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Beyond ethics: claim and reality in police interpreting

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Introduction

- Recruiting interpreters

Comparison of three sets of data:

- 1) Large-scale survey conducted in all Austrian police departments
- 2) Survey of 200 registered court interpreters
- 3) Analysis of 200 law case files documenting the use of interpreters in police questioning



“Operation Spring”

- 1999-2007:
Arrest and conviction of over 100 persons accused of drug dealing
- Prosecution based on audio and video recordings in Igbo;

Interpreter selected the recorded material



“Operation Spring”

Same passage – conflicting translations:

Version 1: “How much did you sell him?”

Version 2: “City of iron.”

(Bischof 2006:16f.)



“Operation Spring”

Same passage – conflicting translations:

Version 1: “The Turk did not give me the money.”

Version 2: “Jehovah is a god. Jesus is a king.”

(Bischof 2006:16f.)



Survey on police interpreting - How do the police find suitable interpreters?

- Participants: members of the police
- 237 respondents (from all Police Departments in Austria)



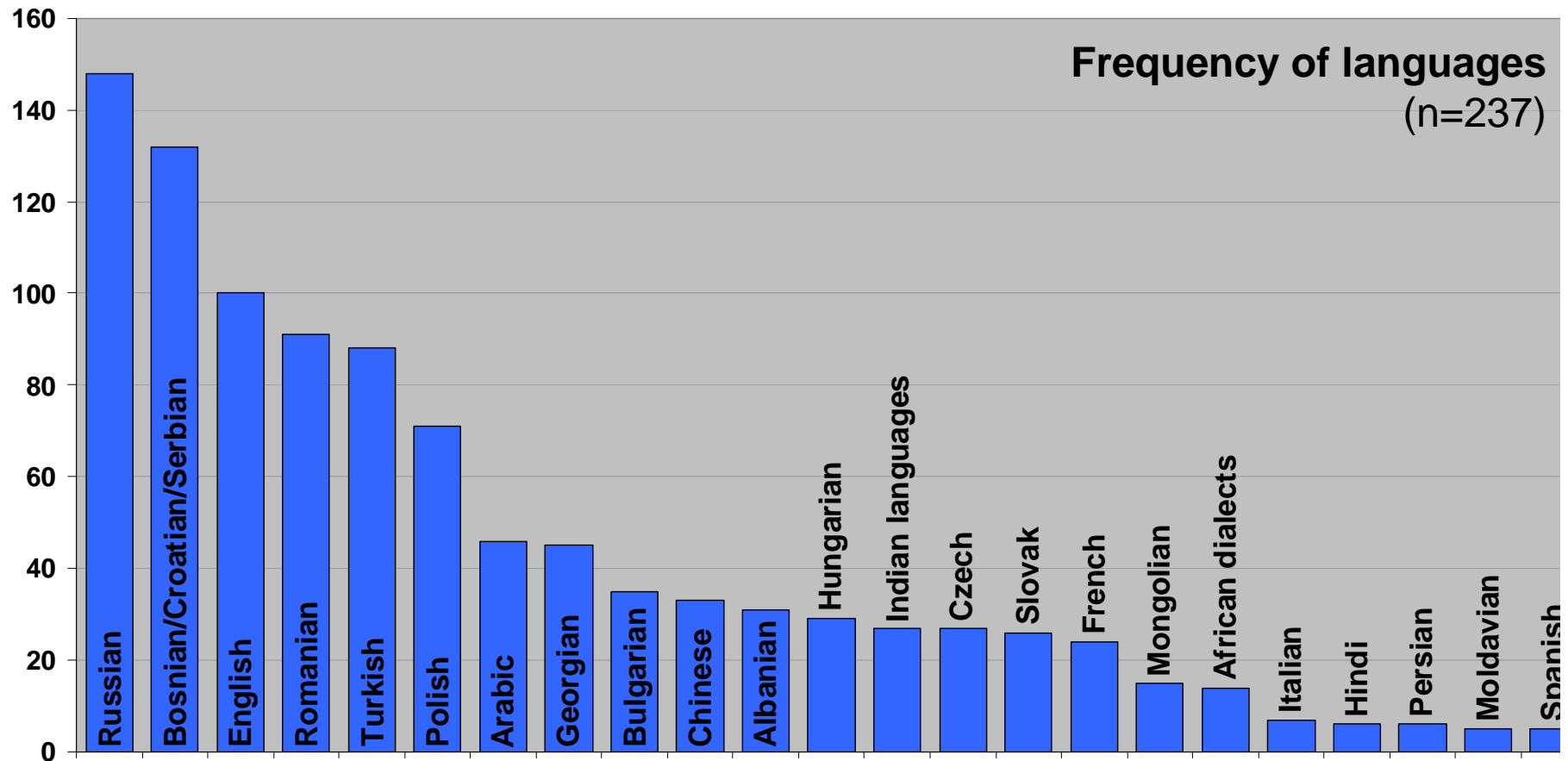
Survey on police interpreting

70% of the respondents relied on interpreters up to **4 times a week**

62% of the respondents have been confronted with minority languages (no certified legal interpreters)



Survey on police interpreting - Languages used





How do the police find suitable interpreters?

- **73% use the court register of certified interpreters**
- 19% rely on a police officer who knows the language
- Other: get some other person with language knowledge



How do the police find suitable interpreters?

In case of rarely spoken languages:

- 35% use an international language instead
- 43% ticked the block “Miscellaneous”:
- Internal list of proficient language speakers



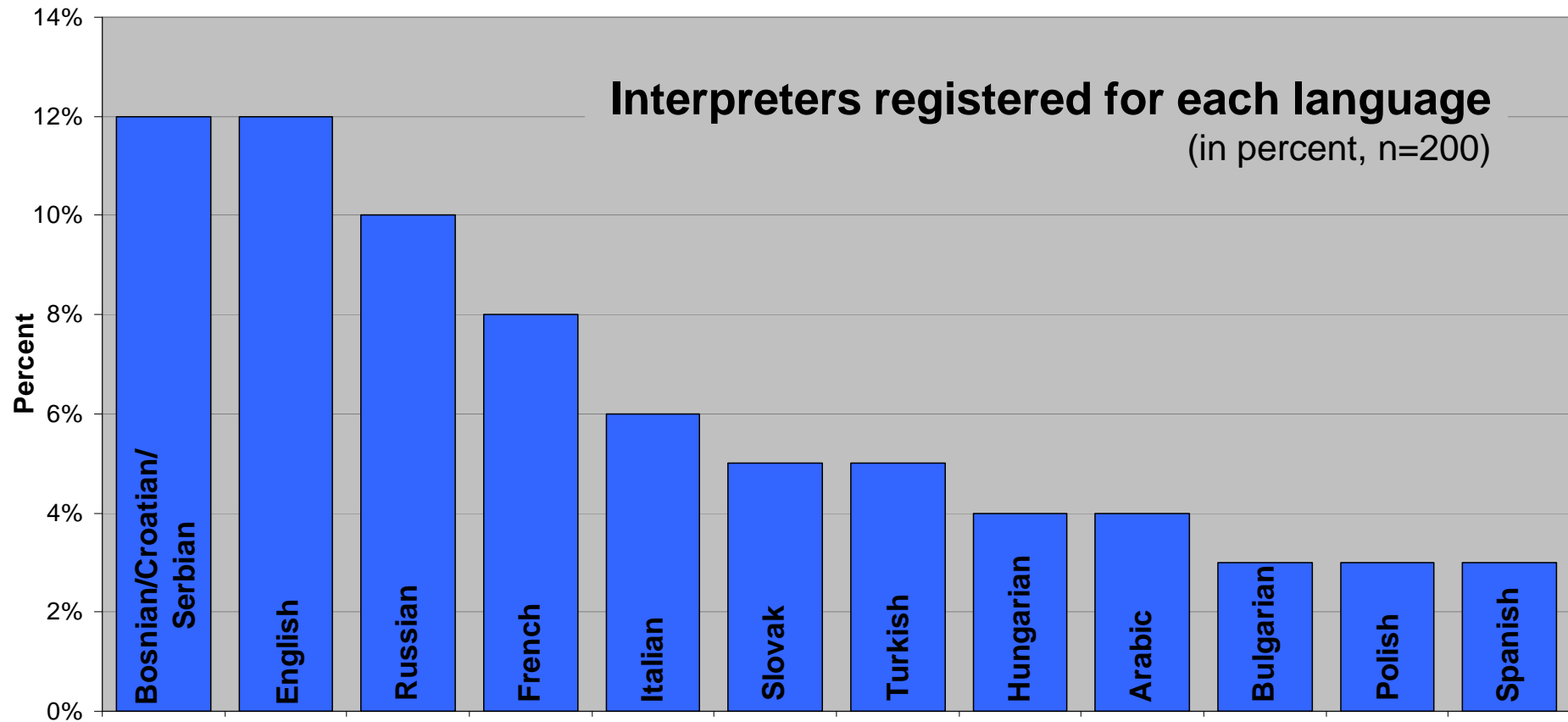
Supplementary Survey

- Interviews with 200 registered court interpreters
- Analysis of 200 court cases documenting the use of interpreters in police questioning



Supplementary Survey

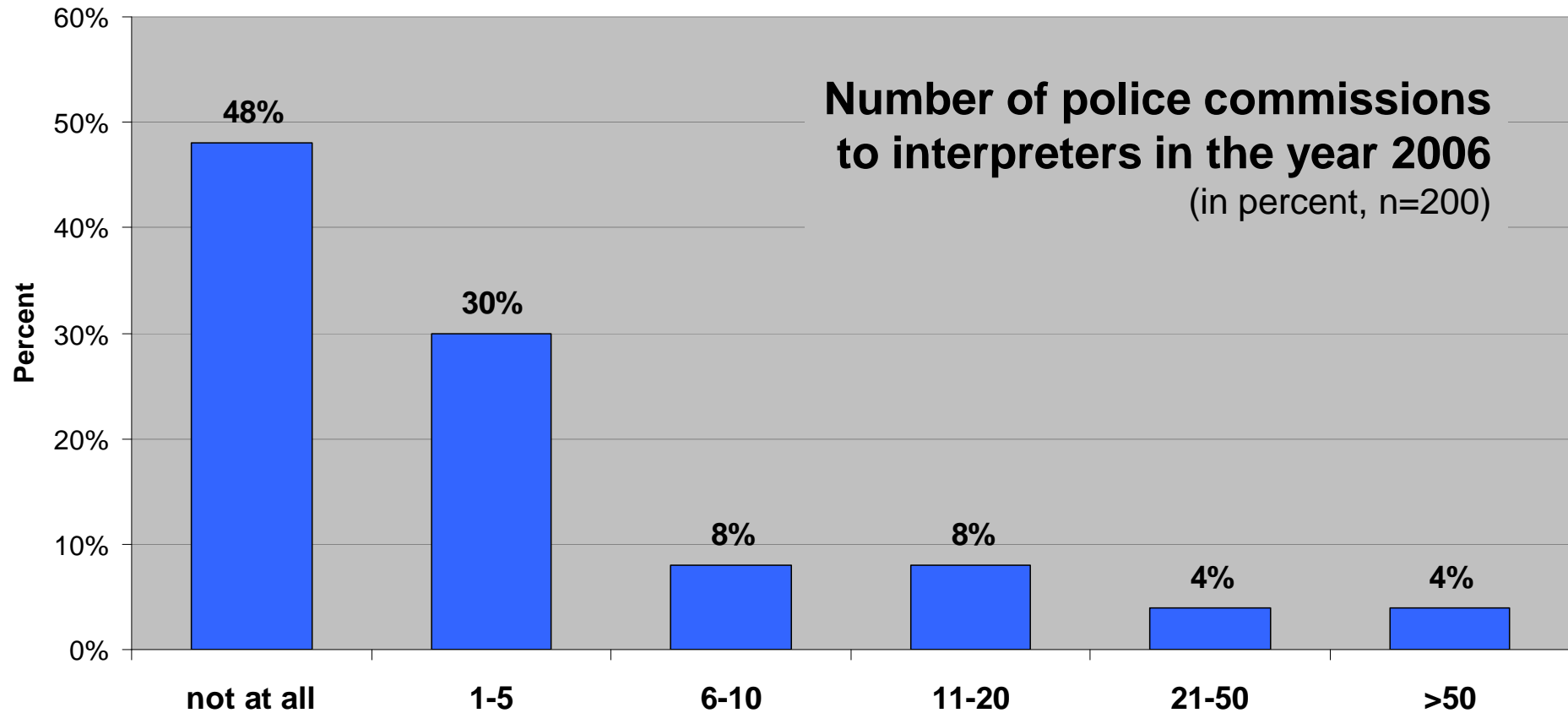
Interviews with interpreters: Languages





Supplementary Survey

Interviews with interpreters





How do the police find suitable interpreters?

- **73% use the court register of certified interpreters**
- 19% rely on a police officer who knows the language
- 19% get some other person with language knowledge



Supplementary Survey

Analysis of case files involving interpreters

- 200 criminal case files at 3 District Courts (2 Departments each court)

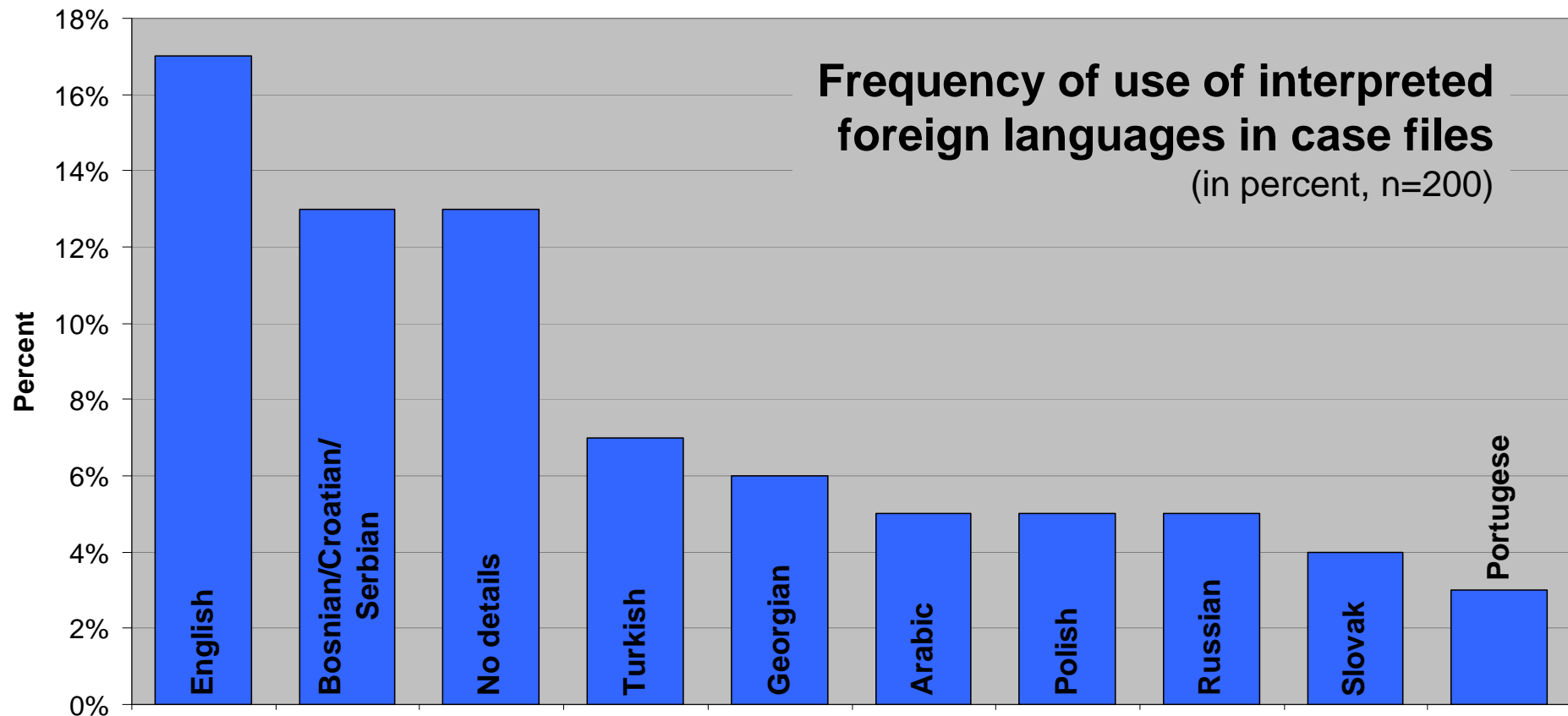
88 % involved the questioning of suspects

12% concerned witnesses



Supplementary Survey

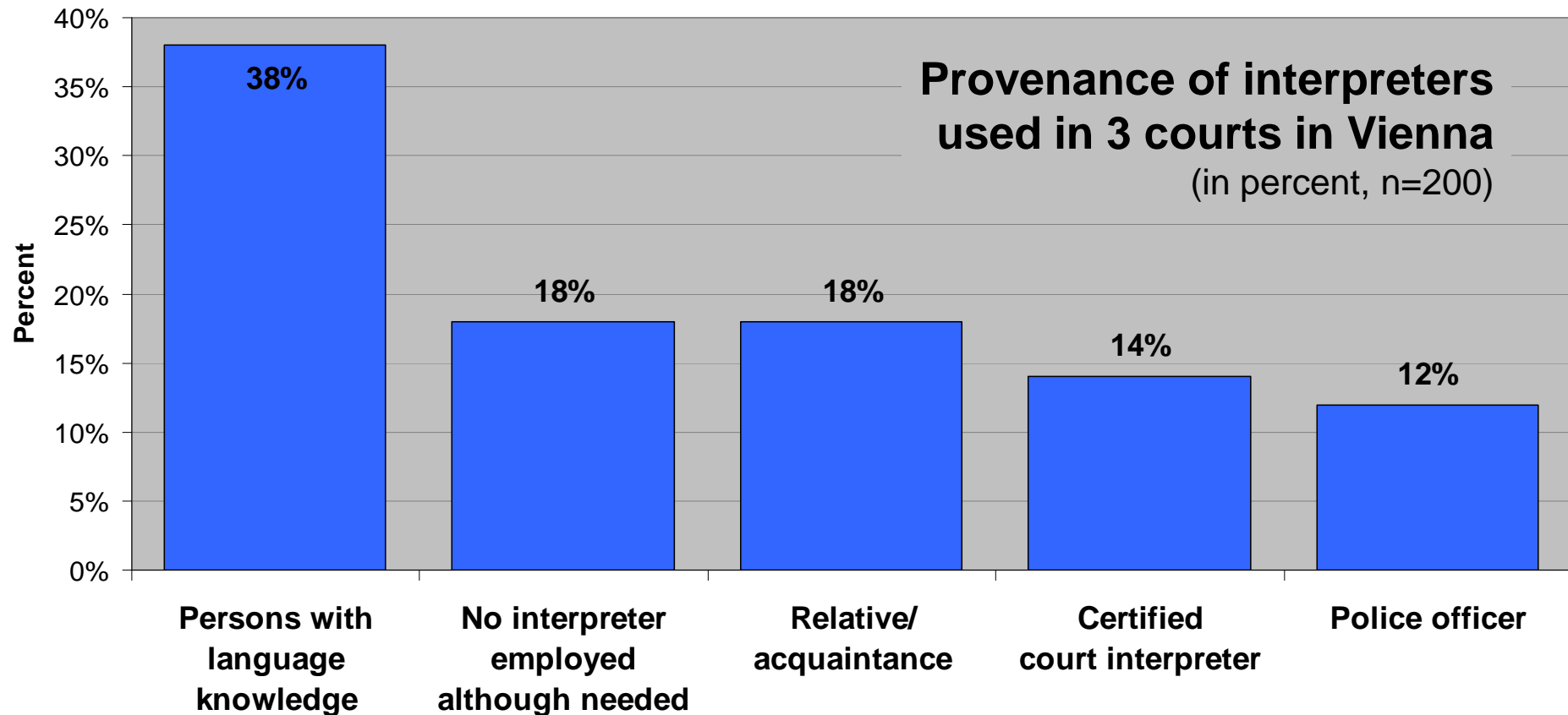
Analysis of case files involving interpreters





Supplementary Survey

Analysis of case files involving interpreters





Decree of the Austrian Ministry of the Interior

Notwithstanding the fact that § 126 section 2 prescribes the use of a certified court interpreter, it is hereby **expressly permitted to call on the services of other persons** provided they have been informed beforehand of their rights and duties and the police **officer has satisfied** him/herself that the person is **adequately proficient** to act as translator.

(BMI-EE1500/0152-II/2/a/2009)



Rising demand, but no one feels responsible ...



Literature

Bischof, Josef Phillip. 2006. "Operation Spring. Die Einführung des großen Lausch-und Spähangriffes in Österreich aus Verteidigersicht." In: *Österreichisches Anwaltsblatt* 2006/01, 12-18.

Decree of the Austrian Ministry of the Interior for interpreter use: BMI-EE1500/0152-II/2/a/2009.

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