

Mediaportal Report

18/01/2010

► **Cambodian Times - story.cambodiantimes.com
Interpreters can break one's prospects in courtroom**

Interpreters can literally make or break one's prospects in the courtroom, says a latest research. The findings indicate that untrained court interpreters can commit mistakes that lead to unjust legal outcomes. Sandra Hale, associate professor in...

Date Found: 18/01/2010 8:03 PM
Summary ID: 63285003
To view the web page: [click here>>](#)

16/01/2010

► **Lost in translation, zat certain someting**
Sydney Morning Herald, 16/01/10, Editorials, Page 10
By: None

Clip Ref: 00063172966
150 words

13/01/2010

► **SBS Ethnic Radio (Melbourne)
06:00 News - 13/01/2010 6:08 AM
Newsreader
Station Phone 03 9949 2121**

Demographics
Demographics are not available as the media outlet has not commissioned audience research into this timeslot.

Australian research has found untrained interpreters can cause unjust court verdicts, in cases involving people from non-English speaking backgrounds. A University of Western Sydney study found the speech and mannerisms of interpreters influences the way witnesses and defendants are judged.

Interviewees: Associate Professor Sandra Hale, University of Western Sydney
Duration: 0.48
Summary ID: M00037483657
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▶ **SBS Ethnic Radio (Melbourne)**
World View - 13/01/2010 5:38 PM
Greg Dyett
Executive Producer Mr Andrew Kruger 02 9430 2828

Demographics

Demographics are not available as the media outlet has not commissioned audience research into this timeslot.

A new study by researchers at the University of Western Sydney has found untrained interpreters can cause unjust verdicts in court cases involving people from non-English speaking backgrounds. Sandra Hale, Associate Professor, University of Western Sydney, explains most Australian interpreters are required to pass a generic accreditation test which does not adequately prepare them to mediate in legal disputes and discusses various ways in which the skill of an interpreter can affect the outcome of a trial.

Interviewees: Sandra Hale, Associate Professor, University of Western Sydney

Duration: 3.42

Summary ID: M00037494559

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12/01/2010

▶ **Credibility concerns prompt calls for interpreter training**
Sydney Morning Herald, 12/01/10, General News, Page 7
By: Geesche Jacobsen

Clip Ref: **00062930965**

656 words

▶ **Brisbane Times - www.brisbanetimes.com.au**
Credibility concerns prompt calls for interpreter training

It is perhaps little surprise that jurors find witnesses who hesitate or "um" and "ah" are less credible than those who give their evidence forcefully. Even if witnesses answer clearly but in a foreign language, jurors consider them less convincing...

Date Found: 12/01/2010 1:13 AM

Summary ID: 62932081

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▶ **Sydney Morning Herald - www.smh.com.au**
Credibility concerns prompt calls for interpreter training

It is perhaps little surprise that jurors find witnesses who hesitate or "um" and "ah" are less credible than those who give their evidence forcefully. Even if witnesses answer clearly but in a foreign language, jurors consider them less convincing...

Date Found: 12/01/2010 4:04 AM

Summary ID: 62939266

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▶ **ABC 666 Canberra (Canberra)**
Drive - 12/01/2010 3:42 PM
Sarina Locke
Producer Ms Gabrielle Rumble 02 6275 4544

Demographics	
Male:	4200
Female:	4600
AB:	2800
GB:	5500
All People:	8800

Interview with Associate Professor Sandra Hale, University of Western Sydney about how juries treat foreign language testimonies. Hale's research into this shows that when interpreters change the style of the witness's testimony, then the perception of the witness can change. Hale discusses the profession of interpretation. Hale notes that there have been appeals because of issues with interpreters.

Interviewees: Associate Professor Sandra Hale, University of Western Sydney

Duration: 10.02

Summary ID: W00037479290

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Sydney Morning Herald

16-Jan-2010

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Editorials

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MTWTFS-

The Sydney Morning Herald

Lost in translation, zat certain someting

THESE days texts can be translated into many languages at the press of a computer key, with approximate but still time-saving results for a linguist who can clean up the snafus. Not so the spoken testimony of the witness in court. This week, thanks to research by Sandra Hale at the University of Western Sydney, we learnt about the plight of the court interpreter, wedged between the forensic virtuosity of barristers and the stumbling witness. An interpreter who hesitates too much for the right word or introduces “ums” and “ahs” can damage the credibility of a witness. But if the interpreter renders an answer into polished English without an accent, jurors will regard it as less credible, honest or persuasive. In other words, a really good interpreter may have to ham it up a bit. Those old movies where the foreigners speak in accented English have a lot to answer for.



Credibility concerns prompt calls for interpreter training

Geesche Jacobsen

CRIME EDITOR

IT is perhaps little surprise that jurors find witnesses who hesitate or “um” and “ah” are less credible than those who give their evidence forcefully. Even if witnesses answer clearly but in a foreign language, jurors consider them less convincing if their interpreter constantly searches for the right words.

Such is the negative impact of poor interpreters, academics and the government body that employs them suggest it is time for specialist training.

But research has shown that interpreters should not be too good: if they interpret into English without an accent, jurors mistrust them and regard them as less credible, honest or persuasive than those who say the same thing with an accent.

In NSW, about 40 interpreters work in a courtroom every day – their services are required about 10,000 times a year. In 2008-09 they were most frequently used to translate Arabic, Chinese, Vietnamese, Korean, Spanish, Persian or Turkish.

Court interpreters have to be qualified to level three (of five) under the national accreditation scheme.

Associate Professor Sandra

Hale, from the University of Western Sydney, said they did not have to study interpreting or learn about the pitfalls of appearing in court, and those who have the training get frustrated at not being treated like professionals.

Lawyers used to believe interpreting was like using a machine, she said, and failed to recognise that it was a difficult skill and that certain languages required extra information.

Her research, presented at a conference on juries, found that while an interpreter’s characteristics such as gender, appearance and accent did not negatively influence the credibility of the evidence they were interpreting, their abilities – such as mirroring the speaker’s speech style – did. “We can train them to do well those other things that do have an impact on the outcome,” she said.

The Bar Association junior vice president, Phillip Boulten, SC, said jurors were suspicious of people who used interpreters: “They see it as a prop or opportunity to gain time for thinking.”

He usually advised witnesses to use English if possible: “Most barristers would form the view that a jury is likely to lose the

impact of a witness if there’s an intervening medium such as an interpreter.”

Using interpreters often created confusion and complications although the standard of interpretation in NSW was high. “The interpreter needs to understand the nuances of the English question and interpret that accordingly,” Mr Boulten said.

“Sometimes that is impossible. Sometimes that is better achieved by some [interpreters] than others. Sometimes the interpreter takes it upon themselves to interpret quite liberally, rather than literally.”

There have been cases where interpreters have been replaced or challenged.

The Community Relations Commission, which supplies interpreters, does occasional spot checks but the fear is that many problems go unnoticed.

The commission chairman, Stepan Kerkyasharian, said he believed that, “given resources”, the standard of interpreting in courts was “reasonable” but that specialist standards for court and medical interpreters were a good idea.

back



WHAT THEY SAID BUT WHAT THE JURY HEARD

1. Witness: Yo solamente eh ... le vi la hojita, que, o sea como, como brillante, no más y eso. (I only, uh ... saw the little blade, that, I mean, like like it was shiny, that's all, and that.)

Interpreter: I just saw the shiny blade of the knife.

2. Witness: Tal vez no

pueda ser más específico porque hace mucho tiempo de eso que no tengo una secuencia de datos exactos. (Maybe I can't be more specific because it's been a long time since then and I don't have a sequence of the exact details.)

Interpreter: Uh ... perhaps I

cannot give you uh ... I cannot really be ... more specific because it's been so long ago and I have not in my mind a precise sequence of events, I wasn't prepared for this.

3. Witness: ¿Cómo no? ¿Él no tocó? Porque yo no le he tocado nada, no sé cómo ...

(What do you mean he didn't? He didn't touch it? Because I didn't touch him at all, I don't know how).

Interpreter: Perhaps, but I didn't touch him.

SOURCE: Associate Professor Sandra Hale. UWS

