

# **Assessment of Video-Mediated Interpreting in the Criminal Justice System**

## **AVIDICUS 2**

### **Actions 1 and 4**

# **WORKSHOP REPORT**

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## Introduction

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One of the aims of AVIDICUS 2 was to disseminate the knowledge about videoconference-based interpreting in criminal proceedings gained in AVIDICUS 1 and the guidelines and recommendations developed in AVIDICUS 1. A related aim was then to develop the training further into a joint training module for legal practitioners and legal interpreters. The first of these aims was achieved by organising a series of European training workshops on videoconference-based interpreting in legal settings targeted at legal practitioners and legal interpreters, and by giving presentations about videoconference-based interpreting at the four European TRAFUT workshops for legal practitioners (Activity 1). The feedback from these workshops and events and the additional insights gained through the research conducted in AVIDICUS 2 were used to achieve the second aim, i.e. to develop a training module on video-mediated interpreting in legal proceedings that addresses the information and practice needs of legal practitioners and interpreters alike and by piloting this module in two joint training workshops (Activity 4).

The workshops were held in Belgium, France, the Netherlands, Poland and the UK, as planned. The contributions to the TRAFUT workshops followed the 'itinerary' of TRAFUT from Slovenia to Spain, Finland and Belgium. The workshops and events reached a total of approximately 550 legal interpreters, legal practitioners (including judges, prosecutors, lawyers, police officers), representatives of national governmental institutions, professional associations of legal practitioners and interpreters, and representatives of European institutions.

One of the joint training workshops was also used to pilot new methods for delivering the training. This included an exploration of using videoconference technology itself to deliver training in videoconference-based interpreting and a demonstration of the video-based training materials developed in the Building Mutual Trust 2 Project for the training of legal practitioners in how to work with interpreters.

It was anticipated that these activities would contribute to maintaining and improving the quality of interpreting in criminal proceedings, by raising awareness among stakeholders for the potential of cost-efficient alternatives to traditional ways of interpreting whilst ensuring that videoconferencing technology is implemented with appropriate safeguards to ensure a high quality of communication and interpreting. Furthermore, these activities were intended to contribute to implementing the European Directive on the rights to interpretation and to translation in criminal proceedings and the European Action Plan on e-Justice.

This report focuses on the workshops and events that were organised under Activities 1 and 4. The report is divided into three sections. Section 1 is devoted to the workshops for legal practitioners and legal interpreters which were based on the training modules developed in AVIDICUS 1. Each workshop report first outlines the basic parameters such as workshop location, date and participants, and then describes the main aims, the key content and materials used, before giving a summary of the discussion, which always took an important place on the agenda, and providing an evaluation of the workshop based on the participants' feedback and/or the observations of the AVIDICUS partners who coordinated the workshop.

Section 2 describes the AVIDICUS presentations which were given to larger audiences, at the four European training workshops organised by the TRAFUT Project. This section outlines the main aims and key content of the presentations, gives examples of the materials used and reflects upon the success of delivering the AVIDICUS training content to a larger audience by way of an overview.

Section 3 reports on the joint workshops which were organised by the AVIDICUS 2 partnership to train legal practitioners and interpreters together and to pilot new methods of delivering the training, as outlined above. The reports in this section follow the same structure as the reports in section 1. The aim is to document how these workshops were conducted, which also serves as a

guide for other institutions on how to organise similar workshops based on the AVIDICUS 2 training materials.

The final version of the joint training module provides 6 to 8 hours training content, and comprises a set of slides, handouts, tasks and exercises. It was made available online and is appended to this report.

# **Section 1: Workshops for Interpreters and Workshops for Legal Practitioners**

# 1 Workshops for interpreters in the UK

## 1.1 Background and Participants

<b>a) Location of workshop(s)</b>	Centre for Translation Studies, University of Surrey, UK
<b>b) Date of workshop(s)</b>	9 <sup>th</sup> March 2012 and 23 <sup>rd</sup> March 2012 (same workshop run twice to keep groups small)
<b>c) Project partners involved</b>	Sabine Braun, Judith Taylor, Nichols Botfield (Surrey) Maud Verdier (Institut Télécom) Ann Corsellis, internal evaluator, former Magistrate
<b>b) Participants</b>	09/03: 15; 23/03: 16 (excluding project partners) At the workshop on the 23 <sup>rd</sup> March, one participant had travelled from the Czech Republic. Otherwise, participants at both workshops were UK-based. One participant in the 9 <sup>th</sup> March workshop was a police officer. Two of the interpreters present were also practising lawyers.

## 1.2 About the Workshop

### 1.2.1 Introduction

The Surrey partners ran a slightly adapted version of the training workshop for legal interpreters developed in AVIDICUS 1, using the Polycom videoconference (VC) system installed in the University of Surrey's new interpreting laboratories in December 2011. The workshop was run twice, for two different audiences. In each iteration, the workshop lasted for a whole day, beginning at 10h30 and lasting until approximately 15h30. The delivery format was mixed method, and included lecture-style sections, discussion sessions and a substantial practical session, in which participants were offered the chance to practice interpreting in simulated legal communication via VC link – all based on the training materials developed in AVIDICUS 1. The workshop was structured on both days as follows:

#### **Agenda**

10.30	<b>1. Introduction</b> Context and current situation <b>2. Videoconferencing and interpreting</b> Definitions and settings <b>3. Current practice</b> Current uses of VMI in criminal proceedings
11.30	<b>4. Remote interpreting practice session</b> Lawyer-client consultation; police interview
13.00	Lunch
13.30	<b>5. Videoconference interpreting practice session</b> Magistrates' court first hearing; remand hearing
15.00	<b>6. Discussion; Recommendations</b> Challenges of VMI; initial guidelines for interpreters
15.30	Close

### 1.2.2 Aims, learning outcomes and materials

This workshop was targeted at practising legal interpreters, and its aims were:

- To provide legal interpreters with an introduction to the European legislation underpinning the use of video-mediated interpreting (VMI) in criminal proceedings;
- To offer an overview of how VMI is currently used in various European legal settings, and to outline potential uses;
- To allow an opportunity for hands-on practice of interpreting in different criminal justice scenarios in a controlled environment;
- To encourage discussion of the problems and challenges inherent in legal VMI;
- To provide guidelines for coping with issues arising during legal VMI assignments;
- To stimulate further discussion and study.

The workshop's learning outcomes were for the participants to:

- have a greater understanding of the different types of VMI and their uses;
- have a better understanding of the rationale behind using VMI in criminal justice settings;
- be aware of difficulties that could arise during VMI and of how they can be overcome;
- have greater confidence in carrying out VMI.

To support these aims and outcomes, specialised teaching materials had developed in AVIDICUS 1. These were continuously revised to allow them to be as up-to-date, and therefore as relevant, as possible. The core material was a PowerPoint presentation accompanying each unit of the workshop, which, in addition to electronic delivery for participants to follow during the workshop, was also provided as a hand-out for participants to keep for future reference and reflection. Additionally, scripts were produced for the practical sessions, covering a lawyer-client consultation, police interview, first court hearing and bail hearing. More detail is given on each of these scenarios below.

### 1.2.3 Syllabus

The syllabus was composed of six units. Whilst it had originally been designed as a series of discrete units (see Braun *et al.* 2012), allowing those running the training to adopt a 'pick 'n' mix' approach, in this instance it was thought that the participants would derive greater benefit if a 'building block' model was adopted. This is mainly due to the greater emphasis placed on the different types of VMI compared with previous versions of the workshop: in this case, the different configurations of VMI ('videoconference interpreting' and 'remote interpreting') and their uses were highlighted; the interpreters were then able to gain first-hand experiences of these, before discussing the difficulties and points of good practice they had uncovered in the practice sessions. Guidelines for resolving such difficulties and promoting good practice rounded off the workshop.

The global structure of the workshop thus moved from an introduction and a 'theoretical' first part to more empirical subsequent sections. This complementary mix of theory and practice seems to allow for the most effective learning experience, in light of the nature of VMI, the aims of the workshop, and the needs of legal interpreters.

#### **Workshop introduction**

The introductory unit was composed of three subsections:

- The current situation in Europe regarding VMI use
- Definitions and key terms used in the sphere of videoconferencing
- Current EU legislation relating to the use of videoconferencing in legal proceedings

The unit began with an outline of the current needs present in the judicial services of Europe: the elimination of delays in judicial proceedings; reducing travel time and costs, particularly in cross-border cases; and overcoming shortages of, and gaining timely and cost-efficient access to, appropriately-qualified legal interpreters.

Following this description of the rationale underpinning the use of videoconferencing in European legal services, a definition of videoconferencing was provided, followed by a diachronic description of the technological basis for videoconferencing, moving from the satellite technology used in the 1990s through ISDN to broadband high-end, high-quality VC and, more recently web-based services such as Skype.

A diachronic approach was also applied to the introduction to European legislation relating to the use of videoconferencing. This section covered early legislation regarding the hearing of witnesses, experts and victims, such as the Council Regulation on cooperation between the courts of the Member States in the taking of evidence in civil and commercial matters (1206/2001 of 28<sup>th</sup> May 2001, Article 10.4),<sup>1</sup> and the Council Framework Decision on the standing of victims in criminal proceedings (2001/220/JHA of 15<sup>th</sup> March 2001, Article 11.1).<sup>2</sup> After that, more recent legislation, which relates to those suspected of having committed a crime, was introduced, especially the Council Roadmap for strengthening the procedural rights of suspected and accused persons in criminal proceedings, adopted by the Council of the European Union in November 2009.<sup>3</sup> The emphasis was on highlighting the main aspects of Directive 2010/64 of the European Parliament and of the Council on the rights to interpretation and translation in criminal proceedings, and on acquainting the workshop participants with the references to new the use of technologies, including videoconference technology, that the Directive makes.<sup>4</sup>

The final part of this unit looked at future EU legislation relating to videoconferencing, including the Proposed Directive of the European Parliament and of the Council establishing minimum standards on the rights, support and protection of victims of crime (COM(2011) 275, Article 6.3).<sup>5</sup> The European Council's priority for improving the use of videoconference technology in cross-border proceedings within the context of future work in e-justice was also highlighted.

### ***Videoconferencing and Interpreting***

The second unit looked at uses of VMI, and covered:

- Emerging VMI settings and the motivation for using these
- Definitions of different VMI types
- Rationale and potential/future uses of VMI

Firstly, the distinction between the two emerging settings, *videoconference interpreting* (VCI) and *remote interpreting* (RI), was outlined. The former sees the interpreter co-located with one of the participants in a videoconference communication: in other words, the communication would take place via VC link whether the interpreter is present or not. On the other hand, in remote interpreting the VC link is only used to integrate the interpreter into what would otherwise be a traditional, face-to-face communication.

The unit then described the rationale underpinning the use of the two different VMI forms. Videoconference interpreting is used in cross-border hearings, when witnesses or defendants are located abroad, with the aim of reducing travel time and costs. Remote interpreting is devised to help overcome shortages of appropriately-qualified, local interpreters, to improve timeliness in this regard, and to reduce interpreter travel time and associated costs.

### ***Current Practice***

Having clarified the differences between the two VMI interpreting forms and their respective rationales, the third section of the workshop examined actual uses of videoconference and remote interpreting, and in particular looked at examples of current uses of VCI and RI in legal proceedings in

<sup>1</sup> [http://ec.europa.eu/justice\\_home/judicialatlascivil/html/te\\_documents\\_en.htm](http://ec.europa.eu/justice_home/judicialatlascivil/html/te_documents_en.htm)

<sup>2</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32001F0220:EN:NOT>

<sup>3</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2009:295:0001:0003:EN:PDF>

<sup>4</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:280:0001:01:EN:HTML>

<sup>5</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0275:FIN:EN:PDF>



Europe, taken from two surveys among legal professionals and legal interpreters conducted in 2009/10 by the AVIDICUS 1 Project.

The unit highlighted the growing trend found in the surveys in the use of VMI in criminal justice proceedings in particular. Examples of current uses of the two forms of VMI were then presented. In this iteration of the workshop, examples were drawn from different EU Member States; however, it should be noted that this unit of the workshop can be easily tailored to particular national and judicial contexts.

Examples of VCI presented included its use in the 'Virtual Courts' in England and Wales, used for first hearings to video link Magistrates' Courts with defendants in police custody; a range of pre-trial hearings e.g. in the Netherlands; remand and bail hearings, such as the 'court-prison video links' used in England, France and other countries; prosecution interviews e.g. in Poland. Whilst in all these examples, interpreters are normally located at one of the sides, the possibility of the interpreter being in a third location was also presented.

In terms of RI, its introduction by the Metropolitan Police Services in London and its increasing use in US courts were given as examples. It was pointed out that this form of VMI still seemed to be less common in Europe but that this picture would be likely to change in the future through the implementation of the Directive 2010/64, and particularly in initial stages of criminal proceedings.

### ***Practical Session 1: Remote Interpreting***

Having gained an understanding of the different forms of VMI and the reasons behind their use in particular situations, the participants were invited to take part and observe two remotely-interpreted simulations of legal communication: a lawyer-client consultation and a police interview. Both interviews focused on the same, real, case: a taxi driver has been accused of working 'on the side' by his/her boss. An argument breaks out, and the driver hits his/her boss with a metal spirit level, to the boss' injury. This results in the taxi driver's arrest, and the lawyer-client consultation begins. The two interviews were scripted by the Surrey project partners and included a mixture of short question-and-answer sections and longer turns, with the aim of giving the interpreters the opportunity to learn how to manage these different delivery types in a videoconference link.

Workshop participants volunteered to fulfil the roles of the lawyer, police officer and detainee, while others agreed to interpret, according to the language combinations available (where possible, working languages were ascertained before the workshop began). At the workshop on 9<sup>th</sup> March, the lawyer-client consultation required a French-English interpreter, and the police interview necessitated a Chinese-English interpreter. On the 23<sup>rd</sup> March, Russian-English and French-English interpreters were required respectively. Remaining participants were asked to observe problems and instances of good practice.

The physical parameters varied little between the two settings. Two rooms within the Centre for Translation Studies at the University of Surrey were connected via videoconference link using the Polycom HDX 7000 system, installed in the Centre in December 2011. In the first setting, the lawyer and detainee were seated opposite each other in the main interview room, with the interpreter located in the second, 'remote', room. In the second setting, the police officer replaced the lawyer in the interview room; again, the interpreter worked remotely.

The interview room contained a 32" screen, on which the interlocutors could see a head-and-shoulders view of the interpreter together with a small picture-in-picture shot of the interview room. The screen was located at a 90 degree angle to the speakers, which resulted in their having to turn their heads to look at the interpreter on the screen. The camera was placed by the screen. The interpreter in the remote site sat in front of a 55" screen, which showed a view of the main interview room, with the interlocutors sitting opposite each other, perpendicular to the screen and camera. Again, the screen in the remote site showed a picture-in-picture of the interpreter's own image in addition to the view of the interview room.

In order to observe the role play, the other course participants were co-located with the interpreter. This necessitated using a larger room for the interpreter than would ordinarily be the case (and hence the larger screen in the interpreting room).

Three main issues were identified by the Surrey partners for further consideration and research:

- The fact that the participants did not seem to know when the police officer should brief the lawyer and the interpreter(s). This problem is not related to the VC condition per se, but the addition of the technology did appear to mean that normal procedures were forgotten.
- The fact that turns were delivered in large segments, which resulted in those interpreting having to make extensive notes, 'cut in' to interpret, and ask for repetitions. Again, this is also found in face-to-face interpreting, but the VC mediation appeared to exacerbate the problem.
- The fact that some interpreters tried to interpret simultaneously. This appears to have led to information loss and confusion in turn-taking.

These problems corroborated and highlighted many of the findings in the AVIDICUS 1 empirical studies (Braun & Taylor 2012, Braun 2013), which had provided the basis for designing the training modules. Similar issues arose in the two court-based proceedings, discussed below.

### ***Practical Session 2: Videoconference Interpreting***

The VCI practical session covered a first hearing in a magistrates' court and a bail hearing. Both centre on the same case covered in the lawyer-client consultation and police interview and follow on from these.

Again, the roles were filled by volunteers from among the workshop participants. The two procedures required the same actors: a magistrate, legal advisor, prosecutor, defence lawyer, detainee and interpreter. The 9<sup>th</sup> March workshop used a French-English interpreter for the first hearing, and a Spanish-English interpreter for the bail hearing. On the 23<sup>rd</sup> March, a Romanian-English interpreter was required for the first hearing, and a French-English interpreter for the bail hearing. As before, the workshop participants not playing a role were asked to observe closely.

The technological parameters in the two hearings were the same as those used in the earlier interviews. The physical factors varied slightly: in the case of the first hearing, the interpreter was located in the 'courtroom' site, while the detainee participated remotely, from a room acting as a police custody suite. During the bail hearing, the interpreter sat beside the detainee at the remote site, in this case, functioning as a VC-enabled room in a prison. In each of the procedures, the main court actors were seated in a horse-shoe configuration; the detainee at the remote site faced the camera and screen directly, giving a head-and-shoulders image at the main court site. As in the earlier stages of the proceedings, each side had a picture-in-picture of themselves.

The following issues were identified for further consideration:

- The swearing in or affirmation of the interpreter – a debate took place among the participants as to when this should take place. It is suggested that this problem transpired in part because of the design of the workshop: the detainee was already present at the remote end of the VC link as the court dealt with the preliminaries, *before* the interpreter's oath or affirmation. This meant that the interpreter was unsure of whether or not to interpret the preliminary details for the detainee's benefit. While this issue cannot solely be attributed to the VC condition, it seems possible that the resolution of the problem was rendered more difficult by the video mediation.
- Again, some interpreters tried to interpret simultaneously.
- In one of the bail hearings, the interpreter could be seen reading the detainee's script, and ended up pre-empting turns yet to come. Once more, this problem is unique to the role play scenario. Further thought perhaps should be given to how the role plays are run in future workshops.

## ***Discussion and Recommendations***

The final unit offered participants the opportunity to reflect on what they had experienced in the practical sessions. More specifically, the unit covered:

- The interpreters' own observations on the simulations,
- The AVIDICUS 1 empirical studies,
- The challenges that VMI forms present,
- Initial recommendations for interpreters.

The following is a selection of the main points and comments made in the course of the discussion session:

- 'The spatial element is strange, since people are far away.'
- Eye contact: the interlocutors had a habit of looking at the interpreter on the screen rather than at each other. This was deemed to be unnatural, creating an odd dynamic.
- On the other hand, 'if you raise your hand, they won't necessarily see. You have to interrupt.'
- 'Normally the detainee looks at me. I don't mind, because I want to make sure they understand me; I can see facial expressions.'
- A compromise needs to be found – perhaps by altering the traditional seating order. There seemed to be the feeling among the participants that additional screens would be preferable.
- 'You can control better where people are looking in the face-to-face mode.'
- 'It is difficult for relationships to be built between the interpreter and the other participants.'
- Clarification is more difficult via VC link – particularly with regard to procedural issues such as the swearing in of the interpreter in a court hearing. It was suggested that the interpreter should be sworn in before anything else happens – and then for the defendant to be brought into the communication.
- 'There seems to be a tendency for more things to go wrong.'
- 'Young people coming through will not think anything of this.'
- The need to give interpreters time to interpret is even greater when a video link is involved.
- The need for interpreters to have breaks is also greater when a video link is involved.

Having identified and discussed potential and actual problem areas, the findings of the Surrey AVIDICUS 1 empirical studies were presented. Problems identified by these studies were grouped into 4 critical areas.

The first of these, communication management problems, includes procedural issues such as the briefing and technical control in case of breakdown. Secondly, talk coordination problems include the failure of familiar interpreting techniques such as latching and overlap and visual signals. Sound, visibility and eye contact problems cover issues such as the fact that actual eye contact is currently impossible to achieve in a VC. The last critical problem area is 'telepresence' or issues with rapport and contextualisation: the VMI situation seems to lead to unnatural ways of speaking and differences in perception of the other participants.

The problems identified by the workshop participants after the practical sessions largely mirror the findings of the AVIDICUS 1 studies. It is on the studies' findings that the guidelines for interpreters, presented at the end of this final workshop unit, are based. The purpose of these guidelines is to help interpreters overcome problems, and cover each phase of the process: the booking; before the session; the beginning of the session; during the session; and after the session.

The workshop closed with the participant evaluation, where the participants were invited to complete a feedback questionnaire designed by the Surrey partners. The responses to the questionnaire are outlined in the next section.

### 1.3 Evaluation

As in previous iterations of the workshop, the participants were invited to complete the questionnaire as soon as they could, while the workshop was still fresh in their minds.

In total, the two workshops yielded 23 responses. Not every respondent answered every question, and, in order to keep the parameters consistent, and because the form is orientated towards interpreters, the responses of the police officer who attended the 9<sup>th</sup> March workshop are omitted here.

Firstly, the interpreters were asked to give a rough indication of their age. Of the 22 respondents to this question, 3 were under 40, 6 were under 50, 8 were under 60, and 5 were 60 or over.

In order to gain an impression of the educational backgrounds of the participants, they were invited to list their qualifications. This yielded a broad variety of answers:

**Please indicate your qualifications (tick all that apply):**

Undergraduate Degree	Higher degree (Masters, Doctorate)	DPSI /Met test
In Languages or Translation/Interpreting <b>6</b>	In Transl. or Interpreting <b>4</b>	Law (England/Wales) <b>18</b>
In another subject <b>5</b>	In another subject <b>4</b>	Law (Scotland) <b>0</b>
		Health <b>0</b>
		Local gvt. <b>2</b>
		Met Police test <b>8</b>

Other interpreting qualifications listed included a 'course on relay interpreting technique', 'community interpreting', and a 'diplôme français'. Under 'other qualifications' – in other words, non-interpreting qualifications – various law diplomas and degrees were cited, as well as *inter alia* diplomas in translation, a teaching qualification, and, in two cases, membership of professional bodies (IoL and ITI).

In order to gain an impression of the level of experience of the interpreters, the questionnaire then asked about the number of hours of interpreting carried out:

**How many hours of interpreting have you carried out?**

	2000 or more	1000-2000	400-1000	Less than 400
Interpreting in general	<b>11</b>	<b>3</b>	<b>3</b>	<b>0</b>
Interpreting in criminal justice	<b>10</b>	<b>2</b>	<b>2</b>	<b>1</b>

The interpreters specified that 'interpreting in general' included non-criminal justice legal work (18 responses); conference interpreting (6 responses); business interpreting (11 responses); medical interpreting (11 responses); local government (3 responses); civil work (3 responses); work with families (2 responses); and maritime arbitration (1 response).

The question 'in which areas of criminal justice do you work?' yielded a higher number of responses, although this may be explained to some extent by the fact that the workshop was aimed at practising legal interpreters. 19 interpreters reported working for the police, 17 for the Crown Prosecution Service, 22 for the courts, and 17 for the prison service. Other areas of criminal justice cited included probation (2 responses); solicitors (3 responses); witness service; youth offending teams; and prison with a solicitor (1 response each).

The questionnaire then attempted to gauge participants' knowledge levels of VMI forms prior to the workshop:

**How would you rate your knowledge about videoconference and remote interpreting before this session?**

I knew...	Very much	Much	Something	Very little	Nothing
	<b>2</b>	<b>2</b>	<b>16</b>	<b>2</b>	<b>0</b>

The sources of this knowledge included:

- AVIDICUS presentation at TRAFUT in Ljubljana
- Through work interpreting via VC link (5 respondents)
- Through work in the Criminal Justice Service
- Participation in the AVIDICUS 1 study
- Chamber of Sworn Interpreters of the Czech Republic
- Social network
- Through work with the London Metropolitan Police (7 respondents)
- Through work interpreting via VC link in court, probation, tribunals
- Chartered Institute of Linguists' Interpreting Division CPD events
- Research
- University
- Hands-on experience

Respondents were then asked about their experiences of VCI and RI, both in the criminal justice system and in other settings:

**How many times have you carried out VCI and/or RI?**

	10 times or more	5 to 9 times	1 to 4 times	Never
<b>VCI</b> in the criminal justice system	<b>8</b>	<b>3</b>	<b>8</b>	<b>1</b>
<b>RI</b> in the criminal justice system	<b>1</b>	<b>3</b>	<b>6</b>	<b>5</b>
<b>VCI</b> in other situations	<b>4</b>	<b>1</b>	<b>2</b>	<b>5</b>
<b>RI</b> in other situations	<b>1</b>	<b>1</b>	<b>1</b>	<b>6</b>

Once again, the difference between the criminal justice system figures and those for other situations may be explained by the fact that the workshop specifically targeted legal interpreters.

Regarding training in VMI, 17 respondents totally agreed that VMI requires specific training, 4 'slightly' agreed, and one participant was neutral. However, one respondent commented that 'If the interpreters are not experienced and do not have solid qualifications, they should not be involved in VCI/RI'.

Having elicited background information about the interpreters themselves, the questionnaire moved on to gather feedback on the workshop itself. The majority of respondents (18) felt that the length of the workshop was 'about right'. 4 felt that the time spent was insufficient, and none felt that the workshop was too long. The majority of respondents were also satisfied with the content of the session:

**Satisfaction with content**

	totally agree	slightly agree	neutral	slightly disagree	totally disagree
The background information (legislation, different forms, their uses, current practice) provided a useful overview.	17	1	2	0	0
The overview of EU legislation helped me to understand the wider context.	14	3	2	0	0
The hands-on practice provided a good opportunity to experience VCI/RI.	20	0	0	0	0
The discussion covered my interests and questions.	16	4	0	0	0
The initial guidelines are a useful starting point for VCI/RI.	18	0	1	0	0

Continuing with the theme of workshop content, respondents were invited to suggest other factors they felt should be covered. Aspects cited included 'terms and conditions', 'body language and feelings of distance and non-involvement' and 'more detail on the legal provision regarding VCI/RI.' One participant also suggested that a quick introduction from each person in the group at the beginning of the session would be useful, with name and working languages as a minimum. Another – presumably one who felt that the length of the workshop was insufficient – felt that there was no time to cover anything else.

Questions regarding the balance between different components of the workshop gave rise to a more varied picture:

**Balance between different components of the session**

	totally agree	slightly agree	neutral	slightly disagree	totally disagree
The weighting of background information, hands-on practice and discussion/guidelines was balanced.	14	5	0	1	0
More of the time available should have been spent on exploring background information (legislation, forms, uses, current practice).	5	2	8	3	1
More of the time available should have been spent on hands-on practice.	6	1	8	1	1
More time should have been spent on discussion/guidelines.	6	2	8	1	1

Respondents were then asked about the materials provided during the workshop. All were satisfied with these:

**Material used during the session (slides, role play)**

	totally agree	slightly agree	neutral	slightly disagree	totally disagree
The material provided was relevant to the topic.	20	1	0	0	0
The material was sufficient.	15	4	0	0	0
The material deepened my understanding of the subject.	14	3	2	0	0

With one exception, participants were also generally satisfied with what they had learned in the course of the workshop:

**Outcomes of the session**

	totally agree	slightly agree	neutral	slightly disagree	totally disagree
The session gave me the opportunity to learn about VCI/RI.	16	4	1	0	0
I feel I am familiar with the major differences between face-to-face interpreting and VCI/RI.	17	2	1	0	0
I feel I am familiar with the major difficulties of VCI/RI.	17	2	0	0	0

I feel confident that I would be able to carry out an interpreting assignment based on VCI/RI.	<b>17</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>
I feel I could explain the challenges of VCI/RI to a client.	<b>18</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>
I feel I could advise clients on when VCI/RI can and cannot be used.	<b>10</b>	<b>5</b>	<b>2</b>	<b>1</b>	<b>0</b>

The penultimate part of the questionnaire asked about the personal learning experiences of the interpreters with regard to the workshop. The answer boxes for these questions were free comment-style. In the first part of this section, interpreters were invited to state which part of the session worked best for them. Comments included:

- All of it
- The discussions session (2 respondents)
- Role play/hands-on (7 respondents: 'I learnt so much from it'; 'good practice'; 'very useful'; 'enabled me to realise challenges in different interpreting settings'; 'good experience'; one respondent found the police interview particularly useful, as they had no previous experience in this setting)
- Learning about the differences between VCI and RI
- Visuals

Related to this is the question of what worked less well. Comments here included:

- More discussion would have been useful had there been more time
- Language groups could have been worked out beforehand so everyone could have the opportunity to participate in the hands-on segment [the groups were worked out beforehand, although this is a logistical challenge for such workshops]
- With regard to the hands-on session, the first two interviews could have been shorter
- The hands-on part could have been improved by more ground rules, for example, the English speakers in the role play should not be allowed to read the scripts [workshop run on the 23rd March]

Finally, participants were asked about the aspects that they felt should be covered in future guidelines on VMI. Once more, this was a free comment-style question. Responses included:

- Legal professionals should be trained as well as the interpreters: they should receive the same materials as the interpreters, and should specifically be trained in a set-up where interpreters are involved
- How to involve courts, police, and CPS in understanding the importance of the interpreter in proceedings, and training them in how to deal with such situations and be aware of the interpreter's needs professionally in that particular setting
- More research and information is required regarding the suspect, defendant and witness involvement in and views of VCI and RI
- More workshops to practise further
- More definite advice and guidelines.

## 1.4 Concluding Remarks

For the most part, the feedback suggests that the two workshops run in the UK were positively received and beneficial to the participants.

In particular, the practical and discussion sessions appear to have been considered to be especially useful. The comments provided suggest that the practical sessions should perhaps be expanded, although this risks disturbing the careful balance achieved in the workshop design with regard to background and context, practice and discussion. In a single day-long workshop involving 20 people, it is difficult to allow every participant to take part in the hands-on session. The comments made by participants in this respect essentially point to the lack of efficiency of traditional face-to-face training. This is corroborated by the high demand for such training and the fact that face-to-face

training sessions will often only be able to cover a relatively small local area. A move to more innovative training methods is one of the requirements that emerge from all of the training sessions conducted in AVIDICUS 2.

One way of gaining more time for participation and discussion in the face-to-face workshops is to take care that participants remain focussed on the videoconference-specific problems. However, they are often difficult to disentangle from interpreting problems, and the fact that legal interpreting in itself still raises a number of questions make this even more difficult.

Nonetheless and as far as possible for face-to-face events, it seems that the workshops worked well and made an important contribution to disseminating knowledge about videoconference-based interpreting in legal proceedings. One final remark comes from a participant who added a footnote to their evaluation form: 'Fantastic workshop – excellently prepared and presented. Very professional.'



## 2 Workshop for Interpreters in the Netherlands

### 2.1 Background and Participants

<b>a) Location of workshop(s)</b>	1 <sup>st</sup> Instance Courtroom, The Hague, The Netherlands and Lessius University College in Belgium as a remote location
<b>b) Date of workshop(s)</b>	14 <sup>th</sup> February 2012
<b>c) Project partners involved</b>	Katalin Balogh, Yolanda vanden Bosch (practising lawyer) (Lessius) Erik Hertog Dirk Rombouts (police officer, retired) Evert van der Vlis, Dutch Ministry of Justice
<b>b) Participants</b>	32 (excluding project partners) The participants came from all over The Netherlands.

### 2.2 About the Workshop

#### *Agenda*

14:00	Introduction to AVIDICUS
14:15	VCI from a legal perspective
14:30	VCI training and role plays, each role play followed by analysis and discussion.
16:30	General concluding discussion
17:00	Feedback and evaluation
17:30	Close

#### *VC set-up*

The setup was a link between participants in two locations: a courtroom in The Hague (The Netherlands, TH) and a room in Lessius University College, Antwerp (Belgium, A).

- The Antwerp end of the video link particularly created problems as the room was too big, creating a lot of 'echo', which meant that participants in A heard themselves too loud and were not able to hear the participants in TH very well.
- Side A only one screen, which was subdivided into a mosaic containing a couple of completely irrelevant shots, forcing the people over there (in A) to concentrate on one picture of the main respondent(s) which was too small. This was an issue of concern particularly for the police who want to be able to see facial and body aspects (approximating a face to face interview).
- There was also a great deal of concern amongst the participants regarding their positioning in relation to the microphones (too close, too far away etc.). This was a far greater concern than their position relating to the camera and this distracted from the substance and content of the interview.

As a result of these issues there are points to consider moving forward. The size of the room, the quality of sound and image, the kind of microphones (would 'pin up' microphones be a solution?) and screens (more than one, at least a full body screen/image, etc.) and a careful positioning of the respondents. Respondents position needs to take into account whether at the other end one wants to see both the suspect and the interpreter because the interlocutors want to 'see' all speakers (in

that case client and interpreter could be positioned in a chuchotage set up) or else whether the mere 'voice' of the interpreter suffices.

### ***Topics, learning outcomes and materials***

The central topic covered was drug trafficking (interviews of suspects –traffickers, couriers-, relatives, witnesses etc.).

The role players (legal professionals and the 'actors') had been given outlines of their role and a general drift of their position and content. They were not sticking to a written out script but had to respond to the flow of the conversation or interview.

It is important to use 'real' legal professionals in order to make the role plays as realistic as possible and also to impress on the participants the 'seriousness' of the task. This results in a different attitude and atmosphere.

### ***Role plays***

- Case 1: French/Dutch, VC1, lawyer-client consultation ('Salduz'), interpreter and lawyer in TH, client in A
- Case 2: Dutch/French, VC2, suspect and interpreter in TH, police officer in A
- Case 3: Dutch/Italian, RI suspect and police officer in A, interpreter in TH
- Case 4: German/Dutch, VC1, interpreter and lawyer in TH, client in A
- Case 5: English/Dutch, RI, suspect and police officer in A, interpreter in TH.
- The guinea pig interpreters were 'volunteers' among the participants of the workshop. All interpreters in all configurations were therefore 'based' in TH.
- The legal professionals were a lawyer and a police officer.
- The 'actors' were colleagues in the Department of Translation and Interpreting in Lessius (A).

## **2.3 Outcomes of the Discussion**

This section presents some of the issues that were noted during or raised in the discussion afterwards.

### **Case 1:**

- The tendency to switch to simultaneous (overlap).
- Managing turn-taking.
- Interrupting slightly longer turns, which renders certain messages almost incoherent because of the constant interruptions, need for turn taking management.
- Need for note-taking (quite a number of omissions).
- The tendency to switch to 3<sup>rd</sup> person.
- Should the interpreter be 'invisible', a mere voice or not?
- Clearly a need for an introduction, preparation before the start of a VCI interview.
- Importance of non-verbal communication (hence image quality).

### **Case 2**

- Use of 1<sup>st</sup> and 3<sup>rd</sup> person again an issue.
- Overlap.
- Prominent 'entre nous' chats between interpreter and suspect to clarify something: need to manage feedback to other participants.

### **Case 3**

- Importance of positioning: 'relation' between police and suspect (who were sitting beside each other, not facing one another) came across as unreal, distanced, impersonal. Police officer looking at the screen, rather than suspect, resulting in lack of 'rapport'. This led to a different dynamics of the interview, less fluent, less convincing.

- Longer statements were interrupted at inappropriate moments, even one-sentence messages (the need for note-taking, memory skills).
- The urge to switch to simultaneous out of fear of missing information (regardless of whether one can even hear this at the other end).
- Is the interpreter's 'voice' sufficient? Does it allow for better 'concentration' of the legal professional?

#### Case 4

- Is simultaneous an option in some of the modes of VCI where the interpreting is directed at one recipient?
- Some participants felt SI would be easier (more like conference interpreting), but its use may also have come about as a result of deficient note taking and memory skills.
- One solution could be to switch off the microphone, in this case the lawyers, as the suspect at the other end in A only needed the interpreter's rendering (this remark may have arisen as a result of the interpreter often starting to interpret as the lawyer was speaking causing overlap and difficulties of audibility and comprehension).
- Would simultaneous not be a good solution to save time and increase audibility?

#### Case 5

- This time police officer and suspect were facing one another and the one shot picture of police officer and suspect was therefore in profile which was not a convincing solution as the interpreter, in a sense, became 'invisible' for them, a remote voice from TH.
- However, once again lack of interpreting strategies (longer consecutive, note taking etc.) led to many interruptions, repetitions, clarifications etc. This stresses the need to master the interpreting techniques.
- Although at some points the sound quality was very weak or even bad, the interpreter felt s/he had to struggle on.

## 2.4 Evaluation

### *Partner evaluation*

This section presents some of the points made by the participants, who responded to the Surrey evaluation forms that were used.

- Learning from and by observation is extremely useful, including use of videotaped role plays for discussion
- The tension between consecutive (short and longer) and simultaneous
- The importance of sound quality
- The importance of positioning
- The need for more practice particularly in real court settings
- Clarification needed of the possible future use of these recordings and possible consequences for the interpreter

### *Partner evaluation*

From the point of view of the AVIDICUS 2 partners conducting this workshop, the relevant issues were:

- Sound and image quality
- Positioning of participants in role plays
- Realistic setting and topics of role plays
- Need for mastery of interpreting skills (particularly longer consecutive, memory skills, note-taking)

### 3 Workshop for Interpreters in Belgium

#### 3.1 Background and Participants

<b>a) Location of workshop(s)</b>	Antwerp, Belgium
<b>b) Date of workshop(s)</b>	22 <sup>nd</sup> March 2012
<b>c) Project partners involved</b>	Katalin Balogh, Yolanda vanden Bosch (Lessius) Erik Hertog Dirk Rombouts
<b>b) Participants</b>	12 (excluding project partners) The participants came from all over Belgium.

#### 3.2 About the Workshop

##### *Agenda*

12:30	Introduction to AVIDICUS
12:50	VCI from a legal perspective
13:30	VCI training and role plays, each role play followed by analysis and discussion.
16:30	General concluding discussion
17:00	Feedback and evaluation
17:30	Close

##### *VC set-up*

The workshop was organized in Lessius University College and the Court of Appeal, Antwerp, with a link between the two locations. There were some initial problems in establishing a good quality link in Lessius but these were eventually resolved. Sound and image were of an acceptable (though sometimes poor) quality in Lessius, and good in the Court of Appeal.

##### *Topics, learning outcomes and materials used*

The central topic covered was drug trafficking (interviews of suspects –traffickers, couriers-, relatives, witnesses etc.).

The role players (legal professionals and the ‘actors’) had been given outlines of their role and a general drift of their ‘character’, position and content. They were not sticking to a written out script but had to respond to the flow of the conversation or interview.

It is important to use ‘real’ legal professionals in order to make the role plays as realistic as possible and also to impress on the participants a certain ‘seriousness’ of the task. This results in a different attitude and atmosphere.

### **Role plays**

- Case 1: French/Dutch, lawyer-client consultation ('Salduz'), VC1, interpreter and lawyer together in Lessius, client in Ct of Appeal
- Case 2: Dutch/Russian, antecedents and credibility interview by police of suspect's relative. VC2, interpreter together with witness
- Case 3: Hungarian/Dutch, idem, VC2
- Case 4: English/Dutch, Remote interpreting, interview of suspect by police, both in Ct of appeal, interpreter in Lessius.
- All interpreters were trained interpreters, however with no or very limited experience in VCI.
- The legal professionals were a lawyer and a police officer.
- The 'actors' were colleagues in the Department of Translation and Interpreting in Lessius (A).

## **3.3 Outcomes of the Discussion**

### **Case 1**

- Turntaking problems resulting in language confusion, pronoun confusion, private chats between interpreter and 'client', tendency to break in with simultaneous interpreting
- Omissions
- Lack of note taking (focus on screen)
- Problem of spelling of proper names

### **Case 2**

- Directionality/Addressing the correct addressee ('role' confusion)
- Language code-switching confusion
- Too long turns led to confusion about interruption strategies
- Positioning next to 'client' led to certain 'rapport' (how about 'triadic' positioning?)
- Sound and Image quality poor during interventions of police officer

### **Case 3**

- Interpreter (next to and together with 'client') opted for chuchotage. Consideration of correct positioning (visibility etc.) but allowed for longer exposé by the police, apparently allowed the interpreter better concentration, but made the interpreter at the same time more 'invisible', a 'voice'
- Good interruption/turn-taking strategies by interpreter

### **Case 4**

- More overlap here during 'remote', more turn-taking problems
- Obvious additions and omissions
- Requests for clarifications and following explanations/repetitions not interpreted
- Proper names spelling problems, as in Case 1, need for use of document readers

## **3.4 Evaluation**

No feedback was requested from the partners as this was essentially seen as a trial preparatory session for the session held the week after (see next section). From the point of view of the project partners conducting this workshop, the most important points were the following:

- VCI makes note-taking (although essential) apparently more difficult
- Face to face remains the preferred setting for the police in case of serious crimes or thorough interviews.
- VCI seems to lead to a smaller 'impact' on the interaction and the participants' behaviour. Particularly the need for body language observation is clear, hence the need for (fixed) camera shots that convey as much information as possible (global, body, face views)

## 4 Workshop for Legal Practitioners in Belgium

### 4.1 Background and Participants

a) Location of workshop	Antwerp, Belgium
b) Date of workshop	28th March 2012
c) Project partners involved	Lessius team
b) Participants	32 The participants came from all over Belgium with a few participants from The Netherlands and from the UK (project partners in 'Avidicus 2').

### 4.2 About the Workshop

#### **Agenda**

13.30	Introduction to Avidicus
13.50	VCI from a legal perspective by a lawyer and a police officer, one presentation given by video link
14.30	VCI training and role plays 1 and 2
15.45	Break
16.00	VCI training and role play 3
16.30	General concluding discussion
17:00	Feedback and evaluation
17:30	End

#### **VC setup**

The workshop was organized in the Court of Appeal in Antwerp and the Court of First Instance in Hasselt, approx. 80 kilometres away, with a link between the two locations. Sound and image were of an acceptable professional quality.

#### **Topics covered in the workshop, learning outcomes and materials used.**

The central topic covered was drug trafficking (interviews of suspects –traffickers, couriers-, relatives, witnesses etc.).

The role players (legal professionals and the 'actors') had been given outlines of their role and a general drift of their 'character', position and content. They were not sticking to a written out script but had to respond to the flow of the conversation or interview.

It is important to use 'real' legal professionals in order to make the role plays as realistic as possible and also to impress on the participants a certain 'seriousness' of the task. This results in a different attitude and atmosphere.

### **Role plays**

Case 1: Hungarian/Dutch, the first part a lawyer-client consultation ('Salduz'), the second part an interrogation by an investigative judge, VC1, interpreter and lawyer/judge together in Antwerp, 'client' in Court in Hasselt.

Case 2: Dutch/Hungarian, antecedents and credibility interview by police of suspect's relative. VC2, interpreter together with 'client' in Hasselt, police officer in Antwerp.

Case 3: English/Dutch, Remote interpreting, interview of suspect by police, both in Ct of Appeal, Antwerp, interpreter in Hasselt.

All interpreters were trained interpreters, however with limited experience in VCI. The legal professionals were a lawyer, a police officer and an investigative judge. The 'actors' were colleagues in the Department of Translation and Interpreting in Lessius (Antwerp) or native speakers (Hungarian).

## **4.3 Outcomes of the Discussion**

### **Case 1**

- Turntaking problems resulting in language confusion, pronoun confusion between 1<sup>st</sup> and 3<sup>rd</sup> person, overlapping speech, tendency to break in with simultaneous
- Omissions (couple of shorter interruptions, clarification requests etc. not interpreted)
- Need to instruct legal professionals not to interrupt interpreting (agree on protocols and signals)
- Body language of all participants clearly an aid, a help to decode turns (which would be missed and become an additional obstacle with an invisible interpreter)
- Need for protocols before starting the interview (incl. role of the interpreter, agreed signals etc.)

### **Case 2**

- Interpreter used chuchotage (whispering interpreting) for questions by the police which initially led to confusion at that end to decide when the interpreter had finished but as the interview went on close observation of the body language and interaction client-interpreter at the other end led to smoother and more efficient transfers
- Interview was helped along by the steady, quite but determined interview style by the police officer (tempo, rhythm, clarity of questioning, observation of client and interpreter)
- Positioning in VC2 leads client to look away from screen to the interpreter and cast on the whole more sidelong glances rather than straight facial interaction with police officer

### **Case 3**

- This was an interview with occasional sound problems (décalage between mouth and sound) and occasional image quality loss (esp. with rapid movements of participants)
- Note taking more of a problem for the interpreter because one needed to focus at the same time on the screen and the interaction at the other end
- Need to develop through training (?) a certain feeling for the length and end of an intervention (to avoid awkward silences and glances at 'the other end' during turns)
- Police officer and 'client' established a close realistic positioning and relation, by not looking at the interpreter on the screen
- The interpreter felt there was no need to see him/herself on the screen, no need to have an image of him/herself, felt to be distracting. Related to issue of security (and anonymity)

## **4.4 Evaluation**

### ***Participant evaluation***

The Surrey evaluation forms were used. These were some of the most relevant feedback suggestions:

- Need for good quality sound and image
- Integration of Code of Ethics into VCI
- Observation of VCI is useful
- Role plays are a useful tool because they shed light on the practical issues

### ***Partner evaluation***

On the whole the three modes (VC1, VC2 and RI) worked well and could certainly meet professional (legal) expectations. The main objective – to present VCI settings to legal professionals, lawyers, judges, police officers, Ministry of Justice staff – worked well and was useful.



## 5 Workshops for Interpreters in Poland

### 5.1 Background and Participants

<b>a) Location of workshop(s)</b>	<b>Warsaw, Poland:</b>  <b>Sunday 15 January 2012:</b> <b>National Library in Warsaw</b> , Al. Niepodległości 213  <b>Monday 16 January 2012:</b> <b>Regional Court in Warsaw</b> (Sąd Okręgowy w Warszawie), Al. Solidarności 127, courtrooms 200 & 307
<b>b) Date of workshop(s)</b>	15-16 January 2012
<b>c) Project partners involved</b>	TEPIS, the Polish Society of Sworn and Specialized Translators Joanna Miler-Cassino and Zofia Rybińska
<b>b) Number of participants</b>	17 Participants were Polish interpreters living both in Poland and abroad (Netherlands). Languages represented: English: 5, German: 5, Russian: 2, Spanish: 5

### 5.2 About the Workshop

The workshop was a two-day event:

#### Agenda – Day 1

09:45	Interpreting in criminal proceedings
12:15	Break
12:30	VC/Remote Interpreting (theoretical section)
14:45	Lunch
15:00	Note-taking (theory & exercises)
18:00	Close

#### Agenda – Day 2

10:00	Practical VC interpreting exercises in the courtroom
15:00	Close

### ***Lecturers (Day 1):***

Janusz Poznański (Interpreting in criminal proceedings)  
Joanna Miler-Cassino (VC/Remote interpreting theory & practice)  
Zofia Rybińska (VC/Remote interpreting theory & practice)  
Małgorzata Tryba (Note-taking theory & exercises)  
Courtroom lecturers (Day 1):  
Zofia Rybińska (the Judge)  
Joanna Miler-Cassino (English witness)  
Janusz Poznański (Russian witness)  
Krystyna Kołodziej (German witness)  
Olga Cabos (Spanish witness)

### ***Video link set-up***

The video link was between two courtrooms, a large courtroom with seats for the public and VC equipment (room 200) and small hearings room (room 307) named the “witness courtroom” with a space for 4-5 persons only. The link was established between these two rooms, via a regular ISDN line used in the court for hearings. Due to close proximity, no technical obstacles resulting from large distance were encountered. However, technical difficulties occurred as a result of the screens being too small when compared to the size of the courtroom. In the main courtroom, the screen was 42’ and in the small courtroom, it was 17’. In addition, the screen in the large courtroom was – as a default mode - split into four sections showing the judge, the defendant and the plaintiff (all of whom were present in the main room) as well as the small witness courtroom.

### ***Learning outcomes and materials***

The first part of the workshop was introductory and theoretical. The participants attended lectures on some general practical issues on interpreting for the criminal justice system, followed by a lecture on videoconference interpreting (introduction, definitions, legal background, AVIDICUS 1 tests outline, interpreters’ feedback and recommendations). The last lecture was on note-taking in the court and included a practical session of note-taking exercises.

The second part of the workshop took place in the court according to the following agenda:

#### ***Introduction to the equipment by the court technician - 10.00-10.30***

#### ***Practical workshop - 10.30-13.30***

English language group - 50 min (5 participants, interpreters change after approx. 10 minutes)  
German language group - 40 min (4 participants, interpreters change after approx. 10 minutes)  
Russian language group - 20 min (2 participants, interpreters change after approx. 10 minutes)  
The Spanish language group - 50 min (5 participants, interpreters change after approx. 10 minutes)  
Summary: discussion + questionnaire-13.30 – 14.30

The participants practiced videoconference interpreting (each approx. 10 minutes). The two scenarios used were those from the tests done in AVIDICUS 1 (hearing of a car crash witness and ATM fraud witness) in a courtroom setting. The court hearing took place in Polish with interpreters (participants who changed every 10 minutes as the hearing continued). The judge spoke Polish and the witnesses spoke English, German, Russian and Spanish. The role of the judge and witnesses was played by lecturers (except the German language witness, this role was played by one of the course participants).

## 5.3 Outcomes of the Discussion

The courtroom interpreting workshop was followed by a discussion moderated by one of the lecturers, Mr. Janusz Poznański. This part of the workshop was also attended by one of the interpreters who took part in the AVIDICUS 1 tests who was invited to the courtroom to share her experience of videoconference interpreting with course participants. The main points raised during the discussion included; types of difficulties occurring during VC interpreting in the courtroom, problems with turn taking and communication management experienced by course participants and methods how such problems may be dealt with by interpreters and other parties (such as the judge), and quality of interpreting and interpreters' evaluation of their own interpreting quality in a videoconference environment. Interpreters shared their view that their performance during videoconference is very much dependent upon a given interpreter's personal like or dislike for new challenges. Some interpreters felt under a greater pressure whilst others did not.

## 5.4 Evaluation

The Surrey evaluation questionnaire (slightly expanded and adjusted to the Polish legal framework, namely the specific role of sworn interpreter) was circulated. Survey results:

### Background

#### a) Please indicate your age:

20-29 years old	30-39 years old	40-49 years old	50-59 years old	60 and over
2	7	4	3	2

#### b) Please indicate your qualifications (tick all that apply):

Undergraduate Degree	Higher degree (Masters, Doctorate)	Sworn translator/interpreter
<i>In philology or linguistics</i> 3	<i>In philology or linguistics</i> 14	Yes 13
In another subject -	In another subject -	No 4
<b>Other interpreting qualifications, please state which:</b>		<b>Other qualifications, please state which:</b>
Post-diploma studies for translators 2 persons		
Post-diploma studies for conference interpreters 2 persons		

#### c) When did you start working professionally as an interpreter?

1979-2000 – 6 persons	(1979 - 1, 1989 - 1, 1992 – 2, 1997 – 1, 1998 – 2)
2000-2010 – 10 persons	(2001 – 3, 2003 – 1, 2005 - 2, 2006 – 1, 2008 – 1, 2009 -2)
2011-2012 – none	
Haven's started yet – 1 person	

#### d) How many hours of interpreting have you carried out?

	2000 or more	1000-2000	400-1000	Less than 400
Interpreting in general	4	6	4	3
Interpreting in criminal justice	2	-	3	7

(no experience at all – 1 person)

#### e) In which area(s) of criminal justice do you work?

[n/a - in Poland sworn translators are under the duty to work in all the law enforcement agencies]

**f) Which other type(s) of interpreting work do you carry out?**

Other legal	13	Other (please specify): Technical – 4 persons Corporate documents – 1 person Real estate – 1 person
Conference	8	
Business	10	
Medical	1	

**g) How would you rate your knowledge about videoconference and remote interpreting before this session?**

I knew...	A lot	Much	Something	Very little	Nothing
	-	4	5	8	1

If you knew about VCI and RI before joining this session, where did you hear/learn about it?

The Internet – 1 person  
 TEPIS workshops – 3 persons  
 Own experience (videoconference) – 2 persons  
 General / mass media – 4 persons  
 Practice, training courses, training course in Moscow & Kiev – 1 person  
 Participated in videoconferenced meetings – 1 person  
 Other interpreters doing jobs for the courts& prosecution – 1 person

**h)..How many times have you carried out VCI and/or RI?**

	10 times or more	5 to 9 times	1 to 4 times	Never
VCI in the criminal justice system	-	1	-	17
VCI in other situations	5	1	1	11

**i) What do you think about training in VCI/RI?**

	totally agree	slightly agree	neutral	slightly disagree	totally disagree
VCI/RI requires specific training.	9	7	-	2	-

**Today's session****1. The time available for the session was...**

not sufficient for this topic	about right	too much for this topic
2	14	2

(comment: time for practice was too short – 1 person)

**2. Content**

	totally agree	slightly agree	neutral	slightly disagree	totally disagree
The background information (legislation, different forms, their uses, current practice) provided a useful overview.	12	5			
The overview of EU legislation helped me to understand the wider context.	8	5	3	1	
The hands-on practice provided a good opportunity to experience VCI/RI.	16	1			
The discussion covered my interests and questions.	11	4			
The initial guidelines are a useful starting point for VCI/RI.	17				

Is there any other aspect that you think should have been covered in the session?

"I am very satisfied, so no such aspects"  
 "Voice training"  
 "Interpreters' rights as regards interpreting rates (additional costs)"

"More time should be devoted for note-taking exercises"

"Interpreting of parties to the proceedings during a court hearing when the context of the case is unpredictable and oral translation of pleadings during the court hearing (right there, on the spot)"

### 3. Balance between different components of the session

	totally agree	slightly agree	neutral	slightly disagree	totally disagree
The weighting of background information, hands-on practice and discussion/guidelines was balanced.	12	3		3	
More of the time available should have been spent on exploring background information (legislation, forms, uses, current practice).		2	1	6	9
More of the time available should have been spent on hands-on practice.	13	5			
More time should have been spent on discussion/guidelines.	7	4	4	3	

### 4. Material used during the session (slides, role play)

	totally agree	slightly agree	neutral	slightly disagree	totally disagree
The material provided was relevant to the topic.	16	2			
The material was sufficient.	17	2			
The material deepened my understanding of the subject.	18				

### 5. Outcomes of the session

	totally agree	slightly agree	neutral	slightly disagree	totally disagree
The session gave me the opportunity to learn about VCI/RI.	14	3	1		
I feel I am familiar with the major differences between face-to-face interpreting and VCI/RI.	14	3		1	
I feel I am familiar with the major difficulties of VCI/RI.	15	3			
I feel confident that I would be able to carry out an interpreting assignment based on VCI/RI.	16	2			
I feel I could explain the challenges of VCI/RI to a client.	17	1			
I feel I could advise clients on when VCI/RI can and cannot be used.	15	3	1		

### 6. Personal learning experience in relation to the session

Which aspect of the sessions worked best for you, and why?

"The practical aspect in the court and note-taking"

"Practicing interpreting in the court – I could experience the difficulties and get a hands-on grip on remote/ VC interpreting"

"Practical exercises in the court – it showed that an interpreter must adjust to the changes and change his/her former way of working"

"Practical exercises, namely familiarity with the practical aspects of remote/ VC interpreting"

"Note-taking – practical guidelines"

"Familiarity with the equipment, practical exercises in interpreting"

"Practice in the court, since we could learn the practical side. Also the lecture by Mr. Poznański ("Interpreting criminal proceedings") was very helpful, since to some extent it prepared those of us who are not sworn interpreters for practical exercises"

"Practical exercises"

"Videoconference exercises. These exercises should be longer, as each interpreter should have 20 minutes interpreting time instead of 10 minutes."

"Exercises in the court"

"Practical exercises in the court"

"Practical exercises, because they have shown us what kind of situations we can expect"  
 "Practical exercises – they gave us the opportunity to use the audiovisual equipment, placing us (interpreters) in a new reality and new interpreting conditions, indicating the problems that might occur"  
 "Practical exercises – note-taking and exercises in the court"  
 "Practical exercises, practical situations and examples"

What was less successful and could be improved in your opinion, and why?

"Too much theory on note-taking and theoretical aspects of remote/ VC interpreting, a part of this time could have been spent on practicing note-taking"  
 "Theoretical introduction to note-taking on the first day"  
 "Practical exercises – the best way to learn for me is to jump in at the deep end"  
 "Note-taking – always needed"  
 "Practical exercises in the court – too much time spent waiting until other people finish their exercises"  
 The note-taking was at a late hour – it requires a lot of intellectual effort, which we were not able to generate after many hours of presentations during the preceding sessions"  
 "Waiting time during the exercises, but this is not the fault of the organizers!"  
 "Nothing"  
 "I would cut short the theoretical introduction (for instance, reduce the information concerning legislation admitting the use of videoconference in the courts in favor of longer practical exercises. A part of information overlapped with the information provided during the last TEPIS workshop".

## 7. Future trainings

What aspects that were not covered in this session should be covered in future training sessions?

"More time for learning and practicing note-taking, better time management, more time for practical videoconference exercises"  
 "How to go around managing breaks for the interpreter to cut in, what gestures to use, working with documentary camera"  
 "Training for interpreters should be organized with the participation of representatives of the court, the prosecution, the police, in order to acquaint both the parties to a new approach to interpreting"  
 "Practical exercises"  
 "Training should be divided into language sections"  
 "It might be helpful to record the participants during interpreting, so that they can see for themselves how they coped"  
 "Perhaps the course on note-taking, which requires concentration, should be earlier during the day"  
 "Nothing"  
 "More practice in the court"  
 "I would gladly hear more stories from more experienced participants – court interpreters – not necessarily directly relating to videoconference interpreting, but to their professional practice in the courts, police, etc."  
 "At the very beginning it would be helpful to instruct the interpreter, the parties and persons participating in the hearing about working with the use of audiovisual equipment"

## 8. Please comment on your performance as an interpreter in these new VC communication surroundings (in terms of your self-awareness, coherence and tempo of speech, eye contact)

"I assess myself positively"  
 "It seems my behavior did not differ from my behavior in the booth/ while speaking in public during the exercises at the university and post-graduate studies"  
 "I did not like not sitting next to the witness. The communication with the witness was not good, the witness did not know when to stop, so that I could interpret precisely"  
 "First I was under stress, then it was OK"  
 "I think I can concentrate well enough so that this remote mode of communicating would not bother me"  
 "It seems to me that everything went well until the judge and the lawyer introduced some difficulties, i.e. they started speaking without leaving enough time for me to interpret, and the persons on the other side did not know what was happening. I lost my composure. Besides, I think I leaned over towards the mike too much"  
 "Minor technical problems affect your self-composure and require a greater focus"  
 "I think I managed very well under these new circumstances. At the beginning I was stressed, but then I

managed to overcome stress”  
 “I practically did not see the face of the witness, there were moments when I did not hear very well, and this made me uncertain when interpreting”  
 “I generally perceived the impact only in the form of difficulties, that is the need to speak in a louder voice, temporary breaks in audibility”  
 “New experience”  
 “I was self-assured, my speech was coherent”  
 “Pleasant speed of interpreting, clear statement of the witness. In real life, the court pays no attention to the interpreter and the behavior of the witness is often unpredictable. Stress and adrenaline was just as in real-life situation”  
 “I was uncertain at the very beginning due to the novelty of the situation: the after-sound and not too good audibility. The rate of speech of the witness was OK”  
 “Eye contact – even through the image on the screen – very important”

**9. Has the presence of the equipment and your awareness of it affected in any way your behavior? If yes, in what way?**

“No, I am used to it”  
 “I did not feel the difference”  
 “Only at the beginning”  
 “You can get used to it”  
 “It was not so much the awareness of the equipment, but the fact that persons on the other side did not know what was happening worried me”  
 “Yes, it necessitated a greater concentration”  
 “I adjusted and blended-in pretty quickly”  
 “Not really”  
 “It did not affect me because I am used to working with a camera”  
 “The thought that audibility problems may occur (the mike did not catch everything) has a concentration-lowering effect, it requires a greater concentration and discipline on the part of participants”  
 “A slightly worse ‘contact’ with the other side causes a greater stress, but after communication was established, it was better”  
 “A little. Difficulties arise above all when you have to stop the witness’ speech to interpret it”

**10. Has the presence of the equipment in your view affected in any way the quality of your performance?**

“No, I am used to it”  
 “I did not have this impression”  
 “I don’t think so”  
 “Yes, at the beginning”  
 “Yes, not everything was clearly heard”  
 “The presence of the equipment necessitated louder speech and greater concentration on listening”  
 “Yes, in a sense. It forces people to scream, because the mike does not catch everything. Often the speech is not audible”  
 “Partly”  
 “No, I did interpret before and I also saw such recordings”  
 “Initially yes – the quality of interpreting was lower”  
 “This slight after-sound affects the quality of sound and, accordingly, the capacity to precisely understand the content to be interpreted”

## **Section 2: AVIDICUS 2 Presentations at other Workshops**



## 6 AVIDICUS presentations at the TRAFUT workshops

### 6.1 Background and Participants

EULITA, the European Legal Interpreters and Translators Association ([www.eulita.eu](http://www.eulita.eu)) and Lessius University College Antwerp had been awarded EU funding under the EU Criminal Justice Programme for Project TRAFUT – Training for the Future (JUST/2010/JPEN/AG/1549) to assist in and contribute to the implementation of the EU Directive on the Right to Interpretation and Translation in Criminal Proceedings by EU Member States. The core of the project was a series of four workshops held in different parts of Europe (including Slovenia, Spain, Finland and Belgium) in 2012. The workshops addressed legal practitioners and all those interested in how to work with an interpreter in legal proceedings, how to provide training for such situations and who to improve the standards of legal interpreting in Europe. The workshops addressed the various aspects covered by the Directive, i.e.

- the quality of interpretation and translation services, including mechanisms to ensure quality and to avoid insufficient quality, the training and further training of legal interpreters and translators,
- the issue of national registers of legal interpreters and translators (admission procedures, register management problems, integration into the planned EU electronic data base for legal interpreters and translators),
- best practices for effective communication between judges, prosecutors, lawyers, judicial staff, on the one hand, and legal interpreters and translators, on the other,
- modern communication technologies in the court room (e.g. videoconference interpreting), special arrangements for vulnerable persons (e.g. sign-language interpreting), specific interpreting and translation issues (e.g. translations for EAWs).

The AVIDICUS Project was invited to contribute to each of the TRAFUT workshops by giving an overview of video-mediated interpreting in legal proceedings, including the findings from the AVIDICUS 1 research and the guidelines developed in AVIDICUS 1. The presentations took place throughout 2012:

- Ljubljana, Slovenia, from 24 to 26 November 2011
- Madrid, Spain, from 15 to 17 March 2012
- Helsinki, Finland, from 13 to 15 June 2012
- Antwerp, Belgium, from 18 to 20 October 2012.

Each workshop was attended by 80 to 110 representatives from six to seven EU member states. In addition, representatives from Switzerland, Norway, Serbia, Croatia, Turkey and the Russian Federation were also among the participants.

The AVIDICUS Project was thus able to reach a large audience of relevant national participants - judges, prosecutors, lawyers, police officers, representatives of Ministries of Justice and of national professional associations of legal interpreters and translators, academics and trainers. In addition, the workshops were attended by experts from the EU Commission, the DG Justice and the Secretariat of the EU Council, from 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, and the European Forum of Sign Language Interpreters. This provided the AVIDICUS Project with an opportunity to disseminate the findings of AVIDICUS 1 by way of overview to larger groups of national and European audiences, as foreseen in the AVIDICUS2 workplan.

The first two presentations were given by Sabine Braun (University of Surrey). The third presentation was given by Katalin Balogh (Lessius University College), and the fourth presentation was given by Sabine Braun and Katalin Balogh together. The following sections give a brief overview of the content covered by the presentations.



Sabine Braun giving the AVIDICUS presentation in Madrid

## 6.2 About the AVIDICUS presentations

The presentations started from the following assumptions:

- In the area of legal interpreting, the use of videoconference technology is now being widely considered as a potential solution for gaining cost-effective and timely access to qualified legal interpreters.
- The Stockholm programme, the Procedural Rights Roadmap and the Directive on the right to translation and interpreting in criminal proceedings make explicit reference to videoconferencing as a means of gaining access to remotely located interpreters ('remote interpreting').
- Equally importantly, the increasing use of videoconferencing in criminal proceedings, especially cross-border proceedings, furthermore requires interpreters to work in videoconference situations in which the participants are distributed across two or more sites ('videoconference interpreting').
- The questions arising are how the technological mediation through videoconference affects the quality of interpreting; how this is related to the actual videoconference setting and locations of participants and interpreter; whether the emerging forms of video-mediated interpreting are reliable enough for achieving the specific goals of legal communication, and ultimately; what can be done to mitigate potential problems.

On the basis of these assumptions, the presentations reported the main findings of the AVIDICUS I project, including

- An introduction to video-mediated interpreting, definitions, different forms
- Key outcomes of the AVIDICUS 1 surveys among legal institutions/legal practitioners and legal interpreters in relation to video-mediated interpreting in legal proceedings
- Key outcomes of the AVIDICUS 1 comparative studies
- Key guidelines and recommendations formulated in AVIDICUS 1

An important aim of the presentations was to highlight potential pitfalls in the process of implementing video-mediated interpretation and to draw attention to the need for co-operation and informed dialogue between all stakeholders in order to design viable solutions.

The following page shows selected slides used in the presentations, which combined lecture-style sections with demo videos, learning points and key recommendations/conclusions.

**AVIDICUS 2** [www.videoconference-interpreting.net](http://www.videoconference-interpreting.net)

Antwerp, 18-20 October 2012  
TRAFUT Workshop 4

**Videoconferencing and Interpreting in Criminal Proceedings:  
Research Findings and Initial Recommendations  
from the AVIDICUS Projects**

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With Financial support from the Criminal Justice Programme | European Commission Directorate General Justice

**AVIDICUS 2** [www.videoconference-interpreting.net](http://www.videoconference-interpreting.net)

**About us and contact**

**AVIDICUS**  
AVIDICUS 1 – JLS/2008/JPE/057, 2008-2011  
AVIDICUS 2 – JUST/2010/JPE/AG/1558, 2011-2013

Website: <http://www.videoconference-interpreting.net>

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**Project consortium (AVIDICUS 1 and 2):**  
University of Surrey (UK) (co-ordinator), Lessius University (BE), Local Police Antwerp (BE), Institut Telecom (FR), Dutch Ministry of Security and Justice (NL), Dutch Legal Aid Board (NL), Polish Society of Sworn and Specialised Translators TEPIS (PL), Ann Corseilis (UK)

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**AVIDICUS 2** [www.videoconference-interpreting.net](http://www.videoconference-interpreting.net)

**Videoconferencing and interpreting in criminal proceedings**

**AVIDICUS 2** [www.videoconference-interpreting.net](http://www.videoconference-interpreting.net)

**Videoconferencing and interpreting in criminal proceedings**

**Interpreting in a videoconference ("Videoconference interpreting")**

- The primary participants are at two different locations  
in cross-border proceedings, e.g. hearing of a remote witness in another country  
in national proceedings, e.g. links between courts and police stations or prisons
- The interpreter is either at the main site ....

**AVIDICUS 2** [www.videoconference-interpreting.net](http://www.videoconference-interpreting.net)

**Videoconferencing and interpreting in criminal proceedings**

**Interpreting in a videoconference ("Videoconference interpreting")**

- ... or with the non-native speaker

**Reason for videoconference use:  
primary participants are in different locations**

**AVIDICUS 2** [www.videoconference-interpreting.net](http://www.videoconference-interpreting.net)

**Videoconferencing and interpreting in criminal proceedings**

**AVIDICUS 2** [www.videoconference-interpreting.net](http://www.videoconference-interpreting.net)

**Videoconferencing and interpreting in criminal proceedings**

**AVIDICUS 2** [www.videoconference-interpreting.net](http://www.videoconference-interpreting.net)

**Videoconferencing and interpreting in criminal proceedings**

**Remote interpreting**

- All primary participants together in a single location (e.g. in a police station)
- Interpreter at a different location (e.g. in a central interpreting hub)

**Reason for videoconference use:  
the interpreter is a different location**

## 6.3 Evaluation

The TRAFUT workshops enabled the AVIDICUS partnership to disseminate key messages about video-mediated interpreting in legal proceedings to large audiences across the European Member States and beyond. Although these presentations were by necessity given without opportunities for hands-on practice, they were very successful in that they raised awareness for the issues at hand among an audience which included high-level stakeholders and decision-makers both at national and European level.

Given European-wide attention that the TRAFUT workshops received, they gave the work conducted in AVIDICUS high visibility. The AVIDICUS presentations delivered at the TRAFUT workshops can therefore be said to have made a considerable contribution to improving the knowledge base among European legal practitioners and interpreters regarding video-mediated interpreting, raising awareness for the challenges but also reducing concerns and increasing the VC literacy of the workshop participants.

In addition, the AVIDICUS presentations at the TRAFUT workshops go to show that the training content developed in AVIDICUS can be delivered in different formats – ranging from smaller, all-day hands-on sessions, as was the case in the workshops organised by the AVIDICUS 2 partnership, to overview presentations delivered to large audiences. As the final section of this report will demonstrate, the delivery methods for the AVIDICUS training were extended even further in one of the joint workshops for legal practitioners and interpreters, by exploring opportunities for the use of videoconferencing and other types of information and communication technologies to deliver the training.

## **Section 3: Joint Workshops for Interpreters and Legal Practitioners**

## 7 Workshop for Interpreters and Legal Professionals in France

### 7.1 Background and Participants

<b>a) Location of workshop(s)</b>	Institut Mines - Telecom ParisTech, 46 rue Barrault 75013 Paris (France)
<b>b) Date of workshop(s)</b>	14th September 2012
<b>c) Project partners involved</b>	Dr Sabine Braun (University of Surrey, UK) Dr Judith Taylor (University of Surrey, UK) Mrs Ann Corsellis (Internal evaluator, UK) Professor Christian Licoppe (Telecom ParisTech, France) Dr Maud Verdier (Telecom ParisTech, France) Dr Katalin Balogh (Lessius Antwerpen, Belgium) Ms Yolanda vanden Bosch (Lessius Antwerpen) Professor Erik Hertog (Independent consultant, Belgium) Mr Dirk Rombouts (Independent consultant, Belgium) Mr Evert-Jan van der Vlis (Ministry of Security and Justice, Netherlands) Mr Willem Waslander (Ministry of Security and Justice, Netherlands) Ms Joanna Miler-Cassino (Independent consultant, Poland) Mrs Zofia Rybińska (Independent consultant, Poland)
<b>b) participants</b>	24 plus 13 AVIDICUS 2 Consortium members
Participants (interpreters) from France: 6 , the Netherlands: 10, United Kingdom: 2, Germany: 3 From the ICTY CLSS Interpretation Unit: 1, European Commission DG SCIC: 2, Court of Justice of the European Union: 1 Legal professionals 3: legal counsel, barrister and other legal professional	

### 7.2 Format and practicalities of the workshop

This first joint workshop was held earlier than originally planned in order to have more time to analyse the feedback and the observations made during the workshop and to use this for the development of the final version of the joint training module.

#### **Agenda**

1000	Registration opens
1030	Welcome
1045	<b>Videoconferencing and interpreting in criminal proceedings</b> - The current situation: video-mediated interpreting in legal settings - History of the AVIDICUS 1 and 2 Projects
1130	<b>European legislation and legal interpreting</b> - eJustice framework - Directive 2010/64/EU and other legal instruments - Competencies required by legal interpreters
1200	<b>Role play simulation of VMI settings I</b>

1300	Lunch
1400	<b>Role play simulation of VMI settings II</b> <b>Discussion</b> of experiences from role play
1500	<b>Provision of guidelines</b> for: - Legal service providers - Legal interpreters - Legal professionals Further discussion; future directions
1630	Close

**VC set-up**

Technical specifications	Room 1 (room Opale)	Room 2 (E200)
VC system	SONY PCSXG80 HD	SONY IPELA Itinerance PCSXG50T
Internet-based connections	TCIP H323 Dedicated video network - UL4500 (bandwidth 10 Mbps)	H323 Internet network
Picture	H264 Codec Video HD	H264 Codec Video HD
Audio transmission	Audio Stereo G722 Codec H 64K	Audio Stereo G722 Codec H 64K
Screens	16/9e (2m40 x 176)	3m x 2m40
Microphones	Unidirectional Sony A1	Unidirectional Sony A1
Cameras	Sony HD 1080	CAM SD
Lighting	Artificial lighting (ceiling light)	Natural lighting + artificial lighting (ceiling light) + additional light to reduce the back light
Seating arrangements	Role play 1: the interpreter is seated at the table, facing the videoconference screen. Role play 2: the detainee is seated at the table, facing the videoconference screen. Role play 3: the legal adviser, the prosecutor, the magistrate and the defence lawyer are seated in pairs, facing the videoconference screen.	Role play 1: the detainee and the legal adviser are seated at the table, facing the videoconference screen. Role play 2: the police officer and the interpreter are seated at the table, facing the videoconference screen. Role play 3: the detainee and the interpreter are seated at the table, facing the videoconference screen.

**Problems encountered in Room Opale**

- Videoconference screen:
  - the videoconference screen was slightly too high, which forced the role players seated at the table to raise their heads to look at the screen (role plays 1 & 2)
- Video reception:
  - the remote participants are against the light (despite the artificial light added to the setting to remedy this)
  - because of the seating position in room E200, only the lawyer's back was visible on the screen in the salle Opale
- The audio reception:
  - Noisy due to background noise on the other side



### **Problems encountered in Room E200:**

- Surroundings:
  - the room where the setting took place was noisy, owing to street noise
  - the natural light was too bright, which resulted in the image of the role players being too dark
  - the seating arrangement was inappropriate: the defence lawyer had her back to the camera in role play 1
- Videoconference screen:
  - the videoconference screen was slightly too high, which meant that the actors had to raise their heads slightly to look at the screen
- Video reception:
  - OK
- The audio reception:
  - Some backchanneling noise

## **7.3 Topics and role plays**

The following topics were covered (via PowerPoint and multimedia tools):

### **(1) Videoconferencing and interpreting in criminal proceedings**

- VMI in legal settings (current situation)
- Project history/background (AVIDICUS 1 and 2)

The first main topic highlighted the motivations on the part of the judicial services for using these forms of interpreting, including the need to speed up legal proceedings. It also provided the participants with information about the AVIDICUS 1 and 2 Projects.

### **(2) Legal interpreting**

- eJustice framework
- Competencies required by legal interpreters
- Directive 2010/64/EU and other legal instruments

This second main topic detailed current and emerging EU legislation to help participants understand the legislative and political background for using VMI in criminal proceedings.

### **(3) Role play simulations of 3 VMI settings**

Three legal VMI settings were simulated as a practical demonstration. These were: an initial lawyer-client consultation carried out under remote interpreting conditions; a first police interview, in the VCI(A) configuration; and a bail hearing in a magistrates' court, which took place in the VCI(B) mode. Further details can be found below.

### **(4) Discussion**

After the three role play sessions, a discussion of experiences from the role plays took place. Participants discussed the impact of VMI on various aspects of the interpreting process, including the role of the interpreter. (See below for the main points raised).

### **(5) Provision of guidelines per stakeholder group:**

- Legal service providers
- Legal interpreters
- Legal professionals



## **Role plays**

### **Role play simulation of VMI settings**

Based on scripts, to make the settings realistic, the three scripts reflected the Belgian context (for role plays 1 & 2) and the English context (for role play 3).

#### **Role play 1: Lawyer-client consultation**

*The detainee has been arrested by police on suspicion of assault and obtaining money by deception. Here, she has an initial conversation with her lawyer.*



**(Room E200)**

Participants:

Room Opale: Interpreter (Dutch/English)

Room E200: Detained person (English); Defence lawyer (Dutch-speaking Belgian lawyer)

#### **Role play 2: Police interview**

*Following the initial lawyer consultation, the detainee is brought to the interview room at the police station for a first questioning with a police officer.*



**(Room E200)**

Participants:

Room Opale: Detained person (English)

Room E200: Interviewing officer (Dutch-speaking Belgian officer); Interpreter (Dutch/English)

### **Role play 3: Bail Hearing**

*Having been remanded in custody at the adjournment of his/her first hearing, the defendant has now applied for bail.*



**(Room E200)**

Participants:

Room Opale: Legal adviser (English); Prosecutor (English); Magistrate (English); Defence Lawyer (English).

Room E200: Interpreter (English/French); Defendant (French).

The two Dutch-English interpreters and one French-English interpreter were contacted prior to the workshop and invited to interpret in the role plays. Other roles were filled by members of the Project consortium, according to language skills and real life employment: thus, a Belgian lawyer played the part of the defence lawyer in the lawyer-client consultation; a retired commissaire of the Antwerp City Police played the role of the investigating officer in the police interview; and a retired magistrate played the magistrate in the English bail hearing. In this way, and coupled with the fact that the scenario was based on a real case, helped the role plays to be as credible as possible.

To allow the workshop participants to observe the role plays closely and note problems and points of good practice, they were asked to distribute themselves as equally as possible between the video-linked rooms and then change rooms in the pauses between role plays. This also allowed them to experience the video mediation from different perspectives.

## **7.4 Outcomes of the Discussion**

### *Technological Issues*

- Need for different images on screen(s): overall shot/image of location (room) with all participants, plus separate image of 'speakers', perhaps a close-up in combination with full or upper body shot.
- Issue of sound quality:
  - It would be better to provide (and train with) headphones, if only for the quality of sound, irrespective of the interpreting mode. Working conditions (office, court, prison...) often impede quality of interpreting in terms of comprehension and audibility and so on.
  - Having no headphones came as a 'shock' to one interpreter (a trained conference interpreter) who participated in the role plays.
  - The back channel noise was highly disturbing; some interpreters reported hearing an 'echo'.

- A role play where technology breaks down may be useful. The participants would then learn how to cope with such problems.

#### *Audiovisual environment and perception*

- Seating arrangement
  - In the first role play, the seating arrangement was inappropriate: no-one should have their backs to the camera.
  - Positioning is very important, particularly to be able to maintain eye-contact and to take notes. It is important to be seated at eye level (so as not to have to look up, and in order come across 'realistically' at the other end).
- Positioning issue: if the suspect or victim is alone, this can create a feeling of subordination and an impression of a substantial asymmetry of power. This should be taken into account by both the interviewer and interpreter so they can, for example, adapt eye contact if necessary.
- The first role play interpreter felt that she was seated too low and making her feel subordinate.
- The interpreter who interpreted for the bail hearing reported that she was 'distracted by other things' and stated that the working conditions in a video link made it impossible for her to do a good job.

#### *Interpreting Issues*

- It is not important for the interpreter to be able to see anyone.
- The first role play interpreter stated that she did not take notes. She felt she could either take notes or look at the screen, but not both.
- Consecutive vs simultaneous interpreting – the interpreters present made the following comments and observations in relation to mode of interpreting:
  - In the simultaneous mode, the interpreter becomes more of a voice, and therefore less visible. In consecutive interpreting, note taking skills are essential. In any case, when decisions about the mode of interpreting are made in videoconference-based legal interpreting, it has to be born in mind that the interpretation is always both ways (i.e. that this is different from simultaneous or conference interpreting, which is normally one-directional).
  - An advantage of simultaneous interpreting is that it does not lead to memory overload.
  - But clarification of terminology is more problematic in simultaneous interpreting.
  - In consecutive interpreting, pieces of information may get lost. The necessity to take notes may mean the interpreter loses control of the conversation.
  - There are simply not enough legal interpreters who are qualified to do simultaneous interpreting.
  - In consecutive interpreting, it is necessary for an interpreter to be able to handle both short turns and long(er) turns. Short turns can sometimes be confusing, and they can lack coherence and increase turn taking problems.
  - As far as possible, face-to-face communication should be replicated.
- Chuchotage (whispered simultaneous interpreting):
  - Chuchotage seems not always possible – the interpretation becomes an interference.
  - Use of (and research into) simultaneous interpreting should be considered: Would it be possible to do chuchotage? What would be the consequences of this for audibility, interference, positioning, body language etc? What would be needed in the form of equipment (earphones)? What sort of microphones? Would participants (judges, police etc.) be more comfortable with this mode? What would it require in the form of training

for legal interpreters? Is this realistic, feasible, affordable in all/most member states or would it introduce a two-track service provision?

#### *Interaction and clarity of roles*

- VMI creates interaction problems among participants. It is more difficult to build a rapport with the party on the other side. Participants (e.g. police) want to get a feeling for the suspect or witness.
- It is not clear who is responsible for what in a video link.
- Good delivery is necessary, but this does not always happen in practice.
- It is difficult to maintain the flow of a dialogue when – as happens in reality – the police officer is typing or writing.
- Pronominal usage can be confusing.
- Turn taking is also more problematic and requires training. A communication manager might solve this issue.
- People have a tendency to rush when they speak.
- People do not seek clarification over a video link.
- Interpreters feel that they cannot interrupt e.g. the judge in a video-mediated session. Interruption is more intrusive than in face-to-face situations.
- Solutions adopted in the face-to-face mode, such as the use of hand signals, could be used in the videoconference setting.
- The first role play interpreter (remote mode) reported that she did not feel alone or cut off from the other participants. On the other hand, the interpreter who participated in the second role play stated that she missed the direct contact with the detainee and could not build a rapport. Further, she felt that she could not manage the flow of the dialogue, and that she was unsure of whether the information was coming across correctly. She described the video link as 'inhumane'.
- Some of the interpreters present felt that VMI 'does not implement human rights.'

#### *Procedural Issues*

- A slow introduction is required. Introductions at the beginning of a session are crucial: they will not only identify roles, positions, purpose, procedures, protocols etc. but are also necessary to check sound, image, positioning, etc. The overall quality will improve.
- Briefings (of all parties involved) before starting a VMI session are essential. Everyone will be much more at ease, and the session will develop much more smoothly.
- Preparatory materials for the interpreter would help to ensure quality.
- In the court role play, the participants were introduced twice, but the interpreter was still confused. A diagram could help.
- Legal professionals need to consider procedures.

#### *Training Implications*

- There is a need for training in legal interpreting – if 'it' can be done, 'it' can be trained.
- Interpreters need time to get used to the situation.
- Enhanced joint training and joint cooperation are required.
- People need to be made aware that they are being interpreted, so that they will take account of the interpreter.

## 7.5 Evaluation

The workshop brought up a number of highly interesting issues for the current and future practice of VMI and also for future research into VMI. Whilst the presentations in the morning set the scene and gave information on the legislative framework for legal interpreting in Europe, to put VMI in context, the role plays highlighted practical problems and the amount of preparation and guidance that is needed to optimise the working conditions for the interpreters in videoconference settings but also to optimise the outcome of the proceedings as a whole.

It was felt that the role plays gave the participants a plausible impression of what happens or may happen during VMI, including, for example, the difficulty of interacting with people at a remote site. The role plays illustrated the importance of mutual knowledge about the VC situation e.g. in order to agree on suitable seating arrangements and agreeing procedures for introductions and interaction during the VC.

The workshop also highlighted the importance of the technological parameters – both for the purposes of training situations and real-life situations. The technical problems that occurred during the workshop (background noise etc.) meant that some of the discussion time was taken up these problems rather than focusing more on the actual interpreting settings and the problems raised by VMI itself.

On the whole, however, the role plays provided ample room for testing and discussing different approaches to VMI. The presence of interpreters from several countries and with different training and backgrounds (legal interpreters and trained conference interpreters) meant that there were different views on how to approach VMI and how to resolve problems at hand. The presence of different interpreters as well as legal practitioners, representatives from different European institutions and researchers also made it possible to react immediately from different perspectives to points raised.

As a result of the extensive discussion, the participants felt that the outcomes of the discussion were beneficial not only for their own practice but for shaping the design of future VMI solutions.

## 8 Workshop for Interpreters and Legal Professionals in the UK

### 8.1 Background and Participants

<b>a) Location of workshop</b>	Centre for Translation Studies, University of Surrey, UK
<b>b) Date of workshop</b>	10 <sup>th</sup> May 2013
<b>c) Project partners involved</b>	Sabine Braun, Judith Taylor, Catherine Slater, Nick Botfield (University of Surrey)
<b>b) Number of participants</b>	3 legal professionals, 1 representative from the UK Ministry of Justice; 1 language consultant and former coordinator of interpreter deployment in the Metropolitan Police; 1 representative from the DG Justice project Building Mutual Trust 2; 2 student interpreters.
<b>a) Location of workshop</b>	Centre for Translation Studies, University of Surrey, UK

### 8.2 About the Workshop

#### 8.2.1 Introduction

The rationale for this workshop was that (a) in a multilingual society, future generations of legal professionals are increasingly likely to work in proceedings that involve speakers of other languages and to use the services of interpreters; (b) there is hardly any systematic education and training for legal professionals on how to communicate with other-language speakers and how to work effectively with an interpreter; (c) traditional methods of training (face-to-face workshops) can only reach a limited number of participants; and (d) the use of new and highly interactive information and communication technologies (ICTs) such as videoconferencing and 3D virtual environments offer ways to bridge that gap by making training and access to information about how to work with other-language speakers and interpreters more flexible.

Furthermore, ICTs will not only reach larger numbers of legal professionals and interpreters for training purposes, but will also enable them to access training and relevant information directly from their (future) habitual work environment. A second advantage of using ICTs in training contexts is that they will increase the technological literacy of those who take the training. Given that ICTs and especially videoconferencing technology are increasingly applied in legal proceedings and that their use has been promoted at European level, the acquisition of technological literacy is crucial for legal professionals and legal interpreters alike.

Against this backdrop, the aim of this workshop was to review, discuss and evaluate the role that three different types of information and communication technologies—videoconferencing environments, video-based environments and 3D virtual environments (an emerging technology with proven uses for training and simulation)—can play in training legal professionals effectively in how to communicate through interpreters. The workshop provided demonstrations of different approaches to using videoconferences, a video-based environment and a 3D environment to give information about working in multilingual settings, to conduct role play simulations and to cover other aspects of training delivery. It encouraged critical review and discussion of the approaches and elicited evaluation feedback on the different approaches from the workshop participants.

The workshop, which was whole-day, was structured as follows:

**Agenda**

0930	Registration
1000	Welcome and introductions
1015	<b>Working with an interpreter: traditional methods for delivering training</b>
	Discussion
1115	Coffee
1145	<b>Use of videoconferencing to deliver training</b>
	<b>Use of videoconferencing to teach videoconference-based interpreting</b>
	Discussion
1315	Lunch
1400	<b>Other video-based training resources: The Building Mutual Trust 2 (BMT2) Project</b>
	Discussion
1430	<b>Use of 3D virtual world technology to deliver training</b>
1530	Discussion
1600	Close

The delivery format was mixed method, including lecture-style sessions, demo videos, demonstrations, practical role play sessions and discussions. Emphasis was very much on the discussion sessions, as one of the workshop's key aims was to ascertain what the legal professionals themselves feel they need in terms of training in working in bilingual or multilingual proceedings. In this way, the workshop functioned both as a training tool and as a focus group.

The report that follows outlines the aims and learning outcomes of the workshop, the syllabus, and the main points arising in the discussion sessions.

### 8.2.2 Aims, learning outcomes and materials

The aims of the joint workshop were:

- To outline possible ways of using new technologies for delivering training to prepare legal professionals and interpreters for working in bilingual proceedings;
- To discuss the advantages and disadvantages of each method, including the traditional, face-to-face delivery style;
- To give participants the opportunity to experience the different technologies first-hand;
- To provide a discussion forum for participants to outline their training needs and their responses to the different methods;
- To bring legal professionals and interpreters together to create a mutual learning experience;
- To stimulate further discussion.

By the end of the workshops, the participants should have attained the following:

- An increased knowledge of the new technologies available;
- A greater awareness of the advantages and challenges presented by different training methods;
- A deeper understanding of how new technologies can be used to deliver training, and how these could be embedded in institutions' existing training provision;
- An increased comprehension of what delivery method or technology is best suited to address a particular training need.

In terms of the materials used to support learning, the lecture-style sessions were supplemented by PowerPoint slides and illustrative videos. The VC practical segment was based on a lawyer-client consultation, which was scripted in advance but based on a real case. In the demonstration of videoconference interpreting, one of the participants asked if he could conduct a court-style cross-examination, in order to get an impression of how this would work. This was unscripted, but the participant was able to draw upon his long experience as a barrister to make this session realistic. The VLE segment included a video of the virtual world Second Life and how this can be used to train legal practitioners and interpreters using simulated interaction, e.g. in a 3D virtual courtroom model.

### 8.2.3 Syllabus

The opening session described traditional methods of delivering training for legal professionals in working with an interpreter. This segment was designed to be a starting point for discussion. The other three parts of the workshop each introduced a different technology and training method.

#### ***Working with an interpreter: traditional methods for delivering training***

The opening unit of the workshop encouraged participants to reflect on some of the problems of multilingualism in legal contexts. The legal professionals in attendance were asked about their experiences in working with interpreters, with a view to gauging the extent to which they knew how to work effectively with an interpreter.

Following this general starting point, a potential module for delivery in the traditional, face-to-face mode, which outlined the necessary factors to taken into account when working with an interpreter, was presented. The module covered the following:

1. ***Introduction to the task of interpreting.*** A description of different types of interpreting (business, conference, community, and so on) and different modes of interpreting (consecutive, liaison, simultaneous and whispered) was provided. This segment also explained why professional interpreters should be used, and presented some legislation underpinning this: articles 5 and 6 of the European Convention on Human Rights and Directive 2010/64/EU on the right to interpretation and translation in criminal proceedings.
2. ***Preparing to work with an interpreter.*** This section included information on preparing the interpreter for an event, such as providing him/her in advance with a briefing and appropriate documents. It highlighted the fact that those running an interpreted event need to take practical aspects into account, such as the equipment required and the time required for the event. Advice on what to do when the interpreter arrives for the event was also outlined.
3. ***During the interpreter-mediated event.*** Here, guidelines for the smooth running of an interpreted event were presented. These included giving appropriate introductions, explaining the 'ground rules' for the event, and how to speak 'through' the interpreter.

The module presentation concluded by beginning to consider the issue of training, highlighting the divergence between training for interpreters, which has a long tradition, and training for legal professionals who work with interpreters, which does not.

Having presented material for traditional training delivery, the workshop moved on to consider the use of VC technology to deliver training both in working with an interpreter per se and in video-mediated interpreting.

#### ***Use of VC to deliver training; use of VC to teach videoconference-based interpreting***

The second session of the workshop began by providing a short introduction to videoconferencing and outlining some of its uses in the legal sphere. Consideration was then given to the use of VC as a tool for training and the justification for this. It was highlighted that VC has a long tradition as a means of delivering training; that it allows for blended learning; that it can be cost effective, in that it



negates the need for travel and is sustainable; and that it allows a greater number of people to participate.

The unit then described in more depth the motivations behind using video-mediated interpreting, the different configurations in which it appears – remote interpreting and videoconference interpreting (types A and B), and the uses of these different configurations. This was followed by a brief introduction to the legislation supporting the use of videoconferencing in cross-border proceedings (various European acts) and the use of remote interpreting in criminal proceedings (Directives 2010/64/EU, 2012/13/EU and 2012/29/EU).

The lecture-style part of the unit concluded by highlighting where participants could access guidance on legal VCs, including national guides, the AVIDICUS 1 and 2 Project recommendations, the guide to videoconferencing in cross-border proceedings on the European eJustice portal, and the AVIDICUS 2 Project mini guides for legal interpreters and legal professionals on working with an interpreting via VC link.

Workshop participants were then given the opportunity to experience using VC technology first-hand, either through active participation role plays, or through observing the role plays.

Participants and trainers were divided between two video-linked rooms. In the first role play – a scripted lawyer-client consultation taking place at a single site – one workshop participant took the role of an English-speaking lawyer and another played her French-speaking client. One of the interpreters interpreted between English and French. These participants had been asked to act in the role play in advance. The remaining workshop participants observed from the remote site.

In the second role play, one of the legal professionals asked if he can simulate an interpreted witness cross examination via the videoconference link, to allow him to get a ‘feel’ for this. This role play was unscripted, but the participant was able to draw upon his extensive experience as a barrister to formulate realistic questions. Carrying out the role play in this way allowed the workshop participants to experience videoconference interpreting in the ‘B’ configuration: that is, the barrister was located in the ‘court’ and video-linked to the remote site, in which the interpreter and accused were co-located.

### ***A video-based training environment: Building Mutual Trust 2 (BMT2)***

In this session, the coordinator of the Building Mutual Trust 2 Project, Brooke Townsley, presented the Project and, in particular, its training videos. The Project aims to contribute to the implementation of common standards across the European Union in legal interpreting by creating extensive training materials for legal interpreters and translators.

The videos in the BMT2 online bank of training materials were presented to the workshop participants. The videos form a story arc, following the case of a young Polish woman trafficked to Spain and then arrested for theft. Each video tackles a different point in the legal process, highlighting in particular the role of the interpreter. The videos also highlight a number of learning points for trainees and have related learning exercises, all accessible from a single, online database.

### ***Use of 3D virtual world technology to deliver training***

The final unit of the workshop introduced the use of 3D virtual environments as a means of delivering training to ‘clients’, such as legal professionals, in how to work with an interpreter, and to allow interpreting students to practise different types of interpreting.

The unit started by outlining some of the motivations behind using 3D virtual environments for delivering education and training, such as the need for students to have resources for self-study, the lack of availability of resources for clients to learn about interpreting and how to work with an interpreter, the lack of opportunities for interpreting students to interact with clients, and the importance of situation-based learning, entailing the need for role play simulation environments.

The Interpreting in Virtual Reality (IVY) environment was presented as a means of overcoming these issues. Workshop participants were introduced to the project,<sup>6</sup> which uses the 3D virtual environment Second Life to allow interpreting students and clients to practise or explore interpreting as appropriate. The project's space ('virtual island') within Second Life includes three working modes:

- The **Exploration** mode, which gives an introduction to interpreting, the settings in which interpreters work, and how to work with an interpreter. This mode targets both clients and beginner interpreting students;
- The **Interpreting Practice** mode, which is intended for interpreting students, providing them with monologues and bilingual dialogues to practise interpreting. This mode also includes exercises in which students can practise specific interpreting skills such as note taking;
- The **Live** mode, which is a space for interpreting students and clients to meet together and simulate realistic communication; for example, a lawyer-client consultation or a court hearing.

The remainder of the unit looked at each of these modes in slightly more depth. In the case of the Exploration and Live modes, videos of how they could be used were shown, to give workshop participants a clearer idea of how the IVY virtual island works.

The unit concluded by making a bridge to the current EVIVA Project, which seeks to assess how people learn in different virtual environments, including 3D virtual environments and videoconferencing environments.<sup>7</sup> It also aims to gauge whether particular types of learning exercise are better suited than others to particular virtual environments.

### 8.3 Outcomes of the Discussion

The workshop ended with a comprehensive discussion session. The following is a summary of the main points raised, both in this final session and during the discussion points throughout the day:

#### *General points about interpreting*

- There was a discussion about the different modes of interpreting and clarification was sought by one of the legal professionals on the differences between consecutive and liaison interpreting, showing that it is important to include the different modes of interpreting in the training content.
- Training in chuchotage, according to one legal participant, is lacking, although another participant stated that it is covered in interpreter training.
- It was stated that those in the legal profession are 'widely aware' of the EU Directive 2010/64/EU on the right to translation and interpreting and of the ECHR.
- The interpreter should know the *dramatis personae* in advance of interpreting in court, i.e. persons who may be referred to during the proceedings but who may not actually appear in court. The judge is briefed in advance and the interpreter should be brought into that discussion.
- However, in reality, court staff disclose only some practical information and some additional information about what the case may entail when the booking is made but there is no structure of when and how information is provided to an interpreter. If interpreters ask for information, different levels of information are provided.

<sup>6</sup> The IVY environment was developed in Project IVY – *Interpreting in Virtual Reality* with financial support from the European Lifelong Learning Programme (511862-LLP-1-2010-1-UK-KA3-KA3MP, 2011-13, coordinated by the University of Surrey).

<sup>7</sup> Project EVIVA – *Evaluating the Education of Interpreters and their Clients through Virtual Activities* is a follow-up project of IVY, with financial support from the European Lifelong Learning Programme (531140-LLP-1-2012-1-UK-KA3-KA3MP, 2013-14, coordinated by the University of Surrey).

- Interpreters should ask if a piece of information is not offered to them. It is, however, doubtful if this happens in reality. Experienced interpreters might do so, but newly qualified interpreters might not have the confidence to do so.
- There appears to be uncertainty on the part of the interpreter over whom to ask and what to ask and on the part of legal professionals over the information they should be providing – this all needs to be clarified in training.
- There may be a (perceived) tension between the interpreter's need for information versus data protection laws.
- A 'comprehensive practice instruction' on how the interpreter briefing should be managed is necessary. There is a need to clarify who should introduce the interpreter, state what his/her role is, and ask for consideration towards the interpreter (e.g. pace of speech).
- A briefing from the interpreter to the legal practitioners would also be useful.
- Joint training of legal professionals and interpreters should be the ultimate aim.
- The issue of interpreter's notes being seen by the court was discussed. There is a possible misconception about the function of interpreter's notes: these should not be seen as a factual record of what was said during the proceedings.
- Legal professionals need to know that the interpreter has experience of working in court and knows its procedures.

#### *The Advocacy Training Council (ATC) view of interpreters*

- The ATC is concerned with training of barristers in court and working with interpreters from the advocate's perspective.
- The ATC lays down guidelines for the training of lawyers in court to deal with clients and witnesses. They do not, however, cover working with clients and witnesses through an interpreter.
- Advocates do try to avoid legal language when dealing with witnesses (except perhaps expert witnesses).
- The ATC teaches advocates to speak in short sentences, whether or not an interpreter is involved.
- The accuracy/reliability of the interpretation is key. There is a concern about the 'ideas not words' aspect of interpreting given that advocates formulate their questions carefully to achieve a specific aim.
- There should be quality assurance in interpreting – this is currently lacking (in the UK).
- There is no statutory regulation of interpreters (in the UK). To join the National Register of Public Service Interpreters (NRPSI) in the UK, individuals must hold the Diploma in Public Service Interpreting (DPSI) plus a minimum of 400 hours' proven public service interpreting experience in the UK. However, interpreters are under no obligation to join the NRPSI.
- The judiciary needs to prioritise the use of NRPSI interpreters.
- A lack of investment in interpreters in civil proceedings is becoming 'increasingly problematic and urgent'. There are extra challenges involved in e.g. family law and other civil proceedings.
- It was suggested that two strands of working with an interpreter can be identified:
  - Basic accepted principles of court interpreting e.g. dos and don'ts
  - More advanced linguistic/questioning strategy training

#### *Video-mediated interpreting*

- Participants felt that videoconferencing loses the immediacy of face-to-face communication.
- Nevertheless, the general impression was that the role plays worked very well.
- With regard to training, it was pointed out that moot courts would be an effective training tool in how to work with a court interpreter and it would be straightforward to integrate a remote witness and/or a remote interpreter into this set-up.

- However, one of the legal professionals advised caution when using VC in proceedings across Europe because different jurisdictions have different court proceedings and different levels of adversarial proceedings.
- Practical complications may exist in terms of interpreters going into prisons.
- To avoid safety problems and the impression of partiality, the interpreter could be located in a third location in a video link.
- Concern was raised regarding the use of VC to access interpreters in different countries. Although this option may seem tempting for optimising access to qualified interpreters, it would be difficult to use interpreters from a different jurisdiction, since an in-depth knowledge of the legal system(s) concerned is required. This would also raise issues of security.
- Advocates need to see the interpreter: they need to see the interpreter's reactions for timing and knowing when to pose the next question.
- One participant explained that he was not interested in seeing his own image. He also stated that he suffered no loss of concentration despite the video link.
- It was felt that multiple screens in a VC could cause sensory overload. Another response to having two screens was 'disorientating, but perhaps you get used to it'.
- It is difficult to know where to address responses: to the camera, to the screen, and to whom
- There was a discussion about the different views shown to all participants and the effect the different views had on the communication and direction of communication.
- During the role play, it was noted that "fillers" e.g. 'That's fine', 'OK', were not translated by the interpreter. Advocates are trained not to use such fillers when working with an interpreter.
- The difference between an examination-in-chief and a cross-examination was demonstrated by one of the participants, a barrister, showing how this would impact on the interpretation and the communication dynamic.
- The participant acting as the interpreter commented that the short questions [of the cross-examination] were easier to interpret and thus less stressful than the 'friendlier' questions [examination-in-chief]. It was stated that advocates are currently trained to use the shorter question form, and not simply when working via an interpreter.

#### *Building Mutual Trust 2 Project*

- It was suggested that examples of bad practice to compare with the good practice should be included in the database of videos.
- It would be useful for the training videos to allow participants to see the same thing scene different perspectives; so, to see a court session from the interpreter's perspective, from the judge's perspective, and so on.

#### *Interpreting in Virtual Reality Project*

- Perhaps not surprisingly, it was felt that 3D virtual reality technology is still in its early stages. One participant, however, felt that this technology has immense potential for training.
- Although the level of realism is still relatively low in 3D environments, 'symbolic' realism may be sufficient for training purposes – at least for selected aspects of interpreter-mediated communication.
- The IVY courtroom could be populated with avatars of real court participants. Court procedure could then be acted out, allowing people to learn about how the court works.
- Graded exercises would be useful.

## **8.4 Evaluation**

With its dual aim of being a training tool for legal practitioners and legal interpreters, and functioning as a focus group to explore training needs, this workshop went beyond the original aim of providing a joint training workshop for legal practitioners and legal interpreters. It focused on exploring the role

that different types of information and communication technologies can play in the joint training of legal professionals and legal interpreters. The agenda was planned in such a way as to provide participants with general information relating to working with an interpreter first, as it was felt that this would be an important foundation for legal practitioners before a discussion of the use of technologies can take place. As anticipated, this introductory section of the workshop highlighted the information needs of legal practitioners and gave the participating interpreters and project staff an opportunity to react to these but also to gain a better understanding of the legal practitioners' needs and perspectives – and thus to promote mutual trust in the best possible way. The discussion of briefing needs and practices for example, confirmed that there is a need for developing general procedures for how and when to brief an interpreter even in traditional (face-to-face) settings of legal interpreting. By implication, this discussion made it clear that a lack of such procedures will also affect the communication in interpreter-mediated and video-mediated proceedings.

The section providing an overview of different uses of videoconferencing technology was also highly successful, in that it became clear in the discussion that the different options provided by VC technology are not common knowledge yet. The overview provided a very useful framework for the role play simulations, in that it was clear which VC configuration each of the role plays intended to simulate, enabling the participants to focus on the specific challenges and benefits of each configuration. The spontaneous simulation of a witness examination by one of the legal professionals illustrated once again the usefulness of joint training sessions where all participant groups can bring in their respective expertise to make the role plays realistic and to make sure the discussion can focus on 'real' issues.

The complementary sections on video-based and 3D virtual environments provided useful additional perspectives for the training context and showed that different technologies should possibly be combined to cover different aspects of training. Whilst a video-based learning environment, for example, may be the best way to provide introductory information and learning points by way of overview, videoconference and 3D environments are good tools for supporting simulation-based learning and enabling trainees to gain hands-on practice. It was felt that further exploration of how different technologies could be combined in the joint training of legal professionals and interpreters in a 'blended learning' approach would be an extremely useful task for future research.

## Conclusions

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### ***Achieving the aims of the training***

The initial workshops (Activity 1) were based on the training modules developed and piloted in AVIDICUS 1. The project partnership was able to build on the network of contacts, co-operations and trust created in AVIDICUS 1 to advertise the workshops, which provided the participant numbers anticipated in the original workplan. Likewise, the joint workshops were advertised using the AVIDICUS network of interested parties and enabled the consortium to organise two successful joint training workshops as planned. The overall very positive feedback on all workshops suggests that the events helped the participants in increasing their knowledge of video-mediated interpreting and that the practice opportunities provided (role plays) were useful for demonstrating the issues at hand and stimulating discussion. The joint workshops (Activity 4) followed a similar pattern. The feedback from these workshops suggests that they were perceived to be particularly helpful for increasing mutual knowledge and understanding of the 'other side's' needs. Moreover, the presence of participants from several countries at most workshops was useful in forming a unified view on video-mediated interpreting in legal proceedings developing a European judicial culture in which compatible approaches are taken to this method of interpreting.

The constructivist approach to learning and teaching which was adopted in all workshops and which focused on a mix of short overview presentations (to provide stimuli) with role play simulations (as a form of discovery learning) and critical reflection upon the role play practice (to encourage knowledge construction) proved fruitful for stimulating the comprehensive discussion sessions at the end of each workshop and for supporting participants in building their own knowledge and deriving their own conclusions.

Many workshop participants felt that the role play simulations were the most effective part of the workshops. The role plays gave the participants a plausible impression of what happens or may happen during VMI, including, for example, the difficulty of interacting with people at a remote site. The role plays illustrated the importance of mutual knowledge about the VC situation e.g. in order to agree on suitable seating arrangements and procedures for introductions and interaction during the VC. However, the AVIDICUS 2 partners also stressed the importance of providing a framework, especially information on the legislative framework and basis for videoconference communication and videoconference-based in legal proceedings, and the importance of systematising the increasingly complex domain of videoconference-based interpreting (i.e. providing an overview of the different types) before engaging in role play situations and discussion.

### ***Issues arising during the workshops***

The problems identified by the workshop participants, as summarised in the individual sections of this report, largely mirror the findings of the AVIDICUS 1 studies. Although some interpreters were of the opinion that an interpreter's performance during videoconferences is very much dependent upon his/her personal like or dislike for new challenges and that some interpreters would be likely to feel under greater pressure when they work in video links than others, there was a range of recurrent themes that arose and were discussed in all workshops.

One of those themes concerns the *spacial organisation in videoconference settings*. Many participants felt estranged by the remoteness, the lack of eye contact, the difficulties with positioning and seating arrangements. This confirms the need for training that offers opportunities for reflection and discussion but also the need for familiarisation. At the same time the problems raised in regard to the spacial organisation of videoconferences are indicative of the need for more viable design solutions for videoconferencing systems, i.e. solutions that take into account the specific requirements of legal communication and those of interpreter-mediated communication.

Another recurring theme concerned *procedural issues and their potential association with interaction problems in the videoconference*. Many of the participants highlighted the need for procedures to handle the introduction of the interpreter and to intervene e.g. for clarification purposes. They believed that clear and agreed procedures would help avoid a range of turn-taking and coordination problems.

A further recurrent theme was the issue of *briefing the interpreter*. In this respect, many of the participating interpreters emphasised that this is an area which needs much more attention even in traditional legal interpreting. With regard to VMI, it was felt that the logistics of providing the briefing is the most important point, but the discussion was often overshadowed by the general lack of briefing that interpreters who work in legal settings regularly experience.

In some workshops, the issue of the *mode of interpreting* was discussed. Depending on their background and training, some interpreters raised the question of whether the videoconference technology should be used to provide more simultaneous interpreting in legal proceedings rather than working in consecutive mode only. The use of simultaneous interpreting in videoconference-based proceedings certainly needs to be addressed with an open mind but it requires further research regarding its feasibility and viability (see also AVIDICUS 2 Research Report).

Yet another point that was discussed was the possibility of using *three-way videoconferences* for situations in which the primary participants are distributed, e.g. for video links between a court and a prison or between a court and a witness in another country. In such settings the interpreter is at present normally located at one of the two sides, but this leads to safety problems and may give the impression of partiality. To avoid this, the interpreter could be located at a third videoconference site.

Finally concerns were frequently raised regarding the use of videoconference technology to *access interpreters who are not in the jurisdiction or country in which the proceedings take place*. Although this option can potentially optimise access to qualified legal interpreters, a number of workshop participants pointed out that it would be difficult to use interpreters from a different jurisdiction, since an in-depth knowledge of the relevant legal system(s) and local knowledge are required.

### ***Efficiency of the training***

Although the participants who did take part in the workshops provided very positive feedback, as pointed out above, one of the general observations in relation to the traditional workshop format is that the delivery in this format is resource-intensive and limited in terms of participant numbers. In a one-day workshop involving 15 to 20 participants, it is difficult to allow every participant to take part in the hands-on session. The comments made by participants in this respect essentially point to the lack of efficiency of traditional face-to-face training.

Although the AVIDICUS presentations at the TRAFUT workshops go to show that the training content developed in AVIDICUS can in principle be delivered in different formats – ranging from smaller workshops to overview presentations for large audiences – the face-to-face delivery raises questions of efficiency.

One way of optimising the time for participation and discussion in the face-to-face workshops is certainly to take care that participants remain focussed on the videoconference-specific problems. However, they are often difficult to disentangle from general interpreting problems, and the fact that legal interpreting in itself still raises a number of questions make this even more difficult. Another crucial premise for optimising the efficiency of the traditional workshop format is good technological preparation and the use of a set-up and audiovisual environment that mirrors real-life videoconferencing requirements. The occurrence of technical problems during a workshop normally meant that some of the discussion time was taken up by these problems.

Despite such options for improving the efficiency of individual workshops, however, the general lack of efficiency of traditional training is compounded by the high demand for training in video-mediated

interpreting and by the fact that face-to-face training sessions will often only be able to cover a relatively small local area. A move to more innovative training methods is one of the requirements that emerge from all of the training sessions conducted in AVIDICUS 2.

As the final joint workshop demonstrated, it is possible to develop alternative delivery methods for the AVIDICUS training content by exploring opportunities for the use of videoconferencing technology itself to deliver the training and/or by considering other types of information and communication technologies.

### ***New horizons for delivering the training***

In the light of the outcomes regarding the efficiency of the delivery of the training, the final workshop, which was designed as a joint workshop for legal practitioners and interpreters, had a slightly different focus. The workshop focused on exploring the possibilities that a range of information and communication technologies can provide in supporting joint training. The rationale for this was not only the limited efficiency of traditional training in terms of the number of participants that can be reached, but also the experienced difficulty in engaging legal practitioners in traditional (face-to-face) training related to working with interpreters. Information and communication technologies have been used successfully in many areas of education and training, and the workshop thus set out to explore reactions to their use in training legal professionals (a) in how to work with an interpreter and (b) in how to work in situations where videoconferencing and interpreting are combined. The technologies and training environments considered in this workshop included videoconferencing technology, a 3D virtual environment and the video-based training resources developed in the Building Mutual Trust 2 Project (see below).

Moreover, as a first step towards a more flexible delivery, a model training module, consisting of a series of PowerPoint slides, handouts, tasks and exercises was compiled as a result of the joint workshops, and was made available online. The material is appended to this report.

### ***Cooperation with other projects***

One of the aspects that helped broaden the horizon for the development of training materials and reflecting upon methods for delivering the training was the cooperation with other projects in the Criminal Justice programme, i.e. the Building Mutual Trust 2 (BMT2) Project, which focused on the creation of a series of video-based training resources for legal practitioners in how to work with interpreters, and Project DUTT - Developing the Use of Technical Tools in Cross-border Resettlement, which focused on the use of videoconferencing as a tool to support communication needs arising in the transfer of sentences between European Member States. As explained above, the cooperation with the BMTs Project fed into the reflection upon the use of different delivery methods for the training – ranging from traditional face-to-face delivery in workshops to delivery via videoconference itself, the use of video-based resources such as those developed in BMT2 and the use of 3D virtual environments. The cooperation with DUTT highlighted the need to include additional configurations of video-mediated interpreting into the training modules to increase their breadth and coverage.



## References

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