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## Interpreting for vulnerable populations

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Interpreting  
for  
Vulnerable Populations

Interpretar  
per a  
poblacions vulnerables

Edited by  
Lucía  
Ruiz Rosendo  
& Conor H. Martin

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Interpreting for Vulnerable Populations

Interpretar per a poblacions vulnerables

**Guest Editors/Edició a cura de**

Lucía Ruiz Rosendo, Universit  de Gen ve

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## Interpreting for vulnerable populations: Tracing the role of interpreters in contexts of vulnerability

Lucía Ruiz Rosendo 

Conor H. Martin 

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## Interpreting for vulnerable populations: Tracing the role of interpreters in contexts of vulnerability

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### Abstract

This contribution serves as the introductory framework for the articles featured in the special issue of *Just. Journal of Language Rights and Minorities, Revista de Drets Lingüístics i Minories* exploring interpreting for vulnerable populations. Noting the increasing interest in the role of interpreters who work with populations experiencing varying degrees of vulnerability in different settings, this introduction starts by examining some nuanced definitions and causes of vulnerability and the ways in which we are vulnerable to others. The guest editors then focus on language as an important element which can engender vulnerability and consider how interpreters play a pivotal role in mitigating this vulnerability when facilitating access to communication. They discuss how the articles in this special issue address the notion of vulnerability and the complex role of interpreters who work for specific categories of vulnerable populations in different institutional and geographical contexts. The articles describe the elements that interpreters must navigate when managing these challenging situations characterised by high stakes for the vulnerable person and often (highly) asymmetrical power dynamics and dependency.

**Keywords:** interpreting, vulnerability, vulnerable populations, dependency, language rights

## 1. Introduction

In recent decades there has been an increasing interest in the concept of vulnerability and the effects of being part of a vulnerable population, which occurs as a consequence of having access to limited resources when confronting and adapting to daily situations. Vulnerability is a multifaceted concept which defies simple definition: on the one hand, it stresses the relational and embodied nature we all share as human beings (ontological vulnerability) and, on the other hand, it insinuates our necessarily situated and unpredictable existence in specific situations of injustice or oppression (situational vulnerabilities) (Boublil 2018; Liedo 2021). Vulnerability, therefore, in any discussion about the concept, must be understood first and foremost to be relational, in that, on the one hand, it presupposes the individual's exposure to the world and to others, and, on the other, it recognises that individuals' relations and bonds are in themselves vulnerable and precarious (Boublil 2018). In other words, any individual can experience a situation of vulnerability at any given moment depending on their relations of power and dependency which are rooted in situated networks in a specific setting, on their real or perceived position with regards to others. In this light, vulnerability is often understood through other terms and paradigms, such as power, violence, agency, and passivity (Masschelein, Mussgnug & Rushworth 2021).

Defining vulnerability often involves an opposition between a vulnerable and a dominant population. For example, vulnerability can be defined as "being at increased risk of harm or having reduced capacity or power to protect one's interests" (Mackenzie 2013, 34). Kuran et al. (2020, 1) offer a comprehensive definition of a vulnerable group as "a population within a country that has specific characteristics that make it at a higher risk of needing humanitarian assistance than others or being excluded from financial and social services." Vulnerable people are considered as such because of disparities in physical, economic, social, and health status when compared to the dominant population (Rukmana 2014), which make them more prone to situations of neediness, dependence, victimhood, or helplessness, and more in need of "special safeguards, supports, or services to protect them

or enable them to protect themselves” (Scully 2013, 205). Along these lines, as Mackenzie (2013) posits, some authors study the notion of *vulnerability* in contrast to the concept of *autonomy* by associating the latter with “ideals of substantive independence and self-determination” (34). Similarly, another conception of vulnerability is linked to a population’s access to social protections afforded by the State—the weaker these protections, and the more difficulty a population has in accessing them, the more vulnerable the population becomes (Castel 1995). Castel argues that vulnerability is not synonymous with exclusion from a dominant population, but rather a state which occurs through the gradual disaffiliation of individuals and populations from a state of dominance through the erosion of protections. Considering these definitions, some of the vulnerable populations identified in relevant literature are children (Bagattini 2019); people with disabilities (Scully 2013); deaf people; people with mental illnesses (Atkinson 2007); patients with dementia; elderly people; and migrants, refugees, and asylum seekers (Strokosch & Osborne 2016; Grubb & Frederiksen 2022).

Mackenzie, Rogers, and Dodds (2013) posit that, as social and affective beings, we are emotionally and psychologically vulnerable to others in myriad ways: to loss and grief; to neglect, abuse, and lack of care; and to rejection, ostracism, and humiliation. As sociopolitical beings, when our capacities for participation (in various parts of our lives) are restricted, we are vulnerable to exploitation, manipulation, oppression, political violence, and rights abuses (Strokosch & Osborne 2016; Fleming & Osborne 2019). In the context of social-ecological systems, vulnerability is usually defined as susceptibility to harm (Adger 2006) when confronted with the impact of the environment on our actions and well-being. Moreover, crises such as a pandemic or a natural disaster reinforce and amplify some of the pre-existing inequalities in groups already presenting heightened vulnerability to economic and social hardship. This heightened vulnerability arises due to the social aspects on which vulnerability depends, such as age, gender, religion, sexuality, income, ethnicity, and disability (Calgaro et al. 2021). The interaction and amplification of these various states of vulnerability are referred to as *intersectional vulnerabilities*. Along these lines, Kuran et al.

(2020, 1) argue that “intersectionality allows us to read vulnerability not as the characteristic of some socio-demographic groups. It is rather the result of different and interdependent societal stratification processes that result in multiple dimensions of marginalisation.”

As an example, gender is one factor that can compound an individual’s experience of vulnerability in challenging contexts such as an armed conflict: as a matter of fact, gender-based violence in conflict zones is characterised by particular features unique to this context and is often exacerbated compared to gender-based violence outside of conflict. During wartime, armed conflicts, and periods of forced displacement, women and girls are particularly vulnerable and experience multiple acts of discrimination that obstruct their access to protection and assistance, leaving them increasingly vulnerable to adversity. The same can be said of children and people with disabilities, who face barriers in responding to hazards and disasters (United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) 2022).

All these different contexts, definitions, and nuanced perspectives indicate that the study of vulnerability and of vulnerable populations involves the examination of complex notions, the implications of which are intertwined with a specific time, space, and context. In the same vein, there is no binary split between vulnerable and non-vulnerable populations, rather, there are gradual degradations and multiple intersecting zones of vulnerability into which a population or individual might fall. Consequently, we argue that the notion of vulnerability is not one that inherently applies to an individual or population: in other words, vulnerability is a dynamic, shifting notion dependent on the interaction of a suite of factors in a particular time and place.

## **2. Vulnerability and language**

Language can also engender vulnerability. For example, individuals with limited capacity in the dominant language of a given space (country, region, city, organisation) can be described as vulnerable. Whilst it is true that even citizens who speak the dominant language can be considered as vulnerable

people, not speaking the dominant language of a given space places the individual in a state of heightened vulnerability when defending their cause (in courts or police stations), conveying their health issues (healthcare), or accessing education. Language can also create vulnerabilities for otherwise dominant populations: in the context of a crisis (be it an armed conflict, a natural disaster or a pandemic), local citizens often face linguistic and cultural barriers when accessing the aid offered by international humanitarian organisations.

In order to mitigate language-engendered vulnerability, interpreters are recruited by national public services to work with vulnerable populations in different contexts: detainees in police interviews (Määttä 2015; Gallai 2019; Hale et al. 2020); migrant children (Sultanić 2022); people with mental health issues (Bot 2018); asylum seekers (Inghilleri 2003; Bergunde & Pöllabauer 2019; Määttä, Puumala & Ylikomi 2021); or refugees (González Campanella 2023), among others. International organisations also recruit interpreters to provide aid to populations who find themselves in vulnerable situations in their own country as a consequence of crisis, such as the International Commission of the Red Cross (Kherbiche 2009; Delgado Luchner & Kherbiche 2018; 2019); the United Nations High Commissioner for Refugees (Todorova 2016; 2017; 2019); and Médecins sans frontières (Doctors without Borders). Interpreters are also recruited in other humanitarian contexts (Radicioni 2020; Moser-Mercer et al. 2021; Ruiz Rosendo 2023); or by the United Nations (UN), in particular for its human rights missions (Ruiz Rosendo, Barghout & Martin 2021; Barghout & Ruiz Rosendo 2022; Haidar & Ruiz Rosendo 2023). Furthermore, international organisations, such as the United Nations and others, host fora allowing vulnerable populations to speak directly to the organisation or through NGOs, such as at the UN Human Rights Council or Treaty Bodies, for which interpreters are also recruited.

### **3. Intersections between interpreting and vulnerability**

Against this backdrop, the special issue “Interpreting for Vulnerable Populations” showcases the need for addressing and foregrounding language and cultural

issues, with a particular focus on interpreters, in the discussion of the challenges faced by people in situations of vulnerability in different contexts and settings. It presents the role of interpreters in different countries—Austria, Brazil, Italy, Palestine, the United Kingdom, and the United States—and with different vulnerable populations, such as migrants and refugees; asylum seekers; deaf refugees; deaf women; English language learners; and local populations who are victims of armed conflict.

In the first article of this special volume, “Vulnerability, moral concepts, and ethics in interpreting,” Xiaohui Yuan approaches the topic of interpreting for vulnerable populations from a critical stance. Drawing on contributions in vulnerability studies and employing the interpretative phenomenological analysis methodology, the author carries out three semi-structured interviews with public service interpreters to elaborate on the public service interpreter’s situational vulnerability and about how interpreters’ decisions are influenced by the interdependency between facets of vulnerability and moral concepts. The author touches upon different aspects related to interpreting for vulnerable populations, such as the moral obligation of care and the interpreter’s moral identity and moral distress. The author posits that the interaction between the anticipated pathogenic vulnerabilities of the vulnerable clients and the interpreters’ moral selves leads to interpreters making care interventions by supporting and restoring agency in the vulnerable clients. Moreover, moral distress affects the interpreters’ emotional and physical well-being and their job satisfaction. Yuan’s contribution highlights a need for a nuanced conceptualisation of the notion of vulnerability when developing ethical guidance on interpreting for vulnerable populations.

In the second article in this special issue, Sonja Pöllabauer addresses the role of interpreters in Austria, focusing on the communication needs of deaf asylum applicants from the viewpoint of asylum interviewers or caseworkers. The article is based on the understanding that deaf asylum seekers are particularly vulnerable in the asylum determination process due to the existence of diverse intersectional vulnerabilities. Drawing on qualitative interviews with Austrian caseworkers, “‘Not everyday business.’ A caseworker

perspective on interpreter provision for deaf refugees and cooperation with interpreters” explores how caseworkers frame and perceive working with interpreters in cases involving deaf applicants, the challenges they face, and the impact that their strategies may have on both deaf applicants and interpreters. The chapter engages in a profound and critical reflection of the existence of an epistemic vulnerability that impacts on both caseworkers’ and interpreters’ perception of the interviewing situations as well as on the strategies that they apply to adapt to the specific needs of deaf asylum seekers. The chapter brings to the fore aspects that are relevant in other interpreting settings involving vulnerable populations, such as the lack of institutionalised support structures; the need for awareness raising regarding special procedural guarantees for deaf applicants and the related need for interprofessional training; the trust that caseworkers place on interpreters to provide them with suitable information on possible communicative arrangements and on whether understanding is possible or not in concrete situations; and the importance that empathy plays in these settings.

The third article, “‘I faced so many barriers’: Interpreting with deaf women survivors of domestic violence as a vulnerable population,” moves to another country but still analyses the needs of deaf people, in this case, of deaf women survivors of domestic violence. Jemina Napier, Lucy Clark, Lorraine Leeson, and Lianne Quigley, drawing on online interviews with eight deaf women in the United Kingdom, examine the women’s perceptions of the barriers they faced in gaining adequate access and support. The authors found that there is a lack of cultural awareness on the part of service providers and a need for training for both police officers and interpreters when working with women in domestic violence contexts. The deaf women report their frustration vis-à-vis the provision of interpreting services, either because no interpreter is available, the interpreter lacks the necessary skills or because service providers ask someone who is not a professional interpreter to interpret the interaction. The authors conclude with a powerful remark related to the existence of intersectional vulnerabilities: deaf women feel they experience a triple disadvantage because they are deaf, women, and survivors of domestic violence; those who belong to minority ethnic backgrounds experience even a quadruple disadvantage.

The next article goes back to the topic of interpreting with asylum seekers. In “Asylum hearings in Italy: Who mediates between cultures?”, Amalia Amato and Fabrizio Gallai, drawing on an interaction- and discourse-centred approach, examine a series of interpreter-mediated asylum hearings in Italy to discuss the roles of communication and culture. The authors seek to elucidate how testimonies enable and restrain asylum seekers in their efforts to establish themselves as deserving of protection. The article puts forward the interpreters’ intra-personal variability in assuming roles, which highlights the need for more in-depth knowledge of communication mechanisms and dynamics both on the part of the interpreter and the officer. Cultural differences can create barriers to the asylum seeker’s effective participation in the legal process, and therefore raise important questions of fair legal outcomes for members of this vulnerable group. It further indicates the untapped potential of interpreters as intercultural communicators from which legal professionals could benefit in their efforts to ensure fair legal outcomes for people in a vulnerable position.

The focus of the volume then moves to another continent. In crossing the Atlantic, we continue to explore stakeholders’ perception of interpreters who work with another vulnerable population, this time allowing people whose first language is not that of the court to take part in proceedings. Renata Machado and Jonathan Downie’s article “Expectations regarding interpreters in Brazil in the light of pandemic-enforced technological change: A pilot study” draws on questionnaires administered to judges, prosecutors, and defence lawyers, as well as interpreters themselves, to explore stakeholder expectations of interpreters in the legal setting and how they may have changed with the shift to remote interpreting during the pandemic. The article highlights the complex interplay between the perceived role of interpreters within the Brazilian justice system and the rise of remote interpreting. Even if there is an agreement as to the vital role played by interpreters in assuring that non-Portuguese speakers take part in legal proceedings, differences in opinion arise as to the effect of remote interpreting in this process. Whilst, for legal professionals, interpreters are needed for the efficient operation of the legal system as long as they do not upset the existing legal process, interpreters see themselves as an

active participant in the encounter with some agency and are eager to gain in status, qualifications, and treatment. Moreover, the role of interpreters as assurers of linguistic presence and the expectation that interpreters should communicate with other legal professionals at key points seem problematic when remote interpreting is used.

Remaining in the Americas, but moving on to a different context, in "Reconceptualizing educational interpreting: A case study in US K-12 classrooms," Xinyue Zuo, Cristiano Mazzei, and Denise Ives draw on data collected through interviews and the analysis of relevant documentation to delve into the nature of the educational interpreting services in K-12 classrooms within a Northeastern US public school district. In particular, they consider the services offered to English language learners and explore the varied responsibilities undertaken by interpreters in this context. The authors posit that, although the interpreters' official duties require them to interpret instructions and make the curriculum accessible, in practice, some interpreters voluntarily take on the responsibilities and roles of instructional aides, advocates, and social-emotional guides, driven by their empathy towards learners. The findings of their study show that the role of interpreters in this setting requires a comprehensive reevaluation and reconceptualisation of their responsibilities, a thorough evaluation of interpreter training programmes and redefinition of their essential skill sets, as well as a culturally responsive approach to interpreting that promotes more equitable and inclusive institutional structures.

The last article of this special issue brings us to a conflict zone. Drawing on qualitative interviews with professional field interpreters working for international organisations, Manuel Barea's "The incidence of empathy when interpreting in the field for vulnerable populations in the Israeli-Palestinian conflict" analyses the interpreter's positionality and the psychological implications of working with vulnerable populations in fragile contexts and how such implications manifest in the interpreter's psychological and emotional sphere. The findings show that empathy is an inherent human reaction in the face of vulnerability and one of the emotions felt by the field interpreter as a result of sharing a psychosocial background with the beneficiary of the

interpreting service. Even if empathy is an emotion that is not supposed to be explicitly shown according to the ethical principles that govern the practice of interpreting, it is a useful way to create rapport and trust with the members of the vulnerable population for them to share sensitive and traumatic information.

We expect this special issue will stimulate new studies which can continue reflecting on instances of interpreters working for vulnerable populations in different institutional and geographical contexts and within specific settings. These seven articles show the challenges inherent in interpreting for different categories of vulnerable populations and the difficult balance that interpreters need to strike in order to facilitate communication between different stakeholders. This is particularly the case in the face of high-stakes contexts where there are asymmetrical relations of power that have an impact on the development of the encounter and on the interpreter's decision-making. We hope that the volume will serve to increase readers' awareness of the nuanced and dynamic nature of vulnerability and the need for interpreters in addressing asymmetries. Additionally, this special issue shows that more research is needed to shed light on aspects that further complicate the issues stemming from language-engendered asymmetrical power relations between vulnerable and dominant populations within a given time and space.

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## Vulnerability, moral concepts, and ethics in interpreting

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## **Vulnerability, moral concepts, and ethics in interpreting**

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### **Abstract**

While many studies have been conducted to investigate types of role that interpreters take on to represent and advocate for vulnerable populations, interpreters' vulnerability and its source in this particular type of encounter are rather under-explored. Interpreting for vulnerable populations is conceptualised in this study as a distinct communicative context riddled with institutional, knowledge, and power politics that gives rise to emotive, nuanced, and subjective moral judgements on the obligation of care. Drawing from theories in vulnerability studies and from moral concepts, and employing the interpretative phenomenological analysis (IPA) methodology, the author, with three professional public service interpreters, explores the key factors contributing to their situational vulnerability, the driving forces motivating their decision to support agency, the adverse effects on the interpreters attributed to the situational vulnerability of moral distress, and how to recontextualise ethics guiding interpreting for vulnerable populations. This constitutes the first study theorising the public service interpreter's situational vulnerability, and how interpreters' decisions are influenced by the interdependency between facets of vulnerability and moral concepts.

**Keywords:** vulnerability, moral obligation of care, moral self, moral distress, interpreting for vulnerable populations, interpreting ethics

## 1. Interpreting for vulnerable populations: Vulnerability and moral obligation of care

The concept of vulnerability has been studied in a wide range of disciplines, from sociology and moral philosophy to feminist and political studies. The ontological condition of human embodiment renders vulnerability a resonant concern and theme threading across societies and times. Sellman (2005, 3) points out that, “despite our quest to be autonomous and independent, it is apparent that any individual is limited in her or his scope to reduce her or his vulnerability.” Drawing from influences from theorists such as Goodin (1985), Anderson (1999; 2010), and Nussbaum (2006), Mackenzie, Rogers, and Dodds (2013) propose a taxonomy of three sources (inherent, situational, pathogenic) and two states (dispositional and occurrent) of vulnerability with a view to enabling a more nuanced analysis of this perpetuating human condition. The proposition is pertinent to illuminating vulnerabilities involved in the interpreting activities under study in this special volume.

Mackenzie, Rogers, and Dodds (2013) compare the notion of inherent vulnerability to Fineman’s (2008; 2010) conceptualisation of universal human vulnerability. Such conceptualisation refers to the categories of vulnerability, such as corporeal vulnerability (Butler 2009), which are intrinsic to human embodiment, ineffaceable by any social or political force. In contrast, situational vulnerability arises in specific contexts, “and is caused or exacerbated by social, political, economic, or environmental factors; it may be short term, intermittent, or enduring” (Mackenzie 2013, 39). As a subset of situational vulnerability, pathogenic vulnerability encompasses all kinds of morally indefensible vulnerabilities that are particularly ethically problematic. Mackenzie (2013) highlights that pathogenic vulnerabilities may be induced when an act intended to mitigate vulnerability produces a paradoxical effect, aggravating occurrent vulnerabilities or creating new vulnerabilities.

In the context of interpreting for vulnerable populations, various forms and shades of vulnerabilities intertwine, rendering such communicative events particularly rich in complex and multifaceted human embodiments of vulnerabilities, needs, dependency, and moral obligation of care. For

example, non-institutional interpreting clients often have a combination of inherent and situational vulnerabilities induced or predicated by illness (patients), age (children), interpersonal violence (domestic abuse victims), or social and political oppressions (refugees). Vulnerability and dependency are interrelated and inseparable. Both are “ontological conditions of our humanity as embodied beings” (Dodds 2013, 183). Many forms of vulnerabilities, be it attributed to inescapable inherent corporeal deterioration or sudden exposure to socio-political oppressions and persecutions, are manifested in a loss of autonomy and control, causing the “vulnerable subjects” (Butler 2004, 82) to become dependent on others to protect them from anticipated dispositional risks or ongoing occurrent harms. By the same token, the need to depend on others brings on vulnerabilities in those whose welfare and interests are controlled by the powerful others. These powerful others are equally capable of causing further pathogenic vulnerabilities, compounding occurrent vulnerabilities with more harms. Thus, vulnerability and dependency have a form of reciprocal relationship (Scully 2013), and both call forth salient moral obligations of care and justice. Goodin (1985) articulates that the normative significance of vulnerability and dependency constitutes the primary source of our moral obligations, and the truth of human dependency and interdependency in society gives rise to many of our fundamental duties of caring for the vulnerable. Miller (2012) posits that needs arising from dependency constitute the key source of our moral obligations and further argues that we bear an important duty of care to respond to the vulnerable individual or group’s fundamental needs of safety, health, bodily integrity, education, social inclusion, and relationships.

Since human vulnerability, dependency, and interdependency give rise to compelling moral obligations of care, a pertinent question duly arises: who should bear the responsibility of ensuring care for vulnerable parties in interpreting-facilitated events? Goodin’s (1985) position on the social distribution of responsibilities of care could shed light on this question. He explains that anyone who is in a position to assist has the obligation to protect the vulnerable, but those to whom a person is most vulnerable bear the most obligations and responsibilities of care. People with power and authority have distinct

responsibilities for those who are especially dependent on them. The powerful, who have exclusive control over resources on which the vulnerable depend, are able to create opportunities to take advantage of those vulnerable people. The powerful are therefore obliged to be particularly prudent and cautious not only in guarding against the abuse of their power and privilege, but also in protecting those who are vulnerable to them.

Goodin (1985) conceptualises our collective and individual duties of care for others as being firmly rooted in the vulnerability of those others who are affected by our decisions and actions. His reflection on duties of care endorses a form of negative utilitarianism (Popper 1994) in which moral priority is given to preventing and rectifying the harm that our actions cause to others. If, as Goodin articulates, we all have responsibilities to protect the vulnerable, who can be impacted by our decisions and actions, where is the boundary of the interpreter's duties of care to their vulnerable clients (e.g., children, patients, refugees, violence victims, etc.) whose inherent, situational, and pathogenic vulnerabilities are at the mercy of the other powerful players in interpreting-facilitated events? In the practice of public service interpreting (PSI), this remains a highly controversial issue (Yuan 2022a), because interpreters are required (with rather strict stipulations) to disconnect, arising from existing interpreting codes of conduct (NRPSI 2016), from any form of care for the vulnerable that lies beyond the linguistic realm. The imperative can be problematic. How may the interpreters perceive the instruction to disconnect themselves from moral obligations when the consequences are a compound of inherent, situational, and pathogenic vulnerabilities for the vulnerable? Such scenarios are not uncommon in PSI in the UK (Yuan 2024, forthcoming).

In interpreting-facilitated events, the institutional clients (e.g., the doctors, the Home Office<sup>1</sup> interviewers, the police officers, the social workers, etc.) are the powerful actors that are in control of very often life-saving resources, and whose decisions and actions have direct and immediate impacts on vulnerable individuals. A child patient is completely reliant on a doctor's honest

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<sup>1</sup> The Home Office is the UK equivalent of a ministry of the interior.

and correct diagnosis in order to be admitted to the necessary medical and social support resources. The doctor's obligations of care, however, could be impaired by a lack of institutional resources and support. Moreover, a discretionary act of non-diagnosis or a negative diagnosis submitted to undue institutional pressure would inevitably lead to protracted inherent vulnerability and potential further pathogenic vulnerabilities (Yuan 2022a). Such a consequence would not only mean that the child patient would not be able to access the critical treatment and care they need, thereby prolonging suffering, but that they would also face more challenges and difficulties in being diagnosed in the future owing to a negative result on their patient record, thus causing pathogenic vulnerabilities. A similar misfortune can also be experienced by asylum seekers in the UK (Yuan 2022b). Mackenzie (2013, 40) perceives asylum seekers as suffering primarily from situational vulnerabilities of loss of autonomy, separation from family, incarceration, and posttraumatic stress when they become subjected to ethnic or political persecution as a result of a sudden change in the higher socio-political environment. Their situational vulnerabilities, during their applications for refugee status, are likely to be compounded by further pathogenic vulnerabilities caused by the UK Home Office's overall hostile attitudes and approach to refugees and immigrants, by an immigration system and policies designed to keep people out, and by some individual interviewers unable to ask relevant questions, as demonstrated in Yuan (2022b). The resulting pathogenic vulnerabilities can include a range of aggravated suffering, from debilitating uncertainties because of a lack of legal status in the UK, subsequent new vulnerabilities associated with mental illness, to the most aggravated vulnerability of being deported back to their home country and the risk of being killed. In the context of asylum seeking, Goodin's (1985) enlightening and inspirational invitation for people to rethink our moral obligation of care for the vulnerable somehow gradually fades in its volume travelling through a cold system without a place for care. Where is the interpreter's moral boundary in these circumstances? Should the interpreter act to mitigate occurrent vulnerabilities and to prevent new vulnerabilities, as argued by Goodin? Or should the interpreter abide by prescribed professional ethics and draw a curtain over non-linguistic related vulnerabilities?

I propose in this article that interpreting for vulnerable populations constitutes paradigmatic events where interpreters are particularly susceptible to situational and pathogenic vulnerabilities induced by the unresolved contentions between moral obligation of care for the vulnerable and professional ethics, which are often stipulated in simplistic and uncompromising language. Interpreters' vulnerabilities will be exacerbated by witnessing first-hand their vulnerable clients experiencing new compounded vulnerabilities as a result of the behaviour of powerful institutional clients, characterised by a lack of care or abuse of care. Interpreters are vulnerable in such situations because they are guided by conflicting rules providing few concerted meanings, and interpreters, in attempting to follow these rules, risk harm to their careers or to their perceptions of the self as a moral being with integrity and a sense of justice. Decision-making in such delicate situations, devoid of effective guidance, constitutes a complex and dynamic process involving interpretation of and interaction between a variety of vulnerabilities. This process is not only considerably influenced by moral obligations of care for the vulnerable, as proposed by moral philosophers, but is also distinctly informed by how important the interpreter regards being a moral person as the truest representation of the self (Yuan 2022a). Therefore, when interpreting for vulnerable populations, interpreters seldom adopt simple and expected role-playing behaviour. On the contrary, their decisions and actions can only be understood at the intersection of vulnerabilities (including the interpreter's vulnerabilities), moral obligation of care, and the interpreter's moral self, that is, moral identity.

## **2. Interpreting for vulnerable populations: The interpreter's moral identity and moral distress**

While vulnerability and moral theorists conceptualise morality or moral obligations of care as a social enterprise oriented towards humanity's shared vulnerabilities and interdependency, identity scholars delve into our

sociopsychological process, incorporating social moral obligations as an indispensable and prominent constituent defining the essence of who we are, which gives rise to our moral identity. Moral identity embodies the level of significance of acting as a moral person in achieving one's truest self. It reflects the degree of resonance one has with or responds to the social call for fulfilling moral obligations. Identity theorists (Stryker 2002; Burke & Stets 2009; Hardy & Carlo 2011) postulate that if one's moral identity occupies a prominent position in their identity hierarchy, their behaviour will be influenced by their alignment to moral obligations regardless of the contexts they are involved in, because only when they behave morally can they feel true to themselves and to their standards. On the contrary, if one's opportunities to act under the guidance of moral obligations are threatened and an individual is discouraged from taking the course of action in accordance with their prominent self-perception as a moral being, moral distress<sup>2</sup> will occur. In the context of interpreting for the vulnerable populations, a number of factors need to be considered— the interconnectedness between a range of vulnerabilities (the client's and the interpreter's), the interpreter's and the powerful institutional client's moral obligations of care for the vulnerable individuals who are affected by their actions, a possible lack of care (or abuse of care) from the powerful client owing to institutional pressure. A cocktail of these factors mix and produce particularly challenging moral dilemmas that exacerbate the stark contrastive courses of actions required of interpreters to either follow their own moral judgements, reflecting a marriage of moral self to moral obligations, or abide by strict professional ethics outlining expectations of absolute non-involvement. Therefore, interpreters are especially susceptible to moral distress when interpreting for vulnerable populations. Interpreters' moral distress constitutes a manifested situational vulnerability that can lead

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<sup>2</sup> The definition of moral distress is often tailored dependent on the disciplines in which the concept is discussed. In nursing ethics literature, a widely accepted understanding is that moral stress occurs "when the nurse makes a moral judgment about a case in which he or she is involved and the institution or coworkers make it difficult or impossible for the nurse to act on that judgment" (Jameton 1993, 542). This definition is adopted in this study.

to harm to the interpreter's sense of self-worth, their physical and mental wellbeing, and reduced job satisfaction.

In this article, interpreting for vulnerable populations is conceptualised as paradigmatic communicative events where interpreters are highly susceptible to situational vulnerabilities that arise at the intersection of individual client's interrelated vulnerabilities, powerful institutional clients' moral obligations of care, and a possible lack of care (or abuse of care) attributed to institutional constraints. In such circumstances, an interpreter's decisions and behaviour are seldom straightforward box-ticking and role-playing exercises. On the contrary, an interpreter's decision-making involves a complex and emotive explorative process, where interpreters are often exposed to situational vulnerabilities of moral distress, in search for an appropriate solution to not just language barriers but also to ameliorating harms where possible.

In interpreting studies, a number of scholars have drawn on sociological or ethnographical frameworks to conceptualise an interpreter's role while facilitating communicative events. For example, Bahadır (2017) theorises interpreters as the *third* and the *stranger*—the active agents for social changes. Rudvin (2020) contextualises interpreting ethics in moral philosophy using Graham's (2011) propositions of four macro-areas. Offering examples from practice, training, and research, Skaaden (2019) probes the controversy in light of the interpreter's professional status, and concepts pertaining to the exercise of discretion and trust. Boéri (2023) proposes a meta-ethical model of interpreting, examining activist interpreting in the global justice movement. Dean and Pollard (2011, 155) develop the demand control schema, elucidating the construct of interpreting as co-created communicative encounter that hinges on "a continuing analysis of the dynamic context of the interpreting situation." Llewellyn-Jones and Lee (2014) postulate a dynamic role-space framework to illustrate situated interpreting performance and decisions. Mason (2009) proposes to move away from *role* and instead to draw on the notion of *positioning* with a view to exploring the constantly evolving dynamics underpinning interpreting-mediated encounters. Focusing on healthcare interpreting in Sweden, Tiselius, Hågglund, and Pergert (2020)

argue that distress in healthcare interpreting could be attributed to ethically and emotionally challenging interpreting situations and working conditions. These studies seek to understand the interpreter's role behaviours that contradict rule-based professional ethics devoid of reference to context or other key sociological and ethnographic constructs. Along the line of such enquiries, I endeavour to theorise the interconnectedness between vulnerability and moral concerns in the context of interpreting for vulnerable populations, and probe four significantly understudied areas:

- (1) What contributes to an interpreter's situational vulnerability when interpreting for the vulnerable?
- (2) How do interpreters make decisions when witnessing failures of moral care for the vulnerable?
- (3) What are the impacts of moral distress?
- (4) Why does interpreting ethics need to be recontextualised to provide meaningful guidance on interpreting for the vulnerable populations?

### **3. Research methods: Interpretative phenomenological analysis**

Interpretative phenomenological analysis (IPA) constitutes a qualitative research approach that puts the lived experiences of individuals at the centre with a view to attaining a deep understanding of how they make sense of the world. Developed by Smith, Flowers, and Larkin (2009), IPA is underpinned by the philosophies of phenomenology that seek to understand the essence of first-hand experiences of individuals, and by the theory of hermeneutics, where researchers engage deeply in the process of analysis and immerse themselves in the participants' narratives, identify themes, and interpret the underlying meanings and patterns within the data. IPA recognises that each person has a unique subjective experience shaped and influenced by their socio-cultural and psychological contexts, and, therefore, IPA studies usually involve a small number of participants who share similar experiences with characteristics of a particular phenomenon of interest. IPA values the quality of data over quantity,

allowing for a detailed examination of each individual case. This reflects the idiographic nature/approach of the methodology.

IPA has been widely employed in social science disciplines but its usefulness for interpreting studies is under-explored (Yuan 2022a). In this study, with an interest in delving into the participants' subjective narratives of how they interpret events involving vulnerable individuals, the author seeks, through the IPA methodology, to bring to light the rich and nuanced meanings the interviewees attribute to their experiences, their thoughts, perceptions, and emotions.

Three female interpreters were recruited as the research participants. They were all active registrants of the National Register of Public Service Interpreters (NRPSI). Each of them had over 18 years' PSI experience. For confidentiality, the interpreters' names were replaced with pseudonyms, and personal information, such as language combination, nationality, and age, was anonymised. All the interpreters were professionally trained and were registrants of NRPSI with full status.<sup>3</sup> In line with University of Birmingham's ethical procedure, written consent had been obtained prior to the interviews for video recording, and for the recorded content to be used for research and publication purposes. The interpreters were informed that they would be able to withdraw from the interviews at any stage should they wish to do so.

For data collection, semi-structured one-to-one interviews with open-ended questions were used to allow space for free-flowing thoughts and reflections, and uninterrupted articulations about perceptions, viewpoints, feelings, and emotions. The example questions included "please describe or could you recall interpreting events where there was power imbalance, and one party was a vulnerable individual?", "how did you see yourself in that event?", "what did you do when...?", "how did you feel about...?" Any leading question such as "did you feel angry?" was carefully avoided and ample

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<sup>3</sup> To be a full registrant with NRPSI, an interpreter must have passed level 6 Diploma in Public Service Interpreting exams, which is the highest level of public service interpreting qualification in the UK.

time for reflective thinking was given to elicit and encourage in-depth and rich insights. Further probing questions were developed spontaneously at the interviews based on the interpreters' responses and delineations to facilitate further examination of particular areas of interest.

Each interview lasted for approximately 90 minutes and all the interviews<sup>4</sup> were video recorded to allow data to be revisited as necessary. Following the IPA research steps (Smith, Flowers & Larkin 2009; Smith & Nizza 2021), recorded interviews were first transcribed verbatim. Then the author read the transcription thoroughly several times, actively engaging with the data and paying attention to the overall structure of the interviews, descriptions of the experiences, and elaborations of personal viewpoints and emotions attached to those experiences. While (re)reading the transcription in a deeply engaged manner, the author made descriptive, linguistic, and conceptual notes (Smith, Flowers & Larkin 2009; Smith & Nizza 2021) in three different colours, alongside the interpreters' original wording, to record the author's interpretations making sense of the interviewees' subjective narratives. The three types of notes offer different but complementary functions assisting with clarifying and coding the author's interpretations. Descriptive notes highlight the key events and experiences that structure the description of the interpreters' thoughts. Linguistic notes underline particular or unique linguistic features characterising the descriptions of experiences, thoughts, and emotions, such as pronoun use and shifts, pauses, tone, repetitions, directness, voice volume, nonverbal language, and so on. Conceptual notes constitute the author's active evaluation, conceptualisation, and analysis of the descriptive and the linguistic notes, and the interviewees' subjective interpretations of their lived experiences. In the last step, the author extrapolated the interpreters' original comments with the associated notes and identified shared emerging themes threading through the three interviews.

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<sup>4</sup> The data discussed here are part of a larger study. The selected examples are relevant to the context under study in this volume, that is, interpreted events participated by vulnerable populations.

## 4. Emerging themes

### *4.1 Conflict between moral obligations for the vulnerable and professional ethics emerges as a key contributor to the interpreter's situational vulnerability*

Moral philosophers postulate that the principle of protecting the vulnerable must be oriented towards and guided by the sorts of consequences produced by our actions and choices. If a vulnerable person is completely dependent on us to protect them from harm or to provide them with the vital resources for their welfare and interests, we then have an unshirkable moral responsibility to meet their needs (Sen & Williams 1982; Goodin 1985). In some cases, a person can be vulnerable to more than one individual. For example, at an interpreting-facilitated refugee application interview, the asylum seeker is not only vulnerable to the Home Office interviewer whose decision has a direct, immediate, and fundamental consequence, but also to the interpreter, since the interpreter's linguistic choices and role behaviours produce a significant impact on the outcome of the interview. In line with Goodin's (1985) propositions, the interviewer and the interpreter share collective responsibilities to protect the vulnerable. Goodin (1985, 140) further posits that "cooperative schemes for discharging collective responsibilities" should be organised to enable each responsible person to focus on their own special responsibilities, and highlights that each responsible person "also bears certain residual responsibilities under the scheme . . . to monitor the workings of the scheme to make sure that everyone who is vulnerable is in fact being protected." When a cooperative scheme is deficient, lobbying for adjustment/replacement or providing interim relief to the vulnerable until lobbying succeeds is suggested because everyone has some secondary responsibility to hold the primary responsible individual to account.

In line with the above stance, if the cooperative scheme between the interviewer and the interpreter for discharging their collective responsibility to protect the vulnerable asylum seeker proves to be deficient, either party has the moral duty to ensure protection of the vulnerable. In other words, if the

Home Office interviewer does not discharge their responsibilities properly for whatever reason, the interpreter does have the secondary responsibility to protect the asylum seeker from harm. This constitutes a distinct viewpoint from the perspective of moral philosophy. Furthermore, if the interpreter perceives acting as a moral being in all contexts to be the central meaning underpinning their deepest sense of self, they will answer the moral call and adjust or replace the dysfunctional cooperative scheme.

However, the above course of action is in stark contrast to interpreting ethics stipulating non-involvement. The contradictory expectations of moral actions versus non-involvement contribute to the interpreter's situational vulnerability as the interviewed interpreters have vividly described. All three interpreters are NRPSI registrants with an in-depth understanding of a professional interpreter's role and ethics. They highlighted throughout the interviews the importance of their remaining as language and cultural facilitators, wherever possible. Nevertheless, they also offered multiple examples<sup>5</sup> where they had to "deliberately step outside [my] role" (Rebecca), "couldn't just interpret the words" (Wendy), and "sometimes you do have to intervene" (Amanda). The examples revealed that the tensions between recognising the moral obligations of care for their vulnerable clients and their acute understanding of the role expectations brought on situational vulnerabilities where the interpreters felt they had no choice but to violate role expectations or had to choose between acting as a moral being and sticking to ethical stipulations. The interpreters were, in the meantime, anxious about being criticised and putting their future work opportunities on the line. The examples demonstrate that the interpreters recognised, in those moments, that the cooperative schemes for protecting the vulnerable clients were dysfunctional, owing to the institutional clients' failure to fully discharge their responsibilities of care. The interpreters' moral selves, informed by a strong sense of moral obligations, prompted them to take initiatives to address the dysfunctionality. The redressive efforts demanded

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<sup>5</sup> All the quotations are taken from Appendix I.

moral actions contradicting their professional code, giving rise to their situational vulnerability.

#### *4.2 Anticipated pathogenic vulnerabilities and the interpreter's moral self emerge as two driving forces for their decisions of care intervention in the form of agency-supporting*

Rogers, Mackenzie, and Dodds (2012, 25) point out that “pathogenic vulnerability may be generated by morally dysfunctional interpersonal and social relationships characterised by disrespect, prejudice, or abuse.” In this study, all three interpreters depicted incidents illustrating such morally dysfunctional relationships between the institutional representatives and the individual vulnerable persons, and even between the institutional representatives and the interpreters, manifested in interactions characterised by disrespect and a lack of care on the part of the institutional representatives (i.e., the Home Office interviewer, the social worker, and the duty solicitor). Specifically, Rebecca observed a distinct lack of care shown in the interviewer’s behaviour as she took no interest in or note of the large amount of medication presented by the vulnerable asylum seeker, who reported that he had suffered from torture, in spite of the fact that the medication would be crucial evidence in his asylum claim in the UK. Furthermore, the interviewer was seen to rush through the interview process by pressuring the asylum seeker into providing brief answers and by interacting with Rebecca in a short and abrupt manner. The interviewer’s explanation, upon Rebecca’s prompt, explicating an intention to prioritise her personal interests above everything else, confirmed Rebecca’s concerns that the interviewer’s conduct would considerably jeopardise a fair chance for the asylum claim, and, as a consequence, would compound the asylum seeker’s inherent and situational vulnerabilities. The anticipated pathogenic vulnerabilities, repeatedly highlighted in Rebecca’s comments, played a key role in her decision to interpret with a view to supporting and encouraging the asylum seeker’s agency.

Rogers, Mackenzie, and Dodds (2012) emphasise that pathogenic vulnerability exacerbates a sense of powerlessness and undermines agency, and therefore, call for obligations of care in the form of fostering or restoring agency wherever possible. Rebecca's interpreting reflected such an approach as she tried to enable the asylum seeker's agency by urging him to provide as much information as possible, in contradiction to the interviewer's instructions. Interpreter Wendy also described her efforts to restore and empower agency in a group of mothers by prompting them to ask questions in order to make informed decisions. The anticipated pathogenic vulnerability, as a result of the social workers' interactional style aggravating a sense of powerlessness in the mothers, was reported as a driving force for Wendy's decisions. Wendy explained that she strived to restore agency by advising the mothers "don't sign anything until you've understood everything. You can ask questions. Make sure you know what's in this document." Interpreter Amanda described her initiative to remove the key contributor to her vulnerable client's pathogenic vulnerability, that is, the duty solicitor's incorrect advice, and then to connect the vulnerable client with a solicitor that Amanda knew would enable the vulnerable person's agency. In such a way, Amanda helped to eliminate the anticipated pathogenic vulnerability. This demonstrates Amanda's moral care for her vulnerable client.

Besides the recognition and concerns of anticipated pathogenic vulnerabilities to be inflicted on the vulnerable clients, all three interpreters highlighted how important acting morally is to the conception of the most authentic self. This is reflected in their self-introspective comments such as: "I thought that was the thing I had to do" (Amanda), stressing there was a lack of alternative moral choice in protecting the vulnerable asylum seeker; "It's wrong! If I didn't try to help, who would?" (Wendy), communicating a strong moral stance and a salient motive for moral actions; and "if you don't say something, if you don't do something about it, how on earth could you live with yourself? . . . But my conscience is clear" (Amanda), communicating the paramount importance of fulfilling obligations of care to one's sense of self-worth and value. The comments underline that moral identity constitutes a central aspect of the interpreter's authentic self, and it has provided an important motive driving moral actions.

#### *4.3 Moral distress affects interpreters' emotional well-being, and there is a lack of acknowledgement and guidance*

Moral distress refers to a psychological phenomenon experienced by individuals when they face difficulties or barriers preventing them from acting in accordance with their moral beliefs and values due to external or institutional constraints or conflicting rules. Moral distress can have significantly negative implications for an individual's emotional well-being. The internal conflict arising from struggling to uphold one's moral principles can lead to feelings of guilt, frustration, anxiety, and anger. These emotional responses can contribute to increased levels of stress, burnout, and decreased job satisfaction. The impact of moral distress extends beyond emotional well-being and can manifest itself in physical symptoms such as sleep disturbances, fatigue, and physical exhaustion.

Jameton (1984) highlights the detrimental effects of moral distress on healthcare professionals, emphasising the need for organisational support and ethical decision-making frameworks. Similarly, Hamric (2012) explores the impact of moral distress on nurses, identifying strategies to mitigate its effects and promoting resilience. Kherbache, Mertens, and Denier (2022) explore the impact of moral distress on physicians' mental health and job satisfaction. The findings reveal a significant negative correlation between moral distress and both mental health and job satisfaction, highlighting the need for interventions aimed at reducing moral distress and its adverse consequences.

Numerous other studies have examined the relationship between moral distress and well-being in healthcare settings, shedding light on the various dimensions of this complex phenomenon. However, the impact of moral distress on interpreters' well-being is considerably under-explored and deserves urgent attention. The moral dilemmas experienced by the interviewed interpreters, as reported, have had significant impacts on their well-being. Rebecca described the experience as "difficult," "distressing," "it was over 20 years ago, but I can still remember everything." Wendy highlighted that due to the experience, she "couldn't sleep at night thinking about those mothers and their children." She portrayed interpreting in those contexts as taxing and decided to move away

from PSI in general due to job dissatisfaction and having to “choose between being human and being professional.” By the same token, Amanda revealed that she does “not like to talk about it unless it’s in confidence,” showing her fear of being judged, which points to a possible feeling of guilt as a result of violating strict ethical stipulations.

Shown in this study, moral distress, as a result of pathogenic vulnerability in some interpreting contexts, has produced detrimental effects on the interpreters’ emotional and physical well-being. Interpreting researchers, professional associations, regulatory bodies, and policy makers need to develop an in-depth understanding of factors that contribute to moral distress in interpreting and offer appropriate support and guidance. The interviewed interpreters have reported a lack of recognition, support, and guidance on managing moral distress and its effects. Existing stipulations of interpreting ethics do not provide any meaningful guidance on what interpreters should do in situations where non-involvement leads to interpreters feeling that they are being asked to violate their own moral code or to enable something that they believe is wrong, such as when witnessing failure to protect the vulnerable and violation of moral obligations of care.

#### *4.4 Interpreting ethics needs a nuanced understanding of the concept of vulnerability*

A pillar of interpreting ethics centres on the expectation of the interpreter’s non-involvement with a view to not causing harm and achieving a fair representation of each interpreting user. This, nevertheless, is premised on the assumption that all parties relying on interpreting are competent social agents with full autonomy, capable of making independent and sound decisions with no compromising conditions. However, interpreting for vulnerable populations involves a particular type of context where vulnerability and needs of dependency give rise to moral obligations of care and justice. The “principle of protecting the vulnerable” (Goodin 1985, 112), which prescribes that we have a direct obligation to prevent harm and to protect the interests of those who are

vulnerable to our actions and decisions, gives cause for the need to develop an adequate conceptualisation of complex and nuanced vulnerability in theorising interpreting ethics.

Moral philosophers and needs theorists (Goodin 1985; Reader 2005; Wiggins 2005) give explicit moral priority to a vulnerable person's vital needs, without which the person in question will not be able to escape from harm nor lead a flourishing life. Such postulations warrant a reconsideration of what an interpreter's responsibilities are when an interpreting client suffers from inherent and/or situational vulnerabilities, whether the vulnerabilities are dispositional or occurrent. A nuanced and context-sensitive analysis of the complex layers of vulnerability in interpreting is essential. When a vulnerable person is unable to communicate in the language used by the powerful party, interpreting often constitutes the fundamental and only route for them to gain access to resources that are vital for their needs of survival and of protection from harm. A lack of theorisation of vulnerability in interpreting ethics fails to recognise a vulnerable person's vital needs beyond language assistance and potentially prohibits an interpreter from fulfilling their important moral obligations as a moral social being. To resolve this urgent inadequacy, which can cause pathogenic vulnerabilities for the vulnerable persons and situational vulnerabilities for the interpreters, interpreting scholars and professional associations can draw from Rogers, Mackenzie, and Dodds' (2012) recommendation of enabling agency and promoting autonomy as an appropriate response to the obligation of protecting the vulnerable, especially when agency is impaired and contravened by oppressive relationships or repressive socio-political institutions.

At the interviews, the interpreters offered interesting examples illustrating various inherent and situational vulnerabilities from which their clients were suffering. The interpreters showed their clear grasp of those vulnerabilities which had impacted their decisions. Their reasons for actions communicate loud and clear the moral obligations arising in the context and their behaviours demonstrated an effort to enable and empower agency in their vulnerable clients. However, their beliefs that they acted outside the scope of interpreting ethics reflect the influence of a distinct lack of consideration of vulnerability that defines the relational characteristics underpinning the interactions

involving vulnerable participants. This demonstrates that a specially tailored set of guidance regulating interpreters' conduct in events in which vulnerable persons participate is not only theoretically relevant but also, more importantly, pragmatically urgent. As Rogers, Mackenzie, and Dodds (2012, 32) highlight, "those who experience vulnerabilities of vital need are susceptible to harms that warrant responses from those with the capacity to respond." Interpreters, as socially responsible and moral beings, should not be excluded from the group/category of respondents in the name of non-involvement. Interpreters' capacity to respond to vulnerability needs to be carefully conceptualised and addressed in interpreting ethics as a responsible assistance in understanding the ways in which professional practices shape and influence parties' and interpreters' vulnerabilities and resilience.

## **5. Conclusion, limitations, and direction for future research**

Interpreting, as a social practice, cannot and should not be divorced from fundamental moral concerns which are key for maintaining a functional social order characterised by fairness and justice. By the same token, interpreting ethics guiding professional conduct needs to be developed in synergy with key moral principles in society. Many existing ethical stipulations can be problematic in contributing to interpreters' situational vulnerability of moral distress when interpreting for vulnerable populations. This study finds that anticipated pathogenic vulnerabilities for the vulnerable clients and the interpreters' moral selves have surfaced as two predominant driving forces for the interpreters' care interventions in the form of supporting and restoring agency in the vulnerable clients. It is also discovered that moral distress in interpreting affects the interpreters' emotional and physical well-being, and their job satisfaction. Further research on this is urgently needed to gauge impacts, and to develop organised support and effective self-care strategies. Last but not least, it is suggested that an adequate and nuanced conceptualisation of the concept of vulnerability is necessary in theorising ethical guidance for interpreting for vulnerable populations. This is important to mitigate interpreters' situational

vulnerability of moral distress and to ameliorate the risk of any potential pathogenic vulnerabilities for the vulnerable clients. Vulnerability studies, such as Goodin's (1985) and Mackenzie, Rogers, and Dodds' (2013) postulations, are particularly pertinent illuminating various facets of vulnerability and its interdependency with moral obligation. Further research in this area will inform and improve professional practice in PSI. A major limitation of this research constitutes the small cohort of research subjects studied. In future research, a larger population of professionals that include male and female interpreters should be recruited to consolidate and allow further findings.

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## Appendix 1. Data sheet

Rebecca:

Once I interpreted for this chap who tried to claim asylum, and he was not given the time to make his case. And I had to misinterpret it deliberately. The officer would keep saying "oh, you have to be succinct! you have to be brief!" And I would say: "you have to be succinct, and cover everything. You have to cover everything. This is your first chance. This is your only chance to say all that you have to say." He banged this big blue bag ... (Interpreter makes banging gesture) ... I can still see it ... it was like over 20 years ago ... on the table, with all the medications. He said he'd been tortured. He had, you know, he had a really really difficult case. She didn't even look at it. She didn't make any note of, you know, that he put those medications on the table. And at the end I asked her, because she was quite abrupt with me as well. I asked her if I had done anything wrong. You know. She just said "Oh, no, no. I just need to go and pick up my child from kindergarten." I said OK (interpreter looks shocked)... But that chap was not given the time to actually make his claim fully .... It's very distressing, very traumatic and unfair ... I know that I did more, more than I was supposed to do in helping him. I know I deliberately stepped outside my role. But I thought that was the thing I had to do. It was an asylum claim. I thought he had to to to to (hesitating and thinking) say to the officer everything he had to say that was relevant to his asylum claim, because this is what the decision was going to be based on. It's based on what he said, and then he would be penalised later on for saying things at a different stage that he did not say at the interview. Am I making sense?

And what impacted me was the fact that she didn't make a note of him banging that bag full of medications for her to see. So, the nonverbal communication didn't get reported, and it's still, still relevant to the claim. I think nonverbal communication ... It's also communication. I would make a point of watching what the officer wrote, but that's not my role ... it's distressing ... it was over 20 years ago, but I can still remember everything ...

Wendy:

I used to interpret in social service settings a lot. It's difficult. (The interpreter looks sad) Mothers were told that their children would be taken away from them but they did not have much of a voice at all. All these legal things were thrown at them and I could not imagine how could they take any of those on board...I couldn't just repeat the words. Sometimes, social workers just wanted to make the mothers sign the agreements and not ask many questions, or even any question, because they didn't have time. I always said to them: "don't sign anything until you've understood everything. You can ask questions. Make sure you know what's in this document." I was told off by a social worker. I suppose she could tell my interpretations were longer than what she said. But I couldn't just interpret the words. No one there to help the mothers. You are in a foreign country and your child is going to be taken away from you. And you cannot have a say or ask questions. Can you imagine the impact? It's so sad! It's wrong! Ok, I may not know the full story but things need to be explained properly and they need time to digest things. If I didn't try to help, who would? The social workers weren't interested. They had their own problems: resources, time, line-managers, etc.... etc.... (The interpreter looks distressed). It's awful. I couldn't sleep at night thinking about those mothers and their children ... I've moved into conference interpreting ... a few years ago ... I am lucky, I can do both. It's better paid and it's much less taxing. It's nothing like that. I don't have to choose between being human or being professional.

Amanda:

If they sought my advice, I would have said: "I'm a language expert. I'm not a professional, not a health professional." Sometimes some might say:

“Oh, can you explain it to the patient as well?” I’d say: “Well, if you explain it to me, I’ll explain it to the patient.” But I’m not. I’m not going to take that responsibility, yeah, of explaining my version. It’s. It’s not. No, it’s not. It’s too serious to be doing that, to assume that. As an interpreter, I don’t give advice...

I actually stopped somebody going into prison because he was being given the incorrect advice by the duty solicitor. I said to him: “I am not sure about the duty solicitor’s advice. I know a very good defence solicitor. I can ask him to look at your case if you would like me to?” And he replied: “Yes.” So I took him to the office of this solicitor that I worked with previously. I said, “Look, of course, you can never assume, but I’m pretty sure this is what happened in this case. He had been taken in because they said he had been violent against members of his family” and I said “I’m pretty sure they just had an argument, and the others thought, if we do this they’ll give him a bit of a scare, and we get our own back.” And yes, it was that. It wasn’t he had been violent towards anybody. It was just somebody trying to get back at him. But had he followed the advice of the duty solicitor by admitting saying that yes, he was guilty, for a lesser sentence, he would have ended up in prison... Well, I thought, Hmm, interpreting is not all about the language. There’s a lot more that is left unsaid. There’s a lot more beyond the words ... Sometimes you do have to intervene and give some information. Then what they do with that information is down to them. But you just have that feeling: if you don’t say something, if you don’t do something about it, how on earth could you live with yourself? I know I’ll get judged. So I don’t like to talk about it unless it’s in confidence. But my conscience is clear.





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## **“Not everyday business.” A caseworker perspective on interpreter provision for deaf refugees and cooperation with interpreters**

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## **“Not everyday business.” A caseworker perspective on interpreter provision for deaf refugees and cooperation with interpreters**

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### **Abstract**

This contribution discusses the communication needs of deaf asylum applicants from the viewpoint of asylum interviewers (caseworkers). The study is based on 13 qualitative interviews with Austrian caseworkers in late 2020, which sought to explore how caseworkers perceive asylum claims involving deaf applicants and how they approach finding and engaging with interpreters in such cases. The results show that both finding interpreters and interviewing deaf applicants are perceived as challenging. Due to lack of knowledge about deaf people’s communicative needs and lack of expertise in working with signed languages (SL) and Deaf or signed language interpreters (SLI), caseworkers trust in the expertise of interpreters and representatives of deaf associations and cooperate with them to determine a suitable arrangement for the interview situation and finding interpreters. There are no institutionalised support structures in place, so caseworkers rely on their subjective perceptions and intuitive ad hoc solutions and feedback from the interpreters. The study also suggests a need for awareness-raising regarding the needs of deaf applicants and the context-inherent risks of perpetuating an ableist perspective, as well as the need for interprofessional training among caseworkers and interpreters.

**Keywords:** asylum interpreting, deaf refugees, signed language interpreting, team interpreting, cooperation

## 1. Introduction

This article discusses the communication needs of deaf<sup>1</sup> refugees in asylum proceedings from the perspective of asylum interviewers, henceforth referred to as caseworkers, and with a focus on interpreting. This qualitative study, which is based on 13 qualitative interviews with Austrian caseworkers conducted in late 2020, explores how caseworkers perceive cases involving deaf applicants and recruiting and engaging with interpreters in such cases. As “individuals with limited capacity in the dominant language of a given space” (Ruiz Rosendo & Martin 2024, 11), deaf asylum seekers have particular communication needs and may thus be viewed as particularly vulnerable in the asylum determination process. They may, in fact, be considered as exposed to a double vulnerability by being a refugee and having a disability, both of which are categories that put them at a communicative disadvantage in a power-infused environment such as asylum proceedings.

In line with the call for papers for this special issue, vulnerability, as an identifying category, can be viewed as an “inherent” (Rogers, Mackenzie & Dodds 2012) embodied element of human life in the sense of “corporeal vulnerability” (Butler 2004). In a broader sense, and with reference to a situational context, it can also be defined as being susceptible to an “increased risk of harm or having reduced capacity or power to protect one’s interests” (Mackenzie 2013, 34). As such, an increased degree of vulnerability can but does not necessarily need to be attributed to refugees as members of a heterogenous group that can be affected by a compound range of diverse “intersectional vulnerabilities” (Mendola, Parroco & Donni 2020) compared to other groups within a given host country’s dominant population. Refugees are frequently exposed to multiple inequalities arising from the predicament of forced displacement and the concomitant collapse

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<sup>1</sup> Following Kusters and Friedner (2015, ix), I use “deaf” with a lowercase “d” as a “more encompassing, and less politicized” term; a capitalised “D” (“Deaf”) is used to refer to Deaf interpreters or Deaf-Blind people. My use of “refugee” follows the definition outlined in the 1951 Convention Relating to the Status of Refugees (United Nations 1951).

of their living circumstances, but also from additional factors pertaining to age, educational and social background, ethnicity, sexual orientation, gender identity and expression and sex characteristics (SOGIESC), or physical or cognitive disabilities.<sup>2</sup> It thus seems important to pay specific attention to how the communicative needs of deaf asylum seekers (applicants for international protection) are being met through interpreting in asylum proceedings, and to discuss what communicative environment is needed in such a specific context to allow them to preserve their self-autonomy and agency.

With a focus on interpreting, scholarship has addressed specific vulnerabilities arising, for instance, when interpreting for minors in asylum cases (Keselman et al. 2008; Sultanić 2021), for applicants with a SOGIESC background (Maryns 2013; Jacobs & Maryns 2023; Verhaeghe, Jacobs & Maryns 2023), or for survivors of domestic violence and abuse (Toledano Buendía & del Pozo Triviño 2014; Tipton 2023). Others have considered vulnerabilities arising when interpreting in the field of mental health (Bot 2018) or, in general, with a focus on vulnerability in asylum procedures (Määtä, Puumala & Ylikomi 2021), while the specific communicative needs of particular other groups have been underrepresented. To my knowledge, there is a gap in research on both interpreter-mediated asylum interviews involving deaf applicants as a particular group with special needs and on how users, including caseworkers and other institutional representatives, asylum applicants, and possibly their legal representatives or legal aids, perceive such cases and co-construct and co-configure cooperation with interpreters in this delicate communicative universe. This contribution, then, takes a specific angle and discusses how caseworkers approach cases with deaf applicants and how they perceive their cooperation with interpreters in such situations, and considers what implications this may have for deaf applicants.

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<sup>2</sup> I use "disability" in line with the UN Convention on the Rights of Persons with Disabilities (United Nations 2007).

My discussion of this topic is based on the notion that translation and interpreting have always been shaped and impacted by intricate asymmetries and power inequalities (Carbonell i Cortés & Monzó-Nebot 2021, 1). The asylum system is one of those contexts where power asymmetries have become institutionalised and are also being perpetuated through the “inner beliefs” (Kobelinsky 2019) and “institutional habitus” (Affolter 2021) of the caseworkers, who hold considerable power over applicants in an overall situation of “geopolitical asymmetries imposed by global markets and the global politics of war” (Carbonell i Cortés & Monzó-Nebot 2021, 2). In their history of social work(ing), Chapman and Withers (2019) point to the “violent benevolence” and “interlocking oppressions” (8) that are often present in social work, where normative views deprive individuals of their agency and thus perpetuate systems of, for instance, racism, sexism, disablism, heterosexism, and so forth. While neither caseworkers nor interpreters are, of course, social workers per se, working and interpreting in such a power-infused, yet fragile social environment like the asylum procedure may contribute to reinforcing power structures and also perpetuate “white abled supremacy” (Chapman & Withers 2019, 6), particularly when dealing with highly vulnerable groups. Both caseworkers and interpreters may be “complicit in systems of oppression and domination” (375) even when they possibly actively seek to oppose contextual disadvantages (see Ioannidis, Dimou & Dadusc 2021). Along with the caseworkers, who remould the applicants’ narratives into a written conglomerate of textual pieces that inform their decisions (Jacquemet 2009), interpreters also assume a powerful role in presenting, representing, and potentially perpetuating inequalities and vulnerabilities through their passing of meaning between two often very disparate worlds with potentially different world views:

Thus, the role of language is very crucial for power, and when language is assigned the task of translating culture, it translates power under the dynamics of representation, and the one who represents becomes in a position of power, while the represented goes nowhere other than to the position of silence and muteness. (El Amri 2019, 4)

I address the topic under consideration from a specific power-infused positionality: as a white woman who is able-bodied and non-deaf, having been socialised in an industrialised migration host country, writing from both a privileged academic perspective and an outsider position about a particular group in its role as receiver of interpreting services, and not sharing pivotal characteristics with either deaf people or refugees. My research interests are fuelled both by my background as spoken-language interpreter and researcher with several years of research history in the field of asylum interpreting, whereby I noticed that I had mostly come across studies on spoken-language asylum interpreting despite having been socialised academically in a context where signed language interpreting (SLI) education is offered alongside spoken-language interpreter training. What sparked my interest were discussions with SLI colleagues and the fact that I had privately met deaf refugees and started wondering how immigration and asylum proceedings had worked for them. My interests lie in addressing structural processes and institutional views, with my interview partners being mostly white male system representatives who are affiliated with an institution that is shaped by those intrinsic asymmetrical power relations briefly outlined above. With regard to the applicants and their cases that are mentioned by my interviewees, I cannot disclose details regarding the specifics of their claims, their origin, or personal backgrounds. My interpretations, therefore, despite any attempt at providing a balanced analysis, will be a partial snippet of one reality, and my research, both for this contribution and previous research, has certainly been influenced by a certain degree of “intercorporeal vulnerability” (van Wingerden 2022), in the sense of a “bodily hexis” (Bourdieu 1977), which lies at the core of any process of knowledge cultivation.

Based on these introductory remarks and my review of the literature, I seek to address the following research questions: How do caseworkers describe cases involving deaf applicants? How do they frame and perceive working with interpreters in such cases and also, what challenges do they perceive? In addition, what impact may their strategies have on both deaf applicants and interpreters?

## 2. Theoretical background

### *2.1 Interpreting for vulnerable groups and deaf people in legal settings*

Dimensions of vulnerability have been discussed in interpreting studies as an influential element when it comes to interpreting for particular social groups (for instance, Tipton 2017; Postigo Pinazo 2020). With a focus on interpreting in asylum proceedings, Määttä, Puumala, and Ylikomi (2021) identify three dimensions of vulnerability that may reproduce unequal power relations: linguistic (linked to interpretation), psychological (linked to trauma), and epistemic (linked to systemic and structural power hierarchies). The term “epistemic violence” has also been used by Sheneman and Robinson (2021) to discuss how notions of ableism and the “pathologization of bodymind differences” (55) among helping professions, also including SLI, may deny disabled people agency through specific behaviour or strategies, sometimes under the “veneers of respectability [and] benevolence” (59). In a study on interpreter-mediated interviews with survivors of abuse, Tipton (2023, 185) adds “professional vulnerability” as another category to describe actions that have impact on interpreters’ “perceived and actual vulnerability.” Psychological vulnerabilities, as mentioned above, including vicarious traumatising, have also been shown to be prevalent among interpreters (Darroch & Dempsey 2016) and may, of course, also particularly affect interpreters and caseworkers in an asylum environment which comes with potentially harrowing content. In this respect, Sultanić (2022) has pointed out how rendering accounts of trauma by refugee children may prove demanding for interpreters and require specific coping strategies. Furthermore, with a focus on minors as a particularly vulnerable group in asylum proceedings, Keselman et al. (2008) have addressed the challenges related to interpreting particular question types and questioning strategies that may ultimately contribute to silencing the voice of minor applicants. Similarly, disclosure in SOGIESC cases (Jacobs & Maryns 2023) may also be linked to strong degrees of vulnerability and interpreters’ strategies for rendering specific discursive elements may contribute to obscuring the “indexical load” (165) of applicants’ accounts (see also Maryns 2013). Based on a review of decisions, Verhaeghe, Jacobs, and Maryns (2023)

also outline specific vulnerabilities connected to credibility assessment in cases of lesbian applicants and show how their claims are assessed against normative and essentialist views on sexual orientation, making it difficult for them to prove the authenticity of their claims. What can be surmised from all of these studies is that communicative environments that come with a power differential carry the risk of not fully taking into account the needs of more vulnerable individuals, and that all the stakeholders involved, including interpreters, may thus potentially contribute to silencing the voices of those who are already at a disadvantage. Interpreters need specific awareness of both the intricate power relations, which are also mirrored through language, and their own potential biases as their individual decision-making may also be triggered by subjective perceptions of their clients' vulnerabilities (Tipton 2023, 188). Interpreters may, in particular, need "more fluid" strategies in such power-infused environments than in other settings, which may contradict tenets of deontological codes (Rudvin & Pesare 2015, 106).

Inequalities and linguistic barriers to due processes for signed language (SL) users in legal settings have, in general, been widely discussed in deaf studies and sociolinguistics (for instance, Miller & Vernon 1994; Brennan & Brown 1997; Shuy 2003; Eades 2012). SL interpreting in legal settings, which had long been viewed "as an area that many interpreters refuse to touch because of its inherent complexity" (Turner 1995, 265), has been discussed with a focus on interpreting modes (Russell 2002; Hale et al. 2017), court, police, or prison interpreting (Turner 1995; Turner & Brown 2001; Hoopes 2003; Miller 2003), the use of Deaf-hearing interpreter teams (Mathers 2009; Russell & Shaw 2016), juror duty of deaf individuals (Hale et al. 2017), video remote interpreting (Napier & Leneham 2011; Napier 2012; 2013) or interpreting in border settings (Ramsey & Peña 2010).<sup>3</sup> Within the EU *JustiSigns*<sup>4</sup> project, a survey on SL provision, standards, and training for

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<sup>3</sup> Deaf interpreters are deaf fluent signers who are trained as interpreters and often teamed with spoken-language or SLI to account for the specifics of deaf cultures which may be better understood by deaf consumers (see, e.g., Russell 2018).

<sup>4</sup> See <http://www.justisigns.com>; also see the *JustiSigns2* project on the empowerment of people who experience domestic, sexual, and gender-based violence, <https://justisigns2.com>.

legal settings was conducted (Napier & Haug 2017), calling for more and specific training for SL interpreting in legal settings (see also Witter-Merithew & Nicodemus 2010; Roberson, Russell & Shaw 2011; 2012). More recently, the CLIMB (Cultivating Legal Interpreters from Minority Backgrounds) project at the University of North Colorado sought to address the (continued) shortage of qualified legal interpreters and create career paths for specialisation in legal interpreting, particularly for interpreters of colour or from heritage signing backgrounds (University of Colorado n.d.). The right to interpretation for deaf persons has also been taken up in a European Union (EU) context (see Hertog 2015, 20) and is also mentioned in Article 3 of the EU Directive 2010/64/EU (European Parliament & Council of the European Union 2010). Overall, however, interpreting for deaf asylum applicants in asylum procedures still seems to be underrepresented in this corpus of scholarship.

## *2.2 Vulnerability in an asylum context from a legal perspective*

International humanitarian law views vulnerability as a category that intrinsically applies to all refugees (European Council on Refugees and Exiles (ECRE) 2017, 7), with the *M.S.S. v. Belgium and Greece* decision issued by the European Court of Human Rights (2011) as a milestone. Such a generalisation and potentially paternalistic essentialisation of vulnerability among refugees can also be viewed critically, as it may perpetuate stereotyping, ignores individuals' "subjective realities of individual experience" (Tipton 2023, 177), and denies refugees individual agency (Gilson 2014; Tipton 2023, 177–178). Relevant regulations under the Common European Asylum System and its EU Asylum Acquis identify an increased need for the protection of "particular groups" of applicants (ECRE 2017, 12), though there is no common or consistent definition of vulnerability (ECRE 2017, 13–15). The EU Asylum Procedures Directive (European Parliament & Council of the European Union 2013a), for instance, includes "special procedural guarantees" for particular groups, including disability as a category (par. 29). The EU Reception Directive (European Parliament & Council of the European Union 2013b) outlines "special reception needs of vulnerable

persons” (Art. 22) under Chapter IV “Provisions for vulnerable persons.” The European Union Agency for Asylum (EUAA) has developed a “vulnerability toolkit” which is intended to help caseworkers with vulnerability case management (EUAA 2023).

The categories of vulnerability included in the respective national regulations vary (ECRE 2017, 16–25). In Austria, for instance, which serves as the background to this study, the relevant EU mechanisms for the identification and protection of the needs of particularly vulnerable applicants have not been fully and consistently implemented (Matti 2016b; 2016a): No specific procedures for the identification of individuals with special procedural needs nor specific qualification requirements for caseworkers processing such cases are in place (Matti 2016a, 75).

### *2.3 Communication with deaf refugees*

Deaf individuals communicate in different ways, depending on their individual background, cognitive competences, and the context. The communication means involved include: (national) SL and diverse regional variants, or idiosyncratic, and sociolectal variants depending on age, ethnicity, or gender, which may not exist in all countries; International Sign (IS) as a signed system that is a shared means of communication allowing “communication across language boundaries” (Rosenstock & Napier 2015, 1) though it may not be understood by all; home signs (idiosyncratic signs), if deaf people have not received SL education and don’t have linguistic fluency in a signed or written language; lipreading; diverse manual signed systems (manually coded language, finger alphabets, cued speech, Makaton); communication via tactile means (Lorm) in the case of Deaf-Blind people; use of hearing technologies (hearing aids, cochlear implants) and spoken languages. Some deaf persons who have gone through formal education will also have written and sometimes spoken skills in their national (and other) spoken language(s), though deaf learners are faced with specific obstacles in literacy acquisition and the acquisition of spoken-language skills (Spencer & Marschark 2010, 3–9; Lederberg, Schick & Spencer 2013; see also Henner & Robinson 2023 on communicative competencies and proficiency expectations

in the framework of *crip linguistics*). In addition, deaf people often also have to rely on SLI.

In general, people with a disability, including deaf individuals, experience varying degrees of environmental, linguistic, or attitudinal barriers and sometimes even stigmatisation, depending on the concrete political, social, and cultural context (World Health Organization (WHO) 2011, 183–185). Disabled refugees are, to an even greater degree, faced with isolation and information deprivation, often due to communication barriers, lack of access to services (e.g., safe and barrier-free shelter, support structures, and mainstream and specialised services and equipment) and lack of satisfaction of “basic material and emotional needs” (Yeo 2015, 524; United Nations High Commissioner for Refugees 2021). Support structures are often only or mostly provided through migrant self-help or peer groups<sup>5</sup> (Grotheer & Schroeder 2019, 87).

Regarding forced displacement, estimates from the United Nations High Commissioner for Refugees (UNHCR) suggest a rate of about 15% of refugees with disabilities, suggesting that worldwide, more than 10 million people with different types of disabilities have been forcibly displaced from their home countries, including also deaf refugees (e.g., see the MobileDeaf project and its focus on forced migration, MobileDeaf n.d.). No systematic statistics, however, account for the number of deaf refugees who, due to the “invisibility” of their deafness (Crock et al. 2017) remain a “hidden” group among others with more visible disabilities (Köbsell 2019, 66).

Legally, medically, and in statistics, hearing losses are generally addressed as a type of disability. Not all deaf people, however, agree with this categorisation, and instead see deafness as a “difference” rather than a “disability” (Harvey 2008). Such a rhetoric of difference, however, may also be viewed as a token of “[a]bleist [r]hetoric” (Robinson 2010) mirroring “internalized broader attitudes about bodily and mental differences” (8). As Robinson argues, the cultivation of deaf cultural identity has historically also been shaped by

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<sup>5</sup> See “Deaf Refugees” groups, for instance, DeafRefugees.de, including links to other countries (DeafRefugees.de 2023).

ambivalence where privileged (white) deaf representatives advocated “deaf cultural membership” (18) while at the same time advocating, openly or opaquely, mainstream ableist attitudes, thus reinforcing differences between different deaf groups. There is also a discussion in the pertinent literature as to whether the mutual experience of hearing loss and its concomitant social repercussions produce a shared feeling of Deafhood (Ladd 2015). Similar to the ongoing discussion on the essentialisation of refugeehood, Ruiz-Williams et al. (2015), for instance, suggest a multifaceted intersectional approach to the “Deafhood concept” (Ladd 2003, 11), which in their view is based on the idea of an essentialist “DEAF-SAME” framework, and instead suggest to also “carve out a space for DeafBlind, DeafDisabled, and Hard of Hearing signing people’s experiences to come to the fore rather than be erased by a presumptuous, singular, and essentialist term, Deaf” (Ruiz-Williams et al. 2015, 234).

Deaf refugees are a heterogenous group (Trengeireid Olsen 2019, 17), with diverse social and educational backgrounds, who are exposed to diverse vulnerabilities. Social isolation and access to social and support services are challenging and informal support networks play a crucial role here (Willoughby 2008, 105; Trengeireid Olsen 2018, 239f.). Access to education and language classes is also challenging (Willoughby 2008, 7) and lack of access may potentially increase deaf refugees’ vulnerability (3). Here, both facilitation of language development among children (71) and access to educational support for adults may pose obstacles for deaf refugees (see also Duggan, Holmström & Schönström 2023 on the positive and negative impacts of translanguaging practices in adult language classes for deaf migrants).

Lack of access to information and language barriers (Sivunen 2019, 12) as well as lack of access to interpreters or lack of adequate interpretation (Ward, Amas & Lagnado 2008) play a major role in all of these social life situations and contribute to deaf refugees’ isolation (Roberts & Harris 2002), with language being the “key to autonomy in a new land” (Trengeireid Olsen 2018, 237). If interpreters are available, deaf refugees may also not be familiar with working with interpreters (Sivunen 2019, 11). Additionally, informally used

multimodal communication strategies, which sometimes help in everyday situations, are not sufficient for complex administrative procedures such as asylum procedures (Sivunen 2019, 9), though sometimes, due to lack of adequate administrative processes, applicants “have no choice but to accept the situation . . . and hope for the best” (Sivunen 2019, 12). In a master’s thesis that is one of the few publications available on the situation of deaf asylum applicants in Austria, Siebel (2019, 73) also points to inadequate or unprofessional reception and support structures and structural barriers, despite contrary claims by officials. In addition, deaf refugees also face lack of access to information and difficulties in everyday communicative situations, which makes them dependent on help and simple activities time-intensive (73). Lack of access to interpreters and faulty interpretation and long waiting times (62–63) are further problems, all of which aggravate isolation (59). Applicants also face inadequate means of learning the national languages (written skills in oral language and, if in existence, a national SL) as language courses are mostly spoken-language courses with only a few exceptions (59–60).

From what little is known about the Austrian context of interpreting for deaf refugees, we find a variety of situations, similar to what has been described by Trengereid Olsen (2019) or Sivunen (2019): use of interpreters who know the applicants’ national SL and the national spoken language (which is rarely the case); use of national SL or national spoken-language interpreters (either one or in a team); use of a team of Deaf and hearing national SL and national spoken-language interpreters; use of interpreters who know the applicant’s national spoken language (sometimes also in a team with Deaf and/or hearing national SL or national spoken-language interpreters); use of interpreters with IS skills; use of written communication, and use of non-deaf family members in combination with spoken-language interpreters (Siebel 2019, 66–69). Trengereid Olsen, for instance, points out that SLI will sometimes need “more unconventional forms of communication” (Trengereid Olsen 2019, 16) when working for deaf refugees (see also Hollauf 2012 who, also in a master’s thesis, discusses specific strategies interpreters use in working

with deaf migrants, including simplification, clarification, or consecutive interpretation).<sup>6</sup>

Generally, the professionalisation of SL interpreting only started in the twentieth century, and there are still many national differences as regards professionalisation, including SLI education and certification. Before its professionalisation, SLI were mostly heritage users from deaf communities (Stone, Roy & Brunson 2023, 227). Qualified SLI are usually trained in interpreting between one (or several) spoken languages and a national SL, IS, or both, and more recently training has also been offered for Deaf interpreters (286). While there are similarities between spoken-language and SL public service interpreting, such as, for instance, working for minority group members in unequal power constellations and the need for interpreter role clarification, there are also differences (Napier 2015, 135): apart from practical differences that are grounded in the visual modality, the range of settings in which SLI work differs, community influence had a greater impact on the evolution of interpreter roles (Napier 2015, 135), and funding is mostly based on disability legislation instead of equal access regulations (Stone, Roy & Brunson 2023, 277). Professional associations, such as the US National Association of Judiciary Interpreters & Translators (NAJIT) generally recommend that interpreters work in teams both in spoken-language and SL legal contexts to guarantee due process for assignments that are presumed to be longer and more complex (NAJIT 2020); for SL interpreting, team interpreting has come to be considered an “industry standard” (2) by associations such as the Registry of Interpreters for the Deaf, and interpreters also work in teams of SL and Deaf interpreters. SLI interpreters often work for deaf people from their own country. Globalisation and migration, however, have brought about changes that also impact on SL interpreting, with SLI having to interpret more frequently for persons from immigrant minority populations (Stone, Roy & Brunson 2023, 287), the asylum context being one example of such a type of

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<sup>6</sup> From the viewpoint of crip linguistics (Henner & Robinson 2023), which promotes the validation of non-standardised language use, some of these communication strategies could be viewed as examples of a deficit-based perception of deaf consumers' language repertoires.

assignment. Interpreting for persons from a different country, with perhaps a different SL and from different deaf communities, may thus prove challenging for interpreters and may also entail problems for both the deaf refugees and the other stakeholders in a given situation.

#### *2.4 Interprofessional cooperation*

The complex procedural, legal, linguistic, and contextual framework outlined above suggests that a shared understanding of these complexities and joint cooperative efforts are paramount to guarantee communicative success. “Cooperation” is one of those much used words, not only since the functionalist turn in translation studies, including Holz-Mänttari’s (1984) then novel approach to cooperation in translational action. Pym holds that, though cooperation is “the aim of translation” (Pym 2000, 188), translators cannot be held exclusively responsible for reaching that goal, as both sides have interests. These interests may be ideally, though not necessarily, commensurable interests—which may not be the case in the asylum setting. Depending on the translator’s concrete actions, Pym talks about an “ethics of contextualized human relations” (2000, 190) instead of mere adherence to deontological tenets. Cooperation between representatives of two professions has come to be called interprofessional cooperation and as such has been discussed comprehensively for healthcare interpreting (Gryesten et al. 2023).<sup>7</sup>

Tipton (2016), with regard to social work, refers to the generation of “occupational interculturalities” (2016, 436), where interpreting may disturb the communicative practices of the respective other profession. The need for joint interprofessional education (Krystallidou 2023) and user training (Felberg & Sagli 2023) has also been widely acknowledged. Departing from Pym’s

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<sup>7</sup> There is a large body of literature on cooperation between Deaf interpreters and SLI which I have not included in this brief review.

thoughts on effort distribution in “risk management” in translation (Pym 2015), where he discusses three low- or high-level risks, including “credibility” (trust in the translator and the “product” of translation), “uncertainty” (actions in the case of comprehension issues), and “communicative” (actions to ensure the success of a communicative instance) risks, Tipton suggests that risk management is, in addition, a “joint enterprise” (2017, 126), similar to what Bot (2018, 61) terms “interactive” style of cooperation that acknowledges the “core values and practices of each other’s trade.” Looking at what motivates caseworkers’ decisions, Kobelinsky (2019) suggests in an interview study that interviewers often base their decisions on “intime conviction” (2019, 53), which is defined as an inner deep-seated belief, which is not a legal category. Such inner beliefs may also include beliefs about communication with particular groups, interpreting, and cooperation with interpreters.

### 3. Methodology and contextual background

#### 3.1 Methodological approach

The research questions outlined in the introduction have been examined based on qualitative data obtained from interviews with caseworkers taking case-based and individual decisions in first-instance asylum cases in Austria. The material discussed is unique, to my knowledge, as it presents a user-based (caseworkers’) perspective on interpreting for deaf applicants for international protection. The data were collected through online interviews in late 2020, and before Russia’s aggression against Ukraine, therefore interpreting for Ukrainian deaf refugees is not included in this data set.<sup>8</sup> The

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<sup>8</sup> Specific regulations apply to the reception of Ukrainian refugees which differ from the regular procedure. Communication with Ukrainian deaf refugees may also differ, in that Ukraine has made efforts to safeguard disability rights and had an active Society of the Deaf before the war, which may also have had an influence on Ukrainian deaf refugees’ awareness of their rights and communicative strategies (personal communication, Austrian SLI; see also WHO 2023).

interviews were semi-structured in-depth interviews, following an interview guide I had prepared in advance to guarantee thematic consistency while allowing, at the same time, for flexibility to accommodate individual interviewees' modes of narrating their experiences. Generally, access to caseworkers, as the target group I sought to address, is difficult (Nikolaidou, Rehnberg & Wadensjö 2019). The type of sampling that was adopted for this study could best be described as purposive sampling: through previous contacts, who served as gatekeepers, I obtained official permission from the responsible department at the Federal Ministry of the Interior to conduct interviews with caseworkers. A description of my research proposal and an interview request were sent on my behalf through the regular internal communication channels to caseworkers at the different federal asylum offices across the country with my contact details for replies. I conducted 13 qualitative interviews in total with caseworkers from different regions in Austria (10 men and 3 women; I did not ask for gender self-reporting during the interviews and gender assignment was done by the author on a traditional binary scale). Due to lack of official data on the total number of caseworkers employed across the country or the number of deaf applicants in relation to general application statistics, it is not possible to relate this response rate to the total sample universe. I cannot provide background information on the caseworkers themselves due to data protection.

The interviews were transcribed using a form of simple semantic transcription (Dresing, Pehl & Schmieder 2015), and coded (computer-assisted via MAXQDA) and analysed qualitatively, combining a data-based and theoretical coding approach (Kuckartz & Rädiker 2022).<sup>9</sup> All transcriptions were approved officially by my contact at the Ministry of the Interior, and official permission to use the material was obtained.

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<sup>9</sup> Transcription conventions are as follows: voiced hesitations were marked as "eh," long pauses over 3 seconds as "(...)," emphasis as capitalisations, examples of particular words and phrases as "," word truncations as "!", overlapping talk as "!", and additional information was given in brackets.

### 3.2 Contextual background

Based on national and EU legislation as well as international humanitarian instruments, Austria also has a multi-tier asylum and aliens law procedure, which is an administrative procedure. It starts with an initial registration process through police departments upon lodging of a claim, followed by an admission procedure under the Dublin regulation which determines the admissibility of a claim. An individual-case in-merit procedure takes place if the claim is admitted in the first instance. And there is also the option of a second-instance (in specific cases third-instance) appeal procedure. The General Administrative Procedures Act 1991 (Austria 1991) regulates the use of interpreters: “§ 39a. (1) If a party or a person to be examined has no sufficient command of the German language, is mute, deaf, or whose hearing is severely impeded, an interpreter (official interpreter) available to the authority shall be called in.”

It is only since 2018 that interpreters working for asylum and police departments have been listed in a centralised register, which has replaced the diverse individual lists through which interpreters were recruited before. New applicants to this register have to pass an examination to be admitted to the register at different qualification levels (exemptions are made for trained interpreters). At the time of writing, the register still includes more non-trained than trained interpreters for spoken languages and it registers 35 interpreters for Austrian Sign Language, 5 interpreters for IS, and 1 Deaf interpreter (personal communication, 2.10.2023). Generally, SL interpreting has achieved a higher level of professionalisation in Austria than other fields of (dialogue) interpreting, also including asylum and police interpreting (Grbić 2023), with tertiary level interpreter training, a very active professional association, and a professional certification and licensing system (2023, 376).

## 4. Data presentation and discussion

In what follows, I will first focus on organisational and structural aspects and interpreter recruitment, before focusing on challenges that were mentioned by the caseworkers.

## 4.1 General matters and interpreter recruitment

### 4.1.1 Non-routine cases

Generally, all interviewees remarked that cases with deaf applicants ranked very low in their case statistics and were not common in their daily routines. While some had only had one such case, others had had more, but, in these cases, the majority could not remember the exact numbers, also due to lack of general statistics on cases with deaf or hard-of-hearing applicants. The specific cases they remembered were either recent cases or sometimes dated back several years, which needs to be borne in mind when discussing the data.

What the caseworkers' answers clearly suggest is that asylum interviews involving deaf applicants are viewed as "special" cases where caseworkers' routine strategies do not always work, and which are not "everyday business":<sup>10</sup>

And you have to communicate that to all, because everyone needs to know that, because there is a *special case*. Because you can't communicate with that person like that. Today you can communicate with almost anyone. English works almost anytime. (I2, 26; emphasis added)

The fact that communicating with deaf individuals requires special arrangements is not necessarily viewed negatively, but more as a situation that is perceived as interesting and out of the ordinary. At the same time, however, such specific cases may require a greater degree of sensitivity and make it necessary to perhaps pay more attention than in other cases to cooperation with interpreters and to how interpreting "works" (I6, 53): "Well, as I said, you have to tackle the case in a more sensitive way. You have to take a close look. You

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<sup>10</sup> The information given in brackets after the quotes refers to respective interviews and the MAXQDA code segments. All quotes used are translations of the German interview segments (translation by the author).

have to make sure that the interview situation works, as mentioned, well, with the interpreters, that that works" (I6, 53).

Cases with deaf applicants also require more effort and preparation on the part of the caseworkers, compared to routine cases, and may carry a greater degree of ambiguity than other cases:

Put it this way, if you/ if you don't do some sort of self-instruction, then you sit there and then you simply don't know how you should react, how you should deal with that sensibly. And that also would not be fair towards the people in my view. (I13, 76)

The visual aspect of SL communication may be one of the factors that makes cases with deaf applicants "special" and even "mega-interesting to watch" (I4, 35), but at the same time they may be baffling for caseworkers, if not slightly irritating: "And they, like I said, they constantly stared at me" (I7, 57).

Distinct gaze patterns and prolonged visual contact as pivotal characteristics of SL communication may, in fact, be perceived as awkward by caseworkers who are not familiar with deaf cultures, and are also associated with difficulties in assessing the truth of what is being said:

Because a hearing person, for instance, if he lies a story [*sic*], then he averts his eyes from the interviewer. He tells his story of how he fled his country boredly, looks around the room, here, I exactly notice that it is learned by heart and everything else does not interest him. But the deaf person stares at you all the time. There I don't see a difference. (I7, 45)

With a focus on the use of signs and gestures, as another bodily communication means that may be unfamiliar to non-signers, another caseworker mentioned the "excitation" (I2, 80) which is linked with the interview situation. He seems to use this specific word to explain a situation that he perceives as chaotic and emotion-laden, and which he describes both as "creepy" and at the same time "impressive" (I2, 76):

If you don't know it. And if the people/ and above all this excitation, then this also get loud, yes. And then it becomes strange, yes. Then there is loud gesticulating,

that was/ that is that what/ that's why I still remember this case. I think if all of that had gone smoothly, I would not have been able to remember. That was what actually was impressive, yes. (I2, 80; emphasis added)

The fact that the longer duration of interviews with deaf applicants is mentioned by almost all interviewees also suggests that this is another reason why they are perceived as different. Interviews are described as, for instance, "very very slow" (I3, 9) and "very time-intensive" (I13, 76). The time factor certainly plays a major role for the caseworkers, and perhaps is one of the factors why such cases are perceived as particularly "exhausting" (I13, 41), both for the caseworkers but also the applicants, and interpreters:

Every interview lasted six-and-a-half hours, but I already knew because of my experience: Don't plan anything else for this day! Make/ take your TIME. TIME! And and give the people the OPPORTUNITY to make themselves UNDERSTOOD. (I11, 42)

And with the sign language interpreter I really noticed it, he really asked each time: "Can we have a break?" Because it really was very very exhausting for him. But he did very well, you really have to say that! (I13, 41)

What is interesting in this example is that the caseworker and the interpreter are verbally constructed as a unit, through the use of the inclusive "us," suggesting that cooperation is indeed viewed as beneficial (see also Trengereid Olsen 2019).

#### *4.1.2 Case allocation and interpreter recruitment*

Case allocation, in general, differs. Cases may be assigned to the caseworkers based on their expertise (in certain regions or countries) or their experience with particular special-needs cases, their individual workload, or simply the inflow of new cases. Two of the caseworkers, both women, mention that they assume they were assigned these specific cases because of their gender and their age, respectively. One caseworker had previously dealt with gender-based violence cases and was, thus, automatically assigned a particular case of a woman that

had been raped: “Well, you know, because it dealt with a rape, which I had already had. And that is, you know, such a sensitive topic, it is difficult. It is difficult in any case, right?” (18, 43), and the second caseworker assumed that she had been assigned this specific case because she was younger and more “empathetic” (14, 19):

Well, good question. (laughing) I think a bit, because I am still young and often quite empathetic in interviews, I think. My inter/ my team leader thought that I surely am one of the better contact persons because I already knew before the start that I was supposed to be a bit more empathetic in this interview, that that would also take a bit longer, probably, because all persons need to get warmed up before. So that the conversation then goes smoothly. (14, 19)

The interview material generally also confirms that caseworkers receive little information on the applicants before they meet with them, either through records of the initial police which mostly contain applicants’ particulars, including their language, and information on their routes of arrival, but few details as regards their language proficiency and specifics of the communicative situation. Some maintain that these records nonetheless allow them to assess whether to expect problems in the in-merit interview and help them to fine-tune the interview setup: “The police officers are the first [ones] who realise this and have to document [this] in the initial interview. Because they will see that it does not work” (18, 27).

Following case allocation and familiarisation with the available information on the case, caseworkers then need to find suitable interpreters, and here the onus seems to lie on the caseworkers. The overall process of recruitment of interpreters for such cases was described as challenging, and caseworkers’ answers suggest that little support is provided by their employer: “Well, you get the information that, apparently, we have a deaf person here. So far, that was already reported through the police, and then you go and start searching; how do I find such an interpreter?” (12, 30).

There are no official guidelines on how to deal with such cases, so the caseworkers resort to different problem-solving solutions. Their answers suggest that, mostly, finding an interpreter is viewed as “tedious” (18, 15), and involves

many phone calls: “So, you are on the phone like an idiot for five, six hours, until you find an interpreter” (I2, 36). Information is obtained from colleagues but also through interpreters themselves or deaf associations which seem to be considered valuable providers of information (see Trengereid Olsen 2019). Interpreters are contacted either through the central register of interpreters, which was mentioned above, or after an internet search, through personal contacts or also deaf associations. Several caseworkers report that they tried to obtain details on how to best conduct interviews with deaf applicants through staff of deaf associations or interpreters. Here they seem to rely strongly on interpreters to find an adequate solution, and interpreters’ expertise appears to be valued and taken into consideration in their decisions, which is framed as a joint decision (“the two of us”) in the example below:

Well, there I really let Mr. [anonymised] explain to me what he thinks makes most sense and then *the two of us* came up with the solution that it would make most sense to use two interpreters. Does cost money, but if I had only taken Mr. [anonymised] then there was the danger that the two would not have been able to communicate, and then I need a new appointment, also costs money. (I3, 13; emphasis added)

#### 4.1.3 Background knowledge

What has been said so far also suggests that (some) caseworkers have little previous knowledge about deafness, deaf cultures and deaf individuals’ communicative means and strategies, or about working with SL or Deaf interpreters, which is also sometimes mirrored in the language they use. While some use generally accepted language (signs, signed language, signing) or even terms that reflect some knowledge about interpreting (relais interpreting), others still use historically antiquated terms which may be perceived as offensive and mirroring an ableist perspective (deaf-mute). This lack of knowledge was also confirmed by several caseworkers: “I also did not know then that [one] signed language does not equal [another] signed language” (I2, 38). This lack

of familiarity may serve as one possible explanation for why cases with deaf applicants are still remembered even after some time. To counter their lack of background knowledge, some caseworkers read up on the topic before taking a decision on the most appropriate strategies: “And yes, I first really had to read up on that a bit because I did not know that there are different signed languages like there are different countries. I always thought that there is one single” (I4, 23).

Some caseworkers also ask themselves in retrospect whether the setting they finally chose was the most adequate, suggesting that there is a degree of retrospective reflection of procedural strategies.

The interpreting situations that were finally employed in the cases the caseworkers described are mostly in line with the different options that were outlined above (see § 2.3): employing one interpreter (either spoken-language or SL), employing two interpreters (spoken-language and SL, or SL and Deaf interpreter, or spoken-language and family members, though this last option was mentioned only once) and, in addition, communication through lipreading and marked pronunciation or by means of writing. Finding an appropriate setup seems to be one of the areas where many caseworkers rely on the recommendations provided by interpreters or the staff of a deaf association.

## *4.2 Specific vulnerabilities and challenges*

### *4.2.1 Issues of vulnerability*

The fact that such procedures are viewed as challenging does not necessarily mean, however, that the applicants involved are seen as more vulnerable than others. The rather short answers I received on this point may serve as an indicator that vulnerability assessment with a focus on deaf applicants does not seem to be a matter the interviewees have thought about much: “Could well be. The idea has not yet come up with me” (I12, 47). When asked specifically, some, though not all, of the interviewed caseworkers maintain that cases with applicants with a hearing loss may involve an increased degree of individual vulnerability, or at least the need to “take a closer look” (I12, 45).

For one interviewee, identification of individual vulnerability is also linked to the systemic structures in an applicant's country of origin: "But what I can think of is, that in some countries where there are no state/ no functioning state structures, there might indeed be a big problem. With Russia and Turkey, I don't believe this is true" (I3, 94). And another interviewee points to the risk of, in his view, equalising disability with vulnerability: "I think that you also should not fall into the trap that you then really/ I don't know/ deaf-mute equals disabled, equals automatically vulnerable, or what, right? Well, I think you should not fall into that. He simply can't speak and simply doesn't hear anything" (I9, 32).

#### *4.2.2 Emotionality and discourse control*

Two interviewees also mention "emotionality," or a lack thereof, as a specific challenge. In the first case (see the quote below), the nonverbal cues, signs, and gestures used by the applicant apparently were difficult to pin down and perhaps baffling to the caseworker. And in the second case the same caseworker that had already pointed to unfamiliar visual cues as a hindrance for uncovering incoherence (see 4.1.1), again stresses that lacking emotions makes it more difficult for him to identify "contradictions" (I7, 60).

And that was really interesting to observe because this lady in her excitement and in her anger or rage or whatever she had, started gesticulating that you really/ well, that happens in fast movements and everything flies, in all directions. You sit there slightly shocked. And if, I always say, please don't get me wrong, but if a Chechen or a Georgian does that during an interview [with the police], he sits there with his hands chained behind his back. He won't move one centimetre. That's the way it is. (I2, 38)

Identifying discrepancies and inconsistencies and following up with additional questions also has to do with discourse control, whereby caseworkers seek to ascertain whether questions are interpreted correctly and understood by the applicants, and whether answers are "plausible" (I3, 68) and coherent, in the sense that they provide a logical answer to questions and fit into the overall

narrative strand. Studies have shown that this apparently simple process of securing understanding is in fact far more complex and that it can be viewed as one of the pivotal challenges of asylum interviews (Pöllabauer 2023).

Some caseworkers also gave examples that suggest that, in these particular cases, applicants' language proficiency or communication skills made it more difficult for them to assess whether the applicant understood their questions: "It was a bit tedious because there were more clarifying questions, in fact very regularly, if asylum applicant and sign interpreter [sic] did not understand each other verbally, in inverted commas" (I3, 92).

Similarly, another caseworker describes the overall communication framework as being "reduced" (I6, 25), which, in his view, makes it more difficult to provide information to the applicants and obtain relevant information. Two caseworkers also gave specific examples of situations where they apparently tried to sound out, together with the interpreters, whether the chosen setup would work and how much information could, in fact, be exchanged. In one case, the applicant apparently used home signs and was accompanied by a family member (see the first example below), and in another case (see the second example below), the applicant relied on lipreading and the interpreter resorted to speaking very loudly and to pronouncing very clearly, which may not even be an effective strategy for deaf people who are used to lipreading. In this case, the SLI had more of a backup function and was then sent home, while the spoken-language interpreter continued speaking very loudly.

Working with teams of interpreters, including Deaf-SL interpreting teams, and cooperation between those teams were generally remarked upon positively: "Yes, at any rate, because when it was not recognised by the International Signed Language, then [anonymised] did it. Well, they really complemented each other!" (I7, 68).

#### 4.2.3 *Interviewing (technique) and trust*

Interviewing techniques seem to be viewed as a challenge, and in this regard, clarification questions or the free-recall phase of an interview were described as particularly challenging:

Well, it was AWFULLY difficult because the sign interpreter [sic] again and again said, she doesn't understand that. Or you saw with the applicant: There was a communication problem. And then it was a matter of again and again repeating the question. Still easier, still clearer, what we want to know. It was tedious, complicated and, in that part, where it dealt with the reason why he fled his country, eh, we ultimately were happy that there were at least some answers that were understandable and based on which we could decide. (I12, 21)

One of the caseworkers also critically reflects on the potential limits of his interviewing techniques in such complex situations: "Well, I would not dare to interview a deaf person on a situation which was personally tragic, well, what do I know, let's say, individual persecution" (I10, 45).

Trust was also mentioned repeatedly, without being prompted through a specific question of mine and not necessarily as a challenge but more as a factor that is viewed as decisive for the outcome of an interview. Here again, the caseworkers place responsibility on the interpreter(s) for helping them to build and maintain a cooperative atmosphere: "There has to be some basic degree of trust between the interviewer, the interpreter, and the applicant, so that he can express himself freely and talk freely" (I11, 50).

Whether challenges, such as the ones mentioned, can ultimately be solved, and whether an interview goes well or not depends on a complex range of influential factors. Looking at the cases the caseworkers had handled, some were content with how these cases went and some not.<sup>11</sup> One caseworker, for instance, very positively claimed that "that [the interview] worked terrifically" (I7, 66), while another gave an example of a completely different experience: "Eh, that did not work at all for us with the sign interpreter [sic]. Well, they could not understand each other AT ALL! Not even in the most basic sense" (I10, 9).

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<sup>11</sup> Because of data protection, I do not have or cannot provide information on the outcomes of these interviews.

## 5. Discussion and conclusion

To answer the research questions outlined above and draw some general conclusions, my interviews with asylum caseworkers suggest that there are structural constraints, in the sense of a form of epistemic vulnerability (Määttä, Puumala & Ylikomi 2021), which will have an influence on both caseworkers' and interpreters' working routines and which may ultimately also have implications on how applicants perceive their interviewing situations.

To answer my first research question, which sought to explore how caseworkers perceive cases with deaf applicants, the results of my study suggest that interviews with deaf applicants are perceived as *special cases* by the caseworkers. Though they may potentially be viewed as a disturbance to their standard practices (Tipton 2016), such non-standard cases are, however, not necessarily viewed as negative by the caseworkers. On the contrary, most of the caseworkers seemed willing and committed to finding the best possible solutions for the specific cases they had had to deal with, even though little institutional support is provided to them, and cooperation with different stakeholders, also prominently including interpreters, is viewed as valuable and promoting, in certain cases, a specific "occupational intercultural" (Tipton 2016, 436). There also seems to be at least some willingness to allow for an adequate degree of empathy and sensitiveness.

Generally, there are no institutionalised support structures in place, so caseworkers are forced to rely on their subjective perceptions and intuitive and ad hoc strategies, which make such cases complex and perhaps force the caseworkers to leave their institutional comfort zone. What seems to be particularly challenging and fraught with risk from the caseworkers' perspective are clarification questions and the free narrative phase of the interview. This is also an aspect that carries risks in terms of credibility, the validity of a decision and the overall outcome of an interview from an institutional viewpoint.

It also seems noteworthy that, perhaps not surprisingly, female caseworkers seem to be institutionally credited with higher empathetic communication skills, though research on gender differences in empathy reveals mixed results, depending on the methodology used, suggesting that "self-reports

may induce biases leading individuals to assume gender-role stereotypes” (Baez et al. 2017, 1).

With a view to the second research question, which sought to explain how caseworkers view their cooperation with interpreters and related challenges, my data suggest that due to their lack of knowledge about deafness and concomitant communication modes, they seem willing to place much trust in the interpreters to provide them with suitable information on possible communicative arrangements and on whether understanding is possible or not in concrete situations, even though they do not have much information on the interpreters’ qualifications, educational background, and expertise. From a risk management perspective, this comes with a considerable degree of uncertainty, ambiguity, and error-proneness, potentially leaving the caseworkers professionally vulnerable.

The data at hand also suggest that, for some caseworkers, communication with deaf applicants still often seems to be influenced by an ableist deficit model, where deaf applicants are perceived to be lacking particular qualities in relation to able-bodied refugees, as revealed through both the wording used and the explanations given for specific cases. Communication in asylum proceedings is almost always shaped by intricate multidimensional power differentials among caseworkers and applicants, caseworkers and interpreters, and applicants and interpreters as the three main parties, and there might be other additional stakeholders involved. Despite a potential “veneer of benevolence” (Sheneman & Robinson 2021, 55) and empathy, caseworkers are still enmeshed in a system that is “informed by neoliberal managerialism” (Ioannidis, Dimou & Dadusc 2021, 3641). They are both “vectors of power and resistance” (2021, 3656) reproducing an institutional power structure despite the best of intentions and (disabled) refugees have little influence on this overall system.

The data at hand do not allow for an assessment of how the diverse setups that were described did in fact work and whether the situations and the related questioning strategies that were employed can, in fact, guarantee that the deaf applicants’ narratives and the indexical load of their accounts are fully conveyed. The material does suggest, however, that caseworkers are willing to cooperate with the interpreters in these concrete situations and may even see

them as trustworthy counterparts within a larger team, at least temporarily and for a specific case. This is a topic that would merit more attention in a follow-up study.

The fact that caseworkers have little experience with cases involving deaf applicants and in working with SL or Deaf interpreters will also have repercussions on the routines of interpreters, who cannot expect the officials to know much about deafness and SL interpreting, perhaps requiring more on-the-spot user education. This may make them more vulnerable professionally, on the one hand, with perhaps an increased need to explain and perhaps safeguard their working modes and the limits of their professional role, which is one major finding that answers my third research question. On the other hand, however, the interviews suggest that caseworkers rely heavily on either interpreters or representatives of deaf associations in helping them find adequate communication solutions which can also be taken as a validation of interpreters' expertise.

The data also clearly suggest that there is a need for sensitisation towards special procedural guarantees for deaf applicants as a potentially more vulnerable group, along with the need for, ideally, interprofessional training on how to deal with such particular cases. Such sensitisation training should also pay attention to the contextualisation of the interprofessional cooperation between caseworkers, interpreters, and other participants in the sense of Pym's ethics of "contextualized human relations" (2000, 190 and above).

One limitation of this study is that it only presents the caseworkers' perspective, which perpetuates the perspective of those in positions of power, and in this respect it is also not clear whether the group of interviewees who agreed to participate in this study belongs to that faction among the entirety of caseworkers who are open and willing to deal with non-standard cases and are thus more open to trust in outside opinions and support. In addition, both the interpreters' and applicant's perspective could and should be explored. The data discussed here only allow speculation on how the setups discussed in this article actually work for deaf refugees and whether some may place them at an even greater disadvantage or perpetuate an (ableist) perspective that increases their vulnerabilities. Here, it would be desirable to also carry out interviews with deaf users of interpreters. In addition, interpreters' subjective

perceptions of applicants' vulnerabilities and their strategies for approaching these might be interesting, but also their views on cooperation with Deaf interpreter colleagues. Ideally, authentic discourse data, albeit difficult to access, could also provide more evidence on the factors that shape and influence interprofessional cooperation in such a complex setting and would allow an insight into concrete interpreting and communication strategies and also teamwork among interpreter teams in this field.

Since this study is based on only a small set of data and merely allows for a first glimpse into the tangled interactions in communicating with deaf applicants in an asylum context, it remains to be hoped that other studies and different methodological approaches will help to shed more light onto this field, which, while it might centre on a minority group among refugees, rightfully merits attention.

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## **“I faced so many barriers”: Access to support for deaf female survivors of domestic violence in the UK**

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## **“I faced so many barriers”: Access to support for deaf female survivors of domestic violence in the UK**

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### **Abstract**

This article examines the potential vulnerability of deaf female British Sign Language (BSL) signers who experience domestic violence (DV) in reporting DV and accessing information and communication support. Based on online semi-structured interviews with eight deaf women in the UK, their perceptions of the factors that contribute to creating barriers in gaining adequate access and support are discussed. We present findings that concentrate around seven key barriers identified by the interviewees including: (i) access to interpreting; (ii) lack of information in BSL; (iii) lack of deaf cultural awareness; (iv) needs for on-going support; (v) deaf-specific services; (vi) training/education needs; and (vii) recognition of diversity. In considering deaf women's reporting of DV incidences through an intersectional lens, it is clear that they experience a double, or even triple or quadruple disadvantage. We found that, despite professional interpreting services being widely available in the UK, structural barriers still exist for deaf women in gaining access to support for DV, and that barriers are created through inaccessible services, inaccessible information, and lack of awareness of the needs of deaf women in this context. These barriers can be mitigated through training and resources for sign language interpreters, police officers, and other support service providers. We conclude with suggestions for how this research can be applied to interpreting for female DV survivors in other minority communities as well as deaf communities, with suggestions for further research.

**Keywords:** domestic violence, deaf women, barriers, communication support, sign language interpreting, intersectionality

## 1. Introduction

According to Flaskerud and Winslow (1998, 69), “In general terms, individuals or social groups who experience poor physical, psychological, or social health due to their social, economic or personal characteristics or group membership are . . . at increased relative risk,” that is, vulnerable. Examples of vulnerable populations can include disabled people, homeless people, indigenous people, refugees, immigrants, unemployed people, people with mental health conditions, and people and families living in poverty. Each vulnerable group faces vulnerability in different ways and for different reasons, and “therefore should be examined individually to determine the factors that contribute to their vulnerability” (Cooke-Hubley & Maddalena 2011, 118). Cooke-Hubley and Maddalena (2011) consider deaf people to constitute a vulnerable group because there are general reports of them having poorer health status than the hearing population (Emond et al. 2015; Rogers et al. 2024).

Our article focuses on the domestic violence (DV) experiences of deaf female British Sign Language (BSL) signers,<sup>1</sup> as opposed to deaf or hard-of-hearing people that do not sign. It is estimated that there are anywhere between 40,000 and 70,000 deaf signers in the UK (Turner 2020). However, we do not regard deaf signers as a vulnerable population just because they are deaf. In order to understand how or why deaf female signers may be considered as a vulnerable population because of DV, it is worth giving an overview of the general status of deaf signers in society, before discussing the intersections with DV.

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<sup>1</sup> We use the term deaf signers to focus on deaf people whose first or preferred everyday language is a sign language, without making any judgement about whether someone is culturally deaf, or whether they are a native/non-native signer. This was previously often illustrated through the convention of using *Deaf* for someone who is a culturally deaf sign language user who identifies as belonging to a linguistic and cultural minority group, and *deaf* to mean someone who does not necessarily identify with the deaf community or use a signed language. This convention is now outdated and deaf studies literature now more commonly refers to *deaf* signers (see, e.g., Kusters, De Meulder & O'Brien 2017). We also recognise that deaf signers are not a homogenous group, with much variation in terms of lived experiences.

### *1.1 The status of deaf people*

Historically, deaf people have been socially constructed as being disabled (Branson & Miller 2002), and, in the early days of the deaf studies and sign language studies fields, there was a strong resistance to deaf people being categorised as disabled based on perception of impairment, with a push instead for focus on language and cultural identity (Lane 2002; Ladd 2003; Padden 2005). As such, it is now well established that deaf signers constitute linguistic and cultural minority groups alongside other indigenous and minority language groups (Lane, Hoffmeister & Bahan 1996; Batterbury, Ladd & Gulliver 2007).

Increasing numbers of countries are giving legal recognition to their national sign languages as minority languages (De Meulder 2015; De Meulder, Murray & McKee 2019). There is also a well-founded argument that deaf people have a core linguistic human right to have a signed language recognised as their preferred language in a variety of different contexts to ensure their participation in society (Murray 2015; Murray, De Meulder & le Maire 2018). Nevertheless, there is a tension between ongoing societal perceptions of deaf people as disabled and their minority language status, as legislative instruments typically frame sign language rights within the context of disability rights rather than linguistic rights (De Meulder 2014; De Meulder, Murray & McKee 2019). For example, the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD, United Nations 2007) mentions the right of deaf people to access their education in sign language (Murray, De Meulder & le Maire 2018) and also the right to access professional sign language interpreting services<sup>2</sup> in all areas of life (Stone 2013).

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<sup>2</sup>In this paper we define sign language interpreting services in the UK as professional services that are funded through the government for access to public services or workplaces. In domestic violence contexts in the UK, interpreting provision is government funded for all legal services (police, court) usually through contracted agencies, but this funding does not cover interpreting for DV support agencies, support groups, or refuge homes.

Notions of disability have moved on with recognition that disabled people are not a homogenous group and that experiences as a disabled person are multi-layered, complex, and socially constructed (Friedman & Owen 2017). Likewise, as the field of deaf studies has evolved, there are now more nuanced discussions of the lived realities of deaf signers, with mounting recognition that deaf people hold a complex, dual status as both signers and as disabled people (De Meulder & Murray 2017). As deaf signers' linguistic status is often regarded as a disability access issue, it can be helpful to apply an intersectional stance to view deaf signers both as part of a language minority and a disability minority (Robinson & Henner 2018; Kusters 2019).

### *1.2 Deaf intersectionality*

Intersectionality is a theoretical framework for analysing people's lived experiences in relation to marginalisation, power, inequality, and oppression based on the intersections of various characteristics that can influence how they behave, who they identify with, choices they make in life and barriers encountered in society (Cho, Crenshaw & McCall 2013). The concept of intersectionality was initially coined as a black feminist theory to consider the intersections between gender, race, and colour (Crenshaw 1989). "Expanded-intersectionality" (Bagga-Gupta 2017) now recognises that other identity categories are also salient and are not necessarily easy to separate (Gunnarsson 2015), for example, disability, language minority status, class, and sexuality.

Deaf people encounter structural inequalities through accommodations not being made for them to use, and access information in, sign languages (Mousley & Chaudoir 2018; Leigh 2020). Regardless of deaf signers' language rights, they still often have to navigate barriers created by society, and the barriers they face can be exacerbated through their intersectional experiences of being deaf with race and other disabilities (Chambers 2024). Mweri (2017) asserts that deaf people could be considered vulnerable because of a lack of access to information and that providing access through interpreters may not necessarily support their human rights. Yet, it has been documented that

deaf signers adapt and develop resilience strategies by drawing on support and cultural wealth from their networks in deaf communities to persist, bounce back, and strengthen their navigation and their position in society (Listman, Rogers & Hauser 2011; Listman & Kurz 2020).

As such, due to the status and resilience strategies described above, deaf signers are not necessarily a vulnerable population, unless they also have some of the other intersectional characteristics of vulnerability, such as mental health issues, poverty or disability, or poor health outcomes. Deafblind people could be considered as more vulnerable and have been identified as a population at risk of various adverse outcomes, particularly when compared to wider (sighted) deaf communities and the non-deaf/non-deafblind majority; deafblind people have also described themselves as being and feeling vulnerable in various situations (Simcock 2017).

### *1.3 Vulnerability and domestic violence*

Women who have experienced DV can be considered as a vulnerable population as they “need appropriate emotional, psychological, physical, social, and economic resources in order to counteract the potential detrimental effects of domestic abuse or family violence” (Shavers et al. 2005, 28). The United Nations (UN) defines violence against women as “any act of gender-based violence that results in, or is likely to result in, physical, sexual, or mental harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or in private life” (United Nations 1993); this includes DV. DV is an incident or pattern of incidents of controlling, coercive, threatening, degrading, and violent behaviour, including sexual violence and economic abuse, in the majority of cases by a partner or ex-partner, but also by a family member or carer; DV is pervasive and has significant and far-reaching impacts on individuals and families across the globe. In the vast majority of cases, DV is carried out by men against women, and it occurs among all ethnic, cultural, socioeconomic, geographical, racial, and minority groups. Brownridge (2009) suggests that

female DV survivors should be considered as a vulnerable group, but that it is important to also study DV within other defined vulnerable groups, thus exploring the intersectional impact of different characteristics, such as women living in rural and urban settings, indigenous and immigrant women, and disabled women.

DV is a “gendered and disabling experience” (Mays 2006, 147) and disabled women are two to three times more likely to report occurrences of physical or sexual assault (Brownridge 2009). Many studies of disabled people and DV tend to combine different disabilities together and do not necessarily distinguish between the experiences of deaf signers and other disabled people (e.g., Safe Lives 2017), which is important in considering the intersectional experience of being both deaf signers and disabled, although there are some exceptions (e.g., Schrötle & Glammeier 2013). Nevertheless, studies specifically with deaf women have shown that they are also two to three times more likely to encounter DV than their hearing counterparts (Crowe 2017).

In this case, then, deaf female signers who are survivors of DV can be considered as a vulnerable population because of the intersectional impact of being deaf, female, and experiencing domestic violence. It has been noted that deaf women may experience a double disadvantage because they are deaf in addition to being a woman (Becker & Jauregui 1985; Altıntaş 2020). For example, deaf women report that their feelings about how safe they feel at work are compounded because they are women, and also they cannot hear any potential threats or communicate their concerns easily (Napier 2024). If considering other intersectional characteristics such as age, sexuality, race, and disability, then they could actually experience a triple or quadruple disadvantage (Porter & McQuiller Williams 2011; Napier 2024).

#### *1.4 A study of deaf women and domestic violence*

This article presents findings from a qualitative study with eight deaf female DV survivors who are BSL signers. The aim of this study was to gain insight into the first-hand experiences of deaf women in accessing information support when

they reported DV and any barriers they encountered, including how effectively they could access information through BSL/English interpreters.

The objectives of the project were to:

(1) Interview deaf women in the UK about their experiences of reporting incidents of DV to the police or other authorities.

(2) Examine barriers encountered by deaf women in the UK in receiving support for DV and accessing interpreters.

(3) Explore any intersectional disadvantages experienced by deaf women in the UK when trying to access support for DV.

This article provides an overview of the seven key themes that emerged from the interviews, concluding with concrete outcomes to support deaf women, service providers, and sign language interpreters in DV contexts.

## **2. What do we know about deaf women's experiences of DV?**

There is very little research on deaf women and DV. The majority of what is available has taken place in the United States, but also in Germany (Schrötte & Glammeier 2013; Fries 2020) and Austria (Schügerl 2023). Studies have found that deaf women are significantly more likely to experience psychological abuse and physical violence at the hands of a partner than hearing women (Schrötte & Glammeier 2013; Mastrocinque et al. 2017). Hearing status of the partner seems to make little difference to the extent of DV, apart from potential power dynamics and experiences of coercion which are more prevalent when partners are deaf (Anderson & Kobek Pezzarossi 2014). McQuiller Williams and Porter (2015, 2317) have suggested that the coercive control linked to a deaf person's use of communication devices is a form of exposure to "disability-specific forms of violence" (e.g., partners' removal of devices to cut the deaf person off from the rest of their deaf network).

Schügerl (2023) notes that there is a perception in deaf communities that if people do not report sexual violence, then it is not a problem. She suggests, however, that the reason for a lack of reporting is because of communication barriers. A survey of deaf female undergraduate students revealed that 69% of

respondents had disclosed incidences of sexual assault (Elliott Smith & Pick 2015) and interviews with 3 deaf female survivors of sexual assault identified that disclosure is complex and unique to individuals, with survivors often disclosing informally to friends or family members first because of concerns about accessibility when they formally report to the authorities (Opsahl & Pick 2017).

There has been a historical lack of access to comprehensive sexual health information among deaf communities, which is recognised as a further contributory risk factor linked to increased incidence of DV (Obinna et al. 2005; Anderson, Leigh & Samar 2011; McQuiller Williams & Porter 2015; Crowe 2017). Furthermore, the dearth of information available in sign language can contribute to lack of understanding of what actually constitutes DV (Anderson & Kobek Pezzarossi 2012; Mastrocinque et al. 2022). Crowe (2017) found higher prevalence rates of DV among deaf women as compared to hearing non-signers (30–57% higher for physical violence and 72% for emotional or psychological abuse), and notes that their inability to hear may be a factor that contributes to vulnerability or a perceived barrier to communication, for example when reporting to the police. Admire and Ramirez's (2021, 15) study with 60 deaf signers from developing countries seeking asylum in the United States found that lack of access to interpreters who know their signed language (i.e., not American Sign Language (ASL)) was viewed as facilitating DV, because "respondents believed perpetrators would strategically target them because they would be unable to report their victimisation afterward."

One of the common threads through the literature concerning deaf women and DV is in relation to language barriers. Federici (2020) suggests that the wide use of the term *language barrier* in the media can increase the position of vulnerability for people from culturally and linguistically diverse communities because of the negative connotations associated with the term. Federici underscores the importance for people to be able to access information in their preferred language when they are in a crisis situation, which requires the provision of services through different languages (either directly or through interpreters). This equally applies to deaf communities.

Language barriers compound the challenges faced by deaf people in interacting with the police, as they may have difficulties even communicating that they are deaf, not have their preferred communication methods understood, and have concerns about accessibility (Chambers 2024). Studies in the UK have found that the police have a lack of deaf cultural awareness (i.e., how to accommodate to deaf signers' needs, recognise the importance of sign language access and that deaf people are part of a linguistic minority as well as disabled, etc.) when encountering deaf signers (Race & Hogue 2018; Lumsden & Black 2022), and often think that bringing in interpreters is the only solution (Skinner & Napier 2022).

Moreover, any language barriers experienced by DV victims when seeking help and interacting with either the police or other authorities can create increased vulnerability (Lemon 2006). In situations where a DV survivor is a deaf signer, migrant, refugee, or asylum seeker who cannot use or access the majority language, a professional interpreter who knows their language should be brought in to mediate the communication (Napier, Leeson, et al. 2023). There are, however, inherent challenges in the case of deaf women reporting DV, as police officers often do not know what to do when responding to a DV call from a deaf victim (Engelman & Deardorff 2016) or have varied reactions to disclosure (Opsahl & Pick 2017).

The original Justisigns 2 project<sup>3</sup> (Napier, Leeson, et al. 2023) was established to develop a better understanding of the needs of deaf female survivors of DV in accessing information and services via interpreters, in order to make recommendations about the resources needed and the training needs of associated professionals and support service providers. Aside from the few studies reported above, there is a noticeable dearth of literature on the direct first-hand experiences of deaf women in DV contexts. Nevertheless, there is robust consensus that having sign language interpreters present in order to be able to report, get information about, and access ongoing support services for DV is

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<sup>3</sup> See: <https://justisigns2.com>. funded through the European Commission, Erasmus+ Grant no: 2019-1-IE01-KA202-051558

critical for deaf women (Napier, Leeson, et al. 2023). Access to all proceedings in a timely and safe manner is crucial. Furthermore, as noted by Del Pozo Triviño (2017) and Tipton (2017), the quality and reliability of interpretation is key in a situation where people are already vulnerable. Consequently, it is important to ensure that professionally trained and qualified interpreters are utilised.

However, research has shown that support service providers often do not provide communication accessibility to deaf women (Anderson & Kobek Pezzarossi 2014), which is compounded by the limited supply of available sign language interpreters (Woodlin & Shah 2014) in many countries. Lack of availability may be due to not enough professionally qualified interpreters being available in the area where the DV incident has been reported (especially in regional or rural areas) but is more likely due to interpreters not wanting to accept work in DV contexts due to the sensitivities and vulnerabilities involved (Tipton 2023). A further explanation may be interpreters' lack of understanding of how best to work in this context because they have not received specialised training (Tipton 2018).

This is evidenced through the Justisigns 2 project, where a European-wide questionnaire was developed to elicit a snapshot of the experiences and training needs of support service providers and interpreters working with female DV survivors (Napier, Leeson, et al. 2023). The questionnaire found that both the support service providers and interpreters admitted to not having much experience in working together in DV contexts, and also a lack of familiarity with how to best work together. There are also some contradictions in the different perspectives, for example: support service providers suggested that they do mostly check interpreter credentials (to ensure that they are professionally qualified), but interpreters state that they are rarely asked to confirm their credentials. Furthermore, with respect to briefing of interpreters, support service providers seem to think they are providing briefings, but interpreters do not feel like they receive any such briefings.

The European questionnaire results also reveal that support service providers and interpreters have had minimal training on how best to work together in DV contexts, and any training received has mostly been through brief professional development workshops. Both support service providers and interpreters

confirmed the need for specialist skills and competencies to work with deaf women in DV contexts and the requirement for specialised training. Although support service providers and interpreters are expected to undertake general professional development, since the work with DV survivors is such a specialised and sensitive area, both groups commented on the need to be trained on how to deal with emotional boundaries, managing emotional responses, empathy, specific terminology, the nature of DV, and legislative processes.

The findings from the questionnaires were complemented by qualitative data collected in Ireland and the UK. In the UK, a focus group with interpreters and deaf independent domestic violence advisors (IDVAs)<sup>4</sup> confirmed that interpreters often do not want to accept work in DV contexts because it is so challenging. They identified the challenges as: difficulties in interpreting for distressed individuals, not having the resilience to deal with such emotionally charged conversations given their lack of exposure, not being familiar with terminology or legal procedures, and feeling constrained by the boundaries of their role (Napier, Clark & Gorman 2023).

Opsahl and Pick (2017) note that the presence of a sign language interpreter when deaf women report DV does not, however, guarantee language barriers are overcome. Their case study with one deaf female ASL signer found that she had to retell her story several times through different interpreters because of inaccuracies in previous interpreter renditions, causing her additional stress and trauma, and accentuating her vulnerability. As such, they suggest that deaf women may be reluctant to report DV when the only way they can do that is through an interpreter, due to concerns about communication barriers.

The review of the brief literature confirms that it is critical to gain more insights into the experiences of deaf female survivors of DV as a vulnerable

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<sup>4</sup> Independent domestic violence advisors (IDVA) are specialist trained and qualified professionals who work with victims of domestic abuse to develop a trusting relationship and help survivors with everything they need to become safe and rebuild their life. In Scotland (as opposed to England and Wales) they are known as independent domestic abuse advocates (IDAA). At the time of writing there are only a handful of deaf qualified IDVAs in England and no deaf qualified IDAAs in Scotland.

population, what barriers they face, and how they access support and information.

### **3. Methodology**

This qualitative study was carried out as a sub-study as part of the Justisigns 2 project on deaf women's access to support from service providers and through sign language interpreters in reporting DV. Ethical approval was received from the Heriot-Watt University School of Social Sciences Human Research Ethics Committee on 27 February 2021. The research design adopts feminist principles in the study of gender, violence, and sexuality (Westmarland & Bows 2018), underscoring deaf women's lived experiences as a marginalised voice in the study of DV, and intersectional impacts on those experiences (Beckman 2014). This study adopts a participatory research methodology, which is an effective approach to use with vulnerable people (Aldridge 2015), deaf people (Barnett et al. 2011; Leeson et al. 2017), DV survivors (Jumarali et al. 2021), and deaf DV survivors (Mastrocinque et al. 2022) as it involves meaningful engagement of community stakeholders in the research process. Before detailing the methods of the study, it is important for us to acknowledge our positionalities as activist feminist researchers (Franks 2002).

#### *3.1 Positionalities*

Jemina: I am a hearing, white, PhD educated woman who grew up in a multigenerational deaf family with BSL as my home language. I am a practising sign language interpreter between English and BSL or International Sign, and in my academic life I conduct research primarily on mediated communication to inform applied linguistics, interpreting studies, and deaf studies. I was the project lead at Heriot-Watt University for the Justisigns 2 project. As a woman in a senior academic leadership position, I am becoming more interested in gender and feminist issues in academia and the interpreting profession and

the intersections across gender and feminist studies, deaf studies, interpreting studies, and the sociology of work. Both Lucy and I identify as “survivor researchers” (Westmarland & Bows 2018) as we are both survivors from former abusive relationships.

Lucy: I am a deaf, white woman with an undergraduate degree who grew up as the only deaf person in a hearing family. I learned BSL after I started school and since leaving university I have taken on various professional roles in the deaf community, and I work as a freelance BSL/English translator, presenter, and consultant. Over recent years I have become an advocate for deaf women’s rights concerning DV, ensuring that information is available in BSL and signposting deaf women to support services that can meet their needs. I worked as the research assistant and project officer on the Justisigns 2 project, and I am seeking to become a qualified independent domestic violence advisor.

Lorraine: I am a hearing, white, PhD educated woman who grew up on the north side of Dublin with English as my mother tongue and learned Irish Sign Language as a teenager. I am an Irish Sign Language/English interpreter who has significant experience interpreting in gender-based violence and sexual abuse contexts. As an academic, my work is multidisciplinary. I was the Trinity College Dublin lead for the Justisigns 2 project. As a senior academic leading on equality, diversity, and inclusion for my university, I am particularly concerned with intersectional considerations impacting on equality and ongoing work across the higher education sector to end sexual violence and sexual harassment.

Lianne: I am a deaf, white, woman with a BA degree who grew up as the only deaf person in a hearing family. I learnt Irish Sign Language (ISL) when I started school especially in boarding school. I am chairperson of the Irish Deaf Society (IDS) – A National Deaf-Led Organisation. I am currently serving as IDS representative in the ISL Act 2017 Cross Community Committee. I worked as the research assistant at the Centre for Deaf Studies, Trinity College Dublin on the Justisigns 2 project. I was selected as Deaf Women of the Year 2019 (National Deaf Women of Ireland) in recognition of my extensive work in the Irish Deaf Society, Dublin Theatre of the Deaf, and ISL recognition campaign.

I am also a representative for IDS on the Disabled Persons Organisation network, which shares a common interest in the implementation of the UNCRPD in Ireland. Prior to 2018, I served as co-chairperson of the ISL recognition campaign. Since 2021, I have been a deaf interpreter. In the last decade, I have developed an interest in women's rights, especially for deaf women.

## **4. Methods**

### *4.1 Participants*

Calls were sent out via social media in BSL and English and people were asked to contact Lucy if they were interested in being interviewed. Eligibility criteria was that the deaf women must be BSL signers and have encountered DV. The goal was not to discuss the DV incident(s) themselves, but what level of access and communication support they felt they received during and after the reporting process, either through interpreters or other means.

Several women who initially made contact decided not to proceed with an interview. We endeavoured to involve women with a range of diverse characteristics in terms of age, ethnicity, and geographical location, but given the sensitivity of the topic being discussed we did not pursue involvement and were grateful to any women who came forward. The final eight participants who consented to be involved were reassured that: they could change their mind and withdraw their involvement at any time; all information about individuals would be anonymised in the publication of results to protect their identities; and information was available to signpost them to support services if the interviews triggered any uncomfortable memories. The profiles of the eight participants can be seen in Table 1. Pseudonyms have been used to protect identities; geographical locations have been given as regions rather than cities/towns, and ages have been given as a range to limit the possibility of identification.

<b>Phoebe</b>	White	South England	20s
<b>Emma</b>	White	Midlands	30s
<b>Mila</b>	Asian	Midlands	30s
<b>Grace</b>	White	Midlands	30s
<b>Annie</b>	Asian	Scotland	40s
<b>Bonnie</b>	White	South England	40s
<b>Evelyn</b>	White	Wales	40s
<b>Wilma</b>	Black	South England	40s

Table 1. Participant profiles

#### 4.2 Procedure

This study involved one-to-one semi-structured interviews with eight deaf women in the UK. The interviews were all conducted by Lucy, as a deaf survivor, in order to ensure that participants felt it was a safe space with an insider as someone with a shared subjective experience (Harding 1992) and who was deaf (Paul 2021). Lucy was able to draw on her networks and the trust built with deaf women in the DV space to recruit participants through purposive, network, and snowball sampling. It is vital to ensure an ethical approach to obtaining consent when working with women from minority communities (Westmarland & Bows 2018) and dealing with sensitive topics in deaf communities (Obinna et al. 2005). As such, all participant and consent information was made available in BSL as well as English (Harris, Holmes & Mertens 2009).

The interview prompt questions (see Appendix 1) were drafted according to salient themes in the literature, co-created with the project stakeholder advisory group and validated through a pilot interview. They were adapted in each interview with feedback from each of the interview participants about what they felt was relevant to their post-DV access to support.

The interviews were conducted online using Zoom in BSL. All interviewees were offered the choice to be interviewed in person or online, and all participants opted

to be interviewed online as they stated they felt more comfortable with that option. The screen was video recorded so that all interviews could be translated from BSL into written English for the purposes of analysis. The translations were outsourced to an independent translation service and checked by the lead author before analysis. All participants were offered the opportunity to review their manuscript, but none took up the offer. The average length of an interview was 38 minutes, giving a total of 343 minutes of interview data across the eight interviewees.

### 4.3 Analysis

Analysis was conducted manually on the translations/transcripts of the interviews, annotating for themes that elucidated the barriers confronted by deaf female survivors of DV. Engaging in an iterative process of thematic analysis (Braun & Clarke 2006) allowed us to tease out further sub-themes to unpack the nature of the barriers experienced, referring back to the original BSL source texts to check any nuances when necessary.

As per the Credit contributor roles taxonomy,<sup>5</sup> each of the coauthors contributed to the project in different ways, as seen in Appendix 2.

## 5. Results and discussion

Our findings correspond with those of Opsahl and Pick (2017), who found that deaf women face similar challenges to hearing women in reporting incidences of sexual assault, but they experience additional barriers due to not being able to sufficiently access information and support in sign language. The notion of facing barriers when reporting DV was raised by all of the interviewees in this study and was the most salient overarching theme. The following quotes epitomise what the deaf women interviewed had to say concerning barriers to access to support for DV:

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<sup>5</sup> See: <https://credit.niso.org>.

Barriers were preventing me from accessing support. When I reported it to the police, they did not provide what I need in terms of an interpreter, so this meant that I was only dealing with hearing people. (Emma)

There are barriers because there is a lot of jargon or domain-specific terminology and I then need to wait until I have an interpreter available to translate. (Grace)

Having to deal with barriers can be challenging. (Annie)

I faced so many barriers and there was so much uncertainty about what I should do. (Phoebe)

These quotes collectively shed light on the challenges the deaf women feel they face due to systemic barriers, because they could not access information in BSL, or through lack of provision of interpreters. They highlight experiences where a lack of interpreter services isolates individuals, delays access to information due to specialised language or jargon, and creates feelings of uncertainty and frustration in navigating systems. The overarching sentiment is one of difficulty and exclusion, and that barriers created extra emotional load for them when they were already vulnerable from their DV encounter.

When digging deeper into the general theme of barriers the sub-themes revealed the nature of the barriers, which were broken down into seven themes that were repeatedly commented on by the deaf interviewees:

1. Access to interpreting (41 mentions)
2. Lack of information in BSL (22 mentions)
3. Lack of deaf cultural awareness (15 mentions)
4. Needs for ongoing support (13 mentions)
5. Deaf-specific services (12 mentions)
6. Training/education needs (9 mentions)
7. Recognition of diversity (9 mentions)

What follows is a presentation of the themes with selected illustrative quotes from deaf interviewees.

### 5.1 Access to interpreting

As can be seen from the above list of themes, the most common theme discussed was that related to interpreting. Participants presented divergent views on the merits and challenges of working with interpreters when disclosing their experience of DV, which corresponds with findings from other studies (e.g., Anderson & Kobek Pezzarossi 2014). One of the key issues was whether they could trust the interpreter and concerns about confidentiality:

I know most deaf people have their suspicions when working with interpreters due to the risks of confidentiality being broken. That's why I was cautious about working with interpreters as I know some of them have broken confidentiality before, not all of them but some have in the past. Confidentiality is so important, it is crucial that we have the right to privacy and can trust the interpreter. (Annie)

Annie expresses a common fear among many of the deaf interviewees about the potential risks of their personal information being shared without their consent, especially because of the highly sensitive nature of the information being disclosed. Although treating information as confidential is a key tenet of the interpreter Code of Conduct (National Registers of Communication Professionals working with Deaf and Deafblind People (NRCPD) 2024), this fear is based on past instances where interpreters are known to have breached confidentiality in other contexts, highlighting a significant trust issue in the relationship between deaf survivors and interpreters. This concern about confidentiality was not only with respect to interpreters, but also in relation to deaf community networks (see section on deaf-specific services below). This situation creates a tension as interpreters are encouraged to be closely networked to deaf communities in order to be acculturated into deaf cultural norms (Miner 2021) but in DV settings these deaf women were concerned about interpreters knowing too much.

Several of the deaf women also talked about wanting to have the same interpreter throughout their journey of reporting incidence(s) of DV through the police and court system, so that they can build rapport and the interpreter is familiar with the case:

I wanted to have the same interpreter so that I didn't have to keep repeating what happened and they would have that contextual knowledge. I also wanted to keep the number of people that knew about the incident to a minimum and just have one interpreter that I could trust. (Annie)

In addition to fostering trust, other participants also commented that having the same interpreter mitigates having to repeatedly relive the trauma of the DV incident, which was a point made by Opsahl and Pick (2017) in their case study with one deaf ASL signer. Having the same interpreter also reinforces the concern about interpreter confidentiality as the women are more likely to keep the information contained if there are fewer interpreters involved in the case.

The deaf women also commented on the stress that can be created by lack of interpreter availability and how this can exacerbate an already traumatic situation. The interviewees highlighted two key related, but separate issues: temporality and capacity. In terms of temporality, because DV incidences can happen at any time, or a deaf women might suddenly decide that a particular moment is the right time to report DV, interpreters might not be immediately available:

Once the police arrived, I was waiting for the interpreter to come, but they kept trying to talk to me, I had to keep saying to them to wait until the interpreter arrives. They asked me a lot of questions about where he [the perpetrator] could be. (Grace)

The other related issue of capacity is that interpreters may not even be booked, or if a booking request is made there are no interpreters available in the vicinity:

[With] access to interpreters. I was never let down in that regard in [city], but since I have moved to [city], they have let me down with booking interpreters which has been very stressful. (Emma)

The lack of communication access places an additional burden on deaf women in this context when they are already feeling vulnerable, and it is clear that the level of service provision is inconsistent across the country. This inconsistency likely arises because BSL interpreters in the UK are concentrated mainly around

major metropolitan areas and mostly in the Southeast of the country (Napier et al. 2021).

Interpreters not understanding the use of DV-related terms by support service providers also provides another layer of stress:

They [the interpreter] did not have the appropriate knowledge to interpret in this setting. Or they would ask the hearing person “what do you mean by that” and then relay over to me but you can see that they didn’t understand how to actually accurately translate that information. This has an effect on me because I’m looking at the two of them having the discussion and I can see the interpreter is not competent which stops me from feeling like I can trust them and build a rapport. It just seems when I’ve been using these services, there’s a lot of back and forth and clarification that’s involved leading me to feel a little bit uncertain about what’s going on. (Phoebe)

The lack of adequate competence explains why interpreters might be reluctant to accept work in DV contexts, as noted by Tipton (2018; 2023) and Napier, Clark, and Gorman (2023), and highlights the need for interpreters to receive specific training on working in DV contexts. If interpreters are not comfortable to accept the work, then this exacerbates the issue of interpreter availability as highlighted above.

In some cases, qualified interpreters were not provided, but rather hearing people who had basic sign language skills, which impacted on the quality of communication:

Before I met with the housing officer, I requested a BSL interpreter, but instead they brought in a hearing person who was a “deaf advisor” who worked for the council who was not qualified to interpret as they only have Level 3 BSL. I could communicate with the advisor, but I explained to the housing officer that it has to be a fully qualified interpreter. The housing advisor just could not understand what the difference was between an interpreter and an advisor and the difference in cost between the two. (Phoebe)

The deaf women also reported a lack of awareness on the part of service providers that they have a responsibility to provide interpreters:

The thing I don't understand is that solicitors understand the law, but they don't understand their responsibility to provide interpreters as it is my right. It just doesn't make sense. If they are unsure, they should be responsible for researching the legalities surrounding this first. I tried to explain that it was their responsibility, but it's interesting that he didn't even bother to look into it. (Bonnie)

In a situation where deaf women are already vulnerable, having a professionally qualified interpreter is paramount (Napier, Leeson, et al. 2023), as this is more likely to ensure the quality and reliability of the interpretation (del Pozo Triviño 2017; Tipton 2017). However, as seen above, having a professionally qualified interpreter does not guarantee that language access is achieved. Phoebe's and Bonnie's comments reinforce the findings of Skinner and Napier (2022) with police officers, that language barriers are maintained when hearing service providers who are responsible for booking interpreters do not understand the consequences when interpreting is not provided, or when they rely on unsuitable people who may have some BSL fluency but are not qualified interpreters.

The lack of availability of interpreters can also mean that interpreters get asked to interpret for both the DV victim and the alleged perpetrator (if they are both deaf), which potentially compromises the integrity of the case and the trust from the DV victim. This possibility also calls into question the ethical stance of the interpreter if they agree to work with both sides of the case:

The main thing is booking interpreters, especially with the court. I remember when I was there about getting full custody of my child, the solicitor booked two interpreters for me who would co-work together. However, my abuser's solicitor was asking my interpreter to help him, but I didn't want that. They should have booked and paid for their own interpreters, but he tried to use my interpreter saying that he would pay half the interpreters' fee. I checked whether the interpreter would consent to this even though I didn't want to because if I didn't [let him use the same interpreter] then we would have had to postpone, and it would have just cost more as well. They should not have tried to steal my interpreter; they should have their own interpreter. That is just wrong, if one of the interpreters left to interpret for my abuser and they were my preferred interpreter what do I do? (Mila)

Having an interpreter work for both sides of a DV case could potentially compromise that case, because although interpreters are bound by the tenet of confidentiality, they will have knowledge of the stories of both the survivor and the alleged perpetrator, which could unconsciously influence their interpretation. Furthermore, as noted earlier, deaf women already have concerns about interpreter confidentiality, which could be intensified in this situation. Trust of interpreters has been identified as a critical issue generally (Edwards, Alexander & Temple 2006; Napier et al. 2017; 2019), but in DV situations it is brought to the fore even more because of the vulnerability of deaf women in this context. Deaf academics have argued that it is not an issue of trust but of deaf people's ability to evaluate interpreters' competence (O'Brien et al. 2023). Yet, as revealed by the deaf women's comments above, in these DV situations there is a lack of opportunity for deaf women to make that assessment when there is often a time pressure.

Although interpreters are only there to mediate the interaction between support service providers and women who are reporting DV, several of the deaf women mentioned the assistance they had received from interpreters who were familiar with what support the deaf women could access and where and signposted them to it:

I really do want to thank my interpreter. For giving me the heads up about what other people already knew. And also, for putting me in touch with [name of deaf-specific service] as well as warning me about going down a route where potentially I would have my child taken away. So yeah, she [the interpreter] was really good. And I wasn't aware of things like that. I was very ignorant about those things. (Wilma)

The quote calls into question the role of the interpreter in these settings and their adherence to professional ethics to not become involved in interactions but only mediate them. But if deaf women are already experiencing barriers in being able to report DV or accessing support, if the interpreter is the only person who has the deaf cultural and community awareness of what they need, perhaps it is not surprising that the interpreters themselves may offer support and appropriately act more as "cultural brokers" (McDermid 2010), especially in

sensitive settings (Loach 2019). This type of action would be supported by the new Code of Conduct for BSL interpreters in the UK (NRCPD 2024), which stresses that interpreters should act in the best interests of people.

Despite the many barriers described by the deaf women in this study in relation to interpreting, some participants were also complimentary about the interpreting services they had received once the DV case went to court:

The court luckily had a contract with an agency which meant that the interpreter was trained and experienced in working in court settings. They also ensured that we had the same interpreter throughout. But the defendant chose to have just any interpreter. However, I wanted to exercise my right to pick which interpreter I would like. Luckily the interpreter offered was highly skilled and was present throughout. I wanted an interpreter who was skilled and able to translate the information correctly . . . the interpreter was able to keep up with the proceedings, it was a really lovely process. The judge was aware that I am deaf and that he would need to allow time for the interpretation. The interpreter was able to pause and clarify information when needed, and the judge allowed the interpreter to interrupt to let them know whether they needed to slow down. The overall pace of the hearing was managed well to ensure no information was missed in the interpretation. I was very fortunate. (Annie)

The approach described could be considered as good practice; the ideal scenario for an interpreter to be booked who has competence and familiarity in this context, which then engenders trust. This example also points to the importance of cultural awareness of the impact of interpreted proceedings, as demonstrated by the judge, and discussed further in the section below on lack of cultural awareness.

## *5.2 Lack of information in BSL*

The theme of lack of information in BSL primarily referred to the participants' lack of contextual knowledge of what could be considered as DV (also referred to as "fund of knowledge," Mastrocinque et al. 2022), lack of understanding of

key terms and legal definitions associated with DV, and the lack of information provided about procedures, primarily because information was not available in BSL. These results corroborate the experiences of deaf women in other countries as reported by several researchers in the United States (Obinna et al. 2005; Anderson, Leigh & Samar 2011; Anderson & Kobek Pezzarossi 2012; 2014; McQuiller Williams & Porter 2015; Crowe 2017), Germany (Schröttle & Glammeier 2013; Fries 2020), and Austria (Schügerl 2023). For example:

They knew I was deaf, yes, but I was vulnerable because of that lack of access to information . . . [I] would like to have, you know, they have the [Crown Prosecution Service] website with various different resources, for example, lots of information about rape, drug use, stealing, and so on, but we need BSL translations as well. They need to have visual information for the deaf community to help us to understand what exactly that means, what the person has been charged with, and what the process is. (Grace)

Some participants also acknowledged how empowering it can be to have the information in BSL:

The workshop with [name of organisation] had a massive impact on me, it was a real eye-opener because the information was there in BSL, and the trainer had a wealth of knowledge on what is right and wrong. The session gave me that confidence and it was really empowering for women. They taught me how I could stand my ground and become confident in my decisions. It gave me the freedom to walk away. It really was valuable and helped me in my life. (Emma)

These quotes highlight the critical need for accessible information in BSL in DV contexts. Grace expressed the frustration and vulnerability that comes from not having access to essential information in BSL, but Emma's quote provides a positive contrast by highlighting the impact of having information presented in BSL. This underscores the significant impact of accessible information in BSL on the empowerment and well-being of the deaf survivors of DV, leading to self-advocacy and informed decision-making. These experiences emphasize the urgent need for more resources and services to be made accessible in sign

language to ensure the full inclusion and empowerment of deaf female survivors, which is a gap also noted in other countries (Obinna et al. 2005; Anderson, Leigh & Samar 2011; Schröttle & Glammeier 2013; McQuiller Williams & Porter 2015; Crowe 2017; Fries 2020; Schügerl 2023).

### 5.3 Lack of deaf cultural awareness

The issue of lack of deaf cultural awareness among police and other support service providers was mentioned repeatedly by the deaf interviewees, in that they did not know what was needed to provide support to deaf women reporting DV:

I could see that the hearing person was confused by the term “deaf community,” they never realised that there was one, similar to other minority groups . . . I felt like I couldn't express myself fully because it was being conducted by a hearing person and then translated through an interpreter. The way the assessment was set up does not help deaf people, the hearing professional did not have any deaf awareness and the interpreter was not able to understand everything I was explaining so the interaction just got progressively worse. (Phoebe)

I've emailed the support providers in [city] as they keep sending me letters in the post that say that I need to contact them via the phone, but I can't phone as I am deaf. I prefer email but there's no email to contact them, only a phone number. (Emma)

These quotes demonstrate that service providers not only have a lack of awareness about interpreter provision (as observed earlier); they also have a lack of deaf cultural awareness of other accommodations that they might need to make to interview a deaf woman about her DV experience. This situation is not surprising as it corroborates earlier findings from Engelman and Deardorff (2016) in the United States, who found that police officers do not know what to do when responding to a DV call from a deaf person.

#### 5.4 Needs for ongoing support

The deaf women mostly were referred to mainstream hearing services for ongoing support after reporting DV and had variable experiences:

They explained what the process would be and the support available for victims of domestic violence. The officer sent me an email link with information on what support is available, but I felt like the information was not accessible to the deaf community. The service seemed to be for hearing people, I asked him, would the service have interpreters available, but they didn't know, which was disappointing. (Grace)

Grace's example highlights the fact that language access is not only needed when reporting DV, but also afterwards to receive ongoing support. However, interpreters often are not available or provided or funded, and/or the service providers are not culturally aware of how to make their service accessible to deaf people. This explains why many deaf women may be resistant to disclosing the DV in the first place, if they feel there will be language barriers (Opsahl & Pick 2017; Schügerl 2023).

#### 5.5 Deaf-specific services

The lack of deaf cultural awareness among hearing support service providers underlines the benefits of having deaf-specific services to provide support directly in sign language to deaf women who report DV. This mitigates the lack of widely available information in BSL, and also mitigates issues with sourcing interpreters or finding appropriately qualified interpreters:

I had previously considered going to a deaf counsellor, but I was just so uncertain about whether it would be right for me. I decided to try it and see how it went because even after 1 year the incident was still affecting me significantly. When I made contact with the deaf organisation it was really overwhelming because I finally got to be able to talk to someone in my language who understood me.

Straight away they offered support, information, workshops, and explained what I needed to do which was so empowering. I started to suddenly feel like I could see a light at the end of the tunnel. I had finally gotten the support I needed, and they understood exactly what it was I was needed without me even having to say it. It was so much easier dealing with someone directly in BSL and not having to use text or email. Looking back on my experience I should actually have gone to a deaf organisation in the first place. (Phoebe)

Although deaf-specific services might be preferred by some because of the ease of communication, others highlighted the fact that it is not always preferable due to the close networks in the deaf community (e.g., deaf support service providers may have gone to school with deaf perpetrators):

The problem is with the deaf community being small, there's a concern about confidentiality . . . if you were to disclose domestic violence everyone in the deaf community would know, it would spread so quickly. [Name of country] is a big country and then when you move to somewhere like the UK the deaf community is even smaller yet again, so that's why deaf people are so cautious. (Phoebe)

Therefore, as discussed earlier, concerns about confidentiality are relevant to deaf service providers as well as to interpreters. It would seem that the element of choice is crucial here; to give deaf women the option of whether they would prefer a deaf-specific service or to access a mainstream service via interpreters. This choice would be weighed up on their need to access information directly in a culturally deaf way and any concerns about confidentiality.

### *5.6 Training/education needs*

Several of the deaf women talked about how resources in BSL could be complemented by providing more training and education for deaf women in BSL so they can better understand what DV is:

The deaf community needs more training, most are not aware that domestic violence is more than just physical violence, there are so many other facets to

it that many are shocked to find out . . . I feel we need to make sure that they have an understanding of what a healthy relationship is, I don't think there's a lot of clear information available in BSL . . . Now I understand [that I was raped] and that's because we need more training and more information, the topic of domestic violence is not taboo anymore. We need this training so that women are aware that domestic violence is not only physical, it includes controlling and manipulative behaviour, emotional abuse, verbal abuse . . . I experienced all of those. But I didn't see that at the time. (Evelyn)

As found by Anderson and Kobek Pezzarossi (2012) and Mastrocinque et al. (2022) in the United States, deaf women often do not necessarily understand what is meant by DV, which we can see is also the case with deaf survivors in the UK. This lack of knowledge of what constitutes DV would also be another reason for why deaf women do not report it if they do not recognise what they are experiencing as DV (Opsahl & Pick 2017; Schügerl 2023).

Training was another theme raised in relation to interpreters and the fact that they ideally need to have training to understand the complexities of working in DV contexts:

I do wonder whether they can improve the [registration body] website, at the moment they allow interpreters to include the domains that they have worked in, for example, police, healthcare, community, and so on. There is no option to list that they have undertaken training in domestic violence, if they did it means that when a hearing service provider goes on to [website] they can see instantly that person has been trained to work in domestic violence situations and they can book them. They should definitely do that. (Phoebe)

Having specialised training for interpreters would mitigate many of the other issues that have been raised, for example, understanding of DV terminology and interpreters' reluctance to accept work. The views of the deaf female participants about the need for interpreter education in DV reaffirms the perception of interpreters themselves that they would like training to work in this context (Tipton 2018; 2023; Napier, Leeson, et al. 2023). This supports Opsahl and Pick (2017, 58), who state: "If more competent, culturally sensitive interpreters were trained for

disclosure situations in mental health or legal settings, it is possible that more deaf survivors would feel comfortable disclosing to the police or seeking medical assistance." Deaf cultural awareness training for police officers and other service providers would also reduce frustrations and barriers and improve the working relationship between interpreters and service providers in a highly sensitive context.

### *5.7 Recognition of diversity*

As noted earlier, deaf women who have other intersectional characteristics may face greater impacts from DV when accessing services because of additional barriers created through that intersectionality (Admire & Ramirez 2021). Several of the women interviewed who were from different minority ethnic backgrounds mentioned this specifically, with one example from Annie:

With [name of organisation] they did not have a full understanding of my ethnicity and background, they had more of a superficial understanding. I had to take on the burden of explaining my experiences, my background, and my culture to enable them to gain a better understanding, they didn't already have that knowledge . . . Obviously, they need to be more deaf aware and improve accessibility, without this it becomes very frustrating and can led to me feeling even more trapped. They need to ensure the process is as smooth as possible by having a greater awareness of the influence ethnic backgrounds can have to enable them to tailor their support to these sensitive issues. I was having to educate them on that, on top of the already stressful situation. (Annie)

As seen in this example from Annie, the intersectional experience of deaf DV survivors is compounded when service providers are already unsure of how to meet the needs of deaf women and do not know how to take other cultural issues into consideration. It is clear from the interview data that in the DV context, deaf women feel that in addition to already being vulnerable due to experiencing domestic violence, they are further disadvantaged because they are deaf. So, they experience a double disadvantage because they are deaf women (see

Becker & Jauregui 1985; Altıntaş 2020); and a triple disadvantage because they are deaf, female, and DV survivors (see Napier 2024). Furthermore, participants from minority ethnic backgrounds can face a quadruple disadvantage due to race/ethnicity being an additional intersectional factor.

## 6. Conclusion

Interviews with eight deaf female survivors of DV in the UK revealed that the lack of deaf cultural awareness on the part of service providers, understanding of DV-related issues on the part of interpreters, and the need for training for police officers and interpreters to work with women in DV contexts were critical issues. Alongside their reported needs for specific ongoing support in sign language, the deaf women reported frustrations with the provision of professional BSL interpreters either because no interpreter was available, the interpreter was inappropriate (because they did not have the knowledge required to work in DV settings), or that police or other service providers had asked someone else (i.e., not a professional interpreter) to interpret the interaction or did not know how to book an interpreter.

Overall, these findings emphasize the urgent need for improved accessibility to interpreter services for deaf women experiencing DV. Ensuring timely and reliable interpreter availability is crucial for their safety, well-being, and ability to navigate the systemic barriers in reporting DV (see Mastrocinque et al. 2022). It underscores the importance of addressing both temporality—the need for interpreters at any time—and capacity—ensuring there are enough interpreters available in a given area to meet the demand.

The most salient theme that emerged from the data was the lack of information, or access to services, in BSL. It is, therefore, evident that deaf women who experience language barriers in accessing support when they report DV can be considered as societally vulnerable, as noted by Federici (2020) with respect to migrant communities.

These interviews reinforce the notion that, based on their lived experiences, deaf female DV survivors can be considered as vulnerable in this context, not only

because they have experienced DV, but also because they are deaf. As such, it is clear there are many factors that need to be taken into consideration—not just the deployment of interpreters, or whether interpreters should accept work in DV settings, but also sociocultural factors, availability of information in BSL, and the recognition of diverse needs among deaf female survivors.

It should be acknowledged that the findings from this study only represent the perceptions of eight deaf BSL-using women in the UK and cannot necessarily be generalised. Nevertheless, the findings echo those from research with deaf women who are signers in other countries. The findings from this study also reiterate research that has been conducted with women who are minority language community members in the UK and elsewhere in Europe.

This study makes an important contribution to understanding the experiences of DV survivors who face structural barriers in accessing information and support to report DV. As well as reiterating findings of research by other authors, by drawing on the theoretical framework of intersectionality, this study makes a significant contribution to the discussion of minorities' rights from the specific angle of deaf communities and sign language interpreting, especially given the dearth of literature in the field.

It is hoped that the findings of this project will lead to a greater understanding of the access challenges for deaf female DV survivors; provide deeper insights into the urgent problem of communication in support for deaf female DV survivors; and what steps can be taken to reduce the vulnerability of deaf women after DV incidences. The findings also have implications for the consideration of migrant family DV situations, which can lead to policy recommendations for language services in DV contexts for all minority language speakers. As suggested by Federici (2020), changes in language policies may reduce language barriers, either by providing support services directly in the language of choice, or through professional interpreters. The results of this study can also feed into guidance for how services providing support to women in DV situations need to be tailored when the survivors do not have access to the majority language of the country.

In the Justisigns 2 report (Napier, Leeson, et al. 2023) we made recommendations to translate the findings of these interviews into policy and

impactful activities. As a result of a submission to the Scottish Government's Independent Strategic Review of Funding and Commissioning of Violence Against Women and Girls Services, it was recognised that deaf women's needs are not being met and that there should be targeted funding for deaf-specific DV support services for deaf women (Irving 2023).

Furthermore, a training course, toolkits, best practice guidelines, and factsheets have been developed for support service providers and interpreters to work together to be shared with professional stakeholder organisations; for police officers, social workers, healthcare professionals, and other DV support service providers with tips on working with women who are migrants, asylum seekers, refugees, or deaf signers; and for interpreters, with key issues to consider when working with female survivors of DV (see <https://justisigns2.com>).

Another outcome of the project that benefits deaf women and interpreters in particular was the creation of a BSL glossary of key DV terms, along with BSL translations of basic sentences for police officers to use if they encounter a deaf woman reporting DV before an interpreter can be found (see <https://signs.hw.ac.uk/justisigns2/>).

Training has been provided to deaf women in collaboration with deaf community support organisation Deaf Links in Dundee, Scotland, and also to police officers and interpreters in collaboration with Police Scotland and An Garda Síochána in rural parts of Scotland and Ireland (Napier, Clark, et al. 2023). Finally, in order to disseminate information to deaf women, we created a documentary presented in BSL that covers key challenges for deaf women, and features narratives from the deaf women interviewed in this study (Clark, Lever-Hogg & Napier 2023).

There is a clear need for more direct co-designed participatory research with deaf women who are survivors of DV with a focus on their lived experiences of interpreting in DV contexts, especially those from diverse backgrounds. There is also a need for further research on interpreter preparedness towards enhanced understanding of its impact on disclosures by victims and survivors of DV. The issue of vicarious trauma for interpreters and the gaps in understanding on the parts of law enforcement and support agencies about what constitutes positive access to interpreting for all parties are among the areas most urgently requiring further research.

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## Appendix 1

### Justisigns 2: Interview questions for deaf women

1. Tell us about your experience when the incident occurred? (you don't need to go into details of what actually happened but more once it had happened, what did you do and why).

2. Tell us about the kind of support you received. Who signposted you to that support? And in what order did the support come? (police, health, counselling, refuge).

3. Tell us anything positive and negative with the support.

4. Can you describe how their services were organized? E.g., interpreters, timeline.

5. Could you tell us about organizations/services you had contact with? Were any of them deaf-specific? Or specifically for BME communities?

6. How did it feel when you interacted with staff in their services? Could you communicate directly in your preferred language(s)? Were there interpreters some of the time/ all of the time/ none of the time?

7. Did you feel comfortable in terms of identity that the support professionals you came into contact with understood your needs (deaf, race, religion, etc.)?

8. What kind of aftercare support have you had (if any)? From what services? Did they meet your needs?

9. Did you have the same interpreters from the start to the end, with the choice of who you preferred?

10. Tell us about any challenges you experienced during your journey?

11. What do you think are the advantages/ disadvantages of going to a specialist service that specifically meets your needs (deaf/ ethnicity) or going to a mainstream service with interpreters?
12. Can you give us an example of when you felt most comfortable?
13. Can you identify any trainings needs for support service staff/police/interpreters?
14. Is there any other general information you would like to share with us?

## Appendix 2

### Contributor roles

Contributor role	Napier	Clark	Leeson	Quigley
Conceptualisation	X	X	X	
Funding acquisition	X		X	
Project administration	X	X	X	X
Supervision	X		X	
Methodology	X	X		
Resources (literature gathering & review)	X		X	
Data curation	X	X	X	X
Investigation	X	X		
Data analysis	X	X		
Data validation	X	X	X	X
Visualisation of data (tables, etc.)	X			
Writing, reviewing, editing	X	X	X	X





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## Asylum hearings in Italy: Who mediates between cultures?

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## Asylum hearings in Italy: Who mediates between cultures?<sup>1</sup>

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### Abstract

According to several legal scholars and practitioners, the most crucial factor for refugee status determination (RSD) is whether or not asylum seekers can provide credible evidence of a “well-founded fear” of persecution. However, this adjudication process is extremely complex as psychological, linguistic, and general cultural factors have a substantial impact on credibility. Through examining interpreter-mediated asylum hearings in Italy, this article brings to the fore the interconnections between asylum interpreting practices and (inter)cultural factors. More specifically, emphasis is placed on the roles of communication and culture to elucidate how interpreting enables and restrains asylum seekers in their efforts to establish themselves as deserving of protection. We argue that culturally-bound norms negatively and unevenly influence the outcomes of some asylum cases and support this claim with evidence from interpreter-mediated hearings with asylum seekers and immigration officers in central Italy. In order to analyse this data, we adopt an interaction- and discourse-centred approach. Training for interpreters working in this environment and improving the quality of asylum interpretation services will ultimately lead to fairer refugee status determination procedures and better professional ethics for.

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<sup>1</sup> This contribution was jointly conceived by the two authors. In the final version, Amalia Amato authored Sections 3.3, 4, 4.1, 4.2, 5, 5.1, 5.2, 5.3, 5.4, 6, 6.1, and 6.2, while Fabrizio Gallai authored Sections 1, 2, 3, 3.1, 3.2, and 6.3. The authors gratefully acknowledge the anonymous reviewers for their relevant and constructive comments.

**Keywords:** asylum hearings, interpreting, intercultural communicative competence, power asymmetry, intercultural training

## 1. Introduction

Communication between legal professionals and lay people can be challenging. When members of vulnerable groups such as asylum seekers and refugees are involved, these difficulties are exacerbated. Not being familiar with the discourse practices of the dominant culture or not speaking the majority language fluently, asylum seekers and refugees find themselves at a disadvantage when communicating with the authorities.

Over the past forty years, works related to forensic linguistics by various scholars (including Gibbons 1990; 2003; Roy 1990; Wadensjö 1998; Inghilleri 2003; and Heydon 2005) have investigated the issue of language before the law, focusing on complex legal language, but also on multilingual practices. Trained or untrained interpreters provide assistance to non-dominant language speakers in a variety of legal settings, from the courtroom to police and asylum hearings. In such hearings, the interpreter shares the narrative burden placed on the asylum seeker. In recounting their narratives out loud time and again, the asylum seeker's stakes are high, and the interpreter plays a key role in balancing or exacerbating the disadvantage of communicating to legal institutions in a foreign language.

Despite the increasing multilingualism faced by Western legal systems, not much progress has been made in terms of interacting with the multilingual community in public settings like courtrooms (Angermeyer 2014) and many jurisdictions are essentially monolingual and monocultural (Inghilleri 2003). Monolingual and monocultural norms are ingrained in power imbalances, which are particularly noticeable in asylum and refugee settings, where immigration officers' dominant ideologies impact claim assessments (Blommaert 2001).

Against this backdrop of power asymmetries, our article looks into the topic of interpreters' choices relating to intercultural communication, which may or may not rebalance power relations in a given context. In particular, the study

examines the impact of the dominant monolingual and monocultural ideologies on interpreter-mediated asylum hearings. The key question is: what are the causes behind—and solutions to—intercultural communicative issues in asylum interpreting practice?

In order to answer this question, we first discuss some of the main issues concerning the complex notion of intercultural communication in interpreting studies (Section 2), with a focus on legal and asylum settings (Section 3). Section 4 provides an overview of the normative aspects of the right to asylum in Italy, whilst in Section 5 we contextualise our data set and describe our discourse-analytical approach and Goffman's (1981) concept of *participatory framework*. Lastly, Section 6 focuses on data analysis and the discussion of intercultural challenges based on examples from our and other scholars' datasets. Conclusions (Section 7) underscore the role of interpreters as co-constructors of asylum narratives, and how their understanding of their intercultural role impacts on the interviews.

## 2. Intercultural communication in interpreting contexts

Interpreters fulfil the crucial role of facilitating communication and cultural understanding across various professional domains (Kondo et al. 1997). Specifically, community interpreters aid in the functioning of multilingual societies by supporting immigrant communities in legal, medical, and law-enforcement settings (Commission of the European Communities 2005, III.6). However, interpreters often encounter challenges in asserting their role as communicators due to power dynamics inherent in institutional contexts. In recent decades, translation and interpreting studies have increasingly examined the interplay between language, context, and power dynamics (Inghilleri 2003; Bassnett 2007), focusing on individual agency and its dialogue with social structures. While traditional cultural macro-level analyses risk overlooking individual agency and its drivers and constraints, cultural approaches in translation and interpreting studies have stressed how culture interacts with individual experiences, shaping perceptions and interpretations (Spencer-Oatey 2000; Katan 2009). From this perspective culture is "a fuzzy set of attitudes, beliefs, behavioural norms, and

basic assumptions and values that are shared by a group of people, and that influence each member's behaviour and his/her interpretations of the 'meaning' of other people's behaviour" (Spencer-Oatey 2000, 4).

The *performative* aspects of culture encompass the ways in which culture is enacted and expressed through behaviour, language, rituals, symbols, and social interactions. These aspects involve the active performance and embodiment of cultural norms, values, and identities within specific contexts (e.g., Simon 1996; 1997). Examples include gestures, rituals, ceremonies, language use, dress codes, and other symbolic practices that communicate cultural meanings and identities. Language is employed as a primary medium while performing culture, making it the most crucial element in both intercultural communication and interpreting (House 2020). Participants in an interpreter-mediated encounter come with different cultural backgrounds, along with diverging life experiences and positionalities. The impact of such differences is especially noticeable in dialogue interpreting, often involving migrant, multilingual/multicultural communities.

Scholars have extensively explored the role of interpreter *positionality* in shaping the construction of the performative aspects of culture, considering factors such as their linguistic proficiency, cultural background, socioeconomic status, and personal biases (Baker 2006b; Salama-Carr 2007; Snellman 2016; Ruiz Rosendo 2021; Gómez-Amich 2023). Such factors influence not only their linguistic choices, but also their interpretations of cultural nuances, gestures, and implicit meanings embedded within communication. For instance, an interpreter's own cultural beliefs and biases may (inadvertently) influence their rendering of certain cultural expressions or idiomatic phrases, potentially leading to misunderstandings or misinterpretations. In turn, how culture is performed in interpreted encounters plays a crucial role in shaping intercultural power dynamics. Interpreters must strike a delicate balance between *fidelity* to the source message and *sensitivity* to the performative aspects of culture, adapting to align with the cultural norms and expectations of both interlocutors and power dynamics (Snellman 2016).

The performative element of language and culture in interpreting can be analysed with reference to specific *discursive contexts* (Baker 2006a), which are

defined as a set of cultural norms, practices, and conditions that influence how people talk (see Foucault 1981). According to Lindstrom (1992, 102), context can be seen as a “field of power relations,” in which the rules and conditions in place impose restrictions on what can be said and how it can be said. Even though the setting in which people interact creates power disparities between them, it is still crucial to recognise the potential for individual micro-power. People in less powerful positions—such as, at times, interpreters—may say or do things that are not expected of them, challenging the context (Pöllabauer 2004; 2005; 2007). Such challenges result in a form of *recontextualisation*, which potentially rebalances the field of power relations.

Recognising the interplay of language, context, and power in interpretation, intercultural communication can be understood as broad behavioural patterns followed by individuals within contextual power systems, with language serving as a pivotal medium. Transitioning from intercultural communication in interpreting, we will turn to intercultural issues in legal contexts, particularly examining interpreter-mediated asylum hearings. We will specifically focus on the impact of monolingual and monocultural ideologies on representations and credibility assessments of asylum seekers.

### **3. Approaching the legal process from an intercultural perspective**

Legal systems are cultural products—just like religion, ideology, or art (Geertz 1983). They are “structures of meaning in terms of which individuals and groups of individuals live out their lives, ... symbols through whose agency such structures are formed, communicated, imposed, shared, altered, reproduced” (Geertz 1983, 182).

Legal contexts—such as asylum hearings or police interviews—typically involve participants from diverse cultural backgrounds who come to the interactions imbued with assumptions about norms of communication, grounded in their individual personal, professional, and other socio-cultural affiliations. Interpreters in these contexts may affect the dynamics of such interactions and are simultaneously affected by the norms and expectations

about who they are and what they are called upon to do (see Sections 2 and 3.3).

### *3.1 Interactional constraints in legal settings*

All legal interpreting settings share certain “contextual constraints” (Jacobsen 2009, 158), such as the ad hoc, institutionalised, and triadic nature of the speech event, in a setting involving the interpreter and two or more primary participants—that is, a member of the legal authorities with a certain amount of power and an interviewee (the non-dominant language speaker) with a small amount of power or no power at all (Englund Dimitrova 1997; Roy 2000). Naturally, these and other contextual constraints have an impact on the way meanings are negotiated within the interaction (Wadensjö 1998; Jacobsen 2002).

One of the constraints is the rule-oriented stance in legal settings, which most closely matches the beliefs, values, and norms of legal professionals. This legal perspective in interactions between professionals and lay people is discussed by Mertz (2007), who draws a picture of two (or more) distinct discourses in contact—the *real-world* discourse of experiences, social relationships, and personal narratives, and the *legal* discourse of abstract rules, categories, and analysis. Legal accounts focus exclusively on those “facts” which are relevant to legal rules and omit much of the social background which would normally form part of a lay narrative. Mertz (2007, 132) refers to this process of selection and prioritisation as “cultural dominance” and “cultural invisibility,” arguing that “important aspects of social context and identity have become invisible [while] other aspects of dominant culture and assumptions become highly visible.”

Much attention has also been paid to the very agent at the centre of interviews in legal settings—institutional setups where power asymmetry is the norm—namely, the interviewer. According to Labov and Fanshel (1977, 30), an interview is “a speech event in which the person, A, extracts information from another person, B, which was contained in B’s biography.”

Interviews in legal contexts are of such a nature that many turns on the part of the questioner can be said to function as a question, regardless of their syntactic

form (Newbury & Johnson 2006). It has been argued that there are two main functions of questions: “a genuine process of elicitation of information . . . [and] to obtain confirmation of a particular version of events that the questioner has in mind” (Gibbons 2003, 95).

Different syntactic forms exert different degrees of constraint on the possible responses, and questioners in these contexts often make strategic use of their options. In legal settings, power differentials are compounded by turns being pre-allocated, which implies that a respondent will usually be powerless to refute any propositions contained within questions, or to elaborate when question form calls for a minimal response. According to Drew and Heritage (1993, 49), the question-and-answer sequence gives members of institutions “a measure of control over the introduction of topics and, hence, of the ‘agenda’ for the occasion.”

### *3.2 Asylum hearings and differences in cultural norms*

In asylum hearings power disparities are ever more evident, and studies in this field often look into intercultural communication problems related to super-diversity (Vertovec 2007) and multilingualism. In their attempt to determine an applicant’s credibility, officers may ask applicants to produce physical evidence of bodily harm, describe the graphic details of sexual encounters, and account for any and all delays in their decisions to flee their homes. Against this backdrop, interpreting in asylum hearings also involves mitigating the potential for communication breakdown in a setting marked by trauma and cultural differences.

A number of discrepancies are examined in Inghilleri’s (2005, 70) study, which suggests that, given the present constitution of the public service interpreting profession as a “zone of uncertainty”—a Bordieuan term used to refer to weak positions located in the gaps between fields within social spaces—the status of interpreters’ knowledge within interpreted events remains vulnerable to exercises of power. Under these conditions, the “interpreting habitus” (Inghilleri 2005) remains geared towards the maintenance of control of the social and

interactive space by the dominant legal and political institutions involved in the asylum process.

Differences in cultural norms may have an effect on the outcome of a case if applicants and officers are unaware of negotiating these differences. In a study on the Swiss asylum process, Kälin (1986) explores five obstacles that can distort communication during asylum hearings and endanger an application process: influence of interpreters, manner of expression, culturally-bound concepts, differences in the perception of time and space, and cultural differences in expectations surrounding the ideas of truth and lies. In his account, especially in cases without extensive written evidence, in-person communication between the asylum seeker and the asylum officer or immigration judge is said to be fundamental.

A factor that may contribute to communication breakdowns is the use of a lingua franca, which has become increasingly common. Variation in pronunciation—for non-native speakers but also speakers of less prestigious varieties of the lingua franca—may lead to misunderstanding (e.g., Maryns 2006; Jacquemet 2011). Maryns (2006) documents examples of difficulty associated with the use of Nigerian English in asylum hearings, whilst Du (2018) provides similar instances in Chinese courts, where comprehension between interlocutors becomes challenging when they speak different varieties of English.

Another aspect of possible intercultural miscommunication relates to different story-telling styles across cultures. When assessing credibility, consistency in narratives is the key standard in evaluations (Spijkerboer 2005). While a coherent story of reasons behind seeking protection is expected to motivate the request for protection, many asylum seekers are not familiar with the discourse requirements and may regard their individual discourse practices as appropriate (Pöllabauer 2004). Complex stories of journeys are often structurally disjointed, leaving decision-makers with insufficient amounts of information to determine credibility. In particular, many African cultures are renowned for their oral tradition of storytelling, which functions not only to transmit knowledge and information across generations, but also to teach morals, norms, and values (Alidou 2002). Descriptive communication patterns are particularly problematic

when it comes to *yes-no* questions (Cho 2021, 32). Whereas authorities may expect a single answer, applicants may provide contexts for specific events, rather than answering “yes” or “no.”

While officers are authorised to determine the truthfulness of narratives by exercising their cultural knowledge and common sense, assessing claims based on the applicants’ macro background risks uniform approaches to understanding cultures which are highly individualistic (Smith-Khan 2017). Furthermore, there is a risk that officers draw upon their limited understandings of a group and disregard behaviours which do not fit their own cultural assumptions (Shuman & Bohmer 2014).

Another area that renders communication in this context challenging is the lack of shared knowledge and officers’ cultural awareness of terms of address and kinship (Good 2007). In the asylum-seeking procedure, the credibility of asylum seekers is often evaluated on the basis of the denotational information (personal and place names) they provide to asylum officers, who then apply their own referential knowledge to assess its accuracy. Yet, problems may arise because of “discrepant semiotics of the referential world” (Jacquemet 2015, 73). In the Italian asylum procedure, as well as the hearings by the United Nations High Commissioner for Refugees, Jacquemet (2015) notices that communication breakdowns occur when officials demand absolute accuracy from asylum seekers of personal and place names. In particular, Jacquemet shows that in the authorities’ search for denotational accuracy, proper names become evidence of the lack of shared knowledge, characterizing these superdiverse institutional interactions. This leads to “an inferential avalanche of serious consequences: suspicion based on lack of shared knowledge leads to misunderstandings, and this in turn leads to a loss of credibility for the asylum-seeker” (2015, 80).

A specific miscommunication issue may stem from the broad cultural differences in terms of the notion of family. Whereas a family in the Western world is mostly associated with a unit comprised of parents and children, in some parts of Africa, a family is much wider in terms of scope. This may include not only children and parents, but also grandparents, uncles, and brothers and sisters who may have their own children and relatives (Mbiti 1990). Polygamous

marriage, which is practised in parts of Africa, may also contribute to the extended notion of a family.

Lastly, a gap between authorities' assumptions and individual practices is clear when it comes to assessing emotions when applicants provide accounts of their journeys, many of which are traumatic. Officers may expect the story to be accompanied by an appropriate amount of emotion (Spijkerboer 2005). As applicants are expected to show an "appropriate" level of emotion at "appropriate" moments, behaviours that do not fit the dominant cultural assumptions are likely to be seen with suspicion. Showing too much emotion can have a negative impact, because the officer may see the applicant as dramatic or hysterical, whilst too little emotion is not deemed credible either, although displaying little emotion when retelling traumatic events is not uncommon among refugees from particular geographical locations (Shuman & Bohmer 2014).

### 3.3 *Conflicting roles and expectations of interpreters in asylum hearings*

There appears to be disagreement in the scholarly literature on interpreters' role expectations and their status as intercultural communicators. Interpreters have been assigned a variety of roles, including those of *intermediaries*, *mediators*, *gate-keepers*, and "intercultural agents" (Barsky 1994).

Leanza (2005) identified four possible roles of interpreters with respect to culture. Though formulated for medical settings, this categorisation can also be fruitfully applied to legal contexts. When playing the role of system agent, interpreters transmit the dominant discourse, values, and norms to the patient by mitigating cultural differences and fostering assimilation rather than integration. The role of *community agent* implies the exact opposite, with the values and norms of the minority (patient or asylum seeker) presented as being as valid as the dominant values and norms, thereby recognising cultural differences. In the role of *integration agent*, interpreters help people from a cultural minority to understand and negotiate meanings and to adopt behaviours that acknowledge the coexistence of two different cultures. Finally, as a *linguistic agent*, interpreters attempt to maintain a position of impartiality

(as far as that is possible) by operating solely on the language and not on the object of the interaction.

In a more recent study, Leanza et al. (2015) identified very similar roles but made a distinction between the role of translator, understood as the practice of word-for-word interpreting (recognised as impossible), and that of interpreter, where “subjectivity was necessary to understand and convey meaning” (2015, 363) and understanding of the psychological concepts and cultural background of patients was a requirement (2015, 363).

Interpreter’s roles, though, are not only determined by their decisions about how to position themselves with regard to cultural differences. There can be conflicting expectations or demands by the other participants in an interpreter-mediated interaction. Pöllabauer (2004; 2005; 2007) extensively analysed asylum interpreters’ role performance, their positioning in the primary parties’ asymmetrical power relation, and their adherence to professional norms. She found “highly discrepant behaviour which seems to be determined mainly by the officers’ expectations” (Pöllabauer 2004, 174–175) and observes that the interpreters, far from being “invisible” and neutral, intervene in a number of ways. The clash of expectations is widely confirmed by other researchers.

Gibb and Good (2014) discuss expectations of literary or *verbatim* interpreting as requested by the OFPRA (French Office for the Protection of Refugees and Stateless Persons) in France and the UK Border Agency, both dealing with refugee status determination (RSD) procedures. Such expectations contradict research-based evidence showing that *verbatim* translation may result in a nonsensical or incorrect meaning (Wadensjö 1998). Cultural differences, for instance in “dates in non-Western calendars, or kin terms when kinship is structured very differently, that are inherently impossible to translate exactly or *verbatim*” (Gibb & Good 2014, 395) further compound the impossibility of meeting the expectation for literal interpreting. Conversely, interpreters may feel they have to help adjudicating authorities and make decisions which clash with their role, for instance giving their opinion on the credibility of the information provided by the appellants during RSD appeals. Such self-imposed expectations were reported by Gill et al. (2016), who surveyed 240 hearings in the UK asylum appeal system and found that in 6.7% of cases the interpreters offered their opinion to the judge.

In Italy an inherent ambiguity arises from the dual role expected of intercultural mediators: to actively facilitate communication while maintaining neutrality in interpreting settings. The definition provided by the Italian Council for Labour and Economic Affairs (CNEL) in 2009 states that intercultural mediators are active agents but should never replace the two parties in the interaction (see Section 4). While playing the role of an active agent/advocate, the intercultural mediator is expected to respect at the same time the Code of Conduct for Asylum Hearings (Centro Informazione e Educazione Allo Sviluppo Onlus (CIES) 2024), which states that individuals who interpret in asylum hearings should not side with one of the parties involved in the proceedings. How can a message be transferred into another language without adding or omitting anything while conveying cultural aspects for which the target language has no specific terms and adjusting the language to the interlocutors, as required by the same code of conduct? The complexities highlighted by scholars such as Merlini (2009), Katan (2015), and Taviano (2020) underscore the inherent tension between the roles of advocate and neutral interpreter. This tension suggests the need for clear guidelines and ongoing training to help interpreters navigate these challenges effectively while upholding professional standards and ethical principles.

Faithfulness is another conflict-ridden issue. Interpreters in asylum hearings may find themselves facing the dilemma of respecting the low register and grammar mistakes of an asylum seeker and being judged as a bad interpreter or raising the register to save face as good interpreters (Gibb & Good 2014).<sup>2</sup> In hearings where applicants had to disclose sexual abuse, Baillot, Cowan, and Munro found that interpreters mitigated expressions of sexual violence, using euphemisms or modifying them to “transform them into the ‘right English’ to the benefit of listeners” (2012, 285).

Having highlighted the complexity and dilemmas interpreters often face in asylum hearings, we will now briefly explore the provision of asylum interpreting in Italy and some of its main features.

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<sup>2</sup> See also Pöllabauer (2007) for face-saving moves by interpreters in asylum settings.

#### 4. Asylum interpreting in Italy

Asylum interpreting in Italy is mainly carried out by intercultural mediators (also called language mediators or language and cultural mediators). This professional profile was first defined by CNEL in 2000, long after a significant influx of migrants to Italy, turning it from a country of origin to a prominent destination for migrants, notably from Africa. In 2009, the job description and role definition of intercultural mediators were reviewed and are now described as follows:

The intercultural mediator is an active agent in the process of social integration and works to facilitate communication, dialogue, and mutual understanding between people with different cultures, languages, and religions. They are professionals who act in high-density immigration contexts, facilitating relations between migrant citizens and institutions, public services, and private facilities, *without replacing* either one or the other. (CNEL 2009, 4, translation by the authors)

The role boundaries are explicitly set in the text: intercultural mediators *facilitate* communication and integration but are not supposed to *replace* the primary parties involved in the process, that is, the migrant and the representative of the institution, organisation, or service provider of the host country.

The same document (CNEL 2009, 3) lists the requirements to become an intercultural mediator:

The *basic requirements* to perform the task of intercultural mediator are relational/communication skills and linguistic/cultural interpreting skills. These skills can mainly be found in people who, due to personal or family experiences of migration, are familiar with the language and culture of the target migrant population. (Authors' translation)

The requirements of communication and interpreting skills together with the knowledge of the language and culture of the migrant population are clearly stated, while a migratory background is preferred but not mandatory.

In actual fact, intercultural mediators who act as interpreters in asylum settings in Italy are mainly migrants or refugees who have different levels of proficiency in Italian. When they come from the same country as the applicant but have been living in Italy for some years, they are usually more educated, but less exposed to their native language (which becomes weaker as a result). Those who have only recently arrived in Italy are very proficient in their mother tongue but have a poor knowledge of Italian.<sup>3</sup> Mack (2005, 9–10) identified two types of profiles for asylum interpreters in the Italian context: the large majority are intercultural mediators, often untrained in interpreting, who are frequently (children of) migrants themselves and have a similar background to the applicants; and a minority are trained interpreters who work with the main vehicular languages—such as English as lingua franca and French—and mainly have an Italian background with no significant links to the applicants' native countries. One of the reasons is that the Italian higher education system (both academic and vocational), which offers training in intercultural mediation, does not cover the languages of migrant populations, nor are there university-level courses in those languages. This precludes the possibility of receiving training to develop the relevant linguistic and cultural background along with mediation skills. The issue of (insufficient) training in this area has been raised in several studies focusing on different settings (Amato & Garwood 2011; Sorgoni 2013; Rudvin & Pesare 2015; Veglio 2017).

Another significant concern is the employment arrangement of intercultural mediators who work as free-lance interpreters in asylum settings, as well as other public service settings in Italy. They are mainly engaged by cooperatives that secure contracts through competitive bidding, where the selection criteria often prioritise cost, resulting in minimal remuneration for the interpreters. As a consequence, intercultural mediation and interpreting frequently serve as temporary employment for refugees or migrants, who often seek better-paying opportunities as soon as possible. In their study about intercultural mediation

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<sup>3</sup> A similar situation is described in Melhem, Collart, and Elman's (2022) work on interpreters working for the International Criminal Court.

at the ports of arrival and reception centres in Sicily, Filmer and Federici found that intercultural mediators “are among the first responders to the arrival of vessels to Italy” and “these figures, often professionals, at times members of NGOs, do not have to have a recognized qualification” (2018, 238). The lack of formal accreditation is primarily due to the absence of an accreditation system for interpreting or language mediation in any setting, including asylum, and the absence of specific requirements pertaining to language proficiency, legal terminology knowledge, or interpreting techniques. The same intercultural mediators who work for the police or the national healthcare service are recruited as interpreters in asylum hearings, thus creating confusion between two professional profiles with different remits.

Besides all the above-mentioned challenges and complexities, interpreters in asylum hearings are also called upon to give voice to extremely vulnerable persons, as we will see in the next section.

#### *4.1 Vulnerability of asylum seekers and their language/cultural mediation needs*

Asylum seekers and refugees who arrive in Italy have “vulnerability factors . . . in addition to those typical of other immigrants” (Catarci 2016, 27). They are often survivors of traumatic experiences such as persecution, war, or conflict, a hard and dangerous journey, torture, or sexual abuse, which have an impact on their mental and physical health. These survivors therefore need special support which they cannot obtain without language and cultural mediation. Among them there are unaccompanied children, old people, pregnant women, single parents, and disabled people.<sup>4</sup> In their review of articles published in Portuguese, English, Spanish, and French by PubMed, SciELO, LILACS, and ISI Web of Science databases, Bustamante et al. (2018, 222) report that the prevalence of posttraumatic stress disorder (PTSD) among refugees is nearly twice the already very high rate of 47% in migrant workers.

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<sup>4</sup> In 2023, 17,319 unaccompanied children arrived in Italy by sea according to data published by the Italian Ministry of Interior (2023).

The manual by Schippers et al. (2016, 50) contains a list of protective factors for unaccompanied migrant children, based on scientific literature, which includes social support. Again, this is unachievable without language mediation which makes communication possible for a foreigner in the local language of the host country.

Another factor which increases vulnerability of asylum seekers, refugees, and migrants in general in Italy is a widespread negative attitude toward immigration, often perceived as an invasion and associated with criminality and terrorism—also due to an overestimation of the number of arrivals (Catarci 2016, 30) and to the definition by the media of a “migrant emergency” (Filmer & Federici 2018, 1).

Looking at the Italian system of language assistance briefly described above, it seems that people who are most vulnerable and in need of qualified language assistance and intercultural mediation often get unqualified linguists for lack of a better choice (Veglio 2024).

#### *4.2 Refugee status determination (RSD) in Italy*

The Constitution of the Italian Republic (Italy. Constituent Assembly 1947) enshrined the right of asylum under article 10.3 which states that “a foreigner who, in his home country, is denied the actual exercise of the democratic freedoms guaranteed by the Italian constitution shall be entitled to the right of asylum.” At international level a *refugee status* was mentioned for the first time in the introduction of the Refugee Convention signed in Geneva (United Nations 1951), which under A(2) defines a refugee as a third country national or a stateless person who has “well-founded fear of persecution for reasons of race, religion, nationality, membership of a “particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.” Italy is a State party to the Convention.

Currently the procedure to obtain asylum in Italy starts at the police headquarters or stations where applicants can lodge their application by filling in a form providing details about themselves, their family, and their journey. In due

course they are summoned to undergo an asylum hearing aimed at refugee status determination, the process by which governments or the UNHCR (United Nations High Commissioner for Refugees) determine whether a person seeking protection is considered a refugee under international, regional, or national law (Arcella 2022, 87). In Italy, asylum hearings and the assessment of international protection applications are administrative proceedings entrusted to territorial commissions (TCs) based at Italian prefectures<sup>5</sup> (Italy. Ministry of Interior 2019, 17). TCs' activities are coordinated by the National Commission for the Right to Asylum, based in Rome, which is also responsible for the revocation and termination of international protection status. The TCs are chaired by an officer of the relevant prefecture and are composed of two administrative officials of the Ministry of the Interior—hired through a competitive examination and with specialisation in the field of asylum and international law—and an expert on international protection and human rights appointed by the UNHCR. Extended interviews during hearings for RSD are conducted by only one member of the TC, while final decisions are taken collectively based on the interview report (a summarised transcript).

Since the hearings are always conducted in Italian, applicants who do not speak Italian have the right to express themselves in their own language or another language they speak or are reasonably supposed to speak and to be assisted by an interpreter paid by the State, while a lawyer will be at their own expense (European Parliament & Council of the European Union 2013). If the application for refugee status is rejected, the applicant may appeal before a civil court with a specialised section on immigration and free movement of EU citizens, established by Law no. 46/2017 (Italy. Parliament 2017). The court is composed of three judges, and the appellant is entitled to legal aid (Article 16, Legislative Decree 25/2008; see Italy's Council of Ministers 2008). A second-degree appeal is possible before a Court of Appeal.

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<sup>5</sup> The *Prefettura* (Prefecture) in Italy is an administrative body responsible for various governmental functions at the local level. Its responsibilities can vary, but typically include public order, civil protection, as well as migration and immigration issues.

Having highlighted the language and cultural barriers and the high complexity embedded in an interpreter-mediated asylum interview in the previous sections, the next sections will focus on real data collected during eight asylum hearings mediated by interpreters to try and highlight if and how intercultural mediation emerges from sequences of talk.

## 5. Real-life material and methods

Our data set was collected within a national project which explores the role, ethics, and training of English-Italian asylum interpreters and involves scholars from three different Italian Universities.<sup>6</sup> Its major aim is to examine different aspects of interpreter-mediated communication in the asylum process by observing various hearings.

### 5.1 Data collection

In general, there are some issues in gaining full access to data in asylum hearings given their sensitivity (Nikolaïdou, Rehnberg & Wadensjö 2019). In particular, the main issue in Italy is that the vast majority of them are not currently being recorded,<sup>7</sup> nor can they be taped for research purposes.

Before starting the project, the two researchers met with a representative of the Prefecture and it was agreed that the researchers would conduct an observational study, take field notes, and make anonymised live transcriptions for research and training purposes only. An authorisation from the National Asylum Commission

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<sup>6</sup> It is a national project on the role, ethics, and training of intercultural mediators who interpret in asylum hearings with English-speaking applicants. The researchers involved come from the University of Bologna, UNINT in Rome, and the University of Turin. The project's final deliverable is an interprofessional training module addressed to asylum officers and interpreters to help improve interpreter-mediated communication and teamwork.

<sup>7</sup> Video recordings are provided for by Italian Legislative Decree no. 142 /2015 (Italy. Parliament 2015) but could not be made due to lack of technical equipment at the time of our data collection.

in Rome was sought by the Prefecture and granted. A framework agreement was signed by the project leader (UNINT) and the Prefecture, containing the approval of the research project and all the conditions concerning personal data protection and the consent by all participants. They were all informed that the researchers were there only to study interpreter-mediated communication and that they would leave before the hearing started if they did not want them to observe the interaction, or at any time during the hearing should they not want them to be present.

The Prefecture selected a number of interpreter-mediated hearings which involved applicants speaking Nigerian Standard English (NSE) or Nigerian Pidgin English (NPE), along with Edo and Igbo, and took place between January and July 2023. The following table summarises the main information about the hearings. In the table, the acronym ST stands for sight translation—of the written report produced by the officer—performed by interpreters at the end of the interview; capital letters A, R, I, and O followed by a number identify applicants, researchers, interpreters, and officers who took part in each hearing. The total duration of each hearing is also shown in the table.

# hearing	A	A's gender	A's spoken languages	Total duration	R	I	O
1	A1	M	NSE, NPE	2h hearing (Int) + 20' sight transl. (ST)	R2: Male	I1: Female	O1: Male
2	A2	M	NSE, NPE	40' Int + 40' ST	R1: Female	I2: Male	O2: Male
3	A3	M	NSE, NPE	1h 27' Int + 25' ST + 5' follow-up Qs	R1	I3: Female	O3: Male
4	A4	F	Edo, NSE, NPE	1 h 13' Int + 16' ST + 41' follow-up Qs	R1	I4: Female	O3: Male
5	A5	F	NSE, NPE	1 h 50' Int (No ST)	R2	I4: Female	O4: Male
6	A6	F	NSE, NPE	2 h Int + 30' ST	R2	I4: Female	O4: Male
7	A7	M	NSE, NPE	47' Int + 13' ST	R2	I5: Female	O3: Male
8	A8	M	Igbo, NSE, NPE	1h 15' Int + 22' ST	R2: Male	I5: Female	O3: Male

Table 1: List of hearings in our data set

Hearings were conducted by four different officers with the help of five intercultural mediators of Nigerian origin serving as interpreters, who all work for CIES, an organisation based in Rome that secured a national contract for language service provision. Two of the interpreters had never received any training in interpreting, whilst we have no information on the other three. It must be noted that asylum seekers had different degrees of competence in NSE, and our data analysis suggests that at times interpreter and applicant spoke different varieties of NSE/NPE (see Section 3.2 on the issue of a lingua franca).

Besides field notes and live transcriptions (see Section 5.3), the researchers also collected two written reports obtained through an association of lawyers who defend appeals against refugee status rejections.

## 5.2 Structure of the hearings

Although participants vary, the structure of the hearings we observed was the same and is briefly sketched below:

- *Before the hearing:*  
Interviewer and interpreter collect the applicant from the waiting room. The interpreter is asked to translate a leaflet explaining the asylum proceedings, the composition of the TC, how a decision is taken, etc.
- *During the hearing (4 phases):*<sup>8</sup>
  - Phase 1: Closed questions—based on country-of-origin information (COI) and the form filled in at the police station—about background, family, education, religion, employment, etc.

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<sup>8</sup> The most widely used interviewing techniques in this field in Italy are based on the dialogical communication method—promoted by the European Union Agency for Asylum (EUAA 2024)—and the P.E.A.C.E. (prepare, explain, account, closure, evaluation) model, as indicated in the guidelines by UNHCR’s Quality Unit within Italy’s Commission for the Right to Asylum (UNHCR 2024).

- Phase 2: Open questions about the journey from the country of origin to the arrival in Italy, with attention to places of transit if they are relevant. Free narrative: applicants speak at length, according to their abilities.
  - Phase 3: Probing, clarifying and follow-up questions on the journey for cross examination.
  - Phase 4: Open questions aimed to introduce corrections, additions, etc.
- 
- *Immediately after the hearing:*  
The oral account of events is remoulded and preserved in the interview report which is the basis for the final decision. Interpreters are called upon to sight translate the report before it is signed by the primary parties.

### 5.3 Data selection and transcription

The combination of observation and note-taking is a complex process, thus only some sequences of talk have been annotated in their entirety and will be used in our analysis. Since they were transcribed as the interaction unfolded and no recording was available, there was no way to measure pauses which are only marked by (.). The speed of utterances or ascending or descending tone could not be transcribed except for questions. Incomplete utterances were transcribed using a slash and a hyphen was used for truncated words. Inaudible expressions are marked as xxx, vowel or consonant lengthening with colons, and emphasis in bold type. Notwithstanding the above-mentioned limitations, the data set is unique since it provides real-life data from a rarely explored setting.

The researchers were allowed to listen to the sight translation of the interview report from Italian into the applicant's language and were given a copy to read at the end of the hearing. All the examples and excerpts in this paper were checked against the officer's report in Italian for content purposes.

#### 5.4 Data analysis

Data analysis was conducted at two interactional levels: macro level, by observing and identifying the different phases of the hearings—as reported in Section 5.2—and micro level, by a turn-by-turn analysis of some sequences of talk.

At micro level, the focus was placed on concepts which, in our data set, recurrently lead to misunderstandings or hampered communication, mainly due to differences in the applicant's and officer's cultures. In particular, the notions of family relationships, ethnicity, and nationality/citizenship will be illustrated and discussed on the basis of examples taken from our data, and from data collected and published by Pöllabauer (2004, 172) and Sorgoni (2013, 143–144), who have investigated interpreting in asylum settings. Their data will be compared to some excerpts from our own data set to highlight some similarities in terms of socio-cultural gaps between the asylum seeker on one side, and interpreter and officer on the other side, and to see if and how intercultural mediation occurs.

Pöllabauer (2004) collected the audio recordings of 201 authentic asylum hearings, between October 2000 and July 2001 at the Federal Asylum Office in Graz, with a total length of recordings of 20 hours and 46 minutes. Sorgoni (2013) collected data in different Italian police headquarters and police stations where the RSD starts with an interview by a police officer (and an interpreter) who fills in a form containing questions about personal details, family members, citizenship, religion, language, education/employment, and detailed information about the journey and arrival in Italy. The idea behind comparing sequences of talk drawn from our data set to similar sequences occurring in other asylum settings and at other times is to try and give more validity to our observations, showing that they are not isolated cases nor linked to our data set only.

Methodologically, we adopt Goffman's (1981) concept of *participatory framework*, mediated through Wadensjö's (1998) categories of interpreter renditions which are applied to the micro level in order to analyse the phenomena from a sociological perspective. Wadensjö's (1998) study of dialogue interpreters has provided major insights into the interpreter's role as translator and coordinator. Her full-length work drew mainly on Goffman's interactional sociolinguistics, and

in particular on his concept of footing, to describe the primary participants' and the interpreter's relationship to each other.

## 6. Cultural knowledge for intercultural mediation

In the following sections we will focus on (recurring) cultural and knowledge differences which need mediation during asylum hearings, based on the data collected by the authors and two above-mentioned scholars (see Section 5.4).

The aim is to identify socio-cultural differences that emerge during these interactions, and to exemplify how intercultural mediation can succeed or fail to bridge these differences. Due to space limitations, it is not possible to deal with all the cultural differences we encountered in asylum hearings here. They include different denotations and connotations attached to words and the different value attributed to accuracy in reporting dates and geographical names, which are part of the credibility assessment for asylum adjudicating bodies but may not have the same relevance for applicants. Here we will focus only on the concepts of citizenship/nationality/ethnicity and relationships which recurrently reveal themselves as cultural barriers in the RSD process.

### 6.1 Citizenship/Nationality

In the following excerpt, drawn from our data (hearing 6, phase 1), the officer asks the applicant about her nationality after having enquired about her children's nationality since they were born in Germany:

#### *Example 1: Hearing 6*

01	04.	OK (.) bene (.) er:: tu invece di quale paese di quale paese sei cittadina?
		OK (.) fine (.) er:: you instead what country are you a citizen of?

- 02 I4. he says what about you? he says which country do you have the citizenship?
- 03 A6. which...?
- 04 I4. country
- 05 A6. eh?
- 06 I4. do you have the citizenship?
- 07 A6. me?
- 08 I4. yeah (.) io?  
yeah ((addressed to A6.)) me? ((addressed to O4.))
- 09 A6. no (.) non capisco (.) I don't understand  
*I don't understand ((first uttered in Italian and then again in English))*
- 10 I4. which country er do you get the: which country do you came from?
- 11 A6. where me came from? I came from Nigeria
- 12 I4. io vengo dalla Nigeria  
*I come from Nigeria*

The change of topic from the children's nationality to the applicant's citizenship and the concept of citizenship itself seem to confuse the applicant who, after three turns where she clearly shows she did not understand the question, finally states her lack of understanding. Since her signs of incomprehension have not been taken up by the interpreter, nor have they been conveyed to the officer, and the applicant wants to make sure she is understood, she resorts to Italian, formulating a turn partly in Italian and partly in English.

Towards the end of the exchange the interpreter rephrases the question, and the applicant finally provides an answer, although no explanation of the concept of citizenship is provided to her by the interpreter or the officer, similarly to what happens in the data collected by Pöllabauer (2004, 172) and presented in the next example. Pöllabauer's (2004) transcriptions were reformatted to be uniform with the excerpts from our data set.

Example 2: from Pöllabauer (2004, 172)

- O. dann gesamt/  
we will then/
- I. mhm
- O. welche Staatsbürgerschaft besitzt sie?  
what is her nationality?
- I. which nationality do you have?
- A. mhm?
- I. what is your nationality?
- A. nationality I don't understand
- I. your citizenship you understand that?
- A. no
- I. ich verstehen die Frage nicht  
I don't understand the question  
the/ you but you are a citizen of Nigeria aren't you?
- A. yes
- I. OK you don't understand the word citizenship or nationality?  
I come from Nigeria
- A. I don't understand because I have / I didn't travel before

Although this hearing took place in another country and much before the one in example 1, a very similar issue emerges: in asylum proceedings there are not only cultural differences but also social and educational gaps to be filled. The notion and terminology concerning citizenship/nationality, which is most probably familiar to a Western citizen who has frequent contacts with their national institutions and bureaucracy, can be totally unfamiliar to a foreign national who has a different socio-cultural background and possibly a low level of education.

In example 2, the interpreter repeats the question about nationality asked by the officer twice: first the applicant states she did not understand, then the interpreter replaces the word "nationality" with "citizenship," but to no avail. The

interpreter translates, but instead of leaving the floor to the interviewer, in the same (bilingual) turn she produces a second, self-initiated attempt to obtain an answer to the question (a non-rendition in Wadensjö's terms, see 1998), referring to what she knows to be the country of origin of the applicant—who indeed agrees to be a citizen of Nigeria. When prompted by the interpreter to repeat that she does not understand, the asylum seeker confirms and produces a justification. With these discursive moves the interpreter acquires or self-assigns an institutional status, so much so that the applicant feels the need to provide an explanation for her “ignorance.” The ethical and human implication is that of diminishing the applicant putting her in the position of inferiority.

## 6.2 Ethnic group

In our data the adjudicating officer recurrently asks applicants to what ethnic group they belong, an expression that is not familiar to asylum seekers, at least in the hearings we observed. The following example is taken from phase 1 of hearing 2:

### *Example 3: Hearing 2*

- |    |     |   |
|----|-----|---|
| 01 | O2. | appartieni a qualche gruppo etnico in particolare?<br><i>do you belong to any ethnic group in particular?</i> |
| 02 | I2. | do you belong to any ethnic group?  |
| 03 | A2. | no (.) I'm a Christian  |
| 04 | I2. | what we mean by ethnic group is (.) like a clan   |
| 05 | A2. | for me (.) I don't belong to any group  |
| 06 | I2. | your father comes from where?   |
| 07 | A2. | from Benin  |

- 08 I2. then you're from Benin group!
- 09 A2. OK (.) I come from Benin group (.) I'm sorry sir ((*addressed to the interpreter*))

In example 3, the officer asks about the ethnic group of the applicant, who understands the enquiry as a question about his religion. It is immediately clear that the applicant is not familiar with the concept of ethnicity as used in Italy, and in the following turns, despite the interpreter's attempted explanation, he states he does not belong to any group. The interpreter, instead of reporting the answers back to the officer, continues questioning the applicant about his father's origin of his own initiative (again a non-mention, as in example 2). On the basis of the information obtained, the interpreter concludes that the applicant belongs to the Benin group. The applicant agrees and apologizes. Here the question is how to see this exchange. After all, the officer obtained the information he wanted, so in the officer's eyes the interpreter was able to achieve successful communication. But is this intercultural mediation, understood as a vehicle for integration? Seen in a different perspective and looking at the active and autonomous discursive moves by the interpreter, what emerges is that he performs the role of co-officer and system agent (Leanza 2005). He keeps questioning the applicant on his own initiative until he gets an answer to the officer's question and does not provide the applicant with a clear explanation about a notion which belongs to the dominant culture, nor informs the officer about this exchange.

A similar situation was described by Sorgoni (2013, 143–144) in her study about asylum seekers in Italy:

*Example 4: from Sorgoni (2013, 143–144)*

- 01 O. chiedigli se appartiene a qualche gruppo etnico  
*ask him if he belongs to any ethnic group ((addressed to the interpreter))*

- 02 I. do you belong to a specific ethnic group?
- 03 A. ((A. looks confused and turns his gaze to the interpreter))
- 04 I. there are many groups many families apart from the state
- 05 A. no
- 06 I. in Africa (.) there are many special groups
- 07 A. language? my language?
- 08 I. no not the language (.) you know in Africa (.) there are Hutu  
(.) Tutsi ...
- 09 A. no no ((shaking his head energetically))
- 10 I. so you don't belong to a special group
- 11 A. NO
- 12 I. dice di no (.) scrivi nessun gruppo etnico  
he says no (.) write no ethnic group ((addressed to the officer))

Example 4 belongs to an interaction occurred during the very first step of an RSD process when a formal application is filed at a police station. In this sequence, the interpreter also engages in a dyadic exchange, attempting to obtain the information requested by the officer. She first resorts to two different stereotypes (“many groups many families apart from the state”; “in Africa there are many special groups”), then provides examples of ethnic groups from Rwanda and Burundi, and only after the applicant shaking his head energetically and raising his tone of voice repeats his “no,” the interpreter finally reports the negative answer to the officer, and in the same turn tells him what to write down in the application form. Another feature of this sequence is that both the interpreter and the officer speak about the applicant using the third-person pronoun while the interpreter uses the informal form of direct address when speaking to the officer. This shows closeness between the two versus distance towards the asylum seeker. Again, the interpreter acts more as a co-officer or an officer’s assistant than an active integration agent who helps create a common ground for direct understanding and communication between the officer and the applicant.

In both examples 3 and 4 there is no sign of an attempt to create contact between the two cultures: the interpreter does not tell the officer that ethnicity is not a familiar concept for the asylum seeker and that it may be understood differently in the applicant's culture. In these examples interpreters apply an ethnocentric view: since the notion of ethnic group exists in the host country, it must be the same everywhere else, and the applicants should know about it and its meaning. On the other hand, the officers let the interpreter temporarily conduct the interview without intervening or asking to know what was said during the monolingual exchange.

A different approach was adopted by both interpreter and officer in another sequence of talk, where meaning was negotiated and intercultural mediation was jointly carried out by the participants in a trilogue, as shown in example 5:

*Example 5: Hearing 6*

- |    |     |   |
|----|-----|---|
| 01 | O4. | bene (.) grazie per queste risposte (.) ti riconosci in qualche gruppo etnico specifico (.) per caso?<br><i>OK (.) thank you for your answers (.) do you identify with any specific ethnic group (.) by any chance? ((while writing on his PC))</i>                           |
| 02 | I4. | he said thank you for: answering (.) he asks which ethnic group you are part of?  |
| 03 | A6. | what do you mean which ethnic group?  |
| 04 | I4. | er che cosa: intendi per gruppo etnico?<br><i>er what: do you mean by ethnic group?</i>   |
| 05 | O4. | sì (.) er per: a volte viene er: tradotto come tribe o come: gruppo: di appartenenza come un clan (.) ecco (.) da questo punto di vista<br><i>yes (.) er for: at times it is translated as tribe or as group: you belong to like a clan (.) well under this point of view</i> |
| 06 | I4. | he says what I mean is the: tribe (.) the part of xxx 'cause sometimes they need you to explain which xxx you come from   |

07	A6.	maybe Auchi (.) Auchi tribe
08	14.	sono Auchi <i>I am Auchi</i>

This excerpt (same hearing as example 1, phase 1 but at a later stage) opens with the officer who thanks the applicant for her previous answers (including the one about nationality in example 1) before enquiring about her ethnic group. After the interpreter's translation, the applicant expresses her lack of comprehension of the question and the interpreter translates this to the officer. She does not step in and provide an explanation, nor does she start questioning the applicant as in the previous cases. This way she puts the officer and the applicant in direct contact and lets the officer

After rendering the officer's explanation, though, the interpreter provides the applicant with the reason for the question, in a way reassuring her that this is part of the procedure, while stressing the agency of the question ("sometimes they need you to explain"). In this case, the interpreter does not side with the officer; she lets him and the applicant directly negotiate meaning but also informs the vulnerable party in the interaction about the reason for the question explaining that this is a routine question in asylum proceedings. The interpreter here is really enacting intercultural mediation by promoting an exchange through listening and relaying what has been said, putting the two parties in direct contact and making sure they have sufficient knowledge and information to trust each other in a three-party conversation which does not exclude or silence the voice of anyone.

### 6.3 Relationships

The following examples 6–10 are excerpts from hearing 2. In particular, extracts 6–7 are taken from phase 1, whilst 8–9 are from phase 2, and 10 from phase 3 (see Section 5.1). The extracts from phases 1 and 2 feature questions about the asylum applicants' COI and arrival and stay in Italy, while the questions from

phase 3 are aimed to probe the applicant on his statements. Yet, they all touch upon issues relating to social relations, in particular family (see extracts 6 line 9, and extract 10; see also Section 3.2):

*Example 6: Hearing 2*

- 01      02.      **senti** (.) **ma** ora (.) la tua famiglia la tua sorella (.) tuo figlio (.)  
dove vivono?  
*look* (.) *but now, your family* (.) *your sister* (.) *your son* (.) *where*  
*do they live?*
- 02      12.      where are your siblings?
- 03      A2.      siblings?
- 04      12.      your brothers and sisters
- 05      A2.      they are still there (.) I don't know where they are staying today

*Example 7: Hearing 2*

- 01      02.      **senti** (.) **ma** da quando hai fatto domanda di protezione (.)  
qualcuno ti ha aiutato?  
*look* (.) *but since you applied for protection* (.) *has anyone*  
*helped you?*
- 02      12.      when you did the request for helping you (.) did you get help  
to stay?

*Example 8: Hearing 2*

- 01      02.      **ma** a questo amico davi soldi per star da lui?  
*but did you give this friend money to stay at his place?*
- 02      12.      did you give him money or was it just a favour?

- 03 A2. favour  
04 I2. favour favore

*Example 9: Hearing 2*

- 01 O2. te (.) **però** (.) eri spostato con questa donna?  
*were you (.) however (.) married to this woman?*
- 02 I2. you were married to this lady (.) what happened?
- 03 A2. we were not married (.) she got pregnant (.) his father was very angry (.) and took my child away from me and sent me away
- 04 I2. la figlia ha fatto figlia per lui (.) che non sono stati sposati (.) questo uomo da rabbia ha preso figlio da lui (.) e lui senza niente (.) e allora ha mandato lui via  
*his daughter made a daughter for hi (.) that they were not married (.) this man from anger took son from him (.) and he with nothing (.) so he sent him away*
- 05 A2. he didn't want me around (.) he said I'm a stupid civilian
- 06 I2. ha detto che lui (.) che il padre soldato ha detto che lui era civile stupido  
*he said he that/ (.) his soldier father said he was civilian stupid*

*Example 10: Hearing 2*

- 01 O2. **senti** (.) poi però questo bambino è nato nel 2007 (.) a quel punto quand'è che ti levava il bambino?  
*look (.) but then this baby was born in 2007 (.) at which point (.) when did he take the baby away from you?*
- 02 I2. this child was born in 2007 (.) the grandfather didn't want you to see the child (.) yeah (.) then what happened to the child?

- 03      A2.      after I leave Nigeria (.) because of the fight every day (.) I haven't heard from them (.) my mom couldn't do anything (.) my father was already dead (.) I believe the child is still alive (.) I don't know
- 04      I2.      lui ha lasciato il paese (.) non sapeva niente del bimbo e poi sua mamma non poteva fare niente (.) più che altro (.) essendo una donna (.) perché suo padre è già morto (.) sua mamma non poteva fare niente  
*he left the country (.) he knew nothing about the child and then his mother could do nothing more (.) so (.) being a woman (.) because his father is already dead (.) his mom couldn't do anything*

Prior to extract 9, the applicant had referred to his partner as his “wife.” Yet, in Nigeria having a wife does not always mean to be legally married; it can simply refer to having a female partner. In the rather chaotic series of turns in examples 9 and 10, the interpreter also misses a chance to act as intercultural agent, who may contribute to the empowerment of the less powerful party. He does not say anything about (a) the notion of *wife* in Nigerian society (see “We were not married” in example 9 line 3), and (b) the conceptual and material bases of patriarchy and gender inequality in Nigeria (see “My mom couldn't do anything” in example 10 line 3).

An interesting aspect in hearing 2 is the officer's (O2) frequent use of questions prefaced by “Senti, ma” (Look, but), in which the denial is direct—that is, the proposition expressed by the *but*-prefaced clause directly contradicts (and eliminates) an accessible assumption. This expression can be said to somewhat diminish the significance of what was stated before, in particular, it triggers an inference which results in the elimination of an assumption made accessible by the prior utterance (i.e., “What you stated so far is relevant, but let us move on”). At a micro level, the question-initial discourse marker *but* is systematically left out by the interpreter (I2), who impacts upon the officer's interviewing technique and the interviewee's inferential processes.

Utterance 4 in example 6 contains an example of a non-rendition (Wadensjö 1998), in which the interpreter acts as co-interrogator. Other role shifts are evident in the case of “reduced renditions” (see example 6 line 2 and 10 line 3), missing out on potentially crucial evidence—such as A2’s lack of contact with his child—as well as of expanded renditions (see example 7 line 2, example 8 line 4, example 9 lines 2, 4, and 6), which indicate lack of accuracy. In example 7, utterance 2, as in other instances before, the interpreter struggles with the rendition of a simple legal term, that is, “domanda di protezione” (application for international protection). I2’s agency impacts on the interviewing techniques, destroying the positive communication atmosphere (as the applicant might get the impression that they are not being considered truthful) and the primary interactants’ rapport building.

## 7. Concluding remarks

The aim of this study was to identify the causes behind and possible solutions to intercultural issues in eight interpreted-asylum hearings we observed at a prefecture in central Italy.

Our findings have confirmed that asylum interpreters often occupy a liminal space, mediating between dominant and marginalised cultures, and negotiating asymmetrical power relations between speakers. This positioning can influence the interpreters’ choice of language and non-verbal cues as they navigate the complexities of cultural hierarchy and social dynamics.

One of the first observations is that the same interpreter acts differently when faced with the notions of citizenship and ethnicity (see examples 1 and 5), which are not familiar to the applicant. There is an intra-personal variability in assuming (or being given) roles, which highlights the need for more in-depth knowledge of communication mechanisms and dynamics both for the interpreter and the officer. The same applies to awareness about socio-cultural differences, which should not be emphasised nor minimised, but rather drawn near to create a common background for mutual understanding and knowledge (which are the basis for integration). Furthermore, I2’s role

shifts in extracts on (family) relationships (see examples 6 to 10 in Section 6.3) further show that asylum interpreters impact interviewing techniques, at times destroying the positive communication atmosphere and the primary interactants' rapport building.

In this context, the interpreter's fundamental role should be—as defined by Hale for the Australian legal proceedings—to “remove the language barrier and to the best of their skill and ability place the non-English speaker in a position as similar as possible to that of a speaker of English” (Hale 2004, 10). In asylum hearings interpreters are expected to accommodate legal, contextual, and interactional constraints (see section 3.1), cultural differences (see section 3.2), and possible conflicting role expectations (see 3.3), which require specific skills. Interpreters should never make the weaker party in an interaction even more powerless, especially when vital decisions about their future are at stake.

Research on training and provision of legal interpreting services (e.g., Mikkelsen 1996; Grbić 2001; Corsellis 2005; Inghilleri 2005; Maryns 2006; Inghilleri 2012; Maryns 2013; Tipton & Furmanek 2016) has shown that there are many deficiencies to be blamed on interpreters, yet these may be the result of systemic problems, such as the lack of standardised education and testing to develop high levels of professional competence, and the failure to further mechanisms for service delivery. Against this background, and in light of our results, this article makes a case for devoting more attention and resources to train interpreters to work in asylum settings in Italy, especially since the country is currently one of the main destinations for migrants from North and Sub-Saharan Africa and the Middle East.

Considering its long history of migration, Italy may be expected to celebrate multiculturalism as a distinctive feature that enhances social cohesion. However, the intercultural role of interpreters as co-constructors of asylum narratives deserves more awareness by those who interpret and those who conduct the hearing. To share the burden placed on the shoulders of the applicants, participants in the RSD require some form of intercultural training, especially so that they can be aware of the communication problems which often arise in these contexts.

Such training would be necessary for both interpreters and legal professionals, and may take the form of joint training modules, focused on the unique bilingual and bicultural knowledge and skills required in these settings. Outreach initiatives may further raise cultural awareness among legal professionals, presenting the measures which may be taken, and evaluating their effect on communication in the legal context. Further research in this area is encouraged to develop insights into the communication issues raised in this paper that may inform communication practices and relevant training.

In conclusion, cultural differences can create barriers to effective participation in the asylum proceedings, and therefore raise important questions of fair legal outcomes for members of vulnerable groups such as asylum seekers. Insights provided by our data analysis indicate how the legal system might benefit from the untapped potential of interpreters as intercultural communicators. Both legal professionals and interpreters should work collaboratively to ensure fair and just legal outcomes particularly for people in vulnerable positions. Doing justice to language and culture ultimately leads to social justice, and small actions taken by properly informed and empowered asylum interpreters may redress the deep-seated imbalances in power relations in this setting.

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## Expectations regarding interpreters in Brazil in the light of pandemic-enforced technological change: A pilot study

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## Expectations regarding interpreters in Brazil in the light of pandemic-enforced technological change: A pilot study

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### Abstract

This article examines stakeholder expectations of interpreters in the Brazilian legal system and how they may have changed with the shift to remote interpreting during the pandemic. The study explores stakeholder expectations of interpreters and the interplay of these expectations with the growth of remote interpreting. To do so, it builds on the growing awareness of the need to rethink the methods used to understand stakeholder expectations. The study is based on questionnaires administered to judges, prosecution, and defence lawyers, as well as interpreters themselves. These questionnaires explored their reactions to vignettes adapted from real-life experience and to specific questions, comparing the responses from both methods. The results revealed how remote interpreting has increased tensions between the perceived needs of interpreters and the perceived demands of those involved in the legal process. This article argues that interpreters' expectations hinge on the concept of *linguistic presence*, a concept with different meanings for language professionals and legal professionals. The discrepancy is especially pertinent given the growth of remote interpreting and how it may impact the *presence* of the interpreter.

**Keywords:** legal interpreting, interpreting in Brazil, interpreters' expectations, survey research, remote interpreting

## 1. Introduction

By the nature of their occupation, interpreters work with people of differing social, professional, and linguistic backgrounds. These differences in life experience, training, and priorities can lead to situations where the different parties in interpreted events hold different expectations of the interpreters. In interpreting in legal contexts, this may be all the more acute, given the substantial differences in power, familiarity with the context, and goals between the actors. This article explores these expectations, in terms of the effects of the pandemic on legal interpreting. As such, it contributes to the growing literature on remote interpreting, especially in legal settings, by exploring how the transition from in-person to remote affected stakeholder expectations of interpreters.

The research questions are “what do key stakeholders expect from interpreters in the Brazilian legal system?” and “how have these expectations changed following the shift to remote interpreting during the pandemic?” The stakeholders addressed in this study are legal professionals and interpreters. Starting with an exploration of the research on stakeholder expectations in interpreting in general and in legal interpreting in particular, followed by reflections on the effects of remote interpreting, the article explains the specific dynamics of expectations on legal interpreting in Brazil and the changes the pandemic has brought to this interpretation. A stakeholder survey in Brazil offers the opportunity to examine a familiar research question in a rarely examined national context, as research on interpreting of any kind in Brazil is still in its infancy.

The transition from in-person to remote interpreting, and the concomitant need for interpreters to improve communication with legal professionals and for all parties to improve their understanding of each other’s needs form the basis of the discussion of the theoretical and practical importance of the results (Section 2). Deliberately eschewing previous tools, due to ongoing concerns about their validity, we argue that this study illustrates important additional data that can be generated (Sections 3 and 5). The discussion and conclusion (Sections 5 and 6)

argue that the differing needs of legal professionals and interpreters have methodological importance for researchers wishing to understand stakeholder expectations, in addition to their importance for the interpreting profession in Brazil.

## 2. Literature review

### *2.1 Stakeholder expectations of interpreters*

Translation and interpreting studies have produced systematic accounts of the literature on stakeholder expectations of interpreters (Kurz 1994; 2001; Pöchhacker 2005; Downie 2015). This article sets itself against the flow of such research, rather than within it. While there are great benefits to the systematic approaches to literature reviews (e.g., Page et al. 2021), the review of the literature in this article seeks to offer a “problematizing review” as described by Alvesson and Sandberg (2020). Such reviews seek to show the internal contradictions, gaps, and difficulties in a literature, with full awareness that selecting, analysing, classifying, and presenting literature are necessarily based on subjective criteria. To understand what those involved in the interpreting process view as important, researchers have used heterogeneous methods (Downie 2015, 24). They have approached varying actors, from officials in a professional association (Bühler 1986) to interpreting users (Kurz 1994). To elicit their views, surveys have followed different designs. They have asked respondents to rate the importance of a set number of pre-defined criteria (Bühler 1986), to list the three most important functions of interpreting and their three principal annoyances (Kopczyński 1994), or asked clients both what they expected of interpreters in general and how they expected interpreters to respond to specific issues that could arise at a particular event (Eraslan 2011). Other research designs have used experimental methods, including to investigate the relationship between interpreting and evaluation (e.g., Collados Aís 1998; Collados Aís, Fernández Sánchez & Gile 2003). Also interview-based studies (Meak 1990; Moser 1996) and mixed observational methods (Downie

2016) have attempted to enhance our knowledge on the expectations set on interpreting.

Among the variety, an issue with stakeholder expectations research seems to persist—the reliability of the tools used. Eraslan (2011, 67–71) evidenced the issue when finding that, while clients answered some survey questions in ways that suggested that interpreters should not intervene overtly in the event, they answered other questions in ways that suggested the opposite. The key issue seems to be that researchers cannot assume that all respondents understand the same criteria in the same way, neither in expectations research nor evaluation research (Downie 2015, 24). Differences in the interpretation of criteria are also evident in the work of Diriker (2004, 75–78), who used open-ended interviews. While all respondents said that interpreters should “convey the meaning of the speaker,” no two could agree on what this meant in practice. Diriker’s results suggest that there is ample space for individual respondents to understand the same criteria in different ways.

To tackle what they see as the overriding theoretical and methodological problem with criteria-based survey research, Mack and Cattaruzza (1995, 47) suggested both “better coordination in the carrying out of surveys” across studies, and “clearly defined and weighted quality components.” This is precisely the issue arising from our problematising review—the assumption of predefined criteria or standards that are not necessarily shared among respondents in older expectations research in interpreting studies. It may therefore be helpful to move towards methods that do not presume that criteria are already well-understood. Given the difference in professional backgrounds between the participants in legal interpreting research, the need to revisit existing data generation tools is an especially important consideration in this area. It is in this light that the next subsection will view research on expectations of legal interpreters.

## *2.2 Expectations of legal interpreters*

Research on expectations of court interpreters has tended to concentrate on the complex idea of their *role*, that is, the set of responsibilities, expectations, and

functions attributed to interpreters. While Angelelli (2004) looked to compare interpreters' perceptions of their own role in conference, court, and medical settings, other researchers, such as Lee (2009), Kredens (2016), and Salaets and Balogh (2017) sought to compare the views of the work of interpreters held by different language and legal professionals.

Kredens' research used vignettes—short stories based on realistic issues to which the respondent is asked to give a reaction. These were shown to two different groups: legal professionals and interpreters. In this case, notwithstanding the researcher's view that "despite the markedly different professional cultures there are in fact few points of actual professional conflict" (2016, 65), differences between the responses from different groups can be identified. One such example is the question as to how interpreters should respond if someone offers additional information to the interpreter when a police interviewer is out of the room. In this case, legal professionals discussed the legal status of such information while interpreters focused on the logistical difficulties in informing anyone else (70–71).

Responses to other vignettes show other differences. For example, when asked whether an interpreter should notify someone if a police officer hinted that they were expecting a bribe to have a case dismissed, many different solutions were offered before a general agreement was reached that the interpreter should simply relay the propositional meaning of what the officer said (Kredens 2016, 72). Similarly, both legal and language professionals agreed that an interpreter should turn down the offer of a meeting with an attractive participant outside of the context of the case in a case in which they interpreted. Here, however, the reasons for this differed. Legal professionals tended to discuss the implications in terms of professional conduct, while language professionals tended to speak about the need for professional detachment (*ibid.*).

Kredens' research can fruitfully be compared to the work of Liu (2016), who reported that interpreters were aware of their perceptions of their work differing to those of the other participants in the interpreted events. Most notably, while legal interpreters consistently viewed their role as that of "communication facilitator" and "faithful renderer of original utterances" (292), these same interpreters reported that other participants tended to either wish them to

assist beyond work that they were comfortable delivering or to have a role that was extremely restricted.

The need to reflect on how different groups might respond to the same stimuli is also highlighted in the work of Martínez-Gómez. Based on piloting feedback (2015, 180), she had to modify her original survey plan, reducing it from 38 to 18 items due to time limitations, and substituting Likert scales with dichotomous items. The adjustments were essential for effectively capturing the perspectives of interpreting experts, non-professional interpreters, primary participants in interpreted meetings, and prison staff, demonstrating their varying needs and the necessity of adapting the instrument to different profiles. Along with methodological issues, Martínez-Gómez's work stressed how interpreters' assumed expectations on the part of users differed from users' actual behaviour, who prompt interpreters to "participate with their own voice" (2015, 189).

Powell et al. (2017) provide further insights along these lines. Their study used semi-structured interviews<sup>1</sup> with professionals involved in interviews<sup>1</sup> with children involved in sexual abuse cases. In their study, the professionals argued for greater cooperation between language and legal professionals, especially regarding the need to prepare interpreters for the demands of interpreting in such emotionally charged situations (94). They also underlined the need for specialised training on best practice in such situations (96–98). As well as providing an insight into the importance of linguistic decisions, respondents also commented on the possible effect of perceptions of the interpreter's own appearance. In situations where children are already uncomfortable, the interpreter's demeanour was given great importance (Powell et al. 2017, 97).

While it could be argued that such concerns are especially important in child interviews, their salience in this article goes beyond their immediate context. Where expectations research (see Section 2.1) has tended to concentrate on linguistic performance and discussions of expectations

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<sup>1</sup> For a deeper insight into interpreting for minors see resources of Co-Minor I and II results, see (Salaets 2023).

of legal interpreters might focus on ethical concerns, Powell et al.'s work frames rapport between the participants in legal interpreting not only as an occurrence but as a need.<sup>2</sup>

Such rapport would seem especially important in the context of remote interpreting, which, as will be discussed later, has often been associated with increased difficulty in building rapport between the participants. Indeed, in a survey of legal and language professionals by Braun and Taylor (2012), lack of rapport was mentioned by interpreters (but not legal professionals) as a drawback of using remote interpreting (71). Rapport building also underlies the changes found in the work of Downie and Turner (2021), who report that an interpreter internship project led to police officers moving from viewing sign language interpreters as primarily being there due to the needs of deaf people to viewing them as being there “actively to help the police do their job” (2021, 243).

There appears to be underlying tension in research on expectations of legal interpreters. While there may be broad consensus as to behavioural norms, the specific legal contexts in which interpreters work and the perceived relationships between interpreters and other legal professionals seem to be important factors. This would seem to be especially important in a context like Brazil where, despite legislation, the profession of legal interpreting is yet to gain a strong professional standing. Without legislation to govern behaviour norms, it is more likely that differences in expectations will be greater. It is to the situation in Brazil therefore that this article will now turn.

### *2.3 The situation in Brazil*

Brazil is a Civil Law country, and its legal system depends upon a systematic interpretation of written rules, approved by the legislature. Brazilian Criminal

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<sup>2</sup> For Useful references on rapport management outside of legal interpreting can be found in Iglesias Fernández (2010) and Tannen (2007).

Justice is framed by the 1988 Constitution, which includes provisions on criminal and procedural matters, as well as international legal cooperation. Court translators and interpreters in the Brazilian Federal Courts are expected to enable accurate communication in the investigation and prosecution of federal crimes. However, there is no specialised training available for court translators and interpreters.

Access to legal interpreting is complicated by existing socioeconomic imbalances. The World Bank has noted that Brazil struggles to provide reliable and well-monitored public services and suffers from high levels of discrimination and social exclusion (World Bank 2018). Such structural issues are reflected in the variable availability of public defender services for less well-off defendants (Washington Office on Latin America 2016).

The situation is compounded by other factors. Nordin (2018) has argued that the lack of interpreter training in Brazil has an effect on the availability of interpreters, especially for work that is carried out remotely for the most urgent cases. The scarcity of training was confirmed by Gorovitz, Dias Carniero, and Martins (2023), whose proposed diploma course in linguistic and transcultural mediation aimed to promote the kinds of basic training they deemed necessary for professionalisation of interpreting in Brazil. During the pandemic-induced lockdowns, remote interpreting became the dominant way of providing what was already a service under strain.

Although the specifics of remote interpreting in Brazil remain largely unexplored, we will now discuss the particular demands of remote interpreting to frame our research on expectations.

#### *2.4 Remote interpreting*

Remote interpreting involves one or more of the participants in an interpreted event being geographically separate from the others and thus joining the meeting using technological means. Early tests in the European Union suggested that remote interpreting would be more stressful than working in-person (Mouzourakis 2006), even if longer-term studies found

that it was possible to at least partially overcome this with time (Ko 2006). There is general agreement that remote interpreting does present certain physiological constraints, with interpreters unable to fully select what they see (Moser-Mercer 2005, 733), reporting feelings of being distant from proceedings (Roziner & Shlesinger 2010), and difficulties in establishing rapport (Price et al. 2012, 6).

Difficulties inherent in remote interpreting are especially important in legal contexts given what is known about the role of the interpreter as the coordinator of talk in dialogue settings (Wadensjö 1998; Roy 2000). Indeed, in the pioneering work of Braun (2013, 211), coordinating turn taking was the area in which there was the greatest difference between remote legal interpreting and the same service provided in-person, with four times more issues in this area when interpreting was provided remotely. The results bear similarities with the more recent study by Licoppe and Veyrier (2020), in which they showed that remote interpreting robbed interpreters of implicit resources to signal turn taking, leading to longer turns, and hence decreased quality.

Ultimately, remote interpreting seems to qualitatively change the nature of the interpreting task in ways that are directly relevant to legal interpreting. While the technical and psychological aspects are of undoubted importance, in this article, we will concentrate on how the use of remote interpreting itself may have altered perspectives on the role of the interpreter in Brazil.

### **3. Data and methods**

The importance and known difficulty of achieving rapport in remote legal interpreting suggested that it was important to explore the views of both legal professionals and interpreters. The methodological issues identified in Section 2.1, and the specific concerns of legal interpreting in Section 2.2 led to the adoption of a combined approach, using both Likert-style items and vignettes.

### *3.1 Participants*

Purposive sampling was used to reach legal professionals who had already worked with interpreters and interpreters who had interpreted within the Brazilian legal system. In both cases, respondents were known to have worked before the pandemic and were still working during it. While this approach limits the generalizability of the results, it increases data quality by ensuring that respondents are speaking from experience, rather than responding with idealised views.

There were 12 participants who answered the questionnaire: a federal judge; six legal professionals (a general federal attorney; a public prosecutor; a public defender; a pro bono attorney from legal aid services; a federal criminal cases administrative chief member of staff; and a legal adviser from the Federal Court). In addition, five interpreters and translators took part (a court interpreter; a court interpreter and translator; a legal conference interpreter; a sworn translator; and a certified translator).

All the participants were Brazilian. Their answers were presented in writing both in English and Portuguese, according to their wishes.

### *3.2 Methods*

#### *3.2.1 Survey*

A survey was prepared with all questions in Portuguese and English, with a mix of biographical questions, followed by 14 open questions on basic issues, such as what constitutes a fair trial and the role of the interpreter in this process. This was followed by eight items each using a standard five-part Likert-type response format on the current state of fair trials in Brazil and the place of interpreters within this. Twelve of the 51 invited respondents filled in the survey, a response rate of 23.5%.

Following the positive results from their use in the work of Downie (2016, 106–107), respondents were presented with three specially-constructed

vignettes, to allow them to explain the practical application of the theoretical views they described earlier in the questionnaire. In this case, the vignettes covered what the interpreter should do if the defendant whispers something to the interpreter that contradicts the statement they just gave the court; issues arising from the interpreter not knowing a term used by a witness; and an obscenity aimed at the judge. Lastly, respondents were asked how the pandemic and the move to remote interpreting have changed their views and experience.

All surveys were sent and answered online, using Google Forms. Data collection was conducted in Brazil and met best practices in data protection. In processing personal information, UK GDPR best practices were adhered to, as detailed below. Responses on the direct effects of remote interpreting were collected separately from those who reported having filled in the form and are not directly relatable to responses collected on the form. In all cases, free text responses are given in the language used by the respondent, with translations added in footnotes where possible.

As the second author is registered with the Informational Commissioner's Office in the United Kingdom, no email addresses were collected and information was restricted to the bare minimum of personal information to the point where no respondent was directly identifiable from the information given. All respondents were known to the first author. No follow-up interviews were carried out, aside from the additional data collection reported above. Options to reduce the risk of the same respondent filling in the form more than once were enabled but filling in the form did not require a Google account. Anonymisation of responses was ensured by having everyone use the same link and by having no direct link from a response to any personal details. The effects of this decision to eschew the traditional criteria-based approach are examined in the discussion section. In addition, subsequent analysis showed that some of the questions proved more insightful than others. These questions have been given preference below.

### *3.2.2 Coding procedure and analysis criteria*

All text responses were translated by Renata Machado to allow for later checking. Such responses were then thematically coded by the first author, with attention being paid to the themes of the perceived position of interpreters in the Brazilian justice system, points of agreement across different respondents, and the relationship between responses to general questions about the work of interpreters and the responses to the vignettes.

After the initial analysis of text responses, the second author rechecked analysis, looking for any additional information or insights. At this stage, quotes that were viewed as representing wider trends were identified and selected for more detailed analysis. This is the final analysis that appears in the results section of this article.

Given the small sample size, the Likert-style items were not subject to any more than a basic analysis of the frequency of each response. As the answers to these questions were very similar to the answers to the later open questions and vignettes, it was felt that they simply duplicated information that was available in more detailed form elsewhere in the survey. Respondents have been coded with letters representing their profession: TI for translators and interpreters, LP for legal professionals.

## **4. Results**

### *4.1 General expectations of interpreters*

General expectations from both interpreters and legal professionals painted interpreters as being vital components in the conduct of fair trials. Their presence was deemed to be both legally mandated and practically necessary. Respondents tended to view interpreting as a highly constrained position to be filled within the wider process, such as the excerpt below.

O intérprete é o elo principal entre o réu estrangeiro e o sistema judicial brasileiro. Sua presença é fundamental para garantir os direitos de todos sob as leis nacionais e compromissos internacionais dos quais o Brasil é signatário. O intérprete deve estar presente em todos os momentos da interação de autoridades judiciais com os réus estrangeiros. Sem um intérprete, seria impossível julgar um réu estrangeiro no Brasil.<sup>3</sup> (T14)

Here, the interpreter's role is circumscribed within judicial commitments. The presence of the interpreter becomes the "guarantee" of the rights of the foreign defendant. This explains why the emphasis is on the interpreter being "present." The position must be filled somehow to fulfil international obligations. Yet, there is no specific need expressed for this position to be filled by a professional interpreter or even a human. This trope of interpreting as a slot created by the requirements of the legal process can also be seen in the excerpt below.

Muito importante, sem o trabalho do intérprete a pessoa estará fisicamente, mas não linguisticamente presente.<sup>4</sup> (LP6)

Here, the emphasis is on the interpreter as the incarnation of the "linguistically present" defendant. That this presence exists due to "the interpreter's work" suggests an active role for the interpreter. Yet this work is largely focused on the creation of linguistic presence for another party, here intriguingly named "the person." Personhood then is given to the party who needs interpreting while "the interpreter" as a role becomes important

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<sup>3</sup> Translation: The interpreter is the main link between the foreign defendant and the Brazilian judicial system. Their presence is essential to guarantee the rights of all under national laws and international commitments to which Brazil is a signatory. The interpreter must be always present during the interaction of judicial authorities with foreign defendants. Without an interpreter, it would be impossible to try a foreign defendant in Brazil.

<sup>4</sup> Translation: Very important, without the interpreter's work the person will be physically but not linguistically present.

only by virtue of the need for the linguistic presence of the party who needs interpreting.

More important in the context of discussions around remote interpreting is the apparent ease of separating being physically present from being linguistically present. In the case of remote interpreting, it is possible that someone can be physically distant from the place where their case is being discussed, yet able to take part in discussions. The importance of this will be discussed later.

Other respondents gave answers that were more closely related to the importance of the work of the interpreter, rather than their presence.

o intérprete é quem faz o réu presente linguisticamente em audiência. Sem ele—o intérprete—não tem como assegurar ao estrangeiro o contraditório e a ampla defesa.<sup>5</sup> (LP7)

Once again, it is the existence of the interpreter within the hearing that is deemed sufficient, not anything about the interpreter's work or performance. The existence of the interpreter is closely linked to the needs of the defendant and becomes the embodiment of the defendant's linguistic presence during the hearing.

These expectations, which came from the responses of both interpreters and legal professionals, therefore give interpreters a procedural and arguably, largely symbolic, position in the Brazilian legal system. In all of these responses, presence is at the heart of the place of interpreters. Interpreting here is the guarantee of procedural rights but does not seem to offer those filling it any rights or many requirements. It is an empty position, created by the need for the defendant to be linguistically present, which must be filled for the sake of procedure.

If there are any questions over whether this reading is premature, one final extract presents a succinct summary of the position and limits of interpreters as viewed by these respondents. One respondent, a legal official, remarked that:

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<sup>5</sup> Translation: the interpreter is the one who makes the defendant linguistically present at the hearing. Without him—the interpreter—there is no way to ensure the foreigner's adversary and full defense.

O intérprete no exercício de sua profissão deve estar suficientemente preparado e jamais poderá tumultuar o processo legal.<sup>6</sup> (LP4)

While this is the only excerpt that specifically gives a professional requirement for interpreters, it does so in the light of the overall view that interpreters must not disrupt the overall legal process. While it is not clear whether this refers to the course of justice or individual trials, its significance remains the same. It presents a paradox where interpreters must be prepared enough to do their job within the legal process but may not interrupt it. The preparation expected here of interpreters is to enable acquiescence to the prepared role. The overarching process is therefore given more importance than the interpreter or the interpreting.

In summary, general expectations of interpreters are based on the idea that the interpreter acts as the linguistic presence of the foreign defendant, within the wider procedural requirements of the legal process. It is this legal process that necessitates this presence, and it is the needs of this process that must come first. Interpreting therefore must exist for the process to be seen to be fair, but this existence must not disturb the process itself. The position of interpreters within the process is a symbolic guarantee of the rights of foreign defendants, even if the real application of these rights is never discussed in responses. The fact that these expectations are consistent between all respondents, with only minor differences in the length of response and emphasis, is striking. There were, however, differences between how different respondents described the importance of interpreters in the Brazilian legal process.

#### *4.2 Differences between interpreters and legal professionals*

Interpreters and legal professionals differed most on the qualities required to adequately fill the procedural slot created by the need for legal interpreting.

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<sup>6</sup> Translation: The interpreter in the exercise of their profession must be sufficiently prepared and can never disrupt the legal process.

Legal professionals tended to write comments that focused on the wider legal process, such as the one below:

Estrita fidelidade aos princípios e normas que fazem um julgamento justo e zelo e diligência deste para colocar os participantes do julgamento em entendimento e compreensão dos termos processuais desse julgamento, preponderantemente no que diz respeito às barreiras linguísticas e comunicativas.<sup>7</sup> (LP2)

This respondent's view of the interpreter's responsibilities represents a move away from the purely procedural or symbolic view of interpreters discussed above. Yet, for all the mention of "diligence to bring the participants . . . into understanding and comprehension," such diligence is located only within the "principles and standards that are made for a fair trial." wider legal process and the need for "strict observance" runs counter to any active participation of the interpreter in this process.

Interpreters and translators differed from legal professionals in that only they viewed the status and future of interpreters as being explicitly linked to the assurance of fair trials in Brazil.

Seria necessário que se fizesse cumprir alguma lei obrigando o Estado a ter intérpretes judiciais presentes em todas as audiências com réus estrangeiros. Os intérpretes devem ser amparados por algum órgão governamental, devem ter certificação e receber honorários justos. Seria necessário criar uma associação no Brasil para estabelecer códigos de ética e conduta, tarifas e programas de treinamento.<sup>8</sup> (TI4)

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<sup>7</sup> Translation: Strict observance of the principles and standards that are made for a fair trial, and his/her eagerness and diligence to bring the participants in the trial into understanding and comprehension of the procedural terms of that trial, preponderantly as regards language and communication barriers.

<sup>8</sup> Translation: A law should be enforced requiring the state to have court interpreters present at all hearings with foreign defendants. The interpreters must be supported by some government agency, have certification, and receive a fair fee. An association should be created in Brazil to establish codes of ethics and conduct, fees, and training programs.

The argument here is that the rights and status of interpreters must be legislated for within the wider laws on legal processes and that their status must be underpinned by the establishment of other sources of authority. Underneath all this is the assumption that what is good for interpreters and interpreting is good for the wider legal process.

In the context of the growth of remote interpreting, it is important to remember that the presence of interpreters is still procedural and symbolic, especially among legal professionals. Interpreting is a slot to be filled within the wider legal procedures in which hearings take place. It is entirely logical, then, for legal professionals to prioritise the needs of these processes, pushing for “strict observance of the principles and standards that are made for a fair trial.” The only question is whether the procedural role of the interpreter entails the protection and professionalisation of those who fill it.

#### *4.3 Responses to the vignettes*

This subtle difference between legal professionals and interpreters is still in place in answers to the vignettes but in a less pronounced way. When asked what interpreters should do if a defendant whispers into the interpreter’s ear that a witness is not telling the truth, legal professionals tended to emphasise the need for the interpreter to prioritise the smooth running of legal procedures and trials, even at the risk of important information being missed, while interpreters suggest a more proactive role for interpreters.

Among legal professionals, the most common responses to the vignette were that the interpreter should interpret it for the defence team (3 respondents), notify the judge (2), or simply ask the witness to wait their turn (1). Language professionals expected the interpreter to be more proactive by asking the person to be silent (2 respondents), relying on pre-hearing briefings to ensure that such behaviour cannot happen (1), requesting an audience with the judge (1) or passing the information to the defence team (1).

Legal professionals therefore tend towards requiring the interpreter to defer to the existing legal structures. Only one legal professional offered the interpreter the freedom to address the witness themselves. Language professionals were

not only more varied in their responses, but their responses paint the interpreter as a person with their own freedom to choose the correct course of action.

The same can be said about the responses given to a vignette on how the interpreter should respond when they do not know a word. While all of the respondents but two argued that it was acceptable for the interpreter to consult a dictionary, all of those who agreed with this course of action argued that the interpreter must gain permission from the judge before doing so. Of the respondents who did not explicitly mention this solution, a language professional said that the interpreter should be sufficiently prepared that they do not have to interrupt proceedings, while another argued that it was acceptable to clarify a term with the party who said it, as long as permission was sought to do so, and the interpreter explained what they were doing.

Almost all responses assume that the interpreter can communicate independently with the other parties with relative ease. It is also clear that almost all respondents wish the interpreter to be entirely subject to the interests of the wider legal process by ensuring that such situations do not arise.

Overall, despite the growth in remote interpreting, the responses to the vignettes still assume the physical presence of the interpreter, even if the use of this presence is contested. Interpreting is seen a part of the wider legal process but one which is restricted to minimising its own presence and any disruption caused by it. This view is especially pertinent in the context of the growth of remote interpreting. The results of the survey regarding changes brought about due to remote interpreting will now be discussed.

#### *4.4 Changes due to remote interpreting*

The majority of the detailed responses to the question on remote interpreting came from language professionals.<sup>9</sup> Several closely related trends are evident.

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<sup>9</sup> No coding is given in this section as these questions were posed separately to those who reported having filled in the survey. The general profile of each respondent (legal professional or interpreter) was known for each response and is indicated.

The first is the need for interpreters to learn how to adjust their working methods and life to the new reality, for example:

Initially, it did affect the quality of my interpreting, as I had many distractions and details to worry about (and wasn't used to). However, today I feel I have overcome technical and even family issues, as they have also learned how to behave and be useful elements during my jobs. I have learned to better deal with stressful situations and technology and keep focused, at the same time. Today I feel the quality of my interpreting is as good as it was before the pandemic.

The needs of the legal system retreat into the background as the interpreter looks to deal with their own personal issues, which might inhibit them from offering "the quality of my interpreting" to a level that is "as good as it was before the pandemic." The addition of the possessive "my" simply underlines how remote interpreting has shifted the focus. Such linguistic shifts towards centring the interpreter seem to reflect the idea that, by isolating the interpreter geographically from the wider process, the pandemic-induced technological shift has caused interpreters to reflect more on their own needs. This excerpt suggests that these needs are both personal and technological.

Not all responses were so interpreter-centric. One respondent reflected on the need for all parties to work together to ensure that meetings worked remotely.

As an interpreter, I have prepared myself to deliver my service in this newly formed scenario, but the several parties involved in the process (lecturers, agencies, audience etc.) are not quite ready or have not been briefed that they should consider their conditions as far as hardware, software, and environment are concerned when it comes to taking part of remote events with simultaneous interpretation services included. It is our role and responsibility to share our knowledge with peers and all involved to achieve mutual success. Our quality is being impacted by the working conditions as a whole and if you do your best as an interpreter, this effort alone is not enough to ensure quality in an event.

While this response seems to reflect concerns about events outside of the legal process, its most relevant aspects are the need for all parties involved

in a meeting to be aware of the technical and environmental requirements of remote. This is couched in the desire for “mutual success,” a unique phrase in responses to this question. Indeed, the view that “if you do your best as an interpreter, this effort alone is not enough to ensure quality in an event” shows that this respondent views the quality of interpreting as a socially constructed variable. Here, making an event work requires teamwork and cooperation, aspects that seem to have been made more difficult due to remote. Finding ways for interpreters to “share our knowledge with peers and all involved” is seen as key to improving outcomes.

Such calls for teamwork were echoed by another interpreter who argued that:

Por isso, testes de áudio deveriam ser feitos dos dois lados: intérpretes e palestrantes. Nossos ouvidos agradecem.<sup>10</sup>

The challenges inherent in remote interpreting were evident in several short responses. While one respondent said that “I feel the quality of interpreting hasn’t changed” and another respondent said that the move to remote had had a “positive impact.” One final respondent gave a one-word response to the question on how remote had affected the quality of interpreting they delivered. In their view “badly” was all that needed said.

To sum up, the main shift in views of interpreting brought about by remote interpreting is that the emphasis has shifted from the interpreter as a secondary part of wider legal processes to the centring of the interpreters communicative, technological, and personal needs. This shift is notably not justified by appeals to wider procedural needs but instead to what interpreters need for them to do their work well. The much lower response rate from legal professionals to this question may also be reflective of the idea that language professionals care more about the changes brought about by remote interpreting than legal professionals do.

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<sup>10</sup> Translation: Therefore, audio tests should be done on both sides: interpreters and speakers. Our ears are grateful.

## 5. Discussion

The results in this case illustrate the complex interplay between the perceived role of interpreters and interpreting within the Brazilian justice system and the rise of remote interpreting. There is broad agreement that interpreting plays a vital role in assuring that non-Portuguese speakers are accorded a linguistic presence in the courtroom and the ability to take part in proceedings. In line with previous research on court interpreting, there are important, if subtle, differences in how this is viewed by interpreters and other actors in the justice system, leading to differences in opinion as to the effect of remote in this process.

In this regard, it is important to point out that the idea of linguistic presence involves the existence of an interpreting service and the provision of an interpreter, with no further stipulations. Thus, the right to an interpreter is viewed as precisely that: a right to an interpreter, with no specifics or qualifying adjectives.

The limited extent and nature of this presence is reflected in the tendency for all respondents, especially legal professionals, to require interpreters to defer to other participants for their decision-making. Indeed, it seems that the point of interpreting is to exist and provide some kind of presence without upsetting the existing legal process or showing any potential issues with it.

This explains why legal professionals tended to view interpreting as something needed for the system to run properly. Interpreting in this view is mandated by linguistic and procedural needs but clearly limited to providing for the needs of the system and, by extension, the needs of those involved who do not speak the language of the court.

Interpreters, on the other hand, viewed their role within the system as providing a mandate for greater change. This is largely in line with existing literature which, as explained above, showed that interpreters tended to favour a more active, facilitator role, taking place throughout the legal process, while legal professionals tend to view interpreters as “language machines” (see Lee 2009; Morris 2010; Lee 2015). Thus, the kinds of changes towards interpreting that is more aware of its social and pragmatic role, as called for by researchers such as Angermeyer (2015; 2021), would seem to have a receptive audience among interpreters but may struggle to gain ground among legal professionals.

The challenges brought about by remote also loom large in such debates. The data represent the two-pronged challenge for Brazilian legal interpreters. Moving away from in-person interpreting presents the kinds of technical challenges already discussed in the literature (Napier & Leneham 2011; Braun 2013). Dealing with these requires close partnership with clients. In an atmosphere where legal professionals were already wishing to ensure that interpreting aided the legal process, rather than interrupting it, and at a time when legal professionals seemed reticent to add any qualifying adjectives to the right to an interpreter, (re)moving the physical presence of interpreters would seem to make positive change even more difficult.

If the existing remote interpreting literature (see Section 2.2 above) is right to view the move to remote as hindering the building of rapport, then the need for interpreters to work with legal professionals to find mutually agreeable ways of working has become acute. In short, the call by one respondent for interpreters to “share our knowledge with peers and all involved in order to achieve mutual success” is now a requirement.

### *5.1 Limitations*

A clear limitation of this present article is that it deliberately moved away from the existing criteria-based approach to offer more space for respondents to answer using their own terms. Comparability with other research is therefore limited. However, the detail and scope of responses has demonstrated how powerful this approach can be and has strengthened the case for researchers to move away from assuming that pre-existing criteria are valid for all respondents.

In addition, it would seem useful to further this work by moving from surveys about interpreting in general to deeper studies of expectations at individual events. Given the insights already produced by such research (e.g., Diriker 2004; Eraslan 2011), it would seem likely that responses may be different when respondents are reflecting on specific events. Some evidence for such a view can be found in the responses to the vignettes in this study, since respondents tended to suggest that interpreters should communicate with the other parties

in ways that provide a more active role for the interpreter than is suggested in their other responses. How such communication can be achieved in remote interpreting remains to be seen. Thus, research on expectations latent during remote legal interpreting should lean heavily on examples that are pertinent to that situation, rather than or at least in addition to more generic items.

## 6. Conclusion

This article analysed the views of interpreters and legal professionals on the role of legal interpreters in Brazil in the light of the rise in remote interpreting due to the pandemic. It was found that, while both groups agreed that interpreters played a vital role in ensuring that those whose first language was not that of the court were able to take part in proceedings, subtle yet important differences remained. While interpreters were happy to push for interpreters to gain in status, qualifications, and treatment, other legal professionals tended to prioritise the efficient running of the legal system itself.

Methodologically speaking, the responses to the survey used in this study provide more evidence for research on stakeholder expectations to take a more descriptive stance, allowing room for respondents to answer using their own words. While the use of vignettes provided a contrast between the views expressed by respondents about interpreting in general and their views as to how interpreters should resolve specific problems, this difference itself becomes problematic in the light of the focus of this study on remote interpreting. In this case, many of the responses to the vignettes presupposed actions that are made much more difficult during remote interpreting. It may be that future research will be needed to understand how stakeholders wish interpreters to respond to the inherent limitations of remote interpreting.

It is striking that, while there were a variety of responses as to the difference that remote has made, the role of interpreters as assurers of *linguistic presence* and the expectation that interpreters should communicate with other legal professionals at key points seem problematic when remote interpreting is used. Interpreters seem happy to focus on their own challenges and on the need to

communicate their technical and environmental needs to clients. What is not so obvious is whether any party involved in Brazilian legal procedure has an interest in reflecting on whether the existing expectations of interpreters are even feasible when they supply their services remotely. Key issues from the literature such as rapport building and the interpreter's ability to coordinate turns are conspicuous by their absence in the responses to this survey. The gap between recommendations in the literature and the views of stakeholders is important and may prove to be a hinderance in attaining the very improvements that interpreters in Brazil seem to seek.

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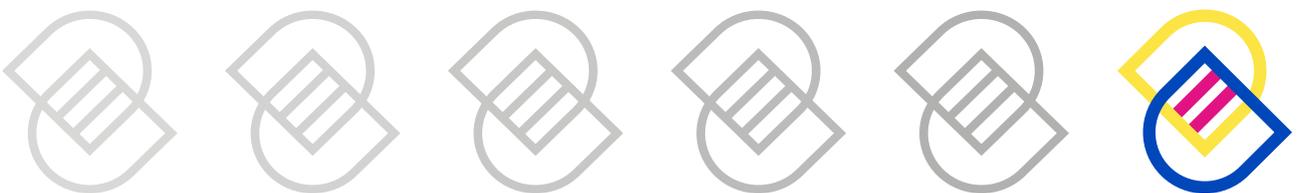
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## Reconceptualizing educational interpreting: A case study in US K–12 classrooms

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## Reconceptualizing educational interpreting: A case study in US K–12 classroom

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### Abstract

In response to students' right to education, interpreting services have been provided to a subset of English language learners (ELLs) in the United States to make educational opportunities accessible to them. This qualitative case study delves into the nature of the interpreting services, focusing on exploring the varied responsibilities undertaken by interpreters in K–12 classrooms within a Northeastern US public school district. Data were collected through interviews and documentation and analyzed thematically combined with the constant comparative technique. The study reveals that the ELLs the interpreters worked with had diverse backgrounds, including learners with interrupted education, potential learning disabilities, and varying academic foundations. Though the interpreters were initially required to interpret instruction to make the curriculum accessible, in practice they often extended their roles to serve as instructional aides, advocates, and social-emotional guides. This expansion partly stemmed from the inherent interplay between content and language learning in educational settings and was partly driven by the interpreters' shared experiences and empathy for ELLs. The study advocates for a reconceptualization of interpreters' roles and responsibilities and providing expanded training programs that reflect interpreters' everyday practices. Furthermore, it calls for a shift toward culturally responsive interpreting that acknowledges the multilingual and multicultural nature of educational settings.

**Keywords:** educational interpreters, English language learners, K–12 classrooms, roles and responsibilities, language access

## 1. Introduction

The enrollment of linguistically and culturally diverse students within US K–12 schools, that is, primary and secondary education, has seen a consistent rise over the recent years, leading to a notable increase in the population of English language learners (ELLs)—students whose primary language is not English and who are actively acquiring English proficiency (Bardack 2010). For many ELLs, access to the general education curriculum and participation in school discourse within an English-only environment are facilitated, in part, by the services of spoken language educational interpreters (Smith 2015; Winston 2015).

The concepts of educational interpreting and interpreted education are grounded in language access and equality and the right to access meaningful education (Winston 2015; Ledesma 2021). Title VI of the US Civil Rights Act of 1964 (see US Department of Justice 2024) prohibits discrimination based on race, ethnicity, or national origin in federally funded educational programs (Kaufman, Bailey & Mosher 1969). This legislation underscores the requirement for the provision of special language assistance and the promotion of linguistic access for students from linguistically minoritized groups (Abarca & Allen 2019). Further, it is pointed out that “schools must provide translation or interpretation from appropriate and competent individuals and may not rely on or ask students, siblings, friends, or untrained school staff to translate or interpret for parents” (US Department of Justice & US Department of Education 2015b). The landmark case of *Lau v. Nichols* further emphasized this principle when the Supreme Court ruled that the San Francisco Unified School District’s failure to provide adequate education to non-English-speaking students violated the students’ Fourteenth Amendment (United States 1868) rights, denying them equal educational opportunities (Sugarman & Widess 1974; Bon 2008). This ruling catalyzed the passage of the Equal Educational Opportunity Act of 1974, which mandated equal educational opportunities for all individuals, regardless of race, color, or national origin (Berenyi 2008). In response to these legal mandates, programs tailored to address ELLs’ special needs, such as bilingual education and English as a second language (ESL), were gradually formulated and implemented

nationwide (US Department of Education 2020). Failure to provide interpretation services may render districts liable under federal law (US Department of Justice & US Department of Education 2021).

The educational landscape in Massachusetts has also evolved over time in efforts to enhance linguistic access for ELLs. Notably, in 1971, Massachusetts became the first state in the nation to mandate the provision of instruction and educational materials in students' primary languages if they lacked English proficiency (Owens 2010). However, in 2002, the state shifted to an English-only policy, prohibiting bilingual education and adopting sheltered immersion (SEI) techniques. These techniques integrate ELLs into mainstream classrooms and deliver all academic content in English to students with limited English proficiency (Owens 2010). Nevertheless, in 2011, the US Department of Justice (2011) identified a violation of the Equal Educational Opportunities Act (EEOA) pertaining to the state's SEI implementation, citing inadequate training for qualified educators and a failure to ensure that ELLs received mandated services. Subsequently, in 2017, the educational landscape saw a transformation with the passage of the LOOK (Language Opportunity for Our Kids) Act. This legislation grants school districts the flexibility to provide bilingual classrooms for students who are not fluent in English, allowing school districts to select high-quality, research-based language acquisition programs tailored to the needs of ELLs (Amorim 2023; Massachusetts Department of Elementary and Secondary Education 2023b). The shift has been seen as a positive step in providing more opportunities for students; it also contributes to promoting bilingualism and biculturalism among all students (Massachusetts Teacher Education 2018). Moreover, the Massachusetts Department of Elementary and Secondary Education (2023a) mandates schools to offer oral language interpretation services in compliance with Title VI of Civil Rights Act of 1964, providing guidelines for ensuring the provision of trained interpreters in schools.

## 2. Spoken language educational interpreting

Educational interpreting falls within the broader scope of community interpreting. Community interpreting "is a type of interpreting that takes place

between people who live in the same ‘community,’ society or country but who do not share a common language” (Hale 2015, 65). It extends across diverse settings such as hospitals, schools, courtrooms, and community services (Bancroft 2015). Educational interpreters, specifically, operate within school contexts, facilitating effective communication and providing access to educational resources for students who speak a language other than English (Abarca & Allen 2019). They engage in various school activities such as standardized testing, parent-teacher conferences, individualized education program (IEP) meetings, assemblies, classroom instruction, and training (Siebach 2023).

While other fields of community interpreting have enjoyed great development in terms of professionalization, training, and certification in recent years, such as healthcare and court interpreting (Mazzei & Aibo 2023), educational interpreting, especially spoken language interpreting, lags behind. Despite many school districts having translation and interpreting departments, a substantial number of the interpreters “have not taken valid proficiency tests, been given any substantive training, been sent to conferences, or encouraged to join professional associations” (Abarca & Allen 2019, under “What is Educational Interpreting?”). Moreover, bilingual staff members without formal training are often tasked with ad hoc interpreting. Child language brokering (CLB) instances, where young individuals translate or interpret for non-English-speaking family members, have also been documented in both formal and informal educational settings (Crafter 2018).

The absence of dedicated professional associations for educational interpreters and translators has contributed to the stagnant development of professionalization in the field. The recent formation of the American Association of Interpreters and Translators in Education (AAITE) signifies a growing recognition of the significance of and need for formal training of educational interpreters, clear ethical standards, and the establishment of best practices in the field.

In line with the slow development of professionalization in educational interpreting (Mellinger 2023), the field is largely under-researched, particularly concerning the specific qualifications and attributes of spoken language interpreters, as well as their actual roles and responsibilities. At present,

the roles of educational interpreters remain loosely defined and subject to variations based on the specific requirements and needs of school districts and individual schools (Kurz & Langer 2004). For instance, research into sign language educational interpreters has demonstrated their multifaceted roles and responsibilities, which include tutoring, consulting (Lawson 2021), serving as an aide (Jones 1993), disciplining, and teaching American Sign Language in the classroom (Hayes 1992) in addition to their primary role as interpreters facilitating sound and communication access. The varied array of settings in which spoken language interpreters may be engaged, coupled with the widespread practice of informal interpreting by bilingual individuals (Tse 1996; Orellana 2009), necessitates a comprehensive exploration of the interpreters' professional role boundaries, responsibilities, and classroom practices.

Existing research in spoken language educational interpreting has predominantly concentrated on three areas: (1) facilitating communication between schools and ELL families (Otey 2015), (2) advancing multicultural research on ELLs (Theobald 2017), and (3) examining interactions between interpreters and speech-language pathologists during ELL assessment (Langdon & Saenz 2015). There remains a research gap concerning the day-to-day roles and practices of interpreters within classrooms. Moreover, the shortage of practice-based training programs, both from university-affiliated and non-university programs and workshops, leads to a divide between the prescribed practices found in textbooks and training materials and the practical experiences of interpreters. This disconnect, coupled with the inadequacy of training resources and trained personnel, further amplifies the issue of inadequate professional recognition for educational interpreters (Smith 2015). These challenges underscore the critical necessity for comprehensive research into the operational dynamics of educational interpreting, as well as the roles and responsibilities of interpreters, especially in light of the legal requirements for ensuring ELLs' meaningful engagement in educational settings.

This study employed a qualitative case study design (Yin 2009) to provide a contextual description of the implementation of the interpreting service at Pond Poet (a pseudonym we employ to refer to a public school district in Northeastern US). Through the analysis of narratives from interpreters,

teachers, and the program coordinator, as well as documents collected, the study intends to describe the interpreters' practices in facilitating ELLs' access to language and education, contributing to a better understanding of their roles and informing the development of interpreter education and training programs aiming at professionalizing the discipline. Furthermore, we advocate for the recognition and support of interpreters, which could, in return, enhance support for ELLs, ensure compliance with legal requirements, and benefit the broader community. Thus, this research holds the potential to advance knowledge on the evolving roles of interpreters in classrooms and provide insights that could inform research on language access, as well as language access policies and practices. The study addressed the following research questions:

- What is the nature of the interpreting service at Pond Poet?
- How do various stakeholders, including interpreters, teachers, the program coordinator, describe the roles and responsibilities of interpreters?

### **3. Methodology**

#### *3.1 Context*

The Pond Poet Public School District, located in a Northeastern US college town, consists of three elementary schools (PreK–6), one middle school (grades 7–9), and one high school (grades 10–12).<sup>1</sup> According to enrollment data from the Massachusetts Department of Elementary and Secondary Education (2023c), the district had a total enrollment of 2,280 students during the 2022–2023 academic year. The student body was ethnically diverse and consisted of 51.5% White, 20.7% Hispanic, 15.5% Asian, 9.3%

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<sup>1</sup> PreK–6 typically includes children ranging from approximately 3 to 11 years of age. Grades 7–9 typically cover the ages of 12 to 14, while grades 10–12 typically cover the ages of 15 to 17/18.

African American, 8% Multiracial (Non-Hispanic), 0.1% Native American, and 0.1% Native Hawaiian students (Massachusetts Department of Elementary and Secondary Education 2023c). Notably, the district exhibited a higher percentage of non-English speaking students than the state average, with 22.5% speaking languages other than English at home and 9.5% identified as ELLs (Massachusetts Department of Elementary and Secondary Education 2023c).

Against the backdrop of state and federal requirements concerning language access services for non-native English speakers (US Department of Justice & US Department of Education 2015a), the district has implemented an extensive ESL program, featuring SEI techniques in mainstream classrooms, dedicated ELL pull-out sessions, and the provision of interpreting services. SEI entails immersing ELLs in classrooms where English is the primary medium of instruction, with teachers adapting their teaching methods to accommodate varying proficiency levels. ELL pull-out sessions offer specialized instruction delivered by certified ESL teachers to smaller groups of ELL students.

Additionally, the district employs interpreters within mainstream classrooms to interpret teachers' instructions into ELLs' first language and make the content culturally accessible while ELLs are still acquiring English proficiency, with interpreters serving as a crucial bridge to overcome communication barriers and facilitate content learning. The receiver of the service primarily includes ELLs classified within English language proficiency (ELP) levels 1 and 2, based on their performance on the Assessing Comprehension and Communication in English State-to-State for English Language Learners (ACCESS) assessment (Cooney 2020).

### 3.2 Research design

This study employed a qualitative case study design to investigate the provision of the interpreting service. This methodological approach allows for a comprehensive and nuanced depiction of the focal case within its

specific context, enabling a multifaceted understanding from various viewpoints (Stake 1995; Yin 2009). By adopting this methodology, this study focused on exploring specific aspects of the interpreting services, particularly the roles and practices of interpreters. Moreover, this approach helped facilitate an in-depth immersion in the classroom context, fostering a nuanced understanding of how interpreting services are implemented. Therefore, this methodological choice enabled the capture of diverse perspectives from interpreters and stakeholders, facilitating a thorough exploration of the complexities inherent in the service.

### *3.3 Recruitment*

The researchers of the current study collaborated with Amelia, the coordinator of the ESL program at Pond Poet, to devise a recruitment strategy, which included developing outreach emails and screening criteria. Amelia facilitated the distribution of these messages to interpreters and teachers. Due to the pandemic-induced shift to emergency remote teaching, alternative recruitment methods were also employed, such as utilizing LinkedIn and implementing a snowball sampling approach. However, limitations in linguistic and cultural expertise of the first author, along with time and budget constraints, precluded the exploration of perceptions of ELLs and their families relying on bilingual interpreting services. Additionally, the COVID-19 pandemic and school closures nationwide posed challenges in recruitment, resulting in a reduced sample size for the study. It is important to note that all personal identifiers within this paper have been anonymized using pseudonyms.

### *3.4 Data collection*

To understand the district's interpreting service, data were collected through diverse methods and sources. Semi-structured interviews were

conducted with ten interpreters, five teachers, and the program coordinator to capture diverse perspectives on the service's functioning. These interviews were video-recorded and transcribed verbatim for accuracy and fidelity. Additionally, relevant documents pertaining to the interpreting services, such as district profiles, mission and vision statements, program evaluations from the state's Department of Education, and job postings, were collected. These documents served as supplements to the interview data, providing additional insights into the district's vision and policies related to the service, thereby enhancing the credibility of the study's findings.

### *3.5 Data analysis*

Thematic analysis (TA) (Braun & Clarke 2022) and constant comparison method (CCM) (Glaser & Strauss 2017) were employed to uncover patterns and themes in the collected data, including transcribed and pseudonymized interviews and documentation. An iterative coding process was used, with new codes added as additional themes emerged, creating a hierarchical coding structure (Neale 2016). This process allowed for systematic identification, analysis, and reporting of patterns within the data. CCM facilitated the inductive discovery of "latent patterns in the multiple participant's words through continuous comparison of emerging interpretations" (Glaser 2002, 2). Peer debriefing among the study's authors was conducted to facilitate discussion and validation of research findings and interpretations, ensuring rigor and trustworthiness (Spall 1998).

### *3.6 Ethical considerations*

Ethical approval for this study was obtained from the Institutional Review Board (IRB) of the authors' university. Informed consent was obtained from all participants before the interviews. Confidentiality and anonymity were guaranteed throughout the research process.

## 4. Navigating the intricacies: Student profiles

### 4.1 Learners with interrupted education

A notable subset of the ELLs in the secondary school at Pond Poet were students with limited or interrupted formal education. This cohort typically comprised refugees and migrants who had experienced disruptions in their formal education. Anthony, a certified medical Spanish-English interpreter with six years of tenure at Pond Poet, drew attention to the challenging backgrounds from which these students came (interview, 1 October 2021):

In this particular [high] school, there's a population that has had a very difficult, not a privileged, upbringing. Many of them come from very humble and difficult places. Places where they were either refugees or fleeing from violence or something, and they're missing a lot of education. Sometimes they have maybe a third-grade level of understanding, and it's not just English, it's in their own language. They have missed many years.

Anthony's account highlighted the profound impact of disrupted education on these students, encompassing not only lower English proficiency but also deficiencies in their first language and fundamental domain knowledge. This underscored the critical need for heightened attention and support from the district.

### 4.2 Learners with potential learning disabilities

The presence of potential learning disabilities among some ELLs, coupled with the challenges in identifying these disabilities upon enrollment, added another layer of complexity to the district's ELL education. Heather, the head of the ELL department at the high school, added her perspective on the placement of ELLs (interview, 10 September 2021):

In recent years, we've had several students who don't have literacy in their first language because they have interrupted education or didn't attend a school that had services for students who might have a cognitive challenge. So we don't make special education referrals, and there is a wait.

The absence of prior diagnoses from home countries, combined with the school's limited knowledge of their educational backgrounds, complicated the decision-making regarding the support services. Therefore, at Pond Poet, determining eligibility for services beyond ESL often required a one-year observation period in the US learning environment.

#### *4.3 Learners with weak academic profiles*

A notable characteristic observed among many of the ELLs was a lack of solid academic foundations. The example below was illustrative, given by Lucas, an experienced academic assessment specialist, former special education Math teacher, Spanish-English interpreter, and paraeducator (interview, 16 September 2022):

It became very quick that he [one student] didn't just need translation. The translation was almost irrelevant because his lack of academic background was really the problem. He was an eighth grader, and I had to go over second-grade level things because he didn't have any skills that were at grade level. All the reading, writing, and math were below grade level.

Lucas's observations underscored the influence of prior academic experiences on individual ELLs at Pond Poet. He pointed out that merely translating and interpreting classroom content had limited benefits for students with significant knowledge gaps, as it failed to provide necessary contextualization knowledge and pedagogical guidance.

The varied backgrounds of the ELLs, including those with interrupted education, learning disabilities, or weak academic foundations, presented

unique challenges for educators at Pond Poet. In the following sections, we delve into the responsibilities shouldered by the interpreters in Pond Poet's classrooms.

## **5. Interpreters as multifaceted facilitators**

Our analysis revealed that interpreters at Pond Poet played a multifaceted role that extended well beyond traditional interpretations (Hale 2007). Despite the school district's official job description primarily focusing on their role as language interpreters for making content accessible to learners, interpreters evolved into versatile assistants and facilitators for ELLs.

In the following section, we delineate four major roles that interpreters reported performing in their daily activities. These roles include interpreting classroom instruction, assisting with class assignments, advocating for additional support for ELLs, and helping students navigate the social and emotional aspects of school life. This will shed light on both their responsibilities and the motivating factors behind their actions.

### *5.1 Interpreters*

Foremost among the interpreters' responsibilities was ensuring ELLs' access to classroom instruction through interpreting, relaying teachers' instruction to comprehensible discourse for learners. However, the investigation of the interpreters' training backgrounds revealed a lack of formal interpreting training among some participants. Out of the ten interpreters interviewed, two held specialized certificates in areas such as medical and conference interpreting, two were graduate students specializing in interpretation, and the remaining six lacked formal training, relying on onboarding programs and learning-by-doing. This aligns with Tiselius's (2022) observation on the inadequate training of community interpreters.

Despite limited prior training, interpreters developed an understanding of interpreting strategies through onboarding and practical experience. For

instance, Cora, an English–Spanish interpreter at the districts’ high school, reported frequently using the “translation using a loan word . . . plus explanation” (Baker 1992, 34) to clarify US culture-centered concepts for her learners. She explained the rationale behind this technique (interview, 23 August 2022):

A lot of times teachers make reference to cultural things that my students are not familiar with, like certain foods or certain music. I have to bring my students up-to-date so they don’t feel left behind in a joke or things like that.

From Cora’s perspective, ELLs tended to lack familiarity with US cultural and contextual concepts, and teachers might not be aware of the gap. Therefore, it was crucial for interpreters to insert additional information to clarify these concepts, thus making them more meaningful for the learners.

Diana, a Mandarin–English interpreter with background in multi-language education, employed consecutive interpretation in kindergarten ESL pull-out classes with simple storybook materials (interview, 27 July 2022):

Particularly in ESL pull-out classes where teachers would read a story using storybooks. She [a kindergartner] couldn’t follow anything at the very first. I would sit next to her, and whenever the teacher read a line from the story, I would interpret it to her. It’s okay to do it because the kindergarten materials are relatively straightforward.

According to Diana’s description the elementary nature of the kindergarten materials enabled her to effectively perform consecutive interpreting to make stories understandable for the kindergartner. Nevertheless, she found consecutive interpreting challenging with more complex subject matter or the rapid pace of teachers’ delivery in higher-grade levels (interview, 27 July 2022):

However, there were times when the teacher spoke so quickly that I wouldn’t be able to do that. For the sixth-grade girl, there were times when teachers would show them documentaries from Discovery, for instance, which I couldn’t interpret sentence by sentence, so I just gave her a rough summary of what it was.

Due to teachers often maintaining a continuous pace without frequent pauses to accommodate interpreters and being unaware of the need to wait for interpreters to convey messages to ELLs, Diana encountered increasing challenges in employing consecutive interpreting, especially when subject complexity escalated. In response, she resorted to content summarization to convey the key points. Furthermore, insights from interpreter interviews indicated that teachers rarely provided materials in advance for interpreters to prepare, and this lack of access to teaching materials adds to the difficulty of interpreting complex topics and concepts.

The goals of interpreting, as well as the nature of language acquisition and content learning in such contexts, also need to be reconsidered. Jan, a Mandarin-English interpreter with a background in bilingual education, reflected on her use of summarization to strike a balance between conveying crucial information and providing fifth-grade ELLs with ample exposure to the English language (interview, 25 July 2022):

Mostly, summarization and filling, because on the one hand, I would be afraid that I might miss something in simultaneous interpreting. On the other hand, I want the kids to hear the English language, fully. What I normally do is that, whatever I think is important, I want them to listen to it first, and then I will ask if they understand or if they know what to do next.

Considering the acquisition of English language, providing learners with ample exposure to the language was beneficial for their proficiency. Previous research consistently indicates that children learn languages more effectively through communication and immersion rather than strict rule-based learning (Cummins 2009). The immersion approach adopted by both Jan and Diana could be more effective compared to relying solely on translation and interpreting as a language learning method.

However, when considering the comprehension of content, it is reasonable to argue that summarization could lead to unintentional information loss. The preference for summarization could also potentially suggest that some interpreters may lack comprehensive linguistic and interpreter training, resorting

to it as an alternative approach. Hence, the effectiveness of this practice ultimately hinged upon interpreters' understanding of students' cognitive capabilities and their skill in balancing brevity and comprehensive transmission. Additionally, providing interpreters with preparatory time and curriculum materials in advance could enhance their familiarity with subject matter and reduce the risk of information loss.

The narratives from the interpreters showcased the intricate nature of interpreting in K–12 classrooms. Though the interpreters were initially employed to make instruction accessible to learners, it became evident that their role involved both linguistic and content learning aspects, making it challenging to neatly delineate the boundaries of their responsibilities. Furthermore, there was occasional tension between the interpreting technique and language acquisition approach adopted, requiring educational interpreters to be competent in both areas to make effective real-time decisions.

## 5.2 *Instructional aides*

Given the blurred line between the facilitation of communication and the facilitation of education in an educational context, it comes as no surprise that the interpreters at Pond Poet often found themselves assuming the additional responsibility of instructional aides, engaging in tasks like assessing student comprehension, offering supplementary instruction, and leading small-group sessions. Despite the absence of formal teaching credentials, they drew upon their diverse professional backgrounds, including prior experience in education, communication, and in some cases, their roles as parents, to support ELLs in accessing education. Notably, they often operated independently in these instructional roles, as explicit guidance from classroom teachers was frequently minimal.

Anna, a Portuguese–English interpreter with a background in communication, shared her frequent involvement in one-on-one teaching when the ELL encountered academic challenges (interview, 1 November 2022):

I was, unfortunately, put in Science and Math classes . . . Honestly, it wasn't me interpreting exactly what she was saying. It was me teaching that student as if I were a Portuguese teacher, as if I were just a regular teacher teaching him . . . So that's kind of what I had to do, especially in Math classes, where it's a little more abstract.

In this specific case, Anna believed there was a need to go beyond linguistic mediation for the ELL due to the subject's complexity. Consequently, her role extended to providing problem-solving assistance by reteaching the content in the learner's native language. This additional responsibility had become a significant part of her daily tasks, especially in subjects like science and math, which involve abstract concepts. Essentially, Anna saw herself as a bridge between the classroom teacher's instruction and the student's comprehension.

Additionally, Cora discussed her practice of fostering intellectual engagement in group activities during lab sessions (interview, 23 August 2022):

If we're working in groups, for example, in chemistry, we're doing a lab. I try for the students to be in charge, but if nobody steps up and things need to get done. I try to encourage them to at least read the directions. "Okay, let's see what you have to do. You need these materials. Go get them." I guess it helps that. I'm older and I have kids. So, you know, a little bit of mothering.

Clearly, Cora has reported that her role extended beyond that of a mere linguistic facilitator. She assumed the responsibilities of an academic facilitator, ensuring that ELLs and their peers stayed on track with the assignments.

The prevalence of tutoring practices among interpreters led us to explore in the interview how teachers perceived interpreters' shift toward instructional roles in classrooms at Pond Poet. Iris, an experienced elementary school teacher specializing in multilingual education, provided her perspective (interview, 17 August 2022):

Because of the nature of the job, you can't just be an interpreter. It's a mixed role, really . . . There are times where, for instance, if the classroom teacher is teaching

a particular topic, then the interpreter's job will be to interpret for the student. But oftentimes, this interpreter will go with the student off to the side, and do one to one, especially in Math. They are tutoring, not just interpreting and translating the language for the students. They're also instructing and facilitating the learning, and . . . that's why it's really, really good to have a tutor who is well-versed in the curriculum for that particular grade level. In that case, it would be easier if teachers could provide the materials.

From Iris' perspective, the term interpreter may not fully encompass the diverse range of responsibilities interpreters undertook in classrooms, given the nature of teaching and learning. She highlighted that the interpreters in her classrooms also offered instructional support, which required a diverse skill set beyond language proficiency and interpreting. Iris suggested that providing interpreters with necessary materials could facilitate their tutoring practices. Her understanding of interpreters' roles resonated with the historical association between interpreting and tutoring duties for ELLs at Pond Poet, which had previously been undertaken by LAU tutors.

Regarding this expanded role of interpreters, the program coordinator, Amelia, acknowledged that while interpreting class content for ELLs was interpreters' primary responsibility, they often assumed additional duties (interview, 10 September 2021):

So, the way we describe the role, the primary role, is to interpret the class content, make content accessible, and also help bridge cultural aspects of students learning, to integrate, to do school in the United States, basically. So that's kind of the basic level. And we know they end up in somewhat of a tutoring role where they are helping students to complete work and answer questions.

Amelia also mentioned an ongoing initiative to designate certain interpreters as interpreter paraprofessionals, formalizing their expanded responsibilities.

### 5.3 Advocates

The investigation also revealed a tendency among some teachers to delegate a portion of their teaching responsibilities to the interpreters working with ELLs. These teachers did not adjust their teaching materials and language to suit the needs and proficiency levels of ELLs, which goes against SEI principles. In response, some interpreters took on advocacy roles to ensure that ELLs received the necessary support and accommodations. They exerted efforts to seek teachers' attention, solicit guidance, and, in certain instances, request modifications to instructional materials and tasks. The subsequent excerpt features Cora's experiences in advocating for ELLs who appeared to be marginalized by their teacher (interview, 23 August 2022):

If I see a teacher like that [paying less attention to ELLs who are assigned with an interpreter], I tend to raise my hand. So the teacher comes, and I ask a question like, "One wants to know... how do you do this?" So the teacher remembers that the student is there.

In this case, Cora reported advocating for ELLs by actively participating in classroom activities and asking questions on their behalf, ensuring the teacher acknowledged the presence and needs of ELLs, thereby preventing their inadvertent neglect.

Similarly, Jan offered insights into the interpreter's potential role as an advocate. She specifically mentioned initiating dialogues with teachers when she found that the difficulty level of assignments was inconsistent with the learners' proficiency levels, and she would ask to adjust the assignments accordingly (interview, 25 July 2022):

Though I am aware that our responsibility is to relay what the teacher stated, it is not translation after all. So, especially at a later point, whenever I feel the need to modify an assignment, such as when I believe this task is beyond the ability of this student, I will consult the teacher to see if we could do only part of

it or something like that. If the teacher feels okay with it, we go with that, and if not, then I will need to put more effort.

Jan's efforts had a broader impact, transcending the boundary of addressing the learner's immediate needs with a specific assignment. Her approach contributed to a broader transformation in classroom educational practices, fostering an environment that recognized and respected diversity and promoted inclusion. This approach empowered teachers with insights into the conditions and requirements of ELLs, enabling them to maintain control over their classrooms while making informed decisions about instructional strategies and accommodations.

#### *5.4 Social and emotional coaches*

The interpreters also assumed a crucial role as social and emotional coaches for ELLs, contributing to their integration and adjustment within the school community and their new social environment. Cora, for instance, recognized the challenges some ELLs faced in connecting with peers due to language barriers. To tackle these challenges, she reported using sports as a means of promoting social interaction and foster friendships among ELLs and their fellow classmates (interview, 23 August 2022):

I encourage them to participate in sports, which can be very beneficial. In sports, they interact with students from various grades across the school, forming connections with their peers. Occasionally, we have students whose families are from El Salvador, but they've grown up here and don't speak Spanish at school, even though they understand it. They might not always interact with our ELL students. However, when they encounter each other in a sports setting, such as soccer practice, they realize, "Oh, you speak Spanish too." This creates a more natural and welcoming environment for building relationships.

Cora's approach provided ELLs with valuable opportunities to discover shared linguistic and cultural backgrounds among schoolmates, building relationships

via common experiences. This proactive strategy fostered a supportive atmosphere for ELLs, enabling them to casually meet and befriend peers, communicate directly, and independently develop relationships. Consequently, it reduced their dependency on interpreters for social interactions, promoting their growth as self-reliant communicators.

The value of interpreters as social facilitators, both within extracurricular activities and classroom settings, was not only recognized by ELLs but also appreciated by educators. Rebecca, a special-education teacher in a primary school, shared a personal anecdote that demonstrated the indispensable role of an interpreter in her son's building a meaningful friendship with another student, which originated from a shared passion for soccer and thrived with the interpreter's assistance (interview, 8 August 2022):

So, there was one year when a boy came from Cape Verde, and he spoke Portuguese, and no English at all, but he was good at soccer and my son loves soccer, and so they used to play soccer out at recess. But then when they were in the classroom, they couldn't really talk. But the interpreter just did such a good job of helping them get to know each other and she was really good at letting them talk to each other, while she stayed back there, but then she would interject to help when needed, so they were really connecting.

Rebecca's account underscores the interpreters' proficiency in deploying strategies for fostering the social inclusion of ELLs, demonstrating their strong capability of adjusting their level of involvement to suit specific contextual nuances and circumstances.

Moreover, interpreters like Anthony took it upon themselves to provide linguistic guidance to ELLs during their social interactions, promoting appropriate language usage within the school context. When they observed ELLs using inappropriate language, they intervened, as Anthony explained (interview, 1 October 2021):

Their grammar is usually slang and they speak in this not very formal way, not everyone. So they'll use some language that I think is inappropriate. And I will always tell them, "You know, you don't refer to young women with that word." I don't know if

they appreciate it, but they're a little surprised that we think it's wrong . . . We have to sort of step in. We've never been told to do this or that. But I think, as human beings, you have to be able to say, "If you do use this word, you're gonna get in trouble someday."

Anthony's words revealed his awareness of the intricate dynamics of communication and interaction within the school environment, particularly the potential repercussions of linguistic inappropriateness stemming from ELLs' unfamiliarity. His interventions served as a protective measure, mitigating the risk of adverse experiences and unintended consequences in ELLs' social life, as well as those who interacted with ELLs. Anthony thus played a pivotal part in helping ELLs understand and adapt to the unique discourse norms of the school. Consequently, he enhanced their awareness of appropriate language usage in their daily lives, fostering their social inclusion and recognition within the unfamiliar educational setting.

Furthermore, ELLs, as a marginalized group, often encounter distinctive challenges in shaping their identities within new environments, easily giving rise to feelings of exclusion and even interpersonal conflicts. Given that the interpreters primarily served as language facilitators, it is not surprising that some interpreters occasionally found themselves entangled in mediating conflicts involving ELLs and their peers, particularly within secondary school settings. Aline recounted her experiences in this context (interview, 28 July 2022):

Middle school kids who already have an understanding of the cultural differences are trying to figure out their social life and asserting themselves, and they are super concerned with fitting in and being liked and school dynamics . . . For me, it was really hard to work with the high school and deal with all of the bullying. Even though it's not our job to be dealing with that, it's also impossible not to because sometimes we're even helping translate.

Aline's statement illustrated the unique characteristics of K–12 educational settings, where younger learners are in the process of developing their worldviews. In the absence of more multilingual and multicultural guidance that

promotes openness and inclusivity, certain students may develop immature and insensitive attitudes toward differences. This, in turn, could lead ELLs to feel like outsiders due to these less comprehensive and inclusive worldviews. The unique dynamics, rooted in beliefs and perspectives, rather than language gaps, made the task of interpreting within educational spaces particularly challenging. Aline commented further (interview, 28 July 2022):

Again, it's the ethics you don't filter out, you don't say, "Oh that's bullying, I'm not going to translate it." But also, you're the adult, and you have to take a stance toward all the other kids as well. You're not only an interpreter, you are an adult in a classroom. That's also a role that you're playing, so it's a lot of layers, definitely not your traditional interpreting job.

In this excerpt, Aline underscored the intricate role assumed by the interpreters, characterizing it as an "adult in the classroom." The role necessitated skillfully maintaining a delicate balance between faithfully conveying all forms of communication and a commitment to safeguard the well-being of ELLs. The dual responsibilities of accurately interpreting interactions and addressing peer relationship issues to create a safe classroom environment for ELLs often put the interpreters into nuanced ethical dilemmas. They had to face a continual process of decision-making, weighing the choice between filtering out specific inappropriate language or confronting it directly. Each decision carried implications that necessitated a careful assessment of the potential consequences and their impact on the students involved.

### *5.5 Motivations for interpreters actively assuming multiple roles*

The motivations driving interpreters actively assuming multiple roles in their service for ELLs at Pond Poet can be illuminated through Anna's personal journey and perspective. Anna's experiences as an ELL in an unfamiliar environment, where she had to learn English solely through attending school, deeply influenced her outlook and instilled in her a profound empathy for ELLs. Empathy has already

been highlighted as a crucial factor for interpreted-mediated interactions in community settings in general (Santamaría Ciordia 2022). In Anna's case, empathy fueled her desire to provide assistance and take on additional responsibilities in her work as an educational interpreter (interview, 1 November 2022):

You're usually not just doing the things in the job description, because you want to be helpful, and at least for me, I feel a compassion toward these kids like I know, as a kid who grew up with only Portuguese, and then having to learn English just from going to school. I know how hard it is, how lonely it is not knowing the language of the other person, and how I am going to advocate for myself. So you have actual compassion, and I'll do anything because, at least for me, I want these kids to have what I didn't have.

In essence, Anna perceived her role as an opportunity to make a positive impact on the lives of ELLs by providing them with the support she wished she had during her own language-learning journey. As previous research indicates, interpreters frequently encounter students who are frustrated, intimidated, and lacking in self-advocacy skills, and educational interpreting often involves dealing with situations where ELLs are denied access to education and communication (Winston 2015). Anna had deep sympathy for ELLs and hoped to extend help through the interpreting position. Her story exemplifies how personal experiences and empathy motivate interpreters to assume diverse roles in their service to ELLs.

Moreover, Anthony highlighted that the enduring and substantial impact that interpreters could have on learners when they actively contribute to the holistic development of ELLs motivated him to extend his role beyond traditional boundaries. He articulated his perspective as follows (interview, 1 October 2021):

We have to be more than just interpreters. You have to just accept the whole person. It's not just, okay, the bell's gone, then that's it, you've done your job. It really keeps going. And they'll come to you in the middle of the hallway, and they'll greet you. It's a very human relationship that develops if it goes well.

As discussed earlier, the challenges faced by ELLs in adapting to a new school environment go beyond academics. Anthony was aware of the importance of

understanding ELLs' unique needs, challenges, and experiences, providing them with comprehensive support, and embracing them as complete individuals, believing that a student's educational experience extended beyond the classroom. His deep understanding of the potential impact interpreters could have on ELLs motivated him to assume multiple responsibilities. Aline similarly held the conviction that educational interpreters were not limited to the role of a mere interpreter. Instead, she saw them as adults within the classroom who could shoulder more significant responsibilities and make a more substantial impact on the students they served, extending their influence even beyond the classroom.

In this educational setting, interpreters often built enduring relationships with ELLs since they typically worked with the same learners throughout an entire school year, until these students were reevaluated on their ELP a year later. Over this extended period, the interpreters consistently observed and followed the educational and social growth of these students, strengthening their connections and trust with the learners. This practice reinforced the interpreters' role as more than just language facilitators; they became dedicated advocates for the holistic well-being of ELLs.

## **6. Conclusions: Reconceptualizing the role of educational interpreters in the classroom for ELLs**

### *6.1 The reality of interpreters' multiple roles*

The role of interpreters in community interpreting is highly heterogeneous, primarily driven by institutional needs. Moreover, the intricate interplay of stakeholder requirements, budget limitations, and legal parameters adds complexity to the utilization of interpreters in each particular context (Rudvin 2007). In educational settings, interpreters occupy a unique and pivotal position, given that they are often the sole individuals sharing a language with ELLs (Underwood 2021). Winston's (2015) research evidences that ELLs frequently relied on interpreters for

essential academic assistance when navigating unfamiliar academic environments. Similarly, Fitzmaurice (2021) underscores the indispensable role interpreters played in bridging significant resource gaps for ELLs in the absence of formal support structures.

The findings of this study align with and substantiate these existing insights. At Pond Poet, the surge of ELLs has created a compelling demand for individuals who can support them linguistically, academically, and socio-emotionally. Also, the school district holds a legal obligation to ensure their equitable access to education. Although the coordinator and teachers may not explicitly assign the responsibility for the education of ELLs to interpreters, it occurred sometimes due to teachers being overwhelmed with their existing duties. Additionally, some interpreters voluntarily took on the responsibilities, driven by their empathy toward learners. Given the absence of other readily available bilingual staff who could fulfill this gap, along with the unique nature of interpreting in educational settings where language and education access are deeply intertwined, the interpreters usually performed a multitude of responsibilities, formally or informally assigned to them.

### *6.2 Reconceptualizing the task of interpreting and the role of interpreters*

The expanded roles of interpreters at Pond Poet necessitate a comprehensive reevaluation and reconceptualization of their responsibilities within K–12 classrooms. This reconceptualization should extend to education and training protocols, qualification, and compensation policies, as well as the social and professional status associated with interpreters.

First, it should be recognized that the interpreters at Pond Poet primarily operated as bilingual educational paraprofessionals. When interpreting alone seemed insufficient to meet students' needs, many interpreters engaged in tutoring ELLs. Given the unique nature of interpreting in classroom settings, tutoring should be reframed as an interdependent activity rather than an additional duty beyond interpreting (Caruso & Williams Woolley 2008; Brimm 2021). Therefore, to enhance interpreters' efforts in supporting ELLs academically, a collaborative

and strategic approach is recommended. Establishing teams dedicated to ELL education, comprising homeroom teachers, ESL teachers, interpreters, and other supporting staff, is fundamental to this approach. The approach aims to optimize interpreters' capabilities in multicultural and multilingual communication, ensure the consistent implementation of SEI practices, and reinforce the central role of teachers in ELL education.

Interpreters should be encouraged to attend training in bilingual education and SEI, enabling them to collaboratively work with teachers in delivering SEI and supporting the translanguaging practices of ELLs. Within the educational teams, a co-teaching model could be adopted, allowing interpreters to leverage their deep understanding of the learners to enhance accessibility and customize education for ELLs, under teacher guidance.

Collaboration within the team should extend to interpreters sharing progress updates on ELLs with homeroom teachers and participating in evaluating SEI implementation effectiveness for ELLs. Teachers should share curriculum and agenda details ahead of time to allow interpreters to familiarize themselves with the curriculum and identify areas suitable for ELLs.

Beyond their interpreter role, some interpreters extended their practices to encompass tasks like social coaching, cultural mediation, and advocacy for ELLs, indicating their potential for a designated role as bilingual counselors. Hence, recognizing the importance of counseling in the experience of ELLs is crucial. Targeted training for some interpreters to formalize their role as bilingual counselors is recommended, empowering them to address the social, emotional, and psychological needs of ELLs more effectively. Collaboration with the counseling department could further amplify their impact.

### *6.3 Reevaluating interpreter training and qualification*

As we reassess the evolving role of interpreters within educational environments, there is an urgent need to critically evaluate interpreter training programs and redefine their essential skill sets. Pre-service training programs should be tailored to equip interpreters with competencies specifically geared

toward navigating the multifaceted challenges of educational settings. This specialized training should prioritize situational relevance within educational contexts, enabling interpreters to adeptly address challenges, conceptualize tasks, assess their capabilities, and make informed decisions during interpreted interactions (Witter–Merithew & Nicodemus 2012).

For interpreters seeking to formalize their roles as bilingual paraprofessionals, it is imperative to acquire additional training in key areas such as pedagogy, second language acquisition, classroom management, legal and ethical guidelines, special education, collaboration, communication, educational technology, observation techniques, and reporting procedures. Proficiency in academic standards and the curriculum is also essential for effectively assessing ELLs' progress and tailoring support strategies accordingly. Moreover, interpreters aspiring to serve as bilingual counselors may acquire expertise in counseling techniques, psychological assessment, family dynamics, and trauma-informed care.

Furthermore, there is a pressing need to reevaluate the qualification standards for interpreters. Existing job descriptions at Pond Poet lacked specificity regarding their duties and qualifications. Thus, a revision of the job postings is necessary. This revision should involve consultation with relevant stakeholders, including interpreters, educators, administrators, and representatives from the ELL community, to ensure that the qualifications accurately reflect the demands of the position and the needs of the students they serve. Additionally, establishing standardized qualification requirements can promote consistency in the quality of interpreting services.

Educators responsible for training interpreters should also be encouraged to align their programs with the current trends and day-to-day practices observed within classrooms. A more robust and relevant training system can better equip interpreters for their role and contribute to the professionalization of this field.

#### *6.4 Moving toward culturally responsive interpreting*

Embracing a revised discourse on educational interpreters and the professionalization of their role holds the potential to empower the practitioners

to become catalysts for meaningful conversations within school communities. By challenging mainstream monolingual ideologies, interpreters' linguistic and cultural competence can become invaluable assets to the entire school community. This paradigm shift will occur when administrators and teachers reframe their perspective, viewing interpreters not solely as aids for language, but as opportunities to integrate concepts of multiculturalism and diversity into classrooms. This shift in perspective can lead to a deeper understanding of language access and education rights in the school community, fostering a more nuanced approach to addressing the needs of ELLs. To facilitate these transformative changes and ensure the delivery of high-quality services to ELLs in compliance with legal requirements, it would be beneficial for the school district to explore funding opportunities at the local, state, and federal levels.

Overall, the interpreters at Pond Poet demonstrated a unique blend of linguistic and cultural competencies, along with experiences in related fields such as education, communication, and psychology. This combination made them valuable and rare resources within Pond Poet's educational landscape. As their roles continue to evolve, there is a pressing need for a paradigm shift that acknowledges interpreters as professionals entitled to comprehensive training and education to effectively fulfill their expanding responsibilities and elevate the standard of language access services. Furthermore, advocating for a culturally responsive approach to interpreting promotes more equitable and inclusive institutional structures.

### *6.5 Implications*

While the findings of this study may be specific to Pond Poet's unique characteristics and the operational aspects of its educational interpreting service, they offer valuable insights into interpreting, language access, and ELL education. Therefore, although generalizability to other educational settings may be limited, this study could stimulate further research and the development of practices aimed at professionalizing interpreters and safeguarding the rights of ELLs.

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## The incidence of empathy when interpreting in the field for vulnerable populations in the Israeli-Palestinian conflict

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## The incidence of empathy when interpreting in the field for vulnerable populations in the Israeli–Palestinian conflict<sup>1</sup>

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### Abstract

This article describes the incidence of empathy in field interpreters who work with vulnerable populations in the context of the Israeli–Palestinian conflict. Qualitative data was gathered via interviews conducted in 2018 with professional field interpreters working for international organizations (both freelancers and staffers), resulting in two paradigmatic narratives (one for each professional profile) aimed at preserving the participants' anonymity. The narratives reveal a significant incidence of empathy in certain communicative situations, and views of empathy as both a hindrance and a useful emotion for the task at hand. The article suggests that such conflicting perceptions may be addressed empowering field interpreters to reconcile themselves with their own positionality through psychological training.

**Keywords:** empathy, field interpreting, fragile contexts, vulnerable populations, Israeli–Palestinian conflict

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<sup>1</sup> This article is based on a PhD dissertation that was defended in 2021 at the University of Geneva entitled *La interpretación en conflictos prolongados: el conflicto israeli-palestino* (Barea Muñoz 2021a).

## 1. Introduction

The aim of this article is to describe and explore the incidence of empathy in interpreters working with vulnerable populations in the Israeli-Palestinian conflict. The research questions guiding this inquiry are: (1) what is the incidence of empathy in field interpreters when working with vulnerable populations in the Israeli-Palestinian conflict? and (2) how does empathy manifest within field interpreters' psychological and emotional sphere when engaging with vulnerable populations in the Israeli-Palestinian conflict? To address these questions, the article explores field interpreters' positionality and the psychological implications of their interactions with vulnerable populations in fragile contexts, with a specific focus on the Israeli-Palestinian conflict. The results of the study may inform the training of future interpreters to navigate such challenging environments.

The study is based on eleven semi-structured interviews conducted in 2018 with local freelancers and staff interpreters who were currently working or had worked for international organizations in the Israeli-Palestinian conflict. The participants were engaged in international field missions investigating alleged human rights violations perpetrated by Israeli authorities in the Occupied Territories, mainly in the West Bank. The interviews were transcribed, and then coded and categorized following the principles of constructivist grounded theory and phenomenology. This process yielded two paradigmatic narratives—one representing freelancers and one representing staff interpreters. These narratives were collated through comparative analysis and subsequently discussed in relation to existing literature on the matter.

This article first provides definitions for key concepts (Section 2), before exploring the notion of empathy in fragile contexts (Section 3). Subsequently, it describes the interview methodology employed to collect data (Section 4), followed by the presentation of results (Section 5) and their discussion (Section 6). The conclusions (Section 7) stress the complex relationship between the participants and the emergence of empathy during field interpreting. Furthermore, the study elicits relevant considerations regarding interpreters' positionality, both as members (or freelance employees) of a particular

international organization and as individuals who share certain identity traits and background with the stakeholders and beneficiaries of the interpreting service.

## 2. Definitions and contextualization

To properly contextualize this study and its theoretical background, the key concepts used will be initially defined. These include field interpreting for Palestinian victims, fragile contexts, vulnerable populations, the notion of empathy, and how these notions are interconnected with the Israeli-Palestinian conflict and the object of inquiry.

This study focuses on interpreters recruited to serve international organizations, specifically during field missions investigating alleged violations of human rights by Israeli authorities against Palestinian victims in the Occupied Territories (primarily in the West Bank) during the Israeli-Palestinian conflict. Termed *field interpreting*, this type of interpretation has been defined in contrast to conference interpreting as interpreting which is “conducted in myriad locations and rarely in a booth, e.g., a meeting room, a camp, a detention centre, a private house, an office, a hospital or a tent” (Ruiz Rosendo, Barghout & Martin 2021, 452). Centring the location in the understanding of field interpreting underscores the unique characteristics of such environments, many of which can be deemed *fragile*.

Fragile contexts encompass various adverse conditions individuals face, such as poverty; discrimination based on gender, ethnicity, race, or religion; denial of goods, resources, or employment (Fox et al. 2020); war and conflict; unaccountable police actions (Gallai 2019); forced migration; climate disasters; gender-based violence; and disease (Baker, Bellemore & Morgan 2023). Individuals in fragile contexts generally lack control over their lives and decision-making, often due to power imbalances stemming from governmental or coercive entities. These experiences can also induce trauma (Fox et al. 2020; Baker, Bellemore & Morgan 2023).

Similarly, vulnerable populations are defined as groups of individuals who endure hardship as a result of combined socioeconomic, political, and cultural

factors that can lead to discrimination and marginalization, poverty, and inequality in accessing social services (Nyamathi & Koniak-Griffin 2007; Lewis, Martin & Guzman 2022). Among the most vulnerable are women, children, people with disabilities or illness, the very old and the very young, refugees, and racial, ethnic, and gender minorities (Nyamathi & Koniak-Griffin 2007; Lewis, Martin & Guzman 2022; González Campanella 2023).

This study further explores the *positionality* of interpreters working with vulnerable populations in fragile contexts. Ruiz Rosendo and Persaud (2019, 476–477) define positionality as “the perspective shaped by a person’s class, race, gender, nationality, political and religious affiliations, sense of place in power hierarchies, and status,” all of which ultimately influence how reality is perceived and transmitted. Traditional views of interpreters as mere conduits of information, as articulated by Roy (1993) and Wadensjö (1993), frame the interpreter as a channel or conduit, and this stereotype influences the interpreter’s self-perception and the user’s preconceptions, prejudices, and expectations towards them. The concept of positionality acknowledges the interpreter as part of the communicative act. Scholarship in the area of fragile contexts (Metzger 1999; Merlini & Favaron 2007; Hoedemaekers & Soeters 2009; Takimoto 2009) has described the interpreter as an active and adaptable participant, interlocutor, and author: they intervene to clarify aspects of the message or comply with requests for repetition (which has been proven to be highly recommendable in the field, see Jones & Askew 2014), add information (in the form of clarifications), or make selections (including both deliberate and unintended omissions, selecting information, or summarising it, see Hoedemaekers & Soeters 2009; Takimoto 2009).

In the context of field interpreting for Palestinian victims, the study examines how the positionality of the interpreter interacts with that of the stakeholders and members of the mission when emotions like *empathy* arise. Empathy, characterized as a vicarious emotion (Batson, Fultz & Schoenrade 1987) rooted in shared experiences and traits with other human beings (Valero-Garcés 2006), plays a role in field interpreting. Empathy is commonly understood as the ability to relate to another person, their feelings, situation, perception, and mindset, typically entailing a certain degree of emotional understanding

(Jeffrey & Downie 2016; Rosler, Cohen-Chen & Halperin 2017; Ballesteros Sanjorge 2018; Borrell Carrió 2018). Also of interest to this article is the concept of compassion, which is usually described as stemming from empathy. Whereas empathy is limited to a feeling of sensitivity in the face of another individual's suffering, *compassion* extends beyond empathy, encompassing a commitment to alleviating that suffering (Gilbert 2014).

The Palestinian population under examination in this research is arguably undergoing a form of historical trauma resulting from the conflict. Historical trauma refers to the collective trauma suffered by a social group with a common identity, with this trauma being passed down to future generations. In turn, the trauma engenders a collective psychosocial and emotional response to that situation, which is cohesive to the group (Borda Bohigas et al. 2015). The ongoing conflict creates a psychosocial and cultural reality and status quo that is reinforced by psychosocial and cultural structures. In the case of the Israeli-Palestinian conflict, stretching back several decades, these structures have become ingrained within successive generations, shaping the collective experience of the population. Empathy can serve as an entry point into this collective trauma for those who operate from an external perspective: those who hear the stories of victims of a conflict also become exposed to a story of the conflict itself (Bar-Tal 2007). Thus, bearing witness to the story of a conflict also entails experiencing the collective emotional response generated by its existence.

Given the aforementioned considerations, this article posits that field interpreting for Palestinian victims constitutes interpreting in a fragile context. Interpreters in this context work for victims of trauma and conflict-related experiences who live in an environment of oppression, aggression, systemic violence, and death, and are often deprived of resources (like their homes or financial means), needing humanitarian aid to survive. These victims feel a lack of control over their own lives, as a result of their trauma as well as the adverse physical conditions and socio-political and economic situation in the Occupied Territories.

The context of this study can also be described as involving vulnerable populations, since the stakeholders and beneficiaries of the international

missions, and hence the interpreting services, are often children, women, political prisoners, or injured people in hospitals. Typically, these beneficiaries live in poverty or face hardship: it is worth noting that “poverty . . . increased in the West Bank and Gaza from 25.8 to 29.2 percent between 2011 and 2016/2017” (World Bank 2020, 1).

For all these reasons, interpreting in field missions to the Occupied Territories presents a number of challenges that extend beyond linguistic and cultural barriers or inherent interpreting techniques. Of particular significance, are the ethical and psychological challenges that are related to the interpreter’s positionality. The next section specifically reviews scholarship examining the deontological notion of neutrality juxtaposed with the experience of empathy in field interpreters in fragile contexts.

### **3. Neutrality, empathy, and the field interpreting practice in fragile contexts**

Field interpreting for Palestinian victims, as discussed in this article, shows similarities with interpreting in humanitarian settings (i.e., refugee camps or asylum hearings preparation). However, unlike interpreters working directly for humanitarian organizations (e.g., NGOs), field interpreters are not bound by international humanitarian law. Nevertheless, concerning the interpreter’s positionality, the ethical implications of their work, and the psychological impact of their involvement in fragile contexts, field interpreting for Palestinian victims bears resemblance to interpreting in humanitarian contexts: in both instances, the stakeholders and beneficiaries of the interpreting practice are often vulnerable populations. As acknowledged in literature on humanitarian contexts (Sande 1998; Kherbiche 2009; Moser-Mercer, Kherbiche & Class 2014; Todorova 2017; Moreno-Rivero 2018; Todorova 2019), the ethical implications of interpreting in such complex environments stand in contrast to the deontological standards typically associated with conference interpreting, which serve as the ethical benchmark for most interpreting practices, with community interpreting being the primary exception (Viezzi 2020). Consequently, any examination of field interpreting for Palestinian victims

must account for the distinct ethical implications and the interpreter's positionality.

Interpreting in the humanitarian field implies challenges that may cause deontological aspects of (traditional conference) interpreting practice to be overridden by the imperative of providing effective humanitarian assistance. For instance, the expectation of interpreter neutrality may sometimes be compromised to uphold the humanitarian principles of respect and humanity (Delgado Luchner & Kherbiche 2019).

It is worth recognizing that there is lack of clarity as to what it really means to remain neutral in fragile contexts: does neutrality entail operating on the side-lines, independently from the members of a given mission or international delegation, investigators, or humanitarian workers? In actual practice, remaining neutral may sometimes hinder the interpreter's work, especially in situations requiring intercultural mediation. This hindrance often arises from a disconnect with the reality of the fragile context, preventing the interpreter from establishing connections with individuals (victims), events, and environments necessary for effective communication. Consequently, because of both the nature of the fieldwork and the interpreter's personal and professional background, it might be unfeasible for the interpreter to behave neutrally, as they would aspire to in conference interpreting (Rok & Valero-Garcés 2014), particularly when the interpreter is part of the local community (e.g., through cultural heritage) and feels personally invested in the context.

Empathy constitutes an affective component of the interpreter's work in fragile contexts and is based on the interpreter's ability to identify with the user (Valero-Garcés 2006; Ballesteros Sanjorge 2018). Indeed, in field interpreting in fragile contexts, empathy permeates the interpreter's performance, behaviour, mindset, decision-making, and self-image, largely influenced by the psychological and physical responses associated with empathising with trauma survivors (vulnerable populations in a conflict zone) (Hsieh & Nicodemus 2015; Rosler, Cohen-Chen & Halperin 2017). This influence is heightened when there is a shared identity, culture, and psychosocial background between the interpreter and the beneficiaries. Research on interpreting in conflict zones highlights the psychological toll of bearing

witness to stories of destruction and annihilation on interpreters (Spahić 2011; Ndongo Keller 2015). In missions and investigations into the Israeli-Palestinian conflict, it is unsurprising for interpreters to find themselves unable to continue interpreting the testimonies of children and women who are victims of human rights violations due to the psychological and emotional impact of their accounts (Barea Muñoz 2021a).

Additionally, empathy plays a pivotal role in the intercultural mediation skills of interpreters working in fragile contexts (Radicioni 2020; Radicioni & Rosendo 2022). Intercultural mediation involves the interpreter's action to mediate between individuals belonging to different cultures (Guerrero Romera 2012), demanding specific skills, such as capacity for integration, flexibility, openness, respect for diversity, negotiation prowess, and sensitivity, among others (Beltrán Aniento 2013).

Beltrán Aniento (2013) further adds that, ideally, field interpreters in fragile contexts should possess a capacity for empathy; patience; improvisational skills to adapt to the changeable nature of communicative situations on the ground; a predisposition to fostering human connections; openness; and resilience to withstand high levels of stress. The need for such skills becomes evident when considering the prevalent sources of psychological stress among interpreters working in conflict-related contexts and scenarios: interacting in difficult situations with users with whom they share traits and can identify; engaging with victims of psychological trauma, explicit violence, or both; and facing powerlessness to act and help in an active way (Valero Garcés 2005).

Accordingly, when interpreting in fragile contexts, empathy is considered a positive emotion (Batson, Fultz & Schoenrade 1987). However, it can also give rise to negative emotions, such as frustration, helplessness, or stress, all of which are present in the case of interpreting in the Israeli-Palestinian conflict (Barea Muñoz 2021a). While these negative emotions stem from humanitarian, positive, empathetic feelings (including compassion), they arise due to the interpreter's self-perceived inability to offer active assistance to beneficiaries or stakeholders (Valero-Garcés 2006; Lor 2012). Additionally, the stress experienced by interpreters is not always the result of a physical threat, but rather a psychological (and physical) response to emotional disarrangements

driven by their relationship with the environment and the participants in the communicative process (Bierman & Kelty 2018).

Furthermore, field interpreters tend to find an empathetic attitude necessary to build rapport with the victim. This rapport is conducive to the victim sharing sensitive information that may otherwise remain undisclosed. By forging an emotional connection and understanding, interpreters cultivate mutual trust with victims (Hsieh & Nicodemus 2015). Nevertheless, interpreters frequently grapple with their positionality in such cases, pondering whether to adhere strictly to their theoretically neutral role or to adopt a more proactive approach to establish trust with stakeholders (Lor 2012).

Empathy (or the lack thereof) is closely intertwined with vicarious trauma, an inherent response to interacting with trauma survivors (Madrid & Schacher 2006), traditionally associated with burnout syndrome or compassion fatigue, both prevalent among community workers (Valero Garcés 2005; Valero-Garcés 2006). Interpreters' continued vicarious exposure to traumatic events often yields effects similar or equivalent to direct exposure (Bride 2004).

To sum up, the presence of empathy may pose ethical dilemmas for field interpreters (particularly regarding their neutrality) and challenges to their performance in fragile contexts. Nonetheless, it can also serve as a valuable tool when interpreting for vulnerable populations.

#### **4. Methodology**

The study presented in this article was conducted as part of a PhD thesis undertaken at the Faculty of Translation and Interpreting of the University of Geneva (Barea Muñoz 2021a).

The primary data collection method employed semi-structured interviews with professional interpreters who, at the time of the interviews in 2018, were working or had worked in the context of the Israeli-Palestinian conflict within the past 20 years. A total of eleven interviews were conducted (along with a pilot phase involving two preliminary interviews). Among these, five interviews were conducted with staff interpreters employed by an international organization,

while six interviews involved local freelance interpreters who frequently work for international organisations. All interpreters were women, predominantly Palestinian and some were Arab. For security reasons, additional personal and professional details of the interpreters must remain confidential.

All interpreters had received training in conference interpreting and possessed professional experience on the ground, particularly in human rights missions, such as fact-finding missions and commissions of inquiry regarding Israeli practices and human rights violations in the Occupied Territories, mainly in the West Bank. These missions typically involve interviews conducted by international delegates with victims of alleged human rights violations, often children and women, torture victims, and people in prison and hospitals (Barea Muñoz 2021a).

The research method employed is inductive and iterative (Babbie 2001), following the principles of constructivist grounded theory (Charmaz 2006). It was designed as a case study, supplemented methodologically with elements of the phenomenological approach (Yin 2009; Zahavi 2019; Barea Muñoz 2021b). The interviews were transcribed, coded, and categorized by the author until saturation was reached. These interviews are presented in the form of two paradigmatic narratives, crafted to obscure sensitive details and safeguard the anonymity and confidentiality of the population under study (Delgado Luchner & Kherbiche 2018). One narrative was devised for each professional profile: the paradigmatic local freelancer and the paradigmatic staffer.

One limitation of the study arose due to logistical constraints, making it unfeasible to conduct interviews with the users of interpreting on the ground, including both stakeholders and members of the missions (e.g., delegates and other staffers working for international organizations). Such interviews would have been beneficial for understanding how the interpreter's display of empathy is perceived and its impact on the way information is conveyed by users. Furthermore, since the participants of the study were exclusively women, future research may consider including male participants to establish a comparative framework for the emotional response of female and male field interpreters in these scenarios. Finally, in view of the inherent limitations of a study based

solely on interviews and firsthand testimonies, future studies may find value in complementing these methods with ethnographic research. However, conducting ethnography in the region would pose challenges considering the current status of the Israeli-Palestinian conflict.

## 5. Results

The results, presented here through the aforementioned paradigmatic narratives,<sup>2</sup> illustrate the internal conflict experienced by many of these interpreters (8/11) between adhering to their professionalism, as dictated by the code of ethics inherent to conference interpreting, and feeling or displaying what they perceive as excessive empathy or compassion: “you have to learn to control your emotions, of course; you have to learn to manage them in order to act professionally and not get involved” (Paradigmatic Freelancer). The majority of participants (9/11) also emphasise the need to establish rapport and trust with the victim or beneficiary, often achieved through active empathy. However, they simultaneously underscore the existence of an ethical and professional code that prioritizes neutrality and impartiality:

I am aware that to interpret correctly it is necessary to maintain a balance between acting in a professional manner and establishing a degree of rapport and trust with the interviewee, which inevitably implies a degree of empathy, and this affects the way you see these people, there is a human connection. (Paradigmatic Freelancer)

However, achieving this balance can often prove challenging, to the extent that some interpreters (6/11) do not perceive themselves as neutral: “I know I have to act in a neutral way, but the truth is that I don’t see myself as neutral”

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<sup>2</sup> All the statements included hereinafter are taken from the paradigmatic narratives. Fractions in brackets indicate how many of the eleven interpreters expressed that view.

(Paradigmatic Freelancer). This sentiment arises, in part, from the interpreters' perception that one of the parties in the communicative exchange is their employer and colleague: frequently, interpreters feel that the field interview is the product of collaborative effort by both the mission delegate (interviewer) and themselves: "on many occasions the feeling I get is that the session is run by both the delegate and myself, as if it were a collaboration" (Paradigmatic Freelancer).

The challenge of maintaining neutrality also arises from the content of the communication itself. As interpreters of victims of human rights violations, they are exposed to firsthand testimonies and experiences, some recounted by young women and little children: "there is content that cannot be interpreted in the traditional way, sometimes you choke on words or have to pause for tears" (Paradigmatic Staffer). Interpreters assimilate and rephrase the accounts of victims of torture, political prisoners in gaol, injured people in hospitals, parents who have lost their children, and people who have lost their entire family—they bear witness to the helplessness of the victims they interpret, wishing suddenly to care for them and help them. The majority of the victims interviewed endure severe forms of trauma, both physical and psychological, especially after the Second Intifada and after the 2008 and 2014 Gaza wars (5/11):

On too many occasions I have to make a great effort to control myself and to remain professional in my role as an interpreter, and I think this is really difficult, simply because there comes a point when everything you see, witness, and above all hear from those who have lived these testimonies and experiences first-hand is so terrible, that it is difficult to remain neutral in this type of work, especially in the field. (Paradigmatic Freelancer)

In the face of such emotive content, many interpreters (7/11) exert significant effort to manage their emotions: "the most complex part of field work is how to manage your emotions" (Paradigmatic Staffer). They recognize that interpreting "correctly" requires striking a balance between acting professionally (understood as remaining completely neutral) and establishing a degree of trust with the interviewee. This trust inevitably

implies a corresponding degree of empathy: “it is clear that there is some kind of human bond. . . This is logical: to gain the trust and respect of others, you must first behave in a decent and respectful manner” (Paradigmatic Staffer). The perceived human bond influences how interpreters perceive the individuals they interpret, often fostering a sense of connection reinforced by a shared sociocultural background (6/11): “such harsh testimonies, with such detailed descriptions, with such vivid images, it is difficult not to think that this is happening to your fellow citizens, to the people who live in your country, who may be your neighbours, or friends of friends, or simply acquaintances” (Paradigmatic Freelancer). Despite feeling compelled to form a human connection, many interpreters (8/11) acknowledge that their role requires them to detach themselves from the situation, the individuals, and the stories being told, and refrain from becoming involved: “we are there to facilitate communication, not to help beyond that; not to get involved, in the sense that you have to stay true to the communication process and its purpose, to get the message across effectively” (Paradigmatic Staffer).

All the same, some of them (4/11) recognise that each case is unique, and that some cases are difficult to cope with. Cases involving children are especially distressing because the children recount how they became orphans, how their homes was destroyed, how they were treated in prison, or how they were tortured: “you think about it all, about the children and the families, and often you can’t help but feel it, you can’t help but empathise, because they are human beings with lives and families, and after all I am a human being too” (Paradigmatic Freelancer). Most of the interpreters (10/11) agree that, ultimately, they are all human beings, making it difficult for them not to think about their own children and families; it is challenging to serve as a mediator for someone who shares such intimate information without displaying some degree of empathy:

They are human beings, sometimes children, who tell you how they have been orphaned or how their homes have been destroyed, how they have been tortured . . . It’s hard not to think about your own children, your own family; it’s hard to listen to those stories and not show any kind of empathy. (Paradigmatic Freelancer)

In summary, concerning the emotional and psychological impacts of the work of these interpreters, it is common for them to respond empathetically and compassionately, particularly considering that the victims often include women, children, or entire families. For the interpreters, such empathetic approach proves beneficial, as it fosters a sense of comfort in the beneficiary, encouraging them to share their experiences and allowing for information to be extracted during the mission interview. These feelings of empathy and compassion, however, may not solely arise due to shared sociocultural and identity backgrounds between the interpreter and the victim, but also because of the unsettling and traumatic nature of the messages that the interpreter must convey.

## 6. Discussion

When analysing the findings of the study, it becomes apparent that a high degree of empathy is one of the most prominent emotional responses experienced by interpreters working in the field with Palestinian victims, as depicted in both the narrative of the Paradigmatic Freelancer and the narrative of the Paradigmatic Staffer. They concur that the testimonies they interpret are notably distressing, often recounted by victims who are children and women, or the sole survivors of their entire families, detailing the origins and onset of their trauma.

In such communicative scenarios, interpreters commonly experience empathy and internalize the narrated experiences, leading to a vicarious emotional response. As described by the Paradigmatic Freelancer, interpreters transition from seeing figures to recognizing the individuals behind those figures, implying that it is challenging not to feel emotionally impacted when confronted with victims of human rights violations. This obligation to empathize stems from the interpreters' direct reception of the victim's firsthand accounts, which they then rephrase using the first person (Ndongo Keller 2015).

In field interpreting for Palestinian victims, it is worth underscoring the link between the repetitive nature of the fieldwork and the traumatic content to be interpreted, and the potential development of vicarious trauma (Butler 2008).

Indeed, in this context, interpreters are repetitively tasked with assimilating and conveying victim narratives which share distressing elements and recollections, possibly reflecting a collective social trauma. Being obliged to repeat essentially the same testimonies over and over again throughout successive field missions may lead interpreters to internalize someone else's traumatic experiences while simultaneously becoming desensitized to this kind of information. Such detachment serves as a coping mechanism against the psychological symptoms of an extremely empathetic emotional response.

For the Paradigmatic Freelancer, however, the stories she hears and retells hit close to home; after all, they come from members of the community to which she belongs. Consequently, detachment, as practiced by her staff counterpart, is more of an ideal than a reality in her interpretation process. Unlike the Paradigmatic Staffer, the Paradigmatic Freelancer remains embedded in the conflict upon returning home, making detachment more challenging for her to achieve. Similarly, the Paradigmatic Freelancer exhibits a blend of (1) empathy and a certain degree of compassion, and (2) desensitization and detachment, both as a result of the constant repetition of the same traumatic content, and as a coping mechanism to continue with the interpreting assignment. As outlined in Section 3, empathy and compassion are favourable components of the interpreting practice in this context (mainly as a method to build rapport with the victim), as well as unavoidable human responses to the psychosocial dimension of the interpreted accounts and testimonies. They are, as well, a result of the communicative situation and the competences of the interpreting technique itself, such as using the first person in dialogic exchanges.

The case of the Paradigmatic Staffer highlights how field interpreters naturally empathise with the victim and their accounts, given the frequency with which traumatic experiences are shared in this context. Nevertheless, a powerful sense of inevitability can be read in the Paradigmatic Staffer's attempt to define the relationship between her performance and the feeling of empathy that arises when working with victims of trauma. Her struggle to balance professionalism and emotion suggests that, even in fragile contexts, empathy is an inescapable, less-than-ideal condition or alteration of the

optimal interpreting technique. In contrast, the Paradigmatic Freelancer does not seem to bear this sense of inevitability when experiencing empathy, but rather acknowledges and accepts that there is an emotional dimension of field interpreting in these types of contexts. Her acceptance of emotion is probably because she assumes that the conflict will affect her work and professional life in the same way that, being herself a Palestinian, it affects her personal life and that of her family.

However, the fact remains that complete emotional detachment is an idealistic, far-from-reality approach to field interpreting for Palestinian victims. It is, therefore, to be expected that the interpreter will feel a sense of involvement in what she is interpreting. Empathy is an inherent human quality (Madrid & Schacher 2006), and, in some cases, its absence may entail several psycho-emotional implications. The way in which both paradigmatic interpreters face fieldwork implies that field interpreting for Palestinian victims is a not only a professional endeavour, but also a human, context-oriented, and participant-oriented activity.

Whilst the psychological impact suffered by the interpreter in field situations will likely depend on her personality traits and psycho-emotional background, it also depends on whether she is a local freelancer or a staffer: whereas the former never really leaves the context of the conflict, the latter physically leaves the area and may stay thousands of kilometres away from the conflict for months or even years. Inter performing in the field during the mission itself, or once the mission has ended and, in the case of the Paradigmatic Staffer, she is back home. Then, with more time and opportunity to recall and go over her past experiences, the interpreter reflects on what she has seen and heard. Reliving these experiences can partly be explained not only in terms of the human quality or connection inherent to the professional activity of field interpreting for Palestinian victims, but also in terms of belonging and shared background: although the Paradigmatic Staffer is not local and resides in Europe, she is part of the Arab community and culture and may easily find a common psychosocial ground, even the same identity space, with the stakeholders and beneficiaries.

The emotional reactions shown by the interpreters in this study match up with the mechanics of intergroup emotions, as defined by Halperin and

Schwartz (2010): even though these interpreters belong to a well-defined group (professional interpreters who work in the field in the context of the Israeli-Palestinian conflict), they identify themselves with another group to which they do not belong (victims of human rights violations investigated within the framework of international missions in the Occupied Territories), as they are all human beings that can relate to each other's experiences in the face of violence and injustice. Such identification may additionally manifest itself as a long-term sustained emotional response: for the Paradigmatic Staffer, missions are periodic and reoccur over time; for the Paradigmatic Freelancer, the conflict holds a constant presence in her personal and professional life. Indeed, many conferences in Palestine are organized as a consequence of the existence of the conflict.

In the same manner, this identification with another group occurs not only as a result of purely emotional or affective factors, but also due to factors such as the personality of the interpreter, her scale of values, her prejudices, her socioeconomic status, her religion, or her moral balance (Halperin & Schwartz 2010). Moreover, another relevant factor in the development of the interpreter's highly empathetic response is the degree of sociocultural closeness between the interpreter and the stakeholder. In this study, since there is a high degree of closeness between the interpreter and the beneficiary, the attitude of both the Paradigmatic Freelancer and the Paradigmatic Staffer is the result of a considerable exercise of empathy.

It is important to highlight that belonging to the same community as the victim does not inevitably involve the creation of a feeling of empathy or compassion in the field interpreter (Wolf 2016). The issue is more complex than a mere question of national, racial, or religious identity and, in fact, the presence or lack of empathy is usually motivated by factors that go beyond sharing a passport or a neighbourhood. The interpreter's identity and positionality are complex and conditioned by the full range of their experiences past and present, worldview, mindset, education, scale of values, prejudices, ideology, and beliefs (Ruiz Rosendo & Persaud 2019); empathy cannot, therefore, be attributed to just one factor in this matrix.

The interpreter's positionality is of great significance in these contexts and presents the field interpreter as an active actor in the development of each communicative situation, in particular, and the whole fieldwork (and thus the success and aftermath of the international mission as a whole) in general. As an active, living part of the cultural and linguistic exchange, the field interpreter in the Israeli-Palestinian conflict, whether local or not, assimilates the information uttered by the victim while recounting it (Cavanna 2020). In so doing, the interpreter not only perceives and transmits a particular testimony and narrative, but also an overall perspective of the conflict. Recounting these perspectives influences their psychosocial status, since a psychological impact is generated as a consequence of vicarious emotion. Despite the widespread trauma and emotive contexts that field interpreters encounter, not all communicative situations in which the study's participants partake are inevitably traumatic. It is plausible that there is a certain inclination on the part of the field interpreter to recall their most difficult and psychologically traumatic and exhausting memories because they represent their most extraordinary deeds, perhaps to the detriment of the accounts of more ordinary (and therefore emotionally flat) experiences.

In any case, both the Paradigmatic Freelancer and the Paradigmatic Staffer admit that reinforcing a feeling of empathy with the segments of the local population with whom they maintain on-the-ground contact facilitates the mission's investigative work during the interviews with victims of human rights violations, which in turn helps the beneficiary to report their situation. The decision to reinforce empathy is an example of the multipartiality and teleological ethics on the part of the field interpreter, as her decision-making pattern is based on a fluctuating partiality that bounces from one party and the other, depending on what the mission needs at that given moment in order to be successful (Barea Muñoz 2021a).

Just like the other members of an international delegation, the field interpreter working for Palestinian victims, whether local or not, must eventually position themselves on the stakeholder's side to create rapport—in order to benefit the interests of one party (the mission and the employer),

it is also necessary to benefit the interests of the other (the victims, who in theory are the beneficiaries of the mission). Building rapport is particularly relevant, as one of the main assets to obtain the information that drives the development of the field mission is to show a certain level of empathy towards those who possess and could share said information. As the results of this study indicate, in line with Krystallidou et al. (2018), the empathetic performance of the interpreter, together with that of the rest of the members of the mission, can help establish a human connection with the victim and generate a dynamic of mutual trust. In so doing, the odds of the victim sharing true information confidently and cooperatively increase, along with the quality of communication. To sum up, communication is the product of collaborative effort between all the parties in the communicative act (delegate, interpreter, and beneficiary). These parties bear the responsibility of creating an environment that allows the mission to make the most of an encounter of such a delicate nature.

A final aspect to consider is how field interpreters for Palestinian victims learn to cope with the context in which they work. In this context, both the Paradigmatic Freelancer and the Paradigmatic Staffer have had to fend for themselves and exercise a very particular type of self-learning that is not usually addressed in most interpreting courses: emotional training. For the participants in this study, this training takes place on the job, aligning with Engeström's (1987) theory of expansive learning, by which new knowledge is incorporated through experience and without prior training. At present, there is no preparatory framework covering field interpreting for vulnerable populations in fragile contexts, the prevalence of vicarious trauma (Butler 2008), and the complexities of benefitting from empathy as a work tool (Krystallidou et al. 2018). Consequently, the only way the field interpreter can learn to adapt emotionally and respond to the communicative situations in which they intervene is through repeated exposure to stimuli and events. This act of learning is often complemented by sharing knowledge with other professionals and by the interpreter's inclusion in communities of practice (see Wenger-Trayner & Wenger-Trayner 2015).

## 7. Conclusion

The first goal of this article was to assess the incidence of empathy in the field interpreter when working with vulnerable populations in the Israeli-Palestinian conflict. The results show that the incidence of empathy in the field interpreter working for Palestinian victims is quite significant. Field interpreters are human beings, not just mere linguistic mediators detached from the situations in which they intervene. Consequently, it is natural that they feel empathy as part of a wide range of emotions arising from sharing a psychosocial background with the beneficiary of the interpreting service. The field interpreter is not only affected by the conflict because they have a relationship to it; their psychology and the nature of their performance are also affected because they repeatedly assimilate and reproduce the traumatic content of the communicative exchange.

The article set out to further investigate how empathy manifests within the field interpreter's psychological and emotional sphere. In this sphere, empathy manifests itself both as a hindrance and as a useful tool for the purpose of communication, in particular, and, in general, the mission (i.e., investigating alleged Israeli human rights violations in the Occupied Territories and conducting interviews with the victims of said violations). According to the ethical principles that govern the practice of interpreting, empathy is not an emotion which can be explicitly shown. However, these principles are based on the deontological code of conference settings and, in many instances, are not applicable to field interpreting. In ethical terms, an empathetic response can lead to an internal conflict within the field interpreter, particularly around the issue of neutrality. Interpreters are torn between their self-perception, which is concerned with an arguably unattainable professional ideal, and their actual performance, which stems from a teleological ethical standpoint as a consequence of the needs of the situation and the objective of the mission as a whole.

Despite this ethical tension, empathy is a useful way to obtain vital information from the stakeholder or beneficiary of the mission. Since missions are usually based on interviews with victims, their success relies on that information being delivered. In such a context, the field interpreter can take advantage of

their feelings of empathy towards the victim in order to create rapport and an atmosphere of mutual trust, allowing the victim to feel comfortable and confident and, subsequently, more prone to sharing the kind of information that is, for most of the part, highly sensitive and traumatic.

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