

## Immigration Detention Inquiry: Written Evidence

Submitted by: Jane H Straker, BA, DPSI and Helen Watts, MA

Correspondence Address: Meeting House Cottage,

Beckspool Road, Frenchay, BS16 1NT

Tel: 0117 956 7337 Email: [helen2.watts@live.uwe.ac.uk](mailto:helen2.watts@live.uwe.ac.uk)

**Helen Watts** has worked with public service interpreters in various capacities since 1997; as a training co-ordinator, assessor, researcher and employer. She has presented at national and international conferences on issues concerning the training, employment and commissioning of interpreting services, including four Critical Link Conferences ([www.criticallink.org/](http://www.criticallink.org/)). Helen is a founder member of the Consortium *for* Public Service Interpreting, a small self-funding group of interpreter practitioners (sign and spoken language), academics, trainers, campaigners, and researchers; which seek to promote best practice in interpreting in all public service settings, including detention centres. Helen's current research interests concern the professional identity of the interpreter.

**Jane Straker** is a Consultant on Public Service Interpreting, regularly working as a freelance interpreter in three languages and as a trainer. MOJ accredited, she has interpreted for over 20 years in Immigration Appeals' Courts and detention centres throughout England and Wales. Currently she devises and delivers refresher and continuing professional development courses, and assesses aspiring interpreters. Formerly a full-time Lecturer in Interpreting at the University of Salford, and part-time Course Co-ordinator at City University, London. She collaborates with colleagues in the Consortium *for* Public Service Interpreting. Experience and concern over disparities in the current assessment criteria between European and non-European languages inform her current research. Jane has collaborated closely with Helen Watts for over 15 years.

### 1. Summary of submission

This submission focuses exclusively on the provision of and access to public service interpreting in detention immigration centres in the UK. We include a brief overview of the state of public service interpreting in the UK, and define some commonly used terms. We will address three of the specific questions highlighted in the Inquiry's briefing document<sup>1</sup>. Further, we raise some concerns regarding the use of telephone interpreting services and *ad hoc* interpreters in lieu of employing professional interpreters in face-to-face sessions. A clear understanding of the interpreting process and the role of the interpreter are crucial, as is also clarity regarding how professional(s) work with interpreters.

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<sup>1</sup> 1) What are your views on the current conditions within UK immigration detention centres, including detainees' access to advice and services? Please highlight any areas where you think that improvements could be made. 2) How far does the current detention system support the needs of vulnerable detainees, including pregnant women, detainees with a disability and young adults? 3) What are the wider consequences of the current immigration detention system, including any financial and /or social implications?

Finally, we discuss briefly how the detainees' status and the context of the detention centre may impact on interpreter-mediated interactions.

## **2. Brief overview of public service interpreting in the UK**

Public service interpreting in the UK is an unregulated and fragmented service, where excellent and professional interpreting service sits alongside amateur, poor and frankly unsafe interpreting. Poor performance takes place on a daily basis, up and down the country and in all settings (legal, health, local government) and is well-documented in some settings i.e. courts. Access to training courses is unpredictable, sporadic and expensive. Courses that do exist vary considerably in their quality, level, and content. Furthermore, many languages that are in demand in public services are not considered by training programmes or examination bodies e.g. Somali. Service provision is delivered mostly by private providers (e.g. CAPITA Translation and Interpreting), local authority run services (e.g. Bristol City Council) or by small voluntary organisations (e.g. Praxis Interpreting +). Analysing and managing the demand for language services and the supply of adequately trained, competently assessed, professional interpreters, has attracted little attention by government departments. Consequently, provision is patchy, variable in quality and often no service is provided at all. And yet, according to Inghilleri (2007:210) 'interpreters are pivotal players in the emergence of global society'.

*Interpreting* means conveying spoken language to another spoken language or in the case of Deaf or deafened people, sign language to spoken language and vice versa; *translation* means converting written text in one language to another written language. *Sight translation* involves making an oral rendition of any relevant written document at sight, with often very little or no preparation time (Fowler, 2012).

Interpreting has three main modes, simultaneous, consecutive, and liaison (sometimes called dialogue interpreting). During simultaneous interpreting one person speaks continuously while an interpreter renders the utterance in a low voice or via a microphone (in the case of conference interpreting) in the Other Language. For consecutive interpreting, a single speaker's utterance, followed by a short pause, is followed by an interpreter utterance in the Other Language. Liaison interpreting is where the interpreter renders utterances in both languages, back and forth between the professional and the client, or in this case the detainee. Public service interpreting requires the development of considerable memory and note-taking skills, alongside an advanced understanding of systems knowledge and terminology. Other higher level skills and knowledge are also required, including phonetics, linguistics, ethics and self-employment management skills.

The common and mistaken understanding is that if you can speak two languages you can be an interpreter. However, the *process* of interpreting has to be learnt, studied and continuously improved. As for example 'a seemingly "straightforward" matter such as bailing a defendant to appear in court [...] may be simple *procedurally*, but difficult *linguistically*' (Fowler, 2012:4). These linguistic difficulties include dealing with: accent and dialects, use of slang and / or idioms, speech impairments, domain specific terminology, distress of the detainee, incomplete or incoherent utterances, speaking rapidly or mumbling. It is also essential for interpreters to have made a serious study of ethics.

**3. What are your views on the current conditions within UK immigration detention centres, including detainees' access to advice and services? Please highlight any areas where you think that improvements could be made.**

For many detainees English is not their first language. They may of course have a familiarity with English, however competence cannot be assumed nor should it be relied upon. In order to access 'advice and services' they will either need to struggle in English or use the services of an interpreter. If an interpreter is not available and /or not offered, then we must conclude that access and benefit from any 'advice and services' will be impeded and the detainee will be disadvantaged, in other words discriminated against. Gentile (2008) cites two international human rights declarations which emphasise the right to linguistic support, namely the Universal Declaration of Human Rights (1948) Article 2, the International Covenant on Civil and Political Rights (1966) Article 14 paragraph 3(a) and (f). How this linguistic support is implemented is our concern here and we suggest the Inquiry team consider that linguistic rights are concomitant with human rights, in general.

#### **4. How far does the current detention system support the needs of vulnerable detainees, including pregnant women, detainees with a disability and young adults?**

Interpreting for 'vulnerable' persons adds further complexity to the interpreting process. On the one hand the interpreter him/herself needs to be robust, and have had the benefit of training which strengthens their ability to render accurately often sensitive and distressing information between the two parties, their knowledge of specialist medical terminology and the need for debriefing.

On the other hand, 'vulnerable' individuals may have more difficulty expressing their needs due to pain, fear, anxiety about the future and their own well-being and maybe that of dependants. This inquiry needs to assess whether reliance on an *ad hoc* system of interpreting is sufficient in such affective and serious situations, such as an interview discussing deportation and mental health.

#### **5. What are the wider consequences of the current immigration detention system, including any financial and /or social implications?**

Research (Ribera et al. 2008) demonstrates that timely interventions of interpreters can save institutions offering services money in the long term, as well as improving the effectiveness of a service. Detaining individuals costs the taxpayer a lot of money. Limiting the time spent in detention and ensuring that information gathered in interviews and other encounters is accurate will help legal professionals and other advice / service providers work effectively and efficiently. Clear logistical arrangements also need to be in place so that all parties know how to request and source interpreters efficiently (e.g. booking all Portuguese interviews on the same day). All parties must be knowledgeable about who is an appropriately trained and professional interpreter to avoid interlopers. We urge the inquiry team to investigate and test the existing systems.

#### **6. Telephone Interpreting**

In emergency situations, telephone interpreting does have a place. However, our concerns are the following:

a) Lack of domain knowledge: Telephone interpreting agencies recruit interpreters from across the globe, although the interpreter may have the necessary language skills, they may not have the domain knowledge of detention and asylum issues specific to the UK. Mistakes are thus inevitable, and additional time will be needed for clarification and explanation of immigration terms, and possibly repeat meetings.

b) Cost: Although understandably the purchasers of interpreting services may seek to reduce costs, such as travel time and transport expenses, incurred by face-to-face interpreting models. They omit to consider that telephone interpreting service providers usually charge by the minute, whereas

face-to-face interpreting is often charged by quarter of an hour slots. If the quality of the interpreting is also questionable, then this may ultimately result in higher costs in the long-run. For example, Language Line currently charges £65.00 per 60 minutes and minimum charges are routine.

c) Loss of visual cues: Inherent to telephone (sound-only) interpreting is that there are no visual cues, such as gesture or facial expression, to guide the interpreter in achieving a faithful rendition of the detainees' utterance. Some say this can be overcome with training (Ko, 2006). However, we know of no current courses easily available in the UK that address this concern. Secondly, Ko (2006) bases this finding on a very small data sample.

d) Length of interaction: The literature also discusses the impact in terms of 'fatigue and stress' (Ko, 2006: 325) experienced by the interpreter in telephone interpreting situations. Some detention centre interpreter-mediated sessions may well be short and factual. However, the very nature of detention suggests that detainees will be engaged in fairly lengthy interviews with solicitors and advisors regarding their immigration status and case for asylum.

e) Confidentiality and Impartiality: Worries over confidentiality occur especially when the political affiliations (e.g. interpreter and detainee being on opposite sides in a civil war) of remote interpreters cannot be ascertained. Remote interpreters are sometimes but should not be engaged from the same community as the detainee for whom they are interpreting.

Debate amongst academics, trainers and practitioners continues over what is best practice in remote (telephone, video and internet) interpreting. There is no doubt that it does have benefits: reducing travel times, accessing interpreters with rare language combinations who are not locally available and also its immediacy. We urge the inquiry team to exercise caution in seeing telephone interpreting as the primary, default service, and strongly recommend a service where both face-to-face and telephone / remote interpreting are available, to avoid accusations of discrimination.

## **7. *Ad hoc* interpreters**

Below we list some of the consequences of using *ad hoc* (i.e. other detainees, detention centre staff) and other untrained interpreters in detention settings.

a) Language competence: Navarro Montesdeoca (2006:169) in a report on detention centres in Gran Canaria explains that in some cases where other detainees 'interpreted', 'neither the interpreters nor the immigrants were speaking their mother tongue'. This is a danger that, although we do not have direct evidence of in the case of UK detention centres, is a scenario we fear may well exist frequently and may well go unrecorded.

b) Conflict of interest: Professional interpreters are aware that they need to declare conflicts of interest and other mitigating circumstances. They are aware that there may be circumstances where they should refuse a booking; untrained 'interpreters' are less likely to operate in such a professional fashion.

c) Time pressures of other duties: Professional interpreters are booked for the specific purpose of interpreting, other *ad hoc* 'interpreters', such as detention centre staff, will have other overriding duties, which may result in a poor service being received by the detainee and the professional using the interpreter.

## 8. Status of the detainees and detention context

Drawing on personal experience in Las Palmas, Navarro Montesdeoca (2006:168) in a rare report on interpreting in detention centres points to the 'inferiority' experienced by detainees, in terms of their social status and ability to communicate.

## 9. Status and role of the interpreter

Both Gentile (2008) and Inghilleri (2007) note that interpreters operate within and are influenced by macro (wider political and social attitudes to asylum seekers), meso (the detention setting) and micro (transactional and social interactions between the three parties) contexts. Inghilleri notes that the interpreter is at 'the grinding edge of macro-political realities' (2007). Some interpreters find this too much to manage and absent themselves from asylum bookings (Gentile, 2008). Some professionals, perhaps under pressure and untrained in working with interpreters may be inclined to rely too heavily on the interpreter. Gentile (2008) warns against professionals delegating the responsibility for the interaction to the interpreter. Finally, 'despite established codes of practice and an increased awareness of the interpreter role, there is still much uncertainty and inconsistency among all participants in the political asylum adjudication system' (Inghilleri, 2007:206) of the interpreter's role.

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We are pleased to submit this written evidence and should the Inquiry require further oral evidence we would be most happy to attend such a session.

**Jane H Straker and Helen Watts / 30<sup>th</sup> September 2014**

### References and further reading

Fowler, Yvonne (2012) *Interpretation and Translation Services and the Applied Language Solutions Contract*: Written evidence to the Justice Select Committee, House of Commons. (Unpublished)

Gentile, Adolfo (2008) *Interpreters, Translators and Human Rights*. The Jill Blewett Memorial Lecture, AUSIT Conference, Brisbane, Australia

Inghilleri, Moira (2007), 'National Sovereignty versus Universal Rights: Interpreting Justice in a Global Context', *Social Semiotics*, 17:2: 195-212

Ko, Leong (2006) The need for long-term empirical studies in remote interpreting research: A case study of telephone interpreting. In Erik Hertog and Bart van der Veer (eds.) *Taking Stock: Research and Methodology in Community Interpreting*. Antwerp/ Linguistica Antverpiensia- Hoger Instituut voor Vertalers en Tolken

Navarro Montesdeoca, Guillermo R. (2006) Interpreting at an immigration detention center in Las Palmas de Gran Canaria. In Anthony Pym, Miriam Shlesinger and Miriam Jettmarová (eds.) *Sociocultural Aspects of Translating and Interpreting*. Amsterdam/Philadelphia: John Benjamins Publishing Company, 163-171

Pöllabauer, Sonja (2004) Interpreting in asylum hearings. *Interpreting*, 6(2), 143 -180

Pöllabauer, Sonja (2006) "Translation culture" in interpreted asylum hearings. In Anthony Pym, Miriam Shlesinger and Miriam Jettmarová (eds.) *Sociocultural Aspects of Translating and Interpreting*. Amsterdam/Philadelphia: John Benjamins Publishing Company, 151- 162

Ribera, Joan Muela., Hausmann-Muela, Suzanna., Grietens, Koen Peeters., and Toomer, Elizabeth (2008) *Is the use of interpreters in medical consultations justified? A critical review of the literature*. [www.pass-international.org](http://www.pass-international.org)