



## TIPp Traducción e Interpretación en los Procesos penales

**Official title:** Translation quality as a guarantee of criminal proceedings. Development of technological resources for court interpreters in Spanish-Romanian, Arab, Chinese, French and English language pairs.

**For short:** Traducción e Interpretación en los Procesos penales (Translation and Interpreting in Criminal Proceedings).

### Research project

Funded by the Spanish Ministry of Economy and Competitiveness. Research team integrated of seven researchers from four universities:



### Background (I)

- In Spain, in contrast with other countries, court interpreting has been an "uninteresting matter" and thus an under-researched area until recently.
- However, the European Directives have changed this:
  - 2010/64/EU on the right to interpretation and translation in criminal proceedings
  - 2012/13/EU on the right to information in criminal proceedings



### Background (II)

- Previous research as well as literature:**
- suggested a lack of training and resources and many different problems in court interpreting in Spain.
  - ie. revealed that currently court interpreters lack the required technological and research resources to carry out their tasks with accuracy, rigour and diligence.



### Present

>>> A new bill has been passed by the Spanish Parliament (BOCG, 28 April 2015) modifying Spain's Code of Criminal Procedure.

>>> Different organizations and social groups have started seeing court interpreting and translation as an important matter.



### OPPORTUNITY

### TIPp objectives

Creating a computer application which can include in only one interface all the necessary resources to facilitate court interpreters' performance:

1. A set of **guidelines** to describe which **strategies or translation techniques** can be used in which situations
2. A **protocol for conduct** and behaviour in the most frequent situations for a court interpreter
3. A set of **guidelines for justice personnel** on interpreters' role and on how to interact with interpreters
4. A **database containing the terms** which are most frequently used in criminal proceedings with comments and two-way translation options in the most frequently translated languages.

# Training judges to effectively communicate through interpreters: first results of a joint collaboration to develop a protocol to improve court interpreting in Barcelona



**MIRAS**  
Mediació i Interpretació:  
Recerca en l'àmbit social

**UAB**

Universitat Autònoma de Barcelona

Mireia Vargas-Urpi



**Universitat  
Pompeu Fabra  
Barcelona**

## WORK IN PROGRESS...

... but what have we learned so far?

### a) About the corpus:

- Interpretation to the suspect is often not recorded (especially in the case of chuchotage);
- When there is interpretation, it is often only limited to the interview part of the trial;

### b) About the cooperation with judges:

- Judges are willing to help improve court interpreting;
- The assessment tool needs to be tested and piloted before implementation in courts.



Judges were concerned about:

1. How can they help improve court interpreting?
2. How can they grant the effective transposition of Directive 2010/64/UE?
3. How can they assess that a defendant can really waive his/her right to an interpreter?

### Assessment tools: is there anything out there?

Literature on this topic is difficult to find:  
- Durán-Lacort, R. 1977. The Design and Evaluation of an Evaluation Procedure to Diagnose the Actual Competency of a Spanish-Speaking Person with Arabic-Speaking University of Valencia. Unpublished Doctoral Dissertation.  
- Mátos, G. 1998. "When Does a Witness Need an Interpreter - Preliminary Guidelines for Establishing Language Competence and Incompetence". *Interlingua* (London) (unpublished, vol. 5).  
- Durán-Lacort, R.; & F. Vázquez, H. M. 2012. *Fundamentals of Court Interpretation: Theory, Policy and Practice*. Cardiff Academic Press.

### Assessment tools: who and how?

- a) Contact with a group specialized in language assessments to develop the tool (EAP - Estudios de Traducción e Interpretación, UAB)
- b) Requirements:
- The tool should include reading parts.
  - It should be applicable to defendants from various cultural backgrounds.
  - It should not refer to "uncomfortable" situations.
  - It should include guidelines for judges or judicial personnel to apply it and assess it.
  - It should start with a disclaimer.

### Practical guidelines based on preliminary fieldwork

- 1.) Use direct style. Do not address the interpreter, address the defendant
- 2.) Speed rate, pauses
- 3.) Promote interpreting of all the parts of a hearing (e.g. using chuchotage)
- 4.) Use supplementary microphones to record chuchotage

### Judges' concerns

EDUCCION



Judges' cannot be held responsible for interpreters' quality...

### Assessment tool

Development of an assessment tool to evaluate defendants' oral competency in Spanish in case he/she waives his/her right to an interpreter.

#### Questions and dilemmas

- a) Could this be used against the defendant?
- b) Has this been done anywhere?
- c) Who should develop this tool?
- d) Who should apply it?

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**OPPORTUNITY**

As the Court of Justice of the European Union has stated, the guidelines in this area are not only a means of ensuring the effective functioning of the judicial system, but also a means of ensuring the rights of the accused and the rights of the victim.

**TIPp objectives**

Creating a computer application which can include in only one interface all the necessary resources to facilitate court interpreters' performance:

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**WORK IN PROGRESS...**

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Mireia Vargas-Urpi



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Pompeu Fabra  
*Barcelona***

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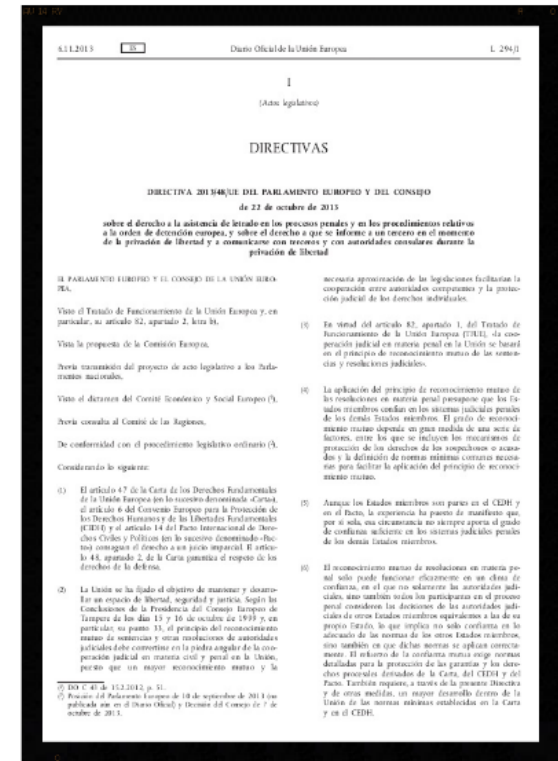
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# cesos penales

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## OPPORTUNITY

(a) The Court of Justice of Catalonia (TSJC) has granted us access to recordings of criminal proceedings so we can actually build an oral corpus of real-life interpreting in criminal proceedings.

(b) A group of judges has shown interest in learning how to improve court interpreting.

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# Judges' concerns

**ED** economía Digital

[INICIO](#) | [SOCIEDAD](#) | LOS JUZGADOS ME CONTRATARON COMO TRADUCTOR DE ÁRABE AUNQUE NO SÉ NI UNA PALABRA

**Los juzgados me contrataron como traductor de árabe aunque no sé ni una palabra**



Judges' cannot be held responsible  
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# Assessment tool

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Traducción e Interpretación en los Procesos penales

# more info coming soon!



<http://pagines.uab.cat/tipp/>



**mireia.vargas@upf.edu**



[https://twitter.com/miras\\_uab](https://twitter.com/miras_uab)

<https://twitter.com/mireiavu>