

Assessment of Video-Mediated Interpreting in the Criminal Justice System

AVIDICUS 2

Action 2 RESEARCH REPORT

Main author: Sabine Braun, University of Surrey

Contributors:

Sabine Braun and Judith Taylor, University of Surrey

Joanna Miler-Cassino and Zofia Rybińska, TEPIŚ

Katalin Balogh, Erik Hertog, Yolanda vanden Bosch, Lessius Hogeschool

Dirk Rombouts, Antwerp Police (retired)

Christian Licoppe & Maud Verdier, Institut Télécom



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Introduction

Preface

Criminal justice services are increasingly turning to videoconference technology as a means of increasing efficiency in both national and cross-border proceedings. Video links exist between courts, police stations and prisons, and are used at different stages of proceedings. Given the current scale of migration and multilingualism in Europe, this development also concerns bilingual and multilingual proceedings, meaning that there is a **need to integrate qualified legal interpreters into videoconference-based proceedings**. This trend is being reinforced by the recent European Directives 2012/13/EU on the right to information and 2010/64/EU on the right to interpretation and translation in criminal proceedings, and Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, all of which will increase the demand for qualified legal interpreters in Europe in many language combinations.

At the same time, the current economic situation puts pressure on those responsible for interpreter deployment and poses a threat to achieving maintaining the quality standards for interpreting set out in Directive 2010/64/EU. An efficient solution for integrating qualified legal interpreters into legal proceedings is therefore crucial to ensuring judicial efficiency and strengthening the rights of EU citizens. The multi-annual European e-Justice Action Plan (2008-2013) considers videoconferencing as being of particular importance for increasing the efficiency and effectiveness of justice. Like two of the Directives mentioned above, it makes explicit reference to **a secondary use of videoconferencing in legal proceedings, i.e. its use to gain access to a qualified legal interpreter**.

The two developments described above have given rise to different situations in which legal interpreters in Europe work in a videoconference setting. To use the full potential of videoconference technology in bilingual proceedings that require an interpreter, it will, however, be necessary to ensure that the outcomes of the proceedings are not adversely affected by the combined use of videoconference technology and interpreters. Research conducted to date shows that all forms of interpreting which lead to a separation of the interpreter from some or all participants pose potential difficulties. Research also suggests that whilst basic practical problems may be resolved quickly through initial training and through increased exposure to videoconferencing, the combined complexities of technological mediation (through videoconference) and linguistic-cultural mediation (through an interpreter) may create deeper-rooted behavioural and communication problems which may change the dynamic of legal communication.

As a follow-up to the AVIDICUS 1 Project, AVIDICUS 2 sought to expand the initial research into videoconference-based interpreting that was conducted in the earlier project with the broad aim of enhancing and refining the initial insights into:

- how the combination of videoconferencing and interpreting affects the specific goals of legal communication;
- how problems arising can be overcome or mitigated;
- the role that system design, training and familiarisation can play in this process;
- the guidance that users need to optimise videoconference-based and interpreter-mediated communication in legal proceedings.

This report will first provide the context in which this research took place and describe the specific research objectives. It will then report the main results and outline the conclusions to be drawn.

Context: from AVIDICUS 1 to AVIDICUS 2

Criminal justice institutions in Europe require interpreters working in well over 100 languages every day. Legal interpreters are an essential part of the justice system, and their efficient integration into legal proceedings is crucial to ensuring quality, fairness and efficiency of justice. One of the key questions is whether information and communication technologies, especially videoconference technology, which is now widely used in legal proceedings, can assist in the process of integrating interpreters into legal proceedings or whether its use is more likely to prevent interpreters from delivering high-quality interpreting services.

The research conducted in AVIDICUS in this respect started in 2008 in response to the observation that videoconference links were widely used in legal proceedings and that police forces, courts, probation and prison services in the UK and elsewhere began to consider the use of interpreters in such video links.

On the one hand, by 2008, there were a number of European legal instruments that referred to the use of videoconferencing in legal proceedings, especially in cross-border situations (e.g. Convention on Mutual Assistance in Criminal Matters, Council Regulation on cooperation between Member States in the taking of evidence in civil and commercial matters, Directive 2008/52/EC on mediation). The increasing use of videoconferencing to facilitate communication e.g. between a court and a party to the proceedings (e.g. hearing of a remote witness) has meant that interpreters have been increasingly required to work in video links. In the UK, for example, the first pilot of 'virtual courts' in 2007 (courts with video links to police stations for first hearings) excluded cases requiring interpreters, whilst the second pilot (2009) included such cases. Similar trends can be identified all over Europe (Braun & Taylor 2012b).

On the other hand, access to qualified legal interpreters had become a major concern by 2008, especially in connection with the Procedural Rights Roadmap and the measures to support victims of a crime. Directives 2010/64/EU and 2012/29/EU explicitly refer to the use of VC as a means of gaining access to a qualified legal interpreter. As one of the first systematic examples of this in Europe, the London Metropolitan Police Service began to consider the use of 'remote interpreting' in police interviews in 2008, with the aim of saving on interpreter travel costs, which constituted approximately one third of police forces' interpreting costs. In 2011, the remote interpreting project of the Metropolitan Police Service went live.

Furthermore, current problems with the outsourcing of court interpreting services and recent cuts to legal aid in several European Member States have made the search for cost-efficient and viable solutions to deliver legal interpreting an urgent priority.

Until 2008, very little was known about the viability and quality of videoconference-based interpreting. There was a high risk of potential miscarriages of justice through the combined effects of videoconferencing and interpreting. Relevant training for legal practitioners and interpreters was non-existent. There was thus an urgent need for research and practical guidance.

Addressing these issues, the AVIDICUS 1 Project conducted the first ever surveys among legal interpreters and judicial institutions in Europe to elicit interpreter experience with videoconference-based interpreting and institutional plans to use it (Braun & Taylor 2012c). This enabled the project partnership to identify the most pressing problems and the most likely future occurrences of videoconference-based interpreting. The AVIDICUS 1 partner consortium then conducted a series of experimental studies to compare the interpreting quality (e.g. accuracy) achieved with traditional

methods of interpreting and in different configurations of remote interpreting. Based on these findings, the project developed initial guidelines for video interpreting in criminal proceedings, and designed and piloted training modules for interpreters and legal practitioners.

The training module for legal interpreters was then customised for the Metropolitan Police and delivered to over 350 police-certified interpreters (see also Braun *et al.* 2012). The guidelines were adopted by the European Council Working Party e-Law (eJustice) in 2012 and subsequently incorporated into the European Council's guide on videoconferencing and made available on the European e-Justice Portal (<https://e-justice.europa.eu>).

The comparative studies conducted in AVIDICUS 1 indicated that (1) all forms of videoconference-based interpreting are challenging; (2) basic problems may be resolved through training and familiarisation, and adaptive strategies may arise from this; but (3) the use of videoconferencing in combination with interpreting may lead to changes in the participants' interactional behaviour, and their potential impact on the specific goals of legal communication needs to be further investigated. This gave rise to a number of specific research objectives for AVIDICUS 2 (Braun & Taylor 2012a). Research aim and objectives of AVIDICUS 2

The concept for AVIDICUS 2 was developed in line with the European e-Justice initiative, in which the use of videoconferencing remains an important priority. In its specifics, AVIDICUS 2 built on the findings generated in the AVIDICUS 1 project, which highlighted the need for studying the longer-term effects of videoconference-based interpreting, including adaptive strategies as well as more deeply-embedded behavioural and communication difficulties.

The specific research aim of AVIDICUS 2 was thus to improve current insights into video-mediated interpreting and to identify problems as well as best practice through an examination of several behavioural and communicative aspects of videoconference-based interpreter-mediated criminal proceedings. The project focused on:

- investigating the impact of training/familiarisation, experience and the quality of the technology on the interpreting quality;
- investigating the communicative behaviour of interpreters and legal practitioners who have received initial training and/or have repeatedly participated in situations of video-mediated interpreting;
- identifying instances of adaptive behaviour (strategies) as well as communication problems that prevail after a period of initial training and familiarization and regardless of the quality of the technology;
- analysing and assessing the communicative dynamic of videoconference-based and interpreter-mediated criminal proceedings as a whole.

The studies reported in this document

The aims and objectives of AVIDICUS 2 led to the design of seven inter-related studies, which will be reported in this document in three sections:

1. Comparison of interpreting quality

Two comparative studies were conducted to test factors that may have an impact on the interpreting quality in video-mediated interpreting. One of these studies was an in-depth quantitative investigation of the impact of training/familiarisation, experience and quality of VC equipment on 'remote interpreting' (RI), i.e. the method of interpreting whereby the interpreter is in a centralised hub, separated from the main parties, who are together onsite. The second comparative study

examined the impact of training/familiarisation and experience on ‘remote interpreting’ (RI) as well as ‘videoconference interpreting’ (VCI), i.e. the setting in which the main participants are separated (e.g. in a court and a prison) and where the interpreter is either in the main site (‘Videoconference interpreting A’ – VCI/A) or co-located with the other-language speaker (‘Videoconference interpreting B’ – VCI/B). Both studies involved simulations of police interviews, using data from AVIDICUS 1 and collecting new data to derive comparable sets.

2. *Adaptive behaviour*

Two further studies were designed to provide a qualitative analysis of the interpreters’ adaptive behaviour in VCI, i.e. to capture the strategies that interpreters used in the VCI settings to cope with the situation and to resolve or pre-empt problems. One of the main aims in these studies was to establish whether the initial training that the interpreters had received between the collection of the data in AVIDICUS 1 and 2 led to improved adaptive behaviour. A further aim was to identify strategies that can be integrated into further training. The studies drew on data collected in simulations of police and prosecution interviews collected in AVIDICUS 1 and 2.

3. *Communicative dynamic*

Three studies focused on exploring the communicative dynamic in videoconference-based and interpreter-mediated proceedings with the aim of ascertaining the impact of VC communication, different configurations of participant distribution and interpreter mediation on the interaction between the participants and their mutual understanding. One pilot study used the data gathered from the simulations of police interviews in AVIDICUS 2 to explore the question of whether the combination of videoconferencing and interpreting has an impact on the interview techniques used by the police. The second study is a field study observing real-life video-mediated and interpreter-mediated court proceedings in two French courts to explore the impact of videoconferencing on the spatial organisation of the courtroom, on the communicative dynamic and the impact of this on the interpreters’ work. The third study piloted the use of interpreter-mediated VCs in cross-border resettlement communication aimed at preparing the transfer of custodial and non-custodial sentences within the EU.

Data material

The material used in these studies includes data from **70 role play simulations** (police, prosecution, prison, probation) involving *Dutch, English, French, German, Hungarian, Latvian and Polish*, and additional **data from real-life recordings** (in court) involving *French paired with Romanian, Albanian and Arabic*.

It covers all the **main configurations of video-mediated interpreting** identified in AVIDICUS 1 (videoconference interpreting VCI/A, VCI/B and remote interpreting).

It includes the **main settings of criminal justice** – police, prosecution and open court as well as prison and probation settings.

Section 1:

Comparison of interpreting quality

1 Comparing traditional and remote interpreting: quality and impact factors

1.1 Background and aims

The AVIDICUS 2 Project conducted two comparative studies. Their broad aim was to continue investigating the quality and viability of video-mediated interpreting (VCI) in different types of criminal proceedings which was begun in AVIDICUS 1. As in AVIDICUS 1, the first of the two studies, which is reported in this chapter, was devoted to the comparison of traditional interpreting with 'remote interpreting' (RI), i.e. the method of interpreting whereby interpreters are linked to the proceedings from a distant location (e.g. a central hub), with the result that they are physically separated from all primary participants. The second study, which will be reported in Chapter 2, presents a comparison of traditional interpreting with all types of VCI.

The reason for continuing to research RI in a separate study was twofold. The immediate reason was methodological, as the aim of AVIDICUS 2 was to investigate the impact of familiarisation, training, quality of equipment and set-up on the viability of VCI. This required data sets that are comparable to those generated in AVIDICUS 1. The reason was that the possibility of using RI is now explicitly incorporated in Directive 2010/64/EU, which states that "[w]here appropriate, communication technology such as videoconferencing [...] may be used" to provide interpreting services (Art. 2.6).

Whilst the main question of the AVIDICUS 1 studies was to explore, for the first time, whether and under which circumstances VCI is reliable enough to ensure the fairness of criminal proceedings, the follow-up studies in AVIDICUS 2 sought to refine the initial findings by studying the impact of prior experience with VCI, training, the quality of the equipment used and the set-up on the interpreting quality.

1.2 Method

To achieve the above aim, the experimental study of AVIDICUS 1 was repeated using the same basic parameters but with modified variables for some of these.

Thus, the AVIDICUS 1 and 2 studies of RI each involved eight legal interpreters (French/English), and an effort was made to recruit the same interpreters who took part in the original AVIDICUS 1 study in the AVIDICUS 2 tests. Six of the interpreters were available. The other two were replaced by two interpreters with a similar profile. All interpreters were professional legal interpreters with a minimum of five years' experience working for police services. Between the AVIDICUS 1 tests (December 2009) and the AVIDICUS 2 tests (May 2012), all eight interpreters had taken part in at least one of the AVIDICUS training workshops, and had worked in several video links, e.g. by working in one of the RI hubs of the Metropolitan Police Service in London.

The other participants were police officers (English native speakers) or, in few cases where police officers were not available, role players trained to act from scripts. The role of the suspect was shared by several role players who were French native speakers. All role players had received basic instructions (e.g. not to read out the script but to keep close to it to ensure comparability of the sessions).

As in AVIDICUS 1, the situation was interpreting in police interviews, and the materials (interview scenarios and scripts) and working conditions (e.g. duration of the sessions) were similar. The sessions involved four similar suspect interviews (two in AVIDICUS 1 and two in AVIDICUS 2), relating

to fraud, deception, common assault and grievous bodily harm respectively. All four interviews had a similar structure (see below) and were designed to last approx. 30 minutes, but the actual length of each session was determined by the time it took to complete the interview. Two types of equipment were used: an Access Grid based VC system and a Polycom 7000 VC system. The latter provided better quality.

As in AVIDICUS 1, each of the interpreters participating in AVIDICUS 2 interpreted in two interviews, each presenting an instance of two-way consecutive interpretation between police officer (English-speaking) and suspect (French-speaking). However, whilst in AVIDICUS 1, one session was conducted using onsite interpreting and the other using remote interpreting (with the older Access Grid equipment), the two sessions in AVIDICUS 2 both involved remote interpreting, using the two types of equipment and set-up. This led to four comparable sets of data as shown in the table below, all based on simulations.

Table 1: data sets for the comparative study

Project	Description of data set	Reference
AVIDICUS 1	Traditional face-to-face interpreting	FTF
AVIDICUS 1	Remote interpreting with the older equipment	RI 1
AVIDICUS 2	Remote interpreting again with the older equipment but after the participating interpreters had received training and gained additional experience.	RI 1b
AVIDICUS 2	Remote interpreting, using improved equipment and set-up (2 screens), in addition to the interpreters having received training and gained experience	RI 2

The differences in the VC set-ups were twofold. In the tests using the older Access Grid system (RI 1 and RI 1b), all participants saw 4 images, as shown in Figure 1 (overview of interview room, close-ups of police officer and suspect, interpreter). There was one screen in the interview room, which was perpendicular to the officer and suspect, who faced each other. In the test using the Polycom system (RI 2), all participants saw one large image of the opposite side, and a small picture-in-picture showing their own image. In the interview room, there were two screens, behind the officer and the suspect respectively. They were set slightly off to one side so that the officer and the suspect were able to look at each other and at interpreter at the same time. This was to prevent the officer and the suspect from having to turn their heads towards the screen, which had happened frequently in AVIDICUS 1 and had led to a number of problems.

Figure 1: Set-up in RI 1 and RI 1b using the Access Grid system (left) and RI 2, using the Polycom system (right)



As in AVIDICUS 1, all sessions were video recorded and subsequently transcribed as a basis for the analysis. The data were then coded using the same scheme as in AVIDICUS 1. This scheme had been derived by combining relevant theoretical frameworks relating to genres of communication, the specifics of legal interpreting and interaction in dialogue interpreting, as well as interpreting quality (Braun & Taylor 2012d and Braun 2013). Police interviews were regarded as a specific genre of

communication. As a first step, the interviews were divided into ‘moves’ that are characteristic for this genre (1. Introduction – 2. Caution – 3. Preliminary Enquiries – 4. Suspect’s version – 5. Police Officer’s in-depth questions – 6. Conclusion) to relate problems to the immediate context in which they occur. Then, the interpreting performance was analysed and coded using language-based categories for analysing interpreting performance (e.g., omissions, additions, inaccuracies, lexical/terminological problems, turn-taking problems) and, where relevant, non-verbal/visual categories (e.g. problems with gaze, being out of shot). Based on the coding, which was conducted by two researchers, a quantitative analysis was carried out, comparing all four data sets. Additional qualitative analyses were conducted for selected aspects. The next section will report the main quantitative findings. Ch. 3 provides examples of the complementary qualitative analyses.

1.3 Main findings

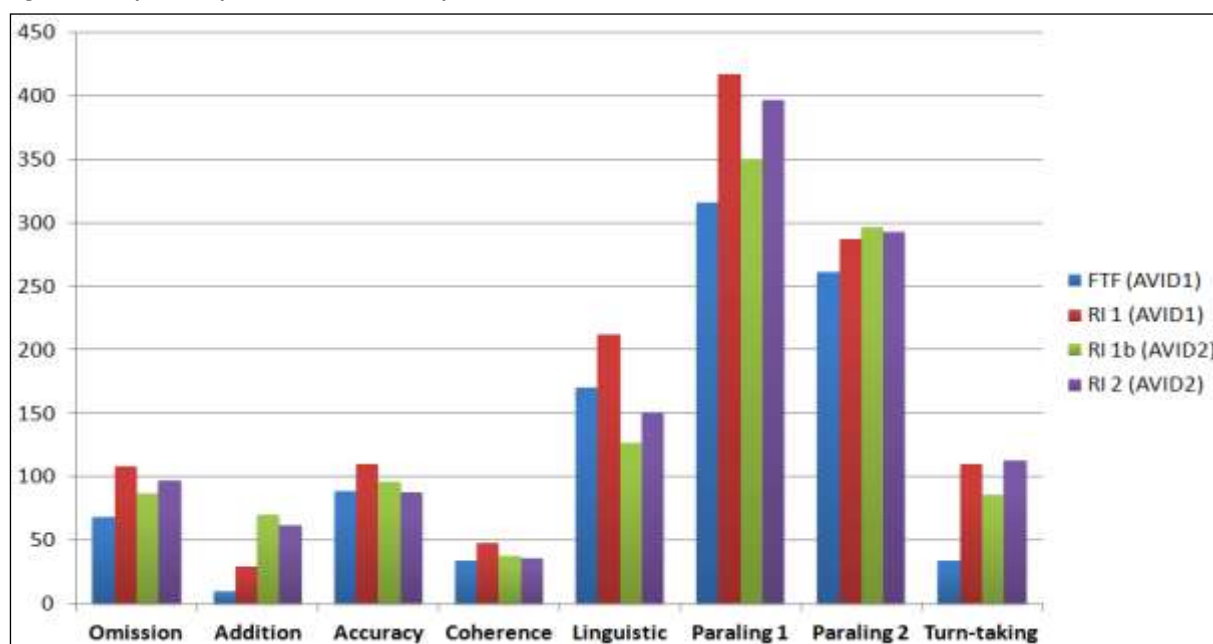
1.3.1 Overview

The data corpus comprised 32 interview sessions. In line with the aims of this study, focus was on comparing absolute frequencies of the problems identified in each of the four data sets. Table 2 below shows the total frequencies and the average frequencies per VC session for each of the main problems categories in each of the four data sets.

Table 2: Overview of quantitative results

	FTF (AVIDICUS 1)		RI 1 (AVIDICUS 1)		RI 1b (AVIDICUS 2)		RI 2 (AVIDICUS 2)		FTF / RI 1	FTF / RI 1b	FTF / RI 2
	Total	Ø per session	Total	Ø per session	Total	Ø per session	Total	Ø per session			
Omissions	68	8.5	108	13.5	87	10.9	97	12.1	159%	128%	143%
Additions	10	1.3	29	3.6	70	8.8	62	7.8	290%	700%	620%
Inaccuracies	89	11.1	110	13.8	96	12.0	88	11.0	124%	108%	99%
Coherence	34	4.3	48	6.0	38	4.8	36	4.5	141%	112%	106%
Linguistic problems	170	21.3	212	26.5	127	15.9	151	18.9	125%	75%	89%
Paralinguistic problems 1	316	39.5	417	52.1	350	43.8	396	49.5	132%	111%	125%
Paralinguistic problems 2	261	32.6	287	35.9	296	37.0	293	36.6	110%	113%	112%
Turn-taking	34	4.3	110	13.8	86	10.8	113	14.1	324%	253%	332%

The first point to note is that the data obtained in AVIDICUS 2, i.e. R1b (old equipment and setup, but training and experience) and R2 (new equipment and setup in addition to training and experience), show a tendency to behave more like the data from face-to-face interpreting (FTF) than in the original data set RI 1. The number of inaccuracies, for example, is highest in RI (110), while RI 1b and R2 (96 and 88 respectively) approach the level of FTF (88). This general tendency can also be seen in Figure 2 below, which provides a graphical representation of the total numbers of problems shown in Table 2.

Figure 2: Graphical representation of main quantitative results

The following subsections will briefly discuss the main groups of problems, i.e. content-related problems (omissions, additions, inaccuracies and coherence problems) as well as linguistic, paralinguistic and turn-taking problems.

1.3.2 Content-related problems

As far as content-related problems are concerned, face-to-face interpreting was distinct from all three conditions of remote interpreting. The mean score for the number of content-related problems in FTF was significantly lower than the mean scores for all three conditions of RI ($p = .05$ or $.1$), whilst differences between the individual RI conditions were not significant, as shown in Table 3.¹ However, although the total number of content-related problems is similar across the three RI conditions, the two RI data sets from AVIDICUS 2 exhibit an increase in additions while the number of omissions, inaccuracies and coherence problems is reduced. Given the crucial importance of accuracy and completeness in legal interpreting, this is a positive trend. An analysis of the additions shows that these were generally unnecessary in the context in which they occurred, but they may be a sign of an increase in the interpreters' confidence or they have strategic value, representing attempts by the interpreters to overcome the (perceived and real) distance by increasing their rapport with the interlocutors (see also Ch. 3).

Table 3: Content-related problems (* indicates significant difference)

	FTF	RI 1	RI 1b	RI 2
	201	295	291	283
FTF		*	*	*
RI 1	*			
RI 1b	*			
RI 2	*			

¹ The significance was calculated using both Student's *t*-test for paired samples (a parametric test, i.e. a test assuming normal distribution) and the Wilcoxon signed-rank test (a non-parametric test, i.e. one that does not assume normal distribution), and the Nemenyi test for pairwise comparison of multiple sample. The differences in the results of all tests are negligible.

A less positive trend in the data is that the number of major inaccuracies (e.g. logical distortions) remained high in the two new RI data sets. There were 40 instances in RI b and 33 in RI2, compared with 19 in FTF and 38 in RI 1. This means that even in the RI 2 set, the average per interview (4.1) is still nearly twice as high as that of FTF (2.4).

1.3.3 Linguistic problems

The category of linguistic problems includes problems with lexis and terminology, idiomaticity, style and grammar and instances of language mixing. In the RI 1 data set the number of linguistic problems is significantly higher than the numbers in the other three conditions ($p = .05$ or $.1$). This means that RI 1b and RI2 are more similar to FTF than to RI 1.

Table 4: Linguistic problems (* indicates significant difference)

	FTF	RI 1	RI 1b	RI 2
	170	212	127	151
FTF		*		
RI 1	*		*	*
RI 1b		*		
RI 2		*		

Given the work experience of the participating interpreters, it can be assumed that the improvement in R1b and R2 compared with R1 does not stem from an increase in their linguistic *competence* (i.e. the interpreters' knowledge of words, terms and phrases) over the last three years, but that is the result of an improved interpreting *performance*, i.e. a better ability to apply their knowledge during the VC-based interviews. An interpreter's performance normally depends on their competence as well as on a number of environmental factors which shape the interpreting situation and impact on the availability of cognitive resources for the interpreting task. The improvement in the category of linguistic problems in RI 1b and RI 2 may suggest that training, familiarisation and better technology enabled the interpreters to devote more of their cognitive resources to the actual interpreting task and, as a consequence, to improve the quality of their performance. This assumption is further supported by the analysis of paralinguistic features, which will be reported in Section 1.3.4 below.

It should be noted, however, that there was no significant difference between R1b and R2, which differ only in the use of older vs. newer equipment. Although the interpreting sessions in the RI2 setting may have been influenced by the occasional noise in the interpreter's room during R2, leading to some distractions, the likeliest explanation for the similarity of RI1b and RI2 is that no one variable (i.e. quality of equipment) alone is able to improve the working conditions and the interpreting quality sufficiently and that only the combination of high-quality equipment and training will yield significantly better results.

1.3.4 Paralinguistic problems

Paralinguistic features such as hesitation, repetition, articulation, 'false starts' at the beginning of a turn and self-corrections in an interpreter's speech are often indicators for other underlying interpreting problems, especially for problems with understanding and grasping the message or problems formulating the message in the target language, e.g. due to problems with finding (retrieving from memory) appropriate target text expressions. In other words, paralinguistic problems are indicative of performance problems. In AVIDICUS 1, the number of paralinguistic problems was found to be significantly higher in RI (RI 1 data set) than in FTF ($p = .05$ or $.1$). The level of problems in the RI tests conducted in AVIDICUS 2 was similar to that of RI 1. Generally speaking, the number of paralinguistic problems was high in all three RI conditions. This suggests that the

cognitive effort in RI is high irrespective of the specific variables (here training and/or quality of equipment). Given the findings in relation to the linguistic problems above, however, it seems that the effort is more successful in RI 1b and RI 2 than in RI 1. In other words, the interpreting process in RI seems to require more effort than in FTF, but in the RI sessions that were conducted in AVIDICUS 2, the effort yielded better results in terms of linguistic performance (using appropriate terms and phrases).

1.3.5 Turn-taking problems

The main turn-taking problem in all conditions is overlapping speech of the interpreter and one of the participants, i.e. overlap between two speakers in different locations. In FTF, the number of such problems was generally low (34 in total), with only 4.2 per interview. All RI conditions exhibit more turn-taking issues than FTF, although the difference between RI 1b and FTF fails to reach significance (at either $p = .05$ or $.1$).

Table 5: Turn-taking problems (* indicates significant difference)

	FTF	RI 1	RI 1b	RI 2
	34	110	86	113
FTF		*		*
RI 1	*			
RI 1b				
RI 2	*			

Two noteworthy points are the distribution and the consequences of turn-taking issues across the three RI conditions. Compared to RI 1 in AVIDICUS 1, where turn-taking problems normally led to disruption and had knock-on effects (e.g. omissions), there were not only fewer problems in RI 1b, which used the same VC system as RI 1 (although the difference is not significant at either $p = .05$ or $.1$), but the problems also had fewer consequences. This suggests that the interpreters were able to adapt to the videoconference situation in RI 1b. In R2, however, the number of issues reached the same level as in RI 1 but they hardly had any consequences, because the VC system used in R2 coped better with overlapping speech. It is therefore possible that the interpreters working in the R2 condition reverted to using overlapping speech strategically (as they do in FTF), to obtain the right to speak.

1.4 Conclusions

The quantitative results create a complex picture, which makes it difficult to identify a clear tendency of improvement in the AVIDICUS 2 data sets. Performance improvement can be observed in some areas, and there are also signs for a reduced and/or more successful processing effort, suggesting that RI was a less stressful experience in the AVIDICUS 2 sessions, when compared with AVIDICUS 1. This was corroborated by the interpreters' comments both in AVIDICUS 1 and 2. There are also indicators for improved confidence in approaching the task of remote interpreting. However, many of the problems identified in AVIDICUS 1 prevailed in the AVIDICUS 2 data sets suggesting that interpreting problems are still magnified by the videoconference condition despite the initial training, additional experience and the use of better equipment.

One of the questions arising from this concerns the effectiveness of short-term training. Whilst short courses seem to be the only viable way for bringing practising interpreters up to speed with the basics of VC-based interpreting, the integration of training in VC interpreting into interpreter education is likely to yield greater long-term benefits for future interpreters and their adaptability to

VC situations. Training in VC-based interpreting should therefore be addressed in interpreter education programmes across Europe.

Another question concerns the impact of the 'on-demand' culture with regard to interpreting services on interpreting quality. Without dismissing the potential benefits of VC-based interpreting, e.g. to gain timely access to a qualified legal interpreter, the findings make it clear that the quality of interpreting that can be achieved with this method of interpreting will only be viable if working conditions for interpreters in VC situations are further improved. Equally important, the quality of interpreting depends on the quality of the interpreter. Given the current situation in Europe, where there is still insufficient provision of training and education in legal interpreting and where current trends of outsourcing as a way of cost-saving have led to a decline in the interpreters' overall working conditions, there is a high risk that qualified interpreters who are able to cope with the challenges of VC-based interpreting are not available in sufficient numbers, because they are able to find more attractive interpreting jobs in other segments of the interpreting market. It is therefore necessary to consider not only the impact of VC-based interpreting on the interpreters' working conditions, but also the impact of the current working condition of legal interpreters in Europe on the quality and viability of VC-based interpreting.

2 The impact of training on the quality of videoconference and remote interpreting

2.1 Background and aims

The aims of the AVIDICUS 2 project were born out of observations made in AVIDICUS 1 in relation to interpreting in videoconferences (VCI) and remote interpreting (RI) in role plays that simulated criminal proceedings. Despite the difficulties that the participating interpreters encountered in the AVIDICUS 1 simulations, these simulations also seemed to present a case of *nil volentibus arduum*, i.e. nothing is impossible or too hard for those who really persevere (Balogh & Hertog 2012). The introduction of VCI/RI settings did present a number of challenges and problems for the interpreters, who, at the time, had no or little experience with this method of interpreting. However, as experienced legal interpreters, they felt they would be to adapt conceptually and strategically in order to improve their performance, albeit possibly to a different extent in the different VCI settings, i.e. depending on the location of the interpreter in relation to the primary participants. In line with this, the study reported in this chapter sought to investigate specifically the impact of training on the different forms of VCI.

At the outset of AVIDICUS 2, the relevant conclusions from all the partners' experiments in AVIDICUS 1 were available as recommendations of good practice and incorporated into three training modules (Braun *et al.* 2012). The training module for interpreters became the starting point to reflect on and improve practice in VCI. The recommendations contained advice on what an interpreter could do 'when he/she is booked', 'before the session', and at the 'beginning', 'during' and 'after the session'. These recommendations laid the ground on which to build VCI performance in AVIDICUS 2.

Parallel to the recommendations for the interpreters, AVIDICUS 1 also drew up a training module for the legal professionals, in this case, police officers (Braun *et al.* 2012). Restricted to the actual interpreted session (and not the 'before' and 'after'), police officers were asked to, amongst other things: pay attention to the audibility and visibility of participants, ensure that mutually agreed signals for meta-communication were used effectively, interrupt the session if adjustments needed to be made (e.g. if somebody moved out of shot) and communicate clearly (e.g. phrase points clearly to avoid misunderstandings). These points and others were studied and could be taken by the police officers into new simulations conducted AVIDICUS 2.

This chapter summarises the findings of the second comparative study conducted in AVIDICUS 2. Based again on the simulation of police interviews to achieve consistency between AVIDICUS 1 and 2, and closely following the research design used in AVIDICUS 1, this study investigated the effect of training on VCI/A (the interpreter is co-located with the police officer, and the other-language speaker is alone), VCI/B (the interpreter is co-located with the other-language speaker) and RI (the interpreter is separated from the police officer and the other-language speaker, who are in the same location).

2.2 Method

In the course of the AVIDICUS 2 project, eight role plays of approximately 25 minutes each were recorded in two locations. The face-to-face interviews (FTF) were recorded in the Antwerp Federal Police Station, and the VCI and RI interviews were conducted in the University of Leuven. There were four interpreters, three of them having between 3 and 15 years' interpreting experience, including experience in legal interpreting and participation in the debriefing sessions of AVIDICUS 1 and the

training on VCI/RI. One interpreter was new, replacing an unavailable interpreter from AVIDICUS 1 and who therefore did the FF. This interpreter is a native speaker of Dutch with Hungarian as a second language; the other three interpreters are native speakers of Hungarian, with Dutch as a second language. The role player is a native speaker of Hungarian with virtually no Dutch at all. The two police officers who were participating in the experiments were a Commissioner and an Inspector, both with long-standing experience in interviewing and interrogation, including in VCI or RI.

The topics of the role plays were a 'suspect of arson' and a 'witness to drug trafficking'. Interpreter 1 did two FF interviews, not so much to compare FF to VCI and RI (as was the case in AVIDICUS 1) but to allow the participating police officers to make an appraisal of the flow and timing of an interview in FF vis-à-vis VCI or RI. The other three interpreters had taken part in AVIDICUS 1, where they had all done one session each in each of the three VCI settings. Based on their AVIDICUS 1 experience and the AVIDICUS 2 training sessions in which they took part, they were asked in advance of the AVIDICUS 2 simulations which setting they felt most comfortable in and were then assigned to one of the three settings in order of preference. The idea behind this approach was to look at the potential for development and quality of the interpreters in one particular setting. Thus Interpreter 2 did two interviews in the VCI/A setting, interpreter 3 did two interviews in the VCI/B setting, and interpreter 4 did two interviews using RI.

The interviews were video-recorded and transcribed, and then analysed using the same parameters (for interpreting problems) as in AVIDICUS 2. The parameters were also the same as in the study reported in Chapter 1 to achieve consistency. A comparison was made for each interpreter between the VCI data from AVIDICUS 1 and AVIDICUS 2, and between the different types of VCI.

2.3 Main findings

2.3.1 Omissions, Additions and Accuracy

Looking first at the results for omissions, additions and accuracy problems (i.e. misunderstandings, distortions), the results from the VCI/A setting (where the interpreter is together with the police) show a tendency towards improvement in quality, particularly for omissions and additions. Similar improvements can be observed in the VCI/B setting (where the interpreter is in the same location as the suspect/witness/victim) and in RI (where the interpreter is in the remote location).

VCI/A (Interpreter 2)	Omissions²	Additions	Inaccuracies
AVIDICUS 1 session	23	14	29
AVIDICUS 2 session 1	15	5	18
AVIDICUS 2 session 2	16	3	20
VCI/B (Interpreter 3)	Omissions	Additions	Inaccuracies
AVIDICUS 1 session	6	4	10
AVIDICUS 2 session 1	2	0	3
AVIDICUS 2 session 2	5	2	10
RI (Interpreter 4)	Omissions	Additions	Inaccuracies
AVIDICUS 1 session	10	7	29
AVIDICUS 2 session 1	4	0	4
AVIDICUS 2 session 2	4	2	17

² All numbers present total numbers per VC session

2.3.2 Linguistic Issues

Another set of interpreting quality parameters – linguistic issues, such as grammatical correctness or register – produces similarly improved results. In the analysis of the AVIDICUS 1 results it was concluded that the VCI and RI settings did not have a major impact on the various linguistic challenges. However, better results were still obtained in AVIDICUS 2 than in AVIDICUS 1.

VCI/A (Interpreter 2)	Linguistic problems
AVIDICUS 1 session	38
AVIDICUS 2 session 1	17
AVIDICUS 2 session 2	16
VCI/B (Interpreter 3)	Linguistic problems
AVIDICUS 1 session	8
AVIDICUS 2 session 1	8
AVIDICUS 2 session 2	3
RI (Interpreter 4)	Linguistic problems
AVIDICUS 1 session	16
AVIDICUS 2 session 1	5
AVIDICUS 2 session 2	7

2.3.3 Synchronisation and Interaction Issues

Interaction problems such as turn-taking and overlap were clearly major issues of concern in AVIDICUS 1 and the cause of much confusion in the VCI sessions. Consequently, we focused on these problems in our recommendations and during the training sessions. The results obtained from the AVIDICUS 1 and 2 sessions, shown in the table below, suggest that the quality of the interpreting in VCI and RI, as far as interaction and Synchronisation is concerned, was improved after specific training focusing on these issues. In every parameter of the interaction problems category all interpreters achieved better results than in AVIDICUS 1.

VCI/A (Interpreter 2)	Synchronisation and interaction issues
AVIDICUS 1 session	35
AVIDICUS 2 session 1	2
AVIDICUS 2 session 2	4
VCI/B (Interpreter 3)	Synchronisation and interaction issues
AVIDICUS 1 session	9
AVIDICUS 2 session 1	0
AVIDICUS 2 session 2	3
RI (Interpreter 4)	Synchronisation and interaction issues
AVIDICUS 1 session	18
AVIDICUS 2 session 1	5
AVIDICUS 2 session 2	12

One noticeable problem in the RI setting were artificial pauses, which were the result of long and elaborate note-taking of the interpreter in AVIDICUS 2, highlighting the importance of mastery of note-taking skills and its coordination with screen focus.

This particular point notwithstanding, the analysis of synchronisation and interaction problems in the AVIDICUS 1 and 2 data sets suggests that training and some experience in VCI and RI is necessary to overcome interaction problems and that a drop in the number of turn-taking problems leads to a generally improved interaction between the participants whilst enhancing the quality and efficiency of the interpreter-mediated communication.

2.3.4 Paralinguistic issues

The results reported above may create the impression that training in VCI and RI can solve all problems. We saw improved results in almost all parameters that we used to assess the interpreting quality and especially in the Synchronisation/interaction parameters which were the focus of the training. However, the results in the category of paralinguistic problems demonstrate a more complicated process. The AVIDICUS 2 role plays produced a higher number of paralinguistic problems for all three interpreters than the corresponding AVIDICUS 1 role plays. This result requires further analysis. One of the explanations may be related to non-verbal behaviour discussed in the next section.

VCI/A (Interpreter 2)	Number of paralinguistic issues
AVIDICUS 1 session	34
AVIDICUS 2 session 1	93
AVIDICUS 2 session 2	48
VCI/B (Interpreter 3)	Number of paralinguistic issues
AVIDICUS 1 session	32
AVIDICUS 2 session 1	58
AVIDICUS 2 session 2	53
RI (Interpreter 4)	Number of paralinguistic issues
AVIDICUS 1 session	70
AVIDICUS 2 session 1	57
AVIDICUS 2 session 2	109

2.3.5 Audio-Visual Categories and other Non-Verbal Issues

In AVIDICUS 1 the interpreters were often ‘glued to the screen’, which led to a number of interpreting and communication problems. By the time the AVIDICUS 2 sessions took place, the interpreters seemed to have gained more experience in how to deal with the input from the screen during the interpreting task. They reported that they felt no longer as distracted by the camera or the screen as in AVIDICUS 1. For example, their comments that they had learned that they did not necessarily need ‘eye contact’ with the other parties (legal practitioners or the suspect/witness/victim) all the time in order to do a good job.

The police officers participating in AVIDICUS 1 had reported that eye contact with the suspect/witness/victim was more important for them than eye contact with the interpreter. They felt they did not really need to ‘see’ the interpreter. The only person they wanted to focus on and to see was the suspect/witness/victim. This is the reason why in AVIDICUS 2 we allowed the police officers

to decide on the positioning. (In AVIDICUS 1 the decision was reached ‘collectively’, i.e. police, interpreters and researchers together). This resulted, first of all, in situations where the interpreter became invisible for the other side. At the same time, the lack of eye contact between the police and the interpreter resulted in the police officers struggling with interaction problems, which was a new phenomenon in our study.

The following example from the **VCI/A setting** (interpreter co-located with police officer) illustrates a typical sequence of events in the self-arranged sessions.



Step 1



Step 2



Step 3

Step 1:

The interpreter (in yellow) was first given the opportunity to introduce herself as one can see in the frame above. (In a Belgian police interview it is required of the interpreters to explain their professional role and main tenets of their code of conduct).

Step 2:

However, after the introduction the interpreter was asked by the police officers to move to another chair and her seat was taken by one of the police officers who conducted the interview.

Step 3:

The result was that during the whole interview the interpreter remained out of shot. Only her yellow elbow is visible for the suspect/witness/victim. She became only a ‘voice’.

The appropriateness of this arrangement for all stakeholders is highly questionable. The police may well have found it satisfactory, but not being in shot turned out to be very disturbing for the interpreter as well as for the person in the other location. It may also be an explanation for some of the prominent but unexpected paralinguistic results in AVIDICUS 2.

The **VCI/B setting** generated another problem. In this setting the interpreter is in the same location as the suspect/witness/victim whereas the police are in a different location. This results in the police having far less impact on the positioning. They do not have the same ‘power’ over the other side of the screen because of the lack of physical presence.



However, in spite of the interpreter being co-located with the suspect/witness/victim, there were more paralinguistic problems in the interpreter's output in AVIDICUS 2 when compared to AVIDICUS 1. We can only speculate that with everything else being more or less under control for the interpreters, they tended to concentrate more on production, fluency and delivery with the counterproductive result of being over-zealous and perfectionist, which led to more hesitations, false starts, etc.

The final example is from the **RI setting**. Although it is clear that RI has a different motivation than the VCI settings, it was included in this study because the AVIDICUS projects were aimed at investigating the specifics of different VCI configurations. Although a direct comparison between VCI and RI is of little practical interest, it is interesting to note that RI was the preferred setting of VCI from the police point of view. RI enabled them to work face-to-face with the suspect/witness/victim, with the interpreter was perceived as being no more than a 'translating voice', literally and physically an 'aside'. The chosen positioning, with the screen on the side, meant that neither the suspect/witness/victim nor the police officers could look at or turn to the interpreter unless they turned their head.

This positioning also had a marked effect on the sound quality, resulting in a number of inaudible segments, because the police officers were less careful in their use of the microphones. The body language of the interpreter in the remote location, shown in the figure below, is clear. She is leaning forward, straining to hear the voices at the other end. This added considerably to the interpreting effort. The interpreter could not signal when she needed to interrupt a long statement in order to interpret or when the quality of sound was bad. This forced the interpreter to take more notes than in VCI/A and VCI/B to keep track of long statements, and/or to almost shout to the other side in order to get noticed, as the other participants did not look at her or involve her in the communication. When the interpreter tried to gain attention in this way, it was disturbing for the police as well as for the suspect/witness/victim.



It is understandable that police officers want to focus on the suspect/witness/victim to achieve their main goal, i.e. obtain a confession, a truthful testimony or objective report, but the videoconference setting seems to require modifications here which, in turn, require training to promote a thorough understanding of the situation and to enable adaptation. The detailed analysis of the participants' chosen seating arrangements and of their non-verbal behaviour suggests that the short-term training provided in the AVIDICUS 2 workshops preceding the role play sessions seem to have been insufficient for covering all of the important aspects of interaction. It seemed tempting for the police officers to transfer interviewing strategies and positioning tactics from FF to RI because of the proximity of the two main parties – the police and the suspect/witness/victim – but the analysis shows that this disregarded both the interpreter's needs and the audio-visual requirements for sound (and image) quality, resulting potentially in a lower quality of interpreting and interviewing.

2.4 Conclusions

On the basis of the training sessions and the new tests in AVIDICUS 2, we observed that particular attention should be paid in further training to the following VCI/RI issues for **interpreters**:

- Knowledge of protocols (introduction, signalling, interventions, etc.) between all parties during VCI/RI
- Awareness of the importance of quality of sound and image
- Positioning (including one's own and that of the interlocutors)
- Visibility of all participants and of illustrations, objects, documents etc.
- Good note-taking skills
- Monitoring of production (fluency of delivery, voice control, etc.)
- Monitoring of non-verbal behaviour (including gestures and posture, gaze, eye-contact, facial expressions, etc.)
- Communication management (incl. turn-taking, avoidance of overlap, establishing rapport, etc.)

The most important specific training issues for the **police** seem to be the following:

- Briefing and debriefing the interpreter
- Agreement on procedures and signals during a VCI or RI interview
- Positioning (visibility) of all participants, including the interpreter
- Monitoring the output (clear and audible delivery to all participants)
- Careful monitoring of the communication situation (rapport with all participants, turn-taking)
- Non-verbal behaviour (eye contact).

Finally, it has been our experience that efficiency and quality in VCI are particularly influenced by a range of factors, which should not be considered in isolation: quality of sound and image, careful and correct positioning of all participants, effective turn-taking and avoiding of overlap, and familiarity with the equipment and setting. During the debriefing sessions in AVIDICUS 1 and the training sessions for the interpreters in AVIDICUS 2, we focused on these problems, and the analysis of the AVIDICU2 role plays indicates that it is possible to improve the quality of the interpretation and communication by a combination of awareness and training.

On the other hand, the results of AVIDICUS 2 also support the need for specific training of the police in interpreted video-mediated interviews as well as a need for joined training sessions, with the police and the interpreters together. Some of the more problematic outcomes of the AVIDICUS 2 sessions could be put down to the police relying too much on their own established strategies while disregarding the specificity of the VCI settings. Interpreted video-mediated interviews are the mutual and joint responsibility of both police and interpreters and although there are clearly different issues to be tackled for each group, ultimately they should come together in training, as indeed they will in practice.

Section 2: Adaptive behaviour

3 Interpreting strategies in remote interpreting in police interviews

3.1 Background and aims

As reported in Chapters 1 and 2, the comparative studies conducted in AVIDICUS 1 and 2 highlighted a number of differences between traditional interpreting and VCI. Whilst the findings of quantitative analyses presented in Ch. 1 and 2 focused on the problems identified in the interpreters' performance, the qualitative analysis of the data also revealed instances of good practice and adaptive behaviour on the part of the interpreters and other participants. One of the aspects that were examined closely in AVIDICUS 2 was the use of strategies by the interpreters to cope with or pre-empt communication and interaction problems. The present chapter and Chapter 4 will summarise the findings in this respect. The present chapter is based on the data elicited for the comparison of traditional and remote interpreting and examines the strategies that the remotely located interpreters used to coordinate the interaction. The next chapter uses data from the comparison of traditional interpreting with the two types of 'videoconference interpreting' and takes a broader look at interpreting strategies in the relevant VCI settings. In both cases, particular emphasis was placed on strategies combining verbal and nonverbal communication.

In the comparison of traditional and remote interpreting in AVIDICUS 1, it was found that the number of problems with co-ordinating the interaction between the participants was significantly higher in RI than in the traditional setting. Additionally, the data showed a strong correlation between such co-ordination problems and omissions of information. Furthermore, in an earlier study of interpreting strategies in VCI, Braun (2004, 2007) found that the interpreters developed strategies to overcome VCI-induced problems, and that they were generally more successful in resolving and pre-empting interaction problems than problems with (listening) comprehension or target text production and delivery. Given this finding and the correlation between interaction problems and other problems found in the AVIDICUS 1 data, it was hypothesised in AVIDICUS 1 that at least some of the comprehension and production problems (e.g. the problems leading to omissions) would decrease if the co-ordination were improved. For this reason, the training module for legal interpreters devised in the AVIDICUS 1 Project focused on co-ordination problems and on developing strategies for overcoming such problems.

One of the aims of the research conducted in the AVIDICUS 2 Project was therefore to examine the extent to which the AVIDICUS cohort of interpreters—who participated in the AVIDICUS 1 tests and then in the training, before participating in the AVIDICUS 2 tests (see Chapter 1)—have developed in terms of the strategies they adopt in overcoming co-ordination problems with omissions in video-mediated police interviews, having undertaken the VCI training and gained more real-life experience in working in this mode. Comparing instances from the AVIDICUS 1 and 2 data sets, it sought to gauge the extent to which interpreters adopt strategies in overcoming co-ordination problems and how effective or otherwise the strategies are, with a view to refining the training modules devised in the AVIDICUS 1 Project.

3.2 Method

The data used in this study were the same four data sets—based on simulated police interviews—that were used for the quantitative comparison between traditional and remote interpreting described in Chapter 1. Following the identification and coding of strategic behaviour in the data

sample (in addition to coding the interpreting problems, as shown in Chapter 1), a bottom-up approach was used to derive relevant types of coordination strategies. The bottom-up approach was chosen for the following reason: Whilst the literature offers many classification schemes for interpreting strategies (e.g. Kalina 1998, Riccardi 2005), most of these focus on (simultaneous) conference interpreting and do not cover all of the strategies that are relevant in the specific situations studied in AVIDICUS, i.e. dialogue interpreting (two-way short consecutive) in legal settings combined with the specifics of participant and interpreter distribution in remote interpreting.

Wadensjö was one of the first to study the specifics of dialogue interpreting in depth, highlighting the double role of the dialogue interpreter as a ‘translator’ and ‘coordinator’. She showed, for example, that self-initiated utterances by the interpreter (‘non-renditions’, Wadensjö 1998), which are often dismissed as inappropriate in traditional frameworks, play an important part in the coordination of interpreter-mediated talk. Similarly, Gavioli (2012) contends that ‘minimal responses’ by an interpreter—e.g. ‘yes’, ‘no’ or echoes of turns and partial repetitions—have ‘an essential role in regulating turn taking and pursuing particular interactional goals’ in interpreter-mediated talk (2012:202). Analysing non-verbal interpreter behaviour in immigration settings, Mason (2012) furthermore notes that the interpreters’ gaze, their head turns and posture, all less relevant in conference interpreting, have a ‘regulatory function’ in dialogue interpreting (2012:192), helping ‘to ensure that transitions are managed smoothly’ and to co-ordinate the interaction (2012:193).

Whilst these studies have placed emphasis on the interaction in interpreter-mediated dialogue situations, it needs to be emphasised that the interaction between participants in videoconferences is in many ways different from face-to-face interaction. For example, the way in which gaze, head-turning and posture of remote participants are perceived in a VC depends on the positioning of the participants in relation to the camera(s) and screen(s). As outlined above, Braun (2004, 2007) investigated the adaptive capabilities of interpreters in dialogue interpreting via VC, showing that interpreters develop strategies to overcome problems in video-mediated interaction. Whilst Braun examined instances of simultaneous interpreting in dialogues, meaning that this work is not directly comparable with the situations studied in AVIDICUS, the work revealed similar problems of interaction to those found in the AVIDICUS data sets, especially overlapping speech and sound cutting out as a consequence, listening comprehension problems and problems of visibility. Moreover, Braun noted (a) that the repeated participation of interpreters in VC sessions led them to refine their strategies and to cope better with the VC situation and (b) that the adaptation was most successful in relation to coordinating the interaction.

It is from this prior work on dialogue interpreting in traditional and VC settings that the strategy types were developed. Particular emphasis was put on strategies combining verbal and visual clues.

Strategy types identified and investigated in AVIDICUS

Request for repetition or clarification: the interpreter asks for a repetition of the interlocutor’s turn (e.g. ‘could you please repeat that?’).

Alert to problem: the interpreter states that s/he has encountered a problem and generally describes the nature of the problem (e.g. ‘I’ve lost the sound’, ‘I couldn’t hear you’).

Comprehension check: this is usually used as a means of confirming whether or not a particular detail has been heard or understood correctly. Usually, the interpreter does not require repetition of the whole turn (e.g. ‘Did you say Guildford?’).

Repetition plus interrogative: the interpreter repeats a turn as far as s/he has understood it, and then tags a questioning inflection on to the end. This strategy is usually used as a means of prompting the interlocutor to give the missing piece of information only (e.g. Intp: ‘Vingt-cinq?’ → Det: ‘Vingt-cinq août 1987’).

Strategic self repair: a strategy used by the interpreter to make a correction to his or her rendition (e.g. 'I've just got to stop, to go back', 'j'enlève').

External resolution: this occurs when a problem is not actually resolved by the interpreter but by one of the other participants. The police officer, for example, on becoming aware that the interpreter is having difficulty, comes to his or her assistance by suggesting a word to the interpreter.

Prompt to stop/continue: this is used to stop an interlocutor delivering an overly long turn (e.g. 'OK, attendez') and then to cede the floor and allow them to continue (e.g. 'Continuez, Madame').

Physical resolution: instances where something physical is used as a means of resolving a problem. This may involve gesture, facial expression (for example, a screwed up face might indicate a lack of understanding), or posture (e.g. leaning closer towards the screen in an attempt to improve audibility).

Pre-emptive resolution: a strategy taken by an interpreter to prevent a particular type of problem occurring, e.g. in the introduction, an interpreter might request that speakers take short turns or to watch for a hand gesture to stop.

3.3 Main findings

One of the most important observations is that the participating interpreters mobilised multiple strategies to solve a problem in all RI data sets, i.e. in all RI configurations we examined (RI 1- without training and older equipment, RI 1b - with prior training but older equipment, R2 - with prior training and improved equipment). What became apparent, however, was that the ways in which multiple strategies were used differed between the different configurations.

In the R1 data set from AVIDICUS 1, strategies focused on *post-hoc* problem resolution and appeared to involve a considerable amount of effort on the part of the interpreters. In a typical example from this data set, shown below as Example 1, for instance, the initial problem stems from the interpreter being unable to hear the detainee's turn sufficiently and she deploys several strategies to remedy this.

Example 1: Whathappened_intv01_05_RI_intp03

1. Det: Elle m'a même insulté.
2. Intp: Uh, she even verbally abused me.
3. Det: Alors j'ai dit 'ne m'insulte pas. Sinon, il y aura des problèmes.'
4. Intp: Alors j'ai dit que? *Intp leans forward and closes her eyes*
5. Det: Je, je, je l'ai demandé de ne pas m'insulter. Sinon, il y aura des problèmes.
6. *Pause*
7. Det: [J'ai...]
8. Intp: [I said--] oh, oui, oui, j'ai compris. And then I said um then I said that um if uh if she didn't stop verbally abusing me, there'd be trouble. Um, if the gentleman can turn his head a little bit more toward me. Oui, je vois que, quand vous parlez, vous baissez la tête. Alors, si vous parlez en direct vers moi, ce serait plus facile.
9. Det: D'accord.
10. Intp: OK.

Interpreter posture



Turn 2



Turn 4



Turn 8

In an attempt to overcome the problem, the interpreter uses the repetition plus interrogative prompt strategy coupled with a physical resolution, i.e. leaning forward in her seat and closing her eyes as if trying to improve audibility (turn 4). The co-ordination problem itself then occurs, taking the form of a pause in which there seems to be confusion regarding who should take the floor. Evidently prompted by the pause, the detainee looks up at the screen and begins to repeat his turn a second time (turn 7), just as the interpreter begins her rendition (turn 8). She then uses a physical resolution, holding up her hand, while stating that she now understands (turn 8). Finally, she alerts the participants to her problem and takes a pre-emptive strategy, requesting that the detainee modify his posture. The interview then continues.

In total here, six strategies are employed in an attempt to solve the initial problem and the co-ordination problems that it causes, and, as shown, these are not particularly effective. The interpreter's physical resolution strategy of leaning towards the perceived sound source, for example, cannot work here, because she is wearing headphones.

In contrast, the strategies mobilised by the interpreters in the two AVIDICUS 2 data sets are often more effective, as the following example, which features the same interpreter, illustrates:

Example 2: Whathappened1_intp3_intv2_LC

1. Det: Oui mes amis et moi on buvait du cidre et des bières, juste à côté de Sainsbury.
2. Intp: Yes uh my erm my friends and I we had been having a beer and it was just near to Sainsbury's.
3. Det : Une fille s'est approchée de nous accompagnée de deux hommes et nous a demandé si elle pouvait boire un verre avec nous et mes amis lui ont offert un verre.
4. Intp: Oui, vous avez dit que la police s'était approchée? [Qui s'était a-]
5. Det: [Une fille]. [Une]
6. Intp: [Une fille] s'est approchée. Avec deux amis. Oui, ah oui. Deux, deux autres. Yes. Um, uh, a female approached err with err two men and asked well could they have a drink with us please.
7. Det: et mes amis lui ont offert un verre.
8. Intp: and err the-- and and my friends did uh erm err get them a glass of beer.

Again, the initial problem here is not a turn-taking issue, but a problem of audibility, in that the interpreter cannot hear the detainee's complete turn (why this is the case is not clear). As the transcript shows, the interpreter makes a comprehension check (turn 4), before beginning a request for repetition, which occurs just as the detainee repeats her turn (turn 5), leading to a turn-taking problem in the form of two overlaps. The interpreter carries out another comprehension check (turn 6) to which the detainee can be seen in the video footage to nod swiftly, and the interview continues.

The strategies are used here more effectively than in the previous example. The problem seems to be resolved faster because the more recently installed videoconference system allows the interpreter to hear through instances of overlap – impossible with the technology used in the earlier study, since simultaneous speech caused the sound to cut out. This behaviour illustrates a general tendency for this interpreter in the later data set, in that the strategies are less laboured and problems are resolved more efficiently.

It should be noted that the newer technology was no guarantee of successful problem resolution. In the AVIDICUS 1 data set, some interpreters reported the well-known feeling of 'reduced presence'. Occasionally in the later study, physical resolution strategies such as stop gestures failed even when all parties were looking at the screens, suggesting that the problem of reduced presence in a video link persists to an extent.

3.4 Conclusions

In both data sets, the interpreters used multiple strategies to try to resolve co-ordination problems. In the AVIDICUS 2 data sets, however, as a general rule the strategies were more effective and used more efficiently by the interpreters. The interpreters seemed more confident in mobilising the strategies, and appear better able to gauge individual situations and tailor their strategies accordingly. This was also borne out by the quantitative analysis of the data (see Section 1.3).

Furthermore, while the interpreters do not appear to have created entirely new strategies in VCI, the tendencies in the AVIDICUS 2 sample outlined above suggest that the interpreters have improved their ability to adopt and adapt existing strategies from the traditional, face-to-face interpreting mode. These tendencies apply to both AVIDICUS 2 data sets, i.e. the set using the older VC technology that was previously used in AVIDICUS 1, and the improved technology. This may suggest that the interpreters' improved strategic approach was a result of experience and training. However, this finding needs to be seen in the context of the findings from the quantitative analysis (Ch. 1), which did reveal some differences between the two VC conditions used in AVIDICUS 2, highlighting the importance of high-quality equipment in VCI. That said, as suggested above, certain co-ordination problems persist even with the newer technology, which points to continuing reduced presence in video links.

Interpreters cannot be trained to overcome the problems of reduced presence, technological problems and even co-ordination difficulties completely, because much depends on factors beyond the interpreters' control. Training can, however, help interpreters learn to deal with specific problems and allow space to practise the strategies acquired. The studies conducted in AVIDICUS 2 suggest that training in managing co-ordination in video-mediated communication should be more specific and geared towards problem types, which should in turn help interpreters select the most appropriate strategy or strategies for a given situation. The most effective way of achieving this, it seems, is through a combination of practical activities, such as role plays, observation of role plays or simulations and reflective practice, combined with a thorough understanding of the major interpreting strategies available. This should increase interpreter confidence and increase overall effectiveness.

4 Interpreting strategies in videoconference interpreting in prosecution interviews

4.1 Background and aims

In addition to analysing strategies in the data on remote interpreting (as reported in the previous chapter), AVIDICUS 2 also undertook an analysis of strategies in the data that were collected from role plays simulating VCI. These role plays were simulations of prosecution interviews in Poland. The main aim was to explore whether the strategies used by interpreters in face-to-face interpreting differ from those used in VCI. An associated aim was to consider the appropriateness of known FTF strategies in the VC settings, with a view to integrating the findings into VC training for interpreters.

4.2 Method

The situations examined were role plays of foreign-language witness interviews conducted by a public prosecutor. Three prosecutors participated, all of whom are active at the National Public Prosecutor's Office, Warsaw, Poland (now re-named the Office of the Prosecutor General), which is where the tests were carried out. The witness was an English-speaking role player. The three interpreters who took part in the tests were Poles around 30 years old at the time of testing and working between English and Polish. They were all certified court translators and interpreters (referred to as "sworn translators" in Poland), which means they hold at least the magister (MA) degree, have passed the state examination, and obtained the right to practise the profession. While practising the profession, sworn interpreters provide services for the police, public prosecutors' offices and courts. At the time of testing, the court interpreters had seven, three and two years of interpreting experience respectively.

The scenarios of the interview used for the analysis were the same as in the AVIDICUS 1 project. They replicated real-life procedure as closely as possible and covered the entire duration of a dialogically organised, question-answer, witness interview and included all relevant procedural elements. The scenarios were drafted by the prosecutors who took part in the tests, with due consideration for the constraints of Polish law, i.e. that at the time of writing, only witnesses and experts could have been interviewed via VC link. The scenarios used for the tests involved the pre-trial interview of a witness:

- in a drug trafficking case (the witness was a tourist who shared a room with a suspected drug trafficker)
- in a car accident case
- in a credit card fraud case (the witness had used an ATM).

Each of the interpreters interpreted a given scenario only once in order to avoid the false effect of "improvement" in interpreting quality and overall performance as a result of familiarity with the subject, the content of the prosecutor's questions, and problems that might arise in the given communication setting. The mode of interpretation employed by them was consecutive/dialogue interpreting.

The interviews were staged in three arrangements:

- face-to-face
- VCI/A (the interpreter was at the same location as the prosecutor; the foreign language speaking witness was at another location)

- VCI/B (the interpreter was at the same location as the foreign language speaking witness; the prosecutor was at another location).

The face-to-face interviews were conducted first, followed by VCI/A and VCI/B. All the interviews were video-recorded.

The testing was performed according to the following schedule:

Day 1	Day 2	Day 3
SCENARIO 1 DRUG TRAFFICKING CASE	SCENARIO 2 CAR ACCIDENT CASE	SCENARIO 3 CREDIT CARD FRAUD CASE
Face-to-face [Interpreter 1]	Face-to-face [Interpreter 3]	Face-to-face [Interpreter 2]
VCI /A (the Interpreter with the Prosecutor, the Witness at a remote location) [Interpreter 2]	VCI/A (the Interpreter with the Prosecutor, the Witness at a remote location) [Interpreter 1]	VCI/A (the Interpreter with the Prosecutor, the Witness at a remote location) [Interpreter 3]
VCI/B (the Interpreter with the Witness, the Prosecutor at a remote location) [Interpreter 3]	VCI/B (the Interpreter with the Witness, the Prosecutor at a remote location) [Interpreter 2]	VCI/B (the Interpreter with the Witness, the Prosecutor at a remote location) [Interpreter 1]

To ensure the highest degree of authenticity, the videoconferencing room layout and seating arrangement of the witness, prosecutor and interpreter were as they would be in a real-life situation.

The analysis was based on the strategy types described in Ch. 3 of this report. However, the focus was broader than in Ch. 3 in so far as the strategies were examined in relation to a broader range of interpreting problems including

- source text production problems by the speaker
- source text reception problems by the interpreter
- target text production problems by the interpreter including spelling words and showing objects
- interaction/communication management problems, all participants
- face-keeping issues, all participants

4.3 Main findings

By way of example, this section focuses on the use of strategies to resolve source text comprehension problems and on their use across the different settings (FTF, VCI/A and VCI/B), and then assesses the appropriateness and efficiency of frequently identified strategies in relation to these settings.

4.3.1 Resolution of source text reception problems

The interpreters encountered a number of source text reception problems. These problems varied from simple linguistic gaps, such as unfamiliarity with a given word or phrase, to cultural gaps (failing to understand more colloquial utterances).

One particular problem was that the witness used a number of Scottish colloquialisms, such as “*wee lassie*”, that the interpreters were not familiar with. In each setting, the interpreters found ways of dealing with such problems, as the first example illustrates.

In the face-to-face interview, the first attempt of the interpreter to elicit the required information from the witness, which consisted of applying a repetition with an interrogative strategy, proved to be unsuccessful, so the interpreter chose the most straightforward approach and asked the witness directly for the meaning of the unfamiliar term.

Example 1c (Car Accident, FTF):

Witness: There was a **wee, wee lassie** there. I just eh saw that...

Interpreter: **Wee lassie?**

Witness: Aha.

Interpreter: **What's a wee lassie?**

Witness: A woman.

Interpreter: A woman. OK. Eh.

The interpreter working in VCI/B (co-located with the witness) a combined strategy of a comprehension check [*“A lady. There was a lady?”*] and then went on to repeat the remainder of the sentence [*“Conscious?”*] (repetition with an interrogative) in order to ensure that nothing of the content was lost by focusing on the unclear piece of the message in the first part of the sentence.

Example 1b (Car Accident, VCI/B):

Witness: So the door was open and the **wee lassie** was there, so I pulled her outside. She was she was conscious.

Interpreter: **A lady. There was a lady?**

Witness: Yeah.

Interpreter: Conscious?

Witness: Yeah.

The interpreter who encountered this situation in the VCI/A setting (co-located with the prosecutor, while the witness was in a remote location) used the more passive strategy of alerting the witness to the problem. In this case, the interpreter's strategy led to the witness' explanation of the word in a plain language the interpreter could understand and translate.

Example 1a (Car Accident, VCI/A):

Witness: The **wee lassie** was driving.

Interpreter: Eh I don't understand. Sorry?

Witness: The **woman** was driving.

Hence, in this instance each of the three interpreters dealt with the lexical difficulty by applying a different strategy or a combination of strategies, yet with a similarly positive outcome. However, the use of the passive strategy in the VCI/A setting could have led to a longer exchange between the witness and the interpreter, and in a number of instances where similar lexical difficulties were encountered, it took much more time and effort to re-establish the communication flow in the VCI/A setting in particular. Example 2 illustrates such a case.

Example 2 (Car Accident, VCI/A):

Witness: Eh I think it was quite **dreich**. Eh it was really eh clammy and eh I don't know I must have left their house about 3ish.

Interpreter: Eh can you repeat that again.

Witness: Eh it was this kind of bad weather...

Interpreter: Eh Była zła pogoda eh tego dnia. [*→The weather was bad that day*].

Witness: It was like really dreich and eh I left my...
 Interpreter: Excuse me. Does it mean that you felt unwell on that way on that day?
 Witness: No, it was dreich.
 Interpreter: I don't understand.
 Witness: I was fine.
 Interpreter: I don't understand this word. I'm sorry.
 Witness: Oh, I'm sorry. Dreich eh it means raining, wet.
 Interpreter: Eh, OK. I understand now.

Here, the interpreter did not understand the term 'dreich' and applied a string of techniques to sort out the problem. At first, she requested a repetition [*'Can you repeat that again?'*], then tried a comprehension check method [*'Does it mean that you felt unwell on that way on that day?'*] and, still failing to comprehend, reverted to alerting the witness to the problem [*'I don't understand'; 'I don't understand this word'*]. In this case, the interpreter finally got the message right, yet a simple utterance turned into a lengthy interaction between the interpreter and the witness, leaving the prosecutor wondering what was going on. It also cost time and disrupted the witness testimony flow. Equally important, after a number of such efforts to establish the correct meaning of the source language message, the interpreter grew tired and seemed to struggle to reach the end of the interview.

A better strategy to resolve a problem such problems would be to ask for clarification of the unknown word/phrase directly or, as a second-best option, apply a comprehension check strategy. This seemed easier in the FTF and VCI/B setting where the interpreter was co-located with the witness.

Similarly, a physical resolution of comprehension problems also seemed easier in FTF and VCI/B. In the car accident scenario, for example, the witness referred to the "front nearside door", and none of the interpreters was sure which door was meant. The interpreters who sat next to the witness interviewed in the FTF and VCI/B settings resolved the problem quickly with the help of a notepad and a drawing of the car. In the VCI/A setting, the problem led to a serious misunderstanding.

Example 3 (Car Accident, VCI A):

Witness: The **front nearside door** was opened.
 Interpreter: Eh I eh przednia część eh przód samochodu eh eh był otwarty. [*→And the **front part, front of the car** was opened.*]

The interpreter had a problem with understanding the word 'nearside', yet at the same time clearly wanted to avoid asking another clarifying question to the witness. The desire to avoid asking yet another question or denoting a comprehension problem is understandable, as this interpreter had already asked a number of such questions (she asked some 20 clarifying questions throughout the interview), and so was reluctant to inquire again. Hence, the interpreter employed a strategy of approximation (→ *'front part of the car'*). Yet, this evasive strategy led to a misunderstanding on the part of the prosecutor, who thought that the witness referred to the car bonnet, and not the car door. It was a serious mistake in view of the purpose of this specific interview, which was aimed at determining who the perpetrator of the car accident was.

It was owing to the prosecutor's sensibility in this case that the problem was finally resolved. The prosecutor seemed to have noticed that there may have been an interpreting problem and later addressed the witness by saying (in Polish) *"The interpreter interpreted your words, saying that the front part of the car was opened. I would like to specify whether you mean the bonnet or the door of that car"*. Following this check, a resolution of the problem was possible.

Whilst the problem exemplified here and the prosecutor's strategy in response to it are not exclusive to the VC situation, the instance highlights the importance of an awareness of the difficulties that may arise for the other parties, which is especially relevant when the physical distance between some of the parties makes the efficient use of familiar strategies more difficult. Like some of the findings reported in Ch. 2 (the interaction problems as a consequences of the seating arrangements), such problems also highlight the importance of shared responsibility for successful communication. At the same time, incidents like these suggest that training in VCI should cover reflection upon the efficiency of different types of strategies.

4.3.2 Efficiency of strategies

This section comments on the efficiency of frequently encountered strategies in the FTF and VCI settings.

Request for repetition: the interpreter asks the speaker for a repetition of the interlocutor's turn.

Example:

'Can you repeat that again?'

'I'm sorry Mr. Prosecutor, once again because I haven't heard... I haven't heard. I'm sorry Mr....'

This strategy was quite common in all settings. In many cases, a request for repetition was a strategy employed by an interpreter who failed to understand the whole utterance or a specific word or phrase but did not explicitly admit so in hope of decoding the meaning when the message was repeated by the speaker. Naturally, this strategy can be applied regardless of the mode of communication, be it video-mediated or face-to-face. The frequency of its use in our data set seems to depend more on the interpreter's personal preferences than the mode of communication. In any case, the strategy is not particularly efficient and potentially leads to a series of exchanges between speaker and interpreter. One interpreter's over-use of this strategy in our data, for example, led to an extension of the interview's duration.

Alert to problem: the interpreter simply states that there is a problem in communication.

Example: *'I don't understand. Sorry', 'I don't understand this word. I'm sorry'*

Like unspecific requests for repetition, this is a rather passive strategy on the part of interpreters, as a result of which the task of resolving the broken communication flow is shifted back upon the speaker, who has to reformulate the utterance. The strategy of direct request for clarification would have been less demanding upon the speaker, who would have been straightforwardly informed about the nature of the interpreter's problem. Akin to the request for repetition strategy, this strategy can be applied regardless of the method of the setting, yet in case of video-mediated interviews it might disrupt the time schedule of interviews, if there is a time frame of successive interviews during a working day, as it potentially prolongs the interview. Given the fact that the participating interpreters were experienced interpreters, the frequent use of this rather inefficient strategy in the VCI settings may suggest that the interpreters' resources were too strained to apply a more efficient strategy.

Comprehension check: a strategy of confirming whether a particular fragment of a message has been heard or understood correctly.

Example: *'Excuse me. Does it mean that you felt unwell on that way on that day?'*

This strategy was employed as a method of overcoming problems with recall or source text reception difficulties. In the first case the interpreter would simply reiterate the utterance to confirm whether

she or he had remembered it correctly, in the latter case the interpreter often reformulated the utterance in Standard English in order to confirm the meaning of the speaker's message. It seemed a very effective and frequently applied strategy during the interviews. It was by far more functional than request for repetition or alert to problem strategies, given the time frame considerations, as it was more concise and straight to the core of the problem.

Direct request for clarification: the interpreter directly asks for a meaning of a certain term or phrase.

Example: *'What's a wee lassie?'*

Interestingly, this strategy was very rarely reverted to. The interpreters preferred to employ the request for repetition, comprehension check, or alert the speaker strategies. Perhaps such a direct acknowledgement of the gap in the interpreter's knowledge bank is subconsciously considered a disparagement or professional discredit by the interpreters. Such problems can only be overcome in an atmosphere of openness and mutual trust between the parties, which, in turn, is only possible when the potential challenges of the VCI setting are clear to all and when the interpreters can be confident that their requests for clarification are not attributed to a lack of interpreter competence.

Repetition plus interrogative: the interpreter repeats the speaker's utterance as far as she or he has understood it, and then tags a questioning prompt on to the end. This strategy is usually used as a means of prompting the interlocutor to give the missing piece of information only.

Examples:

Interpreter: *'That was article 233, right?'* → Prosecutor: *'233, section 1, of the Criminal Code';*

Interpreter: *'Parents' first names: Edward and Isabelle. Place and date of birth: 15th October 1979 New York. [Eh] Current address: 117 [Eh] twenty [Eh] first or 22nd?'* → Witness: *'22nd.'*

Very often this method was used by interpreters in the VCI settings when there was in fact no missing piece of information at all, so the witness or prosecutor would just confirm or nod. At those instances, it was quite similar to a comprehension check. This suggests that the VCI settings led to more uncertainty and a greater need for confirmation.

Approximation: the interpreter translates the speaker's utterance in an imprecise or vague way, resulting in an omission of a piece of information or generalisation.

Example:

Witness: *'The front nearside door was opened?'* → Interpreter: *'the front part, front of the car was opened'.*

This strategy, which is well known in all types of interpreting, is potentially useful for overcoming the occasional lack of precise knowledge on the part of the interpreter. Nonetheless, in some cases, it will lead to an unintended chain of misunderstanding, as happened during one of the interviews (see Section 4.3.1). The interpreter was weary and instead of requesting the witness clarify the meaning of a term, the interpreter reverted to generalisation. It was a strategy that caused a serious misunderstanding, which was not clarified until later in the interview. The conclusion here must be that VCI requires a climate in which the interpreter does not need to be concerned about asking for clarification several times if necessary. However, to avoid the unhelpful disruption ensuing from frequent clarification requests and to create a better communication flow, other, more efficient strategies also need to be explored and employed by the interpreters.

Physical resolution: this strategy may involve gesture, expression (e.g. a screwed up face to indicate a lack of understanding), posture (e.g. leaning closer towards a speaker to hear them more easily or

to ‘force’ them to make eye contact), or an action of some sort (e.g. showing an object, writing something down).

The strategy of physical resolution can contribute effectively to resolving a variety of problems during an interview or in the courtroom. The interpreters applied the strategy often in the FTF setting and in the VCI/B setting, i.e. when being in the same room as the witness, by passing their notebook to the witness with a request to write down her name, address, etc. Surprisingly, the interpreters were the only participants in the video-mediated environment who appreciated the merits of visualisation and initiated physical problem resolution (e.g. to resolve spelling problems). The prosecutors did not use any visual/physical strategies in the video-mediated interviews. Nor did the interpreters use it in the VCI/A setting.

In some instances, physical resolution of a problem involved gesturing, or even changing posture by the interpreter, e.g. leaning towards the screen to solve a listening comprehension problem. This physical resolution is not easily visible on the recordings and may therefore not have been noticed by the participants on the other side of the video link. However, training in how to ‘read’ such signs in a VC will be very useful for all participants.

Combination of strategies: When the initially applied strategy failed to render the expected result, the interpreters use a combination of strategies instead of using the same strategy again.

For instance, in one of the interview fragments cited above, the interpreter first requested a repetition [*‘Can you repeat that again?’*], then tried a comprehension check method [*‘Does it mean that you felt unwell on that way on that day?’*] and, still failing to comprehend, reverted to alerting the witness to the problem [*‘I don’t understand’*; *‘I don’t understand this word’*]. Whilst the combination of different strategies often helped to resolve a problem, repetition of strategies proved highly ineffective. During one interview the interpreter kept saying *‘I don’t understand’* without realising that this did not yield the desirable result. In the end, the witness repeated her whole utterance but the resolution was a lengthy process which took its toll - the interpreter grew increasingly weary and distressed. Such examples suggest that flexibility in resolving problems, i.e. active knowledge of a variety of strategies is another issue that should be addressed in further VC training sessions.

4.4 Conclusions

Many of the problems described in this chapter can occur during face-to-face interpreting as well as in VCI settings. However, the frequency of at least some of these problems seems to be noticeably greater in the case of video-mediated interviews, especially in VCI/A, when the interpreter is separated from the foreign-language speaking witness. It seems that the distance from the foreign-language speaking witness magnifies comprehension problems or at least the interpreter’s certainty as to what s/he has heard or understood over the distance. At the same time, familiarity with the camera and video-mediated working environments seemed to ease the pressure and all three interpreters performed with a greater ease during their second VC.

Some of the problems, for instance with spelling issues, may be alleviated thanks to adherence to certain basic rules and by making the best use of the visual affordances of VC communication. Basic procedural rules are also needed in order to avoid turn-taking problems and to secure unhampered flow of conversation and to free up resources for interpreters to focus on functional interpreting strategies. The analysis of the strategies employed in FTF and in the VCI settings leads to a number of concrete conclusions.

Firstly, the (subtle) differences in the distribution of strategies across the settings support the assumption that VCI is, on the whole, more challenging than traditional interpreting. This is particularly apparent in the interpreters' more frequent use of passive strategies in the VCI settings, suggesting that the mental resources are needed to attend to other aspects of the interpreting task.

Secondly, the use or non-use of certain strategies in the VC settings (but also in FTF) suggests that legal interpreters are conscious of the professional self-image they create and this may influence their choice of strategies. This detailed analysis of interpreting strategies in the VC settings can therefore contribute to highlighting the need for a climate of mutual respect and trust which enables the interpreter to focus on the task at hand rather than on a possible loss of face or reputation by asking for clarification or similar.

Thirdly, the data include a number of successful examples of strategy deployment, and strengthen the assumption made in AVIDICUS 2 that training in VCI should place particular emphasis on a detailed reflection upon the effectiveness of different problem resolution strategies.

Section 3: Communicative dynamics

5 The effect of videoconferencing and interpreting on the dynamics of police interviews

5.1 Background and aims

A police interview is the backbone of a criminal investigation. Public prosecutors, judges, civil parties and defence lawyers are entitled to full, detailed and correctly conducted investigations by the police so that a fair trial can take place.

The international professional literature provides several definitions of a police interview but, generally, it is agreed that a good police interview must be fair and objective, and a constant search for the truth through collecting evidence and relevant details. It should be a dynamic interaction process with intrinsic and relational aspects controlled by skilled investigators. Furthermore, despite different interviewing techniques, interviews also normally consist of the following key elements:

1. Introduction: making rapport; in interviews with an interpreter this also includes the introduction of the interpreter and his/her role; in video-mediated interviews, an explanation of the VC situation should be included. The main aim of this phase is building confidence;
2. The first open-ended question posed by the interviewing officer(s);
3. A first summary by the officer(s);
4. A phase of in-depth questioning and clarification, complementation and confrontation; during this phase, interviewers frequently ask closed questions, making suggestions;
5. Paraphrasing of the main points by the officer(s);
6. Second summary by the officer(s);
7. Closing - conclusion.

Against this backdrop, the specific aim of the AVIDICUS 2 study reported in the present chapter was to explore the question of whether these qualities of a police interview are still present when an interpreter joins the dialogue and when a video link is involved. When the 'trialogue' (between interviewer, interviewee and interpreter) is carried out via video link, the investigation becomes even more complex as an extra dimension is added. The findings provide insights into the impact that the use of a video link during a police interview with an interpreter may have on the interview techniques used by the police.

5.2 Method

This study was based on an analysis of interview techniques used in the simulated police interviews that were collected in Belgium during the course of the AVIDICUS 2 project and that also formed the basis of the comparative study reported in Chapter 2. As described in more detail in Ch. 2, two different role-play scenarios were used in these interviews, and these were carried out in four different settings with an interpreter, namely:

- The standard police interview (face-to-face)
- Videoconferencing VCI/A
- Videoconferencing VCI/B
- Remote interpreting.

The recordings of the sessions were analysed in order to ascertain whether any changes appeared in the way in which the interviews developed in the four settings, whether the ultimate aims of the

interview were achieved in each case and whether any potential changes in interview techniques had an impact on the dynamic of the interview. This included an analysis of the verbal behaviour of the police officers and the person interviewed, as well as of their non-verbal behaviour.

When the role plays were designed, several conventions were selected in order to ensure that the role plays would be consistent with basic parameters of authentic police interviews. Thus the following parameters were discussed in depth beforehand with the participants:

- Those interviewed, who were native speakers of Hungarian, would not understand the language of the police officer (Dutch).
- Two different scenarios were used: an interview with the wife of a drug smuggler (interviewed as a witness), and an interview with an arson suspect. Each scenario would be used only once in each setting.
- Each interpreter would interpret each scenario only once so as to avoid learning effects from repeated exposure to the same scenario.
- The police interviewers were selected, based on their competence and expertise, from the Federal Police in Antwerp. One interviewer had more than thirty years of experience in conducting video recorded interviews (i.e. standard, face-to-face interviews recorded on video tape). The other interviewer had than 20 years' experience of working in the homicide department of the same police service.
- The interpreters had some experience with videoconferencing, in line with the overall aims of the AVIDICUS 2 comparative studies.
- The actor playing the role of the Hungarian interviewee and the interpreter would be briefed separately so that each character was given only the information they would have in a genuine police interview.
- Finally, the duration of the interviews would be limited to approximately 30-40 minutes

For the purposes of this study, the records of the role plays were analysed according to the following parameters:

1. The duration of the first three stages the interview, i.e.
 - a. The duration of the introduction including the explanation of the interpreter's role and explanations about the VC setting where relevant;
 - b. The time needed for discussing the first open-ended question posed by the officers;
 - c. The time used for in-depth questioning, clarification, complementation and confrontation.
2. The exact moment of occurrence of the key-words "drug trafficking" and "fire" was specified.
3. Observational remarks by the police officers about the witness's and suspect's non-verbal behaviour.
4. Length of the answers given by the witness and the suspect.
5. Different types of questions (open – closed – paraphrase – questions about emotions multiple-choice questions – bait question).

5.3 Main findings

This section summarises the main findings. Although the parameters outlined above were explored in both the witness interviews (drug trafficking) and the suspect interview (arson), it must be borne in mind that an interview of a suspect does not always follow the same pattern as an interview of a witness or a victim. In the case of a witness or a victim, the interviewers will let the interviewee talk

by asking open questions, because the story about what happened is yet to be told. In the case of the interview of a suspect, the story is more or less known from the interview of the witnesses or victim and from the results of the investigation (e.g. forensic investigation, evidence collected and telephone investigation). The results for the two types of interview are therefore presented separately in each of the following sections.

5.3.1 Duration of first interview stages and introduction of main key word

Table 1 below refers to the witness interviews (drug trafficking) and shows the duration of the first three key stages and the point in time when the key word “drug trafficking” was used for the first time in this interview.

Table 1: Witness interview (drug trafficking)

Interviewing items	Face-to-face	VCI/A	VCI/B	RI
Introduction (duration)	06:50 min	04:00 min	02:30 min	07:00 min
Discussion of first open-ended question (duration)	08:31 min	01:30 min	02:00 min	03:00 min
In-depth questioning (duration)	24:12 min	21:00 min	18:00 min	18:00 min
Key-word “drug trafficking” (time of occurrence)	After 40:35 min	After 26:00 min	After 23:00 min	Not mentioned due to interviewing technique used

The analysis of the data shows that that the interviewers in this interview tended to:

- spend more time on the introductions in the face-to-face interview than in VCI /A and VCI/B and nearly as much time as in RI; bearing in mind that there is more to explain in the video-mediated interviews, this is interesting to note;
- spend much more time on the first open question during the face-to-face interview than in all three video-mediated interviews;
- introduce the key word later in the face-to-face interview than in the video-mediated interviews.

Although the data sample is small, the results suggest that, during the face-to-face interview, interviewers spend more time on the build-up of their interview techniques. One reason for this could be that interviewers were less conscious about how long they were taking because they had a better contact with the interviewee and they could fully develop their interview strategy. It may also be the case that the interviewers wanted a faster result in the video-mediated settings because they could not assess or handle the medium as well or perhaps felt that the contact with the interviewee was not so good.

Similarly, in the interview with the suspect, the interviewers spent more time on the introduction when conducting it face-to-face than in any of the other settings, as shown in Table 2 below. This also meant that the word “arson” or “fire” was used later in the face-to-face interview than in the other settings. Similarly, the discussion of the first open-ended question and the in-depth questioning took more time in the face-to-face setting, so, again, the interviewers clearly took more time to develop their interview strategy in the face-to-face setting.

Table 2: Suspect interview (arson)

Interviewing items	Face-to-face	VCI/A	VCI/B	RI
Introduction (duration)	08:00 min	06:00 min	05:00 min	05:00 min
Discussion of first open-ended question (duration)	04:00 min	02:00 min	01:30 min	01:15 min
In-depth questioning (duration)	27:30 min	20:00 min	14:20 min	17:30 min
Key-word “drug trafficking” (time of occurrence)	1 st time after 03:00 min 2 nd time after 33:20 min	1° time after 01:00 min 2° time after 27:15 min	1° time after 02:06 min 2° time after 18:22 min	1° time after 01:15 min 2° time after 16:00 min

The eight interviews that were analysed in this study show a similar pattern. In both the witness interview and the suspect interview, the officers spent more time developing and unfolding their interview strategy in the face-to-face setting than in any of the three video-mediated settings. These results could indicate that the interviewers had a better contact with the interviewee during a face-to-face interview and that the interaction was better because the interviewers built up the interview more slowly and with a better foundation.

5.3.2 Observational remarks by the police concerning the witness’s or suspect’s non-verbal behaviour

The next aspect that was analysed in the interviews was the type of remarks that the interviewing officers made in relation to the witness’s or suspect’s non-verbal behaviour. Such remarks were generally very rare. In the witness interview, only one such remark was made in the face-to-face interview and one in the interview using remote interpreting:

- Face-to-face: “.....I see that you are anxious or nervous...”
- Remote: “...I see that you are rather nervous....”

There were no remarks at all in the VCI settings. In the suspect interview, one reference to the suspect’s non-verbal behaviour was made in the VCI/A setting (suspect in remote location). It is possible that the simulation had an impact on the data here, i.e. that the police officers’ awareness of the role play situation prevented them from making such remarks.

5.3.3 Length of the answers given by the witness and the suspect

One parameter that yielded more insightful results was the length (in number of words) of the initial answers given by the witness and suspect to the open-ended questions. In the witness interview, one opening question was explored (*“How is your husband’s relationship with his colleagues?”*). In the suspect interview, two types of opening question were distinguished, an emotionally charged open question (*“How is your relationship with the lady next door?”*) and a non-threatening open question (*“Can you tell me about the different cats you’ve bought for your daughter?”*).

Table 3: Witness interview: “How is your husband’s relationship with his colleagues?”

Setting	Number of words of the answer		Dutch / Hungargian
	Hungarian	Rendition into Dutch	
FTF	73	83	1.14
VCI/A (interpreter with PO)	88	84	0.95
VCI/B (interpreter with suspect)	46	63	1.37
RI	34	54	1.59

Table 4: Suspect interview, non-threatening open question: “Can you tell me about the different cats you’ve bought for your daughter?”

Setting	Number of words of the answer		Dutch / Hungargian
	Hungarian	Rendition into Dutch	
FTF	82	112	1.36
VCI/A (interpreter with PO)	92	102	1.11
VCI/B (interpreter with suspect)	52	66	1.27
RI	Technical problem		

Table 5: Suspect interview, emotionally charged open question: “How is your relationship with the lady next door?”

Setting	Number of words of the answer		Dutch / Hungargian
	Hungarian	Rendition into Dutch	
FTF	47	43	0.91
VCI/A (interpreter with PO)	65	81	1.25
VCI/B (interpreter with suspect)	41	83	2.02
RI	34	55	1.62

VCI/A, the setting in which the suspect/witness is alone, consistently produced the longest answers in Hungarian. By contrast, the RI setting, in which the officer and the other-language speaker are in the same location and which, from their perspectives differs from a face-to-face interview only insofar as the interpreter is in a different location, the answers were by far the shortest in each set (i.e. in the two sets where the RI data is available). The rendition into Dutch seems to follow the pattern of the Hungarian utterances by and large.

Although the sample used here is too small to draw more general conclusions, it seems worth analysing such trends further in a larger sample. Braun (2004, 2007) found, for example, that remote participants in video-mediated interpreted job interviews tended to talk more than expected and that their utterances were repetitive. Braun attributed this to the participants’ feeling of remoteness, which entailed uncertainty about whether their message had been understood at the other VC site. It could be the case that the ‘wordiness’ of the remote suspect/witness in the VCI/A setting analysed above is similarly indicative of their presence or feeling of remoteness. In further research, such data should be triangulated with other data, e.g. of communication and interpreting strategies (see Ch. 3 and 4), and used to gain further insights into the appropriateness of the VCI/A and VCI/B setting.

5.3.4 Different types of questions

The final parameter that was analysed concerned the frequency of different types of question. Finally, the last measurement verified how often the different types of questions were asked. The results of a simple count show two tendencies. Firstly, there were generally more questions in the face-to-face settings, and secondly, there was a tendency towards asking more open questions in the face-to-face setting. This could indicate that the interviewers deviated from their “normal” interview strategy in the VC settings. It seems that they wanted results sooner than in the FTF setting and were interested in hearing only the interviewee’s confirmation (or otherwise) of particular points. This is corroborated by the findings reported above which showed that the officer took less time in the VC settings to unfold their interview strategy. It needs to be highlighted, however, that open questions play an important part in an investigative interview, as they lead to a more comprehensive ‘picture’ than the picture that can be constructed from the answers to closed questions.

5.4 Conclusions

The results of this pilot study lead to a number of conclusions:

- 1) The FTF setting differed from the VC settings in several aspects. More time was spent on the construction and development of the interview during the face-to-face interviews and there was a greater tendency to ask open questions than in the VC settings.
- 2) The findings suggest that the contact between the interviewers and interviewee was “better” and “more direct” in the FTF setting, and that it was easier to understand the interactional context during the FTF interviews, compared to the other settings. This seems to have resulted in more mutual confidence and, therefore, in a “better interview”. These tendencies were confirmed in qualitative feedback by the participating officers.
- 3) It is also noticeable in the face-to-face interview that the interviewers consistently gave the interviewee subtle, small encouragements, including non-verbal clues (nodding, direct eye contact) and verbal clues (e.g. repeated use of: “yes”, “hmm”, “please continue”, “I understand”).
- 4) The four settings do not show strong differences in the natural construction, “flow” or chronology of the standard interview strategy, i.e. the different topics of the interview were dealt with satisfactorily. However, the time taken to deal with individual interview stages was shorter in the VC settings, when compared to the face-to-face setting.
- 6) There were noticeable differences in the length of the answers to some of the key open questions in the interviews. The emerging patterns require further investigation.

The primary aim of the study was to add to the insights about whether the use of VC in criminal proceedings that require the presence of an interpreter is a viable alternative to face-to-face communication. Exploring VC-based bilingual police interviews from the interviewer’s perspective, this pilot study revealed a number of differences between the FTF and VC settings in the construction of the interview. Whilst these differences did not seem to affect the overall goal of the interview, the findings of this pilot study suggest that the possible impact of VC with interpreting on the investigative stages of criminal proceedings is not yet fully understood. It seems advisable therefore that the use of VC with interpreting in police interviews remains reserved for selected cases, and that when it is used, the interviewing officers are aware of potential differences to safeguard against unwanted consequences. This pilot study thus also highlights the need for training – training of police officers and possibly joint training with interpreters.

6 The effect of videoconferencing and interpreting on courtroom dynamic

6.1 Background and aims

The AVIDICUS 2 study which is reported in this chapter refers to court hearings. It was conducted in France and involved ethnographic fieldwork and video recordings for more than a year in two *chambres de l'instruction* in Rennes and Grenoble.

The main aim of this study was to explore the impact of videoconferencing on the spatial organisation of the courtroom, on the communicative dynamic and the impact of this on the interpreters' work. The study is based on video recordings made in authentic court hearings, i.e. in contrast to the other parts of the AVIDICUS studies, which worked with simulations in experimental settings, this study used real-life VC communication data.

6.2 Method

The corpus of data collected in this study includes video recordings of court hearings in VCI/A (with the defendant in the remote site, and the interpreter in the courtroom) and their transcriptions. Furthermore, it contains video recordings of cases where the defendant and the interpreter are co-present in the courtroom. The video recordings have been supplemented by direct observations.

Video recordings provided the principal source of materials for analysis; the research is therefore based on these cases. The video corpus counts seven hearings where the court required both a defendant and an interpreter. The defendants were Romanian (2), Albanian (1), Algerian (3) and Moroccan (1).

The main framework of analysis is conversation analysis (CA) framework (Sacks 1992; Sacks, Schegloff and Jefferson 1974; Jefferson 2004). In line with the CA approach, detailed transcriptions of the recordings were produced with the help of native speakers for the parts that were not in French.

6.3 Main findings

6.3.1 The impact of videoconferencing on the spatial organisation of the courtrooms and its impact on the interpreters' activities

Based on the assumption that videoconferencing is likely to alter either the structure of a hearing or the spatial organisation of the activity, the study focused on the impact of videoconferencing on the perceptual access between the court and the interpreter. Numerous issues complicate the work of the interpreter, such as: the inherent difficulties of the task of interpreting itself, combined with a lack of understanding of the interpreting process by the other participants, a lack of professional recognition of the interpreter and consequently often a lack of adequate remuneration and poor working conditions, as well as a lack of adequate interpreter training available in all languages, and lack of training for lawyers regarding working with interpreters (Hale 2001: 71-72). Our study specified several ways in which videoconferencing can exacerbate these difficulties and even add some more.

The analysis of the video recordings from our corpus enabled us to highlight the effects that videoconferencing may have on the feeling of the intersubjective relation, particularly between the defendant in the remote site and the interpreter, when the latter is not seen on screen. In each case

we analysed, we found that the interpreter felt the need to make sure that the relation between her and the defendant in the remote site was established and maintained. This was possibly compounded by the fact that she could not see herself on the screen. As a result, the interpreter was often not entirely sure whether she could be heard. These observations of real-life courtroom data confirm the observations made in the AVIDICUS 1 and 2 simulations, demonstrating that videoconferencing has the potential to alter the relation between the participants in terms of intersubjectivity, also causing a feeling of uncertainty for the person in the remote site, which, in turn, has consequences on the quality of the interpreting.

6.3.2 Taking speaking turns in co-presence and in the bilingual distributed courtroom: a comparative study

In a second phase, we explored the impact of videoconferencing on the way interpreters and defendants interact, particularly the impact on the turn-taking system. When interpreters and defendants are co-present in the courtroom, the regulation often appears easier than in VCI. This is partly due to the use of whispered simultaneous interpreting, which is not possible when the defendant appears in the remote site and the interpreter is not seated next to the defendant. As a result, consecutive interpreting and loud voice are mainly used in VC-based court hearings in France. We aimed to discover the impact of this on the way interpreters and defendants interact with each other and with the court.

Before qualitatively analysing the constraints introduced by videoconferencing on the conversational activity, we started with a quantitative study between hearings in co-presence and hearings using videoconferencing in order to show general trends regarding the way people speak in the different situations. The results indicated that videoconferencing appeared to reduce the defendant's and interpreter's opportunities to speak. We observe that when interpreters self-select, i.e. when they intervene, which is very rare in VCI, it is related to questions of clarification, either to the detainee or the judge.

In a second step, we examined how these clarifications occur in VCI during the course of the hearings. Based on video clips taken from our data, our analysis of the sequential formats demonstrates the issues raised by the device. Managing an interruption or a misunderstanding, asking a question etc. is all done differently when videoconferencing is used. The way it is managed by the participants contributes to our understanding of the impact of videoconferencing on the way the interpreter and the defendant interact in this setting.

Finally we argue that, because videoconferencing exacerbates the interaction problems, interpreters have to be aware of the following problems: (1) the turntaking system is altered in the distributed bilingual courtroom; (2) the interaction is weakened by the videoconference setting, and when problems arise, they need more time to be repaired; (3) the problems of hearing (and understanding) are aggravated.

Furthermore, court hearings are characterised by interactional asymmetry as the types of turn that participants can take are predetermined by their institutional roles, involving restrictions on who asks and who answers questions. In such a context, if the defendant or the interpreter want to take the floor, it is never without problems. The VC setting seems to exacerbate routine conversational phenomena such as intervening, addressing someone and providing a clarification. Given the combination of technical interferences and institutional constraints, communication in a courtroom using VCI appears to be more complex.

6.3.3 Hearings as multimedia and polyphonic performance

The third aspect of this study investigated the implications of VCI on the production of speech in a bilingual setting.

First, we observed how the way in which participants are made visible on screen is readable as a statement regarding their relevance to the speech being produced. Indeed, the organisation of video shots in video communication is characterised by an orientation towards a general interactional maxim “put the (full) face of the current speaker on screen” (Licoppe & Morel 2012; Licoppe *et al.* 2013). In other words, the parties who handle the devices or remote control will visibly try “to put the current speaker on screen” or become accountable for not doing so. A consequence of this is that camera motions leading to changes of video shots are meaningful actions, akin to a reformulation of the participation framework. This part of our study investigated the subtle ways in which the use of an interpreter and a video link makes a reshaping of the ecology of participation possible. Focusing specifically on the analysis of how the interpreter is visually presented, we were able to show that the common practice is to make the interpreter visible, but usually in wide shots where she does not appear alone rather than in a close-up. Since close-ups indicate that the visible person is the current and (sole) speaker or addressee, the practice of avoiding close-ups for the interpreter suggests that s/he is not deemed fully responsible for what s/he says.

However, there are exceptions to this general ‘rule’, e.g. an instance where the presiding judge uses the remote control of the court’s VC system to zoom in on the interpreter. In this particular court session, the presiding judge had decided that he would reformulate the prosecutor’s and the counsel’s utterances for the interpreter (who is in court) before allowing her to render them into Arabic for the remotely located defendant. (This behaviour is in itself very interesting and will be briefly discussed below.) Before the zooming in takes place, the judge is seen on screen together with the interpreter, who sits next to him. The zooming in happens when the interpreter begins to render the judge’s reformulation of the questions by the counsel. It is not possible to show the counsel and the interpreter at the same time because the camera angle is not wide enough, so the judge seems to have decided to show only the interpreter, suggesting that he felt uncomfortable with himself being kept in the frame, next to the interpreter, and potentially becoming accountable for the questions that are not his.

This analysis highlights the participants’ apparent orientation towards video shots as making a statement about their participation in the fragmented visual ecologies which characterise courtroom interactions with remote defendants or witnesses. Therefore, changes in camera orientations are meaningful actions, akin to visual ‘formulations’ of the organisation of participation.

Secondly, we focused on the production of the prosecution’s argument, a particular and recognisable moment of the judicial setting. The analysis of the video demonstrates that the turn-taking system during the prosecutor’s argument was reorganised by the co-construction of the argument between the prosecutor, president and interpreter. Therefore, the argument becomes polyphonic. Such a conversational practice is implemented in a particular way in VCI. In the VC, the participants’ positions in the courtroom are modified and, consequently, the limits of their perceptions of what happens at each side of the VC are also modified. VC communication therefore seems to aggravate the interactional asymmetries already at work in judicial settings and to reshape the configuration of awareness, the management of perceptions and the possibilities of control over what happens on the other side of the screen (Heath & Luff, 1993). This situation of uncertainty and imbalance may explain, for example, why the presiding judge, oriented towards the fairness of the hearing, decided to rephrase the prosecutor’s and the counsel’s utterances.

6.4 Conclusions

Our analysis of the impact of videoconferencing on the spatial organisation of the courtrooms and its impact on the interpreters' activities demonstrates that the interaction between the defendant and interpreter should take into account the effect that videoconferencing can have on the establishment of interpersonal relationships in courtrooms. Videoconferencing appears to have an effect on the ability to interact because resources used by participants are modified, and when problems arise, more time is needed to find solutions. We argue that videoconferencing can create an additional barrier to the persons in the remote site who are already isolated by the language barrier, resulting in an increased isolation in their own sphere. Finally we argue that, because videoconferencing exacerbates interaction problems, interpreters have to be aware that the speaking turn system is altered in the distributed bilingual courtroom, the rapport between the participants is weakened by the videoconference setting and the problems of hearing (and understanding) are aggravated.

When assessing hearings as multimedia and polyphonic communications, our findings indicate that, with the introduction of videoconferencing, potential interactional difficulties and the need for cooperative adjustments might emerge. This could introduce additional concerns for the participants, particularly the president of the court in charge of the proper conduct of the activities regarding the linguistic (the interpreter), technological (the video link) and other agencies in the courtroom. When the communication is mediated by video link, the relationships between participants are reshaped, often with the consequence that the interpreter has to speak louder and to interpret consecutively. Our analysis shows how the president of the court tried to overcome perceived problems by providing reformulations of the prosecutor's points, marking these as potentially troublesome to interpret. However, the production of such reformulations in fact exploits the sequential opportunities offered by the sequencing of the prosecutor's argument, which is induced by the need for consecutive interpretation. The more the sequencing goes on, the more opportunities emerge for further development and the more fragmented the discourse is. The prosecutor's argument becomes 'polyphonic' or 'multi-voiced', and the interpreter is left wondering which version to render.

One last conclusion can be drawn from this study regarding the implications of videoconferencing on the interpreter's tasks. The technology, even when very well designed, may not be able to erase reduction in the quality of the intersubjective relations between the participants. Therefore the participants develop different conversational activities to restore the kind of intersubjectivity they usually experience in co-presence. These activities can be increased because the interpreters need to take into account more than one person's speech. In one of the cases studied, the interpreter had to take into account the president's restatement and its didactic dimension. Therefore, in addition to the ordinary consequences of consecutive interpreting, i.e. a certain amount of fragmentation, interpreters may also have to be aware of the didactic and educational dimensions of the situation, which became significant through the reformulations. This new duty for the interpreter is both provoked and made possible by the technology, even if of course, the technology device does not automatically induce it.

7 Videoconferencing and interpreting in cross-border resettlement

7.1 Background and aims

In addition to the growing body of European legislation that focuses on fair trials, including on the rights to interpretation and translation in pre-trial and trial stages of criminal proceedings, the European Council has also adopted legislation that focuses on post-trial stages. In particular, the Council adopted two Framework decisions in 2008 that refer to the transfer of custodial (2008/909/JHA) and the transfer of alternative sanctions (2008/947/JHA). One of the projects that were received financial support from the European Commission Directorate-General Justice in 2011-13 was the DUTT project, which investigated the use of videoconferencing technology in cross-border resettlement. The DUTT project had anticipated that the two Framework Decisions would lead to an increase in cross-border communication in relation to cross-border resettlement procedures, and that this would be difficult to accommodate with traditional face-to-face meetings. The DUTT Project therefore investigated the potential of using VC to meet these novel communication needs.

The use of VC in cross-border settings includes communication across linguistic and cultural boundaries, often necessitating the services of a professional interpreter. This leads to greater complexity in communication. Although previous research into the use of VC technology in legal settings shows that VC communication can be challenging and although our research in the AVIDICUS Projects makes it clear that the combination of VC and interpreting in particular in legal proceedings is not without problems, positive experiences of using VC in legal contexts are also reported, especially where VC technology is used to support e.g. offender management and contact of prisoners with their families, suggesting that VC may be a useful tool to meet the communication needs arising in cross-border resettlement. In this context, the DUTT Project emphasised the potential advantages of videoconferencing in long-distance communication and especially the support that VC offers for non-verbal communication and included an exploratory study on both the benefits and challenges of videoconferencing in the emerging cross-border resettlement contexts.

The study, conducted by the University of Surrey, was based on a series of role plays that covered cases relating to both Framework Decisions, i.e. transfer of prisoners and probationers. The study identified relevant parameters for the given setting, including, for example, the set-up of the videoconferences, the audiovisual environment, the distribution and positioning of the participants and their language proficiency, and investigated the impact that these parameters are likely to have on the success of the communication in the given setting. Whilst the DUTT project was generally concerned with the use of VC in cross-border resettlement, one aspect that was included in the study and further investigated in AVIDICUS 2 was the integration of interpreters into the resettlement VCs, which led to VCI/A and VCI/B settings, but also to new variants of these settings. This chapter will summarise the main findings in relation to interpreter-mediated videoconferences in offender management embedded in cross-border resettlement procedures.

7.2 Method

This study was a feasibility study. It was based on a series of VCs simulating cross-border resettlement cases and using role players with relevant professional expertise, e.g. probation workers, offender supervisors and officers in offender management. The role plays featured

communication between case workers or officers in the Competent Authorities of the countries that would be involved in the transfer, and communication with an offender who is due to be transferred.

The VCs in the entire study sample used a mix of linguistic configurations, and the communication in VCs in which the communication was mediated by an interpreter was compared to other configurations. The linguistic distribution of the VCs was as follows:

- In 7 VCs English was spoken and was the first language of some of the participants, and the second language for the other speakers.
- In 3 VCs English was employed as a lingua franca without being any participant's native language.
- In 4 VCs, participants spoke their native languages and used the services of an interpreter.

The role plays were analysed using a set of categories drawn from communication models that conceptualise communication as a purpose-driven activity and highlight the importance of common ground and rapport-building in communication. While a quantification of benefits and challenges of VC communication was not possible in the small sample, it was possible to observe common trends, with particular regard to how participant distribution, the presence or absence of the offender, and the specific technological set-up and audiovisual environment in which a particular VC took place shaped the communication and interaction. The case studies were complemented by interviews with the role players and interpreters before and after the VC sessions.

7.3 Main findings

7.3.1 Function of the interpretation

Where an interpreter was required in the study sample, the interpretation had varying functions.

In VC1 (of the interpreter-mediated VCs), the interpreter was present to render the dialogue between two probation officers in Latvia and the UK. They discussed the case of a Latvian probationer who was to be transferred to Latvia to serve his community sentence. This was a 'standard' situation for the interpreter, with the only difference being that the communication took place via VC. Given the cooperative and straightforward nature of the conversation, which focused on clarifying 'technical' details regarding the probationer and the transfer, this was largely unproblematic. The participants in the study felt that VC communication is useful in these situations, especially when an interpreter is present, but that some of the officers and case workers may be able to communicate in a lingua franca. If so, they still felt that a VC would support the communication process better than a conversation over the phone.

In the remaining interpreter-mediated VCs, the interpreter's task was different, and the communicative situation was more complex. The three VCs included the offender. For example, VC2 was a VC that included the same Latvian and UK probation officers as above, but this time the Latvian offender, who was still in the UK but about to be transferred to Latvia, was present. The probation officers who participated in our study emphasised the usefulness of being able to speak to the offender before the transfer takes place, in order to clarify basic facts (e.g. whether s/he has a family in Latvia to return to), and to begin building a rapport with the offender. An interpreter would not normally be required for this communication. However, since the Latvian national would be supervised by a UK probation officer, who would assist the transfer from the UK side, this officer needs to be informed about the content of the communication between the Latvian probation worker and the probationer. The UK probation officer would therefore be present in the VC and

would effectively become a 'secondary' participant. As a consequence, an interpreter would be required to render the dialogue between the Latvian parties into English for the UK probation officer to follow.

Similar situations arose in VCs 3 and 4. These were dialogues between a Latvian prisoner in a UK prison and a prison worker in Latvia, and between a Dutch prisoner in a German prison and a Dutch prison worker respectively. The communicative situation in VCs 2-4 had implications for the VC as a whole including the seating arrangements, the mode of interpreting and the way the participants interacted.

7.3.2 Seating arrangements

One of the main problems in VCs 2-4 was that there were three participants on one side, i.e. the probation/prison worker, the offender and the interpreter. These problems were apparent in VC2 (Figure 1), where the UK probation officer (left), the interpreter (middle) and offender (right) sit in a tight row.

Figure 1: seating arrangement in VC2



In this seating arrangement, the face-to-face impression is undermined not only by having the participants sit in a single row, but also by the fact that the offender and the probation officer, who sit to the left and right of the interpreter respectively, are partially out of shot. In addition, the prisoner assumes a position slightly behind the interpreter and probation officer. In a comparable face-to-face situation, the three would adopt a triangle formation. Although the main purpose was for the Latvian offender at the UK side and the Latvian probation officer at the Latvian side to talk to each other, the UK probation officer often intervened because he had questions or comments to add. Hence, there was an interaction between the three participants at this site as well as with the officer on the Latvian side. The seating order (the row) did not lend itself to this type of interaction, i.e. it made it difficult for the UK probation officer to address the offender, as shown in the right-hand frame in figure 1. With regard to the function of the interpreter, discussed in 7.3.1 above, this also meant that effectively the interpreter rendered the Latvian conversation between the two Latvians into English for the UK officer, but she also ended up rendering his contributions into Latvian.

One of the main questions was thus where the interpreter should be located in relation to the other participants. A balance needs to be struck between avoiding interpreter prominence or dominance whilst optimising the interaction and also maintaining security and practicality. In VC 2, the interpreter was seated in the middle, which gave her a position of dominance in the video frame and might have raised issues of security in real life, particularly if the offender is violent. On the other hand, in VC 3, where the offender was a prisoner, the prison officer decided to sit in the middle between the interpreter and prisoner, as shown in Figure 2.

Figure 2: seating arrangement in VC 3

This arrangement, while desirable from the point of view of the interpreter's safety, brings its own difficulties, such as the potential impression on the part of the offender that the interpreter is 'on the side' of the prison warder. Further, this arrangement also gives the prison warder a position of prominence, despite the fact that he is mostly there to oversee and facilitate the communication between the Latvian caseworker and the prisoner.

Apart from these considerations, the seating order makes it again difficult for the three participants to interact with each other. A triangular seating formation would be preferable, in that no participant has the position of prominence. It would also be safer and facilitate mutual visibility and interaction. Equally important, it would avoid the impression that the three participants 'speak as one' whilst in fact their roles need to be clearly distinguished (officer, offender, interpreter).

7.3.3 Mode of interpreting

The mode of interpretation – consecutive or simultaneous – was not dictated to the interpreters. In VCs 2 and 3, the interpreters worked consecutively. However, in VC3 the Latvian interpreter began by attempting to interpret simultaneously. This could have been an attempt at whispered interpreting, since she was seated beside the prison warder, but she then switched to consecutive interpreting because she felt that the simultaneous interpretation was disturbing for the speakers. The main reason for this seemed to be that the simultaneous interpretation at the UK site created some sound interference for the speaker at the Latvian side, who did not expect anyone to talk at the UK side while she was talking.

In VC 4, the opposite happened. For the first two minutes, the interpreter delivered his interpretation for the prison warder consecutively but because the offender was sitting in the middle, between the warder and the interpreter, the interpreter had to lean forward and deliver his interpretation across the front of the offender. This rather laboured the communication. At the instigation of the actor playing the offender, he and the interpreter swapped places, to allow the interpreter to sit beside the warder and deliver his interpretation via whispered simultaneous interpretation. In this VC, the simultaneous delivery did not create interference problems for the other side. However, this type of simultaneous delivery can create an impression of collusion, perhaps in particular when the participants involved do not have experience with the use of an interpreter, i.e. are not used to the idea of an interpreter talking simultaneously with the speaker.

7.3.4 Technological set-up and audiovisual environment

Further observations concern the quality of the technology and the audiovisual environment. They will be summarised here as they also apply to the VCs which included an interpreter, but they are not specific to interpreter-mediated VCs.

In terms of technological set-up, the first point to be noticed was the sound quality. The sound quality of some VCs was found to be lower than would be required especially for the purposes of communication through an interpreter. The second point concerns connection stability. This varied greatly, causing one VC to break down. Technical problems are particularly noteworthy for two reasons. Firstly, their consequences are potentially far-reaching because of the possible implications of misunderstandings or loss of information as a result of poor sound quality or connection problems. This is particularly serious in VCs involving an offender and an interpreter. Secondly, technical problems are beyond the control of the system users. Minimum standards need to be specified for the main technical parameters such as sound and image quality, lip synchronicity and stability of the connection, similar to the standards that have been developed for (simultaneous) remote conference interpreting (Esteban Causo 2012).

The audiovisual environment (including seating arrangement and positioning in relation to the camera, visibility of participants and background) is one of the dimensions over which users have more control but was also one of the analysis categories in which the impact of the participants' general lack of VC experience was most obvious. For example, little attention was paid to aspects such as seating position, distance from the camera, camera angle, lighting or background. However, recent research has shown that these aspects are crucial for the mutual perception of the participants (Tait & Rowden 2012). Unless the audiovisual environment is improved, e.g. through awareness-raising and training, some of the aims of using VC in the given context (e.g. assessing an offender, ensuring fairness of justice) will be difficult to achieve.

7.4 Conclusions

Whilst a number of problems occurred in the study, the outcomes suggest that VC is in principle a useful tool to support communication processes in the context of FD 909 and 947. One of the main conclusions to be drawn is that for VC technology to be beneficial in the given context and in order to achieve what must be regarded as the ultimate goal of legal communication, i.e. fairness of justice and mutual trust, the use of VC needs to adhere to minimum standards and codes of best practice with regard to a range of parameters. The use of 'high quality' technology is one important parameter for enabling successful communication, but it needs to be complemented by others. All of the parameters identified in this study are closely interconnected and build on each other. At the most basic level, the quality of the technology together with the audiovisual environment of the VC—including seating arrangements—have an impact on the interaction of the participants and their perception of each other. An additional requirement for appropriate communication is adequate language proficiency or, failing that, the availability of interpreting support.

Provided that this is possible, the use of VC is likely to have a number of specific advantages over the use of other communication technologies such as telephone and email for meeting the communication requirements that are generated by the Framework Decisions. VC is likely to be particularly beneficial in situations where more than two participants interact, i.e. when an offender and/or interpreter are present.

The latter means that VC allows for an offender to be included in the communication, which should be understood as an opportunity to improve the quality of the communication and decision-making in the resettlement process. In particular, the participation of the offender in communication processes is likely to enable those involved in the case to identify and resolve any case-related problems in a more comprehensive and informed manner. The suitability of VC for small-group communication also allows for timelier and more transparent decision-making than a potentially lengthy series of one-to-one communications involving telephone or email only. The improved

quality of the communication in the early stages of the resettlement process is likely to create long-term social and economic benefits for offender management and resettlement. For these potential benefits to take effect, however, it is necessary that the problems identified in this study are carefully addressed and mitigated before VC is implemented as a tool of communication.

Conclusions

This final section will provide a summary of the main conclusions to be drawn from the individual studies reported in this document.

Comparative studies of video-mediated interpreting

The quantitative comparative studies create a complex picture, making it impossible to say without reservation that the initial training of interpreters in video-mediated interpreting (VCI), their increased familiarisation and experience with it and/or the use of better technology resulted in an improvement of the quality of video-mediated interpreting. On the positive side, an improvement was observed in relation to some of the parameters that were analysed in the comparative studies. Moreover, the general impression of the observers and the participating interpreters was that under the influence of training and familiarisation, the experience of VCI became less stressful for the interpreters, and there are indicators for improved confidence in approaching VCI. However, other aspects in the data show that this method of interpreting remains challenging, and many of the problems identified in AVIDICUS 1 prevailed in the AVIDICUS 2 data sets, suggesting that interpreting problems are still magnified by the videoconference condition despite the initial training, additional experience and the use of better equipment.

Adaptive behaviour

The (subtle) differences in the distribution of interpreting strategies, especially problem-resolution strategies, across the different settings (traditional interpreting vs. VCI) support the conclusion drawn from the comparative studies that VCI is, on the whole, more challenging than traditional interpreting. This is particularly apparent in the interpreters' more frequent use of passive and inefficient strategies in the VCI settings. Given the fact that the participating interpreters were experienced interpreters, this may suggest that the interpreters' resources were too strained to apply more efficient strategies. At the same time, the data include a number of successful examples of strategy deployment and adaptive behaviour, and strengthen the assumption made in AVIDICUS 2 that training in VCI should place particular emphasis on a detailed reflection upon the effectiveness of different strategies, including problem resolution strategies and pre-emptive strategies.

Communicative dynamics and spatial organisation

The analysis of both (simulated) police interviews and (real life) court hearing revealed differences in the dynamics of the communication between traditional and video-mediated settings. In the police interviews that were analysed (witness interview and suspect interview), the interviewing officers spent more time developing and unfolding their interview strategy in the face-to-face setting than in any of the three video-mediated settings. These results could indicate that the interviewers had better contact with the interviewee during a face-to-face interview and that the interaction was better because the interviewers built up the interview more slowly and with a better foundation. The analysis of the court hearings reveals that when the communication is mediated by video link, the relationships between participants are reshaped. The use of videoconference technology in the court room seems to entail a reduction in the quality of the intersubjective relations between the participants. The participants develop communication strategies that are aimed at restoring the level of intersubjectivity they usually experience in co-presence. However, in the instances that were analysed some of these strategies led to a fragmentation of the communication and reinforced the changes in the communicative dynamics rather than reducing them. In part, the fragmentation was

linked to the use of consecutive interpreting in situations in which traditionally whispered simultaneous interpreting would be used. In all data sets that were analysed in AVIDICUS 1 and 2, the seating arrangements and the spatial organisation led to interactional difficulties and changes in the communicative dynamics, and created a need for cooperative adjustments. One common problem was that due to being shown on a large screen or being placed in the centre of the video screen some participants were given an unjustified level of prominence or 'visibility'. A related problem was that seating arrangements gave the impression that the participants on one side of the video link spoke 'as one' or could be perceived 'as one' whilst in fact their roles need to be clearly distinguished.

Implications

The outcomes of the AVIDICUS 2 research have the following main implications:

- *Training and education:* One of the questions arising from the findings summarised above concerns the effectiveness of short-term training. Whilst short courses seem to be the only viable way for bringing practising legal interpreters up to speed with the basics of VC-based interpreting, the integration of training in VCI into interpreter education is likely to yield greater long-term benefits for future interpreters and their adaptability to VC situations. Training in VCI should therefore be included in interpreter education programmes across Europe.
- *Joint training:* The results of AVIDICUS 2 also support the need for specific training of the legal practitioners (including police officers) in interpreted video-mediated proceedings as well as a need for joined training sessions, with legal practitioners and professional interpreters together. Some of the more problematic outcomes of the AVIDICUS 2 studies could be put down to the legal practitioners relying too much on their own established strategies while disregarding the specificity of the VCI settings. Although there are clearly different issues to be tackled for each group, ultimately they should come together in training, as indeed they will in practice. This is corroborated by the outcomes of the training sessions (for each group and join sessions) held in AVIDICUS 2 (see Workshop Report).
- *Mutual trust:* The findings from the AVIDICUS 2 studies make it clear that training and familiarisation cannot resolve all problems. Remaining problems can only be overcome in an atmosphere of openness and mutual trust between the parties, which, in turn, is only possible when the potential challenges of the VC setting are clear to all and when legal interpreters can be confident that their requests for clarification, for example, are not attributed to a lack of competence. Awareness-raising and the promotion of mutual trust therefore need to be included in all inductions to video-mediated and interpreter-mediated proceedings.
- *'On-demand culture' and interpreting quality:* The AVIDICUS 2 findings highlight the link between a growing 'on-demand' culture with regard to interpreter availability in legal proceedings on the one hand, and a potential decline in the quality of legal interpreting and in the legal interpreters' working conditions on the other hand. Without dismissing the potential benefits of videoconferencing and video-mediated interpreting, e.g. to gain timely access to a qualified legal interpreter, the findings make it clear that the interpreting quality that can be achieved with this method of interpreting will only be viable if the working conditions for interpreters in VC situations are further improved.
- *Interpreters' working conditions and interpreting quality:* Equally important, the quality of interpreting also depends on the quality of the interpreter. Given the current situation in Europe, where there is still insufficient provision of training and education in legal interpreting and where

current trends of outsourcing as a way of cost-saving have led to a decline in the interpreters' overall working conditions, there is a high risk that qualified interpreters, who are able to cope with the challenges of VC-based interpreting, are not available for working in legal proceedings in sufficient numbers, because they choose more attractive interpreting jobs in other segments of the interpreting market. It is therefore necessary to consider not only the impact of VC-based interpreting on the interpreters' working conditions, but also the impact of the current working conditions of legal interpreters on the quality and viability of VC-based interpreting. Current trends in the procurement of legal interpreting seem to work against achieving minimum quality standards and mutual trust, i.e. are not conducive to using the benefits of VC-based interpreting.

- *System design*: Efficiency and quality in videoconference communication and video-mediated interpreting are influenced by a range of factors which should not be considered in isolation. The use of high-quality technology – especially with regard to sound and image quality, lip synchronicity and stability of the connection – is one important parameter for enabling successful communication, but it needs to be complemented by other parameters. These include, at least, a suitable audiovisual environment in terms of lighting, visibility, sight lines etc.; careful and appropriate positioning of all participants; effective turn-taking and avoiding of overlap; and familiarity of all parties with the equipment and setting. All of these parameters are closely interconnected and build on each other. Minimum standards need to be specified not only for the main technical parameters, similar to the standards that have been developed for (simultaneous) remote conference interpreting (Esteban Causo 2012), but also for the other parameters.
- *System design for video-mediated and interpreter-mediated proceedings*: One particularly important point in relation to system design concerns the specifics of interpreter-mediated communication. Due to mobility and migration in Europe, bilingual and multilingual proceedings that require an interpreter are likely to become so frequent in Europe that the specifics of interpreter-mediated communication need to be taken into account from the outset when facilities for video-mediated proceedings are designed and implemented. The enhanced and extended AVIDICUS 2 guidelines and recommendations are intended to provide a comprehensive point of reference for this.

Questions and directions for further research

Appropriate solutions for bilingual videoconferencing will be beneficial for European cross-border proceedings and national proceedings alike and will make the use of videoconferencing in legal proceedings more attractive for all European Member States. They will contribute to the dematerialisation of legal proceedings and to simplifying and encouraging judicial communication between Member States, which are important aims of European eJustice. Further research into the efficiency of bilingual videoconferencing therefore constitutes an important horizontal measure for European eJustice, serving the needs of both civil and criminal justice.

This research needs to be driven by the most recent emerging trends in relation to the use of videoconferencing and interpreting in legal proceedings which include:

- A potentially more diversified participant distribution leading to three-way videoconferences and new configurations of video-mediated interpreting;
- The extension of the use of videoconferencing and interpreting beyond its current uses mainly in pre-trial and trial stages, as illustrated by the communication needs arising in cross-border resettlement;

- The use of both consecutive and simultaneous modes of interpreting in videoconferences, and the associated questions of feasibility and appropriateness.

The questions about the appropriateness of the different modes of interpreting in videoconference-based proceedings is indicative of a more comprehensive question that needs to be addressed by future research. This should address the question of whether video-mediated and interpreter-mediated proceedings will work best when they replicate as closely as possible the traditional face-to-face settings, e.g. by transferring known communication strategies and the spatial organisation of face-to-face settings to the videoconference settings, or whether justice is better served when design solutions start from the main requirements for all legal communication—i.e. fairness and efficiency of justice—and when systems are designed such that this is possible. The comparative studies conducted in AVIDICUS 1 and 2 suggest that video-mediated interpreting remains challenging and that it is difficult to achieve the quality standards of face-to-face interpreting in video-mediated proceedings regardless of training and familiarisation. This may, in turn, indicate that a replication of all aspects of face-to-face interpreting is not the most efficient solution for video-mediated proceedings. Future research should therefore focus on video-mediated communication and video-mediated interpreting as modes of communication in their own right and address the question of where replicating face-to-face communication makes sense and/or is necessary to achieve appropriate communication and interpreting quality, and where adaptation will lead to better solutions for the fairness and efficiency of justice.

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