

TraiLLD: Training in Languages of Lesser Diffusion

LannooCampus

CAMPUS HANDBOOK

KATALIN BALOGH HEIDI SALAETS
DOMINIQUE VAN SCHOOR

TraiLLD: Training in Languages of Lesser Diffusion

TRAINING OF LEGAL INTERPRETERS IN LLDs



LANNOO
CAMPUS



This publication has been produced with the financial support of the Criminal Justice Programme of the European Union. The contents of this publication are the sole responsibility of the TraiLLD consortium and can in no way be taken to reflect the views of the European Commission.

D/2016/45/44 – ISBN 978 94 014 3327 3 – NUR 630

Cover design: Studio Lannoo and Keppie & Keppie

Interior design: Fulya Toper

© Katalin Balogh, Heidi Salaets, Dominique Van Schoor & Lannoo Publishers nv, Tielt, 2016.

LannooCampus Publishers is a subsidiary of Lannoo Publishers, the book and multimedia division of Lannoo Publishers nv.

All rights reserved.

No part of this publication may be reproduced and/or made public, by means of printing, photocopying, microfilm or any other means, without the prior written permission of the publisher.

LannooCampus Publishers
Erasmus Ruelensvest 179 box 101
3001 Leuven
Belgium
www.lannoocampus.com

CONTENTS

CHAPTER 1. INTRODUCTION: PROJECT DESCRIPTION 11

Heidi Salaets, Katalin Balogh & Dominique Van Schoor

1. The objectives of the project 11
2. Partners 13
3. Methodology 14
4. Results 14

CHAPTER 2. LANGUAGES OF LESSER DIFFUSION (LLDs): THE RATIONALE BEHIND THE RESEARCH PROJECT AND DEFINITIONS 17

Heidi Salaets, Katalin Balogh & Dominique Van Schoor

1. Introduction 17
2. Definitions, concepts and terms 18
 - 2.1 Lesser-Used Languages 19
 - 2.2 Less Translated Languages 19
 - 2.3 Languages of Lesser Diffusion – LLDs 21
3. The rationale behind the TraiLLD project in light of its “predecessors” 24
4. Migration in Europe and changing LLDs 29

CHAPTER 3. COURSE DESCRIPTIONS 35

1. Legal interpreting and translation programme KU Leuven (Antwerp campus) 35
Katalin Balogh, Heidi Salaets & Dominique Van Schoor
 - 1.1 Course programme 35
 - 1.2 The entrance exam 36
 - 1.3 The training 37
 - 1.4 Final exams 40
2. SIGV: a brief introduction 41
Carola Verhoeff
 - 2.1 Curriculum overview 42
 - 2.2 Curriculum organization 43
 - 2.3 Adding new languages 45
3. Training interpreters online. An experiential dialogic approach 46
Hanne Skaaden
 - 3.1 Introduction. The context of training interpreters for the public sector 46
 - 3.2 A blended course with online and on-campus learning activities 48
 - 3.3 Flexible learning for multiple language groups 49
 - 3.4 Discussion 63
 - 3.5 Concluding remarks 64

4. Methodologies and techniques used in training simultaneous interpreters of languages of lesser diffusion at the international criminal court	69
<i>Andrew Constable</i>	
4.1 Introduction	69
4.2 ICC: jurisdiction and language regime	70
4.3 Interpreting in international criminal proceedings	71
4.4 Interpreter training	72
4.5 Time frame	73
4.6 Training methodology: collaborative learning	74
4.7 Conclusion	79
5. The Tandem method for training legal interpreters and translators	80
<i>Christiane Driesen</i>	
5.1 Definitions	80
5.2 A method created in response to urgent needs	81
5.3 Objectives of training legal interpreters and translators in Hamburg and Magdeburg using the tandem method	82
5.4 Curriculum formats having applied the tandem method	82
5.5 Selection of languages in accordance with the needs in the region	83
5.6 Profile of trainers	84
5.7 Conditions of admission and constitution of language groups	85
5.8 Curriculum	85
5.9 Final examinations	86
5.10 Conclusion	87

CHAPTER 4. BRIEFING TRAINERS FOR A TANDEM TRAINING PROGRAMME FOR LEGAL INTERPRETERS AND TRANSLATORS 91

Christiane Driesen

1. Information in writing: module catalogue	91
2. Introductory briefing meeting for all three trainer profiles	93
3. Specific briefing of tandem trainers	94
3.1 Description of the introductory sessions	94
3.2 Personal work required from the students	94
3.3 Aims to be targeted by the tandem trainers during the second phase	95
3.4 Typical training settings	95
3.5 Tasks of language experts concerning preparation and evaluation	96
4. Briefing for the final examination	96
4.1 Briefing concerning the written part	96
4.2 Briefing of all trainers for the oral examination	98

CHAPTER 5. LEGAL TRANSLATION AND TERMINOLOGY 101

Christiane Driesen

1. Specificities of legal translating and interpreting – focusing on the essentials 101
 - 1.1 Translation process applying to general (mostly mono-referential) texts 101
 - 1.2 The translation process for legal texts 102
2. Structure of translation training 102
 - 2.1 Introductory lectures by legal professionals 102
 - 2.2 Introduction to legal language specificities 105
 - 2.3 Introduction to the basics of terminology 105
3. Introductory exercises 105
 - 3.1 Core exercise: elaborating a synoptic table of key terms 106
 - 3.2 Hierarchy of sources 106
4. Exercises using the tandem method with a language expert and a translator trainer 112

CHAPTER 6. RESOURCES AND MATERIALS FOR TRAINING LEGAL INTERPRETERS IN LANGUAGES OF LESSER DIFFUSION 117

Ahmed Zekhnini

1. Introduction 117
2. Flexibility in programmes with languages of lesser diffusion 118
3. Content for training legal interpreters in LLDs 121

CHAPTER 7. DESCRIPTION OF THE PILOTS AND BEST PRACTICES 145

1. Pilot training Mongolian-Dutch (KU Leuven and SIGV) 145
Katalin Balogh, Heidi Salaets, Dominique Van Schoor & Carola Verhoeff
2. Pilot training Arabic-Slovene (University of Ljubljana and SIGV) 154
Amalija Maček & Ahmed Zekhnini
3. Online learning on remote interpreting: a pilot course (HiOA) 162
Hanne Skaaden
 - 3.1 The pilot course 162
 - 3.2 Distance and remote interpreting 163
 - 3.3 The course 164
 - 3.4 Learning effects and final exam 172
 - 3.5 Evaluations 175
 - 3.6 Concluding remarks 181
4. Reflections on legal interpreter training in a continuous learning course with special focus on LLDs (University of Bologna) 184
Mette Rudvin

4.1	General aim of the course	184
4.2	Situation in Italy	185
4.3	Legal interpreter continuous training course – background information	186
4.4	Legal interpreting for Languages of Lesser Diffusion	187
4.5	Critical points that emerged during the course relating especially to LLDs	188
4.6	Legal interpreting for LLDs	189
4.7	The Romany language in translation – main hurdles	190

CHAPTER 8. PROFESSIONAL RESPONSES TO WORKING WITH AD HOC INTERPRETERS **195**

Erik Hertog

1.	Introduction	195
2.	Professional responses	198
2.1	Longer term strategies	198
2.2	Before the assignment	200
2.3	Prepare for the assignment	201
2.4	During the assignment	204
2.5	After the assignment	207
2.6	Remote interpreting	208
2.7	Conclusion	209

CHAPTER 9. CONCLUSION AND RECOMMENDATIONS **213**

Katalin Balogh, Heidi Salaets & Dominique Van Schoor

NOTES **216**

BIOGRAPHIES OF THE AUTHORS **222**

LannooCampus

CHAPTER 1
INTRODUCTION: PROJECT
DESCRIPTION

1. The objectives of the project
2. Partners
3. Methodology
4. Results

CHAPTER 2
LANGUAGES OF LESSER DIFFUSION
(LLDs): THE RATIONALE BEHIND THE
RESEARCH PROJECT AND DEFINITIONS

CHAPTER 3
COURSE DESCRIPTIONS

CHAPTER 4
BRIEFING TRAINERS FOR A TANDEM
TRAINING PROGRAMME FOR LEGAL
INTERPRETERS AND TRANSLATORS

CHAPTER 5
LEGAL TRANSLATION AND
TERMINOLOGY

CHAPTER 6
RESOURCES AND MATERIALS FOR
TRAINING LEGAL INTERPRETERS IN
LANGUAGES OF LESSER DIFFUSION

CHAPTER 7
DESCRIPTION OF THE PILOTS AND
BEST PRACTICES

CHAPTER 8
PROFESSIONAL RESPONSES TO WORK-
ING WITH AD HOC INTERPRETERS

CHAPTER 9
CONCLUSION AND
RECOMMENDATIONS

CHAPTER 1

INTRODUCTION: PROJECT DESCRIPTION

Heidi Salaets, Katalin Balogh & Dominique Van Schoor

1. THE OBJECTIVES OF THE PROJECT

Europe is fundamentally multilingual and this is reflected in criminal procedures and settings as well. The number of non-Belgians in Belgian prisons has for instance quadrupled between 1980 and 2010. However, in only +/- 35% of the cases, Dutch, French, German or English was required, while in 65% of the cases a plethora of 50 different languages was needed, such as Afaan (Oromo), Afar, Bengali, Fula, Hindi, Malagasi, Mongolian, Pashtu, Punjabi, Singalese, Somali, Urdu and Vietnamese.

It is this particular problem the TraiLLD project tried to address. Every member state has a number of legal interpreters in a number of (for them) main languages. The range of these languages is usually related to educational training opportunities in the country. The urgent problem, however, is the need to provide equally appropriate quality in legal interpreting (LI) in these LLDs [languages of lesser diffusion] which are a reality in every European member state. An LLD [language of lesser diffusion] may be a language that has relatively few speakers in the country, but does that mean that a Tibetan person, involved in a criminal procedure in Italy, is not entitled to a fair treatment because of the absence of appropriately qualified legal interpreters? An LLD may also be the language of a recently arrived, sometimes fairly large community, or the language of a longer established community in the country (e.g. Berber or Roma speaking people) for which there are only few or no qualified interpreters. All EU member states struggle with this problem. The real problem is the number and range of LLDs which require specific training methodologies and programmes. The partners in this consortium know of a number of strategies that are being used to address this challenge. What needs to be done now is to analyse the options and to see which practical recommendations for training programmes and training of

trainers can be made. Even though the partners will obviously build on the results of earlier projects and research, this group brings together new and much-needed expertise from within Europe.

The major objectives of the TraiLLD project were:

- To develop new training methodologies and strategies to enable speakers of LLDs to become interpreters in a short and intensive period of training
- To reduce the widespread use of informal and unqualified ad hoc LLD interpreters
- To explore strategies to train and share trainers of LLDs
- To develop EU-wide access to information, guidelines, models and recommendations on training LLD interpreters and LLD trainers
- To explore the use of simultaneous interpreting techniques in these training strategies
- To ensure better provision in LI in the member states in LLDs
- To ensure there is no blatant discrimination between language provisions in criminal proceedings.

Speakers of LLDs certainly have a much higher risk of being deprived of their procedural rights for practical reasons: either there is nobody available to provide interpretation or the interpretation fails because of the lack of knowledge of the judicial system or the lack of interpreting techniques and ethics of the presumed “interpreter”. Nevertheless, since October 2013, Directive 2010/64/EU requires member states to provide an interpreter of sufficient quality in every phase of the pre-trial and trial proceedings.

By designing models of new training strategies this research project will help all EU member states to tackle the problem of interpreting in LLD. These training models will be duly disseminated. Two fundamental steps were taken during the course of the project to prove the effectiveness of such training models: first, we explored best practices in the partner countries and secondly we tested those models that have shown to be the most efficient in a test case; thus almost every partner country (Belgium, the Netherlands, Slovenia, Italy) has been able to give feedback on their actual effectiveness and collaboration with each other.

The innovative aspect of this project lies precisely in adapting knowledge, achievements and results of previous projects by proposing specific and new methodologies for training legal interpreting candidates with an LLD as their mother tongue. These training methodologies must above all be pragmatic,

cost-effective and innovative: e-learning, peer-to-peer learning, blended learning and other methods have been evaluated and integrated.

The unique aspect consisted in adapting these training programmes to the needs of a specific group (i.e. future interpreters of LLDs). Another innovative aspect was to reduce the cost of training by organizing more online training, by working with peers (instead of with experts only) and by developing training programmes that profit from new technologies. Because of technological developments (see article 2[6] of Directive 2010/64/EU: "Where appropriate, communication technology such as videoconferencing, telephone or the Internet may be used") and time and cost efficiency factors, all EU member states are confronted with an increasing demand for legal interpreting. For that reason, we would also like to explore the possibility of finding creative solutions (e.g. thanks to new technologies) to improve the training for legal interpreters of LLDs.

2. PARTNERS

KU Leuven (Antwerp Campus) is the coordinator of the TrailLD project. The first project partner, Hochschule Magdeburg-Stendal, has extensive expertise in the field of interpreter training, particularly with its "tandem" method to train German court interpreters of minority languages. This is also the case for external expert Christiane Driesen.

The same is true for SIGV [Dutch Association for Legal Interpreters and Translators], which offers a legal interpreting course specifically aimed at LLD students since 2003.

The University of Bologna and the University of Ljubljana both represent countries that are facing considerable challenges in this area. Our other key experts are Andrew Constable, interpreter and interpreter-trainer working at the ICC, which regularly organizes internal intensive courses in simultaneous interpreting for LLDs. Em. Prof. dr Erik Hertog is actively involved as researcher in many European projects on legal interpreting, either as coordinator or participant. Hanne Skaaden is also an interpreting expert and researcher. She developed the e-learning platform for interpreter training in Norway.

3. METHODOLOGY

During the first preliminary stage of the project we focused on information gathering and observation. The information gathering has enabled us to design a roadmap of training methodologies for LLD in the different partner countries. In addition, experts who had already put into practice certain methodologies and strategies for training people with an LLD as a mother tongue to become an interpreter, explained their best practices. Study visits were organized in the partner countries to witness concrete examples of the training methods.

The next methodological step was a **qualitative analysis** of the different training methodologies and strategies for LLDs observed and presented so far: this then led to a **combination or adaptation** of best practices in training methodologies.

Following this qualitative analysis, we adopted an **empirical method**: test cases were run in the partner countries to examine the effectiveness of the proposed training methodologies and strategies. This gave us the chance to collect **immediate feedback** (from both participants and trainers) on the feasibility and effectiveness of the applied training methodologies.

Based on this feedback and the description of the pilot collaboration, we formulated **recommendations** on training methodologies and strategies for LLDs for all EU member states.

These different methodologies offer a mixture of theoretical analysis and expertise by experts and practitioners, combined with pragmatic empirical methods to prove the effectiveness and feasibility of each strategy.

4. RESULTS

One of the most important outputs of this project is without any doubt this manual. Through the different chapters we want to give an overview of best practices in training interpreters for LLDs in the partner countries (BE, NL, DE, IT, SI). At the same time, we have tried to draw a roadmap of training methodologies and strategies for LLD. The project partners applied this roadmap in their countries through test cases and through the applications of theory in practice. Based on the feedback of the test cases and the pilot trainings we formulated recommendations to other EU member states.

In order to provide broader awareness and better dissemination we designed a leaflet with practical information, including several key recommendations for both interpreter trainers and users. This leaflet is available electronically as well as in print format. The training manual is available on the project website as well as on the EULITA-website.¹

In this way, the project hopes to contribute to a better training of legal interpreters for LLDs, which raises the quality of interpretation in these languages. This research project in turn enhances the rights of suspected and accused persons in a criminal proceeding, and helps to fully guarantee the procedural rights of victims, vulnerable persons and witnesses as well.

CHAPTER 1
INTRODUCTION: PROJECT
DESCRIPTION

CHAPTER 2
**LANGUAGES OF LESSER DIFFUSION
(LLDs): THE RATIONALE BEHIND THE
RESEARCH PROJECT AND DEFINITIONS**

1. Introduction
2. Definitions, concepts and terms
3. The rationale behind the TraiLLD project in light of its “predecessors”
4. Migration in Europe and changing LLDs

CHAPTER 3
COURSE DESCRIPTIONS

CHAPTER 4
BRIEFING TRAINERS FOR A TANDEM
TRAINING PROGRAMME FOR LEGAL
INTERPRETERS AND TRANSLATORS

CHAPTER 5
LEGAL TRANSLATION AND
TERMINOLOGY

CHAPTER 6
RESOURCES AND MATERIALS FOR
TRAINING LEGAL INTERPRETERS IN
LANGUAGES OF LESSER DIFFUSION

CHAPTER 7
DESCRIPTION OF THE PILOTS AND
BEST PRACTICES

CHAPTER 8
PROFESSIONAL RESPONSES TO WORK-
ING WITH AD HOC INTERPRETERS

CHAPTER 9
CONCLUSION AND
RECOMMENDATIONS

CHAPTER 2

LANGUAGES OF LESSER DIFFUSION (LLDs): THE RATIONALE BEHIND THE RESEARCH PROJECT AND DEFINITIONS

Heidi Salaets, Katalin Balogh & Dominique Van Schoor

Every individual has equal status under the law and thereby the right to services equal in nature and quality to those provided to any other individual. The question, then, is how to tackle the difficulties inherent in providing competent interpreting services in all languages, at all times, and in all places. Speaking realistically, this goal presents an extreme challenge to judicial authorities and to the agencies or individuals charged with procuring interpreting services, and there is no easy answer. There are, however, some useful strategies that can be employed.

CYNTHIA GIAMBRUNO (Giambruno 2014: 94).

1. INTRODUCTION

What is cited in the quote, is exactly the aim of the TraiLLD project (JUST/2013/JPEN/AG/4594): to present strategies that can be employed to provide equal access to justice, also for people who speak a different language. In the case of TraiLLD, this means that interpreting services are provided even in Languages of Lesser Diffusion (LLDs). Since the right to be heard (see article 41 of The Charter of Fundamental Rights of the European Union) cannot be conditioned “in any way by the language community to which an individual in need of assistance belongs, by the educational level the individual has achieved, by the cultural beliefs and practices to which the individual subscribes, or by the difficulties involved in finding a qualified professional to provide the required interpreting

services” (Giambruno 2014:94), solutions must be found to treat every individual in the same way before Iustitia or Lady Justice. The right to interpretation and translation as stipulated in the 2010/64/EU Directive is a measure in place to ensure the right to a fair trial for those who do not speak or understand the language of the jurisdiction.

This manual wants to contribute to the above-mentioned complex task of judicial authorities and interpreting service providers in having to provide interpreting services that can ensure equal access to justice, specifically in those cases where a “rare language” is involved.

Before entering the core of the matter, we first need to define the concept of LLD. *Languages of Lesser Diffusion* (LLDs) is a term that has some competing equivalents like *Languages of Limited Diffusion*, that carries the same acronym. The term “exotic” or “rare” languages is a widespread lay term for this type of languages.

These terms are sometimes confused with terminology that seems to be close to the LLD-concept, namely *Lesser-Used Languages* or *minority languages*, which refer to a certain area of language policy rather than the issue of the diffusion or *frequency* of a given language in a particular geographical area. Language policy is not, however, the specific aim of this publication.

In what follows we will first discuss these terminological differences and propose some definitions to more clearly distinguish the above-mentioned conceptual threads. We will do this in the light of the aim of the present publication, which is the result and final deliverable of the TraiLLD project. The next part of this introduction will then present the project itself and the rationale behind it, by referring to previous or ongoing European projects and available materials. We will also explain why training in LLDs, and consequently this manual with concrete training models, is still needed. Finally, we will illustrate our case with concrete facts and figures about migration in Europe.

2. DEFINITIONS, CONCEPTS AND TERMS

Before providing an overview of the rather complex concept of LLD as found in the literature, and a definition proposed by the TraiLLD consortium, we will first rule out what is **not included** in the project’s definition of LLD.

2.1 Lesser-Used Languages

Until 2010 the concept ‘Lesser-Used Languages’ was an official term used in the EU as it was linked to the EBLUL (European Bureau for Lesser-Used Languages). EBLUL was founded in 1985 to protect the interests of lesser-used languages in the EU and dissolved in 2010 (see EBLUL Closing Statement at www.eblul.eurolang.net).

If we look at some of the languages that were involved in the EBLUL (Frysk or Frisian, Brezhoneg or Breton, Gaeilge or Irish Gaelic, Cymraeg or Welsh, Euskera or Basque, Arbërishtja or Arbrësh, Sardu or Sardinian etc.) it is clear that it exclusively covers a European concern linked to language policy.

EBLUL was conceived as an NGO promoting languages and linguistic diversity and therefore has other goals than the TraiLLD project elaborated by academics, interpreter trainers and interpreters. Their statements as defenders of minority or “minoritized” languages illustrate this clearly:

In today's EU there are some 46 million speakers of European lesser-used, regional and minoritized languages. EBLUL, with a mandate from its democratically elected Member State Committees, represents the interests of these language communities at regional, state and European level. It plays a pre-eminent role in information generation, sharing and networking in the field of language promotion at European and international levels. EBLUL also disseminates information on EU action in the field of languages and to represent and inform lesser-used language communities on EU policies and funding programmes which are appropriate to their languages. (www.eblul.eurolang.net/index.php?option=com_content&task=view&id=14&Itemid=33)

The protection of lesser-used languages to avoid extinction, or the promotion of these rare languages, in order to put minority communities, cultures or customs in the spotlight is not the aim of this publication. The TraiLLD project, by contrast, has a broader goal: to assure that any person, speaking any language from any culture can exercise their right to be heard in legal proceedings.

2.2 Less Translated Languages

In some sources and publications, *lesser-used languages* are mentioned in the capacity of *minority languages* related to *less or lesser translated languages*, as in the publication edited by Branchadell & West: *Less Translated Languages*.

According to the editors, the term is “inspired by the concept of ‘lesser-used languages’, [...] (it) applies to all those languages that are less often the source of translation in the international exchange of linguistic goods, regardless of the number of people using these languages [...] (it) would be the *contrary* of source-language intensive languages (not necessarily target-language intensive)” (Branchadell & West, 2005:1).

The same term also appears in a recent publication, i.e. the JoSTrans online journal which dedicates the 2015 issue to “Translation and minority, lesser-used and lesser-translated languages and cultures”. Amongst others, Debbie Folaron (2015) states the following in her article “Translation and minority, lesser-used and lesser-translated languages and cultures”:

Indigenous, aboriginal, minority, minor, lesser-used: they constitute about 90% of the world's 7000 languages. A growing number of articles and essays have also been devoted to discussing lesser-translated languages. [...] Meanwhile, the globalising digital world and technologies are recontextualising many individual and collective social practices in relation to minority, minor, lesser-used, and endangered language communities. It is clear that translation activities – including audiovisual and multimedia translation, localisation, terminology creation and management, interpreting, etc. – play a significant role in these changing practices. (Folaron 2015: 16)

In this regard, in his contribution “Computerized writing for smaller languages” (Hall 2015: 163-186) Pat Hall precisely describes the difficulty of digitally encoding written languages in order to enable members of a linguistic community to share knowledge on the Internet, taking Nepal as example. Nepali as a language for him is not the problem, but the fact that there are more than 120 languages in Nepal, and especially the languages with no written form, constitutes a real challenge.

Again, these are not the primary concerns of the TraiLLD project as described here. Nevertheless, the issues that are mentioned here are linked to it, but are much broader. It is here that the LLDs as intended by the project consortium come into play.

2.3 Languages of Lesser Diffusion – LLDs

What if our Nepalese citizen travels to an EU member state, for example to Germany, (either for holidays, family reunion, a more permanent stay or any other reason) and encounters a problem that brings him to the police station. Given that he does not speak German and only a little bit of English, the police officer tries to speak with him in that language. The question is, however: do the Nepalese citizen and the German police officer have enough knowledge of English to communicate successfully? This might be sufficient for a first superficial encounter, but not for in-depth discussions about details, or in court. In that case, the presence of a professional interpreter Nepali-German is required. Only in this way can the rules laid down in the EU Directive 2010/64/EU be complied with.

Other problems are also involved here: what if the Nepalese citizen speaks a local dialect? What if his/her mother tongue has no written form and/or official status? What about the specificities of the Nepalese legal system and terminology that is different from the legal system of that specific EU member state? Despite the existence of a European E-justice portal in 23 languages, there is no such thing as a “European legal system”.

Finally, how are we going to look for an interpreter in the given Nepalese language? If ever such a person can be found, the last but fundamental question is the hardest one: is this person trained, in other words, is he or she a professional, trained legal interpreter? Does he/she possess the skills, knowledge and professional attitude that characterize a professional interpreter? And last but not least: if a person is found that must be trained, do we have training resources to do so? And how much time do we need to “transform” the bilingual speaker into a professional legal interpreter?

This brings us to the next problem, which is how to define an LLD, which is not an easy task. A first definition was given by Roat during a webinar on March 28 2008 of the *Refugee Health Technical Assistance Center* in Massachusetts USA. She states the following:

A language of lesser diffusion is what we call a language that has relatively few speakers in a defined geographic area. So when I say Somali is a language of lesser diffusion it doesn't mean that few people speak Somalia, Somali, if you go to Somalia lots of people speak Somali. If you go to Minneapolis a lot of people speak Somali, but if you go to Arizona, not so much and it becomes difficult to find interpreters. German, you'd hardly consider German a small language in terms of how many people speak it, but it is, and if you went to Chicago you would find a fair number of LEP patients that need interpretation in German, but if you go to Seattle it's very rare. And then again we have some refugee languages like Nuer that is just a language of lesser diffusion everywhere in the United States. Wherever you go this is going to be a hard language to find interpreters in. (www.refugeehealthta.org/files/2012/03/Transcript_Ad-dressingLanguageAccess_RHTACWebinar3.28.12.pdf)

Skaaden and Wadensjö implement this definition to a pedagogical context as part of the Qualitas publication:²

In fact, the concept 'languages of lesser diffusion' refers to a plethora of challenges involved in the testing of bilingual speakers and of potential interpreters in particular. As indicated by Roat's delineation, languages of lesser diffusion are those languages that have recently arrived in an area (e.g. Karen in Europe, Dutch in Norway etc.). Hence, the particular problem that these languages represent to any testing system is related to the challenge of finding individuals who are qualified to assist in the design and administration of certification, processes, and who can serve as assessors in the testing process. (Skaaden & Wadensjö 2014: 24).

Of course, it is only at the end of the quality control chain that we encounter these problems. Before even being able to test candidate interpreters, they must first be trained. This generates the same kind of problems when having to find a qualified native language speaker who is able to work as an (interpreter) trainer. If this 'rara avis' is found, the next question is whether he or she can work as a language teacher or as an interpreter trainer, which do not necessarily require the same competences. Although there can be an overlap, they are not interchangeable.

For an overview of the various challenges that emerge when dealing with LLDs and training, we refer to the chapter “Dealing with Languages of Lesser Diffusion” by Cynthia Giambruno in the same publication, because it discusses “how to locate potential interpreters, how to evaluate their preparedness for work in the courts, what kind of training they should be given, and what information other legal professionals need in order to work effectively with this type of interpreter” (Giambruno, 2014: 93).

This overview, although brief, was very useful not only during the TraiLLD project but also to compose a definition for the concept of LLD in all its complexity. The definition is established through the identification of key elements that define an LLD and have an impact on LLD legal interpreter training:

An LLD

- is a language “that has relatively few speakers in one specific location or geographical area in relation to the population as a whole” (Roat (2008), Skaaden & Wadensjö (2014), Giambruno (2014))
- is an isolated language
- has often no official status
- is often a non-standardized, oral language (with minimal written resources);
- is often subject to greater language variation
- is a language in which legal terminology is not always firmly established or may be non-existent
- is a language with which we have little experience and/or contact
- is confronted with a lack of interpreter training resources: no training material, no bilingual trainers combining language and interpreting skills, no facilities for online training, etc.
- is a language where the organizational challenges for interpreter training are significant due to a combination of linguistic factors and context
- is a language for which no university level interpreter training programme is available
- is a language for which few or no accredited interpreters can be found (in a specific geographical area).

Moreover, the LLD needs in an area, region or country vary constantly because of migration flows and thus may change over time. The more of the above elements are present in one single case, the higher the chances that we are dealing with an LLD.

3. THE RATIONALE BEHIND THE TRAILLD PROJECT IN LIGHT OF ITS “PREDECESSORS”

In this section we will give a summary of the projects that preceded the TraiLLD project, describing their principal aims, but mostly we will describe in which sense the TraiLLD project is complementary to them.³

In the 1990s, the Grotius I & II project were a first call «to constitute minimum benchmarks of training and practice standards which, if followed by each member state, would provide a basis for equivalent standards throughout the EU» (Hertog, 2001: 14). Building on the achievements of Grotius I, Grotius II aimed at disseminating these results to all member states, in order to continue discussing the main issues in LIT (Legal Interpreting and Translation) such as training, codes, certification, working arrangements and interdisciplinary arrangements in a wider EU forum. The project aimed to derive from this discussion a comprehensive quality trajectory in LIT, not only in individual member states but throughout the whole EU (Hertog, 2003: 10).

Agis I then set out to involve the legal interpreter users, i.e. legal actors (meaning judges, prosecutors, lawyers, attorneys, police officers, investigating magistrates etc.) and to publish and disseminate material that “contains viewpoints and practical ideas for members of the judiciary working with interpreters and translators” (www.eulita.eu/sites/default/files/Aequilibrium_Instruments%20for%20Lifting%20Language%20Barriers%20in%20Intercultural%20Legal%20Proceedings_0.pdf). The deliverable of Agis II consisted in the Status Questionis publication (www.eulita.eu/sites/default/files/Status%20Quaestionis%20Def.pdf). The full title of the publication clearly indicates its main concern: «Questionnaire on the Provision of Legal Interpreting and Translation in the EU». Through the results of this SQ, the professionals involved in LIT have been alerted to the unfavourable situation: equal access to justice in criminal proceedings – although some steps had been taken – was described as far from ideal, not to say as rather poor. At that time, it was not (yet) of great interest to the different member states, which is reflected in the low response rate.

On the other hand, the recommendations of the authors on the necessity to move forward are very clear and explicit:

- 1 *The competent authorities, in each Member State, should have their attention drawn again to the relevant legal and good practice requirements in relation to legal interpreting and translation. They should also be encouraged to cascade down that information to legal service practitioners [...]*
- 2 *Relevant data should be collected, collated, analysed and disseminated as a basis for nationally coordinated and informed future planning for meeting requirements in relation to legal interpreting and translation, and to monitor progress. (Hertog & van Gucht, 2008:191)*

Another result of these first DG Justice projects was that the networks created through them joined forces and decided to create EULITA (European Legal Interpreters and Translators Association). This organization wants to bring together professional associations of LIT, as well as general translation and interpreting associations with LIT as their members, or all individuals committed to the legal domain and its quality improvement in Europe. Through these joint efforts, EULITA constantly wants to take to heart the recommendations mentioned above, as we can read in its mission statement (www.eulita.eu/mission-statement).

A key element that has encouraged further research has been the publication of the 2010/64/EU Directive on the right to interpretation and translation of essential documents in criminal proceedings. The articles on quality control mechanisms, training and record-keeping are the most salient parts of this directive. Obviously, the next question is how to implement these requirements.

The Building Mutual Trust publication (Townsend, 2011) reported on common research efforts of no less than seven EU member states (Belgium, Denmark, Germany, Italy, Romania, Spain and the UK) about ways to ensure this quality trajectory for legal interpreters. The different chapters of the BMT publication allow everybody to implement a consistent and qualitative training.

BMT II goes even further and offers audiovisual training scenarios demonstrating best practices when working with suspects, defendants and witnesses through a spoken language interpreter (www.building-mutual-trust.eu). Moreover, it presents an impressive materials databank (www.building-mutual-trust.eu/bmt-materials-bank).

The TRAFUT project was the next project that aimed at exchanging good practices and developing models and recommendations specifically regarding the

Directive 2010/64 for all stakeholders, such as DG Justice and the European Commission, the Secretariat of the EU Council, the European Court of Justice, the European Court of Human Rights, the European Criminal Bar Association, the Council of Bars and Law Societies in Europe, the European Forum of Sign Language Interpreters, along with many judges, prosecutors, lawyers, professional associations of legal interpreters and translators, academics and trainers.

In their final report, the TRAFUT partners sum up the most salient features that came out of the presentations, i.e. the transposition of the Directive into national law, the issue of cost and quality, the issue of a national register of LITs, modern technology, and (further) training of both legal professionals and LITs (www.eulita.eu/sites/default/files/TRAFUT%20-%20final%20report.pdf, pp. 8-9).

The LIT Search project focused on the issue of record-keeping and LIT registers, also beyond the borders of national registers: it is a pilot project to set up an EU database of legal interpreters and translators (www.eulita.eu/lit-search-%E2%80%93-pilot-project-eu-database-legal-interpreters-and-translators).

It should not surprise us that the use of modern technology – which was a concern right from the start – has been the object of sound research from 2008 until 2016 through 3 AVIDICUS projects (Assessment of Video-Mediated Interpreting in the Criminal Justice Service). The reason for the long implementation period of these important programmes is obvious: the use of remote videoconferences in criminal proceedings is a highly complex matter; videoconferences, however, are becoming increasingly widely used and are proving to be a crucial interpreting tool in legal systems and institutions across Europe.

The overall aim of the first AVIDICUS project was to provide an initial assessment of whether the quality of video-mediated interpreting is suitable for criminal proceedings. The aims of AVIDICUS 2 were to expand and improve the initial insights into video-mediated interpreting, to disseminate current and emerging knowledge about VCI and to improve training opportunities. The questions relating to the effectiveness of bilingual videoconference communication in legal settings were addressed in AVIDICUS 3.

The Qualitas project (Assessing Legal Interpreting Quality through Testing and Certification) is focused not only on the quality of interpreting and interpreter training, but especially on how to assess this quality:

(By) providing the correct tools to adequately identify individuals who possess the knowledge and skills needed to assist individuals who find themselves involved in legal proceedings and do not share the official language of the court. The Qualitas project specifically addresses the issues raised in articles 2.8 and 5 of European Directive 2010/64/EU on the Right to Interpretation and Translation in Criminal Proceedings which states that interpreting services must be of “a quality sufficient to safeguard the fairness of the proceedings”. (www.qualitas-project.eu/)

Projects like ImPLI (Improving Police and Legal Interpreting) and Co-Minor-IN/QUEST (Cooperation in Interpreter Mediated Questioning of Minors) finally address specific fields, such as police interpreting (where questioning techniques are highly important) and interpreting for minors. The latter setting requires an approach where all participants join forces in the ImQM (Interpreter Mediated Questioning of Minors), including legal actors, interpreters, psychologists and child support workers. For more information, see: www.arts.kuleuven.be/english/rg_interpreting_studies/research-projects.

It was only in the publication of the Qualitas project that the issue of LLDs was explicitly raised, by Hanne Skaaden and Cecilia Wadensjö in their contribution “Some considerations on the testing of interpreting skills” (2014) as well as by Cynthia Giambruno who dedicates an entire chapter to it, entitled: “Dealing with Languages of Lesser Diffusion” (2014) from which we have already quoted.

The TraiLLD project is complementary to all the previous ones in the sense that what has been achieved in the Grotius, Agis, BMT, Trafut, Avidicus, ImPLI, Co-Minor-IN/QUEST, LIT Search and Avidicus projects, must also be implemented for LLDs.

Training of legal interpreters and quality assurance must be available for LLDs: it turns out to be an enormous challenge because of the lack of training materials, language and/or interpreter trainers, legal terminology and because of very divergent legal systems, as mentioned in the definition. The use of new technologies in LLD interpreter training and in interpreter mediated encounters involving LLDs needs to be discussed as well. And what about the specificity of police questioning or even more so, the questioning of minors that deserves attention when an LLD speaker is involved? How can we ensure quality and quality assessment *also* for LLDs if we cannot find the assessor or the necessary materials

to do the job? And how can we be sure that national and international European registers of LITs contain a sufficient number of accredited LLD interpreters?

TraiLLD focuses precisely on the training and assessment of legal interpreters for LLDs. Providing appropriate quality in legal interpreting is an urgent problem in the provision of legal interpreting in all member states in order to comply with Article 5 (2) and Article 6 (3) of the European Convention, with the European Charter and with Directives 2010/64/EU (on the right to interpretation and translation), 2012/13/EU (on the right to information) and 2012/29/EU (on victims' rights). Especially because of the current scale of migration — not only inside the EU but also to and from third countries — and the resulting situation of multilingualism in Europe, there is a rapidly growing demand for interpretation in all areas of legal proceedings. Multilingual situations are likely to become so frequent in this context that the training of legal interpreters for LLDs will have to comply with high standards in order to guarantee quality interpreting.

The aim of the TraiLLD project is to focus on the different aspects and methods of training for interpreters in languages of lesser diffusion. In this project we will bring together the expertise of the different partners in this field. However, all partners are still confronted with the difference in quality between interpreter training for main/traditional languages and the one for LLDs. The project partners have shared their expertise in training legal interpreters to design a new methodology and strategy that focuses on how to train LLD interpreters and eliminate the aforementioned quality differences.

A brief overview of the solutions and recommendations proposed by the project partners can be found in the flyer that is freely available at: www.arts.kuleuven.be/english/rg_interpreting_studies/research-projects/trailld/flyer-trailld.

These aspects will be treated in depth in the following chapters:

The book opens with a description of the TraiLLD project with its objectives, partners and methodology (chapter 1). A second introductory chapter presents the rationale of the research project and several central definitions. In the third part, all project partners and experts who already offer legal interpreter training at their institution describe their respective course curricula:

- KU Leuven: the non-language-specific method (section 3.1)
- SIGV: the language specific method (section 3.2)
- Hanne Skaaden: online dialogic approach at Oslo and Akershus University (section 3.3)

- Andrew Constable: simultaneous interpreter training at the International Criminal Court (section 3.4)
- Christiane Driesen: tandem method at University of Applied Sciences of Magdeburg-Stendal and Hamburg University (section 3.5)

Chapter 4 elaborates on the briefing of the trainers in the tandem training programme. This is followed by a section on legal translation and terminology (chapter 5), two concepts with which also legal interpreters for LLDs should be familiar. Chapter 6 then explains how to find resources and develop learning materials for LLD interpreters. The case descriptions of the pilot projects in the seventh chapter bring together a series of best practices for LLD interpreter training: cross-border pilot trainings for Dutch-Mongolian (section 7.1) or Arabic-Slovene (section 7.2), an online pilot course on remote interpreting in Norway (section 7.3) and a brand new CPD programme for legal interpreting with special focus on LLDs at the University of Bologna (section 7.4). Chapter 8 discusses professional responses to working with interpreters when no trained and accredited LLD interpreters are available. While these recommendations are mainly targeted at interpreter users (legal professionals, immigration services, etc.), Member state administrations and policy makers, the final recommendations and hands-on solutions in chapter 9 are meant for trainers and institutions that plan to set up an LLD interpreter training.

4. MIGRATION IN EUROPE AND CHANGING LLDs

EUROSTAT is called “the key to European statistics”. However, statistics are always lagging behind reality for a period of at least one or two years. For instance, if we take Belgium as an example we can see a difference between the foreign nationals who are resident in Belgium and the countries of origin of the current flow of migrants.

The largest number of foreign nationals in Belgium (as counted by Eurostat on January 1st 2014) are Italian, French and Dutch immigrants, followed by Moroccan and Polish citizens⁴ who arrived in the country during the first migration flows after World War II. Current asylum applicants, however, are mainly arriving from Syria, Afghanistan, Russia, Guinea and Iraq.⁵ The Netherlands, for instance, mainly receive asylum applications from these same countries as well as Eritrea. Also Slovenia – another EU member state and member of the TraiLLD consortium – has migrants from those countries as well as from Iran and Kosovo. Italy mostly receives African immigrants from Nigeria, Mali,

Gambia, from Pakistan in the fourth place and again from an African country in fifth place: Senegal.

The fact that mostly Syrians but also other populations of neighbouring countries (mostly Iraq but also from Iran, Pakistan and Afghanistan) are fleeing to Europe in the hope of a better life, has to do with situation in the Middle-East, more specifically the war in Syria. This is not the first and will not be the last migration flow that will happen: throughout history people have always sought to escape from terrible situations through migration. In the years to come, climate change will for instance be another reason for people to seek their fortune elsewhere.

The fact that these migrant flows are not predictable brings us to the conclusion of this section. In the light of what we want to stress, i.e. the importance of training and quality control for LLD interpreters, this means that LLDs will continuously change according to these migration flows and thus, the implementation of this kind of training will remain a challenge.

This is why the TraiLLD partners want to provide interpreter training institutes and interpreter trainers not only with concrete tools, but also with general strategies and methodologies that are widely applicable, independently from one or another LLD. We also want to draw the attention of the users of LLD interpreters (legal actors, migration officers) to the importance of professionalism in hiring interpreters. We recommend LLD interpreter users to check the language of the immigrant – which is not always the official language of the country they come from (or pretend to come from) – and to subsequently check on the European LIT register if a professional interpreter is available for that LLD. In this regard, it would also be highly advisable to inform training institutes if there is a significant need for a particular language so that they can train LLD interpreters in time. Although general LLD strategies and methodologies are offered in this manual, a great deal of time is spent finding assessors, trainers, tutors or facilitators for the given LLD, in finding or developing LLD training materials, in finding information on the respective legal systems, and so on. One might even consider to resort to cross-border collaboration but this also requires much time and effort (see: the pilot of KU Leuven [Belgium] and SIGV in the Netherlands for Mongolian or the pilot of Ljubljana University in Slovenia and SIGV in the Netherlands for Arabic legal terminology).

REFERENCES

- Branchadell, A. & West L.M. (eds.) (2005). *Less Translated Languages*. Amsterdam/Philadelphia: J. Benjamins.
- Folaron, D. (2015). Translation and minority, lesser-used and lesser-translated languages and cultures. *JoSTrans*, 24, 16-27. (www.jostrans.org/issue24/art_folaron.pdf)
- Giambruno, C. (Ed.) (2014). *Assessing legal interpreter quality through testing and certification: The Qualitas project*. Alicante, Spain: Publicaciones Universidad de Alicante. www.qualitasproject.eu/sites/qualitas-project.eu/files/the_qualitas_project_web.pdf
- Giambruno, C. (2014). Dealing with Languages of Lesser Diffusion. In: C. Giambruno, (Ed.) (2014). *Assessing legal interpreter quality through testing and certification: The Qualitas project*. Alicante, Spain: Publicaciones Universidad de Alicante, 93-107. www.qualitasproject.eu/sites/qualitas-project.eu/files/the_qualitas_project_web.pdf
- Giambruno, C. (2014). The current State of affairs in the EU Member State Profiles. In: C. Giambruno, (Ed.) (2014). *Assessing legal interpreter quality through testing and certification: The Qualitas project*. Alicante, Spain: Publicaciones Universidad de Alicante, 149-190. http://www.qualitasproject.eu/sites/qualitas-project.eu/files/the_qualitas_project_web.pdf
- Hall, P. (2015). Computerised writing for small languages. *JoSTrans*, 24, 163-186. (http://www.jostrans.org/issue24/art_hall.pdf)
- Hertog, E. & Van Gucht, J. (eds.) (2008). *Status Questionis. Questionnaire on the Provision of Legal interpreting and Translation in the EU*. Antwerp-Oxford-Portland: Intersentia.
- Hertog, E. (2003). *Aequalitas. Equal access to Justice across Language and culture in the EU*. Antwerp: Lessius Hogeschool, Departement Vertaler-Tolk.
- Hertog, E. (2001). *Aequitas. Access to Justice across Language and culture in the EU*. Antwerp: Lessius Hogeschool, Departement Vertaler-Tolk.
- Keijzer-Lambooy, H. & Gasille, W.J. (Eds.) (2004). *Aequilibrium. Instruments for Lifting Language barriers in Intercultural Legal Proceedings*. Utrecht: ITV Hogeschool voor Tolken en Vertalen/Amsterdam: SIGV. (www.eulita.eu/sites/default/files/Aequilibrium_Instruments%20for%20Lifting%20Language%20Barriers%20in%20Intercultural%20Legal%20Proceedings_0.pdf)
- Salaets, H. (2014). Common ground in LIT research and training: The Antwerp case. In: C. Falbo & M. Viezzi (eds.). *Traduzione e interpretazione per la società e le istituzioni*. Trieste: EUT (Edizioni Università di Trieste), 143-159.

- Skaaden, H. & Wadensjö, C. (2014). Some considerations on the testing of interpreting skills. In: C. Giambruno, (Ed.). (2014). *Assessing legal interpreter quality through testing and certification: The Qualitas project*. Alicante, Spain: Publicaciones Universidad de Alicante, 18-26. (www.qualitasproject.eu/sites/qualitasproject.eu/files/the_qualitas_project_web.pdf)
- Townsley, B. (ed.) (2011). *Building Mutual Trust*. London: Middlesex University.

Websites

AVIDICUS projects I, II, III:

www.videoconference-interpreting.net/

BMT (Building Mutual Trust) database:

www.building-mutual-trust.eu/

www.building-mutual-trust.eu/bmt-materials-bank

Co-Minor-IN/QUEST:

www.arts.kuleuven.be/english/rg_interpreting_studies/research-projects/co_minor_in_quest/index

Directive 2010/64/EU

www.eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32010L0064&from=EN

EBLUL

www.eblul.eurolang.net/index.php?option=com_content&task=view&id=14&Itemid=33

www.eblul.eurolang.net/

EULITA

www.eulita.eu/

EULITA Mission Statement:

www.eulita.eu/mission-statement

ImPLI:

www.arts.kuleuven.be/english/rg_interpreting_studies/research-projects/impli/index

LIT Search project:

www.eulita.eu/lit-search-%E2%80%93-pilot-project-eu-database-legal-interpreters-and-translators

Refugee Health Technical Assistance Center

www.refugeehealthta.org/files/2012/03/Transcript_AddressingLanguageAccess_RHTACWebinar3.28.12.pdf

Qualitas project:

www.qualitas-project.eu/

Trafut final report

www.eulita.eu/sites/default/files/TRAFUT%20-%20final%20report.pdf

TraiLLD flyer:

www.arts.kuleuven.be/english/rg_interpreting_studies/research-projects/trailld/flyer-trailld

CHAPTER 1
INTRODUCTION: PROJECT
DESCRIPTION

CHAPTER 2
LANGUAGES OF LESSER DIFFUSION
(LLDs): THE RATIONALE BEHIND THE
RESEARCH PROJECT AND DEFINITIONS

CHAPTER 3
COURSE DESCRIPTIONS

CHAPTER 4
BRIEFING TRAINERS FOR A TANDEM
TRAINING PROGRAMME FOR LEGAL
INTERPRETERS AND TRANSLATORS

CHAPTER 5
LEGAL TRANSLATION AND
TERMINOLOGY

CHAPTER 6
RESOURCES AND MATERIALS FOR
TRAINING LEGAL INTERPRETERS IN
LANGUAGES OF LESSER DIFFUSION

CHAPTER 7
DESCRIPTION OF THE PILOTS AND
BEST PRACTICES

CHAPTER 8
PROFESSIONAL RESPONSES TO WORK-
ING WITH AD HOC INTERPRETERS

CHAPTER 9
CONCLUSION AND
RECOMMENDATIONS

1. Legal interpreting and translation programme KU Leuven (Antwerp campus)
2. SIGV: a brief introduction
3. Training interpreters online. An experiential dialogic approach
4. Methodologies and techniques used in training simultaneous interpreters of languages of lesser diffusion at the international criminal court
5. The Tandem method for training legal interpreters and translators

CHAPTER 3

COURSE DESCRIPTIONS

1. LEGAL INTERPRETING AND TRANSLATION PROGRAMME KU LEUVEN (ANTWERP CAMPUS)⁶

Katalin Balogh, Heidi Salaets & Dominique Van Schoor

1.1 Course programme

The legal interpreting and translation programme consists of a 150-hour course (10 contact hours/week) (including the entrance tests and final exams: +/- 20 hours) taught during evenings and weekends.

All course modules are taught by legal experts (judges, police, lawyers, etc.), by experienced legal translators and interpreters, and translator and interpreter trainers.

The LIT [legal interpreting and translation] training is monolingual, which means that all lessons are given in Dutch and that students are expected to carry out a considerable amount of self-study on top of the 150 contact hours.

The students' proficiency in both languages (Dutch and the foreign language) is always tested during the entrance exam. Everybody has to pass two (written and oral) tests in both languages and has to score at least 80% on each written admission test. Only in this way, it is possible to ascertain whether candidates have the required language proficiency.

At the end of the course the interpreting students have to pass the interpreting exam which consists of a role play. During this exam, candidates need to demonstrate that they have acquired the necessary interpreting skills and legal terminology in both languages.

The course programme includes the following modules:

- Legal knowledge
- Legal Dutch and terminology
- Legal translation
- Legal interpreting
- Police module

Students can choose to follow either the translation or the interpreting programme, or both.

1.2 The entrance exam

Module title	Description	Remarks
<i>Entrance exam</i>		All students
Dutch test: written	B2 level - Every participant has to score at least 80% in order to pass	All students – except for students with a BA or MA degree in applied languages (exempted from entrance exam)
Dutch test: oral	B2 level	All students who passed the written proficiency test in Dutch – exceptions see above
Foreign language test: written	B2 level - Every participant has to score at least 80% in order to pass the exam	All students who passed the oral proficiency test in Dutch – except for students with a BA or MA degree in applied languages (exempted from entrance exam)

1.3 The training

Module title	Description	Remarks
<i>Legal knowledge</i> (64 hrs.)		All students, except for students with an MA degree in Belgian law (exempted from this module). Interpreters still have to take the classes on deontology.
Introduction to law (8 hrs.)	This module offers an introductory overview of the judicial system. It aims to familiarize students with the concept of 'law', legal sources and the structure of Belgian law. They gain an insight into the legal system, legal actors and the prevailing standards. Students not only become acquainted with the legal system, but also with legal terminology. Special attention is paid to the application of this knowledge in professional interpreting and translation practice.	
Criminal law and criminal procedural law (16 hrs.)	This specific part of the course explains how a set of rules is established to determine what conduct and which persons are punishable by Belgian law, and which penalties are imposed. The part on criminal procedural law focuses on the way in which criminal offences are investigated and prosecuted, and on the judicial bodies that deal with criminal cases.	
Civil law, judicial law and commercial law (12 hrs.)	Particular attention is paid to the basic principles of civil law, judicial law, civil procedure and commercial law, e.g. right of defence, role of the judge, standard and specific procedures, legal remedies, evidence and the burden of proof, natural or legal persons, marriage, etc.	
Social law (4 hrs.)	The lecture on social law deals with the legal status of self-employed persons, since interpreters/translators working in the Belgian justice system are considered self-employed. Self-employed persons for instance need to be affiliated with a social insurance fund and pay taxes. This allows them to acquire several rights, e.g. child benefit, pension and incapacity benefit.	

Module title	Description	Remarks
Immigration law (4 hrs.)	This lecture offers a general introduction to immigration law. The following subjects are addressed: some basic notions in immigration law, regular procedure for obtaining a residence permit in Belgium, EU citizens, asylum seekers, regularization of irregular migrants, human trafficking and working as a foreigner in Belgium.	
Juvenile law (4 hrs.)	Information is provided on the juvenile court, the competence of the juvenile court judge, social services, the role of the juvenile court judge in POS cases (involving non-delinquent minors in a problematic situation) and MOF cases (involving juvenile delinquents), procedural aspects in protection cases and civil cases, and minors with a mental disorder.	
Deontology (8 hrs.)	This course component discusses the rights and duties of legal interpreters and translators. Students have to be familiar with the code of ethics and be fully aware of its implications. Special attention is paid to the concepts 'impartiality' and 'professional confidentiality'.	
Legal methodology and sources of law (8 hrs.)	Terminology and the ability to find specific documents are essential to understand the meaning, purpose and form of a legal text. This lecture shows how to make correct and efficient use of search tools and strategies. Students are introduced to legal sources and to a selection of available ICT tools, in order to find information on the legislation, case law, jurisprudence, etc. Through specific translation and terminology assignments, students learn to work autonomously to find and process information.	
<i>Legal Dutch and terminology</i> (8 hrs.)	This module covers the principles of correct and clear writing in Dutch and offers the necessary tools to write well-structured texts. It also provides further information on the communicative context of legal texts. Special attention goes to innovative aspects, such as working with templates. Students are introduced to legal terminology and writing by means of legal texts.	All students

Module title	Description	Remarks
<i>Legal translation</i> (24 hrs.)	This series of lectures addresses the following subjects: > The difference between legal heuristics and heuristics for legal translators > The difference between legal translation and other types of specialized translation > Heuristic problem-solving strategies > A heuristic hierarchy of possible sources In the second series of lectures, students are expected to work on translation assignments in the computer class. They translate sentences, judgments and more general legal texts relating to cases covered by several international institutions and courts (e.g. European Union, European Council or The Hague Conference on Private International Law).	Translation students only
<i>Legal interpreting</i> (20 hrs.)	In concrete situations, students practice their interpreting skills: short and long consecutive (i.e. first without, then with notes), whispered interpreting and sight translation. These interpreting exercises are set in relevant contexts: police station, court, lawyer's office, etc. They also include exercises on ethics and discussions on deontological issues. > Note-taking and consecutive interpreting (7 hrs.) > Sight translation (3 hrs.) > Whispered interpreting (3 hrs.) > Interpreting exercises (7 hrs.)	Interpreting students only
<i>Police module</i> (16 hrs.)	1) In the theoretical part of this module, the following issues are addressed: > The role of the sworn interpreter at the police station (role boundaries, impartiality, conflicts of interest, professional secrecy, preparation, language use, etc.) > The police contact the interpreter via telephone (availability and arrival at the police station, information about the assignment, language check)	Interpreting students only

Module title	Description	Remarks
	> The actual interview at the police station (language legislation, responsibility of the police officer, interventions by the interpreter) > Form, content and purpose of police interviews > Special assignments (crime scene investigation and reconstruction, search of the premises, wiretap, etc.) > Observation, (sensory) perception and memory > Communication (verbal and non-verbal) > Franchimont Act > Salduz Law 2) After this short theoretical introduction, students get the opportunity to practice their interpreting skills. They are expected to actively participate in a series of role plays, simulating possible interview situations at the police station. 3) Given that legal interpreters run the risk of having to work in stressful situations, this module also includes a 4-hour session on stress management. A police psychologist provides more information on stress and its physical and emotional effects.	

1.4 Final exams

Module title	Description	Remarks
<i>Final exams</i>		All interpreting students
Legal knowledge	An open book written exam on the above-mentioned subtypes of Belgian law	All students
Legal Dutch and Terminology	A written exam based on the knowledge and information acquired during the course.	All students
Police module	Students have to answer deontological questions and discuss ethical issues that arise during a police interview.	Interpreting students only

Module title	Description	Remarks
Legal interpreting	A role play, meaning a police interview, a hearing with an investigating judge or a consultation with a lawyer. Candidates have to demonstrate all their interpreting skills (short and long consecutive, whispering and sight translation) during this exam. For each language, students take a new exam with a different topic but the same skills are tested.	Interpreting students only

2. SIGV: A BRIEF INTRODUCTION

Carola Verhoeff

In 1988 SIGV became operational as a non-profit foundation, funded mostly by grants from the Department of Justice. Its mission was (and still is) to provide training and education for interpreters and translators to become certified court interpreters and legal translators. At the start, SIGV could provide training for six languages.

It took almost twenty years (2007) for the Dutch parliament to pass a law to implement a set of criteria to qualify sworn interpreters and translators. Such interpreters and translators then would be admitted to a national register. A separate category was later added for those individuals who had sufficient experience to handle interpretation in criminal proceedings (2012).

In 2013 SIGV also received certification by the Netherlands Quality Agency to establish its education programme as meeting all the requirements (such as examination content and procedures) at the BSc and MSc level.

Currently, SIGV is no longer receiving grant support from the government, but is self-supporting. It has a permanent staff of three, and a flexible, part-time teaching faculty and examiners of approximately 70 academics and professionals in the field. It has a small central office facility, but does not carry the burden of

owning classroom buildings, which are rented on an as-needed basis. At present, SIGV can provide educational training for more than 20 languages (Table 1).

TABLE 1 – LANGUAGES AT SIGV	
Armenian	Middle East Arabic
Bosnian/Croatian/Serbian	Dutch Sign Language
Bulgarian	Papiemento
Dari	Pashtu
German	Portuguese
English	Polish
Farsi	Russian
French	Sorani
Hungarian	Spanish
Italian	Tarifit
Cantonese	Turkish
Mandarin	
Moroccan Arabic	

2.1 Curriculum overview

The SIGV curriculum contains five modules (Table 2), to be followed in semi-consecutive order. The coursework starts with the first two modules. The next two modules are phased in during the first three months and completed in the subsequent month. The last module starts in the fourth month (see also Table 3).

TABLE 2 – CURRICULUM OVERVIEW		
	Class room hours	Total Study Load (hrs)
General Modules		
Dutch substantive law	12	80
Dutch law of criminal procedure	12	80
Language specific modules		
Criminal law	6	40
Terminology	12	80
Court Interpreter Training	39	200

Before being admitted to the programme, candidate students need to pass an entrance exam, to ascertain a minimum level of experience and language skills and proficiency. The entrance exam consists of both an oral and a written test, carried out in both languages (i.e. Dutch and the language of the candidate's choice). The criteria for admittance are set at the level of CEFR C-1. This level is a requirement, since CER C-1 is also the mandatory level of proficiency for passing the final exam. Since the course work does not include improvement of language skills, CEFR C-1 must already be attainable before entering the programme.

Candidates who fail to pass the entrance exam are not allowed to enter the full programme, but can get started with the general modules 1 and 2, thus giving them the opportunity to pass the exams for these modules and retake the entrance test the year after, after having improved their language skills. Exams for all five modules must be passed within three years.

Candidates who hold a recent BSc or MSc degree in Dutch law are exempt from modules 1 and 2.

The total coursework consists of weekly evening classes, spanning a period of eight months in total. The total study load is 480 hours, totaling 17 ECTS.

2.2 Curriculum organization

The organization of an example curriculum is shown in Table 3.

[illegible]

CURRICULUM ORGANIZATION: GENERAL MODULES

The first two modules are held in plenary sessions (i.e. for all students, regardless of their language). They are held in lecture format, in Dutch. Usually we have groups of 50-100 students attending these modules. Teaching faculty usually consists of prosecutors and lawyers.

CURRICULUM ORGANIZATION: LANGUAGE SPECIFIC MODULES

The language-specific modules are, obviously, held in much smaller groups of students, ranging from four to fifteen. Classes of module 3 are held in lecture format, in the specific language. However, classes of modules 4 and 5 are in workshop format, requiring significant interaction, contribution and participation of students themselves as well.

Module 4, Terminology, focuses on two aspects, terminology lists and terminology readers, both compiled by our faculty members.

The terminology lists consist of three components. First, the lists contain a set of approximately 1,600 terms and concepts commonly used in Dutch criminal law. These 1,600 terms are compiled by a Dutch (law) faculty. The second component is an explanation of these terms, and the third is the translation, which is provided by the faculty teaching that particular language. These terminology lists are updated on a yearly basis. Students are encouraged to participate in updating the translated section of the lists.

The terminology reader is used as practice material. It is a compilation of a plethora of standard phrases and expressions that are routinely used in the courtroom. The reader is organized by category, such as public prosecution section, criminal investigation, drugs, etc. The purpose of the terminology reader is to train students in learning such phrases by heart, in both languages.

Module 5, Court Interpreter Training, can only be attended by students after they have attended modules 1 through 4.⁷

The main component of this module consists of intensive group practice. This involves, among other things, role playing in mock interrogations in the courtroom. Students are also familiarized with role reversal, assuming the role of the accused, the prosecutor, the judge, the defense, as well as the interpreter, allowing for reciprocal evaluation and learning. SIGV has more than thirty scripts

available for role playing exercises. In addition, students are trained in interpretation skills, first applying (semi-)consecutive interpretation, and subsequently simultaneous interpretation. The module also includes memory practice and note-taking exercises. Exercises can be recorded during classroom sessions for follow-up both in class and through self-study.

Module 5 also contains a limited number of plenary sessions (in Dutch), targeted at all students (regardless of their language choice) who attend this module. These plenary classes are intended to teach stress management, interpretation techniques (memory skills), ethics, and covers a mock trial performed by a judge.

CURRICULUM ORGANIZATION: EXAMINATION AND TESTING

For modules 1-4, examination consists of written tests, one for each module. Before taking the exam for module 5, students must have passed all four tests for modules 1-4. The format of the final exam is a mock trial setting. It is an entirely oral examination, taking approximately 45 minutes. The student is judged by at least three examiners. The examination is also attended by at least one, but preferably two independent observers.

2.3 Adding new languages

Quite regularly the need arises to offer new language programmes, for example as new immigrant populations enter society. The addition of new languages is often initiated in consultation with – and sometimes at the request of – the Department of Justice.

When a new programme needs to be developed, the first step is to recruit appropriate faculty. Sources for recruitment are universities, as well as our own network, which has grown over the last twenty-five years to include many experts in the field, both nationally as well as abroad. Sometimes we can also recruit from existing faculty with multilingual skills, such as Tarifit/Moroccan Arabic, Sorani/Arabic or Pashtu/Dari.

It sometimes happens that no appropriate teaching faculty has been identified for the language that is to be developed, but that there are already students who have requested to follow the new programme. Those students can start by taking modules 1-2, in anticipation of the development of modules 3-5. Their passing

certificates for modules 1-2 remain valid for three years, on the assumption that, within that time span, modules 3-5 will be launched.

Finally, SIGV also offers additional preparatory classes such as court interpretation techniques in Dutch for all candidates.

3. TRAINING INTERPRETERS ONLINE. AN EXPERIENTIAL DIALOGIC APPROACH

Hanne Skaaden

*Tell me, and I will forget.
Show me, and I may remember.
Involve me, and I will understand.*
CHINESE PROVERB⁸

3.1 Introduction. The context of training interpreters for the public sector

The interpreter holds an important function in the public sector setting where he enables public servants and professionals to *inform, guide and hear* the parties in the case at hand despite language barriers (Jahr et al. 2005:28). This definition displays the fact that in the public sector the interpreter function serves not only to safeguard the minority speaker's human rights. Interpreting also has impact on the professional integrity of the party in charge of institutional discourse, often a representative of high status professions, e.g., a lawyer or a physician (Felberg & Skaaden 2012, p. 108). Yet, organized training for interpreters in the languages needed is rather the exception than the rule. Surveying the training situation for interpreters in legal settings within the EU, Giambruno (2014, p. 185) observes that "specific training for LIs [Legal Interpreters] is limited at best, and in some cases is non-existent". Similarly, Ozolins (2000, p. 22, 2010, p. 8) who discusses societal factors contributing to the interpreter's professional status finds that comprehensive training options are rare.

A number of factors contribute to the shortage of training options for interpreters. One such factor relates to the number of working languages for which training is required. In Norway alone, there is a registered need for interpreters

in more than 100 languages (IMDi 2007). A similar situation is documented in other countries. Giambruno (2014, p. 181), for instance, notes that 153 languages are spoken in the city of Manchester alone. The multitude of languages needed has impact on the choice of didactic approach. Secondly, volume variations characterize the market's requirement for different languages. The variation represents a challenge in the structuring of courses as well as to the process of professionalization on a whole. Thirdly, since the students' bilingual abilities influence the quality of the training, bilingual screening is of the essence for the course's success. Finally, the integration of theory and practice represents a challenge that interpreter trainers share with trainers of other professions, e.g., those of medical practitioners (on the didactic challenges of professional training, see e.g. Kinsella and Pitman 2012). The challenge relates to the type of knowledge needed for the activity of interpreting. Evidently, interpreting requires the mastery of *skills*, a type of knowledge associated with "knowing how" rather than the "knowing that" of theoretical knowledge. The sociologist Donald Schön (1983, p. 276) captures the didactic challenge of merging theory and practice with a metaphorical description: "Everyone who has tried to learn from a book how to ski or write a story knows how difficult it can be to act from such a description".

The factors just mentioned have implications for the choice of didactic approach and course structure. The course described here, applies an experiential-dialogic approach to learning, inspired by models of collaborative learning commonly associated with the training of professional practitioners (Kolb 1984; Schön 1983, 1987; Gee and Green 1998). In such an approach, the students' own experiences, observations and shared reflections serve as the main resource in the learning process. The teacher's main task is to serve as facilitator by supplying the right questions, rather than the right answers. Since the practitioner must deal with a multitude of situations, each in themselves specific, the approach is believed to have advantages when training students for actual practice (Skaaden 2013b). An additional question in our case has to do with the fact that the course is predominantly online-based. How can practical *skills* be stimulated in online training? The aim here is to demonstrate how the course utilizes the didactic approach in the organization of both online and on-campus learning activities: how can the students gain knowledge and skills through their interactions, observations and shared reflections in a blended course?

3.2 A blended course with online and on-campus learning activities

With society's need for trained interpreters in a plethora of languages, and with students distributed over geographical distance, the utilization of online learning activities is a necessity in our case. At the same time, interpreting as a skills-based subject requires practical exercise. The current course, therefore, organizes online and on-campus learning activities in a blended approach, utilizing flexible learning options that integrate multiple language groups. This subsection describes the course's overall framework and its students, before we turn to the online and on-campus learning activities and the final practical exam in subsection 3. Since the course's structure is also determined by its target group and their needs, let us first take a closer look at the students.

WHO ARE THE STUDENTS?

Each year class allows for the admittance of students from 8-10 language groups,⁹ each group with five to fifteen students. The maximum and minimum group size is set according to didactic and logistical factors. In the period between 2007 and 2014, more than 600 students representing 53 working languages in addition to Norwegian completed the course and sat the final practical exam. (For an overview of included languages, see Table 1 in the appendix.) The course's completion rate between 2007 and 2014 is over eighty percent each year. For admittance to the course, all students must fulfill Norway's standard requirements for "admission to higher education" which means the applicant must have completed A-levels or the equivalent. Students with a foreign native language, must in addition document the minimum of B2 proficiency level in Norwegian. The B2 command is not enough to manage the activity of interpreting, however. Applicants to the current course must therefore sit an admittance test designed to screen their oral command of Norwegian and the other working languages, as briefly described below.

In each year class, between 90 and 95 percent of the admitted students are migrants who arrived in Norway after adolescence.¹⁰ Hence, Norwegian is the second language (L2) of a majority of the students. The students' average age is between 35 and 40. Approximately half of the students are women and half are men, although there are marked differences between language groups when it comes to gender. For instance, Arabic and Pashto students are predominantly men, while Russian and Thai interpreting students are almost exclusively women. Gender differences according to language may relate to the demography of the migrant population of Norway.

The majority of students (approximately 60%) have already completed higher education (three years or more) in Norway or another country before attending the course. Some students are already practicing interpreters, while others are novices. In sum, background variation is a common denominator for the student group as a whole.

BILINGUAL SCREENING

Interpreter training is not a language course, and the admitted students must have developed a strong bilingual functionality prior to attending the course. There is no simple way to establish a person's bilingual proficiency level, however. Designed to indicate the applicant's ability to capture spoken messages in one working language and render them in the other language shortly after, the current admission test is a form of *performance test*. *Performance tests*, also known as 'authentic' tests, are used "to elicit language to reflect the kind of real world activities learners will be expected to perform", Wigglesworth (2008, p. 112) notes. The basic test task resembles what Moser-Mercer (1994, p.63) describes as "oral *paraphrasing* of a message received orally", a task "commonly used to test for native language competence" according to her. In our case, the candidate must perform the task in both language directions and produce delivery in the other language. The task, thus, mimics the core activity of consecutive interpreting of short sequences. The screening does not test the candidate's ability for actual interpreting, however. Strategies to manage the consecutive interpreting of dialogues is what the students train for during the course.

In cooperation with a bilingual assistant, the test administrator evaluates the candidate's performance according to his/her ability to analyze incoming oral information and express him/herself in both languages. On average, approximately forty percent of the candidates who sit the test pass the requirement for admission, which is to produce a rendition of the content as well as pronunciation and grammar in both languages with no less than 80% precision.¹¹

3.3 Flexible learning for multiple language groups

The aim of the course is for the admitted students to improve their skills in accordance with the course's learning aims, i.e., to develop the skills that are necessary to take on an interpreter's task of rendering institutional dialogues in the consecutive, short-sequence mode in the setting of the Norwegian public sector. The learning aims of the current course are defined by four main topic areas:

- a. The interpreter's area of expertise and its boundaries: *Professional ethics and professional identity*
- b. The interpreter's main tool: *What is language, bilingualism, linguistic registers, style, etc.*
- c. Interpreting techniques and situational knowledge: *What characterizes a dialogue; an institutional dialogue; an interpreted dialogue, and how to manage the situation*
- d. Specific contextual knowledge: *Terminology and contextual knowledge from selected domains of the public sector, in order to develop general strategies for entering new linguistic domains and gathering contextual knowledge throughout one's career/practice*

During the course, the different learning activities, online and on campus, integrate the main topics according to an evolving agenda and according to basic didactic principles such as moving from the concrete towards the more abstract, from the simple towards the more complex etc. While topics of professional ethics and interpreting techniques are addressed in groups with students of different working languages (illustrated in examples 1-3), the students cooperate in their respective language groups to improve their contextual knowledge and develop strategies for entering new domains of terminology within a bilingual framework (examples 4-5). Without being one of the experts, the interpreter in future practice must continuously enter new domains of terminology. Rather than to absorb specific terminology, the aim of the bilingual group activities is, therefore, for the students to acquire general strategies that will support them in their future preparation for interpreting in diverse situations (cf. d. above).

An experiential-dialogic approach to learning considers the students and their experiences to be the main resource in the learning process. The teacher's principal task is therefore to inspire the students to collaborate in their knowledge building and facilitate the students' reflections over shared and individual experiences and observations. The approach accords with models of learning which conceive of social practice and dialogue as the main aid in knowledge building (e.g., Kolb 1984; Schön 1983, 1987; Gee & Green 1998). An experientially based model of learning, in line with the ideas of Schön (1983) and Kolb (1984, p. 38) emphasizes the students' observation and joint reflection over shared experience as an important path to learning. In a unified approach to discourse analysis, learning and social practice, Gee and Green (1998, cf. Gee 2003, p. 38), emphasize dialogue as a major learning path.

Based on the idea that the group of students can capitalize on each other's resources, the applied didactic approach accentuates interactivity and dialogue. The course utilizes the approach in both language-specific groups and mixed language groups and in online and face-to-face learning activities. The approach simultaneously makes the groups' internal variation a resource, as illustrated below.

ONLINE LEARNING ACTIVITIES IN MIXED AND SPECIFIC LANGUAGE GROUPS

Within the one-year duration of the course, the students meet face-to-face only five times, in intensive weekend on-campus seminars, while they take part in online learning activities every week. Online interactions in the form of synchronous chats are central in binding the course together between the on-campus meetings. The text-only chats are discursive events where students, via their home computers' keyboard, are able "to 'talk' to each other at the same time in multi-party dialogue or polylogue while being physically distant" (Holmer 2008:1).

A facilitator supervises the chats by posing open-ended questions according to a preset agenda. Exploring the didactics of the online classroom, Palloff and Pratt (2001, p. 88) accentuate that the "students should be encouraged to bring real life into the online classroom as much as possible", and stress the importance of posing open-ended questions in order to stimulate student interactivity. Our facilitators accordingly encourage student interaction by posing open-ended questions. Excerpt (1) gives an illustration of the nature of the chat meetings where students with different working languages reflect upon the process of professionalization. In the excerpt, recorded towards the end of the group's one-year course, the students identify aspects of professionalization in response to the facilitator's open-ended question that initiates the exchange:

Excerpt (1)¹²

- 1 facilitator 20:54> What is necessary in order to enhance the interpreter profession's status in the public sector?
- 2 fStudent1 20:54> That we all behave like professionals
- 3 fStudent2 20:54> inform about the interpreter's role on every assignment
- 4 mStudent3 20:54> Official Stamp in the b...
- 5 fStudent4 20:54> that we act like a group, not only as individuals. And that everyone represents the same, behave like professionals, and are proud of their work
- 6 mStudent5 20:55> agree with fStudent2, explain every time the interpreter's role

- 7 fStudent6 20:55> an interpreter education that is obligatory for everyone who wants to work as an interpreter in the public service sector
- 8 fStudent7 20:56> the clients harm the interpreter profession when they hire non-competent interpreters
- 9 fStudent1 20:56> obligatory use of the best in the interpreter portal [i.e. www.tolkeportalen.no]
- 10 mStudent3 20:57> We were once incompetent...don't forget that we were cubs once ...

In the exchange, recorded at the end of the one-year course, the students point to several measures necessary to enhance the professional status of the interpreter and to function in the public sector. They identify the need for accreditation (line 4) and training (line 7) in addition to a public register of practicing interpreters (line 9) in order to establish license and mandate. Furthermore, the students emphasize the importance of more knowledge about the interpreter function among professionals who need interpreting services in their own work. The *we/they* perspective expressed in postings 2, 5, 6, 8 and 10 signals an emerging professional identity, as does the phrasings “behave like professionals” and “act like a group”.

Online interactions, like the chat discourse already exemplified in excerpt (1), display how the learning activities involve the students in ways that make their background variation a resource in the learning process. In excerpt (2), students from a different year class explicitly recognize the value of collaboration across language groups as they “have the Norwegian language in common”. Here, four students from different language groups take part in a chat on the process of professionalization towards the end of their one-year course:

Excerpt (2)

- 1 facilitator - 20:43> What are your suggestions as to how the interpreter – in the process of taking on a professional attitude – may develop strategies to handle difficult episodes in his work situation?
- 2 mStudent1 - 20:43> interpreters from different language groups may cooperate
- 3 fStudent2 - 20:44> Agree. Language is not crucial in such a case, since we as interpreters experience much the same, and we do have the Norwegian language in common
- 4 fStudent3 - 20:45> mStudent1: where I work as an interpreter, there is no one to cooperate with
- 5 fStudent4 - 20:45> This course is an arena to become acquainted, and we may continue our collaboration, make appointments and exchange experiences

- 6 fStudent2 - 20:46> Totally agree with you, fStudent4. The web provides an excellent opportunity to start a new way of cooperation and communication!

The chat encounters exemplified in (1) and (2) take place in the learning platform every second week throughout the course. Organized in groups of students with different working languages, the chats address general topics of professional ethics and role as well as general interpreting strategies and situational knowledge, e.g., culture, taboos, etc. In our experience, the reflections on professional ethics and role benefit from the variation created by the mixed language groups. The group diversity brings to the fore common challenges and options as *interpreters*, rather than placing focus on differences between the two working languages and their cultural contexts. Hence, group variation helps the students explore the challenges of *interpreting* as an activity, since they, as the students in example (2) notice, “as interpreters experience much the same”.

The preset agenda guides the topical progression throughout the course and integrates the learning activities in the different channels. The discourse in excerpt (3) illustrates the integration of online and on-campus activities. The excerpt, recorded mid-course, starts with the facilitator’s reference to the week’s focus text on the particular learning topic: “The interpreter’s own health and the risk of burnout”. The discourse continues with the students’ immediate responses, before the student in posting 7 refers to “the video we watched at our [on-campus] gathering”:

Excerpt (3)

- 1 Facilitator 19:39> “The fuzzy boundaries of your responsibilities” is included in the literature as one element [that may lead to burnout]. How does this [element] apply to the interpreter?
- 2 fStudent1 19:40> All users [of the interpreter’s services] do not understand in the same way what an interpreter can do and cannot do and therefore the boundaries of the interpreter’s area of responsibility appear unclear
- 3 fStudent2 19:41:12> if someone is uncertain about what tasks an interpreter should actually take on
- 4 fStudent2 19:41> i t o [i.e. “in terms of”] “extra” tasks that suddenly pop up during an assignment
- 5 fStudent3 19:42> Fuzzy boundaries would be if s/he [the interpreter] is given tasks which are outside the interpreter’s boundaries [of responsibility], and carries them out without clearly signalling that this is not the interpreter’s responsibility
- 6 fStudent4 19:44 > Vague boundaries may also mean being unclear about your own skills and abilities as an interpreter

- 7 fStudent5 19:44> and it may also be that users ask the interpreter to breach her/his own professional ethics, like client confidentiality? (That a user asks the interpreter about how his case is coming along, like in the video we watched at our [on-campus] gathering?)

A 'focus text' that is made available in the learning platform the week prior to the exchange delineates the week's 'learning topic'. Each focus text highlights general issues related to the code of ethics, professionalization or strategies of dialogue interpreting, in accordance with the syllabus and the planned topical progression. The aim is to prompt the students' online interactions and aid them in their work with the syllabus. The focus texts appear in the learning platforms' "auditorium", i.e., the "room" in Fronter where all students of the year class have access, as indicated in figure 1.

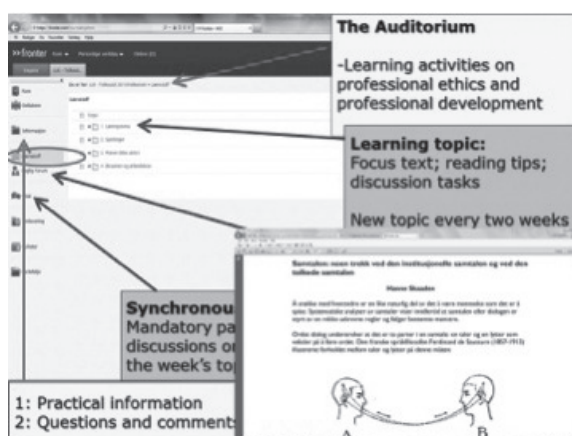


Fig. 1. Example of a focus text in the learning platform's "auditorium".

The bottom-left box in figure 1, shows that the auditorium also functions as a channel for communication between the students and the course organizers on practical issues. With as many as eighty students in each year class, a common channel for communication saves time and resources for the course organizers.

In addition to the auditorium activities on general issues of interpreting, each student has access to a "language room" for students with the same working language. Every second week, a new learning topic on terminology and context knowledge appears in the language rooms. The "terminology topics" are presented as links on the specific language domain and its context within the Norwegian public sector. The first semester introduces the topics of health and welfare. In the second semester, aspects of legal practice receive attention.

Starting with the anatomy of the human body, as illustrated in figure 2, the topics introduced relate to different domains that an interpreter working in the public sector setting will need to be acquainted with. After a new topic is introduced in the language rooms, the students of each language group cooperate in synchronous chats and asynchronous forum channels to improve their bilingual repertoire and contextual knowledge.

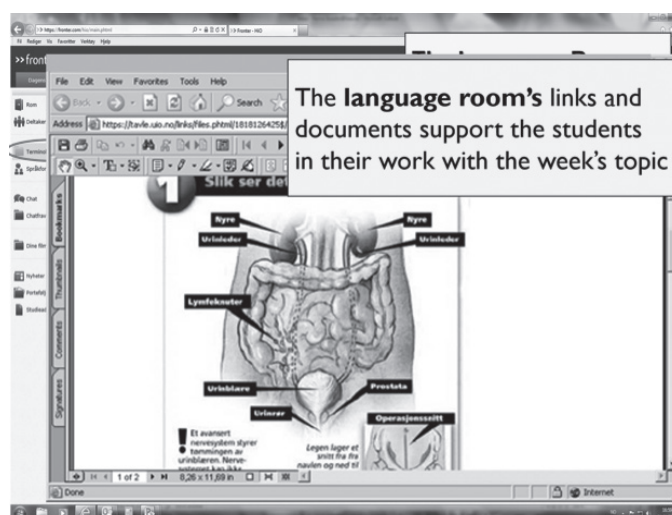


Fig. 2. In its “language rooms” the learning platform supplies the students with examples of context knowledge in order to stimulate their cooperation and individual efforts.

In line with the didactic approach, the students are the driving force in the learning process. They are required to prepare before their online encounters with the rest of the students and facilitator. Excerpt (4) illustrates how a student in the Chinese group has prepared for the very first chat on terminology associated with anatomy. The student in posting 1 opens the discussion by presenting her suggestions for the list of concepts. A fellow student who joins in posting 4, is late, and wonders how to go about the joint problem solving. The bilingual facilitator indicates concepts that need more consideration before concluding, but signals her position in the background:

Excerpt (4)

- 1 fStudent1 21:04> sinuses 鼻窦 appendix 盲肠 blood type 血型 mole birth-mark 痣 small of the back 下背 tonsils 喉头 milk tooth 乳牙 diaphragm 膈 elbow 肘 perineum 会阴 feces 大便 nipple 乳头 neck 脖子 navel 肚脐 spinal marrow 脊髓 spine, spinal column 脊椎 tissue 组织 wisdom tooth 智齿 ear-lobe 耳垂 eyelid 眼皮

- 2 fStudent1 21:05> Is it too much, do you think?
- 3 Facilitator 21:05> a bit too much all at once, may be.
- 4 [...]
- 5 fStudent2 21.17> are you going through the list concept by concept? Or are you doing just the difficult ones?
- 6 Facilitator 21:19> as you can see, fStudent1 has presented the whole list, and now I am just asking about the ones I wonder about and where I have found another suggestion. But it is your chat, so just continue discussing!

For the first chat sessions, as illustrated in excerpt (4), the course provides the group with a terminology list for discussion. Gradually, the students are stimulated to extract their own terms from links and texts on the week's topic. During training, it is impossible to cover all topics that an interpreter will meet in real-life practice. Accordingly, the main learning aim of the terminology sessions is for the students to develop functional strategies for entering new language domains and continuously refine their bilingual sensitivity.

The overarching aim of all learning activities is to prepare the students for future practice. Therefore, the facilitator's main task is to provide guidance and inspire the students' cooperation, rather than supply the group with a "set answer". Excerpt (5), where the students in the German group discuss asylum terminology, illustrates how the students have googled and prepared before their online meeting. At the same time, the exchange displays the facilitator's moderating role. Posting 5 indicates that the facilitator has supplied the group with relevant links on the topic in German. During the exchange, the facilitator remains in the background:

Excerpt (5)

- 1 fStudent1 19:00> Werfe gleich mal mein erstes Wort in den Ring: overføringsflyktning [i.e., resettlement refugee in Norwegian]
- 2 fStudent2 19:00> ich habe hier noch kein gutes wort gefunden
- 3 fStudent3 19:00> Kontingentfluechtling?
- 4 fStudent3 19:01> oder:
- 5 fStudent4 19:01> Danke für die vielen Links, [facilitator's name], die Seiten waren wirklich informativ und nützlich.
- 6 fStudent3 19:01> Fluechtling im Rahmen einer Uebernahmeerklärung des Bundesministeriums des Innern
- 7 fStudent4 19:01> Super, habe gerade gegoogelt, da war ich nicht drauf gekommen
- 8 fStudent3 19:02> Findest du, fStudent2, dass beides geht?
- 9 fStudent2 19:03> fStudent3, glaube deins ist nicht das Gleiche und zu lang

The excerpt illustrates how student variation within the language group may stimulate collaboration. While Students 1 and 3 pose questions and make suggestions, and in this manner drive the discourse forward, the bilingually stronger Student 2 takes on the role of commenting on and correcting the suggestions. In sum, the group variation represents a resource in the learning process, not only in the sense that the students embody a multitude of experiences, but also in the sense that they may take on different roles within the group and its knowledge-building process.

ON-CAMPUS LEARNING ACTIVITIES: PRACTICAL INTERPRETING EXERCISES

During the course, the students meet on campus five times only, in three-day weekend gatherings that combine plenary lectures with group activities. On the one hand, the gatherings allow the students to continue their work in their respective language groups, in supplement of the online activities. However, the interpreting exercises are the most central activity during the on-campus meetings. Since they prepare directly for the final practical exam, the exercise sessions receive primary focus in this subsection.

The exercises are organized as role plays, where the students play the interlocutors of institutional dialogues, and take turns playing the role of the interpreter while the rest of the group observe the exercise and discuss the performance after each role play. The interpreting exercises, based on role cards, take place in groups of 12-15 students from two to three language groups. The photo in figure 3, where students from the Italian, Lithuanian and Sorani Kurd groups interact, illustrates the roleplayed exercises.



Fig. 3. On-campus interpreting exercises in mixed language groups, where the students play the interlocutors of institutional dialogues, and take turns playing the role of the interpreter, while the rest of the group observe.

During the role plays the rest of the group observe the performance, and take part in subsequent reflections on the interpreting strategies and bilingual choices applied by the interpreter. A facilitator leads each session by distributing observational tasks and structuring the group's subsequent reflections. The aim of the exercises is to improve the students' interpreting techniques through observations and reflections. The course focuses exclusively on the on-site consecutive interpreting of dialogues. Consequently, the students are to pay attention to the interpreter's linguistic choices, turn-taking strategies, placement and behaviour in the situation. According to the experiential-dialogic approach, the aim is for the students to experience and detect both limitations and potential by observing each other and to share their observations in subsequent reflections. Since the sessions are filmed, the students can also observe their own performance individually via the learning platform afterwards.

FACILITATING THE EXERCISES

A facilitator leads each exercise session. The facilitators' task is to guide the group in drawing attention to aspects of their performance, under the heading "how not to get in the way of the interlocutors". Normally, the facilitator represents another working language than the exercising students. In some exercise sessions, the bilingual facilitator joins the session in a "tandem" approach. The facilitators are trained interpreters with additional didactic training and experience. In addition to a kickoff seminar on the course's didactic principles, the facilitators are provided with a list of "focus points" that indicate issues to observe and subsequently discuss. The idea is to expand the window and detail of observation gradually throughout the meetings.

In order to aid a synchronized progression in the parallel groups, the list of focus points draws attention to interpreting strategies and topics related to the management of an interpreted dialogue. E.g., *omissions; pronoun choice and who is who in interpreted discourse; how to present the interpreter's function to the interlocutors; placement and turn-taking strategies, when and how to ask for clarification, grammar and precision in delivery; what does the interpreter's gaze, mimic and posture signal*. The topics of observation seek to take into account basic didactic principles such as moving from the concrete to the more abstract, from the simple to the more complex etc., and interplay with the topics addressed in other learning activities.

Throughout the course, the facilitators discuss the course didactics at the gatherings as well as online, in synchronous chats (Skaaden 2013b). In the remainder of this subsection, the facilitators' chat reflections on the course didactics serve as a window on the experiential-dialogic approach. The topic addressed in excerpt (6) is the function of the focus points:

Excerpt (6)

- 1 Hanne 20:20> how well do the focus points function in your opinion?
- 2 FacilitatorB3 20:21> the focus points are useful, in the back of your mind at least, but the situation might not always present you with fitting examples. Frequently there are other topics that present themselves for valuable discussions
- 3 [...]
- 4 Facilitator B2 20:23 > I am all for focus points. I use them to distribute observational roles and to structure the discussion, as long as we do not follow them to a T
- 5 Facilitator B3 20:24 > Agree, nice to use the focus points to distribute tasks, but not all the time, because you then run the risk of locking both observations and discussions.
- 6 Facilitator B2 20:24> agree
- 7 Facilitator B4 20:24> agree (now I feel like our students :-))

In line with the didactic approach, the facilitator's main task is to draw attention to issues exemplified by the role play. Yet, as pointed out in posting 2, the role play may not always produce illustrations on the selected issues. Moreover, selecting the focus beforehand may prevent the students from detecting issues exemplified by the actual situation, the facilitator points out in posting 4. In sum, the excerpt illustrates that the focus points serve as a loose guide for the facilitators that aids a similar progression in parallel exercise groups.

From time to time, both students and facilitators express scepticism towards the didactic approach, and display expectations of a more traditional teacher role as someone who provides the set answers. A facilitator expresses the challenge of leaving the traditional teacher role behind in excerpt (7):

Excerpt (7)

Facilitator C1: The main challenge for me was to pose open-ended questions and not always provide the answer.

Both facilitators and students learn to appreciate the chosen didactic approach as the course proceeds, however. In a chat session organized mid-course, the facilitators defend the didactic approach:

Excerpt (8)

- 1 Hanne 20:49> Recently, I attended a lecture by Stephen Billett on “apprenticeship” and how we learn through observation. What is interesting for us, though, is how one may learn from someone else’s mistakes. To what degree do you see this happening in the groups?
- 2 FacilitatorA3 20:49> It happens to a high degree, I feel.
- 3 FacilitatorA3 20:49> I believe in this method
- 4 FacilitatorA2 20:49> I believe everyone does – both the novice and the experienced, because how much interpreting even the experienced ones have actually observed is limited – so observing others is a way of observing variations of yourself
- 5 FacilitatorA120:50> I believe it is the mistakes and the following discussions they learn from.
- 6 FacilitatorA3 20:50 >And they are not used to getting feedback from someone who is able to “control” what has been rendered and how. But they learn from it.
- 7 FacilitatorA120:51> I believe most of them experience some epiphanies
- 8 FacilitatorA3 20:51> Quite a lot of things tend to sink in little by little, even though they may not express it there and then
- 9 FacilitatorA120:52> I believe most of them understand the feedback once they come home and watch their own film in the peace and quiet
- 10 Hanne 20:52> I was just thinking the same
- 11 FacilitatorA2 20:53> agree, you see yourself in light of what has been discussed

As the facilitators observe, the approach allows the students to get feedback from someone who understands both languages, an opportunity interpreters practicing in the public sector seldom experience. By observing fellow students’ mistakes or virtuosity, they get an insight into “variations of themselves”, as the facilitator observes in posting 4.

A critique sometimes raised against the current approach is that the students do not get their mistakes corrected. The issue of correction and students’ reactions to feedback elicited from their peers is the topic leading to the exchange in excerpt (9). Here, the facilitator observes (in posting 3) that discussions on alternative solutions to a problem and their consequences, may lead to self-reflection and learning:

Excerpt (9)

- 1 Hanne 20:54> it might be difficult to digest critique on the spot. How often does it happen that a student argues in favour of the solution he chose – even if it turned out not to be such a great solution?
- 2 FacilitatorA3 20:54> It might be nice if they write down the feedback from their fellow students, instead of defending themselves. That way they may afterwards view their recording, and check against the feedback
- 3 FacilitatorA2 20:55> I believe it is more fruitful to try and defend your own choice than to surrender and display low self-esteem. Low self-esteem is often general, not specific, while attempts to explain your choices tend to be more specific. Hence, it turns into a fruitful discussion

In our experience, although the students may be reluctant to absorb critique on the spot, they do adjust their interpreting strategies during the course. Results from the final practical exam support the facilitators' impression that the students benefit from the exercises. Moreover, the students, who evaluate each on-campus gathering activity by activity, quite consistently label the interpreting exercises their favorite learning activity. This trend supports the impression that the students find the exercises meaningful.¹³

In addition to interpreting exercises in mixed language groups, the on-campus gatherings include plenary lectures on aspects of professionalization, language, memory and the interpreted institutional dialogue. Moreover, the course invites different professionals to guest lecture on the aims and structure of the institutional dialogues of their professions. In the first semester, a nurse, an MD and a psychologist visit the classes. In the second semester, a police officer, a lawyer and a representative of the Norwegian child protection and social services give guest lectures. Not only do the meetings provide the interpreting student with useful context knowledge from the other professions, meeting other professionals simultaneously aids the interpreting students in drawing the boundaries around their own area of responsibility. An additional synergy seems to be that the guest lecturers' encounters with our students raise their awareness of the complexity of interpreted discourse.

EXAMS AND MANDATORY WORK

To sit the course's final practical exam, mandatory participation in all learning activities, on-campus and online, of no less than 80% is required. Each student must also hand in a report on observations from two courtroom meetings, one monolingual meeting and one with interpreting. A theoretical exam, graded

A-F, completes the first semester. The exam, organized as a home exam with online supervision, includes an academic essay on a given topic relating to professionalism and the boundaries of the interpreter's area of expertise.

The final practical exam assesses the student's ability to perform the consecutive interpreting of a roleplayed institutional dialogue. The assessors, consequently, evaluate each student's performance according to accuracy in the rendition of semantic and pragmatic distinctions in both language directions as well as according to natural flow in terms of e.g., speed of delivery and sequence duration. The evaluation, moreover, includes the candidate's turn-taking strategies, as well as her/his clarifying exchanges with the parties or the use of mnemonic support such as terminology lists and notes. Finally, the candidate's voice volume, posture, mimics and gestures should not disturb the communication or deviate from the original speakers' demeanor.

The practical exam is graded A-F by a team of internal and external assessors. Whereas the internal assessor's primary task is to evaluate the interpreting strategies, the bilingual assessor evaluates the candidate's renditions in both languages. During the exam, the bilingual assessor evaluates each sequence according to a six-level qualitative description. The qualitative categories indicate whether the candidate produces, on the one end, "a minute rendition with all distinctions (semantic and pragmatic) intact", and, on the other end, a rendition where "the candidate rendered only parts of the sequence" or "was unable to render the sequence". In dialogue the assessors agree on the final grade within the scale A-F according to the grades' qualitative description, as exemplified in the appendix (Table 2).

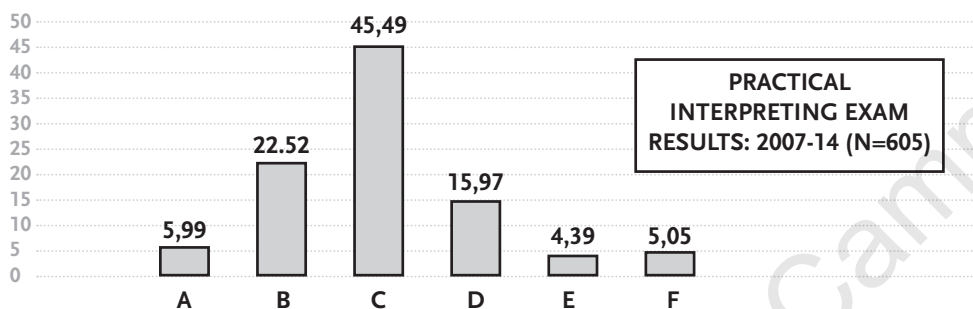


Fig. 4. The distribution of grades in the practical interpreting exam

Among the 605 students completing the course between 2007 and 2014, as figure 4 shows, nearly 6% deliver “an outstanding performance” (A), while over 22% achieve grade B and 45% grade C. Accordingly, nearly 75% of the candidates achieve grade C or better.

Since the exam is video-recorded, the students can file complaints on their grade. In cases of complaints, a second team of assessors assesses the performance in a blinded independent evaluation based on the video recording of the exam. In the 21 cases of complaints in the period under scrutiny, nearly 70% ($n=15$) received the same grade. In the remaining cases ($n=6$), where the grade has changed, it has changed only one position, e.g., from C to D or vice versa. The results indicate that the qualitative grade descriptions give sufficient indication for the assessors to make consistent judgements about the observed performance.

3.4 Discussion

The ultimate aim of interpreter training is “an interpreter education that is obligatory for everyone who wants to work as an interpreter in the public service sector” the student in excerpt (1) observes. The student’s observation is in line with an essential aim of all professional training. Smeby (2008, p. 88), whose concern is the sociology of professionalization in general, states that professional training ultimately leads to monopolization of a specific task, i.e., the function can no longer be held by lay persons. In this way, training secures quality services for society. Training is, moreover, a key factor in the development of professional identity and the advance of professional status, Smeby continues. A third fundamental aim of training is to provide the students with knowledge and skills that enable them to carry out the specific task in practice. Monopolizing the task for trained interpreters is a long-term goal in the public sector, due to the factors mentioned at the outset of the chapter. Yet, the interpreting students’ chat discourse displays an emerging professional identity already during the brief course described here. Aiming to prepare the students for future practice, the question remains: how may the students develop interpreting skills in a course that is predominantly online-based with limited time for actual practice?

In their future practice, the interpreter students must “know how” to manage a multitude of situations, each in themselves unique. The interpreter shares this challenge with the practitioners of other professions. Consequently, in addition to the mastery of *skills*, professional practice requires *reflection in action* (Schön 1983, p. 31). How *reflection in action* is stimulated through *reflection on action* is

still debated in educational science (Kinsella 2012, p. 38; Hibbert 2012, p. 67). However, there seems to be consensus that training for professional practice favours approaches to learning where student involvement is essential (cf. Schön 1983, 1987; Kolb 1984; Gee & Green 1998; Hibbert, 2012).

In line with collaborative approaches to learning (e.g., Kolb 1984, p. 31), the experiential-dialogic approach applied in our course favours student involvement through shared reflections based on the students' own experiences and observations. The excerpts from the students' chat discourse (e.g., excerpts 1-5), quite distinctly illustrate how students cooperate in their knowledge building, and how they "through their interactions, are shaping and being shaped by the texts they are jointly constructing", as Gee and Green (1998, p. 148-9) argue in their analysis of learning as a social practice. Despite the limited time for practical exercise in the course, observing each other in exercises followed by joint reflection provides a learning opportunity, "because how much interpreting even the experienced ones have actually observed is limited – so observing others is a way of observing variations of yourself", as one of the facilitators observes (excerpt 8). Moreover, the following group deliberations offer insight through verbalizing the observations or experiences: "attempts to explain your choices tend to be more specific. Hence, it turns into a fruitful discussion" (excerpt 9).

We observe that the online environment supports an experiential-dialogic approach to learning. The online learning environment favours dialogue over the monologue associated with the traditional teacher role. The synchronous chat discourse, in particular, supports interactivity, which seems to be a key factor in creating a viable online learning environment. Another key factor in the online learning environment is to take the students' own experiences into consideration (Palloff & Pratt 2001, p. 88; Osman & Herring 2007, p. 17; Skaaden 2013b, p. 13-14).

A collaborative approach to learning implies a step away from the traditional teacher role of delivering knowledge in a top-down system. Although met with scepticism at the course outset, the students soon embrace the teachers' facilitating function, as do the facilitators themselves, as indicated by their above discourse.

3.5 Concluding remarks

The complexity of the skills involved in interpreting as well as the type of knowledge required, contribute to the challenges of organizing functional training for interpreters in the plethora of languages needed. The current course aims to

prepare the students for future practice. This aim had an impact on the choice of a didactic approach, which in line with ideas of collaborative learning, sees the students' own experiences, their observations and dialogue in both online and on-campus activities as a main resource for learning. The fact that 80 percent of the admitted students complete the blended course indicates that the course has appeal to the target group.

The didactic approach seems to harmonize with the interpreting student's need to acquire practical skills and the ability to exercise discretion in real life situations. Moreover, the experiential-dialogic approach benefits the online learning environment, which requires interactivity to succeed. Quite in line with the ancient words of wisdom on didactics quoted at the outset of the chapter, the online learning environment favours student involvement.

REFERENCES

- Felberg, T.R., & Skaaden, H. (2012). The (de)construction of culture in interpreter-mediated medical discourse. *Linguistica Antverpiensia, New Series – Themes in Translation Studies*, 11. (Pp. 67-84).
- Gee, J. P., and Green, J. L. (1998). Discourse Analysis, Learning, and Social Practice: A Methodological Study. *Review of Research in Education*, 23(1), (Pp. 119-169).
- Gee, J.P. (2003). Discourse analysis: What makes it critical? In: Rogers, R. (ed.) *An Introduction to Critical Discourse Analysis in Education*. (Pp. 19-51). Mahwah. Lawrence Erlbaum
- Giambruno, C. (2014). *Assessing Legal Interpreter Quality through Testing and Certification: The Qualitas Project*. Alicante: Publicaciones de la Universidad de Alicante.
- Hibbert, K. (2012). Cultivating capacity: Phronesis, learning, and diversity in professional education. In Kinsella, E.A. & Pitman, A. (eds.) *Phronesis as Professional Knowledge: Practical Wisdom in the Professions*. (Pp. 61-73). Rotterdam: Sense Publishers.
- Holmer, T. (2008). Discourse Structure Analysis of Chat Communication. In: *Language@ Internet*, 1-12. www.languageatinternet.de/articles/2008/1633. Retrieved 10-03-18
- IMDI (2007). Tolkeformidling i offentlig sektor. Etterspørsel og tilbud. *IM-Di-rapport* (Vol. Unr.). Oslo: Integrerings- og mangfoldsdirektoratet/IMDI.
- Jahr, K., Stangvik, G.K., Rachlew, A., Skaaden, H., Karterud, T., & Tuv, E. (2005). *Rett til tolk. Tolking og oversettelse i norsk straffeprosess*. Oslo: Justis- og politidepartementet.

- Kinsella, E.A. (2012). Practitioner reflection and judgement as phronesis: A continuum of reflection and considerations for phronetic judgement. In Kinsella, E.A. & Pitman, A. (eds.) *Phronesis as Professional Knowledge: Practical Wisdom in the Professions*, (Pp.35-53). Rotterdam: Sense Publishers.
- Kinsella, E.A. & Pitman, A. (eds.) (2012). *Phronesis as Professional Knowledge: Practical Wisdom in the Professions*. Rotterdam: Sense Publishers.
- Kolb, D. A. (1984). *Experiential learning: experience as the source of learning and development*. Englewood Cliffs, N.J.: Prentice-Hall.
- Moser-Mercer, B. (1994). Aptitude testing for conference interpreting: Why, when and how. In Lambert, S., & Moser-Mercer, B. (eds.), *Bridging the Gap. Empirical research in simultaneous interpretation* (pp. 57-69). Amsterdam: John Benjamins Publishing Company.
- Osman, G., & Herring, S. C. (2007). Interaction, Facilitation, and Deep Learning in Cross-Cultural Chat: A Case Study. *The Internet and Higher Education*, 10(2), (Pp. 125-141).
- Ozolins, U. (2000). Communication needs and interpreting in multilingual settings: the international spectrum of response. In Roberts, R. , Carr, S. E., Abraham, D. & Dufour, A. (eds.) *The Critical Link 2: Interpreters in the Community. Selected Papers from the Second International Conference on Interpreting in Legal, Health and Social Service Settings* (Pp. 21-33). Amsterdam: John Benjamins Publishing Company.
- Ozolins, U. (2010). Factors that determine the provision of Public Service Interpreting: comparative perspectives on government motivation and language service implementation. *The Journal of Specialised Translation. Jos-Trans*, July 2010(14), (Pp. 194-215).
- Palloff, R. M., & Pratt, K. (2001). *Lessons from the Cyberspace Classroom. The Realities of Online Teaching*. San Francisco, Calif.: Jossey-Bass.
- Schön, D. A. ([1983] 1995). *The reflective practitioner. How professionals think in action*. Aldershot. Arena.
- Schön, D. A. (1987). *Educating the reflective practitioner*. San Francisco, CA: Jossey-Bass.
- Skaaden, H., & Wattne, M. (2009). Teaching interpreting in cyber space. The answer to all our prayers? In De Pedro Ricoy, R., Perez, I., & Wilson, C. (eds.) *Interpreting and Translating in Public Service Settings. Policy, Practice, Pedagogy*, (Pp.74-88). Manchester: St. Jerome Publishing.
- Skaaden, H. (2013a). Assessing Interpreter Aptitude in a Variety of Languages. In Tsagari, D. & Van Deemter, R. (eds.) *Assessment Issues in Language Translation and Interpreting*, (Pp. 35-51). Frankfurt: Peter Lang.
- Skaaden, H. (2013b). No Set Answers? Facilitating Interpreter Students' Learning in an Experiential Approach. In Wadensjö, C. (ed.) *Training the*

Trainers: Nordic Seminar on Interpreter Education, (Pp. 12-24). Stockholm: Stockholm University.

- Smeby, J.C. (2008). Profesjon og utdanning. In Molander, A. & Terum, L. I. (Eds.), *Profesjonsstudier*. (Pp. 87-103). Oslo: Universitetsforlaget.
- Wigglesworth, G. (2008). Task and Performance Based Assessment. In Shohamy, E. & Hornberger, N. H. (eds.) *Language Testing and Assessment. Encyclopedia of Language and Education*. Vol. 7. New York: Springer Science, 111-123.

APPENDIX: Table 1. Course attendance and completion.

Year	2007	2008	2009	2010	2011	2012	2013	2014	2015
No. tested	190	200	190	232	224	230	206	180	115
Admitted	99	96	88	99	83	81	84	87	65
Final test ¹⁴	82	79	73	81	66	71	73	79	46
Completion rate	83%	82%	83%	82%	80%	88%	87%	91%	71%
Language groups	Bulgarian	Czech	Albanian	Amharic	Armenian	Berber	Amharic	Arabic	French
	Chechen	French	Arabic	Dutch	Azeri	Tarifit	Arabic	French	Japanese
	Dutch	Hungarian	Bosnian	Lithuanian	Igbo	Bulgarian	German	Greek	Somali
	German	Italian	Croatian	Russian	North-Same	Dari	Italian	Lithuanian	Spanish
	Kirundi	Italian	Serbian	Russian	Same	English	Lithuanian	Ukrainian	Turkish
	Mandarin,	Korean	Dari	Somali	Oromo	Latvian	anlian	Somali	Ukrainian
	Pashto	Latvian	English	Sorani	Pashto	North	Mandarin	Swahili	Uzbek
	Pashto	Nepali	Estonian	Kurd	Polish	Same	Persian	Tigrinya	
	Polish	Kurmanji	North-Same	Spanish	Portuguese	Persian	Sorani	Vietnamese	
	Russian	Kurd	Same	Wolof	Rumanian	Polish	Kurd		
	Spanish	Portuguese	Oromo		Urdu				
	Swahili	Somali	Slovak						
	Tigrinya	Tagalog	Tamil						
		Turkish	Thai						
		Turkish	Tigrinya						
		Ukrainian	Uighur						
		Vietnamese							

APPENDIX: Table 2. Grade descriptions for the practical exam on consecutive interpreting of a dialogue

Grade	Qualitative description
A	An outstanding performance distinguished by accurate linguistic renditions and preservation of nuances in both languages, respecting the natural fluctuation of the original in both pace and sequence length. The candidate's deployment of turn-taking, voice (volume and tenor), sitting position, mimicry and gestures are proportionate and do not disturb the communication. The candidate's use of memory aids is economic; notes, word lists and verbal interaction with the parties never disturb the communication.
B	A very good performance characterized by accurate linguistic renditions and preservation of most nuances in both languages, generally respecting the natural fluctuation of the original in both pace and sequence length. The candidate's use of turn-taking, voice, sitting position, mimicry and gestures are largely proportionate and rarely disturb the communication. The candidate's use of memory aids is on the whole economic; notes, word lists and verbal interaction with the parties rarely disturb the communication.
C	A good performance characterized by many accurate linguistic renditions in both languages, yet with occasional inaccuracies as well as some deviation from the original's pace and sequence length, so that the candidate creates occasional pauses or occasionally appears hesitant/domineering. The candidate's deployment of turn-taking, voice, sitting position, mimicry and gestures makes the candidate occasionally come across as hesitant/unsure or over-zealous/domineering in the situation. The candidate's use of memory aids is mostly appropriate.
D	A passable performance yet with some notable shortcomings such as inaccuracies in the transfer of one or both languages and deviations from the original in both pace and sequence length, the candidate also producing noticeable pauses, making the communication seem stilted. The candidate's use of turn-taking, voice, sitting position, mimicry and gestures makes the candidate appear hesitant/unsure or over-zealous/domineering to such an extent it disturbs the communication. The candidate's use of memory aids is so prominent/absent as to create interference in the dialogue.
E	The performance satisfies the curricular minimum, but renditions in one or both languages are marred by many/significant errors as well as disruptive deviations from the original's pace and sequence length. The candidate's turn-taking, voice, sitting position, mimicry and gestures makes him or her appear hesitant/insecure or over-zealous/domineering to such an extent it generally disturbs the communication. The candidate's use of memory aids is so prominent/absent as to derail or hinder the communication.
F	The performance does not satisfy the curricular minimum, and the candidate does not possess either the linguistic skills or interpreting skills to manage the situation.

4. METHODOLOGIES AND TECHNIQUES USED IN TRAINING SIMULTANEOUS INTERPRETERS OF LANGUAGES OF LESSER DIFFUSION AT THE INTERNATIONAL CRIMINAL COURT

Andrew Constable

4.1 Introduction

The jurisdiction of the International Criminal Court (ICC) has resulted in investigations in a large number of geographical areas in which the languages spoken are as numerous as they are diverse, giving the Court a language regime unlike any other international organization.

The linguistic rights of the accused are set out in Article 67 of the Rome Statute, namely “(a) To be informed promptly and in detail of the nature, cause and content of the charge, in a language which the accused fully understands and speaks” and “(f) To have, free of any cost, the assistance of a competent interpreter and such translations as are necessary to meet the requirements of fairness, if any of the proceedings of or documents presented to the Court are not in a language which the accused fully understands and speaks”.

Responsibility for the recruitment and provision of interpreters in proceedings before the Court lies with the Language Services Section (LSS)¹⁵ of the Registry. As interpretation of proceedings has been required in language combinations for which there were no trained simultaneous interpreters (or at least none available to the Court), the LSS established its own interpreter training programme to meet this demand. Five LSS simultaneous interpreter training programmes have been held to date, in Acholi, Lingala, Sango, Swahili and Zaghawa.

It is not possible to describe the methodologies and techniques used in LSS’s interpreter training programmes without reference to the context in which they exist: the language regime of the ICC; the unprecedented linguistic challenges it faces as an organization; the prevalence of new technologies in the ICC interpreter workplace and their potential for re-purposing in a training context, as well as the specificities of interpreting international criminal proceedings.

This chapter will therefore outline the ICC context as succinctly as possible before setting out the methodologies adopted and techniques used in interpreter training, taking into account the various constraints the programme is subject to, including the time frame for producing fully-fledged simultaneous court

interpreters to be trial-ready by a specific date, and the availability of interpreter trainers, who also interpret at all trials and other events at the seat of the Court and elsewhere.

Despite the specificities of the ICC and the training programme itself, it is the contention of this chapter that the methodologies and techniques used therein could be applied in other settings and scenarios where interpreter trainers do not share one of the training languages with their trainees, a common scenario in the training interpreters with languages of lesser diffusion. Although reference will be made to linguistic experts recruited to assist in the programmes due to their knowledge of the training languages, this chapter will focus on methods and techniques used by interpreter trainers who do not have one of the programme languages and where no expert is available for given training sessions or even the entirety of the programme, arguably the most challenging scenario for trainers of interpreters of languages of lesser diffusion.

4.2 ICC: jurisdiction and language regime

The International Criminal Court (ICC) is based in The Hague, The Netherlands. It is an independent, permanent court that tries persons accused of the most serious crimes of international concern: genocide, crimes against humanity, war crimes and the crime of aggression. The ICC is based on a treaty, the Rome Statute, which was adopted by 120 States on 17 July 1998 and entered into force on 1 July 2002 after ratification by 60 countries. The Rome Statute has now been ratified by 123 countries¹⁶, which have become States Parties thereto.

The ICC has territorial jurisdiction in the territory of all States Parties for the crimes of genocide, crimes against humanity, war crimes and the crime of aggression, as well as in the territories of non-States Parties where an alleged perpetrator is a national of a State Party, or where the Security Council of the United Nations – acting under Chapter VII of the UN Charter – refers a non-State Party to the ICC for investigation, thereby giving the ICC jurisdiction over all or part of its territory. The extensive territorial jurisdiction of the ICC necessarily impacts on its language regime.

The ICC has two working languages: English and French, which are also official languages alongside Arabic, Chinese, Spanish and Russian. In addition to these languages, the ICC also has so-called “situation languages”, languages spoken in a country or particular geographical area within the jurisdiction of the Court in which investigations are being or have been carried out. The term “situation

languages” is not limited to those languages fully understood by suspects or the accused at trial, but also refers to languages spoken by witnesses for whom interpretation (both in the field and in Court) may be required.

The ICC has officially opened investigations in 9 situations, namely Uganda, the Democratic Republic of the Congo, the Central African Republic I and II, Darfur (Sudan), Libya, Kenya, Côte d’Ivoire and Mali. Investigations into these situations have given rise to 23 cases so far.¹⁷

4.3 Interpreting in international criminal proceedings

Simultaneous interpretation has been the *modus operandi* in international criminal tribunals since it was first implemented in response to the unprecedented linguistic challenges of the Nuremberg tribunal: trials had to be expeditious despite being held in its four languages. This rationale is no less valid today, with simultaneous being the mode of interpretation used in the hearings of the UN international criminal tribunals (ICTY¹⁸ and the former ICTR¹⁹), the so-called hybrid or internationalized criminal tribunals (STL²⁰, ECCC²¹, SCLC²²), as well as the ICC.

There are significant differences between simultaneous interpreting of court proceedings and conference interpreting. One such difference is in the use that is made of the interpretation. At the ICC, all hearings are audiovisually recorded (using multi-channel “For The Record” (FTR) digital recording software), including the floor and all interpreting channels, with full written transcripts of hearings also produced in French and English by court reporters using “Transcend” software. Parties and participants to the proceedings have access to the transcript during hearings, as do the interpreters. The transcript – and thereby the interpretation – is subject to considerable scrutiny not only during but also after the hearings. There is little possibility to deploy certain valid conference interpretation techniques such as summary or judicious omission, given that every word of the transcript constitutes evidence and the expectation is that it should remain as close to the original as possible.

The only way to ensure a verbatim transcript of court proceedings can be “complete” when faced with speed, density, overlapping speakers, or poor sound e.g. from a video link etc., is for interpreters to intervene at the appropriate juncture by notifying the presiding judge of any factors hampering effective multilingual communication and to correct any substantive errors as soon as they arise. The presiding judge also notifies all parties and participants of their responsibilities

in ensuring effective multilingual communication during trial, regularly reminding them thereof and intervening where necessary.

To keep any errors to an absolute minimum, interpreters frequently correct themselves (and thereby the transcript) on-mike, prefacing such corrections with the words “the interpreter corrects”, sometimes even mentioning the page and line number in the transcript where an error has occurred. Such immediate intervention to correct substantive errors can save the parties and participants valuable time during their examination of a witness.

Where the transcript does not lag too far behind the speaker, it can also act as an additional short-term memory for the on-mike interpreter, as it can be checked e.g. for names or numbers, whilst interpreting. Furthermore, booth partners also check their colleagues’ interpretation against the transcript during the hearing so that corrections can be made on-mike. Given the expectations as to the reliability and completeness of the transcript and therefore of the interpretation of courtroom proceedings, such a role is of great importance. There is also a procedure in place for *post facto* corrections of interpretation errors in the final transcript.

In sum, our training has to take into account key features of interpreting at the ICC: the presence of a live transcript during trial; the fact that the transcript of interpreting constitutes evidence; the need for occasional intervention by the interpreters during proceedings to communicate with the presiding judge; as well as an array of technologies that interpreters are expected to master. To work in this highly specific environment trainees must have developed great familiarity with the case, to be able to intervene confidently and appropriately during proceedings where necessary, to use the technologies present in the booth to their best advantage and to give active support to their booth colleagues during hearings.

4.4 Interpreter training

Before further reference is made to the interpreter training programme it is firstly necessary to state what its aims are as much as what they are not. To start with, each programme is language-specific, as well as for the most part specific to an individual case or trial. It is not the goal of the training programme to train interpreters for a multitude of potential employers and subject areas as freelancers, or for work as staff interpreters in an array of international organizations. As trainers we are in the very unusual position of knowing in advance not only the case in which our trainees will work, but also the specific incidents that are

under investigation, the crimes that were allegedly committed and – due to the disclosure obligations of the Office of the Prosecutor (OTP)²³ – we can anticipate much of what each witness will testify on during their examination. Such anticipation is based both on access to the relevant witness interview transcripts and summaries, as well as on a thorough knowledge of the case and the relevance of the specific testimony within it. Furthermore, we also know the composition of the bench, and for the most part the parties and participants who will take the floor during the upcoming proceedings.

Most interpreter training is delivered by in-house interpreter trainers who are themselves court interpreters. Given the nature of work at the Court, hearings may often be added or cancelled at the last minute, which means that interpreter trainer availability cannot always be guaranteed. Where possible an external expert linguist, a speaker of both training languages, is also contracted with a view to conducting individual sessions with trainees (for example on terminology) as well as tandem training sessions with interpreter trainers. Here it should be stated, however, that recourse to such experts is generally far more limited than that of in-house interpreter trainers.

4.5 Time frame

The need for sufficient time for the trainees to reach the requisite level must be balanced with the right of the accused under Article 67: “To be tried without undue delay”. The Languages Services Section (LSS) has so far considered that 6 months remains the minimum for trainees to reach the requisite level for deployment:

“the interpreters selected from the recruitment will require training for 6 months for Courtroom interpretation which is estimated to commence in November 2010 at the earliest... Should the Chamber request the training to be shortened to 4 months, the STIC will endeavour to accommodate the request with reservations regarding the quality of interpretation.”²⁴

Here it should also be mentioned that the Court does not have its own police force to carry out arrests, but is reliant on cooperation with states for the arrest of suspects and their transfer to the Court. As such, it can be many years before a suspect appears at the Court further to the issuance of a warrant of arrest, with some warrants still to be enforced. However, it is not always possible to await

the arrest of a suspect before commencing training as that could seriously delay proceedings.

4.6 Training methodology: collaborative learning

The fact therefore that our trainees have a language combination that the interpreter trainers do not, is one of the factors that makes collaborative learning the most effective approach. Trainees are expected to develop their own terminological resources, to contribute to training materials, to review their own and each other's performance and to role play in mock trial situations, all of which require an understanding of the collaborative approach and purpose. For example, trainees need to learn how to take constructive criticism from peers and give it in a sensitive and productive manner, whether it concerns discussing appropriate terminology or reviewing their interpreting performance.

It is here that the trainer has a key role to play as a facilitator in creating an environment in which collaborative learning can take place, where every trainee understands the value they bring to the course and that they are key stakeholders in its success. It is also important for the trainer to continue to facilitate positive interaction between trainees throughout the programme.

A linguistic expert in the training language may be available to help trainees develop their terminology, but where this is not the case the interpreter trainer or terminological specialist will impart methods of terminological research for the trainees to follow so that they can work as an effective team in developing the necessary terminology. The trainer also has a significant role to play in explaining legal terminology and courtroom jargon to the trainees, so that they may together find a suitable paraphrase or neologism where no equivalent term or legal concept exists in their own language. Trainers also guide terminological research by setting out key subject areas (international criminal law, weapons, military ranks etc.) and by providing trainees with appropriate materials.

Trainees are also expected to develop training materials for their interpreting classes. For example, by extracting elements of Court transcripts and witness statements and translating them into their working languages, they can develop scripted role plays to be interpreted by their colleagues.

Collaborative learning is also key in reviewing interpreter output in both programme languages. One simple strategy is for a trainee interpreter to be read out a document (e.g. a witness statement) in a working language of the Court

(e.g. French), which the trainee renders into the other training language (e.g. Sango), which is not spoken by the trainer.

Another trainee then interprets the Sango back into French, enabling the trainer to see which parts of the original text were faithfully rendered and which were not. The interpreter trainer will know what errors or omissions occurred between the original utterance and final rendition in French, but crucially not where they occurred – from French into Sango or Sango into French.

This is where a collaborative approach is invaluable. Other trainees tasked with monitoring and reviewing (reviewing here also including providing feedback) the interpretation can provide valuable input as to where errors occurred, helping the trainer ascertain both how and why they occurred. However, such live or synchronous (i.e. as it is being performed) monitoring of the interpreting is often quite challenging for trainees, but can be facilitated by recording the interpretation, allowing both asynchronous and synchronous monitoring. Multi-channel recordings of training are therefore made, including the floor (original speech), first target language (here Sango) and second target language (here French). By listening to the recordings together it is possible to work out where errors occurred and why, e.g. speed of input, density, terminology, accent, etc. Furthermore, the trainer can also point out aspects such as hesitation, use of fillers etc. which do not necessarily require an understanding of the language in question. Although time-consuming and intensive, such use of recordings can be very effective, also opening up possibilities for self-review, an important skill for trainees to develop.

Another collaborative aspect that also needs to be mentioned at this point is booth partnering, an area of focus of training in its own right. Many simultaneous interpretation sessions are conducted with booth partners assisting the on-mike interpreter. Beyond training booth-partnering strategies, this helps generate a collaborative spirit early on and also instils a sense of confidence in the trainee interpreters knowing that they will have effective booth partners operating alongside them.

As mentioned, the trainees will also participate together in mock trials, acting both as interpreters and parties to the proceedings. When such mock trials are held in the courtroom itself they also provide an opportunity for the trainee interpreters to familiarize themselves with the courtroom equipment and layout prior to their first engagement. This is all-the-more important as they may well be faced with the need to take interpreting from relay themselves, to interpret

onto two different channels and to interpret a witness appearing via videoconference right from the first day, all of which require a thorough prior knowledge of the booth configuration.

SIGHT TRANSLATION

Sight translation forms an important component of the training programme. The materials available for sight translation include not only transcripts of previous court proceedings but also witness statements in the case for which the trainees have been recruited. Sight translation of highly relevant materials enables the trainees to build up an array of relevant vocabulary, develop their knowledge of judicial proceedings, anticipate upcoming witness testimony and build automatic responses to certain common terms.

Here the use of sight translation of witness statements in the case *The Prosecutor v. Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus* deserves mention, a case for which the LSS set up a training programme for Zaghawa interpreters, the first LSS programme to include a non-written language. Sight translation was not only used as a training tool but also to meet the Court's obligation under Article 67 of the Rome Statute to translate documents (in this case witness statements) in a language the accused fully understands and speaks.

In this case the Zaghawa interpreters sight translated all the prosecution witness statements in the case, which were recorded as audio files, the only way the witness statements could be disclosed in a non-written language. To facilitate retrieval, the digital recordings were cut into separate paragraphs by the Zaghawa interpreters, who had been trained to use audio editing software, and then uploaded into the court's document management software.

Not only were the recordings of use to the defence, they also provided relevant training and deliberate practice materials in Zaghawa.

INTRODUCTION OF SIMULTANEOUS INTERPRETING AND AUTHENTIC MATERIALS

It is typically the case in interpreter training courses that simultaneous interpreting is only introduced once trainees have demonstrated a degree of mastery of consecutive interpreting, and that recordings of live events are not used in the early stages of simultaneous training due to their difficulty.

Given the short time frame of the training programme, the need to condense it as much as possible and the fact that interpreters will not normally be providing consecutive interpreting at trial once they have been trained, simultaneous interpreting is introduced at an early stage, thereby giving interpreters a maximum degree of exposure to working in the simultaneous mode. Beyond that, however, FTR²⁵ recordings of hearings are introduced at an early stage as well.

FTR recordings offer trainees the opportunity to experience the language, dynamics and full pace of the courtroom, to interpret hearings that were held in their case prior to their arrival at the court, to interpret proceedings in other cases that may be procedurally very similar to what they will first encounter in court, and to interpret the parties and participants who will take the floor during their case proceedings.

However, such recordings are for the most part difficult interpreting material. The question is therefore how to exploit them in such a way as to give trainees the maximum exposure to courtroom interactions without demotivating them due to their inherent difficulty.

This is where it is crucial, particularly in the early stages of interpreting, to adapt the learning objective to the ability of the trainees at any given time, taking into account the difficulty of the materials used. One such objective could be to render as much as possible simultaneously in a ten-minute period, not stopping as a result of incomplete utterances. This helps trainees develop an early awareness of the fact that they must try to recover from error or omission as soon as possible – and more importantly to develop those skills. Another objective that can be set in the early stages is simply to try to interpret without any vocal markers of hesitation such as ums, ahhs, errs etc.

Using transcripts of hearings in combination with FTR recordings, it is possible to see exactly which elements have been successfully interpreted and which have not. Whereas later in the training the focus will be on identifying errors or omissions in trainees' interpretation, at an early stage such transcripts may be used purely for identifying successfully interpreted elements, for example by putting a tick by the relevant sentence, phrase or term in the transcript which the trainees can review. This will produce a document that shows trainees exactly what they have been able to render, which can be quite motivating and encouraging, despite the difficulty. At a later stage such documents also provide a good record of trainees' progress.

Whatever the learning objective set, if such materials are to be used at an early stage it is particularly important to create a safe environment for trainees to experiment and simply “have a go”, in the awareness that they are not expected at this stage to be able to accurately interpret court proceedings. Experience has shown that, when combined with appropriate learning objectives, the early introduction of simultaneous interpreting with authentic audiovisual practice materials can help build confidence and constitute a step on the way to developing the cognitive skills required for interpreting. This gives them a head start on the position that they would have been in if simultaneous interpreting had not been introduced until later in the training programme.

As the trainees progress they must also learn simultaneous interpreting with text, another key component of the programme given that interpreters at the ICC are expected to interpret many written texts such as decisions which are read out in Court. It is essential that trainees learn to follow the speaker and not the text, which can be trained by providing the trainees with a transcript of a recording of a hearing they are asked to interpret which differs in certain significant ways from the recording itself.

DELIBERATE PRACTICE

However, it is essential that the early start in simultaneous interpreting is built on so that trainees acquire a high number of on-mike hours before the first day of trial.

Given the limited availability of trainers and the need for trainees to also perform extensive deliberate practice to attain the requisite interpreting level in a short time frame, they must develop the skills necessary to independently conduct their own deliberate practice sessions. Our experience is that such sessions are most effective when trainees come together as a group to practice, rather than on their own, and when a regular time and place is set for the sessions. This ensures the regularity and continuity of training even in the absence of interpreter trainers.

FTR and court transcripts are key in this regard when effectively combined with collaborative learning strategies. Trainees can use the FTR recordings for deliberate practice and have their output checked against the court transcript by their peers, or record their own interpreting for self-assessment.

Such opportunities for relevant and targeted practice are all the more essential given that the first day in Court will always be daunting, where the interpreters emerge from being successful trainees to fully-fledged court interpreters, whose trainers now rely on them for an accurate relay. In addition, there are other potential stress factors associated with the first day of a confirmation hearing: a public gallery bursting with interested parties, with proceedings broadcast all over the world.

4.7 Conclusion

LSS's simultaneous court interpreter training programme was developed in response to the obligation under the Rome Statute to provide the accused with interpretation of court proceedings in a language the accused fully understands and speaks, and to a corresponding lack of simultaneous interpreters of those languages.

The programme has operated under considerable constraints, some of which are common to any programme involving languages of lesser diffusion: the need to train interpreters of a language not shared by the interpreter trainer and a lack of linguistic resources in the language in question. Further constraints specific to the programme were the six-month time frame for completion of the training and the limited availability of in-house interpreter trainers and expert linguists.

Such constraints are balanced by several factors: the limited scope of the training programme, the wealth of relevant authentic audiovisual and textual materials available for training, and the adoption of learner-centred methodologies such as collaborative learning and deliberate practice. Although the use of these methodologies was necessitated by the above-mentioned constraints, they have proved to be pedagogically sound and highly effective, and could also be usefully applied to other programmes without such constraints.

Feedback from trainees on the early introduction of simultaneous interpreting and on the use of authentic materials in training has also been positive, with the relevance of exercises and materials being cited as a motivating factor. They enable trainees to experience real courtroom interactions, to acquire the relevant terminology and to anticipate courtroom discourse.

Ultimately LSS's training programme has fulfilled its objectives despite the constraints, enabling the accused to effectively participate in their trial and giving

witnesses a voice by making it possible for them to testify in Court despite not speaking one of its working languages. Furthermore, it is hoped that by sharing the methodologies and techniques used in the LLS programme, others training interpreters of languages of lesser diffusion will be able to gain from the experience of the International Criminal Court.

5. THE TANDEM METHOD FOR TRAINING LEGAL INTERPRETERS AND TRANSLATORS

Christiane Driesen

5.1 Definitions

The tandem method for training legal interpreters and translators was originally developed for languages of lesser diffusion. It is an essential part of complex curricula offering a solution to evaluate the accuracy of the translating process in cases when bilingual interpreter and translator trainers are not available.

For its part the concept of language of lesser diffusion has to be seen in perspective: languages with a very large number of speakers worldwide like Chinese, Arabic, or Swahili, may be of lesser diffusion in some geographical areas where they are scarcely represented.

Some of the characteristics of languages of lesser diffusion are, thus, the following:

- They are not always taught at traditional universities
- Fewer academics specialized in said language than in the major European languages
- A lack of professional interpreters and translators for these languages
- Their legal terminology may sometimes not be firmly established
- Some of these languages do not exist in written form.

Consequently, there are few potential trainers who have a sufficient command of the LLD, let alone its legal terminology, and at the same time master interpreting skills.

Traditional interpreting training methods can therefore not be applied as they rely on trainers having command of both areas: a specific language combination as well as interpreting techniques.

This is a tremendous challenge when training legal interpreters and translators for LLDs.

The tandem method tackles these constraints by splitting and evaluating both competences consecutively. The method is based on two trainers working jointly. An expert in interpreting didactics who has no command of the LLD and a highly qualified expert in the LLD needed.

Similarly to a tandem ride, the first trainer (interpreter) takes the lead, structuring lessons and exercises, while the second one (language expert) has to concentrate on the language quality and rendition.²⁶

5.2 A method created in response to urgent needs

Unexpected contact situations leading to an urgent need for communication in new language combinations have occurred more and more frequently since the beginning of the previous century.

One example of such an unexpected situation that led to an urgent need for interpreting services was in the 1950s, during the Suez crisis, when diplomatic communication was suddenly required in more languages than usual and an urgent need for Arabic interpreters arose, or when new EU member states were lacking trained interpreters in language combinations required for communication within EU institutions.²⁷ Another example is the International Criminal Tribunal for Rwanda when some of the accused suddenly refused to communicate in French and interpreters for Kinyarwanda had to be trained urgently. The method then applied was the one developed at ESIT for conference interpreter training.²⁸ A similar situation occurred concerning a national jurisdiction when, as early as in 1986, the Land of Hamburg considered that legal interpreters recruited by national courts should not be less qualified than interpreters working with international courts and thus adopted a new Law and ordinance. They imposed a very demanding skill test for would-be sworn interpreters and translators, comprising a written part in legal translating, an oral part in the main interpreting techniques, as well as a test on legal proceedings.

As in the first years very few candidates were able to pass the test, an Institute of the University of Hamburg (UNITRAIN/AWW)²⁹ created a CPD course in 1994, inspired by the method applied for training interpreters with rare language combinations for the EU Commission and EU Parliament. The same training principles were later adapted to train legal interpreters and translators and applied to a Bachelor's curriculum and a CPD Training at the University for Applied Sciences of Magdeburg-Stendal. The designation « Tandem method for training legal interpreters and translators »³⁰ was then adopted for convenience.

5.3 Objectives of training legal interpreters and translators in Hamburg and Magdeburg using the tandem method

The priority of this curriculum is to contribute to fair trials by giving a non-speaker of the language of the court the same rights as a native speaker, even if his or her language is less represented in the country. To achieve this goal, the programme teaches all candidates for the qualifying test the professional skills indispensable for a sworn interpreter and translator:

- All interpreting techniques
- Legal terminology management
- Legal translation
- Professional ethics
- Intercultural awareness

5.4 Curriculum formats having applied the tandem method

The tandem method is embedded in a curriculum for training legal interpreters and translators. Other teaching methods are also applied, such as lectures and exercises with peer interactions in classes and on the internet platform.

A Bachelor curriculum of seven semesters (not a Master's programme)³¹ was introduced at the University of Applied Sciences in Magdeburg-Stendal. The tandem method was then applied not only for languages of lesser diffusion in the region of Saxony-Anhalt – such as Arabic, Chinese, and Polish – but also, due to organizational constraints, for languages like English, French, Spanish, Russian.

However, because of the urgency to quickly adapt to constantly changing market needs, the Continuous Professional Development (CPD) format, offering a higher flexibility, will be given priority in this chapter.

Both at AWW Hamburg University³² and at the University of Applied Sciences of Magdeburg-Stendal,³³ the CPD covers twelve weekend seminars of 12 hours each, or 120 hours attendance and 360 hours training at home, using the dedicated internet platform.

- 50 hours legal content
- 70 hours interpreting techniques, legal translation, terminology management and professional ethics

The first three weekend modules related to interpreting and translating are concise theoretical introductions given in German, immediately followed by practical exercises involving peer interaction and evaluation.

With the exception of terminology management, these theoretical introductions last for a maximum of 45 minutes. Then interactions and exercises take place for about the same amount of time.

During the subsequent tandem training phase two-third of the time consists of oral interaction and exercises. Thanks to the group size (from one to a maximum of six participants), everyone has the opportunity to practice orally for at least 15 minutes in a 90 minutes session.³⁴

The presentations on all subjects dealt with are entered on the dedicated internet platform including a tasks-list with suggested exercises. Documents illustrating the legal subjects presented by the lawyers have to be analysed in preparation for terminology management.

The course concludes with a five-hour legal translation test and a 60-minute oral examination (interviews on legal proceedings and interpreting tests).

The curriculum corresponds to fourteen points in the European Credit Transfer System.

5.5 Selection of languages in accordance with the needs in the region

The selection of language combinations is partly suggested by the authority in charge of sworn interpreters, partly determined by the number of applicants for a given combination and partly by the results of the admission test. A maximum of twenty-six participants divided in six to seven language groups, comprising from one to six participants each, has proven manageable.

Legal interpreting and translating training in the following languages in combination with German has been offered over the years in Hamburg as well as in Magdeburg:

Albanian	English	Japanese	Swedish
Arabic	Ewe-Gee	Korean	Turkish
Azerbaijani	Farsi	Latvian	Vietnamese
Bosnian	French	Lithuanian	
Bulgarian	Georgian	Polish	
Chinese	German Sign Language	Portuguese	
Croatian	Greek	Romanian	
Czech	Hungarian	Russian	
Danish	Igbo	Serbian	
Dari	Italian	Spanish	

5.6 Profile of trainers

As long as the lingua franca—in this case German – can be used, it has never been too difficult to find and motivate professionals to present the legal subjects to the multilingual audience. Judges, lawyers, medical doctors, police officers, notaries and registrars have accepted the challenge and brought their expertise to the training of the candidates over the years.

The same applies to part of the translation techniques and theory such as legal translation, terminology management, interpreting techniques, professional ethics, that are also taught in German, by highly experienced interpreter or translator trainers.

The greatest difficulty for the interpreter trainers is that they are practicing, professional interpreters with a high level of experience both in interpreting and in interpreter training yet have little or no notion at all of the LLD. They need the ability to take the lead and structure the work in tandem with the language experts.

The major difficulty is finding language experts suitable for the interpreting and translation exercises practised in tandem. Language experts for languages of lesser diffusion will, if possible, be native speakers and possess a high-level command of the teaching language (German). They should be a university graduate, preferably in the social sciences, languages, translation, law, or other related disciplines.

Finally, the very challenging tasks of the scientific direction and administrative coordination should not be underestimated.

5.7 Conditions of admission and constitution of language groups

Three months before the beginning of a new continuous professional development (CPD) training course, a call for applications to the course is published in the press and communicated to professional associations, etc. In total, the number of candidates can reach one hundred persons, or even more. The first step aims at selecting six to seven languages groups, each comprising a maximum of six candidates. The choice is determined by the urgent need and scarcity of a specific language on the market, which means that one person may even be accepted for a single language.

The preferred profiles for candidates are obviously speakers of languages of lesser diffusion, including sign language; they will be graduates or have the equivalent of a university degree, so that the trainers can focus on the essential: legal interpreting and translating. When in doubt, interviews may be considered.

The second step consists of an admission test which in Hamburg is a translation of a general language text, from the mother tongue into the working language, without any dictionary. In Magdeburg, the test consists of an essay in the working language.

5.8 Curriculum

The curriculum is twofold and comprises introductions to legal procedures, terminology, professional ethics and practice on the one hand and legal translating and interpreting subjects on the other.

Legal subjects

- Detailed introduction to legal and official procedures
- Legal institutions
- Introduction to criminal law, criminal procedure
- Civil law, civil procedure (commercial law, corporate structures)
- Administrative law and related subjects (law concerning foreign nationals)
- Police work
- Expert advisory services
- Registrar and notarial functions

Translation and interpreting

- Professional ethics
- Communication at court
- Sight translation
- Sight interpretation
- Note-taking
- Consecutive interpreting with/without notes
- Dialogue interpreting
- Simultaneous and whispered interpreting, including remote interpreting exercises
- Terminology management
- Legal translation

5.9 Final examinations

The written examination, lasting five hours, consists of three texts from German into the working language and three texts from the working language into German:

- Official legal documents (20 lines of 55 characters per language), for example: birth certificates
- Text on criminal law (30 lines per language); for example: bill of indictment, judgement, etc.
- Text on civil or commercial law (30 lines per language); for example: judgement, memorandum of association, etc.

The oral examination, lasting approximately one hour, consists of two parts:

Part 1: interview on legal subjects where the candidate has to demonstrate knowledge of the institutions of the German legal system (judicial institution, procedures and public services), and be able to convey legal content into his or her working language.

Part 2 is dedicated to the interpreting practice:

- Sight translating from German into the working language and vice versa (five minutes each language)
- Consecutive interpreting from and into German (five minutes each language)
- Simultaneous interpreting (whispering devices) from and into German (eight minutes each direction)

The successful candidates will then be invited by the authority to an official oath-taking ceremony. Their names and language combinations are entered into the regional and national registers.

5.10 Conclusion

Every training method has benefits as well as some weak points. The tandem training method is no exception.

- One point of criticism relates to the high selection requirements of participants. They are indispensable due to the tasks of a sworn interpreter and translator in Germany. In contrast to community interpreting, legal interpreting and translating also requires research competences
- The biggest challenge is finding language experts with sufficient legal knowledge of their native language and residing not too far away from the training institutions. When a language expert has little experience in translation or legal translation, the interpreter trainers have to offer enhanced support, accompanying the language expert step by step.

Apart from flexibility in offering more languages, some other unexpected benefits also emerged:

- Because the language groups often work together, the participants develop a better sense for universal translation problems; working together also leads to increased collegiality
- The separation of language skills from translating and interpreting techniques allows trainers and students to focus more gradually on specific learning objectives. If the students are told in advance what the aim of the exercise is, they are able to concentrate better on it.

Definitions:

- > Tandem method for training legal interpreters and translators: a solution for urgently needed communication in languages of lesser diffusion, relying on two trainers, one for interpreting techniques, the second to evaluate the accuracy of language and translation. Nevertheless, the method is embedded in a complex curriculum including other teaching forms.

- > Language of lesser diffusion refers to a certain geographical area, where there are few speakers of a given language and thus few interpreters and translators for the said language.

Aims:

- > To contribute to fair trials for non-speakers of the language of the court by qualifying sworn interpreters and translators accordingly.

Possible Curriculum formats:

- > Bachelor (7 semesters) or Master
- > CPD (continuous professional development) for more flexibility with a minimum of 120 hours face-to-face and 360 hours training at home with the support of an internet platform

Selection of languages:

- > According to urgent market needs indicated by the authorities

Admission of candidates:

- > Selection on files (preferably graduates)
- > Admission test

Curriculum

- > Legal subjects
- > Translation and interpreting techniques
- > Professional ethics

Final examination

- > Written part: legal translation
- > Oral part: Main interpreting techniques and interview on a legal subject

Three trainer profiles

- > Lawyers
- > Interpreter and translator trainers who do not know the language of lesser diffusion
- > Language experts for each language of lesser diffusion. They will be university graduates of languages, translation, law or other related disciplines

CHAPTER 1
INTRODUCTION: PROJECT
DESCRIPTION

CHAPTER 2
LANGUAGES OF LESSER DIFFUSION
(LLDs): THE RATIONALE BEHIND THE
RESEARCH PROJECT AND DEFINITIONS

CHAPTER 3
COURSE DESCRIPTIONS

CHAPTER 4
**BRIEFING TRAINERS FOR A TANDEM
TRAINING PROGRAMME FOR LEGAL
INTERPRETERS AND TRANSLATORS**

1. Information in writing: module catalogue
2. Introductory briefing meeting for all three trainer profiles
3. Specific briefing of tandem trainers
4. Briefing for the final examination

CHAPTER 5
LEGAL TRANSLATION AND
TERMINOLOGY

CHAPTER 6
RESOURCES AND MATERIALS FOR
TRAINING LEGAL INTERPRETERS IN
LANGUAGES OF LESSER DIFFUSION

CHAPTER 7
DESCRIPTION OF THE PILOTS AND
BEST PRACTICES

CHAPTER 8
PROFESSIONAL RESPONSES TO WORK-
ING WITH AD HOC INTERPRETERS

CHAPTER 9
CONCLUSION AND
RECOMMENDATIONS

LannooCampus

CHAPTER 4

BRIEFING TRAINERS FOR A TANDEM TRAINING PROGRAMME FOR LEGAL INTERPRETERS AND TRANSLATORS

Christiane Driesen

Due to the specific constraints inherent to exceptional circumstances, the curriculum relies on three distinct trainer profiles:

- Legal professionals (and similar)
- Language experts (tandem trainers)
- Interpreter trainers (tandem leaders)

The success of the curriculum depends to a large extent on a detailed briefing of each trainer in written form as well as on meetings to provide further information and explanation. Exchanges and interaction among trainers have proven extremely beneficial for the present and future programmes. A firm scientific direction and efficient administrative co-ordination are also key contributors to the success.

Aside from the official 'Study and Examination Rules',³⁵ all trainers get the same general overview of the project, formulated in a module catalogue, describing all teaching contents (syllabus) in great detail, as well as the admission test and final examinations. A general introductory meeting takes place before the start of the curriculum, followed by a specific briefing for tandem trainers.

1. INFORMATION IN WRITING: MODULE CATALOGUE³⁶

The module catalogue consists of a collection of every subject sheet (syllabus) to be dealt with during the curriculum. Each subject sheet comprises similar headings. Here is a typical example concerning interpreting:

Title of the module	Consecutive Interpreting
Trainer	Interpreter trainer and language expert
Duration	Face-to-face 10 hours, home exercises 50 hours
Format and content	General introduction and theory, memory exercises, note-taking begins only after the students have proven that they are able to interpret dialogues of two minutes Exercises: interpreting of short presentations delivered by peers or by trainers
Objectives	Participants will learn how to interpret consecutive dialogues or presentations lasting up to six minutes
Material	Short presentations on various political, sociocultural, criminal events
Method of evaluation	Evaluation during face-to-face workshops including peers and trainers in tandem. Final test of six minutes
Bibliography and sources	See list of references and consult OLAT internet platform

Another example, concerning a legal subject, follows below to complete the information:

Title of the module	Criminal law, criminal procedure
Trainers	Judge
Format	Lecture, questions and discussion
Contents	Essentials of criminal procedure (Code of Criminal Procedure) (Strafprozessordnung-StPO) - Law on the Judicial System (Gerichtsverfassungsgesetz-GVG) Investigation Juvenile Courts Basics
Objectives	In-depth acquisition of judicial knowledge enabling a thorough analysis of legal documents
Material	PowerPoint, hand-outs, fact sheets
Evaluation	Oral examination
Bibliography and sources	Accompanying material to be found on the OLAT internet platform

2. INTRODUCTORY BRIEFING MEETING FOR ALL THREE TRAINER PROFILES

The tandem training format is anomalous and not always easy to organize and administrate; for it to be successful, it is essential that all the actors involved identify themselves fully with the joint project, knowing exactly the part they themselves are expected to play, but also the part played by the other trainers and lastly, the result to be achieved together as a team.

The introductory briefing meeting taking place before the start of the curriculum is moderated by the scientific director and has the following agenda:

- Tasks of a legal interpreter and translator (using films to explain the best suitable techniques and professional ethics)
- Presentation of the indispensable skills to guarantee a fair trial
- Presentation of the curriculum commenting on the modules
- Distinction between the interpreter's task and the role of an expert witness
- Illustration of some difficulties inherent in legal translation
- Problems of word-by-word translating
- Discussion allowing valuable exchanges of views among the three categories of trainers

It has proven indispensable to discuss the above-mentioned subjects, as some professionals often have misconceptions about them. This briefing tries to gently raise their awareness and reach a better co-operation among the various trainer profiles.

Some lawyers, for instance, are very often unaware of the impossibility to translate word-by-word multi-referential terms. They may have never experienced proper interpreting skills and have no clear idea about the existence and importance of professional ethics for interpreters and translators. Some of them think that preparing for an assignment negatively influences the neutrality of an interpreter.

The group of language experts is mostly heterogeneous. Some of them may be translators or interpreters residing in another Bundesland or even in another country. The briefing meeting will address potential difficulties and the necessity for a more specific preparation. Some other language experts are linguists or lawyers, mostly lecturers at universities but lacking any real professional experience in translation and interpreting. They will benefit greatly from advice

on how to prepare their classes and they will be assured that they can always rely on support from the interpreting and translation trainers.

Some of the interpreter trainers may have had exclusive experience in training conference interpreters. New to them are the requirements of working reliably in both languages; furthermore, most interpreter trainers are not aware of the different types of discourse and communication registers in court.

3. SPECIFIC BRIEFING OF TANDEM TRAINERS

3.1 Description of the introductory sessions

The first part of the course is held in the lingua franca, relying on peer review during the practical exercises. For their accurate information about the level reached by the students, the tandem trainers participate in a three-hour meeting; during this meeting the three introductory sessions - concerning the following topics - they were not involved in are described:

- Professional knowledge, sources about practice and organization of the profession
- Basic techniques in interpreting, dialogue interpreting, sight translating, consecutive interpreting with notations, simultaneous whispering
- Introduction to legal translation, stressing text analysis
- Terminology management

3.2 Personal work required from the students

This introduction is continued by explaining the personal work required from each student using the dedicated internet platform and co-operating with peers:

- Preparation of short speeches in both languages to be interpreted in class interpreting exercises
- Daily sight translation of short texts into and from both languages (texts suggested on the internet platform)
- Interpreting exercises for elaborating own notation system
- Terminology lists derived from legal texts suggested to illustrate the subjects dealt with by the judges

3.3 Aims to be targeted by the tandem trainers during the second phase

The aims of the second phase in tandem training are then presented

- Tackling in depth all aspects of professional ethics
- Consolidating interpreting and translation techniques
- Achieving accuracy of language transfers and legal terminology

3.4 Typical training settings

Two types of settings applied to face-to-face training are explained here.

The first one consists of workshops where the language expert provides exercises in his/her own specific language group. This work consists of oral translation of legal texts based on analyses and terminology synopsis prepared in advance by the participants. It relies on discussion and peer interaction.

The second setting involves the interpreter trainers and the language experts. Its characteristic is the strict distinction between language accuracy and interpreting techniques. The typical scheme is the following:

- Choice of an exercise agreed on by the trainers, for instance a speech to be interpreted consecutively or simultaneously
- Selection of the speaker, which could be a trainer or another student³⁷
- All students listen, taking notes (or not)
- A student is selected by trainers to interpret
- Delivery of interpretation
- The interpreting student is asked about his or her own feelings about the performance, potential difficulties, etc.
- The peers are then asked about their impressions. 'How was the communication (eye contact, body language, etc.?)', 'Was the rendering correct and complete?', 'Suggestions for improvement?'
- The language expert is then asked to give his or her specific evaluation of preciseness of the rendering, correct register, etc.

After listening to all the participants, the interpreter trainer concentrates on constructive criticism of interpreting-related techniques and issues.

It is essential to determine a focus for each exercise (i.e. communication skills, a certain domain of legal terminology, noting enumeration, numbers etc.). To keep the necessary dynamic, evaluations will be concise, factual and focused. Every critical observation will be followed by a suggestion for improvement.³⁸

3.5 Tasks of language experts concerning preparation and evaluation

The tasks of the language experts outside face-to-face training are then specified with great precision.

Every month a legal translation from and into both languages is selected to illustrate the subjects dealt with by the lawyers (judges mostly). The German documents are the same for all language groups. The language experts are required to select parallel texts.³⁹

The legal translations⁴⁰ by two participants (one in German, the other in the language of lesser diffusion) will be corrected in depth, in co-operation with the translation trainer.⁴¹ The results are discussed during the face-to-face sessions. These principles will need to be adapted in cases of very small groups of one or two participants.

4. BRIEFING FOR THE FINAL EXAMINATION

Being the only examiner having command of both languages, the responsibility of the language expert is extremely heavy so that the evaluation requires a complete objectivity and transparency as it might be challenged before an administrative court. Two briefings are therefore organized: the first one with the tandem trainers in preparation for the written examination, and the second one with all trainers participating in the oral examination. The main objectives of these briefings are to ensure the greatest possible equality of requirements between all language groups and a maximum transparency in evaluation.

4.1 Briefing concerning the written part

At the beginning of this briefing meeting, the participants admitted to take the final examination are determined according to the mandatory personal work done.⁴² The written part, lasting five hours, consists of six translations covering typical domains of legal proceedings.⁴³ All language groups get the same texts in the lingua franca (German).⁴⁴ The language experts suggest parallel texts of equivalent difficulty. Adequacy of requirements is then checked during the briefing. The language experts will deliver model translations to be used for the evaluation process. An evaluation sheet is presented to all trainers and analysed.

Abbreviation to be used	Definition	Consequences of mistake	Points deducted
Üb 1 (Übersetzungsfehler) (Translation mistake)	Misunderstanding of text (wrong interpretation of concepts or syntax)	Small alteration of sense of message	3–5
Üb 2 (Serious translation mistake)	Misunderstanding of meaning: Begriffe falsch übersetzt	Bias of legal procedure	5–10
Gr (Grammatik) (Grammar)	Time, mode, number, syntax, declination, punctuation		1
R (Rechtschreibung) (Spelling)	Spelling (also of proper nouns)		1
Lex (Lexis) (General purpose language)	Lexical mistakes (wrong term)		1
Term (Terminology)	Wrong legal term		1
Form (Formalities)	Non-application of the official directive for the translation of legal documents		1
St (Stilebene) (Style)	Wrong language register		1
0 = missing	Missing translation	One point usually deducted per term or group of terms	1
Ff (Folgefehler) (Repeated mistakes)	A repeated mistake only counts once		—

For obvious reasons, the use of the same abbreviations is mandatory in evaluation. The mistake category ‘Üb 2’ proves mostly fatal, as the number of minus points accepted amounts to ten.

The translations are evaluated in three steps: the language experts proceed to the first correction, using the mandatory abbreviations in the margin. If necessary (especially for mistake Üb 2 or by numerous mistakes), he or she justifies the evaluation, for instance with a re-translation into the lingua franca or any other objective explanation. The translator and interpreter trainer proceeds to the second correction, using the model translation and concentrating on the evaluation into German in close agreement with the language expert.

Finally, the curriculum director checks the evaluations to make sure that nothing has been neglected and that there are no inconsistencies.

4.2 Briefing of all trainers for the oral examination

The jury for the oral examination comprises a judge (chairperson),⁴⁵ the language expert for the language concerned, and the interpreter trainer. The German native speaker delivering speeches for consecutive and simultaneous interpreting is not required for evaluation. The judge informs the other trainers about the subjects he/she intends to address. Every trainer has a say in the evaluation and it is essential that the briefing makes transparent the goals to be achieved by each candidate. The legal professional will ascertain if the candidate corresponds to his/her expectations as a “user”. The language expert concentrates on translation accuracy, register and terminology whereas the interpreter trainer focuses on interpreting techniques, etiquette and communication skills. Each examination text has been translated, and copies are provided to all jury members. As the speakers are not allowed to read the speeches, they prepare a sheet containing the relevant details (structure, numbers, enumerations, essential terms, etc.) with a translation. The examiner compares these details with the delivery of the candidate. If a mistake is made, he or she writes the exact wording given by the examinee.

THE ORAL EXAMINATION CONSISTS OF SIX TESTS (THREE FROM AND THREE INTO GERMAN)

- Sight translation of two texts (25 lines⁴⁶ each) related to the police and/or legal domains. One minute scanning the text is permitted. Requirements: the jury will get the impression that the text is simply read and not translated. The translation will be fluent and precise. Self-corrections are allowed as long as they are not systematic. Accuracy has priority
- Consecutive interpreting of two free speeches (4 minutes each) related to police, courts, asylum, sociocultural features, international politics, etc. The speeches will contain five proper names (countries, people, etc.), two enumerations of at least four items (i.e. countries, industries, etc.) and seven numbers (i.e. percentages, dates, GDP, etc.). The candidate takes few notes according to the method taught. He/she is allowed to ask questions applying the proper etiquette in case of acoustical difficulties.⁴⁷ Body language and eye contact are important elements of the evaluation
- Simultaneous interpreting of two free speeches (five minutes each), using a so-called bidule⁴⁸ or a booth, if available. The subjects are similar to the ones of consecutive interpreting

- Rendering will be precise, fluency is decisive to show the candidate's aptitude of anticipation. The interpreter trainer will check that the fluency could allow relay interpreting.

DELIBERATION OF THE JURY

After each candidate's examination, the three juries compare their evaluations and enter a synthesis of them and the marks for each test into an evaluation sheet. The examination proceeding being video recorded, the jury has the opportunity to verify the correctness of an evaluation.

The co-ordination of all trainer profiles involved in the curriculum is essential and is obtained through written documentation and step-by-step briefing sessions

- 1 Before starting the curriculum:
 - > Informing all trainers: legal professionals, language experts, interpreter trainers in writing
 - > Introductory briefing for all training partners explaining the necessary skills of a legal interpreter and translator to achieve his or her tasks, pointing out misconceptions and explaining the curriculum
- 2 Specific briefing of tandem partners before starting the co-operation with the language experts
 - > Description of the results obtained during the first three weekend modules
 - > Personal work required from the students
 - > Aims to be achieved through tandem training
 - > Precise description of the role of trainers and peers during a tandem training session
 - > Preparatory work required from language experts
 - > Co-operation between language experts and interpreter trainers outside classes
- 3 Briefings in preparation for final examination
 - > Written part (language experts and translator trainers) insisting on the requirement for consistency
 - > Oral part (all three trainer profiles) discussing performance levels to be achieved by examinees

CHAPTER 1
INTRODUCTION: PROJECT
DESCRIPTION

CHAPTER 2
LANGUAGES OF LESSER DIFFUSION
(LLDs): THE RATIONALE BEHIND THE
RESEARCH PROJECT AND DEFINITIONS

CHAPTER 3
COURSE DESCRIPTIONS

CHAPTER 4
BRIEFING TRAINERS FOR A TANDEM
TRAINING PROGRAMME FOR LEGAL
INTERPRETERS AND TRANSLATORS

CHAPTER 5
LEGAL TRANSLATION AND
TERMINOLOGY

1. Specificities of legal translating and interpreting—focusing on the essentials
2. Structure of translation training
3. Introductory exercises
4. Exercises using the tandem method with a language expert and a translator trainer

CHAPTER 6
RESOURCES AND MATERIALS FOR
TRAINING LEGAL INTERPRETERS IN
LANGUAGES OF LESSER DIFFUSION

CHAPTER 7
DESCRIPTION OF THE PILOTS AND
BEST PRACTICES

CHAPTER 8
PROFESSIONAL RESPONSES TO WORK-
ING WITH AD HOC INTERPRETERS

CHAPTER 9
CONCLUSION AND
RECOMMENDATIONS

LannooCampus

CHAPTER 5

LEGAL TRANSLATION AND TERMINOLOGY

Christiane Driesen

1. SPECIFICITIES OF LEGAL TRANSLATING AND INTERPRETING – FOCUSING ON THE ESSENTIALS

An abundant bibliography⁴⁹ of legal language and translation is easily available in various languages, and because of the time constraints of continuous professional development, only the essentials for an urgent and efficient training will be addressed in this chapter.

The main priority is helping CPD-students to quickly overcome common misconceptions about translation. Like many laypeople (lawyers also), they rarely reflect on the fact that verbatim translation applies exclusively to mono-referential terms. Often, they do not realize that more than one solution may exist, depending on the legal system or context in question.

Therefore, the difference between general (or technical) translating on the one hand, and legal translating on the other, is to be clearly conveyed in class.

1.1 Translation process applying to general (mostly mono-referential) texts

The three phases of the translation process⁵⁰ for technical or general subjects have to be fully understood by students:

- Understanding the sense of the message
- De-verbalization, meaning that the words and sentences bearing the sense (signifiers) are dismissed, while the sense (signified) remains present without any linguistic support⁵¹
- Reformulating the sense (finding the signifiers) in the target language

1.2 The translation process for legal texts

Various examples of the culture-dependency of law will be analysed, hinting, for instance, at different structures of state or judiciary,⁵² which justifies not only divergent stylistic conventions but also lexical lacunae or even discrepancies within the same language spoken in different countries.

Consequently, legal translation requires three additional steps to the basic translating process:

- 1 Decoding the message in the source language: interpreting within the source language itself⁵³ might be necessary to fully fathom the meaning, for example: 'What is the exact signification of the German 'Amtsgericht?'
- 2 A comparative step is then necessary: 'Do similar institutions exist in the state(s) using the target language?'
- 3 Re-coding into the target language is the final step, which consists of applying the style conventions for legal messages in the target culture, sometimes using meta-language.

This distinction between general and legal translating processes has served as a core concept for developing a syllabus in legal translation for the CPD curriculum, keeping in mind that for obvious time constraints, the focus had to be set on immediate applicability to practise.

2. STRUCTURE OF TRANSLATION TRAINING

Translation training is divided in two stages: the first one comprises several introductory lectures completed by exercises restricted to text analysis without translation. The second and longest stage consists of comparative terminology analyses followed by a translation of analysed documents. This period focuses on language accuracy that is evaluated using the tandem method⁵⁴ for translation.

2.1 Introductory lectures by legal professionals

The various introductions to main judicial institutions and proceedings, presented by lawyers and other professionals, cover an important part (50 hours) of the curriculum:

- German state and judiciary institutions
- Criminal law and procedure
- Civil law and procedure

- Administrative law and procedure (especially concerning foreigners)
- Labour law, company structures
- The police domain
- Expert witnesses (automotive engineers, forensic doctors or psychologists)
- Notary public

After each presentation, a list of related terms is provided for completion into the target language. Dealing with languages of lesser diffusion, it is often impossible to find professionals with a competence in comparative law between the source and target culture. CPD-students are therefore expected to do their own research for equivalent structures and procedures. They are encouraged to consult professionals in their country of origin (for example via multimedia) and to exchange information with peers using the dedicated internet platform. Here follows an example of administrative procedures with space to enter parallels in the target legal culture:

WORTLISTE VERWALTUNGSPROZESSRECHT

Gerichte der Verwaltungsgerichtsbarkeit sind (vgl. § 2):

- > Verwaltungsgericht
- > Oberverwaltungsgericht / Verwaltungsgerichtshof (§ 46, 48)
- > Bundesverwaltungsgericht (§ 49, 50)
- > (Bundesverfassungsgericht, Art. 93 Grundgesetz)

Besetzung der Verwaltungsgerichte:

- > Kammer (§ 5)
- > Senat (§ 9)
- > Vorsitzender und Berichterstatter (§§ 87)
- > Einzelrichter (§ 6)
- > ehrenamtliche Richter (§ 19)
- > Geschäftsstelle (§ 13)

Klagen (Hauptsacheverfahren) und Verfahren des vorläufigen Rechtsschutzes („Eilverfahren“)

- > Allgemeines:
- > Streitwert
- > Kostenvorschuss, Gerichtskosten²

- > Justizkasse
- > Prozesskostenhilfe (§ 166)
- > Kläger / Beklagter / Beigeladener (Klage)
- > Antragsteller / Antragsgegner (Eilverfahren)

Verfahrensgrundsätze:

- > Untersuchungsgrundsatz (86)
- > Beweis (-erhebung, § 96-98)

Urteil 1 §§ = Verwaltungsprozessordnung (VwGO) 2 geregelt im Gerichtskostengesetz (GKG)

- > mündliche Verhandlung (§ 101)
- > schriftliches Verfahren (§ 101 Abs. 2)
- > Gerichtsbescheid (§ 84)
- > Rechtsmittelbelehrung (58)

Klage:

- > Anfechtungsklage (§ 42, 79: Behörde soll einen belastenden Verwaltungsakt aufheben)
- > Verpflichtungsklage (§ 42: Behörde soll einen begünstigenden Verwaltungsakt erlassen)
- > Leistungsklage (§ 42: Behörde soll handeln (ohne Bescheid), etwa zahlen/eine Erklärung abgeben)
- > Feststellungsklage (§ 43) / Fortsetzungsfeststellungsklage (113 Absatz 1 Satz 4): etwas rechtlich Verbindliches soll festgestellt werden

Rechtsmittel gegen Urteil (Entscheidung über die Klage):

- > Antrag auf Zulassung der Berufung (§ 124a Abs. 4)
- > Berufung (§ 124)
- > Revision (132)
- > Eilverfahren bzw. vorläufiger Rechtsschutz
- > Anordnung bzw. Wiederherstellung der aufschiebenden Wirkung (§ 80):
- > Suspensiveffekt, aufschiebende Wirkung
- > sofortige Vollziehung (vgl. § 80 Abs. 1 und 5)

Antrag auf Erlass einer einstweiligen Anordnung (§ 123):

- > Glaubhaftmachung (z.B. durch eidesstattliche Versicherung, Urkunden)
- > Rechtsmittel gegen Beschluss (Entscheidung im Eilverfahren/vorläufigen Rechtsschutz)
- > Beschwerde (§ 146)

2.2 Introduction to legal language specificities

A general overview of the legal language specificities is then given by a legal translator trainer; the following subjects are considered:

- Typology of legal texts (normative documents, decisions, official certificates, doctrines)
- Analysis of legal texts focusing on dates, author, addressee, source, context, text type, function, format/style
- Introduction to the specificities of legal German and formal rules applying to legal translation. With the support of professional associations, German authorities have developed formal rules for the translation of legal documents in Germany⁵⁵ which will be discussed in detail during a dedicated class. These formal rules address, among other things: the obligation of mentioning that the document is a translation from a given source language; explaining the way of dealing with proper nouns, abbreviations, dates and numbers, or the way for designating authorities and courts; the obligation of using official ISO standards for transliterations, the use of footnotes, the mandatory indication of mistakes, as well as missing or illegible terms and the certification formula to be inserted

2.3 Introduction to the basics of terminology

A concise terminology overview is presented with following themes:

- Terminology: definitions, method and management
- Differences with lexicology
- Presentation of translation tools

3. INTRODUCTORY EXERCISES

The main goal of the practice is empowering students by teaching them how to structure their own comparative research and protect themselves from future potential criticism (or law suits).

3.1 Core exercise: elaborating a synoptic table of key terms

Before being ‘allowed’ to begin translating a legal text, the CPD students are required to first practice text analysis using a synoptic table in four columns with the following headings:

- 1 Collected key concepts in the legal document
- 2 Definitions of each key concept in the source language using reliable references
- 3 Translation hypothesis in the target language
- 4 Justification of chosen solution indicating reliable sources in and for the target language

3.2 Hierarchy of sources

The reliability of references is not based on the reputation of authors or traditional acceptance only; a logical hierarchy of sources has to be respected, according to the following criteria:

- 1 Monolingual specialized dictionaries, monolingual specialized publications
- 2 Parallel documents (law, guidelines, regulations, acts, etc.)
- 3 Own terminology collections, glossaries, term lists provided by the lawyers in illustration of their lectures
- 4 Specialized bilingual dictionaries
- 5 Online databases (IATE, Termium, DTP, ETIS, WebTerm, Wikipedia, etc.)
- 6 Common language dictionaries

To put these principles immediately into practice, an introductory exercise is submitted to students. It consists of very short legal documents and some of their official translations in other languages, such as the following text by the European Court of Justice:

DE

Der Urteilstenor wird in abgekürzter Form in der Verfahrenssprache verlesen und nicht simultan gedolmetscht. Der vollständige Wortlaut des Urteils ist vor dem Gerichtssaal oder auf der CURIA-Webseite in den einzelnen Sprachfassungen verfügbar. Nur der vollständige Wortlaut ist verbindlich.

FR

Le dispositif des arrêts est lu en langue de procédure en version abrégée et ne fait pas l'objet d'une interprétation simultanée. Le texte intégral de l'arrêt sera disponible dans les différentes versions linguistiques devant la salle d'audience ou sur le site CURIA. C'est le texte intégral qui fait foi.

EN

The operative part of judgements is delivered in the language of the case in an abridged form without simultaneous interpretation. The full text of the judgement may be found outside the Courtroom or on the CURIA website. Only the complete version of the judgement is authentic.

The CPD students will first underline the **legal terms in red**, then the mixed terms (known in legal as well as in common language) **in orange**, the **general terms in green** and finally proper nouns in **blue**.

These **key words** are then entered into the **first column**, the legal terms first, the mixed terms second, the common terms third and proper nouns last.

To complete the **second column** with corresponding **definitions in the source language**, they will consult the sources according to the above indicated hierarchy principle. For legal and mixed terms, they start with consulting monolingual legal dictionaries, monolingual legal sources and bilingual sources. General dictionaries (thesauri) are not considered sufficient for legal (or technical) terms, they are acceptable for general terms and are useful for descriptive and prescriptive functions.⁵⁶

The **third column** hosts the **translation hypothesis** of each key term. A **symbol** is added to indicate the level of equivalence between key term and chosen translation:

=: Acceptable equivalence. Prima facie ‘judge, juge, Richter’ are equivalent terms, nevertheless the translator should be aware of the fact that status and functions bear some nuances in each of the legal cultures, so that some contexts may require explanations or further references.

≈: Partial equivalence, mainly based on similar function whereas there might be procedural differences. Similarly to the procedure in England and Wales referring to the term ‘bill of indictment’, in Germany, the originator of the ‘Anklageschrift’ is the ‘Staatsanwalt’ whereas in the French procedure, a distinction is made between ‘ordonnance de renvoi’, the originator of which is a judge for lower instances and ‘ordonnance d’accusation’ referring to a Court of Assizes which is instituted by a ‘chambre d’accusation’.

O: impossible equivalence to be found for a non-existent institution, procedure or phenomenon in the target-culture. An explanation with accurate references will be necessary in a footnote.

The **fourth column** is used to **justify** the translation chosen, based on solid references in the target legal culture and strictly respecting the hierarchy of sources.

The following typical example illustrates best the work achieved by the CPD students; this example is from German into French:

TERMINOLOGIEARBEIT - GHEU - URTEILVERLESUNG			
Urteilstenor, der	Der Begriff, der im Kontext des Gerichtshofs der Europäischen Union benutzt wird, gilt als Synonym für "Tenor" oder "Urteilsformel" (IATE). Laut Wenske:2013 "fasst (der Begriff) den Entscheidungsinhalt zusammen, den Schuldspruch, die Rechtsfold und die Kostenentscheidung"	= dispositif de l'arrêt = dispositif du jugement	Il s'agit là du terme employé dans les juridictions internationales (tel que le confirme IATE). Puisqu'il s'agit d'une décision d'une cour et non d'un tribunal, "Urteil" se traduit par "arrêt" et non par "jugement" (cf. Urteil). Confirmé par la définition de l'Art. 485 al.3 C. pr. pén.: "Le dispositif énonce les infractions dont les personnes citées sont déclarées coupables ou responsables ainsi que la peine, les textes de loi appliqués, et les condamnations civiles." Ce terme est également utilisé en droit civil.
Verfahrenssprache, die	Laut "Heller, D. / Ehlich, K. (Hrsg.) Studien zur Rechtskommunikation" (2007:51): "Der Terminus Verfahrenssprache bezeichnet die jeweilige Sprache in Verfahren vor dem Europäischen Gerichtshof". Diese wird von der Verfahrensordnung des Gerichtshofs geregelt.	= langue de procédure = langue judiciaire	Il s'agit dans un contexte des juridictions européennes de la traduction usitée. Dans le contexte français, on utilise plutôt l'expression "langue judiciaire" (Doucet; http://ledroitcriminel.free.fr/dictionnaire/lettre_l/lettre_la.htm), comme dans la Loi du 1er juin 1924 mettant en

TERMINOLOGIEARBEIT - GHEU - URTEILVERLESUNG			
			vigueur la législation civile française dans les départements du Bas-Rhin, du Haut-Rhin et de la Moselle.
Urteil, das	“Eine Entscheidung über den Prozessgegenstand, der die Instanz abschliesst” (Wenske:2013)	= arrêt = jugement	Dans le contexte d’une cour, le terme “Urteil” se traduit par “arrêt” et non par “jugement”, qui est réservé aux tribunaux. “Un arrêt est une décision rendue par une juridiction de niveau supérieur, notamment par une cour d’appel, par une cour d’assises ou par la Cour de cassation (les tribunaux correctionnels et les tribunaux de police prononcent des jugements)” (Doucet, (http://ledroitcriminel.free.fr/dictionnaire/lettre_a/lettre_a_arm.htm)). Dans le Lexique 2014:541, le jugement est défini comme le “terme général pour désigner toute décision prise par un collège de magistrats ou par un magistrat statuant comme juge unique. Désigne plus spécialement les jugements rendus par le TGI, par le tribunal de commerce et par le tribunal administratif”.
verbindlich	Duden: “bindend, verpflichtend”	= fait foi	Dans ce cas, il s’agit ni d’un texte de loi (dont on dirait qu’il “s’applique”), ni de toute disposition législative “impérative” (cf. Lexique 2014:491), ni d’un accord

TERMINOLOGIEARBEIT - GHEU - URTEILVERLESUNG			
			international ("juridiquement contraignant"), ni d'un contrat ou d'une convention (qui auraient "force obligatoire", Lexique 2014:442). L'expression usitée pour toute version retranscrite est "faire foi", qui est défini par le Trésor de la langue française comme "Porter témoignage". Il s'agit donc de la version qui porte témoignage de ce qui a été dit et est donc authentique et valable.
CURIA	Die Datenbank und die Webseite des Gerichtshof der Europäischen Union werden "CURIA" genannt: www.de.wikipedia.org/wiki/CURIA_%28Datenbank%29 . Dies ist kein Akronym und wird in allen anderen Sprachen so beibehalten.	= CURIA	CURIA s'utilise également en français: http://curia.europa.eu/jcms/jcms/JJo2_14954/
in abgekürzter Form	Duden: « abkürzen: (in Sprache und Schrift) kürzer ausdrücken, in einer verkürzten Form wiedergeben »	= en version abrégée	Phraséologie; usage à la Cour de justice de l'Union européenne (CJUE)
vollständiger Wortlaut	Duden: « Wortlaut: wörtlicher Text von etwas »	= texte intégral	Phraséologie; usage à la CJUE
verlesen	In Deutschland werden aus phraseologischen Gründen Urteile "verlesen" (s. in § 268 der StPO: "Das Urteil wird durch Verlesung der Urteilsformel und Eröffnung der Urteilsgründe verkündet)	= lu = donné lecture	Puisqu'il s'agit de la lecture d'un jugement ou d'un arrêté, on peut se référer au Code de l'organisation judiciaire - Article R822-6-3 : "Le dispositif du jugement est lu en audience publique"

TERMINOLOGIEARBEIT - GHEU - URTEILVERLESUNG			
			ainsi qu'à l'art. 485 al.4 C.pr. pén: "Il est donné lecture du jugement par le président ou par l'un des juges; cette lecture peut être limitée au dispositif."
Gerichtssaal, der	Wikipedia definiert sehr klar einen Gerichtssaal als "ein Raum, in dem Gerichtsverhandlungen geführt werden.	= salle d'audience = prétoire = auditoire	Il existe trois possibilités: 1. salle d'audience 2. "prétoire", que le Lexique 2014:728 définit comme " "autrefois, lieu où le préteur rendait la justice; aujourd'hui salle où se tiennent les audiences des cours et tribunaux"" et que Doucet (www.ledroitcriminel.free.fr/dictionnaire/lettre_p/lettre_p_prese.htm) considère comme "vieilli" 3. "auditoire" (Doucet: "Dans son sens premier, l'auditoire est le lieu où un tribunal tient ses audiences". "Salle d'audience" est le terme exclusivement utilisé sur le site CURIA pour désigner le prétoire de l'institution.
Simultandolmetscht	"Beim Simultandolmetschen werden Redebeiträge „fast in Echtzeit“ übertragen" (www.konferenzdolmetscher-bd.de/de/de/glossar)	= interprétation simultanée	"L'interprétation simultanée est la traduction orale d'un discours à mesure qu'il se déroule" (www.aiic.fr/devenir_interprete).
Webseite, die	Weil dies ein neuer Sachverhalt bezeichnet, schwankt der Usus. Zum Beispiel findet man in Hanseatisches OLG, Urteil vom 26.09.2007 - 5 U 165/06 sowohl "Seite" als "Internetseite", in OLG	= site = site web = site Internet = page web	En France aussi, l'usage fluctue: "site Internet (Cour d'appel d'Aix-en-Provence, deuxième Chambre commerciale, 17 avril 2002); "site web" (Tribunal de commerce d'Evry, 4ème chambre,

TERMINOLOGIEARBEIT - GHEU - URTEILVERLESUNG			
	Hamburg · Urteil vom 29. Februar 2012 · Az. 5 U 10/10 “Webseite”. Hierbei handelt es sich um ein Informationsangebot im Internet.		audience du 24 avril 2003); “page web” (Tribunal de grande instance de Paris 17ème chambre Jugement du 6 novembre 2013); “site” (Tribunal de commerce de Marseille Jugement du 15 octobre 2013). Tous peuvent être considérés comme synonymes et sont parfois utilisés comme tels au sein d’un même jugement.
Sprach-fas-sung, die	Duden : « Version eines Textes in einer bestimmten Sprache »	= version linguistique	Phraséologie au sein des institutions européennes. Les tribunaux et cours en France n’étant pas multilingues, il s’agit d’une expression (et d’un concept) qu’on ne retrouve pas dans le droit français.

This type of exercise is essential for the first training period. Various documents related to the legal domain presented by the lawyers (or judges) are entered weekly into the dedicated internet platform. The students post their work there after completion. The terminology trainer then checks that the correct method has been applied, giving additional explanation if needed, asking for improvements and changes and checking the table again to make sure that the student has fully understood and complied with the new requirements. At this stage, the focus lies more on the convincing justification of the translation hypothesis, rather than on the suggested translation itself.

4. EXERCISES USING THE TANDEM METHOD WITH A LANGUAGE EXPERT AND A TRANSLATOR TRAINER

Obviously, the final objective of the CPD curriculum is the acquisition of reliable techniques for sight and written translation of legal documents regularly dealt with by a sworn interpreter and translator. Due to the potentially serious

negative consequences of negligence or mistakes in certified legal translations, the CPD students will always apply the above explained terminology table to each translation. During the final training phase, it forces the student to question his or her solutions and research in depth to justify his or her choices.

Language experts intervene after the third weekend module, but have access to all material entered into the internet platform. They consult the terminology synoptic tables placed online by the language group and are able to compare them with the source documents, having the opportunity to complete the corrections made by the terminologist.

All language groups are given the same German documents for translation, according to the legal subjects presented by judges. The language experts will submit parallel texts in their language.

Language experts and translator trainers first check the accuracy and consistency of the terminology before consulting each other for the evaluation of the translation. The evaluation system for translation has been previously described.⁵⁷

To be admitted to the final written examination, each student has to deliver at least six legal translations accompanied by the corresponding terminology table.

- > The major goal of the syllabus in legal translation is the empowerment of CPD students for their future professional practice.
- > Time constraints are best overcome by focusing on the essentials: first, understanding the differences between the general translation process and the legal translation process and second, teaching them a method of developing their own comparative research.
- > The training responds to the complex challenge of legal translating by proposing the three following steps:
 - 1 Giving the students dedicated lectures to convey basic knowledge in domains indispensable to legal translation
 - 2 Introduction of analyses of legal texts in order to acquire the basics of comparative research
 - 3 Practising sight- and written translation of legal documents focusing on language accuracy

NON-EXHAUSTIVE BIBLIOGRAPHIC REFERENCES

- Bocquet, C. (2008). *La traduction juridique, Fondement et méthode*. Bruxelles: Traducto ed., Groupe De Boeck s.a.
- Bocquet, C. (1994). *Pour une méthode de traduction juridique*. Prilly: Editions CB ed., CB Service SA.
- Colin, J. & Morris, R. (1996). *Interpreters And the Legal Process*. Waterside Press.
- Cornu, G. (1990). *Linguistique juridique*. Paris: Monchrestien.
- Daum, U. *Gerichts- und Behördenterminologie*. 9. überarbeitete Aufl., Schriften des BDÜ 31 ed.
- Driesen, C. & Petersen, H. (2011). *Gerichtsdolmetschen: Grundwissen und -fertigkeiten*. Gunter Narr Verlag.
- Driesen, C. & Drummond, G. (2011). The "Tandem Method". Training Interpreters to Work at National Courts. *Forum Université Paris 3 Sorbonne Nouvelle KSCI*, 9 (2), 139-156.
- Driesen, C. (2012). *Berufsbilder, Aus- und Weiterbildung, Prüfungen*. In: Cebulla, M. (ed.), (pp. 46-90). Berlin: BDÜ Weiterbildungs- und Fachverlagsgesellschaft mbH.
- Driesen, C. (2012). *Die Tandem-Lehrmethode zur Qualifizierung von Dolmetschern in seltenen Sprachen entsprechend der EU-Richtlinie 2010/64*. In: Ahrens, B., Mikasa, M., & Sasse, C. (eds). *Dolmetschqualität in Praxis, Lehre und Forschung: Festschrift für Sylvia Kalina*. (pp. 149-162) Tübingen: Narr..
- Gonzalez, R. D., Vasquez, V. F., Mikkelsen, H. (1992). *Fundamentals of Court Interpretation: Theory, Policy, and Practice*. Durham, NC: Carolina Academic Press.
- Laplace, C. (1999). *Didactique de l'interprétation en régime spécial. Limites et avantages de la méthode - un exemple: L'enseignement de l'interprétation consécutive vietnamien*. In: FIT Congress, Mons. FIT.
- Seleskovitch, D. & Lederer, M. (2002). *Pédagogie raisonnée de l'interprétation*. (2nd ed.) Klincksieck: Collection Traductologie Commission Européenne ed., Didier Erudition.
- Sourieux, J. L. & Lerat, P. (1992). (3rd ed.). *L'analyse de texte, Méthode générale et application au droit*. Paris: Collection Méthode du Droit ed., Dalloz-Sirey.

CHAPTER 1
INTRODUCTION: PROJECT
DESCRIPTION

CHAPTER 2
LANGUAGES OF LESSER DIFFUSION
(LLDs): THE RATIONALE BEHIND THE
RESEARCH PROJECT AND DEFINITIONS

CHAPTER 3
COURSE DESCRIPTIONS

CHAPTER 4
BRIEFING TRAINERS FOR A TANDEM
TRAINING PROGRAMME FOR LEGAL
INTERPRETERS AND TRANSLATORS

CHAPTER 5
LEGAL TRANSLATION AND
TERMINOLOGY

CHAPTER 6
RESOURCES AND MATERIALS FOR
TRAINING LEGAL INTERPRETERS IN
LANGUAGES OF LESSER DIFFUSION

1. Introduction
2. Flexibility in programmes with languages of lesser diffusion
3. Content for training court interpreters in LLDs

CHAPTER 7
DESCRIPTION OF THE PILOTS AND
BEST PRACTICES

CHAPTER 8
PROFESSIONAL RESPONSES TO WORK-
ING WITH AD HOC INTERPRETERS

CHAPTER 9
CONCLUSION AND
RECOMMENDATIONS

LannooCampus

CHAPTER 6

RESOURCES AND MATERIALS FOR TRAINING LEGAL INTERPRETERS IN LANGUAGES OF LESSER DIFFUSION

Ahmed Zekhnini

1. INTRODUCTION

Providing material and resources for training legal interpreters in languages of lesser diffusion (LLDs) is undoubtedly problematic. However, more and more training programmes are being organized for interpreters in LLDs in order to respond to the increasing demand for interpreters in these languages in Europe and elsewhere. Due to the mobility of mankind and the ongoing ethnographic changes all over the world, training interpreters in a variety of languages on the national levels is becoming a necessity, since untrained ad-hoc interpreters cannot provide an adequate quality of interpretation. Not only may an untrained interpreter not be able to live up to professional quality standards, but he or she may also feel overwhelmed and exhausted by the demands of the job if they have not been sufficiently prepared. In this chapter suggestions are made to trainers on how to find or create suitable content and materials for court interpreters in LLDs. Teaching is a highly creative activity and the possibilities provided by alternative methodologies and sources are invaluable, and therefore we should not forget to keep track of all the resources used and also record as much material/exercises as possible so that the students can use this material for self-improvement. Because of the scarcity of materials in LLD training, sharing experience and materials and building networks among institutions is of utmost importance. Since many LLDs, from a European point of view, are spoken in countries with unstable political situations, the trainers should pay attention to not transmitting possible ideological components while dealing with these

languages. Some attention should also be given to the reliability of the content of legal material coming from these countries or found on the web.

In addition to interpreting skills, a legal interpreter is also expected to have a thorough knowledge of legal terminology and the legal systems in the working language combination. The interpreter must act rapidly, indeed he or she makes split-second decisions constantly, and the interpreting of legal terminology is supposed to happen promptly. The more of these skills and knowledge are available, the easier the task becomes.

Trainers of LLD interpreters face even more problems finding content material - like legal terminology and material on legal systems - than other languages because some LLDs are not used in any legal system and thus the terminology does not exist, or they might be used in unwritten forms of law. Furthermore, legal sources on the internet are not always accessible for speakers of LLDs. This is in accordance with the findings in the study by Lai and Mulayim (2010) who identified a number of issues in delivering accredited interpreter training programmes in what they call 'rare' and 'emerging' languages. According to them, the most significant issues relate to attracting and selecting suitably qualified students, staff and material development. In what comes below, we will focus on how to find or create materials and resources while tailoring a training programme for court interpreters in language combinations with LLDs.

2. FLEXIBILITY IN PROGRAMMES WITH LANGUAGES OF LESSER DIFFUSION

Because of the varying developmental stages of LLDs there is not one single training model that fits all interpreters in these languages. Different LLDs have different needs and require different approaches. In a few cases, some modifications to the regular training are enough to organize a successful training course for court interpreters in a specific LLD (see SIGV programme, KU Leuven/Antwerp). In other cases, such as Tarifit, a slight modification is not enough. Tarifit is one of the Amazigh languages which is spoken in Northern Morocco, with little written material and limited resources, but above all it is a language that is not used in any legal system.

As many other languages, Tarifit is not static and is undergoing an enormous development. If we consider what once was claimed about Amazigh language at the end of the 18th century, *"La langue berbère ne possède aucun terme abstrait;*

*c'est l'idiome d'un peuple sauvage qui n'a de mots que pour exprimer ce qu'il voit et ce qu'il palpe. Les Bèrbères empruntent aux Arabes tous les mots relatifs aux sciences, aux arts et à la religion en ajoutant un /t/ au commencement et à la fin du mot..... Les Bèrberes n'ont aucune conjonction pour lier le discours, comme et, mais pour dire: je bois et je ris, ils disent simplement: je bois, je ris".*⁵⁸ Against this claim let us have a look at one of the postings (2013) on a forum on the internet www.amazigh.nl:

Tarifit	Translation ⁵⁹
tayri idhay yanoefsren, thjay di mezri	The love that she fired in me left me yearning
a thani ira dhay itaran thaynith, thejid-hayi rokh temhafigh	Ah, she was attentive towards me, but you have now made me look foolish
Khmi ntemzzar d assntef	Our reunion is a rake up
Amsabdi nagh, ttazith itqsen	Our separation is a painful crack
Memsh zays gha ksegh thitawin	How can I take my eyes away from her, eyes have no fences
thina war khasnt boe afray	
Azri i dhays wayedji n tqadoet, netta zi thifres iyshnen	Her beauty is not out of a tin, it's made of beautiful features
A then khafi yesagwajn akhiyek	Ah, she who keeps sadness away from me
Nesh aright ghar izren ijigh khamren dagw oer	I am preoccupied with poetry lines I have kept hidden in my heart

The above illustrates that even the less documented languages are now being disseminated effortlessly, as long as there is a community of speakers using a specific language, no matter how scattered they are over the world. Through technology people are bridging distances and are exploring efforts to preserve, maintain and revitalize their languages; some of these languages have been threatened by hostile language policies or extinction. This online dissemination of LLDs cannot be stopped and delivers a valuable amount of helpful and functional material that can be easily used for training purposes, for example in the context of training interpreters. Beyond that, different documents are being published in Tarifit, such as the Tarifit-French dictionary (Serhoual, 2001-2002) consisting of 750 pages; nor should we forget the work of IRCAM in Morocco working on the standardization of the three main Amazigh languages (Tashelhit, Tamazight and Tarifit). As Tarifit leans much on Arabic, legal terminology within the SIGV-programme is dealt with in a flexible way. Like all other Amazigh languages, Tarifit is not used in an institutionalized legal system. During the period before colonization, the Amaizgh knew traditional dispute settlement mechanisms that were preserved on pieces of wooden boards or on

occasion in written customary law documents. This customary law organized the social relations in rural life, especially with regard to managing the waters for irrigation and managing common warehouses. Trainees at SIGV are expected to demonstrate understanding of the standard terminology list used in the main programme, based on the Dutch legal system, by the ability to paraphrase legal concepts in Tarifit.

Even in South Africa, a country with a long tradition in providing court interpretation for speakers of indigenous languages since English and Afrikaans are the only two official languages in South African courts, one of the problems that court interpreters of indigenous languages in South Africa have to face is dealing with legal concepts which are not easily translatable in the indigenous languages (J.M. Hlophe, 2004). Hlophe, judge at the Cape High Court in South Africa, stated that many legal concepts are unknown in indigenous languages and can therefore be quite difficult for interpreters; he gives the example of the legal concept of *suspended sentence*. Similarly, many interpreters in the indigenous languages in Canada have reported having big problems with interpreting the legal concepts “coupable” or “pas coupable” and some of them interpret these concepts by asking the question “as-tu fait ce qu’il disent que tu as fais, oui ou non?”, which shows the absence of understanding of the legal concept of guilt (Nevo & Fiola, 2002). Training the interpreting of legal concepts in LLDs should therefore concentrate much more on understanding other cultures and concepts rather than on finding linguistic equivalents.

Although we are aware of the limitations of interpreting legal concepts, these difficulties are not only faced while interpreting in LLDs or indigenous languages. All interpreters face at some time new or unknown terminology they have never heard before; indeed, legal systems are not static, but undergo changes constantly. For instance, while in the past foreigners in the Netherlands who had committed crimes were sometimes declared to be ‘undesirable’ (‘persona non-grata’) and their stay in the Netherlands was criminalized, nowadays this concept is often replaced by alternative terminology such as “inreisverbod” (entry ban). This makes it difficult for almost all interpreters in all languages to interpret without reformulating it to something like “travel prohibition to the Schengen area”. For the non-Dutch speaker, this concept is extremely difficult to understand; they might stay for years in the EU not being able to leave because they are not in possession of the required documents from their country of origin. For this reason, only qualified interpreters can do the interpreting task properly as they are trained to deal with legal content and can contextualize problematic terminology more efficiently.

3. CONTENT FOR TRAINING LEGAL INTERPRETERS IN LLDs

The issue of collecting content material can be approached from different perspectives because LLDs exist in different stages of development, and their social and political status varies from country to country, or even from state to state, which is why they manifest themselves differently. Some LLDs may cover all domains, and for that reason access to suitable material is achieved easily, whereas other LLDs are still developing and cover few or limited domains; this makes finding suitable material an exigent task or sometimes even impossible. This is especially the case when the LLD is not well documented, not existing in a written form or is not used in a legal system. With the lack of suitable training and qualification programmes in LLDs, service providers and courts struggle to meet the demand for qualified interpreters as long as there is a lack of trained and qualified interpreters. ‘Emergency’ lists of unqualified interpreters are being kept and consulted to solve this problem, acknowledging that some of these interpreters have no formal training in interpreting, sometimes with a limited educational background in general, and often they do not meet the qualification conditions. The fact that unqualified interpreters interpret court hearings should be worrying in the light of Article 6 ECHR on the right to a fair trial.

Roughly speaking, LLDs may be subdivided into three categories based on their development perspective, namely, a.) languages of lesser diffusion which are standardized, b.) languages of lesser diffusion that are in development with a recent written tradition and c.) languages of lesser diffusion with a strong oral tradition. The borderlines between these categories are not clear-cut because even the LLDs with a strong oral tradition are now easily used in communication through electronic devices. This division is made for practical reasons to provide trainers of interpreters in LLDs with some guidelines and examples to find material more easily.

STANDARDIZED LANGUAGES OF LESSER DIFFUSION

The first category consists of the LLDs that cover all domains, and are standardized with easy access to a variety of resources. One of these languages is for instance the Telegu language. We can securely claim that at this point in time (anno 2016) Telegu is an LLD in combination with most languages of Europe. No information is found on the web on training possibilities or programmes for candidates who are willing to become professional interpreters in Telegu in combination with one of the languages spoken in the EU member states. Even if some providers of interpreting services advertise with the combination Telegu-English, nothing is known on training opportunities for this language combination.

Developmental stage of the LLD and possible resources	
Standardized LLDs	> Books on substantive law > Books on procedural law > Researchers working on the LLD > Newspapers > Radio stations > TV stations > Online speech fragments related to crime / court / police > Chat forums > Online court sessions > Crime related broadcasting > Dictionaries and Glossaries
Developing LLDs	> Customary law > Elderly people > Researchers working on the LLD > Dictionaries and glossaries > Newspapers > Radio stations > TV stations > Online speech fragments related to crime / court / police > Chat forums (often used to communicate in LLDs) > Eliciting language by watching silent court/police/crime related videos and asking LLD speakers to comment on what they see
Mainly Oral LLDs	> Customary law > Elderly people > Researchers working on the LLD > Glossaries and wordlists if any > Chat forums (often used to communicate in an LLD) > Online speech fragments related to crime / court / police > Radio stations > TV stations > Eliciting language by watching silent court/police/crime related videos and asking LLD speakers to comment on what they see

Another remarkable fact is that this language is not used as a working language in courts in the country of origin. In an article published in the newspaper *The Hindu*, March 10, 2013 a High Court Judge reported “*Clients are unable to follow the judgements delivered in English getting frightened when they see lawyers and police*”. This statement refers to speakers of the Telegu language, mainly spoken in the state of Andhra Pradesh, who are being judged in courts in their country where the proceedings are held in English and not in the mother tongue of the clients. In 2013, the High Court judges pleaded to conduct the proceedings in Telegu, which is the local language of the clients.

When we speak about Telegu we are dealing with a fully developed language with a population of around 74 million people (<https://www.ethnologue.com/language/tel>). A Google search on legal material easily leads to the site www.logili.com where many publications relating to legal materials can be ordered, for example: *Criminal Procedure Code* (Telugu, 447 pages), *Civil Procedure Code* (Telugu, 432 pages) and *Criminal Law Compendium* (Telugu, 786 pages), all by the same publisher Sneha Law House (see Appendix A). Another search on Google provided a range of Telegu newspapers as listed on the site www.w3newspapers.com/india/telug/news-sites, the news-page www.sakshi.com and many radio stations broadcasting live online such as www.onlineradios.in/region/telugu/.

The lexilogos page www.lexilogos.com/telugu_dictionnaire.htm provides an English-Telegu dictionary consisting of 441 pages with an introduction in Telegu.

Considering the various materials and resources that can be found, one can firmly conclude that Telegu is not restricted to a specific domain and access to legal material for training should not be problematic. Based on the above resources in Telegu, even if this language is not a working language in courts in the country of origin, there are enough resources available when it comes to terminology and procedural and substantive law to enable the trainee to develop in-depth knowledge of the legal content and procedures in this language.

The same is true for some other LLDs in Europe such as Arabic, Kurdish, Dari etc. In many countries in Europe, these languages are considered as LLDs – there is for example no Slovene-Arabic dictionary. However, these LLDs should not pose many difficulties when developing training material for court interpreters. Enough legal material is available online in these languages and the most challenging issue is developing tasks to bring the two legal systems together and provide the candidates with specific training for court interpreting by integrating interpreting skills, legal content and professional ethics. In the

case of Arabic, the varieties spoken and written in different countries, as well as the differences among the legal systems in the Arabic-speaking world, must be taken into account. The trainees should be encouraged to be critical also about the possible ideological component of some internet material.

Training legal content can be done by having trainees compare the two legal systems in which they are being trained. There are of course similarities between legal systems, certain universal principles which are respected worldwide, the legality principle for instance. Therefore, many criminal deeds are common but the way of dealing with them can be totally different. What is penalized in a certain country is not necessarily penalized in all countries; furthermore, the punishment itself can be very different. The discussions that emanate from these comparisons can be very insightful for both the trainees and for the trainer.

Subject	Hungarian	Mongolian	Urdu	Language X
Legality principle				
Punishment				
Levels of liability				
Aggravating circumstances				
Extradition law				
X-subject				

This can be illustrated with the following example. On www.legislationline.org criminal codes of a large number of Western-European countries, besides other countries like Mongolia, Tajikistan, Kazakhstan, Kyrgyzstan, Moldova, Latvia, Uzbekistan etc. are available in the language of origin plus a version in English. To train legal interpreters in a language combination like Hungarian-Mongolian, one can find relevant material to the trainees on this website and let them conduct research on legal content in both languages, related to different legal topics. A thematic outline can help to structure the research and it also helps the trainer and the trainees to organize the outcomes of such research. It is important that the trainees always account for the sources used and inform the trainer about them. As an example, we will examine the *legality principle* as a legal concept in Mongolia and Hungary. From a translation of the Mongolian Procedural Criminal Code that is available online as a PDF-file we can look at article 10.1 where the following is stated: “no one may be suspected in a crime and subjected to arrest without grounds provided by this law”, or the presumption of

innocence as stated in article 13.1 of the same law: *“no one may be deemed guilty of committing a crime until a judgement of a court is issued”*. This legality principle is found in Chapter One of the Hungarian criminal code (1) *Criminal liability may be established only in connection with a conduct that a legal instrument requires to be criminalized at the time when committed, with the exception of acts which are punishable under universally acknowledged rules of international law.* (2) *A penalty or measure may not be imposed for a criminal offense that was not criminalized by legal instrument at the time when committed, or - in the case provided for in Subsection (2) of Section 2 - at the time when adjudicated.*

Perhaps it is unnecessary to mention that the trainees are supposed to work on the original texts and not on translations. However, the English translation of the Mongolian Procedural Criminal Code can provide the trainer and his language expert, if any, with elements that can be compared with the same elements in the Hungarian criminal law and coach the trainees in their learning activities. In this way, trainees are familiarized with comparative law, they learn by doing comparative research and of course they automatize the formulas and phrases used to convey legal concepts in two or more languages. This can be done in a thematic way with any other language combination, as shown in the table above noting that when the LLD is not used in a legal system, trainees should work on understanding and providing an interpretation of these legal concepts and principles according to the cycle described in figure 1.

LANGUAGES OF LESSER DIFFUSION UNDER DEVELOPMENT

The second category of LLDs consists of languages that are in development, which mainly exist in their oral form, and have only a recent history in being written. Because of the oral tradition of these languages, the resources are limited with few reference materials that can be integrated in the training programme. Anyone who has to develop any interpreter training has to be inventive in creating a meaningful learning ground based on the practice of court interpreters. Even if some written material is available in these LLDs, there are other issues that may arise regarding standardization and the access and relevance of this material to court interpreting. The same alternative approaches that can be followed in case of LLDs with a strong oral tradition can apply here as discussed below. In all languages it is advisable to use recordings as much as possible. Nowadays, also oral corpora are being developed and could be very helpful.

LANGUAGES OF LESSER DIFFUSION WITH A STRONG ORAL TRADITION

The third category, which is the most demanding one, includes LLDs with a strong oral tradition. These LLDs cover a limited number of domains with few or almost no material resources, mostly languages in an early development stage. Very often parents and communities speaking these LLDs are facing this challenge when they attempt to maintain multilingualism for their children. When it comes to these languages tremendous efforts need to be made in order to be able to provide meaningful training for interpreters, since recommended approaches to contrastive terminology are not feasible. Also in this case recordings or virtual training can be of substantial help. The training institutions have to be careful – they should not repeat the same mistake the courts often do: to be glad to find a native speaker for a certain language and engage him/her as ad-hoc trainer, only because s/he claims s/he speaks this language.

Developing training programmes in LLDs with a strong oral tradition in Europe can profit from the existing experience in dealing with interpreting in indigenous languages in countries like Canada. In Canada, interpreters have played a crucial role in the Yukon region where 8 indigenous languages with a strong oral tradition are spoken by a total number of 8000 speakers (Fiola, 2003). One of the solutions to the orality problem in training interpreters in indigenous languages spoken in Yukon is inviting elderly people to the training sessions. Whereas there are certain problems involving elderly people as a linguistic resource in interpreter training programmes, such as their desire to participate in the discussions and their desire to understand the aim of the training, these problems can be minimized or surmounted by instruction and information to the participants at an early stage of the programme. These elderly people may provide trainees with the right constructions, vocabulary and other linguistic feedback while performing interpreting exercises. Because of the age of these ‘assistant-trainers’, it is, once more, very important to record the sessions.

For LLDs that are ‘under development’ or have a strong oral tradition, there are different possible strategies to organize training. Trainers will have to seek alternative approaches to their training when dealing with LLD interpreters. These alternative approaches have the goal of exploring materials and resources that can be meaningful for the training of court interpreters.

One such alternative approach has been tried out in the training of interpreters of Kirundi/Norwegian (Buzungu & Fiva, 2010) and during the training of court interpreters in Tarifit (SIGV). Neither language has an extensive legal tradition and corresponding legal terminology. Kirundi is a language of limited

standardization, with few publications and therefore limited linguistic resources available. An often-used strategy of interpretation-testing can also be used to train court interpreters in LLDs. A student for instance translates a Dutch legal concept or phrase into an LLD. His/her interpretation is then checked by a peer (speaking the same LLD). Then the interpretation is either confirmed or rejected. If rejected, adjustment of the interpretation is necessary and the cycle starts again. A similar procedure is used at the ICC (see the contribution of Andrew Constable in this publication), where peer trainees are used as control, using retour.

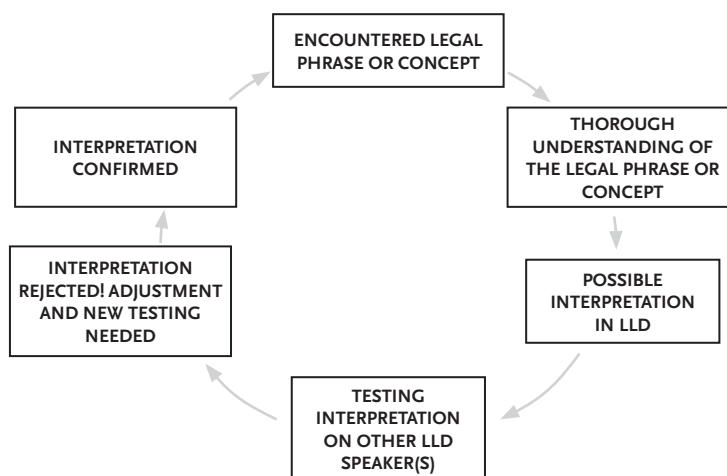


Fig. 1. Cycle of testing interpretation of legal concepts in LLDs

ALTERNATIVE APPROACHES TO LEGAL CONTENT

The often-heard question on how to develop a training programme for legal interpreters knowing that the language is not used in any legal system is not easily answered when compared to the case of an institutionalized LLD. However, there are possible alternative ways in dealing with legal content in these languages. An alternative lies in the fact that almost any language is used in some system of peace-keeping whatever the status of the language. Many LLDs are used in unwritten customary law, as is the case with Igbo African law. Igbo-African law and other customary laws are one of the most significant sources of what is known as the Nigerian legal system (Umeogu, 2012). These common unwritten customary laws can be integrated as a reference of the training to move subsequently to interpreting more institutionalized legal content. Even if the customary law is not institutionalized in the sense of professional judges, lawyers and courts, they are very often the basis in society where the communities

or tribes deal with specific conflicts or offences. Trainees in a specific LLD can draft an outline of the procedures for dealing with conflicts in their culture, how these conflicts are solved, and what kind of possible rules or punishments apply to such conflict.

Another easy but effective strategy to provide resources for training court interpreters is through collecting texts written in the LLD and, where possible, audiovisual material (YouTube videos) or any recordings which are in some way related to law, justice, police, crimes, human rights etc. The trainer who has no mastery of the LLD can conduct a quick scan in case of written material to evaluate whether such material suits his/her training. This can be conducted in the same way as in the example that follows. A text in Swahili is localized on the Swahili site of the BBC. Pulling the Swahili text through Google Translate results in a rough text in English which gives a good picture of the content and the vocabulary, phrases and terminology used (*manhunt traffickers, arresting suspects, raid, entering Europe illegally*). The Google translation tool can be used for practical purposes like screening and selecting online material in a way that the trainer, with or without a language expert, gets some control of the material being studied. Besides that, this translation can also be used to check whether trainees are on the right track in their interpretation, but of course always being aware of the shortcomings of the translation provided by Google.

Tigrigna is another LLD in which trained court interpreters are urgently needed today. It is also a language where finding legal content can be a demanding task. Kibrom (as cited in Dirar and Teweldebrhan 2015) claims that the lack of textbooks on the Eritrean legal system is one of the major problems in legal education in Eritrea. While training interpreters in this language, alternative paths have to be followed to be able to provide trainees with materials of relevance. One interesting internet site is the www.tigrigna.voanews.com which is written in Tigrigna. From the pictures accompanying the different news items anyone can more or less guess the content of the news item. On the site many items are found with audio fragments on human rights in Eritrea, the Islamic State targeting North Africa, Mali attackers in the Radisson hotel etc. These news items are of particular relevance because most of them are broadcasted also in the majority of European countries and the trainee can easily listen to or read the news item in Tigrigna and then move to the articles published on the same news item in the language of the European country where he lives. In this way the languages of the combination that is being trained establish reciprocal connections. Besides this news site, the UN Human Rights Council (HRC) established a Commission of Inquiry (COI) on Eritrea to investigate and officially document the alleged systematic violations of human rights in Eritrea. Different testimonies

are put online on YouTube like www.youtube.com/watch?v=moIIDMXX9mU or www.youtube.com/watch?v=pFDOoGgkLzI.

www.bbc.com/swahili/medianu-ai/2015/10/151001_ethiopia-wahamiaji

Huku Ulaya ikiendelea kukabiliwa na idadi kubwa ya wahamiaji, Ethiopia inaendelea na msako mkali wa wasafirishaji haramu wanaowahadaa maelfu ya raia wanaotafuta maisha bora Ulaya. Serikali inasema imewakamata zaidi ya washukiwa 200 na pia kuanza kampeni kubwa ya kuwahamasisha watu kuhusu hatari ya kujaribu safari ya kuingia Ulaya kimagendo.

Msako huo unafuatia kuuwawa kwa wakristu thelathini kutoka Ethiopia na kundi la Islamic State mwezi Aprili nchini Libya.

Mji mmoja ambao umenufaika na juhudi hizo ni Matema, Kaskazini-Magharibi mwa Ethiopia.

Translation by Google Translate

While Europe continues to face a large number of immigrants, Ethiopia continues to manhunt the traffickers who foisted thousands of civilians seeking a better life in Europe. The government says it has arrested more than 200 suspects and also started a massive campaign to sensitize people about the dangers of trying to enter Europe illegally trip.

The raid followed the killing of thirty Christians from Ethiopia by Islamic State in April in Libya.

One city that has benefited from these efforts is Matema, northwestern Ethiopia.

The recordings mentioned above may not deliver specialized legal terminology but they can provide trainees with an opportunity to practice interpreting and to render messages accurately while talking about feelings, misbehaviours and possible injuries and sufferings.

While working on material of (in)direct relevance to legal interpreting, the trainer can guide students to expand and refine their knowledge frameworks of certain issues related to legal interpreting by guiding them in meaningful practice opportunities. Different activities can be developed to integrate legal content in new learning contexts. Trainees can for example carry out fieldwork through visits to the nearest court and attend public courtroom sessions with a specific task. Trainees could for example be given the task to report on the different actors in a court public session such as the (presiding) judge(s), the prosecutor(s) and the lawyer(s) or write a report on the kind of case, the evidence in the file, the required sentence or the final judgment. Another task is to ask trainees to

report on the verdict with a summing-up of the evidence and its motivation. Also, role plays are often used in training legal interpreters to teach them where to position themselves in different settings (police, asylum, court) and dealing with different clients (woman, children ...).

SPREADING EXPERTISE ACROSS BORDERS

When faced with the need to develop a legal interpreting programme in an LLD, it is sensible to look beyond one's own country to see whether there is any training of legal interpreting available in the LLD at issue. When one discovers that Hmong and Somali are languages in which interpreters can qualify in the State of Minnesota in the United States, efforts should be made to get as much as possible information about the programme, check out whether one can use any parts of this training or find ways to transfer the programme to make it fit one's specific context or maybe establish contact to provide the trainees with some virtual training. The same can be done if one is facing the need for interpreters in Kirundi or any other LLD in France, as another example. It would be a pity if training organizers in France cannot take advantage of the training already developed in Norway in the language combination Norwegian-Kirundi. In recent years, different pilot training programmes of LLD interpreters have already been conducted across Europe. Each training programme is developed from a specific perspective, and exchange of these experiences is needed. It would be helpful to start an EU project creating a database of collected material that has already proven to be useful for LLD training programmes.

Following the Norwegian model on distance learning (see the chapter by Hanne Skaden), joint online training in a common LLD can be organized at the same time in different countries. Situations may arise in which there may be an urgent need of interpreters in a specific LLD in several European countries, as is the case with the recent sudden increase of asylum seekers from Eritrea. This increase in numbers of asylum seekers has resulted in a sudden shortage of interpreters in Tigrinya. As most of the legal procedures, concepts and principles are getting more and more universal in the different EU member states, it might be useful to organize online sessions to train understanding and interpreting legal content where trainees in the language needed can join and participate online from different EU member states. The training can focus on interpretability of certain legal concepts, for example through applying the cycle mentioned in figure 1. In such training one can, if possible, fall back on languages like English or French as a language of instruction. Distance learning enables future interpreters to also be prepared for the increased demand for remote interpreting,

so learning how to use the technical videoconference equipment and software such as Vidyo or Adobe Connect can be an added value of a cross-border and inter-institutional training.

TRAINING FORMAT AND TEACHING METHODS

Learning interpreting is a long process which can last for years. However, any training is necessarily limited and priorities are to be made. Blended learning is advised for training interpreters: a mix of face-to-face training where the trainer leads the training sessions and self-paced learning where the trainee consults online tutorials and archived podcasts from home at any time of the day. During face-to-face training a variety of instruction techniques can be involved such as group discussions, role plays and lectures; much attention has to be given to research techniques and didactics for creating opportunities for constant practice.

Trainees benefit more from being aware of the opportunities for practising. Trainees in LLDs have to be trained in how not to restrict practice to the formal instructional setting. They benefit more when they learn how to grasp every moment to improve their skills. Being an interpreter means constantly bringing two languages and cultures in contact with each other. Every moment can be used to practise one skill or a set of skills. While listening to the radio in the car, bits of material related to legal interpreting pass along all the time without always being noticed as such. Broadcasting terrorist attacks or any other crime should not pass unnoticed, but should trigger the interpreter to think of the challenges faced as one tries to perform simultaneous interpreting on the topic being broadcasted, or while trying to reproduce the information transmitted. Watching a film, or reading for one's child before going to bed, or listening to a call at the railway station, all these moments are full of opportunities that present themselves to the interpreter, the only thing one has to do is to force oneself to concentrate and to listen carefully, and then to think about how to interpret the incoming message. One does not need to settle behind a desk to start training interpreting competence.

CREATING A PLATFORM FOR TRAINERS OF COURT INTERPRETERS IN LLDs

Based on the content standards, the background knowledge and important skills in which every legal interpreter should develop his competence, a platform of trainers, language experts and trainees can provide the opportunities for developing programmes for training court interpreting in LLDs. Folaron (2015) discussed how different technologies can contribute advantageously to support

LLDs and endangered languages worldwide. An international online platform on training legal interpreters can be a place where any trainer or trainee is able to discuss the challenges faced while training in a specific LLD. Here trainee interpreters can make suggestions, get advice and tips, and get information about available resources and already existing training experiences from other members of the platform. It is sad that the training bodies who provide training for conference interpreters for the EU institutions have no means and no mandate to play an active role in the training of legal and community interpreters as well, even though they are constantly asked to do so. The representatives of these training institutions are often aware of these needs and are personally willing to help, but they lack an institutional framework to do so in an organized way. The know-how and the long experience and also the existing web pages (such as Speech Repository) of the largest interpreting service in the world could contribute a great deal to solving the current refugee crisis in Europe, if it would be allowed to do so.

In such a platform, extra attention should be given to saving and sharing material on an international level for training legal interpreters in LLDs. Trainers can share their good practices, text material, videos, tasks or any other learning material with respect to legal interpreting. Interpreters, trainees and researchers working on the LLDs should be actively involved in giving their assistance and advice on how to develop protocols of training and assessing interpreting competence in LLDs, where to find resources and any other previous experience. There is already a large amount of information that is dispersed. This international platform for legal interpreting in LLDs can create a place that makes it easier to access materials, ask questions and advice from other users, send postings on relevant topics, etc. It is for instance much easier and more efficient to have all the glossaries and dictionaries in LLDs hosted by the same platform. Currently, there are many dictionaries and glossaries available on the internet like Kirundi-English/English-Kirundi (Cox, 1969) or English-Lingala/Lingala-English dictionary (Divuilu, 2005). On the same platform a library can be installed with material in LLDs including, among other things, legal content, different procedural and substantive laws and customary laws if possible, terminology lists and bilingual glossaries.

METALANGUAGE OF INTERPRETING AND TRANSLATION

Many interpreters and trainees in a specific LLD have learned this language without formal education in it. Like the Amazigh speakers who live in different North African countries, there are LLDs spoken in Syria, Iraq and Turkey. The

formal education these speakers gained varies from country to country. Because Arabic is the official language in a large part of the world where these languages are spoken, training interpreters in these languages to master the metalanguage in Arabic will give them unlimited and easy access to a wide range of written and video material on the web. Different topics related to interpreting are posted in Arabic on the websites of ATI (Arabic Translators International), ATIDA (Arabic Translation and Intercultural Dialogue Association) and WATA (World Association of Arab Translators & Linguists). These sites are meant for Arabic interpreters and translators, but can be beneficial for anyone who speaks Arabic as a second or a foreign language to gain more knowledge and understanding from the issues discussed according to the topic of one's interest. There are also a couple of lectures placed on YouTube by the AST (Arab School of Translation) on modes of interpreting, as for instance the lecture of Ahmed Abbas with the title "Your path to simultaneous and consecutive interpreting". These materials can be of great benefit for interpreters in LLDs who do not speak English, French or Spanish. In particular when the training consists of crash courses where the training programmes are limited to a couple of days, in this way trainees are given opportunities to maintain and improve their skills in a process of life-long training.

Another way to give LLD trainees access to online audiovisual material, produced in English, is by providing subtitles of the material in the LLD at issue. All the material concerning note-taking, consecutive interpreting and simultaneous interpreting can be downloaded for training purposes and subtitled. Again, this activity would be much easier and more efficient if organized from one international platform housing these videos (similar to Orcit, where the same training material has been localized in several European languages, such as Czech or Slovene – first every member received a transcript of the theoretical part of the videos to translate, then the videos themselves were recorded in every language, which involved a lot of time and resources). In this way we can for example get a set of videos on interpreting techniques and modes with subtitles in, let us say, the Mongolian language. These videos will then be available for any trainee across Europe who wants to become an interpreter in Mongolian in combination with any other language of any EU member state. This will save both time and money. Of course, it would be preferable to have the videos broadcast in the language of lesser diffusion directly, in Mongolian for instance, but always in a tradition of making the material accessible to all the EU member states.

One interesting initiative in sharing speeches for simultaneous and consecutive interpreting is the Speechpool, or the Speech Repository of DG SCIC; this

has been created specifically in order to provide interpreter-training resources. Different video speeches are posted on various topics with information on the length of the speech and some keywords. When training consecutive and simultaneous interpreting from English, French and to some extent Spanish to any other LLD, there is a significant amount of training material on the mentioned internet sites in the above-mentioned languages.

TRAINING ON DEALING WITH DIFFERENT REGISTERS

Interpreters in all languages are supposed to give a rendition that is as exact as possible, whether it is nonsensical or contradictory, whether it is a formal register or slang register. What is experienced to be tricky with interpreting in LLDs is the fact that the interpreters are not always aware of the different layers in discourse. Because interpreters in LLDs do not always have formal standardized equivalents ready, they risk to resort quickly to using words and phrases from low registers at a time where the source language is highly formal. Sometimes legal interpreters are bilinguals, born in Europe, who have never lived in a country of origin of the defendant or asylum seeker of a certain LLD. This might have disastrous effects on the interviewing strategy applied by a judge, a lawyer or a police officer.

When hearing victims, witnesses and suspects, (presiding) judges usually start with some general statements before moving on to more detailed and specific evidence. When the (presiding) judge for example asks in a case of rape “did you have carnal knowledge” for having physical sexual contact, if the interpreter does not stick to the right register, the strategy for gathering evidence risks being ruined. The questions and the testimony risk getting distorted due to the interpretation because of absence of awareness of the different levels and steps in the hearing. The interpreter ought therefore to be trained in choosing the right words in interpretation to maintain the logic of the decision-making process by the judge who might sooner or later, for the sake of gathering evidence or just to transmit his message clearly, simplify his language use, reformulate his utterance, and move up and down in his registers as well.

TRAINING IN LINGUISTIC AND CULTURAL ASPECTS

Due to the lack of dictionaries in LLDs, trainees have to focus even more than they would for languages of wider diffusion, on the skills of building their legal glossaries, establishing vocabulary networks and finding corresponding collocations from two different cultural frameworks. To illustrate this, the well-known

saying “*one swallow does not make a summer*” is easily translated into almost all European languages based on a shared cultural framework, but is very hard to be translated meaningfully in many other non-European languages. There is a large number of examples of figurative language which are easily exchanged between European languages, whereas a literal translation in other languages (of lesser diffusion) notably will not lead to the effect one endeavours. With this in mind, LLD training should pay attention to this aspect and discuss strategies required when one encounters such a figurative expression for the first time. Learning that figurative language is an expression of an idea beyond the words will make trainees build the ability to grasp the idea which should be interpreted, rather than ‘just the words’. In this way interpreter trainees understand what the speaker is trying to say and subsequently interpret it according to the acceptable linguistic rules and cultural frameworks of that language. To do so, it is important to discover the way different kinds of figurative language work: is it a personification, a metaphor, or a simile? Especially when interpreting into and from LLDs, because of the difference in linguistic rules and cultural frameworks of reference, it is of great importance to understand these mechanisms well in order to understand what is being said for an appropriate interpretation.

LEGAL TERMINOLOGY AND LLDs

Besides the general language, trainees have to be trained in finding effective ways of organizing their vocabulary, legal terminology and of course frequent collocations and standard phrases in the judicial context.

Trainees should be trained on how to do terminology research; a good strategy is to let them discover that a two-column glossary with the one concept and the corresponding equivalent in the other language can be suitable in working on concrete items but is not feasible while working on legal concepts or on collocations. A three- or more column glossary is advisable while building a glossary with legal terms whereby one or more column(s) can be devoted to writing down the meaning of the legal concept, clarifications or any other related annotation. Christiane Driesen also recommends that trainees learn to always write down the source of the term.

It is important to notice that much work has already been done on legal terminology, especially from English in combination with various LLDs. For instance, on the site www.saccourt.ca.gov/general/legal-glossaries/legal-glossaries.aspx different glossaries from English to a wide range of languages are available. Glossaries into Arabic, Hmong, Mong, Hindi, Armenian, Punjabi, Urdu,

Vietnamese, Chinese along with other languages like Russian and Spanish are published by The Superior Court of California, County of Sacramento. For an impression of the content of the glossaries we refer to appendixes B and C at the end of this chapter (for the Armenian and Mong languages respectively).

SELF-ASSESSMENT AND PEER EVALUATION

Training programmes for interpreters in LLDs will be more effective and rewarding when the trainee is trained to reflect on his competencies and his shortcomings. Learning lasts for life and training lasts a couple of weeks, if not a couple of days. Therefore, it is training to assess one's knowledge in a constant way. The deconstruction of an ordinary court session into smaller units proves to be a useful way for the trainee to reflect on the learning process.

Training skills and content in small steps helps to reach fast steps in learning, but at the same time to discover and recognize one's deficiencies. When we look at court sessions, they are built according to an almost standard framework with a recurring structure. This recurring structure brings with it the existence of smaller units, each with its own linguistic and technical aspects. When the trainee analyses a court session he will soon discover that an ordinary court session develops almost always as follows: a) *check of defendants personalia, informing the defendant of his rights*, b) *prosecutor reads the charge(s)*, c) *questioning of the defendant / witness takes place*, c) *other documents in the file are being discussed*, d) *personal circumstances and criminal record*, e) *prosecutor's closing speech*, f) *speech of the defence*, g) *defendant's last word* and e) *the verdict*. When the trainee learns to recognize the different units that constitute a specific court session he can easily concentrate in his training on units that are not yet well developed. An example of a self-assessment chart that can be used by trainees in screening their interpreting competence following the stadia of development of a court session as outlined above is found at the end of this chapter (Appendix D).

The experience of the training in Norway showed that the training in LLDs is more effective if you have a group of at least three trainees with the same language. In this way they can help each other in research and give each other peer feedback. In some extreme cases of lack of trainers, they can also replace the native-speaker-trainer while interpreting into their B language and then back-and double-checking the rendition (see the chapter in this volume by Andrew Constable).

CONCLUSION

Training legal interpreters requires alternative approaches, in particular when it comes to finding content material specific to the context of legal interpreting. Training interpreters in LLDs will help to meet the need of interpreters in specific languages provided that trainees develop the required expertise and also develop their skills of doing research, self-reflection and assessment.

Today, all the actors involved in training interpreters in LLDs can start putting together all the material on specific LLDs and try out training programmes with some flexibility, and also explore any feasible alternative training approach. Creation of joint ventures between law practitioners, linguists, trainers, anthropologists and interpreters working on specific language-combinations with LLDs is highly recommended. Cultural, linguistic, and legal matters that are apparently taken for granted may require a great deal of research and analysis before achieving an adequate interpretation.

A large number of LLD interpreters do not have access to available material on modes and techniques of interpreting. Particular attention should be paid to this problem and alternatives in providing opportunities to train on different modes and techniques of interpreting and learning about the metalanguage should be sought.

There is an enormous existing expertise on teaching language (content) for specific purposes. Teaching language for specific purposes lends its strength from its methodology in analyzing purposes of language use and conducting field-work. The methodology can be adopted by trainers of interpreters in LLDs and they can benefit from this experience.

Continuing education/training workshops on interpreting in LLDs should be offered to interpreters and made accessible on the EU level. Many education/training workshops can be organized in a format that can address all interpreters of the same LLD in the EU. In the same way (inter)national meetings/conferences can be organized on issues of interpreting in LLDs where trainers and language experts, anthropologists, examination experts, educationalists and not to forget interpreters can exchange and share their knowledge and experiences and outline a lasting training policy for LLDs.

REFERENCES:

- Dirar, L. and K. T. Teweldebirhan (2015). *Update: Introduction to Eritrean Legal System and Research*. Globalex.
- Buzungu, V. and H. Fiva (2010). 'We don't have that word in my language' *Training Kirundi/Norwegian interpreters*. Unpublished paper presented at the 6th International Critical Link Conference, 26-30 July 2010, Aston University, Birmingham, United Kingdom.
- Cox, E.E. (1969). *Dictionary: Kirundi-English, English-Kirundi*. General Missionary Board of the Free Methodist Church, Winona Lake, Indiana.
- Divuilu, F. (2005). *English-Lingala / Lingala-English Dictionary*. Congolese Voluntary Organisation.
- Driesen, Ch. and H.-A. Petersen (2011). *Gerichtsdolmetschen. Grundwissen und -fertigkeiten*. Tübingen: Narr Studienbücher.
- Fiola, M.A. (2003). *La formation des interprètes autochtones et les leçons à en tirer*. The Critical Link 3. Interpreters in the Community. Amsterdam/Philadelphia: John Benjamins. (127-146).
- Folaron, D. (2015). *Introduction: Translation and minority, lesser-used and lesser-translated languages and cultures*. The Journal of Specialised Translation. Issue 24. (16-27).
- Hlophe, J.M. (2004). *Receiving justice in your own language – the need for effective court interpreting in our multilingual society*. Advocate, april 2004. (42-47)
- Lai, M. and S. Mulayim (2010). *Training refugees to become interpreters for refugees*. The International Journal for Translation and Interpreting. Vol. 2, No. 1 (48-60).
- Nevo, D. and M.A. Fiola (2002). *Interprétation et traduction dans les territoires : hors de la polarité traditionnelle des langues officielles*. TTR : traduction, terminologie, rédaction. Vol. 15, No 1 (203-221).
- Serhoual, M. (2001-2002). *Dictionnaire Tarifit-Francais*. Thèse de doctorat d'état ès Lettres. Université Abdelmalek Essaâdi. Faculté des lettres et des sciences humaines. Tétouan.
- Umeogu, B. (2012). *Igbo African Legal and Justice System: A Philosophical Analysis*. Open Journal of Philosophy. Vol. 2, No 2 (116-122).

INTERNET LINKS:

Glossaries English into different languages of lesser diffusion

www.saccourt.ca.gov/general/legal-glossaries/legal-glossaries.aspx

Tigrigna

www.tigrigna.voanews.com

Site with criminal codes of a large number of countries with translations in English

www.legislationline.org/documents/section/criminal-codes

Eritrean videos on YouTube

www.youtube.com/watch?v=moIIDMXX9mU

www.youtube.com/watch?v=pFDOoGgkLzI

Site for Arabic interpreters and translators

www.atida.org

www.wata.cc

www.atiinternational.org

APPENDIX A: Publications relating to legal materials in Telugu

Criminal content in Telegu

Title: Criminal Procedure Code (Telugu)

Author: Pendyala Satyanarayana

Publisher: Sneha Law House

ISBN: ASIALAW026

Binding: Paperback

Number of Pages: 447

Language: Telugu

Title: Civil Procedure Code(Telugu)

Author: Pendyala Satyanarayana

Publisher: Sneha Law House

ISBN: ASIALAW053

Binding: Paperback

Number of Pages: 432

Language: Telugu

Title: Criminal Law Compendium(Telugu)
 Author: Pendyala Satyanarayana
 Publisher: Sneha Law House
 ISBN: ASIALAW036
 Binding: Hardbound
 Number of Pages: 786
 Language: Telugu

Title: Environmental Laws(Telugu)
 Author: Pendyala Satyanarayana
 Publisher: Sneha Law House
 ISBN: ASIALAW039
 Binding: Paperback
 Number of Pages: 184
 Language: Telugu

APPENDIX B: Sample page from: legal glossary English - Western Armenian. Superior Court of California, County of Sacramento, 2005.

www.saccourt.ca.gov/general/legal-glossaries/legal-glossaries.aspx

JOINT AND SEVERAL LIABILITY	Օրինաւոր սկզբունք մը, որ կ'ըստ երբ մէկէ աւելի անցեր յանցաւոր են, և միայն մէկը կրնայ վճարել վնասուց հատուցումները, այդ անցը պէտք է վճարէ ամենուն կողմէ:
JOINT TENANCY	Երբ մէկէ աւելի անցեր տէր են կալուածի մը: Երբ անց մը մեռնի, միւսները անմիջապէս կը ժառանգեն:
JOINT VENTURE	Նախացեռնութիւն մը, մէկէ աւելի անցերու:
JOYRIDING	Ապօրէնի կերպով ինքնաշարժ մը առնել մէկէ մը, ոչ վերջնական պահելու նպատակով:
JUDGE	Դատաւոր:
JUDGMENT	Վճիռ:
JUDGMENT CREDITOR	Այն անցը որ շահած է դատը:
JUDGMENT DEBTOR	Այն անցը որ կորսնցուցած է դատը:
JUDICIAL COUNCIL	Դատական խորհրդական մարմին:
JUDICIAL NOTICE	Դատական իրականութեան ճանաչում, առանց պաշտօնական ապացոյցներու:

JUDICIAL OFFICER	Դատաւորները, միջնորդները և իրաւարարները, և ամեն անոնք որ կրնան դատական որոշումներ առնել որպէս դատաւոր:
JUDICIAL REVIEW	Դատական վերաքննութիւն:
JURAT	Վկայագիրը որ ցոյց կուտայ թէ, ով, երբ և որու արջել երդումը տրուած է:
JURISDICTION	1) Դատական իշխանութիւն: 2) Այն հողամասը որ դատական ատենանը իրաւունք ունի դատերը լսելու և դատելու: 3) Այն հողամասը, դատը և անցերը որ դատարանը իրաւունք ունի դատելու:
JURISDICTIONAL HEARING	Դատական ատենան մը, որոշելու համար եթէ մանուկ մը կ'իյնայ մանուկներու դատարանի իշխանութեան տակ, որպէսզի դատուի:
JURISPRUDENCE	Դատական օրէնքներու ուսումնասիրութիւնը, և թէ ինչ ցելով կազմուած է դատական դրութիւնը:

**APPENDIX C: Sample page from: legal glossary English – Mong.
Superior Court of California, County of Sacramento. 2005.**

www.saccourt.ca.gov/general/legal-glossaries/legal-glossaries.aspx

LIE DETECTOR - A machine which records by a needle on a graph varying emotional disturbances when answering questions truly or falsely, as indicated by fluctuations in blood pressure, respiration, or perspiration.

Lub machine kws siv koob moog ntsuag ntshaav, ntsuag paa, hab ntsuag fws saib ib tug tuab neeg teb lug dlaag los teb lug tag.

LIEN - The right to keep a debtor's property from being sold or transferred until the debtor pays what he or she owes.

Txuj cai kws txav tsi pub ib tug tuab neeg muab nwg tej khoom muag yog tas nwg tseem tshuav nuj nqe es tsi tau them taag.

LIFE IMPRISONMENT - A type of sentence where the convicted criminal is ordered to spend the rest of his or her life in prison.

Kev tsau txim kws tsaug kaws nkuaj moog taag ib sim neej.

LIMINE - A motion requesting that the court not allow certain evidence that might prejudice the jury.

Qhov motion thov court kuam tsi xob pub txais tej pov-thawj kws yuav ua rua cov jury txav txim tsi ncaaj nceeg.

LIMINE MOTION - A pretrial motion requesting the court to prohibit opposing counsel from referring to or offering evidence on matters.

Qhov pretrial motion kws thov court kuam tsi pub tug kws-lij-choj tog tom has txug tej yaam khoom pov-thawj los-sis muab tej cov pov-thawj tshu tawm vim has tas nwg yuav ua cov jury (kev-txij laug) lug txav txim tsi ncaaj-nceeg.

LIMITATION OF ACTIONS – The time period imposed by law to bring an action in court. (Example—statutes of limitation)

Lub sib hawm kws tso cai rua ib tug neeg twg nce xaam moog has plaub-ntug. Dlhau lub caij ntawm los tes has tsi tau lawm.

LIMITED ACTION - A civil action in which recovery of less than a certain amount (as specified by statute) is sought. Simplified rules of procedure are used in such actions.

Cov plaub-ntug los-sis kev sib-foob kws tsi pub dlhau tej qhov amount.

LIMITED JURISDICTION - Refers to courts that are limited in the types of criminal and civil cases they may hear. For example, traffic violations generally are heard by limited jurisdiction courts.

APPENDIX D: Training & Self-assessment

Training & Self-assessment	OK !	Not Ok !	Remarks
Check defendant's personal information	✓		
Defendant's rights			
Prosecutor gives a summary of charge(s)			
Questioning the defendant / witness			
Discussion of the documents in the file			
Personal circumstances and criminal record			
Prosecutor's closing speech			
Response of the defence			
Defendant's last words			
Verdict			

CHAPTER 1
INTRODUCTION: PROJECT
DESCRIPTION

CHAPTER 2
LANGUAGES OF LESSER DIFFUSION
(LLDs): THE RATIONALE BEHIND THE
RESEARCH PROJECT AND DEFINITIONS

CHAPTER 3
COURSE DESCRIPTIONS

CHAPTER 4
BRIEFING TRAINERS FOR A TANDEM
TRAINING PROGRAMME FOR LEGAL
INTERPRETERS AND TRANSLATORS

CHAPTER 5
LEGAL TRANSLATION AND
TERMINOLOGY

CHAPTER 6
RESOURCES AND MATERIALS FOR
TRAINING LEGAL INTERPRETERS IN
LANGUAGES OF LESSER DIFFUSION

CHAPTER 7
DESCRIPTION OF THE PILOTS AND
BEST PRACTICES

CHAPTER 8
PROFESSIONAL RESPONSES TO WORK-
ING WITH AD HOC INTERPRETERS

CHAPTER 9
CONCLUSION AND
RECOMMENDATIONS

1. Pilot training Mongolian-Dutch (KU Leuven and SIGV)
2. Pilot training Arabic-Slovene (University of Ljubljana and SIGV)
3. Online Learning on Remote Interpreting: a Pilot Course (HiOA)
4. Reflections on legal interpreter training in a continuous learning course with special focus on LLDs (University of Bologna)

CHAPTER 7

DESCRIPTION OF THE PILOTS AND BEST PRACTICES

1. PILOT TRAINING MONGOLIAN-DUTCH (KU LEUVEN AND SIGV)

Katalin Balogh, Heidi Salaets, Dominique Van Schoor & Carola Verhoeff

- **Introduction** - KU Leuven and SIGV have started a joint pilot training programme in Mongolian. Both parties had identified interpreters who were interested in the court interpretation programme in their respective countries: three in the Netherlands and one in Belgium. Since Belgium and the Netherlands share the same language, a joint programme was the obvious choice.
- **Period** - The cross-border training sessions took place from March through May 2015.
- **Location** - The cross-border training took place both in the Netherlands and in Belgium. The first training programme was attended by three students in Zaandam (NL) in March. The facilitator (see below) was also present at that time. Subsequent training sessions were Skype-mediated terminology translation sessions (March through May). The second face-to-face training session took place in Antwerp in April.
- **LLD** - We selected Mongolian as the LLD for this pilot for several reasons. First, Mongolian is a rare language in the Netherlands as well as in Belgium. Second, there are no qualified interpreters available for that language. Third, interested students had already indicated their desire to participate in the pilot in both countries at approximately the same time. Finally, we were fortunate enough to find teaching staff on short notice.
- **Context** - Upon successful completion of this pilot, we believe we can incorporate Mongolian and the methodology we applied to implement this LLD, as part of our regular curricula.

Implementation of LLD training and relationship with general curricula at SIGV and KU Leuven				
Module	Incorporation possibilities		Comments	
			KU Leuven	SIGV
Entry exam Dutch written oral	Mongolian and Dutch via mail and skype		Candidates have to score at least 80% in each part	
Entry exam Mongolian written oral				
Dutch/Belgian Substantive Law	Participation in regular coursework; face to face	+		+
Dutch/Belgian Law of Criminal Procedures	Participation in regular coursework; face to face	+		+
Language Specific Criminal Law		- (Must be mastered by self-study)		+ Part of SIGV curriculum; SIGV requires passing corresponding test
Belgian/Dutch Criminal Law	Participation in regular coursework; face to face	+		-
Terminology	Possible	Developed by students under supervision by facilitator, self-study required. SIGV source list to be used as starting point		
Court Interpreter Training	Participation in plenary sessions possible	Practice required in joint session Belgium/Netherlands, Skype session, possibly with facilitator		
Police Module	Participation in regular coursework; face to face with specific role plays	+ Part of KU Leuven curriculum;	- Mongolian candidates took part in this module	
Final monolingual exam in law	Physical presence is required	+		+
Final interpreting exam	Role play (face to face)	+		+

- **Participants** - KU Leuven and SIGV had already identified four interested candidates, three Dutch students and one Belgian student, all of Mongolian origin. The Dutch candidates had already previously shown significant interest in the court interpreter profession, and had inquired about the possibilities for Mongolian. They are already professionally active as (non-certified) interpreters. One of the Dutch candidates subsequently withdrew from the programme, planning to enter the national register of sworn court interpreters later on. One of the two remaining Dutch candidates had studied Law in Mongolia (equivalent of 2 years university level Dutch Law education). The Belgian candidate had already completed a professional bachelor's degree in Legal Practice in Belgium. This enabled her to write a small legal dictionary Dutch-Mongolian (Dashmyagmar, 2013)⁶⁰, but she was not exempted from the entrance exams for both language skills. To meet the requirements of the Dutch entrance exam prescribed by the official regulations of KU Leuven, candidates have to score at least 80% to pass the written test and have to prove their language skills in Dutch during an oral interview. The Belgian candidate passed, so she could participate in the next step of the whole admission procedure for the course. She had to prove her foreign language skills during a written and oral proficiency test, in this case for Mongolian.
- **Entrance exam**
 - > *Teaching Staff/Assessors* - KU Leuven and SIGV set out on a search for (i) an academic and language expert who could test Mongolian language skills required for admission to the programme, and (ii) an (academic) facilitator who could supervise the translation of the legal terminology list into Mongolian and could attend the training sessions to judge Mongolian language skills. After a long search (even the websites of the Ulaanbaatar University and the Mongolian National University were consulted) KU Leuven identified a Hungarian professor in Mongolian language at the Eötvös Lóránd University (ELTE) in Budapest. Prof. Dr. Ágnes Birtalan is the head of the Mongol and Inner Asian Studies at the ELTE University Budapest. She was willing to develop a Mongolian language test according to the European Framework of Reference for Languages (CEFR) for proficiency level B2. The test contained both a written and an oral part (see more details below under 'exam procedure'). At the same time SIGV used its contacts with the honorary consul for Mongolia to identify an immigration services interpreter, translator and author of the first Dutch-Mongolian dictionary and a language manual. As mentioned before, the Dutch exams were held by SIGV and KU Leuven's own faculty members.

- > *Exam procedure* - All four students were subjected to a written and an oral exam, testing their Mongolian language skills. The written test was prepared and sent out by Prof. Dr. Bertalan via e-mail. The Mongolian students were subject to the same entrance requirements as the other candidates for the 'regular' languages. The Dutch proficiency tests were taken separately by KU Leuven and SIGV. These tests were graded. All candidates passed and were admitted to the next phase. Once the Hungarian examiner had corrected the written test for Mongolian, the students could participate in the oral part of the entrance exam via Skype. All four students passed and could start the regular training in their home country. This means that the Belgian candidate could start with the lessons in law and legal terminology in Antwerp. As the Dutch candidates had already passed the legal part of their training at SIGV, they could participate in the interpreting part of the KU Leuven course.
- **Group composition** - The pilot group consisted of three students – one of the Dutch candidates quit the course for personal reasons – and a total of five staff members; there were also three interpreting trainers from KU Leuven, the coordinator of the SIGV and a native Mongolian facilitator.
- **Trainers** - We identified two academic bilingual professionals who could act as screener for the entry exam and as facilitator. Both professionals were identified through networking (such as the consulate, academic connections, etc.). It should be noted that more than two languages were used in the pilot: one professional was bilingual Hungarian/Mongolian (i.e. the screener for the entry exam), another staff trainer was bilingual Mongolian/Dutch (i.e. the facilitator for the actual training). It should be taken into account that with LLDs there is not an abundance of qualified individuals to choose from and that the choices for trainers and assessors can be limited. However, we were fortunate in having identified two academic level professionals who were enthusiastic about participating in our pilot, even if it takes more than just being fluent in two languages to achieve the desired result. In fact, although the facilitator's command of the Dutch language was less than optimal due to a heavy accent (and not as good as that of the students), this turned out not to be an impediment for the training, given the facilitator's command of the course material and the Mongolian language.
- **Content of the pilot training**
 - > *General Modules* - The Dutch programme differs in structure from the Antwerp programme. The KU Leuven student took part in the regular (language independent) programme in Antwerp, involving police, legal

experts and interpreter and translator trainers. Since SIGV's language-independent modules (Dutch Substantive Law and Dutch Law of Criminal Procedure) at the time of the start of the pilot had already taken place, the Dutch students had to prepare themselves through self-study for the pilot with the coursework reader. However, they could take part in the plenary classes of SIGV module 5, the court interpreter course, consisting of interpretation skills, stress handling, simultaneous interpretation and case studies. As a consequence, they will have to take the entire curriculum in reverse order. Thus, to complete their training, they will attend the pertaining modules and take the corresponding exams in the subsequent year that starts in October 2015.

- > *Language Specific Training, part I* – All three students and the facilitator then met subsequently face to face during the first March training in Zaandam (NL). In preparation for the training they had to prepare Mongolian texts covering several subjects (each student a different subject). These texts were then used for different training exercises. The facilitator collaborated with the interpreter trainers and checked the language proficiency in Mongolian during these language-specific sessions. These training exercises consisted of interpretation skills (memory training and note-taking skills), under the supervision of Heidi Salaets and Dominique Van Schoor (both KU Leuven interpreter trainers). The facilitator's role was to judge the candidates' Mongolian language skills. This part of the programme lasted for two consecutive days.
- > *Language Specific Training, part II* - Subsequent training consisted in Skype-mediated terminology translation sessions (March through May). For these trainings the SIGV source terminology list was used. This is the source list that is used for all languages, comprising Dutch legal terms and their explanations. During the sessions, the students worked together to provide the appropriate Mongolian translations for these terms. Furthermore, an independently generated terminology list of Dutch-Mongolian legal terms was developed by the Belgian student participating in the pilot. This list focused on the Belgian legal system, but was generally quite helpful.
- > *Language Specific Training, part III* - A second face-to-face training session took place in April in Antwerp. This training included both the theoretical part of the Police Module as well as the practical part, consisting of role plays. The training was supervised by Katalin Balogh and Dominique Van Schoor (both KU Leuven interpreter trainers) and Dirk Rombouts,



Fig. 1. Role play as part of police module (pilot training Antwerp)

who was a former chief constable and a lecturer in the KU Leuven Legal Interpreting and Translation programme. The role play was developed by Mr Rombouts and another colleague from the police, Mr Christian Martens. The role plays of all Mongolian candidates were video-recorded and afterwards analysed by all participants. All best practices and mistakes were discussed together with the police representatives and the interpreter trainers. This was regarded as an extremely useful part of the entire training.

- > *Learning Materials* - The learning materials were diverse. The SIGV terminology list was used. However, some useful bonus material was provided by the Belgian student who had independently prepared a terminology list of Dutch-Mongolian legal terms (see above under ‘participants’). The students prepared Mongolian texts which were also used as learning materials and were shared among the participants. In addition, the Mongolian Criminal Code was also located on the internet.⁶¹ This might be helpful for the SIGV language specific criminal law examination.
- **Didactic approach** - As opposed to the standard SIGV teaching format, where a staff member assumes a teacher role as the expert of the relevant subject, we used in this pilot a “facilitator”. The role of the facilitator was less that of an instructor, and more of a moderator. Also, for KU Leuven, working with a facilitator was very new. As the LIT training at KU Leuven is monolingual, students are not used to working in a language specific training environment and they get feedback from their peers. They have neither a language teacher nor a facilitator nor an instructor for the foreign language. As mentioned above, they have to prove sufficient language proficiency during the entrance

exam. In this particular pilot, the facilitator, being the eldest of the group of three students, was immediately respected in her position as trainer. This also relates to the Mongolian culture where the elderly are automatically accepted as the source of knowledge, without question. Whether or not this is an advantage is a matter of debate and further evaluation.

- **Face-to-face, online and Skype** - This pilot consisted of a mix of distance learning and testing and face-to-face training. Entry exams were written as well as oral exams. The oral exam was taken via Skype. We also planned two face-to-face training sessions with LIT staff members from both institutions and with the facilitator present. Email correspondence and Skype were the bridging tools to allow for distance learning between different locations.
- **Collaborative learning?** – This pilot can be viewed as mostly a collaborative effort. The students were clearly learning from each other as well as from the teaching staff and facilitator. The students worked together to develop terminology lists and to look for the Mongolian Criminal Code, they participated in online and face-to-face group discussions and so on. Also, the collaboration between SIGV and KU Leuven was regarded as very positive by the parties.
- **Self-study** - A significant amount of self-study was required. As mentioned earlier, the students were required to prepare a number of Mongolian texts before starting the face-to-face training programmes. These texts were then also used as training tools, and shared with the group.
- **Final exam** - In June, the Belgian student took the final exam. One of the Dutch students has taken the Belgian exam on a try-out basis. Before the final oral exam, the Belgian candidate successfully participated in all written exams on law, legal terminology, police module, etc. In this case, the oral exam was a role play with an investigating judge. Candidates had to prove that they had acquired all interpreting skills: short and long consecutive (with notes), sight translation and simultaneous interpreting. The exam lasted at least 25 minutes. The format of the final (oral) exam is similar to a court procedure. It was held by KU Leuven examiners and the Mongolian facilitator. The facilitator played the role of the suspect. In the SIGV exam the facilitator will also assume the role of suspect, and SIGV regular examiners will set up an interpreting exam according to standard procedures. The main topic of the KU Leuven exam was drunk driving. The exams were video- and audio-recorded, but the decision about pass or fail was taken immediately



Fig. 2. Role play as a part of the final exam in legal interpreting (Mongolian/Dutch), Antwerp

after the exam, together with the judge and the Mongolian facilitator. The Belgian candidate passed, the Dutch one did not. This is not entirely surprising, since the Dutch student had not yet attended the language-independent modules. The Dutch students will continue their classes in Dutch law and will prepare for their final exams in the spring of 2016. In the meantime, the Belgian candidate received her certificate in court interpreting.

- **Cooperation & networking** - Both SIGV and KU Leuven have an extensive network in the community of interpreters, translators and university faculty. In addition, SIGV has good contacts with the Department of Justice and other government bodies. It was therefore quite feasible to identify a qualified faculty to participate in the pilot training.
- **Financial aspects** - SIGV and KU Leuven agreed on a joint cost sharing and programming schedule. The two face-to-face training sessions were each two days. One session took place in Zaandam (NL), the other one in Antwerp (BE). Each party carried its own expenses for these sessions, and shared the expenses of external faculties (assessor and facilitator). Even the fee of the Hungarian examiner was shared by the two institutes. KU Leuven paid for the written exam, and SIGV for the oral one. Given that the students were participating in a pilot, the subscription fee for the Belgian candidate was refunded, which means that she could participate in the pilot for free. This was a good example of best practices to increase cost-efficiency through cross-border collaboration.

- **Feedback from participants/trainers** - We have not yet received the formal evaluation from the candidates, but feel that the students and faculty were quite pleased with the results of this pilot. Orally, they confirmed that they were extremely satisfied with the course.
- **Results & Recommendations** - One of the main challenges is how to start with the whole procedure: how and where to find someone who can check the foreign language skills of the candidate LLD interpreters? Secondly, how can one identify an appropriate facilitator and have him or her fully commit to the process? Networking is an important tool to overcome these challenges. It should also be kept in mind that efforts to get training in LLDs is much more an informal process than for instance the standard curriculum for English or French, which (at SIGV) are the result of twenty years of improvement/perfection. It is quite possible to educate LLD students in interpreting skills and techniques. It is also often possible to gauge language skills (even through a third language) quite accurately. However, we must realize that learning the legal system and terminology of LLDs is like climbing a steep curve, in particular with legal systems that are unfamiliar to European professionals. In that case, we must rely quite extensively on the expertise that the students themselves contribute. In a world that is getting smaller and smaller via the internet, it is often possible to identify suitable, if not ideal, teaching staff for training purposes. This should be the starting point for further improvement of the curriculum. Ideally, a Wikipedia terminology database would be something that everyone can contribute to, as well as utilize. Furthermore, it was extremely useful to get to know more about the different approaches and training methodologies used in both countries. A mixed approach, in our case including a cross-border entrance exam and international cooperation between SIGV and KU Leuven, combining the usefulness of the tandem method and online practice together with two very important face-to-face meetings, taught us that the connections established by mutual learning and cross-border cooperation can help to bring down the walls of fear in order to train legal interpreters in every possible language.

2. PILOT TRAINING ARABIC-SLOVENE (UNIVERSITY OF LJUBLJANA AND SIGV)

Amalija Maček & Ahmed Zekhnini

- **Location and period** - The pilot training took place at the Department for Translation, Faculty of Arts in Ljubljana in April and November 2015 and included two webinars, provided by Ahmed Zekhnini from SIGV in Amsterdam. The introduction on site was made by Amalija Maček, University of Ljubljana.
- **LLD** - The combination Arabic-Slovene was selected, because of the increased need for court and community interpreters with Arabic in Slovenia due to the refugee crisis. Past research showed that registered court interpreters with Arabic, who live in Slovenia, have not received any training in interpreting skills. There is also no study programme with Arabic, only a language course at the Faculty of Arts. Despite Arabic being one of the most important languages in the world, one could say that it is a language of lesser diffusion in Slovenia. At the time of the first webinar, there was still no increased demand for interpretation with Arabic, but at the time of the second webinar in November 2015 there was already a severe refugee crisis at the borders of Slovenia.
- **Context** - Both webinars were a pilot for a programme of further education "Interpreting for courts and administration", which was written by Amalija Maček in the summer of 2015 with crucial support from Christiane Driesen. The programme was approved at the Faculty of Arts in Ljubljana in December 2015 and will be accredited with the University of Ljubljana in 2016 in order to start operating in fall 2016.
The programme follows the tandem method developed by Danica Seleskovitch and Christiane Driesen, successfully implemented in Hamburg and Magdeburg. The programme in Ljubljana will include 10 weekend seminars about interpreting and translation in legal and administrative settings and will consist also of many e-learning modules.
- **Participants** - We invited all registered court interpreters in Slovenia with the combination Slovene-Arabic. There are 16 interpreters with this language combination listed on the webpage of the Ministry of Justice (<https://spvt.mp.gov.si/tolmaci/arabski.html>), but the list has not been updated for many

years, so apparently only about 7 of them are actually still living in Slovenia. 2 of them excused themselves because of illness, 5 participated in the first seminar and 4 of them participated in the second seminar. For the second seminar a community interpreter joined and a UNHCR interpreter-coordinator working on various country borders and in the refugee shelters in Slovenia.

All participants had higher education, but mostly in engineering, architecture and computer science; most of them had studied in Slovenia (due to good political and economic relations between former Yugoslavia and the Middle East in the framework of the unallied states) and had already lived here for many years. Their Slovene is of a very high level. None of them had linguistic education nor received interpreting training.

- **Entrance exam** - There were no entrance exams since we were glad to be able to accept all the interpreters and to encourage them to participate in further training. Also, previous research has shown that it is sometimes difficult for professionals with long practical experience to admit or to accept that they need further training. The 2010/64/EU Directive and the obligation for LITs to submit 5 certificates of attendance at 5 seminars of further education to the Ministry of Justice every 5 years in order to stay listed in the Register has a major impact on the willingness of experienced LITs to attend such seminars; it also increased the offer of such seminars (some on a very professional level, other less).

In the planned programme of further education following the tandem method we have foreseen entrance exams for all candidates with jury members, who are native speakers of the respective LLDs (present in person or via Skype).

- **Group composition** - 4 of 5 participants of the first seminar are court interpreters with rich experience, one of them just passed the exams at the Ministry of Justice and was especially interested in learning more. At the second seminar one community interpreter – a beginner – also attended, as well as a UNHCR coordinator.
- **Trainers** - We applied a modified tandem method as training methodology; the introduction to both seminars was made by Amalija Maček, conference interpreter and interpreter trainer from Slovenia. The webinar was held in Arabic by Ahmed Zekhnini, experienced court interpreter and trainer at the

SIGV Amsterdam. Both are members of the TraiLLD project, so no special selection process took place.

The cooperation was very good, the participants appreciated that the pilot training is organized by the university and not by an association or language school, as in many other cases, and they respected Ahmed Zekhnini because of his rich experience and friendly approach, treating them as expert colleagues as well as students.

- **Content of the pilot training:**

- > The first seminar was about consecutive, note-taking and finding terminology
- > The second seminar dealt with the ethics and professional role of interpreters in times of crisis
- > Both times there was first an introduction about the topic in Slovene by Amalija Mažek, then the participants could present their experience and problems they are facing, followed by a longer presentation by Ahmed Zekhnini in Arabic with details and examples about the topic; then the participants were encouraged to pose questions and think about possible solutions
- > In the first seminar Ahmed Zekhnini prepared some terminological questions. There are big differences between different regions where Arabic is spoken. Some of the interpreters were aware of these differences, some tended to ignore them and they also discussed various expressions in Slovene for different kinds of courts
- > In the second seminar the participants were encouraged to talk about stressful situations while interpreting at asylum hearings or in refugee shelters.

- **Didactic approach** - Since it was the first time Arabic legal interpreters in Slovenia gathered and many of them had a great deal of experience, both seminars were organized as discussions among peers. The participants were given a brief description of the TraiLLD project. They were also informed of the intention of the Department for Translation Studies at the Faculty of Arts of the University of Ljubljana to create a postgraduate course of further training for court interpreters of languages of lesser diffusion on the basis of the tandem model, which has been successfully implemented by the programmes organized by Christiane Driesen in Magdeburg and Hamburg. After that, a virtual class took place with an introduction to consecutive note-taking by Ahmed Zekhnini from the SIGV and how to deal with legal terminology.

The participants explained that they all had other, primary, occupations (engineers, architects, one honorary consul ...) and that nobody can survive being just a legal interpreter in Slovenia. They also stated that no increase of cases had been seen as a result of the refugees from Syria (Slovenia might not be interesting for them, since there is a severe economic crisis there and because there is not a big community of Arabic speaking persons in Slovenia; this was the case in spring 2015, but the situation changed dramatically in fall 2015). The participants had already attended some seminars organized by the professional associations of court interpreters. However, at this point there was no seminar in Arabic; in Slovenia Arabic is not offered at university level and there are no scholars in this field.

The participants greatly appreciated being treated as colleagues and not as beginner students. Ahmed Zekhnini focused on the aim of getting feedback from the present interpreters as this was a pilot for future training.

After a brief introduction on the principles of consecutive interpreting and note-taking during this virtual class, it soon became clear that the students are not always familiar with the metalanguage used in the field of interpreting. For example, the interpreters were not aware of the naming of the different modes of interpreting in their own language, Arabic. We think that this might be a limitation for interpreters, for example when they search the web for literature and training material.

The students were soon involved in discussions of different legal terms and their translations in Slovenian. All of the interpreters agreed that much research still needs to be done on terminology for the Slovenian-Arabic combination. Ahmed Zekhnini explained how legal terminology can be made accessible in both languages by comparing the two legal systems and discovering ways of interpreting specific terms. The best way to do so is through comparison of the two systems by looking at specific offences or procedures. Theft is taken as an example and discussed with the interpreters generating the corresponding terminology on this aspect.

Later on, discussion was raised on the slight variation that exists in use of legal terms of one Arab country to another. An interpreter finds it very exhausting to take into consideration all the differences. The rest of the interpreters agreed with Ahmed Zekhnini that these differences should become a challenge for the interpreter and at the same time enrich his knowledge; they also agreed that the most important thing was to have an awareness of these

aspects. Ahmed Zekhnini mentioned the efforts made by the Arab League in establishing Arabic legal terminology.

Another aspect of discussion was the deteriorating political situation in the Arab world. The interpreters were hoping to be involved in big projects in different countries especially in Iraq where they all hoped democracy would be established in the future. They were disappointed because no Slovenian enterprises are ready to take risks and invest in such environments. Again, the conclusion of this discussion is that the interpreter should try to consider interpreting jobs as an occasion to invest in one's knowledge, knowing that things might change. Soon we might be facing a severe shortage of interpreters in all fields.

On the basis of the seminar we hoped to improve the knowledge of the interpreters regarding where to search for correct legal terminology in Arabic and in Slovene and to present them with the basic notions about consecutive note-taking as well as remote interpreting and virtual classes. All the participants and the registered legal interpreters who could not attend due to health problems received a booklet about consecutive interpreting in Slovene (Biffo Zorko, Maček, 2014: Osnove konferenčnega konsekutivnega tolmačenja) and at the second seminar they received a translation of the UNHCR guidelines for interpreters working in asylum proceedings provided by the head of interpreters in Asylum centre Ljubljana, Mr Peter Umek. The younger interpreters valued the experience of their more experienced colleagues and they established new contacts, which will hopefully continue. They also appreciated the possibility of being able to contact Ahmed Zekhnini in the future to ask for suggestions and advice on terminological or other problems relating to legal interpreting.

At the second webinar the refugee crisis was already very severe in Slovenia. Legal interpreters and ad-hoc community interpreters reported facing many problems, especially dealing with lost children, pressure from fellow citizens to help them, refugees asking them information about the transfer to Austria or Germany which they did not have, working after hours and nights, etc. The UNHCR employed about 30 interpreters with Arabic, Farsi and other languages, all of them native speakers, who live in Slovenia, but none of them were professional interpreters. They were only given a one-day seminar by the UNHCR. Mostly they were coordinating the transports and interpreting in hospitals. Only very few refugees decided to stay in Slovenia

but we can expect that this number will increase and that the need for qualified interpreters with Arabic will only increase in the next years.

Ahmed Zekhnini listened to their experience and questions and then gave a longer presentation about dealing with specific ethical or emotionally exhausting problems. The participants also received an excerpt about the role of interpreters in asylum hearings (where to position themselves, especially depending on the age or gender of the asylum seeker). The participants appreciated the hands-on approach of Ahmed Zekhnini a great deal and were thankful for his advice, based on his rich experience.

- **Face-to-face and/or online** - The introduction and the wrap-up was face-to-face in the interpreting laboratory at the Faculty of Arts in Ljubljana, the webinar by Ahmed Zekhnini was a Skype-distance-learning session. The second time there were some technical problems, but in general it was a positive experience. Some of the participants had to drive quite a long way to the capital of Slovenia, so maybe it would be good to offer them online seminars in the future, where they can participate from their homes. However, given the fact that the community is still evolving, it was of utmost importance to gather the interpreters in one place and to establish some personal contact with them.
- **Collaborative learning** - The participants did not interpret during the seminar, but they contributed their experience and discussed some possible translations and solutions among themselves and with the trainers.
- **Self-study** - The participants received a great deal of materials and recommendations for self-study at home, but it was not obligatory or anyhow monitored (no exam).
- **Group dynamics** - At this point the cultural specifics were the most visible. It was very important to gather young and more experienced legal interpreters in one place. Firstly, some of them were sceptical or did not want to admit that they would need further training. Some of them had conflicts in the past. There was also some tension between the younger and the older generation, and between the court and the community interpreters. With an open and friendly approach, stressing the importance of all kinds of experience and the need for cooperation in times of crisis, we managed to establish good group dynamics. The younger interpreters in Arabic showed respect towards the more experienced colleagues who also helped to relieve

the tension. Also, the peer-to-peer approach by Ahmed Zekhnini had a very calming effect on the whole group who accepted him as expert.

- **Final exam** - At this stage there were no entrance and no final exams. In the future programme of further education, we are planning to have both written and oral exams with native speakers in the jury. We are planning to stage real interpreting situations.
- **Cooperation & networking** - The whole pilot was based on the cooperation between the University of Ljubljana and SIGV from Amsterdam. The cooperation was flawless and we hope to continue, also in the framework of the new planned programme. The cooperation and support in terms of materials and advice from Christiane Driesen was also extremely valuable; she helped to write the programme for the future further training for LITs who work at courts, in asylum and administrative procedures. This programme is very much needed since there are many refugees passing Slovenia, or staying there, and the Ministry is employing interpreters with no interpreting training and no certification.

At the second pilot seminar in November 2015 we used material provided by the Asylum centre in Ljubljana. The interpreting studies at the Department of Translation at the Faculty of Arts has been collaborating with the Asylum centre for many years, also in research. The contact with UNHCR representatives in Slovenia was new, however. Before, the head office - also responsible for Slovenia - was in Budapest, Hungary, but now a new office has been established in Ljubljana. Ms Faila Pašić Bišić, the coordinator of all the ad-hoc-interpreters with Arabic, Farsi, Kurdish and other languages, who work at the border crossings and in the refugee shelters in Slovenia, participated in our second seminar and we plan to establish a long-term cooperation with her.

- **Financial aspects** - The participants had to come to Ljubljana, the capital of Slovenia, from other places; not far, but still incurring costs. The seminar was free of charge, which they appreciated (since the new directive many language schools are trying to make good money with this kind of seminar). A webinar is a very cost-efficient form of training, so the expenses from the project budget were: trainer, materials and catering.
- **Feedback** - The participants greatly appreciated both seminars. They valued the fact that they were both taking place in an academic domain and they

appreciated much more a certificate from the University than a certificate from some other institution. All the participants especially praised Ahmed Zekhnini, his knowledge, experience and friendly approach. In between both seminars they were calling the university and asking if there will be another seminar with Ahmed Zekhnini. They all emphasized the knowledge of Ahmed Zekhnini and were very thankful for his clear explanation and also for all the materials he prepared (useful links to the pages of the Ministries of Justice of Morocco and Kuwait, to the page of the Arab League and a 200-pages document with legal terminology and explanations, which every participant received printed as a booklet).

Ahmed Zekhnini experienced working at a distance with people from various Arab countries as very challenging. Not having much information about their background and their previous vocational and educational experience with regard to interpreting, proved to be quite difficult.

- **Results & recommendations** - A big challenge was to gather the community of legal interpreters with Arabic in Slovenia and to convince them that they can gain something more from these seminars than just the certificate they need to present to the Ministry of Justice. The cultural aspect is very important and it has led to a good atmosphere and results. The experienced legal interpreters gradually felt more comfortable because they received enough respect from the trainers and from younger colleagues. It was clear how much it means to the legal interpreters to receive university training. We highly recommend establishing a university or high school-based training for LITs in each EU country and also to convince the local authorities and the governments how important it is to provide training on the highest level with qualified trainers. The academic network of projects and university partnerships is able to provide the needed expertise and contacts to native speakers who are experienced trainers and practitioners for a certain LLD, in order to provide good training, even if there is no interpreter trainer for this LLD in the given country. This is an added value of the academia.

We think that the trainers must be aware of cultural differences and must try to accept and overcome them with respect and an open and friendly approach. It would also be beneficial to train the trainers of future courses for LLDs in intercultural communication and didactics for teaching adults who already have interpreting experience.

Although we were very pleased with the outcomes and results of the course, as were the participants, there is of course room for much future improvement; for example the participants could translate/interpret in class and their work would be evaluated. For the purposes of this first pilot project, it was too soon to do that.

3. ONLINE LEARNING ON REMOTE INTERPRETING: A PILOT COURSE (HIOA)

Hanne Skaaden

"I believe it was the actual self confidence that I feel I have gained after many exercises with, and feedback from, colleagues – all in front of the PC"
(A student on own learning during the course)

3.1 The pilot course

Having offered blended learning courses on the on-site interpreting of dialogues since 2007,⁶² a course on remote interpreting (RI) was launched at Oslo and Akershus University (HiOA) in the spring semester of 2015. In this case, RI implies a situation where the interlocutors and the interpreter are seated in three different geographical locations, thus appearing in a triadic "on-the-screen" encounter.⁶³ The triadic solution was necessitated by the course's organization. Due to its distance learning approach, the course had students located all over Norway and even abroad. After an on-campus kickoff gathering, all interpreting exercises and communication with and between students took place via Skype and the learning platform *Fronter*.

The course was introduced as part of HiOA's regular interpreting courses and students who completed the course gained 15 ECTS. Organized over 14 weeks from mid-January till mid-June, the course had a pilot framework with an action research aim. The aim was to gain knowledge about Remote Interpreting and test the available technology against the didactic approach. The students who attended the course were informed about the course's pilot nature at the kickoff gathering and signed an agreement to take part in the research design. The participants' previous experience with remote and other forms of distance interpreting as well as their expectations for the course were elicited in an online

survey before the course started. The survey indicates that the students had experience with interpreting over the telephone, but had limited experience with audiovisual support during distance interpreting.

3.2 Distance and remote interpreting

Distance and remote interpreting⁶⁴ has come to stay (Braun & Taylor, 2012ab). A Norwegian white paper report (NOU 2014, p.152) states that by 2023 fifty percent of all interpreting in Norway should be carried out “on-the-screen”. Norway’s interest in RI caught on relatively early. With its five million citizens inhabiting more than three hundred thousand square kilometers, the interest in technological solutions for communication follows as a consequence of demographic, economic and geographical factors. A project testing ‘on-screen interpreting’ in real life encounters involving police and health care workers from 1999-2001, concluded that “when technology improves sufficiently” the option should be broadly implemented (UDI, 2003). Findings from the project simultaneously indicate that while the police officers and health personnel who took part were ‘very satisfied’ both with “the professional interpreters on the screen” and their reduced travel costs, the interpreters detected a number of challenges with the remote mode of interpreting (Skaaden, 2001, p. 73). For instance, the interpreters reported more problems with the technology than the interlocutors did, i.e., problems with image-sound synchronization, with light conditions, with microphone behaviour, or with too many people and noise in the other party’s location. Moreover, a majority of the interpreters reported problems with turn-taking (Skaaden, 2001, p. 74).

The findings from the Norwegian study are in line with later studies, which single out comprehension and turn-taking as more troublesome for interpreters when operating in the remote mode than face-to-face. In their study comparing on-site interpreting and different combinations of VCI/RI, Balogh and Hertog (2012, p. 134) find comprehension and turn-taking problems to be more salient than in face-to-face encounters. They emphasize the need for training in VCI/RI (ibid. 136). Similarly, Braun and Taylor (2012a, p. 107) record over triple the increase (324%) in turn-taking problems during remote interpreting as compared to the on-site mode. In a comparison of on-site and remote simultaneous interpreting, Moser-Mercer (2003, p. 18) finds that in the novel work environment interpreters “need to invoke more effortful problem-solving strategies”. Moreover, the remote environment “seems to cause more than the usual physiological and psychological strain in that the coordination of image and sound, the piecing together of a reality far away and the concomitant feeling of lack of control all

draw on mental resources already overcommitted in this highly complex skill” (loc cit.). Correspondingly, Roziner and Shlesinger (2010) compare simultaneous interpreting performed on-site with simultaneous remote interpreting in a large-scale experimental study. They establish that the interpreters find RI significantly more stressful and less satisfactory, even though clinical measurements and error counts fail to support the interpreters’ own evaluations. The findings suggest that the interpreters’ discomfort with RI is of a psychological nature, Roziner and Shlesinger (ibid. p.242-3) conclude.

In sum, a general finding from studies on distance interpreting is that the interpreters see more challenges with the mode than the “regular” interlocutors they serve do. Moreover, most studies conclude that training for both interpreters and participants is necessary for remote interpreting to succeed with optimal quality. Against this backdrop, the aim of the current pilot is to explore the on-screen mode of interpreting in order to a) allow the students to familiarize themselves with the mode of interpreting, and b) gather knowledge on how the interpreting students experience audiovisual communication in the online course setting under the conditions of the chosen technology and didactic approach.

3.3 The course

This subsection describes the course’s structure and content, as well as its participants, technologies and learning activities. Throughout subsection 3, excerpts from the final survey evaluation illustrate the students’ feedback on different aspects of the course, while we return to some general findings from the survey in subsection 5. The interpreting exercises via Skype receive primary focus in the description, as this was the most prominent learning activity in the course and the learning activity that the students label most valuable.

THE STUDENTS

The course admitted 28 students, of which 26 attended. The admitted students represent the working languages English (7), Polish (7), Somali (7) and Kurd Sorani (7) in addition to Norwegian. The language groups were selected randomly from the list of applicants with at least seven contenders with the same working language. The group size was determined by the technology (Skype), which has restrictions on the number of participants in each encounter. All admitted students, seventeen women and eleven men, had previously completed a course on the on-site interpreting of dialogues (30 ECTS),⁶⁵ and were thus qualified applicants for the announced add-on course on ‘distance interpreting’ (“fjerntolkning”) according to HiOA’s recruitment procedures.

The students' mean age is 42, with 28 as the youngest and 58 as the oldest. Prior to attending the course, some applicants, in addition to the course on on-site dialogue interpreting, had completed add-on courses on, e.g., note-taking (15 ECTS). All students are practicing interpreters in the Norwegian public sector and courts. Some students also have extensive experience from the conference market and AIIC membership. According to the pre-course survey, few applicants had actual experience with RI, however, while most report to have had some experience with telephone interpreting. Twenty-three completed the course with a passing grade. With 88.5% completion, the course, accordingly, had a very good completion rate for an online learning course.

THE TECHNOLOGY: FRONTER, SKYPE AND TECHSMITH RELAY

The fact that the students are situated in geographically distant locations determined the course structure and choice of technology. After a kickoff gathering, Thursday through Sunday, at the HiOA campus in early February of 2015, all communication was carried out via the learning platform *Fronter* and Skype. The aim of the kickoff gathering is to inform the students about the course's learning aims, its didactic approach, and terms of collaboration, e.g., that all learning activities are mandatory with no less than eighty per cent attendance. The gathering, moreover, serves to test the students' knowledge of the technology, and to map individual expectations and group dynamics, which may later contribute to successful online interaction.

The learning platform *Fronter* serves as the course's contact base where information and learning material is distributed. Moreover, day-to-day contact is upheld with the students via *Fronter's* forum channels for questions and comments. An advantage with *Fronter* is that students and facilitators are already familiar with the platform from the introductory course. However, *Fronter* does not allow for audiovisual communication.

After considering several options for audiovisual contact via the internet, *Skype* was chosen due to its availability. Previous experience with distance learning courses indicates that the technology utilized must be affordable and available to the students in order to serve the course's purpose (Skaaden and Wattne, 2009, p. 77). In their recommendations for RI training, Braun et al. (2012, p. 238) consider that training courses should opt for the best technology available. The idea being that the students should not invest energy in managing technology, but rather concentrate on developing their interpreting skills. Knowing how to handle the technology is part of online audiovisual communication, however, and in our case, the pragmatic factors outweighed the ideal scenario.

Skype may not provide the ideal transmission quality, but the students were already familiar with it. Some students initially expressed scepticism about Skype, and wondered whether they should get to try “real” RI. As it turned out, Skype transmission was better than expected, and in line with the experiences of Korak (2010, p. 157) we may conclude that interpreting via Skype is possible given that the internet connection is satisfactory. In groups with up to eight participants, the facilitator included, Skype provided audiovisual contact that allowed for realistic interpreting exercises. Gradually, most students sorted out both sound and microphone problems. As the course proceeded, they also adjusted background and lighting to an acceptable level, as the recordings from the exercises illustrate. The students’ online discussions and feedback reveal that dealing with technical problems is part of real life DI/RI. In fact, sorting out the technological factors became a learning path in itself. In the final evaluation, students mention their raised awareness of technological issues among “important things that I have learnt” during the course:

- 1 To manage the technical problems that may occur during RI [Å håndtere de tekniske problemene som kan oppstå under skjermtolking.]
- 2 Awareness of technical problems during DI [Bevissthet rundt tekniske problemer under fjerntolking.]

Since the students as part of the didactic approach and final exam were to analyze their own performance and do peer analyses, the course in addition to a functional audiovisual channel, needed technology to record the online exercises and stream them back to the students.

TechSmith Relay, a programme that allows the audiovisual recording of your desktop activities, was chosen for this purpose. The recordings were subsequently distributed to the students as links via *Fronter*. *TechSmith Relay* was new to all, including the faculty’s IT support group. However, a colleague at the department of teaching, who had used the program for own purposes, came to our rescue and generously shared his experiences. After some trial and error during the planning phase, the course organizer and facilitators became familiar with the recording programme. A hands-on trial and error phase was important for the facilitators to be on safe ground before starting the course. The phase is worth mentioning, since it mirrors the real life situation of a project that is breaking new ground.

INTERPRETING EXERCISES VIA SKYPE

During the course, practical RI exercises via Skype take place one evening a week, i.e., Tuesdays from six to nine p.m. A facilitator administers each three-hour session with two 15-minute breaks. The RI exercise sessions via Skype are organized in four parallel groups of 6-7 students, where each group consists of students from two different language groups.

Accordingly, the students are divided into four groups with 3-4 students from two different working languages: English-Sorani, Polish-Somali, English-Polish and Sorani-Somali. During the exercises, the students act as interlocutors of institutional dialogues (doctor-patient; police-witness etc.) in role plays, and take turns in playing the role of the interpreter. figure 1 illustrates that a student playing the interpreter can view both interlocutors on his/her home screen. The rest of the group, indicated by the smaller images below, observe the exercise.

Role cards are distributed beforehand in *Frontier*, and the students are instructed to prepare for the roles so they can act out each part freely. The approach requires the students to do their homework, and meet prepared to *speak* the roles instead of reading them. Talents for acting were found in all groups, and in general the role-playing went smoothly. During a role play, the rest of the group, as indicated in figure 1, observe the performance of the interpreter.

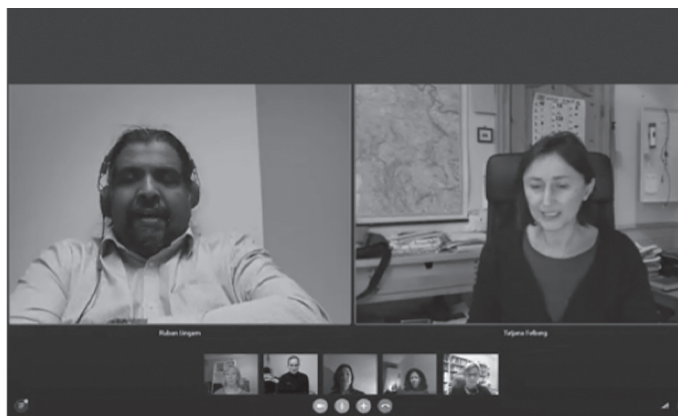


Fig. 1. Skype exercise session recorded in TechSmith Relay (illustration photo)

After each role play, the students share their observations on the interpreting performance. Students from the same language group gave feedback on bilingual aspects of the performance, while the rest would comment on the interpreting strategies and overall performance.

Interpreting exercises in mixed language groups bring the students in touch with the interlocutor's feeling of *not* understanding all that is being said. Moreover, in our experience, extra-linguistic aspects of interaction in interpreting are easier to spot when you observe other language combinations than your own. Observation and reflection in mixed language groups, therefore, open for insight into interpreting strategies that are language independent.

The recordings from each exercise session are made available via *Fronter* after the session, so the student can observe her/his own performance individually. The recordings simultaneously served as a basis for the final exam (see below). The exercise sessions are the learning activity with which the students report most satisfaction (see below). A student's response to what s/he found to be the course's main learning effect describes this effect:

- 3 I believe it was the actual self confidence that I feel I have gained after many exercises with, and feedback from colleagues – all in front of the PC [Tror at det var selve selvtilliten jeg føler at har skaffet meg etter mange øvelser med og tilbakemeldinger fra kolleger, alt foran maskinen.]

In line with the didactic approach, a facilitator leads each exercise session by distributing roles before each exercise and by posing open-ended questions to keep the discussion on topic during the reflection phase. During the reflections upon each exercise session, the facilitators stimulate the group's observations and reflections by drawing attention to different aspects of the exercise in line with the week's "learning topic" according to an evolving agenda (see below).

Topics addressed during the exercises relate to challenges specific to the RI mode. In the beginning, attention is drawn to different types of audiovisual disturbances and their effect on the interpreter's working conditions, e.g., sound rupture or delay; (occasionally) frozen picture; poor image/sound synchronization or background noise such as paper rustle, keyboard sound etc. (Mouzourakis, 1996, 2006). Gradually, more focus is placed on **the effects of reduced proximity on perception, the screen as a magnifying glass** and one's own

appearance. The magnifying aspects refer to factors of a paralinguistic nature such as coughing and hawking into a microphone, the use of the universal editing particle “erm” that signals detected problems with speech planning (Levelt, 1989, p. 484).

Likewise, voice echoing and feedback (Abdulezer et al., 2007, p. 203) is addressed, as is the control of speech volume over the microphone. The latter issue relates to Braun’s (2012, p. 314) observation that “the reduced social presence manifests itself, for instance, in unnatural ways of speaking, especially a tendency to speak louder [...]”. This tendency to “speak up” was witnessed during the course as one participant observed that the question *Could you lower your voice, please?* is more difficult to voice than the question *Could you speak up, please?* Furthermore, aspects of perception, such as the difficulty to differentiate certain phonemes (e.g., p/b, f/s) with reduced social presence received focus. Finally, the interplay between our senses and the fact that our vision can influence what we hear, the so-called McGurk Effect, was addressed.⁶⁶

The latter effect relates to the phenomenon of **visual noise** and the fact that modern technology, such as Skype allows audio signals and visual signals to interfere with each other.⁶⁷ Visual noise on the screen may, as illustrated by the frames in figure 2, relate to the choice of brightly coloured clothing, background clutter and colours, or your placement on the screen, whether leaving too much space above your head, or sitting too close to the camera as a “talking head”.

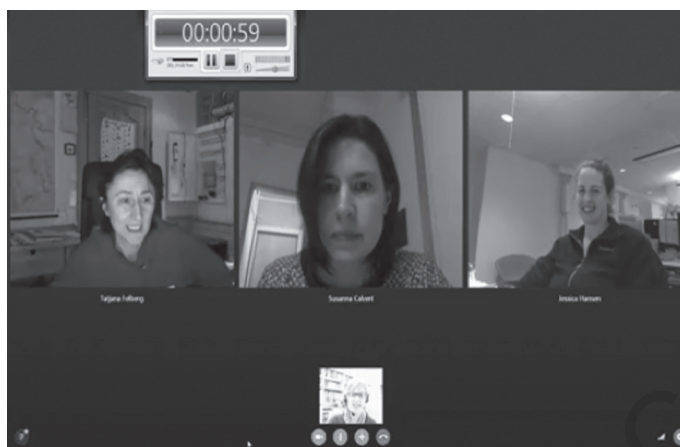


Fig. 2. Role play interpreting exercise via Skype, recorded in TechSmithRelay (Illustration photo)

Factors the interpreter must pay attention to are therefore, camera angle, light setting, ‘studio background’, and even the participants’ clothing, since these factors have an impact on the overall quality of the encounter. When the topic of visual noise was introduced during the kickoff gathering, some students expressed doubt that these factors would have an impact on the quality of an RI encounter. “We are not competing for Top Model”, as one student put it. It is therefore interesting to notice that most students adjust both their background and choice of wardrobe as the course proceeds. In their final evaluations, several students emphasize their raised awareness of the multiple factors that contribute to the quality of online audiovisual encounters:

- 4 How all elements play a part and have an impact on the final result [Hvordan alle elementer spiller inn og påvirker det endelige resultatet.]
- 5 Subconscious sides of DI that were not so clear to me [Ubevisste sider av fjerntolkning som ikke var så klart for meg]

THE DIDACTIC APPROACH

The course organizes all learning activities according to an experimental-dialogic approach to learning (Skaaden, 2013, this volume). In line with ideas of collaborative learning, the approach sees the students as a major resource in the learning process. Unlike the traditional teacher role, where the teacher appears as ‘supplier of the set answer’, the facilitator’s role here is rather to pose the right *questions* and stimulate the students’ involvement, interaction and dialogue in ways that bring their observations and reflections towards new insight. At the kickoff, when the course’s collaborative learning options were introduced, some students explicitly expressed scepticism towards the didactic approach. Were they just to “stumble across” the right answer, one student wondered during the kickoff evaluation. To associate learning solely with the traditional “lecturer” role is not uncommon. However, as argued elsewhere (Skaaden, 2013, volume 14), several circumstances support the choice of didactic approach for the target student group. Firstly, an experiential approach to knowledge appeals to the adult student. Most interpreting students are well into adulthood, as the current group exemplifies with the majority of students close to forty. Secondly, the type of knowledge to be acquired is *know-how* which requires student involvement and reflection. Finally, a dialogic approach to learning, which stimulates interactivity, goes well with the web-based classroom, where a teacher’s monologue lecture quickly becomes boring. Despite the scepticism expressed at the outset, the final evaluation indicates that most students were satisfied with the didactic approach. One student describes his own learning experience in the following way:

- 6 After having completed the course, I was positively surprised about how much I learnt about my own DI. The course raised my awareness about the things I need to work more on. [Etter å ha gjennomført emnet ble jeg positivt overrasket over hvor mye jeg lærte om min egen fjerntolkning. Emnet gjorde meg mer bevisst på de tingene jeg må jobbe mer med.]

Six facilitators and the course organizer took turns administering the online exercises via Skype in four parallel exercise groups. The facilitators' task during the Skype interpreting exercises is to stimulate the students' collaboration, peer feedback and reflections over the observed exercise. In line with the didactic approach, feedback on bilingual detail is elicited from the student group. Therefore, there is no need for the facilitators to have the same language combinations as the students. Four of the facilitators were trained interpreters in different working languages (Arabic, Finnish, Serbian and Tamil), and two were trained sign language (SL) interpreters. The latter two had experience with audiovisual distance interpreting between SL and Norwegian, while the former four had experience with facilitating on-site exercise groups on dialogue interpreting. Most had experience with facilitating synchronous online learning activities (chat), but had not previously administered interpreting exercises via Skype.

ONLINE LEARNING ACTIVITIES, SYLLABUS AND TOPICAL PROGRESSION

In addition to the practical exercises and individual work with the syllabus texts, the students take part in mandatory learning activities in *Fronter*. Synchronous chat sessions of 45 minutes' duration take place every Monday evening. The chats are organized in two subsequent groups of 13-14 students. The aim of each session is to stimulate the students' reflections over the interpreting exercises, as well as their real life experiences with RI, in accordance with "the week's learning topic". As mentioned in 3.3, the week's learning topic is also integrated in the reflections after each exercise, and a goal of the chat discussions is to elaborate on unresolved aspects. The week-by-week agenda integrates topics from the course curriculum, accordingly, containing issues indicated in 1-11.⁶⁸

- 1 *Consequences of technological distance*: A brief history of DI/RI, categorization and terminology; real life experiences and course expectations
- 2 *Technology and interpreting*: Impact on the interpreter's work conditions and professional ethics
- 3 *Situational factors with impact on the interpreter's perception*: Sound, camera angle, studio lighting, colours, clothing, ping and upload/download capacity, etc.

- 4 *Image and sound*: Perception and the interplay between vision and hearing
- 5 *Turn-taking I. Language-paralanguage-movement*: Identifying possibilities and limitations
- 6 *Turn-taking II. Visual and auditory signals*: Comparing on-site and on-screen strategies for turn-taking
- 7 *Turn-taking III. Taking turns with and without visual support*: Comparing telephone and on- screen contact
- 8 *The interpreter's own performance. Appearance, voice and microphone*: The screen as magnifying glass
- 9 *Interpreting expertise vs. technological expertise*: Boundaries of the interpreter's area of responsibility
- 10 *Professionalism and cooperation I*. How to accommodate the situation? To communicate the interpreter's needs and the situation's limitations. Introducing the interpreter's task
- 11 *Professionalism and cooperation II*. How to draw the line between the interpreter's and the other professional's area of expertise? Pre-and post-encounter contact with the professional in charge

A **focus text** posted by the course organizer or one of the facilitators in *Fronter* the week prior to the online sessions prompts each learning topic. The focus text briefly highlights aspects from the syllabus texts. The aim is to guide the students in their individual work with the curriculum by highlighting aspects of the syllabus texts.

In line with the didactic approach, the facilitator leads each chat session by posting open-ended questions to keep the discussion on track whenever necessary, but does not take part in the discussion or supply the “set” answer. In the chats an introduced topic might sometimes branch into subtopics, e.g., a question about information needed before the assignment may lead into discussions on the interpreter's legal competency. In supplement to the synchronous fora, the students are stimulated to continue their reflections and discussions in the **asynchronous forum** channel. Here, a brief case description related to the week's topic initiates an exchange, or the students may start discussions on their own, or pick up issues that remained unsettled during a synchronous encounter.

3.4 Learning effects and final exam

Judging from the students' reflections and performance during the course, they were gaining knowledge on personal, situational and technological factors. The students also developed strategies to cope with challenges related to turn-taking

or their own perception and appearance on the screen. Actual learning effects are difficult to document for any didactic approach, however. The next subsections present the participants' reflections over knowledge they gained during the course. Turn-taking, a topic that receives ample attention throughout the course, is given special mention before we turn to the final survey evaluations in subsection 5. Let us first look at the file exam, completing the course.

THE FILE EXAMS

To complete the course and gain 15 ECTS, each student had to submit a file including (1) an individual academic essay (3-5 pages) discussing one of their own exercise recordings, (2) an individual academic essay (3-5 pages) discussing a fellow student's exercise recording, and (3) submit one or two of their recorded exercises for external evaluation of their interpreting performance. The exam is administered as a home exam. The file submissions were graded *pass/fail* by an external bilingual assessor and the course organizer. The pass rate was 88.5% (n=23/26).

The course plan describes the differentiation between pass and fail in general terms:

Grade	Qualitative description
Pass	The student displays sufficient skills in practical distance interpreting and manages the mode of interpreting well both bilingually and in terms of interpreting techniques. The student documents a good level of reflection in accordance with the course's learning aims.
Fail	The student does not display sufficient skills in practical distance interpreting and does not manage the mode of interpreting sufficiently bilingually or in terms of interpreting techniques. The student does not document a sufficient level of reflection in accordance with the course's learning aims.

To reduce subjectivity and secure a similar level across the four language groups, the description of a sufficient pass grade was supplied with some detail for the assessors to observe:

"The pass grade involves: a performance with generally adequate renditions in both language directions, although some inaccuracies may occur, as well as some deviance according to the original, its tempo and sequence length, so that the candidate from time to time may create pauses or seem hesitant or

dominating. The candidate's management of the medium, application of turn-taking strategies, placement on the screen, emphasis, paralanguage, movement, mimics or gestures is generally natural when compared to the original, even though the candidate every now and then may appear hesitant/dominating in the situation. The candidate's management of the technology and utilization of aids (such as terminology lists or notes) in general functions well. So does the candidate's provision of information to, and/or clarifying dialogue with, either party during the encounter."

Four external assessors, one for each language group, took part in the evaluation of the exams together with the course organizer. Since all assessors had L1 proficiency in the language other than Norwegian, their expertise was particularly valuable for the evaluation of the interpreting performance (the exam's part 3). The assessors' academic backgrounds vary.

While two are experienced translators in the actual language pairs, one is a certified interpreter and one has a degree in linguistics. All four have previous experience with grading exams for university level courses, and had previously been assessors during practical exams of on-site dialogue interpreting.

In the post-course evaluations, one student comments that s/he would have preferred the A-F grading scale over 'pass/fail'. For the students who had evidently put a lot of effort into the exam, this would have been fair. Since the students had chosen excerpts of varying length for the evaluation of their performance, future courses should indicate the minimum and maximum length of recordings submitted, to assure fair evaluation across student groups. In the final survey (see also subsection 5), the students evaluated the file exam to be of 'very good value' (n=4), of 'good value' (n=8), or 'quite good value' (n=3). Only one student of the nineteen respondents rated the file exam to be of 'little value' to her/him. One student marked 'do not know' and two left the column open.

TURN-TAKING

Turn-taking is emphasized as more challenging during DI/RI than in the on-site mode of interpreting, as mentioned in subsection 2. For instance, Balogh and Hertog (2012, p. 128) note that in their data "turn-taking problems occur more frequently when the communication is mediated by technology". Turn-taking is also mentioned in our pre-course survey as a topic that more students specifically wanted to explore. Consequently, turn-taking was given ample room for observation and reflection throughout the course as indicated by the

learning topics presented earlier. The topic of turn-taking is also touched upon in 14 of 20 chat sessions, and the majority of students (21 out of 26) discuss the topic in their final exam files. Common strategies for turn-taking in the on-site interpreting of dialogues are identified and analyzed for instance by Englund-Dimitrova (1991) and Frøili (2001) who identify turn-taking signals roughly as:

- Subtle signals of breathing, gaze, mimics and gestures
- Slight movements with hand, head or torso
- Overlapping speech (“just start to interpret”)
- Explicitly coordinating comments (e.g., “thank you”; “please continue” etc.)

What we may learn from observing our students’ Skype exercises both from their online discussions and exam reflections, is that while the more subtle signals (i.e. the top two of the above types of turn-taking signals) function well during on-site interpreting they are less effective during DI/RI. During DI/RI the less subtle signals of overlapping speech or explicitly coordinating comments are more functional. As one student observes in her/his file exam:

- 7 Myself I feel that verbal signals are usually the safest [jeg synes selv at verbale signaler ofte er sikrest]

Another student, reflecting upon a colleague’s performance in her/his exam essay, observes explicit coordination as a functional strategy for turn-taking:

- 8 The interpreter uses “language” to seize the turn [and] gives the turn back by saying «please [continue]» [Tolken bruker «språk» for å ta turen [og] gir ordet tilbake ved å si «vær så god»]

Finally, some students detect that note-taking is less functional during RI. They experience increasing difficulties with controlling the sequence length of incoming speech, while looking down at their notes. As a sequence protracts, accuracy normally decreases. The observation is in line with reports by Balogh and Hertog (2012, p. 134) that note-taking is more challenging in front of the screen.

3.5 Evaluations

Both students and facilitators evaluated the course on its completion. The students evaluated both the kickoff gathering and the course as a whole anonymously. The facilitators evaluated the course and shared their experiences in

a meeting upon completion of the course in June. The next subsections give a brief summary of the feedback from both groups of participants.

THE STUDENTS' EVALUATION

The students evaluated the kickoff gathering in a plenary session and anonymously on paper at the end of the kickoff encounter. In the anonymous survey, the majority of students display positive expectations about the course, while two students are explicitly negative at the very outset, both in their judgements of the kickoff gathering, the chosen technology and the course plan.

All students were again asked to evaluate the course anonymously in an online survey three months after the course completion.⁶⁹ The questionnaire was distributed via *LimeSurvey* to the students' private mail addresses in the fall semester, and they were given 35 days to complete it. With 19 out of 26 possible replies, the response rate was satisfactory at 73%. Feedback from the survey supports the impression that the students during the course had gained knowledge both on personal, situational and technological factors governing RI.

When asked to evaluate the relevance of each learning activity, the majority of students (n=17; 89.5%) value the learning activities as 'relevant' (n=13) or 'very relevant' (n=4). Only two students find the learning activities 'not relevant'. The students could also indicate whether they would have wanted 'more' or 'less' of the respective activities. The indications were made by answering 'yes' or 'no' in two separate items, one for 'would have wanted more' and one for 'fewer' according to each activity. A student could mark more than one item, and the figures in table 1 are based on the number of times a 'yes' is marked.

Learning activity	Would have wanted more	Would have wanted fewer
On-campus gathering (f-2-f)	10/19	1/19
Skype interpreting exercises	5/19	5/19
Chat discussions	0/19	5/19
Forum discussions	1/19	3/19
Focus texts	1/19	1/19
Syllabus texts	3/19	3/19

Table 1: The students' responses to each learning activity

Ten students indicate that they would have wanted more on-campus activity. The only face-to-face activity (the kickoff gathering) thus stands out as the most popular. The result may relate to the effect seen in the above mentioned studies, that participants generally find face-to-face encounters less stressful than remote encounters. Only one student would have wanted fewer on-campus gatherings. S/he finds them “time consuming and not so efficient”.

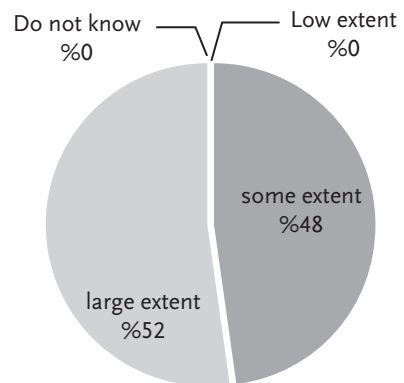
For each item, the students could explain their choice in prose. According to the students’ comments, the contradictory result that five would want more Skype interpreting exercises and five would want fewer, relates to the fact that the latter respondents find the sessions too lengthy. The result may also have to do with the often reported tendency already mentioned that reduced social presence is conceived of as more tiring.

According to the indications in table 1, the synchronous chat discussions are least popular among the students. Although the logs show meaningful exchanges, the students may not have conceived the fast moving chat discourse as “learning”. Two practical aspects may have contributed to this opinion. First, each chat group merged two exercise groups, which created distance to the exercise experiences. Secondly, the functionality of the recording programme had an impact on the interplay between the chats and the Skype exercises. Despite its ability to record online Skype interaction, *TechSmith Relay* takes time to process all the recordings and “return” them to the course organizer for distribution to the students. The students would therefore not receive their recordings immediately after each session. As a result, the chat encounters came to focus more on the students’ real life experiences and general opinions than their exercise experiences. In sum, the practical issues possibly had an impact on the perception that the chat reflections were less relevant.

The students were also asked to indicate activities that they missed on the course. Nobody suggested alternative activities to those mentioned in table 1. However, four respondents would have liked to learn more about telephone interpreting, “since this is what we are most often confronted with on a daily basis”. Four students would have liked to get “more individual feedback”. The latter comment possibly relates to didactics, and some students’ difficulties with seeing that the approach, where the teacher takes on a less traditional facilitator role, may lead to learning.

The survey, furthermore, gave the students the opportunity to share their opinions on the course's didactic approach. While 36.8 percent find this 'very relevant' (n=7), 52.6% find it 'relevant' (n=10), one student finds it of 'little relevance' and one does 'not know'. Some students express objections to the didactic approach, and indicate that they associate learning with the traditional teacher role. Comments such as "I would have liked more constructive comments from the facilitators during the exercises", express this opinion. Some would have liked "more school training". The latter comment may indicate scepticism towards the didactic approach. It may also mean that the student would have liked more on-campus meetings, however.

To what extent did the course raise your awareness of own potential and limitations during DI?



Overall, the students' responses indicate they have learnt quite a lot during the course. When asked to indicate the extent to which the course has raised their awareness of their own potential and limitations during RI, no one doubts that they have a raised awareness. While 58% answer that the course has raised their awareness to a 'large extent' and 42% indicate to 'some extent', no one chose the options to a 'low extent' or 'do not know'.

The students were also asked to describe in prose what they had learnt: *What are the most important things you learnt from the course?* In addition to the category of 'technological disturbances' already exemplified in quotes (1-2) above, the students' responses can be roughly divided into the categories 'awareness on own appearance'; 'awareness of the complexity of (the mode of remote) communication'; 'awareness of the need to accommodate the situation for interpreting':⁷⁰

On their own appearance:

- 9 That my appearance (clothing, gaze, hand movement etc.) is more conspicuous during RI [At min fremtoning (klær, blikk, håndbevegelse osv) er mer fremtredende ved fjerntolkning]
- 10 [I am] more knowledgeable about possibilities and limitations of different forms of distance interpreting. [Mer reflektert vedrørende muligheter og begrensninger ved ulike former for fjerntolkning]

On the complexity of (the mode of remote) communication:

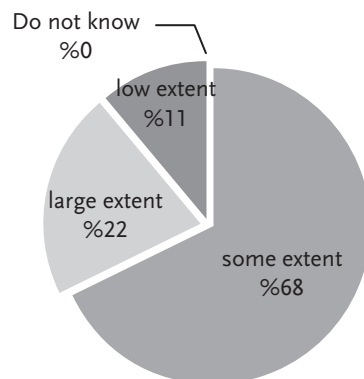
- 11 That due to certain elements DI requires more attention than on-site interpreting [At på grunn av en del elementer fjerntolkning krever mer oppmerksomhet enn fremmøtetolkning.]
- 12 I have learnt that during interpreting language is not the only important thing, quite a lot of other things are important as well, such as for instance accuracy, facial expressions, eye contact etc. [Jeg har lært at i tolking er det ikke bare språket som er viktig, det er ganske mye annet som også er viktig, som blandt annet nøyaktighet, ansiktsuttrykk, øyekontakt... osv]

On accommodating the situation for interpreting – orientation about the interpreter's function:

- 13 I have become much more clever at accommodating the dialogue from the interpreter's side (e.g. when I present the interpreter's role, I emphasize that it is especially important during DI – as compared to on-site interpreting – for the parties to take the interpreter into consideration), and also to speak up when something does not function the way it should [Jeg har blitt *mye* flinkere til å tilrettelegge samtalen fra tolken sin side (f.eks. når jeg presenterer tolkens rolle, understreker jeg at det er spesielt viktig ved fjerntolkning -- sammenlignet med fremmøtetolkning -- at partene tar hensyn til tolken), samt å si ifra når noe ikke fungerer som det skal.]
- 14 That I have to be extra clear in my orientation about the conditions of an interpreted encounter and that I have to pay extra attention. Always double check if I have understood when I am in doubt. [At jeg må være ekstra tydelig i min orientering om premissene for samtalen og at jeg må være ekstra påpasselig. Alltid dobbeltsjekke om jeg har forstått når jeg er tvil.]

When asked to indicate whether the course covered the challenges of real life RI, only 11% (n=2) are negative. The majority of students (89%) indicate that the course met with their real life challenges either to 'some extent' (68%) or to a 'large extent' (21%).

To what extent did the course cover the challenges you are actually confronted with when you do a DI assignment?



When asked to describe the course's learning value in prose, more students emphasize the value of the practical exercises, as exemplified by the respondent in (15):

15 I am most satisfied with the parts of the exercises that were relevant and where we could test ourselves against our co-students' at times very realistic role plays. [Mest fornøyd med den delen av øvelsene som var relevant der vi fikk prøvd oss på våre medstudenters til tider svært reelle rollespill]

THE FACILITATORS' FEEDBACK

A main concern from the facilitators' side was the length of the three-hour exercise sessions. They found the sessions exhausting, while at the same time they were left with a feeling that there was too little time for exercise and reflection. Their concern is in line with feedback from some students, above. As noted in the previous subsection, the finding may relate to the fact that reduced social presence makes participants feel more tired. Moreover, the facilitators emphasized that the success of each online session depends on how well the students had prepared. Finally, some facilitators would have liked the course

to accommodate the possibility to practice turn-taking with the interlocutors in one place and the interpreter in another, as in the VCI mode (cf. footnote 63). As noted in the outset of this chapter, the latter is a more common arrangement in the market than all three participants appearing on screen. For practical reasons, the triadic encounter, as explained earlier, was the only option for the course (see subsection 1). The chosen option evidently has its limitations. Yet, from a didactic point of view, the solution with both the interlocutors and the interpreter placed in separate locations is able to shed light on important aspects of RI, as witnessed by the students' responses. Finally, despite the "unnaturalness" of a triadic set up, the arrangement is one that may become all the more frequent in the technological future, where everyone has access to smartphones and tablets.

3.6 Concluding remarks

After an on campus kickoff meeting, all contact and learning activities were online based via Skype and the learning platform *Fronter* in the present pilot course on remote interpreting (RI). This chapter has illustrated the participants' experiences with the course and RI as mirrored in their final evaluations and reflections during the course. The course applies a dialogic-experiential didactic approach where the students and their interactions are a main resource in the learning process. The approach appeals to the adult student and supports the interactivity necessary to make an online learning environment come alive (Skaaden, 2013, p. 21). At the outset, some students were reluctant to accept that other approaches than the traditional lecture would result in learning, however. Nevertheless, the students' reflections and skills displayed in the final exam, as well as their responses in the final evaluation, indicate that the students have gained knowledge during the course. In fact, the students display raised awareness of personal, situational and technological factors that have an impact on the success of RI encounters.

At the outset, some students also expressed scepticism with the chosen technology. Yet, the interpreting exercises via *Skype* are the learning activity that the students value most in the final evaluation. Both in their interactions and reflections over the roleplayed exercises, the students exhibit a raised awareness of the effects of technological distance on perception, of the interplay between the senses, of the effects of their appearance on the communication, and of the importance of accommodating the situation for interpreting. In line with prior studies on RI (cf. subsection 2), the students observe increased problems with turn-taking during RI. They find that the subtle strategies utilized in on-site

interpreting are not effective in RI, where they must apply more explicit strategies for turn-taking such as overlapping speech or coordinating comments.

Both students and facilitators find the three-hour duration of the exercise sessions to be too long. Their reported concern is interesting with regard to results of studies on RI (cf. subsection 2). Findings from studies on remote interpreting (e.g., Braun & Taylor, 2012a, p. 114-5), conclude that the reduced social presence makes the interpreter's task more tiring than in face-to-face encounters. This is understandable for interpreting since the activity is in itself cognitively effortful. In our case, where each student after all did more observation than actual interpreting during each session, it could be that the awareness of being observed adds to the cognitive load during the remote encounters.

In sum, despite the limitations caused by the chosen technology, as well as the general restraints of a reduced social presence, we may conclude that the online course with its didactic approach provides an opportunity for the students to gain knowledge of important aspects of RI.

REFERENCES:

- Abdulezer, L., Abduelzer, S., & Dammond, H. (2007). *Skype for Dummies*. Hoboken, NJ: Wiley Publishing Inc.
- Balogh, K., & Hertog, E. (2012). AVIDICUS comparative studies – part II. Traditional videoconference and remote interpreting in police interviews. In: S. Braun & J. Taylor (eds.) *Videoconference and Remote Interpreting in Criminal Proceedings*. Cambridge: Intersentia. Pp. 119-137.
- Braun, S., (2012). Recommendations for the use of video-mediated interpreting in criminal proceedings. In: S. Braun & J. Taylor (eds.) *Videoconference and Remote Interpreting in Criminal Proceedings*. Cambridge: Intersentia. Pp. 301-28.
- Braun, S., & Taylor, J. (2012a). AVIDICUS comparative studies – part I. Traditional interpreting and remote interpreting in police interviews. In: S. Braun & Taylor, J. (eds.) *Videoconference and Remote Interpreting in Criminal Proceedings*. Cambridge: Intersentia. Pp. 99-119.
- Braun, S. & J. Taylor (2012b). Video-Mediated Interpreting: An overview of current practice and research. In: S. Braun & J. Taylor (eds.) *Videoconference and Remote Interpreting in Criminal Proceedings*. Cambridge: Intersentia. Pp. 33-69.

- Braum, S., Taylor, J., Miler Cassino, Z., Rybinska, K., Balogh, K., Hertog, E., v.d Bosch, Y. & Rombouts, D. (2012). Training in video-mediated interpreting in criminal proceedings: modules for interpreting students, legal interpreters and legal practitioners. In: S. Braun & J. Taylor (eds.) *Videoconference and Remote Interpreting in Criminal Proceedings*. Cambridge: Intersentia. Pp. 233-289.
- Constable, A. (2015). *Distance Interpreting: A Nuremberg Moment for Our Time?* Paper presented at the AIIC Congress. Addis Ababa, January 2015.
- Englund-Dimitrova, B. (1991). *När två samtalar genom en tredje. Interaktion och icke-verbal kommunikation in medicinska mötne med tolk*. Stockholm: Stockholms universitet.
- Frøili, J. (2001). Signals at the transition place: The interpreter's turn-taking in dialogues. In A. Hvenekilde & J. Nortier (ed.), *Meetings at the Crossroads. Studies of multilingualism and multiculturalism in Oslo and Utrecht*. Oslo: Novus. Pp. 136-157.
- Korak, C. (2010). *Remote Interpreting via Skype*. Berlin: Frank & Timme Verlag für wissenschaftliche Literatur.
- Levelt, W.J.M. (1989). *Speaking. From Intention to Articulation*. Cambridge, MA: The MIT Press.
- Moser-Mercer, B. (2003). *Remote Interpreting: assessment of human factors and performance parameters*. <http://aiic.net/page/1125/remote-interpreting-assessment-of-human-factors-and-performance-parameters/lang/1>
- Mouzourakis, P. (1996). Videoconferencing. Techniques and challenges. *Interpreting*. 1(1). Pp. 21-39.
- Mouzourakis, P. (2006) Remote interpreting: a technical perspective on recent experiments. *Interpreting* Vol 8 (1). Pp. 45-66.
- NOU (2014). *Talking i offentlig sektor – et spørsmål om rettssikkerhet og likeverd*. Oslo: Norges offentlige utredninger. 2014:8.
- Roziner, I., & Shlesinger, M. (2010). Much ado about something remote: Stress and performance in remote interpreting. In: *Interpreting*. Vol 12. No. 2, 2010. Pp. 214-24.
- Skaaden, H. (2001). On-screen interpreting. In K. Nordby (ed.), *Human Factors in Telecommunication*. Bergen: HFT. Pp. 67-79.
- Skaaden, H. & Wattne, M. (2009). Teaching Interpreting in Cyber Space. The answer to all our prayers? In: R. De Pedro Ricoy, I. Perez, C. Wilson (Eds.). *Interpreting and Translating in Public Service Settings: Policy, Practice, Pedagogy*. Manchester: St. Jerome Publishing. Pp. 74-88.
- Skaaden, H. (2013). No Set Answers? Facilitating Interpreter Students' Learning in an Experiential Approach. In: C. Wadensjö (Ed.) *Training the Trainers: Nordic Seminar on Interpreter Education*. Stockholm: Stockholm University. Pp. 12-26.

- UDI (1998). *Tolking via telematikk. En utredning om muligheter og konsekvenser ved innføring av skjermtolking i Norge*. Oslo: Utlendingsdirektoratet.
- UDI (2003). *Skjermtolgingsprosjektet. Sluttrapport*. Oslo og Bergen: Hordaland fylkeskommune og Utlendingsdirektoratet <https://auditoryneuroscience.com/McGurkEffect>. Accessed: 01st October 2015.

4. REFLECTIONS ON LEGAL INTERPRETER TRAINING IN A CONTINUOUS LEARNING COURSE WITH SPECIAL FOCUS ON LLDs (UNIVERSITY OF BOLOGNA)

Mette Rudvin

In 2015-2016 the author of the current chapter coordinated the second edition of a Continuous Learning course for 'language assistants' (future interpreters) in the legal system, with special focus on Languages of Lesser Diffusion. The first edition, in 2014-2015, the first of its kind in Italy, had functioned as a pilot project and gave us a solid platform and valuable feedback (both negative and positive) on which to build the second edition.

4.1 General aim of the course

The initial aim of the course, as is the aim of all legal interpreting, was to improve language services in Italian legal institutions for non-Italian speakers, thus ensuring full access to basic civil (and human) rights for the non-Italian speaker, and to promote safety issues in the local communities. The socio-political and geo-political events of recent Italian history, governing migration trends, have led to a prevalence of Asian, African and East-European languages in the Italian migrant communities ('communities' seen as a statistical whole). The language needs of the legal system and most other public institutions, most notably health and education, are thus represented by the LLDs. The underlying 'agenda' or the 'mission statement' of the course is that improved language services through the act of interpreting can help to preempt and/or redress immigration-related tensions and conflict to promote intercultural viability. We also believe that the human capital represented by the migrant communities can be harnessed to promote social growth and progress and new, more robust, cultural identities.

Thus, while professional interpreting services safeguard access to justice for non-Italian speakers and generally improve the multilingual nature and

management of the legal system, it also empowers those working as ad-hoc interpreters in this area without the necessary training or qualifications (often driven by an intense sense of service towards their co-nationals and towards the Italian institutions) by providing training and thus improving their opportunities on the labour market. Lastly, it contributes to the improvement of security for the wider local community, not just the non-Italian speakers.

4.2 Situation in Italy

Previous research (Rudvin and Spinzi: 2013 and Garwood and Preziosi: 2013⁷¹) has demonstrated a dire need for vast improvements in interpreting services for non-Italian speakers accessing legal services. There is no system of certification or accreditation for legal interpreters, nor are there guidelines to instruct the courts on how to select and work with these interpreters, nor are there university level courses to train professional legal interpreters.

Quite often, interpreters are ‘just bilinguals’ with no training in interpreting, let alone legal interpreting. These interpreters learn ‘on the job’, deciding themselves in almost complete isolation how to deal with the many problems they face. Indeed, little has been done in Italy so far to meet the requirements of the Directive 2010/64/EU (the Directive has been implemented nationally in a very ‘diluted’ form), and on a very local level, the course is an attempt to begin to redress that lack.

The course forms part of a broader project that aims precisely to redress that lack and has initiated collaboration at various levels with local legal institutions (so far Police, Public Prosecutor, Guarantor for the Rights of Prisoners (CIE), local government); this continued networking is crucial to the long-term success of the course and of the training of legal interpreters if it is to meet the *real needs* of the institutions and community. It is crucial therefore, in the collaboration between legal institutions and the university, to identify real needs, create a core curriculum that can realistically and effectively meet these needs, train interpreters to a sufficient standard to be able to put these skills into practice, and also to select the languages that are most needed by the community. Catering specifically to the needs of the languages selected – in a training context – is also crucial. Training, certification/accreditation and a national register are long-term goals that need to be enabled in order to fully meet the requirements of the Directive.

4.3 Legal interpreter continuous training course – background information

The course is tailor-made to the Italian situation, taking account of the language-specific needs of the current demographic reality and the (lack of) existing services. As any legal interpreting course, it combines the two core disciplines of Law and Interpreting: a) the Italian legal system and Legal Terminology (theoretical notions; the different phases and actors of the legal system (civil and criminal law); laws related to interpreting/translation and to immigration; disambiguation of legal terminology and legal language; how to ‘deconstruct’ legalese) and b) Interpreting Theory and Practice (simple consecutive and chuchotage; sight translation; basic note-taking skills; code of ethics; role play and other interpreting-related exercises; interpreting wire-tapping). Terminology work in language groups or language pairs accompanied the Interpreting modules. Other, non-core modules related to interpreting, language mediation and intercultural communication – as well as dealing with interpreter stress and burn-out and vicarious trauma – complemented the core activities, as did the seminars by speakers from the legal and interpreting professions.

A 10-month 5-credit continuous multilingual training course is not sufficient to train accredited legal translators or interpreters (indeed, there is no accreditation for legal translators or interpreters in Italy, it does not exist, as such, as a profession or discipline), and the somewhat ‘cautious’ Italian name of the course reflects this limitation: *Assistenza Linguistica nell’Ambito Giudiziario* (“Language Assistance in the Legal Sector”). We hope we will be able to extend this in the near future in order to offer a more complete training programme for legal interpreters and translators in Italy. As it is a self-funded ‘low-cost’ programme (600/650 euros) with no university or outside funding, this limits our scope considerably.

The requirements for the course were a high-school diploma (to allow access for those non-Italians who had not completed their degrees, had degrees that were not recognized by the Italian university system, or had not completed their degrees for other, usually migration-related, reasons); candidates with university degrees in related disciplines (law, language or interpreting/translating) had priority in the selection process, as did those with relevant working experience in legal or other public institutions. A C1 proficiency level in Italian was required, assessed either through prior certification or at the interview for the admissions test. The students were assessed at the end of the 10 months through a written test (an essay on a given theoretical aspect, such as the code of ethics, a glossary or an annotated translation of a legal text) and a role play in which their

interpreting skills (language-transferral and accuracy, basic note-taking, legal terminology, register and conversation management) were tested. We were also interested in testing the students' ability to gauge their own competencies, skills, proficiency and limitations in order to prepare them thoroughly for their future entry into the labour market and eventually future careers as legal interpreters.

Because most of the students attending the course had experience in public service interpreting or translation (ranging from very little experience to a great deal of experience) this created a situation which luckily fostered rather than compromised group cohesion and which triggered a form of spontaneous in-group 'mentoring' of young and inexperienced students or would-be interpreters by the older and/or more experienced interpreters. The course was held on Friday afternoons and Saturdays in order to facilitate access for working people. The course professors were and are academics and professionals in the legal and interpreting fields at the University of Bologna (the departments of law, modern languages and translation/interpreting, psychology and pedagogy). Outside experts from the legal field (lawyers working with non-Italian speakers, police officers) and professional interpreters held dedicated seminars as well as representatives of local government bodies. Candidates with an LLD were encouraged to apply, in order to offer, at the end of the course, the local legal institutions a pool of interpreters with the language combinations that are most useful to them.

4.4 Legal interpreting for Languages of Lesser Diffusion

This course gave us the opportunity to test out hypotheses and strategies developed in the TraiLLD project with LLDs. The students on the course came from a wide array of language backgrounds (12 from the first course and 11 on the second course⁷²) and the limited funding did not allow us to provide specific language instruction. We worked, partially, according to the model described in Skaaden and Wattne (2009)⁷³, although without the full distance-learning platform and tools described by Skaaden and Wattne (the University at the time did not encourage distance learning for continuous learning and postgraduate courses), such as the regular language-specific online chatroom. We were, however, able to provide language specific examiners to test the students' role play for the final assessment.

Classroom group work on terminologies and legal glossaries was given much emphasis, and for some languages we were able to provide close supervision, other language groups had to 'fend for themselves' after being guided in the

use of online and other resources. The LLDs involved in the two editions of the course (Academic years 2014/15, 2015/16) were Arabic, Chinese, Romanian, Albanian, Polish, Vietnamese, Russian, Serbian, Bangla, Italian Sign Language, Vietnamese, Romany and Pidgin English.

4.5 Critical points that emerged during the course relating especially to LLDs

A number of critical points emerged regarding the organization of this training course. The main critical points that emerged in this regard were:

- *How to organize peer-assessed language-specific work groups to work on legal terminology and to organize role play exercises for interpreting practice*
- *How to provide/access and assess the reliability of resources used for language-specific groups.*

Clearly, these parameters are affected by the budget available for the course and the possibility of accessing outside language-specific supervision. We were working within extremely tight budget constraints, and the possibility of bringing in outside expert supervision, especially for those languages not taught in our Department, was reduced to the availability of colleagues willing to work on a pro-bono basis. (For the exam, our budget allowed us to cover the expenses of assessors for all the different languages.)

LANGUAGE-SPECIFIC GROUPS: OUR EXPERIENCE

The largest language group – and arguably the most important – was Arabic (4 students) and our colleague from the Arabic language section of our Department kindly supervised our students in their work on Italian-Arabic legal terminology in class and for the glossary that was (is) one of the most valuable extra outcomes or spin-offs of the course. The major difficulty with Arabic (this being paradoxically at the same time its major asset, defining its nature as a *lingua franca*), is of course the regional, dialectal variations. Our students covered three different varieties of Arabic (Morocco, Tunisia and Lebanon), reflecting three different legal systems and significant resulting disparities in legal terminology (three of them had degrees in law/economics and one in languages). Outside the main European *lingua francas* (English, French, Spanish, Russian), the other large – and useful in terms of community needs – language group was Romanian (3 students). With this group we were lucky enough to have a student with years of experience with the police interpreting wire taps. One of the other Romanian students had just completed a degree in law from Romania, and the third, also due to her university training, had an innate sensibility towards language and terminology. We found that using the students' own resources and

abilities – work related, training-related and individual – was essential, as well as establishing, wherever possible, both in-group and out-group ‘peer mentoring’. Those students with wide working experience were able to ‘mentor’ those of their peers who had less experience. This mentoring practice was vital both for language-specific terminology (indeed, also Italian terminology) and for interpreting techniques, as well as the ‘working’ of the Italian legal system (the phases of the legal system, who does/is what, how you address people, what their specific role is, etc.).

INDIVIDUAL LANGUAGES

Some of the students had additional languages so that they could choose during role play exercises which group they wanted to participate in, and thus extend their practice. Some students also had languages that none of the other students had (Albanian, Vietnamese) and in those cases we activated other resources (students from previous years, colleagues) or, as in Vietnamese and Polish, encouraged and monitored their individual work.

ORGANIZING ROLE PLAY

We tried to make the role plays as uniform and ‘fair’ as possible (for the exam we used the same original text adapted into the various languages to make sure the level of difficulty was the same for all the students) and tried to do this in our classroom work too.

4.6 Legal interpreting for LLDs

The students for Romany and Pidgin English were ‘one-person working groups’ (they both had other languages that they used in class) and developed/are developing glossaries in their respective languages. In addition to the points mentioned above, a number of additional difficulties emerged with this group.

We were able to find an examiner for the Romany language and the student was able to take the final test (strictly speaking it was outside the context of the course and organized ad-hoc for the TraiLLD project), but not for Pidgin English.

The main practical difficulties related to LLD training were rather predictable – the difficulty in finding reliable sources for terminological research, difficulties in finding peers with whom to collaborate and pool material, ideas, doubts, proposals, etc., and the near-impossibility of finding trained assessors in legal translating/interpreting specifically for these languages. The main difficulty,

however, lies in the difficulty of finding and/or establishing terminological correspondences where there is no corresponding idea, term or system in the target cultures.

4.7 The Romany language in translation – main hurdles

Because of its unique geographical history, the Romany language – it would be more correct to say a range of variations on the language-dialect continuum – is strictly bound to the country in which the group settles, and thus many of the acquired words, especially for institutions and institution-bound terminology, are borrowings from the majority national language.

Roland Ciulin, the student attending our course, is a Romanian national who settled in Italy with his family approximately ten years ago. His provenance/cultural identity in terms of Romany ethnicity and language is the Orsar group, settled in central Romania. He considers this to be a relatively ‘standard’ dialect that makes it easy for him to understand speakers of other Romany dialects.

Roland has recently completed a degree in law in Bucharest, and as such has an extremely relevant disciplinary background. His language combination is thus Romany-Romanian-Italian. His Italian is an Advanced-Proficiency level, making him a perfect candidate for this trial training project.

Roland confirmed what one might easily assume intuitively, namely that the main hurdle is terminological and conceptual correspondences.

STANDARDIZATION AND LANGUAGE BORROWING

Clearly, both terminology and the conceptual framework of the Romany language in Romania, reflects that (Romanian) legal system, as does the conceptual framework of the country in which that particular Romany group has settled over time. The Romany language(s) in Romania thus borrow from the Romanian language to verbalize and conceptualize legal terms and notions. In the Romany/Romanian/Italian interface this actually facilitates the task of translation/interpreting because of the linguistic proximity between Romanian and Italian, for example:

‘*infractor*’ from Romanian (the accused/suspect); a calque from the Romanian ‘*giudicatori*’ (he who judges) is ‘*krishnitori*’ to convey the meaning of judge or magistrate.⁷⁴

The act of re-creating or creating *ex-novo* terms and concepts in Romany as a target language(s) is thus extremely complicated not only due to its lack of standardization but also because it reflects and articulates the legal system of the country of settlement, creating thus a broad range of sub-cultures both in terms of language and in terms of legal structural framework.

The lack of a written standard form is also a major hurdle in the translation/interpreting process of Romany-derived languages.

In order to build a terminology database and eventually a glossary, Roland thus drew on a number of sources: notions and terms in the Romany language (Orsar dialect) that could be paraphrased and explained, as the most immediate translation strategy, a comparison between the traditional legal system of conflict resolution in Rom communities, the *kris*, although this resolution-practice deals with minor 'crimes' such as petty theft, elopement, insulting or offensive behaviour, etc., and not serious crime which will never be dealt with locally but with the national authorities: therefore, the translation and transferral of terms and concepts from the local conflict-resolution system to a terminological and conceptual framework of serious crime is not at all immediate.

The conceptual and terminological system of the local Romany in-group *kris* system is thus embellished and transferred to an out-group framework that comprises a Romanian-Italian interface of terms and notions.

LOOKING FORWARD: CONSTRUCTING GLOSSARIES

Roland's plan is to continue working on the terminological project and spend time with the local Orsar community (where his father is still a respected figure and where he himself spent time as a child) to confer with them on matters of conceptual and terminological transfer from the Orsar dialect and the local *kris* system, to another (in this case Italian) national legal system. Working alongside an Italian legal expert and a linguist, his plan is to construct a sizeable legal glossary that can be accessed in courts and other legal institutions in Italy. In order to bridge the sizeable terminological and conceptual gap that cannot be filled by translation strategies such as paraphrasing and explaining, a new set of terms will have to be coined that meets the needs of the source language and system, the Italian legal system from the point of view of institutional nomenclature/structure and also from a juridical point of view. At the same time the terms coined in the target language, Orsar Romany, will have to be both accurate as translations of a specific concept or institution in the source language, and

functional in the target language to be perceived as natural and intuitively understandable. As mentioned, the proximity between Italian and Romanian, the vehicular language, facilitates an otherwise daunting task. The choice or adaptation of a standard written form will also play an important role here.

The task of creating a training platform for legal interpreting in an LLD such as Romany, the obstacles are numerous and daunting, the two main obstacles being the lack of a correspondent legal system – both conceptual and terminological – and the resulting need to adopt creative translation strategies such as paraphrasing and explaining, but also coining new terms, a delicate and complex path to tread that needs much research and support from legal as well as linguistic experts. The second main hurdle – one that the Romany language pool shares with many *lingua francas* – is the lack of standardization, both of the written and oral form. This may hamper the efficiency and adoptability of glossaries and other terminological work that takes place in the classroom.

As in so many other areas of language and translation/interpreting that address non-standard issues or languages, flexibility and creativity are key human- and training resources. The use of existing internet resources will have to be complemented by the use of a network of people – possibly the older generation whose access to the traditional *kris* system is more direct or intact. The cautious coining of new terms is virtually inevitable, but should ideally be done in collaboration with a legal expert and a professional linguist to maintain translational accuracy and at the same time to create a set of terms that functions naturally and effectively in the target language.

Romanes	Italiano	Rumeno	English
avòkati	avvocato	giudice	lawyer
infraktori	persona che a commesso un reato, una infrazione	infractor	perpetrator
infraktori	imputato, accusato	imputat, acuzat	suspect, accused
žudekatori, krish-nitori	giudice	judecorator	judge

CHAPTER 1
INTRODUCTION: PROJECT
DESCRIPTION

CHAPTER 2
LANGUAGES OF LESSER DIFFUSION
(LLDs): THE RATIONALE BEHIND THE
RESEARCH PROJECT AND DEFINITIONS

CHAPTER 3
COURSE DESCRIPTIONS

CHAPTER 4
BRIEFING TRAINERS FOR A TANDEM
TRAINING PROGRAMME FOR LEGAL
INTERPRETERS AND TRANSLATORS

CHAPTER 5
LEGAL TRANSLATION AND
TERMINOLOGY

CHAPTER 6
RESOURCES AND MATERIALS FOR
TRAINING LEGAL INTERPRETERS IN
LANGUAGES OF LESSER DIFFUSION

CHAPTER 7
DESCRIPTION OF THE PILOTS AND
BEST PRACTICES

CHAPTER 8
PROFESSIONAL RESPONSES TO WORK-
ING WITH AD HOC INTERPRETERS

1. Introduction
2. Professional responses

CHAPTER 9
CONCLUSION AND
RECOMMENDATIONS

CHAPTER 8

PROFESSIONAL RESPONSES TO WORKING WITH AD HOC INTERPRETERS

Erik Hertog

Praestat cautela quam medela (Precaution is better than cure)

MARCUS TULLIUS CICERO, *De Oratore* (III,35)

1. INTRODUCTION

It is imperative that legal professionals, be they lawyers, police officers, investigative magistrates and judges, probation officers or prison authorities always aim to obtain the services of a qualified legal interpreter (LI) in their dealings with other language speakers involved in one or other procedure in the legal system. Every possible effort must be made to ensure the services of a trained and accredited LI drawn from an official register.

However, it would be unrealistic to pretend that one will be able to meet all language needs in the legal system at all times. Due to the sudden influx of a new group of refugees or migrants, the presence of an LLD (language of lesser diffusion) community in the region or country from which as yet no LIs have been recruited, or the simple fact that an LI with the required LLD may not be available in the locality under the time constraints determining the procedural event, all of these are but a few of the factors which demand that legal services be attentive to situations where they will have to work with an untrained LI.

No matter how comprehensive and well established the register of qualified LIs may be – and a core group of languages will indeed be able to cover a very high percentage of the cases – there will always be ‘new’ languages or language

variants challenging the system. This phenomenon is more common and certainly more pressing in criminal proceedings because of time constraints during arrest or investigative procedures but cannot be excluded either in formal court proceedings or even civil law proceedings such as in family law cases involving divorce, child custody etc. and obviously in immigration hearings. In such instances the 'rarity' of the LLD becomes a determining factor.

But national legislation and procedures with regard to interpreting in criminal procedures apply of course to LLD situations as well. International legal instruments such as the *European Convention for the Protection of Human Rights and Fundamental Freedoms* (1954), complemented with a considerable number of landmark decisions on interpreting by the Strasbourg *European Court of Human Rights*, as well as EU legal measures such as the *Charter of Fundamental Freedoms of the EU* (2000) guarantee the right to a fair trial and the right of defence, including the assistance of an interpreter. In addition, a number of EU 'directives' such as *Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings*⁷⁵, *Directive 2012/13/EU of the European Parliament and of the Council on the right to information in criminal proceedings*⁷⁶ and *Directive 2013/48/EU on the right of access to a lawyer in criminal proceedings and on the right to communicate upon arrest*⁷⁷ collectively oblige the EU member states to provide interpreting in criminal proceedings that ensures quality, abides by a code of conduct and requires the training of all legal professionals involved in proceedings across languages and cultures. That is the standard all cross-cultural communication in legal proceedings must live up to, hence – and by definition – also one in an LLD context. Moreover, these quality requirements have the additional advantages of protecting the professional integrity of the legal professionals, allowing them to conduct interviews or investigations in an efficient way and ultimately ensuring fair procedures that will not imperil justice.

Therefore, before proceeding any further, let us remind ourselves of the relevant fundamental principles in *Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings*:

Article 2 requires that:

1. Member States shall ensure that suspected or accused persons who do not speak or understand the language of the criminal proceedings concerned are provided, without delay, with interpretation during criminal proceedings before investigative and judicial authorities, including during police questioning, all court hearings and any necessary interim hearings.

4. Member States shall ensure that a procedure or mechanism is in place to ascertain whether suspected or accused persons speak and understand the language of the criminal proceedings and whether they need the assistance of an interpreter.

8. Interpretation provided under this Article shall be of a quality sufficient to safeguard the fairness of the proceedings, in particular by ensuring that suspected or accused persons have knowledge of the case against them and are able to exercise their right of defence.

Article 5:

1. Member States shall take concrete measures to ensure that the interpretation (...) provided meets the quality required under Article 2(8) and Article 3(9).

3. Member States shall ensure that interpreters and translators be required to observe confidentiality regarding interpretation and translation provided under this Directive.

Finally, Article 6:

Without prejudice to judicial independence and differences in the organization of the judiciary across the Union, Member States shall request those responsible for the training of judges, prosecutors and judicial staff involved in criminal proceedings to pay special attention to the particularities of communicating with the assistance of an interpreter so as to ensure efficient and effective communication.

These are (some of) the points to be observed in any interpreted criminal proceedings. If they are not, this is what can – and will – happen.

A notorious case

{R. v. Iqbal Begum; Court of Appeal: 22 April 1985 {1991} 93 Cr. App. R. 96}

On 5 October 1981 the Crown Court in Birmingham convicted Mrs Iqbal Begum, a Punjabi woman with no formal education and no English, of the murder of her husband. She had pleaded “Guilty” at the trial and was sentenced to life imprisonment.

Four years later, a prison visitor discovered that there had been severe problems with the interpretation provided to Mrs Begum both before and

during her trial. For his initial instructions the defence solicitor had used an ad hoc interpreter with Urdu (and no Punjabi). At trial the court had appointed an ad hoc interpreter with Gujarati as native language and some knowledge of Urdu. Mrs Begum tended to mix up her Punjabi and some Urdu in a jumbled sort of dialect of the rural area from which she emanated. Not proficient enough in Urdu to understand the difference between manslaughter and murder, she pleaded “Guilty” to the charge of murder.

The Court of Appeal on 22 April 1985 found that the Appellant’s trial had been a nullity in that counsel had failed to get clear instructions from Mrs Begum, and the interpreter engaged had been far from competent in the Appellant’s languages. As a result, she had been unable to follow the proceedings and therefore had not been ‘present’ at her own trial. Accordingly, her purported plea of “Guilty” to her husband’s murder had not been a proper one because she had not understood the difference between the charges of murder and manslaughter and was unable to enter years of domestic abuse at her husband’s hands as a mitigating plea. Her trial was declared a nullity, the conviction was quashed and with the concurrence of the Crown she then pleaded “Guilty” to manslaughter and was sentenced in a manner which resulted in her immediate release.

Following her release, Mrs Begum distressingly took her own life some years later.

This horrendous example is just one of the many miscarriages of justice recorded as a result of inadequate, deficient interpreting which illustrates the great care one needs to take at every step in any legal procedure that involves interpreting. Nevertheless, to return to the challenge before us and to avoid human catastrophes like the Begum case, what must be done when in spite of all the efforts and systems in place, a trained, qualified LI is not available when needed?

2. PROFESSIONAL RESPONSES⁷⁸

2.1 Longer term strategies

Situations of urgency or emergency obviously carry a great risk when they are dealt with in an improvised way, when not carefully thought through in advance. But one knows one is occasionally going to be confronted with situations where

no qualified LI can be found. Therefore, one should – and can – pro-actively establish a chain of precautionary measures to reduce the number of occasions when one will have to procure the services of an untrained, ad hoc interpreter. The following strategies could be part of a longer-term but more structural, systemic policy:

- Set up an office or section in your legal service that monitors supply and demand with regard to interpreting needs
- Plan potential needs proactively: everything cannot be predicted but some things can. If regional or indeed global developments show new migratory patterns, immigration services will be the first to be confronted with the new urgency but it is likely that in due course the language need will trickle down into the justice system and your service as well
- Follow new language needs up with recruitment efforts and, independently or in collaboration with the immigration services, contact interpreting training institutes to offer a short introductory language-independent course for ad hoc interpreters on a regular basis
- Set up a database of language experts who can be contacted either to assess ad hoc interpreters briefly over the phone or the internet or, when in doubt, determine the language used by the suspect, witness or victim
- Draw up a list of contacts in other justice and immigration services, in reputable interpreting agencies, community organizations etc. one could possibly turn to in case of an emergency. Explore pro-actively the potential in the LLD communities
- Draw up a list of professional interpreting associations in the EU
- Follow the results of the EU project LIT Search, aiming to establish an EU-wide register of legal interpreters and translators on: <http://eulita.eu/lit-search-%E2%80%93-pilot-project-eu-database-legal-interpreters-and-translators>⁷⁹
- Explore and develop the possibility of ‘relay’ interpreting.⁸⁰ There may be a legal interpreter on the regional or national registers but more probably on this upcoming EU LIT register who has the combination LLD and English, for example. His or her interpretation could then be rendered in a second step from English into the language of the system, say Dutch, and then back from Dutch into English and from English into the LLD. It may sound laborious and will most likely involve technology in the intermediate stage (video link) but as a solution it is far better and certainly more ‘just’ than resorting to a ‘third’ language, handicapping everyone
- If satisfied with the ad hoc interpreter(s), encourage them to follow a regular legal interpreting training course, provide them with every possible support

- Collect comments on the ad hoc interpreters from the legal professionals, and if favourable, make the names available to other legal services in the region or country
- Draw up and provide concise but fundamental guidelines as illustrated below for the interpreters as well as the legal professionals in the event of having to work with an ad hoc interpreter.

It cannot be stressed enough that in the interest of justice and the professional integrity of the legal practitioners one should at all times try to work with trained, qualified, accredited LIs. The more systemic strategies outlined above aim at being better prepared when a legal service finds itself in the position of having to procure an ad hoc interpreter in a situation of urgency or emergency. However, more concrete steps can be taken to ensure that a procedural event with an ad hoc interpreter goes as efficiently as possible and that no irreparable damage is done.

2.2 Before the assignment

IDENTIFY THE LANGUAGE/DIALECT REQUIRED

In case of an LLD, finding out the language match from the client might prove difficult. Having some instruments at hand such as a list of languages spoken in the world (see: www.en.wikipedia.org/wiki/Lists_of_languages), visual aids such as www.ethnologue.com/world or a sheet with a number of phrases in as many languages as possible could help. In some instances, a telephone or video link conversation between the client and a language expert will be necessary to try and identify the specific LLD or language variant.

SELECT A SUITABLE INTERPRETER

There are some prerequisites that need to be fulfilled before entrusting the ad hoc interpreter with the assignment. First of all, the language proficiency needs to be assured. One simply cannot take someone from around the corner or from somewhere else in the building to do the interpreting without having first his/her language proficiency assessed. The national language of the legal system can be 'tested' in a brief interview, over the phone or face-to-face, by the legal professional. The LLD will have to be assessed as 'sufficient' on a first occasion by a language expert, either in the country or abroad, face-to-face or via a telephone or Internet connection.

One should be wary, for obvious reasons, of resorting all too easily to a 'common' third language shared by an interpreter or indeed the legal professional and the client and which the client may apparently be willing to speak. Trying to communicate in a language of which the client (let alone the legal professional) has only an imperfect knowledge is inviting problems. It is an option that entails the risk of serious misunderstandings, as one needs to express one's reasons and emotions in a foreign language, and a situation which involves a real power imbalance and the major risk of unfairness.

Secondly, one needs to be certain that there is no conflict of interest – that the envisaged interpreter has no family, neighbourly or 'community' relation to the client. This is a general principle, of course, but one that becomes trickier the smaller the language community. In highly sensitive cases additional vetting procedures of the ad hoc interpreter may be necessary.

Finally, even when having to turn to an ad hoc interpreter, one should try to take gender considerations into account in relevant matters involving, for example, rape, child abuse or cultural role hierarchies, and be aware, when recruiting from a refugee group, of the risk of secondary post-migration trauma if matters might touch on a shared history between 'client' and interpreter.

2.3 Prepare for the assignment

PRACTICALITIES

Given that the interpreter is inexperienced and not familiar with the system or location:

- Explain transport arrangements including directions to and in the building
- Give the name of the person whom the interpreter is to contact on arrival
- Where they are to meet (e.g. a precise room number)
- Organize any security requirements or arrangements
- On arrival have the interpreter shown to a waiting area where s/he will not be in contact with the person for whom s/he is interpreting.

Ensure that the interpreter is given as much information as possible about the assignment. Give the interpreter some pre-briefing time and space:

- The likely format and purpose of the interview or hearing
- The main issues that might be raised during the assignment
- The main terminology likely to be involved
- Any standard documents or forms to be completed and interpreted.

This should allow the interpreter to judge whether the task is within their competence and will in any case help him or her to carry out the assignment as best as possible.

INTERPRETING

The first assumption in this section is that one will turn to an ad hoc interpreter because of the LLD factor and/or under time constraints. This would generally apply to situations of execution of arrest and search warrants, lawyer-client consultations, police or investigative judges' interviews, etc. Legal services and legal professionals in charge of the provision of interpreting should realize that using an ad hoc interpreter in court or trial situations, for example, carries an unacceptable risk as the ad hoc interpreter will not master the required simultaneous ('chuchotage') whispering interpreting mode. Moreover, their lack of training and experience is what after all the decisive stages of the procedure will, without doubt, put a fair trial in jeopardy.

The second assumption is that in most of the cases one will use the ad hoc interpreter in face-to-face situations. Remote or video link interpreting requires additional, specific skills – as we will point out below –, hence the usual, most common mode of interpreting will be *in situ* person to person consecutive interpreting.

One of the first things is to make sure that the ad hoc interpreter understands the basics of the consecutive interpreting process. The table below provides essential guidelines which should be (quickly) gone through with the ad hoc interpreter.

The basics of the consecutive interpreting process

- > Introduce yourself at the start of the assignment: "I am the X – Y language interpreter. I shall interpret everything that is said, without adding or omitting anything. I am impartial and shall keep everything that is said confidential. I may take some notes to aid my memory but shall destroy them after the assignment. You can address/speak to one another directly."
- > You interpret what has been said by one speaker into the other language after a speaker has spoken, and then the other way round, and so on
- > Signal audibly ('Can I interpret now') or visually (raise your hand) to keep the interventions manageable. Statements should be kept 'short' so as not to overload your memory or language capacity

- > Use the first person to render statements, i.e. 'My name is...', 'I went to the bar' instead of 'He says his name is...' or 'She said she went to the bar'
- > Interpret everything that is said, even obscenities or asides
- > Do not answer questions to you or give explanations or opinions
- > Take notes of 'referential' data such as personal or place names, times and dates, measures, etc., if necessary checking and making sure they are correct
- > Alert the parties if something is not understood or heard. Make sure you have understood correctly. Whenever in doubt, ask for a repetition
- > Alert the parties to an overlap of speech. Inform them, if necessary, you can interpret for only one speaker at a time
- > Do not have discussions in one language with either party without informing the other party what has been said
- > Alert the legal professionals if the 'client' is being abusive or threatening
- > Take a seating position that does not suggest any partiality to either party. Try to sit in the middle, not on the side of one party.

During the short pre-briefing moment, the legal professional should make sure that these things are understood by the ad hoc interpreter. They should go over this info sheet also to make sure that this written information is taken in and understood (which will not always be the case!). If time allows, one should take the additional step of having a brief trial run with a series of sentences to be interpreted, not to judge the (LLD) language proficiency but to assess whether the interpreter masters the basic consecutive interpreting skill, judging by speed, length, certain referential data (a name or a date should reoccur!) and overall confidence.

CORE CODE OF ETHICS

Generally speaking, the interpreter's role and decision-making process with regard to ethical issues in the course of an assignment is an issue of considerable complexity, both in interpreting studies literature as well as in professional practice. However, in the event of having to work with an ad hoc interpreter in criminal proceedings, it is best to take as restrictive and prescriptive a stance as possible.

Prepare and explain a concise code of conduct, the absolute do's and don'ts as presented in the table below. It will protect the ad hoc interpreter as well as the legal professionals depending on their work. Make it clear to the interpreter that there are procedures for identifying and dealing with any breaches of the code, including that they may be liable to charges brought against them.

Core code of ethics

- 1 I shall reveal any conflict of interest before accepting the assignment
- 2 I shall interpret accurately and completely, without adding or omitting anything
- 3 I must disclose any limitations or problems which may arise during the assignment and will withdraw if no longer competent to carry on with the assignment
- 4 I shall observe confidentiality about the assignment
- 5 I shall remain impartial at all times during the assignment
- 6 I shall decline any reward arising from the assignment other than the agreed fees and expenses.

Name:

Signature:

Date:

2.4 During the assignment

CLARIFY THE AD HOC INTERPRETER'S ROLE WITH THE OTHER LANGUAGE SPEAKER

Ask or instruct the other language speaker to speak clearly and slowly, if necessary to repeat essential information. Explain to them, explicitly, the code of conduct the interpreter is obliged to observe, so that no pressure is brought on them to breach their confidentiality and impartiality.

CLARIFY THE AD HOC INTERPRETER'S ROLE WITH THE OTHER LEGAL PROFESSIONALS

Legal professionals who have had previous experience of working with (qualified!) interpreters may nevertheless not be aware of the potential pitfalls of working with ad hoc interpreters. They too should be fully informed about the likely linguistic and professional issues that will arise. The ad hoc interpreter

will have no or very little experience and, understandably, will be nervous and anxious, and any skills he or she has will come under great pressure. It is important therefore that legal professionals in this situation abide by a number of practical communication strategies when talking to the other-language speaker.

POSITIONING

Assign the ad hoc interpreter a neutral, impartial position during the assignment. A seating arrangement that will allow the interpreter to see all participants, see their faces and observe their body language – which will assist the understanding of their statements for any interpreter but which is absolutely essential for sign language interpreters – and which will come across as impartial, ‘in the middle’, not aligned with one party.

Recommendations for legal professionals working with ad hoc interpreters

- > Apart from any legal requirement such as taking an oath, have the interpreter introduce him or herself. The following formula might serve as an example: “I am the X – Y language interpreter. I shall interpret everything that is said, without adding or omitting anything. I am impartial and shall keep everything that is said confidential. I may take some notes to aid my memory but shall destroy them after the assignment. You can address one another directly.”
- > Speak audibly
 - > Express yourself clearly and unambiguously
 - > Speak slowly and at a steady pace
 - > Speak to and look directly at the interlocutor being addressed, not the interpreter. Do not ask or expect the interpreter to rephrase your statement (“Ask him where he was...”)
- > Do not go on too long. Keep statements short and manageable for the ad hoc interpreter. Pause for the interpreting at regular, short intervals
- > Allow the interpreter to take notes to aid his or her memory. Be alert if the interpreter does not take notes even when the information exchanged in the interview is fairly dense
- > Allow the interpreter to consult resources e.g. a dictionary when available
- > Avoid unnecessarily convoluted language
- > Avoid jokes or word play

- > Respect the role of the interpreter and do not use them for tasks outside their role. Do not ask the interpreter for explanations, opinions or clarifications, etc.
- > Check and cross-check essential facts such as dates, names, etc. Be alert if the interpreter never asks for a repetition or clarification even when the interview becomes fairly technical or difficult
- > Be attentive to marked differences in length, unfinished sentences, hesitations in the interpretation
- > Be attentive to marked differences in fluency, e.g. a faltering speaker becoming very assertive in the interpretation
- > Ask the interpreter to inform you when a statement is paraphrased, when no more direct equivalent could be found
- > Watch carefully for non-verbal communication cues that may indicate whether or not the interpretation is going well
- > Watch out for asides and exchanges between interpreter and 'client'
- > Allow the interpreter the necessary time to deal with written information that is provided
- > Do not expose the ad hoc interpreter to unnecessary emotional pressures.

SUPPORT EFFECTIVE INTERPRETING

Ensure that all parties involved in the exceptional situation of working with an ad hoc interpreter understand the interpreting process and the guiding code of ethics, so that they can accommodate it.

In addition:

- Allow the interpreter short breaks at appropriate times. Interpreting requires a high level of concentration and the level of quality will certainly diminish rapidly in the case of an ad hoc interpreter unless he or she gets a regular break
- Make sure that during any such break the interpreter can sit apart from those involved in the case
- Have any notes destroyed or documents handed in
- Check the interpretation of any written statements or instructions, e.g. appointments with lawyers, to make sure that they are correctly understood.

2.5 After the assignment

FOR THE LEGAL SERVICE

- Organize the administrative completion of any necessary forms for the interpreter
- Take some time to debrief adequately, to go over what went well, what was unsatisfactory and why. One may very soon need the same ad hoc interpreter again
- Explore the possibility of on-going in-service training for those who have proved their aptitude
- Explore the possibility of having the interpreting performance monitored by a qualified LI and/or language expert for further discussion with the ad hoc interpreter afterwards
- If possible, and if meeting admission requirements, suggest formal training in legal interpreting for those who have proved their aptitude
- Offer access to practical informed help such as professional associations, manuals, bilingual glossaries if available, websites etc. so the ad hoc interpreter can improve his or her performance.

More structural quality assurance strategies may include the tape-recording of interpreted assignments (or video-recording in the case of sign language interpreters) and the appointment of an expert liaison person in each legal service, to work between interpreters on the one hand and the service and the legal professionals on the other.

FOR THE AD HOC INTERPRETER

- Reflect on how the assignment went and try to identify what you did well and why, so that satisfactory ways of working will be strengthened in the future and unsatisfactory ones avoided
- Seek advice on how your future performance may be improved. Take the debriefing information to heart
- Keep a record of relevant and non-confidential observations and comments
- Check the information available from interpreting associations, legal interpreters, manuals, bilingual glossaries if available, websites where possible
- If possible, seek advice on in-service or on formal training to become a qualified LI

- Even as an ad hoc, build on the experience by improving knowledge of procedures, legal phrases and concepts, terminology
- Seek advice as to where and whom to turn to if the assignment has been particularly distressing or upsetting.

2.6 Remote interpreting

In case of a situation where not even an ad hoc interpreter can be found in the locality, the legal service will have to turn to videoconference or remote interpreting. Videoconference interpreting (VCI) means that the interpreter is located with either one of the primary participants who are at two different locations linked via videoconference. Investigative judge and interpreter in one place, victim in another. Remote interpreting (RI) refers to a situation in which all primary participants are at a single location, whilst the interpreter is at another (remote) location and linked to the primary participants via video link. Investigative judge and victim in one place, interpreter in another.

Video interpreting can be a useful tool in both national proceedings (e.g. links between courts and prisons for pre-trial summary hearings) and cross-border proceedings (e.g. to hear a witness in a different country). But both communication strategies (VCI and RI) can, of course, also be useful when having to access an LLD interpreter – whether qualified or ad hoc – when none is available at the time and place needed. It seems likely that in LLD situations VCI or RI will be most useful to set up ‘relay’ interpreting, as mentioned above. It is improbable that the language combination needed at short notice – e.g. LLD - Dutch – will be found abroad. VCI and RI have the advantage of making communication at least possible, when otherwise it would not have been as they make the range of languages available simply so much larger. They may have the additional advantage of neutrality and protection of the interpreter, which may well be a crucial consideration in small and closed language communities or in extremely sensitive cases. When faced with the challenge of finding an LLD interpreter, one can now at last begin to extend one’s range across the EU on the basis of the EU-wide register of LIs ‘in progress’ on:

www.eulita.eu/lit-search-%E2%80%93-pilot-project-eu-database-legal-interpreters-and-translators

It goes without saying that in case of VCI or RI one has to go through the same safety checks, take the same precautionary measures as in face-to-face

assignments described above to make sure the assignment goes efficiently and does not imperil justice or professional integrity.

However, the specifics of VCI or RI with regard to quality of sound and image, positioning of the participants, communicative interaction, notably turn-taking, etc. require even greater attention in the pre-briefing stage and a careful monitoring of the performance during the assignment. In order to assist both interpreters and legal professionals in VCI or RI assignments, the *Avidicus* projects have created mini-guides with practical recommendations.

They can be accessed on <http://www.videoconference-interpreting.net/>. More information can also be found in Chapter 7 of the *Qualitas* project (see www.qualitas-project.eu/) and, of course, elsewhere in this TraILLD report.

2.7 Conclusion

Having to rely on an ad hoc interpreter in situations of urgency or emergency, when no qualified, accredited legal interpreter is available, is in essence a damage limitation operation. The words themselves suggest the precariousness of the situation. This means that the legal professionals as well as the ad hoc interpreter involved need to take every precautionary step possible to limit the risk of misunderstandings and inefficient communication, possibly resulting in unwarranted assumptions and unfair decisions. On the contrary, everyone involved should be aware, or be made aware in advance, of the potential pitfalls of the situation and respond accordingly, trying to abide by the simple but effective recommendations outlined above. Working with an ad hoc interpreter in matters of justice should be the exception, indeed an option in a situation of emergency only. But the reality of the day is that it will happen. Structural and systemic planning will go a long way in preventing such occurrences becoming the normal practice. The concrete and practical measures surveyed above will serve justice and underpin professional integrity when it does happen.

REFERENCES

- Braun, S. & Taylor, J. (eds) (2012). *Videoconference and Remote Interpreting in Criminal Proceedings*. Cambridge/Antwerp: Intersentia. See also the website of the Avidicus projects: www.videoconference-interpreting.net for guidelines and training materials for both legal practitioners and interpreters.

- Giambruno, C. (ed.) (2014). *Assessing legal interpreter quality through testing and certification: The Qualitas Project*. Alicante: Publicaciones Universidad de Alicante. See particularly Cynthia Giambruno, Chapter 6: Dealing with Languages of Lesser Diffusion, and Sabine Braun, Annalisa Sandrelli and Brooke Townsley, Chapter 7: Technological Support for Testing. The book can also be accessed on the project website: [/www.qualitas-project.eu](http://www.qualitas-project.eu)
- Hertog, E. (ed.) (2001). *Aequitas: Access to Justice across Language and Culture in the EU*. Antwerp: Lessius Hogeschool. See particularly Ann Corsellis and Edda Ostarhild, Chapter 4: Training; Ann Corsellis and Leandro Felix Fernandez, Chapter 7: Code of Ethics and Guidelines to Good Practice; and Kirsten W. Rasmussen and Bodil Martinsen, Chapter 9: Interdisciplinary Conventions with the Legal Services. The book can be accessed on the EU-LITA website: www.eulita.eu/sites/default/files/Aequitas_Acces%20to%20Justice%20across%20Language%20and%20Culture%20in%20the%20EU.pdf
- Salaets, H., Balogh, K. & Rombouts, D. (2014). *Gerechtstolken*. Tiel: LannooCampus.
- Townsley, B. (ed.) (2011). *Building Mutual Trust*. London: Middlesex University. See particularly Ann Corsellis, Amanda Clement and Yolanda Vanden Bosch, Chapter 9: Training for Members of the Legal Services Working through Legal Interpreters and Translators. The book can be accessed on the Building Mutual Trust website: www.building-mutual-trust.eu

The Building Mutual Trust 2 project offers audiovisual training scenarios demonstrating best practices when working through a spoken language interpreter. The training scenarios of the five videos in three languages (and subtitled in four languages) are designed specifically for law enforcement and judicial professionals and are user-friendly for the non-linguist. They are suitable for use by trainers or as self-study materials. See www.building-mutual-trust.eu.

The Impli project provides interpreter trainers with a better understanding of the interviewing techniques developed by the police, customs and prosecution services and informs police and prosecution services about interpreting techniques and how these techniques can assist them in their work when properly implemented. Six videos give prosecution and police services on the one hand and interpreters on the other the opportunity to become familiar with each other's needs. See www.youtube.com/playlist?list=PLx15JSWFqoqCm5ycG6CKzxAQHE-YfrgIj.

The Research and Development Committee of the Advocacy Training Council (ATC) has launched a DVD on the effective use of foreign languages in court and the effective use of interpreters. This is part of a research project carried out by the ATC in conjunction with Middlesex and Surrey Universities and funded by The Legal Education Foundation. The training film has been created to demonstrate good practice and the pitfalls of poor practice when working with interpreters. The teaching and learning points provided should assist in familiarizing barristers and judges with the technique of examining a witness through the medium of an interpreter. See www.advocacytrainingcouncil.org/interpreters.

CHAPTER 1
INTRODUCTION: PROJECT
DESCRIPTION

CHAPTER 2
LANGUAGES OF LESSER DIFFUSION
(LLDs): THE RATIONALE BEHIND THE
RESEARCH PROJECT AND DEFINITIONS

CHAPTER 3
COURSE DESCRIPTIONS

CHAPTER 4
BRIEFING TRAINERS FOR A TANDEM
TRAINING PROGRAMME FOR LEGAL
INTERPRETERS AND TRANSLATORS

CHAPTER 5
LEGAL TRANSLATION AND
TERMINOLOGY

CHAPTER 6
RESOURCES AND MATERIALS FOR
TRAINING LEGAL INTERPRETERS IN
LANGUAGES OF LESSER DIFFUSION

CHAPTER 7
DESCRIPTION OF THE PILOTS AND
BEST PRACTICES

CHAPTER 8
PROFESSIONAL RESPONSES TO WORK-
ING WITH AD HOC INTERPRETERS

CHAPTER 9
CONCLUSION AND
RECOMMENDATIONS

LannooCampus

CHAPTER 9

CONCLUSION AND RECOMMENDATIONS

Katalin Balogh, Heidi Salaets & Dominique Van Schoor

The main aim of our manual is to facilitate the training of legal interpreters, especially for LLDs. Sometimes it can be overwhelming to work with ‘exotic’ languages for which you do not have an on-site interpreter trainer or even a language expert, written legal sources, dictionaries and so on. Still, every legal interpreter must be trained, regardless whether this is for an LLD or not. Even though at first sight this may seem a huge challenge, you can overcome this by being creative. In this manual, we cannot solve every possible problem but we can suggest some hands-on solutions, which were piloted, tested and approved as being feasible. In short, we could recommend the following key strategies:

- collaborative learning (including peer review)
- blended learning
- shared internet platform for online learning
- tandem method
- cross-border collaboration (if possible)

These strategies can either be used individually or in combination, depending on the LLD, the number of candidates, the cost, the possibilities of cooperation, etc. When having to train LLD interpreters, it would therefore be advisable to keep all possible strategies in mind and to tailor them to the specific situation.

Based on our experience with the pilots and the existing training modules, we list the most relevant best practices below.

Before setting up an LLD interpreter training:

- Perform a language check (What kind of language is it? Which type of resources are available: written or only oral? To which developmental category does the language belong? (cf. chapter 6 on resources and training materials)
- Candidates need to have the same minimum level of language proficiency. Therefore, it is imperative to test their proficiency beforehand in both languages

- It is recommended to set up training for a minimum of three candidates at once. This also helps to reduce the cost and makes strategies such as peer review and role play possible
 - > If you have only one candidate, you could work cross-border and look for candidates abroad, possibly with the same language combination (cf. SIGV and KU Leuven, chapter 7.1)
 - > If you have only one candidate and no cross-border cooperation is possible, but the LLD is highly needed: try to find an agreement with the authorities on the financial aspects (e.g. shared financial responsibilities). In that case, the methodology will be more restricted and the use of recordings becomes crucial (e.g. for self-assessment)
- Check whether it is possible to cooperate with other training institutes or university departments of philology to find for instance an LLD screener for the entrance exam or to set up the entire training (cf. entrance exam Mongolian – Dutch via Hungary, chapter 7.1)
- Even if you are not able to find a language expert or facilitator for the LLD, do not hesitate to rely on peer feedback. The absence of an LLD co-worker cannot be a hindrance to starting with the training. (cf. ICC, chapter 3.4)

During the training:

- Think about possible strategies which not only contribute to the quality of the training but are also cost-reducing
 - > Explore the possibilities of online course organization (e.g. videoconference for class meetings, role plays, etc.)
 - > Create an internet platform for the students to facilitate online learning, promote cooperation and reinforce the learning community
 - > Try to involve the students of different LLDs in the online discussions on general topics (ethics, deontology, national legislation, and so on) such that all students participate. Create separate language rooms for them to work on terminology, etc. (cf. web-based online blended method by Hanne Skaaden, chapter 3.3)
 - > Ask students to prepare texts, presentations, and short speeches in their respective languages. These can be used as a basis for interpreting exercises and exchanged with fellow students of the same language
 - > Develop a database with student materials (e.g. speeches, terminology lists, etc.) for further reuse
 - > Organize online lectures (cf. SIGV & Ljubljana University: Arabic terminology, chapter 7.2)
 - > Record the lectures audiovisually for reuse and share them with colleagues

- > The above will make it possible to limit the number of face-to-face classes
- Develop all interpreting skills by using relay mode. Ask students to prepare texts, presentations, and short speeches in the language of the training. These can be used as a basis for interpreting exercises and exchanged with fellow students of different languages (cf. tandem method, chapter 3.5; ICC, chapter 3.4)
- Create multiple language groups for role plays. Students can participate either as an actor, interpreter or observer (cf. web-based online blended method by Hanne Skaaden, chapter 3.3)
- Offer students relevant training materials and learning strategies, but leave room for self-study and research
- The final exam can be organized in the same way as the entrance exam.

After the training:

- Offer specialized training (e.g. on videoconference/remote interpreting, wiretapping, interpreting children in legal settings, etc.) for the certified legal interpreters
- Involve the most valuable candidates as trainers in the course.

We would suggest bringing all these experiences together in an open online database or portal. In this way, everyone involved in interpreter training can add new information regarding trainers and their availability, exercises, exams, terminology, etc. This tool would be available for free for every training initiative and be used as a reference point for those who wish to set up a course for legal interpreters of LLDs. It could facilitate cross-border cooperation between training institutes for interpreting in Europe and all over the world.

It could of course also be a resource for trainee or practicing LLD interpreters themselves.

Interpreter users (e.g. authorities, ministries, legal professionals, immigration officers, etc.) could benefit from a section with recommendations to raise awareness on how to deal with LLD interpreters, taking into account the intercultural aspects, and the possible orality of the language resulting in a lack of written legislative resources (cf. Hertog, chapter 8). It emphasizes the central role of the authorities in signaling significant language needs, so that LLD interpreters can be trained in time. It is also in their interest to invest in high-quality training for interpreters, by offering both financial and organizational support.

We believe that the implementation of such an online database is an excellent programme for a TraiLLD II project.

NOTES

- 1 www.arts.kuleuven.be/english/rg_interpreting_studies/research-projects/trailld/index; www.eulita.eu/
- 2 This publication is part of the deliverables of the Qualitas project: Assessing Legal Interpreting Quality through Testing and Certification. See: www.qualitas-project.eu/. The publication itself is entitled: "Assessing Legal Interpreter Quality through testing and certification: the Qualitas project" (www.qualitas-project.eu/sites/qualitas-project.eu/files/the_qualitas_project_web.pdf).
- 3 For a detailed overview of DG Justice projects preceding the TraiLLD project, we refer to Salaets, H. (2014). *Common ground in LIT research and training: the Antwerp case*.
- 4 www.ec.europa.eu/eurostat/statistics-explained/index.php/File:Main_countries_of_citizenship_and_birth_of_the_foreign_foreign-born_population,_1_January_2014_%28%C2%B9%29_%28in_absolute_numbers_and_as_a_percentage_of_the_total_foreign_foreign-born_population%29_YB15.png
- 5 www.ec.europa.eu/eurostat/statistics-explained/index.php/File:Five_main_citizenships_of_%28non-EU%29_asylum_applicants,_2014_%28number,_rounded_figures%29_YB15_III.png#filehistory
- 6 For the Dutch version of the programme, see: www.arts.kuleuven.be/home/opleidingen/manamas/gerechtsvertalen_tolken/programma-2.
- 7 Students need to have attended modules 1-4, but they are not required to have passed the examination for these modules yet.
- 8 The origin of the proverb is uncertain, but may originate from the Chinese philosopher Xunzi (312-230BC).
- 9 The 2007 and 2008 year classes allowed more language groups. For practical reasons, the maximum number is since limited to ten language groups a year.
- 10 Five to ten percent are native Norwegians with sufficient command over the other working language, including so-called "second generation migrants", whose parents are native speakers of the working language other than Norwegian.

- 11 For further description of the admission test, see Skaaden 2013a.
- 12 In the chat discourse, the participants communicate in their common Norwegian. For the sake of brevity, only the author's English translation of the discourse is rendered here. Each posting indicates whether the student is male (m) or female (f), the students' number of appearance in the excerpt and the time of posting. Students from different year classes with the working languages Amharic, Chinese, French, German, Lithuanian, Polish, Somali, Sorani Kurd, Spanish and Rumanian take part in the excerpts displayed in this chapter.
- 13 The impression is based on 10 year-classes' evaluations of altogether 50 gatherings. In addition to eight year-classes completing the course at HiOA between 2007 and 2015, the evaluations from two pilot groups at the University of Oslo in 2004 and 2005 represent the same trend (cf. Skaaden and Wattne, 2009).
- 14 The data in this row refer to the number of students who sat the final practical interpreting exam after having completed the mandatory learning activities with no less than 80% attendance. Among the students who sit the final exam, 95-98% pass the course.
- 15 Formerly the Court Interpretation and Translation Section, also known by the acronym STIC.
- 16 Figure from 19 February 2016.
- 17 Figure from 19 February 2016.
- 18 International Criminal Tribunal for the former Yugoslavia
- 19 International Criminal Tribunal for Rwanda
- 20 Special Tribunal for Lebanon
- 21 Extraordinary Chambers in the Courts of Cambodia
- 22 Special Court for Sierra Leone
- 23 Rule 76 (1) of the Rules of Procedure and Evidence provides for the pre-trial disclosure of prior statements made by prosecution witnesses "sufficiently in advance to enable the adequate preparation of the defense".
- 24 www.icc-cpi.int/iccdocs/doc/doc943124.pdf accessed on 19 February 2016.
- 25 For The Record
- 26 This approach derives from the main principles of the «Régimes spéciaux» created by Danica Seleskovitch at the École Supérieure d'Interprètes et Traducteurs (ESIT, Sorbonne Nouvelle, Paris).
- 27 The manual then used was: Seleskovitch, Danica & Lederer, Marianne, 2001. *Interprete pour traduire*. 4e ed. ed. Didier érudition.
- 28 For example: DEJEAN LE FEAL, K. (1990b): "La formation méthodologique d'interprètes de langues «exotiques»", Lederer, M. (Ed.), *Etudes traductologiques*, Paris, Minard, pp. 201-213.

- 29 UNITRAIN's name was later changed to Arbeitsstelle für Wissenschaftliche Weiterbildung (AWW)
- 30 Driesen, C. & Petersen, H. (2011); Driesen, C. (2012).
- 31 As it started at the very beginning of the Bologna process, before German universities had decided to concentrate exclusively on Master degrees.
- 32 www.aww.uni-hamburg.de/weiterbildung/sprache-kunst-kultur/dolmetschen.html
- 33 www.hs-magdeburg.de/weiterbildung/weiterbildende-studienprogramme/dolmetschen-und-uebersetzen-fuer-gerichte-und-behoerden.html
- 34 A weekend module comprises usually three 90 minutes sessions in interpreting techniques and one in translating.
- 35 www.aww.uni-hamburg.de/weiterbildung/sprache-kunst-kultur/dolmetschen/material/ordnung-dolm-0812.pdf
- 36 Available on request at: www.aww.uni-hamburg.de/weiterbildung/sprache-kunst-kultur/dolmetschen.html
- 37 As part of the admission conditions to the final examination, students are required to prepare speeches in both languages for each face-to-face session. They consist of a few notes giving the impression of free speech. The subjects may be political, cultural, legal etc.
- 38 Criticism should be expressed with tact and always end on a positive note, especially because we are dealing with adults and some of them may have been traumatized by previous life experiences.
- 39 This applies to sight translating texts equally.
- 40 20 lines each.
- 41 Tandem in translation: the language expert is responsible for the language correctness, the translation trainer focuses on specific legal terminology.
- 42 A terminology synopsis related to all legal domains dealt with during classes, a certain amount of translations and short presentations, and eighty percent attendance.
- 43 Material permitted: own terminology synopsis, law dictionaries and general dictionaries of both languages.
- 44 These texts are sent in advance to allow time for research of parallel documents in LLD.
- 45 It could be any other legal professional.
- 46 55 characters.
- 47 For instance: « The interpreter has a question... ».
- 48 Device comprising a microphone for the interpreter and headsets for the audience.

- 49 The scientific framework on which this chapter is based relies mostly on following work: Bocquet, Claude. (2008). *La traduction juridique, Fondement et méthode*. Bruxelles: Traducto ed., Groupe De Boeck s.a.
Bocquet, Claude. (1994). *Pour une méthode de traduction juridique*. Prilly: Editions CB ed., : CB Sevice SA.
Cornu, Gérard. (1990). *Linguistique juridique*. Paris: Monchrestien.
Daum, Ulrich (2011). *Gerichts- und Behördenterminologie*. 9. überarbeitete Aufl., Schriften des BDÜ 31 ed.
Sourieux, Jean-Louis & Lerat, Pierre. (1992) (3e éd.). *L'analyse de texte, Méthode générale et application au droit*. Paris; Collection Méthode du Droit ed., Dalloz-Sirey
- 50 According to the interpretive theory exposed among others in Seleskovitch, Danica & Lederer, Marianne. (2001). *Interpreter pour traduire*. 4e ed. Didier érudition.
- 51 The pertinence of this process of separating signifier and signified is confirmed by recent neuro-scientific research – see for example the work of Stanislas Dehaenne.
- 52 Differences resulting from a centralized and federal state organization contrasts between Common Law and Civil Law systems.
- 53 In Belgium and Luxembourg, the Labour Tribunal is called “Tribunal du travail” in contrast to France, where the name is “Conseil des prud’hommes”. The judiciary structure differs greatly in France and in the French speaking part of Switzerland. “Accusé” is the general designation in Switzerland whereas in France the term refers to the Court of Assises. Most terms referring to the Court of Assises differ from the one used in lower criminal courts.
- 54 i.e. between common and legal registers or even between legal domains.
- 55 G. Roux-Faucard (2005), the method has been applied early by ESIT for translator training.
- 56 Merkblatt zur Urkundenübersetzung
- 57 *Duden* for German and *Robert* for French, etc. are good references for language correctness.
- 58 Under the heading « 4.4.1 Briefing concerning written part ».
- 59 From: *Grammaire et dictionnaire abrégés de la langue Bèrbère. Composés par Feu Venture de Paradis, revus par P. Amédée Jaubert et publiés par la société de géographie*. Paris, imprimerie royale.
- 60 Dashmyagmar, A. (2013). *Juridische Termen (Nederlands-Mongools)*. ISBN: 978-90902-7-393-8 (private publication).
- 61 See: www.moj.gov.mn/
- 62 Blended learning courses here refer to online learning with on-campus, weekend gatherings. For a description of the introductory 30 ECTS course

on dialogue interpreting and its learning approach, see Skaaden & Wattne, 2009; Skaaden 2013 and in this volume.

- 63 Since the English and Norwegian terminology does not fully coincide, a note on terminology is necessary. In Norwegian, the term “skjermtolking” (“on-screen interpreting”) was coined as a cover term for solutions where the interpreter communicates with one or both parties by way of audiovisual technology (UDI 1998). The term *on-screen interpreting*, as opposed to *on-site interpreting*, thus, covers both the concepts used in English, ‘Video Conference Interpreting’ (VCI) and ‘Remote Interpreting’ (RI). I.e., VCI situations where the interpreter is either co-located with one of the interlocutors or RI situations where the interpreter sits alone in a geographically distant location and communicates with the interlocutors who are co-located (Braun and Taylor, 2012b, p. 40-41). In Norwegian, the term “fermtolking” (lit. “distance” or “remote” interpreting) serves as a cover term for interpreting either over the telephone or “on-the-screen” (UDI 1998). In the current article, the term *distance interpreting* (DI) is used in this sense, as cover term for telephone interpreting and VCI/RI. The concept *fermtolking* was used in the announcements of the current course, and is accordingly used by the students also when referring to RI (or VCI). As technology constantly develops, further differentiation and clarification is necessary both in Norwegian and in English, we believe. We agree with Constable (2015) that the interpreter’s working conditions and access to visual information should serve as primary vantage points in drawing up the criteria for future refinements of the “on-screen” subcategories.
- 64 See footnote 63 on terminology.
- 65 See footnote 62 related to introductory 30 ECTS course on dialogue interpreting.
- 66 See e.g., auditoryneuroscience.com/McGurkEffect
- 67 See e.g. www.lifehacker.com/how-to-get-better-quality-out-of-your-video-chats-5836186
- 68 A twelfth synchronous chat meeting serves for guidance about completion of the final file exam.
- 69 All answers are translated from Norwegian by the author.
- 70 All answers are translated from Norwegian by the author.
- 71 Rudvin, M. & Spinzi, C. (eds.) (2013). *Mediazione linguistica e interpretariato. Regolamentazione, problematiche presenti e prospettive future in ambito giuridico*, Bologna, CLUEB and Garwood, C. & Preziosi, I. “Un modello per un interpretariato giudiziario efficiente e di qualità in Italia: un approccio realistico all’applicazione della Direttiva 2010/64/UE” in M. Rudvin & C. Spinzi (eds.) (2013). p. 89-141.

- 72 2014-2015: Chinese, Arabic, Albanian, Romanian, Serbian, Russian, English, French, Spanish, German, Bangla, Italian Sign Language.
2015-2016: Arabic, Albanian, Romanian, Russian, English, French, Spanish, Vietnamese, Romany, Pidgin English, Polish
- 73 Skaaden, H. & Wattne, M. (2009). "Teaching Interpreting in Cyberspace. The answer to all our prayers?" in R. De Pedro Ricoy, I. Perez, C. Wilson (eds) *Interpreting and Translating in Public Service Settings*, Routledge, London, pp.74-88.
- 74 There is a judge figure in the *kris* system too, forming part of a negotiating process between three 'judge' figures: the victim's chosen judge, the suspect's chosen judge and a third, external impartial judge. The two judges chosen by victim and perpetrator present and discuss the motivation and causes of the act, and the three judges together negotiate a sentence (personal communication, Romany student).
- 75 Official Journal of the European Union, L 280/1, 26.10.2010.
- 76 Official Journal of the European Union L, 142/1, 1.6.2012.
- 77 Official Journal of the European Union, L 294/1, 6.11.2013. Another Directive which is relevant in this context is *Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime and replacing Council Framework Decision 2001/220/JHA*. Official Journal of the European Union, L 315/57, 14.11.2012.
- 78 The following recommendations are indebted to the contributions made to a number of EU DG Justice projects which the author coordinated or participated in. We mention in particular the work of Ann Corsellis, Edda Osttarhild, Leandro Felix Fernandez, Kirsten Rasmussen and Bodil Martinsen in the *Aequitas* project; Brooke Townsley, Ann Corsellis, Amanda Clement and Yolanda Vanden Bosch in the *Building Mutual Trust* project; Cynthia Giambruno, Sabine Braun, Annalisa Sandrelli and Brooke Townsley in the *Qualitas* project; and Sabine Braun's work in the *Avidicus* projects.
- 79 See Recital 31 of the 2010 Directive: "Member States should facilitate access to national databases of legal translators and interpreters where such databases exist. In that context, particular attention should be paid to the aim of providing access to existing databases through the e-Justice portal, as planned in the multiannual European e-Justice action plan 2009-2013 of 27 November 2008." (Official Journal C 75, 31.3.2009, p. 1).
- 80 The speaker's utterances are first rendered into one language, which is in turn translated into other languages (Asco International, n.d.). E.g. from Lingala into French (by interpreter 1), from French into Slovene (by interpreter 2).

BIOGRAPHIES OF THE AUTHORS (IN ALPHABETICAL ORDER)

Balogh, Katalin

Katalin Balogh is the coordinator of the Legal Interpreting and Translation (LIT) training programme at the Faculty of Arts of the University of Leuven (Antwerp Campus). She teaches Intercultural Studies to the students of the Master in Interpreting. She was and still is involved in several European projects on legal interpreting and translation, together with Heidi Salaets.

Constable, Andrew

Andrew Constable is Vice-President of the International Association of Conference Interpreters (AIIC). He works as a Court Interpreter at the International Criminal Court (ICC) in The Hague, the Netherlands, where he also trains interpreters with Languages of Lesser Diffusion for trials. He was awarded a Master of Advanced Studies in Interpreter Training by the University of Geneva in 2013.

Driesen, Christiane

Christiane Driesen is a conference interpreter and a legal translator and interpreter, mainly with international courts. From 1998 until 2010 she worked as professor at the Hochschule Magdeburg-Stendal. Currently, she is the head of CPD Legal Interpreting and Translating Programme at Hamburg University. She also directs several training programmes for legal interpreters and international communication for lawyers, and works on various EU projects. She is the convener of the AIIC Committee for Court and Legal Interpreting. Christiane Driesen is also Vice-President of EULITA (European Legal Interpreters and Translators Association). In 2014 she has been awarded the Danica Seleskovitch Prize.

Hertog, Erik

Erik Hertog is emeritus professor of Cultural Studies and both Conference and Public Services Interpreting for the Faculty of Arts, KU Leuven (formerly Lessius University College) in Antwerp, Belgium. In the field of legal interpreting

he has conducted research, training and many EU projects including the establishment of EULITA, the EU Association of Legal Interpreters and Translators. He is the author of many publications on legal and community interpreting.

Maček, Amalija

Since 2001 Amalija Maček has been working at the Department of Translation at the University of Ljubljana, where she mainly teaches translation from German into Slovene. Since 2008 she heads the Master's programme in Interpreting Studies (a member of EMCI) and is an EU accredited conference interpreter herself. She was also involved in the EULITA and TRAFUT project. In her research and PhD thesis she focused on different aspects of the contacts between Europe and the Middle East, especially in asylum proceedings. With the help of Christiane Driesen she designed a programme of further education for court interpreters with LLDs in Slovenia.

Rudvin, Mette

Mette Rudvin completed her studies at the universities of Oslo, Oxford and Warwick and holds a PhD in Translation Studies. She has been teaching language, literature, translation and dialogue interpreting at the University of Bologna since 1996 and has published widely, especially in the field of Community- and Legal Interpreting. She also works occasionally as a community-interpreter and legal interpreter and translator between Italian, English and Urdu.

Salaets, Heidi

Heidi Salaets is the head of the Interpreting Studies Research Group at the Faculty of Arts of the University of Leuven (Antwerp, Brussels and Leuven campus). She trains interpreters in the Master's programme and conference interpreters (Italian-Dutch) in the postgraduate interpreting programme. Heidi Salaets is also responsible for the evaluation procedure in the LIT-training (Legal Interpreting and Translation). She was and still is involved in several European projects on legal interpreting and translation, together with Katalin Balogh.

Skaaden, Hanne

Hanne Skaaden is professor at the Department of International Studies and Interpreting at Oslo and Akershus University College of Applied Sciences. Skaaden has taught interpreting on-campus and online to multiple language groups since 1993. In addition to studies of interpreting in the public sector her research covers first language attrition and bilingual testing.

Van Schoor, Dominique

Dominique Van Schoor holds an MA in English and Italian Literature and Linguistics from Ghent University and an MA in Interpreting (with specialization in legal interpreting) from KU Leuven, Antwerp campus. She has also completed the postgraduate programme in Conference Interpreting at KU Leuven, Antwerp campus and currently works as research assistant at the same university.

Verhoeff, Carola

Carola Verhoeff studied Dutch Literature and Art History at the University of Amsterdam. Since 1999 she is curriculum coordinator at SIGV for the courses on legal interpreting and translation for the Criminal Court.

Zekhnini, Ahmed

Ahmed Zekhnini works in the Netherlands as a court interpreter/translator with Arabic and as a trainer of court interpreters at SIGV (Dutch Association for Legal Interpreters and Translators). After his secondary school in Berkane (Morocco) he moved to Amsterdam where he studied Applied Linguistics.