

# A Forensic Approach to Consecutive Interpreting

# What is court interpretation?

- Courtroom interpretation is a sophisticated art, demanding not only a broad vocabulary, instant recall, and continuing judgement as to the speaker's intended meaning, but also the ability to reproduce tone and nuance, and a good working knowledge of both legal terminology and street slang. (Mathers 2007)

# Define consecutive interpreting

- CONFERENCE
- Margareta and David Bowen - What consecutive should be
- It should be a discourse saying the same thing as the original, possibly using variations of language in an effort to clarify the message and make it understood by others, who did not understand the original
- COURT
- Dueñas Gonzalez, et al
- In this mode, delivery must be fluid, keeping pace with the natural flow of questions and answers in witness testimony without undue hesitation or frequent requests for repetitions. The interpreter must deliver a rendition that conserves the speech characteristics of the speaker's original utterance without inserting pauses, hedges, and fillers that are not present in the original.

# A researcher's definition

- Franz Pöchhacker
- Consecutive interpreting is a two-stage process, that is, source-speech comprehension followed by re-expression in another language. Memory is crucial to consecutive interpreting. Consecutive interpreting in interactive discourse situations has been studied not so much as a processing mode but as a communicative activity shaped by, and in turn shaping, the dynamics of cross-cultural encounters.

# Responsibilities

- The court interpreter has the duty of putting the LEP person on an equal footing with an English-speaking person. The LEP person should have an experience as close as possible to that of a person without a linguistic disability.
- The interpretation becomes the record and the interpreter must reproduce every concept in the TL, upholding the conceptual verbatim standard.
- Jury is told to accept as true the interpreted testimony as the evidence in the case.

# Setting

- Forensic consecutive interpreting is performed in the courtroom (also depositions) and the interpreter must perform in accordance with statute, procedural and ethical rules and judicial decisions that are typically absent in other sectors of interpreting.

# The message

- Legal Equivalent (Gonzalez, 1987b)
- A linguistically true and legally appropriate interpretation of statements spoken or read in court from the second language into English, or vice versa.
- Meaningful Legal Equivalent
- Title VI requires interpreters to produce a message that abides by all accuracy standards, but also assists the LEP listener to achieve meaningful comprehension. The ability to construct a meaningful legal equivalent in no way changes the basic performance standard requiring the attainment of legal equivalence.

# Goals for interpreter remain unchanged

- The standard to conserve meaning, style, register, and intention of the SL message in the TL remains the same.
- The interpreter must select the most accessible and meaningful option that will most likely be comprehended by the audience.



# Prerequisites for a successful interpreter

- Master-level in working languages (wide-ranging vocabulary)
- Higher education (graduate level)
- Superior interpreting skills
- Good memory
- Concentration
- Analytical Skills

# Dos and Don'ts of Forensic Consecutive Interpreting

## Dos

- • Deliver a conceptual verbatim equivalent
- • Produce a message that affects the TL audience the same way it affected the SL audience
- • Every concept has to be conserved
- • Preserve every conceptual unit of meaning
- • Reproduce register and formal elements of speaker's style
- • Pay attention to every word while delivering it into TL idiomatically
- • Reproduce concepts, not words
- • Hesitations, false starts, hedges, etc. must be conserved verbatim style

- Don'ts
  - • No verbatim or literal interpretation
  - • No altering, adding to, or omitting concepts
  - • No simplification of message or trying to make it more appealing to audience
  - • No frequent interruptions of witness or defendant
  - • No introduction of hedges, fillers that were not present in the original

# What qualities do we want in court?

- Weber (1984)
- “Conference interpreters have to have the same level of intelligence as the person they are called upon to interpret.”
- Salazar’s Take from This
- The point is not how smart the interpreter is, but how quickly can the interpreter absorb and process information, drawing on a very strong foundation of general knowledge, that is, a variety of professional subject matter. Additionally, for court work, having the ability to move between registers, regionalisms, rural and urban speech styles, codeswitching, and hybrid language use.

# Long story short

- Interpreters should be competent interpreters before entering the legal field