Investigative Interviewing: Research and Practice

"I'll just intervene whenever he finds it a bit difficult to answer" Exploding the myth of literalism in interpreter-mediated police interviews

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Exploding the myth of literalism in interpreter-mediated interviews

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Abstract

Despite the growing prevalence of interpreter-mediated interviews, this area remains widely under-researched in Interpreting and Police studies alike. Through the analysis of the "participation framework" (Goffman, 1981), this small-scale study aims to challenge the myth of literalism in seven interpreted police interviews involving Portuguese- and Italian-speaking suspects and a Portuguese-speaking witness. In particular, it investigates the impact that "shifts in footing", i.e. the orientation of speakers towards each other and towards the verbal output (Wadensjö, 1998), have on rapport building in the first stage of cognitive interviews. Findings show that the specific moves contribute to the police interpreter's participation as police officers lose the control of topic and turns and the effectiveness of the interrogation is reduced, suggesting the need for a more nuanced conceptualisation of Codes of Practice and extensive training for interpreters and interviewers in sociological aspects of interpreted encounters.

Keywords: *Police interpreting; interrogative interviewing; rapport building; Goffman; interpreter training*

Introduction

Police interviews are amongst the most crucial and common law-enforcement activities around the world (e.g., McGurk, Carr & McGurk, 1993; Milne & Bull, 2006). In such a unique institutional set-up where power asymmetry is the norm (Drew & Heritage, 1992), the focus often lies on the agent at the centre of this communicative event, namely the interviewer, who is required to undergo rigorous training to conduct an interview of a high standard with respect to the interviewee and with the aim to give legal professionals an objective idea of the events.

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That the police officer's competence in investigative interviewing can have a significant impact on the outcome of the case and on society as a whole is confirmed by a number of scholars, including Milne and Bull (1999), who state that "society cannot afford investigative interviewing to be poor. This affects people's perceptions of the criminal justice system. The guilty get away, the innocent convicted, justice for children and vulnerable adults is inadequate" (p. 191). It is therefore no surprise that the last decade has witnessed a remarkable increase of specialist literature on police interviewing training. In particular, the emphasis in manuals seems to be on the Enhanced Cognitive Interview method, which incorporates suitable environmental surroundings and communication techniques such as rapport, conversation and listening skills, and nonverbal behaviour such as gaze, intonation and hesitations (Kapardis, 2003, p. 87; Dando & Milne, 2009, p. 10).[1]

Nevertheless, this growing wealth of studies on best-practice police interviewing by police practitioners and academics from disciplines as diverse as cognitive psychology, behavioural science and communication studies, has almost solely focused on a monolingual contexts with native speaker suspects or witnesses (Gibbons, 2004). The lack of police practitioners' and academic work in this field clashes with the reality of today's multicultural and multilingual societies, in which interpretation is increasingly needed to bridge linguistic and cultural barriers (Hertog, 2003). A reason for this shortage of articles on pre-trial interpreting may be linked to the abovementioned power asymmetry, or rather to the fact that police interpreting belongs to the professional domain of law, which – together with other fields such as medicine – is a "tightly-knit dominant profession" (Abbott, 1988, p. 72). Legal institutions' *modus operandi* is arguably maintained through the creation of complex divisions of roles for other subordinated professional categories. Interpreters, on a par with courtroom listing officers or ushers, are seen as subordinate professional groups as their tasks are defined by the requirements of the legal profession. Professional subordination is indeed reiterated through symbolic practices. In the case of legal interpreting, such practices are shown in the casual treatment of interpreters by the judges, police officers, and so on (e.g., Fowler, 2003). For instance, police officers often fail to brief the interpreter as required (Shepherd, 2007) or the prosecutors are unwilling to allow the interpreter to study the documentation regarding the case.[2]

In this context, both courtroom and police interpreters' Codes of practice around the world often state that interpreters should 'just interpret' (e.g. Mikkelson, 1998). As Laster and Taylor (1994) aptly put it: "This is part of an ongoing struggle in which interpreters strive to assert their independent professional identity and lawyers [and other legal professionals] project a "counter-image" of interpreters as mere assistants, with a role and status inferior to that of their own" (p. 17). The interpreter is therefore seen as a 'conduit' or a 'machine', i.e. someone who can produce verbatim renditions of the original utterances. For instance, consider Greater Manchester Police (GMP)'s Terms of Engagement (2010), which regulated the use of police interpreters and translators: "The interpreter/translator must interpret and translate only what is being asked and the responses provided *without embellishing or removing information provided*" (p. 1; my emphasis). Furthermore, in Gradewell's (2006) article on Operation Lund into the deaths of twenty-three workers in the UK, the author states that a large number of Mandarin interpreters were called upon to interpret, adding that "if there is no *direct* translation the interpreter will try to convey the meaning or sense of what has been said, but this risks ambiguity or misunderstanding between the interviewer and the witness" (p. 14; my emphasis). This widespread view is coupled with a continuing resistance to the use of interpreters amongst police interviewers. This may be due to a number of reasons: The difficulty of obtaining an interpreter (or the cost of interpreters); the mediation may be thought to provide the interviewee with extra thinking time; an interpreter is often interposed between the police and the interviewee, which may distort police perceptions of the aforementioned nonverbal signals; and lastly, and perhaps

most importantly, the police may perceive that the effectiveness of the interrogation is reduced as they lose "the control of topic and turns" (Gibbons, 2003, p. 84), especially in a question-heavy narrative.

Furthermore, confusion appears to surround the role and experience of police interpreters, touched upon – albeit very often only briefly and anecdotally – in only a very limited number of works by Police studies scholars (e.g. Rombouts, 2011; Smith, 2010) and authorities. For instance, Shepherd (2007) claims that "it is certainly the case that many interpreters on their own initiative take on the role of intermediary, and in doing so may make the task of managing the interview very much more difficult" (p. 172). Therefore, it is the interviewer who has the "task of briefing and managing the interpreting process in the interview" (Shepherd 2007, p. 173) and even to gauge the experience the individual interpreter has had in the interpreting task. However, Shepherd's (2007) view seems somewhat contradictory when it comes to the issue of accreditation; on one hand, he maintains that professional interpreters must "hold qualifications such as the Diploma in Public Service Interpreting or an equivalent", but on the other "lack of experience is no justification for rejection" (p. 173). Misunderstanding concerning the distinction between fulfilling the role of interpreter and intermediary can also be found in Codes which provide the core framework of police powers, e.g. the PACE Code of Practice (Revised Code C, par. 13).[3] From this text it emerges that interpreters may act as intermediaries given that:

- An interpreter may speak to one person on the telephone "on the detained person's behalf" (Connor et al., 2011, p. 59);
- if an interpreter has been present at the interview, he or she should be given an opportunity to "read the record and certify its accuracy" (Code C, par. 13.7);
- if the custody officer cannot establish communication with a deaf or non-English speaking person charged with an offence, the interpreter is required to "explain the offence and any other information given by the custody officer" (Code C, par. 13.10).

Simultaneously, according to the Revised Code C a police officer or other police staff may also interpret "if the detainee and the appropriate adult (…) give their agreement in writing or if the interview is audibly recorded or visually recorded" (par. 13.9). Again, it is also the interviewer's responsibility to ensure that "the detained person can understand and be understood" (R v West London Youth Court, ex parte J, 2000 1 All ER 823, as quoted in Connor et al., 2011, p. 109), although it is not specified how.

Police studies scholars' crude views of the role of police interpreters can be summarised in the words of an Indian criminologist, whereby interpreters should be "used only in the rarest of rare occasions when there exist no other option" (Vadackumchery, 1999, p. 99). These conflicting ideas about the role of the interpreter, however, highlight one important fact; in a multicultural and multilingual society, interpreters are essential for the operation of various public services and social functions. Thus, it is entirely reasonable to argue that criminal justice in culturally diverse communities - such as those in the UK - is severely disadvantaged without interpreting services. That explains why Detective Sergeant Martin Vaughan, an interview advisor who explored a number of issues around the use of interpreters during interviews, was able to conclude that "interviewing with interpreters is essential in many investigations, but it is an area which I believe from a training background, we did not pay much attention to" (Welman, 2010, p. 31). Yet, if interpreters do initiate such important contributions to police interviews, what is the relationship between the interpreter (and his or her utterances) and the participants relying on his or her services? How can his or her actual (rather than intended) role be defined?

The goal of neutrality (i.e., 'equivalence') is a topic that has pervaded much of the research and discussion around dialogue interpreting (or DI)[4] since its inception in the 1990s (e.g. Mason,

1999; Metzger, 1999; Morris 1995; Roy 1993/2002; Wadensjö, 1998). Within the subfield of legal or forensic interpreting, literature on bilingual courtroom interactions is plentiful, while it is much less in police interviewing and pre-trial stages. This mainly reflects the widespread difficulty in accessing authentic data in such a sensitive environment; however, studies (e.g., Martin, 1991) have demonstrated that the courtroom has a more marginal role in the determination of legal rights and obligations than classic legal studies theory allows. Further, a high number of legal proceedings involving second-language speakers are dealt with in the pre-trial phase, particularly in police and immigration interviews (Morris, 2008). Empirical studies on police interpreting are mainly discussed in journal articles (e.g. Fowler, 2003; Krouglov, 1999; Mpolweni, 2008; Nakane, 2007, 2008, 2009; Russell, 2000, 2002). Berk-Seligson's (2009) *Coerced Confessions* is the first monograph focusing solely on interpreted police interviews,[5] whereas Wadensjö's (1998) interdisciplinary, full-length work on police and medical interviews perhaps more than any other exemplifies what Pöchhacker (2004) calls the "*dialogic discourse-based interaction* paradigm" (p. 79), which is still said to define the "the basic assumptions, models, values, and standard methods shared by all members" of the DI scientific community (Pöchhacker, 2004, p. 67; see also Angelelli, 2004).[6] Within this paradigm, sociolinguistic analyses indicate that the role of interpreters is not as neutral as much of the early literature has either assumed or prescribed. This "decisive shift away from prescriptivism" (Mason, 2000, p. 220) towards descriptive studies in sociological aspects of DI and, in particular, legal interpreting has had profound consequences for interpreter training, accreditation and professionalization, widening the gap between institutional constraints and the reality of the interpreter-mediated communication, and bringing the interpreter more into focus.

In particular, Wadensjö's (1992, 1998) empirical study of interaction mediated by state-certified Russian-Swedish dialogue interpreters explores the dialogic nature of this form of communication, as opposed to the monologic, unidirectional nature of conference interpreting. She draws on Bakhtin's (1979/1986) view of language and mind to understand how dialogue interpreters contribute to the creation of a relationship between primary parties in a triadic interaction. This "communicative *pas de trois*" (Wadensjö, 1998, p. 12) is argued to involve an interpreter as a third party in a communication between participants who do not share the same language or power and come from different socio-cultural backgrounds. Socio-cultural differences also qualify these exchanges as instances of intercultural or cross-cultural communication. Indeed, Wadensjö (1998, p. 75) states that, in face-to-face interaction, "interpreters cannot avoid functioning as intercultural mediators through their translation activity", ready to intervene to avoid cross-cultural miscommunication.

Naturally, contextual constraints on interpreted triadic transactions and their dialogic interactivity have significant consequences for the role, positioning and overall performance of the interpreter. In particular, Wadensjö's (1992, 1998) analysis has shown that the police interpreter's task goes beyond translating others' talk; rather, the *translating* and *coordinating* activities are not mutually exclusive, but simultaneously present. Through both activities, police interpreters contribute to establishing a conversational order while furthering interpersonal relationships amongst interactants, minimizing misunderstandings, and enhancing participation.

As the author explains, these "two aspects of interpreting (…) are in practice inseparable, but is possible and indeed fruitful theoretically to distinguish between them, and use them as analytical concepts" (Wadensjö, 1998, p. 106). Therefore, Wadensjö identifies a taxonomy aimed at examining an interpreter's coordinating function, drawn from Goffman's (1981, p. 227) behavioural model for speakers in interaction called "participation framework". Within this framework, Goffman (1981) defines *footing* as the "alignment of an individual to a particular utterance, whether involving a production format, as in the case of a speaker, or solely a participation status, as in the case of a hearer" (p. 227). Primary participants are said to adopt different roles and attitudes with regard to each other and to the utterance itself. Furthermore,

Goffman (1981) states that primary participants constantly shift footing and that such shifts are "a persistent feature of natural talk" (p. 227). Applying this framework to her analysis, Wadensjö shows that footing shifts (corresponding to a shift of pronoun and address) are common in interpreted events, identifying the various production and reception roles that participants can adopt and how these fundamentally affect what is communicated and how it is communicated (Wadensjö, 1992, p. 117-125). A dialogue interpreter's ability to simultaneously keep in mind production and reception formats - and keep them separate – is said to be "one of her most essential skills" (Wadensjö, 1995, p. 127). In particular, the triple production format can be summarised as follows:

1.   Interpreter as *animator*, i.e. responsible only for the production of speech sounds;
2.   Interpreter as *author*, i.e. responsible for formulating the utterance;
3.   Interpreter as *principal*, i.e. responsible for the meaning expressed.

The role mostly associated with Interpreters' Codes of Practice would be that of *animator*, while the role of modifying the primary speaker's utterance would be that of an *author*. When interpreters step out of their 'animator' role altogether and speak on behalf of themselves, they assume the role of a *principal*, which typically occurs when a need arises to coordinate the discourse in order to ensure effective communication or to avoid miscommunication (e.g. Angelelli, 2004; Angermeyer, 2005; Wadensjö, 1998). However, at various stages of the speech event, an interpreter may adopt *all* of the identified production roles, not just as a result of a free choice, but as a reaction to the principal participants' assumptions about his or her 'appropriate' role (Wadensjö, 1997). Primary participants may choose to address each other directly, almost as if no other interactant were present. On the other hand, they may address their utterances directly to the interpreter, thus signalling a wish for the interpreter to act as 'mediator'.

In conclusion, by highlighting the linguistic, socio-cultural and interactional pattern of complexity in the actual role behaviour, DI researchers challenge the notion of literal renditions, no longer seeking to understand *if* community interpreters are visible and active participants, but rather *to what degree* and *with what consequences*. In particular, Wadensjö's analysis has had a major impact on our understating of the interpreter's status and role within a mediated event, concluding that interpreters never function merely as "translation machines" (Wadensjö, 1998, p. 72). In the context of interpreted police interviews, this analysis has proved to be a useful analytical tool to explore the nature of the interpretation by looking at the appropriateness of particular renditions and the interpreter's shifts in footing, in particular during the delivery of the caution (e.g. Berk-Seligson 2009; Nakane 2007, 2008). [7]

Drawing on Wadensjö's (1998) "production format" roles, this study seeks to gain further insight into how police interpreters perform their task in this well-defined legal setting, where they seem to display an extremely pronounced involvement. I aim to analyse selected sequences from seven video-recorded and transcribed interpreter-mediated interviews, in which reference is made to the interpreters and their role in the proceedings. For this purpose, I address issues regarding the impact of the interpreter on the first stage of the Cognitive Interview (CI) genre, aimed at establishing identity and rapport (Milne, 2004; St-Yves, 2006). This opening phase is fundamental as it "substantially determine[s] how well the interview proceeds" (Milne & Bull, 1999, p. 40). During this stage interviewers are required to introduce themselves and other participants (including interpreters), to greet the interviewee by name and to use neutral, open-ended questions in order to create a relaxed atmosphere and increase the interviewee's confidence for maximum remembering. This paper maintains that word-for-word translation is a myth and considers the implications this may have for Codes of Practice and training of police interpreters and interviewers alike.

Method

In terms of methodology I follow the most recent trends in DI studies, as I adopt a descriptive, qualitative method of inquiry. In order to identify key features of the phenomenon, I analyse real-life data provided by Greater Manchester Police, consisting of transcribed[8] excerpts drawn from seven interpreter mediated police interviews in the UK. They involve four NRPSI-registered interpreters, two language combinations (English-Italian and Portuguese-Italian), and both a vulnerable witness (Manuel in Interview 1) and two suspects (Letícia and Antonio in Interviews 2 to 7). Table 1 shows the relevant information about all participants, including their pseudonyms, sex, the number of interviews they are involved in, known professional affiliation and education, and language proficiency.[9]

Interview 1 was held with a vulnerable child, the alleged victim of a robbery in a park, whereas interviews 2 to 7 are part of a 'secondary investigation' (i.e. one which takes place "after the primary recipient of an incident report has drafted their primary account" (Johnson, 2003, p. 181)) into the alleged murder of the suspects' daughter, initially thought to have died from a head injury following abusive head trauma (AHT) or inflicted traumatic brain injury, also known as "shaken baby/shaken impact syndrome" (or SBS). In particular, interviews 2 and 3 were held roughly at the same time in different rooms and feature Letícia and Antonio, who agreed to speak under caution as "visitors", i.e. suspects with no necessity to arrest, recorded for the purpose of integrity (PACE, s. 24). Instead, interviews 4 to 7 feature suspects under arrest: After interviews 4 and 5, Letícia and Antonio are bailed until interviews 6 and 7, which are in turn part of the "challenging phase", where more direct questions are made on anomalies in their story recollections. The investigation concluded with no charges after interviews 6 and 7.

The total duration of the corpus is of 21 hours and 24 minutes; however, extracts included in the present analysis are comprised of 156 turns – including the interpreter's renditions – and focus exclusively on the role of the interpreter as discussed in the first stage of the cognitive interview model. In this stage, the interviewer begins by referring to the circumstances of the interview itself, as well as introducing themselves and any other participant (partly to cover the police against claims that intimidation by third parties was taking place off camera) and explaining their role. It is important at this initial stage that no pressure is brought to bear on the interviewee and that a relaxed environment be created. Indeed, interviewees approached with rapport building are perceived to be more likely to provide more complete answers (e.g., Collins & Frank, 2002).

Results

Findings from this small-scale exploratory investigation, analysed within the conceptual framework which builds on Goffman's social interactionism, show that shifts of footing in interpreted interaction characterise passages on the role of the interpreter in the introductory phase of the interview. In particular, aside from cases when the interpreter is directly addressed by the interviewer to state his or her own name or explain their role for the record (interviews 1, 2, 4, 5, 6, 7), the mode of principal - whereby the interpreter gave a straight answer without translating for the primary participant – was relatively frequent.

One well-documented means available to the interpreter is the shift of footing reflected in a shift of pronoun of address, specifically in the use of the third-person footing with a distancing effect ("He says that he didn't") instead of the direct first-person ("I didn't"). However, the opposite (the first instead of third person) may also be true, as in the example below:

Extract 1(B)

71	P1	*Although Mariza's interpreting what you're saying (..) we still need to be able to hear what you're saying in in in in in Portuguese as well er:: when the videotape is played back because er:: (.) any er any sort of independent er interpreter would be able t- (.) needs to be able to listen to it and and h- hear what you're saying as well*
72	I1	*°Mh° embora tu estejas a responder em português e eu esteja a interpretar (.) é necessário que: a tua voz although you are answering in Portuguese and I am interpreting (.) it is necessary that: your voice também seja ouvida em português (.) porque: er pode ser chamado um intérprete too be heard in Portuguese (.) because: er an interpreter may be called __another__ __outro__ intérprete independente para avaliar (.) se o que foi: traduzido está correcto ou não independent interpreter to assess (.) whether what was: (.) translated is correct or not*

Extract 1(B) is drawn from the preliminary phase of Interview 1, in which P1 is giving a 'cognitive' instruction aimed at making sure that ethics is upheld and that the interviewing process is transparent. In terms of interactional mechanisms, the interpreter's shift to the first-person in 1(B): 72 ('*eu* esteja a interpretar') is not an unreasonable reaction; rather, it is required to mark her role as interpreter in the interaction and avoid misunderstanding. The same applies at a later stage after the introduction of the note taker Danny:

Extract 1(C)

197	P1	*Er:: and I mentioned earlier that Danny (.) er: is writing notes as well*
198	I1	*Mh mh*
199	P1	*Er:: (.) it's not normally too much of a problem really when we've got an er an interpretation (.) taking place as well but (.) normally er at this point I would ask you __not__ to talk too fast so that we can keep up (.) but obviously with the int- wi- with yourself Mariza interpreting Danny has a little bit more time to write things down anyway*
200	I1	*°Okay° (.) er:: o Danny também está a tomar nota (.) do outro lado (.) e:: tá a to- a tomar notas do: da Danny is taking note[8] as well (.) on the other side (.) and is ta- taking notes of: of the*
		conversa (.) e normalmente ele ia-te pedir pra tu não falares muito depressa (.) para dar ao Danny o conversation (.) and normally he would ask you not to talk too fast (.) to give Danny the tempo de tomar notas (.) mas como eu estou presente (.) eu tenho que interpretar tudo o que tu dizes (.) time to take notes (.) but as I'm here (.) I need to interpret everything that you say (.) e isso já não vai ser necessário (.) portanto podes falar [ao teu:] tua maneira (.) normal and that will no longer be necessary (.) so you can speak [at your:] your normal (.) pace
201	M	*[okay]*
202	I1	*That's fine*
203	P1	*But in any case just take your time because obviously (..) you know Mariza needs to tak- be able to take in (.) er what you're telling me: in order to (.) be able to interpret it properly*
204	I1	*Mas [seja com for] er:: (.) fala er:: __pausadamente__ porque a Mariza __tem__ que tomar notas e tem que But [in any case] er:: speak er:: __slowly__ because Mariza __needs__ to take notes and needs to explicar a mim o que é que se passaexplain to me what is happening*
205	P1	*[for the tape]*
206	M	*°Mh mh°*
207	P1	*Okay (.) er ar- are you okay Mariza with (.) what we're doing there as far as (.) [your] role is concerned?*
208	I1	*[yes] yes that's fine*

209	P1	*Okay*
210	I1	*Ele perguntou-me se eu esta- se eu estava de acordo (.) estava tudo bem com (.) a <u>minha</u> função como He asked me if I wa- if I agreed (.) everything was fine with (.) <u>my</u> role as an intérprete na discussão interpreter in this discussion*
211	P1	*Now when I spoke to Mariza before: (.) in here (.) I was just explaining she needs (.) to (..) as <u>directly</u> as possible interpret <u>exactly</u> what you said (.) to me (.) a- and (.) and vice versa*
212	I1	*Quando eu falei com a Mariza antes aqui na sala eu tive-lhe a explicar er: que ela tem que er:: When I spoke to Mariza before here in the room I was explaining to her er: that she needs to er:: interpretar diretamente (.) o que é que tu me dizes (.) e: vice-versa interpret directly (.) what you tell me (.) and: vice versa*

In utterance 200, I1 is again required to switch to the first-person ('como *eu* estou presente (.) *eu* tenho que interpretar'). However, in 1(C): 204, 212, and 214, the interpreter chooses to resort to the third-person ('Mariza'), showing inconsistency with her previous renditions. Another shift of footing is to be found in the last part of utterance 200 ('that will no longer be necessary (.) so you can speak at your: [your] normal (.) pace'), when the interpreter appears to make the inferences drawn from P1's prior original utterance more explicit. Furthermore, Mariza's one-word utterance in 1(C): 198 can be said to communicatively function as a supportive feedback, confirming her attentive listening. As such, it signals the interpreter's role as a principal and can be categorised under the label of 'non-rendition' (introduced by Wadensjö, 1998, p. 108), i.e. as an interpreters' autonomous contribution which does not correspond – as translation – to prior original utterances by primary parties. Another example of non-rendition signaling the interpreter's principal role is utterance 210, in which Mariza explains the police officer's direct question included in utterance 207 to Manuel (the role shift is clearly indicated by the use of the third person pronoun 'he').

In the unmarked role of an animator, expected to maintain impartiality and accuracy stipulated by the Code of Conduct, the interpreter might have managed and rendered the police officer's utterances in 1(C): 197-199 quite differently. More generally, the alignment as animator is infrequent throughout my corpus in both directions and language combinations (from and into English). One exception is represented by extract 4 (B), in which the interviewer is checking if the suspect understood the caution. Letícia, the suspect, is visibly tired and does not seem to grasp the meaning of P2's questions, mumbling answers – 'Vou responder' (*I'm going to answer*) and 'Eu vou responder (todavia)' (*I'm going to answer (anyway)*) – which bear no relation to the questions asked. As far as the interpreter is concerned, the animator role was (almost)[11] maintained throughout this sequence and I2 rendered every utterance accurately, without any attempt at self-repairs even though she was aware that the suspect's responses may suggest her own incompetence. The police officer is, however, quick to blame the interpretation process:

Extract 4(B)

117	P2	*Okay er:: (..) good (.) er: I just want to make (.) it's difficult sorry with (.) translating these (.) bits Letícia (.) because it sounds a bit more complicated than it is*
118	I2	*Mh (.) é difícil com a interpretação (.) porque parace <u>mais</u> complicado do que <u>realmente</u> isso é it's difficult with the interpretation (.) because it sounds <u>more</u> complicated than it <u>really</u> is*

It is worth bearing in mind that the accuracy of the interpretations is a particularly significant issue for the police interviewers in the caution as it may undermine the legality of subsequent suspect interviews if not administered properly (Gibbons, 1994, p. 133). Nonetheless, the majority of police officers in my data repeatedly highlight the need for verbatimness by the recurrent use of expressions such as *exactly, verbatim, word for word, everything*, which were –

ironically - closely rendered or sometimes even added by the interpreter; see, for instance, 1(C): 200 ('*everything* that you say').

In excerpt 7, the interpreter is asked to introduce herself by their role in the proceedings and uses the (quite informal) indefinite relative pronoun *whatever* ('My role is to interpret whatever er:: Mister Rossi will say'). Similarly, the interpreter in extract 4(A) is directly asked to read out a previously prepared description of her role in the interview (the fist part of 4(A): 20 is I2's Portuguese version of the same text):

Extract 4(A)

20	I2	*[...] I'm your interpreter Juliana Rodrigues (.) my role is to interpret everything that is said during this interview (.) the interpretation <u>from</u> Portuguese <u>and</u> from English will be (..) in direct speech (.) that means (.) the first person and not (.) she said or he said (.) <u>everything</u> that you say here will be interpreted (.) I may ask you to slow down or indicate to you to speak in stages (.) so that I do <u>not</u> miss anything you say (..) if I do not understand anything you say (.) that makes the interpretation impossible (.) I'll then direct myself to the officer and ask <u>his</u> permission to seek clarification from you (.) or for you to repeat (.) what you said*

In this example, the analysis of the interpreter's role as a principal shows that the attitude of interpreters towards primary participants may be seen as 'biased' towards the authorities, specifically towards their image of an interpreter as a translation machine (see the use of *everything* and *anything* and her reference to direct speech). Nonetheless, in the next extract 2(B), I2 avoids the notion of 'verbatim' translation in her interventions, possibly aware that such requirement is untenable. By rendering 'verbatim' with 'everything' (2(B): 95) and 'word for word' with 'directly' (2(B): 97) she becomes an author responsible for 'softening' the original utterance. Moreover, the use of the verb 'ajudar' (*to help*) in utterance 93 delineates an alignment with the interviewee's goals and expectations.

Extract 2(B)

92	P2	*Er:: now (..) Juliana er:: Rodrigues is here as well as interpreter (.) for you today*
93	I2	*Er:: sou intérprete Juliana Rodrigues eu (.) estou aqui para ajudá-la* *Er:: I'm an interpreter Juliana Rodrigues I (.) am here to help you*
94	P2	*Er:: she will interpret what you say verbatim*
95	I2	*Eu vou interpretar <u>tudo</u> o que você fala* *I'll interpret <u>everything</u> you say*
96	P2	*So you need to understand that she will say word for word wh- what you say today during this interview*
97	I2	*E eu vou interpretar er:: direitamente o que você diz* *And I'll interpret er:: directly what you say*

There are other, more obvious cases when interpreters take the role of principal and become a co-participant or even co-investigator, implementing strategies that go beyond an ethically acceptable level. In interviews such as interview 1 below, in which the victim is a vulnerable child, the rapport phase is used not merely to reduce the social distance between interviewer and interviewee or explore the child's understanding of truth and lies, but also to estimate the child's level of knowledge and linguistic competence (e.g. Bull, 1995; Davie & Westcott, 1999). Utterances 42 and 44 are, however, examples in which the interpreter stops

interpreting and starts talking as a third party, disrupting the rapport between interviewer and child.

Extract 1(A)

35	P1	*Okay (.) er:: (..) I'll just (.) ne:ed to make sure we get everybody introduced so Mariza can you just say what your name is and what your role is…*
36	I1	*°Er°*
37	P1	*Today please*
38	I1	*My name is Mariza (.) João and I'm the interpreter*
39	P1	*Okay thank you (..) er:: and er can you just give me your name and date of birth please?*
40	I1	*Podes dizer o teu nome e a tua data de nascimento [por favour?]* *Can you give your name and your date of birth [please?]*
41	M	*[em português] ou em inglês?* *[in Portuguese] or in English?*
42	I1	*O que é com- como tu quiser! (.) he:'s asking should I answer in Portuguese or in English? and I said Whatever yo- as you wish! whichever one you want*
43	M	*I can say in (..) in English*
44	I1	*Just say it in Portuguese fala em português ((chuckles)) speak Portuguese*

In utterance 41, Manuel's request for clarification as to which language he must adopt, is confronted by the interpreter's surprised exclamation 'As you wish!'. When the child tentatively speaks English, the interpreter again intervenes in 1(A): 44, this time suggesting to '[just] say it in Portuguese' with a chuckle, possibly finding the child's accent funny. Manuel's statement in 1(A): 43 that was ignored and found amusing by the interpreter was actually an important piece of information. If the interpreter had not interrupted the child, a longer narrative regarding the child's level of knowledge and linguistic competence may have been elicited, contributing to what Boggs and Eyberg (1990, p. 86) defined as "a positive relationship […] that sets the tone for the entire assessment process and helps increase both the amount and accuracy of information provided". Instead, the police officer is left to accept the interpreter's decision in utterance 44.

In the last extract, featuring the inital exchanges of interview 3 (1-43), the interpreter inter venes as a principal on her behalf in a long series of interaction-oriented initiatives, thus violating the code of ethics both in terms of accuracy and impartiality:

Extract 3(A)

1	P4	*°Okay er::° ((sighs)) okay er:: (..) before we ask you anything there's just a couple of things that we need to go through*
2	I3	*Oh! I'm sorry*
3	P4	*Yeah*
4	I3	*Er:: Antonio understands quite a bit (.) I'll just intervene whenever (.) he finds a bit difficult to: [er:: answer]*

5	P4	*[right okay] (.) okay*
6	P5	*°Okay°*
7	I	*Yeah*
8	P4	*Ho- how much English can you actually speak?*
9	I3	*Yeah! ((encouragingly to A))*
10	A	*°I can't say er…°*
11	P4	*Right*
12	A	*I understand but no…*
13	P4	*I'm just [I'm just wonde]ring er would it be:: is it easier for you to speak in <u>Italian</u> (.) and then we we don't get mixed up?*
14	A	*[(find the) word] sometime you know why? because er:: I have the habit to:: speak er half and half*
15	P4	*Right*
16	A	*And sometime I confuse but…*
17	P4	*Right*
18	A	*Sometime I feel like I want to:: speak English and sometime in Italian (.) when I: don't (.) I really don't know (.) English words (.) I find it (using) to: speak Italian*
19	P4	*To speak Italian alright (.) I'm just wondering whether while we're here whether it's easier to speak in Italian*
20	I3	*Tutto il [tempo Lei intende] no? vuol parlare sempre in italiano (.) e io traduco e così…* *All the [time she means] right? would you mind speaking Italian all the time (.) and I translate so…*
21	A	*[yeah yeah yeah yeah] okay*
22	I3	*Because otherwise it gets a little bit complicated*
23	P4	*[Ye]ah*
24	P5	*[E-] e- exactly and er…*
25	I3	*Yeah*
26	P5	*We can understand that (.) so like misunderstandings can arise*
27	I3	*Yes*
28	P5	*Because of er the the meaning of words et cetera and it might be easier*
29	I3	*Yes [facciamo er::] seguiamo questo corso d'azione* *[let's do er::] let's follow this course of action*
30	P5	*[for Antonio to]*

31	A	*Okay*

| 32 | I3 | *Perché è più semplice [anche per er Lei]*
Because it's easier [for you er as well] |

| 33 | P5 | *[just talk in your] mother tongue [and then] you know?* |

| 34 | I3 | *[yeah just (in Italian)* |

| 35 | A | *°Yeah°* |

| 36 | P5 | *[And we']re fully clear* |

| 37 | I3 | *[Okay] alright* |

| 38 | P4 | *Okay (.) I I appreciate it may be difficult to switch from Italian into English sometime (.) but if you just try your hardest to speak er:: in in Italian* |

| 39 | I3 | *Ecco [se Lei parla] solo in italiano parla con me*
So [if you could only speak] in Italian talk to me |

| 40 | A | *[okay okay] okay* |

| 41 | I3 | *E poi io traduco in prima persona*
And then I translate in the first person |

| 42 | P4 | *Okay er...* |

| 43 | I3 | *°Okay°* |

Turn-taking in naturally-occurring talk often entails overlapping and interruptions. The latter have been associated with negotiation of power[12] and are seen to have an impact on the trajectory of investigative interviews. In excerpt 3(A), it appears that role shifts disadvantage Antonio, based on the information that is lost or repaired through the interpreters' discourse management. No reference is made to the people present in the room as P4's first utterance is followed by an embarrassing inter-turn pause of around two seconds and utterance 2, which suggests that the interpreter was waiting for Antonio to speak (possibly following an exchange between him and I3 prior to the interview; see 3(A): 4). Thus, she immediately becomes principal by initiating a non-elicited problem-solving act, which leads to unnecessary confusion amongst the interviewers (utterances 5 and 6). The invitation to start talking in utterance 9 and failure to interpret both utterances 13 and 19 shows that her role as co-participant in the interaction is kept throughout the dialogue between the police officer and the suspect (3(A): 8-19), who struggles to clarify his English speaking skills. Aware of the risk of miscommunication and eager to protect her reputation as a competent interpreter (Jacobsen, 2008), the interpreter abruptly shifts from principal to author and animator, rendering part of P4's request for Antonio to speak Italian (3(A): 20). However, she quickly switches back to the role of principal in utterance 22, and this prompts the police officers to respond directly to the interpreter (23 and 24). Understood like this, the officers project upon I3 what Wadensjö (1998: 165) would call a "responder's listenership" in relation to what the interpreter hears (the affirmative adverbs "yeah" and "exactly"). I3, therefore, aligns herself as "responder", providing a direct response and thus once relating to utterances 25 and 27 as principal.

P4 only manages to regain full control of turns as an investigator in 3(A): 38, that is towards the end of a long and convoluted sequence in which I3 directly talks to the suspect (both in Italian and in English; see 3(A): 29, 32, 34), while P5 unsuccessful attempt at restoring the interaction order (see 3(A): 26-36) is met by I3's "alright" (utterance 37). The interviewer's utterance 38 contains half of a conditional sentence (or protasis: "if you just try your hardest to speak er:: in in Italian"), whereas the other half (or apodosis), i.e. 'that would be good', must be pragmatically enriched. The interpreter translates the protasis in utterance 39, however she also adds 'con me' (*to me*) in an attempt to influence the footing of the suspect (e.g. "Please address me, not the police officer") and expands her utterance in 3(A): 41.

Thus, disruption in turn-taking makes accurate and complete renditions difficult, and in fact some of the source utterances are not rendered at all. This lack of rendition is not acceptable, because the original utterances were not rendered (accuracy) and the interpreter answered the questions (impartiality). I believe that the participants' divergent feelings towards the interpreter's constant role shifts are well summarised by the stark contrast between how the adverb 'okay' is uttered in lines 42 and 43, the former suggesting frustration, while the latter almost satisfaction.

Discussion

Observation of the interpreters' footing in my corpus suggests that interpreters' conversational initiatives have a significant role in the introductory stage of the Cognitive Interview model, specifically in relation to the interactional control and the effectiveness of rapport building strategies. These results corroborate previous studies in police interpreting, showing similar examples of role shift and arguing that interpreter-mediated police interviews are a type of discourse that is co-constructed by the police officer, the interpreter, and the interviewee, rather than police–interviewee interaction through a 'conduit' translator. In theory, police interpreters must abide by their Codes of practice, which require them to render faithfully what is said (i.e. accuracy) without responding to it of their own accord (i.e. impartiality). In practice, they are shown to be responsible for their words and thus act as a principal, moving further away from their expected animator role (Wadensjö, 1998). In this way, the interpreter can be viewed as a *dialogic mediator*, combining the roles of translator and coordinator in order to promote effective expectations and communication in the interaction. When interpreters find themselves drawn between their primary mandate (i.e. following the Codes of ethics) and a potentially conflicting one by police authorities, a negotiating process ensues in which they are either able to uphold their mandate by making this clear to their interlocutors, or (more frequently) they may compromise and accommodate the other parties' needs. Thus, one may say that interpreters are 'at the crossroads' between institutions – with their intrinsic power asymmetries, client and institutional needs, and Codes – and academic constraints, which led authors such as Wadensjö (1992) to state: "Given that neutrality is a notion concerning relations, the question concerning dialogue interpreters' activities must be: neutral in relation to whom and/or what?" (p. 268).

In a monolingual police interview the police officer and/or the other participants are able to engage in direct negotiation of participation and meaning themselves, but in interpreter-mediated police interviews the two primary interactants have to depend on the interpreter. The findings of this study suggest that the unrealistic institutional demands for verbatim translations by invisible interpreters should be abandoned and the coordinating role of the interpreter as co-participants and co-constructors of meaning fully integrated into Interpreters' and Police authorities' Codes of Practice. Another solution would entail the professionalization of legal interpreting in order to improve the provision of the conditions that contribute to higher standards. While in a (small) number of legal systems there are observable improvements in the status and pay of interpreters,

rarely are they accorded the full status or pay of a professional.[13] The attitude of the legal profession towards interpreters also shows that legal personnel do not realise the importance of an interpreter's role in the legal process and highlights the need for training for those dealing with interpreters. For instance, they give no or poor guidance and steering of the interview, e.g. failing to give the interpreter a short briefing before the start of the interview (if necessary, with a description of the police interviewing technique to be used). Under Directive 2010/64/EU on the right to interpretation and translation in criminal proceedings - which the UK, alongside other EU member states, is required to implement by October 2013 - such training will become mandatory.[14] More extensive training for interpreters in the demands and difficulties of their job is also needed, given that the interpreters involved in the analysed interactions were all accredited professionals. Specifically, unless the police officers and interpreters have received training in the analysed sociological aspects of the interpreted event, they can be expected to shift their footing frequently and disrupt the interaction order, together with the interviewing techniques. Finally, my analysis highlights the importance of not only recording interpreted interviews (in particular, due to the importance of nonverbal communication), but also of transcribing the interpreter's renditions, which would minimise coercive tactics by the police (Berk-Seligson, 2009, p. 110) as well as the issue of disputed statements taken from non-English speaking witnesses and suspects.

Nevertheless, legal interpreting research is "in its infancy" (Hale, 2006, p. 225) and much remains to be learnt. More in-depth analysis of authentic triadic interpreter-mediated encounters is needed to show whether police interpreters effectively contribute to promoting relations between principal parties, creating bridges between legal institutions and second-language speakers, or whether their utterances and actions promote the alignment with one party or another, thus empowering one over the other, as suggested by our analysis. Moreover, this paper has analysed interpreter-mediated police interviews merely as a social phenomenon, in which each participant in a triadic, interpreter-mediated encounter affects each other participants' behaviour. However, interpreting must also be seen as a cognitive-linguistic (pragmatic) process. Therefore, this research would benefit from and is arguably complementary to an analysis of the corpus from the viewpoint of the "sub-personal cognitive processes which are involved in the human ability to entertain representations of other people's thoughts and desires and ideas on the basis of public stimuli such as utterances" (Blakemore, 2002, p. 60).[15] Further (cognitive-linguistic and/or sociological) comparative research with data from other countried and involving other languages would help: (1) identify examples of good practice and innovation, (2) examine barriers to adopting more effective interviewing methods and means to overcome them; and (3) explore the advantages and disadvantages of police authorities working jointly with, or independently from, interpreters' associations and/or government agencies on this matter. In particular, urgent work is needed to investigate the impact of police interpreting on the other stages of the Cognitive Interview model and whether questioning techniques achieve the same outcomes when mediated by interpreters.

In conclusion, in the tangled web of language, culture, power and institutions that is an interpreter-mediated police interview, broader issues regarding the definition of *terminologically and communicatively* accurate interpreting (and how this can be achieved) still need to be fully tested, particularly nonverbal channels of communication – what Shepherd (2007, p. 56) calls "deeds".[16] We must engage in a more fruitful debate – interpreter trainers, interpreters, police officers and those who teach them – and be prepared to adapt and change our procedures to facilitate good communication and reduce, as far as possible, the likelihood of injustice. Or, as Hale & Gibbons put it (1999), "the other alternative is for all involved to view interpreting as an imperfect process in an imperfect world, and to behave accordingly" (p. 218).

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Appendix

Transcription conventions simplified after Sacks *et al.* (1974, p. 731-3).

(.)	A short silence (micro-pause)
(..)	Untimed intervals of longer length
er:	Long vowel (multiple colons indicate a more prolonged sound)
?	Questioning intonation (rising tone)
-	Sudden cut-off of prior word or sound
…	Open-ended intonation (fading out, ambiguous intonation terminal)
Underscoring	Increased volume
°Degree signs°	Lower volume
((giggle))	Verbal descriptions of sounds or movements
(text)	Items in doubt
( )	No hearing achieved for the item in question
italics	(*In original text*) Non-phonemic respelling used to convey phonetic details of mispronounced words

(*In back-translation*) Author's English back-translation of non-English talk

[ ]   Overlap

Table 1

List of participants, in which *M, L,* and *A* indicate the interviewed, *I* stands for 'Interpreter', *P* for

'Police officer', and *La* for "Legal advisor".

	NAME (pseudonyms)	SEX	INTERVIEWS	PROFESSIONAL AFFILIATION & EDUCATION	LANGUAGE PROFICIENCY
M	Manuel Silva	M	1	Teenage student	- PT (Portugal) native speaker - EN: limited understanding, weak speaking skills
L	Letícia Cardoso	F	2 4 6	Professional affiliation & education unknown	- PT (Brazil) native speaker - EN: fair understanding, limited speaking skills
A	Antonio Rossi	M	3 5 7	- High School certificate - Professional affiliation unknown	- IT native speaker -EN: very good understanding, fair speaking skills
I1	Mariza João	F	1	- NRPSI registered - MA in Interpreting and Translation - IoL Diploma in Translation	- PT (Portugal) native speaker - EN: near-native understanding and speaking skills
I2	Juliana Rodrigues	F	2 4 6	- NRPSI registered - DPSI (Law), Home Office Certified	- PT (Brazil) native speaker - EN: near-native understanding and speaking skills
I3	Gianna Bianchi	F	3 7	- NRPSI registered - DPSI (Law)	- IT native speaker - EN: near-native understanding and speaking skills
I4	Caterina Filippi	F	5	NRPSI registered	- IT native speaker - EN: very good understanding and speaking skills
P1	Andrew Smith	M	1	Police investigator	BrE native speaker

P2	Jack Jones	M	2 4 6	Police investigator	BrE native speaker
P3	Lisa Simons	F	2	Police investigator	BrE native speaker
P4	Jane Watson	F	3 5 7	Detective Constable (DC) from the UK CID (Criminal Investigation Department)	BrE native speaker
P5	Jonathan Edwards	M	3 5 7	Detective Sergeant from the PPIU (Public Protection Investigation Unit), which deals not only with allegations of child abuse, but also with vulnerable adult protection and other cases in the UK.	BrE native speaker
P6	Joanna Norton	F	4	Police investigator	BrE native speaker
P7	Michael Potter	M	6	Police investigator	BrE native speaker
La1	Michael Middleton	M	2 4 6	Legal advisor	BrE native speaker
La2	Rachel Smith	F	3 5 7	Legal advisor from Davids Solicitors firm	BrE native speaker

Footnotes

[1] Research in investigative interviewing has led to the creation of interviewing training schemes based on the ECI, the Cognitive Interview (or CI; see Geiselman et al., 1986) or other techniques aimed at enhancing the interviewee's ability to recall and relate details about a certain event (Baldwin, 1993). Consider, for instance, the widespread P.E.A.C.E interviewing model, which stands for Planning and Preparation, Engage and Explain, Account, Closure and Evaluation. In this model, CI and ECI have been adopted to maximize the quality and quantity of information

obtained during the interview; in particular, the CI techniques are primarily used in the 'Engage and Explain' and 'Account' stages (Mazeika et al., 2010).

[2] This is also confirmed by my personal experience as a registered (NRPSI) legal interpreter in England and Wales.

[3] The Police and Criminal Evidence Act 1984 and the PACE codes of practice provide the core framework of police powers and safeguards around stop and search, arrest, detention, investigation, identification and interviewing detainees. Following a consultation held in November 2011, revised versions of PACE codes C, G and H have now come into effect.

[4] Dialogue interpreting (DI) is also known as *liaison, ad hoc, community, public service, face-to-face, contact,* and *cultural* interpreting; however, there is little consensus amongst scholars whether or not these terms are synonymous (see Hale, 2007).

[5] Police interrogations have been previously shown to be inherently coercive, a fact recognized by legal scholars and courts alike (Ainsworth, 2008). Berk-Seligson's (2009) case studies further the understanding of how this coercion is achieved and how linguistic differences are exploited in the process.

[6] A review of work carried out in this setting is beyond the scope of this paper. For a general overview, see Pöllabauer (2006).

[7] Forensic linguistic studies in monolingual contexts have also adopted Goffman's framework to illustrate both productive and counterproductive police interview strategies and the implications for interview training, notably Heydon's (2005) study on thirteen interviews with police officers and suspects in Australia. This work suggests that the institutional setting of police interpreting discourse has a bearing on the participation frameworks, forming a third party in addition to the interviewing officer and the suspect. The roles of *author, principal* and *animator* are shown to define the process of the interview, which Heydon divides into the relevant sections labelled as opening, information gathering and closing.

[8] The recorded materials were transcribed by the author according to Sacks *et al.* (1974, p. 731-3; see Appendix). Transcription as method and theory has been explored since the seventies. Papers on the analytical effects of transcriptions as texts and transcribing as an interpreting process have, for example, been written by Jefferson (1973), Ochs (1979), and Edelsky (1981).

[9] Measures have been taken to protect and maintain the anonymity and confidentiality of all participants. Therefore, all names, dates and locations are ficticious and do not relate in any way to any real events. Any resemblance is purely coincidental.

[10] The English collocation 'to take notes' would be accurately rendered in European Portuguese with expressions such as *tirar notas* or *fazer anotações*.

[11] In Extract 4 (B), I2 – along with most of the interpreters in my corpus – tend to omit the interviewees' first name to be found in the police officers' original utterances. Addressing interviewees in their first name is a common rapport building technique, amongst others such as making physical seating arrangements or establishing common interests or concerns. For further discussion on this issue, see Lord & Cowan (2011).

[12] Closely intertwined with the issue of power is that of face and politeness (Brown & Levinson, 1987). A number of DI studies have focused on features such politeness and the mitigation of threats to 'face' in order to analyse translational shifts or changes in the socio-pragmatic force of the interpreted text. Krouglov (1999) and Nakane (2008, 2009) tackled these shifts in the domain of police interpreting.

[13] In the UK, we have witnessed a trend in the opposite direction. The government has decided to abandon the National Register of Public Service Interpreters (NRPSI), in existence since 1994, and outsource legal interpreting and translation services to a single private entity, with a

consequent impact on the pay and conditions offered to police interpreters. In such circumstances the professionalization of police interpreting services is unachievable and a series of miscarriages of justice have already taken place. For examples of inadequate interpretation in UK criminal proceedings, see Fair Trials International (www.fairtrials.net) or the website created by Madeleine Lee (www.dutchinterpreter.com/news-print-media.html).

[14] A number of initiatives have already been developed in this field. For instance, Aston University's Centre for Forensic Linguistics has recently organised a one-day course aimed at police officers. Further, past and future projects - such as Cambridgeshire Constabulary's "Enhanced communication via an interpreter" videos, the EU-funded ImPLI (Improving Police and Legal Interpreting) and the ongoing BMT (Building Mutual Trust) 2 – provide web-based training videos for police interviewers on how to conduct a face-to-face interpreter-mediated interview. While these developments are contributing to the practice of interpreter-mediated face-to-face police interpreting, virtually nothing is known about the viability and quality of videoconference (or remote) interpreting (VCI/RI), and training for legal practitioners and interpreters on VCI/RI is "almost non-existent" (AVIDICUS, 2011). This issue is ever more pressing as: (a) the European Council confirmed in 2007 that the use of videoconference technology is one of the priorities for future work in European e-Justice, in particular in the areas of evidence taking and interpreting; and (b) VCI/RI is currently being introduced by London's Metropolitan Police Service by placing interpreters in centralised hubs.

[15] My ongoing PhD research on discourse markers in interpreter-mediated police interviews is characterised by an interdisciplinary outlook in that it is a balance between applied pragmatics (Relevance Theory) and interactional sociolinguistics.

[16] For instance, in Extract 5 of my corpus the interpreter introduces herself and her role by saying: "I am an er: an Italian interpreter (.) National Register... ((shrugs and raises her eyebrows)) [...] er:: I'm here to:: help er:: ((looks down and waves her hands about in a casual fashion)) conduct this interview and to er: (.) interpret translate from English into: Italian Ital- and vice versa".