

Forensic Translation and Interpretation in Gulf Countries: Role in Courtroom Settings

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Abstract

Forensic linguistics is a branch of applied linguistics that analyzes linguistic evidence to clarify ambiguities in judicial proceedings, especially in criminal investigations and legal issues. This study aims to highlight the functions of interpretation and forensic translation in legal contexts, with a particular focus on courtrooms. Interpreters and forensic translators are usually chosen by judges to help the jury and judges convey accurate messages to ensure justice for all parties concerned. The study targets offenders and legal translators within Gulf countries, where there are many non-native Arabic language speakers. This study adopted a qualitative and descriptive method, which was represented in a structured interview composed of ten participants, which was distributed to professional and technical translators and interpreters to answer the questions in writing. These participants are regarded as the participants of this study. The study reveals the coercive power of the linguistic choices of interpreters, which can significantly impact the outcome of judicial proceedings. Forensic translators participate in trials by modifying inaccurate lexical choices made by defendants, focusing on the use of source language, definitions, repair mechanisms, types of hesitation, polite addresses, and cultural norms. The study emphasizes the need for accurate translation in legal contexts and presents recommendations for training, the establishment of a training unit, accreditation from universities in specialized legal interpreting, recognition of forensic interpretation in the legal system and government, and future research studies on forensic interpreting. Overall, this study emphasizes the critical role of forensic linguistics in ensuring accurate and fair judicial proceedings.

Keywords: Courtrooms, forensic translator, forensic linguistics, legal context, Gulf Countries

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الترجمة القانونية التحريرية والفورية في دول الخليج ودورها في دهايز المحاكم

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مستخلص البحث

تعتبر الترجمة القانونية أحد أفرع علم اللغة التطبيقي الذي يقوم بتحليل الأدلة اللغوية لتوضيح اللبس والغموض في الإجراءات القضائية في أروقة المحاكم، خاصة فيما يتعلق بالتحقيقات الجنائية والقضايا القانونية. وتهدف هذه الدراسة إلى تسليط الضوء على وظائف الترجمة القانونية التحريرية والفورية في سياقات الحقل القانوني، مع التركيز على ما يدور في قاعات المحاكم، حيث يتم عادة اختيار المترجمين القانونيين الفوريين من قبل القضاة لمساعدتهم بجانب هيئة المحلفين في نقل معلومات وبيانات الوقائع والملابسات بصورة دقيقة وواضحة لضمان تحقيق العدالة لجميع الأطراف ذات الصلة؛ كما تستهدف أيضاً الجناة قيد المحاكمة والمترجمين القانونيين بدول الخليج، حيث يوجد العديد من الأجانب غير الناطقين باللغة العربية. قام الباحث بإعداد مقابلات معدة وفقاً للخطة اشتملت على بيانات نوعية ووصفية تم توزيعها على عشرة أشخاص، معظمهم من المترجمين التحريريين والفوريين المحترفين والتقنيين، للإجابة على أسئلتها كتابياً. وقد مثل هؤلاء الأشخاص مجتمع البحث المشارك في هذه الدراسة لجمع البيانات ومن ثم تحليلها. وتوصلت الدراسة إلى عدة نتائج، أهمها هيمنة القوة القسرية للاختيارات اللغوية للمترجمين الفوريين، والتي يمكن أن تؤثر بشكل كبير على نتائج الإجراءات القضائية، إذ يلجأ معظم المترجمين في المحاكمات إلى تعديل المفردات غير الدقيقة للمدعى عليهم "المتهمون"، مع التركيز على استخدام لغة المصدر والتعريفات وآليات تعديل المفردات وأنواع التردد والمخاطبة بأسلوب مهذب بجانب مراعاة الأعراف الثقافية. كما شددت الدراسة على ضرورة استخدام الترجمة المحكمة الدقيقة في السياقات القانونية بجانب دعمها لاقتراح توصيات عن ضرورة وكيفية التدريب وإنشاء وحدات تدريبية معتمدة من الجامعات المتخصصة في الترجمة القانونية، بجانب الاعتراف بالترجمة القانونية الفورية في الجهاز القضائي والحكومي، إضافة لتبني دراسات بحثية مستقبلية حول دور وأهمية الترجمة الفورية في الحقل القضائي لتمكين هذه الفئة من إجادة استخدام اللغة خلال ممارسة الترجمة القانونية، فضلاً عن أنها عكست بصورة عامة الأهمية الكبيرة لعلم اللغة الشرعي في ضمان إجراءات قضائية دقيقة وعادلة.

المصطلحات الرئيسية: قاعات المحاكم، المترجم القانوني، علم اللغة القانوني، السياق القانوني، دول الخليج العربي

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1-Introduction

The scientific exploration of language, termed linguistics, has undergone various conceptual shifts and expansions over time, with newer branches emerging. One such branch, forensic linguistics, applies linguistic principles to matters typically associated with criminal or legal contexts. The term 'forensic' now encompasses a range of scientific fields relevant to law, including medicine, psychology, translation, and linguistics. It particularly emphasizes the intersection of translation and linguistics within legal and forensic settings. Forensic linguistics has been recognized as a distinct scientific discipline capable of aiding criminal investigations by accurately identifying individuals from large groups, akin to the precision seen in fields like chemistry and forensic toxicology. (Coulthard & Sousa-Silva, 2020, p. 7)

The forensic linguistics term began to be used commonly within the law courts of countries of the Gulf and the Arab world because of the language diversity in these countries. Interpreters and forensic translators are nominated by those countries (Ministry of Justice) for trials and cases for non-citizens if involved in any wrongdoing, position, or crime. However, for such monolinguals, there can be barriers to communication because of cultural differences, language, and legal systems. Courts of law, therefore, are best placed for settling disputes and achieving justice for everyone. Within legal contexts, however, language is thought to be a significant communication barrier. As judges and attorneys have to be sure they issue appropriate verdicts, the lexical choice of interpreters is influential and is so (Ulibarrena & Ahmed, 20121, p.67). The background illustrates the field and the beginnings of forensic translation, and within Arabic countries, Arabic is used in law courts. An appropriate interpreter or forensic translator is nominated by the court so that the testimonies of witnesses or opponents can be heard, particularly those who are unable to understand or speak Arabic. It is usual for the translator to be under oath to ensure truthful and honest translations. (Mohammed, 2022).

1.1-Statement of the Problem

Language is a significant communication barrier in legal contexts. Judges and attorneys have to be sure that they issue appropriate verdicts. The lexical choices of interpreters and translators are influential and can impact the outcome of legal proceedings. The use of interpreters and forensic translators in legal settings within Gulf countries and the Arab world can create barriers to communication due to cultural differences, language, and legal systems, which can affect the

delivery of justice. This research aims to explore the impact of interpreters and forensic translators on the delivery of justice in legal contexts within Gulf countries and the Arab world.

1.2-Objectives of the Study

The study aims to achieve the following objectives:

1. Investigate the early beginnings of forensic linguistics and how it has developed over time
2. Explore the significant role played by forensic translation in legal contexts, including the skills and principles required for forensic interpretation/translation,
3. Analyze the cultural aspects of interpreting and forensic translation, and assess the need for forensic linguists in legal cases, including the effectiveness of forensic translation training programs.

2- Literature Review

2.1 -Th Early Beginning Of Forensic Linguistics

Forensic linguistics is a rapid area of applied linguistics that encompass several branches and purposes. Forensic linguistics emerged in the 1950's however it was not employed until 1968 at which point the linguist Jan Svartvik made an observation of it in analyzing a statement that was given to the police back in 1953. Svartvik undertook the analysis of statements provided by Timothy John Evans, the man who had been hanged for supposedly murdering his wife and child. Evans was posthumously pardoned and the forensic linguistics term was coined. (Alduais, Ahmed, et a 2023) noted that the field developed little for several years. In the UK, many cases in the early years of foreign linguistics involved consideration of statements for the police and their authenticity of them. An initial example of the provision of expert evidence on the matter from within the witness box came in 1989 within an Old Bailey murder trial – the presence was demonstrated of a police register within an incriminating statement by Peter French, with the prosecution claiming the statement was entirely made within the words of a defendant.

Meanwhile, in the United States (US), forensic linguistics emerged as a response to issues surrounding the interrogation process and individual rights. The beginnings of forensic linguistics in the US were slightly different, yet they too were concerned with individual rights regarding the process of interrogation. Professor Roger Shuy has discussed the considerable number of issues that arose. Firstly, it was noted that a confession has to be a voluntary one. Secondly, questioning

ought not to be coercive and, thirdly, the arrestees have to be asked if they have an understanding of their rights and so on. As regards the initial point, it was noted by Shuy that the arrestee can hardly be considered as being well placed to be voluntarily in agreement with the questioning. As the Supreme Court of the US had pointed out, questioning is coercive in nature. An excellent example was provided by Shuy (1997, p. 180) of coercion within an interrogation process - a description is offered of two officers escorting a suspect in a police car to a police station with the suspect declining to talk following the reading of his Miranda rights. In the United States, one of the initial uses of forensic linguistics involved determining trademark status through the examination of words or phrases in language (Canter, 2010).

In Australia, linguists began to meet back in the 1980s so that they could discuss the application of sociolinguistics and linguistics to legal matters. There was concern over individual rights within the legal process, especially the difficulties that were being faced in police questioning when the suspects were Aboriginal. The linguists were quick to realize that even a phrase such as 'the same language' can be open to question and problematic. A key instance here is that the Aboriginal people speak a dialect that is colloquially known as 'Aboriginal English'. Many white Australians wrongly considered the dialect to be English as spoken by whites, though in a defective form, rather than recognizing the dialect as credible by itself. So, when the police were questioning Aboriginal people, the latter were bringing their particular understanding of English and its use to the process, a matter that speakers of a dominant 'white English' version do not always appreciate. (Rui, 2020, p, 576-592)

Several Arab countries, including Saudi Arabia, the UAE, and Iraq, have embraced the practice of forensic translation in their legal systems. The appointment of forensic translators serves the purpose of facilitating communication within the courtroom, encompassing interactions among all trial participants, including defendants, jury members, judges, and witnesses. In the UAE, forensic translation has been integrated into legal protocols, notably in penal code procedures (article 70), which stipulates that investigations must be conducted in Arabic, with the provision of a sworn interpreter. In recent times, forensic linguistics has emerged as a distinct discipline, experiencing significant expansion in its scope.

Linguists have provided evidence across a wide range of cases, including terrorism-related trials involving authorship attribution,

investigations into suspicious deaths, instances of product contamination, interpretation of legal and other documents, and analysis of text messages from mobile phones to determine the time of death. This trend reflects a growing list of scenarios where linguistic expertise is sought. However, two key issues stand out in forensic linguistics: i) The examination of the scope and effectiveness of forensic linguistics as a form of expert testimony in legal proceedings requires attention. ii) There is a pressing need to enhance the methodologies employed in forensic linguistics, making them accessible and transparent to non-linguists. Coulthard and Johnson (2010, p.2), for instance, view forensic linguistics as a fully established discipline, with the establishment of a professional association, the International Association of Forensic Linguists (IAFL), in 1993. The subsequent founding of the International Journal of Speech (IJS) in the following year and the establishment of a biennial international conference further solidify its standing.

2.2- Facts Regarding Forensic Linguistics

According to Alduais et al. (2023), forensic linguistics encompasses the application of linguistic knowledge, insights, and methodologies to contexts involving language, law, criminal investigation, judicial procedures, and trials. As a branch of applied linguistics, it involves three primary areas of application: providing linguistic evidence, understanding language use within judicial and forensic processes, and comprehending the language of the law as written. Rather than being uniform, forensic linguistics encompasses a diverse range of experts and researchers working across various branches of the field. It can be viewed as applicable to linguistic knowledge and techniques that are relevant to language involved in legal cases or proceedings, as well as in private disputes between parties that may potentially lead to legal action in the future.

Similar to many other fields, forensic linguistics can be seen as an essential component of applied linguistics, utilizing scientific linguistic knowledge and methodologies to address forensic issues (Chan, 2020, p.94). Forensic linguistics encompasses various linguistic domains, including the written language used in legal contexts and interactions within legal proceedings, particularly in forensic translation and criminal cases. Coulthard and Johnson (2010, p. 1) noted that forensic linguistics entails the examination of the relationship between law and language, covering topics ranging from discourse in courtrooms to legal terminology and plagiarism. Moreover, forensic linguistics involves expert practitioners who apply linguistic analysis to provide

evidence for both prosecution and defense across a wide spectrum of areas, such as trademarks, blackmail, and warning labels.

2.3- Applying Forensic Linguistics

As an area that is multidisciplinary and broad, there has been the diversification of linguistics into many subfields. Each of those types addresses a particular aspect of the study of language and its function. For example, applied linguistics deals with learning and teaching as well as the practical application of language. Forensic linguistics, though, considers language within the legal field. Forensic linguistics can be applied in, for example, voice identification, interpretations of meanings expressed within legal writing and law, discourse analysis within legal settings, the interpretation of the meaning intended within written and oral statements, such as in confessions, and the identification of authorship. Forensic linguistics may also apply to forms of legal language such as ensuring that plain language is used, and also applied to the analyzing language employed by participants with courtroom trials, i.e. the judges, lawyers, and witnesses. Also, forensic linguistics can be used for trademark law and forensic translation and interpretation if there has to be the use of more than just one single language within a legal type context (McMenamin, 2002).

2.4- Forensic text and the context

Any spoken language element or specific text holds the potential to serve as a type of forensic text. If a text is implicated in any way, it can be regarded as forensic. As noted by Olsson, a wide range of texts, including wills, contracts, essays, letters, theses, health department letters, etc., could be considered forensic texts. However, in practice, forensic linguists typically focus on a limited selection of text types, with the concept of forensic text being socially and dynamically constructed through discourse, incorporating both linguistic and non-linguistic semiotic modes. The legal domain is inherently rich in context, involving various individuals ranging from lawyers, judges, law enforcement officers, to ordinary citizens (Coulthard and Johnson, 2010). Hence, bilingual interaction is crucial for these individuals to advance forensic development. Typically, judges and lawyers engage extensively in linguistic analysis, such as interpreting legislation, and thus are adept language users. The term 'forensic context' encompasses all phases of the judicial process, including investigations, trials, and appeals; each stage necessitates the involvement of a forensic translator/interpreter to be involved.

Because forensic texts tend to be concise, they only offer glimpses into limited aspects of human behavior. In legal contexts, a significant divergence in the treatment of forensic experts hinges on whether the legal process follows an adversarial or magisterial/inquisitorial approach. Adversarial systems, prevalent in English-speaking nations, feature distinct defense and prosecution teams presenting cases in open courts with juries typically comprised of randomly selected members of the public. A critical aspect distinguishing the two systems revolves around juries, where in adversarial systems, they are intentionally chosen without specialized legal knowledge. In contrast, magisterial systems rely on professional judges or magistrates for decision-making, sometimes prioritizing documentary evidence over extensive adversarial courtroom proceedings. Additionally, magistrates in many jurisdictions oversee criminal investigation.

2.5- The Right to A Forensic Translator

In international law, ensuring fair trials necessitates the provision of interpreters for individuals who are unable to understand or speak the language used in court. The right to free interpreter assistance is guaranteed to those facing criminal charges but lack proficiency in the language being used, as outlined in documents such as the European Convention on Human Rights and The International Covenant on Civil and Political Rights. This right to interpretation stems from the broader right to a fair trial. When individuals are accused of criminal offenses, they are entitled to certain procedural guarantees, including the right to free interpreter assistance if they cannot comprehend or communicate in the language used in court. Many constitutions recognize this right. According to the ECHR (Article 6(3)), defendants have the right to receive assistance from a translator or interpreter during criminal proceedings (Vandenberghe, 2003; Vanden Bosch, 2003). Building upon this provision, all defendants are entitled to free interpreter assistance if they lack proficiency in the language used in court. The provision of a forensic translator is a right afforded to defendants without any requirement for payment.

2.6- The Role Played by The Forensic Translator

Competent legal translators understand that different aspects of law necessitate specific translation techniques. Documents such as administrative certificates, wills, contracts, statutes, and judicial decisions each possess unique characteristics. A proficient translator recognizes the importance of consulting authoritative sources on the

subject matter and utilizing monolingual legal dictionaries, while exercising caution with bilingual dictionaries. Moreover, professional legal translators must grasp the purpose of the translation, which significantly influences their approach, including the choice of phraseology, tone, terminology, and syntax. Since texts in legal documents are not always clear or well-written, translators must determine whether the source text is simply unintelligible or unclear to a layperson rather than an expert, as highlighted by author Holly Mikkelson. Despite the challenge of deciphering complex texts, translators must discern whether the original text lacks meaning and whether a faithful translation would convey the same lack of meaning in the target language.

As defendants deserve a fair trial, a major role is played by the forensic interpreter/translator within the courtroom. That role is reflected in interchangeable interaction and understanding between lawyers, judges, the jury, and defendants. A forensic translator ought to address several basic requirements, with faithful interpretation required that avoids putting words into the mouth of the speaker. Within the legal system of America, forensic translators/interpreters work in trials involving non-native speakers. The role of the is responsible for manipulating a language so that blame structure is shifted and speech style changed and affected so that, when required, the result is more appropriate, polite, and formal. Sometimes there is a need for euphemisms to be incorporated. Furthermore, a forensic translator is present in a case trial to ensure there is justice for those without awareness of relevant cultures, languages, and legal systems. The forensic interpreter always attends to such people though that should be done in a way that is faithful and impartial to convey the truth.

2.7- The Skills And Principles Required To Undertake Forensic Interpretation/Translation

Hewitt (1995) notes several skills that they consider expected skills and principles for professional forensic translators/interpreters in addition to a professional code of responsibility regarding performance; these factors are listed below.

- i) Skills and knowledge
- ii) Completeness and accuracy
- iii) Avoidance of any particular conflicts of interest and the maintenance of impartiality
- iv) Confidentiality
- v) Limitations of practice

vi) Professional development

A translator/interpreter needs to accurately produce spoken utterances in a way that is not biased. They have to provide a full transcription in a source language along with an unbiased, fully written, and accurate translation, in the form of written dialogue, accurately and impartially translated into the target language.

2.8-The Modes and Procedures of Forensic Interpretation/Translation

Legal translation can be challenging and intricate due to the complexity of legal language and systems. The task is further complicated when translation involves two distinct legal systems and languages. Specifically, difficulties in legal translation arise from cultural and legal systemic differences, as well as linguistic disparities, all of which are closely interrelated. A significant challenge in comparative legal analysis is the absence of precise equivalence between legal categories and concepts across different legal frameworks.

Sarcevic (1997, p.11) categorized legal documents into descriptive, prescriptive, and hybrid texts containing elements of both functions, such as appeals, petitions, and judicial decisions, while excluding texts primarily serving an expressive function.

In courtrooms, three main modes of forensic interpretation are employed: simultaneous, sighted, and consecutive translation. In simultaneous translation, interpreters render oral translation while a person is speaking. Conversely, sight translation involves an interpreter reading a written document in one language and verbally expressing it in another. With consecutive translation, interpreters begin translating once speakers have finished, often relying on note-taking to aid in recall.

Regardless of the mode, interpreters must possess a solid understanding of court procedures. They should demonstrate excellent oral and written communication skills and effectively collaborate with judges, court personnel, and the jury.

2.9- Forensic Linguists: When Is A Forensic Linguist Needed By A Lawyer?

Speaker identification has been necessary in courtrooms for many years to clarify witness testimonies. Certainly, the people involved in a court case have different goals. For instance, the lawyer's goal is to convince the jury of the defendant's innocence or guilt. A linguist, on the other hand, looks to present opinions and explain what the message is that the defendant intended. Both the linguist and the lawyer

cooperate in service of the case in attempting to uncover the truth, even though their perspectives are different when acting within the courtroom scenario.

2.10. Cultural Aspects to Interpreting and Forensic Translation

The interdependence and close intertwining of social, cultural, and language contexts pose challenges for legal translation. Halliday (1975, p. 66) defines culture as a semiotic system wherein information is encoded within the potential behavior of its members. Snell-Hornby (1988, p. 42) asserts that the concept of culture, encompassing perceptions, knowledge, and skills, is crucial for an integrated translation approach, a perspective adopted in this study. Accordingly, legal culture refers to societal attitudes towards the nature of law and the proper functioning and structure of the legal system, which are historically conditioned (Merryman, 1975, p. 51). Law serves as a cultural expression conveyed through legal language, which, like any other linguistic practice, is inherently social. Legal texts inevitably reflect this social and legal practice (Goodrich, 1987, p. 2). Legal language varies across countries and mirrors their distinct legal systems and cultural norms, capturing social realities specific to the legal order under consideration (Sarcevic, 1985, p. 127). Legal translators must overcome cultural barriers between the target language (TL) and source language (SL).

2.11 - Forensic translation training

Forensic translation and interpretation represent highly intricate tasks demanding both theoretical knowledge and practical skills, thus necessitating specialized training. Fluency in at least two languages, typically achieved through bilingualism, is a fundamental requirement for individuals aspiring to become interpreters. Interpreters play a crucial role in courtroom trials and proceedings, starting with the need to attentively listen to speakers, comprehend the content, analyze it, and then render it appropriately into the target language (Jones, 1996, p. 6). Despite efforts, no translation can claim absolute perfection, as errors are inevitable. However, in multilingual courtrooms, even minor mistakes in translation and interpretation can have profound consequences, potentially affecting the outcome of cases, including matters of life and death. With the rise in terrorist and criminal activities, the significance of minute details and nuances in court proceedings has become increasingly apparent. Ensuring high-quality interpretation is paramount, underscoring the necessity for interpreters to possess requisite competencies (Berk-Seligson, 2009, p. 204).

Therefore, the training of forensic translators is indispensable to cultivate the following qualities:

- a) Language skills
- b) Expertise in the Subject Matter. All interpreters acknowledge the importance of acquiring familiarity with the terminology and technical content relevant to the field (Seleskovitch, 1978a; Frishberg, 1986; Gonzalez et al., 2012; MMIA, 1995; Gentile et al., 1996).
- c) Cultural Awareness. Court interpreters are expected to consider cultural factors, although there are significant limitations to educating a client about potentially relevant cultural differences (Gonzalez et al., 2012).
- d) Effective Communication Skills. Whether addressing a large audience at public events such as congresses, press conferences, or assemblies, forensic translators must possess strong speaking skills. Public speaking constitutes a significant aspect of training for interpreters across various domains (Weber, 1984; Frishberg, 1986; Gonzalez et al., 2012).
- e) Ethical Sensitivity. A comprehensive code of ethics profoundly influences the work of interpreters in legal settings (Gentile et al., 1996; Frishberg, 1986). Gonzalez et al. even devoted a 42-page chapter to this subject. Therefore, ethical considerations are a crucial aspect that all interpreters must prioritize (Frishberg, 1996; Sussman & Johnson, 1996).

3.- Research Method

A structured interview was designed which composed of ten questions to collect the needed data about the importance of forensic translation in legal contexts, particularly in court rooms to facilitate conveying accurate messages to jury and judges to ensure proper trial process of justice for relevant parties. This qualitative and descriptive data which was represented in a structured interview distributed to professional and technical translators and interpreters to answer its questions in writing. These participants are regarded as the population of this study.

3.1 -Participants of the Study

The study's participants consists of 10 participants who represented the population of the study. They are professional and technical translators who have enough experience and experts in the field of translation in the Gulf countries.

3.2- Validity and reliability of the instrument:

A Structured Interview is written to collect some needed data from professional translators and interpreters to support the findings of the paper. The Structured interview is composed out of 10 questions which has been revised and modified to meet the validity and reliability of scientific research instrument. The questions are organized and selected carefully to meet the validity and reliability of the scientific research instrument.

3.3- Data Analysis

In this section, the researcher analyzed the ten responses of the respondents who answered the structured interview and the percentage was calculated as follows:

Q1: Forensic Translation, as a branch of applied linguistics, plays a crucial role in clarifying ambiguities in judicial proceedings, especially in criminal investigations and legal cases, and increasingly necessary in courtrooms settings. What do you think?

- Concerning question one, 80% of the participants think forensic translation that plays a significant role in clarifying ambiguities in judicial proceedings, especially in criminal investigations and legal cases and 20% participants did not agree with them.

This indicates that most of the respondents support the idea of forensic translation that plays crucial role in clarifying the ambiguities in judicial proceedings.

Q2: In a way or another, Forensic translation is used in different contexts inside the courtrooms to facilitate proper communication. Do you agree and support this activity?

- Regarding question two, 100% of the participants agree that forensic translation is used in different contexts inside the courtrooms to facilitate proper communication. Moreover, they believe that in courtrooms, individuals from different nationalities need the help of forensic translation to help them communicate their testimony to the judges and lawyers who cannot understand or speak their language.

All the respondents have answered positively in this question. They believe that in courtrooms, individuals from different nationalities need the help of forensic translation to help them communicate their testimony

Q3: To what extent do you think forensic translation & interpretation at court is a critical work?

–With referring to question three, 100% of the participants think that forensic translation and interpretation is essential and a critical in the courtrooms. The whole thing pertains to the delivery of justice and making sure that all relative facts and evidence of the case in question are conveyed clearly and without any misunderstanding or misinterpretation. In absence of translation/interpretation wrong information may be conveyed to the court regarding the evidence collected, and justice will not be delivered properly.

This indicates that all the respondents have answered positively in questions (3).

Q4: In most cases interpreters of forensic language fail to find out the exact equivalents for the source language in the target language. Comment

–Concerning question four, 90% of the participants believe that forensic interpreters must be proficient in the languages of the litigants so that all the facts of case are fully conveyed to the court members. Accordingly, courtrooms must do their best to involve translators who possess a broad cultural and linguistic background of the litigants where 10% of the participants think that the interpreter of forensic language fails to find out the exact equivalent for the source language in the target language, he should paraphrase the term in the target language and make sure that it is clearly communicated and there is no likelihood that it is mistaken for another term.

This indicates that most of the respondents believe that interpreters must be proficient in the languages of the litigants so that all the facts of case are fully conveyed to the court members.

Q5: "Some studies indicate that language is a two-way system and people usually resort to their mother tongue is inevitable. So, forensic translators always associate meanings and concepts of foreign language with their first language by comparing and contrasting." Please comment?

–Concerning question five, 80% of the participants believe that this may be true to nonprofessional translators. They think that the problem can be solved by deep understanding of the cultural aspects of the two languages to avoid committing interferences, or negative transfer. The 20% of the participants believed that the matter shouldn't just be restricted to the mother tongue. The

target language terminology and culture should also paid great attention.

Most of respondents focused on aspects of language terminology and culture.

Q6: In courtrooms, forensic translators first translate the English utterances into Arabic to help them understand the meanings. Do you think that forensic Translation is actually used in English teaching and learning implicitly and explicitly by teachers and learners?

–Regarding question six, 100% of the participants don't think so. Colleges of translation focus their efforts on legal translation. Moreover, they mentioned that forensic translation remains a neglected field, although it is one of the most important translation and it should be included in translation courses at Gulf and Arab Universities.

All the respondents agree that forensic translation remains a neglected field in Gulf and Arab Universities.

Q7: How could you avoid misinterpretations in trials which might change the decisions inside the courts?

–Referring to question seven, 100% of the participants agree that misinterpretation in courtrooms is very serious and could send innocent defendants to sever penalties. To avoid this, it is better to employ a translator whose mother tongue is the same as that of the litigants and, at the same time, speaks the language of the court proficiently.

All the respondents support the idea of misinterpretation in courtrooms.

Q8: Reading texts or short stories or even a paragraph, students translate it into Arabic in their mind to help them understanding its meaning.

– Do you think forensic Translation as an activity is taking place in English reading and English writing skills?

– Concerning question eight, 70% of the participants think that forensic translation is an activity because it constitutes a significant component as far as reading and writing concerned and 30% of other participants believe that for translation into Arabic, this happens automatically and unconsciously via bias to mother tongue and it doesn't take place in English readings and writing skills.

Most of the respondents have replied positively in question (8)

Q9: Forensic translation is to be officially adopted in all Arab countries within their forensic law courts for the purpose of translating and interpreting communication that is taking place within the law court and the interpreter is to be under oath. Do you support?

–Referring to question nine, 100% of the participants strongly support this idea. When the interpreter take oath to play a professional role in this respect, forensic/ interpretation is best served and the court is most likely to be assured of the fidelity of the translation, thereby taking just discussions based on real evidence.

All the respondents have response positively and support the idea that the interpreters take oath to play professional role in this respect.

Q10: Generally speaking, translators and interpreters of forensic translation at courtrooms face some challenges in finding out the proper equivalents between source and target languages. What are the main reasons behind these challenges?

– Concerning question ten, 100% of the participants believe that there are some challenges face forensic translators and interpreters courtrooms and these challenges are due to many reasons ascribed to :1) lack of good command of both languages, 2) lack of proper training, 3)lack of being exposed to international best international practices in field, 4) different cultural settings.

All the respondents replied positively about question (10)

To sum up, the responses of the participants, all of them completely agree that forensic translation and interpretation plays a significant role in legal contexts, including the skills and principles required for forensic interpretation / translation.

4. Findings and Discussion

4.1 -The Significant Role Played By Forensic Translation

Court translation and interpretation are included as forensic translations in any particular legal context. Forensic translation is also known as the forensic, judiciary, or legal interpreting and is about the services of interpreting that are provided within law courts and any sort of legal case. According to Gonzalez et al. (2012), the term ‘legal interpretation’ refers to interpretation that takes place within legal settings such as within the office of an attorney or in a courtroom, wherein there is the conducting of some form of activity or proceeding related to law. There is a subdivision of legal interpretation following a legal setting, i.e. quasi-judicial or judicial interpreting/court interpreting.

Recently, forensic linguistics has grown considerably, both concerning the number of sub-disciplines in the field and regard to the number of people with an interest in its practice. For instance, forensic translation has emerged as a multidisciplinary discipline in translation studies; it has an essential role in forensic analysis, forensic evidence, and criminal investigations. For numerous reasons, that particular sort of translation is considered important. Firstly, it offers protection for the legal rights belonging to defendants/suspects. Maybe a guilty suspect could be set free or an innocent suspect imprisoned; as such an interpreter or translator may intervene with advice to help a judge in issuing an appropriate verdict. The involvement of the discipline in many different areas related to crime has resulted in crimes being solved and people being exonerated, having been previously wrongly accused of committing a crime.

5. Conclusion and recommendations

In conclusion, this study has shed light on the critical role played by forensic translators and interpreters in ensuring fair trials for monolingual offenders in countries where translation is the only means of communication. However, it is important to recognize that the field of forensic interpreting and translation is constantly evolving, and as such, there is a need to adapt to new technological advancements, emerging legal contexts, and changing cultural landscapes. It was described within the study how there is a need for forensic translators to be competent interpreters with bicultural knowledge and advanced linguistic skills. They ought to demonstrate sensitivity, memory, an ability to inspire confidence and build rapport, diplomacy, tolerance, patience, and objectivity. They ought to develop awareness in political, social, and cultural terms. Also, he or she ought to demonstrate an ability to listen and analyze repeating messages in sound working language with an awareness of aspects that are particular to the subject matter, the country in question, and its culture. In addition, a clear speaking voice, good hearing, strong nerves, and mental and physical stamina are necessary when undertaking forensic translation.

Based on the findings of the research, several recommendations are made as follows:

- a) Forensic translators need to be trained so that they can do the complex job properly;
- b) A focus ought to be drawn toward courtroom cases and police investigations;

- c) A training unit ought to be established with affiliation to the Ministry of Justice;
- d) There is a need for training and accreditation from the university concerning specialized legal interpreting;
- e) Future research studies should be conducted that deal with forensic interpreting;
- f) There is a need for recognition in the legal system and the government that forensic interpretation is a highly complex activity that requires training at university and remuneration that is commensurate.
- g) There is a need for training for the judiciary and lawyers regarding working effectively with interpreters and regarding other basic types of principles, such as the role played by interpreters within legal contexts and what accuracy means.

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