

Institution: Heriot-Watt University
Unit of Assessment: 28 Modern Languages and Linguistics
Title of case study: Promoting Equal Access to Justice in Multilingual Societies.
<p>1. Summary of the impact (indicative maximum 100 words)</p> <p>Research in CTISS (Centre for Translation and Interpreting Studies in Scotland) by Böser, Mason, Perez, Wilson on face-to-face interpreting has facilitated equal access to justice for speakers of foreign languages in police investigative processes at national and international level. Three mature strands of impact can be identified:</p> <ul style="list-style-type: none"> • Informing and guiding changes to police practice and training for working with interpreters at national and international level, and influencing legal professionals and policy makers in the area of communication support in investigative processes. • Providing the foundation for evidence-based policy-making in multilingual communication support. • Intervening in a vicious circle of under-professionalization by focusing on the development of professional training, quality assurance and professional accreditation. <p>Since 2009 the focus and driver for this impact has been the transposition of European milestone legislation on language rights in criminal proceedings (EU Directive 2010/64).</p>
<p>2. Underpinning research (indicative maximum 500 words)</p> <p>The principal research themes underpinning the impact are:</p> <ul style="list-style-type: none"> • Analysing linguistic requirements to inform evidence based policy- making. <p>Perez and Wilson explored the need for Translation, Interpreting and Communication Support (TICS) in public services in Scotland in a government commissioned report (2006, http://www.scotland.gov.uk/Publications/2006/01/25141550/0) and furnished evidence of an acute and previously unchartered demand. The primary and innovative objective of the project was to study TICS from the perspective of providers and public sector bodies. The recommendations of the report to the Scottish Minister for Communities and Social Justice informed policy regarding future TICS provision and associated training requirements. The report by the European Language Council's Special Interest Group on Translation and Interpreting for Public Services (Perez et al 2011 http://ec.europa.eu/dgs/scic/news/2011_sigtips_en.htm) analyses the situation concerning translation and interpreting for public services in Europe. The ImPLI report (Böser, Wilson et al, 2012, http://www.isit-paris.fr/documents/ImPLI/Final_Report.pdf) surveys police interpreting practices in six jurisdictions. It provides the first overview of its kind on associated issues and provides a set of related recommendations.</p> <ul style="list-style-type: none"> • Conceptualising the role of the interpreter in face-to-face investigative communication to support best practice. <p>Police interviews are the central interactional resource in the investigative process. Little research has been carried out on the role of interpreters in such interactions. Research in CTISS has built on Mason's pioneering conceptualisation of the interpreter's role (2000, 2001, 2006, 2009). Applying critical discourse analysis and pragmatics to socially-situated, mediated face-to-face interaction this research identifies a clash between users' perceptions of interpreters as mere "conduits" and the active role which interpreters play in the construction of mediated discourse. This process involves complex triadic negotiations of meaning and of the boundaries of the interpreter's role in a context of frequently conflicting expectations by institutional and non-institutional users. CTISS researchers have drawn on this work in their exploration of face-to-face interpreting in the context of the pre-trial stage of legal proceedings. Böser (2013) shows the impact which specific modes of interpreting have on the realisation of the institutional goals which shape forensic formats of police interviews.</p> <ul style="list-style-type: none"> • Research based interventions in the advancement of professionalization of Public Service Interpreting (PSI). <p>The TICS report (2006) highlights the preponderance of conditions (e.g. use of unqualified interpreters) and processes (e.g. modalities of procurement) which jeopardise the provision of a</p>

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high quality service. The ImPLI report (2012) corroborates and develops these findings at European level. Ricoy (2010) provides an analysis of the interrelationship of elements and constraints in the professionalization of PSI. This interconnectedness of factors informs the interlinked approach to training for all participants in interpreter mediated police settings outlined by Perez and Wilson (2011).

Research was carried out with external funding from a variety of sources:

- the Scottish Executive for the TICS report (£50,000)
- DG Criminal Justice for EULITA I and II, ImPLI, TRAFUT, Co-Minor-IN/QUEST (share of grants, CTISS: €153,949)
- AHRC for *Negotiating the Ethical Maze in Interpreter-mediated Investigative Interviews* (£37,671)

Key researchers : Ursula Böser, Ian Mason (left in 2010), Isabel Perez, Christine Wilson.

3. References to the research (indicative maximum of six references)

Böser, U. 2013. 'So tell me what happened – interpreting the free recall segment of the investigative interview' *Translation and Interpreting Studies*, 8:1,112 – 136.

- *Publication with John Benjamins in a world leading series on Translation and Interpreting Studies, peer-reviewed, official journal of the American Translation and Interpreting Studies Association*, indexed in a wide range of sources. (See REF2, PDF available)

Mason, I. & M. Stewart 2001. "Interactional pragmatics, face and the dialogue interpreter". I. Mason (ed.). *Triadic exchanges*. Manchester: St Jerome, 51-70. ISBN 1-900650-36-3

- *Major reference work in the emerging field of dialogue interpreting from major publisher in the field of Translation Studies bringing together a renowned group of scholars in the field.*

Mason, I. 2006. 'Ostension, inference and response: analysing participant moves in Community Interpreting dialogues', *Linguistica Antverpiensia, New Series 5 – Taking stock: Research and Methodology in Community Interpreting*, 103-120. ISSN 978 90 5487 829

- *Peer-reviewed, annual publication for the study of language, translation and culture, with a special focus on translation studies. Editorial board of internationally renowned scholars.*

Mason, I. 2009. 'Role, Positioning and discourse in face-to-face interpreting' in De Pedro Ricoy, Raquel, Isabelle Perez, and Christine Wilson (eds.) *Interpreting and Translating in Public Service Settings. Policy, Practice, Pedagogy*. Manchester: St Jerome Publishing, 52-73. ISBN 0-7559-289-38

- *Publication by major publisher in the field of Translation Studies arising from the Breaking Down the Barriers: A Team Effort international conference organised about Community Interpreting by CTISS in 2005.*

Perez, I. A., Wilson, C.W.L. 2006. *Translating, interpreting and communication support: A review of provision in public services in Scotland*. Edinburgh: Scottish Executive. ISBN 0755928938.

- *Study commissioned by the Scottish government. Quoted in and informing a number of subsequent policy documents, e.g. Scottish Consumer Council, NHS Scotland, National Resource Centre for Ethnic Minority Health (2006) Lost in Translation: towards a strategic report for people whose first language is not English*

Perez, I. A., Wilson C.W. 2011. 'The interlinked approach to training for interpreter mediated police settings' in Kainz, Claudia, Erich Prunc and Rafael Schögler (eds.) *Modelling the Field of Community Interpreting: Questions of Methodology in Research and Training*. Münster: LIT Verlag, pp 242 – 262. ISBN 978-3643501776

- *One of Germany's leading academic publishing houses presents a peer reviewed selection of innovative models of didactics and curricula for community interpreters and empirically and methodologically challenging analyses of various fields of community interpreting.*

4. Details of the impact (indicative maximum 750 words)

Beneficiaries of the research are:

- Decision-makers and stakeholders in communication support in the legal sector(e.g. senior members of Judiciary)

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- Police trainers (e.g. Scottish Police College staff)
- Police Institutional users of interpreting at national and international levels (e.g. Police Forces)
- Organisations providing communication support (e.g. *Happy to Translate*)
- Knowledge exchange bodies in Policing (e.g. Scottish Institute for Policing Research, SIPR)
- Professional bodies for legal interpreters (e.g. EULITA)

Police investigative communications involving interpreters have been enhanced through the work of CTISS. Researchers delivered training for all new police officers "to the scale of hundreds of officers each year" (Section 5, Source 2,) on 'The Role of the Interpreter' (Initial Detective Training Course, Interview Advisors Course, 2004-2009, Perez, Wilson) at the Scottish Police College. This participation resulted in "significant steps that have been made in professionalisation" (Source 2). A Code of Practice on *How to Work with Interpreters* was developed in 2007 as part of the training delivered and continues to be an integral part of the training material used. CTISS input to the Hostage-Crisis Negotiation Course, (Böser, Perez, Wilson, 2013) has been described as an instance of "knowledge transfer from your profession to the operational policing environment that will no doubt be instrumental in saving life" (Source 1). Source 2 summarises the impact of CTISS training: "the Police Scotland standard operating procedure, implemented following the recent inception of the new force, reflects the learning derived from the provision made by the department at Heriot-Watt." Böser and Wilson's DVD on Best Practice in Police Interpreting, one of a set of six films produced for the ImPLI project and available on YouTube "has been suggested as worthy of consideration as a potential training tool in future police and criminal justice partner training" by Police Scotland (Source 8). A decision about this is imminent at the time of writing. In 2010 Perez and Wilson contributed to a training video for members of *Happy to Translate*, an innovative scheme promoting equal access by overcoming language barriers between public organisations and service users. The impact of this "training material extends across a wide range of professional sectors" (Source 6) such as the Crown Office Procurator Fiscal Service, Scottish Criminal Cases Review Commission, the Scottish Refugee Council.

Since 2010 training has been provided on an on-going basis as CPD provision to other professional groups, in particular trainee advocates, and researchers are consulted on an on-going basis by the group advising the Crown Office Prosecution Service and Court Service (Working Group on Interpreting and Translation/Legal Services (WGIT) on the monitoring of interpreting in court. As noted by source 3: "*Languages and Intercultural Studies (LINCS)* has collaborated with a variety of legal professionals over the past ten years, influencing developments relating to interpreting in the legal field." Dissemination through the ImPLI Project supported the implementation of EU Directive 2010/64 and enabled the research outcomes to be adopted by forces in Italy, Germany, France, Belgium and the Czech Republic. Findings from the research were disseminated to linguistic and legal experts at a final conference in Paris (2012) with endorsement from Viviane Reding, Vice-President of the European Commission (see <http://www.youtube.com/watch?v=SSmHwLSqfrk>). At the request of Scottish police staff and stakeholders a dissemination event for ImPLI findings was held at Heriot-Watt in 2013. Source 4 comments on ImPLI: "The outputs of the research are excellent tools for the training of police officers as well as interpreters", and attests that ImPLI contributes to "the improvement in the quality of interpreting services and in effective interpreter-supported communication". The follow-up project Co-Minor-In/Quest (Böser and Wilson, January 2013) on interpreter-mediated investigative questioning of minors builds on the insight and the infrastructure of impact generation established in the course of the ImPLI project.

Co-operation with police forces generated a body of experimental audiovisual data on interpreted witness interviews. Findings from this data were tested in discussion during two seminars (Böser 2011, German Police University College, Münster, Böser 2012 Ljubljana University) for European graduates of the FBI Training Academy in Quantico and FBI agents in Europe. Source 5 was instrumental in the sharing of this "research work with colleagues in foreign jurisdictions.... The discussion ... has generated new ways of thinking about police investigations in a multilingual setting.... It is clear to me that this research work helps to shape policy and practice in this country and internationally." In recognition of the significance of this work for policing practice, the Scottish Police have released an unique data set of interpreted suspect interviews. This provides the basis for further research which will lead to evidence-based recommendations for practice

In June 2014 Perez contributed to the creation of a research programme for the FBI's High Value

Detainee Interrogation Group to advance interviewing practices which laid the foundation for further impact generation at international level.

The work has advanced the professionalisation of legal interpreting, in particular through the establishment of an association and EU-wide register of legal interpreters and translators. Arising from an EU funded project with CTISS (Perez and Wilson) as one of three academic partners, EULITA (European Legal Interpreters and Translators Association) was launched in November 2009. An association of legal interpreters and translators EULITA also holds the EU-wide register of qualified legal interpreters and translators and promotes co-operation between practitioners and researchers (see Source 6). The EULITA website is now the prime EU repository for all information on legal interpreting and translation. EULITA has gone on to lead projects such as TRAFUT on the training of legal interpreters and translators. This project also addressed a number of impediments to the transposition of EU Directive 2010. Source 3 notes that following participation in the TRAFUT project, further progress in Scotland will be supported by facilitating the "*observing of interpreter-mediated trials with a view to assessing, and hopefully remedying quality issues to ensure compliance with the European Directive and equal access to justice*". In recognition of her work with EULITA Wilson was invited to join a team of experts that developed the national professional standards which underpin the development of vocational qualifications in interpreting.

Recently, appropriate procurement procedures have been identified as a crucial element in the down-stream assurance of quality in police interpreting provision. An evaluation tool has been developed (Perez and Wilson, 2010, 2012) to assess the translation/interpretation quality of samples provided by agencies submitting bids for a Translation and Interpreting services procurement contract with Lothian and Borders and Strathclyde Police. This tool assesses "*the capabilities of bidders to comply with the service requirements within the tender for provision of interpreter and translation services*". Source 8 adds that "the service as a whole will undoubtedly benefit from the results and findings of this piece of work upon progressive migration to national service provision."

The recognition of the TICS report as a reference point is evident in the various ways in which it has informed policy discussions and decisions: the report was at the core of the *Lost in Translation* seminar, jointly organised in March 2006 by Consumer Focus Scotland, NRCEMH and NHS Health Scotland. Subsequently the TICS report authors were asked to contribute to the consultation process for the design of TICS standards for the NHS (2011). In 2010 Perez contributed to an analysis of the European status quo in the field of PSI. The resulting report was endorsed as a benchmark document for policy in the field of multilingualism by the Commissioner for Multilingualism and DG Translation and DG Interpreting.

5. Sources to corroborate the impact (indicative maximum of 10 references)

- 1 Deputy Head of Division, Scottish Police College (SPC).
- 2 Inspector, Executive Support Unit, Police Scotland, trainer at SPC.
- 3 Senior Judge and Head of the Judiciary in Scotland.
- 4 President of EULITA (European Legal Interpreters and Translators Association).
- 5 Former Chief Constable, former president of the FBI National Academy Associates (European Chapter), Co-founder and senior member of the Scottish Institute for Policing Research (SIPR).

Factual Statements

- 6 Senior staff, *Happy To Translate*
- 7 Senior Translator at European Court of Human Rights
- 8 Superintendent Police Scotland, Safer Communities
- 9 ImPLI website, (<http://www.isit-paris.fr/-ImPLI-Project-.html>), main European online repository about police interpreting, includes project output of six films about best practice in police interpreting, also available via Youtube. (<http://www.youtube.com/watch?v=1de0kvn1bjM&list=PLx15JSWFqoqCm5ycG6CKzxAQHE-Yfrglj&index=6>). See in particular film based on Scottish jurisdiction produced by CTISS (<http://www.youtube.com/playlist?list=PLx15JSWFqoqCm5ycG6CKzxAQHE-Yfrglj>)
- 10 EULITA website, main European online repository of information on legal interpreting and translation (<http://www.eulita.eu>) including the training of legal interpreters (<http://www.eulita.eu/training-future>).