

# IMPARTIALITY IN POLICE INTERPRETING<sup>1</sup>

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## Abstract

The different codes of ethics applicable to interpreting in police settings include principles – confidentiality, fidelity, impartiality – that every interpreter should obey. The police setting, however, creates situations in which it is not always possible to follow these principles. Taking this contradiction as a starting point, and focusing on the principle of impartiality, the aim of this study is to verify whether there is, indeed, a divergence between theory and practice and to establish what might determine such a divergence. In order to validate the hypothesis, the study describes five interpreting sessions between French and Spanish that took place at different police stations in Valencia. The data were collected by means of a questionnaire filled in by the interpreter-researcher. The results show that there is in fact a divorce between theory and practice; further analysis is carried out that suggests possible causes behind the tensions encountered by the interpreter when trying to maintain the principle of impartiality in police interpreting.

## Resumen

Los diferentes códigos éticos aplicables a la interpretación en el ámbito policial señalan principios como la confidencialidad, la fidelidad y la imparcialidad, que todo intérprete debería respetar. El contexto de la comisaría de policía, sin embargo, plantea en muchas ocasiones situaciones en las que el mantenimiento de estos principios no es posible. Con esta contradicción como punto de partida, y centrados en el principio de imparcialidad, este estudio tiene como objetivos determinar si efectivamente hay un divorcio entre la teoría y la práctica y establecer cuáles son los condicionantes que pueden generar divergencias entre ellos. Para validar esta hipótesis, el estudio describe cinco interpretaciones entre francés y español realizadas en comisarías de la ciudad de Valencia a partir de la observación y del análisis de los datos obtenidos a través de un cuestionario rellenado por la intérprete-investigadora. Los datos muestran que, efectivamente, se da ese divorcio entre teoría y práctica y el análisis sugiere posibles causas de las tensiones que encuentra el intérprete a la hora de mantener el principio de imparcialidad en la interpretación policial.

**Keywords:** Interpreter's role. Police interpreting. Impartiality. Invisibility. Codes of ethics.

**Palabras clave:** Papel del intérprete. Interpretación policial. Imparcialidad. Invisibilidad. Códigos éticos.

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## 1. Introduction

The intensification of migratory movements towards Spain from the 1980s has meant a higher demand for interpreting services in public services (PSI) in the last few years. In the legal area, lawyers, judges, police officers, people under arrest, victims, asylum seekers, and others need to make use of the interpreter to overcome communicative barriers emerging from linguistic and cultural diversity.

This need has been present across history in areas equivalent to what are currently called public services. As Josep Peñarroja (in Sherr 1999: n.d.), “the Indians living in the Americas had the right to be judged and have a translator, an interpreter. In the early 1500s, the law stipulated that there be an interpreter who would interpret under oath”. Regarding an area closer to our own, Moeketsi (1999: n.d.) states that “court interpreting in South Africa [...] dates back to the 17<sup>th</sup> century when the colonialists first set foot on our shores”.

IPS as a field of study, however, is quite recent and not very uniform. It is recent because, as Abril Martí (2006: 4) states, “in the 60s and 70s only a small number of immigration-receiving countries (Australia, Canada, United States, United Kingdom, Sweden) recognised IPS”. It is not very uniform because the acknowledgement of the activity and the focus on it as an object of study arrived much later in other countries, in particular from the 80s and 90s with the intensification of migratory movements to countries other than those listed above. From this time, and derived from the need to overcome communication barriers, the professionalization of the activity started to be considered more widely; as a consequence, PSI as a field of study began to gain in strength and generate more interest.

From the beginning of studies on PSI (which can be dated back to the first *Critical Link* congress in 1995), the role of the interpreter has been part of the debate, as we can see in some early articles (e.g., Carr, Roberts, Dufour & Steyn 1997). It remains a central aspect. Many of the works published up to now refer in one way or another to ethical questions related to the role of the interpreter and his/her (in)visibility (Angelelli 2004; Hale 2008; Jacobsen 2009; Pöchhacker 2008).

One of the main tools to define the role of the interpreter for the proper development of the profession, and to help establish guidelines, limits, and responsibilities, is represented by the codes of ethics. However, one must point out that codes and practice do not always go together. Despite the continuous debate about the role of the interpreter in PSI, codes of ethics must be used as a reference, and they are also useful as a starting line to approach the subject of our study: impartiality.

## 2. Impartiality in PSI

Before looking at what some codes say about impartiality, we shall examine one of the more complex definitions of the concept, which is used as a base for this study. According to Cambridge (2002), interpreters follow the impartiality model as follows:

- Do not give personal advice or opinions;
- Do not add or omit parts of the message;
- Do make every effort to foster the full, accurate transfer of information;

- Do maintain strict confidentiality.

As Cambridge goes on to say, this model allows the interpreter to intervene in certain situations, though these should be limited as much as possible:

- When they cannot hear what is being said;
- When they need clarification of part of a message;
- When they believe there could be a misunderstanding;
- When they believe a cultural inference has been missed.

Codes of ethics around the world always include the issue of impartiality, which is recognised as one of the main values that every interpreter has to maintain, together with objectivity and fidelity, among others. The importance of impartiality is explicitly observed for example in the codes of the Institute of Translation & Interpreting (ITI) in the United Kingdom, the National Association of Judiciary Interpreters and Translators (NAJIT) in the United States, the European Legal Interpreters and Translators Association (EULITA) in Europe, the Australian Institute of Interpreters and Translators (AUSIT) in Australia, and the Professional Association of Legal and Sworn Translators and Interpreters (APTIIJ, Asociación Profesional de Traductores e Intérpretes Judiciales y Jurados) in Spain. Below we present in detail what the last two institutions say about the issue of impartiality.

In Spain, the Professional Association of Legal and Sworn Translators and Interpreters (APTIIJ) establishes in its code of ethics that:

Interpreters or translators will remain impartial and neutral at all times and will be independent, preserving their independence in front of every kind of interference, demands or external interests that could diminish their professional activity and that come from public, economic or de facto powers, from court, from their client or from their own colleagues or collaborators.

The Australian Institute of Interpreters and Translators' code is more descriptive:

Interpreters and translators play an important role in facilitating parties who do not share a common language to communicate effectively with each other. They aim to ensure that the full intent of the communication is conveyed. Interpreters and translators are not responsible for what the parties communicate, only for complete and accurate transfer of the message. They do not allow bias to influence their performance; likewise they do not soften, strengthen or alter the messages being conveyed.

Despite the nuances regarding the flexibility of the model, in general, studies about the role of the interpreter defend impartiality as a compulsory feature of any interpreting assignment. Garber (2000) recognises impartiality as an essential feature of *community interpreting*; he considers impartiality allows participants to talk to each other, and that the weaker party gains more power when they can directly address the other party. Hale (2008: 119), after analysing different interpreting fragments taken from the legal and medical fields, concludes that "the only adequate role for court interpreters [...] is that of faithful renderer of others' utterances". Her arguments could also be applied to interpreting in police settings.

However, even in those countries more advanced in PSI, it is a fact that the interpreter is not always impartial. Many studies (Angelelli 2003; Berk-Seligson 2002; Hale 2004; Nakane 2009; Ortega Herráez & Foulquié 2008; Pöchhacker 2000; Wadensjö 1998) show that the real performance of interpreters is not always faithful to the impartiality model. All of them have identified situations that we could place at some point on a continuum between the following extremes:

### **Interpreter who is faithful to the impartiality model**

Not adopting the responsibility of communication between the main actors.

### **Partial interpreter**

Trying to help one of the parties.

What can happen to take the interpreter away from that ideal role? We can establish two big groups of aspects that can generate contradictions: on the one side, aspects related to setting, and, on the other, circumstantial aspects.

Aspects related to setting are determined by the features of the context: dialogic interaction, proximity of participants, exposure to emotional situations, differences of power, cultural differences, etc. These are aspects we have to take into account when defining any code of intervention, because they are inherent to the communicative situation.

Wadensjö (1998) pays attention to the dialogic character of PSI and starts a new line of research based on her analysis of interpreting performances in Swedish immigration and medical services. Even though her study does not focus on the legal/police field, which is the one that interests us here, it is relevant to mention her study because her analysis heralds a change of approach in the study of dialogic interpreting, which could also be applied to any other kind of ad-hoc interpreting.

The ideal of the completely invisible interpreter has long been overcome (Angelelli 2004; Rosenberg 2002; Wadensjö 1998). The idea of the interpreter as a machine that translates literally, in the more strict sense, is also out-dated. However, the physical proximity between participants and the interpreter is an aspect that, while inherent to the activity, can determine the performance of the interpreter and that of the other participants in the interaction. Mikkelsen (1998: 43), for example, admits that a certain flexibility is needed in order to accomplish the objective of the interaction, and states that “the ideal of verbatim interpretation does not hold up when confronted with real-life interpreted interactions between human beings”.

On the other hand, circumstantial aspects are those that depend on how interpreting is managed: norms, participants’ expectations, working conditions, training, and so on. The big difference with the previous set of aspects is that these can be established or determined to, rather than being a problem, being an asset.

The countries with a wider experience in PSI, such as the United States, Australia, the United Kingdom or Sweden, have accreditation and hiring systems that allow recognition and development of the activity, as well as the establishing of quality standards. In the Spanish case, as we will see below (see 2.3), we are currently seeing some change in the norms that regulate access to the activity.

As for training, it is particularly important in PSI to train the agents working with interpreters. It is important for them to know how to act in such situations in order to make it possible for the interpreter to adopt a role that guarantees good interpreting. This training is recommended by the project ImPLI, *Improving Police and Legal Interpreting* (by UNITI, University Network of Interpreter Training Institutes). In the conclusions of their final report (UNITI 2012: 60) the need for specific training for people in charge of interrogation is pointed out.

In the same line, but from the specific perspective of police services, we can look at the case of the London Metropolitan Police, which has established a procedure (Metropolitan Police 2010) for working with interpreters and translators in which the role of the interpreter is exceptionally well defined and the limits that must not be transgressed are clear. The points established by Cambridge when defining impartiality (see above), are part of the procedure (first person, clarifications, not asking to interpret some fragments, etc.) and it includes many more over 60 pages detailing how to act in situations that could compromise quality. In the same document we find one point in particular that we should consider especially relevant for the present paper regarding the difficulties encountered in maintaining impartiality: “The police officer will always retain responsibility for the exchange” (Metropolitan Police 2010: 9); that is, the police officer plays the active role ahead of the interpreter. Further on, in the same sense, the document reminds us that “an interpreter should NEVER be left alone with the witness to take the statement. An

interpreter is an impartial and independent professional practitioner and should not be asked to perform the role of a police officer” (Metropolitan Police 2010: 24).

No less important is the training of interpreters and the creation of some kind of accreditation system that ensures that interpreters working in the police setting, as well as in the legal setting, can offer enough quality to guarantee the right to the defence. As Hale points out (2008: 119), “the better trained, the better prepared, and the better equipped the interpreter is, the better chance s/he has of producing a faithful rendition”. In this sense, the ImPLI project takes a further step and proposes joint training for police officers and interpreters so that they can mutually create awareness about the needs and problems that each group encounters in these situations. This training could be part of the curricula of both professions (UNITI 2012: 56).

### 3. The study

This study is the product of the professional experience of the author during two years working as an interpreter at police stations in Valencia, and it is motivated by the professional, ethical and moral conflicts encountered during this time. This particular study focuses on those conflicts related to the interpreter’s role as an impartial actor, and on the difficulties encountered by the author in maintaining the impartial model and the codes of ethics mentioned above. From the first interventions at police stations, the author had the feeling of going beyond the appropriate limits for her function regarding impartiality, i.e., using third person, adding or omitting, etc. From this feeling, and from the desire for improvement (individually and collectively), deep observation of what happened in each intervention appeared a way to better understand what exactly it was that was preventing the interpreter from being impartial, and how to solve this.

Therefore, the objective of this study was to observe and describe the interpreter’s performance in real practice, in order to establish whether there is indeed a divorce between theory and practice in interpreting in police settings (in particular, in police stations) regarding impartiality. The further objective was to establish the typical aspects (situational, social, etc.) of the setting that are most liable to generate contradictions between theoretical proposals (impartiality model and codes of ethics) and professional practice.

This study provides only a very modest and limited contribution that tries to help define the complexity of the communicative situations of police interpreting in order to better work towards a road map that guarantees that the effective legal remedy of the person under arrest is not affected by the performance of the interpreter. Identifying, analysing, and understanding all the aspects that can affect the interpreter’s performance will help to define the communicative strategies that interpreters can follow in order to face up to assignments with confidence and to be able to offer the maximum guarantee of quality.

On the following pages, the study is described in detail. First, the methodology is presented (section 4); then, results (section 5); and, lastly, the conclusions (section 6). The annex includes the schema used to collect data during and after the sessions.

### 4. Methodology

In line with the objective, this study is mainly descriptive. We analysed five interpreted services with people of different countries of origin who were under arrest.

#### 4.1. Data

This study was carried out in different phases: schema design, data compilation, organization and systematization of information, and data analysis.

To design the schema (see Annex), the author, a freelance interpreter (see section 4.2.2.1.), interpreted a series of pre-sessions with the aim of detecting possible points of interest for this research. The observations from these pre-sessions, together with the ideas gleaned from the

literature (Hale 2007; Raga Gimeno 2005; Wadensjö 1998), shaped the different points of the schema in which the data were collected. The schema was divided into four big blocks. In the first of these, basic information about the participants' characteristics was established. The second concerned aspects of space and time contextualizing the interventions. In the third and main block, a series of questions regarding the interpreter's performance were listed; for example:

- Does the interpreter detect possible legal injury to the person under arrest?
- Does the interpreter omit, add or modify any information?
- Does the interpreter use the first or the third person?
- Is there any casual conversation in which the person under arrest is excluded?

Lastly, the fourth block was a blank section to describe the more general features of each session.

Due to the confidential character of the interviews and thus the impossibility of recording the sessions, we decided to carry out the compilation by taking notes occasionally during the sessions, and by augmenting the information with more detail and any further observations just after the session. The number of cases studied and analysed, five, is smaller than what was initially planned; before all the expected cases had been collected, a change at the level of the company providing the interpreting services meant the interpreter ceased to work in police stations.

To analyse the data obtained, we selected questions that would yield more information to help describe and understand situations in which the interpreter was not being impartial. Through these questions, a dialogue was created between the impartiality model described above and the behaviour the author could detect in her own performance in the different sessions. This dialogue showed discrepancies, agreements, possible consequences, and other aspects that we tried to reflect in each of the sections in a more-or-less independent way, as each question was inevitably interrelated with the others. The results are presented in three subsections for each of the questions: data obtained, possible reasons, and possible consequences. In the subsection on data obtained, the situations in which violation of impartiality was detected are pointed out; in the section on possible reasons, we focus on the reasons that might be behind this violation; lastly, in relation to possible consequences, we think about the potential effects of a lack of impartiality in the evolution of the interpreted situation.

## 4.2. *Corpus*

### 4.2.1. Justification of corpus

Five interpreted sessions form the corpus of this study. All of them have in common the interpreter (the author of this study), the space (police station), the geographical context (city of Valencia and surroundings), and the language combination (French-Spanish). The countries of origin of the people under arrest, the police officers in charge and the reasons for detention, however, vary.

The choice to use the author of this study as interpreter-researcher, despite the risk of bias throughout the work, is justified by a series of reasons. From a legal point of view, it would have been difficult to attend other colleagues' assignments as an observer, so this option was dismissed from the very beginning. From a practical point of view, most times an interpreter is called to assist in police stations, short notice is given (half an hour, normally). The interpreter can accept or reject the assignment, depending on their availability. It would have been extremely difficult to organize both interpreter and researcher with such short notice. After taking into account these difficulties, the author estimated that self-analysis would furthermore provide information that could not have been obtained otherwise; the author is the only one who knows what she was thinking when taking one or another interpreting decision in a given moment. Finally, the danger of bias is overcome, as far as this is possible, by the motivation that generated the study: the author knew that she was not being impartial, but wanted to understand why and on which occasions. This is, consequently, an exercise in self-criticism, in which we do not try to justify or minimize the impact of our own performance.

The space and the geographical context were determined because they represented the usual context of the author's interpreting activities.

The language combination was the same for all the cases; in principle, this would minimize cultural aspects associated with inter-linguistic communication. We say 'in principle' because French was not the mother tongue of all the participants and the cultural origins of the people under arrest were varied. Nonetheless, this is not a decisive factor in our study due to the limited knowledge of the interpreter about the cultures of four of the five people under arrest (see section 4.2.2.2.).

#### 4.2.2. Participant profiles

In the analysed situations there were always a minimum of four people: the person under arrest, the police officer, the lawyer, and the interpreter. Generally, a police officer conducts the proceedings and is in charge of explaining it to the person under arrest, as well as of conducting the interrogation. However, as is the case in the observed situations, it is very common for other officers to appear and to participate in the interaction, both in relation to issues related with the interpreted case and other issues.

##### 4.2.2.1. Interpreter

The interpreter in charge of all the assignments was the author of this article<sup>2</sup>: a graduate in Catalan Philology and in Translation and Interpreting, she went on to take a Master's Degree in Conference Interpreting (European Masters in Conference Interpreting, EMCI). Since then, she has combined her job as a freelance translator and interpreter with teaching at different universities (University of Westminster, Università degli Studi di Pavia, Universidad Europea de Madrid and Universitat Jaume I).

Trained in conference interpreting, she did not come into contact with PSI until 2010, when she developed an interest in this field of interpreting while organizing a university module about cultural mediation for translators and interpreters. She then began to read up on the subject.

A year later, the translation agency outsourced by the Spanish Ministry of the Interior to provide interpreting services to police stations in Valencia contacted her to offer a collaboration that would last two years (the duration of the outsourcing contract). This experience allowed the author to add practical experience to the university courses.

The experience also led her to teach other modules on interpreting in legal settings at Universitat Jaume I. The double perspective (theory and practice), which introduced the author to the area of police interpreting, is the seed from which this work was born, i.e., the contrast between what she has read about good practice and what she has actually been able to realise.

Therefore, this self-analysis or self-criticism stems from a self-taught perspective and a good deal of theoretical research, but is accompanied by a lack of resources to overcome ethical and professional conflicts originating in specific and real cases.

##### 4.2.2.2. The individuals under arrest

Four of the arrested individuals were immigrants with African origins (Cameroon, Togo and Senegal). The fifth was a French citizen of African origin. All of them had been living in Spain less than two years. All of them were male and between 20 and 40 years old.

We present below, schematically, the main characteristics of each of the men under arrest (where S1, S2, S3, S4, S5 correspond to the number given to each analysed session):

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<sup>2</sup> Hereafter, and for the descriptions of the study, "the interpreter".

S1	
Country of origin	Cameroon
Age	30-40
Gender	Male
Level of French	Good / native
Level of Spanish	Understands a bit / Does not speak it
Mother tongue	Not available
Reason for arrest	Irregular stay in the country
Time of residence in Spain	0-2 years (one year and two months)
Relatives living in Spain	No
Other	Seems to be worried but relaxed. Passive posture.

S2	
Country of origin	Togo
Age	30-40 (30)
Gender	Male
Level of French	Understands/speaks quite well (difficulties with accent)
Level of Spanish	Zero
Mother tongue	Not available
Reason for arrest	Misappropriation
Time of residence in Spain	0-2 years
Relatives living in Spain	Yes
Other	Seems to be very nervous. Talks and gestures a lot. Interrupts. Insistent. Initially refuses to have his fingerprints taken.

S3	
Country of origin	France
Age	20-30
Gender	Male
Level of French	Native
Level of Spanish	Zero
Mother tongue	Not available
Reason for arrest	Contempt
Time of residence in Spain	0-2 years (one year)
Relatives living in Spain	Not available (but seems so)
Other	Seems angry. Ignores the lawyer. Insists he was arrested because of his skin colour (black). Generally answers giving the minimum information. Lives in a luxury hotel in the city.

S4 and S5	
Country of origin	Senegal
Age	30-40 (30)
Gender	Male



Level of French	Good-native
Level of Spanish	Understands a bit / Does not speak it
Mother tongue	Wolof (if not mother tongue, he also speaks it)
Reason arrest	S4, falsified documents S5, irregular stay in the country
Time of residence in Spain	0-2 years (two years)
Relatives living in Spain	Yes (father)
OTHER	Seems formal. Relatively calm in S4; more nervous in S5.

#### 4.2.2.3. Police officers

Altogether, five police officers were the main participants on that side: four national police officers and one local police officer. Three of them were used to working with interpreters because they worked at the police station in which people under arrest are sent before being brought before the judge. The other two were less used to working with interpreters because they worked in a smaller city. Apart from the five main officers running the proceedings, some secondary officers participated to a greater or lesser degree at some point in the interaction; these stayed in the room at all times or came and went. Though some seemed more used to working with interpreters than others, none seemed to have received specific training in working with the assistance of an interpreter.

The officer for S1 was a male of 30-40 years old, a national police officer in an immigration group. In S2, the officer was 20-30 years old, a national police officer from the Central Inspection Office on Guard (*Inspección Central de Guardia*). He seemed angry with the person under arrest and was not very patient. In S3, the officer was 50-60 years old, from the local police. In S4, the officer was 30-40 years old, a national police officer from the Criminal Police. He seemed calm, unrushed, approachable. In S5, the officer was 20-30 years old, a national police officer from an immigration group. He seemed harsh and verbally aggressive.

#### 4.2.2.4. Lawyer

In all five cases the lawyers were public defenders. In S1, the lawyer was a 30-40-year-old male who seemed distant and professional. In S2, the lawyer was a 30-40-year-old female who seemed interested in the case, showed approacheness and who asked to have a private interview with the individual under arrest. In S3, the lawyer was a male, also 30-50 years old, distant and silent. In S4, the lawyer was a 30-40-year-old male, who seemed distant and silent during the interrogation but advised the man under arrest when possible. In S5, the lawyer was a 20-30-year-old woman who showed a lot of interest in the case, who got very involved and even confronted the police officer when she considered that he was violating the rights of the individual under arrest.

### 4.3. Contextualization

#### 4.3.1. Legal context

The Spanish legal system recognises the need for an interpreting service as a guarantee of an adequate representation before the law. Many regulations<sup>3</sup>, both at state and European level, mention the right of the person under arrest to have the assistance of an interpreter. We will now look at some of the articles in this regard. The Council of Europe approved the Convention for the Protection of Human Rights and Fundamental Freedoms on 4 November 1995, which states in article 6:

<sup>3</sup> Article 17.3 of the Spanish Constitution. Article 520.2.e of the Spanish Code of Criminal Procedure. Article 22 of the Spanish Organic Law 8/2000, 22 December. Article 6 of the Convention for the Protection of Human Rights and Fundamental Freedoms. Article 231.5 of the Spanish Law on the Judicial System, etc.

1. In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
3. Everyone charged with a criminal offence has the following minimum rights:
  - a. to be informed promptly, in a language which he/she understands and in detail, of the nature and cause of the accusation against him/her;
  - e. to have the free assistance of an interpreter if he/she cannot understand or speak the language used in court.

The Spanish Constitution says in article 17.3:

Every person arrested must be informed immediately, and in a way that is understandable to him, about his rights and the reasons for his arrest, and he may not be forced to make a statement. The assistance of an attorney to the arrested is guaranteed during police and judicial proceedings under the terms established by law.

The Spanish Code of Criminal Procedure, in article 520.2.e, recognises the right to an interpreter and for the service to be free: “The right to the free assistance of an interpreter, when a foreigner cannot understand or speak Castilian”.

Directive 2010/64/UE of the European Parliament and of the Council on the right to interpretation and translation in criminal proceedings is more recent (hereinafter, the Directive). The Directive gathers the minimum norms to guarantee a fair trial and the right to a defence established by the European Convention, mentioned above. The Directive calls upon States to ensure the quality of interpreting, and to take the necessary measures for the right of defence to prevail; among these measures, States are encouraged to create a register of independent interpreters and translators who are appropriately qualified.

The Directive, from 20 October 2010, established a deadline for these regulations to be incorporated in the legal system of every country: 27 October 2013. Despite arriving a bit late, on 5 September 2014 the Spanish State Official Gazette (BOE), published the Organic Law project in which the Spanish Code of Criminal Procedure is modified in order to transpose the Directive into the Spanish system.

This project contains some of the proposals made by professional organizations<sup>4</sup> and universities<sup>5</sup> to the Ministry of Justice (Red Vértice, 2014). The proposals include the creation of a professional register of translators and interpreters without intermediaries, that professionals could access through a certification test that verifies their professional skills.

We are now, therefore, in a moment of significant change in the legal framework in which legal PSI is practised. This study was done, however, before the project to transpose the Directive into the Spanish system was published.

#### 4.1.3.2. Working conditions

With the transposition of the Directive, conditions to guarantee a quality interpreting system are to be established, in line with what already exist in more advanced countries in terms of PSI (United States, United Kingdom, Australia or Sweden, among others).

In the Spanish context, the lack of a professional recognised structure, and the lack of a system of training, hiring, or quality assessment in police and legal interpreting, distances us from a system that guarantees procedural safeguards. The right to an interpreter is, as we have seen above, a basic guarantee included in different state and international laws. However, the

<sup>4</sup> Among them, the already-mentioned APTIJ; the Spanish Association of Translators, Proofreaders and Interpreters, Asetrad; the Galician Association of Professional Translators and Interpreters, AGPTI; the Professional Association of Translators and Interpreters of Catalonia, APTIC; the Aragonese Association of Translators and Interpreters, ASATI; and the Translators and Interpreters Networks of the Valencian Region (Xarxa).

<sup>5</sup> Conference of University Translation and Interpreting Centers and Departments of Spain (CCDUTI).

requirements a person has to fulfil in order to work as an interpreter are not established. In this sense, article 441 of the Spanish Code of Criminal Procedure says that:

The interpreter will be chosen from amongst those holding a certificate in interpreting, if there are any in the locality. In cases where there is no one with such a certificate, a teacher of the corresponding language will be appointed, and if there is no teacher, any person who can speak the language will.

The transposition of the Directive and the measures that might be taken to enforce it are the first steps towards a change in the situation based on the proposal to create a professional register. It is established that the Government will present, within a period of one year following the publication of the Law, a draft law for the creation of an Official Register of Legal Translators and Interpreters (Sole Additional Provision). Until then, and for the time this study took place, the hiring of interpreters for police stations in Valencia is done through outsourcing companies.

The interpreter worked as a freelancer hired by an outsourced company during two years interpreting in police stations, including the sessions analysed here. Despite her training as a conference interpreter, no documents were requested to prove her credentials and no test or interview was done to gain access to the service. No guidelines or instructions were provided.

The working and economic conditions (20 €/ hour; first hour in full and then by the minute; that is, 15 minutes, 5 €) are far from conference interpreting conditions. This does not encourage good, trained interpreters to start or stay for long in this field of interpreting.

#### 4.1.3.3. Immediate context

The sessions we analyse below (section 3) took place in different police stations in the city of Valencia and the surrounding area. All the cases examine the first statement of the person under arrest before the police officers with their lawyer, all of them public defenders. As has already been described in the schemas of the persons under arrest, the accusations are diverse: irregular stay in the country, misappropriation, contempt and falsified documents. In these situations, the procedure to be followed is this: the police officer informs the person under arrest of his rights and the cause of detention; next, he is asked if he wants to make his statement at the police station or at court. According to the law, the lawyer cannot advise the client until he has decided whether to make a declaration at that moment or not. In practice, it is common to allow lawyers to advise the client to declare in court.

The main characteristics found in these interpreting sessions, which will be sometimes be decisive to explain the results of this study, are common to the vast majority of interpreting assignments in police settings. Some of them are as follows.

- Dialogical mode: The communicative situation takes place in the form of an interview. Police officers and lawyers ask the person under arrest questions and he or she replies. It is partially improvised, as the interventions of the police officer and lawyer usually follow a more-or-less rigid procedure.
- Language bi-directionality: The interpreter works into both of the involved languages.
- Proxemics: The interpreter is physically close to the participants.
- Register: There is a mix of registers, from very formal (legal written documents, legal terminology...) to very informal (narration of events, nervousness...).
- Participant status: Significant power asymmetry between authority and the person under arrest.
- Voluntariness: One of the participants is in this situation against his will.
- Emotions: One of the participants may be in a particularly critical moment of his life, where stress, fear, anxiety, etc., can become relevant.
- Mother tongue: The interpreted language may not be the mother tongue of the person under arrest, but his second or third language. The interpreter can also be interpreting from and into their second or third language.

- Culture: The interpreter is not always familiar with the culture of origin of the person under arrest.

## 5. Results

In this section, we review the data of the study taking as a starting point the impartiality model on which the research is based. We will outline what the model proposes, briefly stating what data have been obtained, possible causes for lack of impartiality, and possible consequences of this in the communicative situation.

In some cases, examples of conversations will be introduced in italics. These are not exact quotes, but an attempt to reproduce conversations that have taken place in the sessions.

*5.1. Impartiality model: Sometimes, the interpreter can and should actively intervene (to avoid misunderstandings, because he/she needs clarification, etc.)*

Interceding when he/she detects any kind of legal injury is not on the list of responsibilities, as the interpreter does not have adequate training to determine to what extent there is actually legal injury. Even if the training existed, this is not his/her role, but that of the lawyer, who is present to guarantee that the rights of the person under arrest are respected. Therefore, the interpreter should not intercede.

Despite the minimal legal training of the interpreter, thanks to her academic research, conversations with lawyers and previous experience over almost two years, she was able to detect situations in which the person under arrest was not able to count on all the guarantees of defence.

- Data obtained:
  - In two out of five of the cases, the police officer did not read out the rights to the person under arrest. In one of these situations, the officer simply skipped this step; in the second, he expected the interpreter to read them out (by heart, because no document was provided for a sight translation). The interpreter told the officer it should be his job to read out the rights, but finally decided to add this to the list of responsibilities.
  - In the case in which the person was under arrest for not having legal documents to stay in the country, facing being sent to a detention centre for migrants and then expulsion from the country, the lawyer failed to provide the complete list of documents that could be presented to avoid expulsion by paying a fine. Here, too, the interpreter enlarged the list provided by the lawyer; she mentioned extra documents that she knew could be useful to prove social roots in the country and avoid expulsion.
  - In another case, also immigration-related, the police officer did not follow the normal procedure and addressed the person under arrest in a verbally aggressive way. Consequently, the lawyer immediately invited the client not to state/say anything. Considering the overlapping of statements, the interpreter decided to interpret the lawyer and to omit the officer's words.
- Possible causes of lack of impartiality: Misconception of the interpreter's role in police officers' eyes; interpreter's positioning on weakest side.
- Possible consequences: Harming the party who is supposed to be being helped; excluding from the interaction some of the participants; increasing the possibility of direct questions to the interpreter.

*5.2 Impartiality model: The interpreter has to use the first person.*

- Data obtained: The interpreter adapted the discourse to the circumstances to favour communication. She usually used the third person or impersonal sentences. She occasionally used the first person.

- In general, the interpreter tended towards impersonal statements (Police officer: “Tell him we are going to start the proceedings for expulsion”. Interpreter: “Proceedings for expulsion are going to be started”).
- In short and direct questions, she retained direct speech even when speech was addressed to the interpreter (“Ask him if he wants to make his statement here or in court”; “Does he have x documents?”; “Ask him since when he has been living in Spain”).
- There were moments in which some kind of tension or the characteristics of a dialogue led the participants to interrupt each other, or to speak at the same time. In these situations, the interpreter summed up in indirect speech (“The lawyer says that...”; “The police officer says that...”).
- At some points, with no justification, indirect speech was used in situations in which direct speech would have been better (“The police officer is asking...”; “The lawyer wants to know if...”).
- Possible causes of lack of impartiality: Participants’ expectations. The participants addressed the interpreter. Inconsistency of the original speech (they sometimes addressed the person under arrest directly; sometimes they did so indirectly). Overlap of statements.
- Possible consequences: Misunderstandings. Delays in communication. Detrimental to direct communication between the main participants. The interpreter needs to syntactically modify the statements. Statements lose strength. The interpreter’s prominence is raised. The probability of direct questions to the interpreter increases.

The interpreter did not interpret using the first person: this was in order to keep the balance, to avoid misunderstandings and to facilitate communication. All the sessions involved a mixture of direct statements to the person under arrest and statements addressed to the interpreter (“Tell him that...”).

The initial attempts of the interpreter to avoid using the third person ended up disrupting communication. It was impossible to avoid the first person when the police officer constantly addressed the interpreter instead of the person under arrest.

### *5.3. Impartiality model: Conversation should take place between active participants (person under arrest, police officer, lawyer) and not with the interpreter.*

According to the impartiality model, situations should not occur in which participants directly address the interpreter, or in which the interpreter directly addresses one of the participants. When necessary, to avoid misunderstandings or to clarify a particular issue, the interpreter and the participants should make it clear that the interpreter is taking an exceptionally active role. To do this, participants should be informed with expressions like: “The interpreter would like to ask”.

We do not include here cases in which the interpreter was directly asked to interpret a particular statement. We do include those situations in which participants addressed the interpreter as if she were another party, awarding her a too-active role. In the documented cases, all the participants – the police officers (both the main and the secondary officers), the lawyers and the persons under arrest – all address the interpreter at some point expecting a reply as if from an active party.

- Data obtained:
  - In some cases, the police officers addressed the interpreter in order to solve administrative issues unconnected with the case or to ask her complete certain documents with her details. In the two cases in which this happened, she did not interpret the conversation but did explain to the person under arrest what was being talked about.
  - In one of the cases, when the interpreter met the lawyer in the waiting room, he asked the interpreter to recommend, if she could find a way to do so, the person under arrest not to make his statement in the police station, as he (the lawyer) was not allowed to do so. The interpreter believes she would not have done this, but the potential conflict quickly disappeared, as the lawyer was permitted to give his advice directly.

- In all the cases the interpreter felt that the person under arrest saw her as an active party. Even though the interpreter introduced herself and explained that her only role was to aid communication, she was always seen from this quarter as another participant, and the only source of help. In one of the cases, the person under arrest explained the facts of his case directly addressing her. She stopped him, asked him to talk to the police officer, and explained that she would translate his words. His reply: "I have to tell you what happened, you are the only one who understands me". In another of the cases, the interpreter was left alone with the person under arrest in a garage (this is the only case of this happening in the interpreter's two years of experience). The person under arrest used the opportunity to ask the interpreter what would happen to him, where he would sleep, where he would be taken, and so on. The interpreter should have answered that she did not have this information and that she could not answer; however, some of these points had been addressed minutes earlier, so the interpreter repeated the information of which she could be certain (and which he might not have understood either because of the stress or because French, the language being interpreted, was not his mother tongue). She was, however, uncertain that this was a good course of action.

- Possible causes of lack of impartiality: Misconception of the interpreter's role on the part of each of the participants.
- Possible consequences: Exclusion of one of the participants from the communication process. Wrong information can be provided.

#### *5.4. Impartiality model: The interpreter has to interpret everything said in the room to facilitate communication as if no language barriers existed.*

In four of the documented cases, other police officers working on other cases, or who were intervening in our case, also entered the room.

- Data obtained: Sometimes conversations take place that exclude the person under arrest. If such conversations were not related to the case, the interpreter let the person under arrest know this without interpreting the content. If such conversations were related to the case, she explained or summarized what they are talking about. In some cases, she did not interpret these parallel conversations.
  - In three of the documented cases the lawyers asked for permission to advise the person under arrest, or the police officer offered this possibility to the lawyer at the beginning. In another case, the officer asked a colleague to check some details. In these cases, the interpreter explained what was being talking about without exactly interpreting the content (e.g., "The lawyer is asking for permission to talk to you").
  - At certain points the main and secondary officers talked about the location of certain documents or the fact that they had managed to get in touch with the accuser. In these situations, the interpreter summarized the content of the conversation, which the officers did not seem to like.
  - In a different case, the interpreter did not interpret a particular parallel conversation. While the main officer was writing up the written statement, a police officer working on other cases in the same room tried to talk with the lawyer. Even though the lawyer did not reply and tried to avoid the conversation, the officer sought to discuss issues regarding the identity of the person under arrest and the possibility that he might be the relative of a celebrity. The interpreter might have summarized so that the person under arrest would not be excluded from the conversation, but she chose not to do so.
- Possible causes of lack of impartiality: Lack of consideration from the police officers. With at least four people – usually more – intervening, parallel conversations became much more likely.
- Possible consequences: Exclusion from the interaction. Lack of confidence in the interpreter. Feeling of uncertainty for the person under arrest.

### 5.5 Impartiality model: The interpreter has to deliver a complete message, without omissions, additions or modifications

The way in which information has been collected does not allow detailed analysis of these points. Recording and transcribing the different sessions could have enabled more exact data and a more detailed study. Since reasons of confidentiality meant the sessions could not be recorded, this section does not receive the attention it really deserves here. If we are forced to visualize from memory a situation in which the person under arrest says “I think it was 7” but the interpreter omits “I think”, we are losing the nuance of hesitation that could be decisive in a police investigation. The slightest omission or modification and the smallest addition can alter the development of the proceedings. Taking into account the limitations, the interpreter sought to detect situations in which she consciously committed such “breaches”. Without a recording of the sessions it has been impossible to detect all such inconsistencies.

- Data obtained:

#### OMISSIONS

As already mentioned in the previous section, the interpreter omits a whole parallel conversation. In one of the cases we find a conversation similar to this:

*Police officer:* Have you been previously arrested?

*Interpreter:* Have you been arrested before?

*Person under arrest:* [Explains his side of the case.]

*Interpreter:* [Silence]

*Police officer:* [Interrupts.] Reply to what I am asking.

*Interpreter:* Reply to what is being asked.

*Person under arrest:* [Does not appear to listen. Keeps telling his story and adds that another officer has attacked him.]

*Interpreter:* [Sums up and translates the part about the aggression.]

*Lawyer:* Now answer to what you are being asked and then you will be able to report the aggression.

*Interpreter:* Now answer to what you are being asked and then you will be able to report the aggression.

In this situation, the interpreter omits part of the speech (when the officer interrupts the man under arrest) and sums up other parts (otherwise, the likely interruptions would not have allowed transmission of part of the message).

#### ADDITIONS

The interpreter added information in situations where she believed there could be a misunderstanding. When the police officer asks, “Do you want to make your statement here or in court?”, he is not really giving a choice. Even if the person under arrest made his declaration at the police station, he would have to do it again in court. To avoid this misunderstanding, in several such cases, the interpreter added an explanation to clarify the procedure.

#### MODIFICATIONS

We do not include here syntactic modifications made to shift from direct-indirect speech or first-third person due to the lack of recorded material.

There was some modification in cases when the interpreter did not know a term. When the interpreter faced the translation of “contempt” from Spanish into French, for example, and did not know the equivalent, she explained the meaning.

- Possible causes of lack of impartiality: Interruptions. Statements perceived as irrelevant or repetitive. Officers delegating responsibility to the interpreter. Interpreter’s lack of terminology.
- Possible consequences: Exclusion of participants. Loss of relevant information that the interpreter could have not identified as such. Incorrect impression of the profile of the person under arrest. Thinking that the person under arrest understands some terms that he does not actually understand.

#### *5.6. Impartiality model: The interpreter can intervene to explain cultural differences if these can lead to a misunderstanding*

The impartiality model allows the explanation of cultural differences when they can lead to a misunderstanding. However, no such possible misunderstandings were detected. The fact that the origins of the people under arrest were varied (Senegal, Togo, Cameroon and France in the studied cases) made this aspect difficult for the interpreter, as she was unfamiliar with the relevant cultural contexts. Furthermore, the interpreted language was not usually the mother tongue of the persons under arrest. The only explanation she can recall having given in this sense was in a case which is not part of the analysed corpus, regarding a request to take DNA test. The interpreter detected that the person under arrest did not understand, whether for cultural or other reasons, what was being asked of him. The interpreter explained her doubts to the officer present and the officer explained what the test was about and why the person under arrest was being asked to take it.

- Data obtained: The interpreter was not observed explaining cultural differences.
- Possible causes of lack of impartiality: Lack of knowledge about the different interpreted cultures. The interpreter belongs to the host culture. Various origins.
- Possible consequences: Misunderstandings.

## **6. Conclusions**

The objective of this study was to determine whether there is a divorce between theory and practice in terms of impartiality in interpreting at police stations. It also aimed to establish aspects of professional practice that might generate contradictions with the theoretical proposals in order to contribute to the improvement of procedural standards that can prevent high-quality interpreting at police stations and thus undermine the guarantee of fairness.

The theory here presented in addition to the analysis and description of the data obtained from observation of five real cases shows that such a divorce does indeed exist. This result does not surprise; many previous studies have already dealt with the interpreter as a non-impartial party (Angelelli, 2003; Berk-Seligson, 2002; Hale, 2004; Nakane, 2009; Ortega Herráez & Foulquié Rubio, 2008; Pöchhacker, 2000; Wadensjö, 1998).

Detailed analysis of the data obtained in the study reveal that something all the cases have in common is the lack of appropriate training for both the interpreter and the police officers. The author/interpreter of the study had taught herself PSI at a theoretical level. However, her lack of legal training led to reformulations. On the other hand, not knowing the cultures of the people under arrest made it impossible to detect whether a cultural misunderstanding was taking place. The officers’ lack of training to work with interpreters led to a lack of awareness of the roles of the participants in these situations. This absence of specific training can be seen as the origin of all the challenges the interpreter found in the presented cases, for example when she was addressed directly or when the officers delegated certain functions to her such as reading the rights or explaining the procedure.

This study has not analysed any asylum-seeker cases. However, the author feels that it would have been easier for her to be impartial in such cases, as the police officers in charge of these



proceedings seem to be qualified to work with interpreters: they not only follow the proceedings step by step, but also make certain they are directly addressing the asylum seeker (verbally and non-verbally). If officers in these cases do in fact have any kind of training, it would be interesting to compare interpreting performance in cases with asylum seekers with performance in the case presented here.

For the time being, the lack of training for participants together with an inadequate system to access the profession and poor working conditions make it difficult to practise interpreting in legal settings with the best quality assurance. The future transposition of the Directive aims at overcoming these limitations, but there are still issues to solve. One of the more important issues is access to the future Official Register, as the requirements to be included are not stated in the draft law. A certification test should be implemented to prove the skills of the interpreters regarding legal and police interpreting techniques, codes of ethics and legal and cultural aspects. We agree with Red Vértice (2014a) regarding the importance of direct management of the service in order to avoid the commercial exploitation of an essential public service and the need to remove the second final provision of the Organic Law project, which states that the new system for the management of interpreting services will not be funded with a budget (Red Vértice 2014b). It seems implausible to create such a system (training, certification, register, quality assessment) without the administration spending money on it.

If it is established how and who should structure the training curricula, the professional certification tests, the appropriate working conditions and the quality assessment systems, the interpreter will know how to perform when someone under arrest addresses him/her directly, and the police officer will know the limits of the interpreter's role.

This study has not solved the ethical dilemmas that generated it, but it does contribute to putting into perspective the impartiality of interpreting in police stations that is proposed by codes of ethics. The first weeks of interpreting in police stations are a great challenge. Taking into account the potential consequences, we believe that quality in police interpreting is linked to impartiality. This study has also raised other issues and questions that have not been answered, and which could form grounds for future research.

## Bibliography

- ABRIL Martí, María Isabel. (2006) *La Interpretación en los Servicios Públicos: Caracterización como género, contextualización y modelos de formación. Hacia unas bases para el diseño curricular*. Granada: Universidad de Granada. Tesis doctoral publicada.
- ANGELELLI, Claudia. (2003) "The Interpersonal Role of the Interpreter in Cross-Cultural Communication. A Survey of Conference, Court, and Medical Interpreters in the US, Canada, and Mexico." In: Brunette, Louise; Georges Bastin; Isabelle Hemlin & Heather Clarke (eds.) 2003. *The Critical Link 3: Interpreters in the Community*. Amsterdam & Philadelphia: John Benjamins Publishing, pp. 15–26.
- ANGELELLI, Claudia. (2004) *Revisiting the Interpreter's Role: A Study of Conference, Court, and Medical Interpreters in Canada, Mexico, and the United States*. Amsterdam & Philadelphia: John Benjamins Publishing.
- BERK-SELIGSON, Susan. (2002) *The Bilingual Courtroom*. Chicago: University of Chicago Press.
- CAMBRIDGE, Jan. (2002) "Interlocutor roles and the pressures on interpreters." In: Valero-Garcés, Carmen & Guzmán Mancho Barés (eds.) 2002. *Traducción e interpretación en los servicios públicos: nuevas necesidades para nuevas realidades*. Alcalá: Servicio de Publicaciones de la Universidad de Alcalá, pp. 119–124.
- CARR, Silvana E.; Roberts, Roda P.; Dufour, Aideen & Dini Steyn (eds.). (1997) *The Critical Link: Interpreters in the Community. Papers from the First International Conference on*

- Interpreting in Legal, Health and Social Service Settings*. Amsterdam & Philadelphia: John Benjamins Publishing.
- GARBER, Nathan. (2000) "Community interpretation: A personal view." In: Roberts, Roda P.; Silvana E. Carr; Diana Abraham & Aideen Dufour (eds.) 2000. *The Critical Link 2: Interpreters in the Community*. Amsterdam & Philadelphia: John Benjamins Publishing, pp. 9–20.
- HALE, Sandra. (2004) *The Discourse of court interpreting: discourse practices of the law, the witness, and the interpreter*. Amsterdam & Philadelphia: John Benjamins Publishing.
- HALE, Sandra. (2008) "Controversies over the role of the court interpreter." In: Valero-Garcés, Carmen & Anne Martin (eds.) 2008. *Crossing Borders in Community Interpreting: Definitions and Dilemmas*. Amsterdam & Philadelphia: John Benjamins Publishing, pp. 99–121.
- JACOBSEN, Bente. (2009) "The Community Interpreter: A Question of Role." *Hermes. Journal of Language and Communication Studies* 42, pp. 155–166. Electronic version: <[http://pure.au.dk/portal/files/9692/Hermes-42-8-jacobsen\\_net.pdf](http://pure.au.dk/portal/files/9692/Hermes-42-8-jacobsen_net.pdf)>
- MIKKELSON, Holly. (1998) "Towards a Redefinition of the Role of the Court Interpreter." *Interpreting* 3:1, pp. 21–45. Electronic version: <<http://www.acebo.com/pages/towards-a-redefinition-of-the-role-of-the-court-interpreter>>
- MOEKETSI, Rosemary. (1999) "Discourse in a multilingual and multicultural courtroom: a court interpreter's guide." *Proteus* 8, s.p. Electronic version: <[http://www.najit.org/membersonly/library/Proteus/HTML%20Versions/v8n3-4/moekesti\\_v8n3-4.htm](http://www.najit.org/membersonly/library/Proteus/HTML%20Versions/v8n3-4/moekesti_v8n3-4.htm)>
- NAKANE, Ikuko. (2009) "The Myth of an 'Invisible Mediator': An Australian Case Study of English-Japanese Police Interpreting." *Portal* 6:1, pp. 1–16.
- ORTEGA Herráez, Juan Miguel & Ana Isabel Foulquié Rubio. (2008) "Interpreting in police settings in Spain: Service providers' and interpreters' perspectives." In: Valero-Garcés, Carmen & Anne Martin (eds.) 2008. *Crossing Borders in Community Interpreting: Definitions and Dilemmas*. Amsterdam: John Benjamins Publishing, pp. 123–156.
- PÖCHHACKER, Franz. (2000) "The community interpreter's task: Self-perception and provider views." In: Roberts, Roda P.; Silvana E. Carr; Diana Abraham & Aideen Dufour (eds.) 2000. *The Critical Link 2: Interpreters in the Community*. Amsterdam: John Benjamins Publishing, pp. 49–66.
- PÖCHHACKER, Franz. (2008) "Interpreting as mediation." En: Valero-Garcés, Carmen & Anne Martin (eds.) 2008. *Crossing Borders in Community Interpreting: Definitions and Dilemmas*. Amsterdam & Philadelphia: John Benjamins Publishing, pp. 9–26.
- RAGA Gimeno, Francisco. (2005) *Comunicación y cultura. Propuestas para el análisis transcultural de las interacciones comunicativas cara a cara*. Madrid & Frankfurt am Main: Iberoamericana & Vervuert.
- ROSENBERG, Brett Allen. (2002) "A Quantitative Analysis of Community Interpreting." In: Valero-Garcés, Carmen & Guzmán Mancho Barés (eds.) 2002. *Traducción e Interpretación en los servicios públicos. Contextualización, actualidad y futuro*. Alcalá: Servicio de Publicaciones de la Universidad de Alcalá, pp. 113–140.
- SHERR, Daniel. (1999) "Interpreting in Spain and Colombia: Two Perspectives." *Proteus*, 8:3–4, s.p. Electronic version: <[http://www.najit.org/membersonly/library/Proteus/HTML%20Versions/v8n3-4/sherr\\_v8n3-4.htm](http://www.najit.org/membersonly/library/Proteus/HTML%20Versions/v8n3-4/sherr_v8n3-4.htm)>

- VARIOUS AUTHORS (APTIJ - Asociación Profesional de Traductores e Intérpretes Judiciales y Jurados). (2010) *Código deontológico*. Electronic version: <<http://www.aptij.es/img/web/docs/codigo-d-aptij.pdf>>
- VARIOUS AUTHORS (AUSIT - Australian Institute of Interpreters and Translators). (2012) *Code of Ethics and Code of Conduct*. Electronic version: <[http://ausit.org/ausit/documents/code\\_of\\_ethics\\_full.pdf](http://ausit.org/ausit/documents/code_of_ethics_full.pdf)>
- VARIOUS AUTHORS (España). (1978) *Constitución Española. Boletín Oficial del Estado*, núm. 311, de 29 de diciembre de 1978, pp. 29313-29424. Electronic version: <<https://www.boe.es/boe/dias/1978/12/29/pdfs/A29313-29424.pdf>>
- VARIOUS AUTHORS (España). (1882) *Ley de Enjuiciamiento Criminal. Boletín Oficial del Estado*, 17 de septiembre de 1882, núm. 260. Electronic version: <<http://www.boe.es/buscar/pdf/1882/BOE-A-1882-6036-consolidado.pdf>>
- VARIOUS AUTHORS. (España). (2010) *Proyecto de Ley Orgánica por la que se modifica la Ley de Enjuiciamiento Criminal para transponer la Directiva 2010/64/UE*, de 20 de octubre de 2010, relativa al derecho a interpretación y a traducción en los procesos penales y la Directiva 2012/13/UE, de 22 de mayo de 2012, relativa al derecho a la información en los procesos penales. *Boletín Oficial de las Cortes Generales*, 5 de septiembre de 2014 núm. 114-1. Electronic version: <[http://www.congreso.es/public\\_oficiales/L10/CONG/BOCG/A/BOCG-10-A-114-1.PDF](http://www.congreso.es/public_oficiales/L10/CONG/BOCG/A/BOCG-10-A-114-1.PDF)>
- VARIOUS AUTHORS (EULITA - European Legal Interpreters and Translators Association). (2013) *Code of Professional Ethics*. London. Electronic version: <<http://www.eulita.eu/sites/default/files/EULITA-code-London-e.pdf>>
- VARIOUS AUTHORS (NAJIT - National Association of Judiciary Interpreters and Translators). (Sin fecha) *Code of Ethics and Professional Responsibilities*. Washington. Electronic version: <<http://www.najit.org/about/NAJIT%20Code%20of%20Ethics%202014NEW.pdf>>
- VARIOUS AUTHORS (European Union). (1950) *Convention for the Protection of Human Rights and Fundamental Freedoms, signed in Rome, 4th november 1950*.
- VARIOUS AUTHORS (European Union). (2010) *Directive 2010/64/UE of the European Parliament and the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings. Official Journal of the European Union L 280 of 26.10.2010*. Electronic version: <<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=URISERV:jl0047&from=ENs>>
- VARIOUS AUTHORS (UNITI - University Network of Interpreter Training Institutes). (2012) *ImPLI Improving Police and Legal Interpreting 2011-2012. Final Report*. Electronic version: <[http://www.isit-paris.fr/documents/ImPLI/Final\\_Report.pdf](http://www.isit-paris.fr/documents/ImPLI/Final_Report.pdf)>
- VARIOUS AUTHORS (Red Vértice). (2014) *Press release: Intérpretes alertan sobre el peligro de transponer incorrectamente la Directiva/2010/64/UE sobre interpretación y traducción en los procesos penales*. Madrid. Electronic version: <[http://www.agpti.org/web/uploads/novas/Nota-prensa\\_Red-Vertice-CCDUTI\\_09-04-14.pdf](http://www.agpti.org/web/uploads/novas/Nota-prensa_Red-Vertice-CCDUTI_09-04-14.pdf)>
- VARIOUS AUTHORS (Red Vértice). (2014) *Comunicado: Red Vértice se reúne con los ponentes del Proyecto de Ley Orgánica por la que se modifica la Ley de Enjuiciamiento Criminal*. Madrid. Electronic version: <[https://lourdesderioja.files.wordpress.com/2014/10/reuniocc81n\\_pp\\_comunicado.pdf](https://lourdesderioja.files.wordpress.com/2014/10/reuniocc81n_pp_comunicado.pdf)>

VARIOUS AUTHORS (Metropolitan Police. London – Human Resources Board). (2010) *Working with interpreters & Translators – Standard Operating Procedures*. London. Electronic version: <[http://www.met.police.uk/foi/pdfs/policies/interpreters\\_and\\_translators\\_sop.pdf](http://www.met.police.uk/foi/pdfs/policies/interpreters_and_translators_sop.pdf)>  
 WADENSJÖ, Cecilia. (1998) *Interpreting as Interaction*. London & New York: Longman.

**Annex**  
**Descriptive schema of the sessions**

<b>Case number:</b>
<b>Working languages:</b>

**1. BASIC INFORMATION**

<b>PERSON UNDER ARREST</b>	
Country of origin	
Age	0-20, 20-30, 30-40, 40-50, 50-60, 60-70
Gender	Male - Female
Level of French	zero – understands a bit / does not speak it – understands / speaks a bit – understands/speaks quite well – good – native
Level of Spanish	zero – understands a bit / does not speak it – understands / speaks a bit – understands/speaks quite well – good – native
Mother tongue (if different from French)	
Reason for arrest	irregular stay – aggression – theft – gender-based violence – public health – _____
Time of residence in Spain	0-2, 2-5, more than five years
Relatives resident in Spain	Yes - No
OTHER	

<b>POLICE OFFICER</b>	
Department / Post	
Age	0-20, 20-30, 30-40, 40-50, 50-60, 60-70
Gender	Male - Female
OTHER	

<b>LAWYER</b>	
Public defender – Private (if private, who hires him/her? Relatives, friends, association?)	
Age	0-20, 20-30, 30-40, 40-50, 50-60, 60-70
Gender	Male - Female
OTHER	

## 2. CONTEXT

<b>SPACE</b>	
Physical context	
Participant distribution	

<b>TIME</b>	
Length	0 to 30 m – 31 to 60 m – 60 to 90 m – 90 to 120 m – _____
Managing the turn to speak	

## 3. IMPARTIALITY

Conflict of interest	Real – Potential
Is the interpreter (I) working for the opposing party in a case in which she has already interpreted (aggressor-victim)?	
Does the I detect possible legal injury for the person under arrest?	
Does the I detect possible degrading behaviour?	
Has any of the parties directly addressed the I?	
How does the I respond?	

Is there any casual conversation in front of the other parties? What is the I's response?	
Is there unnecessary contact with any of the parties?	
Does the I omit any information?	
Does the I add any information?	
Does the I modify any information?	
Does the I state an opinion in any way (gestures, voice, verbally, etc.)?	
Is the I judgemental?	
Is there any moment of emotional impact? What is the response?	
What role does the person under arrest attach to the I?	
What role does the police officer attach to the I?	
What role does the lawyer attach to the I?	

#### 4. DESCRIPTION OF THE SESSION

#### BIONOTE / NOTA BIOGRÁFICA

**Adela Ortiz** (Valencia, 1978) graduated in Catalan Philology (Universidad de Valencia) and in Translation and Interpreting (Universitat Jaume I). She specialized in interpreting after a taking a Master's degree in Conference Interpreting (EMCI Universidad de La Laguna). Since then, she has combined her job as a freelance translator and interpreter with teaching at different universities: University of Westminster, Università degli Studi di Pavia, Universidad Europea de Valencia and Universitat Jaume I. More recently, she has begun further research efforts in the context of a Master's degree in Research in Translation and Interpreting (Universitat Jaume I).

**Adela Ortiz** (Valencia, 1978). Licenciada en Filología Catalana (Universidad de Valencia) y en Traducción e Interpretación (Universitat Jaume I), se especializa en interpretación en el Máster de Interpretación de Conferencias (EMCI Universidad de La Laguna). Desde entonces ha compaginado el trabajo como traductora e intérprete autónoma con la docencia en diversas universidades: University of Westminster, Università degli Studi di Pavia, Universidad Europea de Valencia y Universitat Jaume I. Más recientemente se ha iniciado en la investigación cursando el Máster en Investigación en Traducción e Interpretación de la Universitat Jaume I.