

ANAZAWA, ISHIKAWA AND KIUCHI'S FIVE-TYPE INTERPRETATION ERRORS IN A LEGAL INTERPRETATION IN INDONESIA

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ABSTRACT

This study is conducted to examine the generalisability and the coverage of Anazawa, Ishikawa and Kiuchi's (2012) findings. This study uses real interpretation data taken from a court trial transcript. This study shows the five types of interpretation errors are also found in legal interpretation, as well as in medical interpretation as proved by Anazawa, Ishikawa and Kiuchi. The difference in the frequency is possibly caused by the difference of the field of the study where the interpretation is conducted. It is also found that real data research may cover wider area in interpretation's errors analysis than simulated scenario research.

Kata kunci: *interpretation, legal*

Interpreting has become an important activity to support the transfer of communication between different language speakers (Napier, 2007; Ra & Napier, 2013). Many factors contribute to the neediness of good interpreter, not only the difference of the language, but also cultural differences and the field of study of the interpretation (Ra and Napier, 2013; Gercek, 2008; Wieringen, Harmsen & Bruijnzeels, 2002). The study of Anazawa, Ishikawa and Kiuchi (2012) entitled *The accuracy of medical interpretations: A pilot study of errors in Japanese-English interpreters during a simulated medical scenario* published in *The International Journal for Translation and Interpreting Research* shows the relationship of those factors. They design their study from their worry upon the accurateness of interpretation in a field that is so close with life threatening consequences: medical. Re-quoting Brach, Fraser & Paez (2005, p.242) in this study, interpretation blatantly plays important role in

determining the quality of communication between patients and physician that may have impact on health resource.

Measuring the accuracy of medical interpretation is the main objective in this study. Anazawa, Ishikawa and Kiuchi focus their study on the percentage of errors occurs on medical interpretation. The errors found in this study are categorized into five: omission, false fluency, substitution, addition and editorialisation.

This study was conducted in Tokyo between March 2009 and April 2011, using a simulated case based on the scenario. The participants of this study were native Japanese speakers who also spoke English fluently. Before the study was conducted, they were informed about the data of the patient and the situation of the patient. The writers argue that this giving information procedure is in a line with the real situation in medical interpretation that the interpreters are

also given information about the assigned case. During the study, the scenario was scripted and the actors, that take a role as physician who did not speak English and a patient's mother who spoke English fluently, were instructed to follow the script.

The simulated medical case based on the scenario is believed to help the writers in examining the participants' performance from a common baseline. The simulation model in research itself has been discussed in Kleijnen's *Theory and methodology – Verification and validation of simulation models* (1993). Kleijnen states that the validation of simulation models may not result in as perfect as the reality. However, the real model may lead to the collection of scarce or abundant data. Kleijnen suggests these data analysis to help validating the data collected from simulated models: sensitivity analysis (based on the design of the experiments and regression analysis) and risk analysis. Those are for estimating which inputs are really important and for quantifying the risks associated with inputs for which no data can be obtained at all, respectively.

This study show several interesting results. After identifying 1,242 utterances in the verbatim transcript, the total of 799 errors occurred with the most frequent interpretation errors are omission-type errors, that is followed by false-fluency errors on the second place but with total errors frequency only a half of the omission-type errors. From the study, it is also revealed that interpreters with less previous experience made more errors than those who are experienced. The discussion points the development of a certification system for medical interpreters should be the priority task.

Doubts on Anazawa, Ishikawa and Kiuchi (2012)'s Study

On their conclusion and future works chapter, Anazawa, Ishikawa and Kiuchi stated, "... because this study used a simulated situation, the generalisability of our results should be explored in other scenarios and settings, as well as studies of actual medical encounters. It was difficult to closely analyse communication between interlocutors through interpreters in this scenario based study of interpretations, because it was not possible to

examine the actual consequences of errors." (2012, p.16)

The quotation above shows Anazawa, Ishikawa and Kiuchi's doubts that arise from the findings of this study. The field of the study, that is medical, seems too narrow to accept this study finding as the imagery of interpretation errors in all fields. Analysis on other fields of interpretation are needed to examine the formulation of five types interpretation errors.

Another doubt that comes from this study is concerning the design of the study which is employing simulation scenario. By using this unnatural environment, Anazawa, Ishikawa and Kiuchi understood that it may eliminate many unique findings that are possible to happen during the interpretation, includes the consequences of errors.

Research Objective

Starting from these doubts, this research is designed to examine the result of Anazawa, Ishikawa and Kiuchi's findings concerning the employability of five types of interpretation errors in other field of the study. This study is proposed to analyse the employability of the interpretation errors in legal interpretation. Legal interpretation, moreover court interpretation, is a field under community interpretation that is regarded as special because of its specific focus (Bancroft, Bendana, Bruggeman, & Feuerle, 2013; Keselman et al., 2010; Fischman, 2008). This specialty is not only in form of the place of interpretation (court), but also in form of the variety of the case that forces the interpreter to master wide area of vocabularies. Considering this specialty, this study is hoped to result in important findings that depict general findings of all field of interpretation.

Many unique findings are hopefully revealed in this study because the data will be collected from real situation of interpretation, different from simulation scenario interpretation that was conducted by Anazawa, Ishikawa and Kiuchi. Following questions are proposed as guideline for this study:

1. Do the five types of interpretation errors also occur in legal interpretation?
2. Is there any unique findings found as the result of the real situation interpretation?

followed by editorialisation type and false-fluency type with 3 (15.7%) and 2 (10.5%).

Reaching the Objectives

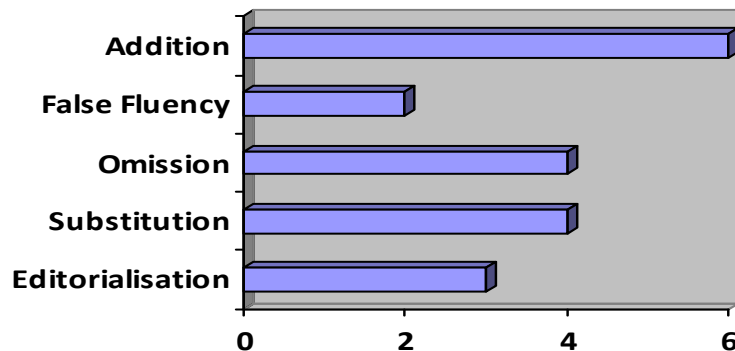
To reach the objective of this research, an analysis of interpretation errors is done upon a real trial transcript that involves interpretation activity. The transcript is taken from the Trial in 2013 at Central Jakarta.

This trial represented an *ad de charge* witness from a North America region, coded RR. The interpreter’s academic background is from law studies, taking her Bachelor of Law and Master of Law degrees in Indonesia.

The analysis of errors in interpretation is based on the five-type of interpretation errors in Anazawa, Ishikawa and Kiuchi’s study. Those are addition-type error, false fluency-type error, omission-type error, substitution-type error and editorialisation-type error. Addition-type error is error that occurs when the interpreter adds unspoken words or phrases to the interpretation. False fluency-type error occurs when the interpreter uses words or phrases that are incorrect or not exist in a particular language. Omission-type error is when the interpreter does not interpret words or phrases that were uttered. Substitution-type error is when words or phrases are substituted, while editorialisation error is when interpreter’s personal view is added to the interpretation

The occurrences of five types of interpretation errors

From the transcript, 128 utterances are analyzed and it is found 16 utterances that contain interpretation errors. 19 errors are identified, with addition-type errors become the most frequent errors in this transcript with 6 occurrences (31.5%). Omission-type and substitution-type errors share similar frequency, that are 4 times (21.1%) per type of errors,



Addition-type errors, the most frequent errors, occur in form of adding words or phrases although the interlocutor did not speak that words. As shown in this utterance,

RR : *Yes. It was contained manual safety of environmental and the front page was the managing director endorsement. So it had approval right to the top.*

Interpreter : Ya. Di dalamnya termuat atau termuat di dalam sebuah pedoman atau buku pedoman manual. SE adalah singkatan dari Safety and Health. Keselamatan, kesehatan, dan lingkungan hidup. Dan di halaman pertama tersebut memang ada suatu tanda tangan oleh *managing director* yang harus ditanda tangani oleh *managing director*. Jadi, memang demikian bahwa disetujui diatas.

The interpreter added not only a word or phrase, but several sentences although the interlocutor did not speak that sentences. That utterance also shows an editorialisation type error. It indicates that the interpreters knew the content of the manual well, and she wanted to give clear explanation. He gave that explanation in attempts to speak for the witness.

The utterance below is the example of false-fluency error that occurs in the interpretation.

Head of the Council (HC): *Saudara Saksi, selain TPH. Komponen-komponen apa lagi yang saudara ketahui di dalam penelitian ketika saudara berada tidak bersama ALI tersebut.*

Interpreter (Int): *While working with ALI DIKRI. In addition to TPH, what other componens did you learn about during the research and the testing conducted together with ALI DIKRI?*

From that utterance, interpreter's false-fluency is clearly seen when she interpreted *tidak bersama* (split up) to 'together'. The message was delivered in opposite meaning, and it would result in different or even wrong answer. In court trial, when all information are required to be true or based on the fact, this kind of error is not allowed at all.

Omission-type errors occur in almost same manner: the interpreter ignored a or several word(s), or even sentences, in their interpretation. As shown in this utterance, a sentence contains important information was ignored by the interpreter.

RR : *Yes. I was in center of experties within HES and that team still exist and I moved out and MIKE moved in and that structure still exist. There was organization and having the expert present.*

Int : *Ya. Pusat keahlian dalam tim HES masih ada sampai sekarang. Ketika saya pindah dan kemudian MIKE masuk dan setelah itu juga terdapat kontiunoitas dalam bagian tersebut.*

The interpreter did not interpret the last sentence of the interlocutor, although this sentence gave information about the organization and the expert that might be important for this case. The interpreter also made editorialization error while she used *kontinuitas* (continuity) as the interpretation of 'exist'.

Other unique findings

Besides those errors, this study also reveals some unique findings that were not analyzed by Anazawa, Ishikawa and Kiuchi. It is possibly caused by the design of this study that uses real data in form of transcript. Simulation and scenario did not allow Anazawa, Ishikawa and Kiuchi to closely analyse the triangle communication among two interlocutors and interpreter.

The first unique finding is about interpreter's tendency in providing the actual situation or giving information about the transition of the context. From the transcript, it is found that the interpreter often provided information about situation or context transition. It happened in four occurrences, for example:

HC : *Beralasan keberatan dari Penasehat Hukum. Oleh karena itu, diambil alih oleh Majelis. Terkait dengan izin. Apakah saudara mengetahui terkait dengan izin Bioremediasi?*

Int : *The Panel has taken over the question and the question is about the permit. Is there permit required for the Bioremediation? What do you know about the permit Bioremediation processs?*

The situation that happens in the trial was the panel taking over the question, and the interpreter considered this information as important so she informed the witness. In trial, the significance of this interpretation is to give initial understanding to the witness before he answers the question given. Without this information, the witness might find problem in answering the question that was not similar with the previous question's context.

Anazawa, Ishikawa and Kuichi wrote in their conclusion that it is impossible to examine the consequences of the errors. In this research, the consequences of the errors are found and examine, although only in one occurrence:

Public Prosecutor (PP): *Apakah di dalam SOP tersebut itu mencantumkan mengenai range TPH dalam COCS yang akan di Bioremediasi?*

Int.: *In that SOP were there any indication of TPH range of SOP that would have to be Bioremediated?*

RR : *No. There was no limit on TPH. There were requires to mix together homogenitation the concentration.*

Int. : Tidak. Tidak terdapat suatu ambang batas tertinggi mengenai TPH. Memang ada suatu kewajiban ataupun persyaratan bahwa harus dilakukan pencampuran untuk homogenisasi.

PP: Maksud pertanyaan saya adalah apakah di dalam SOP tersebut mencantumkan *range* TPH yang akan di Bioremediasi? Berapa persen sampai berapa persen yang harus dilakukan Bioremediasi dalam SOP tersebut? Itu pertanyaan saya.

Int.: *The question is whether there was a range indicated in the SOP. The range of TPH are the COCS that going to Bioremediated. So was there a range from certain percentage to certain percentage?*

RR : *I don't believe so.*

Int. : Saya kira tidak.

The interpreter made fatal false-fluency error by stating 'TPH range of SOP' when the public prosecutor asked about '*range THP dalam COCS*' (TPH range in COCS). The consequence of this error was the witness could not get the message meaning correctly and provided unexpected answer. The public prosecutor needed to repeat his question that was followed by interpreter's revision on her interpretation, so the witness could understand the meaning and answered it.

The last unique finding in this research is that the interpreter also revising the message that is not well-structured. A bad structured sentence will produce difficulties for the witness, who is not Indonesian and can not speak Indonesian, to get the meaning of the answer. This revision only occurs once in this utterance:

PP: Untuk di SLN ada enggak? Saat Saksi ini masih ada di Indonesia.

Int.: *At SLN, were there any SBF when you were still in Indonesia?*

By revising the structure of the sentence, the witness might easily catch the meaning of the interlocutor. This revision actually indicates the editorialisation, but it is not considered as error because it helps the process of information exchange and may result in the improvement in interpretation accuracy.

Discussion

In their study, Anazawa, Ishikawa and Kiuchi found that the five types of interpretation errors occurred in simulation medical scenario. Omission type errors became the most frequent errors with false-fluency as the second most frequent. After manipulating the field of the study and the design of the study, this study result supports Anazawa, Ishikawa and Kiuchi's research that all types of interpretation errors also occur in real situation legal interpretation. The difference of error frequency is possibly cause by the different field of the study. Medical and legal interpretation provide different characteristics, situation and context, so the different frequency is tolerated.

The manipulation in study design results in a deeper analysis on communication among interlocutors and interpreter. Many uncovered findings in Anazawa, Ishikawa and Kiuchi's research are revealed in this real situation research. They are the interpreter's tendency to provide information concerning actual situation and context transition, the consequences of interpretation errors toward the communication, and interpreter's revising tendency upon bad structured sentence. These findings prove that eventhough simulation scenario research may be appropriate for collecting data concerning non-daily case like medical or legal interpretation, however data collected from real situation interpretation provides wider coverage and deeper analysis.

By having similar result to Anazawa, Ishikawa and Kiuchi's findings, this study supports their suggestion that interpretation training programmes should be developed as an effort to minimize interpretation errors not only in medical or legal field, but also other fields that

needs interpreter's involvement such as tourism, finance, politics, and else.

Combining this study and Anzawa et al.'s study

This study shows that as a pilot project, Anazawa, Ishikawa and Kiuchi study has been a good beginning for future works in the interpretation study. Some issues about generalization of the study and narrow coverage of the study appear in that simulation study. However, as suggested by the writers in conclusion and future work chapter, these issues are answered in this real situation legal interpretation.

This study reveals that Anazawa, Ishikawa and Kiuchi's five types of error are generalisable for other field of study. Furthermore, the data taken from real situation interpretation gives more chance to analyze communication during interpretation deeply, as expected by Anazawa, Ishikawa and Kiuchi.

The difference on errors frequency does not negate the findings of Anazawa, Ishikawa and Kiuchi because this research is designed to examine the employability of five type errors in the analysis of other fields of interpretation, not to test the frequency of errors.

Interpretation training programs, as suggested by Anazawa, Ishikawa and Kiuchi, are really needed to be developed because the five types of interpretation errors possibly happen in all fields of interpretation, as they occur in medical and legal interpretation. Minimizing the potency of these errors through interpretation training programs hopefully may increase the standard of interpretation for guaranteeing more faithful communication between interlocutors. And this study, as well as Anaza et al.'s study, may be regarded as important research in interpretation to provide suggestion for curriculum of interpreting education (see Pochhacker, 2010).

Many follow up researches are still needed to examine the employability of five types interpretation errors in other field of interpretation. It also recommends the application of simulation scenario research to solve problems in data collection because it may accurately predict the study result, as well as

the real situation research, but in narrow coverage.

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