

Contemporary Perceptions of Interpreting in South Africa

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ABSTRACT

Since the inception of the Truth and Reconciliation Commission (TRC), much has been done to professionalize interpreting in South Africa in terms of accreditation, training and research. Yet two incidents in particular, namely the memorial service of the late President Nelson Mandela and the Oscar Pistorius trial highlighted the gap between theory and practice and strengthened the common perception that South African interpreters are incompetent. This article investigates these common perceptions by focusing mainly on media reports on interpreting, in general, and the events surrounding the sign language interpreting services rendered during the widely televised memorial service and the equally widely covered Pistorius trial, in particular. Criticisms in the media voiced from within the interpreting profession by academics and SATI accredited interpreters, and aimed mainly at the Department of Justice during the Pistorius trial, also receive attention. It is concluded that the struggle remains for insight into what interpreters can and cannot do, the conditions required for optimal interpreting performance and the misperception that anyone who speaks two languages, can interpret between them.

Keywords: interpreting, perceptions, SATI, research, training.

1. INTRODUCTION

The state of interpreting in South Africa has never been open to as much public opinion and strong criticism as after the memorial service of the late President Nelson Mandela and, to a lesser extent, during the Oscar Pistorius murder trial. The international and local media had a field day during and after both events and newspaper columns were filled with outcries from the public at large and from within the interpreting profession. At the very least the image of interpreting in South Africa was severely tarnished to the extent that it became a national embarrassment. Furthermore, common perceptions about the apparent lack of quality interpreting services and the incompetence of interpreters were formed and confirmed.

This is particularly disconcerting for the interpreting profession and is in stark contrast to the great strides that have been made with the regulation of the profession and the adoption of the South African National Language Practitioners' Council Act (Act 8 of 2014), as well as the adoption of the Use of Official Languages Act (Act 12 of 2012) two years earlier, the development of training programmes for interpreters and research recommendations. In the absence of a regulatory framework for the language profession in South Africa, the South African Translators' Institute (SATI) stepped up to plate and, since its inception in 1956, played an important role to ensure the quality of language services, most notably through its accreditation system, implemented some 25 years ago (Cornelius 2014: 5).

The aim of this article is to explore, and critically examine, public perceptions about interpreting and interpreters in South Africa, unearthed by two negative incidents – dubbed "debacles" in the media – that occurred in South Africa in the short span of only three months, between December 2014 and March 2015. The source of data is mainly media reports and letters to editors, in which public opinions and perceptions about the quality of interpreting are revealed. South Africans, and international audiences, most probably remember these events for one reason: the provision of poor quality interpreting services.

2. BACKGROUND

In 2006, on the occasion of celebrating their 50th birthday, the South African Translators' Institute asked the question whether or not the Truth and Reconciliation Commission (TRC) had opened the flood gates for interpreting in South Africa. The keynote address (Pienaar 2006a and 2006b) focused on the state of communication between the state and its citizens by drawing on the work of Crawford (1994), Smit (1999), Moeketsi (1999) and Vergie (2006). At the time it was clear that the quality of interpreting services was poor or completely lacking in public domains such as courts, the police service, state hospitals and state pharmacies. The impact of the lack of interpreting services or the use of untrained interpreters in social services (Devenish 1999), state departments and local governments (Corsellis 1999), legislatures (Pienaar 2002) and psychiatric hospitals (Drennen 1999) was also evident.

The absence of interpreting services at that time resulted in alarming levels of misunderstanding and disempowerment that adversely affected the quality of services provided by institutional service providers and denied citizens access to information and assistance. However, if, when and where interpreters were available, various factors such a lack of insight into their role on the part of users of the interpreting service, often resulted in frustration for all parties involved.

3. NEW DEVELOPMENTS IN SOUTH AFRICA SINCE 2006

So what has changed since 2006? Taking a critical and, arguably, a pessimistic stance, one could probably respond with “not much”, as stories that reflect badly on interpreters (and court interpreters in particular) abound in the news on a regular basis. A quick Google search revealed the following newspaper headlines featuring interpreting services in South Africa, excluding headlines and articles on the two incidents cited above (the memorial service of late President Mandela and the Pistorius trial):

“Renosterstroper” dalk vry oor tolk (“*Rhino poacher*” may be free due to interpreter) (*Maroela*, 16 March 2012)

Joburg courts face foreign language problems
(*Sowetan*, 27 March 2012)

Tolk van die hof sit agter tralies (*Interpreter of the court behind bars*)
(*Die Vryburger*, 26 November 2012)

Hoftolk en aanklaer aangekla van korrupsie (*Court interpreter and prosecutor charged with corruption*)
(*OFM*, 8 March 2013)

Bad interpreters ruin court cases, says ¹Mogoeng
(*City Press*, 25 January 2014)

Geen tolk, misdadiger dalk vry / *No interpreter, criminal possibly free*
(*Die Vryburger*, 1 September 2014)

Outrage over sign interpreter (IOL news, 27 March 2015)
(Translation ours: MP and EC)

The list of cases reported in the media where the incompetence of interpreters are bemoaned is relatively long. Mkhabela and Ndaliso (2015) report on the outrage of the deaf community in KwaZulu-Natal after the organisers of a provincial disability summit scheduled to be held on 26 March 2015 failed to provide a competent interpreter: “The summit in Imbali, Pietermaritzburg had to be called off on Thursday after deaf people in the audience could not understand the interpreter’s sign language. The two-day event was organized by the Premier’s Office and Disabled People SA. Premier Senzo Mchunu was to have delivered a

¹ Mogoeng Thomas Reetsang Mogoeng was appointed as Chief Justice of South Africa in 2011.

speech at the summit on Thursday, but it had to be cancelled after the audience became unhappy with the interpreter.”

On a more positive note, interpreter training has improved dramatically in recent years with an increasing number of students enrolling for interpreting modules or short courses at tertiary institutions. SATI's interpreting accreditation is also functional, but as it is not yet compulsory to be accredited to work as an interpreter, not all interpreters active in the market take the trouble to become accredited. According to SATI, in 2014 there were only 51 accredited simultaneous interpreters representing 67 accreditations as some interpreters are accredited in two directions. Unfortunately an additional 25 interpreters lost their accreditation status due to them not paying their SATI membership fees (personal correspondence with Marion Boers on 4 February 2014). Language combinations include Zulu, Ndebele, Xhosa, Northern Sotho, Southern Sotho, Afrikaans, Spanish, Portuguese, German, French and South African Sign Language (Cornelius 2014: 5).

Another field where interpreting is coming into its own is educational interpreting, where universities such as the University of the Free State, the Durban University of Technology, the University of Stellenbosch and the North-West University, in particular, have established classroom interpreting

Robust research is conducted on the topic of interpreting in South Africa. Only more recent studies are listed and briefly outlined here. Bothma and Verhoef (2008) investigate the role of the interpreter in facilitating classroom communication. Verhoef and Du Plessis (2008) consider innovation and delivery in educational interpreting. Olivier (2008) highlights the differences between conference interpreters and educational interpreters. Verhoef (2008) discusses non-verbal communication in educational interpreting. Verhoef and Blaauw (2009) and Verhoef (2010) elucidate educational interpreting as practiced at the North-West University. Saulse (2010) provides an overview of interpreting in the Western Cape health care system and Lesch (2010) investigates interpreting in the National Parliament. Dose (2010) focuses on standardization and inference, while Clausen (2011), Brewis (2012, 2014) and Lesch (2014) consider the possibility of implementing educational interpreting at the University of Stellenbosch. Makhubu (2011) reports on the development of an interpreting service model at the Durban University of Technology. Ralarala (2012 and 2014) deals with ineffectiveness in court interpreting as does Mpahlwa (2015) who explores the flawed language policy and its impracticality for Eastern Cape courtrooms. Feinauer and Lesch (2013) recognize the deficiencies in health workers' interpreting competencies, whilst Molefe (2015) reports on the use of interpreting and translation as vehicles for improved service delivery in public contexts in the Free State.

Unfortunately recommendations forthcoming from the research are often not implemented. One example is the fact that the public and media galleries in the Gauteng Provincial Legislature are still not equipped with earphones as suggested as long ago as 2000 (Pienaar and Slabbert 2000 and Pienaar 2002), thus leading

to a situation where the very people who are interpreted for, such as members of the public and school children, do not have access to the service.

Another example of recommendations not being implemented and which is pertinent to this study, dates back to 1999 when Moeketsi, after having studied 250 court cases which included initial appearances, postponements, arraignments, trials and sentences, suggested the passing of legislation that would define the role of the interpreter in the legal process; protect the interpreter's constitutional rights; create mechanisms whereby meaningful training may be available for the court interpreter; provide for the development and administration of certification examinations; and awaken the judiciary and other courtroom personnel to the importance of qualified and professional court interpreters (Moeketsi 1999: 181). Yet, thirteen years later Ralarala (2012) reports on the murder trial of Eugène Terre'Blanche and once more critical questions are raised relating to language rights, the communicative competence of law enforcement agencies as well as the asymmetries in police interaction with accused persons. He notes that "the South African multilingual setting is confronted by serious complexities, especially in cases where the accused is a speaker of an African language who can only rely on interpreting/translation services in order to follow the legal discourse" and concludes that "central to these challenges is the potential for miscarriages of justice" (Ralarala 2012:55).

Public interest in the role of interpreters peaked on 10 December 2013 during the memorial service of the late President Nelson Mandela when not only South Africans, but the entire world, witnessed the state of interpreting in South Africa as demonstrated by the so-called "fake interpreter", Mr. Thamsanqa Jantjie. The event caused such high levels of mistrust in and cynicism about the quality of language services in general, and (sign language) interpreting in particular, that it warrants closer inspection, in order to form a deeper understanding of why and how conditions were conducive to allow such an incident to occur in the first place.

On Monday 3 March 2014, the court interpreter's performance on the first day of the internationally broadcasted Oscar Pistorius murder trial was of such poor quality that the first witness had to correct the interpreter as she felt her evidence was not accurately interpreted. This resulted in the presiding officer eventually asking the interpreter to terminate her services as the judge felt the interpreting was hindering the proceedings. The witness was subsequently requested to testify in English rather than in Afrikaans, her first language. The services of a second interpreter was then acquired who soon burst into tears, after failing to keep up with the proceedings. On the second day of the trial a third interpreter, Fanny Hendricks, were brought in and following her predecessors' inadequacies, her performance was scrutinized by the public and the media alike. Once again one of the witnesses, Colonel Schoombie van Rensburg, switched from Afrikaans (also his first language) to English and told the interpreter that he would no longer make use of her services. Notwithstanding less flattering comments on her accent,

Fanny Hendricks remained the interpreter for the rest of the trial (*Huisgenoot*, 6 May 2014).

4. THE MEMORIAL SERVICE OF LATE PRESIDENT MANDELA: 10 DECEMBER 2013

Mr. Jantjie is in all probability the first South African interpreter whose interpreting performance earned him various entries in Wikipedia, e.g. “In what was characterized as a national embarrassment, during the memorial service it became evident that the official sign language interpreter, Thamsanqa Jantjie, was a fake. DeafSA, a South African association for the deaf, stated that Jantjie had made a ‘mockery of South African sign language’ and that the ‘deaf community was in outrage’. Jantjie, who stood on the memorial stage alongside world leaders throughout the event, made meaningless hand gestures that did not reflect established signs. How Jantjie had obtained the job and received security clearance raised questions about bureaucratic mismanagement.”

The details of his selection and subsequent appointment remains a mystery and in the aftermath of the disastrous interpreting incident no one seems willing to accept responsibility for this appointment, let alone provide details about the criteria that was used for the appointment. The Deputy Minister for Women, Children and People with Disabilities, Hendrietta Bogopane-Zulu, however commented as follows: “Yes, a mistake happened but we should not say that he is a fake interpreter because he does have a basic sign language translation (sic) qualification. He started off very well and got tired in the process. He was not a bad interpreter”. She also stated that he was overwhelmed by English, which is not his mother tongue and that “he has interpreted to deaf people in court before and is able to communicate with his deaf friends very well” (*City Press*, 12 December 2013).

Against the backdrop of the Deputy Minister’s comments above involving sign language interpreting and public perceptions about court interpreting emanating from the Oscar Pistorius trial (see below), a number of – often quite common – misconceptions about interpreting (including conference interpreting, sign language interpreting and court interpreting) are exposed. These misconceptions are refuted below:

- Basic interpreting training does not guarantee excellent interpreter performance. A number of interpreting studies have focused, in the expert-novice paradigm, on the differences between interpreters in training and experienced, professional interpreters, specifically looking at the ways in which they approach the interpretation task. Bartłomiejczyk (2004), for instance, indicates that novice interpreters may sometimes be marginally better when they interpret into their L2, and they may also be less conscious of their shortcomings, whilst professional interpreters with more experience often do better when they work into their L1 and they are more conscious of their shortcomings.

- Translation skills are not the same as interpreting skills. Interpreting differs from other forms of translation most notably in terms of the distinctive feature of immediacy (Pöchhacker 2004: 10). As a result, in simultaneous interpreting, the source text is ephemeral and cannot be revisited. In addition, there are time pressures, as interpreting takes place in real time, with hardly any opportunity to revise the product, and very limited time to access resources (such as dictionaries or glossaries). The interpreter has no, or little, control over the speed of delivery of the source text. Interpreting is spoken or signed, and must commence before the entire source text is presented. Lastly, the context is shared between participants in an interpreting situation which, of course, is not true for written forms of translational activity.
- As fatigue plays a role in interpreting, interpreters should, where possible work in pairs. The notion of "team interpreting" (TI) is discussed by De Kock and Blaauw (2008). They warn that "(T)he complexity of the mental process involved in interpreting, as well as the stress associated with this sustained exertion and environmental interferences, make it essential for the interpreter to be relieved after 30 minutes of interpreting" (2008: 83). This is in line with the 2015 version of the Code of Professional Ethics of AIIC, the International Association of Conference Interpreters (AIIC 2015), with reference mainly to simultaneous interpreting in a booth (article 7(2)). However, De Kock and Blaauw (2008) list a number of exceptions where longer than the norm interpreting turns are acceptable, including a number of liaison interpreting situations, interpreting in courtrooms and in educational settings. They cite the *Health and safety guidance notes for sign language interpreters* of the Scottish Association of Sign Language Interpreters (SASI) (in De Kock and Blaauw 2008: 86) according to which a sign language interpreter can work as long as four hours a day but with the opportunity to adequately prepare. The interpreter works for an hour, rests for 15 minutes, but after the first two hours the interpreter is well within her rights to ask for more frequent resting periods. In cases where the "interpreting content" is extremely challenging, the interpreter may request shorter turns. It is highly improbable that Mr. Jantjie was given the opportunity to "adequately prepare", and given the media exposure and the demands of the situation, his inexperience and underpreparedness, his lack of the required "physical qualities such as stamina and strong nerves" as well as lack of "intellectual qualities, in particular language proficiency ... and mental qualities such as ... concentration and divided attention" (Van Hoof 1962 in Pöchhacker 2004: 166) it is no small wonder that Mr. Jantjie demonstrated high levels of incompetence and failed to deliver a product of any quality at all.
- Directionality can impact on the quality of interpreting and consequently interpreters should not take on a job if they are not absolutely comfortable to work in the language combination required.

- An interpreter's peers (read friends or members of the same social circle) should not be the judge of her interpreting ability. Objective criteria should be used to measure the quality of an interpreter's performance and the product of interpreting. In this regard, SATI accreditation provides a far more reliable and accurate indication of an interpreter's competence than the opinions of peers.

In view of the enormous reaction to Mr. Jantjie's performance, any comment on the statement that his performance was not up to standard, would be meaningless. It is, however, noteworthy that Mr. Jantjie himself regarded his performance as poor, as is evident from his claims of having suffered a schizophrenic episode during the memorial service, resulting in loss of concentration and hallucinations during the proceedings (*IOL News*, 12 December 2013). His apology for the events and attempts to expound his lack of performance, did little to convince critics of the quality of the product or the (de)merits of his appointment. Not only did South Africans have to suffer huge international humiliation at the hands of an incompetent, untrained and unskilled sign language interpreter, but they also had to accept and tolerate a bureaucratic system that allows the appointment of such an interpreter for a high-level event of gargantuan proportions – the memorial service of a legendary statesman and beloved humanitarian, attended by world leaders such as US President Barack Obama and the Secretary-General of the United Nations, Ban Ki-moon.

According to the same article (*IOL News*, 12 December 2013), Mr. Jantjie admitted that he found himself in a difficult position: "And remember those people, the president and everyone, they were armed, there was armed police around me. If I start panicking I'll start being a problem. I have to deal with this in a manner so that I mustn't embarrass my country". Sadly, had Mr. Jantjie been a member of SATI, at the very least, he would have been bound by SATI's code of ethics, of which the fourth tenet is: "[All members of SATI shall] accept only work which they [members of SATI] are capable of doing".

Mr. Jantjie's claim of being overwhelmed by the circumstances is not new in the interpreting world and much has been written about the emotional pressure the interpreters experienced during the TRC hearings. Lotriet (2006: 110) summarizes as follows: "Another major problem was the emotional pressure the interpreters experienced. Many of the interpreters started showing symptoms of post-traumatic stress syndrome. Although these issues were addressed during the training, no provision was made for individual's coping mechanisms or lack thereof". The reactions of both Mr. Jantjie and the second interpreter in the Oscar Pistorius trial – who, as mentioned above, burst into tears as a consequence of her inability to cope with the demands of a stressful interpreting situation and becoming the object of public attention and scrutiny, points to a dire need not to underestimate the often overwhelming stresses under which interpreters often have to work. Indeed, Pöchhacker (2004: 172) refers to the stress experienced by sign language interpreters: "While most stress research has focused on spoken-

language SI in conference settings, sign language interpreting has been shown to involve high levels of task-related stress as well." Although interpreters' coping mechanisms need to be developed during their training – either at a tertiary level or in-house – systems of support should be established, possibly by professional organisations such as SATI. Such support systems should be available, on an on-going basis, to interpreters who require emotional and psychological support. Interpreters indeed work under stressful conditions. An example is the case of interpreters who work in war torn areas and conflict zones all over the world. In support of such interpreters, the International Federation of Translators (FIT) adopted a resolution on 6 August 2014, at its Statutory Congress in Berlin. This resolution states that:

... the services of translators and interpreters lack the recognition they deserve and time and again they are regarded as traitors or collaborators by all the parties involved. Recognizing the danger and the urgency of their situation, the participants at the 2014 FIT Statutory Congress call upon national governments and the international community to,

- protect the local translators and interpreters in conflict zones
- ensure a life in security during and after their work in the conflict zone
- respect the impartiality of the work of translators and interpreters
- work for a UN Convention and/or an international safety document for the protection of translators and interpreters in conflict zones during and after their service (FIT 2014).

There can be little doubt that Mr. Jantjie was clearly ill-equipped and unqualified to provide sign language interpreting services on the level of a global event such as the late President Mandela's memorial service. However, as Mr. Jantjie is not a member of SATI or, in all probability, any other professional association for that matter, he would not enjoy the benefits of any support system, should such a system be in place, nor would a great number of other interpreters, editors, translators, etc. (under the umbrella term "language practitioners") who are not members of a professional association, but who earn their daily living through the rendering of language services in an unregulated industry. It is therefore not inconceivable that we may well see repeat instances, though quite possibly in a variety of shapes and forms, of such poor quality service delivery in an unregulated language profession, until such time that the South African Language Practitioners' Council is in place.

As information on who might have appointed Mr. Jantjie was still not forthcoming, attention turned to SA Interpreters, the company for whom he allegedly worked who subcontracted to the government. Upon investigation, Associated Press journalists "who visited the address of the company that Jantjie provided found a different company there whose managers said they knew nothing about SA Interpreters. A woman who answered the phone at the number provided confirmed that she worked at the company that hired him for the memorial service but declined to comment and hung up." (*IOL News*, 12

December 2013). Deputy Minister Bogopane-Zulu said that government officials also tried to track down the company, but to no avail. She did however note that the company paid sub-standard rates to the interpreter and that the company had been offering sub-standard sign language services for some time.

Apart from the obvious question as to why government entered into business dealings with such a company, the fact that Mr. Jantjie did not quite know who he was working for, nor did he know what they were charging government *vis-à-vis* what he was earning, is unacceptable.

And so the question remains as to who is to blame: The agency, who has now disappeared into thin air, or government? On 13 December 2013, the then Minister of Arts and Culture, Paul Mashatile,² accepted some responsibility when, in a public statement, he apologized “to the deaf community and to all South Africans for any offense that may have been suffered”. In the same statement he expressed the hope that the language profession would be regulated soon and he referred to the long awaited South African Language Practitioners’ Council Act which will provide for the regulation of the language profession, seek to regulate the training of language practitioners and provide for control of the accreditation and registration of language practitioners. The South African Language Practitioners’ Council Act of 2014 (Act No 8 of 2014) has been adopted since, as recently as May 2014, and is now in force.³

If the outcry following the incident of the "fake" interpreter was as far-reaching as described above, then the South African interpreting fraternity was even more devastated by and outraged with both DeafSA and SATI releasing statements soon after the incident. Letters written by accredited interpreters appeared in newspapers, for instance that by Martyn Swain (*Cape Times*, 17 December 2013). The reaction was unanimous: How is this possible? How is it possible that something like this can happen given that we know what we know and the long road we have come with interpreting? We have the skills, we have the know-how, and we have structures and codes of conduct in place. The research is being done, the training is taking place. So why did our beloved Madiba’s memorial service become an embarrassment to the profession and our country? The answer is fairly clear and can be summed up in one single word: ignorance. In spite of the great strides made with South African interpreting, the greater community still does not understand the intricacies related to our work. The myth still remains that if someone is bi- or multilingual and claims to be an interpreter, the person IS an interpreter. Interpreters are conceived of as machines who should be able to deal with whatever is thrown at them and mistakes are not tolerated. If mistakes are made, only the interpreter is to be blamed.

² See under "Mashatile" in reference list.

³ In the meantime, it has transpired that there is, unfortunately, no budget to establish the Council any time soon so the language profession will remain unregulated for some time to come.

5. THE OSCAR PISTORIUS TRIAL, STARTING 3 MARCH 2014

On the very first day of the Oscar Pistorius trial, the quality of interpreting in South Africa came under fire yet again. The very next day tweets, reproduced in the *Pretoria News*,⁴ bore testimony to the public's disgust at the poor quality of the interpreting during the proceedings, pointing to the high levels of mistrust in the interpreter's rendition on the part of the witness and the public at large, and the international embarrassment suffered at the hands of the interpreter(s).

"Now that the interpreter is quiet I'm, [sic] totally confident via Michelle⁵."

"It is almost like a game of broken telephone."

"I have 1 question. Where the hell do they find these translators/interpreters!! Seriously [...] I wonder?????"

"Quite shocking how Burger speaks better English than the so-called 'translator'."

"I don't know Afrikaans but damn, I don't trust this interpreter."

There can be little doubt that the second interpreting debacle caused, yet again, severe damage to the image of (well-trained and competent) court interpreters and the language profession as a whole. One particular tweet, "Is there even a need for this interpreter?", was probably the most damaging to the profession, as it questions the need for and the important role that language facilitation services, such as translation and interpreting, can play in a diverse multilingual and multicultural society and courtroom; provided, of course, that such services are of excellent quality.

Whereas it was mostly members of the public, the media and organisations such as SATI and DeafSA who voiced their scepticism about the quality of interpreting services during the memorial service of Nelson Mandela, academics and accredited interpreters joined the debate after the first day of the second interpreting debacle, the Pistorius trial, but this time on a different level, asking questions in the media about the content, duration and quality of court interpreting training courses, the selection and appointment of court interpreters, the working conditions of court interpreters, and the consequences of working in an unregulated industry.⁶ The events that unfolded on the first day of the trial was

⁴ *Pretoria News*, 4 March 2014.

⁵ Michelle Burger, the state's first witness.

⁶ *The Mercury*, 4 March 2014.
Pretoria News, 4 March 2014.
The Star, 4 March 2014.

regarded as an opportunity to educate the public about and to raise awareness of interpreting as a language facilitation tool, the differences between the translation and interpreting, the high levels of skill required of interpreters, the need for accreditation and so on.

The article in *Pretoria News* of 24 March 2014 is one such example. The reporter conducted interviews with interpreter trainers and academics at North-West University and the University of Johannesburg, who voiced their concerns about the consequences of misinterpretation during court proceedings – which could influence the verdict, especially in cases where the presiding officer and other court officials are not proficient in the source language and as a result are fully reliant on the interpreter's rendition. So it happened that defence attorney Barry Roux in a position to correct the interpreter at one point during the testimony of one of the state's witnesses, former policeman Colonel Giliam van Rensburg, but only because he (Roux) is proficient in both the source and the target language.

It is also mentioned in the article that "if interpreting in a case with so much public interest is so shoddy, 'one can fairly [safely] assume that poor interpreting happens daily in most courts'". This statement moves the spotlight away from the events in the courtroom during the Pistorius trial and places it on court interpreting in South Africa in general and on the Department of Justice (DoJ) in particular. Following the incident, the DoJ acknowledged shortcomings in the system and convened a task team (consisting of officials from the regional court president's office, the Chief Magistrate's Forum, the National Prosecuting Authority and the office of the chief justice) to conduct an investigation. Whether such an investigation was indeed conducted is not known, nor are the outcomes of such an investigation. The DoJ indicated that they would take the following steps to address the problems – all problems are related to, and are possibly consequences of, the lack of a regulatory framework for the language profession (*Pretoria News*, 26 March 2014):

- conduct a review of the performance of court interpreters and recommendations to improve the state of affairs
- conduct a review of current training programmes
- conduct a review of selection/appointment criteria
- conduct a skills audit of existing court interpreters

Cape Times, 4 March 2014.

Pretoria News, 14 March 2014.

Sunday Times, 23 March 2014.

Pretoria News, 24 March 2014.

Herald, 25 March 2014.

Sunday Times, 25 March 2014.

Pretoria News, 26 March 2014.

Pretoria News, 7 April 2014.

- explore possible collaboration with universities and other tertiary institutions in relation to the accreditation of court interpreters (the current contingent)
- develop a code of conduct
- investigate mentoring and coaching programmes in the workplace and
- promote the development of a multilingual term glossary for use in the judicial system and in courts
- enhance specialised court training

In the same article, the journalist provides additional information of educational value about the status of court interpreting in this country. There are close to 2 000 legal interpreters in the permanent employ of the DoJ, of which 422 (the majority) are based in Gauteng. According to the article, the number should be adequate to provide one interpreter in every courtroom. As there is such a high demand, 60 foreign language interpreters also work in this province. Due to interpreters having to be available when court is in session, they cannot be readily taken out of the courtroom to attend training courses and continued professional development (CPD) programmes. Moreover, court interpreters are not carefully selected according to stringent criteria. To become a court interpreter, the incumbent only needs a Grade 12 certificate and should be conversant in at least three languages, again perpetuating the perception that if a person can speak more than one language, that person is able to interpret between those languages. In light of the specialised skills required for successful interpreting, the selection criteria can hardly be considered adequate and the lack of quality interpreting during the Pistorius trial can hardly come as a surprise. Once appointed by the DoJ, interpreters may be sent to the Justice College in Pretoria to attend a six-week training programme, but attendance of such a programme seems to be haphazard and not compulsory. (This also echoes the findings of Moeketsi (1999) and Ralarala (2012) referred to above).

The *Pretoria News* article further provides useful additional educational information on interpreting, under three main headings: training, skills and needs.

Under **training**, it is mentioned that there no longer is a *dedicated* degree programme in court interpreting available in South Africa, as the BA degree (specialising in court interpreting) offered by Unisa⁷, was terminated in 2009, ironically as a result of lack of interest. Two universities, namely the University of the Witwatersrand and the University of the Free State, offer diplomas in legal interpreting and court interpreting respectively. Other universities, such as the University of Johannesburg, Stellenbosch University and the Durban University of Technology, offer programmes in translation and interpreting (undergraduate and/or postgraduate), whilst North-West University offers short courses in simultaneous interpreting. What distinguishes the BA Language Practice degree programme at the University of Johannesburg from programmes and courses

⁷ University of South Africa

offered at other tertiary institutions, is its internship programme. This internship programme is in place since 2013 and is highly successful. During the winter recess, third-year students are placed in circuit courts in and around Johannesburg, where they gain experience of court interpreting in actual courts, mostly through observation. Where and if opportunity arises, interns are also able to interpret themselves in courts of law. After their stint at the courts, interns are placed in a typical language office, to gain experience of and practice in translation and text editing, in an authentic setting.

The following are important *skills* an interpreter should have (the list is not exhaustive, however), provided to the reporter by one of the authors of this article:

- Excellent knowledge and command of both working languages.
- Specialised terminology such as the terms used in a courtroom.
- Interpreting (productive), listening (receptive) and analysing skills.
- Coping with problems during interpreting (such as where there are cultural concepts for which there are no equivalents in the target language).
- Note-taking skills to avoid asking the witness to repeat themselves.
- Courtroom procedures: knowing the physical layout of the courtroom and where to stand; knowing the role players in a courtroom and being familiar with court proceedings.
- Ethics and professional issues: being familiar with codes of good conduct, and ethical considerations.
- Stress management.

At this juncture, in light of the lack of quality interpreting during the Pistorius trial, it may be important to note that court interpreting is quite distinct from conference interpreting. As court interpreters in South Africa are mostly not highly trained individuals, as noted above, it is quite possible to view court interpreting as a form of community interpreting. Hale (2007: 27–30) lists the differences between community interpreting and conference interpreting. Only the differences of particular relevance to this study are singled out here. In conference interpreting, medium levels of accuracy are required, with a strong focus on content. High levels of accuracy are required in community interpreting, including the manner of speaking. Conference interpreters work in booths, whereas community interpreters work in close proximity to speech participants and they are therefore visible. It is quite common for conference interpreters to be provided with materials, such as speeches, to facilitate advance preparation. Issues of confidentiality often prevent the making available of information prior to the interpreting event in community interpreting. Conference interpreters usually employ formal registers; community interpreters use a much wider range of registers. Conference interpreters are expected to work unidirectionally, but community interpreters mostly work bidirectionally. Whereas conference interpreters work in teams mostly (the notion of team interpreting), community interpreters work alone. Many of the perceived problems that manifested during the Pistorius trial relate to the nature of community (court) interpreting, such as

the high levels of accuracy required (the interpreters struggled with this aspect), visibility of the interpreter (the interpreter could be identified and therefore criticised by the public and in the media), lack of advance preparation (substitute interpreters were called in, on short notice, when the initial interpreter(s) failed to perform), the option to use a wider range of registers (the interpreter who interpreted the bulk of the trial was regularly criticised by the public for her "poor" accent and the variety of Afrikaans she employed, as indicated earlier) and working individually (there was only one interpreter available, at a time, during the entire trial, without the option of handing over to a team member when, for instance, fatigue stepped in).

Under *needs* in the contemporary court interpreting system, the careful recruitment and qualifications of interpreters are singled out, as well as the availability of training courses geared towards the development of competencies and skills required of court interpreters. In addition, measures to ensure quality interpreting in courts should be put in place, not only in high-profile cases of huge public interest. This means the performance of interpreters should be tested and evaluated at regular intervals and accreditation should be introduced. Refresher (CPD) courses should be presented and attended in an organised manner.

6. CONCLUSION

We have referred to the former Minister of Arts and Culture's statement in which he expressed the hope that the language profession would soon be regulated through the South African Language Practitioners' Council Act. This Act, as mentioned, has now been promulgated and is in force, although the Council will not be appointed in the near future due to budgetary constraints, as mentioned earlier. If the Act is cautiously and judiciously implemented, a great number of problems that currently exist in relation to the provision of interpreting services, and other language services – such as translation and text editing – will hopefully be attenuated. But, the question remains as to why it was necessary for no less than two high-profile negative incidents to tarnish the reputation of the profession before a necessary tool for proper language management, in the form of Act 8 of 2014, was proffered. Unfortunately, the battle continues. Lessons are not always learnt.

Apart from the long-established use of court interpreters in South Africa, the TRC hearings truly put interpreting on the South African map and on the radar screens of ordinary citizens. Since the mid-1990s various institutions introduced interpreting courses. As mentioned, these courses vary in duration, scope, focus and content, but they do make provision for different settings and constellations of interpreting, to use Pöchhacker's (2004) terminology: community interpreting, court interpreting, conference interpreting, consecutive interpreting, simultaneous interpreting and sign language interpreting. The South African Translators' Institute has an accreditation process in place. Research is done that covers all

these forms of interpreting, and findings and recommendations are disseminated. Yet incident after incident is reported in the media which affirms common perceptions that interpreters in South Africa are incompetent. The struggle for insight into what interpreters can and cannot do, the circumstances needed for optimal interpreting performance, as well as the notion that anyone who speaks two or more languages can interpret, continues. These perceptions will only change when quality interpreting services are rendered at high-level public events, such as the Mandela memorial service and the Pistorius trial. People seem to remember these events for the poor quality interpreting. Good quality interpreting will ensure that people remember the event itself.

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