

## **AVIDICUS comparative studies – part III: Traditional interpreting and videoconference interpreting in prosecution interviews**

### **1 Introduction**

Whereas the UK and Belgian partners in the AVIDICUS project focused on various configurations of video-mediated interpreting of police interviews, TEPIS, the Polish partner in the consortium, examined the two forms of videoconference interpreting (see Deliverable 1) used to facilitate a prosecutor's questioning of a witness in a criminal case. As in the other partners' test scenarios, the decision was taken to replicate real-life procedure as closely as possible. This was achieved by acting within the constraints of Polish law (at the time of writing, only witnesses and experts may be interviewed via VC link), by using the VC facilities already in place in law enforcement agencies in Poland, and by involving real prosecutors. Authentic scenarios, drafted by prosecutors, were employed, and covered the entire span of a witness interview and included all relevant procedural elements. The scenarios used for the tests involved the pre-trial hearing of a witness:

- in a drug trafficking case (the witness was a tourist who shared a room with a suspected drug trafficker),
- in a car accident case,
- in a credit card fraud case (the witness had used an ATM).

The three test scenarios took the form of a comparative study in three different interpreting configurations:

- Face-to-face;
- VCI A (the interpreter was at the same location as the prosecutor; the foreign language speaking witness was at another location);
- VCI B (the interpreter was at the same location as the foreign language speaking witness; the prosecutor was at another location).<sup>1</sup>

The three scenarios were tested first in the face-to-face setting, followed by VCI (A) and VCI (B).

Each of the interpreters interpreted a given scenario only once in order to avoid the false effect of "improvement" in overall interpreting quality as a result of familiarity with the subject, the content of the prosecutor's questions, and problems arising.

The following persons participated in the tests:

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<sup>1</sup> For definitions, see the introduction in this volume.

- 3 court interpreters
- 3 prosecutors
- 1 witness
- IT staff: 2 IT experts/technicians
- 2 TEPIS representatives, observing.

The three interpreters are Poles around 30 years old. They are all certified court translators and interpreters (referred to as “sworn translators” in Poland), which means they hold at least the *magister* (MA) degree, have passed the State examination, and obtained the right to practice the profession and to provide services for the police, public prosecutors’ offices and courts. The court interpreters have 7, 3 and 2 years of interpreting experience respectively.

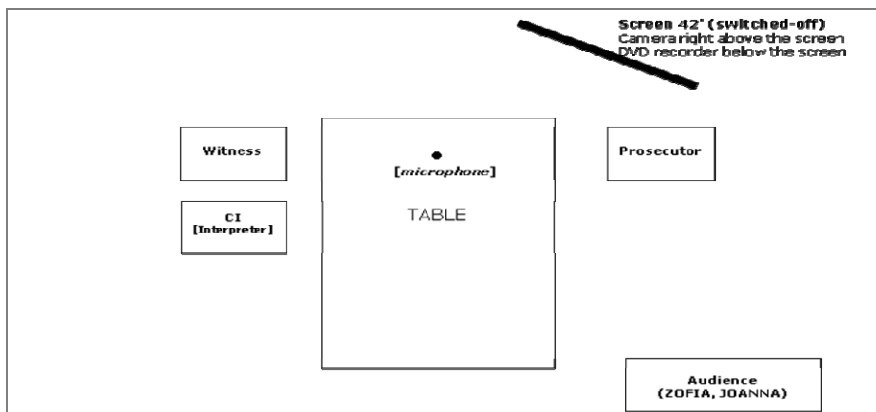
All three prosecutors are active at the National Public Prosecutor’s Office (now re-named the Office of the Prosecutor General).

The tests were carried out in the then National Public Prosecutor’s Office in Warsaw, Poland, for three consecutive days from January 12 to 14, 2010.

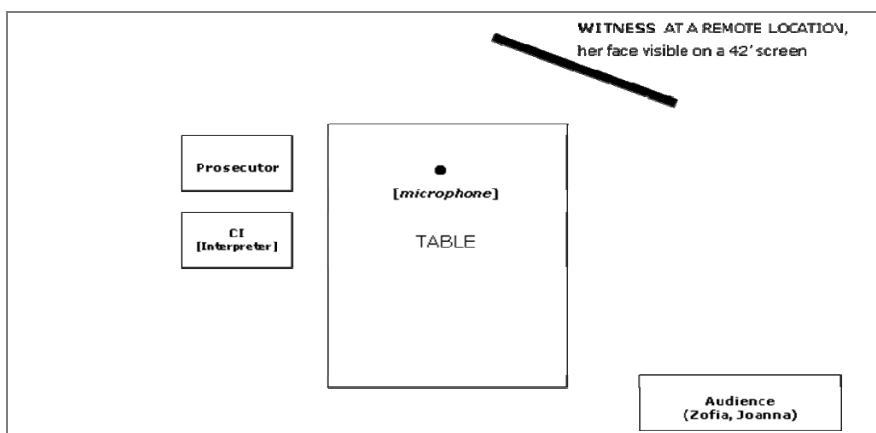
Day 1	Day 2	Day 3
SCENARIO 1 DRUG TRAFFICKING CASE	SCENARIO 2 CAR ACCIDENT CASE	SCENARIO 3 CREDIT CARD FRAUD CASE
Face-to-face [Interpreter 1]	Face-to-face [Interpreter 3]	Face-to-face [Interpreter 2]
VCI A (the Interpreter with the Prosecutor, the Witness at a remote location) [Interpreter 2]	VCI A (the Interpreter with the Prosecutor, the Witness at a remote location) [Interpreter 1]	VCI A (the Interpreter with the Prosecutor, the Witness at a remote location) [Interpreter 3]
VCI B (the Interpreter with the Witness, the Prosecutor at a remote location) [Interpreter 3]	VCI B (the Interpreter with the Witness, the Prosecutor at a remote location) [Interpreter 2]	VCI B (the Interpreter with the Witness, the Prosecutor at a remote location) [Interpreter 1]

#### *Test Schedule*

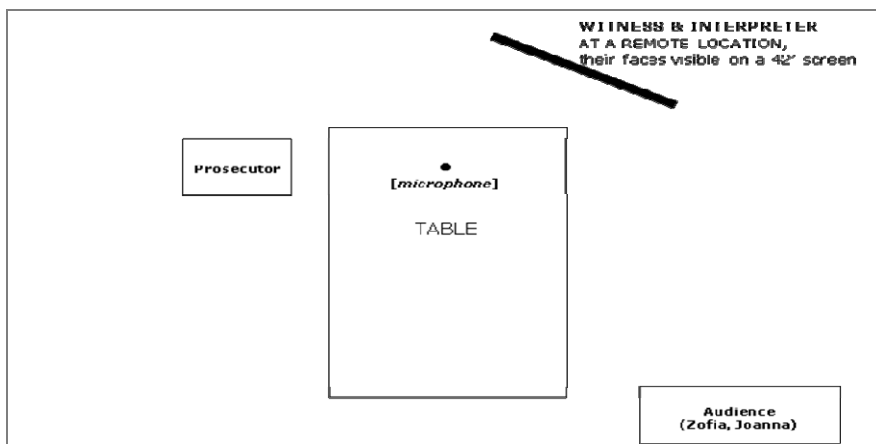
To ensure the highest degree of authenticity, the videoconference room layout and seating arrangement of the witness, prosecutor and interpreter were as they would be in a real situation.



Room arrangement – face-to-face setting



Room arrangement – VCI A setting (interpreter with prosecutor)



Room arrangement – VCI B setting (interpreter with witness)

## 2 Technical parameters of videoconference equipment during test

The tests used the National Public Prosecutor's Office's professional videoconference equipment, namely:

- SONY PCS A –CG 70P Video terminal (encrypting mode – 128b key encryption)
- Recording device: DVD Sony recorder
- Screens: 42' Sony Bravia screen, 17' desktop screen
- Document camera.

The connection used during the tests was of a high quality (2Mbs).

## 3 Test assessment

### 3.1 Assessment objectives

The Polish partner in the AVIDICUS project set out to assess the quality of interpreters' performance in the above three settings and to observe the communicative behaviour of the primary participants, in addition to identifying difficulties arising from the video link. Considering our professional background as interpreters, the main focus during assessment by TEPIS was on interpreting quality and all the factors that affected or might have affected the quality of interpreter's performance in VCI A and VCI B settings, while face-to-face setting served as the 'control'.

In assessing the interpreters' performance, the criteria provided in the 2005 Regulations of the Ministry of Justice, which lay down detailed procedures for the examination of candidates for the profession of sworn translator (legal translators/court interpreters), were adopted. They are used by the State Examination Board in Poland for candidates taking the court interpreting examination and have been compiled specifically for the purpose of evaluating the quality of court interpreting under Poland's legal framework. The applied criteria were as follows:

1. Interpreting equivalence (accuracy in terms of substantive content): 0-10 points
2. Interpreting correctness in terms of specialist terminology and phraseology: 0-15 points
3. Interpreting correctness in terms of grammar and (non-legal) lexis: 0-10 points
4. Proper language register (functional style): 0-10 points
5. Correct pronunciation and intonation, articulation, fluency, pace of speech: 0-5 points

The above system basically corresponds to the AVIDICUS categories applied for analysis in the other test sites.

The assessment was carried out using video recordings of the tests and transcripts of the hearings.

The assessment was aided by opinions of two experts: expert 1, who is a licensed court translator and interpreter with 17 years of interpreting experience and 7 years as a court interpreter and expert 2, a highly skilled and experienced translator and interpreter of the English language.

Interpreting quality analysis was focused on linguistic and para-linguistic categories of the interpreters' performance, such as:

- comprehension of the SL,
- delivery of TL (i.e., accuracy, completeness, appropriateness for the situation, fluency, intonation, etc.),
- interpreter's rapport with the other participants.

In addition to the primary assessment objective, the subsidiary goals involved assessing whether:

- the primary participants changed anything in their communicative behaviour because of the video link (speaking slower, louder, were more repetitive, whether they took notes, changed their posture, etc. and whether there was any 'meta talk' about the video link),
- the remote participant could see/hear/understand everything during the hearing.

The assessors also noted any difficulties or irregularities arising from the video link, including:

- technical problems such as insufficient sound quality or lags in transmission,
- problems with seating order and seeing participants in the context of interpreting comfort,
- problems with communication management (e.g. who manages the floor, turn-taking, overlaps).

### 3.2 Interpreting quality assessment – day 1

The first day of tests was in fact a "warm-up day" for interpreters, during which the interpreters were not exposed to any specific linguistic difficulties that might have posed problems in interpreting. It was assumed that getting used to interpreting in front of the camera and in the presence of an evaluative audience is in itself an intimidating factor for them.

There were, however, normal and predictable differences in language use between the witness (highly redundant, everyday speech, at a slow pace, occasionally colloquial expressions or words typical of a local variety of English) and the prosecutor (very formal register, long sentences, many dates and numbers of articles from legislative texts, questions often prepared in advance and read out rather quickly or phrases that are used at the beginning of each questioning). In addition, there were also differences in the way the two prosecutors expressed themselves, one of them being easier to interpret, slightly less formal and more cooperative (e.g. willing to cut a long sentences short). Also, the topic of the questioning was quite general, thus reducing the risk of major interpreting errors.

The interpreters did not have any major problems understanding the SL delivery, which is also attributable to the quality of the video link being very good. It seems that any requests they made for a clarification or repetition resulted from their own imperfections or shortcomings rather than from the fact that they interpreted via a video link. In that context, the advantage of the interpreter sitting next to the foreign language speaking witness became noticeable when the interpreter was able to clarify an expression unknown to him with the witness with greater ease than during video-mediated communication.

However, the quality of the interpreters' output was by no means the same. Based on the video-recorded material it was observed that an interpreter with an excellent accent and a very good command of English made the best impression, followed by a second interpreter whose delivery seemed very good, with the interpreter ranked third in terms of perceived interpreting quality being at the bottom of the ranking. However, the sequence reversed after an analysis of the interpreters' output based on transcriptions of their interpretations. In terms of correspondence between the SL and TL deliveries, the person who made the lowest number of substantial departures from the original, omissions or additions was the interpreter who was actually last in the "naked-eye" ranking, followed by the interpreter who made the best impression, while the lowest quality grade based on transcript analysis was assigned to the interpreter who was ranked second based on the video-recorded material.

### 3.2.1 Face-to-face setting – interpreting quality analysis [court interpreter 1]

#### *Comprehension of source text*

The interpreter's output demonstrated an absence of major problems with source text comprehension, the only exceptions being the mistake made in the witness's address (SL: 17 Baker street, TL: 70 Baker street). The interpreter did not have to ask for any clarifications, nor did she request any of the speakers to repeat what they said.

#### *Production of target text*

In terms of source-target correspondence, in quite a number of instances the interpreter's output was inaccurate (SL: "... detained for drugs in her luggage", TL: "... detained with her luggage"; SL: "She introduced me to him", TL: "She introduced him to me") and incomplete (substantial number of omissions and additions). However, departures of the interpretation from the original did not distort the communication process.

The quality of the interpreter's TL production was analyzed with reference to grammatical, syntactical and lexical errors. The interpreter made quite a few grammatical mistakes in the English language ("Did I said...", "In what language [Eh] Joanna Zys speak..."; "Now [Eh] the [Eh] [Eh] minutes would be [Eh] printed ..."; "... the protocol that have been read out ..."); had problems with word order in the English language ["In this activity there would participate as a recording clerk Mr.XXX"]. A couple of sentences the interpreter produced in her native language, Polish, were also grammatically unacceptable. As regards lexical correctness, the interpreter tended to provide TL words and expressions that were more or less close in meaning to the SL original rather than equivalents. The interpreter in some instances did not know or confused legal terms.

As regards the criterion of fluency, the interpreter paused frequently [Eh, Uhm] which reduced her articulation speed. The pronunciation and intonation were correct, but she spoke with a strong Polish accent.

The interpreter, who was sitting next to the English-speaking witness and in front of the prosecutor, turned her head towards the witness whenever she started speaking, as if the interpreter wanted to see her face (or perhaps the movement of her lips) to better understand what the witness was saying.

The interpreter remained calm and self-assured throughout the interpreting process, did not show any major signs of nervousness, except for some hand gestures and slightly quickened pace of speech when she had problems formulating the TL text. She also tried

to look at the person who spoke (prosecutor or witness), which probably helped her better understand the text. The interpreter took notes during her work.

### 3.2.2 VCI A setting [court interpreter 2]

In this setting, the interpreter was in the prosecutor's office, and the witness was at a remote location.

#### *Comprehension of source text*

The interpreter had no problems with understanding the source-language text. No requests for clarifications or repetition were presented.

#### *Production of target text*

In terms of source-target correspondence, the interpreter's performance was marked by quite a high level of inaccuracy [SL: "... a sworn translator, XXX is taking part in this examination proceeding", TL: "... you will be interrogated by the sworn translator of the English language, Mrs. XXX", SL: "... the equipment is going to be operated by ...", TL: "... IT specialist is responsible for the equipment", SL: "I, I went with my friends in December 2008 to the travel agent Neckermann in London where we purchased the holiday in Bangkok.", TL: "Already met in the travel agency Neckermann where we bought our holiday in Thailand."; SL: "Her English was fluent and she seemed friendly, so I assumed there would be no problems [Eh] actually sharing the room with her", TL: "Her English was very fluent. She was a very friendly person. There were no problems"] and incompleteness – the interpreter omitted several phrases and made some additions that seem to be based on what was said earlier during the proceeding.

The interpreter made a few grammatical and syntactical mistakes in English ["Please tell me where do you live?"] but her interpreting output in the Polish language was very good in terms of grammar and collocations.

As regards lexical correctness, the interpreter made a few errors [SL: "twin bedroom" TL: "double bed bedrooms",] and in some cases did not provide correct equivalents of legal terms but was able to provide correct English equivalents of such legal terms as "witness examination record".

The interpreter's pronunciation and intonation in English were remarkable. However, she paused quite often while speaking.

### 3.2.3 VCI B setting [court interpreter 3]

In this setting, the prosecutor was in his office and the interpreter was at a remote location together with the witness.

#### *Comprehension of source text*

The interpreter had some problems with understanding the source-language text. He did not know some of the expressions that the witness used ["hunky-dory", "strawberry blond hair"] and asked the witness to explain the meaning of such terms or omitted them in his delivery [""tank-top", "bubble wrap"].

### *Production of target text*

This interpreter's output suffered from substantial level of inaccuracy and a very large number of additions and omissions. The interpreter did not take notes when interpreting. Consequently, he did not interpret whole phrases of considerable significance like names of persons and institutions, hours and dates [SL: "it is 13.30" "My name is XXX", SL: "Article 233 section 1" TL: "Article 233"], omitted long sentences [e.g. "...is XXX against whom there is issued an international warrant of arrest as he is accused of being a member of an organized crime group that deals in drug trafficking"] or had to ask the witness/prosecutor to repeat [date of birth of the witness, her address]. Moreover, the interpreter quite frequently departed from the original, with his TL delivery being only similar in meaning to the original rather than equivalent to it [SL: "he was in his thirties" TL: "He was about thirty years old"].

The interpreter made some grammatical mistakes in English ["Did I showed you?", Did XXX offered...?"] but his overall command of the English language was generally good.

In terms of lexical correctness, the interpreter had major problems with legal terminology, failing to provide correct English equivalents of even basic terms [SL "examination of a witness" TL "investigation"; SL: "recording clerk" TL "clerk"; SL "examination record" TL "protocol"; SL "photographic evidence" TL: "chart"], or did not use correct phraseology [SL "... examined in relation to her acquaintance with..." TL: "questioned with regard to the circumstance of her acquaintance with..."].

The interpreter's pronunciation and intonation in English were good. His rate of articulation was quite fast and, in several cases, he tended to make auto-corrections when he realized he may have inaccurate in his interpreting [SL: "Parents' first names" TL "Your parent, your parents' first names"; SL "Does the witness speak Polish at any level?" TL: "[Eh] Do you speak Polish? Do you... What is your command of Polish? Do you speak Polish at to... [Eh] at all?"]

With regard to all three interpreters' communicative behaviour on the first day of tests, one of the experts remarked that it was difficult to assess whether the interpreters changed anything in their communication because of the video link, since the video link was of a high standard. The quality of sound and image was very good. The expert further noted that: "all the three interpreters seemed to feel comfortable and at ease in the interpreting environment, whether it was "face-to-face" or VC-assisted. They also seemed to be happy with the seating order. In the case of two interpreters, there were no problems with communication management, they waited for the speaker to finish their statement and then proceeded with their deliveries. However, one interpreter tended to interrupt the prosecutor/witness when he wanted to start interpreting."

There were some organisational flaws which impacted the interpreting process. As one of the experts observed, in the VCI A setting "neither the prosecutor nor the interpreter could show the witness where to sign, so the technician did it. Yet, at the moment of signing the interpreter sometimes was not allowed to finish the interpretation because too much was going on in both locations." The expert also pointed out a drawback of the VCI B setting that "became apparent when the prosecutor started speaking while the interpreter was signing the record, which seemed to have caused considerable stress to the interpreter (he remained distracted until the end of the interrogation and his performance deteriorated noticeably)."

Both these situations show the importance of proper management of the communicative situation in order to avoid overlapping and turn-taking problems.



### 3.3 Interpreting quality assessment – day 2

Witness questioning on the second day was the most difficult of the three test days. The witness spoke with a Scottish accent and used quite a number of colloquial expressions and Scottish words. Moreover, the manner she spoke was difficult to understand at times: once in a while she “mumbled under her breath” or covered her face with hands, which rendered her speech far more difficult to comprehend than on the preceding day. Also, the witness’s testimony embraced a description of a traffic accident, including a precise account of vehicles’ locations in relation to the road and passengers’ positions in the car, further complicated by the differences in the Polish and British traffic systems (left-hand side and right-hand side).

The interpreters behaved in more or less the same way as on the preceding day.

Despite much higher level of text difficulty than on the preceding day, two interpreters (working in the face-to-face and VCI B settings, when the interpreter was next to the foreign language speaking witness and the prosecutor at a remote location) provided good, although not impeccable TL output; their pace of speech was quite fast and contributed to a successful examination of the witness. In the overwhelming majority of cases, requests for repetition or clarification resulted from the fact that the interpreters did not know specific terms/colloquialisms.

However, one interpreter’s overall performance (in the VCI A setting, when the interpreter was next to the prosecutor, the foreign language speaking witness at a remote location) was far less satisfactory. The interpreter’s comprehension problems and repetitive requests for clarification of phrases or single terms turned the examination into an excessively lengthy, chaotic and incoherent experience.

It is not possible to determine the reasons for such a drop in quality of performance based on a single instance. Faced with the same type of difficulties during face-to-face interpreting and VCI A setting (when the interpreter sat next to the witness), the other two interpreters managed well despite similar difficulties. The experts did not comment on this. In the feedback, the interpreter later reported “*a technical problem*” and “*insufficient quality of sound and image*”, where in fact, it was the witness who was incoherent, while the sound was the same as in other hearings and insufficient audibility was above all attributable to the witness’ mumbling rather than equipment deficiencies.

It seems, therefore, that the interpreter was affected by a combination of unfavourable working conditions (as it was the first time this interpreter worked via video link) coupled with several other factors, such as:

- the interpreter being separated from the witness,
- the witness’ speech being inarticulate (the witness spoke very unclearly, too softly, dropped in some colloquial or slang words, muttered under her nose, mumbled, etc.),
- the lack of fluency on the interpreter’s part (despite experience)

This clearly demonstrates the need for training interpreters in videoconference interpreting despite their ample experience in face-to-face court interpreting.

### 3.3.1 Face-to-face setting [court interpreter 3]

#### *Comprehension of source text*

The interpreter had no major problems with understanding the source-language text, except for the Scottish “*hoose*” (which he asked the witness to repeat but, apparently, did not know the word and omitted it in his TL delivery; “*just after 3ish*” (which he first took for “*fish*” but after hearing the witness say it again understood and interpreted it as “*about 3 o'clock*”), or “*dreich*” (which he omitted).

#### *Production of target text*

The interpreter did not take notes when interpreting. As a result, the interpreter's delivery suffered, just like his interpreting output in the drug trafficking case (day 1), resulting in a high level of inaccuracy [SL: “*I was taken to downtown*” TL: “*I went to the center*”; SL: “*I don't have anyone in Poland*” TL: “*She does not have a correspondence address in Poland*”; SL: “*I think*” TL: “*As far as I remember*”]. Moreover, his interpreting output contained and a very large number of additions and omissions. In his delivery, he omitted names of persons [“*My name is XXX*” – phrase omitted], made mistakes in first names [SL: “*Marek Sowisto*” TL: “*Piotr Sowisto*”], omitted whole phrases [“*I just remember actually*”, “*I am such an eejit*”, “*I am just a daftie*”, ], some of which were of major significance [“*traffic accident which took place on 22 February 2009*” omitted], substituted place names [SL: “*Poznań*” TL: “*Szczecin*”], and provided incomplete references to the Criminal Code [SL: “*Article 233 section 1*” TL: “*Article two three three*”; “*pursuant to Article 147*” – omitted]. Because he took no notes, quite frequently the interpreter had to ask for repetitions and clarifications (case number, date of birth, address “*number 9 Dyce lane, it's flat 2/2*”). Moreover, quite unjustifiably, the interpreter switched to the third person singular instead of using the first person singular “SL: “*I am a doctor*” TL: “*She is a doctor*”].

The interpreter made quite a number of grammatical mistakes in English [SL: “*No, only if you were their relative, then there would be other legal proceeding rights in place for you*” TL: “*No, however, should you be related to those persons, you will be entitled to a different legal rights*”; “*Tell us what do you know...*” “*Please describe how did the accident occur*”, “*How long do you have you're your driving license?*”]. Nevertheless, these mistakes did not affect the witness's understanding of the interpretation.

The interpreter had considerable problems with lexis. The witness's delivery contained quite a number of colloquial or Scottish words that the interpreted either omitted altogether [“*wee*”, “*drookit*” – both omitted], or asked for a clarification [“*jammy sandwich*”]. Similarly, the interpreter failed to provide correct TL equivalents of traffic terms [SL: “*motor vehicles*” TL: “*mechanical vehicles*”; SL: “*front nearside door*” TL: “*front door*” or “*front door the closest to me*”; SL: “*crossroad*” TL: “*roundabout*”], some every-day terms [SL “*occupation*” TL “*profession*”; SL: “*jacket*” TL: “*coat*”], and legal terms [SL: “*witness examination record*” TL: “*statement*” or “*protocol*”; SL: “*punishable up to three years of imprisonment*” TL: “*liable to prosecution which is up to 3 years of incarceration*”; SL: “*family name*” TL “*Your maid... your ancestors' name*”].

The interpreter's pronunciation and intonation in English were good, his rate of articulation was quite fast, and his delivery was not interrupted by long pauses.

### 3.3.2 VCI A setting [court interpreter 1]

#### *Comprehension of source text*

The interpreter experienced major problems with understanding the English text, especially when the witness used colloquial or Scottish terms, when she provided her account of the car accident or was giving her particulars [SL: “Taylor” TL “Hiller”; SL: “At number 9 Dyce Lane” TL: “Number 9 Dyce Lee”]. The interpreter’s requests for repetition and clarification were extremely frequent.

#### *Production of target text*

The interpreter’s interpreting output was inaccurate [SL: “We summoned you ... in order to examine you as a witness using technical devices, while using a remote video terminal...” TL: “We summoned you ... and decided to record this interrogation”] and incomplete (a number of omissions) [SL: “IT specialist from the Appellate Prosecutor’s Office in Poznań and from the Appellate Prosecutor’s Office in Szczecin” TL: “IT specialists from Poznań and Szczecin”; SL: “... this proceeding will be recorded by means of audio-visual equipment” TL: “... this activity will be recorded.”; “SL: “he hit his head” TL: “he hit his face” ]

Some of the interpreter’s utterances were grammatically incorrect [“... if was any blood relation between you and these persons”].

Undoubtedly, the interpreter’s biggest problem was with lexis, as she had difficulties providing equivalents of every-day words and phrases [SL: “As I understand, you have a higher education?” TL: “Your profession I assume is higher?; SL: “one of those... senior citizen things that happen...” TL: “one of those serious incidents”; SL: “Date and place of your birth” TL: “Date and place of your birthday” ], colloquialisms and Scottish words used by the witness [“dreich”, “clammy”, “hoose”, “about 3ish”], words related to road traffic [SL: “wee car did a somersault” TL: “the car turned”; ] and legal terms [SL: “Code of Criminal Procedure” TL: “Criminal Procedure”; SL: “Article 233 section 1” TL: “provision 235 paragraph 1”; SL: “prosecuted for giving false testimony” TL: “punished for giving false testimony”; SL: “record of the examination” TL: “protocol from this interrogation”; ]. However, it needs to be stressed that the interpreter rarely omitted unknown words and always made an effort to ask the witness either to repeat her statement or explain the meaning of an unknown word. Consequently, this resulted in the interpretation being repeatedly interrupted by the interpreter’s questions and the witness’s replies (she requested the witness to explain the meaning of such words as “dreich”, “ditch”, “gouge” “offside” “nearside”, “chappy”, “jammy sandwich”, “wee lad”, “bonnet”, etc.). One of the critical errors in the interpreter’s output, namely an incorrectly interpreted sentence [SL: “The front nearside door was opened” TL: “And the front part, front of the car was opened”] led to a major misunderstanding of the witness’s testimony by the prosecutor.

The interpreter’s pronunciation and intonation in English were good, with a slight Polish accent. Her rate of articulation was slow, with a large number of pauses.

### 3.3.3 VCI B setting [court interpreter 2]

#### *Comprehension of source text*

The interpreter had some problems with understanding the source-language text, especially colloquial words used by the witness, and had to ask the witness to explain the meaning of unknown words.

#### *Production of target text*

Occasionally the interpreter departed from the source text and provided inaccurate interpretations [SL: *"The witness has been summoned to..."* TL: *"The witness is at the..."* SL: *"When he was approaching the end of the exit there was another sign"*, TL: *"The driver .... got to the end of the exit"*, SL: *"... then I saw from the left side a passenger's car coming ...."* TL: *"... .. and from the left side passengers appeared"*, SL: *"I am a doctor, so I know how to do the first aid."*, TL: *"... just because I am a doctor I decided to do first aid"*; SL: *"It was really bad day"* TL: *"It was a day"*]. Also, in her TL delivery the interpreter omitted certain words and phrases [SL: *"I'd like the IT specialist to show it on the document camera screen"*, TL: *"I would like to ask our IT specialist to show it to us"*; SL: *"It was really dreich"*, *"I was quite drookit after that"*, *"Thank you"*, *"I left my mates' hoose about 3ish"* – all phrases omitted]., or added phrases that were not said by the witness or the prosecutor [TL: *"in the light of Polish regulations"*]. However, in this case inaccurate interpretations, additions and omissions did not distort general meaning of the witness' words.

The interpreter made very few grammatical or syntactical mistakes in English or Polish, making her interpretation pleasant to listen to. With regard to the lexical aspect, however, the interpreter had certain problems with colloquial and Scottish terms [like *"nearside door"* *"offside door"* *"dub"*, *"jammy sandwich"*] but, whenever the witness said an unknown word, the interpreter asked for an explanation and, apparently, put it down in her note-pad. The interpreter performed very well in terms of legal terminology and phraseology, providing correct, specialist TL terms throughout her interpretation.

The interpreter's English in terms of pronunciation and intonation was impressive, and so was her pace of speech.

The seating order, which might impact the interpreters' performance, was not equally comfortable for all the interpreters. It could be assumed that it would be easier for the interpreter to comprehend the witness if the witness appears on the screen, (as in VCI A setting, when the interpreter was next to the prosecutor, while the foreign language speaking witness was at a remote location) since such an arrangement allows the interpreter to see the witness' face and lip movement. However, if the screen is situated at an angle, as it was in the Prosecutor's Office, it is not a comfortable working position for an interpreter. Additionally, being at a distance from the foreign-language speaking witness deprives the interpreter of direct contact with the witness. This direct contact may be helpful, as was demonstrated when the witness sitting next to the interpreter made a drawing for the interpreter to explain the terms *"offside"* and *"nearside"* in detail, which the interpreter did not initially understand.

One of the experts observed that during a hearing in the VCI B setting (when the interpreter was next to the foreign language speaking witness and the prosecutor was at a remote location) *"the interpreter asked the prosecutor a few times to repeat e.g. the name of the recording clerk or the number of the article he had referred to. When she was determining the*

*correct spelling of [the witness'] address [...] the prosecutor got slightly impatient and asked if there was any problem." Further, the "interpreter omitted what the prosecutor said to the IT specialist about switching the camera back to the witness. On one occasion, the interpreter allowed the witness to speak for quite a long time and the prosecutor intervened asking her to interpret. From that time, the interpreter showed the witness when to stop and told her when she could continue."*

Again, this suggests that a set of guidelines is required for the management of the communicative situation.

### **3.4 Interpreting quality assessment – day 3**

On the third day of tests, the scenario was that of a credit card fraud case. The witness did not use any specialist terminology or colloquialisms, but spoke every-day language. The only major problems all interpreters had during their work concerned names and addresses. On that day the hearing was conducted with a real recording clerk, who wrote down the testimony for the record (in other words, not someone acting as a recording clerk, as on the first and second day) and this slowed down the entire process.

Throughout the questioning, the interpreters had to dictate the witness' testimony to the recording clerk. They quickly learned how to do it efficiently and come up with neat, correct sentences with the same information the witness provided, but making them as concise as possible.

#### **3.4.1 Face-to-face setting [court interpreter 2]**

##### *Comprehension of source text*

The interpreter's comprehension of the SL text was very good. She made a few requests for clarification or repetitions, like in the case of witness' address, in which she finally made a mistake (SL: "It's 1120 22<sup>nd</sup> Milnguøe Avenue", TL: "... 22<sup>nd</sup> Milnguøe Avenue, number 1122"), or when the witness spoke quite fast and her testimony was incoherent.

##### *Production of target text*

The interpreter's output was sometimes inaccurate (SL: "It was like half six in the morning" TL: "... about half past five"; SL: "My husband wanted to surprise me," TL: "My husband decided to surprise me"; SL: "... we didn't have the direct connection to Cracow from Paris on that day", TL: "there is no direct connection from Paris to Cracow"; SL: "... merchants, that they used to sell all the things and buy the things there as well", TL: "where merchants sell many various things"). The interpreter made a number of omissions, resulting most probably from the fact that the witness' utterances were quite lengthy and the interpreter paraphrased them instead of providing a word-for-word interpretation. However, departures of the interpretation from the original were of minor significance.

The interpreter made no grammatical mistakes in the English language, providing correct delivery in terms of grammar, syntax and phraseology. The same applies to her output in Polish. As regards terminology she made very few mistakes, [SL: "forging (...) of payment cards" TL: "credit card fraud"]. She also proved highly competent as regards legal terminology.

The interpreter spoke fluently in both Polish and English. Her English pronunciation was excellent, and she did not pause as frequently as she had done on previous occasions. The interpreter's rate of articulation was fast at the beginning but when she realized that the recording clerk was not able to keep up with her, she substantially reduced her space of speech and began dictating.

The interpreter remained calm throughout the interpreting process, but often gesticulated vigorously with her hands.

### **3.4.2 VCI A setting [court interpreter 3]**

#### *Comprehension of source text:*

The interpreter had no major problems with understanding the source-language text, except for names and addresses, but in quite a number of cases was not sure whether he understood the witness and asked her for a confirmation of his understanding.

#### *Production of target text:*

The interpreter did take notes when interpreting. His TL output contained a large number of inaccurate interpretations and omissions, though none of critical significance [SL: "in relation to your use of cards (...) and losses which you sustained as the consequence of the actions of detained perpetrators" TL: "in the matter of using payment card and the retention of persons who were detained"].

Many of the interpreter's utterances, particularly in the final part of the examination when he delivered the sight translation, contain grammatical mistakes [TL: "should need be to", TL: "I would like to explained"]. Also, the interpreter did not seem to know certain legal terms, and made similar mistakes to ones he made during the first and second examinations.

The interpreter understood nearly everything the witness said but repeatedly asked the witness to confirm whether he was right.

The interpreter's pronunciation and intonation in English were good, and his delivery was not interrupted by long pauses. As regards the interpreter's pace of speech, when he was sight translating examination record, he spoke so fast that even the witness asked him to slow down. It was in this part of his TL output that he made the largest number of grammatical mistakes.

### **3.4.3 VCI B setting [court interpreter 1]**

#### *Comprehension of source text*

The interpreter did not have major problems with text comprehension, except for names or addresses (she had problems with spelling).

#### *Production of target text*

The quality of the interpreter's performance did not differ much from that of the first day of her interpreting. During this examination the witness' sentences were rather short so as to enable the recording clerk to put everything down and the interpreter dictated the witness' answers. Nevertheless, in some cases her interpretation was inaccurate [SL: "... about half six" TL: "... about six in the morning"] and incomplete.

She made quite a few grammatical mistakes and her biggest deficiency concerned a lack of knowledge of everyday vocabulary [*“date and place of your birthday; SL: “merchants” TL “shops”*], lack of knowledge of legal terminology and phraseology [she did not know such terms as *“forensic psychiatrist; SL: “remote witness examination” TL: “distance interrogation”*], SL: *“convicted for giving false testimony” TL: “punished for giving false testimony”*]. However, she seldom omitted unknown words but asked the witness for clarification.

The interpreter’s pronunciation and intonation in English were good, with a slight Polish accent. Her rate of articulation was slow, with a large number of pauses.

One of the experts pointed out an interesting outcome of the witness’ remoteness during VCI settings and the interpreter’s (in)ability to cope with a novel situation: *“It turned out that the recording clerk did not write down the first question (let alone the answer), because he had not been instructed to do so. The recording clerk could not type very fast, so the interpreter was often asked to repeat or wait ..... At the beginning the witness could have been confused as she did not know what was going on.”*

In the VCI A setting (the interpreter was next to the prosecutor and the foreign language speaking witness was at a remote location), the witness clearly did not know what was going on when the record was being corrected, because the interpreter was too busy making corrections to tell her.

In VCI B setting (the interpreter was next to the foreign language speaking witness and the prosecutor was at a remote location), the interpreter made an effort to keep the witness informed about what was going on in the other location, and kept the prosecutor informed when she had to ask the witness for clarifications.

While referring to the communicative behaviour of the interpreters on that day, one of the experts stated that the participants’ behaviour did not change much compared with the preceding days. One of the interpreters (in the face-to-face setting) tried to maintain eye contact with the witness.

Commenting on possible difficulties ensuing from the video link our expert noted that the quality of the video link was very good during interpretation. For a short time, although the quality of the image remained very good, there were problems with the sound. However, the participants did not complain about it or ask for repetitions. None of the requests for clarification/repetition made by the interpreters seemed to result from poor quality of the sound or image.

## 4 Post-test feedback

Immediately after the tests, all participants were requested to provide some feedback on their experiences of the test.

### 4.1 Interpreters’ feedback

Interpreter 1 remarked that headphones might have been helpful, as would the possibility for the interpreter to control the equipment. She further commented:

- *“the screen should be placed directly in front of the interpreter”,*
- *“in a real life situation, it would be possible to draw pictures (by the witness, interpreter) showing the location of victims. In VCI interpreting it took more time to explain (and interpret) everything carefully”,*

- “VCI/RI is a bigger challenge for the interpreter...”

The Interpreter added that more effort was needed to understand fully a person at a distance and to establish a rapport with them.

In the opinion of Interpreter 2:

- “it is always more effective to interpret for a person sitting next to me or at the same table”,
- “if the technology works properly, there is virtually no difference between ‘real’ [meaning face-to-face] interpreting and VC interpreting”,
- “the fact that there is distance may cause a higher level of stress”,
- “during the VCI the participants are more focused, which has a positive effect on the quality of interpretation”,
- “it is also important to feel comfortable in the presence of the camera”.

Interpreter 3 observed:

- “the greatest problem was to overcome the stress resulting from the camera staring at me and the witness”,
- “the stress caused a reduction in performance. I noticed that quite simple things got complicated”.

Interpreter 3 was clearly disconcerted by the presence of the camera in the initial phase of the tests.

In their self-assessment sheets, the interpreters commented that videoconference interpreting when the interpreter was with the prosecutor and the witness was at a remote location appeared to be the most difficult of the three settings. In general, interpreters preferred to interpret in the face-to-face and the VCI B settings (when they sat next to the foreign-language speaking witness and the prosecutor was at a remote location) rather than in the VCI A settings (when they sat next to the prosecutor and the foreign-language speaking witness was at a remote location).

Notably, the interpreters saw little difference or no difference at all between face-to-face interpreting and videoconference interpreting in the two VCI settings in terms of their overall interpreting quality and witness comprehension. General satisfaction with their performance was equally good in all these settings. However, all three interpreters regarded videoconference interpreting either slightly or considerably more fatiguing, stressful, isolating and motivating (motivating was understood as requiring a greater effort to remain focused).

The level of working comfort was perceived by all three to be higher in the case of face-to-face interpreting and lower in videoconference interpreting. Likewise, though the perception of the stress level in these three settings differed amongst the three interpreters, interpreting during a videoconference hearing was perceived as more stressful than face-to-face interpreting by all three; however, as one of the interpreters stated, the “VCI setting may cause some stress or uneasiness”, but “the stress level gradually decreases when the interpreter gets used to the fact of being recorded”.

It must be noted that the interpreters indeed got used to the camera and the new communication context very quickly. Starting from a high level of stress and uncertainty, they quickly developed techniques to cope with this new situation and figured out how to tackle the difficulties in the most efficient way. By the second day, two of the three



interpreters had learnt to manage the VCI communicative environment reasonably well. On day three, i.e., the last day of tests, two of the three seemed almost relaxed.

Eye contact was also covered in the feedback. In particular, it was suggested that it is *“important to have an eye contact with the witness or prosecutor, as it helps a lot in the communication effort.”*

Two interpreters mentioned that special training in VC interpreting is needed, also including training with regard to voice projection in the VC situation.

## 4.2 Prosecutors’ feedback

Regardless of the interpreters’ opinions about their quality of interpreting or satisfaction with their performance in each of the settings, (or the level of their stress or fatigue in VCI settings), the Prosecutor was equally satisfied with the result of each hearing. The interviewed Prosecutor said he had achieved his goal by learning the facts he required. In general, the client (i.e. the Prosecutor) was more satisfied with the interpreting quality and interpreters’ performance than the service providers (the interpreters) themselves.

Interestingly, the Prosecutor (who was very experienced in conducting VCI hearings having questioned approximately 350 witnesses via videoconference) noticed that the interpreters who interpreted during the face-to-face hearing and the hearing of a witness at a remote location (when the interpreter sat next to the Prosecutor) were nervous and tried to overcome stress during their work. However, the Prosecutor did not notice the third interpreter’s nervousness. He thought the third interpreter (whom he saw on the video screen only) was quite composed. The Prosecutor was surprised when told that the interpreter’s hands were shaking and that this interpreter too showed signs of stress and nervousness that were evident to those sitting next to him. It demonstrates that despite considerable experience with VCI, some body language cannot be deciphered successfully via the screen.

## 4.3 Witness’ feedback

Noteworthy are the observations and remarks of the individual playing the role of the witness, who works as a court interpreter in Scotland and has some experience of VCI/RI.

With regard to the general quality of interpreting, the ‘witness’ (fluent both in Polish and English) noted that the quality of interpreting did not differ much depending on the setting. Her observations were as follows:

	Face to face interpreting	VCI A (Interpreter next to the Prosecutor)	VCI B (Interpreter next to witness)
Interpreter 1	good quality, intended result achieved	some mishaps, generally good	good but many interruptions
Interpreter 2	good quality, coped with obstacles	good quality, great stress control	good pace and quality
Interpreter 3	good quality	good quality despite some obstacles (omissions and additions)	too many omissions and additions

In her opinion, face-to-face interpreting "is best for quality, understanding and pace" whereas "VCI A (when the Interpreter sat next to the Prosecutor, while the foreign language speaking Witness was at a remote location) creates a lot of barriers and may slow down the procedure due to distance" and accompanying difficulties. VCI B (the Interpreter with the Witness) in turn "improves time management, understanding and has a positive result on the proceedings. Witness is in control of situation in this setting."

She also stressed the importance of direct contact saying that the VCI B setting (when the interpreter sat next to the foreign language speaking witness, while the prosecutor was at a remote location) "was better because it assured better confidence and quality; [which] is preferable for the interpreter."

For her, "VC interviews are a big step forward in interpreting, but there are many aspects that need to be understood before anyone starts work in such a setting. It can improve work within the justice system, but interpreters need training and people using interpreters' services need to understand the role of interpreters in the justice system. They should be an asset, not a prop in these proceedings."

## 5 Conclusions

The three scenarios were interpreted by three different interpreters with different linguistic proficiency, interpreting competence and experience. As was pointed out earlier, all the interpreters worked once in one of the three different interpreting settings: the classic "face-to-face" setting and two VCI-assisted settings (VCI A - interpreter with the prosecutor and VCI B -interpreter with the witness).

The crucial question of this study was whether, and if so, to what extent, the VC-supported interpreting setting affected the interpreter's delivery.

In order to answer this question the experts compared and assessed the quality of interpreters' delivery; however, they formed varying opinions and reached slightly different conclusions.

According to one of the experts, the performance level was approximately the same during all the three interpretations. One of the interpreters did even better in VCI A than in the "face-to-face" and VCI B setting, while another performed poorly in VCI A but substantially improved her output in VCI B. In the expert's opinion, it is predominantly the interpreter's competence and the text difficulty (i.e., vocabulary, accent, manner of speaking, topic) that impacts the interpreter's performance. In other words, the higher the linguistic and interpreting competence of the interpreter, the less his/her output is likely to be affected by the interpreting setting.

According to the other expert, interpreters generally performed better in the "face-to-face" scenario than in the VCI-supported environment. Despite the fact that according to the statistics of interpreting errors compiled by this expert, there is no major difference between the VCI A and VCI B scenarios, in the opinion of the expert, which is also shared by project partners from TEPIS, the scenario where the interpreter is in direct contact with the witness (VCI B) proves more comfortable for the interpreters. In the final conclusions the second expert wrote:

It is my impression that any differences in the quality of interpreters' performance in various modes [setting] of interpreting were much more attributable to their [the interpreters'] particular professional skills (knowledge of the vocabulary relating to the topic of interrogation, general command of English) than the mode in which the

questioning was conducted. The only clear advantage of sitting together with the witness being the ease with which they could determine the spelling of proper names. Even getting explanations or asking the witness to repeat something was not very difficult with this quality of link.

This difference in opinion could have been expected, despite pre-set assessment criteria. It is hardly possible to assess interpreting performance in an unbiased manner. In this case, the overall picture was further shaded by:

- varying degree of interpreters' competence despite efforts to select experienced and well trained interpreters,
- the process of interpreters' increasing familiarity with the videoconference settings and equipment and the process of natural adjustment to working via video-link,
- too small a sample of interpreters to draw global conclusions; thus further study would be necessary.

The interpreters' performance was affected by the difficulty of the source language utterance, especially when the witness' speech was loaded with many colloquial or local expressions, and a strong Scottish accent, but this is far from surprising regardless of the setting (be it face-to-face or VCI). However, the best-performing interpreter maintained the best quality in each the setting, and there were no major differences in the quality of the other two interpreters across the various settings.

The quality of interpretation was also affected by factors not directly related to the interpreters' skills. What may have caused additional stress was the fact that speakers in one location did not always realize what was going on in the other location. They sometimes interrupted the interpreter, and in one case asked the interpreter to interpret while he was performing a procedural act (signing the record).

The role of prosecutors cannot be underestimated either, because their willingness or unwillingness to cooperate can make the interpreter's job considerably easier or more difficult, with the important factors being e.g. whether the interpreter can have the record for sight translation, whether the prosecutor is willing to dictate to the recording clerk or wants the interpreter to do so, and whether the interpreter is interrupted or not. Therefore, more generally, "good conversational manners" of all participants in the examination are important for successful interpretation.

As the recording clerk was present only on the last day, no patterns can be observed in this respect, but the prosecutor dictated when the interpreter was with the witness and required the interpreter to dictate when the witness was alone and the interpreter, the prosecutor, and the recording clerk were in the same location. It should be recommended that, whenever possible, the interpreters should receive written materials for sight translation (especially the record when it is checked) to reduce the risk of omissions or misinterpretations.

To recapitulate, the tests carried out by the Polish partner (TEPIS) lead to the conclusion that the competence of the trained and practising interpreters' was at least good in all the investigated settings. It seems that the interpreter's language competence has a predominant impact on their performance regardless of the setting.

The most preferable setting from the interpreter's and the witness' point of view, other than face-to face, seems to be VCI B, where the interpreter has direct contact with the witness.

The tests conducted by the Polish Partner confirm that there is still need for guidelines regarding the management of the communication process and training in VCI and familiarization with the VC equipment.

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