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Workstream 3

Didactic Concept for Training Modules: Joint Training Workshops

D 3.2 Didactic concept

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1 Didactic Concept for Joint Training Workshops

Goal. The Joint Training Workshops aim to promote a better understanding of the needs, requirements and expectations of all parties involved in interpreter-mediated events in legal settings. The ultimate goal is to improve language assistance in legal settings through better working conditions and closer cooperation between legal professionals and legal interpreters.

Participants. The Joint Training Workshops are specifically addressed to legal professionals (judges, judge candidates, lawyers, police and court staff) and legal interpreters and open to interpreting students and law students. No inclusion/exclusion criteria are envisaged for legal professionals or legal interpreters. As regards students, admission is limited to advanced interpreting students and law students specialising in criminal law or criminal procedure. The number of participants in each workshop is 15-20, if possible, with a roughly equal representation of the different groups. All participants are required to register.

Structure. The 2-day Joint Training Workshops consist of modules focusing on different aspects of communication, interaction and interpreting in legal settings. A number of modules are suggested below, which can be chosen and combined to create workshops tailored to the needs of the participants. The number of modules may vary, and their contents can be adapted depending on the needs and prior knowledge of the participants.

Module 1: Complete lack of understanding

- *Duration:* 5 minutes
- *Activity:* Participants are invited to listen to a 3-minute speech in a language they do not understand. The speech presented is relevant to the Joint Training Workshop
- *Goal:* Have participants experience complete lack of understanding
- *Materials:* The speech may be delivered live by a speaker of an “exotic” language, or else a video may be used, either produced specifically for this purpose or downloaded from the Internet

Module 2: Perspectives on language assistance

- *Duration:* 20-30 minutes
- *Activity:* Participants are invited to state their priorities and expectations as to language assistance. These are recorded using a flipchart or whiteboard. This is followed by a brief discussion.
- *Goal:* Enable legal professionals and legal interpreters to learn about each other’s attitude towards language assistance; foster mutual understanding
- *Materials:* Flipchart/whiteboard and pen. A series of introductory questions may be asked (cf. Balogh *et al.* 2018: 22), e.g.:
 - Have you experienced an interpreter-mediated communication situation in court that went well? Can you describe what you (as a legal professional or interpreter) and/or the other participants did (or didn’t do) that contributed to its success?

- Have you experienced an interpreter-mediated communication situation in court that did not go well? What problems did you encounter/observe?
- What is the most challenging situation you have experienced in an interpreter-mediated communication situation? What did you and the other participant(s) do to address the challenge? Did they succeed?
- What is the most positive thing you have experienced working with an interpreter/with legal professionals?
- What are your expectations (as a legal professional) when you conduct an interpreter-mediated interview/hearing?
- What do you (as an interpreter) expect when you are asked to interpret in a legal setting?
- How would you describe the role of the legal professional in an interpreter-mediated communication situation? How would you describe the role of the interpreter?

Module 3: Perspectives on controversial issues

- *Duration:* 45 minutes
- *Activity:* Participants are invited to express their agreement or disagreement with a series of potentially controversial statements. This is followed by a brief discussion. *Variante:* Instead of verbally agreeing or disagreeing, ask participants to move to one side of the room if they agree and to the other if they disagree.
- *Goal:* Enable legal professionals and legal interpreters to learn about each other's opinions; enable legal professionals and legal interpreters to discuss interpreting-related issues; enable legal professionals and legal interpreters to find a common understanding of the nature and practice of language assistance in legal settings
- *Materials:* a list of 10-12 statements to be read out. Here are some examples of statements that could be included in the list: 1. if you know two languages, you can work as an interpreter; 2. interpreting means translating word by word; 3. a good interpreter interpreters faithfully; 4. interpreting is not just translation, but also explanation; 5. the interpreter should not display emotions/empathy; 6. the interpreters should explain technical terminology; 7. the interpreter should adjust the language to the PAC; 8. the interpreter should put the PAC at ease; 9. the interpreter gives his/her opinion on the case; 10. the interpreter serves the interests of the judicial system (adapted from Balogh *et al.* 2018: 71)

Module 4: Examples of legal professionals and legal interpreters acting in legal settings

- *Duration:* 90 minutes
- *Activity:* Participants are shown 5 or 6 videos displaying a variety of situations such as (a) the interpreter does not interpret verbal exchanges between legal professionals or only does it sporadically; (b) the interpreter's language is very poor; (c) the interpreter says s/he is not sure s/he has understood what has just been said; (d) the interpreter openly questions the truthfulness of the PAC; (e) the interpreter's utterance is much longer than the PAC's; (f) the interpreter's utterance is much shorter than the PAC's; (g) the interpreter does a relatively long consecutive with notes; (h) the interpreter interprets simultaneously using portable equipment (bidule); (i) the interpreter provides a sight translation of the judgment while it is being read out; (j) the legal professional speaks for 6-7 minutes and then asks the interpreter (who has not taken notes) to translate; (k) the legal professional stops mid-sentence and asks the interpreter to translate etc. After each video participants are invited to comment on what they have just seen
- *Goal:* Foster reflection and discussion on good/bad practices
- *Materials:* 5 or 6 videos to be recorded. As an alternative option, the various practices and situations could be presented live with the help of law students and interpreting students.

Module 5: Experiencing roles (with methods from theatre pedagogy)

- *Duration:* 90 minutes
- *Activity:* Participants play out a brief scene based on a concrete scenario. The actors can be legal professionals and legal interpreters or students. If possible, professionals should play a role they do not inhabit in their professional life, i.e. a judge should play an interpreter, an interpreter should play the defendant, a lawyer should play the judge etc. This exercise can be intra- or interlingual. The actors play out the scene. After the first run-through, there is a brief group discussion: What worked well? What did not? What would people have done differently? Next, repeat the scene with a different participant playing the interpreter, the other roles remain the same and behave as before. The interpreter can now try out other solutions suggested in the preceding discussion. This process of discussion and repetition of scene with a new interpreter is repeated until all participants are satisfied with the scene. The evaluation should focus on both verbal and non-verbal aspects of the situation, and everyone should be assigned a certain actor or aspect to observe and take notes on.
- *Goal:* Compare perceptions and points of view, experience different roles. This exercise can be used to address different questions, such as interpreting modes (which is more efficient? Which seems best suited to the courtroom?) or language rights (is the defendant able to follow the proceedings in full? Do they feel like a full participant in the process?)
- *Materials:* A scenario based on a real case, ideally on participants' experiences (e.g. from Module 2). The scenario should be brief, have clearly defined roles, and a concrete problem. (adapted from Kadric 2017: 6-10)

Module 6: Training specific aspects (with methods from theatre pedagogy)

- *Duration:* 90 minutes
- *Activity:* This is structured similarly to Module 5, but the roles of interpreter, judge and defence lawyer are played by people who really have those professions (or are in training). The roles of defendant and witnesses, if applicable, are played by other participants, ideally in another language. Again, a scenario is played out, though it can be longer than in the previous exercise. The evaluation and reflection as well as the repetition of the scene are done as above. The focus of the discussion can be on a specific aspect, such as questioning techniques (e.g. Why did the judge ask a question a certain way? Did the interpretation reflect their intention?). Instead of changing the interpreter in each scene, the role of the judge (or a lawyer cross-examining a witness) can be switched out until a satisfactory solution is found – however, only one role should be switched out and the others should remain the same.
- *Goal:* Compare perceptions and points of view, explore different topics: Why is a question phrased a certain way? Why does the interpreter prefer to whisper simultaneously? Can a defendant fully follow the proceedings if witness statements are only summarised? How can a legal professional make the best use of an interpreter (clarity of speaking, length of segments, interpreting mode, etc.)?
- *Materials:* A scenario and clearly defined roles (see Module 5)

Module 7: Simulation (with methods from theatre pedagogy)

- *Duration:* 90-120 minutes
- *Activity:* A scenario is played out in full. This can be an entire trial or part of it (e.g. questioning of a witness, questioning of the defendant). The role(s) of interpreter(s) should be played by interpreters/interpreting students, the roles of legal professionals by legal professionals/law students. The roles of defendant and witnesses, if applicable, are played by other participants, ideally in another language. The entire scenario is played out once. Afterwards, the other participants evaluate the simulation on the levels of verbal communication, non-verbal dimension, legal aspects, and interpreting technique, and everyone should be assigned a specific aspect or role to observe and take notes on.
- *Goal:* Building on the experiences gained in the role-playing exercises in Module 5, a longer scenario is played out to consolidate the learning outcomes of the previous exercises
- *Materials:* A detailed scenario and clearly defined roles, including any necessary materials such as indictment or expert witness reports (to be prepared in advance)

Module 8: Tips

- *Duration:* 30-45 mins
- *Activity:* Participants are asked to split into groups of 3-5 people and asked to come up with a list of 3 to 5 top tips for working with interpreters. Each group presents one tip. Encourage all groups to add any good tips they hear to their list. Distribute the tips handout and ask participants to compare their lists with it and see if they want to add any tips from there. Finish with asking everyone to pick out 1 tip they will use even if they forget all others.
- *Goal:* Listen to and learn from other professions, learn from others' viewpoints and best practices. This can be incorporated into the discussion of Modules 5 and 6.
- *Materials:* Tips handout (adapted from Balogh *et al.* 2018: 34)

Module 9: Final discussion

- *Duration:* 30-45 minutes
- *Activity:* Participants are invited to comment on lessons learned (if any) and the extent to which the Joint Training Workshop has helped them better understand the nature of interpreter-mediated events
- *Goal:* Foster an exchange of points of view and get indirect feedback on the Joint Training Workshop. This can be combined with the oral feedback round.
- *Materials:* -

At the end of the workshop, participants are asked to participate in an oral feedback round and to complete an evaluation questionnaire. Three months after the Joint Training Workshop they will surveyed again via online survey to find out whether the Joint Training Workshop has had any lasting impact on their work or attitudes.

2 References

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