

A Case Study of an Untrained Interpreter's Court Interpreting

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1. Introduction

Since court interpreting is closely linked to the issue of the exercise of justice, it is imperative that the court relies on accurate interpreting provided by competent professional interpreters. However, the demanding nature of court interpreting and the specialty required in court interpreting are often overlooked and underestimated. Despite the increasing need for court interpreters, there is no specialized court interpreter education or court interpreter certification system in Korea (정혜연 2009 181). In other words, the minimum standard of qualification required to work as a court interpreter is yet to be established despite the fact that the lack of qualified court interpreters may directly influence the judicial process and the credibility of the Korean judicial system

(김진아 2008a 28). For example, 22% of court interpreting is performed by members of the legal profession or defendants' friends and relatives (Kim 2008b 112). Practice of relying on ad-hoc interpreters, who may have personal or professional interests in a court case, may seriously undermine the impartiality and accuracy of interpreting. Moreover, the current practice of engaging untrained non-professional interpreters suggests that the law may not be keenly aware of the effect that an interpreter can have on proceedings or even on the outcome of a court case.

Court interpreters are highly skilled professionals whose role is to remove language barriers in the courtroom proceedings that involve speakers from different linguistic and cultural backgrounds. Court interpreting requires legal knowledge as well as interpreting skills in addition to strong professional ethics (Gonzalez et al. 1991; De Jongh 1992; Mikkelson 2000; Hale 2004). Bilinguals, who do not have interpreter training, may lack skills, knowledge and capabilities needed to facilitate cross-linguistic/cross-cultural communication in the courtroom. Untrained interpreters cannot ensure that witnesses and defendants from Culturally and Linguistically Diverse (CALD) backgrounds can access the court on an equal footing, and may even obstruct the course of justice as Dunnigan and Downing's case study (1995) indicates.

Because courtroom examination provides legal evidence which serves as the basis for legal judgement and sentencing (서울중앙지방법원 2006 53), the court interpreter should faithfully interpret every utterance as closely as possible to the way the original was spoken so that the court can hear the original utterances of witnesses intact (Gonzalez et al. 1991; Edwards 1995; Hale 2004). Even the demeanour and styles of witnesses' speech are all taken into account in judicial decision (Conley et al. 1978; Wodak-Engel 1984; Penman 1990; O'Toole 1993 191, cited in Hale 2004 90; Maley 2000). Therefore, the court interpreter should not modify original speech or edit grammatical disfluency, hesitations, repetitions and redundancy, and should maintain the register and styles of original utterances in interpreted renditions.

The Common Law systems generally expect the interpreter to provide verbatim interpreting, namely literal translation, to minimize the interpreter's influence on legal evidence and the legal procedure (e.g. Morris 1993; Laster and Taylor 1994; Mikkelsen n. d., 2000; Roberts-Smith 2010). The law's lack of understanding about the process of interpreting has stirred quite a controversy and debate in the literature on court interpreting. Although the Manual for Criminal Court Interpreters (서울중앙지방법원 2006 64-69) indicates that the Korean court is aware of potential communication problems and suggests appropriate protocols for recognizing the interpreter's role as a facilitator of communication,¹⁾ such norms in court interpreting set by the court may not be adhered to if interpreters are not properly trained or competent enough. Interpreters make an oath before they begin interpreting in the courtroom examination (서울중앙지방법원 2006). However, swearing an oath to provide accurate interpretation does not guarantee the accuracy of the interpreted rendition if the interpreter lacks competence (Berk-Seligson 1990 204). As Berk-Seligson (1990) aptly points out, the issue of quality of interpreting is a matter of the competence of the interpreter rather than the intentions of the interpreter.

Interpreting researchers based in Korea have discussed the need for court interpreter education and certification system relying on anecdotal evidence (e.g. 최정화 2002; 광중철 2005) or surveys (e.g. 김진아 2008a, 2008b, 정혜연 2009). The lack of empirical studies of court interpreting in Korea may be largely due to the difficulty of researchers' access to courtroom discourse data. Without empirical data, it would be difficult to examine and understand what the reality is and recommend what should be done.²⁾ Given the pressing need

1) A competent court interpreter may make expert decisions and act quickly to prevent misunderstanding that may derive from cultural and linguistic differences in order to provide accurate renditions (see Mikkelsen 2008; Hale 2008; Lee 2009a, 2009b for discussion on the role of the court interpreter).

2) The U.S. court interpreter certification requirements resulted from task-force reports

for an empirical work that examines the quality of courtroom communication that involve interpreters, this paper, which is based on a case study of court interpreting, seeks to contribute to the discussion on enhancing the quality of court interpreting in Korea. Drawing on the analysis of the discourse of an untrained interpreter-mediated courtroom examination, this paper seeks to highlight the importance of engaging a trained professional interpreter in court proceedings.

2. The study

The data to be presented in this paper was extracted from approximately 30 hours of video recordings of Korean courtroom proceedings. This data was collected by the Supreme Court of Korea for a larger scale research project on courtroom communication, which aimed at the professional development of judges, and most of the data was taken from monolingual proceedings conducted in Korean. For the present study, only the audio data of an hour long interpreting session in a criminal trial was used. The transcription of the audio data was made by the researcher. The names of places and people have been altered to preserve anonymity.

This criminal trial took place at a district court in Seoul, Korea. The defendant in this case was a Korean national, but the English speaking male witness, who came from a Pacific island country, communicated through an interpreter. The interpreter interpreted the witness's responses in English into Korean and interpreted questions of lawyers, including the prosecutor and the judge, into English. It is not possible to know how he became involved as an interpreter in this case, but his interpreting clearly revealed that he was not a trained professional interpreter. This defence witness gave evidence to the

on the inadequate quality of interpreting services (Benmaman 1999: 110).

effect that the defendant was actually a genuine businessman and they were planning to do business together. The judge commented after examination of this witness that no substantial evidence to this effect had been produced. Therefore, one may argue that the quality of interpreting may not have had serious implications for this particular case. Nonetheless, this witness examination shed light on common problems that may arise from involving an untrained interpreter in the courtroom proceedings.

As discussed earlier, the court interpreter should preserve the styles as well as the contents of the original utterances in interpreted renditions (De Jongh 1992; Rigney 1999; Berk-Seligson 2002; Jacobsen 2003; Hale 2004). However, the interpreter in this case lacked linguistic competence and interpreting skills to fulfill the professional role of the court interpreter. This paper will chiefly examine two issues, namely accuracy in interpreting and the role of the court interpreter drawing on five extracts from the interpreter-mediated witness examination, and provide some suggestions to improve the quality of court interpreting in general.

2.1. Accuracy in interpreting

Extract 1 below shows that he misinterpreted the size of land. (See the transcription rules below.)³⁾ Given that precision is vital in court interpreting, this type of error is not acceptable. When the witness stated 1,600 hectares (see turn 1), the interpreter repeated what the witness said (see turns 2 and 4), which seemed to be his attempts for confirmation. However, he translated ‘one

3) The following initials are used in the transcript excerpts. ‘J’ indicates Judge; ‘I’ indicates Interpreter; ‘W’ indicates Witness; ‘P’ indicates Prosecutor; ‘D’ indicates Defence lawyer; ‘XX’ indicates inaudible sound; ‘=’ indicates latching utterances; ‘[]’ indicates overlapping talk; ‘...’ indicates pause; ‘:’ indicates lengthened vowel; ‘?’ indicates rising intonation; ‘.’ indicates falling intonation; ‘-’ indicates utterance cut off mid sentence. Italics are the author’s English translations of the Korean utterances.

thousand six hundred hectares’ into ‘one hundred thousand hectares’ even after checking with the witness. Since nobody intervened to correct the mistranslation, it may be assumed that this error may not have been known to the primary parties.

Extract 1 (Examination-in-chief)

- 1 W: one thousand six hundred hectares
 2 I: one thousand=
 3 W: =one thousand
 4 I: six hundred
 5 W: hectares
 6 I: hectares. 16만 헥타 (*one hundred thousand hectares*)

Let us examine another extract from the examination-in-chief in which the interpreter did not render the propositional meaning of the lawyer’s question properly. (See Extract 2 below). The defence lawyer asked a polar question (turn 1), but the interpreter translated this into a wh-question (see ‘how much did you trust each other’ in turn 2). Later in turn 9, the interpreter also failed to faithfully interpret another polar question by asking the witness how many coffee farms there were. It is possible that because of his lack of competence, the interpreter had to break up original questions into fragmented questions, which might have lacked clarity for the witness to understand (see turns 1 and 2 & turns 9 and 10 in Extract 2). Furthermore, such an inadequately translated question altered the power of the lawyers’ speech.⁴⁾

4) See Conley et al. (1978) and O’Barr (1982) for the effects of the power of language in the courtroom contexts.

Extract 2 (Examination-in-chief)

- 1 D: 예. 그 피고인 가족이 6년 정도 살았다고요. 그 정도 이 지역에 살면서 증인과 그 지역 토지소유주들의 신임을 얻게 된 것인가요? 토지 소유주들의- 이렇게 같이 살았기 때문에 그 지역 토지소유주들의 신임을 얻게 된 것인가요? (*Yes, the defendant's family lived there for about six years. While living that long in this area did he earn the your trust and the region's landowners'? Landowners- did landowners in the region come to trust him because he lived there together?*)
- 2 I: uh XX defendant Kim lived six years there. and you and uh...its aborigine's owner. landowner. and then how much did you trust each other.
- 3 W: we trust Mr. Kim 100%.
- 4 I: 100%.=
- 5 W: =100%
- 6 I: what about residents. aborigine.
- 7 W: aboriginals. yeah 100%.
- 8 I: 백프로 신임이 있었다고 합니다. ((*He says*)there was 100% trust.)
- 9 D: 그 알림부 지역에는 커피농장이 많이 있나요?(*Are there many coffee farms in the Yalimbu area?*)
- 10 I: there is how many coffee farms there
- 11 W: we don't grow coffee in Yalimbu.
- 12 I: no. 커피농장은 없대요. ((*He says*) there's no coffee farm.)

The English renditions, which frequently contained grammatical and syntactical errors, reveal that this interpreter's skills are less than adequate for court interpreting which requires the highest level of precision. It is very unlikely that this interpreter would be able to handle delicate nuances and the pragmatic effect of original utterances, which are important in court interpreting.

In the adversarial court system, oral evidence is presented to the court through a series of questions and answers. It is essential that the interpreter should maintain the semantic and pragmatic meaning of original utterances during the examination process. In an adversarial courtroom, lawyers control a

witness's line of testimony through the strategic use of questions (Harris 1984; Stygall 1994; Walker 1987 57; Hale 2004 32).⁵⁾ Lawyers ask questions in order to elicit information or responses that would favour their case and, as such, their questions may also act as accusations, insinuations, commands and threats (Walker 1987; Hale 2004 32). If interpreters are not aware of the discursive purposes of questioning in such legal settings, they may alter the pragmatic effect of questions in courtroom settings and hamper lawyers' questioning attempts (e.g. Rigney 1999; Berk-Seligson 2002; Hale 2004). Further, such alterations to the pragmatic force of questions may influence the delicate power balance in the courtroom (Hale 2004 36).

Extract 2 also reveals other major issues in the accuracy of interpreting. Instead of interpreting in the first person, this interpreter reported what the witness said using reporting clauses such as '다고 합니다' and '대요'(see turns 8 and 12 in Extract 2 and also turn 6 in Extract 5). For example, the witness's original utterance 'We don't grow coffee in Yalimbu (얄림부에서 커피 재배는 안합니다)' was restated from the interpreter's narrative point of view (see '커피농장은 없대요' in turn 12).

Since the speaker's actual words are not rendered accurately in the reported speech, there is a consensus that reported speech hinders both communication and the judicial process whereas direct speech, namely first person interpreting, is regarded as the norm in court interpreting (Jansen 1995; Schewa Nicholson and Martisen 1997; Hale 2004; NAJIT 2004; Angermeyer 2005, 2009; 서울중앙지방법원 2006; Christensen 2008). In fact, indirect speech and reported

5) Question types and forms vary in witness examinations. Open-ended questions are much more common in non-confrontational examination-in-chief whereas more accusatory and coercive questions, including leading questions, that constrain the opponent's witness are common in cross-examination (Loftus 1979; Danet and Bogoch 1980; Maley and Fahey 1991; Hale 2004: 33). No empirical research has been conducted on the question forms and types in examination-in-chief and cross-examination in a Korean courtroom.

speech forms in interpreting are generally regarded as a token of the lack of professionalism and training in interpreters. Untrained bilinguals who act as interpreters often interpret in the third person because they do not understand the issue of accuracy and the professional role of an interpreter (Hale 2004).

The advantage of using direct speech in interpreter-mediated communication includes enhanced accuracy, clarity, and impartiality (Dubsloff and Martinsen 2005 212; Christensen 2008 103). The rapport between defence lawyers and their clients or the adversarial relationship during cross-examination may be preserved through the directness of the communication between primary parties. Furthermore, given that the Korean Criminal Procedure Law disallows hearsay evidence (건국대 법학연구소 2006 212-215), and precision and exactness is required in the witness's evidence, interpreters' reporting of witnesses' evidence may potentially create legal problems.

2.2. Professional conduct of the interpreter during the courtroom examination

The court interpreter should exercise self-restraints to maintain neutrality and avoid making unnecessary influence on the examination process by restricting themselves to the act of interpreting. However, the interpreting behaviour of the interpreter in the data showed a lack of training and knowledge of the role of the court interpreter. In Extract 2 (see above) the interpreter initiated a question (turn 6), which was not a clarification seeking question. This indicates that he not only failed to provide an accurate rendition of original utterances but also deviated from the norms in court interpreting. The interpreter took on an additional role of an examiner or a helper in the witness examination, which may have potential implications for the courtroom examination. In fact, this happened quite frequently in the data.

Extract 3 (Cross-examination)

- 1 P: 벌목사업을 실제로 진행했습니까?
(*Did the timber business actually proceed?*)
- 2 I: at that- is that time it's already proceed in timbering business? ... Defendant Kim already proceed?
- 3 W: yes we're- we're in process.
- 4 I: starting? or already process or just plan
- 5 W: we're planning and we're- we processed to uh XX
- 6 I: not already start. jut planning and process [to start]
- 7 W: [yes]
- 8 I: 바로 시작은 안했구요. 진행. 계획. 계획하고 진행 중. 그런 계획을 만드는 중이었다고 (*It didn't start immediately. It's plan- planned and in process. (He says) they were in the process of drawing up such a plan.*)
- 9 P: 어 근데 뒤에 5-1항을 보면 벌목사업이 피고인이 투자금을 마련하지 못해서 진행을 하지 못하였다고 되어있던데요. (*uh however item5-1 in the back shows that the timber business did not proceed because the defendant could not prepare investment fund.*)
- 10 I: and uh another question is this time is you were... at the time you were not enough money to to get something in timber business to make it XX at the time XX not enough time to do timber business. is it like... no is enough money. not enough money to make uh... develop uh in a timber business.
- 11 W: uh we had uh at that time we had a landowner problem
- 12 I: landowner problem. what is landowner problem?.. any- is that cash problem is that?
- 13 W: that's right. uh cash. landowners had some difficulty with cash

Extract 3 (see above) shows that the interpreter frequently sought clarifications (see turns 4 and 6), which may be due to the interpreter's lack of professional training and interpreting competence. In turn 12 above, the interpreter asked the witness seeking clarification by asking what the landowner problem was. This question may appear as harmless, but it was not needed for accurate interpretation at the moment. After a short pause, the interpreter asked if that was a cash problem. Such interference may have potentially serious

implications for the proceedings in that it might influence the witness's evidence by putting words in his mouth. The conversation in English between the interpreter and the witness might not be understood by other participants in the courtroom, such as the judge, the prosecutor and the lawyer. This points to the legal professionals' loss of power and control in the interpreter-mediated courtroom examination. It is possible that the interpreter's conversation with the witness in the language the court does not understand may result in untoward consequences. This may allow the witness to change his response without letting the court hear earlier evidence given by the witness.⁶⁾ Accordingly, the court interpreter should submit himself to the authority of the trial judge and seek the court's permission first in order to seek clarification. This would avoid inviting any suspicion about illicit communication or collusion with the witness.

As the data illustrates, untrained interpreters may even interfere with questioning during the witness examination (see also Berk-Seligson 2002 86; Hale 2004). In Extract 4 below, which continued a short while after Extract 3, we can also see that this interpreter assumed responsibility for the witness's answer. The cross-examiner questioned the witness again regarding the status of the timber business using a forced choice interrogative (in turn 1). As the witness began giving his evidence, the interpreter interrupted his response (see turn 4). The interpreter might have thought the witness misunderstood or his evidence was not responsive to the lawyer's question. Even if the witness gives an obviously incorrect answer caused by misunderstanding, the interpreter should not interfere with the witness's testimony, and just reproduce what the witness said regardless of the responsiveness of the answer (서울중앙지방법원 2006 67-68). The untrained interpreter's behaviour clearly indicates that he

6) The interpreter should interpret everything even the corrected utterance (서울중앙지방법원 2006 53). As this Extract reveals, although the court has established guidelines for court interpreters, untrained interpreters may not understand clearly how to conduct appropriately and deviate from the professional norms.

unduly exercised power and control over the witness's examination.

Extract 4

- 1 P: 근까 벌목사업이 계속 진행중인지 지금 중단되었는지요. (*so is the timber business under way or currently suspended?*)
- 2 I: now is it processing or stopped the business.
- 3 W: with Exxon Mobil=
- 4 I: =no no at this moment timbering business.

Although legal professionals hold power and control in the courtroom communication, control may shift to other parties such as witnesses and defendants in the dynamic communicative interactions. Witnesses sometimes attempt to take control by asking questions or by not providing relevant answers, in cross-examination in particular (Harris 1989). The interpreter, who understands and speaks the two languages used in the courtroom, certainly has linguistic power to exercise control over the courtroom interactions, but the interpreter should refrain from exerting unwanted influence.⁷⁾ In such legal contexts as courtroom examinations, the interpreter's intervention, which prompts or directs the witness to respond to the point, may weaken the witness's assertiveness and power struggles in the adversarial courtroom (Hale 2004 210). Only well trained competent interpreters would know when such interruption may be justified.

7) That is why the conduit pipe metaphor is often used to describe the role of the court interpreter. Lee (2009a) and Lee (2009b) argue that the court interpreter's role should not be restricted to a conduit pipe given the need for clarification of meanings and preventing misunderstanding in cross-linguistic and cross-cultural communication. However, such facilitative role should be strictly limited to interpreting issues and it is premised on the interpreter's training and competence.

2.3. Legal professionals' understanding about the role of the court interpreter

The court interpreter's job is to place CALD witnesses and defendants on an equal footing as any speaker who speaks the language of the host country (Gonzalez et al. 1991; Mikkelson 2000). The court interpreter is neither an advocate for CALD witnesses nor a helper for lawyers in the courtroom proceedings. However, the interpreter's role is often misunderstood by legal professionals as well as lay participants.

Legal professionals need to understand that they also have a role to play in ensuring accuracy in court interpreting. The data revealed that on occasion, the judge or lawyers deviated from direct speech. Before the witness examination started, the judge checked the identity of the witness through the interpreter and he said to the interpreter, “국적이 어디냐고 한번 물어봐주세요 (*Would you ask him what his nationality is?*) (the data not shown in the extracts). The prosecutor also addressed the interpreter, not the witness (see turn 7 in Extract 5 below). It may be natural for them to speak to the interpreter rather than the witness who does not understand Korean. However, such indirect speech may inevitably pose a dilemma to the interpreter and cause a problem in the accuracy of court interpreting. If the interpreter faithfully interprets the original utterance addressed to the interpreter into ‘Would you ask him what his name is?’, it would be confusing to the witness. Thus, primary participants’ use of indirect speech, namely addressing the interpreter, may lead the interpreter to modify the original utterances by editing or omitting the prefacing clause ‘Please ask him’, which contradicts the norms of court interpreting, namely faithful reproduction of original utterances.

Furthermore, by not addressing the witness and asking the interpreter to ask the witness, lawyers recognize him as a go-between and thus inadvertently let the interpreter gain control over the questioning. As a consequence, the interpreter may be allowed to “occupy a position of considerable power, which

undermines the relationships between the parties (NAJIT 2004). This gives the interpreter a much more central and dominating role than originally intended by the legal system (Christensen 2008 103).

Extract 5 (Cross-examination)

- 1 P: (omitted)... 아까 질문 관해서 제재소 사업을 피고인에게 넘겨주는 대가로 돈을 받았는지 (*in relation to the previous question, did the defendant pay money in return for the sawmill business ownership.*)
- 2 I: and uhh when you transfer this XX sector will transfer to Mr. Kim. you got any rebate or any consideration from Defendant Kim?... any uh...consideration from Mr. Kim... after you: transferred to this land to Mr. Kim and he... paid you any rebate to you or anything
- 3 P: 아니 리베이트가 아니고요. 그 소유권 주는 대가로 소유권에 해당하는 돈을 지불했는지 (*No, it's not rebate. (The question is) if he paid money in return for the ownership.*)
- 4 I: 아 (*ah*) for land. you received from defendant Kim.
- 5 W: we want business. we gave letter of concern to give him all the land. that's the first time.
- ... (two turns omitted)
- 6 I: never received anything from Mr. Kim. 받은 돈 하나도 없다는대요
- 7 P: 그러면 어땠.. 왜 소유권을- 한푼도 안 받고 토지소유권을 넘겨줬다는 게 이해가 안되는데 왜 그렇게 한건지 좀 물어봐주세요. (*Then how- did the ownership- I don't understand why the land ownership was transferred to him although not a cent was paid. Please ask him why it was done so.*)

As the data reveals, engaging an untrained interpreter may lead the legal professionals to play an additional role of monitoring the interpreter's performance, which is beyond their prescribed professional roles. Furthermore, they may not be in a position to judge the quality of interpreting in most cases. To take an example, during the cross-examination, the prosecutor asked the witness if he had received any money from the defendant in relation to a sawmill business as a follow-up question (turn 1 in Extract 5 above). The

interpreter chose 'rebate or consideration' instead of 'money' in the interpreted rendition (turn 2), which distorted the original meaning. In turn 3, the prosecutor corrected the interpreted rendition by pointing out that she did not mean 'rebate'. However, the interpreter did not accurately convey the question immediately (turn 4). A couple of turns later, after checking with the witness, the interpreter reported to the court that the witness had received no money from the defendant (turn 6). A competent interpreter would have provided interpreted renditions without frequent repetitions and self-corrections, thus facilitating the legal procedure. It may be argued that inadequate interpreting often caused lengthened exchanges during the examination.

3. Conclusions and suggestions

Drawing on the analysis of the discourse of an untrained interpreter-mediated courtroom examination, this paper has examined issues related to the accuracy in interpreting and the role of the court interpreter. The results indicated that the untrained interpreter not only failed to provide accurate interpretations but also interfered with the witness examination in one way or another, overstepping the boundary of the role of the court interpreter. Based on these findings, this paper argued that such inadequate court interpreting may potentially influence the courtroom examination proper.

There are limitations to this paper in the sense that it was based on a very limited size of the data, namely an hour long interpreting provided by an interpreter, which was inevitable because of the restricted data availability in the Korean legal contexts. Despite such limitations, this paper sought to draw attention to some of the issues frequently dealt with in the existing literature on court interpreting that needed to be addressed. It is hoped that this discourse-analytic study will stir up a debate and discussion on ways to improve the quality of court interpreting. The fact that such an interpreter with

inadequate bilingual skills was employed at a court in Seoul does point to the dire need of immediate action on the part of the court system for the professionalization of court interpreters in Korea, and it calls for further investigation to assess the quality of court interpreting in regional cities where there is a chronic shortage of trained interpreters.

Finally, this paper calls for the court to employ competent interpreters who have good interpreting skills and have knowledge of the legal system as well as the discursive practices in the courtroom. However, it would be difficult to engage qualified court interpreters if there were no adequate court interpreter education. Without reliable quality court interpreting services, lawyers are handicapping themselves, their clients and the judicial system (Morris 1993). Given that appeals based on a miscarriage of justice resulting from inaccurate interpreting are possible,⁸⁾ the Korean judiciary system cannot afford to avoid financial and administrative responsibility for the provision of competent interpreters for legal proceedings such as courtroom examinations.

It is necessary for the Korean judiciary to lay the legal groundwork on court interpreter qualification and employment, such as the professional status and the role of the interpreter in legal proceedings. It would be difficult for the court to screen individual interpreters and test their competence, so it would be desirable for the Korean judiciary system to cooperate with the interpreter/translator education institutions to train court interpreters and establish a court interpreter certification system (Choi 2008; 김진아 2008b, 정혜연 2009). The court should take a lead in establishing best practice in engaging interpreters in courtroom proceedings that involve CALD witnesses or defendants. As suggested in this paper, legal professionals also need to understand the potential problems that may arise from interpreter-mediated courtroom examinations, and should be ready to work with court interpreters.

8) e.g. *Perera v Minister for Immigration and Multicultural Affairs*[1999] FCA507 in *Australia & People v Medrano* (N. Y.S. 2d 375 [Co. Ct. 1986] and *People v. Molina* (418 N.E.2d 831 [III. App. 1981]) in the U. S.

To that end, legal professionals' training would be required for them to work effectively with interpreters in court proceedings that increasingly involve non-Korean speakers.

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[Abstract]

A Case Study of an Untrained Interpreter's Court Interpreting

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Drawing on the discourse of an untrained interpreter-mediated courtroom examination, this paper examines issues related to the accuracy in court interpreting and the role of the court interpreter, and the need for the legal professionals' awareness about the role of the court interpreter. Through illustrative examples, this paper demonstrates that untrained and incompetent interpreter's interpreting may influence the witness examination proper. The results clearly indicate that court interpreting service should be provided by trained professional interpreters and that legal professionals need to be aware of issues that may derive from inadequate court interpreting. This paper argues that legal professionals also need to understand how to work with interpreters in courtroom examinations. Finally, this paper calls for the judiciary's action on enhancing the quality of court interpreting that impinges on the exercise of justice.

▶ Key Words: court interpreting, untrained interpreter, accuracy, role, judiciary

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