

# Videoconference and remote interpreting in criminal proceedings

## Training module for Legal Practitioners

AVIDICUS  
Assessment of Videoconference Interpreting  
in the Criminal Justice Services

EU Criminal Justice Programme, Project JLS/2008/JPEN/037, 2008-2011

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# Sections in this module

- 1 Introduction**
- 2 Videoconferencing and interpreting**
- 3 Current practice**
- 4 Practical demonstration**
- 5 Discussion and guidelines**

# 1 Introduction

- The current situation
- Current EU legislation relating to the use of videoconferencing in legal proceedings
- Videoconferencing: definitions and key terms

# 1 Introduction

## The current demand in the Judicial Services

- Eliminate delays in legal proceedings
- Reduce travel time/cost e.g. in cross-border proceedings
- Respond to security concerns, e.g. avoid transport of prisoners
- Use qualified legal interpreters (new directive)
- Overcome local shortages of qualified legal interpreters
- Gain timely access to qualified legal interpreters
- Gain cost-efficient access to qualified legal interpreters

**⇒ Use of videoconference technologies as a potential solution**

# 1 Introduction

## Definitions and key concepts

- **Videoconferencing (VC)**
  - *Synchronous* communication across a distance
  - Video, audio, document sharing
  - Peer-to-peer or multipoint connection
- **Technological basis**
  - Transmission: Satellite, ISDN, Broadband Internet, Skype
  - Hardware: VC studio, 'roll-about' units, desktop PC, laptop, ...
- **VC communication**
  - Interpersonal communication:
    - **bidirectional** (or multidirectional): small-group settings
    - **unidirectional**: lectures, conferences
  - Mass communication (webcast)



# 1 Introduction

## EU legislation in relation to the use of videoconferencing

- **EU legislation allowing the use of videoconferences in legal proceedings, especially for hearing witnesses or experts, e.g.**
  - 2nd Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters (2001, Article 9)  
<http://conventions.coe.int/Treaty/en/Treaties/Html/182.htm>
  - Council Regulation (EC) on cooperation between the courts of the Member States in the taking of evidence in civil and commercial matters (No 1206/2001 of 28 May 2001, Article 10(4))  
[http://ec.europa.eu/justice\\_home/judicialatlascivil/html/te\\_documents\\_en.htm](http://ec.europa.eu/justice_home/judicialatlascivil/html/te_documents_en.htm)
  - Council Framework Decision on the standing of victims in criminal proceedings (2001/220/JHA of 15 March 2001, Article 11(1))  
[http://europa.eu/legislation\\_summaries/justice\\_freedom\\_security/judicial\\_cooperation\\_in\\_criminal\\_matters/jl0027\\_en.htm](http://europa.eu/legislation_summaries/justice_freedom_security/judicial_cooperation_in_criminal_matters/jl0027_en.htm)

# 1 Introduction

## EU legislation in relation to the use of videoconferencing: updates

- EU legislation to strengthen the procedural rights of suspected or accused persons in criminal proceedings:
  - Council Roadmap for strengthening procedural rights of suspected and accused persons in criminal proceedings ('Procedural Rights Roadmap', adopted in Council in Nov 2009). Measures to be adopted:
    - a) the right to translation and interpretation,
    - b) the right to information on rights and information about the charges,
    - c) the right to legal advice and legal aid,
    - d) the right to communication with relatives, employers and consular authorities,
    - e) and regarding special safeguards for suspected or accused persons who are vulnerable.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2009:295:0001:0003:EN:PDF>



# 1 Introduction

## EU legislation in relation to the use of videoconferencing: updates

- EU legislation to strengthen the procedural rights of suspected or accused persons in criminal proceedings:
  - Directive of the European Parliament and of the Council on the rights to interpretation and translation in criminal proceedings (adopted by the European Parliament in June 2010, adopted in Council in Oct 2010):

This Directive lays down common minimum standards to be applied in the fields of interpretation and translation in criminal proceedings with a view to enhancing mutual trust among Member States. It includes the possibility of remote access to interpretation by telephone and videoconference.

<http://www.europarl.europa.eu/oeil/file.jsp?id=5840482>

[http://www.europarl.europa.eu/news/expert/infopress\\_page/019-76134-165-06-25-902-20100615IPR76133-14-06-2010-2010-false/default\\_en.htm](http://www.europarl.europa.eu/news/expert/infopress_page/019-76134-165-06-25-902-20100615IPR76133-14-06-2010-2010-false/default_en.htm)



# 1 Introduction

## EU legislation in relation to the use of videoconferencing: updates

- EU legislation to strengthen the procedural rights of suspected or accused persons in criminal proceedings:
  - Directive of the European Parliament and of the Council on the right to information in criminal proceedings (first reading by the European Parliament in 2010):

This Directive lays down rules concerning the right of suspected and accused persons to information about their rights and about the charge in criminal proceedings against them. Second step in the Procedural Rights Roadmap; should be considered as part of a comprehensive package of legislation to be presented over the next few years to provide a minimum set of procedural rights in criminal proceedings in the EU.

<http://www.europarl.europa.eu/oeil/file.jsp?id=5866242>

# 1 Introduction

## EU legislation in relation to the use of videoconferencing: updates

- **Focus on cross-border proceedings, mutual assistance and recognition, e.g.**
  - Green Paper on obtaining evidence in criminal matters from one Member State to another and securing its admissibility – refers to the possibility of hearings by videoconference (COM(2009) 624, 11 November 2009)

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52009DC0624:EN:NOT>

# 1 Introduction

## EU legislation in relation to the use of videoconferencing: updates

- In 2007 the European Council also confirmed that one of the priorities for future work in e-justice should be to "improve the use of VC technology for communication in cross-border proceedings, in particular concerning the taking of evidence, and interpretation"

10509/07 JURINFO 23 JAI 301 JUSTCIV 163 COPEN 89

see also [http://www.europarl.europa.eu/meetdocs/2004\\_2009/documents/dv/752/752580/752580en.pdf](http://www.europarl.europa.eu/meetdocs/2004_2009/documents/dv/752/752580/752580en.pdf)

- A 2008 survey by the working group on e-Justice shows that VC is used in legal proceedings to speed up cross-border cooperation, reduce costs and increase security

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# 1 Introduction

## EXAMPLE OF NATIONAL LEGISLATION

### Poland's legislation in relation to the use of videoconferencing:

- Videoconferencing in criminal proceedings was introduced in Poland by virtue of an amendment to the Polish Code of Criminal Procedure in force since July 1, 2003. The **new Article 177.1a of the Polish Code of Criminal Procedure** allowed **videoconference/remote hearing of a witness only**.
- **Defence testimony via videoconference is not permitted.**
- Furthermore, under Article 147 § 1 of the Polish Code of Criminal Procedure, legal proceedings involving videoconference/remote hearings must be **recorded** on a sound and image recording device (DVD recorder).

# 1 Introduction

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# 1 Introduction

## EXAMPLE OF NATIONAL LEGISLATION

### Poland's legislation in relation to the use of videoconferencing –cont.:

- The law provides for the following types of videoconference/remote hearing:
  - videoconference/remote hearing of a witness, including hearings within the frame of domestic mutual legal assistance, also of evidence given by informant defendants and minors (Article 185a of the Polish Code of Criminal Procedure) and expert witnesses (Article 197 § 3 of the Polish Code of Criminal Procedure);
  - videoconference/remote hearing of an anonymous witness (Article 184 of the Polish Code of Criminal Procedure);
  - videoconference/remote hearing held within the frame of international mutual legal assistance.

# 1 Introduction

## Further study

### Videoconferencing and legislation

Study the different pieces of legislation that were introduced in this section.

- Find out what exactly the documents say about the use of videoconferencing in legal proceedings and make a summary of all the situations in which the use of videoconference is allowed and recommended.
- Find out whether this legislation is applicable in your country and to what extent it is actually applied, i.e. whether videoconference technology is used in legal proceedings.





## 2 Videoconferencing and Interpreting

- Emerging settings and their motivations
- Definitions
- Rationale and potential uses

## 2 Videoconferencing and interpreting

### Emerging settings and their motivations

#### New ways of communicating:

- Use of VC technology for distance communication
- If bi-/multilingual, how to integrate the interpreter?



**"VIDEOCONFERENCE INTERPRETING"  
(VCI)**

Compare also:  
TELEPHONE INTERPRETING

#### Traditional ways of communicating, but:

- Use of VC technology to integrate an interpreter from a distant location



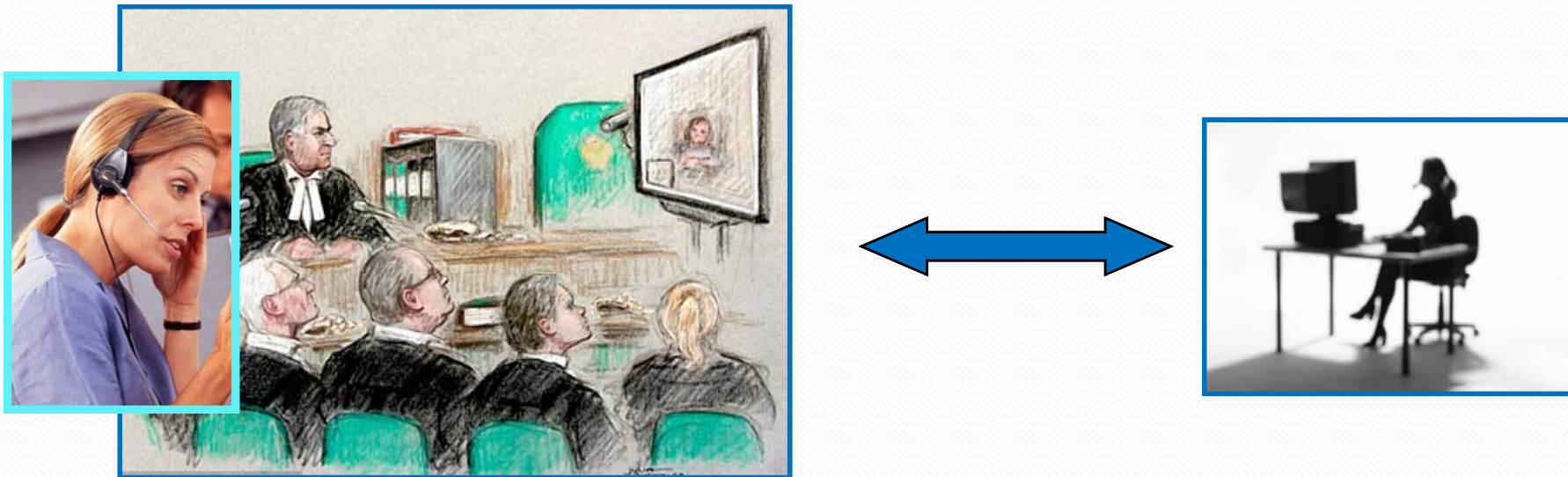
**"REMOTE INTERPRETING"  
(RI)**

Compare also:  
REMOTE INTERPR. VIA AUDIO LINK

## 2 Videoconferencing and interpreting

### Definitions: Videoconference interpreting

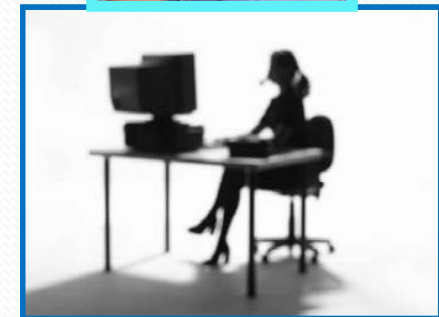
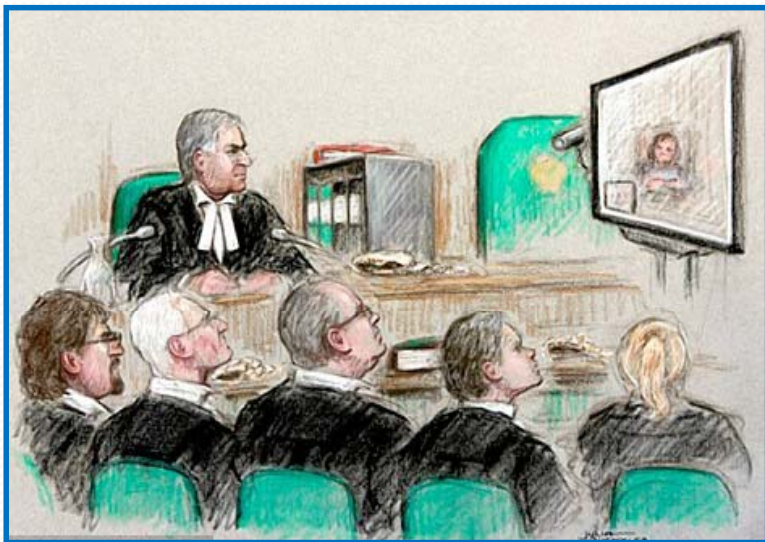
- The primary participants are at two (or more) different locations (e.g. court room and prison)
- **Variant A:** The interpreter is at the main site (e.g. in the court room), the non-native speaker is at the other site (e.g. in prison)



## 2 Videoconferencing and interpreting

### Definitions: Videoconference interpreting

- The primary participants are at two (or more) different locations (e.g. court room and prison)
- **Variant B:** The interpreter is at the site of the non-native speaker (e.g. in prison)



## 2 Videoconferencing and interpreting

### Definitions: Remote interpreting

- All primary participants are together at a single location (e.g. in a police station)
- The interpreter at in a different location (e.g. in another police station or interpreter hub)

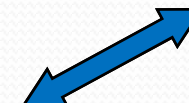
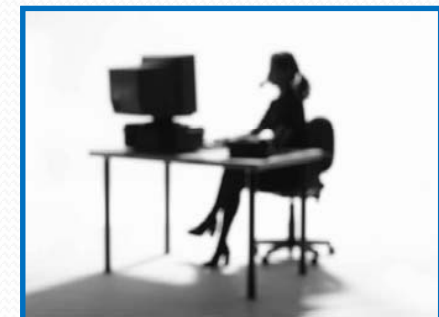
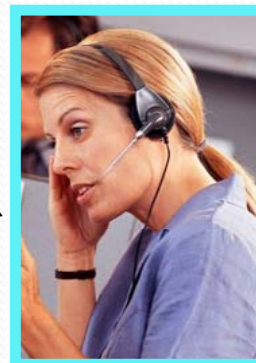
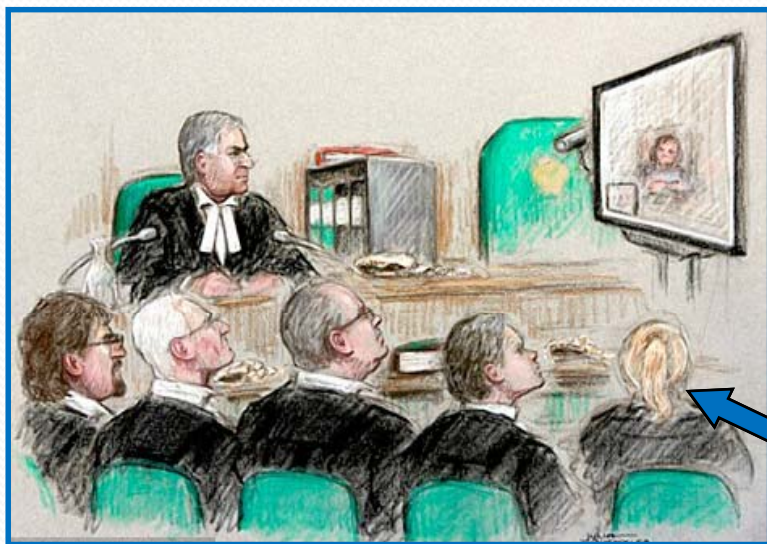




## 2 Videoconferencing and interpreting

### Definitions: Videoconference + Remote interpreting

- The primary participants are at two (or more) locations (e.g. in a court room and in prison)
- The interpreter is at a separate location (e.g. in another court room)



## 2 Videoconferencing and interpreting

### Definitions

#### **Videoconference interpreting (VCI)**

- The communication takes place at two (or more) different locations
- The interpreter is situated at either location

#### **Remote interpreting (RI)**

- All primary participants are in a single location
- The interpreter is linked to them via VC from a remote location

#### **VCI and RI combined**

- Primary participants at different locations
- Interpreter at a further location



## 2 Videoconferencing and interpreting

### Rationale and potential uses

#### Videoconference interpreting

#### Remote interpreting

#### In legal proceedings, e.g.

- Internationalisation of crime: witnesses or defendants abroad (cross-border legal proceedings)
- Security: avoiding transport of prisoners to courts and police

- Overcoming local shortages of qualified interpreters, esp. for rare languages
- Ensuring timeliness of communication in unpredictable situations (accidents, crime)
- Reduction of interpreter travel/cost

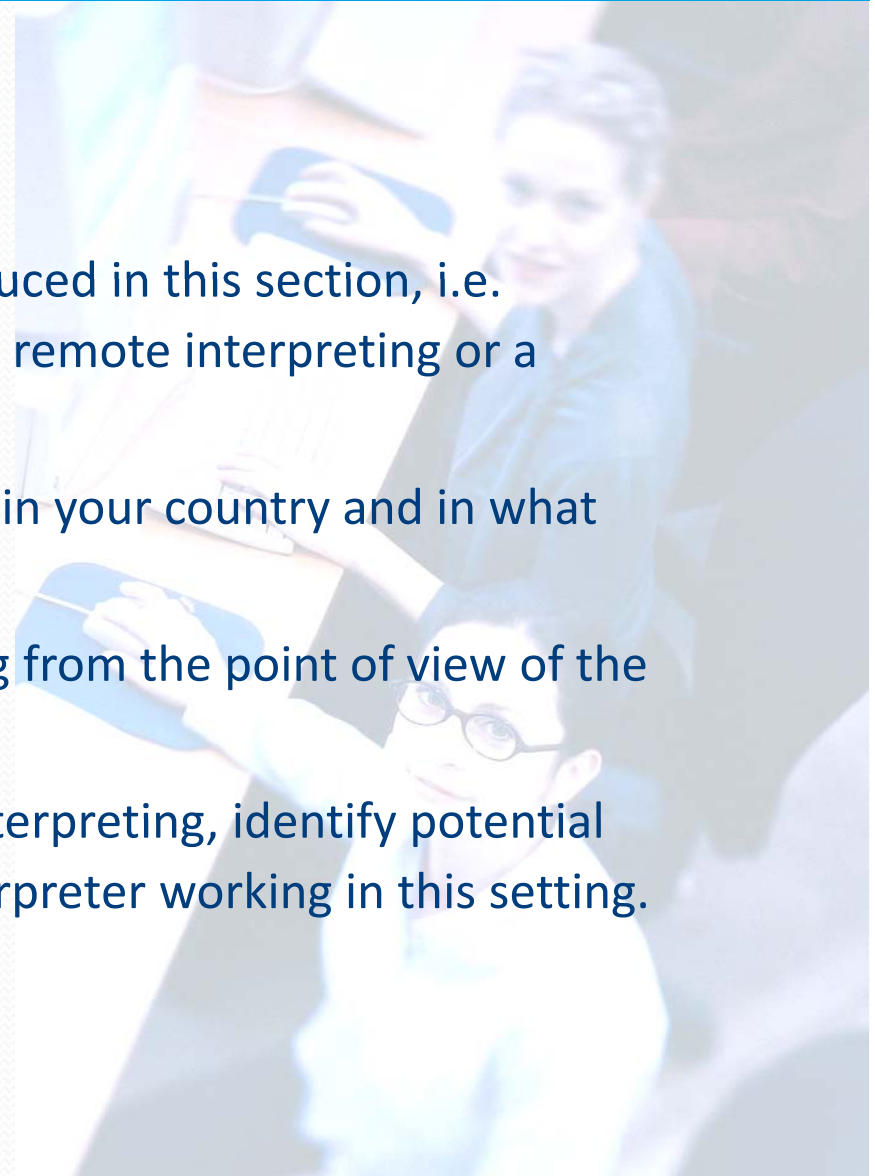
## 2 Videoconferencing and interpreting

### Further study

#### Settings and their uses

Choose one of the settings that were introduced in this section, i.e. videoconference interpreting variant A or B, remote interpreting or a combination of the two.

- Find out whether this setting is used in your country and in what area(s).
- Discuss the advantages of this setting from the point of view of the legal institutions/proceedings.
- Based on your own experience of interpreting, identify potential advantages and problems for an interpreter working in this setting.



## 2 Videoconferencing and interpreting

### Further study

#### Videoconference interpreting variant A and B

Consider the two variants of videoconference interpreting for the hearing of a remote witness in court. Discuss the advantages and drawbacks of the interpreter being in court vs. being with the remote witness from the point of view of

- the judge and other primary participants in the court room
- the remote witness
- the interpreter

Do you think it is possible to identify an 'ideal solution', or what would the solution depend on? Justify your point of view.

## 3 Current practice

- Examples of current uses of videoconference interpreting (VCI) and remote interpreting (RI) in legal proceedings
- The information in this part of the module is based on two surveys among legal practitioners and legal interpreters conducted in the EU project AVIDICUS in 2009.

## 3 Current practice

### Overview

- In many countries videoconference technology can currently be used as a substitute for physical presence under the following circumstances
  - **In criminal cases:**
    - for remote witnesses or for prisoners in remand extension hearings
    - less frequently, for the defendants
    - for interpreters (remote interpreting)
  - **In asylum/immigration hearings:** normally for the asylum seeker
  - **In civil cases:** normally for anyone who takes part in the proceedings except the judge
- This leads to a range of videoconference and remote interpreting settings. Examples from different countries will be given on the subsequent slides.

## 3 Current practice

### Examples of videoconference interpreting (Criminal Justice)

- **Pre-trial investigations (first hearings):** Different practices have begun to emerge for pre-trial hearings of defendants and witnesses. The mode of interpreting is consecutive.
  - In the *Netherlands*, videoconferencing has been used in pre-trial hearings since 2007. The prosecutor is normally at one police station and communicates with the **defendant in custody** at another police station. **The interpreter can choose the location, but is normally at the location of the defendant.**

[http://www.justitie.nl/onderwerpen/recht\\_en\\_rechtsbijstand/videoconferentie/](http://www.justitie.nl/onderwerpen/recht_en_rechtsbijstand/videoconferentie/)

## 3 Current practice

### Examples of videoconference interpreting (Criminal Justice)

- **Pre-trial investigations (first hearings):** Different practices have begun to emerge for pre-trial hearings of defendants and witnesses. The mode of interpreting is consecutive.
  - In *England and Wales*, 'Virtual Courts' were introduced in 2007 for first hearings. These are video links between Magistrates Courts and **defendants in police custody. The interpreter is normally in court.**

<http://frontline.cjsonline.gov.uk/guidance/cjs-reform/efficiency-and-effectiveness/#vc>

**Evaluation of pilot:** <http://www.justice.gov.uk/publications/docs/virtual-courts.pdf>



## 3 Current practice

### Examples of videoconference interpreting (Criminal Justice)

#### Evaluation of Virtual Court pilot:

**“Time delays** in the audio link were reported by practitioners as being common, and were witnessed during courtroom observations. While the delays themselves were quite short (a second or less), it was sufficient to cause individuals to repeat themselves on several occasions, and people on opposite ends of the link spoke over one another (similar to some long distance telephone calls). This did not appear to be a problem in the majority of cases, in that it did not result in confusion or delays to the hearing process. However, it **did cause some communication problems where a defendant had language difficulties, or where an interpreter was being used.**”

## 3 Current practice

### Examples of videoconference interpreting (Criminal Justice)

#### Evaluation of Virtual Court pilot:

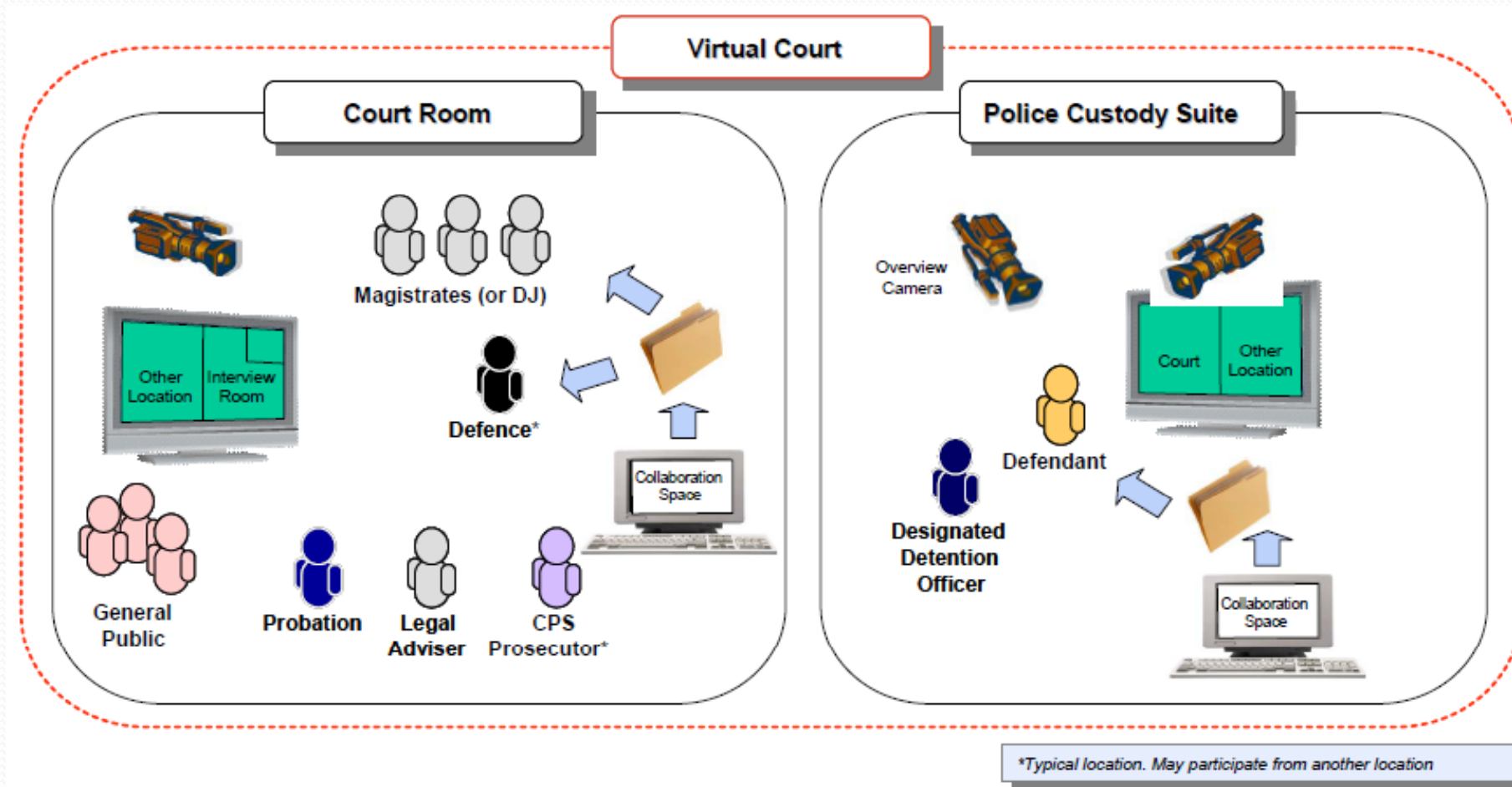
“Some magistrates and District Judges felt that **some cases were not suitable to be handled in Virtual Courts due to their complexity and the time that was required to hear them. While opinions varied, this included cases requiring interpreters** and cases involving complex bail applications, both of which were more likely than most to need more time or flexibility than was available. Courtroom observations confirm that these cases **tended to take longer to be heard than the 15 minutes allowed in the pilot**, which caused knock-on delays for other cases heard during the same session.

## 3 Current practice

### Examples of videoconference interpreting (Criminal Justice)

- **Pre-trial investigations (first hearings):** Different practices have begun to emerge for pre-trial hearings of defendants and witnesses. The mode of interpreting is consecutive.
  - In *Belgium*, investigating judges/prosecutors use videoconferencing to communicate with **witness or defendant abroad**.  
**The interpreter is at the location of the judge/prosecutor.**
  - In *Poland*, prosecutors, police officers or investigating judges use videoconferences to communicate with **witnesses at a remote site**.  
**The location of interpreter is not regulated.**

## The Virtual Court in England/Wales



Source: Ministry of Justice, UK

## **Courtroom in Maastricht**

The Bench and  
videoconference  
equipment in the  
room



Source: Ministry of Justice, The Netherlands

## **Courtroom in Maastricht**

The Bench's view of  
the remote location



Source: Ministry of Justice, The Netherlands



## Courtroom in Maastricht

Defendant, lawyer  
and interpreter in  
the remote location



Source: Ministry of Justice, The Netherlands



### 3 Current practice

#### Examples of videoconference interpreting (Criminal Justice)

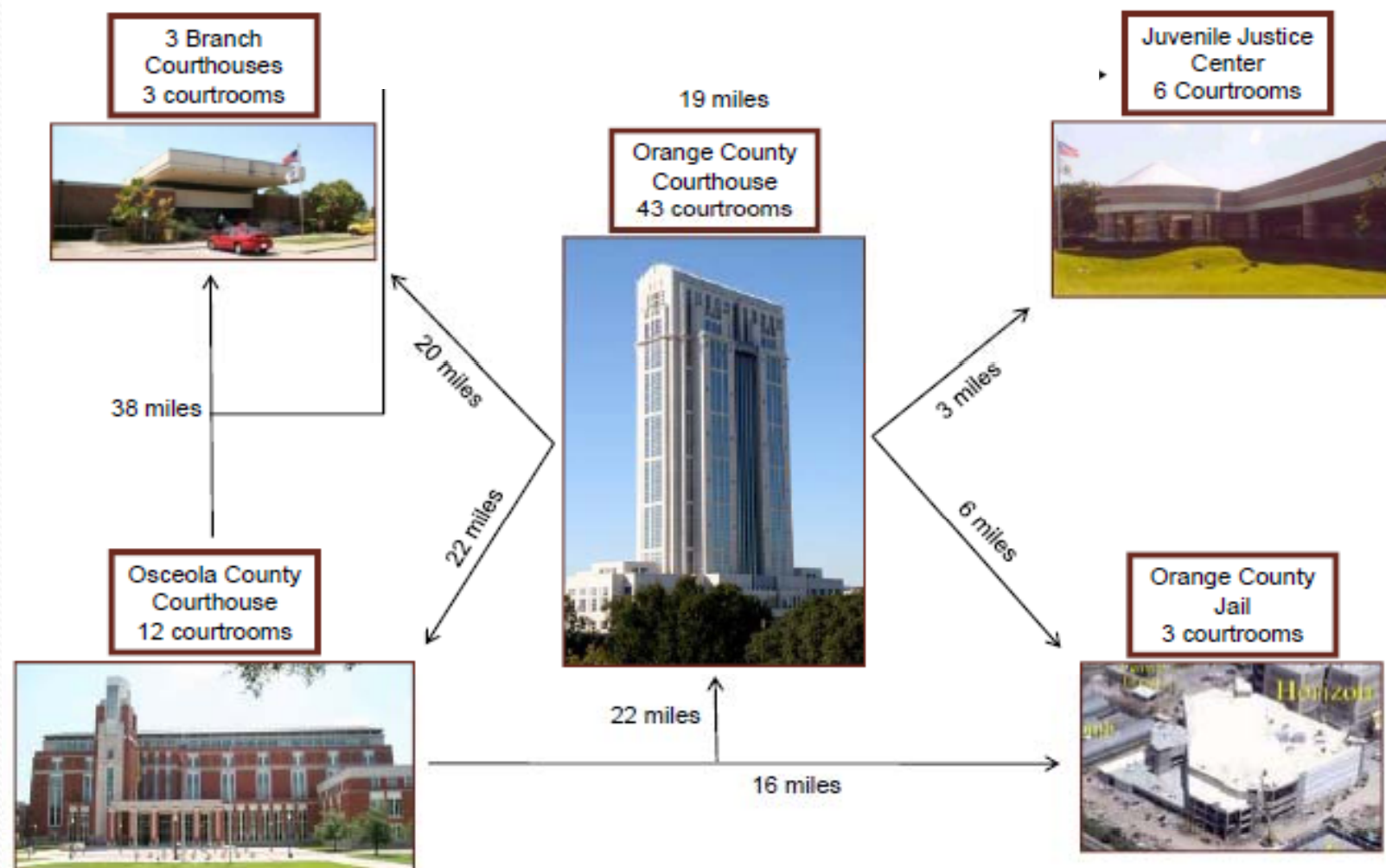
- **Remand hearings:** Videoconference links between courts and prisons have been implemented in many countries to conduct remand extension hearings, which are normally of short duration.
  - In *England and Wales*, these links are known as 'court-prison video links'. **All legal practitioners and the interpreter are normally in court.** The links are also used for consultations between prisoners and their lawyers. In this case, the lawyer and the interpreter are together in a consultation room at the court. The mode of interpreting is consecutive.  
<http://frontline.cjsonline.gov.uk/guidance/cjs-reform/efficiency-and-effectiveness/#prison>
  - In *France*, similar practices are reported to become increasingly frequent:  
<http://www.justice.gouv.fr/actualite-du-ministere-10030/une-nouvelle-technologie-au-service-de-la-justice-12075.html>  
<http://www.intimeconviction.fr/machine-judiciaire/la-visioconference-gagne-lensemble-des-juridictions/>

## 3 Current practice

### Examples of remote interpreting (Criminal Justice)

- Remote interpreting is used in some European **courts**, but it is more common in other parts of the world, especially in the United States.
  - In *Denmark*, RI is used in District Courts at all stages of the proceedings. All primary participants are in the court house. **The interpreter is in another court house.** Simultaneous interpreting is used if possible.
  - In the *United States*, some Circuit Courts have created **interpreter hubs** for interpreters to provide remote simultaneous interpretation to different courts. **Watch this demo video from Florida 9<sup>th</sup> circuit court:**  
<http://www.ninthcircuit.org/programs-services/court-interpreter/>
- The introduction of RI is also considered by **police forces** for interviews with witnesses and suspect. (The two new EU Directives are likely to increase the demand for RI especially in the initial stages of criminal proceedings.)

## Interpreter hub of the Ninth Judicial Circuit Court, Florida



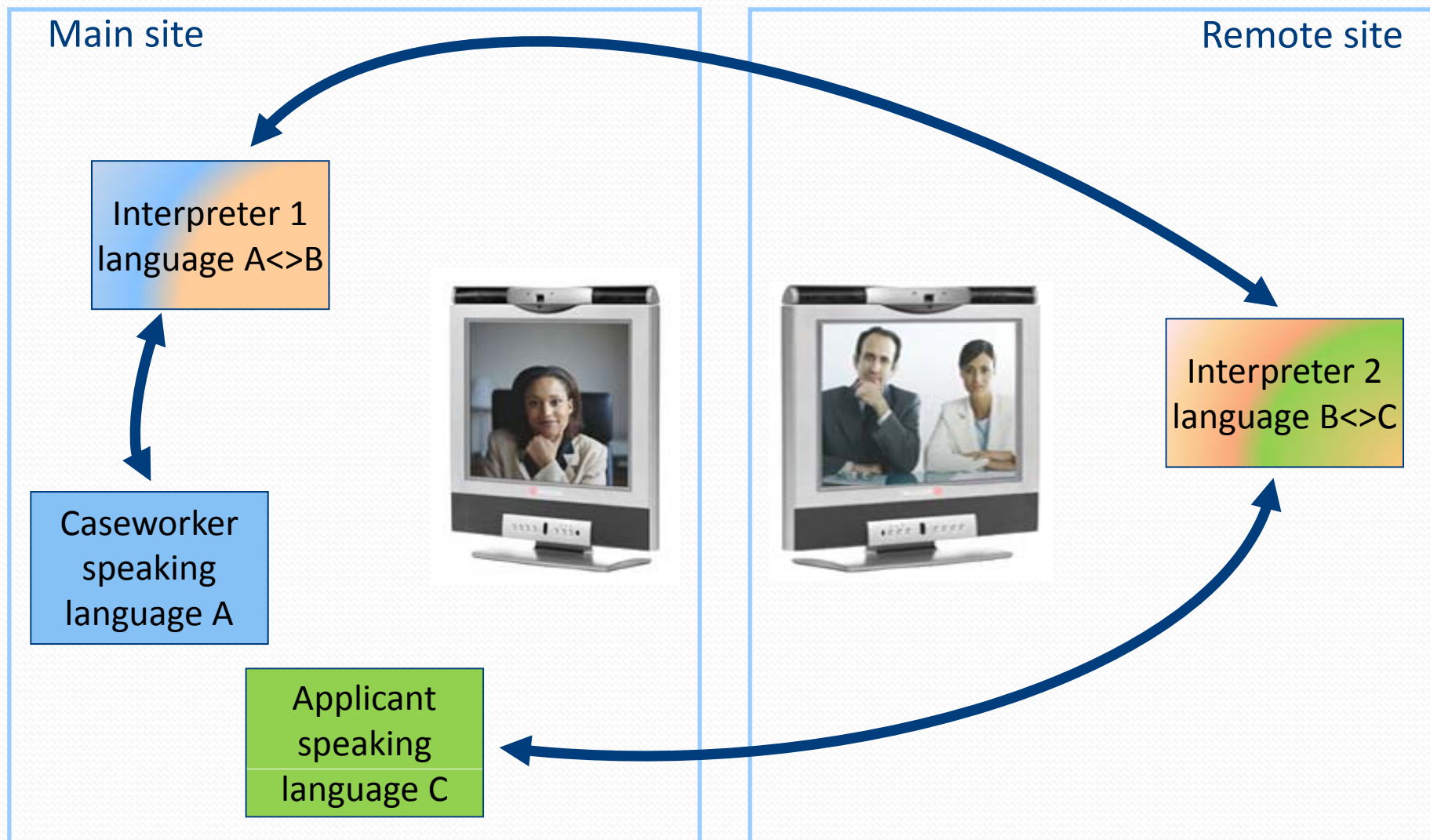
Source: Ninth Judicial Circuit Court, Florida, USA

## 3 Current practice

### An example of videoconference+remote interpreting (Immigration)

- **Interpreters' Pool Project:** In 2007, the General Directors' Immigration Services Conference (GDISC) started a European project aimed at sharing interpreters by the immigration services of European countries.  
<http://www.gdisc.org/index.php?id=548>
  - Member countries use the pool for 'relay interpreting' (via a pivot language) when an interpreter with a required language combination is not available. The mode of interpreting is consecutive.
    - The asylum applicant and the case worker are located at the main site, together with **interpreter 1** who interprets between the language of case worker and the chosen pivot language.
    - **Interpreter 2 is at the remote site** and interprets between the pivot language and the language of the language of asylum seeker.

## GDISC project



## 3 Current practice

### Survey results: Frequency of use

- According to the AVIDICUS survey among legal practitioners (2009), the use of videoconference and remote interpreting in legal proceedings currently varies from “not used” to “used regularly” but can generally be said to be increasing.
- All of the 35 respondents (legal institutions) from 17 EU countries stated that the use of videoconferencing and/or remote interpreting was planned.

Used regularly	Used occasionally	Used rarely so far	Used with varying frequency	Not (yet) used
Estonia Netherlands UK	Germany Poland Sweden	Czech Rep. Denmark Malta Slovakia	Austria Belgium France	Lithuania



## 3 Current practice

### COUNTRY EXAMPLE

#### Videoconference in Poland's courts

- During the years 2004-2005, the need for videoconference court hearings grew intensely from one year to another. Accordingly, the number of videoconference hearings skyrocketed from 22 remote court sessions in 2004 to 126 in 2005. In 2007, the courts held 431 remote court sessions, of which 22 concerned cross-border cases. In 2008, this number further increased to 774 (including 35 cross-border cases).
- During years 2006-2008, all in all 90 courtrooms in 45 regional courts (*sądy okręgowe*) were equipped with videoconference terminals and sound & image recorders. Thus, all the regional courts were equipped with videoconference equipment and linked to the videoconference system. Beginning from 2009, also district courts (*sądy rejonowe*) are being equipped with videoconference facilities.



## 3 Current practice

### Videoconference in Poland's courts



## 3 Current practice

### Videoconference in Poland's courts

#### *Public Prosecutor's Offices*

- In 2007, videoconference equipment was purchased and installed in 11 Public Prosecutor's Offices. All the existing Organized Crime Units of the Public Prosecutor's Offices have been equipped with videoconference facilities.

#### *Police Stations*

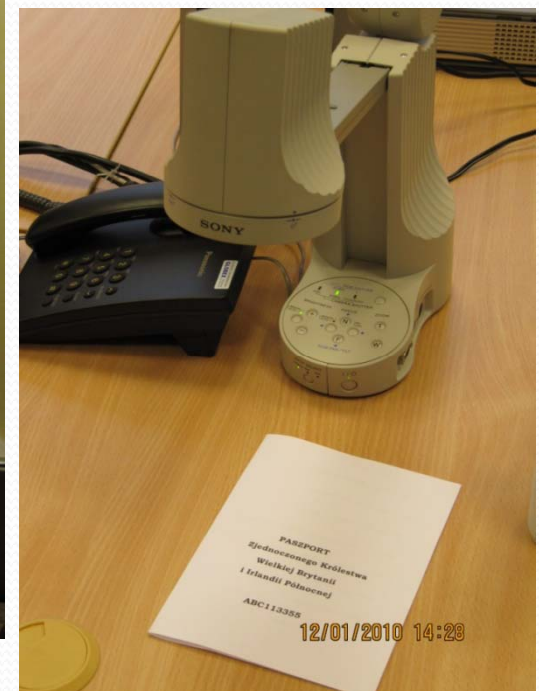
- Police stations did not have videoconferencing equipment in 2009.

#### *Prisons, Detention Centres*

- The process of equipping 21 prisons and detention centres with videoconference facilities (remote witness VC equipment) began in 2009.

## 3 Current practice

### Videoconference in Poland's courts: Public Prosecutor's Office



## 3 Current practice

### Videoconference in Poland's courts

**According to a press report of January 11, 2011, Poland's Justice Ministry says it plans fast trials by video linkup for hooligans when it co-hosts the 2012 European Championship.**

The Minister of Justice Krzysztof Kwiatkowski said that his ministry had prepared amendments to Poland's criminal code to allow for suspects to be tried by video conference from special rooms at stadiums. That would save the time and effort of transporting them to courts.

Kwiatkowski's plans must still go to parliament for approval, but lawmakers are expected to back them.

Polish authorities are seeking ways to keep a lid on trouble when Poland and Ukraine co-host the championship next year.

## 3 Current practice

### Survey results: relevant settings

- VCI/RI are used at all stages of criminal proceedings, albeit with varying frequency and restrictions
- No 1:1 relationship between stage of proceedings and interpreting setting (VCI/RI); different countries have different needs
- In VCI, location of interpreter and mode of interpreting vary across countries; different patterns are beginning to emerge
- In principle, all types of crime

## **3 Current practice**

### **Survey results: Reasons for use (legal practitioners)**

- Why do you use/consider to use VCI/RI?
  - "witness or expert has difficulty travelling"
  - "cost of travel would be disproportionate"
  - "to speed up legal proceedings"
  - "convenient for prisoners"
  - "more efficient use of resources"
  - "reduced interpreter travel and waiting time"
  - "to overcome interpreter shortages"
  - "timely conclusion of cases"
  - "reduce costs"



## **3 Current practice**

### **Survey results: Legal basis for VCI/RI**

- General regulations on VC rather than specific regulations on VCIRI
- Different pieces of legislation are cited by participating countries/institutions (national, European)
- Variation across countries with regard to what is legal
- Some uncertainty as to which uses are covered by current legislation
- References to changing legislation in order to expand the use of VCI/RI

### **Survey results: Policy and guidance on VCI/RI**

- None as yet in most countries that replied
  - "There is a global policy on the use of VC, but no special policy on the inclusion of interpreters within a VC link"
  - "There is no specific policy on the use of VCI/RI"
  - "Not in written form"

## 3 Current practice

### Survey results: technology

- Mixture of hardware, connection types and communication protocols in use across Europe, and even within institutions:
  - Problems in links, within and between countries.
  - Also problems with network capacity.
- Problems with sound and vision reported by many interpreters, whilst several institutions reported “no problems” with the technology.
- Interpreters reported to have little control over the VC equipment; able to control the volume control in some cases but not camera movement.
- VC equipment mostly tested before use or as a matter of routine, but not specifically with the interpreter.

## Reactions

### Survey results: Reactions from legal practitioners

"The respondent's view is that face-to-face interpreting is preferable to VC interpreting. However, she thinks that VC interpreting is better than telephone interpretation and in an instant world has its place as a valid means of communicating."

"Anecdotally, interpreters who have experience in VCI/RI state that it is more tiring, needs specific training and commands higher fees."

"Interpreters are not used to interpreting via VC, but they have been positive where they have been used."

"The respondent is not aware of any reports of any difference in quality [between face to face and VCI]."

"The quality of VCI/RI compared to face-to-face interpreting has not been discussed or investigated."

## Reactions

### Survey results: Reactions from legal practitioners

"In the six months following implementation of the solution we distributed anonymous questionnaires to all participants in the court meetings.

Practically all interviewed were positive to the new solution. One or two interpreters have had problems hearing the sound from the courtroom, but the problems can be solved technically."

"A court monitoring study was conducted in 2008. It was pointed out that there were problems with simultaneous interpretation during proceedings. 37% of the observers pointed out that they were not able to understand the content of the interpretation at hearings. The evaluation was carried out by attending 56 interpreted hearings."

## Conclusion

### Current situation in VCI / RI

- Variation
  - Wide variety of settings to get used to for the interpreters
  - Wide variety of technical standards and dependence on technology
- Tensions
  - Judicial services: Changing demand for interpreting vs. cost-cutting exercise
  - Interpreters: Objective difficulties vs. resistance to change
- Lack of
  - Knowledge and experience among all stakeholder groups
  - Clear rules/guidelines
  - Co-operation between stakeholders
  - Training
  - Research

## 4 Practical Demonstration

- Live video link
- Role play centred around simulation
- Participation and observation



## 4 Practical demonstration

### Hands-on practice

**At this point of the module, it is time for some hands-on practice. You will need a group of at least 3 participants, scripts of legal proceedings and a VC connection. The following are examples of what you can practise.**

**VCI:** One participant takes on the role of a prosecutor or judge and is in room 1. Another participant takes on the role of a remote witness and is in room 2. The third participant is the interpreter and interpreting for approx 10 minutes at either side. Then swap roles and repeat the exercise.

**RI:** One participant takes the role of a police officer and another the role of a suspect. They are in one room. The third participant is the interpreter and is in another room. Practise for approx. 10 minutes, then swap roles and repeat the exercise.

**It is advisable to involve legal practitioners. Use interpreters with matching language combination to play the role of the non-native speakers.**

## **4 Practical demonstration**

### **Questions for participation and observation**

- (1) What is the most difficult aspect for the interpreter?
- (2) What is more/less difficult than you would have expected?
- (3) What good solutions do you observe?
- (4) What could you have been handled differently?
- (5) Where do you see potential problems?

## 5 Discussion and guidelines

- Communicating and interpreting in the videoconference situation
- Differences between face-to-face and video-mediated interpreting
- Challenges of video-mediated interpreting
- Initial guidelines for legal practitioners and police officers

## 5 Discussion and guidelines

### Initial guidelines

#### When you book an interpreter for a video link

- Make sure that the interpreter knows that a video link is involved
- Inform the interpreter about the specifics of the video link, e.g. where will the main parties and the interpreter be located, is the distribution flexible, i.e. is there a choice for the interpreter, how long is the video interaction etc.
- If there is time before the session, invite the interpreter to visit the site
- In the schedule for the session, allow time for
  - briefing the interpreter on-site or via video link, as required by the setting
  - the connection to be tested in the presence of the interpreter
  - breaks for the interpreter at appropriate points, when the session is long

## 5 Discussion and guidelines

### Initial guidelines

#### Before the session

- Allow enough time for set up at the beginning of the session
- Briefing: give the interpreter a briefing (concise, factual) and, where relevant, show exhibits to the interpreter
- Agree/state procedures for the beginning of the session (incl. the introductions) and during session
- Check whether everyone can see/hear and can be seen/heard as appropriate
- Allow the interpreter to agree signals for meta-communication
- Bear in mind that the situation is new for everyone, including the other participants

## **5 Discussion and guidelines**

### **Initial guidelines**

#### **Beginning of the session**

- Follow agreed procedures; as a legal practitioner/police officer, you are responsible for the session and the video link (it is not the interpreter's responsibility)
- Check again whether everyone can see and hear as appropriate
- Check whether agreed signals are effective
- Stop the session if adjustments need to be made (e.g. if sb is out of shot)
- Don't rush, allow everyone time to get used to the situation and the remote participants



## 5 Discussion and guidelines

### Initial guidelines

#### During the session

- Communicate clearly: phrase your points in clear and plain language to avoid misunderstandings, speak slowly and clearly
- Control your non-verbal behaviour: eye contact, facial expression
- Increase the rapport: indicate clearly what you are doing (e.g. if you move out of shot)
- Monitor your output: avoid repetitiveness and over-elaboration (the other side will get what you say; if not, they will let you know)
- Control your voice: don't speak unnaturally loud
- Respect an interpreter's request for a break (at appropriate points)

## 5 Discussion and guidelines

### **Initial guidelines**

#### **After the session**

- Immediately: debriefing with interpreter if required
- Back home: make notes of observations after your first sessions
- Reflect upon the situation
- If there were any problems, identify their source
- If necessary, discuss problems with your institution

## Credits

This training module was created in the EU project AVIDICUS – ‘Assessment of Videoconference Interpreting in the Criminal Justice System’, 2008-2011.

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