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Police Interpreting: A View from the Australian Context

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Abstract

In the global village of today, more people have been moving and migrating than ever before creating a need for better communication. Thus community interpreting rose as a specialization serving the needs of members of the community who are unable to communicate with the system. Within this broad field of interpreting the specialist area of legal interpreting assumed a high position. However, legal interpreting is commonly understood to mean only court interpreting. This tends to obscure that fact that a great deal of 'legal interpreting' takes place outside the court. Before a matter goes to the 'public' court room, interpreters have spent days and perhaps weeks assisting in the investigation of a matter. This is the field of police interpreting. Although it takes place 'behind the scenes' it nevertheless deserves the attention of academics. The context of police interpreting has for too long been closed off to the public. However, political, economic, and human rights concerns are now putting more pressure to open up the field for more investigation.

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1. Introduction

Legal interpreting, for a long time, has meant mostly interpreting in court. Scholars have now turned their attention to the fact that court interpreting is only the last yard of the long process of legal interpreting which begins with pre-committal proceedings (Ozolins, 2010). This pre-trial stage includes essentially the investigations carried out by the police before the matter goes to court. The process of investigation is lengthy, slow, and complex and is mediated by interpreters who, for professional reasons, cannot appear in court interpreting for the same person. These are police interpreters who work behind the scenes. Despite the fact that pre-committal proceedings involve interpreters in many more cases, that last for many more days and present a lot more challenges, the area of police interpreting has not attracted the attention of researchers in interpreting studies, human rights, or legal studies. For decades, the field of police interpreting has been overshadowed by the more public and the more examined specialization of court interpreting (Gamal, 2012). This paper seeks to examine police interpreting as a field separate from court interpreting and argues that geopolitical, economic, and demographic developments in the past three decades call for police interpreting to be viewed as a specialization *sui generis*.

2. Theoretical Background

With the advent of globalization and the fall in airfares came massive movements of people in search of better economic opportunities in other countries (Bassnett, 2014). Millions of people travel each year to countries where not only the culture, religion, and values are different but also the language and the laws. As millions of east Europeans left their countries and moved west; millions in Asia leave home in search of a work opportunity in the Middle East and particularly in the Gulf States. Likewise, thousands of Australians have taken residency in the United Arab Emirates as have millions of Latin Americans moved northward to the United States. At the same time, millions of migrants, refugees and asylum seekers have left, or were forced to leave, their homes in search of a safer place to live (Ra & Napier, 2013). The adjustment

process is not an easy one and the experience is often underscored by misunderstandings and embarrassment due to linguistic, cultural, and pragmatic reasons. The process may take years to complete and the learning curve may be steep and it is characterized by reflection, interpretation and mediation. A person who moves into another cultural environment (in the broadest sense of the word) embarks upon a journey of discovery aided sometimes by others who have more knowledge of the new country. Some of these people are community interpreters who speak the local language and know its administrative and legal culture. In countries that have received large numbers of migrants in the wake of the Second World War such as Australia, Canada, and the United States the field of Community Interpreting emerged (Pochhacker, 1999). Later, in the United Kingdom and in some Scandinavian countries particularly Sweden, the specialization of Public Service Interpreting has also developed (Wadensjo, 2009). In Community Interpreting, the fields of legal and medical interpreting tend to be the larger specializations as they represent two of the immediate needs of the migrant community.

Legal interpreting received a significant boost from the United Nations and Human Rights. The International Convention on Civil and Political Rights (The ICCPR, 1966) enshrined the right to an interpreter in criminal proceedings. This Human Right gained more and more coverage through international organizations such as Amnesty International and Human Rights Watch well as projects by the United Nations and its various bodies. Since there is a gap between signing the ICCPR and actually ratifying it, not all countries have actually endorsed the ICCPR at the same time. Endorsing an international convention may require some necessary changes in the local laws so as not to conflict with the rules of the international instrument. This is one of the reasons why the concept of legal interpreting is not as developed in countries that attract large numbers of foreigners such as South Korea, Singapore, Malaysia, Qatar, Dubai, Saudi Arabia, South Africa, or some countries in Western Europe. On the other hand, in the countries that have legal interpreting developed, within the framework of community interpreting, the context of police interpreting and the

interpreters who work in the pre-trial stage has not received sufficient attention. I shall now turn to the way legal interpreters are taught within the academic setting of community interpreting.

3. Current State of Training Legal Interpreters

Academic training in community interpreting in Australia has a long history that goes back to the mid-seventies which also coincided with the establishment of the National Authority for the Accreditation for Translators and Interpreters (NAATI) in 1977. NAATI has played a significant part in the professionalization and academization of community interpreting in Australia through consultation and involvement in the design of curricula and the selection of the teaching faculty. In the undergraduate degree in community interpreting, students examine interpreting contexts in a wide variety of settings that revolve around the settlement experience of newly arrived migrants, refugees, asylum seekers, and overseas visitors whether they are tourists, international students, or farm workers. Thus, social, medical, legal, educational, government, banking, industrial relations, and consumer affairs are among the main contexts examined in the training. In the postgraduate degree, my personal experience shows that students tend to specialize in either legal or medical interpreting. In the legal setting, the emphasis is predominantly on court interpreting. It is insightful to observe that the University of Western Sydney, a leader in the training of community interpreters in Australia includes Legal Interpreting as an obligatory core subject (www.uws.edu.au/future-students). Other relevant specializations such as diplomatic, technical, or business interpreting are not treated as primary subjects and when taught they are delivered in a language-general mode (www.uws.edu.au). It is equally insightful to note that police interpreting is not examined as a specialist subject at any academic or vocational institution offering training in community interpreting in Australia (Gamal, 1998, Lee & Buzo, 2009). This arrangement in the academic training of community interpreters is unsound. For it leaves a significant professional area unexamined and interpreters unprepared for work in what is

considered an essential area of community interpreting: police work.

While court interpreting constitutes a major part in the setting of legal interpreting there are major differences between interpreting for the police and interpreting in court. It must be remembered that while court interpreters are booked days and weeks in advance police interpreters, more often than not, are called on the spot and rushed to various locations at various, and at times odd, hours of the day and the night. This professional context requires special attention to the way police interpreters are trained as the police interpreting task goes beyond skills in the linguistic and legal domains. Police interpreters require training to work while standing and moving, while tired and at times hungry, to interpret under pressure, to make decisions, and to interpret in situations that are not always normal let alone pleasant. Our training assumes that the legal (court) interpreter will always be dispassionate, impartial, and invisible (Nakane, 2009) and speaks in turn in a highly regimented setting. Edwards (1995) describes the pattern of interpreting in court:

On the witness stand, interpretation is generally consecutive. The interpreter waits till the witness has finished a phrase or two, perhaps takes notes, and then interprets the statement. It may be necessary to ask the court to ask witnesses and attorneys to speak in short sentences, in sound-bites as it were. The process of consecutive interpretations differs from simultaneous, because you have to wait and depend on your notes or memory to transmit the whole message (p. 84).

This arrangement of taking turns and “waiting” for “a short phrase or two” is far from police reality. For in police settings the contexts and situations where an interpreter is required are not always confined to interpreting during three-partite interviews. Unlike court interpreters, who work with events in the past, police interpreters usually work in the present: when emotions and reactions are usually volatile. Police contexts could get ugly, violent, and stressful and our academic training has lagged behind in the teaching material as well in the practicum organized (Gamal, 1998). I

shall now examine the reasons behind the interest in police interpreting as an academic area.

4. Call for the Examination of Police Interpreting

Several events have contributed to the increasing interest in police interpreting, mostly by Human Rights organizations. First of all is the volume of work carried out by police interpreters in the pre-trial stage. Examples of this work, from various parts of the world, have been reported by the media, as I shall illustrate shortly. Second is the complexity of the work carried out by interpreters as investigations involve a wide range of topics and contexts from local crimes involving theft, assault, and domestic violence to organized crime, drugs, and the importation of prohibited and restricted goods. Police interpreting is also required in investigating international crime which varies from narcotics, illegal fishing, money laundering, weapons, kidnapping, people smuggling, and modern slavery to terrorism. Furthermore, in some countries and in some situations unprofessional police interpreting can lead to a diplomatic crisis as in the case between The Philippines and Singapore in the 1995 (the Contemplacion case) and in 2013 between Sri Lanka and Saudi Arabia (the Rizana Nafeek case).

Scholars point out that “police interpreting is somewhat unjustly neglected by most recent linguistic studies” (Krouglov, 1999, p. 285) and as a specialist area it “remains widely under-researched in Interpreting and Police studies alike” (Gallai, 2013, p. 57). Furthermore, Ozolins (2010) perceptively shows that the importance of court interpreting is somewhat exaggerated:

[E]ven within the legal system, an emphasis on court interpreting often curiously stands apart from seeing interpreting needs in all other legal processes that may lead up to a trial (or which are carried out without there ever being a trial). Police, investigations work, lawyer contact, legal aid and other perilegal work may often be serviced by *ad hoc* interpreters; and even beyond trials, issues such as interpreting in

corrective institutions or parole boards again may not be serviced by court interpreters.

Likewise, Gamal (2014) points out that “the majority of legal interpreting is done for the police and not inside the court” (p. 73). Interpreting for the police has benefited from earlier work on the language of the law (Gibbons, 1994), police discourse (Nakane, 2007), and ‘legal interpreting’ carried out in well-publicized court cases (Pym, 1999). While studies have been conducted on politeness in police interviews (Krouglov, 1999), interpreter-mediated police discourse (Nakane, 2014), the examination of interpreting the Miranda Warnings (Berk-Seligson, 2000) very little work has been done on the actual work of police interpreting, the conditions under which interpreters work or the challenges they face (Herraez & Rubio, 2008). There is a serious lack of case studies on police interpreting despite the media coverage of some events where police interpreters have been involved whether in New York, Riyadh, or Tokyo. For instance, the police investigation of the rape claim by a hotel maid against former IMF Chief Dominique Strauss-Kahn in May 2012, the Saudi police interviewing of the Sri Lankan maid Rizana Nafeek in May 2005 or the Japanese police investigation of the Somali pirates in March 2011. The latter is a case in point. The Tokyo-based trial of the Somali pirates who threatened and high jacked a Bahamas-registered tanker operated by a Japanese shipping company cast light on the “inadequate system of court interpreting” in Japan (Ito, 2013). The lack of properly trained court interpreters (Tsuda, 2009) who had to work through a relay system of Somali-English-Japanese has exposed the poorly organized “profession of court interpreters in Japan” (Aoki, 2014). Yet, what the widely-reported case did not reveal is how the Japanese police investigated a crime committed by foreigners whose language(s) are not heard of or even studied in Japan. The same concerns could actually be raised about investigations conducted by the police that preceded trials of other Somali pirates in South Korea, in Germany and in the United States which were equally reported in the media. In order to appreciate the role played by interpreters in police contexts it is perhaps

significant to examine some of the main features of police interpreting.

5. An Insight into Police Assignments

One of the major principles of the due process of law is that a person facing criminal charges must understand the charges against them. The right to “the free assistance of an interpreter if he cannot understand or speak the language used in court” is regarded as “a minimum guarantee that anyone facing criminal charges is entitled to” (ICCPR: Article 14:3F). The reference to the court here, and not to police investigation, is both controversial and insightful. It is controversial because, as the pirates trial in Tokyo has shown, criminal investigations are an essential part of the criminal charge and the defendant must understand the charge. It is equally insightful because while a defendant has the right to understand the charges they also have the right to be understood by the authorities charging them. This is why some countries, having signed and ratified the ICCPR, made amendments in their local laws to account for the right to an interpreter in police investigations. Australia has done so in its Evidence Act (AUSTLII, 1995). However, a large number of countries have not done so and the decision whether or not to call for an interpreter is left to the police officer on the ground.

In Australia, the police recognize the need to work with interpreters and they allow for their use when the need arises. It is now an established practice in Australia that in criminal investigations qualified interpreters are required to attend. However, the police have no input neither in the training or preparation of interpreters who work for the force. The police do not have a pool or a register of interpreters that have met their professional requirements and are deemed appropriately qualified for the task of interpreting for the force. When the need for an interpreter is established, the police discharge their duty by calling on an outside agency to locate and provide an interpreter. In Sydney, when the need arises, the police call a government translation agency that sends the ‘first available interpreter’ and regardless of their qualification, experience, aptitude,

availability for the entire job, or their mental or physical state. As soon as the interpreter has accepted the job the agency has also discharged its responsibility of responding to the police call. This situation is not optimal either by the professional agency or by the police. It is significant to understand that police interpreters in Australia are outsourced from the pool of community interpreters registered with a government agency that provides interpreting services to the government departments as well as to the private sector. It is equally important to appreciate that the profession of community interpreting in Australia, and elsewhere, is freelance-based which means that practitioners take a second job to supplement their income. Quite often, community interpreters work night shifts, drive cabs, teach, or take another part time job. Since community interpreting work is not guaranteed practitioners tend to accept jobs as they come. This places a great deal of pressure on their mental and physical preparedness particularly when they are required to work on a long interview or attend a crime scene or transcribe a sensitive recording or an intercepted telephone conversation after they finished their first part-time job. Ozolins (2010) refers to the important part interpreting agencies play and concludes that this is an area that needs further examination: “The issue of interpreting agencies and their influence on the interpreting field has been little researched and is an area that needs far more attention in considering future policy needs and objectives” (para. 6).

6. Frontline Police Interpreting

Whereas court interpreters sit in comfortable chairs in barristers’ chambers, solicitors’ offices or sit next to a witness before a judge in a highly formal and regulated setting, police interpreters work in what seems to be a different world compared to their court counterparts’. Their work is not seen by the public nor is it accessible to researchers. Chan (2010) draws attention to police interpreters “Frontline police officers usually get all the attention, but people forget there is also a dedicated, behind-the-scenes team performing an essential part in day-to-day operations”. Apart from the standard police statement that is interpreted over the counter at a police station, the usual statement the police prepare

after speaking with a witness or a victim, or the lengthy record of interview the police may conduct with a witness or a defendant, the work of police interpreters could see them mobile and working onsite and outside the police station. It is police settings such as these that interpreters could easily and frequently find themselves unprepared for. The following situation is real and has taken place in Sydney on more than one occasion¹.

A phone call at 1 am requires an interpreter to be at the police station ASAP. Half-awake the interpreter rushes to the police station where he is placed in another police van that turns on the siren and zooms to another location. There is little communication between the officers and the interpreter but the adrenalin is rising. Now the interpreter is almost awake. At a specific address, he is physically rushed to interpret for a senior detective investigating an armed robbery that went wrong, horribly wrong. The interpreter is standing next to an injured man outside in the garden on a cold and wet night. Now the interpreter is awake. He interprets everything but he does not know what is going on. The police as well as the witness/victim expect the interpreter to perform his best as a professional. At 3 am he is expected to be at his best despite lack of sufficient sleep, food, coffee, or appropriate attire (it is now raining). Unlike their court counterparts who listen to horrible details about crimes committed and injuries sustained, police interpreters have the unenviable experience of seeing it, first hand. Police interpreters work in the field and carry out interpreting for the witness and/or victim (or both, sometimes) and for injured persons as well. This is not only unreasonable to expect the interpreter to perform well but also unfair. For the police are all doing their night shift and are prepared and are trained for these situations. However, it is also unprofessional to plunge the interpreter *in medias res* without a word of encouragement, a caution or a proper brief.

While community (police) interpreters are qualified and as professionals they endeavor to do their best, a word of encouragement is still expected at 3 am in such stressful circumstances. Equally significant is the word of caution that the case is not simple but complex and it requires some mental fortitude

on the part of the interpreter. And finally, a context to the interpreting assignment would be highly appreciated by the interpreter who is trying to do his best under these challenging circumstances. This is a professional area that transcends the teaching and training of community (legal) interpreters and goes into training professionals (including the police) on how to work with interpreters in stressful situations. In the context of police interpreting, little work has been done on examining the professional relation between police and interpreters in complex and stressful situations such as crime scene investigations, counter terrorism or organized crime. Since the European Union Directive (2010/64/EU) on the right to an interpreter in criminal proceedings came into effect in October 2010 there have been some initiatives to examine the field of police interpreting most notably among them is The ImPli Project (Improving Police and Legal Interpreting) completed in 2012 (www.eulita.eu)².

7. The Importance of Briefing Police Interpreters

For the past forty years and since the introduction of community interpreting in Australia, the issue of not briefing the interpreter has been debated in academic and professional settings. Yet, both the courts and the police subscribe to the notion that a “fresh interpreter” is the best guarantee for unbiased interpreting. The least your interpreter knows about the matter, the best the interpreting will be, goes the adage. Interpreters continue to be engaged for and work on several complex and sophisticated cases without proper briefing and the police and the judiciary still believe that this is the best working condition to guarantee unbiased or contaminated views by the interpreter. This notion of uncontaminated views clashes somewhat violently with what interpreters perceive as the normal process of interpreting. Without going too deeply into how interpreters work and the process of interpreting (Seleskovitch, 1978) it would suffice to say that interpreters practice decision-making with every sentence in their interpreting task and their decision-making ability is enhanced by an accelerated process of data gathering and analysis (Viaggio, 1997). Quite often, interpreters are thrown into situations where they are instructed and told

“just interpret what is said” and without a clue to the background of the matter. This happens all too often in police interviews, court examinations, and cross-examinations.

Notwithstanding the judicial perception of how languages work and how different languages see reality differently and express it in different ways, the fact that interpreting court is vastly different from interpreting for the police. In the inquisitorial legal system in Australia, the interpreting is overseen by the judge. In police settings it is the police who ask questions and decide upon hearing the answers to their questions. This is why the interpreting process is different in the investigative stage as the witness/victim has the right not only to understand the questions but also to be understood by the investigating authority. At each sentence the interpreter scans the available information in order to make sense of the utterance and to translate it into the target language in a format that is correct and accurate (Wadensjo, 1998). There is a great deal more than the subject/ verb/ object pattern as different languages pack information differently and the interpreter needs to have the facts available so they can focus on the language task. By forcing the interpreter to do the scanning for the information while interpreting, the quality of their understanding, and therefore the interpreted message, is compromised. Furthermore, the interpreting operation involves a self-editing process that continues as long as the interpreting job lasts. Thus to say that a piece of information would contaminate their views is like asking your doctor to figure out what is ailing you without giving them any symptoms for fear of contaminating their views.

It must also be said that, not all members of the police appreciate the sophisticated process of interpreting and how interpreters work. Police interpreters need to prepare themselves like professionals in any field. However, due to the fast changing nature of police work, interpreters would professionally appreciate a context to interpret in. Giving interpreters such context should not be seen as time wasted but rather time well-spent that. A decision that is likely to ensure linguistic decisions are being correctly made. As human communication is fraught with misunderstanding, professional

interpreters, with experience and maturity, will stop and correct themselves if need be. However, interpreters need to have an idea about the context they are interpreting in as this would mentally prepare them to recall the right tools for the task; chief among which is the appropriate terminology. To argue otherwise, or at least to argue that interpreters could do so at any time, without briefing, is contrary to the fundamental principle of interpreting: that the interpreter should be invisible and communication should be as smooth and natural as possible. Police records of interview as indeed some court hearings, where an interpreter is used, do show more often than not, that the interpreter has not been sufficiently briefed³.

8. Giving Interpreters a Context

Many people, whether victims or witnesses, find talking to the police uncomfortable and stressful. Language becomes a tool to gather facts, ascertain events, and to describe persons, locations and events. It may even be used as a weapon in order to hide facts, camouflage events, change details, play down effects, and exaggerate actions, or simply to mislead the police. To ask the interpreter to just interpret, as if a machine, with no regard to the background of the case is not optimal. To better render a sentence through translation it needs a context. If the police don't supply it, the interpreter will seek to get it. This changes the rules of the game. Rather than focusing on meaning and self-editing for linguistic and cultural accuracy the interpreter is now playing a guessing game trying to figure out what the case is all about. Experienced interpreters take their task seriously and are professionally prepared to do their best however they do not like surprises and they don't like to play the guessing game. Edwards (1995) is quite right in pointing out that “If we know what sort of a case we are to work on, we will have an idea before the case starts of what it may sound like”. She dedicates two full chapters in her book on *The Practice of Court Interpreting* to “Case Preparation” and sums up her position as “Our motto should be “No surprises”” (p. 17). Likewise, in police situations, interpreters need a context in order to avoid unnecessary mistakes, and embarrassment, as they search for clues as to who did what. In *The Tourist* (2010) there is a scene where the police decide

to call an interpreter at a crucial point in their operation. As he arrives and introduces himself the police commander rushes him “just go”. The interpreter is given a set of headphones and asked to do what most police officers ask of interpreters “Just interpret”. As the interpreter begins to listen, he asks the commander: “If you could provide me with some context?” But the police officer is surprised and shrugs his shoulders with his arms open as if saying “Come on, just interpret!” This attitude distracts the interpreter who is now slowly but surely realizes that the police do not value their contribution or their intellectual and professional work. Briefing is seen by the interpreting profession as a sign of professional maturity and respect by whosoever engages their services. This notion of plunging the interpreter into the deep end is not only confined to Australia. Herraiz and Rubio (2008) confirm that in Spain the situation is not much different: “the interpreter in police settings acts in impromptu situations, i.e., with just a few minutes or hours’ notice before they have to interpret and in most cases without previous knowledge of the specific topic in question” (p. 141).

9. Interpreters in Live Police Operations

As in any field, police interpreting jobs can be mundane or sophisticated. Apart from the routine and small jobs interpreting for witnesses at the police station there are other times that require an interpreter who has earned their stripes working on complex, sensitive, and long operations. In complex police operations when the police are in need of an extra degree of power, one which can’t be imposed by authority or force but by cultural knowledge they resort to enlisting the interpreter *ab initio* as a team player. This entails letting the interpreter into the task, briefing them on what is happening and what is the objective of the meeting or indeed the entire operation. Here, the interpreter is well-briefed because the police have identified a specific need that can only be fulfilled by the interpreter. Quite often, the specific need is sophisticated and one that calls on the interpreter’s experience in linguistic, epistemological, life, cultural, and communication skills. As explained above, the movement of people has created a huge demand for legal

interpreters and particularly in police contexts. This does not only refer to criminal proceedings but also covers international crime, racial tension, diplomatic incidents, and international law. This is another area in police interpreting that remains outside the scope of academic research as details of the operation tend to be classified for legal and security reasons.

Experienced interpreters working on live police operations quite often find that the interpreting task entails more than just linguistically rendering a statement from the source language to the target language. Quite often, there is a wiretap in place, several surveillance reports, changing hours of work, unforeseen developments (when there is a controlled delivery), or working from a safe house that requires a lot more than just language qualifications and interpreting accreditation. Mulayim, Lai, and Norma (2014) draw attention to the prerequisite skills in “investigative interviewing” that police interpreters need to possess. The caliber of the interpreter required for such police task is of a level the interpreter agency has little idea of. Therefore, relying on the agency to outsource an interpreter, any interpreter as long as they are ‘here and now’, is an uninformed policy. The agency will discharge its task by finding the first available interpreter regardless of whether the interpreter has just finished doing a nightshift as a security guard or driving a taxi for 12 hours. The interpreter might be qualified but untrained or someone who does not speak the dialect of the person(s) the police are interested in or in some cases too fatigued to last the entire police assignment. There is many a professional lesson to be learned from the ongoing saga of police and court interpreters being outsourced to a private company in the United Kingdom (The Guardian, 2012).

Experience shows that, the police interpreter, once engaged, as a team player is expected to tackle more than one task at the same time. Interpreting in live police operations requires the interpreter to be finely-tuned to the demands of the investigators and despite the physical, cognitive, linguistic, and cultural challenges. An accredited-but-inexperienced interpreter would not necessarily be able to respond to the fast-changing and at times

conflicting demands of the police commander unless they are properly briefed and treated as a team member. This is an area that has attracted little academic attention (Gamal, 2012). Depending on the circumstances and context where the interpreter is deployed in a police operation, appropriate instantaneous interpreting can save the job and may save life as well. Gamal (2012) points out that "the rules on how to use interpreters in live police operations have not been written yet and the current practices are ad hoc left to the discretion of the commander or team leader conducting the operation" (p. 663).

Experience in live police operations attests that in the rare occasion when the interpreter was invited early in the operation, and before the operation has reached a critical point, positive results have been achieved. This clearly shows that there are merits in treating the interpreter professionally: one who is capable of handling classified information and exhibiting mature and professional conduct as a police interpreter. The lack of such qualified and trained interpreter will cost the police time, effort, and money. Not all police cases, and despite the best effort by the Crown (Public) Prosecutor, are successful. It is insightful to examine the cases that fail when an interpreter is involved. The number of cases dismissed due to the improper use of interpreters by the police is not small and deserves attention to better understand how the police fail to use interpreters and to better train the police and, other professionals, in how best to use interpreters. This also covers the use of bilingual police officers as interpreters. A judge in the US ruled that while a Spanish-speaking police officer was sufficiently bilingual he was "without the proper training and skills to have acted as an effective interpreter" (Beym, 2014). In this particular case, the woman who was jailed was found not guilty and she is now suing the New Jersey police department for false imprisonment. Likewise in Scotland, professional experience also shows that the failure by the police to become a stakeholder in the training of police interpreters is negatively affecting the results of interpreter-mediated police operations (Perez & Wilson, 2007). This particularly applies to long police operations by the Australian Federal Police, in international police negotiations (from extradition to people smuggling) and during

serious records of interview by the New South Wales state police.

10. Police Interpreting Studies

The field of police interpreting crosses several disciplines such as linguistics, interpreting, law, human rights, migration studies, psychology, community interpreting, cultural communications, and legal cultures to name but a few. This multi-disciplinary background calls for more research into the multi-faceted process of interpreting for the police. In many parts of the world the experience of interpreter-mediated interview takes place under, more often than not, unpleasant circumstances. Therefore, the ethical framework of the police interpreter's task needs to be redefined particularly in live and long police operations. In this respect, it is not only the interpreter's role but also the very legal position of the interpreter in police operations and the working conditions themselves that need investigation as the specialist area of court interpreting did (Gamal, 2009). As court interpreting did not develop overnight, police interpreting, will have to lobby and rally for its recognition as a relevant professional and a viable academic area. There are numerous cases worldwide that point to the significance of this specialist area. This can only be done by inviting all stakeholders from the interpreting profession, academia, civil society (minorities and migrant communities), the legal profession, and the police to examine the logistics of providing a professional interpreting service in police settings. It is insightful to remember that police interpreters do a lot more jobs, with more hours and cover a much wider range of tasks than court interpreters do. By focusing research on the specialization of interpreting for the police and exchanging reports and case studies the field of police interpreting will reach the same professional status conference and court interpreting achieved.

11. Concluding Remarks

In this paper, I tried to cast light on the world of police interpreting and the main issues that impact on the process of interpreting for the police. The Australian experience is rich with varied examples that reflect the local, regional, and international relevance of interpreting in

police situations. As the world gets more connected, more and more people will travel abroad and will come into contact with different languages, cultures, and legal systems. The work of police interpreters is firmly grounded in the field of community interpreting and derives its theoretical underpinnings from the specialization of legal interpreting. In this paper, the focus has been on some of the practical issues of police interpreting which is essentially conducted behind the scenes and before the matter reaches the more public phase of the court system. The fact that much of police interpreting takes place behind closed doors does not necessarily mean that it is off limits to academic investigation and professional examination. The field of police interpreting must go beyond a person's right to understand what is being said to the right of being understood by others. The difference is crucial as it clearly places the responsibility on the police interpreter whose training and performance must be of high standards to serve the community and more importantly to serve justice.

References

- Aoki, M. (2014). *Language professionals call for court interpreter qualification regime*. In *The Japan Times* 20 June 2014. Article available online: <http://www.japantimes.co.jp/news/2014/06/20/national/social-issues/language-professionals-call-for-court-interpreter-qualification-regime>
- Australian Legal Information Institute (AUSTLIJ). (1995). *The Evidence ACT of 1995*. http://www.austlii.edu.au/au/legis/nsw/consol_act/ea199580/sch99.html
- Chan, J. (2010). *Police needs translators*. *The Classified Post*. Hong Kong. Article available online and was accessed on 14th July 2014. <http://www.classifiedpost.com/hk/career-centre/your-industry/government-social-services/police-needs-translators>
- Bassnett, S. (2014). *Translation studies new accents* (4th ed.). London: Routledge.
- Berk-Seligson, S. (2000). Interpreting for the police: Issues in pre-trial phases of the judicial process. In *The International Journal of Speech, Language and the Law*, 7(2), 212-237.
- Beym, J. (2014). *Police's lack of Spanish interpreter caused false imprisonment of pregnant woman, lawsuit claims*. Article available online (Accessed 14 July 2014) http://www.nj.com/camden/index.ssf/2014/05/police_departments_lack_of_spanish_interpreter_caused_false_imprisonment_of_pregnant_woman_lawsuit_c.html
- Edwards, A. (1995). *The Practice of court interpreting*. Amsterdam: John Benjamins Publishing Company.
- Gallai, F. (2013). I'll just intervene whenever he finds it a bit difficult to answer. Exploding the myth of literalism in interpreter-mediated police interviews. *Investigative Interviews Research and Practice Journal*, 5(1), 57-78.
- Gamal, M. (1998). Teaching interpreting at a technical college: The Granville experience. *The proceedings of the 2nd Critical Link Conference held in Vancouver*, 19-23 May 1998. <http://www.criticallink.org/cli-2>
- Gamal, M. (2009). Court interpreting. In M. Baker, & G. Saldanha (Eds.) *Encyclopedia of translation studies* (pp. 63-67). London: Routledge.
- Gamal, M. (2012). Interpreting for the Australian police. *The refereed conference proceedings of the Applied Linguistics Association of Australia*. <http://humanities.curtin.edu.au/schools/EDU/education/pdf/alaa/M-Gamal.pdf> (Accessed 14th July 2014)
- Gamal, M. (2014). The world of police interpreting. A. Arnall, & A. Gentile (Eds.). *AUSIT 2012: Proceedings of "JubliatTion 25"* (pp. 93-102). Biennial Conference of the Australian Institute of Interpreters and Translators. Newcastle: Cambridge Scholars.
- Herraez, J. O., & Rubio, A. F. (2008). Interpreting in police settings in Spain. In C. Valero-Garces, & A. Martin (Eds.) *Crossing Borders in Community Interpreting: definitions and dilemmas*. Amsterdam: John Benjamins Publishing Company.
- Ito, M. (2013). Somali pirates' trials highlight role of interpreters. *The Japan Times*. 21 March 2013. Article available online: <http://www.japantimes.co.jp/news/2013/03/21/national/crime-legal/somali-pirates-trials-highlight-role-of-interpreters>

- Krouglov, A. (1999). Police interpreting: Politeness and sociocultural context. In I. Mason (Ed.) *The Translator*, 5(2). 285-302
- Lee, J., & Buzo, A. (2009). *Community language interpreting: A workbook*. Sydney: Federation Press.
- Mulayim, S., Lai, M., & Norma, C. (2014). *Police investigative interviews and interpreting: Contexts, challenges and strategies*. London: CRC Press.
- Nakane, I. (2007). Problems in communicating the suspect's rights in interpreted police interviews. *Applied Linguistics*, 28(1), 87-112.
- Nakane, I. (2009). The myth of an 'invisible mediator': An Australian case study of English-Japanese police interpreting. *Portal Journal of Multidisciplinary International Studies*, 6(1).
- Nakane, I. (2014). *Interpreter-mediated police interviews: A discourse-pragmatic approach*. New York: Palgrave.
- OHCHR (1996). The International Covenant on Civil and Political rights. The United Nations. Office of the High Commissioner for Human Rights. Available at: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>
- Ozolins, U. (2010). Factors that determine the provision of public service interpreting: comparative perspectives on government motivation and language service implementation. Article available at: http://www.jostrans.org/issue14/art_ozolins.php (Accessed 14th July 2014)
- Perez, I., & Wilson, C. (2007). Interpreter-mediated police interviews. W. Cecilia, B. E. Dimitrova, & A. L. Nilsson (Eds.), *The critical link 4: Professionalization of interpreting in the community* (pp. 79-93). Selected papers from the 4th International Conference on Interpreting in Legal, Health and Social Service Settings, Stockholm, Sweden, 20-23 May 2004.
- Pöschhacker, F. (1999). The evolution of community interpreting. *Interpreting*, 4(1), 125-140.
- Pym, A. (1999). "Nicole slapped Michelle": Interpreters and theories of interpreting in the O. J. Simpson Trial. In I. Mason (Ed.) *The Translator*, 5(2), 265-283.
- Ra, S., & Napier, J. (2013). Community interpreting: Asian language interpreters' perspectives. *Translation & Interpreting*, 5(2), 54-61.
- Seleskovitch, D. (1978). *Interpreting for international conferences. Problems of language and communication*. Washington DC: Pen and Booth.
- The Guardian (2012). Editorial: In praise of ...judicial interpreters. <http://www.Theguardian.com/commentisfree/2012/mar/25/in-praise-of-judicial-interpreters>
- Tsuda, M. (2009). *The newly implemented judicial reform in Japan and the impact on legal interpreting and translation*. Paper published by EULITA (European Legal Interpreters and Translators Association) and is available online: <http://eulita.eu/newly-implemented-judicial-reform-japan-and-impact-its-legal-interpreting-and-translation>
- Viaggio, S. (1997). Kinesics and the simultaneous interpreter: The advantages of listening with one's eyes and speaking with one's body. In F. Poyatos (Ed.) *Nonverbal communication and translation* (pp. 283-293). Amsterdam: John Benjamins.
- Wadensjo, C. (1998). *Interpreting as interaction*. London: Longman.
- Wadensjo, C. (2009). Community interpreting. In M. Baker, & G. Saldanha (Eds.), *Routledge encyclopedia of translation studies* (2nd ed., pp. 43-48). London: Routledge.

Filmography

The Tourist (2010). Florian Henckel von Donnersmarck

Court cases

Flor Contemplacion Case, 1991 http://eresources.nlb.gov.sg/infopedia/articles/SIP_1551_2009-07-31.html

Rizana Nafeek Case, 2005 <http://www.bbc.com/news/world-asia-20959228>

Web Sites Visited

University of Western Sydney: http://www.uws.edu.au/future-students/postgraduate/postgraduate/postgraduate_courses/language_interpreting_and_translation_courses/interpreting_translation/admission_and_unit_information_master_of_interpreting_and_translation

Notes:

¹ The author also works as a senior police interpreter for the Australian Federal Police (AFP) and the State Police of New South Wales. Over the past twenty five years, police interpreting experience has taken the author to AFP headquarters, police stations throughout Sydney, crime scenes, local and interstate prisons, and police holding centres. In addition, live police operations, where the interpreter was engaged, also provided a rich scope for reflection on practice and learning. Long police operations, on the other hand, require a multimodal style of work (translation, interpreting, transcribing and subtitling, etc.) which constantly provide a rich opportunity for analysis and further research on the mechanics of police interpreting.

² There is also the Police Interpreting Research Group established within the Centre for Translation and Interpreting Studies in Scotland (CTISS) in the Department of Languages and Intercultural Studies at Heriot Watt University. CTISS was established to examine police interpreting as interaction and separate from Court Interpreting.

³ Not briefing the interpreter is a complex professional issue that is outside the scope of this paper. It is, however, a serious issue that I am examining at the moment. Several court cases, both in Australia and elsewhere have been dismissed due to the unprofessional and incompetent use of interpreters. In my research I argue that one of the main reasons for the poor interpreting performance stems from the lack of adequate briefing of the police/court interpreter.