

# The WARNATH GROUP

## A Guide to Working with Interpreters

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The quality of interpretation is critical to your investigation and prosecution. If any words or concepts are misconstrued, there could be a dramatic impact.

### **EVERYTHING THE VICTIM HEARS FROM ALL PARTIES SHOULD BE INTERPRETED TO THEM.**

#### Request the same gender as the victim-witness

Ask the victim-witness' preference especially in cases where sexual assault or abuse is possible.

#### Brief the interpreter beforehand

Interpreters should be briefed about:

- the purpose and length of the meeting
- who will attend
- that it is expected that everything will be interpreted

It is possible that the interpreter may not wish to provide the service after hearing of the purpose or may identify that they have a conflict of interest. Be aware that interpreting can also be physically and emotionally tiring for the interpreter.

#### Use consecutive interpretation

Consecutive interpretation allows the question to be asked, the interpreter to relay the question and the victim-witness to answer all in consecutive order. It also gives the interviewer additional time to consider the next question.

Allow the interpreter to take notes to remember everything that is said (destroy notes after the interview).

#### Ensure confidentiality

A professional interpreter is bound by a code of conduct which includes confidentiality about the information they hear. The victim will have legitimate concerns about the interpreter and his/her connections to the community. The victim should be able to see any confidentiality agreement that has been signed by the interpreters and be made aware that he/she can request a different interpreter if there is a problem.

You should advise the victim that the interpreter's role is to facilitate communication and it is not appropriate to ask the interpreter for their contact details, support or try to initiate a relationship outside of their role.

### Decide whether you want the interpreter to explain cultural contexts

The interpreter could be a “cultural broker” and offer to you explanations about culture that can help you understand a victim-witness’ response.

For example, an interpreter may be able to explain that a certain word the victim-witness used is a term of endearment. Or, the interpreter could explain that avoiding eye contact is a way of showing respect in the victim-witness’ culture, whereas it may be a sign of lying in another culture. If you choose to allow the interpreter to explain cultural contexts, be sure to be clear about this at the outset of the interview. Ask the interpreter to stop the interview to explain to both the interviewers and the victim-witness.

### Set rules

Not everyone has worked with an interpreter before. Even if you have hired a professional interpreter, it can still be helpful to explain to everyone in the room how the interpretation will occur.

If you cannot access a professional interpreter, setting clear rules, expectations and boundaries is extremely important.

### Look at the victim-witness – it’s your chance to build a relationship

Do not forget that the person you are speaking with is the victim-witness. Direct visual contact and verbal communication between you and the victim-witness will help build a relationship of trust. Looking at the person will aid in your ability to convey empathy, concern and support to the victim-witness. Because the same interpreter may not be there during a future interview, it is important to ensure that trust and comfort is built between you and the victim-witness for future interactions.

### Speak directly to the victim-witness in the first person

What is wrong with saying to the interpreter, “Please tell her that I am pleased to meet her.”? The “please tell her” is unnecessary because that is what the interpreter is there to do. Second, just speak directly to the victim-witness by saying “I am pleased to meet *you*” and not “pleased to meet *her*.”

### Make sure everything spoken is interpreted

Make sure that your victim-witness understands everything that is spoken in the room. Understanding what is happening provides a level of comfort. Not understanding can simply increase the stress and diminish trust. If you have a side conversation in front of the victim-witness, it will not be clear whether you are deciding where to go to lunch or you are saying you do not believe a word the victim-witness just told you. Therefore, instruct the interpreter to interpret everything said and, if necessary, have side conversations outside the room just as you would if the victim-witness spoke your language. Similarly do not leave the interpreter alone with the victim-witness. Something relevant to law enforcement may be said.

### Ask one question at a time – to avoid confusion

### Watch for conflict

In some cases, it may be important for the interpreter and victim-witness to share the same cultural or religious background. In other cases, this can create conflict. Watch for signs that the interpreter has a connection to the trafficker, be it cultural or otherwise.

Subtle signs of judgment from the interpreter should not be tolerated. It will jeopardize your investigation because the victim-witness will be more guarded about what information to

share. This may be hard to determine ahead of time, but it is an issue to be sensitive to during any interview with an interpreter's assistance. It is appropriate to ask the interpreter questions about their background and feelings about the situation you will be discussing during the interview. If it is clear the interpreter is uncomfortable about the situation, it is best to find another interpreter.