



A diglossic multi-dialectal language in the courtroom: The challenges for English-Arabic legal interpreters

By: Sam Hoballah

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Dedication

In memory of my parents

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Statement of Authentication

The work presented in this thesis is, to the best of my knowledge and belief, original except as acknowledged in the text. I hereby declare that I have not submitted this material, either in full or in part, for a degree at this or any other institution.



Sam Hoballah

Table of abbreviations

Acronym	Stands for
ADC	Arabic dialect challenges
ASCC	Arabic-speaking court client
AVC	Arabic varieties challenges
CA	Classical Arabic
DA	Dialectal Arabic
EAI	English-Arabic interpreter
EALI	English-Arabic legal interpreter
ESA	Educated Spoken Arabic
JCCD	Judicial Council on Cultural Diversity
LP	Legal professional
MSA	Modern Standard Arabic
NAATI	National Accreditation Authority for Translators and Interpreters
NES	Non-English-speaker
PD	Professional development
RACS	Refugee Advocacy and Casework Service
TAFE	Technical and Further Education

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Abstract

The increasing mobility around the world in recent decades has meant a rise in the need for interpreting services. Coupled with the premise that no court client should be disadvantaged due to a language barrier, that has triggered an interest in research in legal interpreting, and in particular, courtroom interpreting. While literature presents studies on the topic in many languages, little research has been published on the English-Arabic language pair. Considering that the legal setting is particularly sensitive to language use and that Arabic — one of the key languages spoken at home in Australia — is characterised by diglossia and dialectal diversity, this study aims to investigate the setting where the two phenomena intersect, i.e., the challenges in legal interpreting that are related to Arabic language varieties. The study was conducted empirically and primarily qualitatively. Questionnaires and interviews were utilised, and a focus group forum was convened to collect data from interpreters and legal professionals who have participated in English-Arabic legal encounters. The study has found that Arabic varieties pose challenges in the English-Arabic legal setting and that the relevant stakeholders (other than interpreters) do not have adequate awareness of the issue. It has also found that the particular variant of Arabic referred to as Educated Spoken Arabic (ESA) — a relaxed version of Modern Standard Arabic (MSA) — is in most cases the optimal solution to the challenges associated with Arabic varieties. The study recommends making practice on the key Arabic dialects spoken in Australia part of interpreting academic and training programs. It also recommends that clear guidelines be outlined toward a common understanding and collaborative approach in dealing with the issue on the part of the relevant parties. Stakeholders and potential beneficiaries of the study include Arabic-speaking court clients, English-Arabic legal interpreters, and judicial officers. By investigating legal interpreting in a key language pair, this study will ultimately be of benefit for the administration of justice in Australia.

Introduction

Globalisation and mobility across countries for various reasons and objectives mean that large communities these days live in countries where their primary language is different from the mainstream local language. As a result, many countries have established interpreting and translation facilities to give members of these communities equal access to essential services. In multicultural Australia, for example, about 18% of residents have limited or no English competency (Australian Bureau of Statistics, 2016) and require interpreting to access important services. This compels discussing the availability, delivery, and quality of interpreting services, particularly in legal settings — the field of this study.

Literature and data collected in the course of this study confirm what is widely known in the industry, that interpreting in general and court interpreting, in particular, is a challenging task that requires a lot of training and skills. References in literature to the law as a profession of words (Mellinkoff, 1963, p. 1) and to legal sessions as a typical setting where language can be manipulated and used as a tool (Hale, 2007, p. 2) are just some examples.

Studies in the relevant literature address issues such as the increasing demand for interpreting services and particularly in the legal area, and the resulting need for more research in the field. These studies also discuss courtroom dynamics and how they can be conditioned by the presence of an interpreter. Other topics addressed include the strategic use of language in the courtroom, related challenges, and potential consequences of inaccuracies in courtroom interpreting. In light of such interpreting challenges, other studies highlight the issue of how important it is for stakeholders to work collaboratively toward an environment of utmost accuracy in verbal exchanges in the setting. Studies specific to the English-Arabic bilingual courtroom, on the other hand, address topics such as English-Arabic asymmetry be it linguistic, cultural, or in relation to the legal systems, and how such asymmetry plays out in the courtroom. These studies also point to the scarcity of research in the area of English-Arabic legal interpreting.

Among the factors that make court interpreting particularly challenging is the high formality of the setting, involving time constraints and strict procedures and processes. Considering this, the ideal situation would obviously be a monolingual setting where the questions and answers are exchanged in their original language and form, without a third-party language mediation. In the bilingual courtroom, this is obviously not the case. Instead, all verbal — often highly complex — exchanges are conducted through a third party in another language, with obvious potential intricacies and challenges. These challenges can be language or culture related and may vary depending on the client's age and level of school education as well as the interpreter's background, training, and professional experience.

With a diglossic multi-dialectal language on board, interpreting in the English-Arabic legal setting is associated with additional challenges. While many books and papers have been published about the complexity of legal interpreting on the one hand, and the Arabic language varieties on the other hand, no published studies can be found to have thoroughly addressed the context where the two intersect. This is the area this study aims to explore by shedding light on the intricacies unique to English-Arabic legal interpreting and proposing relevant

research-based strategies and recommendations. Ultimately, the study aims to minimise the language-varieties-related inaccuracies and errors in English-Arabic court interpreting and to enhance the quality and effectiveness of interpreting in general in that setting.

In Australia, the English language and the English legal system and terminology are at the core of the judicial system, and they are intertwined as a whole structure. As a multicultural society, however, parties to legal cases in the country are occasionally people of ethnic background with limited or no English competency, and the authorities have to call on the services of interpreters. In such cases, the utterances and questions of judicial officers and legal professionals (LPs) — renowned for carefully choosing their terms and meticulously crafting their sentences and tone — must be conveyed to the recipient by a third party in another language.

In the case of the English-Arabic setting, a diglossic multi-dialectal language is an additional complicating factor, especially if the interpreter and the client speak different dialects. The LP may, from previous experience, have some knowledge or perhaps no knowledge at all about possible Arabic varieties challenges (AVCs). If such an issue arises with a phone interpreting assignment, the service provider may try to call another interpreter with a suitable dialect, which would naturally cause delay and a waste of resources. However, if such a dialect disparity issue occurs at an in-person assignment which might have been scheduled weeks or months earlier, the situation is obviously a lot more complicated.

Besides the English language barrier, Arabic-speaking court clients (ASCCs) usually have limited knowledge of the Australian legal system and related processes and procedures. When they become a party to a legal case, they suddenly find themselves in a foreign and overwhelming world — the courtroom. Quite often, this is their first time in court. Their only connection to this alien world is a person from their language and culture called the interpreter. Even in cases where a client is represented by a lawyer who speaks their language, this lawyer was most likely born in Australia and is, therefore, less than fluent in Arabic and not of real help in terms of language either. When the client is not represented at all, it can be even more overwhelming. In this context, their entire participation in the legal proceedings, usually in the form of questions and answers — an essential part of their case — occurs through that one person, the interpreter. This shows how crucial securing effective and reliable communication between the ASCC and the interpreter is, and how important therefore it is to explore factors that might adversely impact that communication.

One of the key questions this study aims to answer is whether Arabic varieties pose additional challenges in English-Arabic legal encounters. If so, it seeks to establish whether there is enough awareness about such challenges on the part of the relevant parties, what strategies they use to deal with them, and whether these strategies are effective and efficient. Another aspect the study investigates is whether more years of experience enable English-Arabic interpreters (EAls) to overcome Arabic dialects challenges (ADCs).

Informed by the collected data, the study aims to answer the above questions and explore some relevant strategies. They include things like making practice on Arabic dialects part of interpreting training programs and having a provision in place whereby, in legal assignments, Arabic interpreters limit themselves to clients of the same dialect.

The study has both academic and practical real-life significance. Academically, it aims to fill a gap by investigating an under-researched bilingual legal setting hoping to thereby trigger further research on the topic. Practically, considering the relatively large community that Arabic interpreters serve in Australia — 2% of the population in the capital cities and about 35% of the population in high-growth areas like Greater Western Sydney (Australian Bureau of Statistics, 2016) — the study will be of benefit to ASCCs with low command of English, EALIs, and eventually all English-Arabic courtroom participants.

Chapter 1 – Literature Review

Mellinkoff states that “the law is a profession of words” (Mellinkoff, 1963, p. 1). Given that court proceedings are usually in the form of verbal exchanges whereby language is a key tool (Hale, 2007), mastering the mechanics and resources of the language pair at hand is essential to better understand how these proceedings operate and is therefore critical for accurate and effective interpreting in the courtroom.

While there are varying views in the field about the definition of accurate interpreting (Hale, 1997c), there is a general consensus “about the crucial role of legal interpreting for both institutional and non-institutional users” (Monteoliva-Garcia, 2018, p. 38).

According to Cao, legal translation — whether it is used in a contract or in the form of exchanges in court — is a practice that falls under the common area of legal theory, language theory, and translation theory (Cao, 2007). Therefore, it is essential that a legal translator has a fair understanding of the legal system and the legal language, as well as how they play out in legal translation (Cao, 2007, p. 7). The fact that Cao includes “exchanges in court” in the context is particularly significant, as it shows how important it is to investigate the setting where language and justice intersect (Hale and Hayes, 2010, p. 9).

1.1 The growing demand for legal interpreting and the need for more research in the field

Globalisation and the increasing mobility of people for job opportunities, study, tourism, asylum, and so forth, have led to a situation where large groups of residents in some countries are not proficient in the local mainstream language. When language proficiency becomes a barrier between these residents and the authorities, interpreters are called upon to serve as linguistic and cultural mediators. In such situations, interpreters act as a bridge between the non-English-speaker (NES) and the other parties, playing a crucial role in multilingual, multicultural societies.

The naturally resulting rise in the need for interpreting services has stimulated interest in research on interpreting and particularly on legal interpreting. This interest has been further boosted by the adoption of directives in Europe, and other jurisdictions around the world including Australia, aiming to secure the right of individuals to interpreting services in legal settings (Monteoliva-Garcia, 2018, p. 40). These directives aim to ensure procedural fairness and to guarantee that no court client is disadvantaged due to a language barrier. It is hoped that raising awareness in this regard will translate into further enhanced practices and, in some instances, lead to reforms in the relevant policies and regulations (Monteoliva-Garcia, 2018, p. 55).

Australia’s official policies enshrine equal access to services regardless of one’s English proficiency. Coupled with the fact that in Australia 18% of residents have limited or no English and are in need of interpreting services, this makes the Australian case a typical example of why more research is needed on interpreting, and in particular on legal interpreting. One document that demonstrates the importance of such research in the Australian context is the

report “*Recommended National Standards for Working with Interpreters in Courts and Tribunals*” by the Judicial Council on Cultural Diversity (JCCD) — a special committee appointed by the Council of Chief Justices of Australia and New Zealand — Version 2 of which was launched in June 2022. This 132-page document sets out recommended standards and optimal practices for interpreting in the legal setting. These standards are intended to ensure an optimal and effective legal interpreting environment where court officials, LPs, and legal interpreters can work collaboratively for the benefit of the administration of justice (JCCD, 2017).

1.2 Court interpreting and potential consequences of inaccuracies in the setting

Legal interpreting encompasses court, police, prison, and immigration settings. The obvious sensitivity of these settings shows how crucial this type of interpreting is, especially courtroom interpreting.

In an adversarial legal system, such as the one we have in Australia, language in the courtroom can be — and often is — used as more than a medium to elicit information and exchange messages. Unlike a medical or counselling session, for example, where verbal exchanges are genuinely about soliciting information to help the patient or client, court proceedings involve competing discourses where language and the manner of delivery are used as tools or even weapons to win a case or argument. Hale refers to this as “the strategic use of a language”. She asserts that “language in the courtroom is not just the medium by which information is elicited, as in other contexts; it is itself a crucial element of the process” (Hale, 2007, p. 2).

In this context, the adversarial courtroom is compared to a battle between two parties where language is the primary weapon (Hale, 2007, p. 3). One of the methods deployed by LPs is “strategic questioning” (Hale, 2007, p. 3). Hale elaborates that “evidence is adduced through oral questions and answers, and it is the way questions are posed and answers delivered that is of great importance in the courtroom” (Hale, 2007, p. 3). This means that as significant as it is, evidence is not all that it takes to win a legal case. A key factor in this context is how such evidence is presented, and hence the importance of the integrity of the communication process in the courtroom. In the case of bilingual legal encounters, on the other hand, it shows how crucial the integrity of the communication between the interpreter and the NES client is, and the potential consequences of inaccuracies in the setting. Such consequences cannot be overstated, and they range from disruptions and adjournments of hearings to unnecessary appeals and, in more extreme cases, to wrongful convictions.

In their 2010 study entitled “*Appeals on Incompetent Interpreting*”, Hale and Hayes analysed the outcomes of “50 appeals on the grounds of incompetent interpreting from New South Wales, the Northern Territory, Queensland, Victoria, and Western Australia between 2006 and 2008” (Hale and Hayes, 2010, p. 1). They stressed that “while most interpreting errors go unnoticed with no significant consequences, some more serious ones have led to appeals” (Hale and Hayes, 2010, p. 1).

Hale and Hayes believe that many errors in legal interpreting are due to a lack of awareness by inexperienced interpreters about the significance of the strategic use of courtroom questions and of how crucial the accuracy of the conveyed exchanges is on the jurors’ or the bench’s evaluation of the court client credibility. They also expressed concerns regarding the

lack of awareness by many judges, judicial officers, and LPs of how languages play out in that setting and the potential consequences of employing inadequately trained and qualified interpreters in legal proceedings (Hale and Hayes, 2010, p. 1).

Apart from the standard NAATI (National Accreditation Authority for Translators and Interpreters) endorsed training and certification, Hale and Hayes recommend that interpreters wanting to work in the legal field should be required to undertake specialised training and certification and be adequately remunerated. Furthermore, they recommend that members of the judiciary receive training for working with interpreters and be encouraged to invest in research into legal interpreting (Hale and Hayes, 2010). Accordingly, they contend that maximum effort should be made by all court participants to ensure that a high degree of interpreting accuracy in legal proceedings is maintained at all times (Hale and Hayes, 2010).

1.3 Language and culture

Language is the essential tool for communication between an individual and their community and is a system for expressing thoughts to others (Chomsky, 1975). The way thought or a message is expressed depends upon the social attributes of the speaker and their anthropological affiliation (Sirbu, 2015). Thus, language shapes and gets shaped by the social environment, and “every act of language, be it written or spoken, is a statement about the position of its author within the social structure in a given culture” (Sirbu, 2015, p. 406).

In this context, culture does not only refer to the lifestyle of a community, but to the manner its members communicate. In other words, the culture of individuals in a particular community is partially reflected in their way of communicating. For example, it may manifest in their body language or how they express friendliness and politeness. Since the efficacy of a type of communication is determined by its ability to produce the desired effect on the recipient, differences in communication styles across cultures, and a lack of tolerance can lead to misunderstanding. Sirbu notes that “connotations of words, as well as meanings of slang phrases, vary greatly across cultural lines; a perfectly normal intonation pattern for a native German speaker may seem angry and aggressive to a foreign listener” (Sirbu, 2015, p. 406). In the Arabic context, there are some, albeit moderate, intra-cultural disparities. For example, two terms that are perfectly acceptable in the Levantine dialect are considered profanity respectively in the Iraqi and Egyptian dialects. So, Arabic interpreters need to have adequate knowledge of the various Arabic dialects and intra-linguistic terminological differences.

As both linguistic and cultural mediators, it is crucial that as well as linguistic proficiency, interpreters possess a deep awareness of the two cultures they mediate between. This includes an appreciation of relevant paralinguistic gestures and cultural cues, which must be adequately reflected in the interpreted message as an integral part of the communication process.

1.4 The Arabic language

Arabic is one of the oldest surviving languages and belongs to the Semitic group of languages. In December 1973, it was adopted by The United Nations as one of the six official languages of the international organisation. In addition, it is the official language of 22 countries in the West Asian and North African regions and the language of Islam, used by hundreds of millions

of Muslims in their daily rituals. Collectively, “Arabic is spoken by more than 400 million people and holds the dual distinction of being the fifth most widely spoken and one of the fastest-growing languages in the world” (Cote, 2009, p. 75). According to the Australian Bureau of Statistics 2016 census, it is spoken by 321,728 Australians at home (1.4% of the population).

The “grammatical system of the Arabic language is based on a root-and-pattern structure and is considered a root-based language with not more than 10,000 roots” (Ali, 1988). According to Saliba and Al-Dannan, a “root” in Arabic is a basic verb form that is most commonly trilateral and encompasses the majority of Arabic words” (Saliba and Al-Dannan, 1990). They add that “to a lesser extent, a root can be quadrilateral, penta-literal, or hexa-literal, with each capable of generating increased verb and noun forms via the addition of derivational affixes” (Saliba and Al-Dannan, 1990). Generally speaking, the richness of the Arabic language is attributed to this root-and-pattern structure, where one root can generate several hundred words with different meanings.

According to Abuata and Al-Omari “Arabic is classified into three variants: Classical Arabic (CA), Modern Standard Arabic (MSA), and Colloquial or Dialectal Arabic” (DA) (Abuata and Al-Omari, 2015). CA is the language of the Holy Qur’an and classical literature and was used from the pre-Islamic era to the times of the Abbasid Caliphate (Abuata and Al-Omari, 2015). Modern authors never use CA. They instead use a formal language variant known as MSA. MSA uses classical vocabulary that is often not part of the spoken varieties (Abuata and Al-Omari, 2015). Abuata and Al-Omari contend that “these and other factors, such as its sensitivity to gender, number, case, degree, and tense, make dealing with the Arabic language particularly challenging” (Abuata and Al-Omari, 2015).

1.5 English-Arabic asymmetry: linguistic and legal system related

A clear asymmetry exists between the Arabic and the English languages as well as between the respective legal systems. One obvious setting for the manifestation of such asymmetry is the English-Arabic courtroom.

Arabic is a Semitic language, while English belongs to the group of Indo-European languages. One of the main differences between the English and Arabic languages is “agreement asymmetry”. Unlike in English, in Arabic, there is a gender agreement between subject, verb, and adjective. There are also pronounced differences in word order and sentence structure, as well as in the distinct third dual grammatical structure of Arabic compared to the singular and plural structures of English (El-Farahaty, 2016). So, EAls face challenges on multiple linguistic levels, be they terminological, syntactic, or textual.

El-Farahaty has analysed the features of the English and Arabic legal discourses with a focus on their similarities and differences. She found that the legal systems of English-speaking and Arabic-speaking countries “are strikingly different and each of them is embedded in the cultural background of its system” (El-Farahaty, 2016, p. 475). Legal English, for example, is linked to Common Law and contains many Latin terms that date back to the Middle Ages. Examples of such terms are “ad hoc”, “de facto”, “pro rata”, “inter alia”, “ab initio”, and “mutatis mutandis” (El-Farahaty, 2016, p. 476). Like many other English legal terms, they do not have parallels in either Islamic or Arab Civil Law, on which legal Arabic is based. In these

cases, the Arabic translator/interpreter would need to paraphrase to accurately convey the intended in the context meaning. Cao explains that the lack of equivalent terminology across various languages requires the constant comparison between the legal systems of the source language and the target language (Cao, 2007, p. 29).

Referring specifically to English-Arabic legal translation, El-Farahaty adds that since the translator's job is not simply to convey the legal meaning, but also the legal effect, all the "culture-specific" and "system-bound" differences in both the English and Arabic legal languages and systems make the task of the legal translator particularly challenging (El-Farahaty, 2016). While Al-Farahaty's study refers to legal translation, the discussion and findings are as applicable to English-Arabic legal interpreting.

1.6 Diglossic Arabic in the bilingual courtroom

In its most basic definition, diglossia refers to a situation where two distinct codes — High (H) and Low (L) coexist within the same language (Ferguson, 1959, p. 327). Diglossic languages are found in several countries and communities, including in the Arab world. According to Hudson, the Low variety is "natively learned", whereas the High variety "is nobody's mother tongue" (Hudson, 2002, p. 7). In diglossic speech communities, the High code is usually adopted as the official language.

Arabic is a typical example of a diglossic language. Ferguson affirms that "diglossia seems to go back in time as far as our knowledge of Arabic" (Ferguson, 1959, p. 327). The formal "High code" of Arabic is widely known as MSA, while the informal "Low code" is known by different terms including "colloquial Arabic", "dialectal Arabic", "vernacular Arabic", "conversational Arabic" or "the slang" (Lee, Bregman and Ismail, 2008, p. 2). Depending on the situation, it can be the case that, in the same conversation, an Arabic speaker may switch forth and back between the two codes or mix them in a single sentence (Cho, 2022, p. 145).

The High spoken and written form of Arabic (MSA) is learned at school, almost like a foreign language, and is used for reading and writing and in formal interactions such as news broadcasts, formal speeches, or courtroom written recordings. It has strict grammatical and stylistic rules. For example, it has "a dual form in addition to the singular and plural forms, whereas the dialects mostly lack the dual form" (Abuata and Al-Omari, 2015, p. 107). In addition, "MSA has two plural forms — one masculine and one feminine — whereas most dialects make no such gendered distinction" (Abuata and Al-Omari, 2015, p. 107). As such, MSA is relatively standardised throughout the Arabic-speaking world and educated speakers of Arabic from various parts of the world can communicate using this variety.

Dialectal Arabic (DA), on the other hand, is a general category radically different from the formal MSA variant. It is comprised of numerous national varieties of spoken Arabic. It is acquired at home as the "mother tongue". DA is not used in written format except in a humorous context or when a touch of informality is sought. Its grammar is much less regulated than MSA and it has no standard morphological, phonological, or lexical elements. The vocabulary and pronunciation of words in DA can vary significantly between the various spoken dialects, and colloquial words can often be unique to a particular regional dialect (Abuata and Al-Omari, 2015). Some Arabic dialects are so different in terms of vocabulary, accent, and pronunciation that they might as well be considered different languages.

The functional difference between MSA and DA is that Arabs read and write in MSA and speak and listen in DA (Campbell et al, 1993 - 1994, p. 66). In many fields, local variants of DA have been used in place of MSA and people use them in everyday conversations in their respective communities or geographical regions. In recent times, it is becoming increasingly popular in new fields of written social media and online communication such as Short Message Service (SMS), Facebook, Twitter, and informal spoken media such as television, and radio talk shows and interviews.

Arabic diglossia generally depends on the formal school level of the speakers, the context, and the topic being discussed. Often a speaker may be able to speak the standard form of Arabic and a national or regional variant. However, even if two Arabic-speaking people can conduct a casual conversation using their respective dialects, there is no certainty that a conversation on a more sophisticated topic, such as one of a legal nature, can be reliably conducted this way (Legg, 2004, p. 34). In this case, MSA is not always a solution. This is because this variant is not commonly used in everyday conversations and people with limited formal school education will find it difficult to use it as a way of communication (Khachan, 2010).

Diglossia is thus associated with many complications. In the case of Arabic, the use of the High and Low variants of the language for two sets of different functions is pushing the two variants further apart and is therefore making them more distinct (Saiegh-Haddad, 2003, p. 432). According to Saiegh-Haddad, linguistic diglossic information loss is due to “little or no mutual intelligibility”, which can occur between written and spoken Arabic because they are “structurally different” (Saiegh-Haddad, 2003, p. 432). This diglossia also poses difficulties for researchers conducting studies associated with the Arabic language, Arabic speakers, and learners of Arabic and can therefore impact education and literacy. Khachan asserts that the large gap between the Low and High codes of the Arabic language plays a major role in increased illiteracy in the Arab world and is considered a hurdle in learning to read and write, a process conducted mainly in standard Arabic (Khachan, 2010).

This linguistic rift naturally presents unique challenges for EALIs. When an ASCC is answering questions during court proceedings, it is essential that the Arabic interpreter can understand what that speaker is saying, whether in MSA, DA, or something in between. So, if a court interpreter is not adept at MSA, they will have difficulties communicating with some Arabic speakers in the courtroom.

1.7 Multi-dialectal Arabic in the bilingual courtroom

The existence of dialects in languages is well documented in sociolinguistic studies. In a linguistic context, dialect refers to “a regional or social variety of a language distinguished by pronunciation, grammar, or vocabulary (Sirbu, 2015, p. 406). In simple terms, it refers to a variety of speech — usually spoken — that is less regulated and differs from the standard or formal variant of the language of a particular community. It is not, as is sometimes misunderstood, an incorrect way of speaking a language (Sirbu, 2015, p. 406).

Arabic, as an official language, spans a vast geographical area from North Africa to the Eastern Mediterranean and Gulf counties. As is the case when a population inhabits a vast geographical region, Arabs in various areas have, over the centuries, developed their own

local dialects and pronunciations. Since DA is viewed “as a language of heart and feeling”, whereas MSA is considered “a language of mind” (Sirbu, 2015), “Arabs prefer to use dialectal versions in daily conversations whenever it is not required for them to use MSA” (Abuata and Al-Omari, 2015, p. 105). As Abuata and Al-Omari further point out, “Almost no native speakers of Arabic sustain continuous spontaneous production of MSA” (Abuata and Al-Omari, 2015, p. 105).

Arabic dialects have been classified by scholars based on different criteria. According to Abuata and Al-Omari (2015, p. 104), 13 different Arabic dialects are currently spoken in 22 Arab countries and by people of Arabic background worldwide as follows:

- Sudanese Arabic — Spoken in Sudan
- Levantine Arabic — Spoken in Syria, Lebanon, Palestine, and Jordan
- Gulf Arabic — Spoken throughout the Gulf Coast from Kuwait to Oman
- Najdi Arabic — Mainly spoken in the desert and oasis areas of central Saudi Arabia
- Yemeni Arabic — Most common in Yemen
- Iraqi Arabic — Commonly spoken in Iraq
- Hijazi Arabic — Spoken in the Western area of present-day Saudi Arabia referred to as the Hejaz region
- Egyptian Arabic — Spoken in Egypt and considered the most widely spoken and understood Arabic dialect
- Moroccan Arabic — Spoken mainly in Morocco
- Tunisian Arabic — Mostly spoken in Tunisia
- Hassaniya Arabic — Spoken in Mauritania
- Andalusí Arabic — Now extinct, but still holding an important place in literary history
- Maltese Arabic — Found in Malta (Abuata and Al-Omari, 2015, p. 106).

Another group of scholars (Lee, Bregman and Ismail, 2008, p. 2) sort the spoken Arabic dialects into four groupings as follows:

- North African dialects — Spoken in Libya, Tunisia, Algeria, and Morocco
- Egyptian colloquial — Spoken in Egypt and Northern Sudan
- Levantine colloquial (Mashriqi) — Spoken in Jordan, Palestine, Syria, and Lebanon
- Arabian Peninsula and Iraqi — Spoken in the Gulf countries, Iraq, and Yemen

This study adopts a classification based on the five key dialects spoken in Australia, i.e., the Levantine, Egyptian, Iraqi, Sudanese, and North African dialects.

Colloquial Arabic speakers from various parts of the world trying to communicate verbally with one another will find it challenging if they rely solely on one of the Arabic dialects. This is due to the wide variations that may exist in pronunciation and vocabulary between the dialects. This dialectal gap can get wider when people are geographically further apart to the degree that, in some cases, Arabic speakers find it difficult to comprehend each other. For example, people from the Southern part of Sudan and those from the Levantine area will have difficulty having a conversation in their respective dialects. Arabs usually overcome these

challenges and differences by modifying their native dialects and, to a lesser extent, by using MSA vocabulary, which they pronounce dialectally (Bawazeer, 2016, p. 24).

Legg (Legg, 2004) reports a case that demonstrates the adverse impact dialectal disparity can have on bilingual courtroom proceedings. By providing an Arabic interpreter for a Lebanese client in a USA court seeking withholding deportation from the country, the court assumed the client was accorded a fair hearing and an opportunity to present their argument. However, it was later discovered this was not the case because the interpreter and the client spoke different dialects. The court failed to acknowledge the potential adverse consequences dialectal disparity, in that instance, had on the integrity of the communication process in the courtroom (Legg, 2004, p. 34).

Some scholars believe that a third variety — alluded to above — referred to as Educated Spoken Arabic (ESA) and situated between DA and MSA, is the most appropriate variant for courtroom interpreting (Mitchell and Al-Hassan, 1994). This is because ESA makes it possible for interpreters to ensure mutual intelligibility with clients and, at the same time, maintain the high register commonly used in a cross-examination. Mitchell and Al-Hassan add that the ESA variant best accommodates all Arabic formalities because it reduces “the possibility of register-specific comprehension and intelligibility issues arising during interpreting” (Mitchell and Al-Hassan, 1994).

Due to the diglossic multi-dialectal nature of the Arabic language, Arabic court interpreters need to possess skills above and beyond those of most other languages (Lee, Bregman and Ismail, 2008, p. 3). They must be competent in both MSA and at least one Arabic dialect and know when and how to move back and forth between the two. According to Lee, Bregman and Ismail, in order to further assess their readiness, those aiming to sit an English-Arabic court interpreter certification exam should demonstrate that, besides fluency in both languages, they can effectively and accurately interpret into and from MSA and key Arabic dialects such as Arabian Peninsula, Egyptian, Levantine, and North African (Lee, Bregman and Ismail, 2008). They need to demonstrate they can do this in a question-and-answer situation as required, while always remaining faithful to the source language and maintaining the correct register.

1.8 The English-Arabic courtroom: An under-researched field

Khachan asserts that “while the English-speaking world has been extensively studying the influence of semantic and pragmatic factors in interpreting and translation, there has been limited parallel work in the Arab world, especially in relation to the courtroom setting” (Khachan, 2010, p. 185). Research in diglossic Arabic is hindered by the lack of standards for DA and a lack of written resources for Arabic dialects themselves (Maamouri and Bies, 2004). Most research on the Arabic language focuses on MSA, which is as close as the language comes to a universal means of communicating for its speakers (Abuata and Al-Omari, 2015, p. 104). Khachan argues that despite its functional significance and potential impact on equity, procedural fairness, and linguistic rights, the issue of how diglossic Arabic plays out in the bilingual courtroom has not been either theoretically or empirically researched (Khachan, 2010, p. 185). Bawazeer affirms that “despite a large body of research undertaken on the court interpreting, empirical research was difficult to find on the Arabic-English combination”. Bawazeer adds that “most of the research was conducted on languages other than Arabic,

particularly on the Spanish-English pair” (Bawazeer, 2016, p. 1). All this further demonstrates the need for more research into English-Arabic courtroom interpreting.

Chapter 2 – Methodology

As evident from the previous chapter, while many studies are published on the bilingual legal setting on the one hand, and the peculiar features of Arabic on the other hand, no thorough studies can be found on the area where the two phenomena intersect. Given this and the fact that Arabic is the second language spoken at home in Australia, this study seeks to step in and fill the gap. It aims to answer the question of whether the Arabic language varieties pose additional and distinctive challenges in the English-Arabic legal setting, particularly for Arabic interpreters. If so, it seeks to establish the extent of these challenges, how the various stakeholders deal with them, and to explore some relevant strategies.

The parties that the study originally planned to survey were Arabic-speaking former court clients, EALIs, and LPs. As the study was progressing, however, given the timeframe and other factors as outlined in Chapter 3 (Covid lockdowns, slow response to the recruitment campaign in the early stages of the study, etc.), it became clear that data could not be collected from both Arabic-speaking former court clients and LPs, and the researcher had to reassess their approach. After careful consideration, it was concluded that including LPs was more relevant to the project. This is because they are involved on a regular basis in the setting subject of the study, and their work is directly impacted by the participation of an interpreter. Therefore, they are better positioned to provide thorough input and assessment of the process and related challenges.

Consequently, the data was collected from EALIs and LPs who have participated in English-Arabic legal encounters. While it would have been useful to collect data from Arabic-speaking former court clients as well, data analysis showed that the fact they could not be included did not have an effect. This is because the data received from the two key players in the setting being investigated proved balanced and sufficient to answer the study questions.

The surveyed groups include 29 EALIs (about 10% of the EALIs in NSW on NAATI's website) and 12 LPs. The interpreters were organised into three groups. A group of 21 interpreters filled in questionnaires, another four participated in a Zoom interview each, and the third group of 13 interpreters participated in an in-person focus group forum (nine of whom had filled in a questionnaire or participated in an interview) convened for discussion on the study topic. In total, there were four groups of participants.

Having the same questions asked in different settings and environments (questionnaire, interview, and a focus group) proved very useful. This is because the interviews, as a tool of dynamic conversation around the prepared questions, were a valuable opportunity to get a detailed insight into the experience of professional court interpreters. Additionally, 12 LPs — a mix of Arabic-speaking and non-Arabic-speaking — all of whom have been a party to English-Arabic legal encounters, were asked to fill in a questionnaire. The researcher's skills as an experienced court interpreter himself were helpful in the process of analysing and making sense of the collected data. The questions were carefully designed to attain maximum insight into the experience of the participants as relevant to the study topic and questions. They

focused on the language-features-related challenges in the courtroom and possible strategies and solutions.

2.1 Interpreters' questions (questionnaires and interviews)

The same set of questions was included in the questionnaire and posed during the interviews with the interpreters. These questions can be divided into four groups: general, possible challenges, strategies currently used, and recommendations.

2.1.1 General

- Gender?
- Country of birth — native dialect?
- How long you have been practicing as an interpreter?
- How often do you attend court hearings as an interpreter?
- What dialects have you dealt with in the course of your practice?
- Do you usually perform sight translation at interpreting sessions?

2.1.2 Possible challenges

- Do you have difficulty with a particular Arabic dialect(s)?
If yes,
- Which one(s)?
- Do you have to adjust your dialect and/or register to suit the client?
- Were there cases where the accent was an issue in mutual intelligibility with the client?

2.1.3 Strategies currently used

- What are the strategies you deploy to deal with AVCs?
- Do you believe that with more years of experience, an interpreter would overcome ADCs?
If yes:
- How many years approximately does it take to reach that stage?

Given the above, would it be a viable option to (tick all that applies):

- Include practice on the key Arabic dialects in interpreters' training and academic programs?
- Watch movies and audio/video clips in other dialects as a part of interpreters' professional development (PD)?
- Participate in mock interpreting sessions with fellow interpreters of different Arabic dialects as part of interpreters' PD?
- Compile a comprehensive glossary of terms and expressions across the key Arabic dialects?
- Make provision in the system for interpreters to limit their court assignments to clients of the same dialect group?

2.1.4 Recommendations

- Any comments or suggestions that, based on your experience, would enhance court interpreting, particularly in relation to diglossic multi-dialectal Arabic?
- Any examples of AVCs? (terms, expressions, sentence structure, etc.)

2.2 Legal professionals' questions

The eight questions in the LPs questionnaire can be divided into three groups: general, challenges, and recommendations.

2.2.1 General

- How often are you a party to a bilingual session?
- How, in your view, does the presence of an interpreter condition the bilingual legal setting?
- Based on the verbal exchanges in bilingual encounters, do you sense that the questions and answers get interpreted accurately and effectively?

2.2.2 Challenges

- Have you had experience with interpreters and/or clients complaining about difficulties in communicating due to different Arabic dialects? If yes, What were the consequences and how was the situation handled?
- Do you think LPs/migration agents are given enough information about the dynamics of the bilingual session and how to work with interpreters?
- How do you rate your experience with interpreters, and in particular with EAIs?
- In relation to which aspect(s) was the above rating based?

2.2.3 Recommendations

- Any comments or suggestions that, in your view, would help improve the communication process in bilingual encounters in general and the English-Arabic setting in particular?

2.3 Participants

2.3.1 Group_1 and Group_2: Professional interpreters

Group_1 consists of 21 interpreters who completed a questionnaire, while group_2 consists of four interpreters who were interviewed. Members of the two groups are English-Arabic NAATI certified interpreters with a variety of Arabic dialects and experience ranging from 1 to 42 years. Interpreters with no experience in court interpreting were initially excluded, but that exclusion was later found to be impractical and unnecessary. This is because while AVCs are more evident in legal interpreting, they are not limited to that setting. Therefore, the contribution of interpreters who may not necessarily have had experience in legal interpreting (a small percentage of the participating group but with otherwise solid experience in other settings) was also found to be almost as relevant. Limiting participation to legal interpreters would have meant a much smaller pool of qualifying candidates in the group.

On the other hand, it was initially planned to recruit an equal number of participants from the five key Arabic dialects spoken in Australia (Levantine, Egyptian, Iraqi, Sudanese, and North African). However, with the vastly different sizes of the various Arabic sub-communities in Australia, and the rate of interpreters that would accordingly respond to the recruitment campaign, this was also found to be impractical and unrealistic.

Despite these limitations, and throughout the data analysis, the researcher found that the participants constituted a fair and effective representation of the pool of EAI and covered the key Arabic dialects spoken in Australia. The 29 participating interpreters comprised 20 females and nine males, with an average experience of 12.18 years. It is worth noting that according to the NAATI website, the total number of Arabic interpreters in NSW is about 275. Therefore, the rate of Arabic interpreters' participation across the state is about 10%.

The participating interpreters in this group in terms of the Arabic dialects they speak are as follows:

Group_1 consists of 11 participants of Levantine dialect, seven of Iraqi dialect, one of Sudanese dialect, one of Egyptian dialect, and one of Algerian dialect. Due to the relatively small number of participants and the study timeframe, it was possible that the questionnaires be distributed by email or simply handed in person.

Group_2, consists of four court interpreters: three of Levantine dialect, and one of Algerian dialect. The interviews were conducted remotely via Zoom, with a duration of 20 to 30 minutes each, and were audio-recorded and transcribed. As a follow-up, each participant in this group was emailed a copy of their interview transcript and given three days to review and report any inaccuracies.

2.3.2 Group_3: Legal professionals

This group consists of 12 LPs who have participated in English-Arabic legal sessions. They are a mix of Arabic-speaking and non-Arabic-speaking professionals (about 50/50). Members of this group were asked to fill in a questionnaire consisting of eight questions. As evidenced by the discussion above, the questions were neither sensitive nor related to running legal cases and were limited to general linguistic/interpreting aspects. As expected, obtaining comments and feedback from another key party in the bilingual courtroom was quite helpful for the study's purposes.

For ease of completion, group_1 and group_3 questionnaires and consent forms were digitally fillable in MS Word, avoiding the need to print a hard copy.

2.3.3 Group_4: Focus group

Group_4 consists of 13 participants as follows: 10 of Levantine dialect, two of Iraqi dialect, and one of Algerian dialect. This two-hour forum was convened at a community hall in Lakemba on 25 April 2022. The researcher administered a PowerPoint presentation on the study topic and comments were sought regarding its draft recommendations and findings. A summary of the key points from that discussion is presented in the next chapter, and a transcription of the audio recording is presented in Appendix B.

2.4 Recruitment

Recruitment was the most challenging and unpredictable part of the study. Different recruitment approaches and strategies were attempted and deployed. As indicated above, given the study timeframe and some other factors, it was only possible to recruit participants from two of the originally planned three parties.

2.4.1 Groups 1, 2, and 4 — Professional interpreters

Candidates from groups 1, 2, and 4 (EAls) were approached through a public campaign, including announcements on relevant websites and social media groups. In addition, announcements about the study and an invitation to participate were made at several EAls gatherings. To further facilitate communications, the contact details of NSW-based EAl were extracted from the NAATI website. Members of these groups who responded to the campaign were further engaged by email, phone, and/or Zoom video conferencing.

2.4.2 Group_3: Legal professionals

Group_3 candidates were approached in several ways. They included sending an invitation with information about the study to the NSW Law Society; direct interaction with LPs in the course of onsite work; referrals from fellow interpreters; and an email to the Refugees Advocacy and Casework Service (RACS).

The latter is an organisation where primarily volunteer lawyers and interpreters help refugees and asylum seekers with their protection visa applications. As such, their work is heavily dependent on new interpreters and bilingual assistants of all dialects. RACS was offered a \$100 donation to a charity of their choice for every questionnaire completed by one of their lawyers. Four lawyers accepted the offer, and the amount of \$400 was transferred to their organisation's account. A similar offer was made by email to several other lawyers, but none accepted that offer. Thus, other than the \$400 paid to RACS, no other money was paid to participants. There was no response to the email/invitation from the NSW Law Society nor to the follow-up reminder.

Members of the above groups who responded to the invitation and were willing in principle to participate were sent the Participant Information Sheet and a consent form. In addition, the contact details of the researcher and those of the Human Research Ethics Committee at Western Sydney University were provided for feedback or in case they had a complaint(s). Potential participants were advised that they had a week to decide whether to participate, sign the consent form, and email it back to the researcher. Follow-up with the participants was conducted by email, phone, and/or Zoom video conferencing.

2.5 Data collection

As indicated above, questionnaires, interviews, and a focus group forum were deployed to collect data directly from participants who expressed interest in participating in the study and signed a consent form. The data collection methods were found to complement each other and given the scope and timeframe of the study, were designed to provide the best possible and balanced insight into the area subject of the investigation. For example, deploying questionnaires as well as interviews proved to be an adequate combination for obtaining data from different perspectives. While a questionnaire is a list of specific questions adhering to a

fixed layout, interviews were an opportunity for a dynamic conversation in the context of the prepared questions and generated additional relevant information and examples that might otherwise have been overlooked.

Interpreters' recruitment strategy aimed to attain representation of the key Arabic dialects spoken in Australia, i.e., Levantine, Egyptian, Iraqi, Sudanese, and North African. In the case of the interpreters, the data collected was regarding AVCs in legal interpreting and the strategies they use to deal with them. In the case of LPs, on the other hand, the data collected was about their experience communicating through an EAI in legal encounters and possible challenges and intricacies.

The LPs comments and answers were from participants who are a passive party to the bilingual encounter, in the sense that they are present but are not part of the actual interpreting process. Therefore, they are in a position to provide objective and independent feedback regarding that process and the impact of the presence of an interpreter on the encounter. In this context, their data was vital in providing a balanced and unbiased insight into the setting subject of the investigation. This is because some of the interpreters' answers had to be considered in the context of a potential conflict of interest and the assumption that a professional might be reluctant to provide answers that could impact their job opportunities. Therefore, the participating LPs data complemented that provided by the interpreters to help answer the study questions and outline meaningful relevant recommendations.

The data collected was not personal or a specific legal case related and consisted of responses to questions regarding linguistic and interpreting issues in the English-Arabic legal setting. The software tools used throughout the study include MS Word, MS Excel, and MS Publisher. The latter was used to design the various recruitment advertising materials. MS Word's built-in voice recognition facility (Dictate) was successfully used to auto-transcribe the English audio recordings (mainly the interviews) with reasonably high accuracy. This proved to be a significant time saver as it meant that the researcher only had to edit the auto-transcribed texts rather than manually transcribe lengthy audio recordings from scratch.

2.6 Data analysis

As indicated above, the data was collected through questionnaires, recordings of Zoom interviews, and at an in-person focus group forum. The interviews and focus group audio recordings were transcribed. The number of participants in the study did not warrant statistical significance, so statistical power could not be adopted in the study. The data analysis was mostly qualitative. The data was analysed by comparing the responses of participants from the four groups and identifying key themes in each group to help answer the study questions and to either prove or disprove its hypotheses.

As shown above, the questions required either a “Yes” or “No” answer, a selection from a multiple-choice answer, or a comment. The answers and comments received were presented in a table format to make it easier to identify patterns and make observations. The key patterns were collated and presented in graphical illustrations in the form of pie charts, as shown in the next chapter. The last two questions of each of the two questionnaires were particularly important to help outline the study findings and recommendations. They were

examples of difficulties experienced throughout the participants' respective practices and ways they thought would help enhance the quality of English-Arabic interpreting.

Given the available resources and the study timeframe, the overall data analysis showed that the combination of surveyed participants and the data received were as balanced and comprehensive as they could be in the circumstances. In addition, the participants (comprising around 10% of the EAIs in NSW, plus 12 LPs — a mix of Arabic-speaking and non-Arabic-speaking professionals with experience in English-Arabic legal encounters) were found to represent their fields well.

The observations and conclusions were made based on the ratio of answers to a particular question, as well as on the general comments. For example, to the question of whether EAIs should limit themselves to clients of the same dialect group, the verdict was a resounding “No” (20 to 2). As for the question about whether dialect training and practice should be part of the interpreting training programs, the interpreters' answers were in the affirmative at a rate of 16 to 5, indicating a clear endorsement of the proposal.

Chapter 3 – Data Analysis

As indicated in the previous chapter, data was collected through interviews, questionnaires, as well as a convened for the purpose focus group forum. The data collected from the various participants is shown in the form of tables in Appendix A. This chapter presents and analyses that data.

3.1. Arabic dialects challenges as reported by the interpreters

The data received from the interpreters who participated in this study clearly indicates they encounter significant ADCs in their day-to-day practice, especially in legal settings.

In response to the question “Do you have difficulty with a particular Arabic dialect(s)”, the results are: Yes – 18; No – 7. (Fig. 1)

One interpreter pointed out that:

“Dealing with different [Arabic] dialects adds to the complexity of the interpreter’s job, especially in legal settings. Being comfortable dealing with other [Arabic] dialects makes the interpreter’s job slightly easier”.

To help explain these difficulties, it is worth noting that while interpreters undergo intensive training on various interpreting techniques and modes (consecutive, simultaneous, chuchotage, etc.) and disciplines such as legal, medical, immigration, and social services, training on Arabic dialects is not included in the EAI academic programs. A participating interpreter explained that:

“At university, we get exposed to and trained in Modern Standard Arabic and Educated [spoken] Arabic, not to other various Arabic dialects. Therefore, once we start working in the interpreting field, we get baffled and start to question our ability, as our non-English speaking clients aren’t necessarily educated, nor can they speak standard or educated Arabic”.

The ADCs can be related to terminology, expressions, sentence structure, accent, or a combination of these factors. Furthermore, based on the anecdotal conversations in the course of the study, the chances and scale of such challenges are closely related to factors such as the client's age, level of school education, and the geographical location of acquiring their dialect (a city or a rural area in their country for example). This is consistent with Conley and O’Barr’s study finding that “there is a correlation between education and the ability to comprehend legal language” (Conley and O’Barr, 1998). Accordingly, related challenges manifest in different ways, typically leading to difficulties in mutual intelligibility between the client and the interpreter.

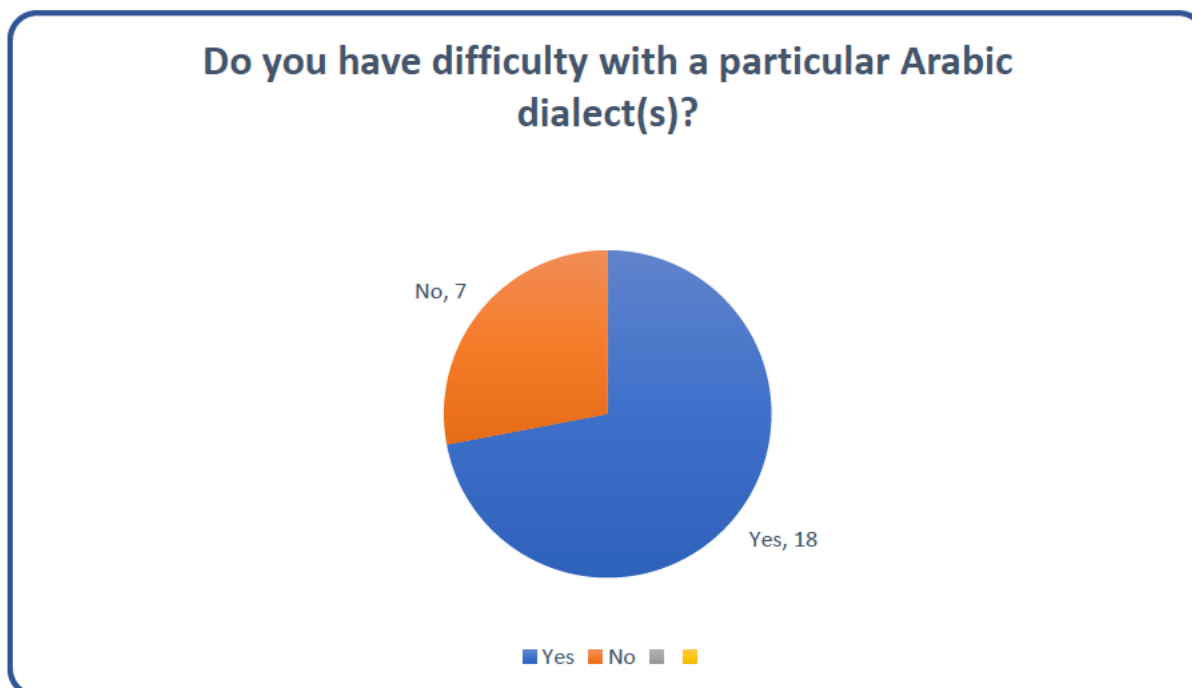


Fig. 1 — Surveyed interpreters who reported ADCs vs those who reported they did not

Depending on their primary dialect, experience, and the ASCC they are interpreting for, interpreters deploy different strategies to deal with these challenges. One of the participants commented:

“I was unable to convey the meaning of some words, even after I used standard Arabic to an uneducated client. I used all the versions of Arabic I know for the same words, but the client couldn’t understand”.

In response to the question about the most challenging Arabic dialect(s), interpreters' answers were as follows: North African – 16; Sudanese – 12; Iraqi – 2; Levantine – 1; Egyptian – 2; Gulf – 1.

So, based on the interpreters' answers, the most challenging, by far, are the North African Arabic dialects. One interpreter noted:

“The most challenging dialects are Moroccan, Algerian, and Tunisian because they are mixed with French. Most clients who speak those dialects tend to switch either to Modern Standard Arabic or to the Lebanese dialect”.

The second most challenging dialect is Sudanese Arabic. An interpreter reported difficulty with clients from South Sudan *“because they speak very fast and the dialect and/or accent makes it very challenging at times especially if they have not had formal education in Arabic”*. In other testimonies, interpreters claimed facing difficulties with Sudanese clients if Arabic was not the latter’s first language. Other participating interpreters reported difficulty with Sudanese language expressions and were unable to understand parts of the speech where unfamiliar words were used.

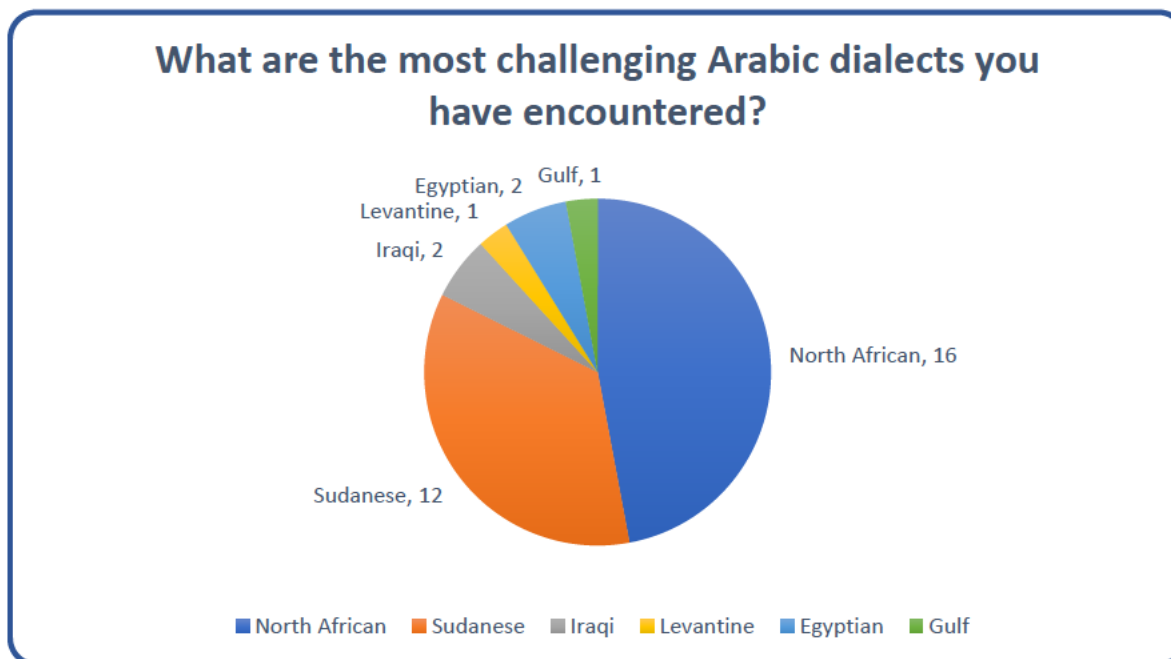


Fig. 2 — Distribution of surveyed interpreters according to difficulties with various Arabic dialects

Another interpreter stated that, in their experience, a Sudanese client whose Arabic is their first language usually speaks very clear Arabic. They added that *“in fact, they were not different from any other Arabic-Speaking client. However, if a tribal language was their first language”*, the interpreter believes *“they then become difficult to understand and they should not be requesting an Arabic interpreter. The real issue is that most of these clients speak broken Arabic because it is a second or a third language they picked up on the street”*, the interpreter concluded.

It is worth noting that currently the only Arabic dialect formally acknowledged by NAATI as distinct and one that service providers can request is Sudanese Arabic.

The reader may be wondering if, as shown above, the North African Arabic dialects are the most challenging, why more discussion and comments were presented about the Sudanese Arabic dialect. The answer is that the Sudanese-Arabic-speaking community in Australia is much larger than its North African counterparts and thus the Arabic clients of the former needing interpreting. In other words, the rate of Arabic Sudanese clients that the interpreters encounter in their day-to-day practice is a lot higher than clients of North African Arabic dialects. This perhaps explains why NAATI currently provides the option to request a Sudanese Arabic interpreter but not a Moroccan or Algerian Arabic one for example.

Another interpreter commented that the Iraqi dialect was the most challenging for them in their first year of practice (and indicated they overcame that after a year of practice):

“Their [Iraqi] dialect has a lot of Persian and Turkish words. Although I’m from an Egyptian background, I grew up around a lot of Lebanese-speaking friends, I remember being over-confident when I started my Interpreting course. That was

until I heard the Iraqi dialect. I buddied up with a fellow student who was from an Iraqi background, we used to study together, and we spent hours comparing dialectal differences between Egyptian, Lebanese, Iraqi, Modern Standard Arabic, Formal Standard Arabic, and many other Arabic dialects. It took me a year to become confident with the Iraqi dialect. I was always seeking clarifications, asking Iraqi-speaking interpreters a lot of questions, as well as watching lots of Iraqi programs/movies”.

As a result of ADCs, one interpreter admitted:

“I personally do not accept legal jobs with Sudanese, Algerian, or Moroccan clients if the dialect is mentioned. If not, I’ll communicate to the judge or the police officer my concern”.

Two factors may explain the pattern of feedback regarding the Arabic North African and Sudanese dialects. First, for many of the speakers of these dialects, Arabic is either not their first language or, at best, it has been heavily influenced by local or ethnic languages. This makes it hard to have mutual intelligibility with speakers of other dialects at the level required in a legal setting. The other factor can be related to the demographics of the overall Arabic community in Australia and the ratio of the various national backgrounds. At present, the Levantine and Egyptian communities in Australia, for example, are much larger compared to their Sudanese or Moroccan counterparts, naturally resulting in a much higher number of clients and interpreters in these dialects. Therefore, the Levantine and Egyptian dialects tend to be spoken much more often in interpreting encounters in Australia, making it easier for interpreters to become familiar with them.

One aspect that supports this hypothesis, and this is rather based on anecdotal feedback from the surveyed interpreters, is that the ADCs do not seem to be even, or to the same extent, across the various EAI/client combinations. The North African and Sudanese interpreters, for example, do not seem to have a problem with the more common dialects like Levantine or Egyptian on the same scale as in the reverse direction. Whether the above argument is a valid explanation or part of the explanation is a matter which needs further investigation. The scope of this study does not allow for a data-based and reliable explanation in this regard.

3.2. Interpreters' strategies

The data collected from the surveyed interpreters shows that when the interpreter and the client speak different dialects, it is usually a matter of negotiation to reach common ground in the case at hand. However, this does not mean it is always going to work. As one interpreter pointed out,

“I resort to Modern Standard Arabic if the NES is literate in Arabic. A problem occurs if they’re not”.

In response to a question about the strategies they use to deal with ADCs, the pattern of interpreters' answers (in order of frequency) was as follows (See Fig. 3 below): Negotiate a workable Arabic variant(s) for the case at hand – 14, ask for a repeat/clarification – 11, ask

the ASCC to speak slower and in short segments – 4, try to adjust the dialect to suit the client – 3, decline/withdraw from the assignment – 2.

As shown in Fig. 3, the most common strategy reported by the interpreters is using different variants of Arabic, mainly semi-formal Arabic, and the avoidance of slang expressions specific to a particular region. It must be noted here that while negotiating a common ground for mutual intelligibility with a client, interpreters are required to make sure the register of the exchanges is maintained. This shows another dimension of the AVCs Arabic interpreters encounter, particularly in court interpreting.

Remarkably, however, the supposedly most common conversational version of Arabic in legal settings — ESA — is not referred to by the interpreters as frequently as one would expect. A possible explanation is that language variant was a relatively recently accepted form of Arabic in interpreting by NAATI, and interpreters often refer to MSA when they most likely mean ESA. This is because data received from interpreters shows that except in specific cases (sight translation for example), MSA is rarely used in English-Arabic interpreting.

The second most common strategy interpreters claim to use is requesting permission from the presiding judge/magistrate to ask for clarification or repetition from the Arabic speaker. This is evident in the following testimonies:

- *I address the judge and seek approval to obtain more clarification of the word that was used by the Arabic speaker*
- *Ask for an explanation if I come across a difficult term*
- *Asking for clarification*
- *Ask the client to repeat*
- *If unsure, I ask the client to rephrase*
- *Ask for clarification and confirm the meaning that needs to be conveyed. Ask them to speak slowly before we start*
- *I repeat to them what they said to make sure I have understood correctly, then interpret*
- *In some cases, I asked the Arabic-speaking person to clarify*
- *Clarify with LOTE clients*
- *Ask for repetition sometimes more than once*
- *I asked the speaker to speak slower*
- *Ask politely the client to speak slowly, and to repeat the words that I wasn't able to hear and comprehend*
- *I ask the judge to ask the client to give short answers*

Other interpreters reported that they try to adjust their dialect and speak as closely as possible to the client's dialect. In extreme cases, due to ADCs, some interpreters report withdrawing from the assignment altogether, as indicated in the following comment:

"[I] decline the assignment. I withdraw from the session if I cannot convey the right meaning".

The above are strategies interpreters reported using during live sessions. Another important class of strategies is what can be referred to as pre-emptive strategies and are to do with general PD. They include compiling a cross-dialectal glossary, interacting with fellow EAs of other dialects, and watching audio and video clips and other suitable material in other Arabic dialects, as evident in the following comments:

- *I created a glossary of these different words from the Lebanese dialect*
- *[I] developed my dialectal understanding through my colleagues and also a glossary of new words*
- *I watch lots of movies and TV episodes in those dialects*

3.3. Experience and Arabic dialects challenges

In response to the question of whether accumulated experience enables the EA to gradually overcome ADCs, the answers were in the vast majority in the affirmative (23 out of 25).

As to the number of years it approximately takes an EA to feel comfortable servicing clients of other Arabic dialects, the answers were: One year – 2, two years – 2, three years – 5, five years – 2, and more than five years – 8. Four participants provided a non-specific response (“it depends”), while six others did not answer the question.

Based on the above answers, with more years of experience, an EA would, to some extent, overcome ADCs. While there will always be new words, after typically five years, the interpreter would have had a great deal of exposure to the common Arabic dialects and accents spoken in Australia and therefore would have come across most of the common cross-dialectal terms and expressions.

However, and again based on the study data, it must be stressed that while these challenges are to a great degree resolved in relation to the common dialects (Iraqi, Egyptian, Levantine), they are not resolved to the same extent when it comes to the more challenging dialects such as the Sudanese and North African Arabic dialects. Challenges with the latter two dialects seem to continue to be a problem for interpreters of other dialects. For the possible reasons discussed above (less common in Australia, heavily influenced by other local and ethnic languages, etc.), these Arabic dialects seem to be a special category, and as suggested above, a thorough examination of them and associated challenges is highly recommended.

3.4. Recommended strategies as suggested by the participating interpreters

To the question of whether training on other Arabic dialects is a practical option, the interpreters' answers were: Yes – 21; No – 3; Blank (no answer) – 1. (Fig. 4)

As to whether Arabic interpreters should limit their legal assignments to clients of the same dialect, the response was a resounding No (Yes – 2; No – 20; Blank (no answer) – 3. (Fig. 5)

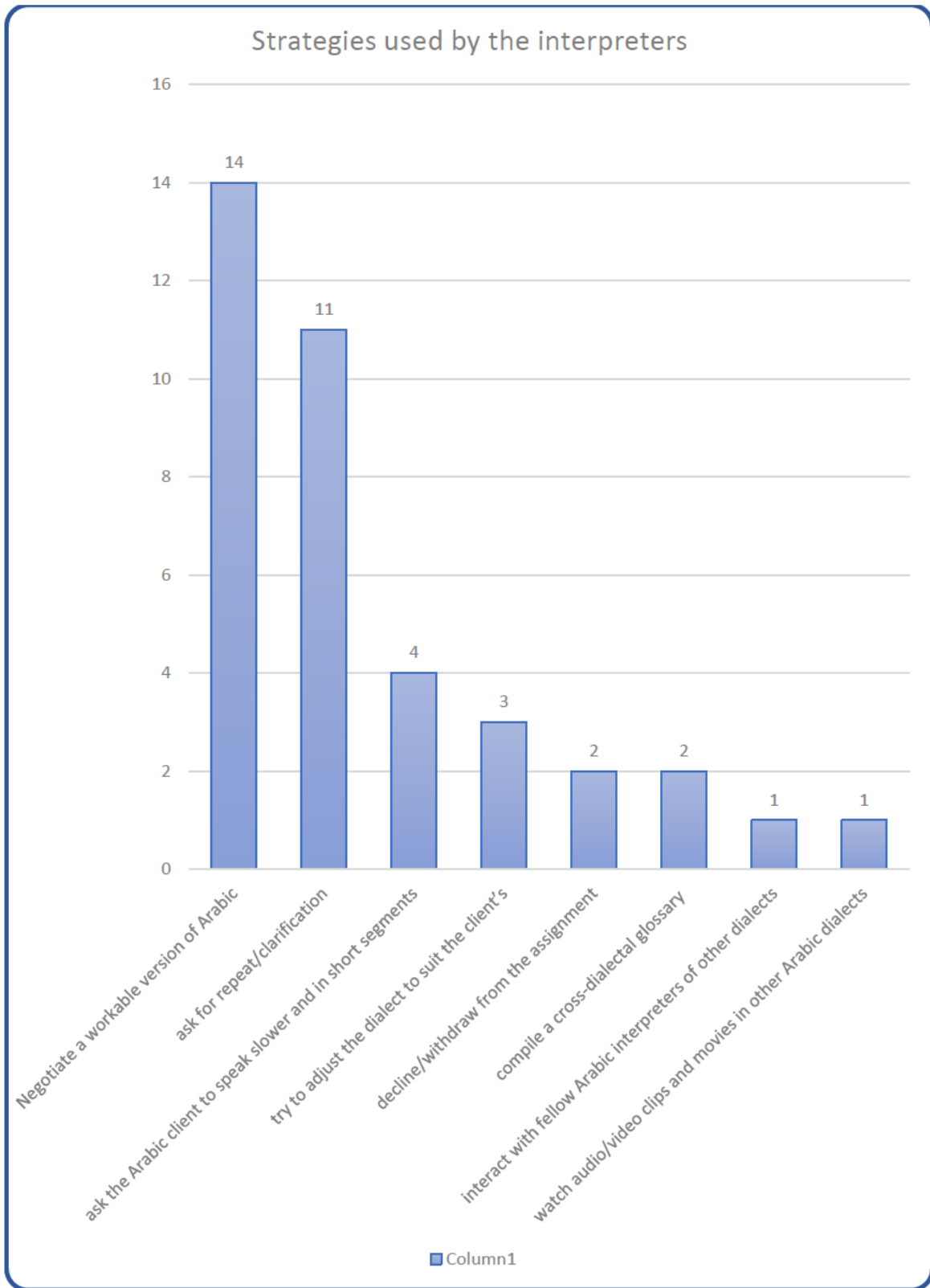


Fig. 3 — Distribution of surveyed interpreters according to strategies used to deal with ADCs

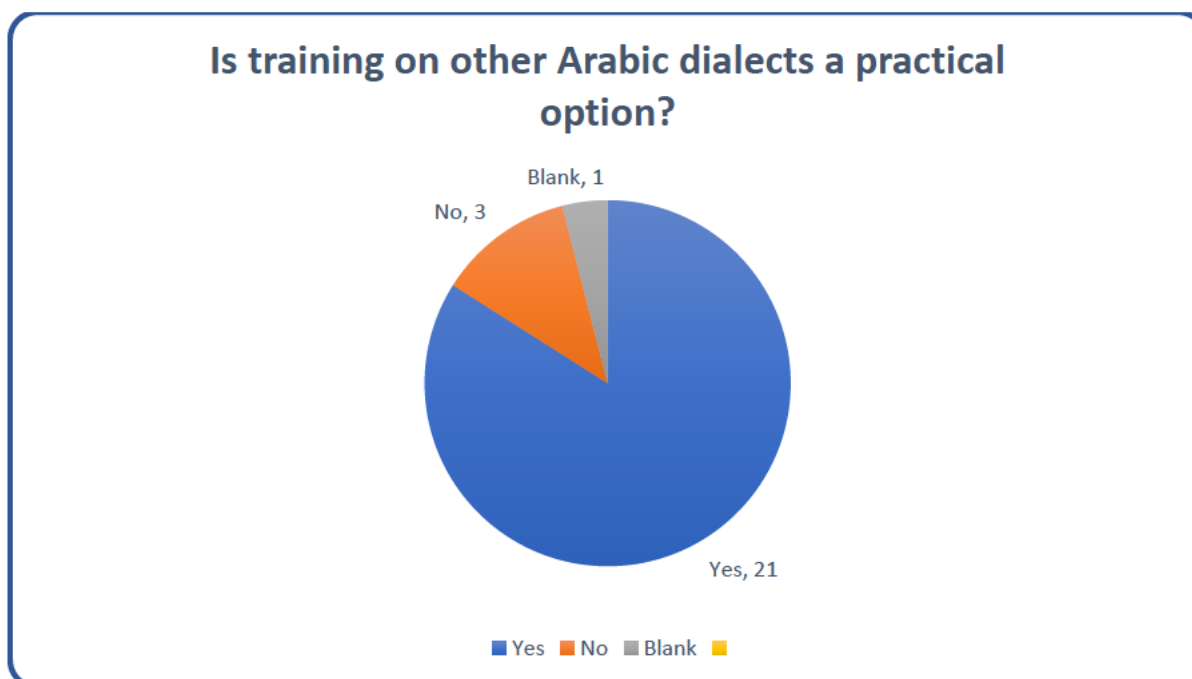


Fig. 4 — Surveyed interpreters' answers to the question of whether training on Arabic dialects is a practical option

From these answers, as well as the interviews and the focus group discussions, it is clear that the dominant view of the surveyed interpreters is strongly against being referred to as a dialect-specific group i.e., Egyptian, Iraqi, Lebanese, Sudanese, etc. interpreters. They insist that the Arabic language is one but with a variety of dialects and that creating dialect-based subgroups of EAls will lead to increasing the dialectal gap, and to making a challenging issue worse.

As a follow-up to the above question, four types of dialect training were proposed, and interpreters were asked to 'tick' where applicable. Table_1 below shows the results.

The interpreters were then asked to provide comments or suggestions that, in their view, would enhance English-Arabic interpreting, in particular in relation to the AVCs.

As expected, many suggestions were a reiteration of the strategies they were deploying already and presented in Section 3.2. However, these strategies seem to be based on the individual interpreter's experience and intuition and are not necessarily the most efficient or productive. This is where this study aims to step in and formulate more effective and research-based strategies.

For example, the pre-emptive strategy of including the dialects in interpreting academic training programs was not proposed by the interpreters but was heavily endorsed by them when it was suggested in the study ("Ticked – 16, "Unticked" – 5, "NA" – 4). This is

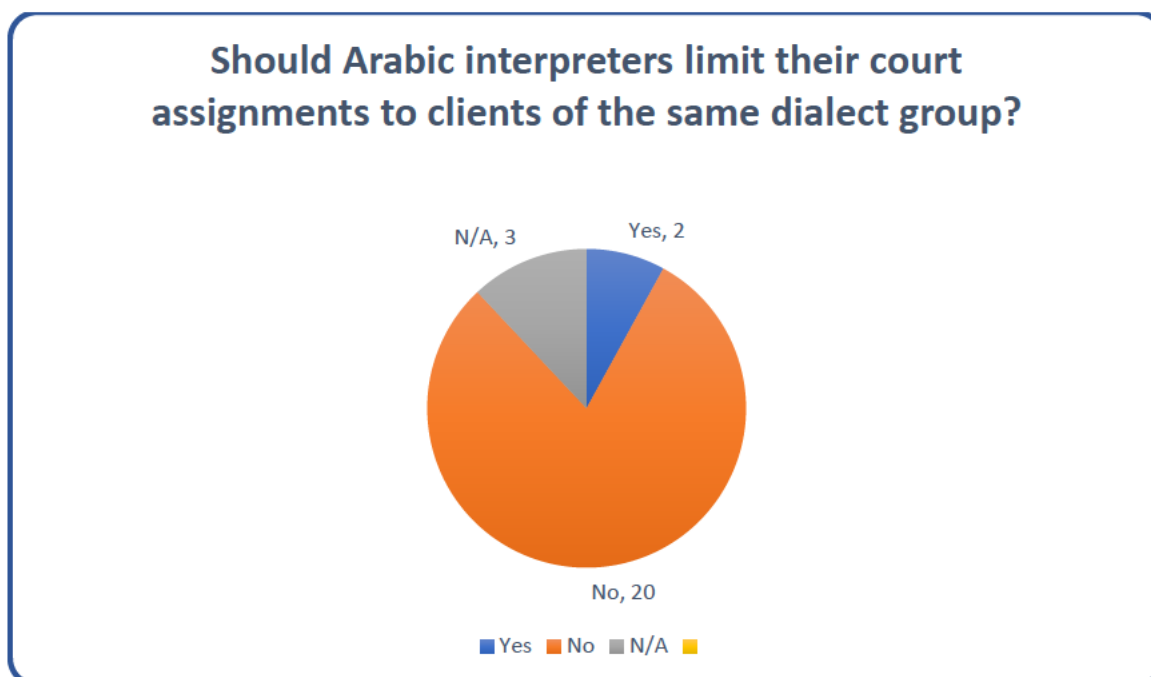


Fig. 5 — Distribution of surveyed interpreters' answers to whether interpreters should limit themselves to court assignments with clients of the same dialect group

evidenced in comments that signal approval of *"more training in this field for interpreters"*, and endorsements such as, *"I think dialect training for interpreters would be great"*. In their feedback, one interpreter said that *"training should not only be about learning and practicing other [Arabic] dialects but also about strategies and skills about things to do or not to do when facing ADCs"*.

3.4.1 Table 1 — Interpreters' answers regarding dialects training options

Dialects training option	Ticked	Unticked	N/A
Dialects practice should be part of interpreters' training	16	5	4
Participating in mock interpreting sessions with fellow interpreters of other Arabic dialects	15	6	4
Watching/listening to movies and audio clips and other materials in other Arabic dialects	18	3	4
Compiling a comprehensive cross-dialectal glossary	20	1	4

3.5 Focus group data

The discussion at the focus group forum concentrated on the study questions and its draft findings and recommendations. The derived data was consistent with that collected from the interpreters through questionnaires and interviews. Following is a list of the key points from that discussion (Appendix B contains a full transcription of the discussion):

- Interpreting is and should be based on a collaborative approach between the interpreter and the Arabic client

- There could be a mismatch between interpreting theory and practical day-to-day reality
- PD is crucial in the interpreting profession and practice on Arabic dialects should be an essential part of such PD
- Apart from training on the key Arabic dialects, interpreters need to acquire strategies to handle ADCs when they arise
- ESA — a relaxed version of MSA — is the right solution in most cases with AVCs
- Briefing interpreters, including informing them about the client’s dialect, is essential ahead of legal interpreting assignments
- Clients with more formal school education are easier to interpret for, because they tend to form better sentence structure and are more likely to be able to communicate in ESA. So, when it comes to ADCs, it is not only about vocabulary and terminology but about sentence structure and accent as well
- Cross-dialectal glossaries — legal, medical, business, social security, etc. — can be very helpful for interpreters
- Collaboration between LPs and interpreters is essential, especially in cases with ADCs
- The formality of the courtroom and its strict procedures and processes make interpreting in this setting particularly challenging
- Watching drama and other video materials and listening to audio clips in other Arabic dialects is effective in overcoming ADCs
- As an example of the scale of dialectal diversity in the Arab world, in Algeria alone, there are at least 10 distinctive sub-dialects
- Sudanese dialect is challenging when Arabic is not the client's primary language. Arabic of people in some regional areas is mixed with ethnic and/or local languages
- In 30% to 40% of cases LPs request an interpreter with a dialect the same as the client’s. Agencies and service providers cannot always meet this demand
- Court interpreting is not for everyone. One would need to have the right attitude, confidence, public speaking skills, as well as a good understanding of the court processes and procedures
- Interpreters need to gain some experience in various settings such as community interpreting, arbitration, mediation, and private lawyer sessions before they are assigned court jobs
- The Interpreters view is that we should have a situation where we do not say Lebanese interpreter, Iraqi interpreter, etc. but Arabic interpreter
- Some Arabic dialects terms are profanity in other Arabic dialects — another potential challenge for EAls
- It is advisable that in some specific and limited cases, Sudanese, and North African Arabic-speakers be assigned an interpreter of the same dialect
- Becoming familiar with another dialect is — in some respects — similar to learning another language
- The idea of undergoing training on other Arabic dialects is to minimise the frequency of cases where clarification or repetition in the courtroom is needed
- Interpreters are officers of the court
- ASCCs can do with more education about the Australian legal system, related processes and procedures, and the role of the interpreter

- Specialisation in legal interpreting is a controversial and polarising issue. Some interpreters strongly support the idea while others are strongly against it

3.6. Arabic dialects challenges from the perspective of legal professionals

Surveyed LPs' answers clearly indicate that Arabic dialects pose challenges for them as well. However, because they do not seem to have sufficient knowledge about the issue, related intricacies in their case can be even more challenging.

One LP stated that the difficulties depend on the dialect at hand: *"courts and LPs should always be aware of and have some understanding regarding the various Arabic dialects"*. According to them, *"interpreters who speak Lebanese or Egyptian dialect are usually universally understood. However Arabic language interpreters from Somali or Sudanese backgrounds could sometimes be difficult to understand by clients with different dialects"*. They added, for example *"clients requiring North African Arabic [interpreter] may be challenging to work with because, except for Arabic Sudanese clients, they [the LPs] cannot request an interpreter for a specific dialect"*. Some LPs claim that because of that, in some cases they had to try multiple interpreters, which could be frustrating for the client.

Other LPs reported that *"not all Arabic dialects are the same and that interpreters should be honest when confirming the dialect they speak"*. They claim that younger clients are generally indifferent to this matter. Other surveyed LPs said that their experience has mainly been positive because *"there is a wide variety of Arabic language interpreters, and the Immigration Department usually secures good quality interpreters"*. According to them, *"this is not the case in other languages where there is a limited number of interpreters, and often they would get interpreters who are not accurate in their interpreting"*.

To deal with ADCs, some of the surveyed LPs claimed they organise a five-minute telephone conversation between the interpreter and the client before the actual interview to ensure they can understand each other. Yet another LP said that generally, they engage an interpreter who has a similar dialect to the client so *"that from the outset, there is an interaction between all parties present in the room"*. According to them, *"this provides the client with a calming influence, particularly as most clients who require interpreters are 50 years old and above"*. Another participant said that in some complex cases *"they have to request another interpreter [in order to match the client's dialect] and it is usually granted"*. They added *"that interpreters should not take offense if a new interpreter is required in their place as this is done to minimise legal challenges in the future and not because the interpreting quality was poor"*.

Because, as indicated above, LPs generally do not have adequate knowledge about dialectal differences, it can be even more challenging for them to deal with the issue, which can lead to delay and frustration. *"It can involve calling the interpreting service again and arranging another interpreter, which ultimately creates delay with the consultation, or the legal advice being sought,"* said one of the surveyed LPs.

Other professionals testified that on some occasions, a client may complain about the dialect, but this may be a tactic they employ when their interview is not going their way. In such cases, *"the client may deliberately try to complain and deflect blame onto the issue of their dialect"*

being different to their interpreter's". This may constitute another challenge for the interpreter. *"In these instances, the officer will make a judgment whether a new interpreter is required"* this participant concluded.

The above testimonies highlight the dialectal implications from the LPs' point of view. They demonstrate that they need to be better informed about the matter to help them work with other stakeholders — primarily the interpreters — toward an optimal solution for dialect disparity issues.

3.7. Recommendations by the legal professionals

Based on their feedback, LPs believe there should be a recognition that the Arabic language has multiple dialects, something which needs to be considered when engaging an interpreter. They believe that an initial meeting should be arranged between the interpreter and the client before an interpreting session. They also recommend that the LPs should provide a short briefing to the interpreter about the client and their dialect. Another participant suggested that it is essential for both LPs and interpreters to be aware of the possibility of dialectal mismatch and to call it out if it occurs. Others suggested *"conducting information sessions or producing booklets to educate LPs and migration agents on the dynamics of the bilingual sessions and how to work with interpreters"*. In another recommendation, it was suggested that *"any party which requires the services of an interpreter is advised to inform them beforehand if they speak a specific or different Arabic dialect"*. According to them, this would help facilitate the court session and streamline the overall process.

The LPs' recommendations also include ensuring that an interpreter with the appropriate Arabic dialect is chosen for each client (such as Lebanese, Egyptian, Iraqi, etc.) and that *"the client should understand the role of the interpreter and if the lawyer does not explain it, the interpreter should"*. According to them, *"LPs need to understand the country the witness/client is from and should obtain an interpreter from that country"*. Other LPs suggested that *"having more than Sudanese Arabic and Arabic varieties would be beneficial"*.

To help put the above suggestion by the participating LP in context, it is worth noting that according to NAATI current certification system, the only Arabic dialect that can be specifically requested is Sudanese Arabic. Therefore, strictly speaking, service providers cannot for example request a Moroccan, a Lebanese, an Iraqi, or an Egyptian interpreter. What the LP is saying is that they would prefer higher flexibility and the ability to select other specific Arabic dialects and not only Arabic Sudanese.

While, based on the discussion above, one would understand why service providers (in this case, LPs) would want more selectable Arabic dialects, this suggestion is clearly in contradiction with the interpreters' view and the recommendations of this study. Where the whole idea is aiming for a dialect-seamless Arabic interpreting environment, further differentiating the Arabic dialects would, in the long term, have the opposite effect. In other words, it is about aiming for a situation where service providers can simply request an Arabic interpreter knowing they would do the job regardless of the client/interpreter dialectal combination.

Chapter 4 – Discussion

This study stemmed from the researcher's own experience as a court interpreter. In the course of his practice, he noticed that the Arabic language varieties posed distinct challenges in legal interpreting, but there were no standards or guidelines in place to deal with the issue. He also noticed that quite often, when called for a legal interpreting assignment, the requesting party wanted to make sure he was of a certain Arabic dialect. In addition, in a number of cases in his early years as an interpreter, he struggled with some clients of other Arabic dialects leading him to doubt his skills and competence and to stress on the job. However, after more than six years of experience, while he still occasionally encounters new cross-dialectal terms and expressions, he believes that he has come a long way learning on the job, and now feels much more comfortable in this regard. Remarkably, the issue of Arabic varieties and their potential challenges was never raised or thoroughly discussed throughout his years of academic training and practice.

As indicated in the previous chapters, many factors may impact mutual comprehension between an EAI and their client, but the focus of this study is on those associated with the diglossic multi-dialectal nature of Arabic. Following is a reminder of the questions the study aims to answer:

- Do Arabic varieties pose challenges in legal interpreting?
If yes:
- Is there adequate awareness about such challenges on the part of the relevant stakeholders?
- What are the strategies the stakeholders, in particular the interpreters, use to deal with these challenges?
- Are these strategies efficient and effective?
- Would more years of experience enable an interpreter to overcome ADCs?
- Can preemptive measures, such as including key Arabic dialects in the interpreting academic programs, help the interpreters be more dialects variety ready by the commencement of their career?

4.1 How does this research fit in the context of existing studies?

Needless to say, conducting a research project like this is not possible without closely exploring similar studies in the field and carefully reviewing their results and findings. The detailed literature review in Chapter_1 is a testimony to this.

This study is about legal interpreting, which means it has aspects in common with linguistic, legal, and bilingual interpreting studies (Cao, 2007, p. 7). The studies which were closely consulted and have played a role in informing this project fall into one of these three categories. The relationship in this context is mutual; while these studies served as the theoretical foundation for this research, given its topic, this study aims to fill a gap by adding what the researcher believes is the missing link in the context. In other words, these studies

together with the narrow focus of this project, help answer this study questions and generate research-informed findings and recommendations.

4.2 Explanation of the study findings

4.2.1 Key findings

This study hypothesised that the Arabic varieties pose distinct challenges in English-Arabic legal interpreting, above and beyond the general challenges in the setting. Furthermore, it hypothesised that in the absence of a proper investigation and well-defined procedures and guidelines, there is no adequate awareness of the issue among stakeholders, such LPs, judicial officers, and interpreting agencies.

This chapter discusses the study findings, evaluates their theoretical and practical significance, and presents some recommendations. The next (and last) section of this paper outlines the limitations of the study and proposes a number of related topics for further research.

This study data validates both parts of the above hypothesis. So, the Arabic language varieties do pose distinct challenges in the English-Arabic legal setting, and the relevant stakeholders do not currently have adequate awareness about them. This lack of awareness means there is no formalised collaboration between the parties such as interpreters, LPs, judicial officers, and interpreting agencies, and they seem to deal with a rather serious issue based on intuition and individual experience.

For example, quite often, in response to the client or their family's demand, the requesting party has to check whether an interpreter speaks a particular Arabic dialect. They do this without necessarily understanding the reasons for the request or possible options. Cho asserts that “this level of [Arabic] linguistic diversity is not generally encountered or understood outside the Arab world and that the common misapprehension that there is a standard Arabic language often leads to problems for Arabic interpreters” (Cho, 2022, p. 106). As a result, the various parties act as if there is no issue in this regard and assume things will be ok.

However, based on both the literature (Hale and Hayes 2010 study, for example) and this study data, it is clear that, due to the complexity and sensitivity of the legal setting, miscommunication and inaccuracies in court interpreting can be serious and may lead to adverse consequences. Hence the need for further research on the topic as outlined in the last section (conclusion) of this paper. Abuata and Al-Omari point out that Arabic dialects introduce a new dimension to Arabic conversational varieties (Abuata and Al-Omari, 2015, p. 104). De Jongh, on the other hand, affirms claims that factors such as the geographic location of acquiring a dialect, the formal school level of interlocutors, and the technical jargon that may be used, have a bearing on the interpreter's choice of terms and expressions (De Jongh, 1991, p. 285). Cote asserts that Arabic speakers face the problem that different dialects are not always mutually intelligible requiring them to negotiate a common ground or end the conversation altogether. As a result of the above, Suleiman envisages the need for Arabs to find a unifying, mutually comprehensible version of the language (Suleiman, 2003, p. 142).

Having established the scope of ADCs and their impact on accuracy in legal interpreting, the next question the study aims to answer is what strategies the various parties, and particularly the interpreters, deploy to deal with these challenges and whether such strategies are effective and efficient.

Based on the collected data, the two most common strategies Arabic interpreters use to deal with ADCs are to ask for permission from the bench for clarification or repetition from the ASCC, or to adjust the Arabic variant spoken in the case at hand to suit the client. Although legitimate and acceptable (and sometimes unavoidable), given the formality and time constraints of the courtroom setting, asking for permission to seek clarification from the client is not an effective solution, especially if it occurs too frequently.

To start with, it deprives the party asking the question of hearing the spontaneous answer from the court client. This is consistent with Gallez and Maryns claim that “by asking the witness to repeat or rephrase, the interpreter has become instrumental in depriving the lawyer and the court of knowing the witness's original answer” (Gallez and Maryns, 2014, p. 66). Also, requests for repetitions and clarifications take precious court time. The JCCD document quotes an example of a case where “because of a lack of briefing, an interpreter had to seek permission to ask for a correction and it was granted” but according to the document, “much time was wasted” (Judicial Council on Cultural Diversity, 2017, p. 79). Cho cites an example of a court case where the interpreter and the client spoke different dialects and the undesired consequences. After arriving at a court assignment, the Iraqi interpreter found that the client was of Libyan dialect, a dialect she knew she would struggle with, especially in a courtroom setting. Realising it was too late to withdraw from the assignment, she had to come up with a strategy and resorted to triple-checking. So, every time she had to echo back to the client what she had heard to make sure she understood the client’s utterance in the Libyan dialect (Cho, 2022, p. 106). The negative effect, in the form of extra precious court time taken in cases like this, is obvious. In addition, there are cases — police recordings transcriptions, for example — where obviously there is no opportunity for clarification, while accuracy there also is of utmost importance. All this demonstrates that the frequency of such cases in court should be kept to a minimum, and more effective strategies need to be considered to deal with linguistic variety challenges.

The next question this study aims to answer is whether more years of experience help interpreters overcome ADCs and, if so, how long on average, this takes. The idea is to ascertain whether including practice on Arabic dialects in interpreting training programs would help greatly shorten that duration and makes interpreters comfortable servicing clients of other dialects upon graduation and certification.

The study found that with more experience — typically about five years — Arabic interpreters do gradually, and to some extent, overcome dialectal problems. Among others, the following study observation clearly supports this finding. The ADCs were particularly evident in the answers of the surveyed RACS lawyers. This organisation is known for using primarily volunteers either newly graduated interpreters or bilingual assistants (non-certified interpreters) — both therefore with limited experience. This further demonstrates that new interpreters are much more likely to struggle with dialectal variety compared to their experienced counterparts.

Therefore, and given that currently, most training seems to take place on the job, the next question the study seeks to answer is whether preemptive measures could be adopted, including training on Arabic dialects in a formalised way, as part of the interpreting academic courses. When put to the surveyed interpreters, this proposal was endorsed by a ratio of 16 – “Yes” to 5 – “No” with 4 “Neutral” (uncommitted). So, it is a clear endorsement of the proposal.

From the discussions with interpreters in the course of the study, it became clear that such a measure, in addition to the intended actual practice, it provides students with suitable audio and written training materials and encourages them to train in a collaborative manner. Such organised training could also help raise awareness about the ADCs and prepare interpreters ahead of their graduation so that exposure to other Arabic dialects would not occur first in the workplace. Of course, if this proposal was to be adopted, further details would need to be worked out, for example, whether a test on Arabic dialects would be part of the formal certification process. In this regard, it is advisable that a future study would survey academics, trainers, and certification authorities (in this case, NAATI) for their input and comments.

Other preemptive options that were endorsed include compiling a comprehensive cross-dialectal professional glossary. More details about this proposal are provided in the recommendations section below. Other options, like watching and listening to drama and other video and audio material in various Arabic dialects are commonsense and simple exercises that interpreters can undertake as part of their PD. In fact, many interpreters reported doing that already.

Such preemptive measures are important because, at present, once graduated and NAATI certified, an EAI can be in the market interpreting for any ASCC of any dialect in any setting, including the courtroom. In other words, a newly graduated interpreter is expected to interpret accurately and faithfully for a client of any background in a dialect that may be completely new to them at a standard and accuracy appropriate for the courtroom. The potential challenges and intricacies are obvious.

The data collected from the surveyed EAIs indicates that despite the dialectal differences and associated challenges, they do not believe they should limit themselves to legal assignments with Arabic clients of the same dialect group. They insist that Arabic is one language but with a variety of dialects. Therefore, they are firmly against being classified or labelled as Egyptian, Iraqi, Lebanese, or Sudanese, etc. interpreters. Such dialect-oriented classification, according to them, would increase the dialectal gap and create further confusion and difficulties for the parties concerned. So, according to them, the answer is to bridge and smooth out dialectal differences by bringing interpreters closer, to help facilitate communications with clients of other dialects. This can be achieved by working towards a common ground through training and gaining familiarity with each other’s dialects and making more use of the ESA variant.

The following — an experiment quoted by Lee, Bregman and Ismail — is a further illustration of the above point. Since April 1995, a USA New Jersey judicial officer, in an attempt to provide fairness to them, set a goal to match Arabic legal clients with interpreters of the same dialect. However, faced with the reality that Ethnologue — a preeminent authority on the world’s languages — has identified at least 40 major varieties of Arabic, the officer realised the

magnitude of the task challenges. It is simply not possible to have a testing and certification system that caters to 40 different Arabic dialects and assign every client with an interpreter of the same dialect” (Lee, Bregman and Ismail, 2008, p. 4).

It is worth noting again (as indicated above) that according to the current NAATI language classification, the only selectable Arabic dialect is Sudanese. Cho states that “in the Australian context, both Arabic and Sudanese-Arabic are available for translation and interpreting services” (Cho, 2022, p. 106). Other than that, all clients are considered Arabic-speaking clients. However, this does not stop service providers and agencies from requesting, and in some cases even insisting, on a particular Arabic dialect, something that is most common in legal interpreting assignments.

4.2.2 Secondary findings

Apart from the above key findings, other secondary findings emerged in the course of the study. They came out primarily through the activities involving discussions with the surveyed interpreters (focus group, interviews, and general peripheral discussions) and can be considered by-products of the study. They are as follows:

Specialisation in legal interpreting (including training on and passing a test on key Arabic dialects, for example) is a highly controversial issue. Some interpreters are strongly in favour of the idea, while others strongly oppose it. Interestingly, it was noticed that in private conversations, most experienced court interpreters would strongly support the idea, but in general group discussions, they do not explicitly express this, presumably to avoid upsetting colleagues who oppose the idea. The researcher's observation is that the reason for this sharp disparity is partially due to the fact that the proposition is currently ambiguous and has not been thoroughly explained to the interpreters to make an informed view about it .

As is widely known, dialectal varieties exist even between various regions in a single country. However, based on anecdotal data collected in the course of the study (interviews, focus group, and general casual interactions with the participants), such intra-dialectal differences are almost negligible compared to cross-country dialectal variations, and they do not usually cause difficulties for interpreters. For example, no problems were reported by a Lebanese interpreter with a Lebanese client from another area in the country, and the same applies to the Iraqi, Egyptian, and other interpreters.

Based on that same anecdotal data, it is estimated that in 30% to 40% of legal encounters, LPs or agencies request an interpreter of the same dialect as the client’s. In most cases, they do that in response to the client or the client’s family request or is based on the LP’s own experience born of fear of a lack of mutual intelligibility in the critical courtroom communications.

Based on the surveyed interpreters’ data, it was also established that they do not usually resort to talking to their ASCC in the latter’s dialect. In fact, it is not reasonable to expect interpreters to learn to speak other dialects, however, they are certainly expected — particularly in legal settings — to understand the other Arabic dialects. Overall, it is usually a cooperative approach between the client and the interpreter to establish a common-ground Arabic variant which in most cases is, or is close to, the ESA variant.

The final secondary finding is that (as indicated in the previous chapter) there is a noticeable difference, and even opposing views, regarding the way to deal with the ADCs between interpreters and LPs. While LPs prefer more dialectal differentiation and the ability to select a specific Arabic dialect, interpreters, as discussed above, are strongly against such an approach. This further demonstrates the lack of a mutually agreed approach between the two parties in this regard.

4.2.3 Unexpected findings

In addition to the above results, some unexpected findings came up in the course of this study. Based on the interpreters' data (and as indicated in a previous chapter), it was established that the range and scale of dialectal difficulties are not consistent across the various interpreter/client dialectal combinations. For interpreters who are non-native speakers of the Sudanese and North African Arabic dialects, these two are the most challenging. However, interpreters who are native speakers of Sudanese or North African Arabic dialects do not seem to have a problem on the same scale with the other more common Arabic dialects in Australia (Levantine, Egyptian and Iraqi dialects, for example). As indicated in a previous chapter, this particular issue is outside the scope of this study and requires further detailed investigation.

The second and last unexpected finding in this study — and one that is based on repeated comments from the surveyed interpreters — is a clear and general lack of awareness of court processes and procedures and the role of the interpreter on the part of Arabic clients. While this is something interpreters cannot do much about, it nevertheless adversely impacts their task, since it may impede their client's comprehension of legal exchanges. While the interpreters sense this, the other participants in the encounter are, in most cases, unaware of it. Of course, this is another issue that is outside the scope of this study and warrants a separate investigation.

4.3 Significance of the study findings

The notion that the first step in addressing a problem is identifying it was the guiding principle in this study. At the time this project was launched, no detailed studies could be found to address AVCs in legal interpreting. Thus, the significance of this study lies first in highlighting and putting into context a previously ambiguous and complex issue. It does this by investigating and shedding light on the key Arabic dialects spoken in Australia and identifying associated challenges in legal interpreting. It is hoped that the study will be of benefit to the relevant parties, including government and non-government institutions, judicial officers, LPs, and interpreting agencies, to make better research-based decisions and policies.

On the other hand, given the various stakeholders', at times, conflicting perceptions of the AVCs in legal interpreting, the findings should pave the way for a better and more consistent approach in that regard. This should help generate relevant streamlined strategies and guidelines leading to better collaboration and more effective ways of dealing with the issue. Overall, the study should help by highlighting the seriousness of the issue and paving the way for further discussion and research on the topic.

4.4 Study Recommendations

4.4.1 Formalised training on dialects

One of this study's key recommendations is to make practice on the key Arabic dialects spoken in Australia part of EAls training courses and programs. A dedicated academic unit on Arabic dialects could be considered as part of the relevant curriculum. The English-Arabic interpreting class at a TAFE college or university is naturally a group of students from various Arab countries with different dialects. Therefore, it would not be hard for example, to conduct mock interpreting sessions where students with different dialects could take turns interpreting for each other and with those playing the role of ASCC speaking their raw dialects. A collection of pre-recorded dialogues in the various Arabic dialects could also be used as training materials. While Arabic interpreters are not expected to learn to speak other dialects, they are expected to be able to understand clients who speak different dialects, hence the importance of such training.

4.4.2 Briefing

The view among legal interpreters is that, ahead of court sessions, LPs are preoccupied with the case at hand, and do not pay attention to the interpreter's role and the need at least for a basic briefing. Therefore, it is recommended that ahead of legal sessions, interpreters are advised of the Arabic client's dialect and, notwithstanding privacy issues, of their age bracket and level of school education. This is helpful as, according to the JJCCD document, "it is unrealistic to expect even the most competent interpreters to provide a full and accurate interpretation of legal discussions if they have not been briefed and given material in advance to prepare, especially if they are referring to information that is unfamiliar or too complex" (Judicial Council on Cultural Diversity, 2017. p. 58). LPs are also strongly advised to clearly explain to their clients the role of the interpreter and what they can and cannot do according to the latter's profession Code of Ethics. While it seems an obvious and trivial recommendation, the surveyed interpreters frequently raised concerns about the lack of knowledge by the ASCC regarding the role of the interpreter.

4.4.3 Better collaboration between stakeholders

In general, LPs should be made more aware of the Arabic dialectal varieties issue and its potential impact on mutual intelligibility in the English-Arabic legal setting. This will put them in a better position to work with the other parties, especially the interpreters, to make informed decisions if and when such issues arise. Some LPs suggested conducting information sessions or producing booklets to further educate them on the dynamics of bilingual sessions, including the AVCs issue and how to work with interpreters in general.

The interpreters often report that they do not usually have a problem with the LPs' utterances or questions but rather in communicating with their Arabic-speaking clients and believe it is their (the interpreter's) responsibility to make the communication work. However, according to the JCCD document above "it is in fact the role of all parties including judicial officers, lawyers, and other participants in court to bear the responsibility of communicating clearly and share the communication load with the interpreter" (Judicial Council on Cultural Diversity, 2017, p. 53).

4.4.4 Comprehensive cross-dialectal glossary

This study also recommends that a comprehensive cross-dialectal glossary of Arabic terms and expressions be compiled as a reference for professional Arabic interpreters. While it may seem an obvious idea, there is currently no such glossary. The majority of Arabic interpreters, however, were of the belief that creating such a dictionary was an excellent idea and it would be of great help. Here we are not talking about a casual one-page or two-page glossary but a comprehensive professionally prepared one equivalent to a modern digital dictionary.

4.4.5 Cases where an interpreter of the same dialect group is recommended

In some legal interpreting sessions (especially in court hearings), it is recommended that clients of Sudanese and North African Arabic dialects, especially those above a certain age or with limited or no formal school education and from regional areas in their respective countries, should be assigned an interpreter of the same dialect.

While the above recommendations are considered practical and feasible in relation to the common Arabic dialects in Australia (such as Egyptian, Levantine, and Iraqi), a separate examination of the Arabic North African and Sudanese dialects as unique sub-groups and the way they play out in legal interpreting is highly recommended.

Conclusion

Having a multivariant language such as Arabic in legal encounters — a setting notoriously sensitive to language use — would naturally give rise to many challenges, hence the topic of this study. These challenges are primarily associated with two aspects of Arabic: on the one hand, we have the disparity between MSA and the colloquial variants; on the other hand, there are the differences between the various regional dialects that can be significant.

While Arabic is not the only diglossic and multi-dialectal language, judging by the reviewed literature, these aspects are particularly evident and more complex when dealing with this language. This is because, in reality, Arabic, as indicated above, is more than a diglossic language. Besides the main MSA variant, it is a spectrum of variants broadened by the vast geographical area where it is spoken. Among the other factors which have contributed to increasing the Arabic dialectal disparity is that many Arab countries were colonised for long periods of time and were influenced by their colonisers in many aspects, including language. North African Arabic is an example of this. Added to this is the geographical proximity of some Arabic-speaking communities to non-Arab countries. For example, a clear lexical influence of Persian and Kurdish can be detected in Iraqi Arabic.

The study has found that while Arabic varieties do pose challenges in legal settings, the scarcity of published studies on the topic means that there is limited knowledge in the industry about these challenges and ways to deal with them. The study has also found that with more years of experience — typically about five years — Arabic interpreters gradually, and to some extent, overcome ADCs.

The uncommon use of MSA in everyday conversations among Arabic-speakers, the dialectal differences, and the resulting need for a common communication medium have, over time, led to the emergence of a middle language variant that has come to be known as Educated Spoken Arabic (ESA). Based on the collected data, it was established that this variant is, in most cases, the optimal solution to deal with AVCs. Also based on the study data, it has become evident that the dominant view of the surveyed interpreters is that it is not practical or feasible to limit their legal assignments to clients of their dialect group. Accordingly, they want to be referred to as Arabic interpreters rather than a specific Arabic dialect subgroup of interpreters.

In order to shorten the duration of time it takes an interpreter to become familiar with other Arabic dialects, the study recommends making practice on the key Arabic dialects spoken in Australia part of the interpreting training and academic courses. The study also recommends compiling a comprehensive cross-dialectal glossary of common Arabic terms and expressions as a complementary tool to help Arabic interpreters. Notwithstanding the dominant view of the Arabic interpreters mentioned above, the study also recommends that in specific and limited cases, clients be assigned an interpreter of the same dialect or one who is well familiar with that dialect. Examples are the cases of Arabic Sudanese and North African clients above a certain age, with limited formal school education especially those from regional areas in their respective countries.

This study has encountered a number of challenges. Given the timeframe and available resources, the main challenge was obtaining the variety and amount of data outlined in the study plan. While a researcher can run a proactive recruitment advertising campaign, in the end, the data naturally comes from volunteers — members of a third party — a process over which the researcher has little control. This means the speed and volume of potential participants' responses to the campaign are unpredictable.

In the case of this study, despite an “aggressive” but professional recruitment campaign — always in line with the relevant ethics guidelines —, the response in the early stages of the study was poor and much slower than desired and anticipated. Covid restrictions and lockdowns, and subsequent lack of face-to-face contact in areas with a high concentration of Arabic-speaking population, such as the Western Sydney Area, meant that participating in a research project at that time was not a priority for the target demography.

There was another culture-related challenge. During the course of the study, it was determined that members of the Arabic community who had been to court did not necessarily want to disclose that or talk about it making it difficult to recruit Arabic-speaking former court clients. In hindsight, data regarding Arabic dialect experiences in interpreting could have been collected from Arabic clients who had participated in any setting, and the data would have been almost as valuable and relevant for the purpose of the study. However, given the tightening timeframe and the way the study was progressing, it was impractical to adopt that option at a late stage of the project.

Considering these challenges, recruitment and data collection strategies had to be adjusted, meaning the research project would take longer, requiring four extensions totaling around nine months. While it was not possible to collect data from Arabic-speaking former court clients within the study timeframe, a higher number of responses were collected from the other two groups — EAls and LPs (as indicated in Chapter_2). The recruitment and data collection strategies amendment also meant that it was possible to collect additional study-relevant data in other unplanned settings. This was achieved by convening a focus group forum with professional interpreters and also arranging short talkback shows on three Arabic community radio stations, including SBS's radio Arabic program where the researcher appeared as a guest about the study topic. Although the data collected during these radio appearances was limited and did not justify being analysed in the study, the informal chats with the listeners during the shows provided good insight regarding Arabic dialects from the perspective of a lay Arabic-speaking audience.

Notwithstanding the challenges above, as the project was progressing, the focus always remained on the study topic and its key questions. Accordingly, the slight disparity between the planned and the actual collected data was taken into consideration to avoid bias and to ensure that it did not impact the quality and integrity of the study findings. This was confirmed in the course of the data analysis process, where important dialect-related issues were identified and highlighted. In other words, in light of the study questions, the analysis was making the picture clearer, and the key findings were emerging naturally and reliably as outlined in previous chapters.

Despite the efforts invested in this study, and given the time and resources available, it was only possible to investigate one aspect of a complex and multi-dimensional issue. Considering that one of the study goals was to trigger more research in the field, at its completion, it can be said that the need for further studies in the field is now even more apparent.

Such studies might address topics like the Arabic-speaking clients' evident lack of knowledge of the Australian legal system and associated processes and procedures; the impact this may have on the messages exchange process in the setting and the task of the interpreter; and possible ways of relevant education. They could also investigate how the client's age and level of formal school education, and in some cases, illiteracy among some Arabic clients, may impact English-Arabic legal encounters. Other studies might specifically explore the Sudanese and North African Arabic dialects, their unique features, and the challenges they pose, particularly in English-Arabic legal settings. Since a key recommendation of this study is to include dialects in interpreters' training and academic programs, as a primary stakeholder in the training process, a future study may survey academic staff such as curriculum coordinators, lecturers, trainers, etc., to attain their take on this.

Future studies might also investigate ways to further educate relevant stakeholders such as LPs, judicial officers, and interpreting agencies about the challenges specific to the Arabic language varieties and outline strategies for all parties to work together to deal with the issue. El-Farahaty stresses that due to the increasing demand for English-Arabic legal translation, more research on the topic is needed (El-Farahaty, 2016, p. 473). It would be safe to say that this is equally, — if not more, — applicable to English-Arabic legal interpreting.

In summary, further comprehensive and better-resourced studies, in partnership with the relevant stakeholders — including government and private institutions and interpreting agencies — are needed to investigate other aspects of English-Arabic legal interpreting. They would assist in outlining practical strategies and procedures towards more effective interpreting in the English-Arabic legal setting for the benefit of the administration of justice in general in Australia.

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Appendix A – Questionnaires data presented in a table format

A.1 Interpreters' questionnaires data in table format:

A1.1 Table 2 – Interpreters' answers: Questions 1 – 5

Q	Q1	Q2	Q3	Q4	Q5
P	Gender	Country of birth	Primary Arabic dialect spoken	Level of accreditation /certification	Years of practice
1	F	Soudan	Standard	L3	14
2	M	Iraq	Iraqi	Certified Int	11
3	F	Lebanon	Lebanese	Certified I & T	2
4	F	Syria	Syrian	L3	12
5	F	Lebanon	Lebanese	L3	20
6	F	Syria	Syrian	L3	12
7	F	Algeria	Algerian	L2	< 1
8	M	Iraq	Iraqi	L2	11
9	F	Iraq	Iraqi	L2	7
10	F	Egypt	Egyptian	L3	13
11	F	Lebanon	Levantine dialect- Lebanese accent	Certified	17
12	F	Iraq	Iraqi	L2 - Master degree in English language and literature /Faculty of Arts5	5
13	F	Lebanon	Lebanese	L3	20
14	F	Lebanon	Lebanese	Certified	10
15	M	Iraq	Iraq	Certified	11
16	F	Jordan	Jordanian/Pales t	L3	20+
17	F	Syria	Levant	Certified L3	16
18	M	Lebanon	Lebanese	L3	4
19	F	Lebanon	Lebanese	Level3	15
20	F	Iraq	Iraqi	Certified Int	2
21	M	Lebanon	Lebanese	Professional	30
22	M	Australia	Egyptian	Certified (L3)	15

A1.2 Table 3 – Interpreters' answers: Question 6

Q	Q6
P	What dialects have you dealt with in the course of your practice?
1	All Arabi dialects Except Algerian
2	Iraqi, Lebanese, Jordanian, Sudanese, Moroccan (once), Algerian (once), Gulf dialects, Syrian, Palestinian, Egyptian.
3	Egyptian, Iraqi
4	Iraqi, Lebanese, Egyptian
5	Lebanese, Syrian, Iraqi, Sudanese
6	Lebanese, Egyptian, Iraqi, Kuwaiti, Libyan, Sudanese. Moroccan and Palestinian
7	Lebanese, Iraqi, Soudanese dialects
8	Lebanese, Sudanese, Iraqi
9	Iraqi, Syrian, Lebanese, Palestinian, Egyptian, Sudanese.
10	Iraqi, Lebanese, Egyptian, Sudanese, All Gulf dialects
11	Levant, Gulf, Egyptian, Mesopotamian and to a lesser extent Moroccan
12	Iraqi, Lebanese, Sudani, Syrian, Egyptian, Bidwin
13	Eg, ir, leb, sy, pal
14	Levantine
15	Iraqi, Lebanese, Syrian, Jordanian, Egyptian, Libyan, Tunisian, Moroccan, and Sudanese
16	Iraqi, Lebanese, Palestinian, Syrian, Jordanian,
17	Every Arabic dialects
18	All Arabic dialects
19	Various Lebanese dialects/various Iraqi dialects/Palestinian/Egyptian/Sudanese/Algerian/Marrocan/Jordanian/Syrian/Ahwazi
20	Iraqi, Lebanese, Egyptian, Syrian
21	Iraqi, Sudanese, Lebanese, Syrian
22	I have dealt with all the Arabic dialects

A1.3 Table 4 – Interpreters' answers: Questions 7 – 7ab

Q	Q7	Q7a	Q7b	Q7ab
P	Difficulty with a particular Arabic dialect(s)	If yes, Which one(s)?	what are the strategies you deploy to deal with this?	b. limit their court assignments to clients speaking the same as their dialect?
1	No	Blank	N/A	Blank
2	Yes	Sudanese etc.	Developing my dialectal understanding through my colleagues and also glossary of new words.	Blank
3	No	Blank	N/A	No
4	Yes	Algerian, Tunisian, Moroccan	* Use modern standard Arabic * Ask the client to use modern standard Arabic	No
5	Yes	Iraqi, Gulf, Algerian, Moroccan	I address the judge and seek approval to obtain more clarification of the word that was used by the Non-English Speaker. Avoid using colloquialism and jargon in court. Using vocabulary that is common between all Arabic dialects. I use Formal Arabic, when possible, as it is more understood by majority of Arabic speakers.	No
6	Yes	Some Moroccan dialects. Especially on one occasions where the speaker was elderly and illiterate	I asked the speaker to speaker slower. I tried speaking to them using literature Arabic using simple terminology.	Yes

7	Yes	Soudanese dialect	<ul style="list-style-type: none"> • Ask politely the client to speak slowly, and to repeat the words that I wasn't able to hear and comprehend. • Wait for the client to finish his\her sentence in order to understand what he\she was saying. However, it is important to remember that we cannot be accurate if we translate word by word instead of rendering accurately the client ideas and thoughts. • Always use the Modern Standard Arabic in order to simplify comprehension to the client or use his\her own words (from his\her dialect). 	No
8	Yes	Sudanese	<ul style="list-style-type: none"> • Asking for clarification • Switching to closer dialect like Egyptian 	No
9	No	Blank	Ask for an explanation if I come across a difficult term	No
10	Yes	Same as thick Sudanese	Try to use formal or semi-formal vocabs	No
11	Yes	Moroccan/ Algerian (mix of Arabic, Berber & other local language/dialect)	Resort to Modern Standard Arabic if NES literate in Arabic. Problem occurs if they're not.	No
12	No	Blank	N/A	No
13	No	Blank		No
14	Yes	Iraqi, Sudanese, South African	<ul style="list-style-type: none"> • Ask client to repeat • Take notes • I ask Judge to ask the client to give short answers • If unsure, I ask client to rephrase 	No
15	Yes	Tunisian, Moroccan, and Sudanese	<ul style="list-style-type: none"> • I use standard Arabic rather than slang • I try to speak the nearest understandable dialect to those dialects. 	No

16	Yes	Sudanese & Algerian or the North African Languages	Ask for clarification and confirm the meaning that needs to be conveyed. Decline the assignment.	No
17	Yes	South Sudan	Ask them to speak slowly before 2, we start I repeat to them what they said to make I understood correctly Then interpret	Yes - In certain situations
18	Yes	Sudanese, Algerian, Tunisian and Moroccan	<ul style="list-style-type: none"> • I interpreter using formal Arabic. • I created glossary of these different words from Lebanese dialect. • I watch lots of movies and TV episodes of those dialects. • I asked in some setting the Arabic speaking person to clarify. • I withdraw from the session if I cannot convey the right meaning. 	No
19	No	Blank	N/A	This is not an option
20	Yes	Egyptian and sometimes Lebanese, both in terms of communicating the meaning in required Arabic dialect not in terms of understanding the dialect	<ul style="list-style-type: none"> • I try as much as possible to use the clients dialect with some educated standard Arabic • Clarify with LOTE clients 	No
21	Yes	Sudanese Dinka	Ask for repletion sometimes more than once	Blank
22	No	Blank	N/A	No

A1.4 Table 5 – Interpreters' answers: Questions 8 – 8aa

Q	Q8	Q8a	Q8aa
P	Do you believe that with more years of experience, an interpreter would overcome the dialects associated challenges?	How many years approximately does it take to do that (to reach a stage where they can handle challenging dialects)?	a. get training on other Arabic dialects
1	Yes	Blank	Blank
2	yes	> 5 years	Yes
3	Yes	2	Yes
4	Yes	1	Yes
5	Yes	Blank	Yes
6	No	Blank	Yes
7	Yes	1	No
8	Yes	3	Yes
9	Yes	3	Yes
10	Yes	It depends on the exposure the interpreter has	No, because training is mainly in formal Arabic
11	Yes	More than 5	Yes
12	Yes	It depends	Yes
13	Yes	3	Yes
14	No	N/A	Yes
15	Yes	5	Yes
16	Yes	More than 5 years	Yes
17	Yes	However, there will always be times when you face challenges. Can't be quantified	Yes Recommended
18	Yes	5 years	Yes
19	Yes	I believe everyone is different	Yes it might work to a certain extent
20	Yes	More than 5 years	Yes essential if the interpreter to take assignments with clients speaking other dialects-
21	Yes	It is an everlasting challenge	Yes
22	Yes	Blank	Yes

A1.5 Table 6 – Interpreters' answers: Question 9

Q	Q9		
	If you answered yes to point a. above i.e., it is a viable option for interpreters to get training on other Arabic dialects, what are some practical ways to go about it (please tick all what applies):		
	Q9a	Q9b	Q9c
P	Make it part of the interpreters' training	Participate in mock interpreting sessions with clients of different dialects as part of the PD	Watch/listen to movies and audio clips and debates and in other Arabic dialects
1	Ticked	Ticked	Ticked
2	Ticked	Ticked	Ticked
3	Ticked	Ticked	Ticked
4	Un-Ticked	Un-Ticked	Un-Ticked
5	N/A	N/A	N/A
6	Ticked	Ticked	Ticked
7	N/A	N/A	N/A
8	Ticked	Ticked	Un-Ticked
9	Ticked	Un-Ticked	Un-Ticked
10	Un-Ticked	Un-Ticked	Ticked
11	Ticked	Ticked	Ticked
12	N/A	N/A	N/A
13	Ticked	Ticked	Ticked
14	Un-Ticked	Un-Ticked	Ticked
15	N/A	N/A	N/A
16	Ticked	Ticked	Ticked
17	Un-Ticked	Un-Ticked	Un-Ticked
18	Ticked	Ticked	Ticked
19	Un-Ticked	Un-Ticked	Ticked
20	Un-Ticked	Ticked	Ticked
21	Ticked	Ticked	Ticked
22	Ticked	Un-Ticked	Ticked

A1.6 Table 7 – Interpreters' answers: Questions 9d – 9e

Q	Q9d	Q9e
P	Compile a glossary of terms and expressions with different dialects and their equivalents and share with other interpreters	Other, please add below:
1	Ticked	Blank
2	Ticked	Blank
3	Ticked	Blank
4	Ticked	Blank
5	N/A	Blank
6	Ticked	Watching the movies and video clips can be very helpful if they have subtitles either in Arabic or English.
7	N/A	Blank
8	Ticked	Blank
9	Un-Ticked	No
10	Ticked	As a full-time interpreter I find that communicating with other Arabic interpreters helps me a lot
11	Ticked	If interpreter interested, all of the above sound good
12	N/A	Blank
13	Ticked	Blank
14	Ticked	Blank
15	N/A	Blank
16	Ticked	May be training against interpreters themselves if time permit or as part of interpreters learning development
17	Un-Ticked	Develop a network of interpreters who speak different dialects and cross-reference with the
18	Ticked	Use Formal Arabic
19	Ticked	In my view it is helpful to watch movies/video clips and memorise a glossary of terms in other dialects (it is never enough). You should keep practicing on regular basis all of them otherwise you would lose them “ if you do not use them, you lose them”
20	Ticked	Mock interpreting sessions is a great idea if it can be arranged with the participation of interpreters speaking different dialects
21	Ticked	Blank
22	Ticked	Consult with Interpreters who speak other dialects

A1.7 Table 8 – Interpreters' answers: Questions 10 – 11

Q	Q10	Q11
P	Do you have to adjust your register and/or dialect to suit the client (depending on their dialect, age, or level of education for example)?	Were there cases where the accent was an issue in mutual understanding with the client?
1	Yes	Yes
2	Yes and No	Yes
3	Yes	Yes
4	Yes	Yes
5	Yes	Yes
6	Yes	Yes
7	Yes	Yes
8	Yes	Yes
9	Yes	No
10	Yes	Yes (but rarely)
11	Yes	Yes
12	yes	No
13	Yes	Yes
14	Yes	Yes
15	Blank	Blank
16	yes	No
17	Yes	No There were times it was more of an effort to communicate effectively
18	Blank	Yes
19	Yes	Yes
20	Yes	No
21	Blank	Yes
22	Yes	No

A1.8 Table 9 – Interpreters' answers: Questions 12 – 12c

Q	Q12	Q12a	Q12b	Q12c
P	Do you do sight translation from time to time in the course of your practice?	Modern Standard Arabic	Colloquial	Educated Spoken Arabic
1	Yes	Yes	Yes	Yes
2	Yes	Yes	Yes	No
3	Yes	Yes	No	No
4	Yes	Yes	No	No
5	Yes	Yes	No	Yes
6	Yes	Yes	Yes	Yes
7	No	N/A	N/A	N/A
8	Yes	No	Yes	No
9	Yes	No	No	Yes
10	Yes	No	No	Yes
11	Yes	Yes	No	Yes
12	Yes	Yes	Yes	Yes
13	Yes	Yes	Yes	Yes
14	Yes	No	No	Yes
15	Yes	Yes	Yes	Yes
16	Yes	No	Yes	Yes
17	Yes	No	No	Yes
18	Yes	No	No	Yes
19	Yes	Yes	No	No
20	Yes	No	Yes	Yes
21	Yes	No	No	Yes
22	Yes	Yes	Yes	Yes

A1.9 Table 10 – Interpreters' answers: Question 13

Q	Q13
P	Any examples of dialect-associated difficulties (terms, expressions, etc) in the communications with a client(s)?
1	Blank
2	Blank
3	Iraqi بزون: هرة / جهالة: أولاد
4	Expressions Use of French words
5	There are always challenges dealing with clients from different Arabic background. Experience is a key factor to overcome the difference and learn more about other dialects. Addressing court and seeking clarification is so important to avoid any misunderstanding. Meaning of tomorrow and after tomorrow is very different between Arabic Iraqi and Arabic Lebanese. Make him happy in Lebanese means belt him in Iraqi
6	Sometimes the NES refuses to speak to an interpreter who has a different dialect even without giving them a chance. I believe this is due to their past negative experiences, but this can be frustrating and a big waste of time and resources for everyone
7for "my wife" in the Iraqi dialect.....سوالف
8	More training in this field for interpreters
9	Blank
10	I work in health, day to day issues can be an issue
11	Usually, colloquial expressions can be a bit of a problem, but generally can get around them by clarifying, after seeking magistrate/judge's permission.
12	Sudani Language expressions
13	Itilian in Iraqis means sheep
14	Idioms Proverbs Religious and/or cultural terms
15	I was unable to understand parts of the speech where unfamiliar words were used by an Arabic-speaking client who spoke a different dialect to mine. I was unable to convey the meaning of some words, even after I used standard Arabic to an uneducated client. I used all the versions of Arabic I know for the same words, but the client couldn't understand.
16	Blank
17	The difficulty for me is for people from South Sudan because: a. They speak very fast b. The dialect and/or accent that makes it very challenging at times especially if they have not had any formal education in Arabic
18	دزلى=ارسل لى, باوعنى= انظر لى, قصة= جبهة مستمسكاتى=اوراقى الثبوتية جهالى = اطفالى, كلش تعبان = ضغط نفسى علمود = من اجل مالتى = ملكى صونر = صورة صوتية
19	Iraqi: جهالى: أولادي/shower, يتسبح" Sudanese:

20	<p>I had difficulty once understanding the word “مئطشين” when the client was describing how his legs felt like.</p> <p>The clients had difficulty understanding the word “اخوك و ابوك” and I had to replace it with “خيك و بيك”</p>
21	Blank
22	<p>The Iraqi dialect was the most challenging dialect for me when I first started practicing as an Interpreter, their dialect has a lot of Persian and Turkish words. For example, the word for spoon and the word for bed in the Iraqi dialect were completely foreign to me, when I first heard them, I had to clarify. Another example from the Egyptian dialect, the colloquial word for a woman’s purse in the Egyptian dialect is book. Now, if the Interpreter was unfamiliar with the Egyptian dialect, he/she will not be able to accurately Interpret.</p> <p>The most challenging dialects are the Moroccan, Algerian and Tunisian, because they’re mixed with French. Most clients that speak those dialects tend to switch to either Modern Standard Arabic or to the Lebanese dialect.</p> <p>I remember once at one of my federal court assignments, I had a NES from Libya. The NES was mixing Arabic with the Berber language, it was evident that he was fluent in Arabic, and that he was simply doing that to evade any questions he couldn’t answer. Clients quiet often use these tactics once they sense that the Interpreter hasn’t got a good command over the NES’s dialect.</p> <p>Sudanese clients could be very challenging for some Interpreters, especially if Arabic is not the client first language. From experience, a Sudanese client who speaks Arabic as a first language, usually speaks in very clear Arabic, in fact, they aren’t any different to any other Arabic-speaking client. However, if they had a tribal language as their first language, they’re very difficult to understand, and they shouldn’t be requesting an Arabic Interpreter. The real issue is that most of these clients speak broken Arabic, to them Arabic is as a second or a third language they picked up on the street.</p>

A1.10 Table 11 – Interpreters' questionnaires answers: Question 14

Q	Q14
Pt	Any comments or suggestions that, based on your experience, would enhance the English-Arabic interpreting service, in particular in relation to diglossic multi- dialectal
1	Self PD to acquaint the required knowledge
2	Glossaries Workshops
3	At University, we get exposed and trained in Modern Standard Arabic and Educated Arabic, not to other various Arabic dialects. Therefore, once we start working in the interpreting field, we get baffled and start to question our ability, as our non-English speaking clients aren't necessarily educated, nor can they speak standard or educated Arabic. This is especially complicated in mental illness settings or elderly non-English speaking clients.
4	More written translations regarding court producers Use of modern Standard Arabic
5	Court and Legal professionals should always be aware and understand the difference of various Arabic dialects. More time should be giving in hearings to ascertain that court proceedings, examinations and cross examinations are fully comprehended by the Arabic speaker. Interpreters should always seek clarification of any unclear words. Interpreters should request breaks if court sessions are too long and strenuous. Accuracy should always be maintained.
6	Not sure as it is very different every time. I think dialect training for interpreters would be great.
7	Blank
8	Sufficient briefing before any setting
9	Blank
10	Try and practicing used what we call "while language" and avoid using local vocabs Communication with my colleague where each one of us uses his/her own dialect helps me a lot

11	<p>First, pls let me say that it is the court that books the interpreter. Interpreter walks in with very little info about the matter and Arabic speaker. Unless the Arabic speaker has already appeared before the court, for instance in a mention, and the magistrate/judge asked which dialect of Arabic they converse in OR their legal representative has requested a specific dialect, then the interpreter on the day can only do their best to assist, and hope the Arabic speaker is literate and reasonably understands MSA/educated Colloquial Arabic. Based on my experience, generally it is not an issue (except in rare matters I appeared in where the Arabic speaker spoke the Moroccan dialect and had a basic level of literacy). Can use a mix of MSA/educated Colloquial Arabic while still maintaining court register. Personally, if there were utterances/words/expressions that I did not understand OR felt the Arabic speaker did not understand, I always seek permission from the magistrate/judge to clarify so that I am confident communication is clear to all parties. Sometimes the court requests a specific dialect, but the language service agency assigns the matter to any Arabic interpreter available- should there not be an interpreter who converses in the specific dialect requested, available.</p>
12	<p>Always checking with the Arabic speaker when the interpreter finds a specific term or expression is challenging/and or not clear. Asking for an alternative word when dealing with unfamiliar words, expressions or terms Alternatively asking for an explanation of the challenging word, term or expression</p>
13	<p>Practice, do not be afraid to ask for repeat or clarifications</p>
14	<p>Interpreters should specialise in legal court Interpreters should take courses to expand their linguistic knowledge</p>
15	<p>The best way would be, in difficult circumstances, to bring the issue to the court's attention to make them aware of the extra time the interpreter needs to render the message accurately, as well as to understand the client. The other option is to withdraw from the assignment and ask the court to request an interpreter of the same dialect to the client.</p>
16	<p>May be work on a student project from various Arabic dialectal backgrounds to produce phonetical tables of some common words in each dialect next to the original formal Arabic word/ or sentence – (producing a small comparison material booklet between certain words of sentences) Formal Arabic Lebanese Syrian Sudanese Algerian Egyptian etc Word or sentence</p>
17	<p>I often like to know the nationality of the Arabic speaker so I can be prepared or adjust my mode of communications accordingly</p>
18	<p>Using Formal Arabic can be a solution</p>
19	<p>Create glossaries with the help of other interpreters for the most used problematic words in different Arabic dialects.</p>

20	<p>I personally do not accept legal jobs with Sudanese, Algerian or Moroccan Clients if the dialect is mentioned. If not, I'll communicate to the judge or the police officer my concern. It happened to me once at a police station, and I informed the investigating officers that I may often need to clarify with client during the interview.</p> <p>every interpreter should evaluate any barriers in communication. Some interpreters have difficulty understanding other dialects while others have difficulty conveying the meaning in a way that is easy to understand and clear to the client.</p> <p>Dealing with different dialects add to the complexity of the interpreter's job especially in legal settings. Being comfortable dealing with other dialects makes the interpreter's job slightly easier</p>
21	Experience and accepting the challenge
22	<p>Arabic Interpreters must change their dialect to suit their client. As Interpreters we have both the experience and the training to understand the client, however, the client is not trained to understand us. If the Interpreter does not change his/her dialect to suit the client, the client will not trust that the interpreter is accurately interpreting what they're saying.</p> <p>Although I'm from an Egyptian background I grew up around a lot of Lebanese speaking friends, I remember being over confident when I started my Interpreting course, that was until I heard the Iraqi dialect. I buddied up with a fellow student who was from an Iraqi background, we used to study together, we spent hours comparing dialectal differences between Egyptian, Lebanese, Iraqi, Modern Standard Arabic, Formal Standard Arabic, and many other Arabic dialects.</p> <p>It took me a year to become confident with the Iraqi dialect, I was always seeking clarifications, asking Iraqi speaking interpreters a lot of questions, as well as watching lots of Iraqi programs/movies.</p> <p>Finally, it is paramount for new Arabic Interpreters to make serious efforts to learn about all the other Arabic dialects, Interpreters can't rely on the use of Modern Standard Arabic all the time, not all clients are comfortable with it. Furthermore, having many years of experience is not enough to make an Arabic Interpreter proficient in other dialects, Interpreters must focus on learning how to speak in those dialects, which will increase their fluency over time.</p>

A2 Legal professionals' questionnaires data in table format:**A2.1 Table 12 – Legal professionals' answers: Questions 1 – 4**

Q	Q1	Q2	Q3	Q4
P	How often you are a party to a bilingual court hearing?	How, in your view, does the presence of an interpreter impact the courtroom dynamics?	From the verbal exchanges in the bilingual courtroom, do you feel that the questions and answers get interpreted accurately and effectively?	Have you had cases with interpreters or clients complaining about difficulties in communicating due to a different Arabic dialect?
1	Very often	It usually slows the process of the hearing due to time it takes to interpret the questions and answers.	No	Yes
2	18 Years	Massive impact Barrier between clients and the court	No	No
3	10 times a week	Yes, an interpreter impacts the dynamic of the sessions greatly. Generally, a positive impact in that the client is understood and understand their position. However, if the client perceives that the interpreter is 'against' them particularly due to sexuality and gender issues, race or religion this can create a barrier to communication and client may not reveal critical information.	Yes	Yes
4	On average once a week	Yes. Sometimes it is helpful, sometimes it hinders the session	Yes	No

5	Almost daily	On most occasions it provides the client with a level of comfort that they can effectively communicate with a legal representative and understand the advice. It provides effective assistance for lawyers who want to ensure their clients are informed and can provide proper instructions / make decisions. On rare occasions, it may negatively impact the session where the client does not feel comfortable divulging certain information with a someone from the same community present or the interpreter may be paraphrasing the lawyer's words and miscommunicating the advice.	Yes	Yes
6	On average about six times a year	Facilitates communication and removes language barrier. Allows the client to more openly and confidently engage in conversation.	Yes	Yes
7	20%	For those who cannot speak English or read English it is very helpful. The quality of the interpreter is also very important to obtaining proper instructions and having it interpreted	Yes	Yes
8	Weekly	It is often the case that I have had to intervene in the exchange to assist the interpreter. Recently, in a court hearing, the solicitor for the defendant and I interrupted the court	No	Yes

9	Weekly	<p>An interpreter makes a non-English speaking client feel at ease since they know they will be able to more accurately convey their case.</p> <p>Interviews with an interpreter do take longer as time is required during interpretation and sometimes further clarifying question are required by me since some speech is lost in translation.</p> <p>If the interpreter has a strong grasp of English and Arabic, then the interpretation is usually smooth and without problem. Arabic to English interpretation problems can occur when the interpreters English is not fluent.</p> <p>Most interpreters I have worked with are professional and help contribute to create a positive environment for the interview without conveying bias or misinterpretation.</p>	Yes	Yes
10	Rarely	Yes	No	No
11	Rarely	It bridges the linguistic barriers.	No	Yes

<p>12</p>	<p>Almost every day/week .</p>	<p>The interpreter introduces a third party into the session. This means that communication between the lawyer and the client is mediated by the interpreter. Without the interpreter, communication wouldn't be possible. If the interpreter is good, the interpreter is barely noticeable – everything just takes a little longer. If the interpreter is not good, communication can be disrupted, and miscommunication can occur.</p>	<p>It depends. If the length of speaking and length of interpreting are similar, if there are no side conversations between the interpreter and the client, and if the answers respond to the questions, I assume the interpretation was accurate and effective. However, if the length of speaking and length of interpreting are dissimilar, if there are side conversations (and the interpreter does not specify that/what they need to clarify), or if the answers do not respond to the questions, I assume problems in interpretation.</p>	<p>Yes. For this reason, I generally ask clients to specify their preferred dialect, and ask for an interpreter who speaks that dialect</p>
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A2.2 Table 13 – Legal professionals' answers: Questions 5 - 7

Q	Q5	Q5B	Q6	Q7
	If yes, what were the consequences and how was that dealt with?	Do you think legal professionals are given enough information about the dynamics of the bilingual courtroom and how to work with interpreters?	How do you rate your experience with court interpreters, and in particular in the English-Arabic bilingual courtroom?	In relation to which aspect(s) in that setting was the above rating based on?
1	Unfortunately, it may lead to re-hearing.	Yes	5	The general conduct of the matter by the interpreter. Nothing perfect, a "pass" grade in court is OK.
2	Blank	No	3	Blank
3	Clients requiring Northern Arabic (Arabic from Tunisia, Algeria and such) is very difficult as cannot request specific nationality except for Sudanese dialect. Would have to try multiple interpreters which is frustrating for the client	No	4	Generally, very good interpreters. I have had problems when interpreter used offensive language to the client about sexuality in Arabic and I was not able pick up on this and caused problems for client and legal case.

4	Not applicable	Yes	4	Generally, have been reliable but there have been some difficulties when interpreter speaks a different dialect (haven't come across this specifically with Arabic)
5	It would involve calling the interpreting service again and arranging for another interpreter to be available, which ultimately creates some delay with the advice or consultation being provided.	No	4	Telephone consultations or conversations with clients where legal advice needs to be provided.
6	We organised a short five-minute telephone call prior to conferences between the interpreter and client to ensure they could understand each other and to ensure their dialects were the same.	No	4	The honesty of the interpreter when confirming what dialect, they speak. Not all Arabic dialects are the same.
7	I asked for a different interpreter, and it was granted.	No	4	Some interpreters are fantastic and some not so good

8	<p>It is often the case that I have had to intervene in the exchange to assist the interpreter. Recently, in a court hearing, the solicitor for the defendant and I interrupted the court</p>	<p>Unsure as I'm not privy to this.</p>	<p>4</p>	<p>Generally, I engage with interpreters that have a similar dialect to my client. So, from the outset, there is an interaction between all parties present in the room. This provides the client with the calming influence, particularly as most clients requiring interpreters are 50 years old and above. The younger clients are generally indifferent about this matter and so the rating does not incorporate the experience with them.</p>
9	<p>On some occasions we get these difficulties with different dialects. My experience is it depends on the dialect. Lebanese and Egyptian dialect interpreters are usually universally understood. However, Arabic language interpreters from Somali or Sudanese background can (not always) be difficult to understand by clients who have a different dialect. Usually, dialect is not a</p>	<p>Yes</p>		<p>My experiences are usually positive because there is a wide variety of Arabic language interpreters and the Immigration Department usually secure the good quality interpreters. I compare this to interpreters of other languages where there are limited number of interpreters and often we will get interpreters who are not good in their interpretation. I have had experiences with a few Arabic language interpreters who have not been able to provide accurate and effective interpretation and this usually stems from lack of English fluency.</p>

	<p>problem, but I manage any potential problems by having the client chat with the interpreter to make sure there is a full understanding between the two. On some occasion a client may complain about the different dialect, but this may be a tactic when the client interview is not going well for them, and they wish to deflect blame on to the fact that their dialect is different to the interpreters. In these instances, the officer will make a judgement about whether a new interpreter is required. Interpreters should not take offence is a new interpreter is required in their place. This is done to minimise legal challenges in the future and not because the interpretation quality was poor.</p>			<p>Otherwise, most Arabic language interpreters I have dealt with in Sydney have been very capable of doing in providing clear and accurate interpretation to both me and the client.</p>
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10		No	3	I rarely work in matters involving interpreters
11	Given that different dialects may use words in a different context to each other this exercise become time-consuming.	No	4	In terms of the efficiency and the interpreter's efforts.
12	As above. If an interpreter in the client preferred dialect is not available, I have sometimes proceeded with another interpreter, but I always let the interpreter and the client know that I am aware they speak different dialects, and to let me know if they are not understanding each other. Sometimes I have had to change interpreter. Other times, they have needed longer side conversations in order to clarify. I have learned that some dialects (e.g., Egyptian) are less likely to cause problems, whereas other	No. I started my legal career working at a refugee legal aid organisation in Egypt, where I received specific training in working with interpreters (and also in different dialects of Arabic). Working with interpreters is a specific skill and requires specific training. Trained legal professionals/migration agents/interpreters	As above, it depends on the interpreter	As above, it depends on the interpreter, the mutual intelligibility of the dialects, and the professionalism of the lawyer and the interpreter.

	<p>dialects (e.g., Iraqi, Lebanese, Sudanese) are more likely to cause problems.</p>	<p>know that interpreters also have their own professional obligations (e.g., competence, confidentiality), but these are not always communicated to the client by either the lawyer or the interpreter, and this can also impact the effectiveness of interpretation.</p>		
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A2.3 Table 14 – Legal professionals' answers: Question 8

	Q8
	Any comments or suggestions that, based on your experience, would enhance the court interpreting service?
1	Ensure that the proper Arabic dialect interpreter is chosen for your client. Such as Lebanese, Egyptian, Iraqi, and so forth. Still, you may have a problem with Arabic/Lebanese dialect interpreters coming from different parts of Lebanon where different dialects are used.
2	If objection by legal professional judge should be cautious and assume that interpreting may not be accurate.
3	Ensuring the lawyer provides a short brief to the interpreter about the issue. Would be beneficial to have more than Sudanese Arabic and Arabic available
4	Important for legal professionals and interpreters to be aware of the possibility of mismatched dialect and to call out the mismatch if it occurs.
5	n/a
6	Information sessions or booklets that can educate legal professionals/migration agents on the dynamics of bilingual sessions and how to work with interpreters.
7	The interpreter needs to understand the country the witness/client is from and should obtain an interpreter from that country An initial meeting should be arranged
8	Recognition that the Arabic language has multiple dialects that need to be considered when engaging an interpreter
9	Arabic Language interpreter may provide comment when they have to deviate from the literal translation of a client comments because not doing so means that the meaning of the sentence will be lost in translation. I usually ask interpreters to interpret as close as possible and I do get a sense that sometimes paraphrasing is done by the interpreter. If paraphrasing is necessary, the interpreter should provide a comment to the officer to state why.

10	Blank
11	Any party that requires the services of an interpreter should be advised to inform the interpreter beforehand if they speak a certain or different Arabic dialect. This would help facilitate the session and streamline the process overall
12	As above, the interpreter and the client should speak the same/mutually intelligible dialects, and the client should understand the role of the interpreter (if the lawyer doesn't explain it, the interpreter should). Alice Johnson and the Cairo Community Interpreter Project (https://sites.google.com/aucegypt.edu/ccip/home) have taught me much of what I know, and I recommend their resources.

Appendix B

Focus group discussion transcription

One participant questioned how an interpreter might best be prepared to deal with different dialects in court and asserted that learning on the job was not the best method. As a court interpreter, they should be ready to interpret for clients of other dialects before commencing their job. They believed that preparation should be preemptive and part of ongoing PD, although they did not consider this level of effort would be advisable in some cases. For example, if their frequency of assignments with a Moroccan client is once every five or ten years, it might not be worthwhile spending time learning the Moroccan dialect. In the case of the Iraqi dialect, however, it would be worth the time and effort because there are many Iraqi clients, and there is a demand for interpreters in the Iraqi community. However, this still begs the question of what the best method is for an interpreter to prepare themselves to deal with dialectal diversity. This particular interpreter believed compiling glossaries and watching videos was helpful, but another factor in this regard was the level of cooperation between the interpreter and their client. They gave the example of being a Lebanese interpreter for an Iraqi client. In this case, they would use a relaxed version of MSA and forgo strict grammar and other technical aspects of language usage. They commented that when they do this, the client tends to follow suit and starts speaking in a similar way. The interpreter and the client find a level of communication they both feel comfortable with and are able to collaboratively create a common language that works for that particular situation.

Another participant pointed out that there is a difference between practice and theory in interpreting, and that even if an interpreter has some training on how to work with different [Arabic] dialects, once they are in court, if they are inexperienced, they will still find it difficult to implement the theory. They believed that while recommendations could be useful, real-life working experience was of paramount importance and the best teacher. Therefore, they agreed with the first participant about the importance of PD. However, even after years of experience, they believed an interpreter would still encounter terms and expressions they had not come across before. Therefore, it is vital to have strategies ready for dealing with these situations, such as the one suggested by the first participant of using a relaxed version of MSA. Finding a middle ground for communication is the key. Like the first participant, this interpreter believed this could only be accomplished if an interpreter engages in self-development in this area. They pointed out that while organisations such as NAATI were pushing for training in specialised fields such as legal and medical, they thought it was an insult to ask someone who has been working for decades in court interpreting to sit for a new exam.

A third participant asserted that by specialising, interpreters might be shooting themselves in the foot but agreed that all interpreters naturally have preferences and strengths in regard to work settings. While not strongly against specialisation, they believed these preferences should be respected without being mandated. They also pointed out that these strengths and preferences might become clearer over time. They used themselves as an example: despite having a nursing background, they did not feel confident with medical interpreting, something which only became apparent over time. They believed interpreters should have the option of

choosing their interpreting assignments, but this should be on the basis of knowing their own strengths.

For another participant, specialisation ideally meant that an interpreter cannot interpret in court unless they are certified as a specialised legal interpreter. However, they conceded that the problem with this approach is that the number of specialised court interpreters would not be sufficient to meet the demand of the courts. Another agreed that specialisation would not work if it was mandated. Yet another lamented the fact that people who make such decisions are mistaken to think every seemingly helpful idea can be implemented because they do not understand the reality of working on the ground.

One interpreter raised the point that interpreting skills are a gift. So, according to them no matter how much an interpreter studies, or how much they specialise, if they are not gifted, they will not be able to do it, even if they are a scholar in the field. They believed that specialisation should be out of the question. They substantiated their argument by giving the scenario of someone working in a court setting but having to interpret something medical that arises in the legal setting. Should the interpreter say they are not specialised in the medical field and refuse to interpret? As for dialects, they believed that even if an interpreter learns one for many years, it still takes experience and exposure to become truly proficient. Even then, after working with a dialect for 20, 30, or 40 years, an interpreter will still come across new words and expressions. Therefore, one cannot put a limit on learning a dialect and being good in that dialect. As for specialisation in legal interpreting, this participant agreed with some others that it should not be made mandatory and that to ask an interpreter who has been working for thirty years across various settings to take an exam and to specialise was not on.

Another participant pointed out that training on Arabic dialects should not be limited to legal interpreting because ADCs can occur in all settings, such as medical and social.

One participant stated that the most challenging aspect of legal interpreting was the solemnity and formality of the court, which requires the interpreter to have confidence in public speaking. The legal process also requires the interpreter to work quickly and limits the time they have to think about the client's utterances' meaning. To counter this, an interpreter needs to prepare, but the courts don't usually inform interpreters about the required dialect before the case. Also, there are dialects inside dialects, such as Basra Iraqi and Baghdad Iraqi, or rural vs. urban Lebanese dialects. For this participant, these complications made legal interpreting interesting and challenging. He pointed out that in Centrelink or medical settings an interpreter can ask the client to repeat in a more relaxed way. However, in the legal setting, when they are often dealing with sensitive topics like sexual assault, interpreting in a different dialect adds extra complications. Therefore, a briefing is very important in legal cases, as is having a glossary. The level of school education of the client is also another factor as clients with more education are easier to communicate with because they construct full sentences; while people with no education do not always do. Overall, this participant considered that while there are many challenges for Arabic interpreters in court, they should not necessarily be considered as problems, but as exciting challenges.

However, another participant believed there are serious problems with the current state of interpreting and that agencies have the right to request a rise in the standard of legal interpreting. To achieve this, they believed more mentoring, funding, and use of glossaries were vital. They suggested that a team of students could work on creating a glossary, which could be made available on various websites. They also pointed out the value of role-play and suggested that NAATI consult with interpreters when they make changes in the same way the government for example consults with doctors when they intend to make changes of a medical nature. This participant added that professional lawyers, judiciary, and police need to be educated about the interpreting process. And lastly, this participant noted that they were thinking of compiling an Arabic cross-dialectal glossary on domestic violence (Iraqi, Lebanese, Egyptian, etc.).

Most participants agreed that more practicum is needed in court interpreting before graduation. One mentioned that mentoring by NAATI is lacking and that they were pleased Multicultural NSW is offering it. They pointed out that mistakes in both medical and legal settings can be catastrophic, but interpreting in the legal setting is more challenging due to strict processes and procedures, and in addition to terminology, interpreters need knowledge of these processes and procedures. In most cases, what the judge says has been written in bureaucratic language, which is complex but must be instantly and accurately interpreted. In the medical setting, on the other hand, mistakes often occur due to a lack of familiarity with specific terminology.

Another participant pointed out that it was vitally important to have strategies to handle the situation of dealing with new words, both vocabulary and terminology. If an interpreter does not have tools and strategies, even memorising millions of words will not be enough. They agreed that the idea is to minimise the frequency of times when clarifications are needed, given that court time is very precious.

However, another participant said that they take their time in court and refuse to be rushed. This is because when an appeal is requested for wrong interpreting, the first thing the court does is refer to the recording. Therefore, if there is an unfamiliar word, this interpreter asks for time to check in the dictionary. They refuse to compromise the quality of their work for the sake of time. Another participant added that they felt courtroom stakeholders would rather not have interpreters participating at all in legal proceedings.

Various ways of dealing with these challenges and limitations were then proposed. One Iraqi dialect participant pointed out that after two and a half years of experience as a legal interpreter, they could now understand their Lebanese clients and interpret for them into English. The difficulty arose when interpreting into Arabic, as the client would not understand the interpreter's Iraqi dialect. Not every Lebanese client will understand MSA. In the beginning, when this interpreter used to see a Lebanese client at a police station or in court, they would feel nervous. But watching Lebanese drama has made it easier, although there is still a lot of room for improvement. This interpreter felt it was their responsibility to convey the message to the client in a language understood by them. They felt they had to work on being conversant with Lebanese and Egyptian dialects. In this regard, they found watching movies and taking notes of new words helpful.

As another participant pointed out, a successful legal interpreter needs to be confident, comfortable, and aware of the legal processes. This is difficult if they go blindly into court with no briefing. They claimed that, ahead of legal proceedings, all other parties are aware of the case except the interpreter; sometimes they are not even given the names of witnesses and suspects. Thus, the onus should be put on the various institutions and agencies to brief interpreters.

And lastly, one participant referred to training, briefing, and as much familiarity with other dialects as possible as being vital for successful legal interpreting. Even then, they noted that, since there are over 30 Arabic dialects, this might never be enough. They agreed with what another participant noted that the matter is not just dialects, but differences in attitudes and processes in court proceedings between different countries and cultures that can complicate the task of interpreting. This, in conjunction with the formality, complexity, and manipulation of language used in the court setting, makes the job of the English-Arabic legal interpreter uniquely challenging.

Appendix C

CONSENT FORM – General (Extended) – Certified Interpreters

Project Title: Diglossic multi- dialectal Language in the courtroom: The challenges for English-Arabic legal interpreters.

This study has been approved by the Human Research Ethics Committee at Western Sydney University. The approval reference number is: H14439

I hereby consent to participate in the above-named research project. I acknowledge that:

I have read the participant information sheet and have been given the opportunity to discuss the information and my involvement in the project with the researcher.

The procedures required for the project and the time involved have been explained to me, and any questions I have about the project have been answered to my satisfaction.

I consent to: Fill out a questionnaire

I consent for my data and information provided to be used in this project and other related projects for up to five years after the completion of the project.

I understand that my involvement is confidential, and that the information gained during the study may be published and stored for other research use but no information about me will be used in any way that reveals my identity.

I understand that I can withdraw from the study at any time without affecting my relationship with the researcher, and any organisations involved, now or in the future. I understand that I will be unable to withdraw my data and information from this project because the stored data will be unidentifiable.

Signed:

Name: Click or tap here to enter text.

Date: Click or tap to enter a date.

What if I have a complaint?

If you have any complaints or reservations about the ethical conduct of this research, you may contact the Ethics Committee through Research Engagement, Development and Innovation (REDI) on Tel +61 2 4736 0229 or email: humanethics@westernsydney.edu.au

Any issues you raise will be treated in confidence and investigated fully, and you will be informed of the outcome.

QUESTIONNAIRE - (Certified English-Arabic interpreters)

Note to the participant:

This questionnaire is a part of a Master of Research study being conducted by Sam Hoballah, a student at the School of Humanities and Communication Arts - Western Sydney University.

The study title is “Diglossic Multi- dialectal Language in the Courtroom: The Challenges for EALI”. It aims to investigate the challenges the Arabic language varieties pose for EALI and how they deal with them, and to suggest relevant research-based strategies with the prospect of enhancing the quality of English-Arabic court interpreting in general.

The study will be of benefit to ASCC with low command of English, EALI, and eventually all courtroom participants.

Please be advised that your participation by filling the questionnaire implies your consent for the data provided to be used in the above research project.

This questionnaire is a part of the process of the collection of data needed to conduct the study and so, your cooperation and time in this interview are highly appreciated.

Questions:

Gender:	Male <input type="checkbox"/>	Female <input type="checkbox"/>		
Country of birth: Click or tap here to enter text.				
Primary Arabic dialect spoken: Click or tap here to enter text.				
Level of accreditation/certification: Click or tap here to enter text.				
How long have you been practicing as a court interpreter? Click or tap here to enter text.				
How often do you attend court hearings as an interpreter? Click or tap here to enter text.				
What dialects have you dealt with in court in the course of your practice? Click or tap here to enter text. Click or tap here to enter text.				
Do you have difficulty with a particular Arabic dialect(s) in court? If yes, Which one(s)? Click or tap here to enter text. what are the strategies you deploy to deal with this?			Yes <input type="checkbox"/>	No <input type="checkbox"/>

Click or tap here to enter text. Click or tap here to enter text. Click or tap here to enter text. Click or tap here to enter text. Click or tap here to enter text.					
Do you believe that with more years of experience, a court interpreter would overcome the dialects associated challenge? If yes: a. How many years approximately does it take to do that (to reach a stage where they can handle challenging dialects)? Choose an item. Given the above, would it be a viable option for interpreters to either: a. get training on other Arabic dialects ----- b. limit their court assignments to clients speaking the same as their dialect? -----				Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/>	No <input type="checkbox"/> No <input type="checkbox"/> No <input type="checkbox"/>
Do you have to adjust your register and/or dialect to suit the client (depending on their dialect, age, or level of education for example)?				Yes <input type="checkbox"/>	No <input type="checkbox"/>
If you answered yes to point a. above i.e., it is a viable option for interpreters to get training on other Arabic dialects, what are some practical ways to go about it (please tick all what applies): <input type="checkbox"/> Make it part of the interpreters training <input type="checkbox"/> Participate in mock interpreting sessions with clients of different dialects as part of the PD <input type="checkbox"/> Watch movies and video clips in other dialects <input type="checkbox"/> Compile a glossary of terms and expressions with different dialects and their equivalents and share with other interpreters <input type="checkbox"/> Other, please add below: Click or tap here to enter text. Click or tap here to enter text. Click or tap here to enter text.					
Were there cases where the accent was an issue in mutual understanding with the client?				Yes <input type="checkbox"/>	No <input type="checkbox"/>
Was sight translation performed at any session you participated in?				Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, was it carried out in:		Modern Standard Arabic <input type="checkbox"/>	Colloquial <input type="checkbox"/>	Educated Spoken Arabic <input type="checkbox"/>	
Any examples of dialect associated difficulties (terms, expressions, etc.) in the communications with a client(s)? Click or tap here to enter text. Click or tap here to enter text.					

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Any comments or suggestions that, based on your experience, would enhance the court interpreting service, in particular in relation to diglossic multi- dialectal Arabic?

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

(END OF QUESTIONNAIRE)

Thank you for your participation.

CONSENT FORM – General (Extended) – Legal Professionals

Project Title: Diglossic Multi- dialectal Language in the Courtroom: The Challenges for EALI

This study has been approved by the Human Research Ethics Committee at Western Sydney University. The ethics reference number is: H14439

I hereby consent to participate in the above-named research project. I acknowledge that:

I have read the participant information sheet and have been given the opportunity to discuss the information and my involvement in the project with the researcher.

The procedures required for the project and the time involved have been explained to me, and any questions I have about the project have been answered to my satisfaction.

I consent to: Fill a questionnaire

I consent for my data and information provided to be used in this project and other related projects for a period of up to 5 years after project completion.

I understand that my involvement is confidential, and that the information gained during the study may be published and stored for other research use but no information about me will be used in any way that reveals my identity.

I understand that I can withdraw from the study at any time without affecting my relationship with the researcher, and any organisations involved, now or in the future. I understand that I will be unable to withdraw my data and information from this project because the stored data will be unidentifiable.

Signed:

Name: Click or tap here to enter text.

Date: Click or tap to enter a date.

What if I have a complaint?

If you have any complaints or reservations about the ethical conduct of this research, you may contact the Ethics Committee through Research Engagement, Development and Innovation (REDI) on Tel +61 2 4736 0229 or email: humanethics@westernsydney.edu.au

Any issues you raise will be treated in confidence and investigated fully, and you will be informed of the outcome.

QUESTIONNAIRE - (Legal professional/Migration agent)

Note to the participant:

This questionnaire is a part of a Master of Research study being conducted by Sam Hoballah, a student at the School of Humanities and Communication Arts, Western Sydney University.

The study title is "Diglossic Multi- dialectal Language in the Courtroom: The Challenges for EALI". It aims to investigate the challenges the Arabic language varieties pose for EALI and how they deal with them and to suggest research-based strategies that would minimise the chances of inaccuracies in that setting and enhance the quality of English-Arabic court interpreting in general.

This questionnaire is a part of the process of the collection of data needed to conduct the study and so, your cooperation and time in filling it out are highly appreciated.

The study can be of benefit to ASCC with a low command of English, EALI, and eventually all courtroom participants.

Please be advised that your participation by filling the questionnaire implies your consent for the use of the data provided in the above research project.

Questions:

How often you are a party to a bilingual legal/immigration sessions?

Click or tap here to enter text.

How, in your view, does the presence of an interpreter impact the session dynamics?

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

From the verbal exchanges in the encounter, do you feel that the questions and answers get interpreted accurately and effectively?

Yes

No

Have you had cases with interpreters or clients complaining about difficulties in communicating due to a different Arabic dialect?

Yes

No

If yes, what were the consequences and how was that dealt with?

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Do you think legal professionals/migration agents are given enough information about the dynamics of the bilingual session and how to work with interpreters?

Yes

No

How do you rate your experience with the interpreters, and in particular in the English-Arabic bilingual encounters?

1	2	3	4	5
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Disappointing

Exceptional

In relation to which aspect(s) in that setting was the above rating based on?

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Any comments or suggestions to help improve the communication process in the bilingual encounters in general and the English-Arabic language pair in particular?

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

(END OF QUESTIONNAIRE)

Thank you for your help and participation. It is much appreciated.