

COURT INTERPRETING AS A SHARED RESPONSIBILITY: JUDGES AND LAWYERS IN A CORPUS OF INTERPRETED CRIMINAL PROCEEDINGS*

Mireia Vargas-Urpí
Universitat Pompeu Fabra

ABSTRACT

This article seeks to examine and describe the role of judges and lawyers in criminal proceedings when interpreting is required for the defendant or witness. It is based on the analysis of the first corpus compiled from real criminal trials in different Criminal Courts of Barcelona. The corpus contains interpreting between Spanish and English, French or Romanian and was transcribed and annotated using EXMARaLDA, a software tool for working with oral corpora. The annotation used Cecilia Wadensjö's distinction between "talk as text" and "talk as activity" to classify the various problems that interpreters encounter when working with criminal proceedings and the strategies or techniques that they use to solve those problems. The present article focuses on the interactional problems that arise when judges and lawyers are talking. By analysing to what extent judges and lawyers deviate from recommended standards of practice when communicating through interpreters, the author critically examines some of the factors that come into play in the characterisation of court interpreting practices in Spain.

KEYWORDS: court interpreting, oral corpora, naturally-occurring data, conversation management, speech style.

RESUMEN

Este artículo examina y describe el rol de los jueces y abogados en procesos penales en los que se requiere interpretación para la persona investigada o el testigo. Se basa en el análisis de un corpus compuesto, por primera vez, por transcripciones de grabaciones de juicios penales reales celebrados en distintos Juzgados de lo Penal Barcelona. Incluye tres combinaciones lingüísticas: castellano – inglés/francés/rumano. El corpus se ha transcrito y anotado con el programa EXMARaLDA para la investigación con corpus orales. La anotación ha tenido en cuenta la distinción entre *talk as text* y *talk as activity* de Cecilia Wadensjö para clasificar los diversos problemas que los intérpretes encuentran en la interpretación en procesos penales, así como las estrategias o técnicas que aplican para resolverlos. El artículo se centra en los problemas de interacción que surgen del discurso de los jueces y abogados, de modo que se analiza hasta qué punto se alejan de las recomendaciones sobre cómo comunicarse a través de intérpretes. Se pretende explorar desde una perspectiva crítica algunos de los elementos que entran en juego en la caracterización de la práctica de la interpretación judicial en España.

PALABRAS CLAVE: interpretación judicial, corpus oral, datos reales, gestión de la conversación, estilo directo o indirecto.



1. INTRODUCTION

Many descriptions of public service interpreting (PSI) use the triangle metaphor, where each side of the triangle represents a different participant: the public service provider, the user and the interpreter. This triangle is often depicted as equilateral to reflect the interpreter's impartiality. However, a closer look at the role of interpreters in criminal proceedings reveals a much more complex situation, with other participants also involved (prosecutors, attorneys, clerks, witnesses, etc.) and some dialogues not involving the person with no knowledge or limited proficiency in the official language, who is sometimes left outside the triangle (cf. Bestué).

The Spanish Parliament passed a new bill in 2015 (Organic Law of 28 April 2015) amending the Code of Criminal Procedure. The new legislation stated that it "significantly reinforces procedural guarantees in criminal proceedings, as it provides detailed regulation on the right to translation and interpreting in criminal proceedings as well as on the defendant's right to information in relation to the subject of the criminal proceedings so that they can efficiently exercise their right to self-defence". Court interpreting is therefore essential to ensure that three rights are upheld: (1) the right of the defendant to be informed of the accusation against him or her, (2) the right to a public hearing with all procedural guarantees, and (3) the right to counsel, as enshrined in Article 24 of the Spanish Constitution.

The quality of court interpreting, however, depends not only on the interpreter, but also on internal and external factors. Among the internal factors, the members of the judiciary (judges, public prosecutors, court officials, attorneys and all legal professionals) have an important role to play in ensuring effective communication through the interpreter and in ensuring that the rights of defendants with limited proficiency in the official language are fully upheld, but they do not always fulfil this role.

The MIRAS research group is conducting research as part of the TIPp project (cf. Orozco-Jutorán; Arumí and Vargas-Urpi) in which it has been granted access to recordings of real interpreted criminal proceedings from ten Criminal Courts in Barcelona. This paper describes the objectives and methodology of that research and analyses a pilot sample of 20 criminal proceedings in which interpreting took place between Spanish and three other languages: English, French and Romanian, looking specifically at the various problems arising from the discourse practices of judges and lawyers (long turns, interruptions, overlaps, speech style, etc.). Based on this analysis, the paper describes the role of members of the judiciary in criminal proceedings in which the defendant requires interpreting services. It also critically examines some of the factors that come into play in the characterisation of court interpreting practices, as discussed in the conclusions.

* This paper is part of the project "Translation quality as a guarantee of criminal proceedings." Development of technological resources for court interpreters in Spanish-Romanian, Arabic, Chinese, French and English language pairs (TIPp project), funded by the Spanish Ministry of Economy and Competitiveness (FFI2014-55029-R).



2. JUDGES AND LAWYERS IN PREVIOUS RESEARCH ON COURT INTERPRETING

Research on court interpreting has grown significantly in recent years, as already pointed out in previous contributions (e.g. Hale; Shlesinger and Pöchhacker).¹ Some topics, however, remain underexplored, especially given the main issues in court interpreting research, which Sandra Hale classifies into two main groups: (a) the type of language that is used in the courtroom: question types, the interpretation of style and register in witness testimony, and pragmatics; and (b) the expectations of the role of the court interpreter by the different participants: the respective perceptions of service providers, interpreters and minority speakers.

Most studies of the language of the courtroom analyse “anecdotal evidence” (Hale 207) or small samples, whereas studies of participants’ perceptions tend to use questionnaires, interviews and focus groups. Miriam Shlesinger and Franz Pöchhacker acknowledge that “empirical studies based on naturalistic data obtained in authentic settings are still the exception” (1).

One of those exceptions was Susan Berk-Seligson’s ethnography of the bilingual courtroom, which involved extensive fieldwork in which 114 hours of tape-recorded judicial proceedings were collected from courthouses over a seven-month period. These recordings were accompanied by “detailed note-taking and extensive interviewing of court interpreters and attorneys” (43). Berk-Seligson’s book *The Bilingual Courtroom* presents numerous examples taken from real interpreted court proceedings, most of them serving to illustrate various aspects of the language of the courtroom, which is the focus of her research. The author does not *directly* discuss the role of judges and attorneys in this form of mediated communication, but she does do so *indirectly* by offering examples where a judge or attorney addressed the interpreter rather than the witness or defendant (60-62), a habit that Berk-Seligson attributes mainly to attorneys “who have never examined a witness through an interpreter,” but also to “moments of confusion and frustration, when the examiner has asked the same question more than once but is not getting an appropriate reply to the question” (61).

Ten years after Hale’s state of the art, some topics remain under-researched, including the role of judges and lawyers in interpreted court proceedings. Few studies use naturally occurring data and focus on the interaction (rather than on the language of the courtroom). There is therefore a need for studies that describe how judges and lawyers interact through an interpreter with defendants or witnesses who have limited proficiency in the official language, and on how this interaction may influence interpreters’ performance.

One such example is Philipp S. Angermeyer’s study of interpreting in arbitration hearings conducted in small claims courts in New York. It used a corpus of 200

¹ At the most recent Critical Link conference at Heriot Watt University (2016), as many as 28 papers focused on issues related either to legal or court interpreting.



observed court proceedings and 60 tape-recorded hearings, large enough to generate statistically significant results. Angermeyer explores arbitrators' *modus operandi* (he distinguishes between "fast" and "slow" arbitrators) and how interpretation modes (consecutive vs. simultaneous) may influence the outcomes of the task depending on the nature of the speech (narrative vs. question-answer parts). He also considers naturally occurring phenomena such as overlaps and interruptions.

Other studies that have focused on the role of judicial staff in interpreter-mediated court proceedings have been based on much smaller samples. For instance, Tina Paulsen Christensen's analysed the speech style of just three judges, while Bodil Martinsen and Friedel Dubslaff conducted a case study on a single trial. Research based on larger corpora, such as Jieun Lee's contributions on Korean interpreting in Australian courts, have focused on other aspects, whether linguistic (e.g. the interpretation of reported speech in witnesses' evidence or the translatability of their speech style) or pragmatic (e.g. facework in interpreter-mediated courtroom examinations).²

Despite the lack of empirical research concerning the role of judges and lawyers in interpreted trials, there is a wealth of literature covering recommendations and guidelines given to judges on how to work with interpreters. *Fundamentals of Court Interpreting*, a pioneering contribution by Roseann Dueñas González, Victoria F. Vásquez and Holly Mikkelson, is perhaps one of the most exhaustive handbooks. It describes the court interpreter's role and functions in detail, and makes recommendations on how judges and judicial staff should work with interpreters. Other, more concise publications also exist, such as the handbooks by Bruno G. Romero and the Supreme Court of Florida. The latter specifically mentions that the "judge shall monitor the proceeding and ensure that the interpretation process is flowing smoothly" (74), among other recommendations. Anabel Borja Albi also offers practical advice. She suggests, for instance, that judicial staff should talk clearly, and not too fast, and should address the person who has limited proficiency in the official language, rather than the interpreter. She also makes other specific recommendations concerning sight translation tasks.

This kind of prescriptive approach is also found in online training material for judges and judicial staff (such as on the New York State Unified Court System's website on "Language Access and Court Interpreters," which even includes videos) and in the popular bench cards available at many courtrooms across the United States, which provide "tips for communicating through interpreters" such as: "Speak directly to the non-English speaking person. Do not refer to him/her in the third person" (South Dakota Unified Judicial System).

Such material reinforces the idea that "effective communication" (García-Beyaert) through court interpreting should be regarded as a shared responsibility among all parties, and in this respect, judges and lawyers play a crucial role, given

² For more exhaustive reviews of corpus-based research on interpreting in general or court interpreting, see Arumí and Vargas-Urpi.



their hierarchical position. More research is needed to generate empirical data to support this notion of shared responsibility.

3. THE TIPP PROJECT: OBJECTIVES AND METHOD

This section describes the ongoing TIPP research project, for which this paper was written.³

3.1. OBJECTIVES

One of the TIPP project's main objectives is to provide significant information about court interpreting in Spain based on a large corpus of naturally-occurring data (i.e. real interpreter-mediated criminal court proceedings). The project uses authentic data drawn from a large, representative corpus. The data therefore describe reality, so the results are significant from the point of view of the research methodology (Orozco-Jutorán).

We will use the results of this research to produce online resources to facilitate court interpreter performance, namely a code of good practice, a protocol for conduct in the most frequent situations encountered by court interpreters, a set of guidelines for courtroom personnel on the role of interpreters and how to interact with them, and a database containing the terms most frequently used in criminal proceedings, including comments and two-way translation options between Spanish and the other languages most frequently used in Spanish courts: Arabic, Chinese, English, French and Romanian.

The following sections discuss part of our preliminary results, which we will use to produce the set of guidelines for judges and judicial staff.

3.2. THE DATA: A DESCRIPTION OF THE CORPUS AND THE PILOT SAMPLE

The MIRAS research group was granted access to the video recordings of criminal trials where interpreting took place in ten criminal courts in Barcelona between 2010 and 2015. Having access to these recordings was essential to compile a representative corpus. Mainly due to time constraints (producing transcriptions is time-consuming) and limited human resources, in this first stage of the project, the corpus contains transcriptions only from video recordings of trials held during the first half of 2015 (January-June) in which interpreting took place between Spanish and English, French or Romanian.

³ For more detailed descriptions of the project's methodology, see Orozco-Jutorán; and Arumí and Vargas-Urpi.



To compensate for the trials not included in the corpus, we created a spreadsheet containing metadata for all the trials for which we received recordings. The metadata cover general characteristics of trials that can be described without the need for a transcription. Examples of these features include the overall length of the trial, the number of minutes during which interpretation was taking place, the type of crime, the language of the trial (Spanish or Catalan), whether the judge introduced the interpreter or not, whether the judge gave instructions to the interpreter, and whether the interpreter used *chuchotage* or note-taking.

The actual corpus currently contains transcriptions from 55 trials. Table 1, adapted from Mariana Orozco-Jutorán, shows the composition of the corpus.

TABLE 1. CORPUS OF INTERPRETED COURT PROCEEDINGS TRANSCRIBED – JANUARY-JUNE 2015			
FOREIGN LANGUAGE	TRANSCRIBED TRIALS	BILINGUAL MINUTES TRANSCRIBED	TOTAL MINUTES TRANSCRIBED
French	9	92	286
English	19	120	393
Romanian	27	123	568
<i>Total</i>	55	335	1247

The 55 trials transcribed lasted 1247 minutes, or almost 21 hours, but proceedings conducted bilingually total only 335 minutes (less than 6 hours).

The analysis and results below are from a pilot sample of 20 trials, with 86 bilingual minutes transcribed. Table 2 shows the minutes transcribed for each language combination.

TABLE 2. PILOT SAMPLE OF INTERPRETED COURT PROCEEDINGS TRANSCRIBED AND ANNOTATED – JANUARY-JUNE 2015			
FOREIGN LANGUAGE	TRANSCRIBED TRIALS	BILINGUAL MINUTES TRANSCRIBED	TOTAL MINUTES TRANSCRIBED
French	7	35	100
English	6	37	97
Romanian	7	14	62
<i>Total</i>	20	86	259

One important limitation in the videos to which we were granted access is that *chuchotage* was either not recorded or had such poor sound quality that it was impossible to understand correctly. The “bilingual minutes transcribed” are therefore mainly the interpretation of questions addressed to defendants and witnesses with limited proficiency in the official language, as well as the responses of those defendants and witnesses. We were able to transcribe many of those responses because the interpreter would often speak near the microphone, ensuring good sound quality in the video recording. In the pilot sample, *chuchotage* was used at some point in 16 of the 20 trials. In two of those 16 trials, *chuchotage* was used for the entire hearing,



but in the remaining 14 trials, it was used only for some parts of the hearing. In the remaining four trials, *chuchotage* was not used at all.

3.3. TRANSCRIPTION AND ANNOTATION USING EXMARALDA

We transcribed the trials verbatim using EXMARaLDA.⁴ The software's interface resembles a musical score, with each speaker's interventions annotated on a different tier. This format makes features that are unique to spoken language, such as overlaps and interruptions, clearly visible and marked by time frames, thus rendering certain transcription symbols unnecessary.

EXMARaLDA also allowed us to annotate the transcriptions using *ad hoc* categories, each placed on a different tier, and to convert the transcriptions into quantifiable data. When annotating the transcriptions, we applied the distinction between “talk as text” and “talk as activity” suggested by Wadensjö in her description of community interpreting. We used “talk as text” to refer to textual problems (e.g. specialised terminology or forensic language and fidelity in the rendition of the message), and to annotate the strategies used by interpreters to cope with those problems. For “talk as activity”, our annotations fall into three broad categories:

- (a) conversation management problems: overlaps (when two members of the judicial staff speak at the same time), interruptions (when the interpreter is interrupted by any member of the judicial staff and therefore cannot finish his or her rendition) and long turns (when the judge or any member of the judicial staff speaks nonstop for more than two minutes);
- (b) interpreters' non-renditions, which may be *justified* (when the interpreter asks for a pause, for clarification of ambiguous information, for confirmation that an utterance was correctly received or understood, or for information that he or she did not obtain) or *unjustified* (when the interpreter warns the defendant or gives the defendant instructions on how to behave, answers on behalf of the defendant, or provides extra information or asks questions not included in the original utterance);⁵
- (c) speech style used by the judge, judicial staff or interpreter: direct, indirect or reported (see the results section for specific examples).

⁴ EXMARaLDA was originally developed at the Collaborative Research Center “Multilingualism (Sonderforschungsbereich “Mehrsprachigkeit” – SFB 538) at the University of Hamburg. In 2011, the Hamburg Centre for Language Corpora took over the software's development, working in cooperation with the Archive for Spoken German at the Institute for the German Language in Mannheim. For more information, visit <http://www.exmaralda.org/en/>.

⁵ For results and specific examples of non-renditions in the pilot sample, see Arumí and Vargas-Urpi.



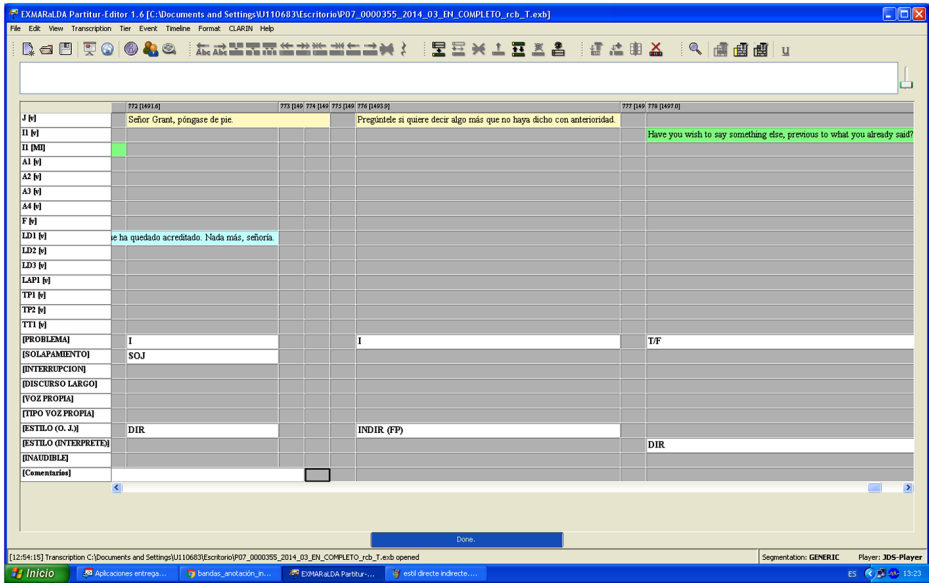


Figure 1. Screenshot of the EXMARaLDA interface.

Figure 1 shows a screenshot of the EXMARaLDA interface with examples of annotations for the first and third categories. On the left-hand side, there is an overlap between the judge, in the first tier, and the defence counsel, below, annotated as “SOJ”, from the Spanish *solapamiento entre operadores judiciales* (overlap between members of the judiciary). Also on the left, the label “DIR” refers to direct speech by the judge (“Mr. Grant, please stand up”). In the central section, “INDIR (FP)” refers to reported speech by the judge, who has addressed the interpreter instead of the defendant (“Ask him if he wants to add anything he has not said before”). The “FP” in brackets means *frase principal*, Spanish for “main sentence”, which was used for reported speech.

We exported the annotations made in EXMARaLDA to Excel spreadsheets created specifically for the present project.⁶ We also recorded the overall results of the annotation of each trial in a spreadsheet, with all the spreadsheets for trials involving the same language pair placed into a single workbook. This means that a single workbook shows the results of annotations for individual trials as well as a summary sheet with global results for all trials involving a certain language pair.

⁶ We would like to thank Thomas Schmidt of the Hamburg Centre for Language Corpora, one of the creators and developers of EXMARaLDA, for his help in creating the spreadsheet and the export option.

4. RESULTS

This article focuses on the results extracted from two categories included in the annotation of “talk as activity”: conversation management problems and speech style used by judges and judicial staff. These two categories clearly involve the discourse practices of judges and judicial staff and the problems that may arise from those practices.

4.1. CONVERSATION MANAGEMENT PROBLEMS

Table 3 presents the number of conversation management problems that were annotated for each language in the transcriptions of the pilot corpus, which contained 20 trials and 259 minutes of transcriptions.

PILOT SIMPLE	OVERLAPS	INTERRUPTIONS	LONG TURNS	LONG TURNS WITH <i>CHUCHOTAGE</i>
Spanish-French (100 minutes)	39	41	6	2
Spanish-English (97 minutes)	33	27	0	0
Spanish-Romanian (62 minutes)	42	1	3	0
<i>Total</i>	114	69	9	2

The table shows that overlaps were the most frequent conversation management problem, though interruptions were more common for Spanish-French interpretation. A more detailed analysis of the corpus reveals that overlaps were frequent in exchanges involving judges on the one hand and the prosecutor and/or defence counsel on the other. By way of example, Extract 1 shows a judge asking the members of the defence counsel whether they have more questions to ask after the prosecutor has interviewed the defendant.

Extract 1. Court proceedings with Romanian-Spanish interpreting⁷

- 1 Prosecutor: ¿Cuándo le detuvo la policía, estaban los tres juntos?
When the police arrested you, were the three of you together?
- 2 Interpreter: Dacă atunci când v-au oprit polițiștii erați toți trei împreună.
[He's asking] If when the police arrested you, the three of you were together.

⁷ See annex 1 for screenshots of the EXAMARaLDA annotation interface displaying the extracts selected for the article.



- 3 Defendant: Ei doi erau afară și pe mine m-a luat dinăuntru politia.
The two of them were outside and me I was caught inside.
- 4 Interpreter: No. Los dos chicos estaban fuera, solamente estaba él solo dentro.
No. The guys were outside; only he was alone inside.
- 5 Prosecutor: De acuerdo. Pues ninguna pregunta más.
Okay. No more questions then.
- 6 Judge: ¿Alguna [pregunta por parte]
Any [further questions from]
- 7 Defence c. 2: [No hay preguntas.]
[No more questions].
- 8 Judge: de [los letrados]?
[the counsel]?
- 9 Defence c. 3: [Ninguna], señoría.
[None], your honour.
- 10 Judge: Por parte de la [letrada de la defensa.]?
From the [defence counsel]?
- 11 Defence c. 1: [Sí, con la venia señoría.] Cuando le detuvieron...
[Yes, with the permission of the court.] When you were arrested...

In Extract 1, after the Romanian-speaking defendant had been questioned by the prosecutor (lines 1-5), the judge asked the three members of the defence counsel if they had any further questions. Lines 6-11 reflect three overlaps in just two seconds (highlighted in the previous extract and marked with square brackets). The judge's first question (*Any further questions from the counsel?*) — a routine question — was answered simultaneously by defence counsel 2 (*No more questions*, line 7) and defence counsel 3 (*None*, line 9), while the second question (*From the defence counsel?*, line 10) was also answered before the utterance was complete. These brief exchanges were not interpreted to the defendant, even though it was part of the questioning, because the interpreter interpreted only those questions that were explicitly addressed to the defendant.

According to Carmen Bestué, the questioning and the granting of the right to the last word are the only parts of the trial that really seek to attract the hearer's attention. In the other parts, though, the communicative situation becomes a "closed circuit among specialists," where complex syntactic formulations and specific terminology abound. Overlaps could be regarded as a natural consequence of this automation of routine discourse practices.

The annotation also covers interruptions by a member of the judiciary when consecutive interpreting (not *chuchotage*) is used. Extract 2 shows an example of an interruption from the French-Spanish interpreting sample.

Extract 2. Court proceedings with French-Spanish interpreting

- 1 Interpreter: [...] Él declara que se encontraba en el restaurante con su mujer, que esta se fue al baño, cuando volvió, el declarante se fue al baño, cuando volvió, estaba el restaurante semivacío, [había un bolso sobre



la silla, pensaba el declarante que es el bolso de su mujer. ¿Que siga?
¿Que siga explicando?]

[...] *He testifies that he was in the restaurant with his wife, that she went to the toilet, and that when she came back, the defendant went to the toilet, and when he came back, the restaurant was half empty, [there was a bag on a chair and the defendant thought it was his wife's bag. Shall I continue? Shall I continue explaining?]*

- 2 Prosecutor: [Cogió, no, pregúntele si cogió ese bolso... pregúntele si cogió ese bolso y salió del restaurante con el bolso.]
He took, no, ask him if he took that bag... Ask him if he took that bag and went out of the restaurant with the bag.
- 3 Interpreter: Alors, c'est vrai que tu a pris ce sac et tu es sorti?
So, is it true that you took the bag and went out?

In Extract 2, the interpreter's rendition of the defendant's statement is interrupted by the prosecutor (marked with square brackets), who wants to ask a question. In this specific example, the interpreter asks whether she should continue interpreting or not.

We also classified long turns lasting longer than two minutes as conversation management problems. This occurred nine times in the 20 trials that make up the pilot sample. Only two of those long turns were interpreted by means of *chuchotage* to the defendant. These figures may be understated, however, since only those turns involving a single participant were included. Long turns were not included where there were monolingual exchanges among various participants. As shown in Table 2, only 86 of the 259 transcribed minutes of court proceedings were conducted bilingually, so 173 minutes (or 66.8% of the total proceedings) consisted of monolingual exchanges.

4.2. SPEECH STYLE

The speech style employed by the judges and the judicial staff was annotated using the categories presented in Table 4, adapted from Arumí and Vargas Urpí.

TABLE 4. SPEECH STYLE BY JUDGES AND JUDICIAL STAFF
(ADAPTED FROM ARUMÍ AND VARGAS-URPÍ)

ANNOTATION (CATEGORY)	EXAMPLE
Direct speech	<i>Were you in that club on December 15th 2012?</i>
Indirect speech	<i>Was the defendant in that club on December 15th 2012?</i>
Reported speech	Please ask the defendant <i>whether he was in that club on December 15th 2012.</i>

Table 5 shows the number of occurrences of each of those categories in the pilot sample.



TABLE 5. OCCURRENCES OF EACH SPEECH STYLE USED BY JUDGES AND JUDICIAL STAFF

PILOT SAMPLE	DIRECT SPEECH	INDIRECT SPEECH	REPORTED SPEECH
Spanish-French	21	12	40
Spanish-English	44	11	44
Spanish-Romanian	13	6	18
<i>Total</i>	78	29	102

In all three language pairs, members of the judiciary used reported speech more often than direct speech, the recommended speech style. In 131 of the 209 utterances, members of the judiciary used indirect or reported speech, thus addressing the interpreter rather than the defendant or witness with limited proficiency in the official language.

A more detailed analysis of the results of the annotation of each of the trials included in the pilot sample shows that speech styles are not used consistently throughout a trial. In some trials, for instance, the members of the defence counsel use more direct speech than the judge or prosecutor, while in some trials the same person changes speech style depending on the message being conveyed. Figure 1 (in the previous section) shows an example of a judge changing from direct to reported speech in two adjacent sentences, first addressing the defendant (“Mr. Grant, please stand up”), then, immediately after, addressing the interpreter (“Ask him if he wants to add anything he has not said before”).

5. DISCUSSION AND CONCLUDING REMARKS

The results presented in this paper reflect relatively common features of the discourse practices of members of the judiciary, such as overlaps and interruptions. Angermeyer also discusses the presence of overlaps and interruptions in his corpus and the difficulties they pose to interpreters, who very often must decide whose words to interpret. Furthermore, in these instances where fast dialogues take place and various participants compete for the floor, if interpreters adhere to the “first-person” interpreting norm, interpreting certainly becomes more challenging and may even be confusing for the recipient (Angermeyer 132-133).

Turns lasting longer than two minutes do not occur frequently in this sample. However, 66.8% of the total duration of the trials transcribed was monolingual. This significant finding shows that the questioning of the defendant or witness with limited proficiency in the official language accounted for only a third of the proceedings in the sample. Short consecutive (or liaison) interpreting is commonly used during this questioning.

The two-thirds of proceedings that were monolingual should have been interpreted for the defendant according to the new legislation passed in Spain. However, in our sample, only two of the nine long turns were accompanied by *chuchotage*; the remaining seven had no kind of interpretation. Furthermore, in the monolingual parts of proceedings, especially the ritualised parts such as the closing arguments,



overlaps are more likely to occur between members of the judiciary because routine answers are given to the questions.

Regarding speech style, the results reveal that judges, attorneys and other members of the judiciary frequently go against recommendations on how to work with interpreters, using indirect speech and especially reported speech, thus addressing the interpreter instead of the defendant or witness with limited proficiency in the official language. This suggests there is scant knowledge of the recommendations among members of the judiciary in Spain.

This paper is part of a work in progress and the results presented here are taken only from the pilot sample of 20 trials. We will need to compare these preliminary results with results for the entire corpus to confirm these trends. Nevertheless, the results make a valuable contribution to the study of court interpreting, addressing the role of judges and other members of the judiciary in interpreted court proceedings. This represents an initial step towards producing recommendations and guidelines for judiciary members working with interpreters considering the particular situation of court interpreting in Spain. This research also contributes to enrich the body of “empirical studies based on naturalistic data obtained in authentic settings,” which has been described as relatively scarce by Shlesinger and Pöchhacker.

The results also suggest new lines of inquiry to be explored in future publications, such as what impact the use of indirect or reported speech by judges, attorneys and prosecutors has on the speech style used in interpreters’ renditions; why individual members of the judicial staff switch between direct and indirect speech; and how interpreters react to interruptions by members of the judiciary or overlaps between the speech of one member and another.

Reviews sent to author: 1 May 2017

Revised paper accepted for publication: 1 June 2017



WORKS CITED

- ARUMÍ, Marta, and Mireia VARGAS-URPÍ. "Annotation of Interpreters' Conversation Management Problems and Strategies in a Corpus of Criminal Trials in Spain. The case of Non-Renditions." *Translation and Interpreting Studies*. Forthcoming.
- BERK-SELIGSON, Susan. *The Bilingual Courtroom*. Chicago: University of Chicago Press, 1990/2002. Print.
- BESTUÉ, Carmen. "El esfuerzo de escucha en la transcripción de los procedimientos penales orales". Forthcoming.
- BORJA-ALBI, Anabel. "Recomendaciones para trabajar con intérpretes en el ámbito judicial". *La comunicación mediada por intérpretes en contextos de violencia de género. Guía de buenas prácticas para trabajar con intérpretes*. Ed. Anabel Borja Albi and Maribel Del Pozo Triviño. Valencia: Tirant, 015. Print and web.
- CHRISTENSEN, Tina Paulsen. "Judges' Deviations From Norm-Based Direct Speech In Court". *Interpreting* 10.1 (2008): 99-127. Web.
- DUEÑAS-GONZÁLEZ, Roseann; Victoria F. VÁSQUEZ and Holly MIKKELSON. *Fundamentals of Court Interpretation: Theory, Policy, and Practice*. Durham, NC: Carolina Academic Press, 1991/2012. Print.
- GARCÍA-BEYAERT, Sofía. *La comunicación efectiva en las instituciones públicas: un derecho y una necesidad*. Unpublished MA thesis. Universitat Pompeu Fabra, 2007. Print.
- HALE, Sandra. "Themes and Methodological Issues in Court Interpreting Research". *Linguistica Antverpiensa* 5 (2006): 205-228. Web.
- LEE, Jieun. "Interpreting Reported Speech In Witnesses' Evidence". *Interpreting* 12.1 (2010): 60-82. Web.
- . "Translatability of Speech Style in Court Interpreting". *The International Journal of Speech, Language, and the Law* 18.1 (2011): 1-34. Web.
- . "A study of Facework in Interpreter-Mediated Courtroom Examination." *Perspectives. Studies in Translatology* 21.1 (2013): 82-99. Web.
- MARTINSEN, Bodil and Friedel DUBSLAFF. "The Cooperative Courtroom: A Case Study of Interpreting Gone Wrong". *Interpreting* 10.1 (2008): 21-59. Web.
- MIRAS RESEARCH GROUP. *TIPP. Traducción e Interpretación en los Procesos penales*. 2017. Web. <http://pagines.uab.cat/tipp/en>.
- NEW YORK STATE UNIFIED COURT SYSTEM. *Language Access and Court Interpreters*. New York. 2017. Web. <https://www.nycourts.gov/courtinterpreter/links.shtml>.
- OROZCO-JUTORÁN, Mariana. "The TIPP Project: Developing Technological Resources Based on the Exploitation of Oral Corpora to Improve Court Interpreting". *Intralinea*. In press, 2017.
- ROMERO, Bruno G. *Interpreters in the Judicial System A Handbook for Ohio Judges*. Ohio: The Supreme Court of Ohio. 2008. Web. http://www.supremecourt.ohio.gov/Publications/interpreter_services/ISHandbook.pdf.
- SHLESINGER, Miriam and Franz PÖCHHACKER. "Introduction: Doing Justice to Court Interpreting". *Interpreting* 10.1 (2008): 1-7. Web.



- SOUTH DAKOTA UNIFIED JUDICIAL SYSTEM. *Bench Card: Courtroom Interpreting*. South Dakota. 2012. Web. https://ujs.sd.gov/media/pubs/Interpreting_Benchcard.pdf.
- SUPREME COURT OF FLORIDA. *Recommendations for the Provision of Court Interpreting Services in Florida's Trial Courts*. Florida. 2010. Web. <http://www.flcourts.org/core/fileparse.php/284/urlt/2010TCPACourtInterpretingReport.pdf>.
- WADENSJÖ, Cecilia. *Interpreting as Interaction*. London: Longman, 1998. Print.



ANNEX 1. EXMARaLDA SCREENSHOTS OF THE EXTRACTS INCLUDED IN THE ARTICLE

EXTRACT 1. OVERLAPS BETWEEN THE JUDGE AND THE DEFENCE COUNSELS

	243 [0: 244 [07:34.2]	246 [07: 247 [07:35]	248 [07:3 249 [07: 250 [07:35.9]	251 [07:36.5]
J [v]	¿Alguna pregunta por parte de los letrados?			Por parte de la letrada de la defensa.
II [v]				
II [MI]				
II [Retrad_II]				
A1 [v]				
A1 [Retrad_A1]				
A2 [v]				
A2 [Retrad_A2]				
A3 [v]				
A4 [v]				
F [v]				
LD1 [v]				
LD2 [v]	No hay preguntas.			Si, con la venia, señoría. Cuando le detuvieron ¿en q
LD3 [v]		Ninguna, señoría.		
TT1 [v]				
[SOLAPAMIENTO]	SOJ	SOJ		

EXTRACT 2. INTERRUPTION BY THE PROSECUTOR

	93 [02:48.8]	94 [02: 95 [02:53.8]	96 [02:56.1]
J [v]			
II [v]	... de semirráo, había un bolso sobre la silla, pensaba el declarante que es el bolso de su mujer. ¿Que siga? ¿Que siga explicando?		Alors, c'est vrai que tu a pris ce sac
II [MI]			
A1 [v]			
A2 [v]			
A3 [v]			
A4 [v]			
AJ [v]			
TT1 [v]			
TT1 [v]			
F [v]	Cogió, no, pregúntele si cogió ese bolso... pregúntele si cogió ese bolso y salió del restaurante con el bolso.		
LD1 [v]			
LD2 [v]			
LD3 [v]			
[PROBLEMA]	I/F	F	
[SOLUCIÓN TEXTUAL]			
[TIPO SOLUCIÓN TEXTUAL]			
[SOLAPAMIENTO]			
[INTERRUPCIÓN]	IR		
[DISCURSO LARGO]			