

Book Review

Introduction to Court Interpreting

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Introduction to Court Interpreting (2nd Edition)

Holly Mikkelson (2017)

London and New York: Routledge

Featured in the ‘Translation Practices Explained’ series published by Routledge, this introductory volume to the court interpreting profession is aimed primarily, but not exclusively, at interpreting students for self-study or as part of coursework, as well as at interpreter and translator educators. However, in today’s world of mass migration, forced displacement and the global labour market, this book should also be recommended reading for law professionals, law enforcement officers, and all other public officials who are likely to come into contact or to work in close collaboration with legal interpreters. Indeed, the usefulness of this book becomes even more obvious if we consider that (a) there are still many countries which make no formal provisions for the way court interpreters should be recruited or for what amounts to competence and quality performance in court interpreting, (b) that specialisation courses or fully-fledged degree courses in legal interpreting are still fairly rare in the overall landscape of interpreter education, and (c) that, as the author points out, court interpreting is a young profession “still struggling for recognition by colleagues in the legal field, government institutions, the public at large and even many practitioners” (p. 138).

The book is now in its second edition (the first was published in 2000) and, although its general structure and the organisation of each chapter have remained unchanged, the newly released edition has been revised and expanded to bring it up to date with the most recent theoretical, practical and pedagogical developments in the field. Three chapters (5, 8 and 10) have been added to the original seven, reflecting the growing importance of specific social settings where court interpreters are required, the more widespread use of remote interpreting, as well as the pressing need for addressing professional concerns and continuing education. Thus, Chapter 5 covers interpreting in law

enforcement settings, such as police stations, immigration agencies, and detention facilities. It examines the specific challenges posed by communicative situations such as police interviews, police questioning and immigration procedures and provides useful guidelines for interpreters. These guidelines include a set of best practices for the transcription and translation of communications recorded during criminal investigations, which are known as forensic transcription and translation (FTT) and are regarded as a very challenging and fast growing area of legal interpreting. Chapter 8 is entirely devoted to Remote Interpreting (RI), discussing its various configurations and applications in legal settings and summarising the main findings of recent studies conducted in Europe (AVIDICUS, 2016), the U.S. (Angelelli, 2015) and Australia (Napier, 2012) on how this mode of interpreting affects the perceived quality of interaction and working conditions in police interviews and court proceedings. The chapter also gives useful technical recommendations for the equipment to be used in telephone and videoconferencing and stresses the need for specific training of both interpreters and law enforcement officers to ensure best results. Finally, Chapter 10 addresses professional issues such as job opportunities for court interpreters, accreditation systems in various countries, professional associations, pre-service training and continuing education. Of particular interest is the issue of outsourcing, a cut-price practice adopted in the past few years by courts in the United Kingdom, Spain and Ireland with such poor results that it even attracted the attention of the media, notoriously oblivious to interpreting and translation issues. This negative outcome and similar problems in U.S. courts prompt Mikkelsen to warn that

Until influential stakeholders such as the legal profession and the legislature recognize the importance of accurate interpreting in the administration of justice, administrators concerned only with budgetary matters will continue to hold sway in decision-making on the provision of language services in the courts. (p. 140)

In line with this observation, the book clearly sets out to raise public awareness about the importance of educating and involving all stakeholders in the fight for equal access to justice across language barriers.

Other significant additions include: a section on the history of court interpreting in the past two decades (pp. 7-10); a section entitled “Revisiting the role of the interpreter” (pp.82-83), an overt reference to Angelelli’s seminal work on interpreters’ *visibility* (Angelelli, 2004) based on a large-scale investigation of their perceptions of role and behaviour; and a short section on ‘simultaneous consecutive’, a hybrid interpreting technique in which interpreters use state-of-the-art devices like digital pens to record the source text and then provide a simultaneous interpretation on the basis of this recording (p.106). All of these additions, compounded with new suggestions for further reading and role-play scenarios, make for a fresher, more complete and balanced account of the court interpreting profession.

The volume opens by examining the role of court interpreters and clarifying that, despite their name, they are called upon to mediate in various communicative events and settings related to the judiciary and law enforcement. Indeed, depending on the different languages or even varieties of the same language, they may also be called ‘legal’, ‘judiciary’, ‘judicial’ or ‘forensic’ interpreters. Their role is often not as clear cut to the many interacting parties as interpreters would like it to be, and although the need for their services is consecrated in international law as well as most national legislations, at least

when it comes to criminal proceedings, they are often regarded by legal practitioners as a necessary but cumbersome extra element in the communication process. Moreover, even among legal interpreters, opinions vary as to the extent to which they should strive to act as mere conduits and therefore refrain from any type of explanation or elaboration of the original message, or as language and cultural mediators who actively seek to ensure efficient communication. All of this is further complicated by the different legal traditions and expectations in different countries with regard to exactly what as well as how interpreters should (or should not) interpret in the court. Major differences exist, for instance, between what is considered standard interpreter conduct in the adversarial tradition of Common Law and the inquisitorial approach of Civil Law, a matter which is addressed at some length in Chapter 3 (“Legal traditions of the world”). It is undoubtedly a sign of the author’s realistic and non-prescriptive attitude towards legal interpreting that this central dilemma should be voiced at the very beginning of the book and later revisited in the chapter on criminal and civil procedure (Chapter 4) and in the chapter on the code of ethics (Chapter 6). The latter includes the new section on the role of the interpreter mentioned above and introduces evidence from recent investigations showing that interpreters are far from being the completely impartial relayers of information they are so often made out to be, a fact practising interpreters have known for a long time but may have been reluctant to admit. Throughout the book, Mikkelsen herself adopts a middle-of-the-road approach between “strict adherence to the linguistic elements of the message and omission of nonverbal elements” (p. 4) on the one hand, and intervention to help bridge cultural gaps on the other. While recognising that it often takes a great deal of effort for an interpreter to remain neutral and impartial, especially considering that limited language proficient parties (LLP) tend to view interpreters as being ‘on their side’ by default, the author repeatedly advises that the goal of court interpreting is to put all parties on an equal footing and not to simplify the technical legal discourse of court proceedings for the benefit of LLP litigants, as this would mean giving them an unfair advantage over those who speak the language of the court.

The remaining chapters skilfully accomplish the aim of the book by addressing a host of relevant issues. Apart from those covered in the new chapters outlined above, the volume examines the right to an interpreter in various countries and describes the type of exams administered in some of the existing accreditation systems (Chapter 2). It gives an overview of the major legal traditions of the world and of criminal and civil procedures (Chapters 3 and 4). It introduces some essential concepts in both criminal and civil cases and lists a range of resources for preparing for assignments, including tips for effective internet searches (Chapter 9).

Written in a clear and pleasant style, *Introduction to Court Interpreting* is an excellent starting point and indeed a must-read for interpreting and law students, novice interpreters, conference interpreters looking to branch out into the court interpreting profession, law professionals and immigration officials, as well as for anyone who is interested in learning more about the intricacies of interpreter-mediated justice and law enforcement. It is, above all, a book that makes complex concepts and matters accessible to a wide readership.

References

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