

User Expectations of Interpreters: A Qualitative Study of Three User Groups in Thailand;
Patent Litigation, Public Health, and Cultural Heritage.

Patricka Chulamokha

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Abstract

This research is an explorative study into the user expectations of interpreters in the domains of Patent Litigation, Public Health, and Cultural Heritage in Thailand. The study attempts to determine the importance of the accurate interpretation of terms in these highly-specialized fields with specific technical (in the case of court and medical interpreting) and cultural terminology. The researcher also attempts to identify user preferences for extra-linguistic features in interpreters. Results show that participants rated the delivery of the key message as higher priority than the translation of terminology. In some instances, the user preference was for terminology to be retained in its original form either through transliteration. Users also report that the extra-linguistic qualities of the interpreter can impact audience perception of the interpretation, although the level of significance varies by user background and requires further research.

Keywords: Patent Litigation, Simultaneous Interpretation, Quality, Conference Interpreting, Community Interpreting, Cultural Heritage, Public Health, Qualitative Research

1. Introduction

Interpretation is a significant part of communication across languages and culture. The expectation is for the interpreter to correctly and accurately transfer meaning from the source language to the target language. This often involves the interpreters' knowledge and understanding in field-specific terminology and how to properly translate them. However, there are situations where accurate translation of terms is impossible, whether it is because of the gaps in knowledge of the interpreter or audience, or the lack of an equivalent term in the target language. How the interpreter deals with these challenges is part of the user expectations and an indication of interpretation quality.

This study attempts to explore three fields where terminology is essential in successful communication, namely Patent Litigation, Public Health, and Cultural Heritage. Court interpreters are required to retain every single element of meaning and are not allowed to omit anything (González, *et al.*, 2012: 96) while Medical interpreters are significant in facilitating accurate communication in critical life-or-death situations (Tebble, 1998: 9). In the realm of cultural heritage, it is a topic of great debate on whether terminology in non-dominant languages should be translated or given equivalent counterparts in the target language. This is because there is a desire to, above all, transfer the traditional language to their children and grandchildren (Kosonen, 2002: 243). It is nonetheless an interesting question of whether specialized terminology must also always be translated or are the terms themselves able to retain their meaning across languages.

There has been little research into user expectations in Thailand and much less into preferences regarding terminology and extra-linguistic features of the interpreting profession. This research aims to understand what users in these highly-specialized and technical fields expect from interpreters.

2. Literature Review

Existing literature on preferences and expectations have generally focused on data from the interpreters themselves. Studies by Bühler (1986), Chiaro and Nocella (2004), and Zwischenberger and Pöchhacker (2010) all concluded that interpreters rated 'sense of consistency with the original' and 'logical cohesion of utterance' as the highest and most desired criteria. This indicated interpreters valued comprehensibility and fidelity of the content rendered above all else. Nevertheless, while 'fluency of delivery' and 'correct terminology' were not mentioned specifically as significant factors, they were ranked highly and could be considered priority criteria.

However, the pioneering research mentioned above did not consider the perspective of users of interpreters. As prior studies do not represent user expectations, it was argued that one must ask the users directly to determine their preferences Kurz (1993). The consequent research by Kurz found that users had lower expectations of interpreters when compared to how interpreters view one another. Moreover, according to Kurz's study, user expectations varied between user groups depending on their circumstances and the different backgrounds of the individual users. Pöchhacker (2013) suggests that different interpreter population groups could also result in different perceptions of preference. This meant that while Kurz (1993: 18) and Moser (1995: 8) found a 'sense of consistency with the original' and 'logical cohesion of

utterance' to still be the top-ranked preferences, there was potential for more nuance in which other criteria users would value.

Other such criteria include 'synchronicity' or the delay between the speaker's utterance and the interpreter's rendition. It is preferred that interpreters match the speed of the speaker and while a lag between the speaker and interpreter can be acceptable if the rendition remains accurate, complete, and comprehensible, the gap cannot be too long (Zwischenberger and Pöchhacker, 2010; Moser, 1995). Chiaro & Nocella (2014) also began to identify extra-linguistic criteria as being important expectations, notably 'concentration' and 'absence of stress' in the interpreter's performance.

Legal Interpreting

Benmaman (1997) notes that court interpreters are expected to be able to successfully manipulate legal terminology in the source and target languages. They routinely encounter highly technical terminology in a diverse range of specialized disciplines and must therefore possess extensive knowledge of not just legalese but also the fundamental concepts of legal procedure and protocol in courtroom settings of both languages.

Part of becoming a competent legal translator is to master the technical terminology in both the source and target legal systems (Colin and Morris, 1996; Šarčević, 1997) meaning legal translators are more restricted than in most other fields. The terminology selected in legal settings depends on the desired outcome, whether the chosen term is acceptable is, as Šarčević (1997: 229) states, "determined primarily by the results in practice, i.e., the legal effects."

Nevertheless, Šarčević (1994) and Fowler (1997, in Hale, 2004) advise caution against such restrictions; for legal interpretation, as in other areas of interpretation, involves much more than terminology, despite its emphasis on preserving the letter of the law. Miguélez (2001, in Mason 2014) found that interpreters who encountered comprehension difficulty when interpreting expert witnesses did not cite the specialised terminology or technical jargon as the main causes, but instead pointed to challenges in making sense of the message in the source language and efforts to render an understandable interpretation in the target language.

Medical Interpreting

Communication in medical settings could potentially have significant impacts on health outcomes. Critical errors in translating medical terminology have been recorded in previous studies (Flores, 2005; Moreno, Otero & Newman, 2007) which can undermine the credibility of the communication. Thus, interpreters are expected to provide accurate interpreting (Tebble, 1998).

From a study in the U.S. Flores, *et al.* (2003) determined that 16% of all medical interpretation errors was caused by the interpreter using words or phrases that are incorrect or do not exist in the target language. Most of these errors (73%) involved a lack of knowledge and understanding of the medical terminology. Prior research recommends that training medical interpreters requires acquisition of medical vocabulary and a detailed review of medical terminology (Flores, *et al.*, 2003; Jacobson, 2009; Anazawa, Ishikawa, & Kikuchi, 2012).

Nevertheless, Jacobson (2007) claims that when evaluating interpreter performance, medical knowledge is not the only indicator of quality as the manner of delivery can positively or negatively impact the communication, regardless of the use of correct terminology.

Anazawa, Ishikawa, and Kiuchi, (2012: 2) notes that cultural differences are a key factor and the role of medical interpreters is crucial in medical settings to mediate cross-cultural communication. Thus, it is equally important for interpreters to also understand the “linguistic issues such as variation among cultural subsets of a single linguistic group” (Flores, *et al.*, 2003: 11)

Christine and Sammons (1997: 72) and Ching (2017: 48) raise the issue of a lack of technical terminology for minority languages which requires the lengthy explanation and clarification of Western medical terminology. Developing new terminology is indeed possible, however it can lead to the introduction of terms that overly resemble English definitions. Their studies show that there is strong opposition to ‘borrowing’ technical terminology from other languages, even if traditional phonology is applied. Translating traditional terminology was mentioned as something to be avoided as it could change the inherent meaning.

In summary, while the three disciplines greatly differ in content and context, the requirements and expectations of a good interpreter follow a common thread; that is a strict adherence to relaying the critical message of the speaker, much of which involves knowledge and use of correct terminology whether it be cultural, legal, or medical vocabulary. Nevertheless, all three disciplines include extra-linguistic features such as cultural nuances that need to be taken into account, as well as interpreter performance qualities such as speed, composure, and delivery.

3. Methodology

This research takes a mixed-methodology approach to qualitative data collection and analysis. Thematic analysis of subject interviews is employed to identify underlying themes and extract common preferences and expectations towards the interpreter. Since data was collected over an extended period of time and in a variety of settings, the specific details of data collection via interview, focus group, and participant observation will be explained in each case as necessary.

Subjects were selected using purposive sampling of interpreter users in the domains of cultural heritage preservation, medicine, and law.

While, at a glance, these three disciplines differ greatly in terms of setting and content they all involve, and are reliant on, domain-specific technical terminology. As this research attempts to identify the necessity of accurately interpreting terminology and possible variance between fields, these three groups make for ideal subjects.

The researcher conducted lightly structured to unstructured and informal conversational one-on-one interviews with open-ended questions focusing on their perception of the qualities of a good interpreter, the importance of technical terminology, their experience in using interpreters, and non-linguistic characteristics such as presentation and professionalism.

Observation methods, including nonverbal expressions, and how participants and interpreters interact and communicate with one another, has also been applied in order to understand the phenomena under study as objective as possible.

A comparative analysis was then performed with the aim of finding whether there exist differences in the expectations of users of interpreter between each of the professional domains

explored in this study. Participant observations were conducted in natural work settings, in which the researcher was an active member of the three case studies.

3.1 Research Question Framework

This qualitative study uses informal conversational interviews as a tool for data collection. As such, the following is a general outline of the key research questions used and the language register during interview adjusted as appropriate to match the participant;

- What constitutes a good interpreter?
- What did you like about that interpreter?
- What makes a bad interpreter?

Secondary questions were deployed when it was appropriate to probe further following the response to the key research questions. Participants were directed towards a dialogue on their experiences in using interpreters, language use, interpreter performance and professionalism, and other questions of interest that arose as the conversation progressed which will be elaborated in detail on a case-by-case basis in the discussions section.

3.2 Target Population and Timeframe

Three user groups were investigated for this research. Participants were selected using critical case sampling and were chosen for their extensive expertise and experience in their respective fields as well as their previous use of interpreters in their line of work. A detailed list of participants is provided in section 3.4 'Key Informants'.

The first study focused on delegates attending a Training of National Trainers for the Inventorying of Intangible Cultural Heritage (ICH). Data was collected over a period of ten days from the 9th to 19th of May 2018. The data was collected on site in the field at Wat Gate Ethnological Museum, Tha Dua Community, Hmong Community in Doi Pui, Wat Sri Suphan Community, and Karen Community in Sameung, Chiangmai Province and Salak Yom Community, Lampun Province, Thailand. Another location for this study was the Lotus Hotel, Chiangmai Province where lectures and group presentations were given.

The second study was performed during November 2017 to June 2018. Lawyers, litigators, expert witnesses and an associate judge involved in a Patent Dispute case were interviewed, and court proceedings were observed. For patent litigation, observations were made in two specific locations; the Central Court of Intellectual Property and International Trade in Bangkok during trials, and at the Grand Hyatt Erawan Bangkok Hotel conference room during expert witness preparation sessions.

The third study was conducted during October 2017 to June 2018, over the period of nine months. Mixed methods were used to collect data from medical officers and public health professionals at an Intergovernmental Specialized Agency with mandates on international public health, located in Nonthaburi, Thailand. Locations included the Ministry of Public Health, the National Institute for Emergency Medicine, and the ThaiHealth Promotion Foundation in Bangkok, Thailand.

3.3 Mode of Interpretation, Source Language and Target Language under this Study

In the workshop on community-based inventorying of cultural heritage, the main mode of interpretation was simultaneous, using TOA Corporation's WM-2100 wireless guide system

consisting of portable transmitter and receiver sets. During workshop and presentation sessions in the hotel venue, consecutive interpretation was also provided during Q & A.

In Doi Pui, the source language was Mhong language which was interpreted into Thai, and then from Thai into English. In Lampun Province, the Yong dialect (ภาษาของ) was interpreted into Thai then to English. For Samoeng community, Karen dialect was interpreted into Thai, then to English for international delegates. Lanna Thai were used by the communities which were then interpreted into English.

The mode of court and legal interpretation provided was simultaneous during proceedings, and witness preparation. Consecutive interpretation was used during witness testimonials. Okayo Electronics Co., Ltd. Wireless tour guide system were used for simultaneous interpretation. The direction of interpretation for this study was Japanese – English, Thai – English, English – Thai where English is the pivotal language.

For public health case studies, simultaneous interpretation and chuchotage (whispered interpretation) were the modes of interpretation. In conferences the interpretation was done simultaneously using TOA Corporation's WM-2100 wireless guide system. With the exception of one or two occasions in which English into Thai interpretation was provided consecutively for community health volunteers, all of the interpretation required was conducted simultaneously from Thai into English.



Figure 1. TOA WM-2100 wireless guide system transmitter (left) and receiver (right)

3.4 Key Informants

The identities of all research participants are kept confidential and anonymous. Names were changed to avoid personal identification of a participant.

Case Study 1: Patent Litigation

Participant JD

Informal conversational interview for an hour and fifteen minutes. Follow-up questions through phone interviews were also part of the methodology over the period of four months.

Participant AC

Semi-structured interview through phone conversation for thirty minutes. Unstructured informal interviews over the period of six months.

Participant NI

Semi-structured interview for forty-five minutes.

Participant BN

Lightly structured question, phone interview for thirty minutes.

Participant PT

Semi-structured interview over the phone for thirty minutes.

Participant MT

Lightly structured questions through conversational informal interviews over of six months.

Participant JP

Named inventor of the patent-in-suit, and plaintiff's expert witness to the case.

Case Study 2: Cultural Heritage Conservator**Participant RN**

Semi-structured interview for fifteen minutes.

Participant LK

Semi-structured interview for twenty minutes.

Participant SK

Semi-structured interview and informal conversational interviews over the period of six days.

Case Study 3: Medical and Public Health Professionals**Participant RG**

Semi-structured interview for thirty minutes.

Participant DY

Semi-structured interview for twenty minutes.

Participant LV

Semi-structured interview for forty minutes.

Participant DK

Semi-structured interview for twenty minutes.

3.5 Ethics**Informed Consent**

All of the participants involved in this research were given a verbal explanation of the purpose and objectives of the study. Formal informed consent had been orally obtained from all interview respondents.

Disclosure

For the patent dispute, as the cases are still open and there are still ongoing court proceedings, details such as the name of the plaintiff, defendants, patent-in-suit, and accused products are omitted from this research due to a non-disclosure agreement signed prior to the assignment.

Parts of the terminology used as samples in this research that are in the claims elements of the patent-in-suit can be disclosed to public, as the patents and petty-patents are available to the public and accessible online. This applies to the U.S. Patent, Japanese Patent, and Thai Patent as well.

The researcher has been a fixed-contract full time interpreter at the World Health Organization, Thailand Country Office since October 2017.

4. Findings and Discussion

Responses collected are grouped into two main categories, linguistics-semantics and extra-linguistics based on the quality criteria of Bühler (1986) and Chiaro & Nocella (2004).

4.1 Linguistics-Semantics

Two main themes that can be categorized under linguistics-semantics from the interviews; namely Technical Terms (which include the use of Transliteration, Transcoding, or Translation) and Correct Terminology.

4.1.1 Technical Terms: Transliteration, Transcoding, Translation

Differing opinions arise between different user groups. Among the ethnolinguistic communities observed during the inventorying process of Intangible Cultural Heritage, identity, uniqueness, and rarity are the elements of cultural heritage. Spoken language is part of the key components in safeguarding ICH. This is of particular interest in Thailand as Lewis et al. (2016) estimates there to be 72 spoken languages in the kingdom. Many of these ethnolinguistic communities, for instance Lao-Isan, Kammeuang, Pak Tai, Pattani Malay, and Northern Khmer have populations numbering in the millions (Benson, 2016).

Therefore, all of the delegates preferred their own language not to be translated into English. Instead, the expectation was to use the term defined and referred to by the ethnolinguistic community in their local language and to provide an explanation of what the term means. In such cases the interpreter is then expected to retain the terminology of the local language and not translate specific names into English, states Participant SK.

In the legal field, Participant JD, while representing the defendant who is also the patent owner, suggests that as we are in Thai court, the constitution requires that only the official language be used in court, and thus, interpreters should use Thai only. A strong opinion is that a quality interpreter must provide verbatim translation, with “comprehensive meanings” for both the legal terms in court, and also engineering terms used by engineering expert witnesses during testimonial. Despite the fact that most of the electronic engineering terms used by practitioners in the field are borrowed from English, this participant thinks that it must be translated in court and should not be a transliteration of the word.

Data from Observation

The author has created Figure 2 to represent the Courtroom at Central Intellectual Property and International Trade Court and Positions during Trials.

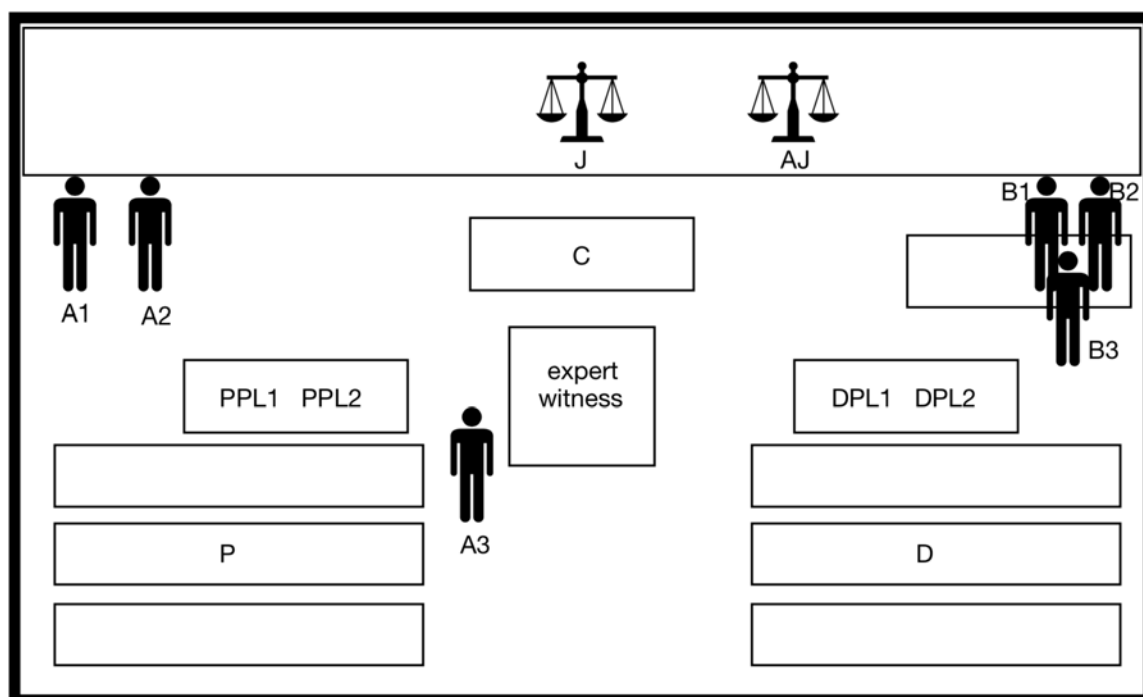


Figure 2. The Courtroom at Central Intellectual Property and International Trade Court of the Kingdom of Thailand. This figure showed positions of each roles during court proceedings. The plaintiffs (P) would be on the right-hand side of the Judge, facing them. Court interpreters for the plaintiffs (A1, A2) would be on the right side of the judge’s bench. During plaintiff’s expert witness testimonial, a plaintiff court interpreter (A3) stands on the left side of the witness, facing the judges. Defendants (D) and their interpreters (B1, B2, B3) would be on the opposite side. Plaintiff’s attorneys and litigants (PPL1, PPL2), and the Defendant’s attorney team (DPL1, DPL2) sits on the front row of both sides. For this trial, one Judge (J) and an Associate Judge (AJ) presides over court proceedings.

During observation, it was noticed that a Thai translation of an engineering term used by the plaintiffs and defendants are different. The term is one of the grounds in the invalidity argument used by the plaintiff revoking that particular patent. Interpreters from both sides, of the plaintiff’s and the defendant’s, uses different terminology during interpretation in court.

It has been observed that the specific term *linear*, has been translated from source language (SL) Japanese, 線状部 (せんじょうぶ) into two target languages (TL) in two patents approved in US and Thailand. In the U.S. Patent, English TL, it has been translated as *linear*. While in the approved Thai Patent in Thai TL it has been translated to เส้นตรง or *straight line*.

Whereas, for those familiar with engineering, the Thai translation used in the field should be เส้น (linear), as stated the expert witness. In Thai TL, according to participant BN, this term has been used in the medical field when referring to some terminology therefore it is not applicable to this invention as it is an electronic engineer invention. Therefore, it is a “wrong and misleading” translation.

Participant AC suggests that if the literal translation of the word in Thai TL means straight line, then there cannot be infringement, as the traces region in the accused product has curves.

While one of the many definitions of *linear* does not identify geometrical shape of the line, e.g. Merriam Webster defines linear as both “of, relating to, resembling, or having a graph that is a line and especially a straight line” and “formed by lines; made up of, relating to, or like a line”, the Thai TL used in the Thai Patent limits it to being straight. Therefore, the interpreters’ word choice during expert witness cross-examination also shape the case towards a specific direction.

During court proceedings, the defendant’s court interpreters referred to the Thai Patent, and used the word เส้นตรง (straight line) throughout the trials. The interpreters from the plaintiff side used the term เชิงเส้น (linear) while interpreting for the court when experts gave testimony on the witness stand.

Participant JD said that in the case of conflicting translation presented in court, the key document to refer to “should always be” the Thai patent of the invention. As it has been granted by the Patent Examiner Office and is vital to the case.

Adherence to the exact terminology used can raise issues in court and lead to arguments and disruptions. For example, during the testimony from the Plaintiff’s technical expert, participant JP, a named inventor and patent owner, the interpreter from the plaintiff side (A3) while providing consecutive interpreting the testimonial, was interrupted over and over again by the defendant’s interpreter (B3).

Participant JP: “So, as you can see in my engineering logbook, that there is already the design invented to provide solution to the problem of impedance.”

A3: “จากที่ท่านเห็นในสมุดบันทึกทางวิศวกรรมของผมนั้น จะมีงานที่ปรากฏอยู่แล้ว...”

[B3 Interrupts midsentence]

B3: “ศาลครับ พยานไม่ได้พูดว่างานที่ปรากฏอยู่แล้ว ล่ามฝั่งนั้นไปแต่งเสริมให้เองครับ”

After the interruption, the defendant’s interpreter (B3) again raises his hand in an attempt to object the plaintiff’s interpreter (A3) interpretation. The plaintiff’s interpreter was in a state of distress, distracted and the quality of interpretation was significantly reduced.

A similar incident occurred with the term “hundreds of millions”:

Judge: “So how many pieces of these products were sold during the year 2008-2010?”

Witness: “Oh, I can’t recall exactly the number. Hundreds of millions of pieces were sold during the time period. I was not responsible for the sales and marketing as I led the research and development unit.”

A3: “ผมจำไม่ได้แน่ชัดครับ น่าจะเป็นจำนวนหลายล้านชิ้น...” (I cannot remember the exact number. I think hundreds of millions...)

[B3 Interrupts midsentence]

B3: “ศาลครับ พยานพูดว่า หลายร้อยล้านชิ้นครับ ไม่ใช่หลายล้านชิ้น” (Your honour, the witness said hundred millions, not hundreds of millions pieces)

A3: “ศาลคะ hundreds of millions ไม่ได้แปลว่าร้อยล้านชิ้น มันแปลว่าหลายล้านชิ้นคะ”
(Your honor, hundreds of millions mean several millions not hundred million pieces)

Usually in court proceedings the judge allows direct interactions between two parties, and also between the witness and the interpreters, but “however in critical case the judge requests all to talk to the court not among themselves.” Participant JD explains. After the incident, the interpreter (B3) was not seen again in court throughout the observation for this research. The judge then allowed for subsequent transliteration to be used by court interpreters when it comes to technical engineering terms to avoid further conflicts that could derive.

4.1.2 Correct Terminology

While using the correct terminology is important, a reoccurring responds from participants highlights that the key message is more important than correct terminology.

Medical Officer participant RG believes for consultation meetings, national committee meetings, and international conference correct terminology is not crucial, “It’s not so much about the technical [terminology], but how the interpreter understands the context”. It is preferable that they have an understanding of the topic and can speak in the right context as opposed to translating word-by-word (transcoding).

However, in operating theatres where it is a matter of life and death, technical terms would matter more and thus critical to be interpreted correctly. This also includes written text translations which would require the technical terms to be precise.

4.2. Extra-Linguistics

Information from data collection were encoded and summarized during analysis into four thematic issues; namely the interpreter’s neutrality, poise and appearance, pleasant voice, preparation (particularly prior to the assignment). Apart from that, native accent and preference were also mentioned. Lastly, observational data on the seating position of the interpreter has also been included under this section on extra-linguistics.

4.2.1 Neutrality

Of all the participants interviewed, Participant B, PT, JD, AC, does not want the interpreter working for their side to be impartial. Participant PT, JD explicitly mentions that a court interpreter has a significant impact on the outcomes of court proceedings. Participant JD stated that “if I interpret, as a lawyer myself I understand what the point the lawyer is trying to achieve, so in a way, the interpreter must not only interpret but must be able to think like a lawyer.”

Further explanation was made that during the cross-examination and rebuttal in court proceedings, the questions directed at expert witnesses are not only for fact finding purposes, but each litigator would have their objective for each question raised, and that is to have the witness answer in such way that the final answers can only be concluded to strengthen their argument.

Therefore, a quality interpreter should understand the very point of the argument. On the occasion that the expert witness, as oftentimes in patent dispute cases they are not legal experts,

have very little experience testifying in court, they can feel overwhelmed by being in a court in a foreign country. Due to the mentioned reasons, sometimes the witness “missed the point”, and can testify to the benefit of the other party, said participant BN.

“Also, sometimes the attorney is busy thinking about the law, and his questions do not make much sense” so if the interpreter understands what he is “trying to achieve through the cross-examination, and also rebuttal”, it helps a great deal to their side, added participant JD and participant BN

In patent infringement cases, the interpreter must also understand how to get the most out of the key expert witness during interpretation according to participant JD, BN, and PT. As such, the litigants find it important that the interpreter has been involved since the preparation process for testifying experts of patent infringement litigation. All of the participants also emphasized that they prefer their interpreter to be biased. Though only as long as it benefits their side in court.

Participant PT said that he sometimes interprets in court, occasionally, when working with expert witness who has limited legal knowledge, if his answer weakens their side of the argument instead of vice versa, “sometimes I omit a point or two”, and will pretend that he himself forgot the content in which he was to interpret. “Well, unless the other attorneys point that out in court, I wouldn’t go back and add in the details which will damage our case”. The very fact stresses the role interpreter can impact on court rulings.

Interpreter as Shield

One of the key testifying witnesses is a named inventor of the patent-in-suit (participant JP). However, despite the fact that he is an engineer and owns several patents as the inventor in the U.S., he has no litigation experience.

After the court session was finished, the expert witness, participant JP, said the interpreter (A3) standing next to him while he was being cross-examined on the witness stand, using calm and reassuring tone helped. It made him feel “calm, and at ease”. He further added that it was really comforting to know that he’s not alone, and that someone was on the same side. “That really helped” he said. This also suggests that the role of court interpreter during witness testimony goes beyond interpretation of the testimony but also to provide emotional support for the witness.

Participant JD points out that in the Thai court, the witness stand is located in the middle of the courtroom, facing the judge. Oftentimes being in court as a witness in itself “can be intimidating and frightful experience”. It can seem like one is being interrogated for a crime. In the U.S. courts, the witness stand is a box located at the end of the judge’s bench, with low modesty screen unlike Thailand where the witness stand is an island in the middle of the courtroom. “So, you see, he’s protected by the judge, anyone including the attorney who wants to approach him needs to ask permission from the judge first.” In that sense, the witness can feel vulnerable and “insecure”.

The role of interpreter is then expected to provide comfort in the courtroom during trial as well. During such case, participant PT suggests that if the interpreter understands that his presentation skill during the testimony is going to have an impact on the credibility of the testifying expert, an interpreter can have a role in providing reassurance and comfort. The

interpreter is basically acting like a protection armor says participant BN “เป็นเหมือนโล่ให้กับพยาน” (Act as a protective shield for the witness).

4.2.2 Poise and Appearance

Dress Like a Lawyer

During simultaneous interpretation in which booths are provided at international conferences, participant JD thinks it does not matter how the interpreter dresses. Whereas for court interpretation, participant PT strongly believes that “for lawyers first impression is very important.” Participant AC thinks lawyers have a dress code and court interpreters should dress like one. In suits, sophisticated, and must be able to blend in with the lawyers.

As most of the time interpreters also represent the witness and litigators in court during interpretation, and at times the judge speaks and interact directly with the interpreter not the witness, said participant PT, therefore the interpreter must be well-dressed, dress sharply, and be in formal attire, to increase credibility of the side she/he is representing.

However, for witness preparation sessions when interpretation services are required, outside of court, participant PT and AC suggests that smart casual attires are appropriate. Participant RN said that good presentation can “give the interpreter authority”. If badly dressed, it creates a “lack of trust” in the quality of interpretation.

A good interpreter must be Appropriate (ล่ามที่ดีต้องไม่รุ่มร่าม)

On poise, a quality interpreter shall not be “รุ่มร่าม” (*room-raam*) according to participant MT. The definition of “รุ่มร่าม” in itself is problematic. The Royal Institute Dictionary B.E. 2554 (2011), defines “รุ่มร่าม” as “excessive” or “more than is appropriate” for example, unkempt or untidy facial hair; the term can be used to describe writing style, behavior, and attire. When asked to explain further, he adds “there was a lawyer who was sitting crossed-leg in court and was chewing gum with her mouth open” he said one should have the etiquettes and good manners as required by the society. A good interpreter should not be nosy, nor ask about things that are not their business.

Even standing while interpreting in court, unless next to the witness stand providing consecutive interpretation of the testimonial, is inappropriate. (see position of A1, A2, B1, B2, B3 in fig. 2). Standing too close to the judge’s bench is inappropriate. This judge is “too kind” participant MT added when referring to an instance when interpreters gather between the judge’s bench and the court clerk table in order to hear the judge properly. Interpreter should not talk about themselves, he added. “Or even speak when not asked”.

Among the delegates of the Training of Trainers for the Inventorying of Intangible Cultural Heritage, when asked about manners, they seem to have a different definition. Participant SK thinks that to be humble, and not boastful, not arrogant, is the preferred personality of the interpreter.

4.2.3 Pleasant Voice

Participant RG says having a pleasant and soothing voice is most definitely helpful when you have to listen to the interpreter all day. One can tell if the interpreter is “stressed, tired” or

making jokes. “It’s great to have an interpreter who can sound funny, or expressive”. When asked in the case of dispute or delegates getting upset in the conference, should the interpreter express the same emotions, “no, we’re in the same room anyway and we can see for ourselves”.

Sighs and audible exhalation can cause discomfort to the listener. Participant RN and RG both mention that sighs are “awful” to listen to. Very “exhausting and daunting” participant RN adds. Clarity, and clear punctuation is required adds participant DY.

The ability to be calm is also required of interpreter participant DY said. The word “calm” comes up repeatedly when he talks about the good quality of interpreter. “Calm and non-monotonous” voice, keep the listeners awake.

Emotions

Participant DK appreciates when not only the messages, but emotions are conveyed in the interpretation. The ability to read between the lines, understanding not only what was verbally spoken but also what intentionally omitted, during formal national committee level meetings is crucial for him as a member of the committee.

Moreover, participant RG emphasized that it is not only the words we hear, but we also look at the speaker to understand other expressions too. In order to provide a timely and appropriate feedbacks during meetings that require prompt response, besides understanding the non-verbal context of the environment, the speed of interpretation is necessary.

Speed

For formal meetings that require immediate interventions such as National Committee on Non-Communicable Diseases or Strategic Technical Advisory Group that the WHO’s medical officers are invited to and are expected to participate in a timely manner, participant RG says speed is the most crucial quality, “if it lags behind for a minute, even 30 seconds really, then it’s pointless.”

In participant RG’s viewpoint, limiting that gap or delay is important because in certain situations, you need to decide when to intervene so if the interpreter is slow to start, the listener might not know which sentence they are listening to and how to react. Long delays make it difficult for the listener to keep up.

4.2.4 Preparation

Participants agreed that having basic knowledge in the subject matter is of utmost importance. While having expertise or specialized knowledge on the topic is undoubtedly beneficial, the participants concur that it is not a strict requirement and concede that it would be unreasonable to expect interpreters to be well-educated in specific disciplines.

4.2.5 Native Accent

Participant AL says it is important to be able to understand the interpreter. Some of the interpreters who stresses words, or have wrong intonation, are not very good. A perfect accent is not necessary, because there are “so many accents in the world, there’s no perfect English accent.” Almost all of the participants suggest accent does not matter as much as the ability to convey message.

However, during observation for court interpretation, one French-German patent examiner who was a plaintiff's witness to testify in court, did specifically request an interpreter to interpret for him on the stand based on his preference of the accent "I understand you the most, your accent is clear. Not him, with him I don't understand as much" referring to another interpreter.

Participant SK recalled an incident when he had to listen to a French-English interpreter in Rome in a conference. It was awful as his accent was "horrible" and he does not seem to understand English enough to interpret.

Pronunciation

While native accent does not appear to be an issue of importance, pronunciation has been found problematic in some cases. Participant RN recalled an incident at a conference in Tokyo in which the English-Japanese interpreter has difficulty pronouncing the letter L and R.

"Every time she says a word that has either R or L, I don't understand her at all." She adds that if the mother language does not have those letters then it can be a problem. This brings the interesting point of how important it is for interpreters to have neutralized accents.

4.2.6 Preference

If there are more than one person, as is usually the case for an interpreter to work with a partner or in a team, it's "natural to compare between the two" and have one interpreter who you prefer more than the other says participant RN. Participants tended to prefer interpreters that are able to clearly, confidently, and completely convey critical messages in the conversation.

4.2.7 Interpreter Seating Arrangement

Data from Observation

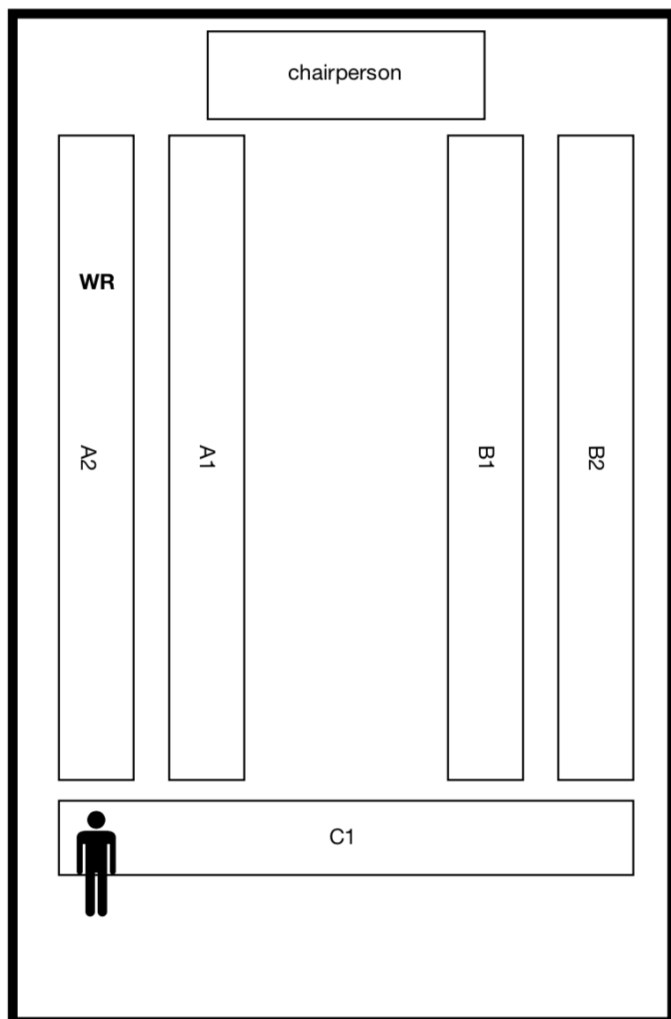


Figure 3.1 At the National Committee for the Prevention of Iodine Deficiency Disorder Meeting in which a member of the Royal Family is the chairperson. The Representative of the Intergovernmental Organization, equivalent to the Head of Mission of a UN-specialized agency (WR) sits on the A2 row next to the Deputy Permanent Secretary of the Ministry of Health, and Deputies from various governmental agencies under the ministry. Row A1, B2 is reserved for the Ministers, Governors, and head of associations relevant in the field. B2 is reserved for the secretariat, royal guards, and Her Royal Highness' entourage. For this meeting the interpreter is located in C1 row with Directors of Provincial Health Offices.

In legal/court interpretation, the seating arrangement are fixed, and interpreters are required to be positioned in their corners, depending on the role while interpreting for court proceedings (fig. 2: A1, A2, B1, B2, B3), or while interpreting for the witness on the witness stand (fig. 2: A3).

However, in public health, health-related national committee meetings, and WHO-RTG Country Cooperation Strategy meetings, seating arrangement for interpreter differs and the role the interpreter is expected to play also varies.

For the medical professionals, it is observed that preference on the proximity of the interpreter differs from one medical officer to another. Furthermore, seating arrangements differ from the level of formality required of the meeting. Another factor which determines proximity of the interpreter and user is also position, and rank, of the chairperson of that particular meeting. The higher the position, the further seating arrangement for the interpreter is provided. In the National Committee of Prevention of Iodine Deficiency Disorder Meeting in which Her Royal Highness presides as chairperson, the interpreter seat is reserved in the back of the room (figure 3.2: C1).

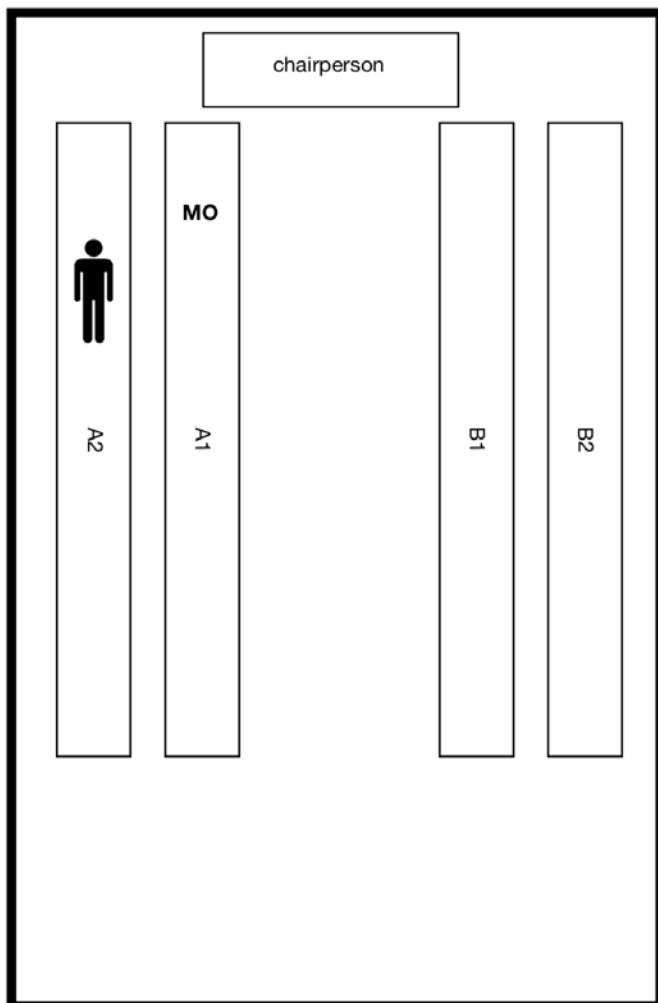


Figure 3.2 In a regular Technical Advisory Working Group meeting, that is less formal. The chairperson who convene the meeting is usually the Director General position, the interpreter is usually positioned behind the medical officer (MO).

Organizers of the meeting occasionally prefer to reserve the interpreter seat behind the medical officer (fig. 3.2).

However, in several meetings the interpreter's seat is placed next to the MO (fig. 3.3: row A1) as per request of the MO. Occasionally the interpretation is not needed, and the interpreter is asked to perform other roles besides interpreting – for example to passively listen to the discussions and notify when a specific issue that WHO needs to respond, or when a reference to the organization has been made by the committee members.

In such roles, the expectation of the interpreter is different. The role as an interpreter and as a staff of the organization overlaps as evident in the seat position. The interpreter in this type of meeting convened then goes beyond interpretation, but as a staff affiliated with the Intergovernmental Organization, is expected to provide feedbacks and share opinions in matters related to the meeting. At one occasion the interpreter is asked to represent the organization at the committee. On more than five occasions the interpreter is referred to by the chairperson as a staff from the organization and not by the role when asked for feedback.

It is apparent in such cases that occasionally the role of an interpreter transitions beyond a conveyer of messages across language barriers.

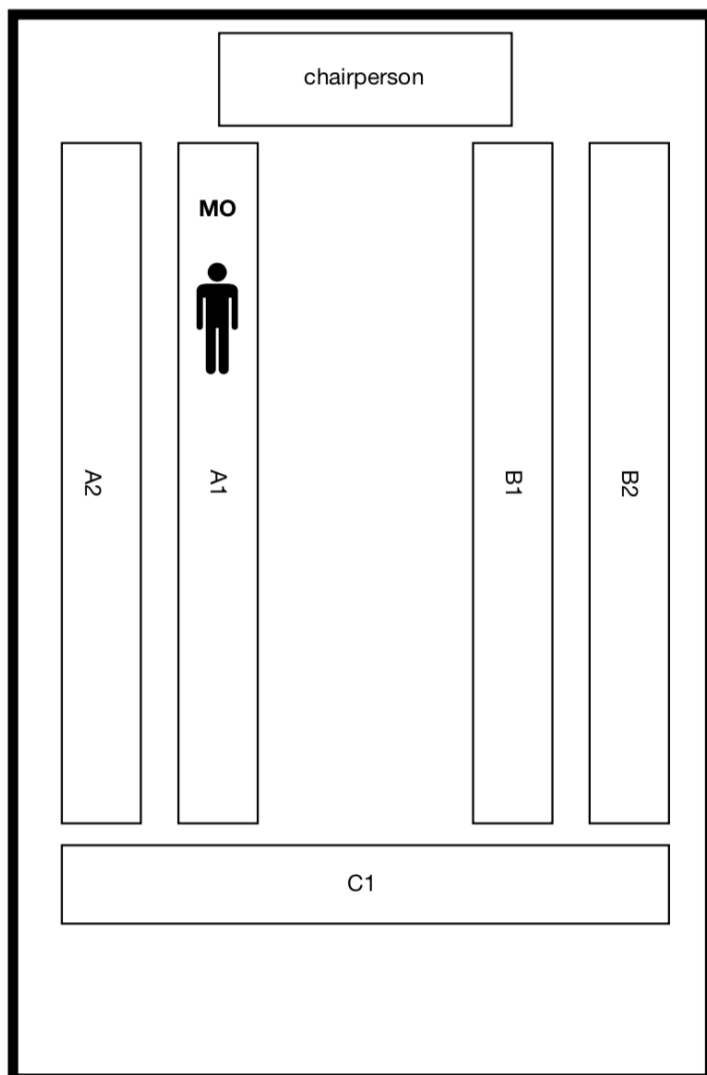


Figure 3.3 In a consultation meeting of an organizing committee for a world safety conference. The chairperson who convene the meeting is a secretary-general of an institute for emergency medicine. The interpreter is seated next to the medical officer (MO). Other persons in A1 include directors of health agencies, A2 their assistants or deputies. B1 consists of academics, and director levels of various relevant organizations outside of the ministry of public health.

5. Conclusion and Recommendations

The findings from the study provides an insight to the user expectations of interpreters in three diverse groups of Patent Litigation, Public Health, and Cultural Heritage. Despite high expectations and reliance on accurate interpreting, all groups indicated that it was preferable to not translate specialized, technical, or traditional terminology. Instead, the use of transliteration was often preferred with respondents citing the prioritization of the understanding and sense of the key message over the translation of terms. Naturally, proper interpretation of terminology is welcome but not at the expense of the overall message and only if it benefits the communication to achieve the purpose of interpretation. In some cases, particularly health care, users report that it is preferred that the interpreter use transliteration instead of translating the terminology. Another clear example where it may be inappropriate to translate terminology is in the conservation of cultural heritage. Many participants responded that preserving the language, as part of cultural heritage, is more important than finding a suitable translation and interpreters are tasked with explaining the concept of the term so that it is easily understandable in the target language.

Assessing interpreter quality can be difficult in itself simply due to good interpreters lacking visibility as Dick Flemming mentions in Pöchhacker (2012) that an ideal interpreter is one that does not exist, because they allow the proceedings to occur so smoothly that the audience

would forget that they are listening to an interpretation. Nevertheless, the extra-linguistic qualities cited by participant will be noticed if it is to the detriment of the interpretation, for example inappropriate or unprofessional behavior and even unsuitable dress codes or attire.

Other common themes included many aspects of extra-linguistic qualities that users desire or prefer in an interpreter. These included the interpreter's neutrality, poise and appearance, pleasant voice, prior preparation, having a native accent, interpreter preference, and seating position were raised by the participants. While they may not seem as important or to directly impact the interpretation, it was reported to help in the facilitation of the proceedings.

As this research collected data from a diverse range of participants hailing from various education, technical, and cultural backgrounds, it is advised that future research focus on these aspects individually to identify common expectations within subgroups. For example, it was noted that user who were Thai or Asian nationals put greater emphasis on interpreter manners, politeness, and attire than their Western counterpart. The sample used in this study was not large enough to draw a clear conclusion, but the researcher recommends further research in this direction.

It would also be prudent to distinguish and focus on particular modes of interpretation in future studies to determine possible differences or parallels between simultaneous and consecutive interpretation as well as issues that may arise from how the interpretation was performed, e.g. whispering or relay interpretation.

Due to the subjectivity and non-probability sampling nature for participants in this qualitative research, it may not be a representative of the population all user groups of interpreters in Thailand. The findings should not be treated as conclusive but as an explorative study that can be further investigated in separate studies in the future.

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