

A tool to evaluate the quality of legal interpreters:

© **INTER-Q**

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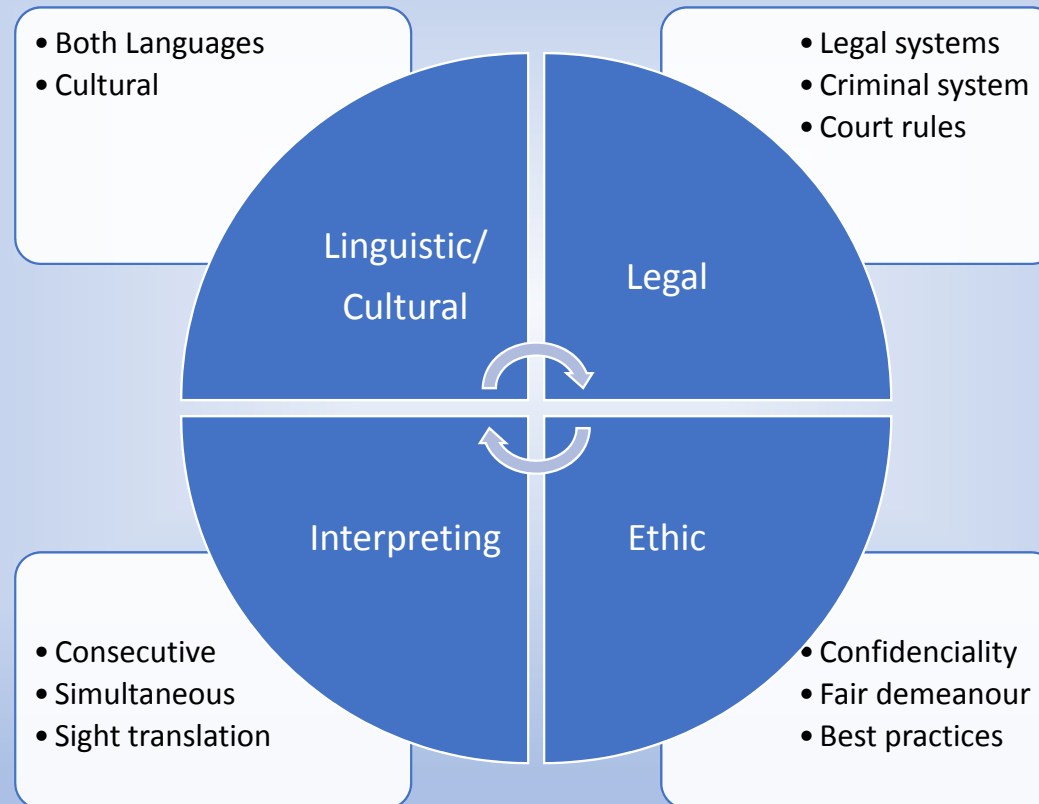
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LI competences

(Blasco Mayor 2014; Katschinka 2017, 2018)



Hurdles to assess quality in legal interpreting

- Lacking in lawyers, judges and prosecutor , in general:
 - Don't know languages
 - Not aware of idiosyncrasies of working with interpreters
- Lacking in profesional recognition
- Interpreter service provision in criminal proceedings:
 - Professionalization vs Deprofessionalization
 - Outsourcing (UK & Spain) vs Direct hiring (Italy)

Why ©INTER-Q

- Many initiatives to develop legal interpreting quality mechanisms Directive 2010/64/UE (art. 2.8 and 3.9):
 - establishment of a register of appropriately qualified LITs (art. 5.2)
 - Training of legal agents to work with interpreters (art. 6)
 - Use of technologies in legal interpreting (art. 2.6)
 - Recording procedures (art. 7)
 - Accreditation of legal interpreters
 - Training of legal interpreters (EU projects)
- Market disorder of legal interpreting in many EU Member States (i.e. Spain and Italy)
- Poor transposition in some countries:

Method for INTER-Q construction

- Design of a tool to assess LI performance according to scientific method (psychometrics)
- International Guidelines on Test Use (2013):
 - Psychological, educational and occupational assessment: OCUPATIONAL
 - Used to assess both normal and disfunctional behaviour: NORMAL BEHAVIOUR (both adequate and inadequate) WITHIN A PROFESSIONAL SETTING AND PERFORMANCE
 - Administered under controlled and standardized conditions; with rigourous marking protocols (yes/no questions and coding system for each question that adds to the total test score)
 - Measures of conduct samples are obtained, and inferences can be made from them
 - They include procedures that allow for qualitative levels of categorization of subjects

INTER-Q DESIGN

- INTER-Q: an objective and validated tool to measure legal interpreting performance
- TEST DESIGN (Meyer 2014):
 - Definition of purpose
 - Description of what is going to be measured
 - First draft
 - Pilot study
 - Empirical study: item, reliability and validity analysis

Reliability and validity

- Extent to which a scale produces consistent results if measurements are repeated a number of times
- How well a test measures what is purported to measure

Content validity

- Description of behavioural setting: job and task descriptions, course programmes, textbooks, literature revision...
- Test specifications:
 - Task or situational rank
 - Type of response by assessor
 - Instructions for assessors
- Consultations with experts:
 - Content relevance and format
 - Technical value of items
 - Readability issues
 - Absence of ambiguity and irrelevance
 - Correlations

Test purpose

- Contribution to objective legal interpreter's quality assessment as per
 - Directive 2010/64/EU
 - DG Justice Projects
 - Professional associations
- Not the only quality measurement, part of a total quality system
- Addressed to legal staff: judges, police, lawyers
- It only measures legal interpreter performance within certain settings and circumstances
- Legal interpreters in national criminal courts

Drafting the test items

- Code of ethics (Eulita, NAJIT, APTIJ, AssITIG)
- Bibliography on LI & IPS (Hale 2017; Corsellis, 2008, Blasco-Mayor y Del Pozo Triviño)
- Manuals on LI (González *et al* 1998: 2012; Mikkelsen 2000)
- Operating standards (Australian and British codes)
- International legal interpreters accreditation
- Position papers
- EU projects (BMT, SOS-VICS, QUALITAS, etc.)
- ISO 13611: 2014 & ISO DIS 29228

First draft

- 34 items, covering the following competences and behaviours:
 - a) general behaviour and non-verbal cues
 - b) L1 proficiency
 - c) knowledge of criminal proceedings and legal terminology
 - d) emotional and interpersonal behaviour
 - e) interpreting competence

First draft

- Criminal procedure situations:
 - 1) police questioning
 - 2) trial
 - 3) intermediate hearings
 - 4) interviews with defence lawyer

Situational and contextual categories in the design of the questionnaire

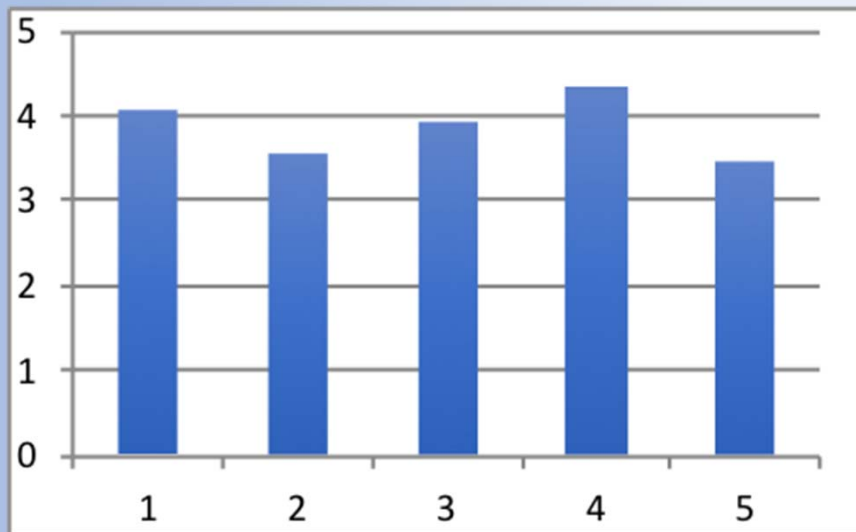
| | INTERPRETATION CONTEXTS AND SITUATIONS | | | |
|--|---|---|---|---|
| INTERPRETER'S BEHAVIOUR AND COMPETENCIES | Police questioning | Trial | Intermediate hearing | Attorney interview |
| Good manners/Nonverbal communication | 3, 5, 6, 14 | 3, 5, 6, 14 | 3, 5, 6, 14 | 3, 5, 6, 14 |
| L1 competency | 1, 2 | 1, 2 | 1, 2 | 1, 2 |
| Knowledge of legal terms and procedures | 17, 23, 24, 27, 34 | 17, 23, 24, 27, 34 | 17, 23, 24, 27, 34 | 17, 23, 24, 27, 34 |
| Emotion and behaviour | 4, 10, 11, 12, 13, 29, 32 | 4, 10, 11, 12, 13, 29, 32 | 4, 10, 11, 12, 13, 29, 32 | 4, 10, 11, 12, 13, 29, 32 |
| Interpretation | 7, 8, 9, 15, 16, 18, 19, 20, 21, 22, 25, 26, 28, 30, 33 | 7, 8, 9, 15, 16, 18, 19, 20, 21, 22, 25, 26, 28, 30, 33 | 7, 8, 9, 15, 16, 18, 19, 20, 21, 22, 25, 26, 28, 30, 33 | 7, 8, 9, 15, 16, 18, 19, 20, 21, 22, 25, 26, 28, 30, 33 |

Pilot study

- 8 judges, 8 lawyers and 8 legal interpreters
- More than 7 years experience
- Draft questionnaire (twice): adequate and inadequate interpreting performance
- Second questionnaire: to evaluate content and apparent validity

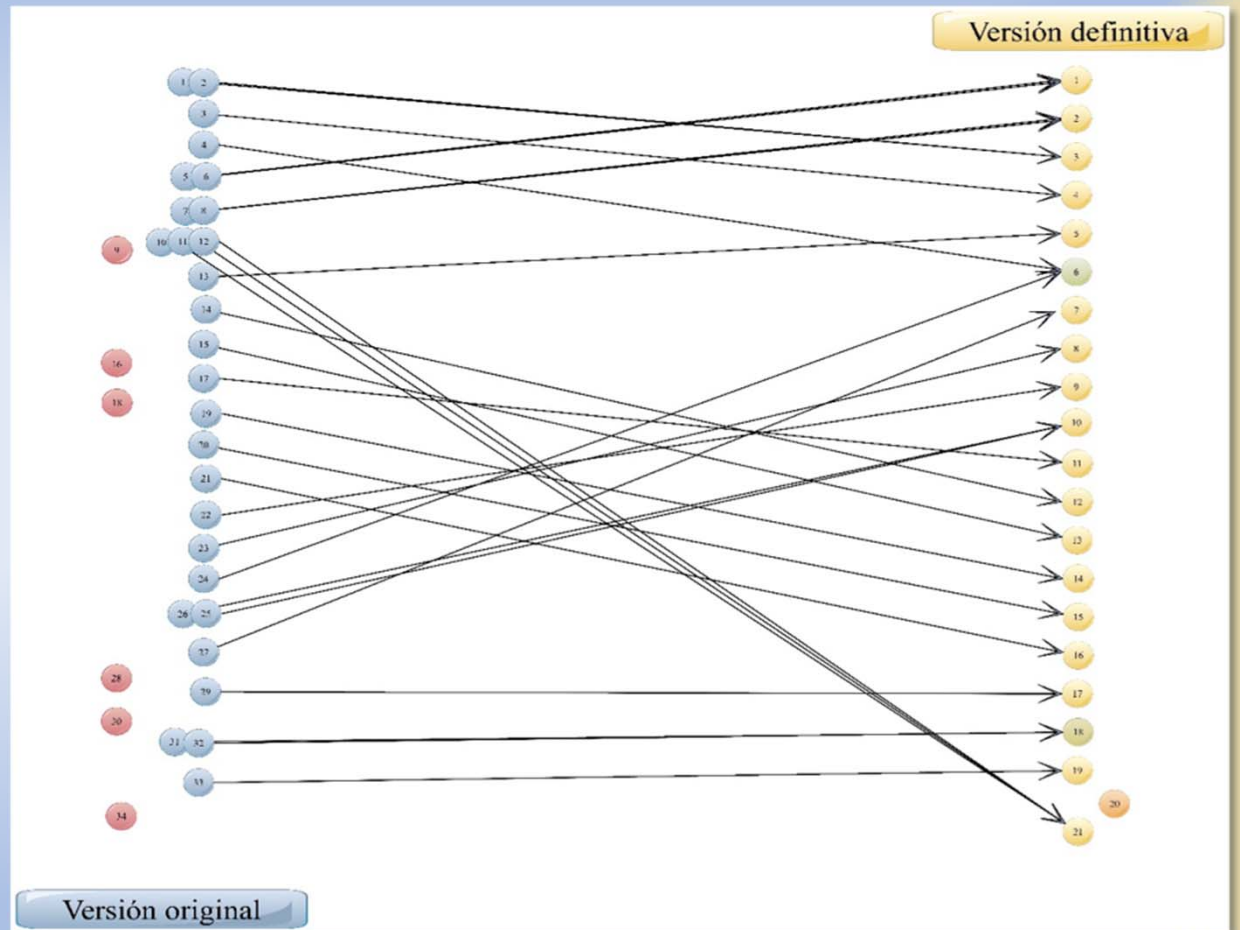
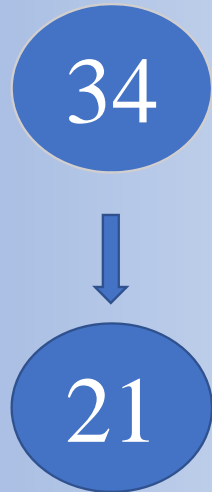
Results of piloting

- 24 answers to ©INTER-Q first draft
- 12 answers to evaluation questionnaire



1. *Clarity of instructions*
2. *Have all legal interpretation situations been covered*
3. *Question wording*
4. *Comfort to answer*
5. *Utility for your work*

Re-adjustment after piloting



Empirical study

- Administration of 2nd draft on a large scale:
- Ciudad de la Justicia de Valencia (Spain)
- Tribunali of Milan & Genoa (Italy)
- Almost 200 questionnaires filled by legal staff
- Qualitative data: Field observation and interviews with judges
- SECOND VERSION OF INTER-Q VALIDATED
- And that's all that we can say so far...

Results

- Precision (reliability) 2 methods
- Usefulness (validity)
- Objectivity (compares evaluation made by a professional and legal professionals)

Item analysis classification according to results

Low

Basic skills and behaviours that are expected from a professional in a work setting that follows specific protocols and where fundamental decisions are taken that affect people

- three questions related to good manners (1, 5 and 11)
- three to verbal and paraverbal expressive capacity (3, 4 and 12)
- , two regarding neutrality with respect to the procedure (18 and 21)

Medium

Six medium difficulty questions with a mid-level capacity for discrimination.

High

The seven questions regarding the interpreters' technical skills indicate that few interpreters demonstrated them, although they have the highest correlation with the total score: e.g.

- carrying a notebook to take notes,
- using the first person when interpreting the subject's discourse and
- reproducing the tone of the original message

Thank you

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