they would have great difficulty to establish a direct relationship with Pumpkin, therefore they would virtually rely on the interpreters who speaks the same language and comes from the same social background. The interpreters would be expected

to act proactively under the guidance of the professional. It is just opposite to the ethical guidelines (in the previous scenario), yet totally understandable. What I’m still wondering is what how much liability would the interpreters take in the case.

This concern over the interpreter’s liability, and how this performance in the Pumpkin case squared with the understood role of the interpreter was the crucial concern of all student comments on this case. And it was virtually taken for granted that responding in an appropriate way did mean going outside the interpreter’s role and did challenge the Code of Ethics:

The social workers believe [...] an interpreter should express his/her own thought to the young client, the social work student stated it is very hard to establish a connection with the child; thus the interpreter can and should communicate with the child. But this is clearly not part of an interpreter’s role and one should never take control of an interview, however in this case it is very hard not to do so. This is a very interesting example of how others think of interpreters’ role.

This reflection picks up the issue of how the interpreter’s role is viewed by others, in this case the other professional one works with. A significant feature of these role plays is the learning for both sides, the interpreter needing to adjust their role in this situation, just as the social worker needs to adjust their role in working with an interpreter.

Very importantly, some students picked up that a fundamental aim of the social worker in this situation was to establish *trust*, and to do this in the Pumpkin case involved the interpreter exercising a degree of initiative on their own, a requirement that raised concern for the students, and constantly brought them back to the interplay of roles:

In this session, a major concern risen by social work students was how they built a trust relationship with subject with interpreters, because they don’t want to make vulnerable clients confused by existing a third party. There are not much things that we (interpreters) can do about it, because we are not the one should lead the assignment and it is not appropriate that interpreters control clients in any ways. Hence the practicum was important experience for both social work students and us to ensure what both roles are and what we should do when we come across the similar situation.

While both the above extracts deal with interpreters’ awareness of crossing role boundaries, the second case shows how important a reciprocal understanding of role is for both interpreters and whichever professionals they work with, and the

way in which the interpreter role then becomes a negotiated role between these two players. This is a crucial element to which we return below.

Yet these insightful descriptions of social worker intentions and role adjustments of interpreters in each case came with an expressed unease over how this unexpected shift of role affected the students. Given their almost universal adherence to the conduit perspective of interpreting, and to the code of ethics as understood, the demands of other professionals now suggested that:

(Interpreters') code of ethics may clash with ethics of other professions and its principles are somehow too general, taking into account the various problems we might be faced with, so more things should be done to perfect the code.

This call for codes to give more detailed guidance is an understandable response when faced with novel situations, but given the impossibility of codes being able to cover all likely encounters, the issue here becomes one of how well codes can embody the necessary shifts of role that will inevitably be called for in certain contexts.

The following longer extract shows how a student does work through these issues, sustaining an analysis of role and role adjustment by describing in detail when asked to perform a simple task to get the child to communicate:

During the course of the interview, the social worker invited me, the interpreter, to participate in a colouring activity by handing me coloured pencils and literally saying "Come on, pick a colour and draw"; she did the same to the child. The purpose was to let the child feel safe and start picking up colour pencils and draw because everyone else was doing so, and hopefully felt comfortable enough to utter a few words which could provide precious clues for the police. I was faced with a dilemma whether to follow suit, as I knew very well to do so would have to cross the boundary of the role of an interpreter. The role of an interpreter was to convey messages and facilitate communication only; nothing more, nothing less. This was to maintain a professional conduct. However this unique case seemed to ask more of the interpreter. My first intuition was not to follow suit because I did not want the child to confuse me for the professional who was trying to help her. I fully understood that a child in that situation will definitely relate more to the person who shared the same cultural background and spoke her language, but I was a facilitator and not a professional; I wanted to maintain the clarity of role. Perhaps for the social worker, she would do anything to help the child, even asking the interpreter to join an activity to create a comfortable atmosphere for the child to open up, she perhaps felt a interpreter and a social worker should be on the same team. However, I wasn't sure of the degree of involvement of an interpreter or where to draw the line. I interpreted what the social worker

said, held the colour pencil but did not participate in the drawing. During my reflection, I wondered if participating in the drawing could have also helped to facilitate communication. To justify that is to say that because the social worker wanted to convey a non-verbal message thru the act of drawing and my role is to help facilitate communication, by following suit, the child may respond non-verbally thru her scribbling or drawing of pictures or words which I, the interpreter, will further convey these messages back to the social worker. I understand there are no right and wrong answers to such dilemma, but I feel I could justify both scenarios from an interpreter point of view due the uniqueness of this case.

This striking recounting shows a highly perceptive student, but one interestingly seemingly paralysed within a code of ethics that had the power to prevent the student from participating in the drawing with coloured pencils. What is it, we can ask, that makes this student hesitate? Clearly, the paradigm of the interpreter as conduit has been well learnt, and we can ask has it been too well learnt? As with several other students, this contributor clearly sees any interaction which is not the translation of a message as *ipso facto* being beyond the pale of ethical interpreting. Yet the ability to reflect on the self-identified dilemma shows the working of the “development of independent ethical competency” (Mason above), which augurs well for this student in future professional situations. The observation that participating in the drawing may have indeed facilitated communication, which was the whole object of the pencil and paper exercise, is taken on board and understood as a legitimate aim for an interpreter, thus in Clifford’s categorisation attending to the *communicative* and skopos-oriented needs in this situation.

5. Facing and evading ethical issues

During this Practicum, students journals were intended for making brief descriptions of the actual role-plays in each session, and then these were used to write a longer reflective piece at the conclusion of the course. One student wrote in their reflective report about responses to the Pumpkin issue in subsequent class discussion, and while this must not be taken as the view of all T&I staff at the respective institution, it illustrates a particular pitfall in how ethical situations can be discussed and apparent “solutions” found:

...we discuss this with our T&I lecturers and they concluded that in special cases like this it is best to have a bilingual social worker instead of an interpreter.

Two points can be made here. First, no matter how sympathetic one may be to this point of view, it is irrelevant: an *interpreter* was called. Interpreting ethics begin the moment that call is made; whether or not an interpreter is called is entirely within the province of the other relevant professional (in this case social worker or police), and it is their purpose in calling an interpreter that must be understood. It would be useful to consider how many interpreters would *not* respond positively to such a call if there was a likelihood the child in question spoke their language. Thus, this expressed view that a bilingual social worker should have been called may be considered as a distancing from or even an evasion of the ethical issues raised by this role-play; at the same time, it needs to be understood that a vital strategy for interpreters must be to avoid where possible situations that cause role conflict or uncertainty over ethics. Nevertheless, in this case, it would be difficult for the interpreter, when called, to evade confronting these issues.

Second, this point of view that a bilingual social worker needed to be called is formed knowing all of what happened retrospectively; but ethical decisions need to be made spontaneously, *never* knowing the later, full picture of what will transpire. Principles of ethics thus must be able to be articulated and guide action as the situation unfolds, without rear vision. This points to the importance of considering responses at each step along the way – when the interpreter is first called, when making initial contact, when discussing what to do with the social worker, when attempting various strategies of communication... It points to the episodic and cumulative context in which ethical and role decisions are made, influenced also by the growing collaboration with the social worker in this instance, and the building of common strategies. This consideration of what to do step by step may be a more useful way to tease out ethical and role issues rather than a summative overview of what the social worker or police might have done in the first instance – call someone else.

This perspective of needing principles that can guide spontaneous action, combined with the ability to respond step by step and cumulatively build strategies on the part of interpreter and co-worker, can now point to some conclusions about the ethical, but even more so the cognitive and collaborative issues that are illustrated in the Pumpkin case.

6. Ethical or cognitive issues?

The importance of familiarity with professional context and professional purposes shines through in all student journals. As much as the ethical and role issues took central stage, of equal salience was the growing shared understanding of

each others’ roles among the students from the different faculties. For some of the international T&I students, this understanding offered significant insights:

Social worker in Australia was completely different what I expected ... they have more power to do their work and broader than (in) my home country ... It was very useful session that I can understand this profession ...

Crucially, the importance of understanding the profession gives us one key to how ethical and role issues must be discussed, and why the Pumpkin case is so productive of student responses. The students grow in confidence in understanding novel role demands as they learn more about the intention (we can call it *skopos* in this case) of the social worker. The cognitive drives the new role understanding and ultimately acceptance, and it is this cognitive aspect of having insight into the social worker role and their needs in this situation that gives legitimacy to going beyond the students’ strongly embodied conduit role. For what we come to here is not simply consideration of role, but of *role reciprocal*. An earlier starting point for such a consideration was provided by Zimman in a 1994 account of teaching ethics, little followed up in subsequent literature, where it was argued that:

Perhaps the controversy (over the role of the interpreter) reflects the fact that circumstances and role relationships that are crucial for defining the role of the community interpreter are not always taken into account. (Zimman 1994:219)

This focus on role relationships allows us to see the Pumpkin case as illustrating very clearly Clifford’s argument that it is the growing familiarity that other professionals have with interpreters, and reciprocally the growing familiarity that interpreters have with each professional field and its demands, the greater cognitive appreciation of context, that allow adoption of alternative ethics to the conduit model, and give confidence in their adoption.

In Clifford’s categorisation, the Pumpkin case exposes the students to the whole gamut of role considerations, from the conduit model of strict delineation of role, through consideration of communicative needs, to a position of trust and cooperation in a joint venture to establish rapport with a child: “a progression from the ethics of representation, through the ethics of communication, to the ethics of respect for norms” (Clifford 2004: 110).

At the same time, despite Clifford’s and others’ often critical views of codes of ethics, the Pumpkin case also shows the value of students strongly having a base view of interpreting as represented in the conduit model. In this case, the conduit model is a guide but also a point of departure when a particular informed understanding of a new context is developed. The conduit model serves as a still powerful default. Clifford argues that when an interpreter and professional meet

as strangers for the first time, or where the context is unfamiliar to the interpreter, the conduit model is an understandable expectation and response. Professional *cooperation* then takes us further.

Finally, we can say that for pedagogic purposes the key to discussion of ethics must be to understand not only the interpreter's role in certain settings, but the role relationships with other professionals, whether it is a professional/lay encounter or a professional/professional encounter. At Critical Link 6, this issue came up in other papers, most significantly in Trainor and Bowes' (2010) paper "Interpreter Training and Education is too important to be left to linguists alone" where mental health professionals and interpreters jointly ran a training program, with an emphasis on the collaboration between interpreters and mental health workers. As Clifford summarises:

There may be a linguistic component in the role that interpreters play, but that role is inherently a social one. The ethical principles we present to interpreters must reflect this reality. (Clifford 2004: 111)

We can thus identify some movement towards reconceptualising ethics for community interpreters, though this movement may be slow and uneven, not least because the field is constantly troubled by needing to ensure minimal ethical behaviour on the part of often poorly trained and prepared practitioners, whose own sense of adequacy or inadequacy makes conceptualising of role relationships a very problematic goal, albeit a very urgent one. In order for pedagogy of interpreting ethics to develop new strategies to reflect the interpreter's social role and role relationships, it would seem that help from other professions is vital: the Pumpkin scenario, which brings so much animated discussion on ethics and role, could only currently have been written by social workers, not interpreters. For in the whole scenario, Pumpkin does not utter a word.

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A description of interpreting in prisons

Mapping the setting through an ethical lens

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Prison interpreting remains a virtually unexplored territory for researchers. As well as drawing greater attention to it, this paper aims to contribute to a deeper understanding of the prison interpreting reality by describing the setting on the basis of accounts collected through observation, questionnaires and interviews with practising interpreters and other stakeholders. The data have been examined in order to identify determining factors for the prison setting with regard to interpreting. These factors have been organized according to a subject classification: domain and setting, organizational issues and security procedures, common problems and solutions, ethical principles and dilemmas, and professional role. The findings suggest that the elements particular to the setting, in this case security procedures or the conflictual rapport that is built between primary participants, have an impact on the practice and ethics of public service interpreters (PSIs), pointing to the notion that it is necessary to comprehend the environment in order to adopt an adequate ethical model and professional role.

1. Introduction

In his book *Surveiller et punir. Naissance de la prison*, Foucault (1975: 18) stated that “Punishment has passed from being an art of unsupportable sensations to an economy of suspended rights”, summarizing the transition from a system of retribution based on physical punishments to one structured around the idea of confinement in penal institutions. This suspension of rights is the foundation of the criminal philosophy behind most modern prison systems. However, imprisonment may become an unsupportable punishment when the suspended rights affect the ability to communicate with others, thus leading to situations of vulnerability, exclusion, infringement of rights, unequal access to services and increased chances of re-offending.

By looking at specific differential aspects that characterize the prison interpreting setting, the main difficulties typically faced and the effect all these factors have on the interpreter's ethics, this paper aims to offer an overview of public service interpreting (henceforward PSI) in prison facilities. The field of professional ethics was chosen as a point of departure because its purpose is to make practitioners think ethically about their profession (Suárez 2001: 108), the problems they face and possible solutions to them. It provides a useful framework for reflection about the details of this professional activity, both at a hands-on and at a more philosophical level.

Prison interpreting remains relatively unexplored by the professional and research communities and needs to be charted. To illustrate this with an example, on 23rd November 2010, a Google search of the string "prison interpreting" yielded 1,020 results, none of which dealt with the characteristics of the setting, while "legal interpreting" returned 98,900 results.

Nevertheless, some valuable work has been done. The Institute of Linguists in Britain issued a *Prison Service Add-on* (HM Prison Service et al. 2007), as an additional module in the legal option of the Diploma in Public Service Interpreting (DPSI), based on a pilot project that is, however, still to be implemented. From a research perspective, two theses have been written about interpreting in penitentiaries: Martínez-Gómez Gómez (2011) and Baixauli Olmos (2012). The main results of the latter are summarized in this contribution. These seem to be the only works specifically dealing with prison interpreting. Despite the scarcity of resources, there are contributions dealing with topics more or less closely related to interpreting in the prison context, like foreign prison population (Hofstee-van der Meulen 2008) or linguistic integration in European prisons (Martínez-Gómez Gómez 2008; for a more detailed review of research in prison interpreting, cf. Martínez-Gómez Gómez 2011: 67–70, 81–83).

Prison interpreting service provision is an important social need that often is not fulfilled. In some European countries, like Germany, Greece, Italy or Spain, more than 25 per cent of the prison population is of foreign origin (International Centre for Prison Studies 2011). Consequently, cross-language communication and interpreting is a highly relevant issue in penitentiary institutions (Hofstee-van der Meulen 2008; Martínez-Gómez Gómez 2008: 491).

1.1 Design and data collection

Arguably, the best way to understand a field of professional practice is to become a practitioner, and this was the intended course of action to collect data. After several attempts to get the permit to interpret or to record interpreted encounters

in the Spanish prison of Castellón-I, it became clear that security and logistic constraints would make it impossible. The fact that permission was not granted framed the context of this research and has become a major research finding; as we will see, security is a differentiating feature and a conditioning aspect of this setting.

Therefore, the research strategy had to be modified. We focused on collecting observations of the setting through the eyes of respondents with relevant information. The intention was to get hold of as many sources as possible with the aim of gathering different perspectives that would form an inter-subjective viewpoint of the object of study. This course of action was found to be appropriate, given the lack of information and the difficulties involved in gathering it.

The overall sample is made up of several data sets (observation, questionnaires and interviews) obtained from various groups of informants: 50 public service interpreters (PSIs), 6 prison managers, 9 inmates, and 10 prison workers. The questions posed to all of them focused on three issues: the informants' opinions on what cross-language communication in prisons is like, what problematic elements could be improved and how. Despite this common outline, as the data to be elicited from each group were different, so were the questions posed. Although the sample is relatively small, the results seem to provide an approximation to PSI in this setting and point in the direction of what the current trends and practices are and show us how "evolved" this side of the profession is in different territories.

The PSIs questionnaire was sent to a broad array of organizations and individuals with varying scopes and traditions within PSI between October 2009 and February 2010. Notwithstanding these efforts, most replies came from informants belonging to the National Association of Judiciary Interpreters and Translators, a US professional association of court interpreters and translators. In this respect, the data obtained may be partially biased; our findings would probably provide a broader view of the studied reality if informants from different domains were represented in the sample. However, this lack of response is also significant in that of all the organizations identified, the only one interested in the study was a professional association of legal interpreters.

The three face-to-face, semi-structured interviews with experienced PSIs in the field took place in England's Northwest region between October and December 2009.

A total of eight meetings were also held with two prison managers from Castellón-I prison between April and August 2009, in which issues such as the prison's organization, living conditions, and characteristics of its population were discussed. During this period, the questionnaires for prison workers and inmates were also handed out and collected.

Given the difficulties for direct observation, a plausible alternative was to organize a short course for inmate-interpreters. This 5-day interpreting course for inmates was finally approved and took place in August 2009. Although such observation cannot replace the value of direct interpreting, it allowed us to gain some experiential knowledge and to collect information from *ad-hoc* interpreters, regarding types of encounters, kinds of interaction between service providers and inmates and usual topics.

1.2 Data analysis

The data were systematized by developing abstract categories out of specific occurrences via a type of semantic analysis called *cluster analysis*. Cluster analysis consists in finding thematic clusters, where concepts are internally cohesive and externally differentiated (Sánchez Carrión 1999). The clusters were then compared and the relationships amongst them established. This method of conceptual mapping and theory construction, *grounded theory* (Glaser and Strauss 1967), is widely used in social sciences. This process enables theoretical information to emerge from raw data and is useful to integrate different views and various sets of information into a well-grounded comprehensive view of a topic.

2. Results

2.1 Prison setting

One of the first questions posed to PSIs was how they would describe the prison interpreting setting. Their answers range from very negative to more positive views. On one side of this continuum, we find statements like “Prisons are vile places, where you feel shaken”, “It is daunting and impressive” or “It is unnecessarily uncomfortable, depending on the prison”. Some informants define the setting in rather neutral terms, commenting that “Security is very tight” or that “There are no special difficulties”. On the positive end, some respondents consider that “It is an easy and comfortable environment” and “Staff are friendly”. This divergence in views possibly stems from the fact that prison institutions can vary enormously (Morris 1998:228).

Even if responses are reasonably diverse, references to security are recurrent; in this first question 40 out of 50 PSIs mentioned the word “security”. Emphasis is also put on the negative effect the physical environment has on the emotional atmosphere, the well-being of PSIs and the interpreting process.

On being asked what elements make prison interpreting different from other settings, interpreters noted that access to police stations is easier because security procedures are more flexible; and, even if physical stress is greater, there is less tension, as the arrestee will not necessarily remain there, and is therefore less frustrated. In comparison with court interpreting, some respondents consider the prison setting to be less formal, which tends to make interpreting less stressful. Respondents also reported similarities between prison interpreting and court interpreting, as adversarial aspects may be present in both, in the sense that some degree of confrontation may arise between primary participants. One informant also pointed out the necessity to protect one's safety as an aspect coincident with mental health interpreting.

2.1.1 *Domain, setting, type of event*¹

According to all our informants, the prison PSI setting belongs to the legal domain. In spite of the clear predominance of this domain, a prison is not a purely legal setting and there may be an overlap or superimposition of domains; indeed, penal institutions provide many different services (legal, medical, social, educational etc.) within their premises.

Communication needs do not seem to be met in all domains, however, because the current system and regulations do not provide for professional PSI services in all of them. Most of the professional interpreting in prison facilities is of a legal nature, seldom of a healthcare nature and never for training or social services. Although three informants expressed awareness of prison healthcare interviews taking place with professional PSIs, the only meetings in which any of the surveyed PSI respondents had ever interpreted were of a legal nature. Half the inmates stated they had interpreted in social services and training sessions within the prison, but none of the professional PSIs had ever done so, nor had they ever heard of this occurring. We may hence hypothesize that this practice stems from an attempt to prioritise a fair trial as well as the welfare of inmates, but there are no such regulations for providing training or social services.

The most recurrent type of event takes place between a lawyer and an inmate, as stated by a majority of PSIs (44 out of 50). Apart from the social chatting it involves, the topic of the interaction mostly revolves around the particulars of a hearing or trial, such as bail, time and date of appearance in court, or the charges pressed, settlement and agreements reached. The interview topic may depend on the language combination; e.g. a German national in a UK prison is unlikely to take part in asylum hearings.

1. This classification of interpreting services was taken from the *Standard Guide for Language Interpretation Services* (ASTM 2007).

Focusing on the encounter, the lawyer-inmate meetings are not described as essentially different from other legal-domain meetings, following a simple question and answer structure. However, interviews in prison tend to be more informal and intimate than those performed in other legal settings, as inmates may talk about personal matters.

Below is a summary of the types of interviews other than lawyer-inmate that take place in prisons, classified under each of the four domains suggested in the questionnaires, and including the usual participants and subject matter:

1. healthcare: a doctor and an inmate (topics: mental health, self-harm, drug use and maternity),
2. government: an asylum officer and an inmate (topic: asylum),
3. penitentiary: a prison officer and an inmate (topic: hearing in a mini-trial in prison, investigations, parole board meetings), during searches, in detention or court cells,
4. social services: a social worker and an inmate (topic: needs inside and outside the prison, family life, complaints, reintegration).

2.1.2 *Organization*

The interpreting task is always affected by the typical procedures of the setting where it takes place, i.e. rules, time and space, etc.

Security. Every person that enters a prison establishment has to abide by a set of security procedures. The norms most relevant to interpreting refer to the need to face the inmate at all times and to consider the distance to primary speakers.

High levels of security are likely to entail low levels of intimacy and privacy, mobility, as well as difficulty in accessing information. These rules change at times and some respondents argue that, if the presence of a PSI may require special arrangements, those modifications of rules may sometimes be motivated or invented.

Time and space. This topic is one of the most frequently mentioned in the sample, typically referred to in negative terms.

As regards the time allocated for each meeting, it is normally short, and sometimes visiting times change, are delayed or get cancelled without notice. As far as space is concerned, it is observed that the quantity and quality of rooms tend to be insufficient. The architecture of the premises is an element that deserves attention, since it “tends to dominate much of the texture of life in prison” (Morris 1998:238). The number of rooms may not be sufficient for all interviews to take place at the same time and it may be necessary to wait until a room is vacant.

Interview rooms in prisons tend to be small and are not always in a good state; they often have poor acoustics and may not be up to standard, because they are dirty, are not well ventilated or lighting is unsatisfactory.

It may be posited in this connection that the categories *space*, on the one hand, and *time*, *ethical issues*, *security* and *communication obstacles*, on the other hand, are related. Space limitations may entail time constraints, breaches of confidentiality and violations of the right to privacy and to security, in addition to the fact that rooms in poor condition or ill-equipped hinder communication.

Process. The description of hiring procedures and processes prior to interpreting tends to be relatively coincident within the sample. The following steps usually take place:

1. A lawyer requires an interpreter
2. PSI is contacted either directly or via an agency
3. PSI goes to the prison, where s/he meets the lawyer
4. (There is no briefing)
5. PSI and lawyer sign in (with booking letter or visiting permit) and show ID, leaving their personal effects at the entrance
6. PSI and lawyer go to the main entrance
7. PSI and lawyer queue with families
8. PSI and lawyer pass through security checks (these vary according to security level) and double security doors
9. PSI and lawyer access the visiting area, usually with cubicles where the interview takes place (this also varies according to security level)

Technology. The increasing use of technology is changing the prison interpreting landscape. Los Angeles state courts use a satellite system to conduct interviews with inmates, as noted by one of the respondents. Correspondingly, in the UK, two informants mentioned a video-link technology that is being applied to process bail applications (also explained by Fowler, this volume).

2.1.3 *Current professional situation of prison interpreting*

The situation of the profession is different in the three countries we have more information about.

In the UK, the typical situation involves either the court or the barrister, who will look for an interpreter through the National Register (NRPSI), typing in the postcode and required DPSI speciality (typically, law), just like when any public service needs an interpreter. Interpreters for the police or in court must be registered in the NRPSI, while this is not the case when they interpret in a prison after

being contacted by a solicitor, who usually looks for non-certified interpreters.² When a private body needs an interpreter, they can call an interpreting agency. In relation to the influence of agencies, the privatisation of the sector seems to have worsened the situation, because agencies pay low wages and quality is dropping; one of the respondents expressed this with an eloquent “when you pay peanuts, you get monkeys”. In fact, at the time when the interviews were conducted, many PSIs in the UK were taking part in a boycott against these agencies.

The situation in the US is slightly different. Penitentiaries in the US do not hire PSIs directly, although they may rely on interpreting services provided by certified interpreters working for district courts or the attorney. According to some of these informants, it is common for districts to have a chief interpreter supervising a team of interpreters.

As far as the quality of PSI service provision in prisons is concerned, according to more than half of the responses (25 out of 47), it is average, high or very high. However, 9 informants rated PSIs in prisons poorly or very poorly, while the remaining 13 respondents declared that they did not know.

In view of these facts, and considering that PSI in prisons is only provided when the institution is bound by law, it may be concluded that the response to communication needs in penal institutions in both the UK and the US are based on a legalist approach, following the classification made by Ozolins (2000).

In the Spanish context, professional PSI has not been introduced in the correctional regime, as pointed out by the interviewed prison managers, although it is consistently considered a necessity by 90% of inmates, prison workers and prison managers. There is no system in place whereby a penal institution can demand interpreting services when the need arises, when informing inmates, in healthcare consultations, training sessions or parole board meetings. On such occasions, communication depends on the goodwill of prison workers or fellow inmates. It is only upon the inmates', or their lawyers', request (and at their cost) that a professional interpreter may be brought to work in a prison. Therefore, interpreting in Spanish prisons tends to be *ad hoc* (Ozolins 2000). In other cases, usually when a crime has been committed in the prison, inmates are taken to the court, where an interview takes place with the assistance of an interpreter hired by the court (and usually, when possible, certified). In other instances, the lawyer's office may contact a professional PSI, mostly non-certified.

2. [Editors' note: at the time of going to press, this situation no longer applies in England and Wales; the British Ministry of Justice has outsourced all court interpreting and some police interpreting services to a single commercial agency.]

If we compare the responses given by informants in the Castellón-I prison and those of PSIs from the US and the UK, it is clear that Spain lags behind these countries in terms of prison PSI presence and quality.

Overall, more than two thirds of prison workers and inmates consider that the non-professional services provided, essentially the interpretation conducted by fellow inmates, are satisfactory. However, managers seem to be more acutely aware of language needs and PSI, and out of the 4 who answered the question, 3 rated the situation negatively.

When assessing the quality of communication, we find a clear divergence in the perceptions of communication needs. 8 out of 9 inmates declare they understand “a little”, while 7 out of 10 prison workers believe that inmates understand almost everything; half the managers deem that inmates enjoy a satisfactory standard of quality in communication, whereas the other half consider it is of poor quality.

Notwithstanding this discrepancy, according to my own observation and the accounts offered by interviewees, the quality of cross-linguistic and cross-cultural communication is clearly not up to standard. Given the number of foreign prisoners, which is a feature of the whole Spanish prison service (35.8% of foreign prison population in June 2011, according to the Spanish Secretaría General de Instituciones Penitenciarias, 2011), it may be argued that the prison system is not showing enough sensitivity to the prison community’s communication needs.

Most prison PSIs (41 out of 47) consider the practice of using inmates as *ad hoc* interpreters to be completely inadequate. They mentioned a number of ethical, socio-professional and communicative reasons, of which the most pertinent to prison PSI are the potential negative consequences for the inmate-user, the inmate-interpreter and their possibilities of reintegration.

2.1.4 *Obstacles to communication*

The difficulties that might hinder the triadic interpreting process refer to verbal, paralinguistic and non-verbal elements. PSIs may find it difficult to carry out their task when inmates do not speak clearly or use an obscure jargon; one informant mentioned that a sign language-using inmate could not sign because prison officers would not take off his handcuffs. Interpreting may also be problematic when communication takes place through a glass pane or telephone, or in cases of poor acoustics or excessive background noise. As regards non-verbal elements, the low level of schooling of inmates may also hamper fluid communication.

2.1.5 *Solutions*

The general solutions suggested by the three groups of informants are relatively convergent: increasing financial resources to introduce professional PSI services,

relying on clear benchmarks (specific regulations and professional norms or standards) and implementing training initiatives for PSIs, inmates and workers. It is acknowledged, however, that often there is little individual PSIs can do about these difficulties; the fact that they do not “belong” to the prison system may make them seem foreign to it, and that is the reason why they retain little or no power.

In terms of security issues, this is a particular characteristic of the setting and therefore practitioners should learn to work in this environment.

As far as communication and transfer elements are concerned, PSIs should make sure they can hear and be heard to enable understanding of messages. During the interpreting session, it is considered appropriate to provide cultural information in order to facilitate communication. Unlike in judiciary interpreting, PSIs are not likely to find resistance against this practice, because verbatim transcriptions of meetings are not kept, as observed by two informants.

When any obstacle outside the transfer process significantly hinders communication, it is advisable for PSIs to seek assistance from the appropriate person, who, if thought fit, should then inform the relevant authority. This step should be taken, for example, when PSIs are unable to talk or listen, feel threatened, security measures make communication impossible, in cases of corruption, lack of privacy or serious ethical issues.

In order to improve the situation of the profession and the quality of services, there are three fronts where progress needs to be made: training, regulation of agencies and collaboration of other stakeholders. All UK respondents pointed out that a good solution to some of the most important problems would be to regulate the use of agencies. According to our research, the lack of training sometimes creates situations of insufficient involvement in the task or non-compliance with professional standards; a clear specification of each professional's jurisdictions would help counter this deficiency. In this respect, one informant argues, in reference to the UK, that increasing the general and setting-specific training required to pass the DPSI exam would be positive (for instance, by implementing the prison interpreting add-on pilot project). It would also be desirable to count on the close collaboration of other professionals. PSIs need to be provided with the necessary background information (for instance by means of a short briefing); it would be optimal for interpreting service providers to send the same PSI in all prison visits involving the same case. During the interpreting process, the assistance of the party providing a service (e.g. the lawyer) is a key factor; supplying “neighbouring” professionals with cards or brochures on how to work with interpreters may bring about the necessary support.

2.2 Professional ethics

But how do all the parameters we have highlighted affect the role of the interpreter? In what ways is professional ethics modulated differently in the prison interpreting context?

The security element is an aspect of great concern for prison PSIs, as it has been argued, and it directly affects professional practice and its ethical component. This trait is common to other settings, such as mental health institutions (Zimányi 2009: 256), although in prisons security procedures appear to be tighter and more prominent as a distinctive feature.

2.2.1 *Ethical dilemmas*

PSIs were also asked what kind of ethical dilemmas they had been faced with, and how these could be solved. Although most informants declared they had faced no noteworthy dilemmas, others mentioned the following situations:

1. possible mistreatment: In cases of clear unfair treatment PSIs should report to the appropriate person. However, one informant mentioned a propensity for some inmates to use all the resources available to them to appear as victims, making it necessary for PSIs to be especially watchful.
2. communication difficulties: In a situation where the inmate has poor literacy skills, PSIs may be faced with a dilemma, because they have to choose between embarrassing the inmate or allowing the meeting to proceed in a slower, less efficient manner. Another kind of dilemma refers to the metaphorical use of language made by primary participants, who may use expressions like “the sands have shifted”, as illustrated by an informant.
3. safety concerns: Two issues PSIs have shown concern about involve cases where PSIs are left alone with inmates, or when they are informed about an outbreak of a contagious disease once they are on the premises.
4. socio-professional issues: These dilemmas revolve around malpractice by other practitioners, when there have been serious misunderstandings in previous encounters due to inaccurate renditions, inmates have not understood or even heard the hearing or administrative procedure, prison workers engage in corrupt practices, or lawyers do not take note of critical details.

Some of these dilemmas are connected with role performance (see below). We might hence conclude that a clearer outline of the role of prison interpreters might be helpful to reduce the exposure of practitioners to especially complex situations that require some kind of ethical inquiry.

2.2.2 *Ethical principles*

In spite of the fact that most informants did not identify any relevant specific dilemmas, which suggests that ethics was not a crucial concern for them, our findings show that consideration of the setting from an ethical viewpoint can highlight the defining features of the prison context. Ethical principles are useful in this respect, as they are dynamic abstract notions that take on special significance when applied in context. Five principles are examined below, considering the difficulties faced and solutions given by our informants:

1. *Accuracy*: In a prison, the behaviour, attitudes and verbal exchanges exhibited are scrutinised and subsequently evaluated by staff in order to determine prisoners' levels of co-operation; such evaluations impact upon entitlement to privileges and/or early release. This must be borne in mind by interpreters when working in this context, since verbal behaviour in a foreign language can only be perceived by the institution through the renditions of interpreters.
2. *Completeness*: During fast exchanges, it is common for the solicitor not to let the inmate finish. In order to prevent these shortcomings, PSIs should insist on their duty to reproduce everything, including instances of all offensive language.
3. *Privacy*: Lack of privacy may affect the degree of spontaneity of conversations.
4. *Confidentiality*: It is not always clear where to draw the line between complying with the ethical duty of keeping information confidential and helping preserve an inmate's health (in cases of potential suicide attempts, for example) or the security of the facility. Another concern is that lawyers and inmates may be reluctant to disclose important details regarding the case, so the management of information on the part of PSIs becomes essential in this setting. At the same time, PSIs should protect themselves by being careful about any personal details they provide.
5. *Impartiality*: PSIs often enter the room where the interview takes place with the lawyer and may therefore be perceived by inmates as being on the lawyer's side. Prison officers expect PSIs to comfort inmates or chat with them even if it is not the PSI's job. It may also be the case that lawyers expect PSIs to provide a brief explanation of the history of the inmate's country or to assess whether certain information is accurate. PSIs may respond to these situations by clarifying it is not their role to perform such tasks and that they must abide by the impartiality principle. Regarding interpersonal dealings, many respondents pointed out that it is difficult to detach oneself from inmates' needs to communicate and "make friends", which may lead to the dilemma of adopting or not a broader role than recommended, thus creating a conflict

between personal and professional values. In these situations, it was suggested that PSIs remind themselves that their primary duty is to convey messages, not to speak for themselves.

2.2.3 *Role*

Consideration of the defining parameters of an encounter helps PSIs match the context (domain, setting, precise encounter and participants) with an adequate professional role, as the role accommodates and adapts to its environment and contextual factors (Hsieh 2006:722). Therefore, PSIs should, first of all, deem security protocols as a top priority.

Secondly, the nature of the relationship that is built between primary participants (i.e., consensual or conflictual, Zimányi 2009:257) also defines the role and position of PSIs. The relationship between guards and inmates is one based on power and control. Similarly, relationships between solicitors and inmates tend to be tense and antagonistic; they may appear at times to be playing games by *hiding* behind the interpreter. Lawyers may “keep their cards close to their chest” in order to elicit information, while inmates may not be willing to answer questions clearly. In such a context, PSIs are often caught in the middle of this dialectical and discursive game and may face ethical dilemmas when conveying purposely vague questions and answers.

Given the fact that the PSI role is an interface between two parties, practitioners often find themselves in a stressful position, because of potential cultural clashes, as may be the case in medical interpreting, or because of the adversarial environment where the task is carried out, typical of court and, seemingly, also of prison interpreting. Two different sources of stress on the prison interpreting role have been identified:

1. Exogenous pressure (“You should...!”): primary participants expect or require PSIs to carry out tasks beyond their duty. When inmates ask PSIs for information, advice, help, or opinion, they exert pressure of a personal nature. In situations where lawyers request PSIs to refrain from interpreting an utterance or to confirm the inmate’s nationality on grounds of dialect or accent, they create tension of an inter-professional kind; such requests stem from differing and at times conflicting perceptions of the PSI’s role by service providers and PSIs themselves, given their often divergent missions.
2. Endogenous pressure (“Should I...?”): PSIs are uncertain about what course of action to take; this may happen when professional duties, ethical principles or personal and professional values seem to collide, for example, when an inmate confides to the interpreter that he wants to commit suicide.

In order to resist the primary participants' mistaken expectations regarding the PSI's role, one respondent suggested that "PSIs must push from their corner", which translates into strategies such as role-clarifying, duty-specifying or handing out a copy of the code of ethics, if necessary.

2.2.4 *Codes of ethics*

Informants were also asked to give their impressions on codes of ethics as tools that may help overcome difficulties. The NRPSI and NAJIT codes of conduct are used extensively and both are considered important, easy to implement and useful both for training and practice purposes, although there is also some consensus in our sample that they do not seem to have a direct effect on practice. None of the informants expressed awareness of any code of ethics that specifically refers to prison interpreting.

As potential improvements that could be made, the documents by NRPSI and NAJIT would be of more use if setting-specific observations were added and an appendix with real-life examples illustrating how these ethical principles relate to specific situations. It would also be desirable to add a tenet referring to information sharing with PSIs by other professionals. Two respondents also suggested that the wording in the NRPSI Code of Conduct might be made clearer.

3. Conclusions

Foreign prison populations are growing rapidly in European countries. In parallel with this phenomenon, the need for interpreting services in penal institutions is also increasing. However, prison interpreting is still an uncharted field from a research perspective. In view of this fact, this paper has tried to shed light on this interpreting setting by looking at the contextual elements that condition PSI practice and the professional role, which also seem to have an impact on ethical dilemmas and on the way ethical principles may be formulated, articulated or prioritised.

A setting of professional practice is an irreducible social construct made of a complex web of relations that can be observed through an ethical prism, and this has allowed us to present a description of this setting by focusing on problems and solutions. Although this contribution cannot be a comprehensive depiction of the interpreting that takes place in correctional institutions, it has tried to acknowledge this complexity by gathering various "versions" of the prison interpreting reality, in order to provide a description of it.

The task of prison interpreters is characterised by a number of elements. Primarily, the need to comply with very strict security procedures determines the

interpreting setting at different levels: scarcity of space and time, lengthy procedures, sense of intimidation and tension, difficulty in accessing information, and lack of privacy. Secondly, the surroundings are not conducive to enabling effective communication, because acoustics and communication equipment tend to be of poor quality and rooms may not be in good condition. Thirdly, the relationship between primary participants may, on the one hand, be antagonistic and the dialectical games they engage in make the interpreting process complicated; on the other hand, the interpreting task may be relatively relaxed, as the meeting is never recorded, it usually involves some social chatting and tends to be of an informal nature.

The role of the PSI in this context, as is probably the case in all contexts, develops and evolves, being constantly constructed, (re)negotiated and asserted, in accordance with the changing nature of its surroundings. Under some circumstances, the triadic interpreting encounter in a prison may become a system of forces, in which unbalancing (unpleasant environment, pressure) and balancing vectors (training, code of ethics, professional ethos) can diffuse or exacerbate an already tense situation. Dilemmas arise in the process of adopting an impartial role, defining the limits of intervention in a given situation and making these explicit to others. Strategies aimed at resisting these tensions (e.g. role clarification) while searching for balance (e.g. only necessary interventions) strengthen the ethical structure of the profession and help establish an appropriate professional role in order to fulfil the ultimate goal of enabling effective communication in a context where this is most needed.

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From chaos to cultural competence

Analyzing language access to public institutions

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This paper presents a sociological, five-stage model for analyzing the development of language access services in the public sector. The process starts with a state of 'chaos', where no institutionalized or professional solutions facilitate communication between service providers and clients from linguistic minorities, to a state in which the public sphere is linguistically accessible, as part of a comprehensive policy of cultural competence. As a case study, the model will analyze processes taking place in Israeli society since the 1990s.

1. Introduction

The paper offers a systemic sociological model, composed of five transitional stages of language access in the public sector. The model describes various processes involved in the development of language access to services, and the factors underlying the public sector's inclusion of professional interpreting among the services rendered to the public. The model will be used here to analyze Israeli reality, although its main features can be used to understand processes elsewhere as well.

Very few models have been suggested to date for describing the process by which public institutions develop means of providing language access. Ozolins (2000) drew a continuum of governmental responses to the need, from denying it completely to providing trained and accredited interpreters through well-established services. In the middle are those states where individual institutions in the public sphere use local, sporadic solutions. On a later, elaborated model (Ozolins 2010), he found 9 macro factors that influence public sectors to develop effective language services. Especially interesting are five factors that relate to public policies – toward immigration, service provision, centrality of the regime, and attitudes towards the concept of interpreting in general, and the various types of the profession in particular. Agger-Gupta (2001) created a grounded-theory (Glaser

and Strauss 1967), three-stage model to describe the establishment of interpreting services at hospitals in the United States and Canada. The process started with the “making-do” stage, where medical practitioners used chance and untrained linguistic mediators, eventually reaching the “normative growth and maturation” stage, during which staff members became accustomed to using medical interpreting, and began integrating it into the interactional process. At this stage, the institutions drafted a policy on the use of professional interpreters and operated an administrative, management and technology support system for the interpreting services. In his research, Agger-Gupta found that some organizations, after the third stage, moved on to provide culturally competent services. Guidelines published by the Office of Minority Health regarding the Culturally and Linguistically Appropriate Services (US Office of Minority Health 2000), have served as the basis for organizational change of the health institutions in the United States, and later as a reference point in other Western countries.

Other writers describe the establishment of interpreting services in public institutions (e.g. Abraham and Oda 2000; Corsellis 1997; Hoen Nielsen and Sasso 2006; Oda and Joyette 2003), but do not use organizational theories to explain these processes. Puebla-Fortier (1997) describes the contribution of government-community partnerships in ensuring medical interpreting services. Although not referring to particular organizational theories for the case studies presented in her article, she lists several obstacles to implementing the services, and factors that contribute to the success of these partnerships.

Taking as a point of departure Pöchhacker’s model (2006) to describe the spectrum of theoretical models in interpreting research, the model presented here may be located between the organizational and sociological levels, an area in which relatively few models have been proposed. The model presented here elaborates on Agger-Gupta’s (2001) and Ozolins’ models (2010) mainly by adding stages to the complex process of introducing interpreting service to public settings, and mapping the factors that may help or hinder the movement from one stage to another. Several components of the model integrate concepts from sociological theories regarding the introduction of new ideas (Johnson, Dowd and Rideway 2006) and processes of legitimization (mainly DiMaggio and Powell 1983; Powell and DiMaggio 1991; Suchman 1995).

The model adds a sociological perspective to community interpreting research. Moreover, it can help action researchers identify processes, actors, and forces involved, and actively push the stakeholders to progress to the next stages.

2. The model: From chaos to cultural competence

This five-stage sociological model describes and analyzes the processes leading from a state of chaotic public sphere – where no institutionalized and professional solutions are in place to facilitate communication between the service providers and the members of a linguistic minority, to one in which the public sphere is linguistically accessible as part of a comprehensive policy of cultural competence. The model includes the forces impacting the process, such as those that facilitate or hinder full language access. The following are the stages of the model:

- A. Chaos
- B. Emerging awareness
- C. Piloting professional interpreting services
- D. The decisive phase:
 - D1 Disappearance of the service
 - D2 Small-scale projects continued
 - D3 Expansion, Duplication and Institutionalization
- E. Spillover

The model is essentially chronological, although some of the processes play out in parallel.

Stage 1. Chaos

In the Chaos Stage the state does not provide comprehensive and institutionalized means of linguistic access. Consequently, when the member of a linguistic minority requires service from the public sector, s/he and the service provider must resort to *ad hoc* solutions. There may be cases in which only some parts of the organization (or some organizations in the same sector) are linguistically accessible while others are not; or an institution may provide access to speakers of one language but use *ad hoc* solutions for speakers of other languages, despite the need. Service providers may feel they can “make do” when treating language minorities, and may underestimate the need for professional interpreting.

Stage 2. Emerging Awareness

In the Emerging Awareness Stage, public servants and decision makers become cognizant of the problems caused by difficulties in communication with people who do not speak the majority language, and may feel frustrated by the lack of permanent solutions. Decision-makers and practitioners reach this stage as the

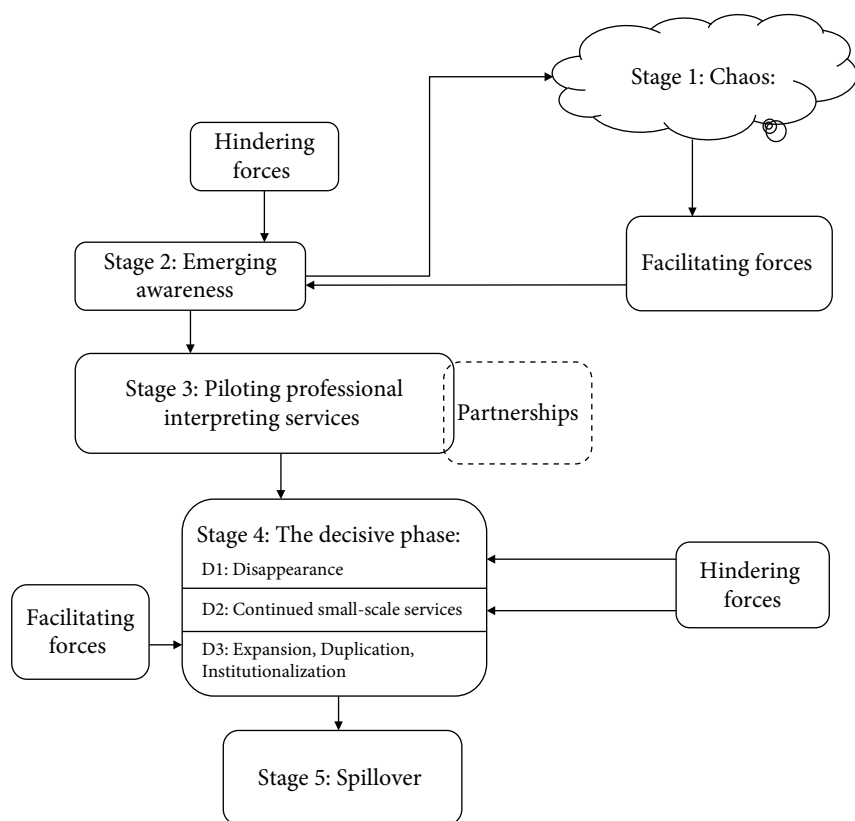


Figure 1. Development of language access to public institutions

result of several processes, such as research, awareness of solutions in other countries, and advocacy activity to provide interpreting as means of equal access to services. However, alongside the catalysts for change, which will later contribute to the establishment of interpreting services, there may also be processes that hinder this development.

Here are a few examples of forces that contribute to the emerging awareness of language gaps, and the potential benefit of professional interpreting services:

1. **Research:** Academic research, which points to the effectiveness of community interpreting services or to the potential harm incurred by their absence, is an influential factor in ensuring that decision-makers are aware of the need for language access. When armed with data, decision-makers supporting the change will find it easier to introduce language access services.
2. **Awareness of language-access solutions in other countries:** Thanks to their professional contacts with counterparts in other countries, institutions

exchange information and ideas on issues related to languages and cultural accessibility. University faculty members, as well as interpreter associations also serve as channels for importing ideas and successful models for bridging the language gap.

3. **Lawsuits and petitions:** Legal tools are powerful means in promoting linguistic minorities' rights for equal access, whether for individuals or a collective. This force is stronger in countries that are more active in defending language rights, whether by a constitution, laws or regulations; and in countries where legal actions are considered a stronger tool for change than other means.
4. **Advocacy and community activism:** Community organizations and civil rights organizations in general, especially those concerned with minority rights, may use advocacy tools to put the issue of language access on the agenda. Political advocacy is defined as active participation in the policy-making processes, and as an attempt to influence government or institutional decisions so as to promote a cause or a collective interest (Bar 2006). Advocacy may be conducted by lobbying the legislature and the government to promote a bill or regulations, or by generating media coverage, letters to the authorities, and research on violations of regulations related to language access. Agger-Gupta (2001) for example, found that community activism was the catalyst for the establishment of interpreting services in the United States and Canada.
5. **Political pressure:** Political pressure to change legislation or internal regulations may be applied through public representatives, themselves members of language minorities, who serve in the legislative or executive authorities; or by public representatives who have a special interest in language access.
6. **Media coverage:** The media play a role in placing human and civil rights issues on the public and political agendas. However, the media reflect society, so that, generally speaking, they prefer to raise issues that have already begun appearing on the public agenda.

The six factors listed above contribute to increased personal awareness of the need for institutionalized access to public services. However, more comprehensive organizational changes are often delayed, due to one or more of the following hindering factors:

1. Lack of demographic information on the residents who require interpreting services;
2. A lack of system-wide awareness of the need for interpreting services, coupled with a "making do" philosophy (Agger-Gupta 2001), leads to de-prioritization of language services as a vital component of the service;
3. An institution's fear that provision of interpreting services to one minority population will cause other minority groups to demand the same service;

4. Dependence on grants and donations, and no earmarking of funds to language services is liable to encumber long-term planning;
5. An unstable political situation – frequent governance changes may delay the institutionalization of public funding for language access services;
6. Technical constraints – as service providers face time constraints, they may refuse to call an interpreter due to the additional time required for a mediated conversation, the need for special equipment, etc.;
7. The lack of advocacy organizations dedicated to promoting language access.

In the absence of a critical mass of facilitating forces, or when the hindering forces are stronger than the facilitating ones, institutions will continue to use the non-professional solutions described in Stage 1 – Chaos. Only when one or more of the facilitating forces overcome the constraints in the field – for example, a very expensive class action or political pressure leading to the amendment of regulations – will a transition to Stage 3 be made.

Stage 3. Piloting Professional Interpreting Services

Stage 3 of the model entails the founding of a designated professional interpreting service, usually for a trial period. This service may be part of an organization or public service, or may be an independent (profit- or non-profit) organization that subcontracts interpreting services to public institutions.

Six vital components distinguish the new interpreting service from its *ad hoc* predecessors: screening, training, marketing, monitoring and assessment, setting of working procedures, and arranging legal issues relating to the interpreters and their work.

The new interpreting service will be enhanced through partnerships. Among those who play a role in establishing the service are religious leaders, community facilitators, community organizations and advocacy organizations (Puebla-Fortier 1997). Such organizations enjoy credibility with consumers, and are accessible to populations which the establishment often has difficulty reaching. Through these partnerships, the organizations themselves benefit from access to tools, resources and services that are generally not accessible to them (Indyk and Rier 2006a, 2006b).

Partnerships with community organizations in establishing interpreting services may help in the process of:

1. Finding new interpreters, particularly when there is an urgent need; e.g. in response to an influx of immigrants speaking a language that had not been accommodated previously;

2. Incorporating language and culture experts in interpreter training;
3. Integrating the service into the community, and increasing political pressure to expand it;
4. Evaluating the service from the client's perspective.

Partnerships with members of academia who deal with interpreting are important in ensuring a professional and reliable service based on proven models and on standards of ethical practice. Researchers can assess needs, perform quality control, and evaluate performance, thereby helping to create strategic plans for the future of language access (Dubsflaff and Martinsen 2003; Carr 1997).

Partnering with translator associations may help recruit and train new interpreters, and provide advice on standards, interpreter ethics and evaluation methods. In Japan, for example, the medical interpreters' organization in the Hyogo Prefecture has launched a training program for medical interpreters and health care providers, has been a partner in organizing a conference on professional ethics, and has introduced a code of ethics for interpreters (Mizuno 2006).

Given the low priority for earmarked funds for language access, partnerships with donors may play an important role in the pilot stages. They provide funding for the initial training, operation and standardization of professional interpreting (Angelelli 2005).

Stage 4. The Decisive Stage

After the initial small-scale operation ("pilot project") of an interpreting service, there are three options for proceeding:

1. Disappearance of the service and return to the state of chaos (Stage 1 of the model);
2. Continued small-scale operation of the service;
3. Expansion, duplication and institutionalization of the service.

From a sociological perspective, it would seem that institutionalization of interpreting services is a process in which a new mode of behaviour gains legitimacy. Johnson, Dowd and Rideway (2006) present four phases that a new behaviour or belief must pass to take root. They call the first stage "innovation" – a procedure, belief, or new way of thinking – in response to a need. Some of the innovative activities will not last, while others will gain power and play an ever greater role. For this to happen, the behaviour must receive local validation. In other words, the local players must accept the behaviour or at least refrain from opposing it. If the behaviour is accepted at the local level, it gains strength through the process of

diffusion into different situations at the local level. If said behaviour responds to a need or suits the purpose of other players, it will diffuse more quickly, and the solution will spread until it becomes standard procedure in the given environment.

Stage 4A. Disappearance and Return to State of Chaos

Lacking a decision to expand, duplicate and institutionalize the interpreting service, the funding (from internal or external resources) will end, the interpreting service will cease to operate, and the public sphere will revert to the state of chaos that existed at the outset (Stage 1 of the model). This situation is, as aforementioned, characterized by the use of temporary measures for addressing language gaps. However, the public sphere itself will have been altered, as some public servants (and clients) may already have become aware of the potential benefit of professional interpreters. Thus, the public sphere will revert to “Stage 1A” (“Acknowledged Chaos” – a mutation of Stage 1). This stage is chaos accompanied by service providers’ awareness of more professional solutions, and potential frustration with the unavailability of such solutions. It can therefore be assumed that professional solutions for language access will be re-attempted at the local level, for example, by using staff members to interpret in a certain region or at a specific institution. These solutions are merely local, however, and will not be part of national institutionalization or overall strategic thinking.

Stage 4B. Continued Small-Scale Operation

After initial operation of a small-scale interpreting service, the establishment may decide to keep operating it at a limited scope, which does not necessarily reflect the scope of demand for it. Delays in expanding and institutionalizing services may be due to one or more of the following:

1. The lack of a coordinated, harmonized language access policy for public institutions; i.e. a situation in which each government agency follows its own internal regulations, effectively impeding expansion on a nationwide scale and the allocation of state funding.
2. The lack of a coordinating body – as long as no single entity is responsible for the provision of services, or at least for their standardization, there may be administrative and budgetary waste. That said, competition between service providers may lead to improved quality, but also to compromise, given the need to demonstrate lower costs.
3. The lack of training and research – in some countries no academic program is available for community interpreters (Hale 2007). The field of community

interpreting does not belong to the academic mainstream, *inter alia*, due to the lack of academic research on language gaps and interpreting services, and the lack of specialist interpreting instructors (Ozolins 2010). Thus, the quality of interpreters will not be improved, nor will the status of the profession.

4. The lack of quality control – lack of awareness of the importance of evaluation, and the dearth of competent evaluators in some minority languages may lead to low-quality service.
5. Low-quality interpreting service during the pilot stage.

My assumption is that this “limbo” stage will not remain the case for long, since it is neither “chaos” nor “full access”. Over time, internal and/or external forces will affect policy-makers’ decision, whether to stop the interpreting services and revert to Stage 1A (“Acknowledged Chaos”), or to expand, duplicate and institutionalize them.

Stage 4C. Expansion, Duplication and Institutionalization

These are three manifestations of the establishment of the pilot project. Expansion implies operating the services over additional days and/or longer hours; introducing the service in other parts of the institution; or accommodating for additional languages.

Duplication implies the introduction of interpreting services into additional institutions in the public sphere. In this context, the term used to explain how interpreting services are duplicated in various institutions is “isomorphism”; i.e., structural assimilation of one organization into another. DiMaggio and Powell (1983) argue that organizations compete not only for resources and customers, but also for political power and institutional legitimacy, and for social as well as economic fitness (DiMaggio and Powell 1983: 153), which is why they would duplicate and incorporate interpreting as part of their routine services.

Institutionalization implies legislation, the introduction of internal regulations, and ensuring that interpreting services are included in the regular budget. The duplication and institutionalization processes are reinforced by the legitimization of the service – from within and without the public sphere. Legitimization is the perception or general assumption that the activity of a given entity is desirable and appropriate, or in keeping with a social system of norms, values, beliefs and definitions (Suchman 1995). Therefore, the fact that institutions cooperate with respect to language access lends support to public legitimization of the service. Powell and DiMaggio (1991) claim that organizations attempt to copy those which they recognize as sources of legitimacy, or those considered to be successful in major areas. In this way, the image and rules applied in the “role

model” organizations are emulated in the newer organizations. The rules adapted as “best practices” trickle down through social networks. Moreover, organizations that desire legitimacy for the rules they have implemented will create a supportive environmental system (ibid.).

The transfer to the Institutionalization Stage is achieved through some of the facilitating factors noted in the transition from Stage 1 to Stage 2, and from Stage 2 to Stage 3: political pressure on the decision makers and budgeters, lawsuits and legislation.

In addition to the facilitating factors identified in the Emerging Awareness Stage, other forces may provide influence once the service is up and running:

1. Positive feedback from the field: When the service is launched, data on effectiveness is gathered to improve the service, shorten the waiting time, and improve the quality of life of those who need the service. This feedback may also transfer costs from private sources to the institution’s own budget.
2. Finding supporters of the service within the establishment: Agger-Gupta (2001) relates at length to the role of supporters within the establishment to the institutionalization of interpreting services in healthcare institutions.
3. Pressure by public servants and users from the minority groups to preserve the service.
4. Providing proof of economic benefit: After data is collected on the nature and effects of interpreting services, it will be possible to attempt to prove that professional interpreting is ultimately cost-effective.
5. Research: Academic studies and cooperation of researchers with the government and NGOs can promote the provision of professional interpreting services (Valero-Garcés 2003; Valero-Garcés and Taibi 2004; Rudvin 2006; Shlesinger 2007).

Stage 5. Spillover

In the Spillover Stage interpreting services are perceived as part of the overall cultural appropriateness of the public sphere for cultural minorities. Agger-Gupta (2001) identified this stage in the process of establishing interpreting services in healthcare institutions, and called it “normative growth” and “maturation”.

Betancourt, Green and Carillo (2002) define ‘cultural competence’ of health-care systems, but their definition can be applied to any public system. It describes the system’s ability to provide care to clients with diverse values, beliefs, and behaviours including tailoring delivery of service to meet clients’ social, cultural and linguistic needs. The ultimate goal is a system and workforce that can deliver the highest quality of service to every client, regardless of race, ethnicity, cultural

background, or language proficiency. The perception of cultural competence has been developing over the past three decades in Western Europe, the United States, Canada and Australia. Organizational cultural competence usually includes:

1. Setting policy for treating cultural minorities, and implementing existing legislation on cultural appropriateness;
2. Appointing a person responsible for cultural competence at the institution or in the public sphere;
3. Training staff to give culturally-sensitive service;
4. Institutionalizing relations with the community, transfer of information through lectures, workshops, development of culturally sensitive informational materials, and training on how to become more familiar with the services of the public sphere;
5. Striving for ethnic diversity in employment;
6. Professionalization of community interpreters, including the establishing of professional associations.

(Agger-Gupta 2001; Betancourt et al. 2002; Campinha-Bacote 2003)

Hence, introduction of the cultural competence concept will spill over and affect the establishment of professional interpreting services. As in the previous stage of the model, the Spillover Stage is both influenced by external factors and influences them in return. These factors may include academic research, testing of solutions used in other countries, and successful advocacy actions. It is possible that the transition from Stage 4 to Stage 5, which is dependent on the desire of public servants to enhance their cultural and linguistic awareness and gain tools for dealing with it, is linked to positive factors rather than to such measures as punishment or enforcement (e.g. lawsuits). As before, partnerships with academia and with community organizations may help employees in the public sphere to draft an agenda of cultural appropriateness that is translated into practice.

3. Analyzing language access to public services – Israel as a case in point

After having presented my model in general, I would like to analyze processes taking place in Israel over the last 10 years. It is relatively easy to test the model against Israeli reality, due to relatively recent occurrences, and the fact that the country is small, thereby enabling one to closely follow the related processes and forces.

The following analysis is based on a PhD dissertation documenting the establishment of “Call for Health”, the first medical interpreting service in the country (Schuster 2009). The analysis is based on documents, media reports, and four

semi-structured interviews with care providers, health administrators, and the members of the non-profit organization that founded the service (for a list of interviewees see Appendix).

Stage 1. Chaos

Israel is a multicultural and multilingual country. The official languages are Hebrew and Arabic. However, the population comprises many other indigenous and immigrant linguistic minorities: Jewish immigrants from the former Soviet Union, Western Europe, Ethiopia, South America and Northern Africa, work migrants, asylum seekers from African countries and Ultra-Orthodox Jews. Despite this factual multilingualism, long-term state projects to improve the language accessibility of public services are scarce. In most institutions, language access is makeshift, such as a list of bilingual staff members or volunteers, lectures and intervention programs regarding culturally-sensitive treatment of specific groups, basic language courses for staff members, etc. The use of professional bilingual staff or trained interpreters is rare and has only begun in recent years.

Israel law rarely makes any reference to language access; one of the few exceptions is that of criminal proceedings. The Criminal Procedure Law (Section 16.7.1) stipulates that “Should the Court establish that the accused does not know Hebrew, it shall appoint an interpreter, or interpret itself” (State of Israel 2006). With respect to police investigations, the law stipulates that investigations for offenses for which the punishment is ten or more years of imprisonment are to be conducted in the suspect’s language or in a language s/he understands and speaks (State of Israel 2002).

Until 2009, a single company provided all of the interpreters (on a freelance basis) for both the criminal courts and police interrogations. However, the interpreters did not undergo training and were not monitored, and their wages were low (Sevenier-Gavriel 2008). Then, after pressure from civil-society organizations the tender was changed. There are currently four companies providing these services and they are obliged to at least screen the interpreters.

In the fields of healthcare, welfare and education, no legislation exists to ensure language access. A possible basis for interpreting in healthcare settings appears in the Patient’s Rights Act, which outlines the providers’ obligation to provide medical information “in a manner that maximizes the ability of the patient to understand the information and to make a free and independent choice” in order to get informed consent (State of Israel 1996). There are some attempts to make provider-client concordance according to language, but sometimes this solution is impractical and works for certain languages only.

Otherwise, mediated communication is mostly confined to makeshift, partial solutions:

1. Post-secondary national service, in lieu of military service – serving as liaisons between providers and members of a language minority population (most commonly Arabic speakers, Amharic speakers or Israeli Sign Language speakers);
 2. Rosters of volunteer bilinguals;
 3. Ad hoc solutions for a specific conversation – interpreting through an escort (a relative, neighbour) or passer-by;
 4. Bilingual staff members – staff members who are not trained in interpreting but have some knowledge of the minority language assist in linguistic mediation throughout the institution;
 5. Cultural mediators – workers who engage in linguistic and cultural mediation between clients and service providers. This solution has been in place since the immigration waves to Israel in the 1950s. In the last two decades, cultural mediators have been confined to the Ethiopian community, and sometimes to the Russian community (in educational settings);
 6. In-house interpreters – employees defined as interpreters, generally untrained. This category is the rare exception;
 7. Free-lance interpreters – are booked mainly (but not exclusively) by the criminal court system, and to a lesser extent by the police and prison authority.
- (Sevenier-Gavriel, personal communication, 2010)

It should be noted that in the Chaos Stage none of the language facilitators undergo linguistic assessment or designated interpreter training. During this stage, awareness of the damage that may be incurred by the absence of professional interpreters is low, as is users' familiarity with more professional solutions, and their willingness to consider such solutions. This notion is clearly shown in an interview held with a senior physician, who said: "[...] the medical administration plays down the medical interpreting because (communication with language minorities) is part of our daily routine, and we seemingly manage" (A. Jaffe, interview, 6 July 2008). In some cases, service providers are aware of communication gaps with one language group, but not with another. The state of chaos described here is also characterized by the failure of the institutions to share language access resources. For example, interpreters may be called to interrogations, but not to other police activities involving non-Hebrew speakers.

Stage 2. *Emerging Awareness*

In this stage, public institutions become aware that the *ad-hoc* solutions are not enough, and that the latter may hamper service or care. Here are a few examples of the forces affecting the emergence of awareness of professional interpreting in the Israeli setting:

1. Research – An MA thesis analyzing the form and quality of court interpreters (Sevenier-Gavriel 2008) attracted the attention of the person in charge in the court administration, and eventually the researcher herself was appointed as a consultant to improving the quality of the free-lance interpreters by screening and training.
2. Awareness of professional solutions in other countries – Israeli scholars and public servants go abroad, and see how language gaps are narrowed. They bring back their impressions and possibly new contacts. Thus, their own awareness may be increased, and they can lobby for change in their environment. An Israeli researcher in the field of communication spent time in US hospitals during her postdoctoral studies. She was deeply impressed by the profound awareness of the close link between language and the realization of patients' rights through an interpreter (N. Guttman, interview, 4 August 2008). Another interviewee, an executive in the largest HMO in Israel, was familiar with the concept of linguistic and cultural accessibility in Europe due to her work with the World Health Organization, and in writing the Amsterdam Declaration¹ (D. Levin-Zamir, interviews, 6 July 2008 and 10 August 2008). Later, she was active in the establishment of the first professional interpreting service in the healthcare sector. Yet another interviewee was made aware of professional medical interpreting while at a conference on language access (“Mind the Language Gap – Access to Healthcare for Language Minorities”), held at Bar-Ilan University in May 2006, which included lectures by researchers and practitioners from Israel and abroad (www.a2hc.org) (A. Jaffe, interview, 2008). The conference was a starting point for extensive networking, and led – among other things, to cooperation between interpreting researchers and a community organization, and to the establishment of the “Call for Health” interpreting service some months later (see Stage 3).
3. Lawsuits – lawsuits filed by language minorities whose rights have been infringed as a result of the lack of language access, are not common in Israel. Beyond satisfying the desire of an individual for legal remedy, such lawsuits

1. The 2004 Amsterdam Declaration towards Migrant-Friendly Hospitals in ethno-culturally diverse Europe.

also serve to make the public aware of the issue of language access, and may even contribute to a real change in the language access policy in various public spheres (Shlesinger 2008). In 2007, the Jerusalem Magistrate's Court awarded an Arabic-speaking couple damages after their foetus was stillborn; the woman and her husband had been unable to understand the doctors' prenatal instructions. According to the judgment handed down by Judge Dar'el, the State of Israel recognized the obligation of the practitioner to provide the patient with an explanation in a language understood by the patient (State of Israel 2007).

Regarding interrogation of suspects, several civil rights organizations have petitioned the Supreme Court to stipulate why the Ministry of Public Security does not implement the provisions of the Criminal Procedure Law (State of Israel 2002), according to which the testimony of suspects is to be taken in a language the suspects understand and speak (Public Committee against Torture in Israel 2007).

4. Advocacy and community activism – in Israel of 2011 there has been no organization that is solely dedicated to promoting language access, although in recent years the subject has been on the agenda of several organizations which exert pressure on government ministries, participate in the drafting of tenders for interpreting in public institutions, and handle whatever few complaints are received on grounds of poor language access.
5. Political pressure – this mechanism is relatively weak in Israel and has not yet led to a change of legislation, even though a few Knesset (Israeli Parliament) members have started referring to language gaps as a cause of disparities, injustice, discrimination, and unequal service.
6. Media coverage – only a handful of Israeli journalists write regularly about issues related to language minorities or access problems. One example is the media coverage related to the possibility that language gaps contributed to a tragedy in July 2010, when an Ethiopian-Israeli new immigrant was murdered by her violent spouse, after going to the police station and being told in Hebrew – a language she did not understand – to wait for a police escort (Kubovich 2010a). The same reporter criticized the police's continuous failure to provide a competent Chinese-Hebrew interpreter for a work migrant who allegedly committed manslaughter (Kubovich 2010b). In another instance, a journalist handling medical malpractice issues attributed the death of a Bedouin baby to the fact that no interpreter had been called to facilitate communication between the Arabic-speaking mother and the medical staff (Reznick 2010). Investigative journalism may also initiate its own monitoring of the status of language access at public institutions. For example, in 2008, an Israel daily launched an inquiry into the availability of information in

Russian, Arabic and English in the call centres of the large government ministries, HMOs and other large companies (Raz-Chaimovitz 2008).

Stage 3. Piloting Professional Interpreting Services

As described in the Chaos Stage, most interpreted conversations in public service occur with the assistance of non-professional interpreters: either escorts or passers-by, or people who function as interpreters de facto, without training. After a critical mass of facilitating forces had operated, we witnessed the birth of professional language aides.

“Call for Health”, the first designated medical interpreting service in Israel, was established in 2007, by Tene Briut, a non-profit organization that promotes the health of immigrants from Ethiopia. The service is provided over the phone, by trained interpreters. It is nationwide, anonymous and free of charge, and is financed by private donations. The six components that distinguish a professional service from *ad-hoc* solutions can be found in the operation of this service:

1. Screening: The candidates underwent linguistic competence assessment in Amharic and Hebrew, as well as an evaluation of interpersonal skills.
2. Training: The interpreters were provided pre-service and ongoing training, including basic anatomy and physiopathology, tests and procedures, interpreting techniques, medical terminology, and standards of practice and ethics. Training was also provided for the end-users in the respective clinics.
3. Marketing: In order for this non-mandatory service to be sustainable, it required marketing – addressing all groups of healthcare professionals (e.g. pharmacists, physiotherapists, dieticians, physicians, etc., as well as administrators), and at the Ethiopian-Israeli community.
4. Monitoring and assessment: The organization collected qualitative and quantitative data regarding the service, and analyzed conversations in order to monitor the quality of interpreting and to provide feedback.
5. Legal and ethical issues in the interpreters’ work: For the first time, professional liability insurance for medical interpreters was applied, as well as work according to known codes of ethics.
6. Setting operational procedures: Rules for working with interpreters were established, as well as a mechanism for providing feedback and handling complaints.

Partnerships played a critical role in the establishment of the “Call for Health” service, as well as in subsequent services. The idea of using interpreters for patient-provider communication had already existed in Tene Briut back in 2005.

But the idea got a boost only after the organization had participated in a conference on language gaps in healthcare in 2006 (F. Gadamo, interview, 20 July 2008). The two conference organizers, researchers from the field of Translation and Interpreting studies, were asked to join the planning and establishment of the service. One of them – the author of this paper – was appointed as its director. The biggest HMO was active in integrating the service, as well as in solving some of the legal issues. However, most of the work was done alone by the organization, without any official support, let alone funding (F. Gadamo, A. Jaffe, interviews).

In another field, partnerships have helped to advance the standardization of court interpreting. In a letter to the court administration, the Association for Civil Rights recommended that interpreting services in the courts should be improved by “[...] establishing partnerships with professional bodies that can provide advice on all issues related to measuring the quality of the interpreting [...]. It is advisable to give interpreters various skills such as enrichment of legal language and vocabulary, as many of the interpreters do not have a legal background” (Letter to Court Administration, November 2009).

Stage 4. The Decisive Stage

The Israeli public sector has hardly reached this stage, even though in some sectors there are signs of duplication and institutionalization. In 2009, the second largest HMO has launched a telephone interpreting service for providers wishing to communicate with Arabic- and Russian-speaking clients. It is modelled on the experience of the “Call for Health” service, and its partners are researchers and trainers from the academia. It was closed after two years of operation, and further analysis will determine which of the negative factors listed here contributed to that result.

In the court system, steps have been taken to improve the quality of outsourced interpreters, and create a more organized working environment. A consultant to the court administration, appointed after she had published an MA thesis about the quality of interpreters, is co-leading the process with a court administrator. A designated committee attended by judges was established, to discuss issues that require judicial opinion. The first step of institutionalization was a pilot, 1-day training for interpreters who passed interpreting skills tests. Other planned measures include mandatory screening tests; 5-day training; establishment of a code of ethics; routine supervision of interpreters; and providing judges and lawyers with information about the work with interpreters (N. Sevenier-Gavriel, personal communication, 1 September 2011).

Stage 5. Spillover

The concept of cultural competence in public services has begun to be discussed only in recent years, mainly in the health sector. A conference on the subject, with participation of international experts, promoted decision-makers' awareness by publishing recommendations for adapting the healthcare system for diverse communities, in order to reduce disparities (Epstein 2008).

In 2008, the ALYN Pediatric and Adolescent Rehabilitation Center in Jerusalem started an initiative to become the first culturally-competent hospital in the country. As part of this effort, a management-level employee was assigned the role of promoting the process, and received both administrative and budgetary assistance. A detailed work plan was prepared to improve the interpreting services, signage and forms; staff received training in culturally competent care and service; and a prayer room was dedicated for the use of Moslem patients and staff. In addition, short interpreter trainings were provided for bilingual staff, and for the full-time Arabic-Hebrew interpreter. Hence, the advancement of professional interpreting was conducted as part of a larger program to adapt services and care for patients from different cultural groups. News of this activity has filtered down to other healthcare institutions, and generated discussion on how to replicate the model; however, very few institutions have decided to implement and budget a similar program so far.

In February 2011, the Israeli Health Ministry Director-General issued a directive regarding the language accessibility and cultural adaptations required of all healthcare institutions. The directive relates to the availability of interpreting services, translated documents (suited to the culture of the readers), signage, training of staff in the field of cultural competence, and more (State of Israel 2011). All healthcare organizations were to submit an action plan within five months, and the directives are supposed to be implemented by 2013. The Ministry of Health will perform controls on the implementation of the directive. As of 2013, minors will not be allowed to be used as interpreters, and service providers are expected to make appropriate steps to provide professional interpreting services, whether by in-house or remote interpreters.

It is noteworthy that the Ministry of Health's directive is the only example so far relating to professional interpreting in the public sector in such a holistic manner. As mentioned, apart from the legal and police settings, no other law or regulation has related at all to professional interpreting.

4. Summary

The model presented here describes the processes and forces involved in the provision of language access to public services. Public institutions can move from a state of unawareness and reliance on non-professional solutions, to a state in which professional interpreters are one of several tools to promote equal, culturally-sensitive service. Processes in Israeli society have been analyzed as a case in point. Most of the services in Israel of 2013 are currently either in the stage of chaos or that of emerging awareness, with but a few piloting professional interpreting services. Legislation regarding full language access for all public services is still lacking, and legislation that does relate to interpreting (i.e. in legal and police setting) is not fully implemented.

The first professional medical interpreting service in Israel was introduced in 2007, for Amharic-speakers and their healthcare providers. The service is provided by an NGO and is free of charge. In 2009, nation-wide telephone interpreting services were set up for the first time for Arabic and Russian in the second largest HMO. A commercial telephone interpreting service was also introduced, but has not yet been recognized or received public support. In 2010, there were a few requests to employ trained interpreters in hospitals, following successful cooperation between academia and these institutions. The number of training programs for bilingual employees or volunteers has increased, but they are still local, and are funded by private donations or hospital budgets.

An important advancement may be seen in the regulation set by the Ministry of Health in 2011, requiring a set of adaptations to provide language access to healthcare. It is too early to determine how providers will respond to those requirements, or the possibility of “isomorphism” to other public settings (education, immigration and welfare).

Some stages of the model are still no more than theoretical in Israel at the present, and will need to be revisited after further progress is made. Further research will also help to elaborate the factors that affect the process at the more advanced stages of the model.

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Appendix: List of interviewees

1. Dr. Anat Jaffe, chair of Tene Briut association, director of Endocrinology unit at Hillel Yaffe Hospital (6 July 2008).
2. Dr. Nurit Guttman – Department of Communication Studies, Tel Aviv University (4 August 2008).
3. Dr. Diane Levin-Zamir – Director, Health Promotion Department, Clalit Health Services (6 July 2008 and 10 August 2008).
4. Mr. Fekado Gadamo – CEO, Tene Briut Association for the promotion of health in the Ethiopian community (20 July 2008).

The UNCRPD and “professional” sign language interpreter provision*

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Deaf people are doubly protected both via human rights and disability legislation to access all parts of society through direct service delivery and via interpreters. Alongside the Deaf community and its representative organizations, interpreter agencies are the main agents for changes in service provision, ensuring that the policy and legislation they are aware of are implemented. This paper documents international (United Nations and European Union) instruments, and national (specifically United Kingdom) legislation relevant to the provision of sign language interpreters. The paper then describes a small (non-representative) United Kingdom survey, giving an indication of interpreters’ and agencies’ understanding of who should be booked to work as ‘professional’ interpreters and how the term ‘professional’ is understood. Finally, the paper discusses consideration for future provision of sign language interpreters in light of the survey’s findings.

1. International instruments related to language and interpreting rights

There are a number of United Nations (UN) and European Union (EU) instruments including resolutions, directives, declarations and conventions (see Wheatley and Pabsch 2010 for a comprehensive account) that recognize sign languages and the rights of Deaf people to access public and private services either directly or via interpreters. Within the EU some of these instruments are directly relevant to the provision of interpreters generally (e.g. in criminal proceedings PE-CONS 27/10, EULita 2010) and others specifically for Deaf people (Timmermans 2005). The main UN instruments will be described below with reference to their implementation in the United Kingdom (UK).

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2.1 The UN universal declaration on linguistic rights

This general declaration supports the linguistic rights of all individuals and groups, both collectively and on an individual basis. This non-binding declaration has some relevance, as it should be used to interpret general principles of law. For the Deaf community the most important principle is in Article 1:

This Declaration considers as a language community any human society established historically in a particular territorial space, whether this space be recognized or not, which identifies itself as a people and has developed a common language as a natural means of communication and cultural cohesion among its members. The term language proper to a territory refers to the language of the community historically established in such a space. (Article 1)

This added a general incentive to Deaf communities campaigning for recognition as linguistic minorities (see Emery 2009 for a discussion on Deaf citizenship) and included lobbying for the provision of sign language interpreting within public and private life.

Interpreting provision was further supported in the UK by the House of Lords ruling in *Cockburn v Chief Adjudication Officer and Another, Secretary of State for Social Security v Fairey* (also Known as *Halliday*) (1997) 1 W.L.R. 799, which allowed for the payment of disability living allowance (known as DLA) to interpreters for Deaf people's participation in social, recreational and cultural activities as part of normal life. Although this ruling did not stipulate the use of appropriately trained and/or registered interpreters (RNID 2010). This situation is now changing with the introduction a new benefit replacing DLA, called a Personal Independence Payment (DWP 2013). A variety of disability organisations in the UK fear that Deaf people will no longer be eligible for this benefit and that gains made in recent years for sign language interpreter provision will be lost.

2.2 The UNCRPD

On 30 March 2006 the UK became a signatory for the UN Convention on the Rights of People with Disabilities (UNCRPD), and later on 26 February 2009, a signatory for the optional protocol. These were ratified on 8 June and 7 August 2009 respectively (UN 2010). Ratifying the convention and optional protocol places an obligation on a government to ensure the articles of UNCRPD are enacted within their legislative framework. Governments also have to ensure consultation with representative organizations of disabled and Deaf people when implementing legislation and policies to effectuate the convention and on all other matters that will affect their lives.

The convention mentions sign language eight times in five different articles and is the first to do so. It is the first convention to give equal status to signed and spoken languages as stated in Article 2, “‘Language’ includes spoken and signed languages and other forms of non spoken languages”. This allows for the re-interpretation of previous declarations and conventions such that any mention of language now includes signed languages. More powerfully Article 9 on accessibility states:

9.2 (e) To provide forms of live assistance and intermediaries, including guides, readers and professional sign language interpreters, to facilitate accessibility to buildings and other facilities open to the public. (Article 9)

Furthermore, Article 21 allows for the freedom of expression and opinion, and access to information by “accepting and facilitating the use of sign languages” (Article 21b) and by “recognizing and promoting the use of sign languages” (Article 21e), which must imply provision of interpreters. And within the sphere of education, Article 24 stipulates:

3 (b) Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community.

3 (c) Ensuring that the education of persons, and in particular children, who are blind, deaf or deafblind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development. (Article 24)

And while this will in some situations mean the provision of a professional sign language interpreter, the World Federation of the Deaf (WFD) understand Article 24 such that, “the best environment for academic and social development for a Deaf child is a school where both students and teachers use sign language for all communication” (Hualand and Allen 2009:28). Article 24.4 allows for this provision and the UK government made a declaration upon ratifying the UNCRPD regarding Article 24 (a) and (b) stating:

The United Kingdom Government is committed to continuing to develop an inclusive system where parents of disabled children have increasing access to mainstream schools and staff, which have the capacity to meet the needs of disabled children. The General Education System in the United Kingdom includes mainstream, and special schools, which the UK Government understands is allowed under the Convention. (Enable 2010)

This should ensure that within an educational environment a professional sign language interpreter is provided, although this is not the case for many students (Thoutenhoofd 2005).

Finally, Article 30 ensures participation in cultural life, recreation, leisure and sport by, “recognition and support of their specific cultural and linguistic identity, including sign languages and deaf culture.” (Article 30.4).

For the UK, this could strengthen the House of Lords ruling cited above (*Secretary of State v Fairey [aka Halliday] 1997*) and ensure Deaf people gain access to professional sign language interpreters rather than needing to rely on family members or friends. Whether the ratification of the convention will result in proffering higher levels of funding to ensure these services can be provided remains to be seen and with the current cuts in the UK public purse it would be highly unexpected.

Haualand and Allen (2009) undertook a survey to try and ascertain the ‘real’ access to sign language services and provision of interpreters across the globe. In this report it is clear that even though countries may formally sign up and ratify the UNCRPD, funding is not necessarily made available for interpreting services. Sixty-one of the country respondents reported that no government funding was available for sign language interpreters (Haualand and Allen 2009: 39).

Similarly, of the ninety-three countries that responded to their survey, eighty countries reported having at least one interpreter, but the level of training and whether these services were seen as ‘professional’ or not is hard to judge from the responses given. We will now look at UK specific legislation and how this works in tandem with UNCRPD ratification.

2. UK legislation regarding sign language interpreter provision

The first piece of UK legislation enacted that specifically mentions the provision of sign language interpreters was the Police and criminal evidence act (PACE, see HMSO 2010) 1984, with its accompanying codes. This gave Deaf people the right to an interpreter, preferably drawn from the national register for sign language interpreters (PACE 1984 Code C ss 13.1), when being interviewed by the police, or present as a parent or guardian. In recent years this has also brought about the discretionary video recording of police interviews with, or in the presence of, a Deaf person (PACE 1984 Code F ss 3.1 d).

With the enactment of the Human Rights Act (HRA) 1998, further general rights were afforded to citizens, giving double protection to Deaf citizens. It ensures those arrested, “shall be informed promptly, in a language which he understands, of the reasons for his arrest and of any charge against him” (HRA 1998 Art 5.2); and that those citizens, “have the free assistance of an interpreter if he cannot understand or speak the language used in court” (HRA 1998 Art 6.3e).

The Disability Discrimination Act (DDA) 1995 introduced the notion of reasonable adjustment, including interpreting provision and has since been subsumed into the Equality Act 2010. One of the consequences of the DDA was the provision of funds (called Access to Work, AtW) targeted at Deaf and disabled people, to ensure equality of employment opportunity. This greatly expanded the market of sign language interpreting in the work place. In light of this funding provision, the association for sign language interpreters of England, Wales and Northern Ireland (ASLI), in response to a parliamentary question, asked the Department for Work and Pensions for further information regarding the deployment of those providing interpreting services paid for by AtW. A reply was received from Patricia Mangan, the national AtW delivery manager dated 30 April 2007, stating that the national policy of Jobcentre Plus was to solely recommend the use of nationally registered¹ sign language interpreters when funded by AtW (ASLI 2010a). Anecdotal evidence suggests that this policy is not always followed.

We also saw the Special Educational Needs Discrimination Act (SENDA) 2001, which broadly applied the provisions within the DDA to pre-16 education. Furthermore, the Communications Act 2003 Article 303 section 5, placed a duty on broadcasters to produce programmes in sign language and/or with sign language translation or interpretation.

All of these provisions and legislation appear to meet the UK obligations of ratification of the UNCRPD and the optional protocol. As can be seen in Haualand and Allen (2009) however, the policy and the reality can be very different. In the next section details will be given of a small (non-representative) survey, used to try and illicit interpreters’ and interpreter agencies’ understandings of the UNCRPD and the notion of using a ‘professional’ interpreter. It is hoped that by shedding some light on this issue we are better able to understand whether, currently, the UNCRPD is a useful mechanism for ensuring sign language interpreters and how the notion of ‘professional’ is constructed within the UK.

3. The survey

It is difficult to know the number of working sign language interpreters in the UK. There are two BSL specific registers, one national register for the UK (NRCPPD) and one register for Scotland (SASLI); some BSL interpreters are also members of the Institute of Translation and Interpreting (ITI). We have two interpreter associations, ASLI since 1987 (ASLI 2010b) and Visual Language Professionals

1. The only current national register for BSL/English interpreters to cover the UK is that of the NRCPPD (see nrcppd.org.uk).

(VLP since 2010). Of those there are approximately 1000 interpreters, with 974 registered with the NRCPD at full and partial professional status (NRCPD 2012) and a further 16 interpreters representing three percent of ASLI members who choose not to register with the NRCPD (Schofield 2011). There are more than likely a sizable number of people working as sign language interpreters outside of this system.

The survey explored the impact of the UNCRPD and specifically how the term *professional* sign language interpreter was understood. Three groups were targeted: sign language interpreters; BSL interpreter agencies; and generic interpreter agencies that include BSL interpreting provision. The number of responses to the survey (72) represents around seven percent of estimated possible respondents. Although the survey gives us some indication of individual experiences, these data should not be seen as statistically representative.

The survey consisted of ten questions (reported in the relevant sections below), divided into four sections:

1. The signing and ratification of the UNCRPD by the UK government (questions 1–3)
2. Knowledge of the UNCRPD (questions 4–5)
3. Application of the UNCRPD (questions 6–9)
4. Further comments (question 10)

The survey was created using survey monkey. An email link was sent to nine pilot subjects, all of whom replied with the questions being understood as intended. The survey was then sent widely to the three groups identified; the pilot responses were included in the final analysis.

The e-forum of the national sign language interpreter association (ASLI) was used to gain responses from BSL/English interpreters, as was an e-group (E-Newsl) whose members include sign language interpreters and those interested in sign language interpreting. A filtering question was added for the BSL/English interpreting group to ensure that those responding were currently working as BSL/English interpreters. Of the 77 respondents, 72 were interpreters and they completed the survey and most likely fall within those working within the system rather than outside it.

Those reading the email request were asked to circulate the email to relevant parties with the hope that snowball sampling would achieve a large number of respondents, unfortunately this did not occur.

An internet search for publicly available email contacts of BSL interpreter agencies and generic interpreter agencies was conducted. Emails were sent to the public enquiries or booking email addresses to try to target those responsible for

booking interpreters within the agencies. Of the 32 emails sent to BSL interpreter agencies 12 responses were received and of the 18 emails sent to generic interpreting agencies 7 responses were received. It is not clear how many agencies there are in the UK and so it is not possible to estimate what percentage 32 BSL agencies, compared with 18 generic agencies also offering BSL, represents.

For questions with defined responses the figures below include the number of answers from the respondents within each group, out of the total possible responses. When coding the open responses, categories and themes were coded according to content; as such one response may have been included in more than one category or theme. Each comment coded into a category or theme has been counted as a single instance of this category or theme. The results will be discussed below with specific attention to the impact of the UNCPRD on interpreter service provision.

3.1 The signing and ratification of the UNCPRD

The initial questions sought to find the respondents’ knowledge of the UNCPRD, and the UK government’s signatory and/or ratification status. The questions asked were:

1. Have you heard of the UN Convention on the Rights of Persons with Disabilities?
2. If you have answered “yes” to question one; are you aware if the UK has signed up to the UNCPRD?
3. If you have answered “yes” to questions one and two: has the UK ratified the UNCPRD?

Although many of the respondents had heard of the UNCPRD they were not clear on the UK government’s engagement either as signatory or by ratification. Taking the total number of respondents in each category, only 17 out of 71 BSL interpreters, 2 out of 12 BSL agencies and 2 out of 7 generic agencies knew the UK government had ratified the UNCPRD. So far it would appear that the UNCPRD has had little impact on interpreters and service providers which could hinder the implementation of the rights afforded to Deaf people at the grass roots level.

3.2 Knowledge of the UNCPRD

The next two questions probed the respondents’ knowledge of the details of the UNCPRD. There have been several awareness raising initiatives within the Deaf community, and thus, some awareness of the different sections of the convention

and the specific articles that mention sign language might be expected of the BSL interpreters and agencies. The questions asked were:

4. Are you familiar with the contents of the UNCRPD?
5. Does the UNCRPD place an obligation on those signed up to provide interpreters?

Each question gave the respondent a choice of three responses (all, some, or none). Only one of the respondents said they were familiar with the entire content of the UNCRPD. Of the BSL interpreters, more knew none of the content (37/64) than some of the content (27/64), which represents a substantial minority from that group. Of the BSL agencies only two agencies knew some of the contents compared with three of the generic agencies that also provide BSL.

It may be reasonable to assume that any individual interpreter or business related to interpreting, which knew some of the content of the UNCRPD, would be aware of the obligation to provide (professional) interpreters. Two thirds (18) of the 27 BSL interpreters, who knew some of the content of the convention, also knew of this obligation. Overall, the majority of BSL interpreters (54/72) are not aware of this obligation. Almost all of the BSL agencies are unaware of the obligation (11/12), whereas just under half of the total number of generic agencies (3/7) are aware of this obligation.

3.3 Application of the UNCRPD

The next four questions of the survey attempted to explore the understanding of the different groups towards the notion of *professional* sign language interpreter. Question six allowed for multiple defined responses while questions seven to nine allowed for open responses so that richer understandings of the term *professional* could be gained. The questions asked were:

6. The UNCRPD places an obligation on using professional sign language interpreters. How do you judge whether a BSL/English interpreter is a professional?
7. Are there any other ways in which you might judge an interpreter to be a professional? If none please type none into the box below. Otherwise list alternative ways in which you would judge an interpreter to be a professional:
8. What interpreter qualifications are there in the UK for BSL/English interpreters? Please list the qualifications for interpreting that you are aware of (if none put none in the box below):

9. Are there any other prerequisites you would require before booking a BSL/English interpreter for a community-interpreting job (e.g. an appointment at the doctors, hospital, social services, local council, school, etc.)? If none please type none into the box below, otherwise list any prerequisites:

Question six was limited to defined multiple responses, i.e. a BSL/English interpreter was judged as a professional if they:

- are a member of the Deaf community
- have an interpreting qualification
- are a member of a professional association
- are registered with the national register
- or none of the above.

From the three groups, 49 BSL interpreters responded (28 skipped the question), all 12 BSL agencies answered the question and only 2 generic agencies answered the question (5 skipped the question).

3.3.1 *National registration*

In recent years there has been a concerted effort to move towards a restricted profession for sign language interpreters, with a clear separation of roles between professional bodies and registration bodies (Stone and Edwards 2010). As such it is unsurprising that the highest ranked response for judging a *professional* sign language interpreter is registration with the national registration body (NRCPD). This gives a clearer understanding of how one could measure interpreting provision within a country, i.e. is there a national register and if so how many interpreters are registered (cf. Hauland and Allen 2009).

For the BSL agency groups, 11/12 and both of the generic agency respondents also stated national registration. Although there are other facets to being considered a professional mentioned by respondents in this survey, this would appear to be the overriding factor for these stakeholders.

Although ranked second highest, only 36 respondents believe the interpreter should have a qualification. The sign language interpreting profession has been in existence long before any kind of accreditation (Stone 2008), and arguably for most countries do not have an assessment system currently established (Hauland and Allen 2009).

In the UK, the first exam specifically testing sign language interpreting across the whole of the UK was only available in 1982 (see Simpson 2007 for a comprehensive account of the development of the sign language interpreter examination system). It was only in 1987 (Brien, Brown and Collins 2002: 7) that formal university education was made available to sign language interpreters. As such one

could expect the UK specific meaning of the term ‘professional’ interpreter to be understood as someone who also had a higher-level qualification, but this does not appear to be the case.

Interestingly in the US, the largest national organisation for sign language interpreters, the Registry of Interpreters for the Deaf (RID), stipulates that as of 1 July 2012 a certification exam candidate must have a minimum of a bachelor degree (RID 2008). As the system in the US has been available since 1967, it may well be that university degrees are seen as an important factor in some countries with longer standing assessment systems.

For the BSL agencies, 8/12 ranked having an interpreting qualification as third highest, with membership of a professional association (ASLI) ranked second highest with 9/12. They prefer both national registration and professional membership as an indication of being a professional. In many countries the national certification/assessment, registration and professional body are all aspects of a single organisation, e.g. in US and Canada. It would appear that these aspects of professionalism are considered as important for the agencies that responded to the survey. These results can be better understood by examining the open responses to questions seven to nine.

3.4 Professional qualities

Question seven tried to probe the understanding of the notion “professional” from the three groups, to identify whether there were differences between groups that might affect the choice of person deployed to provide interpreting services.

3.4.1 *Sign language interpreters’ construction of ‘professional’*

Twenty-two BSL interpreters added further comments (with a further 27 of these explicitly stating “none”, i.e. no other criteria), encapsulated by this quote from one interpreter:

I know interpreters don’t have to be registered with either NRCPD [the national register] or member of an association, but if they were, I would consider them more a professional than someone who isn’t. (Survey data)

The main theme to emerge was accountability via registration and it would appear that lack of knowledge of the UNCRPD might not hinder a grassroots implementation of Deaf people’s rights vis-à-vis *professional* interpreting provision.

The second ranked theme emerging from the comments, with 14 responses, I have termed ‘observed behaviour’. This theme includes paying attention to the

interpreter’s professional demeanour, integrity, attitude, and reputation. The third theme was behaviour, with 10 responses, which included the interpreter’s boundaries, impartiality, attitude, support of colleagues, socializing and respect for the Deaf community, confidentiality and flexibility. These first three themes are summarized well with the following comment:

Apart from watching [interpreters] work and seeing how they behave you have to take a leap of faith that if they are registered with the bodies above [the national register and a professional association] they have some professionalism about them.

This would suggest that observed behaviour, and behaviour as such, are two themes in the broader category of professional behaviour.

The fourth theme to be explicitly mentioned was engaging in continuing professional development (CPD), with seven responses, which included engaging in training, reflective practice, attending conferences, and having a mentor. Thus, for the BSL interpreters the way they would judge an interpreter to be professional ranked in order as follows:

1. By national registration
2. By the interpreter’s observed professional behaviour
3. By the interpreter’s engagement in CPD

This provides an elegant way of ensuring one is meeting one’s obligations under the UNCRPD. If we now look at the BSL interpreter agency comments and the generic agency comments we can gain a greater perspective on the service providers’ actions and their possible implementation of UNCRPD obligations.

3.4.2 *Interpreter agency responses*

All 12 BSL agencies filled in the comments section, with five responding “none”, seemingly confirming the value they placed on national registration and professional membership. From the seven other responses six noted observed behaviour including feedback from co-workers, feedback from clients and reputation. There were also two comments about interpreters’ engagement in CPD.

Only two generic agencies responded with one comment on CPD and another on qualifications. As such it would appear that (although from a much smaller dataset) the interpreter agencies judge interpreters to be professional according to the same traits and ranked in the same order as professional interpreters.

3.5 The relevance of interpreter qualifications

There are a multitude of qualifications in the UK that lead to eligibility for national registration; question eight identified whether the BSL interpreters and the agencies were aware of the different qualifications. It also enabled us to see whether they differentiated between whether or not the qualifications were mapped against the government implemented ‘national occupational standards’ (NOS, CiLT 2006). The wording of the question was purposefully ambiguous to try and ascertain whether, unprompted, differentiation would occur.

For the BSL interpreters there were 48 responses. Of these responses, 23 included a list of qualifications that either partially or fully met the NOS and 21 included only those that fully met the NOS, allowing for registration at *full* national registration status. Only five respondents differentiated between the interpreter qualifications that fully or partially met the NOS. A further three respondents explicitly mentioned full national registration status alongside interpreter qualifications. Three of the respondents only mentioned national registration categories rather than qualifications.

Summarising, of the 48 responses, 44 respondents included lists of qualifications that allowed national registration, with 21 *only* stating those allowing full national registration. This indicates BSL interpreters are knowledgeable about the qualifications available, but that these qualifications are viewed as a pathway to national registration rather than as stand-alone qualifications. This concurs with the BSL interpreters’ understanding of the notion *professional* sign language interpreter.

All of the twelve BSL agencies responded and again only two of the generic agencies. From the BSL agencies the most common response was mixed, i.e. seven responses including qualifications that either partially or fully met the NOS. Two respondents only mentioned those that fully met the NOS and there was one explicit mentioning of the NOS. Only one respondent noted national registration status and both of the generic agencies noted national registration status. With the highest response type being a list of available qualifications, it may be that as agencies rank registration as the principal trait of a *professional* sign language interpreter they are less interested in the details of qualification.

Overall the most commonly mentioned set of qualifications are those mapped against the NOS as eligible for full national registration status. If we total the number of responses that exclusively mention “full qualifications” (21 for BSL interpreters, 2 for BSL agencies and 2 for generic agencies) and in addition those with “mixed qualifications”, which by default also include “full qualifications” (23 for BSL interpreters and 7 for BSL agencies), this gives us 55 out of 62

responses mentioning “full qualifications” and 30 out of 62 mentioning “partial qualifications”.

This could indicate a change in the landscape of BSL interpreting. It is only in recent years that the number of interpreters with full national registration status has exceeded those with partial national registration status. It is noteworthy that the most cited qualifications are those that are eligible for full national registration status. This could indicate a rising of professional standards, which an effectuation of the UNCRRPD could capitalize upon, or which could be interpreted as an implementation of the UNCRRPD as a grassroots level. Post-ratification, this strategy could be used by other countries to ensure they fulfil their obligations under the UNCRRPD.

3.6 Community interpreting

Question nine sought to ascertain whether in community settings this would be the case. Often we find in community settings that those brought in to interpret are not appropriately trained and/or qualified (Alexander et al. 2004: 3). Question nine continued probing the notion of *professional* interpreter whilst widening the scope of the factors to be included. There were 39 responses from the BSL interpreters, with two main categories of responses: regulation and experience.

3.6.1 Regulation of community interpreting

The category *regulation* had 28 responses in total. Here the highest ranked theme for prerequisites was national registration, with 14 explicit responses and a further three responses mentioning full national registration status when noting a criminal records bureau (CRB) enhanced police check. The next highest-ranking theme was enhanced CRB check with 11 comments; minor comments included qualifications (2) and insurance (1). Before admitting interpreters on to the national register in the UK, the registration body recommends an enhanced CRB check and shows compliance on their website, evidence of appropriate qualification and professional indemnity insurance. All of the responses indicate support for national registration or at least the requirements needed for national registration in the UK.

3.6.2 Experience required for community interpreting

The category *experience* had 25 comments in total, 19 of these cited evidenced experience explicitly, with further themes also noted. These themes were: experience within the domain (5), knowledge of the domain (4), additional training (2), and experience interacting with the Deaf community (1). This category indicates

that CPD and experience go hand in hand and that for community-interpreting jobs experience was of equal importance to registration. This also suggests that novice interpreters should not be undertaking community work, implying a rising of standards.

3.6.3 *Client satisfaction in community interpreting*

Other comments formed the category *client satisfaction* and included: personal choice (4), gender (4), cultural background (2), client focus (1), recommendation (1), confidence to check accuracy/intelligibility (1), skills (1), and ability to interpret into spoken English (1). Some of these may be seen to develop with experience, but experience was not explicitly mentioned within these comments, as such they were not included in these categories.

3.6.4 *Community interpreting – interpreter prerequisites*

When looking at the ranking of prerequisites for community interpreting from the perspective of the BSL interpreters we find:

1. Regulation
2. Experience
3. Interpreter-Client satisfaction

This ranking prioritises regulation and by implication national registration, even though registration is not a mandatory requirement to work as an interpreter. If these are the prerequisites for agencies too, then it would appear interpreters and agencies work in tandem influencing the grassroots effectuation of the UNCRPD and domestic UK legislation.

3.6.5 *Community interpreting – agency prerequisites*

Examining the responses of the BSL and generic agencies, these fell into similar categories. There were 11 responses from the BSL agencies and two responses from the generic agencies. The comments from the generic agencies only fell into the regulation category and so will be included in a combined regulation category for agencies. As with the BSL interpreters the agencies ranked *regulation* as the highest category of responses. In total (BSL and generic agencies) there were 15 comments on regulation. The most common was registration (5), followed by CRB (4). Other issues noted were: insurance (2), adherence to a code (1), confidentiality (1), punctuality (1), qualification (1), and national registration status (1).

As with BSL interpreters, the same two further categories emerged from the BSL agencies: experience and client satisfaction, although these were equally

ranked with 8 comments per category. The *experience* category, as above, cited experience explicitly (5) and then sub-themes of experience: within domain (2) and knowledge of domain (1). The *client satisfaction* category comprised client preference (2), feedback about interpreter (2), client focus (1), reputation (1), skill (1) and availability (1). This then provides a different ranking of categories for agencies vis-à-vis BSL interpreters:

1. Regulation
2. Experience = Agency-Client satisfaction

The category of agency-client satisfaction had some elements that overlapped with interpreter-client satisfaction, i.e. client preference/personal choice, client focus and skill. There were further elements specific to the agency-client satisfaction category (client feedback, reputation and availability), which highlight the different relationships an agency and an interpreter have with their service users.

3.6.6 *Community interpreting – UNCRPD compliance*

What is apparent however is that the highest-ranked category for both interpreters and agencies is *regulation*, which in this instance is defined as being nationally registered and meeting all registration requirements. If those deployed to interpret within community settings are those who meet these requirements this would suggest agencies support the goals of interpreters in having a unified profession regulated by national registration. This would consequently fulfil UNCRPD obligations but also shed light on better ways of asking questions regarding interpreting provision that would enable clearer data in multi-national surveys such as Hauland and Allen (2009).

3.7 Public awareness and career structure

The last question of the survey allowed for any further comments to be added. Only the BSL interpreters added further comments (9), which fell into two categories: the need for public awareness; and the need for a career structure. In the first category with seven comments, there was pleasure expressed at the use of the word *professional*, as this placed value on the lives of deaf people. There was also the expression of the need to book nationally registered interpreters for the majority of interpreting assignments; the need for public awareness; and the hope that the UNCRPD would effectuate greater rights for the provision of nationally registered interpreters than current UK legislation and policy.

Both comments in the second category expressed the need for the establishment of a career structure. This was explicated with the comment:

Interpreters should be required to undergo a period of supervised work before being approved to work generically and to undergo specialist training in specialist areas such as legal and medical especially mental health before being approved to work in those fields because the quality of the work of a medical or legal professional depends largely on the interpreter's expertise. This is especially so where the work is of a psychological nature and relies heavily on communication rather than physical symptoms.

Both of these categories add further understanding to the prerequisites desired of interpreters when working in community settings.

Regulation as the highest-ranking prerequisite goes hand in hand with the need for public awareness. This public awareness helps to ensure interpreters and service providers are held accountable for their service provision. Similarly, the notion of a career structure complements the idea of experience, ranked as the second desired prerequisite. If the experience an interpreter gains can be systematized, i.e. by a career structure, then all experience can be beneficial.

The idea of a more systematic career structure has been mooted within the sign language interpreting profession for some time (Pollitt 1997) and although some strides have been made in the UK with the introduction of professional development and trained mentors within ASLI (2010c), this only constitutes the first steps. Internationally the global organisation for sign language interpreters, WASLI (see wasli.org) aims to provide a global network to enable clearer career progression for sign language interpreters amongst other goals.

4. Implications for the future provision of sign language interpreters

Whilst it would appear there is little knowledge of the UNCRPD in the interpreting sector, there does appear to be some consensus on the definition of a professional interpreter and the prerequisites for interpreters to work in the community. The raising of professional standards within the sign language interpreting sector and the concurrent deployment of nationally registered interpreters by those agencies that responded to this questionnaire, suggests that even without the UNCRPD as a 'local' lever, there is consensus amongst stakeholders.

It would appear that, in the UK, as greater pressure is applied via the combined Equality Act 2010 and the effectuation of the UNCRPD, providers of sign language interpreters and the interpreters themselves are readily able to ensure sign language interpreters are *professional*, and that in the UK this is understood as being nationally registered. Greater public awareness is needed to ensure that regulation continues and is strengthened, ideally moving to mandatory status. A

more systematic career structure is also needed to support the development of interpreters and would allow for representative data to be collected.

Those interpreters working in community settings need to be mindful of ensuring there is some regulation of the field and that supported experience and client satisfaction are at the core of service delivery. Mandatory national registration might enable this to happen. Looking to the future, much of this goodwill needs to be codified into domestic legislation, local and national policies such that gains made in recent years are not lost. With the long standing presence of national registration bodies for sign language interpreters across Europe, the Americas, Asia Pacific and Oceania as well as the support WASLI gives to countries to develop national professional associations and national registration assessment, this would appear to be the main mechanism for an adherence to the UNCRPD post ratification.

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From invisible machines to visible experts

Views on interpreter role and performance during the Madrid train bomb trial

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Traditionally, court interpreting arrangements in Spain have been less than adequate, with few enforceable requirements regarding the training and accreditation of those involved. However, the high profile trial of those accused of perpetrating the 2004 Madrid train bombings marked a turning point in the history and development of court interpreting in Spain. The interpreters were experienced professionals who spoke different dialectal variations of Arabic and the simultaneous mode was used.

In this paper we will analyse the role of the interpreters in this trial, as perceived by the legal professionals involved. We will follow the evolution of such perceptions over the four months the trial lasted, as the participants adapted and adjusted to the interpreting process.

1. Introduction

The high profile trial of those accused of perpetrating the train bomb attacks which took place in Madrid on 11th March 2004 seems to have marked a turning point in the history and development of court interpreting in Spain. The trial was the culmination of the great efforts made by the Spanish authorities to bring to justice those responsible for one of the most serious terrorist attacks in Europe, which resulted in the death of 191 people (of 17 different nationalities) and the wounding of over 1,500 others. Secondly, the investigation of all the circumstances surrounding the attacks encountered many linguistic hurdles and overcoming them obviously required close co-operation between linguists, investigators and legal professionals alike. The attacks were attributed mainly to Islamic extremists and their accomplices, many of whom were arrested, charged and prosecuted. The trial took place from February 15th to July 2nd, 2007 and the number of people

involved gives us an idea of the logistic and procedural complexities of organizing such an event. To a certain extent the March 11th train bomb trial could even be compared to the first of the Nuremberg trials which also marked the history of interpreting given that they helped establish the use of simultaneous interpreting as we know it today.

As regards the persons involved, the Madrid train bomb trial included: 29 defendants, many of whom required interpreting between Arabic and Spanish; 650 witnesses and 98 expert witnesses, some of whom also required interpreting in languages such as Arabic, Berber, Italian or French; 400 accredited journalists from all over the world; about 50 lawyers alongside the panel of 3 judges and members of the Public Prosecution Service, as well as police officers, court clerical staff, etc., not to mention the interpreters. A special venue outside the Court's main headquarters had to be adapted and refurbished and a wide array of technical devices were also used: closed circuit television (CCTV), several cameras covering the courtroom from different angles, a videoconferencing system, an electronic summons communication network (LexNet) and a purpose-built digital interpreting system which will be referred to in further detail below.

In the case of the interpreters working at this trial, a previous study suggests that there was general agreement among them that they were participating in an historic event that entailed a high level of responsibility (Martin and Taibi 2009).

2. Aims and methodology

The main purpose of this paper is to analyse the role of the interpreters throughout this trial, as perceived by the legal professionals involved. The methodology used will consist of an analysis of the comments and observations made by the legal professionals during the proceedings. Our data come primarily from video recordings of the trial, written transcripts of those recordings, reports and documents related to the trial and prior research carried out by these and other authors (cf. Martin and Taibi 2009; Abkari Azouz and Abd Elwaly Abdee 2007).¹ In order to contextualise this study we shall first describe the organisation of the interpreting services provided during the trial.

1. All the material used in the preparation of this paper was available on Internet, although in some cases has now been removed. Official webcast of the trial: <http://www.datadiar.tv/juicio11m/>

3. Interpreting provision during the trial

The organization of the interpreting services during this mega-trial differed considerably from the usual practice followed in Spanish courts in multicultural and multilingual criminal proceedings (Ortega Herráez 2010:96–150). It must be noted first that the trial was held at the Criminal Division of the National Court (*Audiencia Nacional*), a court with jurisdiction over crimes of terrorism, amongst others. This court has acquired a prominent international profile, hence translation and interpreting are highly relevant activities in its daily functioning. In fact, this court currently employs some 16 staff translators and interpreters of the following languages: French, English, German, Italian, Portuguese, Basque, Arabic and Romanian.

However, the provision of language services for the trial we are analysing was different as, during the long examination of the case, it became clear that the existing translation and interpreting structures were not sufficient. In fact, the solicitors representing some of the non-Spanish defendants publicly denounced their inability to effectively represent and communicate with their clients, many of whom were remanded in custody awaiting trial, given that there were no interpreters at their disposal in the prisons.² This situation led the Ministry of Justice to adopt a comprehensive solution to the language needs of the defendants in this case.

In a first move to redress the situation, a coordinator of interpreting services was appointed and commissioned to design a strategy adapted to the requirements of the proceedings at that point and the needs of the subsequent trial. The person selected to occupy this post was the Arabic interpreter based at the Ministry of Foreign Affairs, which has the highest ranking interpreting service within the Spanish Administration. He was first commissioned to identify the specific language needs of the defendants, which included several dialects and variations of Arabic and Berber (Ministerio de Justicia 2007), and on that basis he was to recruit qualified professionals who could cater for those needs.

At the time it was of utmost urgency to guarantee pre-trial attorney-client communications so that defendants could prepare their defence and thus ensure they would have a fair trial. For this reason a team of 17 liaison interpreters was recruited in order to assist solicitors in their private interviews with their clients (mainly in custody facilities) and also be available at the courthouse during the trial, to facilitate communication between solicitors and defendants during recesses, etc. The next step involved dealing with the logistics of the trial itself. To

2. For further information on interpreting in prison settings in Spain cf. Martínez-Gómez (2009, 2010), and Baixauli (this volume).

that end, the coordinator selected a team of 6 conference interpreters to provide simultaneous interpreting during all the hearings of the trial for both the defendants and the court. The criteria used to recruit interpreters for both teams were based upon the academic and professional credentials of the candidates, their prior experience as legal or conference interpreters, language combination and a strict security clearance procedure.

As for the technical side of things, the mode of interpreting identified as most suitable for this trial was simultaneous. Unlike consecutive interpreting (in either dialogic or monologic mode), simultaneous interpreting would obviously reduce the time required to conduct examinations and cross-examinations. Likewise, this mode of interpreting would allow for defendants to fully participate in the different stages of the trial, unlike customary practices in multilingual and multicultural proceedings held in Spanish courts (cf. Ortega Herráez 2010: 147, 225). In fact, this trial is probably the first occasion on which simultaneous interpreting was used on a large scale in a Spanish courtroom, with the exception of some examples in the Basque country and other isolated cases.

A full interpreting system thus had to be installed in the courtroom alongside many other technical devices already referred to and which are not usually found in Spanish courtrooms (Ministerio de Justicia 2007; Valero and Abkari 2010: 46–47). However, from a technical and logistic standpoint, a somewhat illogical decision was taken with regard to the use of headphones, which ultimately shaped the role of the interpreters in the trial. Unlike common practice in any conference setting or in international courts where simultaneous interpreting is used, in this particular case, the defendants alone wore headphones through which they received the interpretation into Arabic. Interpreting into Spanish for all those present in the courtroom was provided simultaneously through the loudspeakers of the PA system installed in the courtroom. The interpreters not only heard the voices of the defendants and witnesses, i.e. the source speech, but they also heard their own interpretation through the loudspeakers in the courtroom which was picked up by the defendants'/witnesses' microphone and fed back into their headphones. Needless to say, such a solution was totally inadequate and extremely off-putting for the interpreters, making an already difficult task almost impossible. It was also the source of numerous communication problems and even contributed to shaping the perception of the role of the interpreters, as suggested by some of the examples provided in the following sections.

4. Interpreters' role or how other professionals adjusted to their presence

This section will focus on the analysis of the role the interpreters played in this trial as seen by other professionals participating in it, e.g. the presiding judge, the public prosecutor and both the defence and prosecuting lawyers, based on the comments and observations made by these legal professionals at different stages of the proceedings. To facilitate this task the examples extracted from the materials reviewed have been grouped in different categories: the first will include examples which suggest that the legal professionals needed time to adjust to the use of simultaneous interpreting, which is uncommon in Spanish courts as we have already mentioned; the second set of examples will focus on the comments portraying the idea of the interpreters as machines; and finally we shall address the role of the interpreters as expert witnesses.

4.1 Adjusting to simultaneous interpreting

As has already been mentioned, the preferred mode of interpreting used in Spanish courts is consecutive (in both dialogic and monologic form) and occasionally, whispered interpreting may also be resorted to (see, amongst others, Ortega Herráez 2010:225). Throughout the transcripts analyzed we have come across a series of examples which clearly reflect that the legal professionals involved in the trial needed some time to adjust to the use of simultaneous interpreting. At one point, the presiding judge wishes to address the defendant and begins in the way which would be customary if consecutive were being used: “*explíquele...*” (“explain to him...”) but then rapidly changes tack and continues “*se lo voy a explicar yo*” (“I’ll do so myself”). Clearly, the judge’s mental processes are reflected here, allowing us to track the way in which he realises that simultaneous empowers him to address the defendant directly without a physically present intermediary. This is a reflection of the less “intrusive” nature of simultaneous, which allows the primary parties to establish a more direct relationship with each other rather than with the interpreter, who is usually seated next to the defendant in Spanish proceedings. Unlike the practice in countries where the professionalization of court interpreting is more advanced, the use of the 3rd person is common in Spanish courts as we have personally witnessed and some authors have also recorded (Ridao Rodrigo 2007: 868) and indeed was used in this trial on the few occasions on which consecutive interpreting was used.

Another example of the legal professionals adapting to the use of simultaneous – and being confused by the use of the first person – is to be found in a comment uttered by the defence lawyer Endika Zulueta on the first day of the trial.

The defendant he is questioning says, through the interpreter, that he does not understand. Zulueta says: “*Es que no sé si no me entiende a mí o no entiende al traductor*” (“I don’t know whether it’s me he doesn’t understand or the translator”).

Given the interpreter is not present, the defendant cannot be addressed directly as would usually occur, and the lawyer seems to have difficulties assessing whether an unwanted response is due to the formulation of his own question or to the way the interpreter rendered the question. Hence, he has no option but to publicly state this in an attempt to resolve the situation. This may initially create the impression that the lawyer is not happy with this mode of interpreting:

Sí, Señoría, entiendo que esto acelera el que sea la traducción simultánea, pero a mí me dificulta porque no le... no le... al hablar a la vez yo no le escucho muy bien al traductor... [...] Yo prefiero que fuera una... una traducción tras otra...

(Yes, Your Honour, I realise that simultaneous speeds things up but I find it harder because I can’t ... I can’t ... they are speaking at the same time as each other and I can’t hear the translator properly. [...] I would rather prefer a translation after the words are pronounced).

Obviously, this reaction is due to the technical inadequacies of the sound system: the lawyer was receiving the interpreted version through the loudspeakers and at the same time he could clearly hear the defendant’s testimony. Somehow he was getting a wrong impression of what simultaneous interpreting is all about and he may have also got a wrong impression of the interpreters’ performance due to a technical matter for which the interpreters were not responsible.

One may indeed wonder why the interpreters carried on working and did not stop the proceedings until the sound problems had been resolved. No doubt this possibility was discussed but ruled out at the time, given the tremendous expectation surrounding the trial, particularly on the first day of the hearings. There was an atmosphere of great tension as all public attention in Spain and indeed in many other countries was focused on this trial. The interpreters decided to carry on, adapting their technique by lengthening the time lag between what they heard in Arabic and their rendering in Spanish, which meant that they were not, strictly speaking, interpreting in the simultaneous mode.

Within the framework of this adaptation to the use of simultaneous, the system of lengthening the ear-voice span adopted by the interpreters in order to alleviate the sound problem called the attention of the presiding judge who seemed to be unaware of the basic terminology related to interpreting when he addressed the interpreters saying “*por cierto, la traducción es simultánea, no sucesiva, señor intérprete*” (“by the way, the translation is simultaneous, not successive”) and even more worryingly when he did not realize that his own perception of the

interpreters' performance was being influenced by external technical aspects, i.e. not wearing headphones and having the interpreters struggle to accommodate the incoming and outgoing speech. Instead, at this juncture the presiding judge simply blamed the interpreters for the poor quality of the service provided:

los señores intérpretes esta tarde no están muy finos. Se suspende durante diez minutos la vista. Quiero a los intérpretes en mi despacho ¡Inmediatamente!

(the interpreters are not very inspired this afternoon. The session is adjourned for 10 minutes. I want the interpreters in my office immediately!).

Only when the interpreters alerted him to this problem were the technicians urged to fine-tune the volume controls. However, despite the explanations that the interpreters may have given him as to the technical problems they were experiencing, headphones were not to be used in the remaining four months. This situation attracted unmerited notoriety for the interpreters on the first day of the trial, no doubt contributed to considerably raising stress levels and is clearly unacceptable.

4.2 Interpreters as machines

It is interesting to note that on several occasions in this trial the interpreters were referred to as though they were machines or technical devices which simply converted one language into another. The peculiarity in this trial is that this notion was graphically illustrated when the broadcasts of the hearings showed witnesses or defendants having headphones ceremoniously placed on their heads by the technicians, at the request of the presiding judge: “*Póngale el sistema de traducción*” (“Connect him to the translation system”). It was indeed as though they were being “wired up” to some sort of automatic system. This process was often accompanied by comments which clearly demonstrate what a long way court interpreting still has to go in Spain to be fully understood by legal professionals:

- (1) “[Presiding judge:] *Si ud no entiende algo, automáticamente nos lo indica y le ponemos el sistema de traducción.*”
([Presiding judge:] If there’s anything you don’t understand, you can tell us automatically and **we will connect you to the translation system.**)
- (2) “[Presiding judge to witness:] *Tiene un traductor de árabe. A ver use el traductor de árabe.*”
(There’s an Arabic translator for you. **Let’s see, use the Arabic translator.**)
- (3) “[Presiding judge:] *Póngale el sistema de traducción.*”
([Presiding judge:] **Connect him to the translation system.**)

[Our emphasis]

4.3 Interpreters as expert witnesses

At a later stage in the trial, translation became a major issue when the counsel for the defence of Rabei Osman el Sayed, accused of masterminding the attacks, expressed doubts about the accuracy of transcriptions of conversations in Arabic, in which Osman allegedly participated. These transcriptions, and their subsequent translation into Italian and Spanish, had been used to incriminate this defendant, securing his extradition from Italy where he was imprisoned at the time. The recordings had been made by the Italian police, who had planted bugs in Osman's home. The sound quality was therefore not optimal. The defence lawyer, Endika Zulueta, requested a re-transcription and retranslation of the tapes, as his client denied having uttered some of the phrases attributed to him. As a result of this request, the court appointed two of the members of the interpreting team as expert witnesses, and commissioned them to examine the transcriptions and draft a report.

In other jurisdictions, e.g. U.S. federal courts, the interpreter who is appointed as expert witness is automatically disqualified from continuing to participate in the proceedings as an interpreter, because of the potential conflict of interest which may arise between the two roles and compromise his/her neutrality. In Spain this is not the case, and the interpreters continued to form part of the interpreting team after their appointment as expert witnesses, thus assuming two functions in the proceedings. Such a situation is not without controversy, although Spanish legal experts consulted consider that the fact that it was the court itself which appointed the expert witnesses, as opposed to one of the parties involved, offers sufficient guarantee of their neutrality and the separation of their functions.³ Whereas this is no doubt the case in theory, we feel that, in practice, acting as both interpreter and expert witness at the same trial opens the door to possible distortions of both roles. Having examined the report they drew up and analysed their responses during the detailed and tense questioning to which they were subjected by the prosecution lawyers and the public prosecutor, it is patently clear that they fully understood the separation of their two roles and fulfilled their functions with an admirable degree of professionalism and efficiency. However, the comments made by the legal professionals in the courtroom exemplify the confusion and distortion that may arise when interpreters are called upon to play

3. Personal communication with Dr. Mar Jimeno Bulnes, Professor of Procedural Law (University of Burgos) and Temporary Judge for the Court of Appeal in Burgos (July 2010) and with Mr Fernando Gascón Nasarre, lawyer based in Saragossa and Sworn Interpreter of German (July 2010 and January 2011).

a dual role, particularly when, apparently, neither of those roles are clearly defined for the legal professionals involved.

The report presented by the interpreters as expert witnesses indeed supported the defendant's claim that he had not uttered the phrases attributed to him. In this sense, it was a major setback, which seriously threatened, and ultimately dismantled, the case of the public prosecutor at quite an advanced stage in the proceedings, as the defendant was ultimately acquitted.

The interpreters appointed as expert witnesses were required by the court to answer questions about their report. Firstly, they were questioned on their credentials and expertise by Rabei Osman's defence lawyer (E. Zulueta), in what would appear to be a strategy aimed at making it quite clear that these interpreters were fully qualified to fulfil the functions required of them as expert witnesses, thus implying that their opinion carried some weight. In this case it would seem to be a tactic used by the defence although, presumably, such a thorough public declaration of one's academic and professional curriculum vitae would not be necessary in a country with a system of accredited court interpreters empowered to act as expert witnesses on matters of translation and interpreting. It is indeed interesting to note that expert witnesses from other disciplines participating in the trial were not questioned about their professional qualifications to the same extent. Zulueta goes on to highlight the neutrality of the expert witnesses, stressing that the fact that they are the official court interpreters is a guarantee of their impartiality, as they have no connection with Osman's case and thus cannot be suspected of colluding with his interests, a suspicion they may have entertained if they had been appointed by the defence rather than by the court. He no doubt wished to pre-empt any such objection by the public prosecutor.

His concerns were well-founded as the public prosecutor did indeed attempt to discredit the expert witnesses, levelling harsh and unwarranted criticism at them, questioning their language competence and professional credentials in an extremely derogatory manner and, more to the point, criticizing their performance as interpreters in order to discredit their judgment as expert witnesses. This was not only done during the session in which the expert witnesses appeared in the dock to present their report and be questioned on it, but was repeated in the final summing up (interpreted into Arabic possibly by one of the very same interpreters to whom the prosecutor was referring) (cf. Public Prosecutor Olga E. Sánchez's closing statement). This is a clear example of the extent to which an interpreter's and expert witness' role can be publicly undermined. During the session in which they appeared in court as expert witnesses, one of the prosecution lawyers also suggested that Osman's defence may have stage-managed or manipulated the re-transcription in some way that was beneficial to his client's case, suggesting lack of neutrality on the part of the experts: "*la defensa de Rabei Osman*

[...] ha podido indicarles determinados aspectos que a ella le convenía” (“Rabei Osman’s lawyer [...] could have directed you to certain aspects that suited the defence”); “*¿Uds. se han entrevistado con la defensa de Rabei Osman durante la traducción?*” (“did you meet with Rabei Osman’s lawyer while you were doing the translation?”). It can happen on occasion that the prosecution or the defence may dispute the report of an expert if it does not concur with their case. However, it is difficult to imagine legal professionals passing such detailed opinions on the work of experts from other fields (e.g. architecture or art) as they are seen to do in this case on the work of translators, a situation which has also been observed in multicultural and multilingual legal proceedings in other jurisdictions.

Further comments were made concerning the limits of their role as such and the content of their report. Throughout the session in which they were questioned on the report there was constant allusion to the extent to which culture, context and pragmatics in general are involved in language and communication. It became obvious throughout the session that the predominant view on the part of the legal professionals is that language is a static entity which is not affected by context, ambiguity and polysemy. This is all the more curious bearing in mind the extent to which legal professionals themselves use language as a professional instrument, for example in the questioning and cross-examination of witnesses and defendants. There are numerous allusions in the record of this session to translators being required to “just translate”, an expression which underestimates the complexity of the task, implying that one frequently does other things at the same time. The underlying assumption, of course, is that translation is a kind of automatic operation that requires no thought or analysis (Hale 2007). The translators were also admonished to “translate literally” as if such a method of translation were a guarantee of quality and accuracy, when quite the contrary, it often leads to a nonsensical target version. Other comments by legal professionals throughout the trial compared interpreters to machines, as we have seen above.

In the bugged conversations in which Rabei Osman allegedly participated, it would appear that some of the problems in the original transcription and translation had arisen precisely because the translators had not recognized the pragmatic meaning of certain cultural references related to Islam and the history of the Arab world (Valero and Abkari 2010: 50). The expert witnesses pointed out in their report that certain elements which had been translated literally created confusion and misunderstanding because they had not been placed in their correct context, referential meaning had not been taken into account and pragmatic and contextual clues had been ignored. The expert witnesses are arguing on the basis of content, but again the debate returns to the role of the expert witness and the nature of language and translation.

Some of the legal professionals question whether the translators are indeed allowed to place language in context and use cultural and pragmatic clues suggesting that, if they do so, they are adding information and going beyond their role. Thus, some of the legal professionals are prescribing an impossible role in which translators are machines, words have only one meaning and translation/communication is an automatic process in which exact equivalents are substituted for one another. One of the numerous examples of this is a reference in the original recording to a historic figure, the Caliph Al-Mu'tasim of IX century Baghdad, alluded to in Arabic as a reference for political assertiveness when criticizing the passivity of present-day political leaders. This reference was picked up by the expert witnesses who pointed out that it had been totally misconstrued by the original transcribers who, finding themselves with a reference which apparently made little sense to them, had constructed a context which gave a completely inaccurate impression to the reader of a target language version which involved present-day female suicide bombers, not present in the original. Thus, the conclusion reached by the expert witnesses was that the original transcribers/translators appeared to lack referential knowledge of Islamic tradition and history. In response, one of the prosecution lawyers stated:

...su labor es exclusivamente traducción de texto ¿verdad? Entonces, no termino yo de entender por qué las críticas al desconocimiento de teología coránica que uds. imputan [...] a los traductores de italiano

(your task is exclusively to translate the text, is it not? Then I do not understand why you criticise the Italian translators for their lack of knowledge regarding theology of the Quran).

Given that such a lack of knowledge of the Quran (and, therefore, failure to recognize an accepted allegorical reference amongst a given speech community) was ultimately going to implicate the defendant in a conversation about suicide bombers, it is difficult to see why the lawyer in question had such a problem.

Another specific reference which gave rise to a further revealing exchange about the role of the expert witnesses was the term *yihad*. The Italian translators had rendered the term *yihad* as “Holy War” and the expert witnesses in Madrid chose to leave it in the original in their retranslation into Spanish. In court, they explained that the word *yihad* has more than one meaning in Arabic, and as the word is known in the West, they felt they could leave it in the original for the readers to decide which meaning of *yihad* is referred to. One of the prosecution lawyers pressures the expert witnesses to give an opinion on the intended meaning of the word *yihad* in the context in which it appears in these conversations. As experts in the Arabic language and culture this is presumably part of their remit as expert witnesses (Edwards 1995).

The presiding judge, however, rebukes the lawyer, saying “*ud. lo que podrá preguntar es en qué contexto se produce, pero no que el perito nos interprete si se refiere a la yihad buena o la yihad mala*” (“what you may ask is in which context this is used, but you may not ask the expert witness to interpret whether they are talking about the good *yihad* or the bad *yihad*”) and furthermore establishes that it is the function of the court to decide on the meaning of the word *yihad*: “*ud lo que pretende es que el perito diga que ahí traduce yihad en un sentido determinado y esa interpretación corresponde al Tribunal*” (“it is your intention to make the expert witness say that he translated *yihad* in one specific sense and it is the Court’s function to decide on that interpretation”). However, we would question whether indeed it is the court’s function to decide on the most likely meaning of a word in a language its members may not understand. Surely that is precisely the function of the expert witness: to make appraisals and to use his/her expert knowledge to point to the most likely pragmatic meaning of a word in a given context which is culturally conditioned.

5. Conclusions

The trial of those accused of perpetrating the train bomb attacks in Madrid on 11th March 2004 constituted a considerable challenge for the Spanish justice system, and there was full awareness that “in order to guarantee precision and safeguard the right to a fair trial, it was necessary to provide all possible material, human, technical and economic resources bearing in mind the special complexity, the peculiarities and circumstances that surround this trial” (Ministerio de Justicia 2007). Part of these resources involved a highly professional interpreting service and the use of the simultaneous mode. As a result, and also due to the wide media coverage, the work of the interpreters acquired unprecedented visibility, heightened by the technical problems unfairly attributed to the interpreters on the first day of the trial, and the fact that members of the interpreting team also acted as expert witnesses in relation to one of the major pieces of evidence used to incriminate the main defendant.

We have attempted to demonstrate how the use of simultaneous interpreting required a process of adaptation by the legal professionals involved in the trial. They found they could now address the defendants and witnesses directly, but although this allowed them to forge a more direct relationship with the latter, at the same time it divested them of control over the interpreter and the process of interpreting. The use of simultaneous clearly contrasts with the usual triadic interaction normally present in court interpreting in Spain. The fact that the

interpreters were not physically present, however, would seem to have strengthened the tendency for them to be considered as language-conversion machines.

The situation was reversed when the interpreters were called to act as expert witnesses and were placed at the centre of bitter legal wrangling. On the one hand they became a key element in the defence of the main defendant and, on the other, they were treated like “collaborators” and their professional qualities were harshly criticized by the public prosecutor and the prosecution.

In addition to the debate about the advisability of an interpreter also acting as expert witness in the same legal proceedings, this trial clearly demonstrated the lack of knowledge on the part of legal professionals with regard to the process of translation/interpreting and the work of translators and interpreters. There is no doubt that the highly professional performance of the interpreters significantly contributed to guaranteeing a fair trial for all concerned and that this was ultimately fully acknowledged by the legal professionals involved (amongst others Beni Uzabal 2007; Zulueta San Sebastián 2010).

It is to be hoped that, indeed, “this trial has served as a turning point and offers a great opportunity to open a debate aimed at improving the present system for the provision of interpreting and translation services in government bodies” (Handi 2007: 55). Certainly the authorities have shown that they are aware of the importance of recruiting fully qualified interpreters, and one may wonder why all trials do not merit a similar level of services. Another lesson learned from this experience is the need to promote closer cooperation between legal professionals and interpreters in order to avoid a recurrence of some of the problems which occurred in this trial. Interestingly, and most appropriately the recent European Union Directive on the right to interpretation and translation in criminal proceedings states that “Member States shall request those responsible for the training of judges, prosecutors and judicial staff involved in criminal proceedings to pay special attention to the particularities of communicating with the assistance of an interpreter so as to ensure efficient and effective communication” (European Union 2010: Art. 6).

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PART II

Interpreting vs. mediating/culture brokering

Role issues in the Low Countries

Interpreting in mental healthcare in the Netherlands and Belgium*

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In this paper, the focus is on different forms of interpreting and intercultural mediation in mental healthcare. The various ways in which professional language assistance and intercultural mediation is provided in the Low Countries (the Netherlands and Belgium) is described. Each way has its own merits, but the authors feel neither of them really suits the needs of mental healthcare. As an alternative method the model of “interactive interpreting” is presented. The why’s and how’s of this model are described in some detail.

1. Introduction

Language questions are an important point of interest in cross-cultural psychotherapy and psychiatry. Research by Hertog and van Gucht (2003) in general hospitals in a number of major Belgian cities has shown that roughly half of the non-western immigrant patients is not proficient enough in the language of communication to be able to handle a necessary conversation. Our educated guess is that the situation in the Netherlands is not much different from that in Belgium. Moreover, in mental healthcare, language is even more important for diagnosis and treatment than in general healthcare. Thus, the assumption appears justified that with certainly half of the non-western immigrants seeking help in mental healthcare, there is a language problem.

* This paper was originally written in Dutch and jointly by a psychotherapist (HB) and an anthropologist with a background in philology (HV). It has been translated into English by Mrs. Sandy R. Reijnhart-Gordon, courtesy of TVcN, the Dutch Interpreter and Translator Centre. After that, the authors revised the entire manuscript considerably.

In this paper, we first describe the various ways in which official language assistance is provided in the Low Countries. They each have their own merits, but we feel neither of them really suits the needs of mental healthcare. Mental health providers engage differently in the cooperation with their patients than in the adversarial system of legal and police settings, in which most interpreters have been educated. In practice, this leads to confusion. Once the interpreter feels he/she can be ‘more present’, it turns out to be difficult to keep to professional boundaries. We therefore feel there is a need to clarify role boundaries in mental health interpreting and suggest an approach which we have labelled the model of “interactive interpreting”, referring to Wadensjö’s (1998) seminal work on community interpreting. We describe the why’s and how’s of this model in some detail below.

2. Interpreters, intercultural mediators, and interpreters as co-therapists

Interpreting in the social services sector (welfare, healthcare and education) is a young profession, still in development, that has only recently gained serious attention from the academic world. The concept of “interpreting” has, moreover, not yet been unambiguously defined. These interpreters – who are often described as “community interpreters” – have in common that they nearly always work consecutively.

Moreover, in many countries, it seems that the healthcare sector expects intermediaries to take on much more than simply converting a message from a source language to a message in a target language. That is, in particular, the case when bringing in intercultural mediators and interpreters who are explicitly assigned a role as co-therapist.

Little consensus exists on the tasks of the interpreter (see Valero-Garcés and Martin 2008). This is even more the case for interpreting in the mental healthcare sector than in somatic healthcare (see Tribe and Raval 2002). In the field, and to a certain degree also in the literature, there is very little systematic use of the various terms. Some interpreters have a range of duties that is just as broad or broader than that of intercultural mediators. Within Europe, we have found that, especially in the countries with a Romance culture (France, Spain, Italy) the term “intercultural mediator” is very popular, while those in Northern Europe seem to prefer the term “interpreter”. As an umbrella term for these various approaches, we will sometimes use, for want of better, the terms “language assistant” or “language assistance” in this paper.

Also, a major area of tension exists between what interpreters do or what they are supposed to do, and what actually happens in practice. Unfortunately,

there is no literature that – based on empirical research – shows which approach, under which circumstances and for which groups of patients leads to the best results. Recently, two meta-studies were published on the effects of language support for the accessibility and quality of healthcare by Flores (2005) and Karliner et al. (2007). In general, scientific research has shown that bringing in interpreters – especially, well-trained and professional ones – leads to a significant increase in the accessibility and quality of care. But, the limited number of available studies on this subject is striking. This, too, is even more applicable for the effects of interpreting in the mental healthcare sector than in somatic healthcare. In many of these studies, no differentiation is made between professional interpreters, family members (even including children) as interpreters and bilingual nurses who do interpreting “on the side”. Moreover, they provide next to no information at all on the range of responsibilities and work method of the interpreters under study. All of this indicates that there is hardly any evidence base that enables us to make well-founded statements on the ideal range of duties of the interpreter or intercultural mediator and on the precise circumstances for which they must be brought in. In spite of these uncertainties, on the basis of our own experience and research, interviews with interpreters and intercultural mediators, and the available literature, we have developed some preferences.

The various approaches to interpreting that are distinguished in the literature differ from each other in two intertwined areas: (1) The range of duties of the interpreter or intercultural mediator and (2) the underlying view about translating and communication.

With respect to the range of duties, there are, roughly, three distinguishable approaches:

1. The model of the interpreter as a translating machine (or *conduit model*)
2. The model of the intercultural mediator (or *culture broker*)
3. The model of the interpreter as co-therapist

With respect to the view about translating and communication, a differentiation is made between (1) the conduit model of communication and the monological view of translating and interpreting and (2) the Watzlawickian approach to communication and the dialogical view of translating and interpreting (Watzlawick et al. 1967).

The terms “monological” and “dialogical” originate in Bakhtin’s theory of language and mind (see Wadensjö 1998). In the monological view, words and expressions are understood as entities with a fixed meaning. When this view is applied to interpreting, it leads to attention for meaning that “can be lost” or “twisted” and to the search for “equivalents” in translating.

The dialogical view is based on the idea that the meaning of words and expressions is partially formed in the interaction between people. Based on this view, the interpreter is part of the entire system of constructing meaning: the interpreter picks from multiple possible translation choices. This means that the translation can only be judged within the context – the interaction among three people – of the conversation that is being carried out (see Bot 2005: Chapter 6).

The communication theory by Watzlawick boils down to the fact that words, on the one hand, have a fixed “dictionary definition” but, on the other, only achieve meaning in the conversation itself and that non-verbal communication and the power relationships between discussion partners play a crucial role in this. Moreover, Watzlawick states that it is impossible *not* to communicate. This is particularly significant because it undermines the assumption that is the basis of the translation machine model: namely, that it is possible for an interpreter to be present as a “non-person”.

3. The interpreter as a translation machine

This model stood at the inception of the professionalization of interpreting in the healthcare sector which started in the 1990s and was based on material that was developed in the very different contexts of conference interpreting and interpreting in the judicial sector. Within this model, one considered the interpreter to be an “automaton, who walks in and translates” (Bot 2005:75). It was emphasised that the interpreter was to limit him/herself to this task. He/she will, therefore, not intervene if there are misunderstandings between the conversation partners, and in no case will he/she omit or add information during his/her intervention or prevent healthcare workers from making blunders. A good interpreter is, according to this view, “invisible” and the precise and complete translation of everything the healthcare worker and the patient say is considered to be of utmost importance. This approach adheres to (1) the view of communication in which it is possible “not to communicate” and (2) the monological view of translating in which making an equivalent translation is seen as a question of the substitution of words in the one language for words in the other language and in which the process of providing meaning in the interaction is not seen as a problem.

This translation-machine model – for various reasons and with various conclusions – is sharply criticised.

Authors such as Kaufert and Putsch (1997) and Solomon (1997) do so because, within the model, the differences between the conversation partners in the areas of education, socio-economic status, power and the used explanatory models are not taken into account. Because of this, more is necessary than only

translating in order to come to shared understanding. We give two examples of this approach.

When administering a psychological measuring instrument, interpreting the items in the valid manner is always problematic. But if, on top of this, the patient is not familiar with the use of such an instrument and the scoring on, for example, a five-point scale, there is an even smaller chance that this will lead to meaningful results. In such cases, the interpreter should be able to provide some explanation in the use of the instrument or, at least, let the healthcare worker know that the translated message has little chance of being understood without further explanation.

Another example of this is a Moroccan patient who refers to his relationship with "Aicha Qandicha". For most Moroccans, this name is familiar as that of a jinn, an evil spirit which, when it enters into a relationship with a man, can exercise considerable influence on his functioning. If the healthcare worker is not aware of this, referring to the name of this evil spirit can lead to confusion and loss of time. Researchers such as Kaufert, Putsch, and Solomon, will, for this reason, advise that interpreters or intercultural mediators briefly explain such aspects of the communication process.

According to Wadensjö (1998), in this model, the emphasis lies too much on the "invisible interpreter." This is based on the idea that it is deemed desirable, and possible, for the interpreter to only interpret, without exercising any influence on the discussion partners and the course of the conversation.

Bot (2003, 2005) rejects the model because it does not take into account that it is impossible not to communicate. She also points out that interpreting itself means that the interpreter is exercising influence. Interpreting, that is, supplying an "instant translation", is exceedingly difficult. "Translating" always involves some kind of change. Moreover, therapists and patients generally occupy different worlds. Language is part of that, as are views on being ill and becoming healthy, and concerning "proper behaviour". Because of this, simply "translating what is said" becomes problematic. What people say is usually open to more than one interpretation. The interpreter chooses an interpretation according to how he/she understands the words of the client and the health worker. Here, not only does the micro-context (the conversation itself) play a role, but also outside factors, such as, for example, knowledge that the interpreter has concerning the type of conversation and his/her norms and values (for examples, consult Bot 2005; for more theoretical background, Mason 2006). Processes of cognitive dissonance and selective perception also play a role in interpreting. Alongside this, there are, of course, differences between languages that make a text difficult to translate faithfully in all its facets. Sometimes, there are no equivalent terms, or references are made to concepts that are unknown in the language and culture of the recipient

of the message. All this points to the fact that interpreting is in no way a matter of substitution of one word for another. And it may be impossible for the language assistant to translate without first asking for further explanation.

In the Bot study (2005), it emerged that the therapists always urged patients to talk about their traumas, while various interpreters sometimes changed this into: “It is good not to talk about your problems in order to protect your family members from these types of unpleasant stories.” It was difficult to explain from the context why this happened, while, from the conversations with the interpreters afterwards, it emerged that they felt that “not talking” was the right way to act – a view that they apparently unconsciously incorporated into their translation.

Angelelli (2004) believes that medical interpreting is now in a somewhat schizophrenic situation. On the one hand, the translation-machine approach is seen as the norm, on the other, it appears that interpreters do not – or cannot – work according to this model. This leads to constant tension between the professional code and the practice. Karlin stated that it is time that interpreters stop feeling guilty about their visibility; they must not be frightened to take the initiative (quoted in Verrept 2004).

Both Angelelli and Bot come to the conclusion that interpreters, in practice, are indeed extremely visible through their physical presence, their actions and their attitude. Because of that, they project considerable influence on the course of the meeting between healthcare worker and patient.

4. The model of the intercultural mediator

Kaufert and Koolage (1984) conducted empirical studies on the role of interpreters in the healthcare sector. It emerged that interpreters were carrying out a whole range of tasks that went much further than converting messages. They found an extremely active contribution of the interpreter to the communication process. They termed this “culture brokerage”, defined as: explaining the culture of the hospital and the doctor to the patient, and the world of the patient to the doctor. Thus, they explained why a doctor asked a specific question, or provided a description of medical terms for which there was no equivalent in the patient’s language. The interpreters also pointed out aspects of the social environment and culture of the patient to the healthcare worker, such as the fact that people were not used to having doctors present bad news overtly. In some cases, the interpreter also appeared to become an advocate for the patient: he/she defended the interests of the patient when determining, for example, that the patient had not given permission for a medical procedure. Later, on the basis of this and other studies, the model of intercultural mediation was formulated (Kaufert and Putsch 1997;

Verrept 2001). Here, it is assumed that the interpreter is knowledgeable about matters that are relevant for the healthcare contact and that it will be beneficial to the healthcare encounter if he/she brings this in. Researchers such as Chen Wu et al. (2006), Elderkin-Thompson et al. (2001), Hsieh (2006) and Greenhalgh et al. (2006) are convinced that interpreters must be freed from the limitations of their conduit role. Without some clarification of the cultural context in which the messages are exchanged, these can sometimes be perceived as “complete nonsense” by both the native healthcare worker and the foreign patient. The intercultural mediation role becomes more important as the languages in question differ more from each other and the cultural and socio-economic distance between patient and healthcare worker is greater. It is striking that the authors who conducted a study of interpreting and/or intercultural mediation among non-western and low-schooled immigrant groups are, in many cases, convinced of the necessity of one form or another of culture brokerage.

The extensive range of duties of intercultural mediators is, however, not without risk. Research has shown that intercultural mediators sometimes notice that the healthcare worker expects them to have the complete solution to the client's problems. This is an alarming experience for them (Verrept 1998). Another issue is how to prepare cultural mediators for their task. Ethnic origin alone is not sufficient to have a thorough knowledge of one's cultural group. If intercultural mediators are not sufficiently prepared, one runs the risk that their own opinions, based on their more or less accidental experiences, will be presented as knowledge of the culture.

Also, it is not always clear when it is desirable – or even necessary – for intercultural mediators to do more than simply interpreting, how supplementary tasks can best be carried out and how the effectiveness of such interventions can be assessed (Dysart-Gale 2005; Verrept 2004).

In Belgium, a large group of well-trained intercultural mediators is active in the healthcare sector. In the Netherlands, there are a small number of organisations that have employed staff members who fit this model. Thus, a social services organisation in Rotterdam has so-called “culture interpreters”. It appears that these people have not taken any specific training course for this (Kremers 2007).

5. The interpreter as co-therapist

We also find articles about interpreters who act as co-therapists. They have, alongside their training as interpreters, been trained in the areas of social work, psychotherapy or psychiatry. Mudarikiri (2003) states that these interpreters can be considered to be bilingual healthcare workers or social workers with whom,

together with the client, one searches for culturally acceptable solutions to the problems of the client.

The disadvantage of this work method is that the client can get the impression that the healthcare worker and the interpreter form a coalition (Phelan and Parkman 1995). The very small-scale study by Price (1975) contains, moreover, indications that, when the interpreter has also been trained as a therapist, there may be the tendency to make the translation fit his/her own views on the desirable course of the therapy. This may lead to problems with defining who has the final responsibility of the consultation. It is also not clear how the interpreter as co-therapist differs from a bilingual healthcare worker. As far as we know, this type of language assistance is extremely rare in the Netherlands and Belgium.

6. Analysis and synthesis of the three approaches

The different approaches place, to varying degrees, the responsibility for the success of the communication – and sometimes even the success of the treatment – with either the language assistant or the healthcare worker, or with the patient him/herself, as illustrated in the scheme below.

In the translation-machine model the entire responsibility for the conversation lies with the primary speakers. Neither we nor the literature take this model seriously, as it almost completely ignores the complex reality of communication and translation. But although we reject this model as impossible, there may be instances where a language assistant may try to use it. This is legitimate when all that is called for is to communicate relatively simple, objective facts, like drug prescriptions or appointments.

Intercultural mediation is more than simply interpreting. The intercultural mediator also alludes to socio-cultural phenomena relevant to the communication and the healthcare process and which he/she notices that the patient and

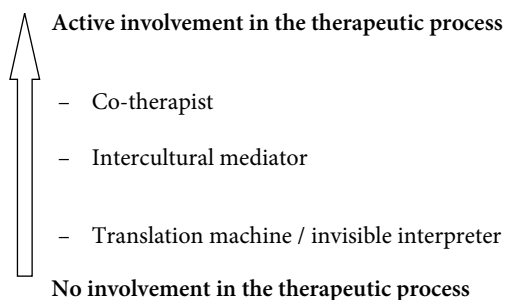


Figure 1. Traditional models on the continuum of interaction

the healthcare workers are not sufficiently aware of. This can be a valuable addition to the healthcare process, certainly when this is done transparently – that is, interpreted for all those present. But, we see potential problems for intercultural mediators in the *mental* healthcare sector. The tasks that an intercultural mediator is given are those which one would actually expect a healthcare worker himself to take on. One can expect healthcare workers to be alert to verbal and non-verbal communication of the patient, to recognise his/her hesitations and respond to them, to be curious about the patient's background, his/her views about the symptoms and feelings about the appropriate remedy for them. Providing an explanation on one's work methods, flexibility and the ability to adjust to the patient and his/her needs and circumstances – as well as being able to work eclectically – is also all part of good healthcare provision. However, in practice, healthcare workers often feel insecure in their contact with non-western immigrants and they are often insufficiently prepared to work with them.

Finally, in the model of the language assistant as co-therapist, the language assistant is co-responsible for the course of the therapy. This model is, in our view, not ideal, either. Firstly, it seems unlikely that a sufficient number of such well-trained co-therapists can be found. Secondly, it seems to be more sensible (and more cost-effective) that these 'interpreters-cum-healthcare-workers' practise their profession independently in their native languages.

7. An alternative approach: The model of interactive interpreting

We view the above-described approaches to interpreting as positions on a continuum that indicate the interpreter's involvement in and responsibility for the interaction. The two extreme positions on this continuum are the "translation machine", which assumes no responsibility for the communication process, and the "independent participant" who has an input in his/her own right. On this continuum, the intercultural mediator leans more in the direction of the translation machine, the co-therapist more towards the independent communication partner.

The position of the interpreter as an "independent participant" in the conversation may need some further explanation as we have not mentioned this before. This position is for example assumed at the time the healthcare worker plans an appointment with his/her patient and also wants the language assistant to be present: the language assistant then consults his/her own schedule. Every language assistant will take on this position from time to time. Joining in some small talk before and/or after the formal session, during which the language assistant, on his/her own initiative, asks questions or offers information, is another

way in which he/she can act autonomously and which may position him/her as an independent participant if he/she has not found consent about this action with the health provider. Alongside these explicit personal contributions, language assistants also, of course, sometimes make an implicit personal contribution, for example if their non-verbal behaviour shows that they disapprove (by rolling their eyes) or approve of something (by nodding).

7.1 Interactive interpreting

In mental health care, we argue for a role for the language assistant which has not as yet been described in this paper and which we have labelled “interactive”. It is, to a large extent, based on Bot’s dissertation (2005). This “interactive interpreter” leans more to the position of the translation machine than to that of the intercultural mediator as shown in Figure 2.

In this approach, the inevitability of the influence of the interpreter – through the act of translation and through “being there” – is recognised, together with the positive influence this involvement can have. It depends upon the situation and the views and wishes of both the involved healthcare worker and the interpreter, how this interactive role is – or must be – fulfilled.

In this model of interactive interpreting, “meta-communication” during the intervention by an interpreter is not necessarily considered to be problematic. One recognises that it can be useful in some cases for the interpreter to first explore the message of the primary speaker and ask for clarification before starting to interpret. This can be essential for providing a rendition that fits within the objective of the conversation. It can also be functional if the interpreter, if requested, relates something about his/her background; for example, about his/her education, professional outlook or country of origin during the session. But this has to be in line with the strategy of the therapist. It will be clear that this may not

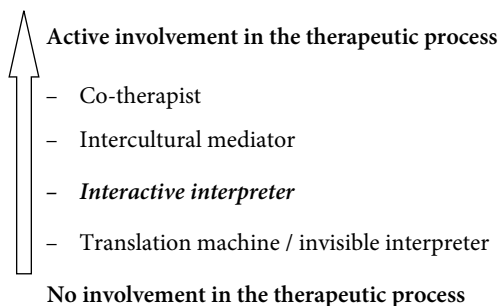


Figure 2. The place of the interactive interpreter

be unproblematic: healthcare workers differ in their strategies, dependent of the patient they work with and their therapeutic style.

The demarcation between the “interactive interpreter” and the “intercultural mediator” is specifically the degree of initiative. If the language assistant inserts information on his/her own initiative, he/she is assuming the role of intercultural mediator or even a participant in its own right, depending on the content of the intervention; if he/she limits him/herself to asking about the intention of the speaker, he/she is an interactive interpreter. If the interpreter replies, with consent of the therapist, to questions about his/her personal background, he/she is an interactive interpreter. Contacts outside the therapeutic session belong to the cultural mediator role if closely linked to the session and agreed upon by all parties involved. Otherwise, they are beyond the role of the language assistant.

The interactive interpreter’s role is closer to that advocated within the translation machine model than to that of the intercultural mediator. This is related to our conviction that it is important that patient and healthcare worker, in a mental healthcare setting, notice their mutual differences and sort them out. This can only happen when the rendition keeps close to the original primary turns. The more interpreters “edit” their renditions, the less understanding comes about between therapist and client. Both Flores (2005) and Bot concluded this on the basis of their research. Flores states that the following work method reduces the chance of misunderstandings:

Providers using simple sentence construction; providers and interpreters working slowly to understand and verify; careful attention to nonverbal cues; *interpretation with minimal editing* and physician restatement of patients’ comments, with back-translation by interpreters to patients [emphasis ours].

(Flores 2005:269)

Flores’ study shows that the conversation moves along better if the interpreter translates as closely as possible. Healthcare workers have to converse simply and grammatically to enable interpreters to interpret closely.

8. Cooperation between language assistant and health worker

As differences between the various models are subtle, it may be hard to demarcate sharply between them. It is important for both the healthcare worker and the language assistant to develop a sensitivity to these subtle differences. The language assistant and the therapist have to have a joint strategy – they have to cooperate. Healthcare provider and language assistant have to have a contract, so to speak, about the extent of their cooperation. This contract is partly described in their

professional codes and defined by the organisations they work for. But of course, this is partly an implicit contract, an understanding of the underlying assumptions the participants subscribe to. While language assistants all have their preferred styles, based on their codes of conduct, the requirements of their organisations and their personal characteristics, it has become clear to us that they often move along the continuum of interactivity, even during a single session. In general, we assume there are no problems when the language assistant moves towards less interactive behaviour than is implied in the contract. Thus, an intercultural mediator may be involved in culture brokerage, but may also interpret interactively when this is sufficient to make meaningful communication possible and could sometimes try to act as a translation machine when interpreting basic facts.

Also, healthcare workers must consider which choice they want to make with respect to their cooperation with a language assistant. This should be done in consultation with the language assistant him/herself and with his/her organisation. The main provider of interpreting services in the health sector in the Netherlands, TVcN, promotes translation-machine type of interpreting. In practice, however, interpreters tend to interpret interactively, based on more or less conscious choices made by individual interpreters. The intercultural-mediator model has not been implemented on a large scale in the Netherlands. This limits the choices Dutch health workers can make. In Belgium, both interpreters and intercultural mediators are active in the healthcare sector.

It is important that language assistants learn to reflect on their professional behaviour and learn to recognise their interpreting activities in terms of the different models described above. This will facilitate explicit communication with healthcare providers on the desired type of collaboration.

9. Interpreting from the therapeutic perspective

Whether or not the interpreter tries to keep his/her distance, he/she is part of the psychology of the conversation. Healthcare workers who work regularly with interpreters notice that a patient adopts a “different” attitude in the presence of an interpreter. The interpreter, through his/her attitude, can stimulate more openness in the patient, or exactly the opposite; some seem to encourage the patient to report healthy behaviour, while with others, the patient is more inclined to lapse into complaining or talking about problems. Haenel (2001) states that patient and interpreter can feel very close to each other due to a common background, which can cause the healthcare worker to feel shut out. The interpreter’s (alleged) political and/or ethnic affiliations can also, conversely, bring out resistance in patients. It is the task of the healthcare worker to see this within a therapeutic perspective

and to explore whether or not this is pathological mistrust, an initial mistrust that can be overcome by talking about it, or a realistic fear.

Patients who have great difficulty engaging in social relationships often display problems when co-operating with an interpreter and a healthcare worker. Healthcare workers can, however, use such co-operation problems as an indication that the patient may have a personality problem or is, perhaps, suffering from paranoia.

Interpreters, on their part, must view the distrust – or, conversely, the reverence – displayed towards them as displayed towards their professional capacity and not see it as focused on them personally. Only then will they be able to react calmly and to keep interpreting what the healthcare worker and patient have to say about this. It can be necessary to provide some information about one's own background – but only in consultation with and approval from the therapist.

The language question in therapy also brings a number of other therapeutic themes to the surface. The patient can underestimate – or overestimate – his/her own command of the language. However, it is also possible that he/she has a problem with his/her dependence upon the interpreter, or that he/she has difficulty handling the insecurity about whether or not the interpreter is translating correctly. The therapist may want to bring these subjects up during the session. It is essential that the interpreter faithfully interprets these interventions, which may concern him/her directly.

Bot (2005) points out how difficult it is to come up with a good rendition and that it is very well possible that the interpreter has understood it in a different way from its intended meaning. If the therapist asks, “Could you carefully reformulate what you wanted to say?” and this is then interpreted, it always leads to the patient wanting to continue the session, to producing a milder tone and to the three participants searching for shared understanding.

All this shows clearly that the influence of the language assistant is far-reaching of even when keeping close to the original utterance.

10. Concluding considerations

Healthcare workers have, in general, not been trained in working with an interpreter. They must generally first gain some experience before they can see the advantage of it. The healthcare worker must get past the feeling of having someone “breathing down his/her neck”, he/she must learn to formulate speech carefully, to keep his/her turns short and he/she has to help the client to tell his/her stories in “translatable bits”, while, at the same time, he/she recognises that the conversation is also being carried out with the interpreter. Once that is successful, the

advantages for the healthcare worker emerge: the linguistic communication starts to flow and the cooperation with the interpreter provides an extra dimension to the therapeutic process.

The clearest conclusion of our study of the literature, our own research and years of experience within the domain may well be that, within (medical) interpreting, it is still difficult to make well-informed decisions on the ideal strategies to be used by interpreters working in mental healthcare. There is little evidence that medical interpreting, and particularly interpreting in mental healthcare, evolves in a well-defined direction. So far, different approaches co-exist with little exchange and discussion between them. We have tried to bring these different approaches together and have presented them as fluid positions rather than rigid stances. In mental health interpreting, the interactive position is preferred. We hope interpreters and healthcare providers learn to recognise the appropriateness of the various models.

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One job too many?

The challenges facing the workplace interpreter

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Significant changes in the employment profile of deaf people over the last 30 years have led to their increased presence within the white-collar, non-industrialized workplace. As a result, signed language interpreters (SLIs) have also moved into this new domain. As deaf consumers begin to assume positions of status and power, SLIs are by necessity re-evaluating their relationships with deaf clients in order to mirror the changing dynamics (Napier et al. 2008). Evidence suggests that SLIs in the workplace are frequently expected to switch between the roles of confidant, co-worker, interpreter, assistant and advocate within a single interpreted interaction (Dickinson and Turner 2008). Drawing upon ethnographic data from a PhD research study this paper will demonstrate the complex multiplicity of the SLI's workplace role.

1. Introduction

The nature of work has changed dramatically over the last 40 years, affecting the way in which people engage in employment. Deindustrialisation, changes in technology, and a move towards employment in the service industries have all meant a growth in white collar jobs and a decline in blue-collar manual ones (Strangleman and Warren 2008). Over the past 30 years the employment profile of deaf people has also changed significantly (Kyle and Dury 2004), with a move away from traditional manual trades to an increased take up of "white collar" or office based employment. Consequently, SLIs are increasingly employed in the workplace, a "landscape" quite different to that of community or conference interpreting.

Whilst the body of research into signed language interpreting is slowly increasing, to date there has been an extremely limited exploration of the role of the SLI within the workplace. This paper therefore aims to describe and explore some of the aspects of the SLI's complex role in this relatively new setting, considering their impact on the interaction between deaf and hearing employees. A brief

overview of the research is provided, followed by some contextual information in relation to SLIs and deaf people in the workplace. Some of the factors impacting on the SLI's role and on their relationship with both deaf and hearing clients are explored. Excerpts from the research data are used to illustrate the complexities of the SLI's position in workplace discourse. Finally, I conclude with some suggestions as to how the SLI can refine and redefine their role in this setting.

2. Outline of the research

The aim of the research is to generate a "data-rich" (Mason 2000:220) or "thick" (Sarangi and Roberts 1999: 1–2) description of the interpreting process in order to gain an in-depth understanding of what occurs in workplace dialogue where the SLI is an active participant. Data for the research project were collected through a variety of methods, including a questionnaire, practitioner journals, video of naturalistic workplace interpreted interaction, and video playback interviews. The video data were collected across six different workplaces, and consist mainly of team meetings. Most of the workplaces were hearing dominated, i.e. the deaf employee was the only deaf person in the organisation. Transcripts of the video interaction form the primary data for the research.

The video data were coded manually, through repeated viewings, a process which enabled the identification of patterns within the interaction. A number of excerpts were then selected and transcribed, drawing upon a Linguistic Ethnographic (LE) framework. LE brings together the tools used in linguistic and ethnographic analysis in order to probe in-depth the relationship between language and social life. An emerging discipline in sociolinguistic research, LE draws upon a range of disciplinary and methodological traditions, including ethnography of communication, interactional sociolinguistics and conversation analysis (see Rampton et al. 2004 for an elucidatory description of the development of LE in the UK).

Analysis of the video data revealed a range of issues, including the challenges presented by turn-taking and overlapping talk within the collaborative floor, as well as the SLI's management of instances of humour and small talk. The complexity of the SLI's role was also emphasised through the subtle footing shifts utilised in the course of their interaction with deaf employees, and this aspect forms the focus of this paper.

3. Deaf people in the workplace

In the workplace, deaf people are often the sole deaf employee and thus generally find themselves in the “monolingual, speaking and listening world of hearing English users” (Foster 1998: 125). They are therefore faced with an environment where the social, cultural and linguistic conventions of hearing people are deeply embedded and are accepted as the norm (Turner et al. 2002). In this setting, the SLI can, to some degree, enable the deaf employee to function on an equal basis with their hearing peers.

In the UK, the provision of SLIs is funded through the Access to Work (AtW) scheme. A government initiative, AtW covers some of the additional costs that might be incurred through employing a disabled person. The deaf employee’s needs are assessed through AtW, with the allocation of SLI support hours dependent on their job role and requirements.

SLIs are generally employed to work with deaf people who use British Sign Language as their first or preferred language, and can work across a wide variety of settings, ranging from offices, social services, and education, to factory floors. Their role includes interpreting workplace interaction such as meetings, training events, informal office conversation and telephone interpreting. They can also take on written translation tasks. Other expectations can build up over time, depending on the SLI’s employment status (e.g. if they are staff or freelance) and what they might agree with their clients. The frequency of their work in this environment varies greatly, dependent upon the deaf employee’s requirements and their AtW budget. Some SLIs may only be required to interpret a meeting once a month, whilst others may work with the same deaf client, seven hours per day, five days a week, over a number of years.

4. The role of the SLI

Interpreter practice is currently informed by a variety of models and metaphors to which interpreters are expected to adhere (Kale and Larson 1998). Whilst a number of descriptors have been applied to interpreters, including interpreters as helpers, conduits, communication-facilitators, and bilingual, bicultural specialists (Roy 1993, citing Witter-Merithew 1986), the essential distinction lies between the “extreme personal involvement” and “extreme to not-so-extreme non-involvement of the interpreter” (Roy 1989: 87). The interpreters’ role can therefore be said to exist on a continuum along this “degree of involvement” scale.

In examining the SLI's role in the workplace, the focus is on their involvement as an active third participant in the communicative event, a concept which has been illuminatingly described with reference to spoken language interpreting (e.g. Berk-Seligson 1990; Wadensjö 1998; Anderson 2002) and signed language interpreting alike (e.g. Metzger 1999; Roy 2000). Mason (2000) and others (see Baker-Shenk 1991; Roy 1993; McIntire and Sanderson 1995) affirm that the "conduit" or machine model of interpreting is deeply flawed and has little value in relation to dialogue interpreting. Indeed, training for SLIs is moving away from the uninvolved, unthinking model of interpreting practice and is progressing towards the realisation that SLIs are an active part of the communicative process. However, *invisibility*, *non-involvement* and *conduit* are words that still persist throughout interpreting literature and training, underpinning not only still the strongly-held beliefs of deaf and hearing clients, but also deeply embedded in the SLI's self-perception. The concept of the interpreter as a neutral and detached "passer on" of information is therefore still pervasive both within and outwith the profession.

The positioning of the interpreter as an engaged and involved participant is thus a source of conflict in relation to the entrenched and widespread perception of their role as an invisible translating machine. This clash is particularly highlighted in the SLI's role in the workplace domain, with recent studies suggesting that the SLI is required to go beyond the role of active third participant, and take an "intense interest in and commitment to" the deaf professional's work (Cook 2004: 58–59), positively aligning themselves with the goals and aims of the deaf professional (Hauser and Hauser 2008).

The degree of the SLI's active engagement is made clear with the new concept of the "designated interpreter" (see Hauser et al. 2008). Despite the focus being clearly on the "white collar" professional class of deaf employees in the United States there are many similarities and parallels with the SLI's role in the UK workplace. There are a number of aspects of the designated interpreter's role which distinguish them from a non-designated interpreter. A primary factor is that they are a member of a professional team, rather than an outsider. Additionally, rather than being impartial or neutral, they are a dynamic and active participant in the deaf professional's environment (Hauser and Hauser 2008). The conduit model therefore appears incompatible with the SLI's role across a range of workplace scenarios, as many of the functions required of a designated interpreter are in conflict with this model.

Very high expectations are placed on SLIs employed in the workplace, particularly within the deaf professional-designated interpreter relationship. Oatman (2008) lists extra-linguistic and extra-cultural skills, social and cultural acuity, together with sensitivity and empathy, as highly important aspects of the designated interpreter role. Crucially, the responsibility for a successful working relationship

and optimal communication is seen to lie not only with the deaf professional and the SLI, but also with the hearing employees. However, most employers and hearing employees have very little experience of working with SLIs and have minimal understanding of their role in the workplace setting (Kurlander 2008; Beaton and Hauser 2008). This lack of awareness adds to the complex nature of the SLI's role, particularly when they are usually operating between three cultures – deaf culture, hearing culture and that of the workplace (Campbell et al. 2008).

5. Evidencing the complexity

There are a number of aspects of the SLI's position in the workplace which illuminate the complexity of their role. It is relatively unique for SLIs to spend such a large amount of time, on a regular basis, with the same clients. Apart from educational interpreting, SLIs rarely experience the same degree of intensive contact with the deaf client. The time between the actual interpreting of meetings and workplace conversations can lead to the SLI and the deaf employee discussing personal issues, which results in the SLI being seen “as more of a colleague” (J36.3).¹ Hearing colleagues on the other hand can “assume more of a ‘support’ role is happening” (Q17d: qr18) just by virtue of the SLI's regular presence.

5.1 Interpreting in a Community of Practice

The social, cultural and linguistic norms of workplaces also present a challenge to the SLI. Deaf employees, unable from an early age, to access the sociolinguistic nuances in the same manner as their hearing peers, have very little opportunity to develop their competence in this area. Accordingly the SLI is sometimes responsible for trying to bring together disparate understandings of workplace culture, particularly those which are inherent in discourse events such as team meetings, as these can foreground established patterns of employee behaviour. The notion of Community of Practice (CofP) can help examine how participants interact and the norms and conventions that they share, thus enabling a deeper understanding of the perceptions that individuals hold in relation to workplace meetings.

Originating from the work of Lave and Wenger (1991) and Wenger (1998), a CofP is defined as a “group whose joint engagement in some activity or enterprise

1. Journal data: the first number denotes the journal respondent and the second number their entry number (e.g. J33.5). Questionnaire data: “Q” indicates the questionnaire number, whilst “qr” denotes the number allocated to questionnaire respondent (e.g. Q1: qr34).

is sufficiently intensive to give rise over time to a repertoire of shared practices” (Eckert and McConnell-Ginet 1992: 185). I suggest that workplace meetings constitute a CofP, with the shared practices which exist between members presenting particular challenges for the SLI.

People who regularly work together generally build relationships. In doing so they often take a great deal for granted, sharing common assumptions, a common reference system and the same jargon or “system of verbal shortcuts” (Holmes and Stubbe 2003: 2). Members of working groups frequently develop distinct expectations about normative ways of interacting and working together, creating “a shared repertoire of linguistic norms” on which they regularly draw (Schnurr 2008: 2). The linguistic norms in CofPs have been shown to encompass facets of workplace interaction such as humour (Holmes and Schnurr 2005), teasing (Schnurr 2008), politeness (Mullany 2004), gendered discourse (Mullany 2004; Holmes 2008) and small talk (Mullany 2006).

A crucial element of becoming a member of a CofP involves learning, a process which entails accessing “largely tacit, distributed ‘wisdom,’ rules of appropriateness, and taken for granted understandings of a highly group-specific nature” (Turner 2007: 58). A lack of common ground (working on different assumptions, intercultural misunderstandings, different ‘rules’ about turn-taking) can lead to misunderstandings and miscommunication, with the employee potentially being prevented from becoming a full member of a CofP. Membership of a CofP therefore necessitates “the acquisition of sociolinguistic competence” (Holmes and Meyerhoff 1999: 174), something which can present a particular challenge for the deaf employee. If a work group functions according to a shared understanding of the norms and linguistic conventions dominant in the group, it can pose a barrier to those new to the group (e.g. the SLI) and to those from differing cultural, linguistic and/or minority backgrounds (e.g. the deaf employee).

5.2 Changing dynamics

With the move of deaf people into different forms of employment, we are seeing a shift in dynamics. The fact that deaf people are just beginning to move into positions of status and power in the workplace domain impacts considerably on the relationship between the SLI and the deaf employee, resulting in SLIs having to re-evaluate their relationships with deaf clients (Cook 2004). Deaf individuals have a long history of working with SLIs, however, for the majority of such interactions the deaf person has been in a “powerless” capacity, being a recipient of educational, health or other community services, rather than as a professional in their own right (Kushalnagar and Rashid 2008). Furthermore, in many

community interpreting settings, the deaf person is the client and the hearing person is the professional, but within the workplace deaf and hearing employees can potentially be of relatively equal status.

The power differentials in the relationship between the SLI and the deaf employee means that the existing models of interpreting are insufficient for the situations in which SLIs find themselves, with the stereotypes which individuals can bring to the event influencing the relationship (Hauser and Hauser 2008). SLIs who adopt a paternalistic or “helper” model of interpreting are likely to experience difficulties when faced with a deaf client in a position of authority and power. The more deeply the SLI believes that interpreting is a helping profession, the more likely it is that paternalistic or dominating attitudes will result, thus directly affecting the working relationship (Kushalnager and Rashid 2008). Some tension or discomfort is likely once deaf people are emancipated from the client role, as the change in the dynamics of the deaf individual/SLI relationship is likely to come up against beliefs held by the SLI, unconsciously or otherwise, that the deaf person should be in a subordinate role (Kushalnagar and Rashid 2008). This can lead to *cognitive dissonance*, whereby the SLI is in a state of psychological discomfort due to the conflict with their long term beliefs about deaf people (Kushalnagar and Rashid 2008: 50).

6. Evidence from the questionnaire and journal data

The complexity of the SLI’s role in the workplace domain is amply evidenced by responses from the questionnaire and journal data. SLIs report that they are being variously described as: the deaf person’s interpreter, a personal assistant, office support worker, communication support worker and helper. The terminology used to describe the SLI in the workplace is indicative of the complex nature of their role and the differing perceptions and expectations held by both deaf and hearing people. One SLI describes being required to “behave more like a PA than an interpreter”, listing her range of duties as

sight translations, transcribing videos for subtitling, assisting with the timing of subtitles, correcting the client’s written English, replying to letters / emails / SMS messages from a signed description, drawing up documents in the appropriate English style from a signed description and researching.

(J31.6)

Undertaking such a wide range of duties can lead to the SLI feeling as though they are “not acting ethically” (J31.6), or that some of their behaviour and work practices are “not defined by any training, role expectations etc”. One respondent

commented that what she does is “not wrong, damaging, unethical etc. – but it is not ‘interpreting’ either” (J10.2).

The uncertain position the SLI occupies in the workplace setting is further demonstrated through their behaviour during team meetings. The video data provide a number of examples where the SLI clearly shifts footing (Goffman 1981), moving between their role as interpreter to directly respond to and interact with the deaf employee. This reveals the extent to which the SLI is simultaneously “the interpreter” whilst also positioning themselves as a colleague or fellow employee. The footing shifts and subtle interplay occurring within workplace meeting interaction demonstrates that the SLI can reinforce their invisibility whilst undertaking explicit coordinating moves, thus highlighting the contradictory nature of their role. The following examples illustrate these aspects.

6.1 Excerpt 1: Where was I?²

The first excerpt is from a team meeting at Livingwell, an organisation providing supported living services for adults with learning disabilities and additional physical disabilities. A regular meeting for senior support workers and team managers, there are eight participants, only one of whom is deaf (Derek). Sandra is a qualified BSL/English interpreter with approximately seven years interpreting experience and is known to all the participants. The meeting has been underway for approximately 20 minutes, and has mainly consisted of a presentation by a visiting speech therapist. At the point where the excerpt begins, Derek, after some considerable time waiting to take a turn, begins to make a point relating to the presentation.

In Stave 1, Derek has just started when Anna from reception knocks on the door and interrupts with a message for Bella (a team leader). In Stave 2 Bella exits the room and Derek mouths ‘forgot’, pulling a face which indicates he has lost his train of thought. In Stave 3, rather than interpreting this facial expression into a verbal contribution, Sandra responds directly to Derek, reminding him that he was just about to make a comment about the leaflets. Derek subsequently resumes his point with “YES GIVE LEAFLET”.

2. Following Coates (2007) the transcription format is produced in stave notation, allowing all participants’ contributions to be read simultaneously, like instruments in a musical stave. Words or portions of words that appear vertically below any other word should be read as occurring at the same time as that word. Relevant non-verbal behaviour is recorded in the line above the transcription. Transcription conventions are provided at the end of this paper.

- 1 -----
 Derek: GIVE INFORMATION LEAFLET LOOK
 [door opens]
 Anna: really sorry to disturb you but Lee's had a phone call from the police can you
 Sandra: *SORRY INTERRUPT PHONE CALL*
- 2 -----
 Sandra: *POLICE SOMETHING HAPPENED*
 Bella: [leaves the room]
 excuse me
 Derek: [pulls face and mouths 'forgot']
- 3 -----
 Sandra: *ABOUT LEAFLET*
 Derek: YES GIVE LEAFLET

In this example we see Sandra shift her footing from that of SLI, to a participant generating her own comment (Stave 3). This interpreter generated response does not specifically fall into any of the three categories which Wadensjö (2002) describes under explicitly co-ordinating interpreter contributions. Whilst Sandra is responding to the previous contributor, Derek, she is neither seeking clarification nor commenting on the substance or form of his utterance. Rather, in replying directly to Derek's comment Sandra positions herself as a fellow employee or colleague, taking responsibility for prompting Derek with his thought process prior to the interruption. Sandra's decision not to interpret Derek's indication that he had lost his train of thought has a number of implications. A voice-over interpretation along the lines of "now where was I?" or "that has put me off, what was I saying", would have opened out Derek's comment to the rest of the participants thus allowing the hearing team members to respond, either with a simple reminder, or with an opportunity to tease him. As it was, the interaction took place directly between Derek and Sandra, excluding the hearing team members from the exchange.

6.2 Excerpt 2: Dead shoes

This excerpt is from a team meeting at Radford Education Services. There are eight participants in total, three of whom are deaf. The SLI is Sonya, a registered qualified interpreter with considerable interpreting experience, who has previously interpreted in similar meetings. All of the team members know each other relatively well, having worked together on a regular basis. Participants are discussing the effective use of resources, with the chair emphasizing the importance of all employees going through the proper procedures when purchasing items for

work. In Stave 1, Janice (a hearing employee) raises the issue of equipment linked to hearing aids, requesting that staff forward all used or defective items back to her and referring to “dead shoes” (a “shoe” is a part of a hearing aid).

- 1 -----
 Janice: could I mention again about the dead shoes
 Sonya: [indicates speaker]
- 2 -----
 Janice: batteries leads can I have everything back please
 Sonya: [raised eyebrows, head forward, produces sign for footwear]
MENTION DEAD SHOES
 Brenda: [indicates her ear, directed at Sandra, produces sign for part of hearing aid]
SHOES
- 3 -----
 Sonya: *BATTERIES LEADS*
 Janice: some of those shoes are now costing thirty pounds
- 4 -----
 Sonya: [copies Brenda’s sign, nods]
SHOES *NOW THIRTY POUNDS*

In Stave 2 Sonya interprets Janice’s request literally by signing “DEAD + SHOES” (i.e. the sign for footwear). As she does so she appears to indicate her uncertainty about Janice’s meaning by raising her eyebrows and tilting her head forward. At this point one of the deaf employees (Brenda) responds by providing the correct sign for the shoe of a hearing aid casing. This is then repeated by Sonya in Stave 4 who replicates Brenda’s sign for a hearing aid “shoe”, embedding it into her rendition of Janice’s comment that “some of those shoes are now costing thirty pounds”.

In this example Sonya chose not to interrupt Janice to request clarification regarding the terminology used, but instead signalled her uncertainty to the deaf participants, through the use of non-manual features. Brenda then responded directly to this subtle query by feeding Sonya the correct sign. This understated interplay between Sonya and Brenda demonstrates a harmonious collaboration between the two, occurring almost at a level beneath the main interaction, to which most participants are oblivious.

6.3 Excerpt 3: Skegness

The final excerpt is drawn from the beginning of one-to-one supervision meeting between a deaf employee (Danielle) and her line manager (Harriet). The meeting

is being interpreted by Stuart. Harriet and Stuart are already seated when Danielle enters the room and as she sits down she makes a signed comment, indicating that she has recently been to Skegness.

- 1 -----
 Danielle: [indicates self]
 ME SKEGNESS
 Stuart: [rising inflection]
 skegness
- 2 -----
 Stuart: WOW
 Danielle: BRIGHT
- 3 -----
 Stuart: *nice*
 Danielle: RELAX
- 4 -----
 Stuart: LOVELY
 lovely
 Harriet: she keeps saying Skegness but I am sure she had a lovely time
- 5 -----
 Stuart: SAY -S- NICE TIME GOOD TIME GOOD?
 Danielle: [shrugs, MP 'alright']
- 6 -----
 Stuart: [laughs]
 aww its alright
 Danielle: [laughs]
 Harriet: [all laugh] [smile voice, casual, not really bothered tone]
 that's one of your favourite phrases, oh, it's okay, it's alright

This excerpt can clearly be identified as an episode of small talk. It occurs before the formal meeting begins and serves as phatic communion, i.e. the ritualized relational talk (Koester 2006) which can take place in the opening and closing phases of an encounter. Danielle initiates the exchange and Stuart interprets Danielle's "ME SKEGNESS" as "Skegness" in Stave 1, before going on to make the comments "WOW" (signed), "nice" (voiced), and "LOVELY" / "lovely" (simultaneously signed and voiced) in direct response to Danielle's comments about the weather (bright sunshine, in Stave 2) and managing to relax (Stave 3).

In Staves 1 to 3 the interaction appears to be directly between Stuart and Danielle. Although Stuart interprets Danielle's comment, stating "Skegness", he then shifts footing and responds directly to her with "WOW", a self-generated utterance. It qualifies as a non-rendition as Harriet has not made a response to

Danielle's statement regarding her holiday location. In Stave 2, Danielle responds to Stuart's comment with "**BRIGHT**", alluding to the sunshine and Stuart again responds directly in Stave 3, but using his voice and saying "**nice**". Danielle's comment "**RELAX**" in Stave 3 is not voiced by Stuart, but in Stave 4 he chooses to again respond directly, simultaneously signing and voicing "**LOVELY**" / "**love-ly**". Although Stuart has voiced some comments which Harriet would have been able to access, apart from "**Skegness**" his comments are not interpretations of Danielle's utterances. It is not until Stave 4 that Harriet joins the interaction, picking up on the comment of "**Skegness**" and stating that she was sure Danielle "**had a lovely time**".

Whilst most of the interaction appears to be taking place directly between Stuart and Danielle, Harriet was nonetheless able to join in the discussion about Danielle's holiday, suggesting that the direct interaction did not interfere too greatly. However, had Stuart remained in his footing as SLI and chosen to voice-over Danielle's utterances as, for example, "it was lovely and sunny and I really managed to relax", then Harriet would have been able to glean more information about Danielle's holiday. Accordingly, the small talk exchange may have been extended whilst the holiday was discussed in more detail.

The excerpts from the video data demonstrate that SLIs are making small and subtle footing shifts and illustrate their complex positioning within workplace settings. The SLI's role clearly extends into the realm of active participant, and in some cases they assume a collegial relationship as a fellow employee. Furthermore, the understated interplay between SLI and deaf participants demonstrates a harmonious collaboration between the two, occurring at a level beneath the main interaction.

7. Conclusion – refining and redefining the SLI's workplace role

Evidence suggests that the unique nature of workplace interpreting can result in different relationships being established, with an increased likelihood of personal and professional boundaries being crossed. SLIs therefore need to examine more closely the relationships they develop with both deaf and hearing colleagues, and constantly reflect on the potential impact on their role and boundaries. I posit that the SLI is at times viewed by all primary parties as a colleague, and whilst this can have a positive effect in terms of the SLI's position within a CofP, it can also call into question the SLI's allegiances and loyalties. SLIs working in this domain therefore need to be careful that any bond formed with the deaf employee is not to the detriment of collegial relationships with their hearing peers.

SLIs working in this domain suggest that a shared communicative approach is necessary, recognising that being an invisible conduit is almost impossible due to the regular nature of the assignment. It is vital that *all* stakeholders, deaf and hearing, are encouraged to share, participate in and influence the interpreting process, thus rendering things more visible for all participants in the interpreted event.

As an increasing number of deaf people move in to more professional roles, their needs and demands in relation to working with interpreters will change (Napier et al. 2008). This is particularly relevant in terms of deaf people taking up positions of status and authority, as the power dynamics between SLIs and deaf clients will alter considerably. Models of interpreting must evolve and change to reflect this shifting landscape.

SLIs need to be skilled at building and maintaining relationships with other staff within the workplace, especially within a CofP. Establishing a bond with the hearing members of staff will enable the SLI to be perceived, to some extent, as a member of the CofP. Their difficulty lies in forming relationships whilst keeping in place the professional boundaries necessary to undertake their interpreting role. A delicate balance needs to be achieved, maintaining the SLI's role whilst sustaining a positive relationship with the deaf individual's peers.

As the demand for SLIs in the employment domain increases, strategies for interpreting and for developing relationships with deaf employees will need to be "realised, analysed and taught" (Hauser and Hauser 2008:20). An essential element of this process will be to enable the SLI to have an in-depth understanding of the footing shifts they make and the motivation behind those shifts. Transparency of interaction will enable all parties to work in a collaborative and open manner. Meaning-making can thus become a co-operative venture, with the building, implementation and refining of a shared understanding of roles and responsibilities. This will ultimately enable all consumers to have greater involvement, and a sense of responsibility for the outcome and success of the discourse event (Turner 2007b).

Transcription conventions

All names used in the transcripts are pseudonyms

text	spoken contributions from hearing participants
<i>text</i>	spoken contributions from signed language interpreter
TEXT	signed contributions from deaf participants
<i>TEXT</i>	signed contributions from signed language interpreter

MP	indicates mouth-pattern
SA	indicates source attribution
RS	indicates role-shift
[]	paralinguistic features, descriptive comments, e.g. [laughs]
(xxx)	transcriber heard talk but could not identify the words
(.)	noticeable pause
:	extended or stretched syllables, e.g. minut:e:s
____ (underline)	emphasised speech, e.g. <u>no</u>
-	indicates finger-spelling, e.g. F-A-C-S
—	incomplete or cut-off utterance, e.g. a pair of-
?	rising or question intonation or facial expression

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Exploring institutional perceptions of child language brokering

Examples from Italian healthcare settings*

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The present paper investigates the frequent but little studied phenomenon of child language brokering (CLB), focusing specifically on reported experiences of child-brokered events by representatives of Italian healthcare institutions. Semi-structured interviews were conducted with healthcare providers and general practitioners in a medium-sized town in North-East Italy. The aim of the interviews was to highlight recurrent patterns in the commissioning of interpreting services, as well as institutional perceptions of language brokering in general (be it professional or *ad hoc*), and of CLB in particular. Overall, respondents, while expressing their concerns for the ethical, social and cultural implications of CLB, “defended” it as one of the main, if not the only, available resources to interface with adult migrants in the Italian context.

1. Introduction

There are various reasons why we have chosen to research language brokering by children (and adolescents), focusing specifically on the Italian context and on institutional perceptions of brokered events. First, together with other non-professional translating and interpreting practices, child language brokering (hereafter CLB) is one of those social phenomena that deserve greater attention, because they help shed light on the changing landscape in which interpreting takes place, particularly in terms of the challenges interpreting is faced with and the needs it is supposed to meet. Second, CLB has long gone unnoticed in academia and society at large and little or no research has been conducted regarding the Italian

* Although the paper content and structure were jointly sketched out by the authors, Letizia Cirillo is responsible for Sections 1–3, and Ira Torresi for Sections 4–5.

context. The existing literature extends back no more than twenty years and explores brokering activities performed essentially in English-speaking countries (mainly the US) by children of a relatively restricted number of immigrant communities (mainly Latinos and Asians; see 2.1 and 2.2 below). Third, although a significant amount of brokering occurs in institutional settings (see 2.1), institutions' opinions about and attitudes towards the phenomenon have been largely overlooked, as most studies have concentrated on children's (and their families') perceptions (see 2.2). Fourth, Italy has changed from an emigration to an immigration country with nearly five million immigrants out of a total population of sixty million residents, leading to brokering practices becoming increasingly visible throughout the country. Last and most important, we believe that the study of brokering practices can help shed light on intercultural adaptation processes involving minority and majority groups, as well as raise awareness of immigration-related issues, such as the inadequacy of available resources to meet the communicative needs of non-native populations with limited proficiency in the host language.

2. Perspectives on child language brokering

The widespread phenomenon of bilingual children and adolescents translating and interpreting for non-bilinguals can be subsumed under the general rubric of "natural translation," defined as "the translation done in *everyday circumstances* by bilinguals who have *no special training* for it" (Harris 1976: 96; emphasis added). In recent years, "non-professional" (i.e. *ad hoc*) translating and interpreting practices have received considerable attention (see Pöchhacker and Kadric 1999; Bührig and Meyer 2004; among others), and translating and interpreting by children and adolescents has grown into an area of study in its own right (although still under-explored) known as "child language brokering" (CLB). In what follows we shall provide a brief overview of the existing literature on CLB, focusing on those aspects that are most germane to this study.

2.1 Nature and relevance of CLB

CLB is typically performed by immigrant children who, as fluent speakers of both the language of their family of origin and the main language of their country of residence, translate, and more generally act as intermediaries, between non-bilingual speakers – usually adult family members, on the one hand, and representatives of mainstream institutions, on the other (see Shannon 1990; McQuillan and Tse 1995; Orellana et al. 2003; Valdés 2003; Hall 2004; among others).

According to Malakoff and Hakuta (1991: 144), translation is “not a skill that is generally considered to be within the repertoire of just any bilingual, much less children, much less minority language children”. This widely held view, together with a “blacklisting of translation in foreign-language education and the focus on second-language acquisition” (ibid.: 143), has contributed to a lack of interest in the practice of CLB.

Yet, CLB and language brokering in general, although not labelled as such,¹ have always existed – at least since language barriers started to be a problem – and are still very widespread today. “Informal” or “family” interpreters (see MacFarlane et al. 2009; Rosenberg et al. 2007) broker in a variety of contexts and situations involving not just spoken, but also written and signed language (see Hall and Guéry 2010). In particular, not only can children both interpret and translate materials that are within their comprehension and vocabulary, but they do so in virtually every sphere of immigrant families’ public and private life. Inside and outside of their households children can broker in domains as diverse as educational, medical/health, commercial, cultural/entertainment, legal/state, financial/employment, and housing/residential (Orellana 2009: 144–146).

Although brokering is not just a juvenile activity, linguistic minority children have often been relied on by their families and communities to interact with the dominant society, for “their perceived ability to learn new languages more rapidly than adults” and “because their school attendance provides them with a daily dose of native-born and native-speaking peers who educate them about the new culture in a more saturated way than is available to their parents” (Jones and Trickett 2005: 406; see also Suárez-Orozco and Suárez-Orozco 2001).

As to this last point, Hall and Sham (2007: 18) note that the term “brokering” best captures the complexity of an activity that inevitably entails cultural (in addition to linguistic) meanings and involves children in the “demanding world of roles, networks and values of the [...] complex ecology of families and communities” (ibid.). The (inter)cultural, social dimension of child language brokering is also emphasized by Orellana (2009), who points out that CLB establishes “contact zones” (Pratt 1999, quoted in Orellana 2009: 20) between different generations and cultures, with child language brokers acting as agents of social transformation who provide their families and communities with access to tangible opportunities and resources.

1. The label “brokering” was first used in ground-breaking work by Shannon (1987, 1990), who investigated the development of linguistic and social skills in child brokers from Mexican families living in Northern California.

2.2 Effects of CLB on children and their families

Since the mid-1990s CLB has caught the interest of a growing number of scholars from various disciplines (e.g. linguistics, sociology, anthropology and psychology), who have focused on the cognitive, psychological, and relational impact of brokering practices on children and adolescents.

In a recent volume on bilingualism, Grosjean (2010), while exploding the myth that bilinguals are born translators, acknowledges the natural ability of bilingual children to interpret at an early stage of their life, and highlights the fact that children with minority-language parents habitually act as *liaison* between their parents and the outside, majority-language-speaking environment.

An earlier study by Malakoff and Hakuta (1991) considered the relationship between child language brokers' translation ability and metalinguistic awareness, highlighting their communicative competence. In particular, the authors found that bilingual (or multilingual) elementary-school children, despite lacking "a conscious awareness of the specific differences between language systems" (ibid.: 150), are able to communicate the meaning of the source-language text, with mistakes affecting only target-language syntax or consisting in some literal translations. Similar findings were reached by Valdés (2003), whose study highlights the ability of children to keep up with the information flow and even convey tone and stance.

Other studies have found brokering activities to improve children's and adolescents' language proficiency (e.g. McQuillan and Tse 1995; Dorner et al. 2007), although the linguistic skills acquired through brokering are not always reflected in school performance and academic achievement (Tse 1995, 1996). Empirical findings are less consistent when it comes to acculturation, which Buriel et al. (1998) and Acoach and Webb (2004) claim correlates positively with brokering, whereas Weisskirch and Alva (2002) found a negative correlation and Jones and Trickett (2005) no significant correlation, with the exception of mothers' language ability, which is directly related to the amount of brokering performed by the children and adolescents they investigate.

The picture is even more complex when we consider the relational and affective impact of CLB. Because children and adolescents broker mainly for their parents or other family members, most studies have focused on family relationships. However, children's reported feelings regarding how brokering influences family life vary considerably: children may feel useful and proud (e.g. Tse 1995; Weisskirch 2006), but also experience anxiety and embarrassment (e.g. Kaur and Mills 1993).

A number of scholars have described CLB-related family dynamics in terms of role-reversal, which has recently been referred to more specifically as either “parentification” (Weisskirch 2007) or “adulthoodification” (Puig 2002; Trickett and Jones 2007). Some have stressed the negativity of brokering practices for parent-child relationships, arguing that CLB overburdens young brokers with responsibility and increases parents’ dependency on their children, reversing the knowledge/power distribution within the family and therefore disrupting its social order (e.g. Carlin 1990; Puig 2002; Martinez et al. 2009). In this respect, Trickett et al. (2010) have called for a wider “ecology” of CLB, one that encompasses not just families but also schools and neighbourhoods, and which is able to provide a supportive environment and human resources to take some of the brokering pressure off children, thus easing potential family conflict situations.

2.3 Beyond brokers’ perceptions

As emerged from the previous sections, the existing literature on CLB has mainly dealt with the impact of brokering practices on children and adolescents. In investigating the issue, most studies, be they qualitative or quantitative, have largely relied on (former) brokers’ self-perceptions as reported in interviews and questionnaires. Although institutions are among the beneficiaries of brokering practices, institutional perceptions of CLB have not been an object of study, and institutions have generally been equated with the contextual variable of “setting”. There are, however, a couple of exceptions to this, which we will now briefly consider.

Cohen et al. (1999) investigate the views of British general practitioners on the appropriateness of child language brokering during doctor-patient encounters. The authors show that, due to the limited availability of trained professionals, GPs may accept children as informal interpreters, provided that the consultation is “straightforward” (Cohen et al. 1999: 173), whereas they are less willing to have children translate when the consultation is “complex” (ibid.: 173) or “sensitive” (ibid.: 175). At the same time, GPs tend to display a generalised unease with children’s participation in the consultation as brokers. According to Cohen et al.’s findings, this tendency can be explained first and foremost in terms of a strong ideological position, whereby GPs view childhood as a time of innocence, which might be threatened by the knowledge of taboo matters while performing the task of brokers (Cohen et al. 1999: 180–183). Moreover, precocious knowledge may also jeopardise the psychological stability of children as developing subjects (ibid.). Finally, the broker role may disturb the normal moral order of the family and disrupt social relations by reversing the traditional adult-child knowledge/authority distribution (ibid.: 183–184).

Cirillo et al. (2010) analyse opinions about and attitudes towards CLB on the part of representatives of healthcare and other institutions in the North-Eastern region of Italy. Although their article is based on a pilot study and has therefore obvious limitations in terms of size of the sample analysed, their conclusions appear consistent with previous literature, particularly with Cohen et al. (1999). The institutional representatives interviewed, while declaring that CLB should be avoided, appeared willing to tolerate it in their working routines. In particular, while expressing concern for children's emotional discomfort (particularly in having to deal with sensitive or potentially conflict-generating issues), most respondents admitted resorting to children (or other informal translators) because of a structural lack of financial resources to pay for qualified interpreters and cultural and language brokers. As to the impact of CLB on the parties involved in child-mediated communication, the interviewees presented two contrasting, although not mutually excluding, views. On the one hand, CLB practices are considered to improve children's self-confidence (Cirillo et al. 2010:288); on the other hand, increased responsibility on the part of children is thought to have a negative influence on parent-child relationships, confirming the observations on role-reversal reported in other studies (see 2.2 above), and possibly turning brokering into a frustrating or even traumatic experience.

3. Data and method

The present study is part of a four-year research project funded by the University of Bologna. The project – called “In MedIO PUER(I)” – is a first attempt at describing the phenomenon of CLB in Italy.² As explained by Antonini (2010:9–10), the project aims at (a) finding out how frequently child brokering occurs (particularly in public, institutional contexts); (b) surveying perceptions of and attitudes towards CLB by participants in child-brokered events (i.e. children, families, and institutional representatives); and (c) assessing the effects of CLB on the development of the linguistic and cultural identity of young brokers. To do so, individual semi-structured interviews, focus groups, and questionnaires were piloted with both former brokers and institutional representatives from the province of Forlì-Cesena (where the research group members live and work) and subsequently used in other provinces of the Emilia-Romagna region, as well as in another Northern Italian region, namely Veneto (see Bucaria and Rossato 2010; and Cirillo et al.

2. “In MedIO PUER(I)” stands for *Interpretazione e Mediazione Istituzionale ad Opera di Piccoli Utenti in Emilia-Romagna (e in Italia)*, i.e. Interpreting and institutional brokering by young service users in Emilia-Romagna (and in Italy).

2010 for further details). The geographical area under investigation has been chosen because it is one of those areas in Italy where immigration has had substantial effects on demographic variables (see Caritas-Migrantes 2010). Similarly, the research group has decided to focus on the school and healthcare sectors, where brokering activities appeared to occur most often. So far, a total of fifty respondents have participated in the various sections of the project, but questionnaires are being administered and interviews and focus groups conducted with more participants from the above-mentioned and other regions, where the project is attracting increasing interest.

For the purposes of the present paper, a fifteen-minute semi-structured interview schedule (adapted from previously devised models, *ibid.*) was submitted to healthcare providers operating in Forlì. The interviews were audio- or video-recorded (depending on subject's consent) and subsequently transcribed and made anonymous by removing all identifying information. The interview schedule was treated as a checklist by interviewers, who elicited healthcare providers' perceptions of child language brokering as opposed to professional language brokering.³ As we will see in Section 4, the main issues analysed are as follows: (1) are there guidelines/resources for healthcare provider-migrant patient interaction?; (2) what is the specific contribution of CLB, as opposed to adult brokering, to healthcare provider-migrant patient interaction (and delivery of healthcare in general)?; (3) is there any circumstance in which CLB should be excluded? And if so, when?; (4) what do you expect from professional language brokers (*vis-à-vis* child language brokers)? The findings reported on in this paper are based on interviews with ten public service general practitioners (GPs) who declared to have direct experience of CLB in their medical profession.

4. Analysis of data

The following sub-sections summarize the results of the analysis conducted on the answers given to the four questions listed at the end of Section 3. Respondents will be identified by a capital R followed by a conventional number to protect their identity. For the purposes of this paper (as well as for space constraints), only selected parts of their responses will be reported, and only in English translation.

3. The full interview schedule is available from the authors upon request.

4.1 Guidelines/resources for healthcare provider-migrant patient interaction

In this section we will analyse responses to item no. 1 in the interview format, “Do health authorities provide guidelines on how to communicate with non-Italian-speaking service users? For instance, are professional interpreters/brokers employed?”

Consistently with the results of a previous survey with public service managers (Cirillo et al. 2010), the interviewees seem to be aware of the lack of specific measures that may facilitate communication between public healthcare providers and migrant patients. Three respondents answered the question with an outright “no” (R1, R8, R9), while R2 expanded: “I’ve been complaining for months if not years [...] there’s nothing [...] we’re left very much to ourselves.” R3, referring to emergency ward situations, concedes that “brokers are called when there are major problems,” but “they aren’t available at night.” Similarly, R4, referring to situations that may arise in a doctor’s office, reports: “we have a phone number we can call to request a cultural broker [...] but nobody uses it, because we work pretty much in real time.”

Several respondents mentioned some sort of printed material provided by the Forlì local health unit: “pre-printed forms” (R3), “some very general brochures [...] like small dictionaries” (R5, who, however, states he has never seen them), “a handbook with medical terms” (R6), “leaflets with the translation of most frequent sentences” (R10). R7 explains in more detail:

[...] there isn’t a standardized approach [but] the local health unit some time ago sent us a brochure in a whole lot of languages, like Chinese, there were sentences like “Where does it hurt?” and all the rest, one might point out to the sentence with his finger to try and understand what the patient’s problem was.

We have retrieved what the respondents variously referred to as “forms,” “dictionaries,” “brochures,” or “handbook.” It is a book issued and distributed by the Regional Health Service which contains English, French, German, Spanish, Albanian, Arabic and Chinese translations of model questions and answers that are supposed to be frequent in medical interviews (Ufficio Comunicazione e Marketing AUSL di Forlì).

Although such material may be considered a resource for day-to-day interaction with migrant patients, it can hardly count as a guideline or clear-cut strategy provided by healthcare institutions. Similarly, although R3 and R4 above mention the possibility to call professional brokers, both highlight the impracticality of

such services as seen from a doctor's perspective – and indeed, no other respondent seemed to be aware of, or to remember, any kind of institutional interpreting or brokering service.

4.2 Positive and negative aspects of CLB in healthcare provider-migrant patient interaction

In this section we will group together responses to item no. 16 of our interview schedule, "Which are, in your opinion, the main advantages and disadvantages of child language brokering?", with information given by interviewees in the course of the interview. Opinions about the involvement of children in mediated doctor-patient interaction were rather nuanced, although the majority of interviewees seemed rather satisfied with child brokering.

Pragmatic approaches to CLB as the only, cheapest, or most practical interpreting option in the doctor's office were recurrent. For instance, when asked about the specific advantages and disadvantages of CLB, R1 declared that "they [children] provide a free service... they are no additional cost for the health system, which is already under pressure." Similarly, R3 states that "thanks to children, we can really work better," and hyperbolically adds, "if we had [professional] interpreters available twenty-four hours a day it would be perfect, but we would need fifteen of them, one for each language." R2 answers that "if you have a cold or a sore throat your child can easily help you solve the problem. So I'd say it [CLB] makes things easier, quicker" for both the parent and the health professional, who might find it difficult to give the simplest instructions to non-Italian-speaking patients. According to R5, thanks to CLB "you manage to communicate and solve problems without wasting too much time."

Some of the respondents also highlighted children's specific personality traits and/or skills, which allegedly make them better brokers than adults: "children are more direct, more sincere usually" (R6); "very much aware of their role [as brokers], extremely precise, they aren't frightened" (R5); "[children] repeat exactly what you say and ask and report exactly what they are told. Whereas it happened that adults made comments. There was a different atmosphere, perhaps a biased or mistrustful one, this doesn't happen with children" (R8). Such positive responses to CLB seem to fall in line with Meyer et al.'s argument that family interpreters "are able to provide information and participate in the interaction in ways that other interpreters cannot" (Meyer et al. 2010: 317), without taking into account the authors' caveat that such active participation can sometimes lead to misinterpretation, especially when the family interpreter is highly emotionally involved (*ibid.*).

Other responses, however, were less enthusiastic. R7 shows a more neutral stance towards CLB, stating that there are no specific advantages or disadvantages (“they just do it,” R7). In R10’s view, “[t]he only advantage is that they [children] can speak, get the message across to the other person. The disadvantage is that sometimes there are situations that children can’t understand.” R9 declares that she does not see any specific disadvantages for child brokering, but seems to be sceptical of all forms of interpreting or brokering during medical interviews:

I waste time. I have to listen and then my answer, too, gets translated, so there’s a whole procedure that takes twice as long [as a normal interview] and then I wonder “Has he said exactly what I said? Has he understood?” [...] I don’t see those many advantages in all this.

Globally, however, respondents seem to accept CLB, whether as a necessary evil (as R7, R9 and R10 seem to imply), as an effective way to ensure communication (R1, R2, R3, R4 and R5 above), or as a form of mediation that may even be more efficient than adult brokering (R5, R6 and R8 above). At first sight, this may seem to contrast with Cohen et al. (1999), whose respondents appeared to raise more concerns about CLB, although they also accepted it in their offices as an alternative to insufficiently accessible professional interpreting services. In order to explore the matter more deeply, however, we will give a separate account of whether our interviewees thought that children could be involved in all sorts of doctor-patient interactions (4.3) and of their expectations about professional brokers vis-à-vis child brokers (4.4).

4.3 Situations in which CLB should be avoided

Item no. 15 of the interview schedule specifically reads “Are there any particular cases or situations in which you think that language brokering should not be carried out by children?” Almost all respondents stated that children should not broker in situations involving either “serious diseases” (R5, R8, R10) or the sexual sphere: “sexually transmitted diseases” (R4), “birth control” (R7), “when you have to ask about the gynaecological problems of their mum, auntie or sister” (R2), “if I have to ask more sensitive or private questions, then I’ll ask the partner or another family member” (R1).

Other interviewees pointed more generically – or perhaps, evasively – to issues too complex for children (“there are certain nuances that children don’t understand,” R3; “it depends on the kind of problem,” R9) or to the context in which the child lives and that should keep him/her safe from traumatic experiences (“if there isn’t a family behind [the child] that can protect [him/her],” R6).

Such opinions appear to be very similar to British GPs' perceptions gathered by Cohen et al. (1999). Most of such responses seem more oriented towards the psychological wellbeing of children involved in brokering than towards the outcome of communication per se. The Italian doctors interviewed appear to be particularly concerned about the child coming to learn information inappropriate for his/her age, be it about sex or the bad health conditions of the adults s/he is interpreting for, thus pointing to "normative constructions of childhood as a time of innocence" (Cohen et al. 1999:182). This might be interpreted as both acknowledgement of and concern about the "adultification" and "parentification" processes that may stem from CLB (see 2.2 above), which are explicitly referred to by two of the respondents elsewhere in the course of the interview: "you can't force a child to become an adult so quickly" (R3), "the family, the adults become less independent" (R6).

4.4 GPs' expectations about professional language brokers (vs. child brokers)

The responses accounted for in this section were given to items 20 and 21 on the schedule, respectively "What do you expect from a child broker?" and "What do you expect from a professional interpreter/broker working in the medical setting?," which interviewers sometimes merged into a single question.

Two main characteristics were recurrently indicated as characteristics expected from professional brokers: faithfulness and medical knowledge. The issue of faithful interpretation was raised as a point that distinguishes professional brokers, but this statement was always hedged in some way. R3 reports that, in her opinion, "they [professionals] refer faithfully [and] they are readier to face certain situations," but adds that these are the only advantages she sees in professional brokering. Similarly, R9 expects a professional broker to interpret "correctly" and states that this is the only difference she perceives between a professional and a child broker. R1, too, concedes that "[professional] translation would probably be more reliable" but at the same time expects that a professional broker "would probably be seen as a judging stranger by patients." The latter concern is echoed by R8, who also points out that calling a professional broker adds an administrative burden to the practitioner's work: "If the child comes with his parent, it's one thing. If a person comes from outside [the family], I have to get a form signed. It becomes more complicated." A similar opinion is reportedly found among medical service providers in the USA: "there is a perception that requesting and working with an interpreter increases physician time requirements" (Ramirez et al. 2008: 358).

R4 was the only respondent who pointed to a personality trait that he would expect from a professional broker: “[s/he] has to be able to act as a mediator, therefore [s/he] has to be able to listen [...] and have a lot of patience.” All other respondents seem to expect some medical knowledge from professionals, be it terminological or more in-depth: “that they know at least some medical language” (R2); “language proficiency and knowledge of some specific terminology” (R5); “at least some basic terminology” (R7); “the optimum would be cultural, not just linguistic, knowledge [...] some knowledge of the medical sphere” (R6). R10 adds the skill to change register so as to accommodate both the doctor’s and the patient’s usual language: “the professional broker has a more specific training so we can use a different kind of dialogue. The important thing is that then he can explain the situation in plain words.” R8, the same respondent who considers professional brokers as an administrative burden (see above), does not seem to think much of adult brokers who are not specifically trained in medicine:

a professional [...] besides translating, should also have some knowledge of what medicine is. If he is a normal translator, the child is enough. Either [the professional] has a certain culture in the healthcare field or I don’t see any difference with a child who translates exactly as an adult would do.

Such responses, and the variety of opinions they reflect, confirm the degree of confusion surrounding the professional figure of *mediatore linguistico e culturale* (language and culture broker) as well as the very nature of brokering – or mediation in the Italian context (Cirillo et al. 2010: 275, fn. 2).

5. Conclusions

The responses we have gathered seem to confirm that CLB is a practice that does exist in GPs’ surgeries, at least in Forlì. Most of the GPs interviewed report the lack of any institutional guideline or strategy that may help them decide what to do when visiting a non-Italian-speaking patient (4.1 above). The phenomenon of CLB, which is largely spontaneous, is therefore likely to continue until enough resources are invested in efficient professional public service interpreting and its promotion among both doctors and migrant patients. This leads to two parallel conclusions, both of which raise ethical as well as practical issues ranging from equal opportunities for migrant citizens (and their children) to the opportunity of introducing multilingual telephone interpreting services of the kind already in use in Australia or the USA.

The first conclusion is that by providing a service that is free of charge and perceived as convenient for both healthcare professionals and patients (4.2 above),

children facilitate access to opportunities and material resources for their families and communities. Child language brokers undeniably “work” as interpreters and translators in contexts as specialised as the medical sphere (Hall and Sham 2007). While this has an impact on the material well-being of their families and communities, as well as on the host society at large, whether their work is acknowledged or not by institutions and their own families may have a major impact on the building of their sense of citizenship and belonging (Orellana 2009).

The second conclusion is that the GPs interviewed do seem concerned about children being exposed to potentially stressful situations, and sometimes point out to adultification or role reversal within the family (4.3 above). At the same time, doctors lament the absence of a reliable professional brokering service that may cater for the needs of public medical services (i.e. working in real time and twenty-four hours a day, coverage of several foreign languages, specific medical training, etc., see 4.1 and 4.4). Therefore, similarly to their British colleagues interviewed by Cohen et al. (1999), they seem ready (if not willing) to sacrifice aspects such as faithful renditions and the specificity of the medical information that is passed on to their patients if CLB is the only resource available.

Clearly, the conclusions of the present study cannot be generalized, since they are based on the opinions and impressions of a limited number of respondents. The aim of this study was, firstly, to gather evidence that CLB does happen in the medical sphere in Emilia Romagna, and secondly, to probe into service providers’ impressions about the phenomenon. In the latter respect, the data presented here integrate, expand and largely confirm those collected among other public service providers in the same geographical area (Cirillo et al. 2010), and should be considered within the broader framework of the “In MedIO PUER(I)” project as summarized in Section 3 above.

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Natural interpreters' performance in the medical setting

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This paper presents a study on the asymmetry of doctor-patient conversations in situations where the patient speaks a foreign language, both alone and with the aid of an occasional interpreter, in order to determine the variations which occur when compared to consultations where the healthcare staff and patient share the same native language. Firstly, a study of the language and different resources that speakers in an institutional context use is presented, and secondly, a study of the role carried out by the third participant who acts as the liaison or interpreter between the other two participants (user and service provider) in the interaction is discussed.

1. Introduction

This study merges two disciplines of multidisciplinary origin: Discourse Analysis and Translation and Interpreting Studies. It is from Discourse Analysis that the method of analysis for this study is obtained, whereas it is related to Translation and Interpreting Studies because of its focus on analysis, in this case, analysis of interpreter-mediated doctor-patient conversations, following research carried out by Wadensjö (1998), Angelelli (2004) and Hale (2007), amongst others.

The research hypothesis can be stated in the following points:

1. All doctor-patient meetings are asymmetrical. The fact that the latter is not fluent, or has difficulty with the language used in the interaction, considerably increases this asymmetry.
2. By comparing interactions where the patient and doctor share the same language with those where this is not the case, traits indicating an increase in asymmetry at the lexical and participatory level can be found.
3. The intervention of a third participant would reduce the asymmetry in meetings between doctors and patients where the latter do not share the native language of the doctor.

In order to carry out this study, a corpus of 75 conversations divided into three groups was used: Group 1, composed of 25 conversations in which the healthcare staff and patient share the same native language; Group 2, which has 25 conversations in which the patient speaks a foreign language, and Group 3, where, in addition to a foreign patient, there is an occasional or natural interpreter intervening. A qualitative analysis of the indicators or signs of asymmetry at the lexical and participatory level has been carried out, followed by a quantitative analysis comparing the findings of these indicators in conversations between the healthcare staff and patients who share the same native language, with foreign-speaking patients and with interactions where an occasional or natural interpreter intervenes.

2. Asymmetry

Like the native population, migrant citizens need to access the public services available in our society: courts, public administrations, hospitals, police offices, healthcare centres, schools, and so on. However, in spite of having the right to use most of those public services, the fact that they have not mastered the official language of the country they live in often prevents them from accessing these services. In this way, their interactions with public institutions are more complex than those faced by native speakers. They have to understand and produce a kind of discourse which is typical of the specialised context within which these interactions take place in terms of vocabulary, the turn-taking system, specific routines and procedures, and so on. Moreover, they have to do this using a foreign language.

Throughout this paper several institutional conversations – healthcare staff-patient conversations – are analysed. Some authors such as Heritage (1997) and Miguélez (2003) have argued that these interactions are asymmetrical, that is, it could be said that the speakers taking part in them are not at the same level. Heritage (1997) proposes four kinds of asymmetries in institutional discourse:

1. Participation asymmetry, which implies that the interactants in an institutional conversation do not participate in the same way. In healthcare professional-patient conversations, the former produces a greater number of words and turns, and controls the interaction by asking questions or changing the topic.
2. Asymmetry of the “know-how” about the interaction and the institution. Professionals have standardised procedures and use certain materials which facilitate their work. Users lack that routine and are more passive.

3. Asymmetry of knowledge. Lack of professional knowledge may mean that laypeople do not know or understand the purposes behind particular questions, and they may not grasp lines of inquiry which professionals pursue when asking questions or when they initiate seemingly unconnected topics.
4. Asymmetry of access to knowledge. Sometimes the patients (or users of any other public service) have limited linguistic resources with which to express their arguments for many reasons (social status, origin, age, physical or psychological impairments, and so on). Sometimes the professional tries to balance the conversation by adopting a parental attitude towards the patient or user. The physician normally uses a simplified vocabulary or even incorrect grammar.

Miguélez (2003) in turn argues that:

[...] las partes del intercambio lingüístico suelen ocupar posiciones “desiguales” en cuanto al poder y a la necesidad. En estas situaciones, normalmente hay una persona que necesita ayuda y otra persona que la puede proporcionar, o una persona que tiene un problema y otra que va a decidir cómo resolver ese problema. Una persona que experimenta un problema de salud necesita ayuda; el médico, enfermera o asistente sanitario se la va a proporcionar. (Miguélez 2003: 38)

(... the parts of a linguistic interchange usually occupy “unequal” positions in respect to power and necessity. On those occasions, there is usually someone who needs some help and someone who can provide it, or someone who has a problem and someone else who is going to decide how to solve it. Someone who has some health problems needs help; a physician, a nurse or a health assistant will provide it.)

As we can deduce from Miguélez's (2003: 38) quotation, doctor-patient interviews are examples of asymmetrical interactions. If the patient does not share the doctor's mother tongue, the characteristic asymmetry of this kind of encounter will increase. The patient faces two main linguistic difficulties: on the one hand, s/he may have difficulty understanding the doctor's words. The doctor may try to reduce this difficulty (and, consequently, the asymmetry) by using simple vocabulary and avoiding technical words, as well as using repetitions, explanations and rewordings.

On the other hand, the patients also face difficulties when they use a language which is not their mother tongue. As the healthcare professionals require a description of patients' symptoms so that they may diagnose and prescribe the right treatment, their patients must communicate the necessary details; in other words, patients have to participate in the interaction. Where doctor and patient share the mother tongue it is usually the former who produces more words and turns. The

less mastery a patient has of the language in question, the fewer words and turns are produced by that patient. In contrast, the number of words and turns produced by doctors who are using their first language increases to compensate for this (Valero Garcés 2005). However, doctors will usually try harder to make more frequent attempts to increase the participation of the patient, using devices such as facilitators, repeated utterances or understanding checks (or other empathy signals) (Borrell i Carriò 1998, 2004).

3. Context and methodology

The present study was carried out in Spanish hospitals and healthcare centres. The migration phenomenon in Spain is relatively new, when compared to countries such as the USA, Australia and the northern European ones (the United Kingdom, France, Germany, Belgium, and so on). Due to this, the provision of interpreters in Spanish hospitals and healthcare centres is not yet developed and it is not uncommon to find patients' relatives, neighbours and other companions acting as (natural) interpreters, as shown in this study.

The corpus consists of 75 audio and video recordings of healthcare professional-patient interviews. It has been divided into three groups, each of them containing 25 interviews. The first group is made up of 25 standard conversations, that is to say, healthcare interactions in which doctor and patient share the mother tongue. The second group contains 25 doctor-patient conversations where the latter is a migrant whose mother tongue is not Spanish. The third group is made up of 25 conversations where apart from doctor and migrant patient, a third interactant acts as a bridge between them as a natural or occasional interpreter.

The methodology for this empirical research consists of several phases:

1. Corpus compilation (recording of doctor-patient conversations)
2. Recording selection and transcription
3. Design and application of a method of analysis
4. Quantitative analysis
5. Conclusions

The corpus compilation phase started in mid 2001 and went on until the end of 2004. Several hospitals and healthcare centres in the centre of Spain were surveyed to find out the specialties and consultations that received a higher number of foreign patients (Valero Garcés and de la Morena Fernández 2005; El-Madkouri, Lázaro Gutiérrez and Taibi 2004). It was found that Accident and Emergency (A&E), gynaecology and paediatrics, as well as GP surgeries were the specialties most frequently visited by this population. This task was full of obstacles, as

it was necessary, on the one hand, to overcome institutional barriers and raise awareness about the importance of the study amongst healthcare authorities and, on the other hand, individual reluctance from both healthcare staff and patients made it impossible to record conversations which could have been useful for this study. Approximately 150 audio and video recordings were made both by myself as well as by healthcare staff members (medical doctors specialised in the areas of A&E, gynaecology and paediatrics, GPs, medical students and nurses). The settings where the interactions took place were paediatrics and gynaecology clinics and the A&E units of three university hospitals (Guadalajara University Hospital, Principe de Asturias University Hospital and Ramón y Cajal University Hospital) and two GP clinics in healthcare centres (Cervantes and El Balconcillo) in Guadalajara and Madrid. A compilation of video-recordings from a GP consultation was later added to this corpus. A video-camera is permanently situated in this GP practice with the aim of obtaining consultation samples to be used for teaching and research purposes. All the recordings were made after having asked for the participants' permission and belong to FITISPos Group (Training and Research in Public Service Interpreting and Translation) at Alcalá University.

The following step consisted of selecting the recordings to be analysed. It was important for this study that the conversations were complete, that is, the recording had to include the whole interaction, from the moment the healthcare staff began questioning the patient to the farewell (the initial greeting was usually missing because it was at the beginning of the conversation that the patients were asked for permission to record and the recorder was not activated until permission was granted). Unfortunately many conversations were incomplete (sometimes the recorder was activated late, or it ran out of battery in the middle of the conversation), or the sound had poor quality. In particular, there were more problems when capturing the interactions between patients and interpreters (when the patients produced their discourse) because of the positioning of the recorder and the participants (patient and interpreter sitting together at one side of a table, healthcare staff sitting at the other side of the table facing them, and recorder on the table between healthcare staff and patient and interpreter). The selections were made from the conversations in which an interpreter participated, where 25 recordings were considered suitable for analysis because of completeness and sound quality. A similar number of conversations were selected from the other two groups of interactions following the same criteria.

The 75 conversations comprise consultations with 24 GPs, 18 paediatricians, 15 gynaecologists, 17 A&E doctors, 19 medical students, 19 nurses and 4 medical assistants and 75 patients of which 20 are Spanish women (sometimes accompanied by relatives: husband, sons or daughters), 5 Spanish men, 26 Moroccan women (sometimes accompanied by relatives or neighbours), 2 Moroccan men

(one of them accompanied by his wife and son), 7 Romanian women, 3 Romanian men, 2 Bulgarian women, 3 Bulgarian men, 2 Nigerian women, 1 Polish woman (with her husband and son), 1 Polish man. The role of the interpreter was performed by relatives of the patients (younger sister in 3 occasions, adult daughter in 2 occasions, husband in 4 occasions), neighbours (9 times), friends (5 times) or colleagues (3 times).

After phases 1 and 2 a method of analysis was applied. Its main aim was to find asymmetry indicators and mechanisms performed by the healthcare professionals in order to reduce the asymmetry. The data found were meant to give us clues about the quality of the communication with the foreign population whose mother tongue is not Spanish. The following elements were analysed:

1. Lexical asymmetry
 - 1.1. Specialised or technical vocabulary
 - 1.2. Repetitions
 - 1.3. Rewordings
 - 1.4. Explanations
2. Participatory asymmetry
 - 2.1. Number of words uttered both by healthcare professionals and patients
 - 2.2. Number of turns uttered both by healthcare professionals and patients
 - 2.3. Facilitators
 - 2.4. Repeated utterances
 - 2.5. Understanding checks
 - 2.6. Other empathy signals

After a qualitative analysis of these asymmetry indicators, a comparison of the findings from all three conversations groups was carried out by means of a quantitative analysis.

4. Lexical asymmetry

The main indicator of lexical asymmetry is the use of specialised technical vocabulary. This specialised lexis is common to healthcare professionals, but it is unknown to patients. Research (Valero Garcés 2005) shows that, if they are aware of patients' comprehension difficulties, healthcare professionals may avoid specialised terms, even more so if their patients already have trouble with the comprehension and production of standard discourse. Apart from the decreased use of technical vocabulary, healthcare professionals may try to reduce the existing asymmetry by using some devices such as repetitions, explanations and rewordings of both technical and standard terms.

Thus, institutional conversation is characterised by the use of technical terms or jargon specific to the institution where the conversation takes place (Drew and Heritage 1992; Drew and Sorjonen 1997). Apart from terms belonging to professional jargon (such as, for example “pericarditis” or “electrocardiography”), there are words or expressions which have a different meaning in institutional settings (for example, the Spanish word *planta* means “floor” in everyday Spanish, but takes on a specialised meaning as *en planta*, which refers to a patient who has been admitted to a ward as an in-patient). These specific terms are mainly, but not exclusively, used by healthcare professionals, as they are part of the vocabulary they normally use at work. However, in order to achieve a better understanding from the patient, healthcare professionals may avoid professional jargon and use standard vocabulary, for the benefit of laypeople. On the other hand, lay persons may use technical words to display their knowledge of the topic, whether this use is appropriate or not.

The following example has been taken from a standard conversation, that is, one in which doctor and patient share the mother tongue. We note the use of specialised vocabulary by the doctor:

Extract 1

Group 1 (Doctor / Patient)

Conversation 1

Healthcare Centre El Balconcillo, Guadalajara. August, 1998

(D: doctor; P: patient)

- 23.¹ D: *pueden ser las **amígdalas** que (...)*
(it may be your tonsils that [...])
24. P: *no no me las ha no no me las han quitado, he sufrido poco yo de **la angina***
(no I haven't had them removed, I haven't suffered much from angina)
25. D: *de todas formas es que con los años y si has sufrido poco has pues se ha [...]. Bueno pues yo en un principio en principio y sin fiebre, y sin verte **placas** antibiótico no tomaría así que tú tomabas ayer Clamoxil*
(anyway, after years, and if you haven't suffered much, you, it has [...]. Well, right now, without a temperature, and without pus, I wouldn't recommend antibiotics, so you told me yesterday you took Clamoxil)

Here we can see how the doctor produces specialised terms (in bold). The patient also tries, even if not very successfully, using technical vocabulary: instead of using the term *anginas* (tonsillitis), which means tonsils inflammation, she says “*la*

1. The numbering follows the original data transcription conventions throughout.

angina” (angina), which, on the other hand, means *angina pectoris*, that is, a heart condition.

In order to guarantee the patient’s understanding, the doctor may avoid technical or specialised terms, as we can see in the following example:

Extract 2

Group 2 (Doctor / Foreign patient)

Conversation 5

Guadalajara University Hospital. December, 2004

(D: doctor; P: patient)

163. D: *¿y has ido alguna vez al especialista de la piel?*
(have you ever visited a skin specialist?)

164. P: *sí*
(yes)

165. D: *sí ¿y cuándo tienes que ir a la próxima revisión al de la piel?*
(yes, and when do you have your next skin exam?)

This time the doctor, aware of her patient’s limited command of Spanish, is trying to avoid the term *dermatólogo* (dermatologist), thinking that she will not understand it. Instead, she has used the words *especialista de la piel* or *el de la piel* (skin specialist). These examples illustrate how specialised language is often used by healthcare professionals, who, anticipating comprehension problems on the part of their patients, decide to use more common terms to facilitate understanding.

After counting the number of specialised terms uttered by healthcare professionals from all three groups of conversations analysed, we have obtained the following results. 589 specialised terms were found in the first group, 592 in the second one, and 500 in the third. Contrary to the initial hypothesis of this study, a greater use of specialised terms is found in consultations in which foreign-language speaking patients take part without the help of an interpreter (Group 2). After careful examination of the number of specialised terms uttered in each conversation, the median (i.e. the central value once the quantities have been ranked from the smallest to the biggest one) for each group was calculated as 18 for Group 1, 16 for Group 2, and 15 for Group 3, as illustrated in the Chart 1 and Figure 1.

According to research, other lexical devices used by healthcare professionals in order to reduce the asymmetry of doctor-patient conversations may include repetitions, rewordings and explanations (Valero Garcés 2002). In what follows I will show some examples found in the conversation corpus.

First of all here are a couple of examples of repetitions which were uttered in the same conversation in a short time:

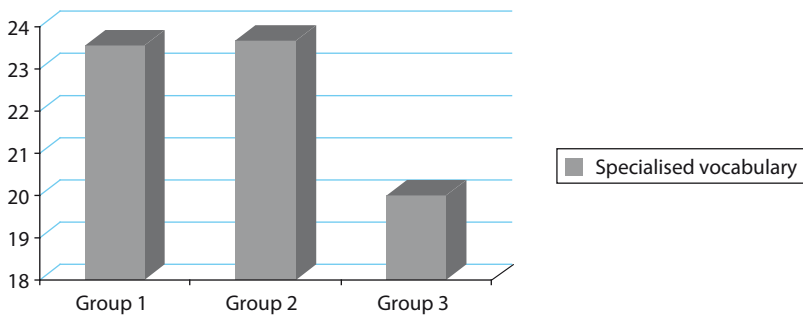


Figure 1. Specialised vocabulary

Chart 1. Specialised vocabulary

	Group 1	Group 2	Group 3
Total	589	592	500
Average	23.56	23.68	20
Median	18	16	15

Extract 3

Group 3 (Doctor / Foreign patient / Interpreter)

Conversation 1

Healthcare Centre Cervantes. December, 2004

(D: doctor; M: mother; I: interpreter)

9. D: *póngamelo aquí hay que pedir cita ¿eh? Porque si no te lo no es un desbarajuste no quiero trabajar de [...] es un lío. Dígame qué le pasa, dígame qué le pasa*
 (put it on here, you must fix a date, alright? Because if you don't this is a mess, I don't want to work [...] it's a mess. Tell me what's happened to him, tell me what's happened to him)
10. I: *no sabe dice está con fiebre*
 (she doesn't know, she says he's got a temperature)
11. D: *¿cuánta fiebre? ¿cuánta fiebre?*
 (how many degrees? how many degrees?)

The doctor in this conversation utters a lot of repetitions showing (not only through this device, but with others such as rewordings or explanations) a great concern for their patients' understanding. Later on in the same conversation, a new repetition is uttered:

Extract 4

Group 3 (Doctor / Foreign patient / Interpreter)

Conversation 1

Healthcare Centre Cervantes. December, 2004

(D: doctor; M: mother; I: interpreter)

57. D: *no ha notao nada. Yo creo que tiene una otitis pero como no es no no está bien que tenga fiebre le voy a mandar al hospital, la fiebre en esta edad puede ser peligrosa, le voy a mandar al hospital. El termómetro se pone aquí ¿eh? Donde lo estoy poniendo yo ahora en el recto*

(she hasn't noticed it. I think he's got an otitis but as it is not it is not ok if he's got a temperature I'm going to send him to hospital, a temperature at this age may be dangerous, I'm going to send him to hospital. The thermometer must be put in here, okay? Where I'm putting it right now, in the rectum)

In this extract, the doctor may repeat the words *le voy a mandar al hospital* (I'm going to send him to hospital) with the aim of alerting the mother to the gravity of the baby's condition and persuading her to follow her instructions and take the baby to hospital.

The following Chart 2 and Figure 2 show that 221 repetitions are uttered in Group 1. The number of repetitions increases in Group 2 (262) and is reduced again in Group 3 (205 repetitions). The median is 6 repetitions in Group 1, whereas Group 2 has a median of 13 and Group 3 a median of 10. These data confirm the initial hypothesis of this study, as the smallest value corresponds to the first group, the biggest one to the second group (in which a foreign patient takes part), whereas the number of repetitions of Group 3 (interpreter mediated conversations) is closer to that of Group 1.

Another common device used by healthcare professionals aware of their patients' limited command of the language is the use of rewordings. The following example shows a doctor who is attempting to find out about the characteristics of his patient's stomach-ache:

Extract 5

Group 3 (Doctor / Foreign patient / Interpreter)

Conversation 14

Healthcare Centre Cervantes. December, 2004

(D: doctor; P: patient; I: interpreter)

20. D: *¿tiene ardor? ¿fuego? Por aquí, ¿fuego, caliente?*
(have you got heartburn? Fire? Here, fire, hot?)

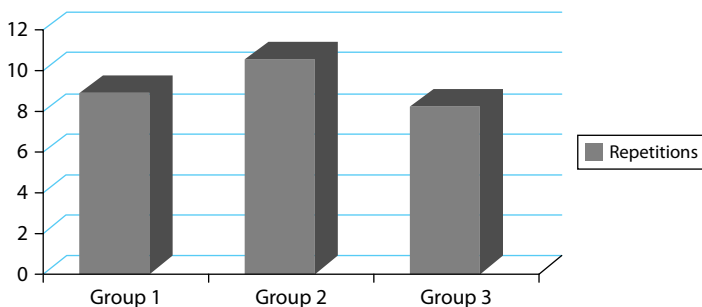


Figure 2. Repetitions

Chart 2. Repetitions

	Group 1	Group 2	Group 3
Total	221	262	205
Average	8.84	10.48	8.2

The doctor uses several different words to refer to the same concept, and thus offers his patient more opportunities for understanding the message. The following is another example of rewording. The doctor first says *es distinto* (it is not the same), then rewords the term and says *es diferente* (it is different), and later on *es otra cosa* (it is just another thing).

Extract 6

Group 3 (Doctor / Foreign patient / Interpreter)

Conversation 14

Healthcare Centre Cervantes. December, 2004

(D: doctor; P: patient; I: interpreter)

24. D: *pero aquí es distinto, es diferente, distinto al tiroides y al estómago. Esto es otra cosa, diferente, ¿lo entiende?*

(but here it is not the same, it is different, not the same as the thyroid gland and the stomach. That is just another thing, different, do you understand?)

Once again we find in the doctor's discourse some signals of his concern about his patient's understanding as he directly asks her whether she has understood the message.

Chart 3 and Figure 3 show that the initial hypothesis about the use of rewordings has also been confirmed. There are 65 rewordings in the first group of conversations (where doctor and patient share the mother tongue). A considerably higher number of rewordings is found in conversations where the patient does

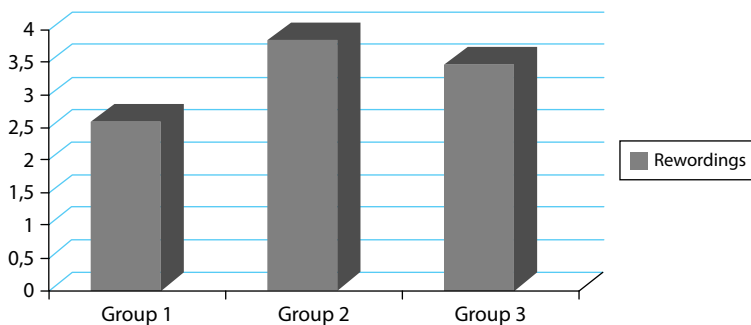


Figure 3. Rewordings

Chart 3. Rewordings

	Group 1	Group 2	Group 3
Total	65	96	87
Media	2.6	3.84	3.48

not share the doctor's mother tongue (96 rewordings). And, as could be expected, the moment an interpreter mediates the conversations, the healthcare professionals reword fewer terms, as the 87 rewordings uttered in Group 3 show.

The last device to be described is using explanations of terms or expressions. The following extract shows an example of this device:

Extract 7

Group 3 (Doctor / Foreign patient / Interpreter)

Conversation 3

Guadalajara University Hospital. January, 2003

(D: doctor; P: patient; I: interpreter)

82. D: *eh, bueno, Marius, vamos a ver. Las pruebas que tenemos hasta ahora, lo que nos dicen es que lo más probable que tengas, eh, faltan algunas cosas, pero lo más probable que tengas es una pericarditis. ¿Qué significa eso?, mira, la pericarditis es como una inflamación de una membrana, de una capa que rodea al corazón. No es un problema del corazón, sino de una membrana que rodea al corazón.*

(eh, well, Marius, let's see. The results we've got up to now tell us that the most probable thing you may have, eh, there are still some things left, but the most probable thing you may have is pericarditis. What does that mean?, look, pericarditis is like the inflammation of a membrane, of a layer that surrounds the heart. It is not a heart problem, but the problem of a membrane that surrounds the heart.)

In this extract, the doctor not only explains the term, he also announces the explanation saying *¿qué significa eso?* (what does that mean?), thus anticipating his patient's questions. Another example within the same conversation is the following one, in which the doctor explains the word "electrocardiography" to his patient.

Extract 8

Group 3 (Doctor / Foreign patient / Interpreter)

Conversation 3

Guadalajara University Hospital. January, 2003

(D: doctor; P: patient; I: interpreter)

88. D: [...] *Es la única importancia y que es bueno que, pues en, en, bueno, pues se te haga un electrocardiograma, lo que te hemos hecho aquí, lo de las, estas cosas que te hemos hecho aquí en el corazón, que se haga eso en unos días para que cómo es la..., si has mejorao, si se te ha quitao completamente la pericarditis, ¿eh?*

(... That is the only important thing, and it is good to, well in, in, well, I mean to have a cardiography done, what you have had done here, that with the, these things we have done here to your heart, to have that done in some days in order to, how can I..., if you have improved, if the pericarditis has completely disappeared, okay?)

Generally speaking, the number of explanations of each conversation group is rather small, and in most conversations no explanation is uttered at all. Contrary to our expectations and as we can deduce from Figure 4 and Chart 4, the highest number of explanations is found in Group 3 (11 explanations), and the lowest quantity appears in Group 2 (only 3 explanations).

To sum up, in these examples we have found devices or strategies used by the healthcare professionals so that their patients may better understand their messages. Among other devices we highlight the use of standard terms instead of technical vocabulary or professional jargon, repetitions, rewording of terms and sentences and the explanation of words and expressions. These devices are used in order to reduce the lexical asymmetry between doctor and patient. Generally speaking, we can argue that more specialised words are found in Group 1 conversations (where patient and professionals share the mother tongue) in comparison with the second group. Besides focusing on the strategies to reduce asymmetry, we can conclude that healthcare professionals have to produce a higher number of repetitions and rewordings when the patients do not share their mother tongue. However, when an interpreter takes part in the conversations the number of repetitions and rewordings decreases and gets closer to that registered in conversations where doctor and patient share the mother tongue.

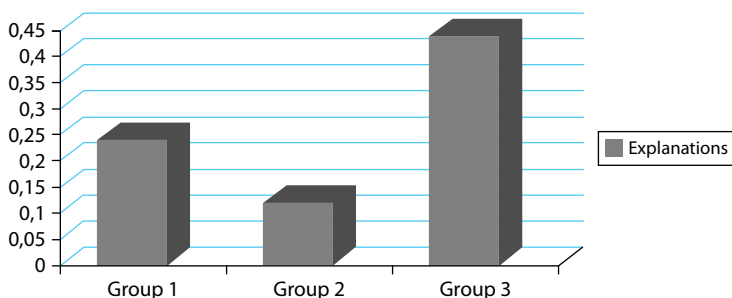


Figure 4. Explanations

Chart 4. Explanations

	Group 1	Group 2	Group 3
Total	6	3	11
Average	0.24	0.12	0.44

5. Participatory asymmetry

As Valero Garcés (2006), Drew and Heritage (1992), Drew and Sorjonen (1997), Ainsworth-Vaughn (2001) or Borrell i Carriò (1998) argue, in institutional conversations, time and discourse are unequally distributed among interactants. This is what has been termed participatory asymmetry, that is to say, the participation degree in the conversation of patients and healthcare professionals. In the following sections, the signals of this asymmetry (number of turns and words that each interactant utters) will be described, as well as the strategies healthcare professionals use to reduce it (facilitators, understanding checks, repeated utterances and empathy expressions).

Two different groups were established in order to analyse and count the number of turns and words uttered in the conversations. One of the groups is made up of all healthcare professionals taking part in the conversations (physicians, nurses, assistants, medical students, and so on). Turns and words uttered by each of those speakers are included in the figures attributed to the healthcare professionals. The other group contains the words and turns uttered by the patients and their companions in Groups 1 and 2. However, Group 3 is different, as the turns and words taken into account for the analysis have been the ones uttered by patient, companions and interpreter whenever they were produced in Spanish, that is to say, in a language that the healthcare professionals were able to understand.

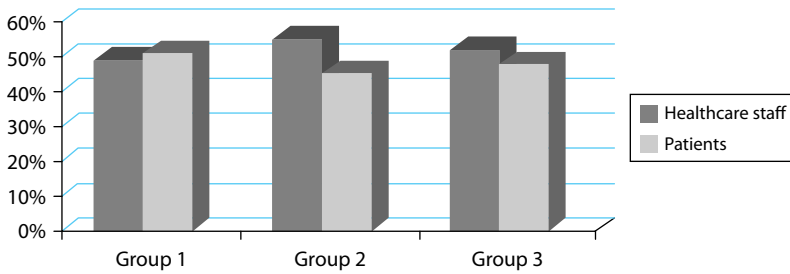


Figure 5. Turns

Chart 5. Turns

	Total G1	% G1	Total G2	% G2	Total G3	% G3
Staff	1951	49%	901	55%	849	52%
Patients	2011	51%	740	45%	788	48%

Figure 5 shows that in the first group of conversations the healthcare professionals utter only 49% of the turns, the patient's participation being thus higher (51%). However, the imbalance of turns and, consequently, the asymmetry are clear when we examine the figures obtained from the second group, which show us that the healthcare professionals' participation increases to 55% and is, this time, considerably higher than that of the patient (45%). In the third group (interpreter mediated conversations) the distribution of turns is slightly more balanced and we can observe that the healthcare professionals produce approximately 52% of the turns. These findings corroborate the ones obtained by Valero Garcés (2005) who had analysed a smaller number of doctor-patient interactions.

If we focus on words, the results vary only slightly. As we can deduce from Figure 6 and Chart 6 below, the participation of healthcare professionals and patients of the first group is balanced, as each team produces 50% of the total amount of words. There is, however, an imbalance or asymmetry in the other two groups, as the patients only produce 20% of the words of conversations in Group 2 and only 19% in Group 3. This time we do not even find evidence of the influence of the interpreter on the asymmetry of the interactions, as the numbers of words uttered by patients in Group 3 are very similar to the ones in Group 2.

Having confirmed that there is a bigger participatory asymmetry when the patient's mother tongue is different from that of the healthcare professional, let us examine whether we can find any differences in the discourse of each group according to markers such as asymmetry reducers (facilitators, repeated utterances, understanding checks and empathy expressions).

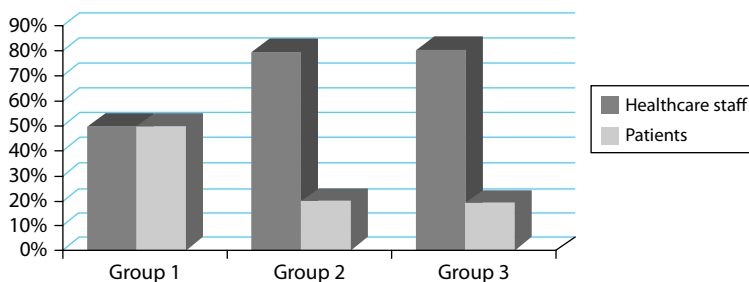


Figure 6. Words

Chart 6. Words

	Total G1	% G1	Total G2	% G2	Total G3	% G3
Staff	17075	50%	12618	80%	10921	81%
Patients	16939	50%	3076	20%	2569	19%

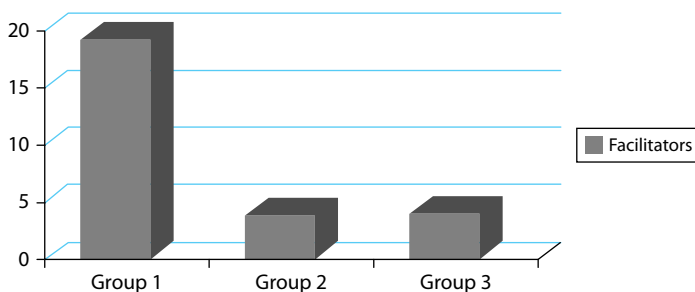


Figure 7. Facilitators

Chart 7. Facilitators

	Group 1	Group 2	Group 3
Total	482	96	101
Average	19.28	3.84	4.04

Facilitators are words or expressions that the speaker uses to confirm to other speakers that they have been heard and understood, and may encourage interactants to continue their discourse (“aha”, “mmm”, “yes”, and so on). The initial hypothesis of this study suggested that, in order to reduce participatory asymmetry, the healthcare professionals might use a greater number of facilitators in this second group of conversations. However, as we can deduce from Figure 7 and Chart 7, this has not been the case.

In the first group of conversations we can find an average of 19.28 facilitators per conversation, a very high figure compared to the average in Groups 2 and 3, with 3.84 and 4.04 facilitators each. Generally speaking, when there is a foreign patient in a conversation, healthcare professionals tend to monopolise the interaction. As one of the aims of facilitators is to encourage speakers to continue their discourse, it seems that the healthcare professionals in Groups 2 and 3 decided to conduct the interview and did not give many opportunities to the patients to speak.

As opposed to the findings related to facilitators, the ones concerning repeated utterances have confirmed the initial hypothesis of this study. This strategy consists of healthcare professionals repeating a small segment of the patient's discourse in order to show that they are paying attention and to conduct the conversation towards a particular topic.

The healthcare professionals of the first group produced an average of 4.76 repeated utterances per conversation. Much higher is the number of repeated utterances in the second group (6.24), whereas in the third group the intervention of an interpreter makes that figure decrease to 3.76, even lower than the average of repeated utterances of the first group (Figure 8, Chart 8).

It is quite common in this kind of conversation for healthcare professionals to produce long turns containing specialised vocabulary and instructions for the patient. In order to check that the patient follows the explanations and understands the message, the doctor may utter expressions such as *¿de acuerdo?* (do

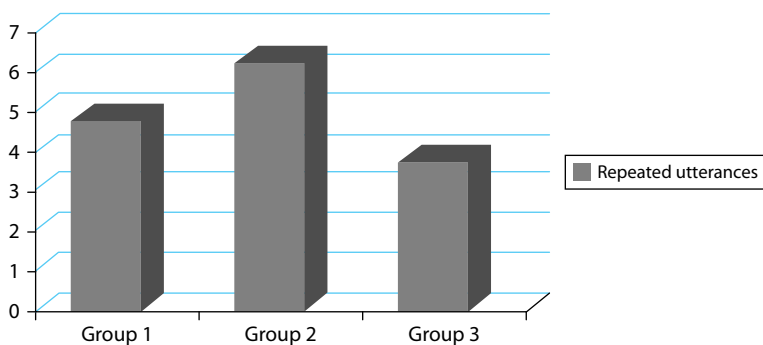


Figure 8. Repeated utterances

Chart 8. Repeated utterances

	Group 1	Group 2	Group 3
Total	119	156	94
Average	4.76	6.24	3.76

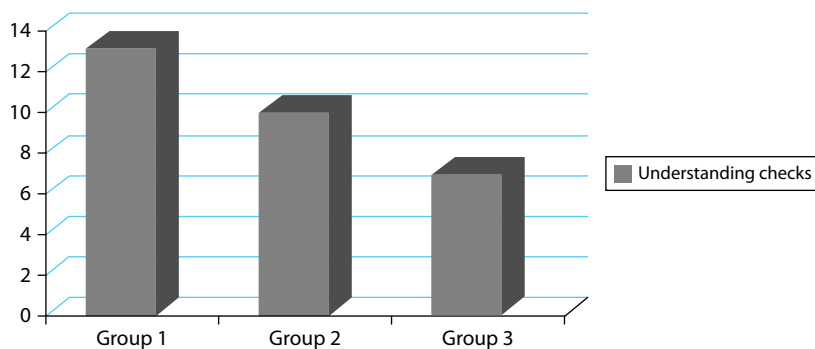


Figure 9. Understanding checks

Chart 9. Understanding checks

	Group 1	Group 2	Group 3
Total	330	252	175
Average	13.2	10.08	7

you agree?) or *¿vale?* (OK?). This way the healthcare professionals focus the attention of the patient and give them the chance to ask if they have any doubt. I have termed these expressions “understanding checks”.

In the corpus of this study there are more understanding checks in the first group, as illustrated in Figure 9.

However, as opposed to the findings related to facilitators, in the third group the healthcare professionals produced less understanding checks than in the second group. This may be due to the fact that the healthcare professionals were able to deduce more easily that the interpreters had understood the message the moment they started translating it for the patients.

In order to make a doctor-patient interaction successful, a trusting environment is needed. This trust is reflected in the healthcare professionals’ discourse when they utter empathy expressions such as diminutives or reassuring words. Based on a quantitative analysis of these expressions, it is worth pointing out that a high number of empathy signals was found in the first group (an average of 3.76 empathy expressions per conversation). In the second group there was an average of 2.88 empathy signals per conversation, whereas in the third group, the average was lower (1.32), as seen in the following Figure 10 and Chart 10.

These findings may be due to the fact that the people who mediated the interactions were occasional or natural interpreters, that is to say, friends or relatives of the patients who are neither professional nor trained interpreters. The natural

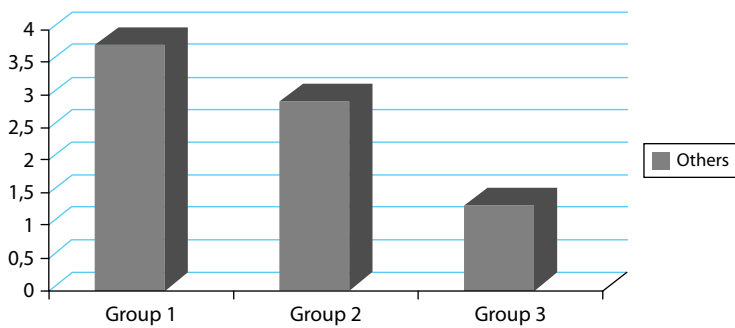


Figure 10. Others

Chart 10. Others

	Group 1	Group 2	Group 3
Total	94	72	33
Average	3.76	2.88	1.32

interpreter is usually an intrusive element in this kind of interaction and may disturb the trusting environment between doctor and patient. If the conversations had been mediated by professional interpreters who had not had any personal relationship with any of the speakers, the trusting environment might have been stronger, as the information transmission would have arguably been carried out by a neutral and properly trained professional.

6. Conclusions

It can be concluded that the initial hypothesis of this study has been partially confirmed. Regarding lexical asymmetry, more specialised terms were found in the first group, and the greatest number of asymmetry reducers such as repetitions or rewordings appear in Group 2. However, the number of explanations found in Group 3 was greater than in Group 2. As regards participatory asymmetry, the quantity of discourse produced by healthcare professionals and patients in Group 3 is more balanced than in Group 2, particularly if we consider the findings related to turns. Contrary to the initial hypothesis, we can find a greater number of facilitators, understanding checks and empathy expressions in Group 1. On the other hand the hypothesis is confirmed if we take into account the repeated utterances, a feature which is prevalent in Group 2.

According to these findings, it can be concluded that the assistance of a natural interpreter reduces the asymmetry between healthcare staff and patients. In this way, interpreters in the medical setting help improve the communication between healthcare staff and patients and, consequently, the outcomes of these encounters.

The interpreters analysed for this study reflect the reality of the Spanish healthcare interpreting situation, where natural interpreters are used (interpreters without formal training or qualifications such as patient's relatives, neighbours or friends). However, the Spanish interpreting landscape is quickly changing, and it may not be long before we are able to replicate this study, this time by taking into account professional interpreters with recognised public service qualifications.

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The interpreter – a cultural broker?

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A community interpreter works behind closed doors and becomes witness to how the exercise of authority and communication is carried out in multicultural Sweden. With time, interpreters collect experiences about interpreted meetings, power relations and unequal situations. The purpose of this paper is to explore the role of the interpreter and especially the meaning of serving as a *cultural broker*. How do interpreters manoeuvre their position in the frontline between different parties without violating the professional ethics? The paper is thus a contribution, from a culture-analytical perspective, to a wide-ranging discussion about the role of the interpreter and professional ethics.

1. Introduction

Since 1980 the role of the community interpreter in Sweden has been defined in a document called *Good Interpreting Practice*. It was compiled by The Legal, Financial and Administrative Services Agency as a means of regulating the role of the interpreter and its professional ethics aspects (most recently revised in 2010).¹

The rules in *Good Interpreting Practice* are general and apply to all interpreters and all interpreting situations. The interpreter (1) should interpret everything that is said, (2) should be impartial and neutral, (3) is bound by secrecy, and (4) should interpret in the first person.

In a three-year-long research project *The Interpreter – a cultural broker* at Lund University, Department of Arts and Cultural Studies, we have investigated and analysed the role of the interpreter that takes shape in practice. The project is based on the assumption that interpreters work behind closed doors and that they become witnesses to how the exercise of authority and communication is carried out in multicultural Sweden. Over time interpreters collect experience about

1. *God Tolksed* in Swedish, see www.kammarkollegiet.se.

interpreted meetings and different kinds of power relations, loyalties and responsibilities. They also have to deal with a wide range of ethical issues and dilemmas.

The purpose of this paper is to explore the role of the interpreter in a changing landscape, and especially explore what it means to serve as a *cultural broker* from the point of view of the interpreter. The aim is also to analyse the term “cultural broker” from a broader perspective. What is the meaning of culture and cultural competence in this context? What does it mean to be a broker? The paper is thus a contribution, from a culture-analytical point of view, to a wide-ranging and ongoing discussion – both within academia and among practitioners within the field of interpreting – about what limitations there should be to the role of the interpreter and professional ethics (cf. Angelelli 2004; Davidson 2000, 2001; Hale 2007: 41; Metzger 1999; Pöchhacker 2008: 10).

2. Materials and method

We interviewed 26 community interpreters in Sweden. The interviews took place in different locations: four interpreters were interviewed in Stockholm, Göteborg and Malmö respectively (making a total of 12). The remaining 14 interpreters are spread across the country. Half are men and half are women; half are authorised and half are not. Some have extensive experience (up to 30 years), others little (three months when we began). One (1) of the 26 interpreters is a native Swede. Furthermore, the interpreters have been active during different periods and in different contexts. Their languages and nationalities reflect migration flows to Sweden. The Swedish public training for community interpreters in spoken languages and the possibility of authorisation are based on the idea that trained and certified interpreters are qualified in all areas of public services, legal and medical as well as social services, and labour market. The interpreters we interviewed have therefore experiences of interpreting in all kind of public sectors and institutions.

We agreed with the interpreters to meet three times. In the first interview we asked three questions: Tell us how you came into the interpreting profession. How would you describe your role as an interpreter? When did you identify with the interpreting profession?

Before the second interview we asked each interpreter to select five interpreting situations. During the interviews, we discussed the selected situations in relation to rules of professional ethics for interpreters as they are formulated in Good Interpreting Practice, prescribing what the interpreter *should* do in different situations. But we also talked about what the interpreter *can* do (cf. Brander de la Iglesia 2010). It was during these interviews that the discussion of the term “cultural broker” began to take form.

In addition to in-depth interviews with the 26 interpreters this paper is based on recurrent discussions in a special reference group of authorised interpreters.²

3. Cultural broker

A number of different definitions of culture are used in cultural sciences. We apply the definition of culture used to capture those parts of human interaction that are collective and which concern everyday life, the creation of meaning, values, customs and habits. It covers all aspects of life, from politics and legislation to emotional life and morals. Culture in this sense is constantly produced in the interaction between people and should not be linked to ethnicity or nationality, as is often done in a stereotyping manner. Culture is just as much an expression of gender, class, religion, age, education, profession, and geographical location as it is of nationality or ethnicity (cf. Eriksen 2002; Öhlander 2004). Cultural processes occur anywhere where people interact; in corporations, organisations, school classes etc. This of course also includes interpreted encounters.

Culture is expressed in many different ways. Perhaps the most prominent way in everyday existence is through linguistic acts; spoken language, body language and other forms of expression such as silence, laughter, emotions etc. Translation from one language to another lays cultural conceptions bare.

Language is one of the media through which thoughts, ideas, feelings are represented within a culture. Representation through language is therefore central to the process by which meaning is produced. (Hall 1997: 1)

In other words, meaning differs in various contexts, different times, places and situations, and this is expressed through language. Thus, language is never culturally neutral.

The term *cultural broker* was first coined within North American social and cultural anthropology. It was applied to persons who served as mediators, negotiators, interpreters or guides – linguistically, spiritually and/or commercially – between European colonisers and Native Indians in the 17th and 18th centuries, as the North American continent was being colonised. The terms “broker” and “intermediaries” are used in parallel and underline the active role of the middleman (Szasz 2001).

2. The project has been ethics tested in accordance with the Ethical Review Act (2003:460). All places and names are fictitious. Details and information are slightly changed for reasons of secrecy.

Today the term “cultural broker” is used in a wider context. It occurs frequently in method literature and course materials on various training programmes, with reference to persons who have cross-cultural competences. The term is used to explain, elucidate and bridge cultural differences in multicultural contexts. This makes introducing the term into modern interpreting research problematic, at least in Sweden where the interpreter must *not* negotiate or try to influence a certain outcome of a meeting. In this sense, being an interpreter and being a cultural broker are two different things (cf. Metzger 1999). In some ethical codes within medical interpreting the double role of the interpreter is recognised and addressed. The idea of cultural competence is for example declared and described in the ethical principles of California Standards for Healthcare Interpreters (CHIA 2002, Ethical principle 6) and the National Code of Ethics for Interpreters in Health Care (US, NCIHC 2004, Ethical principle 5). Cultural sensitivity and responsiveness is considered as a competence developed in a life-long process and begins with an introspective look at oneself (CHIA 2002: 31). Therefore, and this is also part of Principal 5 in the NCIHC 2004, an interpreter should continuously be trained and involved in introspection and self-reflection in order to gain awareness and self-knowledge that benefit the act of interpreting (NCIHC 2004: 18–19).

In research about interpretation, the expression “cultural broker” has been used in parallel with other expressions: mediator, intermediary and gatekeeper. All these expressions indicate that the interpreter uses his/her cultural competence to do something beyond interpreting the verbal exchange (CHIA 2002; NCIHC 2004; Hale 2007: 45). Hale shows in *Community Interpreting* (2007) that the differences between various interpreting contexts, e.g. legal or health care interpretation, cannot be disregarded and may mean that the role of the interpreter varies depending on the context. In his research about cross-cultural and cross-linguistic interpreting in a public hospital in California, Davidson (2000, 2001) finds that the role of the interpreter is defined by the institutional frames and expectations of the physicians rather than by the formal ethical rules for interpreting. The interpreters tend to become “institutional gatekeepers”, serving the interests of the physicians and hospitals with their limited resources in time and money rather than the interests of the patients. This position is reinforced by the fact that they are part of the hospital community where they work and interact daily (Davidson 2000: 401). Angelelli (2004: 134) writes that rather than prescribing what the interpreter’s role should be during an interaction based on an ideal model, a new theory could describe the interpreter’s role based on situational practices in different workplaces, and also consider the interpreter as a visible, forceful individual with the possibility of influencing the meeting.

If, in line with this, we are to regard interpreting as something situational and relational, that means we can't compare e.g. health care interpreting with legal interpreting or conference interpreting. One possible conclusion is that different competences are required in different sectors and that this also affects the interpreter's role.

Hale writes that questions regarding the role of the interpreter as a more or less active broker have arisen mainly in connection with interpreting in health-care. Using studies from different parts of the world, e.g. Wadensjö (1992) and Englund Dimitrova (1991), she shows that the majority of interpreters active within healthcare have no training and, therefore, are ignorant of their role and their powers. Consequently, they tend to serve as brokers rather than interpreters. Following Bolden, Hale (2007) distinguishes between "directly interpreted interaction", where the interpreter translates everything that is said and maintains a neutral/impartial stance, and "mediated interaction", where the interpreter takes responsibility for summarising what has been said, explaining and helping steer the conversation (2007: 41). For example, if the interpreter feels that the patient is talking about "unimportant things", he/she simply leaves that out. The interpreter might do this either as a conscious strategy, or because he/she is not in sufficient command of the situation or the terminology to provide a direct translation. Marianne, for instance, is an infrequent interpreter who has no specific interpreter training. She describes one of her first interpreting jobs:

Well, when you interpret for someone who is ill, who has a serious illness for example, you're often the first person to tell them about it. I remember an interpretation with someone who had cancer, she didn't know and I had to translate it. That she had cancer and that it was malignant. I wasn't ready for this [...] so I tried to [...] tell her in milder terms. I said to her that it was cancer but I didn't say that it was a malignant tumour. I didn't dare tell her. (No. 5:1)³

Marianne says she became emotionally affected and that simply made her incapable of interpreting the message in its full, fatal importance. She softened it. It was not something she had thought she should do. Instead it happened spontaneously as a consequence of her reaction.

Emrah describes a balancing act between conveying and changing information during interpretation:

We interpreters have to be careful with these terms when we interpret. And it also depends on who is sitting opposite me. If he or she is educated or illiterate, if it's someone from the province or the city. So we as interpreters need to know about

3. The number refers to which interpreter (1–26) we are quoting and whether it is the first or the second interview.

culture ... *the rules of the game*... to be able to be more flexible and not think in boxes. We have to be able to play with words or with terms, and with different expressions in order not to create a conflict or a charged atmosphere or so in the interpretation itself. (No. 20:1)

He describes how an interpreter has to know “the rules of the game”. He is referring to what happens in the course of the interpretation and to how different people can express themselves depending on what their background or position in the society is.

In *Community Interpreting*, Hale advocates “directly interpreted interaction” by quoting Gentile et al. “Cultural knowledge and contextual knowledge is used only to carry out the interpreting accurately, not assist the NES (Non English Speaker) as a cultural broker” (Hale 2007:45). This is close to what Emrah says; the interpreter must know the rules of the game to be able to interpret adequately. Emrah then goes on to talk about a situation similar to the one Marianne experienced:

Doctors in Sweden have to tell their patients what illness it is they’re suffering from. But in our countries they don’t usually tell the patient directly. Instead they tell the person closest to the patient, in order not to shock the patient. And we interpreters come across experiences like these. So many times both staff and relatives will speak to us before the visit. They might meet us on the way to the interpretation and they’ll say “Please, you don’t need to tell my father that he’s got cancer or anything, OK?” Then you try to soften the word “cancer”. Instead of cancer we say “tumour” to the patient. Tumour can mean both malignant and benign. So these are cultural aspects that you have to be able to consider and know as an interpreter in order to be able to play with them. (No. 20:1)

In contrast to Marianne, Emrah makes a conscious choice when he follows the wishes of the family instead of fully interpreting the message. In doing so, he uses his cultural competence to assist the non Swedish speaker, going against what Gentile and others consider being right. The difference, however, is very subtle. Emrah uses his cultural competence without directly intervening or explicitly explaining (i.e. to the doctor) that “in our culture we do it this way or that”. Thus, he hides his acting as a cultural broker from the doctor and the patient.

There is no simple way of dealing with the concept of “cultural broker”. How the interpreter behaves in practice depends on the situation, his/her training, cultural competence, self-knowledge and on what the persons that he/she interprets for expect and demand. In the next section we will look at the “rules of the game” that Emrah refers to.

4. Rules of the game

We have identified two governing factors that are decisive for how the interviewed interpreters view their role in the interpreting situation, as well as for the keys to conducting a professional interpretation. First, there are the rules of professional ethics in Good Interpreting Practice.

The other governing factor during the interaction with those you are interpreting for is that unexpected events may occur. Such events could challenge the rules of professional ethics. Each interpreting situation is unique and cannot be described in general terms except as far as its routine elements are concerned. Therefore, we base our reasoning on concrete examples. The parties (sometimes more than two) have different expectations on and ideas about the interpreter and what his/her role is. This in turn brings up several dimensions of the interpreter as an individual, e.g. gender, class, ethnicity, and age. Or, as Emrah puts it, “it also depends on who is sitting opposite me”.

Several interpreters describe how they often have to find spontaneous solutions to ethical dilemmas that arise during an interpretation, e.g. when the interpreter is perceived as the compatriot of the client, by the other parts. Abdel describes how an applicant during an asylum interview suddenly turned to him and asked (in answer to a question put by the official): “How should I answer that?” (No. 16:2). Abdel could easily have batted the question back to the official by interpreting everything that is said, but felt that this would have been letting the asylum seeker down or betraying him. Radu recounts how a policeman wondered if wife-beating was part of the culture of the country whose language Radu was interpreting. “What do I know?”, he replied, “I’ve never beaten my wife” (No. 14:1).

Perceptions about the significance of the interpreter being the client’s compatriot could also lead to conflicts of loyalty. Daud told us how an arrested man, whose contacts with the outside world were restricted, stuck a piece of paper in his hand when they said goodbye after the interpretation. This happened in front of the lawyer and the policeman. The paper contained a name and telephone number of a person that the arrested man wanted Daud to contact. Daud threw it away but felt qualms of conscience (No. 2:2). The arrested man was his compatriot and expected him to be his *representative* and to show him loyalty by not informing the lawyer and the policeman of the incident. This is an example of the interpreter, due to his/her profession and nationality, being assigned a role which does not conform to Good Interpreting Practice. We will explore what representing someone/something may implicate.

5. Room for manoeuvre

When we ask interpreters “who do you represent as an interpreter?” the answer is either “both parties in the interpreted conversation” or “myself”. These answers imply that representation means that you tell who you are and what you should be. However, representation is complex since the concept is relational, i.e. what or whom you represent is not only dependent on you yourself but also on how others regard you. Representation gains meaning in relation to the conceptions and conditions of those around you (Appiah 1994: 140).

In a discussion about representation it is fruitful to consider the concept of positioning. Positioning occurs partly through personal choice or intention and partly through structural conditions or the attitudes of other people. Daud, who was passed a note by an arrested man, felt that the prisoner assumed that he, as an interpreting compatriot, would naturally be on his side.

Michel explains why it would be impossible for him to arrive at the office of the Swedish Migration Board at Stockholm Arlanda airport and begin by greeting the staff of the Migration Board. To him it is important that he first greets the newly arrived asylum seeker (No. 25:1). The relationship between the Migration Board officials and the asylum seeker is unequal and Michel does not want to underline this fact by acting in a way that will make the asylum seeker think that he works for or gives priority to the Migration Board. The terms “representation” and “position” could in this sense be used to describe the interpreter’s *room for manoeuvre* and what the interpreter *can* do within the framework of what the interpreter *should* do.

Carla describes “saving” a young boy from a difficult situation in a doctor’s consulting room. The boy had to get undressed but was not prepared to do so in front of a woman. Carla told the doctor that she was unable to resolve the matter without saying a few words to the boy first. The doctor agreed. She said: “My son, don’t worry. The way this will work is that I will sit with my back to you while you get undressed and the doctor examines you” (No. 22:2).

The nudity is put in a different light and the boy does as the doctor asks despite the presence of Carla. She uses the room for manoeuvre available in the interaction between the parties; she plays with the words and speaks to him “like a mother”.

Comparing Carla’s actions to Michel’s, both step out of their roles as interpreter and serve as cultural brokers, and both make themselves the representatives of a certain cultural competence in terms of attitudes to illness, to power and disadvantage as well as to generational and gender roles. Radu on the other hand, who is involuntarily handed the role of cultural broker and expert on “wife-beating”, finds this extremely insulting and rude.

Consequently, representation is not just about the interpreter's own positioning or expectations and conceptions of others regarding the interpreter and the role of the interpreter, but it is also about power relationships (cf. Davidson 2000; Angelelli 2004).

6. Frontlines

Ariana tells about a family with four children for which she has interpreted on numerous occasions. They were refugees and had lived hidden for some years. All family members were in a poor physical and mental state, and placed in residential care. She tells about disputes between the family and the care centre. For example, the family was forced to go outdoors although they did not want to. The blinds had to be up although the family members wanted darkness.

Ariana talks about a family with a variety of difficulties. She thinks that the framework for treatment, routines, rules, care programmes etc. does not work for a family in this kind of situation. The care and treatment offered to the family was devised in a "Swedish" context and is about treating dysfunctional families. Dysfunctional in this context refers to problems such as mental illness, substance abuse or violence within the family. Ariana's view is that this family is suffering from other problems and that the care will not reach them if one does not make the effort to try to understand the family and how they see their situation.

Ariana stresses that she is familiar with the countries that the family and others she interprets for are from. She is familiar with the Swedish health and social institutions and their regulations. This gives her a cultural competence and the tools to interpret not just what is said, but also situations and relations which arise in the encounter between staff and client/patient, as well as contexts that lie beyond the encounter. Ariana knows that as an interpreter she cannot intervene in individual interpreting situations. Yet she believes that she has the competence and knowledge that could contribute to improving the treatment of families in similar situations.

Ariana's analysis of the situation and her thoughts about how she might contribute are different from the cultural mediating the policeman expects from Radu when asking him about "the culture" of the interpreter and the arrested man. It is important, when speaking about the interpreter as a cultural broker, to bear these differences in mind. One of them could actually amount to a possibility, with considerable knowledge about and insight into how the exercise of public authority works. The other is impossible. No-one can state how things are done in a certain "culture" just because of a shared nationality, except on a superficial and formal level.

Ariana does something else in her analysis. She sets out from the actual situation and the ignorance of the parties of how differently they see the problem and how it should be solved. Instead of claiming stereotypically that Swedes are this way and Romani that way, she delineates cultural and experiential differences.

In this context the term “cultural broker” has potential. A survey of literature about North America’s “cultural brokers” reveals that it can be constructive to bear the description of their situation in mind when describing the situation of interpreters in Sweden today, despite the distance in time. There are a number of congruities between the reality described by the interpreters in our interviews and the picture that emerges from the story about cultural brokers in history. Szasz (2001) describes how the North American brokers felt they were on the *frontline* between the dreams of the native population and the exploitation plans of the colonisers. It is important to understand the interpreter’s place on the front-line and how it is a condition for how the interpreter acts in the interplay between the parties he/she is interpreting for.

7. At the margins

Abdel recounts a situation in the frontline: “Two boys changed shoes! It’s not the right word; they shoplifted shoes and left their old ones” (No. 16:2). The boys were caught and ended up at a police station to which Abdel was then summoned. He continues:

The police threatened the boys that they were going to be “sent back home! Home to Burundi. Home to Africa. [...] I thought, I have here a very difficult situation. I am here to earn money. I work here. But I know that the significance of the policeman’s behaviour is not consistent with his tasks. Only the Migration Board sends people back. Not the police. The role of the police is just to write a report about what happened. Not to shout and threaten. But I was a coward, I did nothing. And that still makes me angry when I think about this situation. Why wasn’t I able to tell him: you know that’s enough now, you don’t have to shout at them. But I didn’t. (No. 16:2)

Several interpreters describe, in different ways, how almost all the exchanges they interpret are unequal in some respect. The client/patient is in a weak position in relation to the official, since one party represents an authority, the legal system or the health care system, while the other party represents himself/herself and most often is the one who needs something from the other. This unequal situation, which is described as fundamental in the encounter between the parties, may be counterbalanced or strengthened depending on how the parties act, meaning that

the interpreter has to be careful not to be drawn into this. One interpreter emphasises that if the situation is markedly unequal, the impartiality of the interpreter is also changed. “You can’t be impartial in very unequal situations,” he maintains (No. 17:2).

In the situation in which Abdel found himself, the balancing act between partiality and impartiality is perhaps taken to its extreme. Abdel is faced with ethical dilemmas on several levels. The situation is unequal and he feels that there has been enough shouting. As an interpreter, Abdel is made an “accomplice” to the unjustified shouted threats, making the boys extremely afraid. He is made the instrument of these threats and it is at this point that his thoughts about carrying out the job for which he is paid arise. At the same time he feels that since he is contributing to an unfair situation, the job in a sense becomes unethical. The policeman is threatening something that is against the law as well as beyond his own powers. Abdel feels that he ought somehow to stand up for the rule of law and the boys’ rights (see Camayd-Freixas, this volume). Once again, the interpreter possesses competence and knowledge that places him on the frontline between competing interests. In this example, the interpreter does not only have feelings of loyalty towards the threatened boys, but also towards fundamental ideas of the rule of law and human rights.

Such experiences affect the interpreter. Ariana broods and feels frustrated that her experiences and knowledge cannot be used in a constructive way. Abdel suffers because of his spinelessness. Both express the feeling that they are alone with their dilemmas and insights; being on the frontline, but at the same time at the margins.

The interviews show that many interpreters have a feeling of being at the margins, of not being able to become fully engaged and of not receiving sufficient appreciation. These are complex emotions related to knowing and understanding things but not having the authority to use that knowledge or to intervene.

Nevertheless, the feeling of being on the frontline or between parties and their respective aims also leads to a more existential form of loneliness, which is reinforced by the obligation to secrecy. Carla recounts how she had bought tickets to a concert with a band from her home country. Arriving at the concert she realised that she had interpreted for almost everyone present. She chose to forgo the concert. Meseret says she has even been hated by compatriots because she is very firm about her role as interpreter (No. 3:1). “I have no social life”, Michel says (No. 25:2).

The interviews also contain considerable testimony of the importance of being recognised. This recognition usually comes from the authorities, the legal system or health care, through further interpreting commissions, or as direct compliments and from being treated as an equal. But interpreters often feel that

they become marginalised – by compatriots as well as by officials who neither make use of their knowledge nor respect of their professional role.

8. Tools for Good Interpreting Practice

Remaining neutral with respect to the content of the interpreted encounter and impartial in relation to the parties involved requires knowledge, experience, and self reflection from the interpreter. With no training, no self-awareness and no reflection on his/her role, cultural brokering could lead to breaking the rules of the professional ethics. Marianne's story shows how an interpreter can be caught by surprise emotionally when not possessing the appropriate tools for dealing with the situation. During the course of the interviews we were surprised to find that many interpreters do not reflect on themselves and their role. Several of them were convinced that they are "automatically" neutral and impartial because they say so in the introduction to an interpretation. Based on our material, we distinguish a lack of debate about Good Interpreting Practice among interpreters.

As it is recognised internationally (CHIA 2002, principle 6 and NCIHC 2004, principle 5), in order to handle impartiality and neutrality, an interpreter needs techniques and a consciousness about his/her role and its limitations as well as an awareness of what the expectations of others might be. Our own research and the ethical discussions and considerations we have to deal with, are in many ways similar to the work of the interpreter; the academic discussion about *self-reflection*. Self-reflection deals with methodological questions regarding inner considerations. For example, it might concern reflections about how a given interpreting situation is handled; the relationship with the others in the interpreted encounter. This kind of reflection gives interpreters tools to distance themselves from their work and to look at their role; what you *can* do as well as what is not possible within the framework of what you *should* do. Furthermore it gives the interpreter tools for exploring the sense of loneliness or lack of recognition they might be experiencing. An important question in the discussion about self-reflection concerns *cultural self-knowledge*, i.e. the knowledge that you are a cultural being and that you have frames of reference and cultural conceptions.

During a course for interpreters that we participated in, Aino told that she gets irritated with an official at the Migration Board who always begins the asylum interviews by a cheerful clap of his hands while exclaiming: "Can you tell us about your trip to Sweden?". Aino feels that the word "trip" is associated with something pleasant, positive, something you do of your own free will, such as a trip to the seaside. But the story the asylum seeker has to tell is not about a trip,

it is about a flight – an involuntary journey following an involuntary departure, often under terrible circumstances.

Aino asks her teacher and fellow students if they think it is acceptable for her to downplay it by using the word “flight” or “journey” instead, in order not to offend the asylum seeker. The teacher concludes that she must say the words as the official says them, and interpret the whole cheerful display. Thus the asylum seeker has the opportunity to object, and the interpreter will serve as a mirror in which the official can see himself, which may affect the way his questions are phrased in the future (field notes 2009).

This shows how the interpreter can become the balancing factor in an unequal situation and how this can affect his/her neutrality before the content and impartiality before the parties (cf. Metzger 1999). It highlights the practice of interpretation, how the interpreter manages to manoeuvre within the framework of the rules. It is about finding the right word for the right person.

Aino’s reflections show that meaning, culture and representation are important parts of the practice of interpretation and cannot be negotiated. Beyond the cultural meanings that exist in the language itself, the interaction between the parties for whom the interpreter is interpreting, constitutes a cultural arena with rules and room for manoeuvre, in which cultural brokering occurs consciously or unconsciously. Self-reflection and self-knowledge are important tools in the process of laying these rules and this room for manoeuvre bare, and for critically analysing them.

9. Cultural broker – once again

Above, we noted that acting as a cultural broker is not always consistent with the role of the interpreter such as it is defined in *Good Interpreting Practice*. Acting as a cultural broker means that the interpreter serves as a proactive negotiator and strives for a certain outcome. However, our examples show that the interpreter actually cannot avoid the role as a cultural broker. This role is intrinsic to the phenomenon of interpretation, in which messages formulated in cultural contexts are to be conveyed in an encounter between people with different frames of reference and different prior understandings of what the encounter is meant to achieve.

Via many concrete examples from our search for an understanding of what the role of the interpreter as a cultural broker means in practice, differences have emerged between:

1. Being handed the role as broker;
2. Taking on the role as broker;

3. Realising that you possess cultural competence which *should* be used, but *cannot*.

(1) Being handed the role as broker usually concerns situations when clients/patients and/or officials expect the interpreter to be loyal to his/her compatriots. Daud was on one occasion expected to pass on a secret note from an arrested man. Abdel was expected to answer questions from an asylum seeker during an ongoing interview. In situations where officials want to use the interpreter as a cultural broker, the expectation is about the interpreter being able to make pronouncements on the “culture” that he/she and the client/patient assumedly belong to and share because they come from the same country or speak the same language. In these examples, the expectations are simplified and stereotypical versions of what culture and cultural brokering are.

(2) Occasionally the interpreter takes on the role as cultural broker. Mindful of the cultural background of the patient, Emrah changed information from the doctor to the patient by avoiding the word cancer. He explained to us how to play with words so that they suit different people in accordance with their cultural differences, educational level and whether they are urban or rural. Carla told how she shifted her position from female interpreter to representing “a mother” and thereby facilitated events during a medical examination. Both interpreters describe a carefully considered, conscious strategy, and an understanding of what culture and cultural brokering actually involves.

Abdel wanted to, but chose not to intervene when a policeman threatened two young boys on unfair grounds. This instance of cowardice still makes him feel bad, and as if he had been an accomplice to the policeman. By strictly following Good Interpreting Practice, and by observing his obligation to secrecy, he felt as if he became hostage to the guidelines, with limited room for manoeuvre. The fact that he held back in accordance with a rigid reading of professional ethics rather than acting as a broker, still troubled his conscience.

(3) Here we are dealing with aspects of brokering on a more abstract level, beyond concrete interaction in the interpreting situation. Ariana described her cultural competence as coming partly from her background in another country, and partly from her having lived in Sweden for many years. Her cultural competence is not about stereotypical notions of cultural differences. It is about her having the opportunity to analyse, at close quarters, a process where cultural conceptions and expectations constitute the framework for the treatment of a family. This framework is created and reformulated in the encounter between the different needs and goals of the parties involved. Suddenly trivial routines intended to promote “good health” – the blind *has to be up*, or you *have to go outdoors* – become more complex and need to be scrutinised. These seemingly harmless routines may be

fine for Swedish families but not for the refugee families she interprets for. Ariana becomes frustrated. She displays an understanding for the concept of culture and cultural brokering. However, as an interpreter she is limited by the rules of professional ethics, restricting her room for manoeuvre. Ariana feels that the analytical ability of interpreters and their experiences of being on the frontline *cannot* be used, though they *should* be seen as assets.

We have discussed culture, cultural competence and the interpreter as a cultural broker from the perspective of interpreters and their descriptions of actual events that occurred during interpreted encounters. We have analysed different rules; general ones, in good interpreting practice, and specific ones, arising when interacting with those for whom you interpret. We have explored the room for manoeuvre and the position of the interpreter, on the frontline and at the margins. We have shown that it is almost impossible for the interpreter to avoid the role as a cultural broker. It could well be potentially favourable to closely analyse interpreted meetings on the basis of the concept of the cultural broker, providing tools for understanding the role of the interpreter in a broader social context.

In light of concepts such as *cultural intermediary*, *cultural broker* and *gatekeeper*, the neutral and impartial positions, as advocated by Good Interpreting Practice, become possible to analyse with their wide range of limitations and possibilities. In Sweden, a discussion about specialising and training interpreters for self-reflection, cultural self-awareness and examining various roles with different ethical requirements depending on the type of exchange or which sector of society they were interpreting in is missing. Precisely for that reason, it might be constructive to look more closely at international ideas for how interpreters might be trained and also become specialised. Based on that, a critical analysis could be made of the more rigid and uniform role of the interpreter that exists in Sweden.

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Ten out of the 26 interpreters interviewed 2008–2010 are quoted in the article.
Field notes. 2008–2010.

The role of the interpreter in educational settings

Interpreter, cultural mediator or both?

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This paper presents the results of a questionnaire-based pilot study carried out in the region of Murcia (southeastern Spain) and exploring the perceptions that teachers have of communication with immigrant children and their families, the current solutions being applied to address those needs, and the type of solution teachers would prefer – intercultural mediation, community interpreting, or a new, specific professional activity consisting of a combination of both mediation and interpreting. The results show that teachers perceive both linguistic and cultural difficulties when communicating with non-Spanish speaking pupils and their families; that informal, *ad hoc* solutions are the order of the day; and that teachers may be better served by a type of professional who combines both intercultural mediation and interpreting skills.

1. Introduction

“Parental involvement in the education of their children is important to children’s success at school.”
(Eurydice Network 2009: 7)

This quotation may seem to convey an obvious statement, and lack of parental involvement in children’s education would most likely be construed as lack of concern on the parents’ side. However, when parents do not share the language of the school system one may wonder whether the means to guarantee their involvement are being provided in practice. This question inspired the study on communication with immigrant children and their families in educational settings in

1. The *GRETI* research group is based at the University of Granada, Spain, and funded by the Andalusian Regional Authorities. *GRETI*'s homepage is at www.ugr.es/~greti/.

Spain that one of the authors (Foulquié) is currently carrying out as part of her doctoral dissertation.

This paper presents the results of a pilot study carried out in the region of Murcia (southeastern Spain) and exploring the perceptions that teachers have about communication needs with immigrant children and their families, the current solutions being applied to address those needs, and the type of *communication support system* (to use Perez and Wilson's 2009 generic term) teachers would prefer – intercultural mediation, community interpreting, or a new, specific professional activity consisting of a combination of both mediation and interpreting.

2. Background

2.1 Communication with non-Spanish speakers in Spain

Over the past five to ten years, the Spanish context has changed very much with regard to the implementation of solutions to guarantee communication between immigrants and the authorities, be it translators and interpreters, cultural mediators, or others' (cf. comprehensive descriptions of the Spanish panorama in Valero and Raga 2006 or Navaza et al. 2009). Although there have been improvements in all settings, the picture is patchy in terms of developments, depending very much on the availability of resources and the means and willingness of the different authorities to fund and professionalize services.

Telephone interpreting is spreading, particularly in the health setting, with a few companies providing a promising solution. However, this system is not completely professionalized as yet, and the training and accreditation of telephone interpreters, particularly for some languages, has not been sufficiently established. In general terms, we still find a coexistence of different communication support solutions in the health sector, including mostly *ad hoc* solutions and in very few cases trained translators and interpreters hired mostly on a case-by-case basis (Navaza et al. 2009; Ortega et al. 2009: 150).

In the legal settings two main systems coexist, depending on the different Autonomous Regions (*APTIJ's* web page²). On the one hand, there are permanent in-house interpreting teams including trained translators and interpreters – although the qualification level of interpreters varies with the languages. On the other hand, some Regions outsource legal interpreting services to private agencies. This system is presently being questioned after recent complaints by legal

2. *APTIJ* is the Spanish Professional Association of Court and Sworn Translators and Interpreters. Web page: www.aptij.es.

professionals over deficiencies and mismanagement of interpreting services (De Luna 2010).

As for other public service settings, there is a tendency by Spanish authorities to favour cultural mediators over other communication support solutions. This is particularly the case for local authorities and the educational setting (see following sections for further detail). Indeed, numerous local governments in regions with a sizeable percentage of immigrants have intercultural mediators, either as part of their staff or hired on a temporary basis (Eurydice Network 2009: 13; Pöchhacker 2008: 23). One of the reasons that explains this tendency is the fact that there is a generalized lack of knowledge about what interpreters do. Particularly in community interpreting settings it is widely believed that interpreting is a purely linguistic form of mediation completely disengaged from culture, and therefore insufficient to guarantee communication in situations where cultural differences are present. As a result, intercultural mediators are hired even when in many cases their work is practically limited to acting as interpreters (Ortega et al. 2009: 150).

2.2 Immigrant pupils in the Spanish school system. The Region of Murcia³

The educational setting has received very little attention from community translation and interpreting researchers so far in Spain, yet the number of non-Spanish speaking immigrants and their children's educational rights make it necessary to study how communication needs are being addressed, and whether there is room for improvement. Indeed, non-Spanish children are present in large numbers in the Spanish school system, particularly in some areas of the country. As Chart 1 shows, the total number of immigrant pupils in Spanish schools has increased eightfold in ten years (1998–1999 to 2008–2009) (Pérez-Amat 2010).

During the 2009–2010 academic year, foreign pupils at the non-university educational level accounted for almost 10% (9.6%) of all schoolchildren. As for the areas of origin, the single largest source area was South America (38.7%), followed by Europe (28.5%), Africa (21.9%), Asia and Oceania (5.6%), Central America (3.9%), and North America (0.9%) (Ministerio de Educación 2010). Adding the figures for countries outside Latin America shows that more than half of these foreign pupils (56.9%) come from non-Spanish speaking countries.

3. In this paper the term *immigrant pupil* will be used to refer to any student who does not have Spanish nationality, since children who have dual citizenship are considered to be Spanish (Ministerio de Educación y Ciencia 2007: 1).

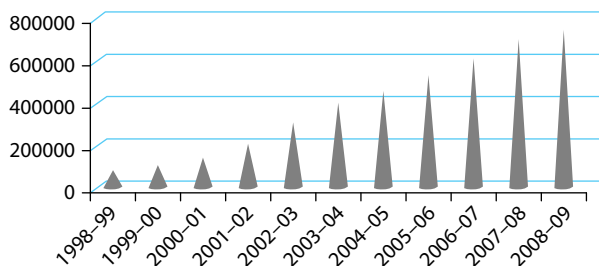


Chart 1. Immigrant pupils in Spanish schools (1998 to 2009)

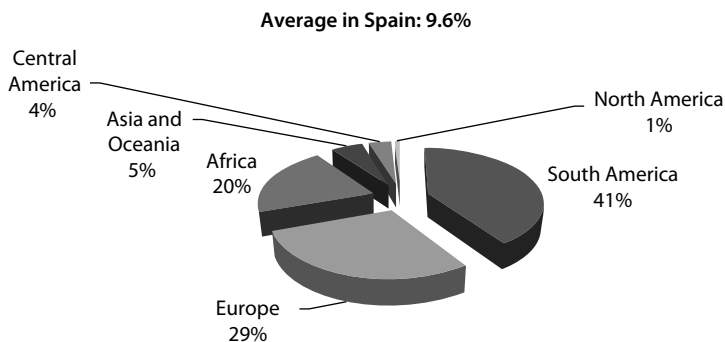


Chart 2. Origin of immigrant pupils in Spanish schools (2009–2010)

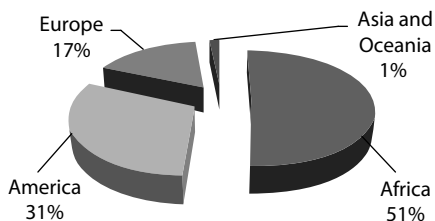


Chart 3. Origin of immigrant pupils in schools in the Region of Murcia (2007–2008)

Specifically in the region of Murcia, where our pilot study is placed, the percentage of immigrant pupils is 12.3% – higher than the Spanish average of 9.6%. In fact, Murcia is the sixth Region (out of 17) as regards the number of foreign schoolchildren.

Chart 3 represents the areas of origin (Consejería de Educación, Formación y Empleo de la Región de Murcia 2010) and clearly shows that the large majority of immigrant schoolchildren in Murcia come from non-Spanish speaking countries.

2.3 Communication support for immigrant pupils in the Spanish school system

According to the Eurydice Network (2009:7), half the countries of Europe, including Spain, make use of three methods to promote communication between schools and immigrant families and pupils – use of interpreters, written information on the school system translated into different languages, and resource persons.

In the case of Spain, measures are specific to each of the seventeen Autonomous Regions, but most of them “provide schools attended by sizeable percentages of immigrants with mediators who also serve as interpreters” (Eurydice Network 2009: 13). Mediators are hired with more or less frequency depending on the areas and the availability of resources at any given time, and the service is usually managed through local authorities. Nonetheless, even when mediators are provided, it is difficult to establish which tasks fall within their remit, since cultural mediation is a new, unregulated activity, the expectations about what mediators can and should do are sometimes unrealistic (see next section), and they have to cover different settings, and not only schools.

Another method of enhancing communication in schools is telephone interpreting, which, as mentioned above, is a recent development in Spanish public services, and is not devoid of problems. In the specific case of Murcia, there is currently only one company providing this type of remote interpreting, but not all schools in the Region have access to it. As for the use of face-to-face interpreters, in Spanish schools interpreters are provided only rarely, partly because of the general preference of the authorities for mediators. Some NGOs do provide interpreting services apart from mediation, and may receive public funds or else work with volunteers (Valero and Raga 2006; Toukfine 2008: 34).

Altogether, the picture described in this section shows that a wide variety of communication support solutions are currently being implemented in Spain, although none of them are generalized, or fully professionalized. Moreover, resorting to non-professional, volunteer-based solutions is still the order of the day. The above-mentioned Eurydice Network’s report shows that in practice Spanish schools often “ask immigrant students or the families that have been living in the country for some time, to act as interpreters for the new students and their families” (Eurydice Network 2009: 13).

2.4 Intercultural mediators vs. community interpreters

In the previous description of the situation in Spain it has been noted that intercultural mediators tend to rank first in the list of solutions recommended or

provided by the authorities to enhance communication with immigrants, especially in settings such as the educational sector.

At this point it would seem appropriate to describe what intercultural mediators do, and what their current situation is in Spain, particularly as compared to community interpreters.

Intercultural mediation as such is not a recognized profession in Spain, and there is no formal qualification in this discipline. As a result, the job description of mediators is often uncertain, and they may be called in to perform a plethora of tasks, depending on the needs of the hiring agency – providing information and support for the foreign population; preparing and translating written materials; accompanying immigrants to institutions; mediating to solve conflicts with the local population; supporting specialists in connection with social intervention; promoting social and civic involvement of immigrants; training and preparing activities on cultural topics and backgrounds, etc. (Transkom 2007: 38).

Regarding their training, since intercultural mediators have no legal professional status, there is no officially recognized formal curriculum as yet. However, the number of training initiatives has increased rapidly, although in an uncoordinated manner, and as a combination of non-formal and formal qualifications and courses, all varying in contents, duration and learning objectives (Sales 2008: 78). As regards the contents of these courses, they usually address issues such as knowledge of the background behind migration; interculturalism; mediation as an intervention technique; strategies to promote dialogue, communication and relations with immigrants; knowledge of the local institutions and population; and attitude/behavioural training (Transkom 2007: 36).

A comparison of the list of tasks of mediators with the contents of training courses shows that, while translating and interpreting are included in the remit of intercultural mediators, they are conspicuously absent from their training. As for community interpreters, we share Pöchhacker's view (2008: 23), as it challenges the popular idea that interpreters limit themselves to converting purely linguistic codes from one language to another, as opposed to ensuring intercultural communication, which would be the distinctive task of intercultural mediators. According to Pöchhacker, community interpreters are "linguistic and cultural mediators by definition" and have the "widely understood function of enabling intercultural communication by relaying and coordinating others' talk" (*ibid.*).

Regarding practical matters, in Spain community interpreting shares some features with intercultural mediation, such as – sadly – the lack of a professional status and of a standardized formal curriculum to train professionals with a clear job description.

As far as training is concerned, there are some two dozen university programmes training translators and interpreters in Spain, although with an emphasis

on general interpreting techniques or a specialization in conference interpreting. At the postgraduate level there are a few programmes specialized in community interpreting, notably the *European Masters Degree in Intercultural Communication, Public Service Interpreting and Translation* offered by the University of Alcalá de Henares (Madrid), and also the university diploma offered by the university of La Laguna, Tenerife (Canary Islands), and the specific course in health interpreting offered by the Jaume I University (Castellón). There are other postgraduate courses, but not necessarily offered on a regular basis. Also, some public services, such as local authorities and ministries may from time to time offer non-formal courses for their translators and interpreters, often in cooperation with universities, and with the professional association of court translators and interpreters *APTII*.

To conclude, we believe that both intercultural mediators and community interpreters have an essential role to play in Spanish society. The problem arises when mediators are asked to interpret, or interpreters are expected to mediate with no training, or when one or other of them unwittingly confuses the different roles. It is our contention, in line with Pöchhacker (2008:9), that there is a need “to distinguish as clearly as possible between the professional function of cross-cultural mediation (in the contractual, conciliatory sense) and that of interpreting in community-based settings”. Once the proper distinctions are understood, we would argue for the practical coexistence of both professions, which we consider to be compatible and complementary. Moreover, given the proper training, both can be performed even by the same person, provided that all the parties involved in any interaction are aware that the “person in the middle” participates in either an interpreter *or* a mediator role (Martin and Abril 2002:57; Pöchhacker 2008:24).

3. Our study

Against the general background described above, we carried out a questionnaire-based pilot study with the objective of exploring the perceptions of those who need support to communicate with non-Spanish speakers in the educational setting in Murcia – what communication needs they have identified, what solutions they have implemented so far, and what their expectations are about present and potential future solutions, whether they favour interpreters, mediators, or any other type of communication support method.

Our survey follows the *GRETI* group’s series of empirical studies (cf. Foulquié 2002; Martin and Abril 2008; Martin and Ortega 2006; Ortega 2006; Ortega, Abril and Martin 2009; Ortega and Foulquié 2008), based on exploring the perceptions (mainly about role) of the different actors involved in community interpreting in

different settings in Spain. This line of research was initially inspired by works by authors such as Pöchhacker (2000) and Mesa (2000).

The Region of Murcia was chosen for the pilot study for different reasons, the main one being the high number of immigrant pupils in the Region's schools, and the fact that a large majority of them come from non-Spanish speaking countries, as was described above.

3.1 Questionnaire design and content

The questionnaire was designed using the model described by Oppenheim (1996), as applied by other researchers in translation and interpreting studies at the University of Granada (Calvo 2001; Way 2003). Before drafting the final version of the questionnaire, a focus group discussion was conducted in a school in Murcia with a high rate of foreign pupils, and with the participation of the majority of the teachers working at that school. During the focus group session, one of the researchers was present and proposed a series of questions to guide the discussion, although the participants were able to express their views freely about the topics put forward by the researcher. This technique helped us to identify issues of concern for teachers, and thus gave us a better idea of the questions that would be useful and interesting to include in our study. Before administering the questionnaires, an external expert in Psychology reviewed them and some adjustments were made.⁴

The questionnaire was composed of both open ended and closed questions. In the closed questions, the respondents were offered different options to choose from. However, in most cases the option "other" was also included, so that participants could provide their answer if they felt it was not reflected by the options available, or else could add any information they considered to be relevant.

There were 43 questions in the questionnaire, which was divided into two different sections. The first section was mostly related to the job description of the respondents (e.g. teacher, specialist, class teacher, head teacher, etc.), the number of years they had been teaching, and different aspects related to their workplace. The second section was the largest part of the questionnaire, and included all the questions about communication.

4. Dr. Carmen Guillén Gosálbez, practising psychologist and PhD in Psychology.

3.2 Administration of the questionnaire

The questionnaire was self-administered and was distributed personally by one of the researchers among 75 school teachers from three different schools in the Region of Murcia, between April and June 2010. The same researcher collected the questionnaires personally on a date previously agreed with the participants.

3.3 Target population and sampling technique

The target group was mainly composed of class teachers at pre-primary and primary school level. Three schools were selected where a sizeable number of immigrant pupils was identified, and where one of the researchers had personal contacts. Teachers were singled out as a target group because they inevitably come into contact with the parents of foreign pupils at some point, and because through them parents may experience their first contact with the Spanish school system.

3.4 Results

The analysis of the questionnaires was carried out using the Windows SPSS 15 programme. Of the 75 questionnaires distributed and returned, 74 were valid. This is a very high response rate, and may be representative of a high level of concern with communication issues on the teachers' side.

In the next sections we will present an analysis of a selection of questions included in our survey.

3.4.1 *Profile of respondents*

Most of the 74 respondents who returned the questionnaire were female (53 participants), and there was almost the same number of respondents in each age range (19 were under 30, 21 were between 31 and 40, 17 were between 41 and 49; and 11 were older than 50). As for the time they had been teaching, again there was almost the same number of respondents in each time range.

3.4.2 *Immigrant pupils in class*

In order to establish a quantitative framework, the second section of the questionnaire started with the following question addressed at the form masters/mistresses (35 out of the total number of participants): "In the year 2009–2010, how many children did you have in your class (as form master/mistress), and how many of them were immigrant pupils?"

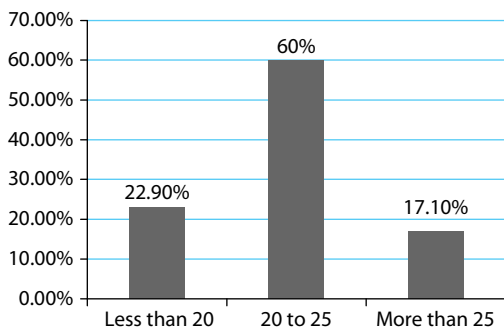


Chart 4. Number of children per class

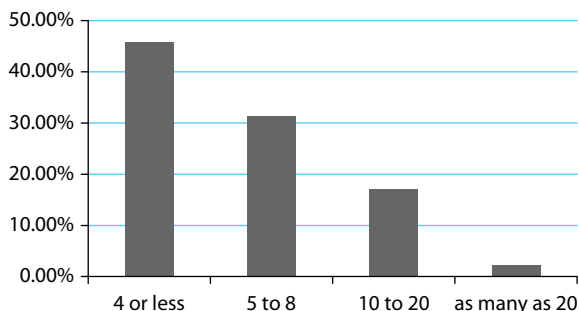


Chart 5. Number of immigrant children per class

The analysis of results shows that 60% of the respondents had between 20 and 25 children per class, 22.9% had less than 20 and 17.1% had more than 25. As for the number of immigrant children, the answers show that there is an average of 8.5 immigrant children per class – one respondent (2.35%) had as many as 20 immigrant pupils, six (17.14%) had between 10 and 20, 11 (31.42%) had between five and eight, and 16 (45.71%) had four or less.

As can be seen from these charts, the proportion of non Spaniards in class can be fairly high, since no less than 17% of the 35 form masters/mistresses included in the sample had more than 10 immigrant pupils, in classes that often have a total of between 20 and 25 children, and as many as 31% of teachers had at least 5 immigrant children.

3.4.3 Nationalities of pupils in class

The questionnaire continued with a question aimed at determining the different nationalities potentially involved in communicative interaction between teachers and parents. As can be seen from Chart 6, the majority of immigrant pupils (66%)

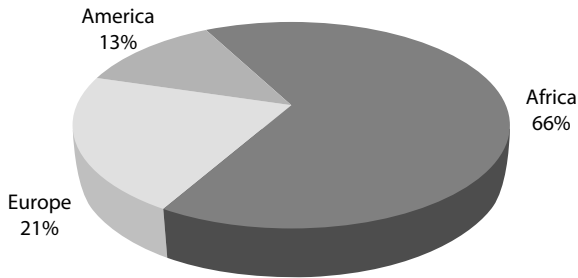


Chart 6. Nationalities of immigrant pupils

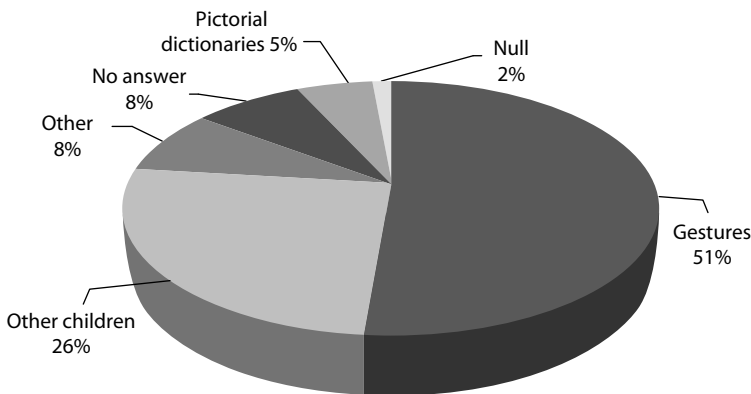


Chart 7. Communication with immigrant pupils

come from Africa (mostly Morocco), followed by Europe (both of them non-Spanish speaking regions), and America (mainly South and Central America).

We were particularly interested in identifying the languages used by these pupils at home, and the results show a wide variety of languages. Algerian, Standard Arabic, English, Lithuanian, Moroccan, Rumanian and Ukrainian were all mentioned (with Moroccan the most frequent one). Nonetheless, we failed to ask how many pupils spoke each language. This will be corrected in future versions of the questionnaire.

3.4.4 *Communication with immigrant pupils*

Before asking teachers about communication with immigrant parents – the focus of our study – we included a few questions to explore the way they communicate with non-Spanish speaking pupils when they first arrive at school. We offered a number of possibilities mentioned during the focus group session, such as gestures, pictorial dictionaries, other children, etc. As can be seen from Chart 7,

gestures are overwhelmingly the most frequent means of communication, followed by resorting to other children as interpreters. Mediators/interpreters were mentioned by only four of the teachers who marked the “others” option. All in all, only three specified that they used the “Arabic interpreter” and “English teachers” to help them communicate with children.

3.4.5 *Communication with immigrant children’s families*

Given the focus of our pilot study, the questionnaire included a number of questions aimed at exploring communication issues between the school and non-Spanish speaking parents, and at identifying how teachers solve the problems that may arise in connection with this.

We started by asking the teachers if they believed that immigrant families were well informed about different topics which affect their children’s school life – the Spanish education system, teaching materials, the teachers’ role, how to communicate with teachers, or how the particular school works. Almost half the teachers (45.9%) considered that immigrant families were not well informed about these aspects of school life. When asked about the reasons for this information deficit, most of the participants (29%) considered that the problem was language related, while 13.5% identified cultural differences as the cause, and only 8.1% referred to parents finding it difficult to devote themselves to their schoolchildren due to their personal (e.g. work) situation.

Trying to narrow even further how teachers perceive the school’s relationship with immigrant families, we asked them directly whether they had identified problems specifically based on cultural differences or on language. Almost half of the respondents (48.6%) identified problems based on culture, and related them to issues such as hygiene (mentioned most frequently), punctuality, religion, concept of role of parents, and the role of teachers and of the school in general. Four of them also included “communication between parents and school” as part of the list of difficulties of a cultural nature.

In contrast, the percentage of teachers who identified problems related to insufficient command of Spanish was as high as 70%. We found this somewhat surprising, since the general preference of the Spanish authorities and service providers for intercultural mediators previously mentioned had led us to expect a majority of replies ‘blaming’ culture for most problems.

When asked to identify the main types of problem specifically related to the language barrier, respondents referred to a wide range of aspects that may interfere with the education of immigrant pupils. Indeed, most of the comments indicated that teachers felt that immigrant parents are not familiar enough with school rules, they are unable to help their children with their homework and

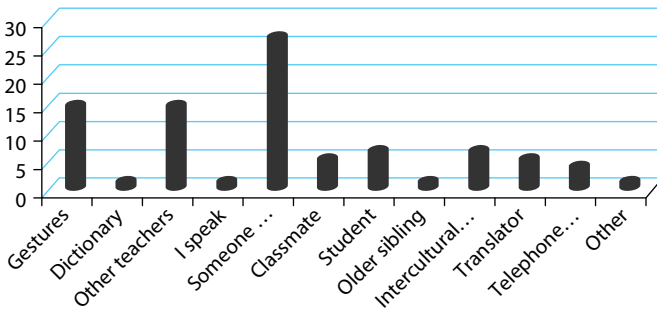


Chart 8. Communication with immigrant pupils' families

supervise their progress (since school tasks are in Spanish), and that they cannot take advantage of the school's resources to help their children, e.g. coordinating with the form master/mistress, following advice on educational matters, and receiving information on the child's progress. Some of the respondents also commented on practical matters, such as immigrant parents missing deadlines, meetings, trips and so on.

We then asked teachers how they solved the problems alluded to, and we offered the range of solutions showed on Chart 8, which respondents had to mark in order of frequency.

As we can see from the chart, "resorting to someone who speaks the language of parents" was the most frequent single answer. However, if we group the answers by type of solution (formal vs. informal), we find that resorting to some *informal* language facilitator was marked in the first place in no less than 55.5% of cases. This percentage includes the 27% of respondents who answered "someone who speaks the language"; the 5.4% of respondents who answered "other school-children (or a classmate) who speak the language"; the 6.8% who answered "the student involved him/herself"; the 1.4% who answered "an older sibling", and the 14.9% who answered "other teachers" (this answer referred solely to English teachers, as it is the second language taught at schools). In contrast, resorting to some type of *formal* language facilitator was selected in only 16.3% of cases. This percentage included the 6.8% who marked "intercultural mediators"; the 5.4% who chose "translator (interpreter)", and the 4.1% who selected "telephone interpreting". Sadly, these results fall in line with the general situation in many Spanish public services, where providers are forced to make do with non-professional communication solutions.

The next question was included in order to identify who provides formal language facilitators when they are provided. The responses show that whenever solutions are sought outside the school itself, the most frequently used service is that

of intercultural mediators provided by the municipality (36.5% of respondents chose this answer).

3.4.6 *Role of the facilitator of communication*

The next set of questions referred to the role of the person hired to provide communication support. In order not to lead respondents into controversial issues of role (cultural vs. linguistic mediation, for example), we avoided terms such as “intercultural mediator” or “interpreter” and referred to “facilitators of communication”, as used by Martin and Valero (2008: 3). We asked respondents to answer the following question: “In your opinion, what should be the role of the person hired to provide communication support/be facilitator of communication”. We offered the following options: “Mediate – that is, solve cultural conflicts”; “Translate whatever primary interlocutors say”; and “Add information that was misunderstood by either party”.

Unfortunately, the number of persons who left this question unanswered was considerable (18, which accounts for 24.3%). The responses of the remaining 75.7% of teachers who did answer showed some unexpected results. Given the general tendency in Spanish public services to hire cultural mediators as communication support, as was mentioned before, we expected the majority of respondents to mark the first option, that is, “mediate in order to solve cultural conflicts”. We also feared that having introduced the word “conflict” in this option, most respondents would feel impelled to choose the mediator over the translator. As can be seen from Chart 9, although 21 (28.4%) did choose this option, the majority favoured the second answer (24, or 32.4%), considering that the role of the person providing communication support should be to “translate whatever the primary interlocutors say”. A much lower 13.5% (10 respondents) marked the third option (adding information), and only one person marked the “other” option, and specified that the person hired to facilitate communication should also teach Spanish lessons.

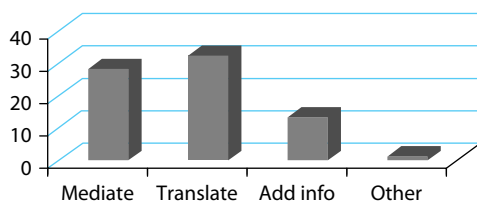


Chart 9. Role of the facilitator of communication

3.4.7 Profile and training of professional communication facilitators

In the next set of questions, we again tried to avoid the terms “mediators” or “interpreters”, in order not to condition responses in favour of one or the other, but we did want to identify teachers’ perceptions and preferences about formal solutions being used, whichever they were, so we asked about “professional communication facilitators”. A surprising finding was the fact that, when asked about the types of professional communication facilitators they knew of, respondents included the language teachers in their schools.

The second question in this set inquired about whether participants had ever considered whether these facilitators had any training. Unfortunately, a large number of respondents (36.5%) failed to answer, and a considerable number (35.1%) of those who did replied that they had not given much thought to the qualification and training of their language facilitators. In retrospect, we realise that maybe using the word “professional” in the questions was not the best option, for it may have conditioned respondents in their answers – qualification and training are probably taken for granted in any professional.

Finally, we asked the participants to specify what would be the best training for the type of tasks to be performed by facilitators of communication, and offered four options – training in languages, translation and interpreting, mediation and education (see Chart 10). If they chose more than one, they were asked to rank their answers in order of preference. As can be seen from the chart, training in *mediation* was the most frequent single answer selected (with 27% of responses). Considering that a higher number of respondents had specified that *translation* was the main role of facilitators, rather than mediation, we find this result somewhat surprising. However, since we have seen how often teachers identify language as the first reason for communication problems, and how they include language teachers among facilitators, we could make a specific analysis of these

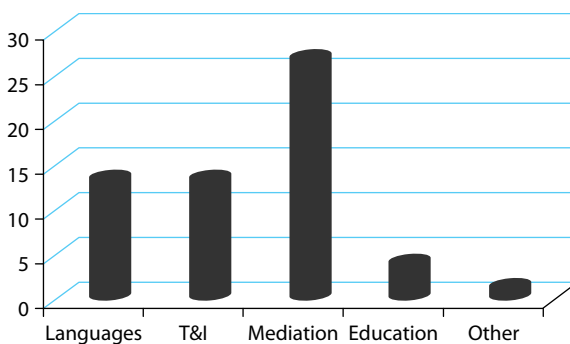


Chart 10. Training of facilitators of communication

results considering the language-related training options together, that is combining training in languages, and in translation and interpreting. The result would be that the number of respondents who believed language-related training to be the most appropriate is the same as those who chose training in mediation (27%).

We are aware that our study needs to be extended and the questionnaire refined, but after a preliminary analysis we believe that these results related to the tasks and training of facilitators of communication could support the idea that teachers may prefer a mixed professional profile with specific training combining intercultural mediation, and translation and interpreting skills.

4. Conclusions

The limited scope of our study does not allow us to establish statistically significant conclusions about some issues related to communication with immigrant families in the school sector in Spain, or even in the Region of Murcia. However, some preliminary results of our pilot survey seem to confirm some impressions and hypotheses, as well as to challenge others.

The number of schools included in our pilot (only three), for example, does not allow us to reach significant conclusions as far as the frequency of use of different communication support solutions. Nonetheless, the results do seem to confirm the general impression that formal, professional solutions – whether interpreters or mediators – are the exception rather than the rule, and that *ad hoc* resources, including the use of children as interpreters, are the order of the day.

Having said this, we believe that the views of the 74 participants in our study do shed some light on the perceptions that teachers have about the nature of communication problems with immigrant children and their families, and about the type of communication support that they would consider best.

In this sense, it would seem that cultural differences or conflicts do not rank first in the list of communication problems, as might have been expected judging from the general preference of Spanish authorities for cultural mediators in all sectors except for the courts. In the light of their answers and comments, teachers seem to feel that cultural differences may affect daily dynamics or relationships, but not so much communication and cooperation between school and families. In fact, it seems that language is felt to be responsible for communication problems and lack of information to a higher degree than culture. Moreover, teachers feel that the language barrier interferes with the ability of parents to participate in basic aspects of their children's education. As for the perception of teachers regarding the profile of facilitators of communication, they seem to expect them

to translate more often than to mediate (although the difference in the responses to this question was not very significant and would need to be confirmed with a larger study).

Finally, pending confirmation through a second, more ambitious phase of our research, some of the results presented here (especially regarding the tasks communication facilitators should carry out and the training they should have) suggest that teachers do not have a clear-cut preference for mediators or interpreters, or even that they would expect to work with a specific professional that embodies a combination of both intercultural mediation and interpreting or a specific professional who combines both intercultural mediation and interpreting skills.

However, as we have argued above, while both mediators and interpreters are necessary, their role and tasks are different, and as long as they are performed by true professionals, we believe that no new profile should exist. It may well be that – given the lack of professionalization of both activities in Spain – teachers simply do not have enough experience of professional mediators and interpreters to establish what the best way would be for them to guarantee smooth, effective communication with immigrant families in the school system.

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PART III

Interpreting strategies in different interactional contexts

Business as usual?

Prison video link in the multilingual courtroom

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This paper sets out to examine the observable effects of prison video link upon court actors' behaviour in multilingual Magistrates Court hearings in two areas of England, with a special focus on the interpreter. Prison video link (PVL) hearings are compared with face-to-face hearings in terms of proxemics, interpreter strategies, and the behavioural adjustments necessitated by the presence of videoconferencing technology in the courtroom. A significant finding is that although court interpreters in face-to-face hearings have five possible strategies or permutations of consecutive and simultaneous modes at their disposal, PVL interpreters can only use one of these strategies. The effect of this renders them highly visible and audible by comparison with their face-to-face counterparts, and their performance is much more transparent. The study concludes that even if video conferencing equipment were to be up-dated to state-of-the-art standard, there remain a number of problems to do with sightlines and camera configurations which may be difficult to resolve. Interestingly, there are features of PVL hearings which could actually enhance the experience of live defendants. Finally, I suggest that, at the time of writing, PVL disadvantages non-English-speaking defendants and that a future in which the virtual courtroom becomes the norm appears to require a reconsideration of the ancient jurisprudential right to "look your accuser in the eye".

N.B. Note on generic pronoun use: interpreters are referred to as "she" and defendants as "he".

1. Introduction and background

1.1 The status of court interpreters

Many studies have shown that court interpreters are viewed negatively by the court. The interpreter is an intruder (Fowler 1997); there is a place for everyone in the courtroom – except for the interpreter (Hale 2004); Morris (1999) claims that

[...] the court interpreter may be made to feel like the merest of incidental items and, at the same time, the most important person in a defendant's life. These two contrasting situations have been likened by interpreters to being a piece of gum on the bottom of a shoe, ignored for all practical purposes, but almost impossible to remove. (Morris 1999)

Morris (1993:2; see her footnotes for citations) provides a comprehensive list of metaphors which have been used by legal practitioners to describe the role of the court interpreter:

[...] the court interpreter has variously been compared to a phonograph, a transmission belt, transmission wire or telephone, a court reporter, a bilingual transmitter, a translating machine, a (mere) conduit or channel, a mere cypher, an organ conveying (presumably reliably) sentiments or information, and a mouth-piece. (Morris 1993:2)

The introduction of video link technology could further increase the common misconception that interpreters are machines who will convey verbatim and unaltered what is said in one language into another. On the other hand, there is a danger that resisting the advance of technology could be seen as Luddite and that any dissenting voices are merely being resistant to change.

1.2 The focus of the study

Unlike other studies, this one does not take account of the accuracy of interpreter renditions from English to the other language or vice versa. The reason is that there is an abundance of such studies, for example, Berk Seligson (1990/2002), Vasquez and Javier (1991), Laster and Taylor (1994), Hale and Gibbons (1999), and Hale (2004) to name but a few. I considered that the process of transcription, translation and comparison of interpreter renditions with source utterances was unlikely to provide any useful answers to my research questions which are largely concerned with observable behaviour (both verbal and non-verbal) in terms of interpreting techniques, roles, proxemics and the impact that PVL has upon all the court actors. The study thus focuses on behaviour rather than on performance.

1.3 Prison Video Link: Background

Video link technology was introduced into courtrooms in England and Wales as a result of the Crime and Disorder Act 1998. This change in the law enabled prisons to provide specially adapted rooms which are deemed to be courts. These are video linked to Magistrates Courts and Crown Courts. Defendants on remand in prison

are processed for non-trial hearings, that is, re-remands in custody, sentencing by consent on guilty pleas, committals to Crown Courts and case management, and plea and directions hearings. It is claimed that this avoids the costly and time-consuming business of transporting prisoners between the place of custody and the court, which by some accounts is unpleasant for the defendants. It disrupts their rehabilitation, education or work programmes, with the risk that they may lose their cell and end up in another prison far from their families. Immediately prior to these hearings, defence advocates have private video linked consultations in special soundproof booths in the courts with their clients who are in similar booths in the prison. In Magistrates Courts PVL hearings are characterised by their fairly short duration (between three and twenty minutes). Defendants speak only to identify themselves by name and date of birth. Court clerks then summarise the stage that the case has reached, and a short narrative of the alleged offence follows by the Crown Prosecutor. Defence advocates may then be invited to make any representations, dates for the next stage of the case are agreed, and Magistrates will formally announce the decision to defendants, who are usually asked if they have understood. If appropriate, defendants may then enter another booth at the prison for private post-hearing consultations with their defence advocates, and the process is complete. It must be emphasised that, to date, PVL is not used for evidential hearings or trials in England and Wales.

2. Research into the use of video link in courts

Some European countries now use video link to process defendants on remand in custody, and it has been in use in the US and other jurisdictions for many years. In the US, Canada and the UK refugee appeal hearings are heard via video link. However, although very little research into the effect of video link upon communication and behaviour of *court* actors has been carried out, concerns, some of them profound, have been expressed mainly by lawyers but also by others. Scherer (1986), Thaxton (1993), Wexler (1993), Raburn Remfry (1994), Sontheimer (2000), Borman (2001), Poulin (2004), Ellis (2004) Johnson and Wiggins (2006), Haas (2006), Federman (2006), the Harvard Law Review (2009) and Dean (2010) are just some of those who have expressed doubts, ranging from the inability to assess the defendant's (or refugee claimant's) demeanour, the separation of defender from defendant, the potential violation of the jurisprudential right to confront one's accuser, and interference with the notion of the court as "neutral convenor" where prison officials no longer control the defendant. Van der Vlis (2011) summarises the jurisdictions where video link in criminal proceedings is used, and the procedures for which it is used. A few studies, but not many, mention

interpreters. The new European Directive (2010) on the rights of foreign-language speaking defendants mentions video-conferenced interpreting (Article 2(6)), but does not state any specific guidance as to which procedures it might be used for.

The most up-to-date and thorough investigation so far into legal interpreting and video link is that of Braun and Taylor (2011) which highlights a wide range of issues and makes a series of recommendations, one of which states that: “until further research has been conducted, video-mediated interpreting should only be used for low-impact crime and short procedures” (Braun and Taylor 2011: 280). Braun and Taylor take a Europe-wide perspective, and their investigation is not focused on any one country in particular. Although some generalizations can be made, the range of communication and technical problems which occur in one videoconferencing context can be very different to those in another, and each configuration of cameras, microphones, screens and seating positions creates its own dynamic which can be very context- and jurisdiction-specific. Interestingly, even though some of the above concerns span more than two decades, video conferencing has become more and more prevalent in jurisdictions all over the world, and financial considerations have taken precedence over issues of affect and legality.

3. Outline of the study

This study specifically excludes the more adversarial and contentious video link hearings such as those in immigration detention centres, immigration tribunals and the so-called Virtual Court Pilot (see Terry et al. 2010) where defendants are charged and tried within a matter of hours by video link at the Police Station after arrest and interview.

This article is the result of an in-depth investigation into the behaviour of court actors in seven different Magistrates Courts and one prison in England where communication is mediated by interpreters and PVL. There are three parts to the study. Firstly, in Section 4, I describe the results of a comparative analysis of ten PVL and eleven face-to-face recordings of Magistrates Court hearings, distinguishing between the characteristics of defendant-focused *Moves* (a term taken from Bhatia 1998) during which defendants are directly addressed, and non-defendant-focused *Moves*, during which defendants are not directly addressed. Secondly, in Section 5, I summarise the emerging themes of twenty seven interviews with court actors about their experience with PVL. Thirdly, in Section 6, I report on my ethnographic observations of seven defendants in prison as their cases are heard through interpreters based in the main courtroom. Finally, at Sections 7 and 8 I draw conclusions and make recommendations based on the data.

4. A comparison between PVL and face-to-face hearings

4.1 Prison video link hearings: Adjustments to procedure

The presence of video link triggers adjustments to common court procedures. Space does not permit a complete list, but the most significant are the “virtual tour” of the court (see 4.2 below), the provision of time-limited pre- and post-court private consultations with defence advocates in special booths (see 4.3) and the now prominent seating position of interpreters (see 4.4 and 4.5).

4.2 The virtual tour of the court

Court clerks (CC) are in charge of the videoconferencing equipment and are supposed to provide a “virtual tour” of the court for PVL defendants. This involves identifying themselves in close-up as CCs, magistrates (M), crown prosecutors (CP), defence advocates (DA) and interpreters, referring to each by name and status. In my sample of 11 court hearings, only two CCs remembered to conduct this virtual tour, and in one of these, the interpreter was omitted from the introduction. When such a tour of the court *was* conducted, many court actors did not acknowledge defendants visually or verbally when introduced, thus hampering the defendant’s ability to understand the layout of a courtroom, recognise court actors, understand their status or gain some sense of visual and auditory continuity. Thus it is the CC who decides what the defendant will see throughout the hearing, and this has implications which are highlighted at 4.6.

4.3 Interpreter-mediated pre- and post-court private consultations

DAs meet their PVL non-English-speaking clients by means of pre- and post-court consultations in special private booths at the Magistrates Courts which are video linked to corresponding booths in the prison. Booths are very small and can barely accommodate a DA and an interpreter. In Magistrates Courts telephone handsets are used. This means that DAs have to cede the handset to interpreters. The result is that DAs can *see* their clients on the screen, but not *hear* or communicate with them directly. The PVL defendant can only *see* and *hear* the interpreter and not his DA; the interpreter is the only one who can see, speak to *and* hear the defendant. I observed that sole possession of the handset by interpreters led them to conduct a dialogue with defendants directly, with DAs telling the interpreters what to say and the interpreters reporting back rather than interpreting. This is obviously a very unsatisfactory situation which disproportionately

impacts upon non-English-speaking PVL defendants (see 5.1.6 and the recommendations at 8.1.2).

4.4 The range of possible seating positions for court interpreters

Below at Figure 1 is a typical Magistrates Court layout, but they are not all exactly the same. The three lay Ms (or a District Judge sitting alone) are on a raised dais, while in front of them, at a slightly lower level, sits a CC. DAs are at the lowest level, but at opposite ends of the same bench, facing the CC and the lay Ms. Defendants are effectively cut off from the court if they enter a secure dock from custody and are physically separated from the court well (see Figure 1). The negative view of court interpreters as summarised by Morris (1993) is reinforced by the obscurity of the space allotted to them: they either stand *outside* the dock (in which case they have difficulty hearing the defendant) or they sit *within* it (and have difficulty hearing the court). In PVL courts, live defendants in the dock are replaced by images on two video monitors at opposite sides of the courtroom. Figure 2 shows possible interpreter seating positions in a PVL court.

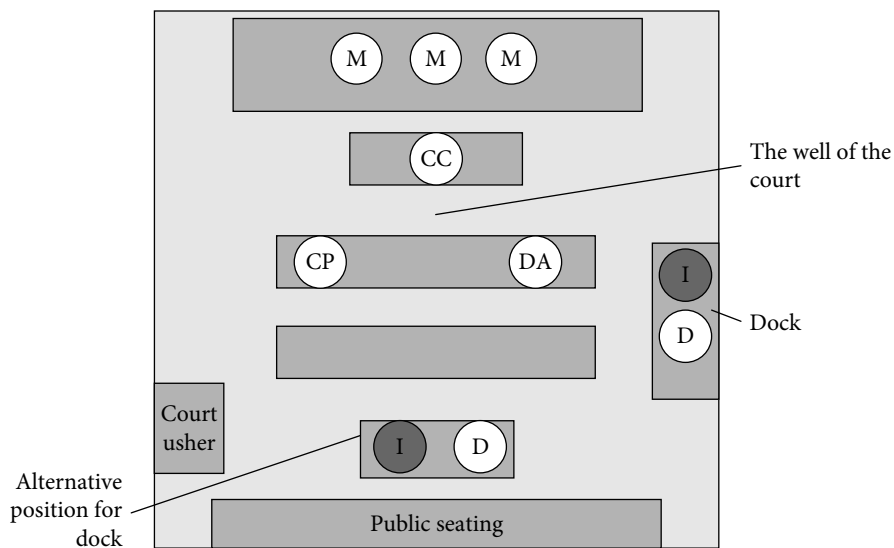


Figure 1. Typical Magistrates Court in England/Wales showing position of interpreter in the dock

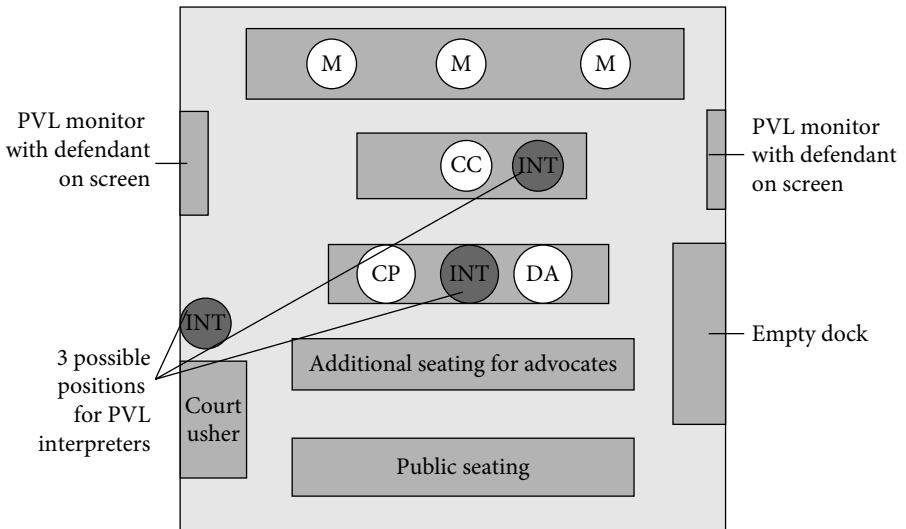


Figure 2. Typical PVL court showing three possible interpreter positions and PVL screen positions

4.5 The significance of seating positions and sightlines: A comparison

The effect of face-to-face whispered simultaneous interpreting in a secure glass dock is to render the interpreter almost invisible and inaudible. This invisibility is illustrated by the fact that, although advocates are often reminded by Ms to accommodate interpreters by speaking in a more measured way and by turning round to face them, this is soon forgotten and they resume their normal speaking pace and forward-facing positions. Interpreters are usually left to cope as best they can, as it is difficult to attract the attention of speakers who are facing away from them with no eye contact.

In a PVL hearing interpreters leave the relative obscurity of the dock to sit next to DAs (or CCs) in the well of the court, sharing a microphone with them; they are now in greater proximity to the Ms' bench and other significant court actors. The change of position signals a transformation from invisibility to visibility. Interpreters no longer escape the attention of the court and can be heard and seen by everyone, including members of the public. The shared open microphone precludes overlapping speech, necessitating a switch from WSI to consecutive mode (a mode usually reserved for defendant-focused Moves). It is usual practice for PVL interpreters to be asked to sit next to DAs (sharing their microphone) but during this study I have also observed them to sit:

1. next to the CC facing the advocates
2. in the corner of the courtroom using another telephone handset designated for DAs for in-court consultations (no booth) and not visible by the defendant
3. next to the defendant at the prison

Thus there is no standard seating position for the PVL interpreter in English/Welsh courts (see Figures 1 and 2 at 2.2.1). This has implications which are explored in 4.6 below.

4.6 Tracking speakers

The presence of interpreters in the PVL court creates a problem for the CC who tracks the speakers and chooses the viewing frame for the defendant. Since there are only 6 fixed camera positions (showing the CC, Ms, CP, DA, well of the court and coat of arms), the interpreter will only be visible to the defendant when the camera is focused on the speaker *next to whom she is seated*. If the CC chooses to focus on other speakers, the defendant will *hear*, but not *see* the interpreter. If the CC focuses solely on the interpreter, the defendant will *see* the interpreter, but not any other speakers. DAs often do not say much during PVL hearings, and this raises issues which will be discussed later at 5.2.

4.7 The relationship between open acknowledgement of the interpreter in court and accommodation to the interpreter's professional needs

Both face-to-face and PVL courts in my sample varied in the degree to which they made open acknowledgement of the court interpreter. Such indicators of acknowledgement might include formally greeting and/or thanking interpreters for their services, prompting them to take the oath or affirmation, asking them to sight translate the oath or affirmation to the defendant, and/or formally introducing interpreters to the defendant on PVL camera (see 4.2). When all or any of these Moves are omitted, this impacts negatively on the status of court interpreters, since they remain unratified persons throughout the hearing, and the legal admissibility of their renditions remains in doubt. I wanted to find out whether such open acknowledgement was linked to any effort to accommodate the professional needs of the interpreter.

This aside, I found that acknowledgment of the interpreter by court actors does *not* necessarily lead to a greater effort on their part to accommodate to her professional needs, whether in face-to-face or PVL courts. One of the manifestations of this is the transition points between defendant-focused and non-defendant focused Moves, often characterised by sudden rapid exchanges of formulaic

administrative language between several court actors, hard for a lay person to understand and creating a processing problem for untrained interpreters where they can often be heard to falter. (This phenomenon cannot be attributed to PVL as it happens in face-to-face hearings too.) Here are four extracts taken from a series of rapid administrative interactions recorded in one court:

1. CC: The court declined jurisdiction in relation to that matter [and] put it over to today
2. DA: There is one previous and that's agreed madam, the defence is at this stage asking for a readover committal
3. CP: Do you know if that's been varied by the solicitors?
4. DA: I don't know if that's been formally varied by the other solicitors, there's likely to be several six two committals

It is obvious from the rapid pace and the lowered volume that key court actors do not expect interpreters to render such formulaic speech to the defendant.

4.8 Fragmentation of courtroom discourse

Apart from administrative interactions, the only concession usually made by CCs, Ms, DAs and CPs to the interpreter in both settings is to fragment submissions, summaries and pronouncements at random. They fragment their speech in both types of courts partly because they think that interpreters will not be able to keep up with them (they do not expect interpreters to be able to perform simultaneous interpreting) and partly because they know that PVL defendants will not be able to make sense of overlapping speech. Although this can be a helpful strategy, they do not realise the effect this often random fragmentation has upon the coherence of a rendition. In the example below, the CP paused injudiciously, fragmenting a long number into two parts. The interpreter subsequently repeated the number incorrectly (for some reason he used English and not Igbo):

- CP /(-) These drugs have a street level value (.) of one hundred and forty thousand(.)
- INT /*Igbo*
- CP /Five hundred and fifteen pounds (.) fifteen pence
- INT /*Five hundred and fifteen pence (in English)*

There are several other examples of this kind in my data. Another effect of inappropriate fragmentation means that the interpreter (especially an untrained one) might have to strive harder for coherence in the foreign language, firstly to

re-order the grammar of the source utterance, and secondly to complete an incomplete unit of meaning. Fragmentation of submissions is therefore not just a cognitive processing problem for the interpreter, but also for the defendant.

4.9 Interpreter interventions and the effect of PVL

I wanted to compare the number of interpreter interventions (for repetition or clarification) made in the two settings to see whether face-to-face interpreters (who sit in close proximity to defendants in the dock, see Figure 1) were more likely to make interventions than those who were not co-present with the defendant. Although I had imagined that proximity to defendants and the intimacy of the dock would encourage interpreter interventions, and that the remoteness of PVL defendants would discourage it, I found this not to hold true. In fact, my sample of court recordings showed that, although interpreters rarely intervened at all in either setting, they did so *more* frequently in PVL hearings than during face-to-face ones. All the interventions were requests for repetition.

4.10 Defendant back channelling behaviour

Back-channelling (“ah”, “I see”, “okay”, “mm” for example) is a phenomenon identified by Yngve (1970), Sacks et al. (1974), Duncan and Fiske (1977) and Allwood (1988) and is considered to be a sign that listeners are understanding, paying attention, or reacting to what other interlocutors are saying. Such feedback can be verbal or non-verbal. Back channelling in interpreted discourse has been shown by Wadensjö (1998) to show active participation and understanding by interactants.

I imagined that proximity to the interpreter would encourage defendant back channelling and that PVL defendants would be discouraged from back channelling simply because they were not co-present with the interpreter. However, PVL did not seem to inhibit defendants from back channelling during a hearing and the fact that interpreter and defendant were not co-present did not seem to discourage it. There were actually more instances of back channelling in PVL cases than in face-to-face cases. Observations of hearings made in Wormwood Scrubs Prison as I sat next to defendants showed that they back channelled freely throughout non-defendant focused Moves. Defendants seemed to vary individually in the manner and degree to which they back channelled, but there is no evidence from my study to suggest that PVL inhibits the activity. However, it was always ignored by the interpreter and the other court actors. This may have been because dock interpreters thought it was insignificant, or did not want to interrupt the other

court actors during non-defendant-focused Moves, or because PVL interpreters could not hear instances of defendant back channelling from the courtroom (see 6.5 for some consequences of this).

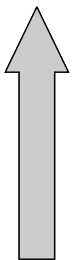
4.11 Interpreter strategies and their effect upon visibility and comprehensibility

The most interesting and unexpected finding to emerge from this study was the surprisingly wide range of interpreting strategies used by interpreters in face-to-face courts and the single strategy available to interpreters in PVL courts (CFV). CFV was not unproblematic, however. Non-defendant-focused Moves in face-to-face hearings are generally rendered in WSI mode. The non-standard application of use of CFV mode resulted in court actors fragmenting their submissions, sometimes into incomplete units of meaning (see 4.8).

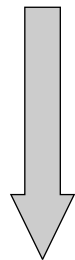
My ethnographic observations showed that face-to-face interpreters did not simply alternate between two interpreting modes (WSI and CFV) in the courtroom, but used permutations of five possible strategies for delivering their interpreted renditions (see Figure 3 below). These strategies can be seen as part of a continuum of rendition styles which impact upon the visibility of the interpreter. Depending upon the strategies they used, interpreters made themselves more or less visible/audible, with strategy 1 rendering them the least visible/audible, and strategy 5 rendering them the most visible/audible.

As I have said, the only strategy available to PVL interpreters is number 5; overlapping speech has to be avoided due to the open microphone system and the fact that it picks up all extraneous sounds in the courtroom. This tends to increase the visible presence of the court interpreter and, in turn, has an effect upon

Least audible/
visible



1. Most a hybrid of whispered simultaneous and whispered consecutive (WSI and WCI)
2. Mostly a hybrid of whispered simultaneous and consecutive at full volume (CFV)
3. Mostly a hybrid of whispered consecutive (WCI) and consecutive full volume (CFV)
4. Mostly a hybrid of voiced simultaneous (VSI) and consecutive full volume (CFV)
5. Mostly consecutive interpreting at full volume (CFV)



Most audible
visible

Figure 3. A continuum of interpreter rendition styles

interpreter behaviour in one respect: when making her renditions to the defendant, it causes her to increase the volume of her voice (see Section 6.9). Although Braun and Taylor claim that

[...] video conference participants have a tendency to speak louder in order to compensate for their uncertainty of whether everything that is said actually arrives at the remote site.... (Braun and Taylor 2011:279)

I did not notice any increase in the volume of any *other* court actors when compared with face-to-face hearings, nor did any of my recordings show this. Indeed, as my audio-recordings and the prison observations showed, some court actors did not make much effort to speak or articulate clearly, whether it was a face-to-face court or a PVL one (even though they might claim otherwise).

5. Interviews with court actors about PVL

The perspectives of court actors themselves helped to build a much richer description of PVL users which would be lacking with ethnographic observation and court recordings alone.

5.1 General observations about the interviews

27 court actors were interviewed for the study: 10 court interpreters, 5 defence advocates, 4 magistrates, 1 district judge, 3 court clerks, and 4 crown prosecutors. The aim of the interviews was to elicit personal and professional experiences of PVL in all its aspects to see if there were any common themes.

5.1.1 *Interpreter responses*

All the interpreters in my sample preferred face-to-face contact with defendants. This coincides with the findings of Braun and Taylor (2011). Interpreters highlighted the loss of non-verbal as well as verbal signals that they would normally be receiving from a defendant in close physical proximity to them. They said that they needed these signals to supplement any auditory signal they might receive from speakers. One interpreter asserted that a good view of the face, and in particular, the *mouth* of the person on the screen was essential for her to be able to predict what the defendant was going to say. This is also highlighted by Braun and Taylor:

[...] non-verbal and visual clues are crucial for interpreting, and this is especially true when the interpreter faces listening comprehension problems.

(Braun and Taylor 2011:275)

All the interpreters complained that the shortcomings of the PVL equipment interfered to a greater or lesser degree with their ability to interpret; these included time delays, echoes, interference, poor lip synchronisation, electronic feedback, poor audibility, noise in the courtroom and blurred images. One interpreter said that direct access to defendants was important to gain valuable information from defendants and their DAs which might help her to anticipate language and terminology used in the case, and the other nine feared that they could not bring the attention of the court to the fact that defendants might not be able to hear or understand what was happening, something that interpreters were more likely to notice if they were sitting next to them.

5.1.2 *Magistrate and District Judge responses*

What emerges from this group is the contradictory nature of the responses. On the one hand, two of the Ms claimed that the two contexts were the same, but went on to say that PVL had disadvantages associated with lack of body language; they clearly implied that the quality of communication was inferior to that of a live appearance. Ms appeared unable to imagine themselves in the position of defendants and interpreters, and saw no problems in the extension of PVL for trial hearings, yet the same argument worked both ways. If Ms did indeed view PVL as inferior communication, it was inferior for interpreters and defendants too.

5.1.3 *Court clerk responses*

CCs are the ones who track speakers and control the images that the defendant receives in prison. Whilst the CCs in my sample found PVL speedier and more cost effective in processing cases coming up for review, they also seemed to be very aware of its limitations, highlighting such matters as audibility problems for defendants, potential disadvantages for DAs (and the communicative relationship with their clients), problems of image-speaker mismatch due to the limitations of the tracking system as well as unresolved issues about where interpreters should sit and how they should be tracked (see 4.6). There appeared to be no formal training for court staff to enable them to work effectively through an interpreter and no useful guidelines on the subject. Because of this there was inconsistency in their responses about interpreter seating positions; most thought they should sit on the front row next to DAs, some thought they should sit beside the CC, and some put the interpreter at the back of the court using the “private” telephone link intended for DAs (see 4.5). There are disadvantages with all of these positions as far as the communicative relationship between interpreter and defendant is concerned (see Sections 4.6, 7.1 and 8.4).

5.1.4 *Crown Prosecutor responses*

Like the CCs, the CPs in my sample were well aware of the advantages and disadvantages of PVL. They saw it as inferior to face-to-face communication, and would not want it for themselves if they were defendants. Two said they made active efforts to accommodate interpreters, consulting them about how they would prefer them to deliver their submissions, and modifying their language to simplify legal terminology. None seemed to expect interpreters to perform WSI in face-to-face cases. As far as they were concerned, interpreters had only *one* mode of interpreting at their disposal, and that was consecutive.

5.1.5 *Defence advocate responses*

All of the DAs in my sample appeared to regard PVL as an inferior form of communication, agreeing that important aspects of non-verbal communication were lost. This was a crucial element in the advice that DAs gave to defendants, as one of their professional duties required an on-the-spot evaluation of their clients' mental and physical state. Although some of this assessment would have been done at the first face-to-face encounter, some DAs still found this problematic at subsequent video encounters. In their view, this was potentially harmful to client's cases, especially where there were vulnerable defendants who were self-harmers or who had psychological problems. To one DA, the loss of non-verbal communication which was available to him in face-to-face encounters meant relying too heavily on listening rather than looking. As a result he thought he concentrated on the *content* of what was being said at the expense of the important non-verbal signals. Some DAs expressed doubts about the abilities of the interpreters who were engaged to work with them, in one case being unaware that WSI during face-to-face non-defendant-focused Moves was the accepted norm.

Conducting private consultations through interpreters in the pre-court booths (see 2.1.2) was problematic for all the DAs in my sample. They reported that the single handset and restricted room meant that they could see but not hear or speak directly to their clients, a matter of concern for them. One DA claimed that when clients spoke a little English and chose to reply in that language, that response was lost to the DA.

One DA made strategic use of the pauses in her submissions to gather her thoughts, signalling her presence in the courtroom to her PVL client by making a superfluous comment to the Bench of Ms. By doing so she gained "camera time". She intentionally did this in order to reassure her client (the defendant on the screen) that she was actively pursuing his interests. This would seem to indicate a need on the part of DAs making submissions to be "camera aware", thinking ahead about how their clients would perceive them in a way that they would not have to do if they were in a face-to-face court.

DAs thought defendants should *not* appear by PVL for trials because of possible suspicion on the part of the defendant about what does *not* appear on the screen. They considered that crucial disadvantages in trials would be the physical separation of defender from defendant, the inability of a defendant to scrutinise the faces of those he may be trying to convince of his case, difficulty in taking in-hearing instructions from a client (and consequently forcing an adjournment whilst this is done), the fact that *witnesses* would have to fragment their testimony in order to accommodate the interpreter working in consecutive mode, and the consequent lengthening of trials with the associated costs.

Most DAs seem to agree that in a straightforward review hearing where complex communication is *not* a feature, PVL can work well and aid the DA's task, though they were keen to point out that such complexities could never be predicted.

6. Prison observations

6.1 General comments

No study of PVL could ever be complete without gaining a prisoner's eye view of the video link process. I gained access to a London prison where I observed seven interpreter-mediated cases over two days. All the interpreters were based in outer London courtrooms together with the other court actors.

What emerged was that interpreter-mediated PVL worked much more effectively for those court actors who remained in the courtroom than it did for the remote defendant. The goals of court actors appeared to be different from those of the defendant; court actors wanted to process cases quickly, and interpreted communication with defendants took second place to this. This was mainly because of the type of hearing (defendants hardly spoke and court actors did not need to interact with them very much). Courts appeared to be sincere in the belief that they were successfully progressing cases through the system, though they had no recourse to feedback from defendants or prison officers about the audibility, comprehensibility or the coherence of the proceedings. Unless court actors go to a prison and sit next to defendants, they are unlikely ever to experience what it is like to be on the receiving end.

6.2 Tracking speakers: The prisoner's eye view

The problem of tracking speakers at the expense of the interpreter was one of the major sources of confusion to an observer in prison such as myself (see 4.6, 7.1

and 8.4). If the camera focused on a particular court actor while the interpreter made her renditions, the defendant was prevented from making use of any of her non-verbal signals to aid his comprehension. If the camera focused on the interpreter throughout, defendants were prevented from identifying speakers and where they sat in relation to the rest of the court. Allowing the camera to veer from CPs (when they were speaking) to interpreters (when they were making their renditions) was confusing and distracting for those watching, especially as images were jerky and blurred. Not allowing the defendant to choose where to look meant that he could only look at the speaker that was chosen *for* him by the CC. However, defendants might not always want to gaze at speakers but may wish to look at those whom they are addressing to see what effect their words are having on them.

Failure to match speaker with image caused considerable confusion during one of my observations. Because the camera was focused on the DA and the interpreter at the moment when the Ms retired to deliberate their decision, the defendant was unaware that they had left the court. The defendant (and myself) saw only the DA and the interpreter, who stood up (as the Ms left the main court), and sat down again. The sound was then switched off, but the camera continued to focus on the DA and the interpreter, who laughed and chatted together, unaware that the camera was still on them. No-one told the defendant what was happening, and this hiatus in the proceedings continued for at least twenty minutes until the Ms returned.

6.3 Lack of acknowledgment of the defendant

Failure to visually and verbally acknowledge defendants when CCs conducted the virtual tour of the court was another potential source of confusion. There is little point in conducting a virtual tour of the court if all that can be seen is the top of someone's head, the side of a face or an ear. The fact that courts often fail to conduct the virtual tour, or do it too cursorily (see Section 4.2), means that defendants have little chance of recognising speakers (whether it is their own DA or any other court actor) nor of understanding the layout of the court and the configuration and status of actors within it.

6.4 Insensitivity of Prison Officers

Prison Officers were sometimes insensitive to, or unaware of, the needs of non-English-speaking defendants in the video link room. They would sometimes open the door and talk to colleagues during the hearing, or failed to inform the court if

speakers could not be heard, or if there was interference on the link. Prison officers could perform a valuable role by informing the court of such problems.

6.5 Defendant back-channelling

Defendant back channelling (which occurs in both settings, see Section 4.10) seemed to be ignored by all court actors, including the interpreter based in the courtroom. It was possible that such back channelling could not be heard, especially if it occurred during overlapping speech. During my observation period, the date of birth of a Yoruba-speaking man was disputed during the defendant identification process. Although I heard him say his age in a low voice (in English) “fifty six, fifty seven” he was not heard by the main court. Back channelling does not always require an interpreter intervention, but his comment passed unnoticed, and may have been crucial to the proceedings.

6.6 Vantage points

My vantage point as an observer through PVL was quite different from that of a face-to-face defendant, who never sees close-ups of court actors. In general, when court actors in the main courtroom look at the defendant on the screen, their facial expressions and activities can be seen in much greater detail than in face-to-face cases. By contrast, the view that interpreters have of PVL defendants is a full frontal, though distant one.

6.7 Gaze patterns

My observations showed that court actors gazed more at PVL defendants than those in the dock. Some of the court actors in my sample gazed at the defendant at intervals throughout the hearings. In a face-to-face court only the Ms and the CC can do this unobtrusively, since advocates would have to move position to gaze at the dock. In one of the PVL hearings that I observed from the prison, a CP suddenly looked directly at a defendant before and during his submission, and the effect of his direct gaze felt rather intimidating.

6.8 The perception of being in a courtroom

It is difficult to imagine what the experience of a first appearance in an English court must be like for defendants who are also unable to speak the language. My

subjective perception of the PVL process from the prison end was that there was very little sense of being present in a courtroom. The fact that the camera focused mostly on individuals in close-up and rarely on the well of the court meant that the significance of different seating levels and the status of various court actors which would normally help to create the formality of the atmosphere were not apparent.

6.9 Audibility

Strange to say, the poor audibility of the speakers in the main courtroom sometimes contrasted with the relative clarity of some of the interpreters I observed from the prison; some, at least, seemed to make an effort to lean towards and speak directly into the microphone. Native-speaking defendants who do not require an interpreter would probably be at a disadvantage in this respect; in my sample, court actors in the main court who did not use the microphone effectively were often unintelligible.

6.10 Out-dated technology

Perhaps the greatest barrier to interpreter-mediated communication in the PVL court was the out-dated technology. Image quality was poor, and audibility was very variable, even amongst the same speakers within the same court. The system seemed to be prone to electronic interference, time delays and poor synchronisation of sound and image. Screens in the courts were often too small to be useful to an interpreter, and the picture within the picture (PIP) often obscured part of the defendant's face. Inadequate lighting meant that the features of darker-skinned defendants could not be made out (see Ellis 2004). Finally there was the recurring problem of communication within the pre-court booths where defendants could not see or hear their own DAs (see Sections 4.3 and 5.1.6).

7. Conclusions

7.1 Problems created by PVL in interpreter-mediated cases

Even if state of the art video conferencing systems were to be installed in courts throughout England and Wales, if audibility, image jerkiness and quality were no longer at issue and if all of the recommendations set out in the Braun and Taylor

(2011) report were to be adopted and implemented, there would still be problems associated with interpreter-mediated PVL communication which could be challenging to resolve, especially in terms of camera configurations. These are as follows:

1. The problem of finding an appropriate and dedicated seating position for the PVL interpreter which takes account of the need for neutrality, optimum audibility and visibility of both court actors and defendants. The seating position must allow the interpreter to have full frontal views of all the speakers, including the defendant.
2. The problem of how to track speakers in the PVL court so that defendants can choose whether to look at the interpreter or the current speaker, bearing in mind that a part of the screen is already occupied by the picture in picture.
3. The problem of which speakers to track so that the defendant can see the *whole* of the PVL court, together with *each* speaker *and* the interpreter.
4. The problem of eliminating the extraneous sound made by court actors which is magnified to the point where audibility between the defendant and the interpreter is often compromised. This is a technical problem which could be partly overcome if each PVL court had a soundproof booth (in which case the defendant would not be able to see the interpreter) or if court actors used lapel microphones.
5. The danger of the court (and the interpreter) not being able to hear significant defendant back-channelling.
6. The sole use of consecutive interpreting mode for both defendant-focused and non-defendant-focused Moves, which encourages fragmentation of advocates' submissions to the point where their rhetorical style can be compromised and which can create a cognitive processing problem for both interpreters and PVL defendants.
7. The unsatisfactory arrangements for communication between interpreter, defendant and DA in pre-court booths, which impacts disproportionately upon non-English-speaking defendants.

8. Recommendations

The most urgent need is for the training all court actors so that interpreters can become properly ratified members of the court team (see 4.7).

8.1 Training for Magistrates and District Judges

In the first instance Ms and District Judges should be specifically targeted so that they can sensitise themselves and other court actors to the requirements of the court interpreter, and, in particular to her professional needs in a PVL courtroom. After all, it is Ms and District Judges who preside over the court and who are the ultimate arbiters.

8.1.1 *Acknowledging the defendant*

All court actors should stop what they are doing during the CC's virtual tour (see 4.2) and formally greet defendants on the screen. As they do so they should show a full frontal view of their face. This is not only a matter of courtesy, but is also a powerful aid for defendants to orientate themselves in relation to the vocal and physical identification, position and status of individual court actors. Making occasional eye contact with defendants *during* submissions or other speeches is good practice too, as it provides visual continuity for a foreign language-speaking defendant and further aids his orientation towards the layout of the court. DAs should gain "camera time" by verbally signalling their presence to the defendant, even if they are not strictly required to make any representations.

8.1.2 *Pre-court consultations*

The practice of using booths and single handsets for DAs and interpreters (see 4.3 and 5.1.6) is highly detrimental to non-English speaking defendants, and the system should be replaced by that already in use in the newer Crown Courts, where handsets have been replaced by integral microphones.

8.2 Prison Officers

Prison Officers often complained to me about the difficulty of hearing court actors, yet sat next to defendants without raising this with the court. They are in an ideal position to inform the court of this, as defendants themselves (especially non-English-speaking ones) will probably be reluctant to do so.

8.3 Advantages of PVL

There are elements in a PVL hearing that could easily be exported to a face-to-face hearing to the advantage of the defendant and interpreter alike. The tour of the court, which is available to PVL defendants, could provide a useful orientation

for any foreign-language speaking defendant not used to the layout of an English courtroom. The prominent seating position of the PVL interpreter could also be exported to the face-to-face court together with the installation of simultaneous interpreting equipment, which would create better working conditions for court interpreters and enable interpreters to perform simultaneous interpreting without whispering, like conference interpreters.

8.4 Training of interpreters

Not only are PVL interpreters highly visible, they are also highly audible because they have to use CFV throughout a hearing, rather than a combination of CFV and WSI as in face-to-face hearings. If interpreters are not trained in the use of WSI they may well find PVL work easier than dock interpreting. PVL interpreters usually sit next to DAs in the well of the court, so their renditions can be heard throughout the hearing. The effect that PVL has upon interpreters appears to be that their professional practice, such as it is, is exposed and opened up to the gaze of the court.

My observations, audio-recordings and interviews with interpreters demonstrated that they appeared to have had little training in face-to-face court interpreting, and none in the use of PVL. Interpreters showed a tendency to defer to the court in matters which were properly part of their own professional remit (such as being formally sworn in or the best place to sit in a PVL court), often failing to intervene to request accommodation to the interpreting process, and remaining silent for long periods when they should have been interpreting. None of the interpreters I observed took notes. This seemed to be testament to a lack of competence as well as a lack of a theoretical and ethical underpinning to their work. Court interpreters need proper training and, of course, training in the specialised requirements of PVL interpreting so that they are aware of its limitations and can maximise every opportunity for good quality communication.

8.5 The future of video link

Current preoccupations with convenience, cost effectiveness and trends worldwide, as well as the global nature of the administration of justice, mean that virtual courts will become more widespread. So far, interpreted PVL in English/Welsh Magistrates and Crown Courts has been restricted to review and non-evidential hearings. There remain doubts about its fairness if extended to interpreter-mediated evidential hearings.

Article 14(d) of the International Covenant on Civil and Political Rights (1976) came into force well before routine videoconferencing in criminal proceedings could have been envisaged. It states:

[...] in the determination of any criminal charge against him, everyone shall be entitled to the following minimum guarantees, in full equality:

(d) To be tried *in his presence*, and to defend himself *in person* or through legal assistance of his own choosing....

“Looking one’s accuser in the eye” is one of most ancient of judicial rights, the bedrock upon which the art of cross-examination in English common law is based. Porcius Festus, procurator of Judaea between AD 59–62, said:

It is not the manner of the Romans to deliver any man up to die before the accused has *met his accusers face-to-face*, and has been given a chance to defend himself against the charges. (italics mine) (Porcius Festus, a Roman governor)

There can be little doubt that video link interferes with this right, and that a PVL defendant cannot really “look” his accuser in the eye. “Presence” is a crucial element in a trial and appearing on a screen is not an appropriate substitute. Researchers from the disciplines of law, interpreting, philosophy and linguistics should jointly explore these over-arching issues which disproportionately affect foreign language-speaking defendants and which may have implications for the quality of justice itself.

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Who is speaking?

Interpreting the voice of the speaker in court

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This study examines how interpreters represent the voice of judges and counsel versus that of lay participants in the interpreted talk, using three interpreter-mediated criminal trials from the Hong Kong courts. The findings reveal a consistent shift from direct to reported speech or an omission of first-person reference when interpreting legal professionals' utterances from English to Chinese – a phenomenon which existing literature does not seem to be able to explain satisfactorily. This study seeks to add a new dimension to the issue and argues that the differentiated interpreting styles may have stemmed from the interpreters' uneasiness in assuming the voice of the powerful participants due to the power asymmetry in the courtroom. This study also discusses the impact of the interpreting styles on the role of the court interpreter and on the illocutionary force of the speech act.

1. Introduction

There is an institutional rule that interpreters should always interpret in “the same grammatical person as the speaker of the source language” (NAJIT 2004) or in other words “using the first person as if the interpreter does not exist” (ITIA 2009), and researchers in general agree to this rule of first-person interpreting (see Colin and Morris 1996; Gentile, Ozolins and Vasilakakos 1996; Harris 1990; Wadensjö 1998).

In courtroom interpreting, there is a myth about the role of the court interpreter as a mere *conduit* or a translation machine. It is believed that the conception of the court interpreter as a *conduit* arose from the need to overcome the evidentiary problem of excluding hearsay evidence (Fenton 1997; Laster and Taylor 1994). In the common law tradition, evidence overheard or acquired second-hand is not admissible. This means that when a case involves an interpreter, what the parties hear is technically second-hand information, that is, hearsay

evidence. However, with the interpreter perceived as a machine – a non-human – the problem of hearsay evidence is solved.

The use of direct speech thus helps obscure the interpreter's presence and creates the illusion of direct and dyadic communication between the interlocutors as if the interpreter were invisible or a *mere conduit*, though the invisibility of the interpreter has been proven to be more of a myth than a reality by studies conducted over the past two decades (e.g. Berk-Seligson 1990; Hale 2004; Morris 1995; Wadensjö 1998).

On the other hand, the use of indirect speech inevitably highlights the presence of the interpreter and may give rise to the problem of hearsay evidence. For example, when the interpreter renders a defendant's guilty plea in indirect speech (i.e. "He says he's guilty"), the record reflects the voice of the interpreter, not of the defendant, and the plea may thus be considered void and subsequently nullified (NAJIT 2004).

2. The use of reported speech in interpreting

Despite the prescription of first-person interpreting known to the profession, empirical studies over the past two decades demonstrate that interpreters, trained or untrained, depart from this norm and from time to time lapse into the use of third-person interpreting intentionally or unwittingly (e.g. Angermeyer 2009; Berk-Seligson 1990; Bot 2005; Dubslaff and Martinsen 2005; Leung and Gibbons 2008; Wadensjö 1998; Cheung 2012).

In a study of the US courtroom, Berk-Seligson (1990:115–116) finds that many interpreters avoid the subject pronouns "I" and "you" (particularly when the judge is pronouncing sentence) by changing active to passive voice, thus doing away with the subject pronoun, by adding "the judge" after the first-person pronoun "I" ("I, the judge"), or by simply referring to the judge in the third person. Berk-Seligson sees the interpreter's switch from first-person to third-person reference as a self-protective device against the wrath of the defendant, who might conclude that the interpreter is speaking for him/herself.

In her study of interpreter-mediated psychotherapeutic dialogue between patients and therapists, Bot (2005) finds that the three interpreters, all professionals who had received official training in interpreting and passed the examinations to be included in the Dutch Interpreter and Translation Centre's roster of interpreters, frequently deviate from the "direct translation" style prescribed by the Centre, by either introducing a reporting verb at the beginning of a rendition, or by changing the personal pronoun "I" to "he" or "she". While the study shows variations in the interpreters' choices between "direct translation" ("I went to school"),

“indirect translation” (“he went to school”), “direct representation” (“he says I went to school”) and “indirect representation” (“he says he went to school”), the most frequent form used by the interpreters is “direct representation”, which is “nearly always used for renditions of therapists’ turns” (Bot 2005:250) and the next most frequent form adopted is “direct translation”, predominantly used for the renditions of patients’ turns. Bot suggests that interpreters’ deviation from direct translation style may originate from the fact that “they may feel the need to distance themselves from the words they translate and may have doubts regarding the primary speakers’ understanding of their role” (2005:244).

While the subjects of Bot’s study are all professional interpreters with formal training in interpreting, the four subjects in Dubsloff and Martinsen’s study (2005) on interpreters’ use of direct versus indirect speech in simulated interpreter-mediated medical interviews are all untrained interpreters. Like Bot, Dubsloff and Martinsen’s study also indicates that the interpreters shift from first to third-person reference either to distance themselves from the source speaker or to disclaim responsibility for the source speaker’s utterance when there is an interactional problem.

Leung and Gibbons (2008) go further to suggest that the interpreter’s shift from first to third-person reference has to do with his/her personal belief and ideology. Their observations of a rape case in Hong Kong show that when counsel expresses something which the interpreter does not agree with or finds offensive, he/she interprets in the third person by specifying who the principal is (to draw on Goffman’s (1981) participation framework). What can be inferred from Leung and Gibbon’s argument is that the content of an utterance has a direct bearing on the interpreting style adopted, and that when the speaker expresses something perceived to be offensive, the interpreter would use reported speech to make it clear to the audience that he/she is simply the animator, not the principal, of the source speaker’s words. This can also be viewed as an attempt on the part of the interpreter to disclaim responsibility for and thus to distance her/himself from the utterances made by the source speaker.

In a study of interpreter-mediated court proceedings in three Small Claims Courts in New York City to investigate how interpreters represent the voices of the source speakers, Angermeyer (2009) observes that all fifteen interpreters, mostly full-time professionals employed by the court system having passed an official proficiency examination, use third person from time to time to refer to the source speakers, though the frequencies of this third-person interpreting vary from interpreter to interpreter. A quantitative analysis of the data shows that interpreters overall use third-person reference more frequently when it is the voice of an English-speaking litigant or arbitrator that they are interpreting than when the source speaker is a speaker of the LOTE (language other than English). In

terms of the direction of interpreting, interpreting from the LOTE into English is “nearly invariantly” done in the first person (Angermeyer 2009: 11), whereas interpreting from English into the LOTE is mostly done in the third person.

One of the reasons suggested by Angermeyer is that the use of first-person interpreting illustrates that interpreters “are less likely to explicitly indicate non-involvement with their fellow native LOTE speakers than with other participants who speak English or another language” (ibid.) because most interpreters are themselves immigrants and non-native speakers of English. This view is shared by Dubslaff and Martinsen (2005), who suggest that interpreters’ preference for direct address with speakers of their mother tongue may reflect their sympathy with their compatriots, in line with Anderson’s view (2002: 211) that interpreters in general are more likely to identify with speakers of their dominant language or mother tongue than with speakers of their other language, i.e. non-native language. This necessarily means that by representing the voice of an English speaker (litigant or arbitrator in this case) in the third person, the interpreter is emphasizing his/her non-involvement in the utterances of the speaker – a widely adopted view of third-person reference as a distancing tactic in the interpreting studies mentioned above.

Another reason suggested by Angermeyer is that interpreters, when interpreting into English, are mindful of the professional norm that prescribes first-person interpreting. If interpreting is done in the third person, arbitrators, other interpreters or anyone concerned with upholding the institutional norms can notice their “non-normative behaviour” (Angermeyer 2009: 11); whereas when interpreting from English into the LOTE, the LOTE-speaking litigant is the exclusive audience, and such litigants may have no knowledge about the institutional norms and are thus less likely to object to the use of third-person reference. Angermeyer (2009: 19) views these deictic shifts as a form of accommodation, citing Giles, Coupland and Coupland (1991), and as addressee design following Bell’s model of audience design (Bell 1984: 161).

Other shifts, observes Angermeyer (2009), are made for pragmatic reasons. For example, where there are multiple English-speaking participants speaking at the same time, the interpreter finds it necessary to specify who the speaker is by using a reporting verb at the beginning of a direct translation, using what Bot (2005: 246) terms “direct representation”. For an interaction between the arbitrator and the English-speaking litigant, where the LOTE speaking litigant is an overhearer rather than the addressee, with *chuchotage* provided to him, pronoun shifts are deemed necessary to avoid confusion. Angermeyer finds these “addressee-related deictic shifts” relatively common in his data even with interpreters who generally adhere to the first-person rule (Angermeyer 2009: 17). The use of reported speech in *chuchotage* in court should thus be regarded as an exception to

the rule. For the purpose of my study, analyses are focused on interpretation in the consecutive mode.

Cheung's (2012) recent study of interpreter-mediated trials in Hong Kong courts demonstrates that court interpreters observe the first-person interpreting norm when interpreting from Cantonese to English, but deviate from it when interpreting from English to Cantonese. The findings of Cheung's study are similar to mine as will be demonstrated by my data, though Cheung's findings do not include the omission of first-person reference in the Cantonese interpretation, which is pervasive in my data. In line with Angermeyer's (2009) observations, Cheung suggests that the use of reported speech has a function of minimizing potential confusion "by identifying the interpreter, the different source-language speakers and multiple voices in an interpreted utterance" (Cheung 2012: 83). Following Clayman's (2007: 243) argument that the use of reported speech by interviewers in broadcast news interviews is to present themselves as speaking on behalf of the public and to "invoke a powerful symbolic resource", Cheung argues that interpreters also use reported speech to present themselves as "speaking on behalf of a party with more authority" (Cheung 2012: 76) when interpreting legal professionals' utterances. He thus suggests that the use of reported speech has the pragmatic function of adding illocutionary force to the interpreted utterances "by indicating to the listener that what is to come is significant" (Cheung 2012: 86).

3. Aim and scope of the study

This study examines how interpreters represent the voice of judges and counsel versus that of lay participants in the interpreted talk in the Hong Kong courtroom. It focuses on interpreters' treatment of legal professionals' first-person reference and its Chinese counterpart used by non-English-speaking witnesses or defendants and compares the interpreting styles adopted by court interpreters. This study aims to add a new dimension to the issue and will also discuss the impact on the role of the court interpreter and on the illocutionary force of the speech act associated with the shift of interpreting styles.

4. The bilingual Hong Kong courtroom

Hong Kong is described as having one of the most "interpreted" legal systems in the world (K. H. Ng 2009: 120). For over a century under the British colonial rule, English was the only official language in Hong Kong. Trials in all courts were conducted in English only. With the establishment of Chinese as the other official

language in 1974 followed by the changeover of Hong Kong's sovereignty in 1997, lower courts have seen in the past decade an increasing number of cases being heard in the local dialect, i.e. Cantonese. In the High Court, however, English remains a dominant court language. Statistics from the Department of Justice of Hong Kong reveal that only 32.9% and 26.8% of the criminal cases were heard in Cantonese in 2011 in the District Court and the High Court respectively (see Ng 2013).

Where a trial is conducted in English, court interpreting service is indispensable given the predominantly Cantonese-speaking population in Hong Kong (cf. E. Ng 2009; Ng 2013), and thus the language in which witnesses/defendants testify is usually Cantonese. Court interpreting in Hong Kong is therefore routinely provided for the linguistic majority instead of the linguistic minority as is the case in most other jurisdictions (see Cheung 2012; Ng 1997; E. Ng 2009; K. H. Ng 2009).

With the ubiquity of interpreters in the courtroom, the Judiciary of Hong Kong has a very large pool of full-time and part-time interpreters.¹ Full-time interpreters are mostly permanent staff and civil servants, whose working languages are usually English and Cantonese, though many of them nowadays also speak Mandarin (now known as *Putonghua* in Mainland China), and some even speak one or more other Chinese dialects. Part-time interpreters, on the other hand, usually work from Cantonese into other Chinese dialects and vice versa, or between English and other foreign languages.

Strange as it may seem, the Judiciary of Hong Kong provides a set of guidelines for part-time interpreters, but NOT for full-time interpreters.² In respect of the use of direct speech, the guidelines state under the heading "Etiquette":

A Part-time interpreter must interpret faithfully – without addition or omission – everything said in court.... Where a charge is put and a plea taken from the accused, his/her answer to the **charge must be interpreted in full and in the** (sic) **direct speech.** [original emphasis] (Judiciary 2003:3–4)

Here emphasis is laid on the requirement for the accused's plea to be rendered in direct speech, which is apparently made out of the major concern that the use of reported speech might lead to the nullification of guilty pleas as pointed out in the NAJIT position paper (NAJIT 2004). Nothing is said in the guidelines about the interpreting style to be adopted for the accused's other utterances or utterances

1. According an email reply dated 21 June 2010 from the Judiciary Administration, the Judiciary has 140 full-time court interpreters, supplemented by a pool of 323 part-time interpreters.

2. Presumably these guidelines also apply to full-time interpreters.

produced by other participants in court, which presumably is left entirely to the discretion of individual interpreters.

5. Data and methodology

The present study represents a small portion of my PhD research project which explores the interactional dynamics in the bilingual Hong Kong courtroom. The data for my PhD research comprise 111 hours of audio recordings of nine trials from the three levels of criminal courts in Hong Kong. The audio recordings were transcribed, following (and adapting) conventions for transcribing conversations (Silverman 2006), with information containing personal data changed or concealed to ensure anonymity and confidentiality.³ See abbreviations and transcription symbols used in this study in the Appendix.

This study adopts both a quantitative and a qualitative approach, and focuses on three cases, namely, Magistrates' Court (MC1), District Court (DTC4) and Court of First Instance of the High Court (HC9). MC1 is a theft case involving two interpreters (Interpreter A and Interpreter B), but at different times, one for the plea-taking day, and the other for the trial day. DTC4 (a drug trafficking case) involves one interpreter, Interpreter C. HC9 is a murder case, which involves a Mandarin-speaking witness, while the language spoken by the defendant and the other witnesses is Cantonese. In this case, the Mandarin testimony is directly interpreted into English by the staff interpreter who speaks also Mandarin. However, this case involves a second interpreter: when the staff interpreter is rendering the Mandarin testimony into English, and counsel's questions into Mandarin, another interpreter is providing whispered interpreting into Cantonese for the Cantonese-speaking defendant, who would otherwise have no access to the interaction in Mandarin and English. However, since whispered interpreting is barely audible, it could not be included in this analysis. Therefore only one interpreter (Interpreter D) from HC9 is included in the analysis. In terms of seniority, the two interpreters working in the magistracy case, MC1, are the most junior, while Interpreter D, who works in the High Court, is the most senior of the four.

3. I was awarded a grant to help with the transcription of the data by Leung Kau Kui Research and Teaching Endowment Fund of the University of Hong Kong, for which I am indebted.

6. Quantitative results and analysis

Table 1 shows the occurrences of first-person reference produced by counsel and judges in the three cases and their rendition in Chinese.⁴ Since the data reveal that interpreting into English is always done in the first person by all the four interpreters, it is deemed unnecessary to quantify its occurrences, although examples will be drawn from the transcript to illustrate this direct interpreting style.

The results show no instances of the interpreters rendering a first-person reference into its Chinese equivalent. A first-person reference is either changed into a third-person reference, or omitted in the Chinese interpretation. On the other hand, the Chinese first-person pronoun *ngo*⁵ is always rendered into English in the first person.

Table 1. Quantitative results of first-person references produced by Counsel/Judges and their rendition in Chinese

Cases	MC1 Theft <i>Magistrates' Court</i> 2007 <i>Interpreters A and B</i>	DCT4 Trafficking in dangerous drugs <i>District Court 2005</i> <i>Interpreter C</i>	HC9 Murder <i>High Court 2007</i> <i>Interpreter D</i>
First-person reference (I, me, my) produced by counsel/judges	42 (out of 2,001 turns, including the interpreter's turns)	62 (out of 3,581 turns, including the interpreter's turns)	78 (out of 6,758 turns, including the interpreter's turns)
Instances of first-person reference rendered as their Chinese equivalents	0	0	0
Instances of first-person reference changed to third-person reference in Chinese interpretation	24 (57.1%)	50 (80.7%)	31 (39.7%)
Instances of first-person reference omitted in Chinese interpretation	18 (42.9%)	12 (19.3%)	47 (60.3%)

4. My presentation at the 2010 Critical Link Conference was based on a smaller corpus. My recently completed PhD thesis, based on a larger set of data, has yielded similar findings as regards the interpreters' strategies for interpreting the voice of the source language speaker.

5. Romanisation of Cantonese characters in this study is based on *Jutping*, a Cantonese Romanisation system developed by the Linguistic Society of Hong Kong. This system distinguishes 6 tones in Cantonese and the number at the end of a syllable is a tone marker.

6.1 Substitution of judges' and counsel's first-person reference with third-person reference in Chinese interpretation

In Example 1, the defendant, a primary school teacher charged with theft, is appearing in court in person for the first time. The magistrate is advising her to retain the services of the Duty Lawyer Scheme.

Example 1. (MC1 – Theft; Interpreter A; English↔Cantonese)

- 1 J Er well, you are eligible for the Duty Lawyer Scheme. And I would as you are pleading not guilty, er I would uh advise you uh to retain the services for the trial.
- 2 I 其實你呢係有資格可以用當值律師嘅服務㗎，既然你宜家不認罪吓，**法官**就話你最好都係呢，係審訊嘅時候，聘請當值律師代表你。
In fact, you are eligible for the duty lawyer service. Since you have now pleaded not guilty, the judge said it's better for you to retain a duty lawyer to represent you at the trial.
- 3 D Er**我**自己搵律師。
Uh I'll get a lawyer myself.
- 4 I I'll get a lawyer myself.
- 5 J You you can you've got the financial (.) means to do that?
- 6 I 你自己::有錢可以請倒私人律師，係咪呀？
You yourself::f have the money to retain a private lawyer, is that right?
- 7 D (2) **我**自己諗辦法。
(2) I'll work it out myself.
- 8 I I'll think of a way to do it.
- 9 J Well, I said the other option is em duty lawyer scheme, which will cost you
- 10 I Um
- 11 J Er:: a maximum four hundred dollars.
- 12 I 正如呢**法官**所講啦，其實你仲有另一個選擇嘅，就係去搵當值律師。當值律師呢最多都係要俾四百蚊㗎啫。
As the judge said, as a matter of fact, you have another option, that is, to seek help from a duty lawyer. A duty lawyer will cost you a maximum of only four hundred dollars.
- 13 D Er **我**自己諗辦法
Uh I'll work it out myself.
- 14 I I'll think of the way myself

Note that the interpreter has rendered the first-person pronouns “I” uttered by the magistrate in turns 1 and 9 in the third person, referring to him in his official capacity, *faat3gun1* 法官 (judge) in turns 2 and 12, whereas all the three first-person pronouns *ngo5* 我 (I) in turns 3, 7 and 13 have been rendered into English as “I” in turns 4, 8 and 14.

Examples 2 and 3 illustrate a similar approach adopted by different interpreters in their renditions of utterances by counsel and witnesses.

Example 2. (MC1 – Theft; Interpreter B; English↔Cantonese)

- 1 PC Alright now. I put it to you that er you are not telling the truth
 2 I 佢話你講大話喎，你同意嘛？
She said you're lying, do you agree?
 3 D 我有偷嘢。
I didn't steal.
 4 I I didn't steal anything

Example 3. (DTC4 – Trafficking in dangerous drugs; Interpreter C; English↔Cantonese)

- 1 DC So I was right when I put to you that he was present in the premises of the defendant?
 2 I 噏，咁就辯方大律師頭先指出話呢個名偵緝警長呢當時呢就係個er單位裡面有在場，向你指出呢個事情嘅時候，咁辯方大律師講法咪啱囉？
So when the defence counsel put to you just now that this detective sergeant was at the premises at that time, so in pointing this fact out to you, the defence counsel was right, wasn't he?
 3 W 我唔明個意思。
I don't understand the meaning.
 4 I I don't understand what you mean.

6.2 Omission of judges'/counsel's first-person reference in Chinese interpretation

Another common strategy as demonstrated by my data, accounting for 42.9% in MC1 and 60.3% in HC9 (see Table 1 above), is for the interpreter to omit judges'/counsel's first-person reference in the Chinese interpretation. Example 4 below illustrates the omission of the subject pronoun “I” in the Cantonese interpretation, which is sometimes allowed in the grammar of Chinese, if the context is sufficiently explicit, though sometimes there is potential for ambiguity.

Example 4. (HC9 – Murder, Interpreter D; English↔Cantonese)

- 1 PC Sir, I just asked you if it was accurate, and you say “yes”
- 2 I 咁頭先 ϕ 咪就係問你嗰幅圖嗰幅草圖呢，係咪正 uh 準確，你又話係嘅
Just now ϕ asked you if the sketch was cor uh accurate, didn't you say it was?

Note that the interpreter has omitted the subject to avoid the need to insert a first-person (or third-person as is general practice) subject in the Cantonese interpretation.

At other times the interpreter is found to omit the whole phrase that contains first-person reference altogether as in Example 5, thus dispensing with the need to deal with this first-person reference in the interpretation and in so doing, she has turned a suggestion or hypothesis into a declarative statement.

Example 5. (HC9 – Murder, Interpreter D; English↔Mandarin)

- 1 DC Well, <throat clearing sound>, **what I suggest is that** er you had had a number of verbal scolding and arguments with the tenant, is that right?
- 2 I ϕ 其實你跟這個租客互相大家口角，互相對罵，對嗎？
 ϕ In fact you and this tenant had a verbal argument and scolded each other, is that right?

As the use of reported speech is generally regarded as unprofessional and deviating from the norm of first-person interpreting, this omission strategy can be regarded as an effort on the part of the interpreter to compromise the need to comply with the norm and to avoid assuming the voice of the legal professionals.

The following section will test the applicability of the arguments proposed in existing studies to this interpreting phenomenon.

7. Arguments put forward in existing studies

7.1 “Disassociation” theory

As demonstrated above, the majority of the research on the use of reported speech in interpreting suggests its use as the interpreter’s distancing strategy to disclaim responsibility for what is said by the speaker, especially remarks that may offend the addressee – what I call the “disassociation” theory. The above-cited examples, however, show little correlation between the content of the utterances and the court interpreter’s style of interpreting. In Example 1, for instance, the magistrate is not delivering a verdict or passing a sentence, but is merely advising the defendant on her right to legal representation, so it does not make much sense

to presume that the interpreter wants to be disassociated from the magistrate's utterances by opting for third-person interpreting. What the magistrate is saying is certainly not something offensive or face-threatening to the defendant. On the other hand, the defendant appears to be rather insistent in her refusal of the magistrate's suggestion. Following the disassociation theory, one would expect to see the interpreter adopting a first-person interpreting style for utterances made by the magistrate and a third-person interpreting style for utterances of the defendant but this does not happen here.

In Examples 2 and 3, the disassociation theory may explain why the interpreters choose to interpret counsel's turns in the third person, i.e. to disclaim responsibility for their accusation/suggestion. However, by interpreting the defendant's and the witness's responses in the first person, one may reason that the interpreters do not choose to disclaim responsibility for the defendant's denial of lying in Example 2 and the witness's failure to understand counsel's question in Example 3. Thus the disassociation theory can only explain the interpreters' behaviour in part, not in full.

7.2 "Accommodation" theory

Angermeyer's (2009) accommodation theory does not seem to apply to the case of Hong Kong either. Unlike the LOTE speakers, who are the linguistic minority, or what he calls "exclusive audience" of the LOTE interpretation in court, Cantonese speakers (equivalent to the LOTE speakers in Angermeyer's study), are in fact the linguistic majority in court. The Cantonese interpretation in a trial conducted in English is not exclusive to the Cantonese-speaking witnesses and defendants, but is also accessible by most of the people in court including those in the public gallery and the bilingual legal professionals, who will also be able to tell if the interpreter's performance is "normative". Therefore, the accommodation theory too fails to explain the interpreting phenomenon in the Hong Kong courtroom.

7.3 Identification with mother-tongue speakers

One may argue that the interpreter's choice between direct and reported speech may conform to what I term the "mother tongue identification theory" proposed by Anderson (2002), echoed by Dubslaff and Martinsen (2005) and Angermeyer (2009). Again this argument alone cannot explain the interpreting phenomenon in the Hong Kong courtroom. In HC9, for example, the language spoken by the witness is Mandarin, which the interpreter – a staff interpreter – speaks as her

other language, not as her mother tongue. Her choice between direct and reported speech is nonetheless consistent with other interpreters in this analysis.

7.4 A pragmatic function to add illocutionary force to interpreted utterances

Cheung's (2012) argument that court interpreters use reported speech to indicate to the addressee that they are speaking for a party with more authority, thus adding to the illocutionary force of the interpreted utterances, seems to be able to explain why interpreters substitute the first-person reference with a third-person reference by referring to the speaker in his/her official capacity (Examples 1 and 3). However, this argument cannot account for the omission strategy adopted by the interpreters in Examples 4 and 5, which as noted above, are pervasive in my data for this study as well as in the larger set of data for my doctoral research (Ng 2013). For this argument to be substantiated, one would expect to see court interpreters using reported speech for all the utterances (or at least for aggressive and face-threatening remarks) made by legal professionals. The reality is that reported speech is used only for rendering utterances containing legal professionals' self-references, most of which in my data are not reproduced but omitted in the Chinese interpretation. This renders Cheung's argument debatable.

8. A new dimension on interpreters' strategies for interpreting the voice of source language speakers

As the findings of the present study show an overt and consistent effort by the interpreters to avoid reproducing legal professionals' first-person references in the Chinese interpretation, either by the use of reported speech, or by omitting them altogether – a phenomenon which arguments advanced in existing literature do not seem to be able to explain adequately, I suggest that this has to do with the interpreters' perception of the power asymmetry in the hierarchical setting of the courtroom.

8.1 Power asymmetry in the adversarial courtroom

The imbalance of power between legal professionals and lay-people involved in the judicial process is manifest in the adversarial common-law courtroom (see Atkinson and Drew 1979; Cotterill 2003; Gibbons 2008; S. Harris 1984; Maley

and Fahey 1991; Walker 1987; Woodbury 1984). The three sources of power enjoyed by legal professionals over lay participants include a sociocultural base of power stemming from their roles as authorised participants to resolve disputes in a recognised societal institution, a legal base of power, which stipulates attorneys' right to ask questions and at the same time impose sanctions against those refusing to answer, and a linguistic base of power, which originates from the right to ask questions and thus to manipulate the question forms in order to control the answer to the question put (Walker 1987:58–59).

8.2 The interpreter's uneasiness in assuming the voice of powerful participants

The requirement for the interpreter to assume the voice of the source speaker necessarily means that interpreters have to play two roles at the same time, as both powerful and non-powerful participants. The fact that interpreters in the Hong Kong courtroom choose to assume the voice of the non-powerful, but not that of the powerful participants, may suggest that they are uneasy in assuming the voice of the powerful participants. A questionnaire administered to court interpreters on the use of direct versus reported speech has lent support to my argument (for a detailed analysis of the questionnaire results, see Ng 2011).

This may also explain why the arbitrators' and English-speaking litigants' turns are mostly interpreted in the third person in Angermeyer's study (2009). Arbitrators, with the right to decide on the outcome of a litigation, are necessarily considered powerful participants in the litigation. English-speaking litigants, who speak the language of the court, are naturally deemed to have more power than those who do not.

The interpreter's consciousness of the power asymmetry in discourse (Fairclough 1989) may also explain why in Bot's study (2005) interpreting for most of the therapist's turns is done in the third person (*direct representation*) while interpreting for the patients is mostly done in the first person (*direct translation*). In a medical consultation, the therapist, in his/her recognised role as one professionally authorised to treat the patient, is deemed to be in a more powerful position than the patient.

9. Impact of third-person interpreting

9.1 Invisibility and neutrality of the interpreter

As noted above, the use of reported speech brings in the interpreter's own voice thus calling into question the interpreter's invisibility. The shift in "footings" (Goffman 1981) may also be seen as the interpreter's alignment or disassociation with the source language speaker, thus problematizing the interpreter's neutrality and impartiality. By interpreting lay-participants' utterances in the first person, and those produced by legal professionals' in the third person, court interpreters are arguably aligning themselves with the powerless, but not the powerful participants in the courtroom.

9.2 Impact on illocutionary force of the speech act

As noted in Section 2, Cheung suggests that the use of reported speech by court interpreters has the pragmatic function of enhancing the illocutionary force of the interpreted utterances by "alerting listeners to the gravity of what is to come" (Cheung 2012: 86). He argues, following Clayman (2007: 242–243), that reported speech could be used by court interpreters as a strategic device to neutralize and legitimize aggressive and challenging questions in the adversarial courtroom (Cheung 2012: 76–77). One may thus argue that the use of reported speech may have an impact on the illocutionary force of the speech act, by either reinforcing or neutralizing it. Following Cheung's argument, in Example 2 for instance, the use of reported speech on the one hand indicates to the addressee that the accusation comes from a party with authority and thus deserves her serious attention; on the other hand, it has arguably the function of "neutralizing" the accusation and making it less confrontational or face-threatening.

There is also the possibility of semantic ambiguity associated with the omission of first-person references in the Chinese interpretation, which is discussed in more detail in my doctoral thesis (Ng 2013).

10. Conclusions

In this paper, I have demonstrated that interpreting *from* English in the third person and *into* English in the first person is a practice commonly adopted by interpreters in the Hong Kong courtroom. I have illustrated with both quantitative results and examples that the interpreter's effort to avoid assuming the voice

of legal professionals is manifest not only in the use of reported speech, but also in the omission of legal professionals' self-references in the Chinese interpretation. I suggest that this practice has more to do with the power asymmetry in the hierarchical setting of the adversarial courtroom than with any pragmatic consideration. I argue that it is the interpreter's consciousness of this power differential between the legal professionals and the lay-participants in the judicial process that leads them to shy away from assuming the voice of the powerful participants, many of whom are bilingual and have access to the Cantonese interpretation. This argument is supported by the results of a questionnaire subsequently administered with court interpreters (see Ng 2011).

This paper has also discussed the potential impact of the shift of interpreting styles on the neutrality of the interpreter and on the illocutionary force of the speech act, both of which remain to be empirically tested and which warrant further exploration.

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Appendix: Abbreviations and transcription symbols

Abbreviations

J = Judge/Magistrate

I = Interpreter

D = Defendant

DC = Defence Counsel

P = Prosecutor

W = Witness

Transcription symbols

- : a colon indicates prolongation of the immediately prior sound. The length of the row of colons indicates the length of the prolongation
- < > angle brackets contain transcriber's descriptions rather than transcriptions
- (2) a number in parentheses indicates the length of a pause in seconds
- (.) a dot in parentheses indicates a brief pause of less than a second
- [left square brackets indicate the start of an interruption and the utterance which is interrupted
- φ ellipsis/omission
- boldface** words in boldface represent elements under discussion in this paper
- CAPS** words in capital letters indicate a louder voice relative to the adjacent talk
- Italics* words in italics are the author's translations

Changing perspectives

Politeness in cooperative multi-party interpreted talk

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The paper explores politeness dynamics through a qualitative analysis of three interpreted encounters in the fields of health care, primary education, and the social services. The overall framework involves a three-fold shift in perspective: contextually, cooperative conversations replace adversarial ones; theoretically, face-flattering is considered as a fundamental aspect of face-work alongside the more traditional face-threatening and face-saving ones; interactionally, different viewpoints are accounted for concerning the impact of politeness moves on the faces of interacting (and even absent) parties. The analysis shows how the interpreters' face-work correlates with their understanding of the institutional goals being pursued during the interactions, their identification of power relations among participants, and their personal and professional status. Such a complex interplay of factors reveals all the richness of newly discovered interpreting landscapes.

[...] what the person protects and defends and invests his feelings in is an idea about himself, and ideas are vulnerable not to facts and things but to communications. Communications belong to a less punitive scheme than do facts, for communications can be bypassed, withdrawn from, disbelieved, conveniently misunderstood, and tactfully conveyed. (Goffman 1967: 43)

1. Introduction: Changing context and focus

As a model of strategic message construction, politeness has proved a useful theoretical tool for scholars to explore the patterns of social relationships in the context of real-life conversations. Differently from monolingual talk, which is the original

field of application of politeness studies, interpreted communication functions on the premise that primary speakers' "faces" are "represented" by a third participant. Since, however, it is by now widely documented that interpreters act as fully fledged social agents, not only is their interactional behaviour bound to have significant repercussions on the dynamics of face-work, but an additional image of self is at stake during the communicative event.

Whereas to date the most significant studies of politeness in interpreted talk have focused on communicative contexts of an intrinsically adversarial nature, such as court and police interpreting (cf. Berk-Seligson 1988/2002, 1990; Hale 1997a, 1997b; and Mason and Stewart 2001), interactions in the settings of health care, education, and the social services have not been specific objects of this kind of investigation.¹ Drawing both on Brown and Levinson's (1978/1987) original model and Kerbrat-Orecchioni's (1992, 2005) revised version, this paper offers some initial insights into politeness conduct in the three above-mentioned fields.

The recorded encounters analysed in the following paragraphs are situationally, sociologically and interactionally very different from one another. They, however, have two features in common, which increase their attractiveness for the purposes of politeness research; the three of them are multi-party conversations breaking away from the stereotyped notion of a three-people framework; and, they are all instances of cooperative² talk, in the sense that institutional representatives and service users are frequently engaged in "supportive interchanges", whereby they provide signs of involvement in and connectedness to one another (Goffman 1971:62–69). Both traits, and the latter in particular, raise interesting questions as to what kinds of face threats may arise in such interactions, and whose faces they threaten.

Besides contextual dissimilarities, another major difference between the present study and the above-mentioned ones lies in the aim of the analysis. Unlike Hale's (1997a), this paper's concern is not with cross-cultural mismatches in the use of verbal politeness markers. Unlike Berk-Seligson's investigations, the focus is not on changes of illocutionary force in the interpreter's renditions, and their effect on primary speakers' mutual perceptions; nor is it, as in Mason and

1. For an initial exploration of politeness strategies in interpreted medical consultations see Merlini and Falbo (2011).

2. The term "cooperative" is used here in its common sense acception as the opposite of "uncooperative", and not in the technical meaning of Grice's Cooperative Principle (1975) – i.e. the presumption that all instances of human communication, including apparently uncooperative verbal behaviour, are interpreted by interlocutors as cooperative at a deeper level. For a critical revision of the notion of cooperation, see among others Linell (1998) and Davies (2000). A brief discussion of the concept as applied to dialogue interpreting can be found in Merlini (2007).

Stewart, on finding a correlation between these changes and different interpreting styles. Though based on just three communicative events (making any attempt at generalizing impossible) the proposed analysis has a much less circumscribed scope. It intends to observe the interpreters' face-work with a view to identifying shared behavioural patterns (if any), as well as distinctive variations which may be accounted for by differing relational configurations, in terms of horizontal (*distance*) and vertical (*power*) factors.

2. Face-threatening vs. face-flattering: Changing theoretical angle

Assuming familiarity with Brown and Levinson's classical model, only the most basic notions will be recalled here as an introduction to Kerbrat-Orecchioni's (1992, 2005) innovative contribution, whose direct relevance to the present study will shortly become apparent.

Every adult member of society has a public self-image ("face") which they claim for themselves, and which can be "lost" in interaction. Given the mutual vulnerability of face, it is in the interlocutors' best interest to maintain each other's face. However, as threats to face are practically unavoidable if certain conversational aims are to be achieved, participants will tend to minimize such threats by adopting one of three strategies; they can perform the face-threatening act (FTA) indirectly ("off-record"), for instance through hints, understatements and irony; or they can perform it openly – and therefore less ambiguously and more effectively – but with redressive action, by resorting to either negative or positive politeness. Broadly speaking, negative politeness implies showing deference to your interlocutor, whilst positive politeness implies showing involvement, familiarity and commonality of purposes with them. The choice of one strategy over another depends on the speaker's estimate of risk to face; this assessment is based on the advantages and disadvantages of each strategy, as well as on such contextually and culturally defined variables as social distance, relative power and ranking of impositions. Going from most to least risk, one finds in succession off-record, negative politeness and positive politeness strategies.

Central to Brown and Levinson's theory is the conceptualization of politeness as conflict-avoidance. In introducing the 1987 reissue of their book, the two authors reaffirm this basic social function in unequivocal terms: "politeness, like formal diplomatic protocol (for which it must surely be the model) presupposes [a] potential for aggression as it seeks to disarm it, and makes possible communication between potentially aggressive parties" (1978/1987: 1). Considering the emphasis that the model places on the inherent face-threatening nature of most speech acts, in his comprehensive critique of politeness theories Eelen goes as

far as arguing that “their notion of politeness is not only about the avoidance of *potential* conflict, but about the defusing of conflict that is *intrinsic* to the very act of communicating” (2001: 21; emphasis in the original). This same criticism is addressed to Brown and Levinson’s work by Kerbrat-Orecchioni, when she observes that their “conception is exclusively – and excessively – *negative*, resting entirely on the FTA notion (as if social life consisted solely of potential threats, which may at best be avoided or defused)” (1992: 176; my translation).³ While acknowledging the cogency, coherence and productiveness of the two authors’ theoretical system, the French linguist rejects the subordinate role they assign to positive politeness as a mere FTA redressive strategy, which is paradoxically ranked lower than negative politeness on the face risk scale (see above). Moving from a decidedly less pessimistic view of social relations, Kerbrat-Orecchioni (1992: 242) defines politeness as a set of procedures which the speaker implements to enhance the hearer’s self-image, or at least not to devalue it too much. She thus attributes an autonomous status to positive politeness, by emphasising its productive rather than redressive function, and posits, alongside FTAs, the opposed category of “face-flattering acts” (FFAs) (Kerbrat-Orecchioni 2005).⁴

Among the many innovative elements of her elaborate system – including the differentiation of negative/positive face from negative/positive politeness; and the distinction between hearer-oriented and speaker-oriented politeness principles – the FFA notion represents a useful conceptual tool to examine institutional interactions whose trajectory is more open to local negotiation than, say, court hearings or police interviews. In encounters, such as the ones analysed here, between doctors and patients, teachers and parents, and social workers and immigrants, not only is face threatening potential rather than structural, but the seriousness of professionally-related FTAs is reduced, as service providers normally perform them in the interest of the service users. Even more significantly, the non-adversarial, cooperative nature of the transactions make the production of FFAs highly likely.

In interpreted talk, the presence of a second, albeit “anomalous”, hearer/speaker, with her/his own face wants, multiplies the values and effects of both FTAs and FFAs. Given that the literature on dialogue interpreting provides ample evidence of the interpreters’ autonomous agency, one can reasonably expect it to be meaningful also in terms of politeness dynamics. Leaving aside any judgement on the acceptability of such autonomy, it is indeed interesting to observe how,

3. See also Kasper (1990).

4. As noted by Kerbrat-Orecchioni herself (2011:96), other authors speak about “face-supportive act” (Holmes 1990), “face-enhancing act” (Taavitsainen and Jucker 2008) and “face-giving act” (Ting-Toomey 2005).

especially in multi-party encounters, interpreters deal with utterances that (may) affect the face of any one participant (including themselves).

3. Data analysis

While general details about the three recorded encounters are schematically presented in Table 1, more specific situational, sociological and interactional information will be provided for each one of them in their respective paragraphs prior to analysing the most salient excerpts. To increase readability, the orality traits of the original transcripts have been removed, except for overlapping talk, which is marked out in square brackets.⁵ Idiomatic translations into English appear in italics. In the second encounter, lacking as yet an agreed transcription system for the Berber dialect spoken by the Moroccan participant, the corresponding turns appear in the English translation only. As for the third encounter, considering the brevity and relative simplicity of the exchanges, and, above all, the copious

Table 1. Summary information about the encounters

	Place	Date	Duration	Languages	Participants
Encounter 1 (healthcare)	Healthcare centre for mother and child, Paris	May 2004	30 min.	Italian French	physician (D)* child's grandfather (GF) child's grandmother (GM) interpreter (I)
Encounter 2 (education)	Primary school, small town in central Italy	April 2008	23 min.	Italian Berber dialect	intercultural coordinator (IC) teacher of Italian (TI) teacher of history/geography (THG) teacher of maths (TM) child's mother (M) interpreter (I)
Encounter 3 (social services)	Foreigners' Advice Bureau, city in northern Italy	April 2004	30 min.	Italian French	service provider (P1) service provider (P2) service user (U1) service user (U2) trainee interpreter (I1) senior interpreter (I2)

* Letters in parentheses refer to the abbreviations used in the transcripts.

5. The following transcription conventions have also been preserved: empty parentheses for unrecoverable speech, and words in parentheses for the transcriber's guess.

presence of code-mixing, no translation into English has been provided. The meaning will be made sufficiently clear in the analysis.

3.1 Encounter 1: “they have mentioned to me that there’s a problem it’s about the diet”

Situation

The grandparents arrived in Paris a few months ago with their grandchild, and will soon be joined by the girl’s parents, who intend to start up a café in the city but are, as yet, still in Italy. To enrol in a nursery school, the child needs to be given the prescribed vaccinations; so the grandparents go to the healthcare centre to get the relevant information. During the encounter, the French physician also conducts a routine medical examination of the child.

Sociological and interactional information

In terms of distance, participants have never met before. There has, however, been a brief interaction between the interpreter and the grandparents prior to the beginning of the encounter. With reference to power relations, as in all medical interactions, the doctor is institutionally in a dominant position. At the time of the recording, the Italo-French interpreter, a qualified and experienced practitioner, was pursuing a PhD in History and Philosophy of Science (she has since been recruited by a French university for a post of Senior Lecturer, and no longer works as a community interpreter). Her high social status and her educational background naturally place her in a powerful position. The grandfather’s older age in comparison with both the physician and the interpreter, who are in their 30s, as well as his being the only male in the interaction may account for his assertive conversational behaviour. A submissive attitude is shown, on the other hand, by the grandmother, unlike the grandfather a non-native speaker of Italian, probably of Arab origins, who plays a marginal role in the interaction, intervening only to defend, rather feebly, the way she is feeding her grandchild.

Excerpt analysis

After discussing the issue of the compulsory vaccinations, as the physician starts examining the child, the interpreter autonomously introduces the child’s eating problem that the grandfather mentioned in the brief meeting they had outside the physician’s room.

[1] lines: 389–422⁶

- 389 I: alors **ils** m'ont signalé par contre un problème donc c'est l'alimentation **il semble** que la
now they have mentioned to me that there's a problem it's about the diet it seems that the
- 390 petite fille s'alimente de façon très épisodique elle elle ne prend pas de repas véritable
girl eats in a very erratic way she does not take proper meals
- 391 et par contre elle demande ponctuellement des choses beaucoup beaucoup de lait des
and on the other hand she keeps asking for certain things a lot a lot of milk
- 392 laitages et très peu de d'autres choses elle boit beaucoup de coca **semble-t-il** et de- et par
dairy products and very few other things she drinks a lot of coke so it seems and on the
- 393 contre elle est assez assez grosse même si donc elle ne prend pas de [repas le ho detto quel-]
other hand she is quite quite big even though she takes no [meals I've told her what]
- 394 GF: [si mangia latte] patate
[yes she eats milk] potato
- 395 fritte [patate fritte]
chips [potato chips]
- 396 I: [ho trasmesso quello che mi ha detto] prima sul [problema de-]
[I've relayed what you said] earlier on about the [problem of]
- 397 GF: [si patate fritte] col ketchup quelle
[yes potato chips] with ketchup those
- 398 le mangia se ne mette [una tonnellata]
she eats she takes [tonnes of them]
- 399 I: [ah beh] des frites au ketchup des tonnes
[of course] tonnes of chips with ketchup
- 400 GF: cioè tutte le porcherie mangia [quando deve mangiare non mangia però]=
in other words she eats every sort of junk food [but when she must eat she doesn't eat]
- 401 I: [ah des oui des]=
[any yes any]
- 402 D: =(in a laughing tone) alors on n'a pas de médicaments pour faire manger **les enfants**
well one has no medicines which can make children eat
- 403 I: ((in a laughing tone)) **no non ci sono** medicine per farla man[giare be]ne
no there are no medicines which can make her [eat]well
- 404 GF: [eh lo so]
[I know]
- 405 D: donc c'est à vous de donner ce qu'il faut et d'essayer de mettre des limites après que les
so it's up to you to give her what she needs and to try and set limits once
- 406 habitudes sont prises c'est difficile hein [mais petit à petit vous devriez y arriver]
habits have been formed it's difficult [but little by little you should get there]
- 407 I: [eh voi avete] èvos-vostra responsabilità
[you have] you are responsible for
- 408 **diciamo** di mettere dei limiti a questi a questi cibi [ah ça c'est le problème]
so to say setting the limits to this kind of food [now this is the problem]
- 409 GF: [alla signora li e alle due ragazze fuori]
[to the lady there and the two girls outside]
- 410 perché io sono quello che litiga sempre in casa perché dico non dategli coca non dategli
because I'm the one who is always quarrelling at home because I tell them not to give her
- 411 patate fritte [non dategli caramelle non dategli cicche]
potato chips [not to give her sweets not to give her chewing gum]
- 412 I: [en fait c'est monsieur qui se plaint tout le temps] parce que donc eh mais il n'arrive pas à
[actually the gentleman here is complaining all the time] because well he does not succeed in
- 413 convaincre madame et ses [deux au]tres filles à modifier les habitudes [alimentaires]
convincing the lady and the [other two] daughters to change the eating [habits]
- 414 D: [mhm] [parce que] c'est vrai
[because] it's true

6. Line numbers refer to their place in the original transcripts. Features of interest in the excerpts are shown in bold.

- 415 que c'est important eh: du fait que de des maladies **qu'on peut avoir** après hein et l'enfant
that it's important for the diseases that one can have later on and the child
- 416 comme ça elle est hein elle se porte bien mais elle est même **un peu trop enrobée** hein mais
as she is now she is fine but she is even a little bit too plump but
- 417 elle n'a pas tout ce qu'il faut pour bien grandir par contre **il y a des risques** après de diabète et
she hasn't got everything she needs to grow well and there are risks later on of diabetes and
- 418 de maladies comme ça
other such diseases
- 419 I: è molto importante per i rischi di [malattie: più] più tardi adesso la bambina sta
it's very important for the risks of [diseases later] later on now the child is
- 420 GF: ((coughs)) [sì no]
 [yes no]
- 421 I: bene [anche se è **un po' un po' ciccietta**]
fine [even though she a little a little plump]
- 422 GF: [no ma anche adesso perché quella bambina lì] **intanto** che cammina ogni tanto inciampa perché si non lo so
[no even now because that child] as she walks she trips over now and then for I don't know

Excerpt [1] is a clear example of a face-threatening sequence in an interaction where the healthcare professional and her lay interlocutors are engaged in a relatively smooth transaction of an informative nature. Its interest lies precisely in the fact that the contrast is between the face wants of the interpreter's two lay clients, rather than between theirs and the doctor's. The grandfather openly takes the distance from the grandmother's behaviour, which he sharply criticises (lines 409–411), thus saving his face from the gently formulated admonishment of the physician, who agrees that the child's eating habits are potentially dangerous for her future health. An even more significant feature, for the purposes of the present study, is that, within the interpreted interaction proper, the initial FTA is performed neither by the service provider nor by the service users, but by the interpreter herself, who clearly feels that the grandfather's concern needs conveying more than the grandmother's face needs protecting. The interpreter's independent decision is most likely the result of her assessment of the medical relevance and seriousness of such information. It is however also worth considering, as a concurrent reason, the grandfather's assertiveness. A quick glimpse at the transcript immediately reveals the large number of overlaps; they are mainly interruptions⁷ of current speaker's turn effected by the grandfather and, to a minor albeit significant extent, by the interpreter. Evidence of their powerful interactional roles is abundantly forthcoming throughout the encounter.

7. Following Nofsinger (1991: 102), "interruption" is used here to refer to overlapping talk that does not occur at or near a transition relevance point – the latter being, in conversation analytical terms, the spot that participants recognize as the potential end of the current speaker's turn. On overlapping talk and the controversial distinction between overlaps and interruptions, see among others Bennett (1981), Jefferson (1986), Drummond (1989), and Schegloff (1997).

Focusing more specifically on face-work strategies and their linguistic realizations, as the interpreter is fully aware of the face-threatening nature of her conversational move, she takes the following redressive actions: firstly, in relaying the information to the physician, she uses the plural pronoun “they” (line 389), a generalising device through which she avoids raising the issue of the grandparents’ opposing views, in an attempt to save the grandmother’s face; secondly, she uses the hedge “it seems” twice, in lines 389 and 392, this time to save her own face by avoiding responsibility for believing in the truth of the relayed information. Since the physician does not as yet know about the grandparents’ disagreement – and is consequently slightly baffled as to the reason why she is being told about all the junk food fed to the child – she thinks of attending to both their faces by mitigating her FTAs of advice and admonishment. Her first utterance (line 402) shows an interesting mixture of devices: off-record (irony), negative politeness, (the impersonal subject *on*, and the generic reference to *les enfants*), and positive politeness (the laughing tone of voice). In her subsequent turn (lines 405–406), she again attenuates the illocutionary force of her utterances, especially through the encouragement of the last sentence (note the hedge *petit à petit*, and the use of the conditional mood in *devriez*).

The physician’s face-saving intention is largely conveyed in the interpreter’s renderings – see in particular, in line 403, the laughing tone of voice and the translation *non ci sono medicine* for the French impersonal pronoun, as well as the hedge *diciamo* in line 408; the only exception is the specific reference to the child in question (*farla mangiare bene*, line 403). Interestingly, I’s non translation of the doctor’s reassuring words and her abrupt shift to French (line 408) can most likely be accounted for by the grandfather’s non-verbal language; this hypothesis⁸ is supported by the elliptical construction of GP’s utterance (consider the missing imperative verb “say it” in line 409), with which I’s explanation perfectly overlaps. As the grandfather indicates the grandmother (possibly by raising his chin or pointing his forefinger while shifting his gaze onto her) and then openly blames her, the interpreter feels now free to expose the contrast between them (lines 412–413). In the remaining turns (414–422), I is seen to maintain the physician’s mitigating strategies for a threat which is now exclusively to the grandmother’s face.

8. These observations are necessarily hypothetical given that the encounter was audio-recorded in the absence of the researcher.

3.2 Encounter 2: “she told her mother thanks to the gym I make other friends she is like this”

Situation

The encounter is a routine meeting between teachers and parents. The pupil is 8 years old and joined the school a few months before, when her family arrived in Italy from Morocco. Since she is an immigrant child, teachers report not only on her learning achievements but also on her integration progress. The supervision of the latter aspect is entrusted by the school to the intercultural coordinator, an Italian woman, who acts as chair of the encounter.

Sociological and interactional information

All participants have interacted before with one another. The interpreter,⁹ a female qualified practitioner of Moroccan origin, was appointed at the beginning of the school year by the local educational authorities to assist foreign pupils from North-African countries enrolling in the school. Working together with the teaching staff on a daily basis, she has developed a close relationship both with them and with the child. In light of the formal nature of the encounter, the teachers and the intercultural coordinator are institutionally in a dominant position. The interpreter and the child’s mother, who share the same ethnic origins and immigration experience, are theoretically the weaker parties. However, the role of the former is fully recognised, and the latter is an educated woman, whose open-mindedness is appreciated by the teachers.

Excerpt analysis

The selected sequence follows upon the initial exchanges of the encounter, in which the teachers reported on the child’s educational progress, concerning in particular her acquisition of the Italian language. Their unanimous assessment is that she is a highly motivated pupil, eager to learn (note in the first three turns of the excerpt the intensifying linguistic devices which are typical of face-enhancing communication).

9. In encounters 2 and 3, the interpretation is carried out by linguistic and cultural mediators. Given that, for the purposes of this study, the differences between this figure and that of the interpreter have not been considered relevant, the latter term has been used throughout. A discussion of the two profiles in the Italian context can be found in Merlini (2007).

[2] lines: 46–51

- 46 TI: è molto [motivata]
she's very [motivated]
- 47 IC: [è mol-] è motivata è motivata
[she's ve-] she's motivated she's motivated
- 48 THG: lavora molto [sì] lavora
she works hard [yes] she works
- 49 I: [infatti]
[indeed]
- 50 TI: ieri anche in palestra c'è stata un'insegnante nuova e all'inizio l'insegnante non
yesterday in the gym there was a new teacher and initially the teacher didn't
- 51 *sapeva di Fatima quindi ha detto due parole quella bimba lì perché non si muove?*
know about Fatima so she said a few words that girl over there why doesn't she move?
- 52 *lei ha capito ha guardato non si è sbagliata più eh con i comandi*
she understood she observed and no longer got the instructions wrong
- 53 I: *she said that a new gym teacher has arrived who didn't know about Fatima and that she*
- 54 *could not speak Italian and asked why she didn't move and Fatima gave her a certain*
look
- 55 M: *yes I know when she started going to the gym she met many children and told me that*
- 56 *she didn't want to be with them and speak to them but I made her go nonetheless*
- 57 I: *ha detto adesso ha cominciato a fare palestra perché ha detto alla madre con la palestra*
she said now she has started going to the gym because she told her mother thanks to the gym
- 58 *faccio altre amicizie conosco altre persone è un tipo*
I make other friends I get to know other people she is like this
- 59 IC: *ma proprio il suo cioè la sua voglia di [integrarsi]*
it's so like her I mean her desire to [integrate]
- 60 I: [di infatti sì]
[to yes precisely]
- 61 IC: *di avere nuove amicizie*
to have new friends

At this point of the interaction, the focus is still on the pupil's learning achievements and skills. The anecdote of the gym (lines 50–52) is told by the teacher of Italian to give evidence of the child's quick-witted mind. The interpreter's translation (lines 53–54), which probably derived from a non-comprehension of the last part of the original utterance, brings about a crucial shift in topic. The expression “gave her a certain look” is read by the mother as criticism addressed to the child, and indirectly also to her as her mother, i.e. the person who should teach her to behave. Confronted with this FTA, the mother reacts by saving her own face (“but I made her go nonetheless”, line 56). Later on in the interaction, she will complain several times about her daughter's strong and even wilful character. So far, two aspects have thus emerged as worthy of attention; firstly, the FTA is generated here by the interpreter's mistranslation of a primary speaker's turn intended as an FFA; secondly, whereas politeness is usually studied in relation to the face wants of interactants, most of the FFAs and FTAs performed in the encounter are addressed primarily to an absent party, and only indirectly – given the bond of kinship – to one of the participants.

But the most interesting feature of excerpt [2] is the interpreter's subsequent rendition into Italian of the mother's face-preserving move (lines 57–58) – a rendition which, in this case, cannot evidently be put down to miscomprehension. As the topic has been shifted by the mother to the child's integration process, the interpreter's concern is not with saving the mother's face but with enhancing the pupil's one. She is thus seen to convey exactly the opposite message, presumably in an attempt to construe what she knows to be a desirable image for the immigrant school-child, in line with institutionally determined goals. Such image is supported by the intercultural coordinator, who steps in as the competent figure to talk about this aspect of the child's school experience and confirms her desire to integrate. The power exercised by the latter participant, not only at an institutional but also at an interactional level as chair of the meeting, may have played a part in the interpreter's decision.

3.3 Encounter 3: “we need to have a course on negation”

Situation

The Foreigners' Advice Bureau (*Ufficio Stranieri*) is a public service run by the municipal authorities. Its employees help immigrants apply for residence and work permits and, in the case of asylum seekers, for refugee status, make arrangements for emergency accommodation, provide information on healthcare services, and liaise between employers and regular immigrants looking for jobs. The service users are, in this case, two asylum seekers from Congo. Having previously received assistance with their asylum application, they are now back at the Bureau because they have accommodation and health problems.

Sociological and interactional information

Service providers, service users and the senior interpreter have interacted before. P1, the male employee, is a practical person, with extremely informal manners, and exhibits a very sympathetic attitude towards immigrants. He has a rudimentary knowledge of French. The female employee (P2) intervenes only briefly in the encounter to provide information on some healthcare facilities. I1 is a young Moroccan woman who has just finished attending a training course and is on work placement in the Bureau. She has already assisted the Bureau's employees, but has never met the two asylum seekers before. I2, himself of Moroccan origin, is her senior colleague with a long experience in the job. As already mentioned, the Bureau's staff are there to help immigrants; they are, so to say, on their side. They also tend to treat interpreters on a par. The only noticeable power differential is therefore between the senior interpreter and the trainee.

Excerpt analysis

The encounter is characterised by a very collaborative and friendly atmosphere, in which no FTAs are produced by primary speakers towards one another. On the contrary, P1 is seen to perform a series of FFAs which are clearly meant as solidarity-building strategies to establish common ground and reduce social distance. In the selected sequences, one such positive politeness strategy is his attempt to speak the language of his interlocutors. The result is an amusing code-mixing which the two service users seem to appreciate and even enjoy, to the extent that they take an active part in a number of ways: they reciprocate using a broken Italian (see [4] line 160), correct his mistakes in French, and even use themselves the non-existent words coined by the employee. This, however, leads to the frequent by-passing of I1, and therefore to the production of an indirect and unintended FTA to her face as language expert. Being a trainee, she is on the other hand eager to demonstrate her professional competence.

The opening exchanges of the encounter see I1 establish her role in the interaction. Being familiar with P1's attempts at speaking French, she asks him, somewhat provocatively, "do you translate him yourself?" (line 4), when she knows perfectly well that his knowledge of the language does not enable him to hold the conversation on his own (witness P1's subsequent question "what did he say?", line 20).

[3] lines: 3–5; 20–21

3 U1: euh moi moi euh j'ai mal aux dents () à l'hôpital mais personne qui (s'occupe de moi)
 4 I1: **lo traduci te?**
 5 P1: no
 [...]

 20 P1: cos'ha detto?
 21 I1: che ha mal di denti

Later on in the interaction, as the pattern of speaking each other's language is in full swing (see lines 160–161), I1 questions P1 on verb conjugation (line 162), but mitigates the threat to his face by jokingly reproducing the intonation of a school-teacher asking a pupil, and by giving him the favourable assessment "we are making progress!" (line 164).

[4] lines: 160–164

160 U1: no hai dormito
 161 P1: ho capito aujourd'hui ehm n'ai pas dormi je n'ai pas dormi
 162 I1: **tu?**
 163 P1: tu n'as [pas dormi]
 164 I1: [n'as pas dormi] **stiamo facendo progressi**

Half-way through the encounter, the senior interpreter arrives and starts talking with P1 about U1's health problem. Because of his presence and his interventions, the professional face wants of the trainee are now even more significantly at risk. Following I2's correction of a mistake in P1's use of a French negative structure (lines 294–295), I1 steps in to re-establish her interactional role with the joking remark “we need to have a course on negation” (note also the use of the inclusive “we” to further soften the FTA of criticism).

[5] lines: 294–296

294 P1: non risponde nessuno ne répond pas [rien personne]
 295 I2: [personne] personne ne répond
 296 I1: **no sulla negazione dobbiamo fare un corso**

I1's humorously conveyed affirmation of her professional face – which, though contributing to the relaxed and playful atmosphere, is indicative of her perception of a face threat – continues in the remaining exchanges, until towards the end of the interaction she openly asks P1 to speak in Italian (line 489). He obliges, but only to go back immediately to the invented word *scontrin* – i.e. the Italian *scontrino* (“receipt”) uttered with a French pronunciation in line 490 – and to the funny code-mixing of the last line, where the newly learnt French word *ticket* is used together with two Italian verbs *prendi e porti* (“take and bring”) and the French adverb *ici* (“here”).

[6] lines: 488–492

488 P1: prendre le
 489 I1: **in italiano?**
 490 P1: prendi il la ricevuta lo scontrino le scontrin le scontrin
 491 I1: tu achètes les médicaments et tu ramènes le ticket
 492 P1: le ticket prendi e porti ici

4. Conclusions: Threatening whose face?

In Goffman's writings, face is described as one of the last precincts of sacredness in our secularised world. As such it is a precious but also delicate object, requiring constant and careful attendance in the context of interpersonal relations. Face-work rituals, through which such attendance is practically implemented, are thus bound to characterise each and every kind of social interaction, all the more so interpreted interaction where, as this analysis has shown, the presence of an atypical interlocutor adds to the complexity of face-work dynamics. This is especially true in multi-party encounters, where contrasting face wants may emerge between the interpreter's lay clients (as in encounter 1), or the specific competences

of different institutional representatives may project different expectations (as in encounter 2), or the presence of a colleague may exert additional pressure on the interpreter (as in encounter 3).

More specifically, the kind of face-work performed by the three interpreters was found to correlate with a number of factors. First among them was their understanding of the institutional goals being pursued during the interactions. Excerpts [1] and [2] provide immediate evidence of this. In the former, the interpreter assesses the medical relevance of information supplied by one of the lay-clients outside the boundaries of the medical encounter, and decides to relay it to the healthcare professional, despite the potential threat it creates for the other lay-client's face. In the latter, the interpreter conveys the opposite message to the primary speaker's one probably to consolidate a desirable institutional image, which she knows will benefit the immigrant schoolgirl. In so doing, she disregards the mother's move to save her own face, and adds instead to the enhancement of the daughter's face, whom she seems to consider as her real, though absent, client.

A second noteworthy correlation may be established with the interpreters' identification of power relations among participants. Most likely, in encounter 1, the grandfather's assertiveness vs. the grandmother's submissiveness played a far from negligible part in the interpreter's decision to convey the FTA. Equally relevant was, in encounter 2, the powerful institutional role of the intercultural coordinator, whose assessment of the child may have reasonably induced the interpreter's substitution of a face-saving act with an FFA. In encounter 3, politeness dynamics were undoubtedly affected by the power differential between the interpreter and her senior colleague.

This second point closely connects with a third and final factor, i.e. the interpreter's status within each encounter. Whereas a high social status, as in encounter 1, or familiarity with the institutional staff, as in encounter 2, are likely to account for the two interpreters' marginal – albeit not totally absent – preoccupation with their own faces, in encounter 3, I1's principal concern with safeguarding her professional image was an obvious consequence of her trainee status. Significantly, in the latter encounter, which is the most extensively cooperative of the three, the very construction of common ground by primary speakers through the reiterated performance of FFAs resulted in a threat to the interpreter's face. While contributing to the cheerfulness of the interaction, her interventions as an autonomous speaker, though humorously conveyed, were no doubt a reaction to a face threat perception.

Since the early 1990s, when dialogue interpreting came decidedly to the fore as an object of scholarly investigation, the field of interpreting studies has experienced a rejuvenating transformation of theoretical and methodological approaches. With the opening up of new interactional landscapes, researchers have

increasingly looked for new perspectives. The present study can be seen as a small contribution to these exploratory efforts. Here, politeness conduct has been observed in the somewhat unusual environment of supportive rather than adversarial talk, and from a theoretical angle which exposes the face-enhancing nature of many conversational acts rather than exclusively their face-threatening potential. These changes of context and focus are coupled with a variety of interactional configurations which add to the complexity of perspectives. The different institutional settings and above all the presence of a high number of participants make the question “Threatening whose face?” a difficult one to answer, especially if the faces of absent parties are perceived as deserving the same kind of attendance as those of the interlocutors. In these cases, the same move may be considered alternatively as a face threat, a face-saving attempt, or a face-flattering one by a simple shift in perspective.

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PART IV

A changing landscape

From interpreter training to interpreter education

Training interpreters in rare and emerging languages

The problems of adjustment to a tertiary education setting

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In order to respond to an increasing need for interpreter training in a number of rare and emerging languages in Australia, the Royal Melbourne Institute of Technology (RMIT University) has been offering a Diploma of Interpreting program in such languages since 2002. The students have for the most part arrived as refugees, have lived in Australia for only a relatively short period of time, and have varying educational backgrounds. This paper seeks to identify the sociolinguistic, socio-political and socio-economic factors that impact on the adjustment of these students in the interpreter training course at RMIT under a uniquely dual-sector educational setting. The paper also attempts to identify the factors affecting the teaching and learning aspects of the program.

1. Introduction

In the last decade, due to regional conflicts and political and social unrest, there has been an increase in the number of people seeking asylum throughout the world. Australia is one of the prime destinations for refugee resettlement, accepting 11,000 refugees in 2008 – second only to the US, which took in 60,200 (United Nations High Commissioner for Refugees 2008: 12). In recent years, Australia has diversified its humanitarian intake from primarily African nations, accounting for over 70% in its 2003–2004 statistics, to roughly even percentages among three geographic regions in 2008–2009: (1) Africa; (2) the Middle East and South West Asia; and (3) the Asia/Pacific region (Department of Immigration and Citizenship n.d.).

The provision of trained interpreters and translators for government services is an important aspect of the refugee resettlement process. Since 2002, the Royal

Melbourne Institute of Technology (RMIT University) in Australia has run a Diploma of Interpreting in selected rare and emerging languages that reflect priority language needs based on refugee intake.

This research-based paper reports on the key findings of a case study involving the students enrolled in the 2009 RMIT Diploma of Interpreting program in two refugee language streams: Karen (one of the ethnic languages spoken in Burma) and Nuer (the main language spoken in southern Sudan and parts of Ethiopia). The literature review looks into community interpreting and the settlement and adjustment issues faced by refugee/humanitarian entrants to their adopted countries, with particular emphasis on adult learning. The methodology of the study is then outlined, leading to an elaboration of the results of the study, followed by discussions on the training of interpreters. The authors attempt to identify the factors that may impact on the effectiveness and viability of providing interpreter training in rare and emerging languages, and address the issues and challenges faced by student interpreters. Implications of the research and recommendations are presented at the end of this paper.

2. Literature review

Existing literature on interpreter training covers a whole range of interpreting competencies, curriculum design, pedagogy, assessment methodologies and application of technology. There is a dearth of literature on how sociolinguistic, socio-political and socio-economic backgrounds of interpreting students impact on the didactics and learning of interpreting. This paper therefore takes an unconventional approach: it goes outside the field of interpreting education and explores literature which focuses on the experiential journeys that refugees go through in their adopted countries.

With regard to challenges faced by uprooted refugees, a report on refugee resettlement in rural and regional Victoria (Australia) prepared by McDonald et al. (2008) points out that refugees are a heterogeneous group with a diversity of languages, cultures, political and religious affiliations and social classes, but they share common experiences of displacement, resulting in persistent resettlement difficulties (Refugee Resettlement Advisory Council 2002, cited in McDonald et al. 2008:24).

McDonald et al. (2008:26) identified four phases in the process of resettlement for refugee adjustment in the host country. The first one is a short period after “arrival”, where refugees express a high level of satisfaction with their new environment. This is followed by a second phase, a period of “reality”, where satisfaction rapidly declines when the day-to-day circumstances of their environment

become apparent. The third and fourth phases involve a period of “integration” into the community where some are more successful than others.

Social networks are widely believed to break down the social isolation of refugees in their resettlement process and encourage the continuation of their own cultures in the wider host society – a view confirmed by McMichael and Manderson (2004) and Colic-Peisker and Tilbury (2003). In a similar vein, Allodi points out that social support from the refugees’ own cultural community and receiving society may enhance adaptation (cited in Tribe and Morrissey 2003: 201), while other scholars propose that social support is a protective factor in the emotional wellbeing of refugees in the host country (*ibid.*).

In the field of sociology, the concept of social networks and social support is referred to as “social connection” by Ager and Strang (2008). They gauge the level of integration by refugees into the host country by developing a conceptual framework that consists of four potential indicators, one of which is “social connection”. They further identify three core domains under the “social connection” indicator, namely “social bonds” (with family and other members of their community), “social bridge” (with other communities, including host community) and “social links” (with the structures of the host country) (Pittaway et al. 2009: 136). The original idea of the first two domains can be traced back to Putnam’s discussion of social capital (1995), who later contributed to the coining of the terms – “bonding” and “bridging” social capital – to Gittell and Vidal (1998: 10). His idea of social capital refers to features of social organisation such as networks, norms, and trust that facilitate coordination and cooperation for mutual benefit; in other words, it is the collective value of all “social networks” and the inclinations that arise from these networks for members of them to do things for each other (*ibid.*). The concept of social capital is particularly relevant in the discussion of training members from refugee communities in the host country to become interpreters, in that the interpreter role they play will facilitate the very interaction, and, ultimately, integration upon which social capital is built.

The other important element in the process of integration is the notion of adjustment. Although adjustment has been widely discussed in the literature, there is no consensus on its precise nature, apart from the generally held view that it manifests in multiple components (Montgomery 1996; Searle and Ward 1990; Michailidis 2004). Montgomery (1996) focuses on the causal factors affecting adjustment and adaptation of refugees to their new environment, whereas Michailidis (2004) isolates the key factors that constitute a barrier to cross-cultural communication experienced by international students. Ben-Moshe et al. (2008) report on general resettlement issues for refugees at primary and secondary school ages, and discuss access and participation factors for refugee students in tertiary institutions. Despite the above, there have been few studies on

adjustment problems encountered by refugees in tertiary education settings and in the wider community.

By way of facilitating communication in services provided by the government, community interpreters effectively offer a “voice” for ethnic communities with their resettlement country. Public service interpreting has been the focus of RMIT’s training and it coincides with the social context which gives rise to the issues regarded as most problematic for refugees settling in Australia (Ben-Moshe et al. 2008). From this perspective, trained community interpreters play a crucial role in facilitating all phases of the resettlement process as well as offering a means of communication with the wider community. They are often considered agents of social inclusion by government agencies dealing with settlement services. Because RMIT student interpreters are predominantly drawn from refugee communities, most of them have to deal with the same resettlement challenges as other members of their ethnic communities. They thus acquire the “dual role” of agents and subjects of social inclusion. The latter part of this paper will further attest to this duality of roles assumed by the student interpreters.

3. Research methodology

The research uses a case study to collect data from the following three sources in an attempt to triangulate adjustment issues encountered by adult refugees in an Australian tertiary education setting:

1. two questionnaires designed by the authors;
2. RMIT’s routine Course Experience Survey conducted at the end of each semester; and
3. unstructured interviews with the teaching staff and the authors’ participant observation.

The first of the two questionnaires covers the following four areas of enquiry:

1. students’ own perception of their language proficiency in both English and their Language Other Than English (LOTE);
2. students’ learning experiences in the course;
3. various adjustment factors adapted from Michailidis’ 2004 study;
4. students’ perceived difficulties in dealing with the university as an institution.

This first questionnaire was handed out to students in May 2009. There were 26 students in the Karen group and 13 in the Nuer group, of whom 22 Karen (85%)

and 9 (69%) Nuer students returned the questionnaire. Overall response rate of the two languages combined was 79%.

A follow-up questionnaire, which expanded on the third part of the original questionnaire, was administered toward the end of the course in late October 2009 to ascertain the factors affecting students' adjustment to living in Australia and studying at RMIT, as well as factors affecting their progress in achieving their study goals. A four-point Likert scale was used in this second questionnaire to gauge the students' positive or negative response to each statement. 21 of the 26 Karen students (81%) and 10 of the 13 (78%) Nuer students returned the questionnaire – a 79% response rate for the two languages combined.

4. Survey results

4.1 Background

The RMIT Diploma of Interpreting program is approved by Australia's National Accreditation Authority for Translators and Interpreters (NAATI) and leads to NAATI's Paraprofessional Interpreter accreditation for successful graduates. Since 2002, RMIT has collaborated with the Victorian Multicultural Commission (VMC) in delivering the program in rare and emerging languages by way of offering VMC-funded scholarships to assist refugee students with tuition fees and transport and course material costs. VMC is a statutory authority that provides migration related advice on legislative and policy frameworks to the Victorian State Government.

The programs in these language streams were delivered in part-time mode, entailing attendance of two evenings (eight contact hours) per week, 15 weeks per semester for two semesters (one year). The interpreting and contextual knowledge subjects were delivered in a bilingual setting, whereas ethics and English consolidation subjects were taught using English as the language of instruction. The interpreting subject, being the focus of the program, accounted for 50% of the contact hours. It was delivered by an appropriately qualified LOTE teacher and an experienced English teacher, who had team-taught interpreting in other language settings.

4.2 Language proficiency (from the first questionnaire)

Both language groups demonstrated high levels of confidence in the perception of their bilingual competency. Almost 80% of the Nuer respondents and 95% of

the Karen respondents thought their English was either good or excellent, and similarly, nearly 90% of the Nuer respondents and close to 95% of the Karen respondents regarded their LOTE as either good or excellent.

4.3 Learning and teaching (from the first questionnaire)

A high percentage (80%) of the two cohorts combined did not find it difficult to seek clarification when they were not sure about a specific instruction in class. Nearly everyone felt they were given ample opportunities to express their opinions freely in the classroom. Similar percentages were recorded for their perception about classroom instructions being clear and understandable.

When asked whether they felt their language skills were a barrier in interacting with their teachers and university staff, 75% of the respondents replied it was not a problem and 87% thought their teachers were sensitive to their learning needs. This also resonated with their response to the question about whether they felt teachers' expectations of them were too high, to which almost 80% of them responded that this was not the case.

In terms of classroom dynamics, 84% of the respondents felt that correction of language errors was adequately dealt with in their interpreting class by both the English and LOTE teachers. Although Nuer students appeared slightly less comfortable with the classroom correction process than their Karen counterparts, almost 90% of all students reported that they received adequate constructive feedback from both their English and LOTE teachers.

4.4 Functioning within institutional context (from the first questionnaire)

Nearly 90% of the respondents reported having no difficulties dealing with RMIT administration in areas such as enrolment, payment, obtaining student cards, etc. Moreover, about 80% felt that the language RMIT administrative staff used was easy to understand.

About half of the respondents reported that they had accessed university "support services" to help with their studies. However, when asked to name the services, they listed libraries, computer equipment, the online learning hub etc., which showed their relative lack of awareness in "support services" in Western context. Furthermore, when asked about what particular service they wanted the university to provide in order to enhance their learning experience and outcome, a little over 30% of the respondents pointed to things such as software for their language installed on library PCs (facility), transport expenditure support (financial), tour

of the university (student orientation service), bilingual dictionaries and glossaries (learning resources) and special lectures (career counselling service).

4.5 Adjustment to university environment (from the first questionnaire)

For the purposes of this study the following adjustment factors, derived from Michailidis' 2004 study, were used in the survey: homesickness/loneliness; perceived discrimination; language skills; local attitudes and customs; opportunities to develop social networks in the university and opportunities to develop social networks in the general community.

The results indicated that approximately half of the respondents regarded loneliness/homesickness (48%), perceived discrimination (48%), language skills (48%), and local attitudes and customs (45%) to be factors of some or great importance to their adjustment process. Of the respondents who regarded language skills as important to their adjustment, 45% of the Karen respondents and 55% of the Nuer respondents reported some or a lot of difficulties.

A further 48% of the respondents perceived that language skills, to some degree, hindered their attempt to adjust to the Australian education setting. Two out of three respondents (65%) reported difficulties in establishing social networks within the university, and over half of them seemed to experience the same difficulty off-campus (54%) in the general community.

4.6 Perceived factors affecting adjustment (from the follow-up questionnaire)

A follow-up survey was administered five months after the first survey was completed. A four-point Likert scale was used for the following 11 factors in the questionnaire to gauge the students' positive or negative responses in regard to their attempts to adjust to living in Australia and studying at RMIT:

1. homesickness;
2. perceived discrimination;
3. English skills;
4. fear of failure;
5. familiarity with Australian customs;
6. familiarity with RMIT procedures;
7. opportunity to establish social networks within RMIT;
8. opportunity to establish social networks outside of RMIT;

9. access to counselling services;
10. worry about financial problems;
11. opportunity to find employment.

90% of the respondents expressed factor (3), “English skills”, as either important or very important, ranking the highest among all factors. This was followed by (11) “opportunity to find employment” with 87% considering this either important or very important. Other factors scoring over 80% were (8) “opportunity to establish social networks outside of RMIT” (87%); (5) “familiarity with Australian customs” (84%); (10) “worry about financial problems” (84%); (6) “familiarity with RMIT procedures” (81%). The lowest scoring factor was (1) “homesickness” (48%), and the remaining four factors (2, 4, 7 and 9) all scored between 70–79%.

4.7 Perceived factors affecting tertiary study (from the follow-up questionnaire)

Employing a four-point Likert scale again, 21 factors were allocated to four categories and were used to elicit response in determining factors that the students deemed important to achieve study goals at RMIT.

Language proficiency:

1. English listening skills;
2. LOTE listening skills;
3. English vocabulary;
4. LOTE vocabulary;
5. English pronunciation;
6. English fluency.

Learning strategies:

7. developing strategies for vocabulary acquisition;
8. developing strategies for English fluency;
9. developing strategies for effective listening;
10. developing strategies for contextual knowledge acquisition;
11. knowing how to study effectively;
12. managing balance among work, family and study.

Learning resources:

13. LOTE resources;
14. English resources;

15. access to library;
16. access to computer and IT support.

Learning interpreting:

17. opportunity to practice;
18. applying note-taking skills;
19. building confidence;
20. availability of practice materials;
21. provision of feedback on performance.

Strikingly, the two language groups converged on exactly the same factor they regarded as important or very important in achieving their study goals – factor (12) “managing balance among work, family and study”. This factor was chosen by the highest numbers of respondents in both cohorts: 62% by the Karen group and as high as 90% by the Nuer group, and it was also the top factor chosen by most respondents in the two cohorts combined (71%). Factor (8) “developing strategies for English fluency” ranked second in the combined tally of the responses from both cohorts (68%), closely followed by factor (6) “English fluency”, which was important or very important to 65% of the total respondents.

Looking at individual language groups, the highest number of Karen students regarded factors (6), (8) and (12) as important or very important in achieving their study goals, each scoring an equal 62%. On the other hand, 90% of the Nuer respondents regarded factor (12) as either important or very important in achieving their study goals. Curiously, 90% of them regarded factor (5) “English pronunciation” to be also either important or very important. Factor (8) “developing strategies for English fluency” scored a lower 70%, while factor (6) “English fluency” was regarded as important or very important by 80% of them. The same percentage of Nuer students (80%) also deemed having access to “LOTE resources” (factor 13) and “access to computer IT support” (factor 16) to be important or very important.

4.8 Teacher feedback from unstructured interviews

With the interpreting subject accounting for 50% of the contact hours, the LOTE and English team teachers were interviewed just before the authors administered the follow-up survey. The following is a summary of their feedback:

1. The teachers overwhelmingly commented that the students were highly motivated and worked as hard as they could.

2. What they perceived as cultural values and practices of some students relating to punctuality and making and keeping appointments did impinge on classroom management.
3. Attendance was intermittent, and arriving late, sometimes substantially late, due to travelling distance and work commitments was prevalent.
4. Team-teaching was pedagogically beneficial. It provided timely feedback in both languages in all aspects involving vocabulary, syntax, grammar, conceptual difficulties and contextual knowledge.
5. Bilingual teaching materials were insufficient and teachers often had to *ad lib* or resort to monolingual English materials.
6. Students' bilingual capacity varied significantly, particularly in their English proficiency, creating didactic challenges in the classroom.

5. Discussion of survey outcomes

5.1 Paradoxical responses to language skills

In the first survey, the majority of the respondents expressed high levels of confidence in their proficiency in both languages. Seventy per cent of the total respondents maintained that their English language proficiency was not a barrier to interacting with their teachers, and 80% felt that communicating with university administrative staff was easy.

However, when the students were asked, in the same survey, about factors affecting their adjustment to the wider community, 45% of the Karen respondents and 55% of the Nuer respondents reported some or a lot of difficulties. Furthermore, 48% of the respondents from the two language groups combined perceived language skills to hinder their ability in adjusting to the Australian education setting. These rather paradoxical responses to language skills on adjustment and adaptation are also remarked on by Montgomery (1996: 694). The authors attribute this inconsistency to two reasons.

First, these languages are characterised by a highly developed oral form of linguistic socialisation. As a result, the students generally had well developed oral skills, which were reflected in their confidence when asked about their own perception of proficiency in both their own language and English. Furthermore, anecdotal evidence indicated that most of the students had been exposed to English in refugee camps or humanitarian processing facilities outside their places of origin before they resettled in Australia. Their unique sociolinguistic and socio-political backgrounds offered them an edge in developing competency in English as

a second (or in some cases, third or even fourth) language with relative ease. This again was reflected in their response to the level of comfort in dealing with teachers and university administrative staff, where most interaction was orally based.

Second, as a result of the respondents' strong oral tradition, language learning did not seem to be a problem in classroom settings. Rather, the knowledge of the concepts underlying the language in use was often more problematic. When respondents were asked whether they found language to be a factor affecting their adjustment to the wider community and to the Australian education setting, their perception of language then expanded beyond a mere medium of oral communication to "get them by" in the classroom. Instead it encompassed a wider and deeper sphere of socialisation, integration and adaptation. This may account for the contradiction in their answers to different questions – i.e., they felt confident in their language skills, but at the same time they also felt that language posed problems to their adjustment to living in Australia and studying at RMIT.

This paradox is also indicative of the fact that these student interpreters were drawn from the very refugee communities that they were going to serve, and they were facing the same resettlement and adjustment challenges as other members of their own ethnic communities, accentuating the students' "dual role" of agents and subjects of social inclusion.

5.2 Learning and teaching in the adjustment process

On the whole, most respondents to the first survey demonstrated high adaptability to their studies at RMIT. This was consistent with the results of the Course Experience Survey administered by the university at the end of semester 1 in 2009. The fact that more than half of the respondents had had exposure to post-secondary education in Australia or in other linguistic settings conforms to Montgomery's (1996) and Biggs' (2003) assertions that better educated or vocationally trained refugees can be expected to adapt better.

In the authors' experience, international students who have non-refugee backgrounds and are studying in RMIT translating and interpreting programs have always expressed feelings of challenges when trying to adjust to their new study environment, with the dominant difficulty being learner-centred teaching methodologies employed in the Australian tertiary classroom. A lot of these international students are from countries referred to as "collectivist societies" with a high "power distance index" (Hofstede and Hofstede 2005:83), where teacher-centred learning stresses "adaptation to the skills and virtues necessary to be an acceptable group member" (Hofstede and Hofstede 2005:98). Although Hofstede and Hofstede's data do not directly refer to the level of collectivism/individualism

and power distance index for Burma and Sudan (as reference countries, although not all respondents were necessarily from these countries), the authors posit that these countries would be more collectivist than individualist, and with a relatively high power distance index. Nevertheless, the Karen and Nuer student interpreters defied the learning adjustment issues that would otherwise trouble other international students who are used to a teacher-centred learning paradigm, and their positive classroom participation behaviour was greatly appreciated by the instructing teachers. The authors attribute such an exception to the following three reasons:

1. Exposure to post-secondary education in Australia (before RMIT) or other linguistic settings (in a third country prior to Australia) by about half of the students.
2. Life experience of uprooting from their places of origin, subsisting in refugee facilities, to finally resettling in a new country, through which they learned to be assertive and communicative as a surviving mechanism.
3. Determination to make the best of the education opportunity so they were not holding back in the classroom.

In contrast, some cultural values and practices of the students relating to punctuality and making and keeping appointments did impinge on classroom management. Attendance was at best intermittent, mainly due to work commitments or other settlement issues. It ultimately affected their accreditation results. The students who attained NAATI Paraprofessional Accreditation at the end of 2009 were 50% of the Karen cohort, and 38% of the Nuer cohort.

While the first survey demonstrated high adaptability by the research subjects to their interpreting studies at RMIT, in the follow-up survey it was revealed that the highest number of students (71%) regarded “managing balance among work, family and study” to be critical to their adjustment to tertiary studies. This seemed to indicate their struggle between study and other commitments and corresponded with the teachers’ feedback on their time management and attendance. It is also worth noting that “English fluency” and “developing strategies for English fluency” were chosen by around two thirds (65% and 68% respectively) of the respondents to be critical in their adjustment to tertiary studies. This change of perception to their language ability seemed to echo the paradoxical responses to their linguistic skills mentioned in the previous section, pointing to a decline of confidence as time went by.

5.3 Social networks in the adjustment process

The authors regard the most enlightening findings of this study to be those relating to social networks, and how they converge with Putnam's social capital theory. It was identified through the first survey that the respondents felt they lacked opportunities to build social networks as one of the major factors affecting their adjustment both on campus (65%) and off campus (54%). The former percentage relating to the lack of opportunities on campus may be partly due to the timetabling of classes on two evenings of the week, intended to allow students to fulfil their day-time work commitment. This issue has been identified in other studies (McDonald et al. 2008; Michailidis 2004), although the percentages seem to be lower. While this issue indicates an area of concern that needs to be addressed, it again highlights the fact that these student interpreters do assume the "dual role" of agents and subjects of social inclusion. The latter role echoes the importance of social networks in resettlement processes identified by McMichael and Manderson (2004) and Colic-Peisker and Tilbury (2003).

The results of the second questionnaire revealed an unexpected dimension. Contrary to the first survey in which the lack of opportunities to establish social networks on- and off-campus were identified to be the major factors affecting the students' adjustment, followed by other factors such as feelings of loneliness and perceived discrimination, in the follow-up questionnaire most respondents (90%) picked "English skills" as either an important or very important factor to their successful adjustment, manifesting a total overturn of confidence in their linguistic competence as demonstrated in the first questionnaire.

Although "feelings of loneliness" scored the lowest in the second survey (48%) as the factor affecting students' adjustment, the percentage was consistent with the first survey. This probably explained why 87% of the respondents in the second survey felt the need to establish social networks outside of RMIT, and 77% felt the need to establish social networks within RMIT. The responses from the research subjects in the two surveys revealed their yearning for social networks both on- and off-campus. This converges with Putnam's social capital theory, which relates to the collective value of all "social networks" and the inclinations that arise from these networks to do things for each other (Putnam 1995).

6. Implications of this research

6.1 Implications for training

6.1.1 *Team teaching*

The practice of team teaching in the interpreting subjects was confirmed by the teachers to be valuable in managing the classroom and achieving effective learning. The authors believe that a dialogic pedagogy (Game and Metcalfe 2009), which views team teaching as a supportive relationship between teachers and affords students the opportunity to engage and provide input in the learning process, is particularly potent in teaching interpreting skills. The benefits of interdisciplinary and multicultural education teams were identified by McDaniel and Colarulli to be “very effective in fostering integrative thinking and appreciation of diversity” (cited in Eisen 2000:9). Team teaching provides an important medium for teacher/student classroom interaction in the context of training on vocabulary use, pronunciation and discourse style. The authors strongly advocate more resources for professional development for teachers engaged in team teaching to improve pedagogical strategies for their culturally and linguistically diverse classrooms and to help students to develop more advanced communicative and linguistic competencies.

6.1.2 *Student selection*

One point of the teacher feedback touched on the heterogeneity of the students’ language proficiency, particularly their English, and the consequent pedagogical challenges. All entrants to the program went through a selection test. In their attempt to achieve their study goals, most students chose “English skills” as an important factor; in addition to this, teachers commented on students’ varying levels of competence in English. The authors are of the opinion that the breadth and depth of the selection test may need to be re-evaluated in order to increase its screening efficacy for suitable candidates to enter the interpreting training program.

6.1.3 *Bilingual teaching materials*

Feedback from both the students and teachers drew attention to the shortage of bilingual materials, an issue discussed in more detail by Lai and Mulayim (2010). These rare and emerging languages are not offered by the program on a continual basis. In some cases they are delivered only once, depriving the program of the capacity to accumulate language-specific materials. Adding to this predicament, resources available for these languages in print or on the internet are extremely limited, resulting in the paltry collection of available materials in RMIT libraries.

Many of these languages are often in the process of developing a vocabulary to match Western cultural contexts. In many instances, the English team teacher had to explain what a word or concept meant in English and worked with the LOTE teacher to lexicalise such concepts in the LOTE.

The authors believe concerted efforts are needed to address this deficiency. We call for training materials to be shared among training institutions offering similar community interpreting courses within Australia and abroad, thereby spreading the load and cost of developing appropriate teaching materials.

6.2 Implications for policy

6.2.1 *VMC scholarship*

The Victorian Multicultural Commission (VMC) has been the main impetus in linking aspiring community members to vocational interpreter training. The scholarships VMC has provided since 2002 to entrants of the RMIT Diploma of Interpreting program have been instrumental in enabling the students to receive training without bearing undue financial burden.

The authors have observed over the years that the attrition rates for these rare and emerging languages in the interpreting program have been low compared with other non-refugee language streams, and these students have always expressed their heartfelt appreciation to VMC's scholarships and the opportunity to study. Most importantly, they all felt a pressing need for their community to access qualified interpreters and how their completion of training forms part of the solution. As was evidenced by the follow-up survey that "worry about financial problems" and "opportunity to find employment" were at the top of the students' agenda, the importance of continued scholarship funding cannot be overemphasised.

6.2.2 *Social networks*

As was confirmed by the study, establishing social networks on- and off-campus was regarded by the students to be vitally important in their adjustment to Australian life and tertiary studies. The authors would like to call for more support in assisting the students to link up with various services and mainstream society, thereby strengthening 'social bridge' and 'social links' as defined in the framework by Ager and Strang (2008). Meanwhile, the university also needs to work on strategies to help the students better integrate into the university environment in order for them to tap into the social and academic resources it has to offer. An integration specialist for these student interpreters (as well as refugee students in other disciplines) similar to the Indigenous Education Liaison Officer should be

considered. The authors believe this would greatly assist the students in managing balance among work, family and study, which was identified in the study as the number one factor affecting their adjustment to tertiary studies.

7. Conclusions

The refugee backgrounds of the research subjects in this study led the authors to an unconventional path of looking at the adjustment issues perceived by the student interpreters, who were both agents and subjects of social inclusion in their study journey at RMIT, and more broadly in their adopted country – Australia. The major factors identified by the students in the two surveys can be categorised into sociolinguistic (relating to English skills, fluency and pronunciation), socio-political (relating to familiarity with Australian customs and perceived discrimination) and socio-economic (relating to work/life/study balance and worry about financial problems). Each category and each factor deserves further attention in order to identify their independent and inter-related causal impacts and to locate suitable resources to address such concerns.

On the whole, this research shows that the students' backgrounds as humanitarian entrants do not seem to significantly affect their adjustment to an Australian tertiary education setting. It appears that the program helps the integration process of the individual student interpreters, and it also makes an important contribution to improving communication between the refugee community and the wider community. However, more positive intervention is needed to facilitate the students' "social connection" on all fronts of "social bonds", "social bridge" and "social links" (Ager and Strang 2008). It is only when these student interpreters are socially connected and fully functional in all spheres of social networks in Australia's multi-lingual and multi-cultural society that we can claim to have cultivated Putnam's (1995) "social capital".

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From role-playing to role-taking

Interpreter role(s) in healthcare

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Against the background of the current literature on (interpreter-mediated) doctor-patient interactions, and of a study of real interpreting situations recorded in Italy and Belgium, this paper presents an analysis of medical role-plays recorded in one of the major Italian universities training interpreters. The paper sets out to check to what extent participants fulfil the “ideal template” of dialogue interpreting (an AIBIA turn pattern), locating departures from this template and raising questions like: who initiates them and how do the interlocutors position themselves? Are there any differences with departures in real data? Is role-playing a good way of introducing students to role-taking in healthcare? Combining notions from Conversation Analysis and Interpreting Studies, this paper discusses what works and what is missing in role-plays as a training technique.

1. Introduction and objectives

Due to the growing number of foreign patients having access to healthcare institutions in Europe, interpreting services in doctor-patient interactions are increasingly required. Recent research (Bolden 2000; Davidson 2000; Baraldi and Gavioli 2012) has acknowledged that the *mediating* role of interpreters in public services is of serious interest and complexity. In some countries, such as Italy, the situation gets even more complicated, as this role is taken by a variety of people having different denominations and backgrounds (Merlini 2009). The fact remains that interpreters need to be trained to the changing landscape of multicultural healthcare settings, and to the new mediating roles they may be required to take. This paper sets out to broadly address the issue of training by taking an interactional perspective, shedding light on the expectations that orient interpreting activity in training and in the provision of professional service.

For nearly four decades, the pedagogic fashion in interpreter training and evaluation has made extensive use of role-plays. In the present paper, the label

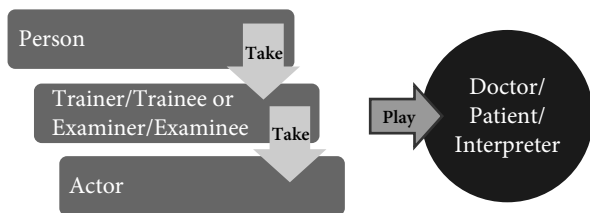


Figure 1. Role-taking to role-playing in classes and exams

dialogue interpreting (DI) will be used to subsume liaison (Gentile et al. 1996), community (Hale 2007) and public service (Corsellis 2008) interpreting, as it best reflects the nature of a practice which in fact involves at least three parties (Wadensjö 1998; Mason 1999); whereas the term *role-play* (RP) will be used to cover “let’s pretend” exercises (Milroy 1982: 42) where a trainee/examinee (a person), *plays* (as an actor) the part of an interpreter (a character) between two or more other characters who speak different languages (typically played by other persons, the trainers/examiners).

As shown in Figure 1, the context of training or examination (the framing activity, in light grey) sustains the “person-role formula” (Goffman 1974: 269–286), where particular persons *take* the roles of trainers/examiners or trainees/examinees, who then *take* the roles of actors; whereas RPs (the framed activity, in dark grey) are sustained by the “role-character formula” (ibid.), where the actors *play* the part of one or more characters in a *role-play* performance which is embedded in a didactic context, whether this has a formative or evaluative orientation.

Against the background of the current literature on doctor-patient (Heritage and Maynard 2006) and mediated doctor-patient interaction (Bolden 2000; Davidson 2000; Baraldi and Gavioli 2012), and of a study of real interactions recorded in Italian and Belgian hospitals, this paper presents an analysis of RPs recorded in one of the major Italian universities that trains interpreters. It aims to question RP as a training technique, and the extent to which it may or may not help student-interpreters (SI) *take* their role in the “real world”.

In no way do I pretend to resolve all the issues emerging from the comparison of RPs recorded in training settings with real interpretations in hospitals, which is the purpose of the wider research project this paper stems from, but I hope to bring some of them into the open for debate. I shall not treat *real* data as a model *didactic* data should conform to, as the two are obviously and necessarily diverse. I will rather consider the extent to which participants fulfil an “ideal” dialogue interpreting template in didactic *and* real data, locating sequences where participants depart from this ideal, and seeing how they position themselves with respect to such departures. Thereby I hope to emphasize the extent to which

didactic data feature the orientations and interactional practices that seem to be relevant in real data. My purpose is to stress the advantages and drawbacks of the RP technique in this respect, and to tentatively propose ways in which trainers might make role-playing more effective.

2. Data and method

This paper is part of a wider research project involving didactic and real French-Italian interpreter-mediated interactions. Didactic data were recorded in Italy in 2009 and include medical RPs occurring during classes and exams where SIs mediate between simulated doctors and patients. Real data were recorded in Italy and Belgium in 2010 and include medical visits where interpreters mediate between real doctors and patients.

For the purposes of the present paper, we mainly considered the didactic subset, consisting of 217 minutes of RPs recorded in examination settings, in which each examinee mediates between Italian and French on a medical topic for about 7 minutes. Most of the examinees are women, whereas the examiners are a man and a woman: the former plays the role of a doctor speaking Italian (E1), and the latter that of a patient speaking French (E2). Both of them follow a script where each of the parts is written out, and where the completion of a turn by one speaker occasions the turn by the other. For the RP to stay on track, E1 and E2 are expected to speak according to this predetermined script, and the SI to translate their turns accurately.

The decision to base this analysis on RPs from exams rather than from classes was motivated by their similarities with respect to the features we were interested in: they both feature the same language pair and medical topics; they both follow a predetermined script; they involve the same persons; they are sustained by the same formula and are equally framed by a didactic context, although the roles taken vary from trainer to examiner and from trainee to examinee; they feature departures from an “ideal” template which make didactic orientations surface, although these vary from formative to evaluative. Two further reasons to the use of exams were the higher complexity of class interaction, where other trainees are physically and verbally present as a public during RPs, and the fact that in classes the trainers generally split the RP performance into 3 to 10 parts, thereby involving the greatest number of trainees for an average of 3 minutes each, but also repeatedly breaking the frame of the simulated encounter.

After careful listening and classification of the 31 French-Italian examinations recorded, 12 RPs were selected for discussion and transcribed. Selection was guided by criteria of comparability with the real set of data, considering the

coverage of medical topics dealt with, the students' language competence level (medium-high), and the proportion of male/female participants.

3. Theoretical framework

An interdisciplinary approach encompassing Conversation Analysis (CA: Sacks et al. 1974) and Interpreting Studies (IS: Pöchlhacker and Shlesinger 2002) is adopted to explore how speakers orient to different contexts in the production and monitoring of each other's "moves" (Mason 2006), and in the co-construction of meaning and participation.

CA looks at speakers' contributions to talk and at the acceptance, or rejection, of such contributions in subsequent interaction. Applying what Sacks et al. (1974) call "next turn proof procedure", CA explains how participants take up each other's actions and jointly achieve and construct an understanding of what is going on. What I take from CA is the concept of *sequence*, in other words, the idea that meaning is created through the sequential ordering of turns-at-talk, which generally address the prior contribution. In same-language interactions between (A) and (B), each of (B)'s turns overtly or tacitly accepts/acknowledges/responds to (A)'s prior contributions (and vice versa). Central to the CA tradition is the idea of *adjacency*, where each turn can be seen as responding to the immediately previous turn. This concept is mainly used here to account for question-answer *pairs*, and to shed light on the evaluative orientations that surface in didactic role-plays. RP performances in an examination context are framed by an evaluative activity (the exam), and the orientations of examiner-examinee interactions appear to permeate the performance. More precisely, RPs appear to be affected by the *Initiation-Reply-Evaluation* adjacency triplet (Mehan 1979) that characterizes didactic contexts: the examiner asks a question (initiates), the examinee answers (replies), then the examiner comments (evaluates) the examiner's response. The IRE sequence can alternatively be seen as two adjacency pairs (*Initiation-Reply* and *Reply-Evaluation*), where the first parts project the second ones. As we will see in the excerpt chosen, the *Initiation-Reply* pair appears to sustain most of the RP performance, where the SI responds (by translating) to initiatives taken by the two examiners. *Reply-Evaluation* pairs only occasionally surface in the interaction, but their presence shows that the evaluative orientations of examiners are not entirely deactivated when they *play* their part in the RP.

In discussing triadic cross-linguistic interactions, Interpreting Studies (IS) has for the most part assumed that interpreting consists in repeating, in a different language, what has already been said by primary speakers.

- A: Turn 1 (in A's language)
 I: Turn 1' (= translation of T1 into B's language)
 B: Turn 2 (in B's language)
 I: Turn 2' (= translation of T2 into A's language)
 A: Turn 3 (in A's language)
 I: Turn 3' (= translation of T3 into B's language)
 B:

In this "ideal" interpreting template (AIBIA turn pattern), the interpreter is an invisible and neutral conduit which translates, without pausing or overlapping, primary speakers' utterances.

Although analyses of DI have shown that things are much more complex than in the AIBIA pattern, thus questioning the validity of norms that were conceived for simultaneous and consecutive interpreting and then acritically applied to other modes, and hence paving the way to more elaborate models (Davidson 2002), the pervasiveness of such an "ideal" template is demonstrated by its recurrence in IS (Gentile et al. 1996; Wadensjö 1998; Pöchhacker and Shlesinger 2002), and by its application in interpreting courses and examinations. I call it "ideal" taking inspiration from Wadensjö's (1998: 104) distinction between "ideal interpreting" and "actual performance", and from Weber's (2006) "ideal type". "Ideal" does not mean here that it is the best possible model, nor that it actually matches naturally-occurring interpreter-mediated interactions. It rather means that, in spite of different patterns occurring in real interpreting, this is the template interpreters seem to orient to. I shall tentatively use it as a benchmark for the analysis of didactic and real data, locating and comparing departures from this "ideal type", and discussing the different orientations of participants to such departures. The AIBIA pattern provides a template into which turns can be placed, which enables me to identify sequences where the "ideal type" is departed from, and to broadly categorize them according to the function they may have in the interaction. CA categories can then be used to describe the various interactional patterns and orientations of such departures in didactic and real settings.

This paper will mainly focus on departures occurring in didactic contexts, but it will also hint at departures in real contexts, thus opening a discussion as to the best ways to raise SI awareness of the orientations those departures may have in real settings, and to help them take on the new roles that may be required there.

4. Analysis

This section presents some results from the analysis of medical RPs recorded during French-Italian examinations. My objective is to provide a quick overview of the departures from the template I have found in didactic data, and to discuss one excerpt which features some of the most recurrent patterns. Throughout the section, particular attention will be paid to how speakers position themselves with respect to such departures, and to the orientations which surface from their interaction. This analysis of didactic interpretations will pave the way for a discussion of what appears to happen in their real counterparts, and hence raise questions about interpreter training.

By superimposing the template on the 12 didactic RPs selected and transcribed, I was able to locate the turns that were departing from the AIBIA pattern. Out of the 131 departures I counted, 48 were structurally recognizable because they featured overlapping turns between speakers talking at the same time. In the remaining 83 cases, departures could not be immediately ascribed to any conversational practice. I therefore had a closer look at turn content and prior contributions in order to understand the issue at stake, and to label departures accordingly.

Because of space constraints, I shall limit myself to presenting the three recurrent departures which appear to yield direct insight into the didactic context. “Irony” (i.e. IABI) occurs when examiners make ironic remarks or crack jokes, thereby intervening as the funny people they are – rather than with the roles they *take* (examiner, actor) and *play* (doctor, patient). The label “feedback” (i.e. AIABIA) stands for feedback tokens like “mm hm” and the like, which are mainly given by the Italian-speaking examiner (A) immediately after the interpreter’s translation into French. What I label “instruction-giving” are sequences where one speaker departs from the “ideal” triadic template to give instructions to another (i.e. AIAIAI).

The excerpt chosen (see 4.1 below) is taken from the last part of a medical RP involving one Italian-speaking male doctor (E1), one French-speaking female patient suffering from high blood pressure during her holiday in Italy (E2), and one female interpreter (SI). After checking whether the patient can understand or speak Italian, the doctor claims to have read the medical record, and then initiates a long series of history-taking questions. The excerpt starts towards the end of these, and the first departure from the ideal template (that is from the turn pattern AIBIA, here E1-IS-E2-IS-E1) occurs in turns 08-11, where E1 overlaps twice with SI. The interaction then visibly moves back to “an attending to business as usual” mode (Jefferson 1988:419), as turns 11 to 19 perfectly match the AIBIA template. Turn 20 then marks the beginning of a series of departures where “irony”

intertwines with “instruction-giving” and “feedback”, and the template is totally abandoned till the end of the RP (43). The last turns (44–47) are a typical post-RP bracketing sequence, where the Italian-speaking examiner, who usually also gives information on the RP before it starts (pre-RP sequence), finally returns to the examination frame by declaring the play over and by inviting the SI to wait for assessment.

4.1 Excerpt (1) 090529_007

This excerpt has been purged of prosodic descriptions, and only features the words spoken, short (.) and longer pauses (1 and 2 seconds), overlapping speech ([]), and a few further annotations that should be transparent. Bold indicates turns to be discussed in particular detail.

- A 01 E1 ehm no (.) non ha male al torace {question}
any chest pain
- I 02 SI vous avez du mal au thorax {question}
- B 03 E2 (.) et puis quoi encore
- I 04 SI (.) no ehm
- A 05 E1 no fa fatica a respirare {question}
is it hard to breathe
- I 06 SI vous avez du mal à respirer {question}
- B 07 E2 (.) non non et non
- I 08 SI no [niente di] tutto questo
none of these things
- A 09 E1 [ehm no] (.) ha le gambe un po' gonfie {question}
are your legs a bit swollen
- I 10 SI vous avez [les]
- A 11 E1 [o sbaglio]
aren't they
- I 12 SI ah ah vous avez les jambes un peu gonflées ou pas {question}
- B 13 E2 ben j'ai toujours eu les jambes un peu fortes c'est pas la peine de me le faire remarquer de cette façon là
- I 14 SI ho sempre avuto le gambe un po' robuste non c'è bisogno che me lo (.) indichi
my legs have always been a bit robust and you don't need to remind me
- A 15 E1 va bene (.) si calmi signora (.) adesso le misuro di nuovo la pressione (.) si sieda qui
that's fine (.) calm down madam (.) now I'll take your pressure again (.) sit here

- I 16 SI alors madame vous pouvez vous asseoir ici et je vous prends la pression
(.) mesure votre pression
- B 17 E2 et ben à la bonne heure il était temps que vous fassiez quelque chose
- I 18 SI ok finalmente fa qualcosa
at last you do something
- A 19 E1 ma si è un po' alta per (.) cioè è carina la signora è
yes it is a bit high bu (.) well that's kind of her isn't it
- I 20 SI (laughs)
- A 21 E1 è un po' alta però non secondo me non deve preoccuparsi
it's a bit high but I think you shouldn't worry about it
- I 22 SI ok
- A 23 E1 ehm (.) ecco qua adesso le prescrivo un po' di farmaci
here we are now I'll prescribe some drugs
- (1)
- A 24 E1 [mm hm]
- I 25 SI [ok] votre tension n'est pas ehm préoccupant et maintenant je vous donne des des médicaments
- A 26 E1 è molto caldo in questi giorni quindi deve bere molta molta acqua anche due litri deve sforzarsi anche due litri d'acqua al giorno (.) niente caffè niente alcol (.) niente sale anche se le piace il salame
it's very hot these days so you have to drink a lot of water as much as two litres you must make an effort as much as two litres of water a day (.) no coffee no alcohol (.) no salt even if you like salami
- I 27 SI ok (.) je sais qu'il fait très chaud aujourd'hui et pendant cette période mais il faut boire beaucoup d'eau ehm deux litres par jour ehm vous ne devez pas boire de l'alcool et des et manger des aliments salés
- A 28 E1 e [e eviti di esporsi al sole]
and and avoid exposing yourself to sunlight
- B 29 E2 [mais enfin c'est c'est l'horreur]
- I 30 SI (.) per me questo è un patimento
that is dreadful for me
- A 31 E1 e bè dovrà resistere un pochino e eviti di stare al sole
and well you will have to resist a little and avoid staying in the sunshine
- I 32 SI ok (.) non vous devez résister et en plus vous ne pouvez pas vous exposer au soleil
- A 33 E1 mm hm
- B 34 E2 enfin je je rentre des vacances alors c'est pas la peine que je reste en vacances
- I 35 SI allora
well
- B 36 E2 je peux pas manger je peux pas boire (.) je peux pas rester au soleil

- A 37 E1 mm hm (.) vabbè ha capito {question}
all right did you understand
- B 38 E2 comment je fais pour draguer {question}
- I 39 SI ehm (.) la signora si stava lamentando sul fatto che se deve rimanere
qua senza bere e mangiare i cibi che le piacciono allora non ne vale
la [pena rimanere in Italia]
*madam was complaining about the fact that if she has to remain here with-
out drinking or eating food she likes then it isn't worth remaining in Italy*
- A 40 E1 [eh signora è] così (.) ha capito quello che deve fare no {question}
madam that's it (.) did you understand what you have to do right
- I 41 SI vous avez compris[ce que vous devez faire]
- A 42 E1 [arrivederci]
goodbye
- I 43 SI au revoir
- A 44 E1 (.) va bene
that's fine
- I 45 SI ok
(2)
- A 46 E1 a tra poco
see you soon
- I 47 SI ok

With the exception of the overlaps in 08-11, the first departure from the ideal template is in 20, where instead of translating, SI laughs. This laughter is occasioned by the fact that E1, who had already started reading his part from the script (19), truncates the last word and responds to E2's "irony" (17), translated by SI in 18. E1 cannot help aligning himself to the ironic comment made by his colleague, although his desire to stick to his role then surfaces. Indeed, if we look a bit further on, in turns 37 to 42, E1 appears somehow annoyed by the fact that E2 is adding extra complaints, as he gives "strange" feedback to something he was not supposed to understand, and then asks, following the script, whether the patient has understood his instructions (37). Notice that E2 adds another ironic extra remark (38), then SI brings back the interview on track by formulating what E2 had said in turns 29, 34 and 36, while not accounting for the ironic remark in 38. She thus positions herself with E1, who is visibly attempting to move back to "business as usual". Overlapping with the end of the SI's turn, E1 mildly responds to SI's formulation (40), and then he repeats the question he had asked in 37, which is still awaiting a translation. While SI is translating this final question, E1 utters an overlapping "goodbye", thereby marking the end of a RP that has finally been brought back on track.

These lines have shown how both SI and E1 tend to position themselves with respect to departing “irony” initiated by E2. By and large, SIs align to departures initiated by E2, as they treat them as occasioned by a funny person who tries to make the RP, and the exam, more amusing. But aligning to ironic departures, which open up unforeseen sequences in the RP, demands a negotiation of roles, and SIs are often doubtful as to whether information I have broadly labelled as “irony” should be translated or not. Their behaviour appears to be influenced by E1’s positioning. When E1 aligns to E2’s ironic departures and treats them as part of the RP interaction, SIs generally provide the translation (as in 18). But when E1 does not align to such departures (as in 37), SIs tend to align with E1’s positioning, by not translating ironic remarks and bringing the interaction back on track (41, 43). In so doing, SIs align to E1’s orientations to evaluation, which are also visible in his use of feedback tokens (24, 33). While the first “mm hm” occurs after a one-second silence and confirms that SI can start translating, the second one is a feedback to SI’s translation into French, and it “strangely” occurs after a turn that the Italian-speaking doctor would not be expected to understand. As such, it may be seen as the third part of the IRE triplet, where E1 basically evaluates SI’s reply to his Initiation, hence showing that the evaluative orientations of the framing activity are not totally deactivated, and occasionally “flood” into the framed RP (Goffman 1974).

An orientation to evaluation also surfaces in the “instruction-giving” sequence which takes place from 26 to 33, where E1 departs from the “ideal” template to give instructions aimed more at assessing SI’s translation skills than at ensuring the patient understands his prescriptions. That is visible in 28, where E1 does not wait for E2 to reply, but simply goes on with his instructions. His orientation to evaluation and to dyadic E1-SI turn sequences however contrasts with E2’s tendency to dramatize the content of the pre-determined script, by taking the floor and adding comments not previously agreed (29). As SI decides, after a short pause, to translate E2’s and not E1’s turn (30), E1 quickly responds to this translation and then resumes his “instruction-giving” by reiterating (31) the instruction given previously (28).

While very short in comparison to other “instruction-giving” sequences in my didactic data, the example in this excerpt shows the typical turn patterns and orientations of such a departure from the template. By and large, instructions occur in dyadic sequences between E1 and SI: E1 gives the first instruction and SI translates it, then E1 gives the second instruction and SI translates it, then E1 gives the third instruction and so on. While ideally the addressee of E1’s medical instructions, E2 is not given the floor to reply to these, unless she overtly competes for the turn (as in 29). I would argue that the absence of replies from E2 in these sequences confirms that the didactic data are sustained by evaluative orientations.

E1 departs from the template and positions himself as the trainer-assessor, whose primary goal is to evaluate SI's translation skills rather than communicate with E2, whose understanding as a patient seems not to be taken into account.

This last remark leads us into the next section, where I will advance some working hypotheses on "instruction-giving" and other departure sequences that appear to be occurring in the real data, and raise some questions on the training of healthcare interpreters.

5. Discussion

The excerpt discussed exemplifies various ways in which departures from the template featuring evaluative orientations are interactionally negotiated by participants during RP performances, generally being initiated by an examiner. I will now try to relate these results to those obtained from the analysis of real data, where departures from the template appear to be more numerous, and mainly initiated by interpreters.

"Instruction-giving" sequences in my real data similarly feature dyadic exchanges between two participants, but the turn patterns and orientations are different. As we saw in the excerpt, didactic "instruction-giving" involves the doctor and the SI. The fact that the patient is temporarily excluded from the interaction led me to argue that these sequences are not oriented to the patient's understanding (and health), since had that been the case the latter would have been monitored, but rather to the evaluation of SI's translations. If one looks at "instruction-giving" in the real data, these also determine a departure from ideal triadic interpreting, but the two speakers involved are the interpreter and the patient. The interpreter takes the initiative of instructing the patient on, for instance, how to reach the place of a subsequent visit, the opening times of health facilities, costs and objectives of tests, and repeatedly checks the patient's understanding. This orientation seems confirmed by the fact that real "instruction-giving" often goes along with writing: interpreters write down instructions for powerless and illiterate patients, so the latter can take away the interpreter's post-it as an *aide-memoire* for their next appointment.

Two other dyadic sequences that depart from the template in real interactions show a similar orientation to the patient's understanding and health. The first, tentatively called "assistance-offering", occurs when the interpreter perceives that the patients might have difficulty in reaching a place alone, and offers to accompany them. The second, labelled "autonomous questioning", occurs when the interpreter asks questions that had not previously been asked by the doctor, taking the initiative to inquire further into the patient's health.

Space prevents a detailed account and exemplification of these sequences, and it would be wrong to draw confident conclusions from an ongoing comparison of didactic and real data. Nevertheless, the notion of “departure from template” seems to provide helpful insights as to the different orientations of RPs and their real counterparts. “Instruction-giving”, “assistance-offering” and “autonomous questioning” in real interactions appear to have something in common. On such occasions the interpreter takes responsibility for the patients’ health (normally the doctor’s responsibility), by initiating departure sequences which have future consequences for them (they will use the instructions to go to a visit, will be helped to find an office, will have the possibility to further narrate their troubles). Building on Wadensjö’s groundbreaking distinction between “textual” vs. “interactional” orientation (Wadensjö 1998:108), one may arguably want to cross the border of single interactions to cover the patients’ entire “path” of care. Opting for two broader definitions, one might tentatively state that while didactic data appear to be sustained by an “ethics of conviction” (Weber 2006:73), where SIs orient to an ideal interpreting template irrespective of the consequences of their translations for the patient, real data appear to be sustained by an “ethics of responsibility” (ibid.), where interpreters orient to the patients’ understanding and health, taking responsibility for the possible consequences of their translations along the whole path of patient care.

Although one may criticize interpreters for assuming a role which appears to overlap with that of the doctor, dyadic sequences of “instruction-giving”, “assistance-offering” and “autonomous questioning” occur in both my Italian and Belgian real data, and are also documented in the literature (Bolden 2000; Davidson 2000; Hsieh 2007; Bot and Verrept, this volume). The time may well be ripe to rethink interpreter training programmes in the light of what happens in real healthcare interactions, where interpreters are not only translating according to a traditional interpreting format, but often depart from that template to take on other roles for which SIs should arguably be prepared.

This raises a number of questions as to what trainers should actually be “training trainees to do”. Should they really train SIs to use the ideal interpreting template, thereby preventing them, for instance, from autonomously asking questions which may facilitate a diagnosis (Davidson 2000; Bolden 2000; Hsieh 2007)? How can they train SIs to relate to features of a wider spatio-temporal context than that provided for in the one-off RP, which appear to be a regular concern in real interactions? If SIs are trained to simply relay a message following the AIBIA turn pattern, they are not being trained to depart from that template in order to autonomously give instructions or offer assistance, thereby taking responsibility for the patient’s health in a context where time is at a premium and where such role overlaps may arguably be among the expectations of healthcare professionals.

As we have seen, such departures help the patients to “take something away” for their future world – a diagnosis, useful information, assistance – which is relevant outside the immediate medical context. So how can one train SIs to actively help patients to take that something away? In other words, how can one help SIs take their role(s) in real healthcare interactions? I shall end this paper with a brief discussion of what is missing in RPs, providing guidelines for trainers wishing to use simulated interpreting situations to help trainees narrow the gap between knowing what to do and knowing how to do it, while helping them take responsibility for a learning process they are ultimately responsible for.

6. Conclusion

Role-play can be a helpful training device, which helps develop linguistic skills and communicative abilities (Widdowson 1978:68). But since “this is play” (Bateson 1972:178), it cannot reproduce the orientations of real interactions. Even if it did reproduce the exact words spoken by a real patient or doctor, what is authentic to those *users* when they “live” a specific situation cannot be authentic to *trainers/trainees* when they play it (Widdowson 1998:10–12): the latter will always inevitably orient to the didactic framing activity.

One of the features to characterize my real data was the presence of “take away”. In the “real world” things matter (for the patient or for future events), while in the RP the only thing that matters is linguistic quality (and, in the case of an examination, the mark). Trainers may however help SIs to take the play, and their future roles, more seriously, by integrating RPs both in class and in exams with real forms, notes and post-its, to name but some of the things which we find in real settings. For instance, they may urge SIs to spell difficult names in order to make sure that the doctor writes them correctly in a form to be filled in during the performance. They may introduce post-its where the SI has to write things down for powerless patients who cannot write, or draw maps for the purposes of a subsequent visit, and the like. The problem with lists like these is that they are always locally built, in the sense that each trainer generally derives tips and tricks from more general theories which have to be adapted to local formative and evaluative needs. To conclude I will simply emphasize some of those general points.

Authenticity of communication is not guaranteed by the reproduction of real-life situations, but by the pragmatic response of the learner (Widdowson 1978). There might be activities, other than RPs, which may trigger such a pragmatic response or help trainees reflect on how they would respond in a given situation, so that, if and when the time comes, in that same situation they will not act out of the blue, but rather be aware of what they are doing, of the departures they are

initiating, of the roles they are taking. Of these other activities I will only mention observation and narration, as they have borne fruit in my own classes, but one can conceive of many more practices that might be used in conjunction with RP. Observation is a matter of watching, listening to or reading transcripts of real interactions, and discussing these in class (Merlini 2007). This may raise learners' awareness of the problems and orientations of real communication, which may first affect their role-*playing* in training settings, and secondly their role-*taking* in real life. Narration involves the telling of significant personal experience by trainers, who thereby convey their "gut-level" learning of what interpreting actually means, and enhance learners' interest and discussions.

To conclude, a training method that makes use of well-pondered RPs in conjunction with other activities may better help SIs to achieve both training and education, where by the former I mean training in linguistic skills and communicative abilities (Widdowson 1978:68), and by the latter personal and professional growth (Corsellis 2008:65), along with a capacity to adapt skills and abilities and to make judgments about particular situations (Gentile et al. 1996:71). If interpreting trainees learn by doing, then perhaps learning *what* they are doing and *why* is as necessary as the doing itself, in order for them to deal, more constructively and responsibly, with the situations and orientations of the "real world".

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Public service interpreter education

A multidimensional approach aiming at building a community of learners and professionals

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Professional qualifications in Public Service Interpreting (PSI) only carry a value if they are combined with appropriate education. This paper starts by commenting on shortcomings of the Diploma in Public Service Interpreting, which is the most widespread qualification to access the profession in the United Kingdom. Current training courses mainly offer a skill based approach and they are summative assessment led, with little awareness of pedagogical principles. This paper is an attempt to define a pedagogy that relates to PSI training. It argues that PSI training has to evolve to become PSI education. A much deeper understanding of the influence of pedagogy in PSI education is essential for PSI to engage in an open debate on its professionalization.

1. Introduction

In the UK, the Diploma in Public Service Interpreting (DPSI – English Law, health and local government options) is the most widespread qualification to access the public service interpreting field, hopefully soon acknowledged as the public service interpreting profession. Professional qualifications only carry a value if they are combined with appropriate education. In the case of the DPSI, training courses provided by Further Education or Higher Education mainly offer a skill based approach. Observation of DPSI course teaching sessions demonstrated that they are summative assessment led, with little awareness of pedagogical principles, such as the basic educational theories of alignment, deep learning and assessment strategies.

This paper is an attempt to define a pedagogy that relates to PSI education. Its ambition is not to bring defined answers but to ask the right questions and open the debate on key issues relating to PSI education. As public service interpreting is still in its infancy, training has been confused with finding the right qualification,

omitting a real debate on pedagogical principles that can best serve the profession. The urgency of getting the profession acknowledged has precipitated a race to identify the PSI skills necessary to interpret “safely” in a professional manner. However, hardly any thought has been given to the ways to acquire PSI skills, the relationship between the way to teach and the outcome of assessments, who is going to teach courses and how these trainers could communicate with each other to create standards and promote good practice. Consequently, we come across potential interpreters who do not understand the importance of training let alone PSI education because it was not conceptualised by the very parties that created the existing PSI qualifications. A large majority of potential PSI interpreters believe that training is a superfluous waste of time they cannot afford. Who can blame them when the quality of training varies so much, when no clear strategy has been communicated by the wider interpreting profession, and especially when unqualified interpreters still find work on the market because many stakeholders do not see the difference between a properly trained and an untrained PSI interpreter?

PSI training has to evolve to become PSI education. A much deeper understanding of the influence of pedagogy in PSI education is a must if PSI is to engage in an open debate on its professionalization.

Potential PSI students are active stakeholders whose opinion matters in the process of curriculum design. We need to listen to the changes in the younger generations' approach to learning and accessing knowledge, and use new technologies for an effective and flexible access to learning. Some courses in place address the needs of the profession, the skills required by the profession, but they do not have a vision to anticipate the needs of the students who will be tomorrow's PSI professionals. The way the new generation of learners access the profession through education and knowledge will actively affect the way the profession is shaped tomorrow. This is why it is essential to integrate ongoing reflection on the range of educational philosophies and teaching approaches, in order to evaluate their effectiveness for new generations of learners.

Tohey (1999:80–90) explains how important it is to gather information and feedback from stakeholders when planning a new course design or reviewing an existing one. She suggests various techniques (e.g. surveys, observation of practitioners) to bring together stakeholders to discuss and debate initial ideas for a new course or changes to an existing one, content, or assessment related issues. At London Metropolitan University, such consultation for the curriculum design of the Master's in Public Service Interpreting (health and legal) led to the birth of the Public Service Interpreting and Translation Network Group which brought together stakeholders such as interpreting professional organisations in the UK,

employers of PSI and conference interpreting, and academia involved in conference interpreting and PSI.

The curriculum needs to be flexible and reflective in order to integrate changes and new variables that reflect a profession continuously evolving with time and demands and changes in the student profile.

2. Pedagogy starts before the classroom

2.1 Communication with potential learners during the initial guidance process

At the heart of the pedagogy advocated in this study is the need to focus on learners' needs, concerns and aspirations.

In PSI, there is a misconception that anyone who “speaks” two languages and wishes to be helpful can be a public service interpreter. The concept of “speaking a language” varies from “being understood” no matter how long it takes, to expressing oneself in an accurate and precise manner, using a range of vocabulary and registers suitable to a given situation. It is this misconception that leads many potential interpreters to enquire about attending interpreting courses even after they are clearly told that they are not yet ready to do so. It is fairly easy for a PSI lecturer to informally identify existing communication, linguistic and analytical skills, from a simple conversation on the phone to an email asking for information. But it is very challenging and sometimes daunting to tell a potential interpreter that more work needs to be done to fill the gap.

In PSI, potential students have sometimes been in the country for a short while; they have had to survive an ordeal to come to the UK, settle down and make both ends meet. Some of them have had to pick up the (English) language as they went along, with no formal study. Many potential students financially support families in the UK and very often in their country of origin. As a result, when providing informal guidance over the phone, it is crucial to bear in mind the sensitivity of the information provided and how it will be perceived, not only at a personal level, but also culturally. The guidance approach needs to be constructive, respectful and socio-culturally aware. Corsellis (2008) rightly also points out that

[...] approaches to selection which risk the loss of face by individuals within their own language community should be avoided, particularly where community leaders are involved. (2008: 67)

As the profession is so young and standards so well ‘hidden’, we need to ask ourselves the following questions: what approach and strategies do we use to provide

initial guidance in a constructive way? How do we raise awareness that cultural and analytical skills as well as linguistic skills are a justified pre-requisite when engaging in the PSI profession? As an educational institution, what opportunities for personal and academic development do we offer to potential interpreters who are not yet ready to enrol on a public service interpreting course?

Educational institutions such as universities or colleges need to be more than buildings offering set PSI courses; they should be seen as a pool of expertise thriving with opportunities to guide, opening new pathways for personal and professional development leading to professional PSI skills.

The aptitude test follows the initial inquiry stage; it is a crucial stage that needs to be introduced tactfully, as a first opportunity of constructive assessment and guidance.

2.2 Why does the aptitude test matter?

2.2.1 *Current context: A skill based aptitude test*

In conference interpreting training, it is now common knowledge that a skill based aptitude test is essential before enrolling students to a course. However, the screening strategies differ, and research shows that the correlation between students who pass the skills based aptitude test and students who pass the final exams does not reflect the outcome of a perfect diagnostic test (Timarova and Ungood-Thomas 2008). Research demonstrates the limitations of a skill based aptitude test; it simply provides a narrow answer to a narrow question (Moser-Mercer 1994). Timarova, and Ungood-Thomas (2008) clearly demonstrate that conference interpreting schools converge in testing “hard skills” which closely resemble interpreting skills as presented in training courses and in real life settings, whereas there is a clear gap in testing “soft” skills which include motivation, ability to learn and open mindedness, considered as essential by trainers interviewed during their research. They go even further and ask the question whether aptitude tests discriminate against students who could have passed the course given the chance. The primary function of the aptitude test seems to identify unsuccessful candidates, but what about identifying successful candidates?

In Trieste, Gringiani (1990) conducted a research with 25 students who had been identified as unsuccessful candidates. They were then allowed to take the course. Seven students were successful in passing the interpreting course:

[...]. So, on average, admission tests select students who will fail 44% of the time and have been shown in one case (Gringiani 1990) to eliminate students who will pass 28% of the time. (Timarova and Ungood-Thomas 2008: 42)

In PSI training, various recommendations regarding the aptitude test have been made. When comparing the content of the diagnostic test in a number of training institutions, two areas are the most commonly tested: the potential in language competence and the ability to transfer a message from one language to the other using written translation; in some centres, interpreting potential is also tested. Soft skills do not seem to be tested, other than in rare occasions during interviews or essays; when they are, it is done intuitively by course leaders; but as for conference interpreting, there is an absence of scoring system that traces and measure such skills (Timarova and Ungoes-Thomas 2008).

As resources are limited, centres are under a lot of pressure to enrol a viable number of students at the lowest possible cost. Written skills can seem easier and more cost effective to test than communication skills in various language combinations, but are they the right tool to approach interpreting skills? It is not unusual to get a total of 10 students with 8 different mother tongues. How is it then possible to practise with so many language groups made up of one or two students? Is it financially viable for centres? Do students benefit from training which is not language specific? How do they practice effectively? When do they get language specific formative feedback before their language specific summative assessment?

2.2.2 Moving towards an integrated approach to the entry test

Is the objective to design an aptitude test that will predict the traditional final assessment outcome? The curriculum is an invitation to a journey of self discovery, on a personal and professional level that also integrates a wider socio-cultural dimension.

The aptitude test as described above is seeking to identify language skills. However, it misses the ability to engage potential interpreters in the initial reflection on their choice of profession, their motivation and ability to learn and the projection of their lives during and after the training programme.

In PSI, this is an important factor. Behind each person, there is a personal story. As mentioned above, potential public service interpreters might be refugees, asylum seekers or again people who left their country for personal reasons and are often connected to a trauma. Some did not have access to traditional learning in a school but learnt informally through their own experience.

This is why the aptitude test should offer a context of trust and self value, regardless of the level of the potential candidate applying for the course. Obviously, testing linguistic and communication abilities is important and should form an important part of the aptitude test, but it is only valid if it is taken within the wider context of exchange and reflective communication between the course lecturers and the student. Potential students value these opportunities that integrate their

professional aspiration with their daily lives and their socio-cultural identity. It is a unique opportunity to build professional trust and value that will be projected during the course. It sets the tone of the integrated pedagogy that shapes the approach to teaching and learning later on in the course.

Looking for the perfect skill based prediction tool is a wasted battle as it misses the objective of this initial stage, which is not only enrolment to a course, but also a personal engagement into a new profession and a journey of self development.

3. Learning and teaching strategies: A range of factors to take into account

Each teaching and learning session can be compared to a unique piece of a jigsaw puzzle. When brought together, they form a wider picture that reveals itself to the player. There are some key elements that have been identified as essential within the design and philosophies of a postgraduate course for PSI education, such as a student centred approach (Dewey 1933; Vygotsky 1978) the facilitating role of the lecturer (Vygotsky 1978; Tylee 1999), the theories of alignment (Biggs 1996) and deep learning (Marton and Säljö 1976; Ramsden 1992; Biggs 1987, 1993; and Entwistle 1981).

These key elements need to transpire in each teaching and learning activity integrated in modules. An understanding of these strategies is required by all lecturers on the course. In PSI, the module convenor will often need to liaise and communicate with five to six language specific interpreting practitioners, who are not all aware of the philosophical values and educational intentions integrated into the learning and teaching elements of the course. This is why the roles of module convenors and of the course leader are essential in implementing the learning and teaching strategies defined in the curriculum design.

3.1 The complex role of the leading permanent members of staff and the language specific interpreting hourly paid lecturers leading to the development of a new profession: PSI training for trainers

The module convenors and the course leader form a team that coordinates the teaching and learning of a group of individuals (students and teaching practitioners) with different languages, cultures, ambitions, teaching and learning experience.

A large number of modules are language-specific. A typical cohort of students would include six to eight languages combined with English (for the UK), which

entails six to eight additional language specific interpreting practitioners to recruit, coordinate and manage.

The language specific modules cannot run without the contribution of the language specific interpreting practitioners (6 to 8 per module), who then coordinate a smaller number of students (3 to 6 students per group). The module convenors and course leader need to introduce the teaching and learning strategies and philosophies to the full team so as to ensure the coherence of the teaching and learning objectives aligned with the assessment strategies.

This task is extremely challenging for various reasons; resources are limited and institutions can be reluctant to finance training sessions for seasonal visiting lecturers, especially when taking into account the high cost of running interpreting courses.

Interpreting practitioners work as professional interpreters; they do not know in advance when they will be free; in addition, they may not be paid to come to the training sessions. This is one of the reasons why organising training sessions for trainers in a traditional way can be very challenging.

A coherent and pragmatic strategy needs to be implemented as the consequences of poor coordination and teaching standards are disastrous; students feel lost and confused if different teaching and learning approaches are adopted in each language group. The expectations of teaching practitioners will vary and the main philosophy of the course vanishes. The course design may be ideal on paper; the intentions and motivation of students and educators may be of a high standard; but if there is no structure to implement the pedagogical strategies and philosophies identified as essential, the students' learning experience will be disappointing, confirming the initial belief that there is no need to train to work as an interpreter in the public service sector. In turn, potential employers will not value training when it is poor and will continue to employ untrained interpreters who cost less.

As we can already observe, the challenge of PSI education is to shape the public service interpreting profession at the same time as the public service interpreting training profession. The curriculum design strategies, the teaching and learning approaches are the initial key to the professionalization of public service interpreting; but it cannot be separated from the professionalization of public service interpreting educators and trainers.

In order to promote self-regulation in learning, teachers and students need to be equipped with the requisite conceptual and procedural knowledge about the task itself, and propose specific learning strategies to students which encourage the latter to self regulate their learning through appropriate feedback.

(Moser-Mercer 2008: 15)

3.2 Optimising learning: A priority

Public service interpreting is a multifaceted profession that requires various talents and skills.

Public service interpreters need to understand the context of public services as they are called to interpret at short notice in various settings (prison, police station, GP surgery, school, social services), with hardly any time to prepare for assignments; hence the need for prior knowledge. Public service interpreters may have to interpret for more than one client per day, especially if they provide interpreting services over the telephone. They have to cope with challenging situations such as people in distress, potential criminals, patients awaiting a diagnosis or asylum seekers being deported. They are projected at the core of a situation they need to understand fast; they have to gain an overview, understand and analyse the issue they are dealing with in order to interpret accurately, identifying verbal and non verbal communication strategies in order to faithfully convey the message from one language and culture to the other. Public service interpreters often work on their own need to manage themselves as self employed workers; they need to be trained interpreters and communicators using their languages in a precise manner. They have to be equipped to deal with stress during and after interpreting assignments, even though no support structure exists to help them debrief the challenging human situation they may have experienced themselves before or when they came to the UK. Learning can be optimized so as to integrate and approach as many of the facets of the profession of public service interpreting as possible. This requires careful preparation and excellent coordination of activities, with specific learning objectives and outcomes that need to be assessed precisely.

Finding the right balance between interpreting practice, knowledge acquisition in public services, and detailed feedback on performance is not easy. Students and educators want to ensure they know as much as possible about the court systems, housing benefits, or the digestive system; they continuously work on terminology in class; this sometimes leaves little time for interpreting skills and practice.

Moser-Mercer (2008) acknowledges that when it comes to teaching interpreting (in this case conference interpreting), learning environments fifty years ago were different from what they should be today. She advocates a learner-centred approach, a relationship of engagement between lecturer and students, the use of diverse media and real life settings. She reveals that a skills based approach (also observed during DPSI training) has its limitations for new and challenging working conditions in interpreting.

A learner-centred environment is one that allows the learner to choose from whom and with whom to learn, and to mix and match learning opportunities. Learning takes place as the outcome of active mental processing and when learners perceive meaningful connections between new and acquired information. This is supported by learning opportunities that engage the learner actively with teachers, tutors and peers for human interaction, and with diverse media and real life settings to help situate knowledge in a way that is appropriate to the skill. This is a far cry from the master-apprentice type of learning scenario that has characterized interpreter training for more than half a century.

(Moser-Mercer 2008: 10)

From one teaching session to the next, students should know what to expect and what to prepare. A close link between the classroom and independent work should exist and be reinforced by the nature of some of the teaching activities and the tools such as a virtual teaching platform allowing continuous exchange to extend reflection and self development.

Learning with understanding and reflection is more likely to promote transfer than simply memorizing information or developing routine skills.

(Moser-Mercer 2008: 12)

This approach requires thorough preparation and detailed materials, such as scripts of role plays that integrate challenges (some anticipated, others unexpected) at various levels, taking into account the following:

1. authenticity (e.g. interpreting between a primary school teacher and parents who bring their child to school for the first day of school),
2. communications challenges (e.g. misunderstanding, lying),
3. emotions (e.g. guilt, confusion),
4. professional challenge (e.g. the client is asking the interpreter for advice),
5. cultural issues (e.g. the service provider asks a Muslim mum with two children if she is married),
6. language challenges (e.g. specific reference to legal acts or procedures that are different or do not exist in one of the countries involved, description of emotions),
7. interpreting challenges (e.g. speed of delivery as someone is upset, idiomatic phrases or dealing with numbers),
8. space for reflection on self and peer assessment leading to personal objectives (i.e. log book using multimedia),
9. ethical issues generating wider discussions.

It is when the transfer of learning is measured and the interpreting student is exposed to non standard interpreting contexts that the advantages of learning with understanding are likely to be revealed. (Moser-Mercer 2008: 12)

3.3 Assessing learning: understanding the complexity of the learning process

Public service interpreting practice requires many contact hours. Students need to perform in front of their peers and tutors, requiring confidence and encouragement as well as precise, detailed and valid feedback. Assessing learning should be continuous, identifying progress in the various development stages.

It is easy to say “good”; “very good”; “improve your English”; “that sounds right even though I don’t speak your language”; “you sound fluent, it must be right”. It is far more difficult to say what was good, what needs to be refined and how, what particular language skills need to be improved, how and why. In multilingual classes, the lecturer needs to be able to provide feedback to all students. Very often, the lecturer speaks two to three languages and provides feedback to the respective language groups, creating differences in learning opportunities.

Students should be taught to identify the quality of their interpreting or translation, in a fair, reflective and constructive manner. Assessing progress in personal learning stages should also be integrated.

Teachers need to be clear about what they want their students to learn, and how they would manifest that learning in terms of “performance of understanding”. For example, memorising and paraphrasing are not performances of understanding. (Biggs 1996: 360)

Approaches will also vary according to the lecturer’s personality, culture, language combination and personal learning experience. When well managed, it is an enriching experience that needs to be integrated in the pedagogy and philosophy of the course.

There are generic interpreting and translation skills that can be assessed regardless of the language. During consecutive interpreting, is the student listening or already interpreting mentally when listening? Is the student demonstrating a good approach to communication? What about eye contact and voice projection? Can the student be trusted by both parties? There are many more areas that could be added, such as breathing techniques, stress management, assessment of preparation to the assignment. What about omission, addition, distortion of message? What are the consequences of misinterpreting what was just heard? Knight (2001) reminds us that:

Formative feedback, with its emphasis on providing useful feedback, is more helpful when learners are open to their limitation (...). Whereas summative assessment purposes discourage students from being open, formative assessment purposes thrive on disclosure. (Knight 2001:9)

Students need to be able to identify what they are looking for in their performance and personal progress with peers and lecturers. This is why the pedagogical team should understand the role of the Zone of Proximal Development (ZPD) as conceptualised by Vygotsky: the difference between what a learner can do without help and what he or she can do with help. Vygotsky defined that the level of assisted performance indicates what a person can achieve in the near future, what is developing (potential level, “tomorrow of development”, what a person “can be”) (Vygotsky 1978), in contrast with the actual level of development (level of independent performance), which indicates what is already developed and achieved (“yesterday of development”) (Verenikina 2003). The concept of ZPD has been expanded, modified, and changed into new concepts since Vygotsky’s original conception. However, it is the theoretical concept that has underpinned the more recent theory of scaffolding. Mercer and Fisher (1993 in Wells 1999) define the scaffolding approach as follows:

A teaching and learning event should: (a) enable the learners to carry out the task which they would not have been able to manage on their own; (b) be intended to bring the learner to a state of competence which will enable them eventually to complete such a task on their own; and (c) be followed by evidence of the learners having achieved some greater level of independent competence as a result of the scaffolding experience. (Wells 1999:221)

The emphasis of their definition is on the collaboration between the teacher and the learner in constructing knowledge and skill in the former (Verenikina 2003). Some techniques of scaffolding include demonstration, dividing a step into simpler steps, providing guidelines, keeping attention focused, breaking content into manageable pieces (Krause et al. 2003).

The understanding of the scaffolding strategy and the influence of the lecturer to work in the ZPD is essential especially when dealing with professional courses such as PSI where some students have enrolled with considerable professional experience but little academic studies. Staging scaffolding is a theory that should be shared with students as they will understand far better how they are learning, the role of their lecturer in their learning, but primarily the realization of their ZPD and the scaffolding framework to help them achieve their potential which will always develop as they progress in their learning experience and their continued professional experience.

4. Moving towards a (virtual) community of practice for student interpreters and lecturers

4.1 Communities of practice within a situated learning model

“It is often assumed that learning has ‘a beginning and an end’; that it is best separated from the rest of our activities; and that it is the result of teaching” (Wenger 1998: 3). But how would things look if we took a different track? Supposing learning is social and comes largely from our experience of participating in daily life? (Smith 2003, 2009). Jean Lave and Etienne Wenger rethink the learning process with their situated learning model, involving a process of engagement in a “community of practice”.

Communities of practice are formed by people who engage in a process of collective learning in a shared domain of human endeavour: a tribe learning to survive, a band of artists seeking new forms of expression, a group of engineers working on similar problems, a clique of pupils defining their identity in the school, a network of surgeons exploring novel techniques, a gathering of first-time managers helping each other cope. In a nutshell: Communities of practice are groups of people who share a concern or a passion for something they do and learn how to do it better as they interact regularly.

(Wenger circa 2007, cited in Smith 2003, 2009; online)

This acknowledgement of learning within groups of interest, some being formal and others informal brings forward the debate of pedagogy especially in vocational studies such as interpreting. Cultural and language specific groups, learning groups, studying groups, language specific lecturers have developed their own communities of practice often without realising it, with little awareness of the influence it has on their learning. Communities of practice play a vital role in terms of synergies within a cohort of students. They need to be acknowledged and understood when designing curriculum as they influence teaching and learning outcomes. In Public Service Interpreting the curriculum designer thinks in terms of language combinations when planning group activities. However, synergies work very differently and issues arise within language combination groups that affect the learning process. They affect the learners and the cohort as a whole. This is why the understanding of communities of practice allows the curriculum designer to think beyond language combination groups and look further into other influential factors.

Members are brought together by joining in common activities and by “what they have learned through their mutual engagement in these activities”.

(Wenger 1998, cited in Smith 2003, 2009; online)

Participation in a community of practice also involves a student centred approach, where students feel confident to evolve within the curriculum that has been designed to help them understand where they stand within the vocational setting of PSI, how they can evolve and expand their Zone of Proximal Development (Vygotsky 1978) thanks to the role of the tutor who facilitates learning and generates an environment conducive to learning.

4.2 Communities of practice within a virtual learning environment

New technologies and learning environments are developing fast, influencing the way we perceive learning and access information. As far as PSI is concerned, the international needs for the development and professionalization of PSI are such that a virtual learning environment seems to show the way forward. Indeed, a virtual learning environment integrating national and international partnerships with national and international stakeholders can bring solutions to difficulties encountered by teaching institutions, such as matching the market language combination requirements with the languages offered in educational institutions and using resources effectively, especially in the current financial context. It would also allow students and teachers to communicate and exchange beyond the boundaries of a language, course or country, sharing and expanding the dialogue that will contribute to the professionalization of public service interpreting and translation.

Remote teaching and learning is a strategy that will develop virtual communities of learners and teachers, enhancing expertise and partnerships amongst individuals and organisations. A flexible learning environment where a student can join a class live over the internet and participate as if he/she were in class, or decide to connect to a class in the evening because he/she has to work to support his/her family will allow students to access interpreting education, training and development.

There are a few examples of projects that try to develop such opportunities (The European Parliament and Commission providing feedback remotely to conference interpreters during mock conferences at teaching institutions). In PSI, new technology for remote teaching and learning needs to integrate non verbal communication skills essential in this environment.

Due to the interactive nature of interpreting, face to face teaching in a classroom setting has long been the predominant means of training interpreters worldwide, whereas the idea of having teachers and students in different locations has been considered pedagogically and technically impossible. (Ko 2006: 68)

Ko (2006) describes attempts at distance learning, in Canada, the United States, South Africa and China, which took place between 2000 and 2005, and achieved poor results. However, technology evolves very fast, and every year new projects, such as the Virtual Learning Environment set up by ETI, show that we are entering a new era where technology is developing to provide a wide new range of tools that will enable flexible access to learning, widen participation and develop Life Long Learning. Distance Education as defined by Juler (1998, cited in Ko 2006) is already obsolete. Virtual learning with remote communities of learners and teachers in the spirit of the communities of practice (Wenger 1998) is a new era that seems new and innovative as we stand. However, with the development of new technologies, it will become the norm.

The cost of remote teaching and learning is initially very high but can become cost effective in the long term (Ko 2006). Once again, the market demands will lead the way with new requests to access interpreting services “instantly”. In the public service interpreting industry, the development of telephone interpreting services has grown from an expensive industry to a cost effective operation (toll free number, internet use, mobile telephony) (Kelly 2008). Software such as Skype, Twitter and MSN bring video telephony to every person who can access a computer with internet facilities. Public Service Interpreting is already developing as an “instant access service” using video conference calls. Remote teaching and learning should have preceded remote interpreting, but due to the lack of professionalization of PSI it is following market developments, trying to catch up with the development of codes of conduct for remote interpreting. This is a challenge that curriculum design in PSI education needs to embrace not only to respond to the market demands but also to play an active role in the development of the profession in the UK, in partnership with international stakeholders. At London Metropolitan University, we have identified the technology required for PSI remote teaching and learning. It is a financial investment that we hope will show the way forward in the development of PSI education for students and interpreting lecturers.

5. Conclusion

However noble the intentions of the curriculum designer, sustainability of the pedagogical approach is vital, taking into account challenges which need to be identified at a very early stage. In the case of PSI, a key challenge is the lack of trained PSI lecturers. In vocational education, it has been acknowledged that lecturers should be professional interpreters. However, their lack of understanding of educational principles, of their role as a facilitator, of the alignment strategies

between formative and summative assessment with teaching and learning activities and the intended learning outcomes, are serious impediments to the learning experience of students who can feel confused as the curriculum will then lack coherence. Students then think in terms of “satisfying” the tutor’s expectations rather than focusing on their own learning; they feel disempowered. Even though the curriculum design has adopted a student centred approach within the experiential model, in reality, in many classes a tutor centred approach with skill based teaching and learning activities essentially dominates. As a result, educating the trainers of PSI is a key priority to enforce the pedagogical principles defined in the curriculum design.

Transferring from training to education at a Master’s level is a statement, a vote of confidence from the teaching institution. It also contributes to giving a voice to the profession of PSI, developing a platform favourable to the professionalization of PSI.

Education incorporates training and the continuous professional development of interpreters. Teaching and training materials/strategies integrate authentic professional settings and challenges. The transfer of authentic materials into the classroom needs to integrate pedagogical principles with step by step approaches. In this particular context, permanent leading interpreting lecturers play an important role in coordinating teaching and learning materials, implementing training strategies for non permanent interpreting members of staff (this includes quality monitoring and support for development). Authentic teaching and learning materials are integrated into the classroom, but the classroom can also integrate authentic settings, such as visits, placements and shadowing of interpreters at work. Opportunities for experiential informal learning in authentic settings generate alternatives to more traditional learning approaches. Informal debriefing sessions with professional interpreters, potential employers, peers and teachers are an ideal opportunity to offer new strategies to all students. Shy students may feel more integrated and discuss more freely; the fear of “saying the wrong things” no longer exists; new skills are required which can make a person shine in a new light. These opportunities are enhanced when they integrate alumni who can act as guides, bringing a new dimension of reflection to the learning dynamics.

Intelligence is most strongly related to learning when instruction is unstructured, when learners must organise material themselves and when instruction places heavy information-processing demands on the learner. (Moser-Mercer 2008:9)

Alumni are presented as mentors who have experienced the curriculum and moved forward in their professional development. They progress with students in the safe learning environment of the teaching institution, which is not as terrifying as the professional platform.

These professional learning experiences offer an additional alternative to assessment strategies. A range of assessment strategies widens opportunities to analyse and enhance personal and professional progress. This begins at a very early stage, from the aptitude test to the final exams. A holistic approach for the various stages of assessment will help identify and continuously enhance intended learning outcomes.

Finally, teaching institutions should lead the way towards the professionalization of PSI, embracing a vision shared with stakeholders to inspire and contribute to the development of communities of practice which in turn will become active players within the development of the PSI profession.

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