

Linguistic Challenges of Courtroom Interpretation in Ghana: A Survey Approach

Comfort Anafo ⁽¹⁾, Bodua-Mango Kenneth ^{(2)*}, Prosper Teye Akortia ⁽³⁾

⁽¹⁾ Accra College of Education, Ghana

⁽²⁾ Department of Gur-Gonja Education, University of Education Winneba, Ghana

⁽³⁾ Department of Ga-Dangm Education, University of Education Winneba, Ghana

* kboduamango@gmail.com

Abstract

This paper presents the results of a survey on the linguistic challenges of courtroom interpretation in Ghana. It is part of a larger study on the challenges of courtroom interpreters. Specifically, the paper discusses the everyday linguistic challenges faced by courtroom interpreters, and the coping mechanisms deployed. Additionally, the paper makes proposals on ways that these challenges encountered by courtroom interpreters can be mitigated. In terms of findings, the paper shows that the main linguistic challenges include insufficient bilingual skills, terminological issues relating to legal jargon (legal terminology), terminology in specialized areas such as medical science, finance, economics, etc., measurement and quantities terms (e.g., money, fines, land, time, etc.), descriptive terms like color, height, etc., kinship terminology as well as speakers' uses idiomatic expressions you are not familiar with. The paper notes that interpreters often use creative strategies like codemixing, omission of details, approximating color, and kinship terms, and seeking clarification through intervention to overcome these challenges. By way of recommendation, we propose the creation of glossaries in indigenous languages, collaboration with communities to identify and develop appropriate kinship terminology, the development of context-specific terminology, simplification of language, pre-session preparation, and continuous training and professional development.

Keywords

courtroom interpretation, challenges, bilingualism, Ghana

Introduction

In a monolingual courtroom setting, communication among stakeholders such as judges, lawyers, police officers, litigants, and witnesses are typically straightforward. However, in a multilingual courtroom context, as is often the case in Ghana, stakeholders may not fully understand each other's preferred language of communication. To overcome this language barrier and ensure that all parties are on equal footing, an interpreter with competent language skills is necessary. The interpreter's responsibility is to facilitate communication between the court and speakers from culturally and linguistically diverse backgrounds. The role of the interpreter cannot be overstated, as the lack of proper interpretation can result in a miscarriage of justice. It is in recognition of the importance of proper interpreting to the enforcement of Article 19 clause 1¹ of the 1992 Constitution of the Republic of Ghana that it is enshrined in Chapter 5 article 2 clause h of the 1992 Constitution of the Republic of Ghana that "A person charged with a criminal offence shall be permitted to have, without payment by him, the assistance of an interpreter where he cannot understand the language used at the trial."

Despite the well-documented importance of the role of the interpreter it is equally well documented that interpreters face numerous challenges in the discharge of their duties. For instance, Kiguru (2008) notes that the interpreter in the Kenyan court tends to play multiple roles, some of which are well outside the scope of interpreting, such as advisor to the witness, fetching the files for the magistrate, constantly consulting with the prosecutor, announcing the arrival of the magistrate to the court, writing the bail bond on the back of a paper and passing it to the judge to be signed. Also, Nartowska (2015) notes that interpreters of Polish and German from the National Court for Criminal Cases in Vienna, Austria were faced with deficiencies; legal terminology and court proceedings. Philister and Mwangi (2020) also noted that interpreters in Kenya were confronted with several linguistic challenges including speed of speech, that unclear vocabulary, use of ideal languages and pronunciation problems. These challenges have implications for justice delivery hence the need for research into the challenges faced by interpreters with the view of finding solutions to same and consequently, improve justice delivery. It is in view of this that the current paper the current paper aims to explore the linguistic difficulties that courtroom interpreters face in their everyday work and the strategies they use to overcome them. To address these challenges, the paper suggests potential solutions. The rest of the paper is organized as follows: To provide context for this study, Section 2 presents a background on the linguistic landscape of Ghana, including the history of courtroom interpreting in the country. Additionally, this section discusses the definition of interpreting and the recommended role of courtroom interpreters in Ghanaian courtrooms. The methodology of the study is presented in Section 3, while the findings are discussed in Section 4. In Section 5, the paper concludes with a summary of the main points, and the final section presents recommendations based on the study's results.

¹ A person charged with a criminal offence shall be given a fair hearing within a reasonable time by a court (1992 Constitution of the Republic of Ghana Article 19 clause 1)

Linguistic Landscape of Ghana

Similar to many other African countries, Ghana is home to a diverse range of languages. Eberhard, Simons, & Fennig, (2023) reports that there are around eighty-one languages spoken in Ghana, with 73 of them being indigenous and the remaining 8 being non-indigenous. However, it is worth noting that many of these languages could be considered dialects of the same language (Dakubu, 1988; Anyidoho & Dakubu, 2008; Atintono, 2013; Lewis, Simons, & Fennig, 2016). Multilingualism is a significant feature of Ghanaian society, as highlighted by Atintono and Nsoh (2018:84), due to the presence of multiple indigenous and foreign languages, as well as migration and urbanization. Children growing up in monolingual settings often learn English as a second language, while families who migrate in search of work are often required to learn one or more languages to function effectively. Despite the prevalence of multilingualism in Ghana, mutual intelligibility between different languages is often limited. The Interpreters Handbook (2011)² notes that it is rare to find a trial court in Ghana that can function effectively without the assistance of an interpreter. This is largely due to the fact that although English is the official "language of the court" in Ghana, the level of English proficiency in the country is generally low. Recognizing this reality, the 1992 constitution of Ghana mandates that parties to a court case have the right to access a translator in a language they understand, at no personal cost. This underscores the critical role played by interpreters in ensuring successful adjudication of cases in Ghana.

The History of Courtroom Interpretation in Ghana

Before the British introduced colonial rule in Ghana, conflict resolution was primarily handled by the "native tribunals," which consisted of local community leaders such as chiefs and elders. These leaders shared a common language and culture, and the language used in these tribunals was typically the indigenous language of the area. However, the introduction of the colonial court system brought a new element into the equation: the "foreign judge," who did not speak the local languages. As a result, the language of the court shifted from indigenous languages to English, necessitating the need for an interpreter who could facilitate communication between the foreign judge and the litigating parties. The use of interpreters in Ghanaian courts has remained crucial post-independence due to several factors, including the adoption of English as the official language of government business, low levels of English proficiency in Ghana, increased migration and urbanization, and the legal requirement that litigating parties be communicated with in a language they understand. The 1992 constitution of Ghana further reinforced the importance of interpreters in the court system by enshrining the right of arrested or detained persons to be immediately informed, in a language they understand, of the reasons for their arrest or detention and their right to a lawyer of their choice. The constitution also guarantees the right to have the assistance of an

² In an attempt to harmonize, standardize and ensure fidelity of interpretations in the Ghanaian courts, the Judicial Training Institute (JTI) for and on behalf of the Judiciary and the Judicial Service of Ghana developed a handbook for interpreters as a means to equip interpreters in the courts with the right skills and protocols to perform their official duties more efficiently and effectively. The "guidelines in this book provide a standard outline to ensure uniformity of approach to interpretation. It also outlines certain basic duties and responsibilities, interpretation techniques, ethical challenges, simple definitions of crimes commonly charged in court and a glossary of terms often encountered in court, in order to improve upon their delivery skills" (Interpreters Handbook 2011:5).

interpreter, without payment, in cases where a party cannot understand the language used in court. Consequently, courts across Ghana continue to rely on the services of interpreters to fulfill the dictates of the constitution.

Interpreting and the Role of the Interpreter

In this section, we will explore the definition of interpreting and the significance of courtroom interpreters. Furthermore, we will examine the role of courtroom interpreters in the Ghanaian context and provide a background for discussing the linguistic obstacles that these interpreters encounter in their day-to-day work.

According to Kohn & Kalina (1996:118) interpreting is a type of cross-linguistic and cross-cultural communication that involves communicative engagement between members of various language communities mediated by interpreters. During interpreting, the interpreter looks for linguistically and culturally similar expressions in the target languages with the view to guarantee that speakers from various language and cultural backgrounds receive the same meaning as the source utterances. It is in view of this that De Jongh (1991) argues that interpreters must be fluent in the languages involved as well as have an in-depth understanding of the cultural values, conventions, behaviours, and beliefs that may impact communication between members of various languages and cultural communities.

Although professional interpreters and legal practitioners have consensus on the fact that the interpreter needs to render linguistically accurate and culturally appropriate interpretations, there is no consensus on the *modus operandi*. While legal professionals see and expect interpreters to be translation machines, interpreters view themselves as facilitators of communication. A classic example is shown in Lee's (2009) comparative study on the views of legal practitioners about court interpreters and the views of the interpreters themselves. The study reveals wide disparities between 226 legal practitioners and 36 interpreters on the role of court interpreters in that while interpreters prefer to be seen as facilitators of communication, legal professionals see them as translation machines. Also see (Laster & Taylor, 1994; Mikkelsen, 1998; Hale, 2008; Lee, 2009; etc.).

According to Laster & Taylor 1994: 113), legal professionals' view of court interpreters is not only formed mainly to ensure legal admissibility of interpreted evidence and to avoid hearsay, but it is also premised on a belief that an interpreter, acting as a kind of non-person machine or a conduit pipe, would render a literal and faithful version of the original message in the target language. According to Laster and Taylor (1994: 113), legal professionals' perceptions of court interpreters are based not only on the need to ensure the legal admissibility of interpreted evidence and avoid hearsay, but also on the assumption that an interpreter, working as a form of non-person machine or conduit pipe, would generate a literal and precise rendition of the original message in the target language. Such a role according to legal professionals would prevent interpreters from potentially being intrusive.

On the contrary, court interpreters hold the view that such a rigid view of the role of the court interpreter would not only result in the interpreter providing only decontextualized linguistic equivalents but also invariably prevent interpreters from playing active roles of exercising professional judgement, seeking clarification, or providing clarification (Morris 1993: 291). In fact, interpreting scholars including Hale (2004) have argued that the restrictive role posited by legal professionals is not conducive to accurate interpretations and ensuring the linguistic presence of CALD defendants or witnesses.

Regarding the role of the interpreter in the Ghanaian courts, the Judicial Service of Ghana advocates for interpreters in court be facilitators of communication “where a party/accused or witness speaks a language other than English, and requests that an interpreter is present to interpret for them” (Interpreters handbook 2011:6). The interpreters’ handbook enjoins the Ghanaian courtroom interpreter to interpret accurately and precisely, be impartial and treat all people equally during the discharge of his/her duty. In terms of interpreting techniques, the handbook recommends that interpreters use various techniques such as intervention to seek clarification, to alert the judge or magistrate that of misunderstandings, to alert the court to a possible missed cultural inference, and if someone is speaking indistinctly. This suggest that the Judicial Service of Ghana actively advocates for the Ghanaian courtroom interpreter to be an active facilitator of communication as opposed to a strict machine-like conduit.

Method

The preceding sections have presented an overview and background of the discussion on the linguistic challenges of courtroom interpretation in Ghana. In this section, we outline the methodology that underpins the study. Specifically, we discuss ethical considerations, sampling, and sampling techniques, as well as data collection and analysis.

Sampling

The main objective of this study was to investigate the linguistic challenges faced by courtroom interpreters in the discharge of their duties. To achieve this goal, the study sought the opinions of practicing courtroom interpreters on the challenges they encountered during their daily courtroom duties. Random sampling was used to select the respondents. Kaplan, Korf, and Sterk (1987) describe random snowballing as a sampling method that involves identifying individuals with knowledge of a specific topic and asking them to refer other individuals with similar knowledge. This process is repeated until a sufficient sample size is achieved. This method is particularly useful in cases where respondents are challenging to locate using other sampling methods. In total, 31 respondents comprising 15 females and 16 males were surveyed.

Data Collection Procedure

The data collection involved a three-step procedure:

1. Pre survey observations

This was the first step of the data collection process. This pre-survey observations involved three visits to the Madina Magistrate Court in the Greater Accra Region of Ghana. The visits were to gather preliminary information that would eventually inform the content of survey questionnaire to be deployed in stage two: Online survey.

2. Online survey (Questionnaire)

The second phase of our research involved the use of an online survey to gather data from respondents. We chose an online survey due to the challenges in accessing the participants. The survey consisted of three main sections. The first section focused on the respondents' demographics. The second section comprised a series of questions concerning the challenges encountered by court interpreters. These questions presented respondents with a range of well-documented challenges associated with courtroom interpreting, as well as those observed during the pre-survey observation, to confirm their prevalence and importance. In the final section of the survey, we asked interpreters about the coping mechanisms they use to address the challenges they face. It is worth noting that the findings on coping mechanisms are not solely based on questionnaire responses, but also on observations made during court proceedings.

3. Post survey observation

The survey results indicated the presence of several challenges, which prompted us to observe the coping mechanisms utilized by court interpreters. The post-survey observations further enabled us to confirm the existence of some of the identified challenges.

Ethical Issues

In order to maintain a high level of ethical standards, we obtained permission from the office of the Chief Justice through the Judicial Secretary to observe and take notes of court proceedings. This permission was granted through a letter from the Judicial Secretary, which was presented to the Judge and Registrar before we began observing the proceedings. Furthermore, before responding to the online survey, all participants were provided with a consent form to ensure their willingness to participate.

Results and Discussion

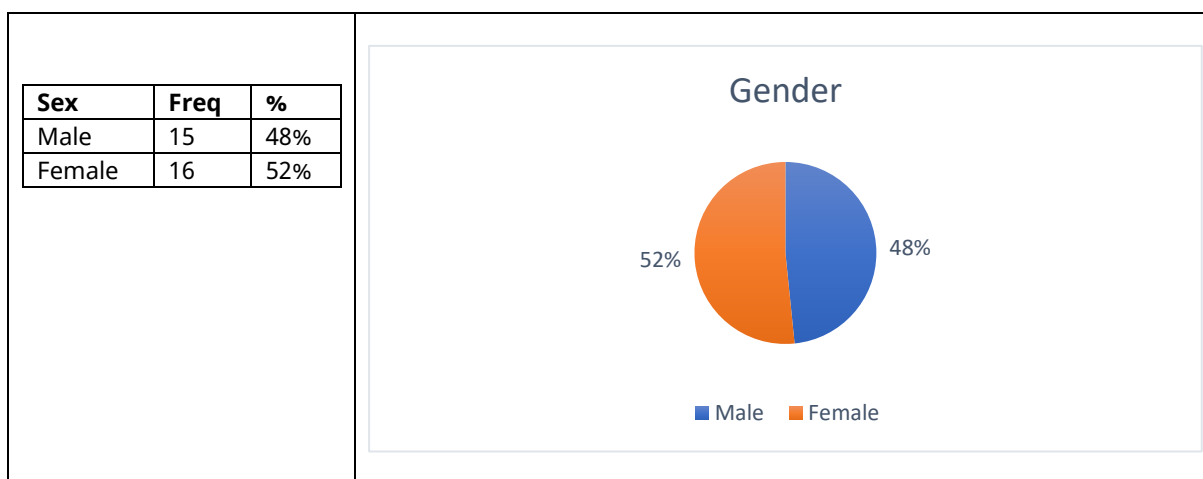
The present section is dedicated to the presentation and discussion of the results, and it is divided into three subsections. The first subsection provides data on the respondents' demographic information, while the second subsection presents information on the linguistic difficulties encountered by interpreters. The final subsection of the results and discussion section discusses the coping mechanisms utilized by interpreters to alleviate the challenges.

Demographic Information

The section on the demographic information provides data on issues like the gender, age, educational qualification, number of languages spoken, years of service as interpreters and the availability of pre-service and in-service training.

1. Gender

The data on the demographic feature of sex shows that there is a relatively even split between male and female interpreters who participated in the survey, with 15 male interpreters (48%) and 16 female interpreters (52%).



Gender diversity in the interpreting profession is important for a number of reasons. One reason is that it allows for diverse perspectives and experiences to be brought to the table, which can lead to better communication and understanding between people from different cultures and backgrounds. It also helps to ensure that interpreting services are accessible to people of all genders, as people may feel more comfortable working with interpreters of the same gender in certain situations.

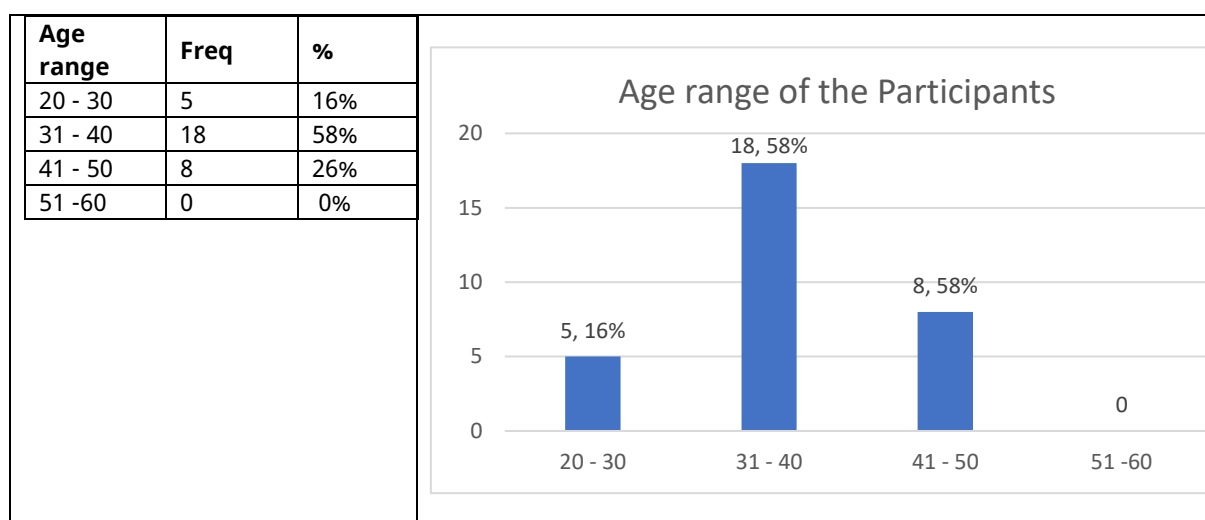
It is worth noting, however, that gender alone does not necessarily determine the quality of interpretation. The skills, knowledge, and experience of the interpreter are also critical factors in determining the effectiveness of interpretation.

2. Age Range of the Participants

The data on the demographic feature of age shows that the majority of interpreters who participated in the survey fall within the age range of 31-40 years old, with 18 interpreters (58%) in this age group. Five interpreters (16%) fall within the age range of 20-30 years old, while eight interpreters (26%) are between the ages of 41-50 years old. No interpreters in the sample are over the age of 50.

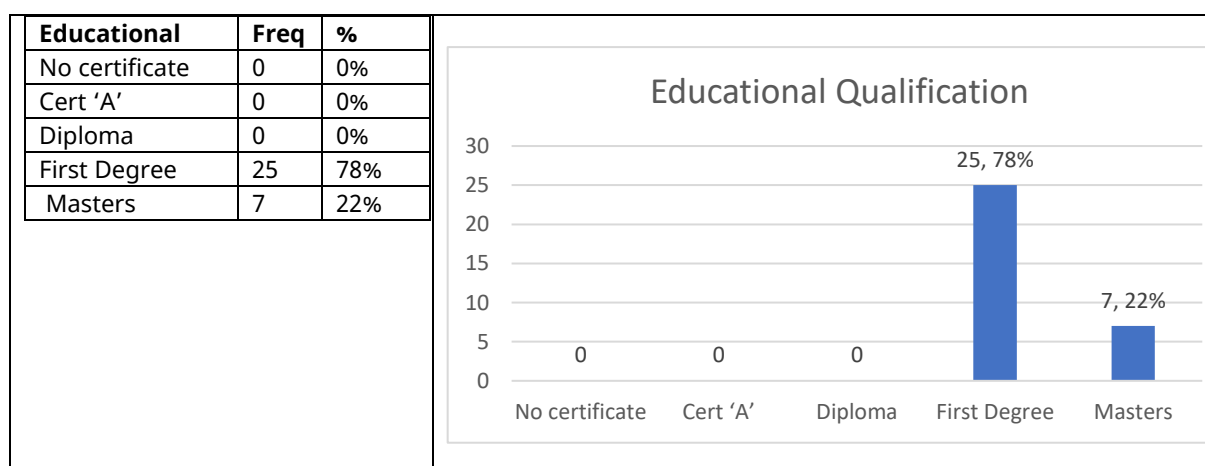
The age of an interpreter can potentially impact their effectiveness in the interpreting profession. Older interpreters may have more life and work experience, which can be beneficial in certain situations. On the other hand, younger interpreters may be more adept at using technology and social media, which can be advantageous in certain

settings. It is important to note, however, that age alone does not necessarily determine the quality of interpretation. The skills, knowledge, and experience of the interpreter are also critical factors in determining the effectiveness of interpretation.



3. Educational Qualification

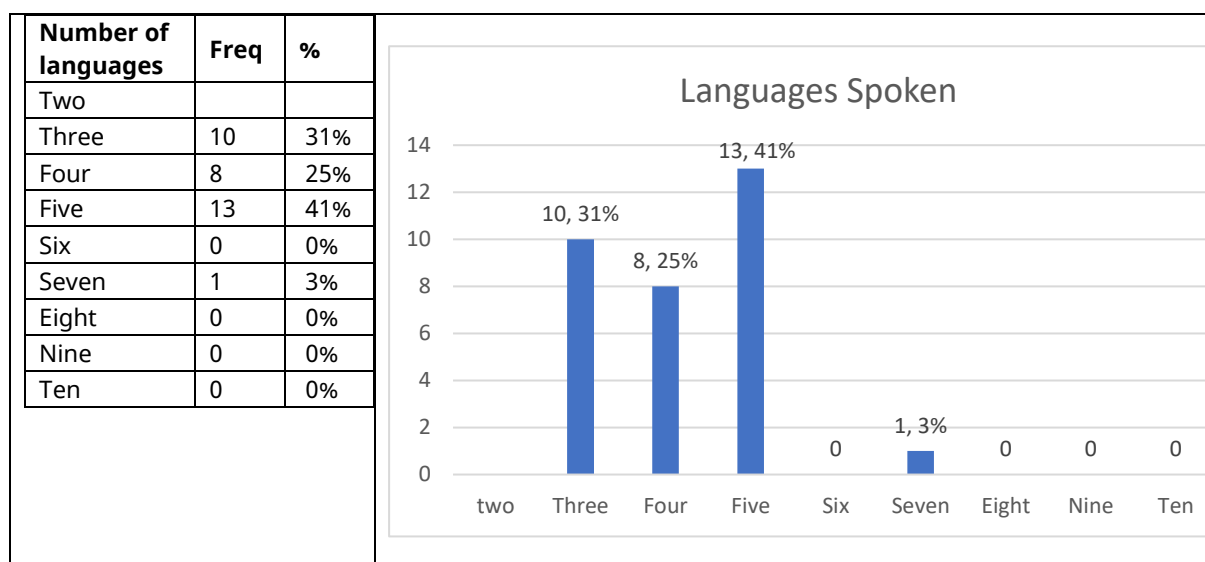
The data shows that 25% of the interpreters surveyed hold a first degree and 7% hold a master's degree. This indicates that the majority of the interpreters have some level of higher education, with a focus on bachelor's degrees. It is worth noting that there are no interpreters in this sample who do not hold any formal qualification or certification.



Having a higher level of education, such as a bachelor's or master's degree, can potentially provide interpreters with a deeper understanding of language, culture, and communication, which are all critical skills for effective interpretation. Interpreters with higher education levels may also be more likely to have undergone training and coursework specifically related to interpreting, which can help to improve their skills and knowledge in the field. However, it is important to note that educational qualifications alone do not necessarily guarantee the quality of an interpreter's work. Other factors such as experience, language proficiency, and cultural competence can also play important roles in determining an interpreter's effectiveness.

4. Languages Spoken

Based on the data provided, it appears that most courtroom interpreters speak between three to five languages, with 10 interpreters speaking three languages, 8 interpreters speaking four languages, and 13 interpreters speaking five languages. Only one interpreter spoke seven languages, and none of the interpreters reported speaking six, eight, or nine languages. The data shows that on average the interpreters spoke 4 languages.

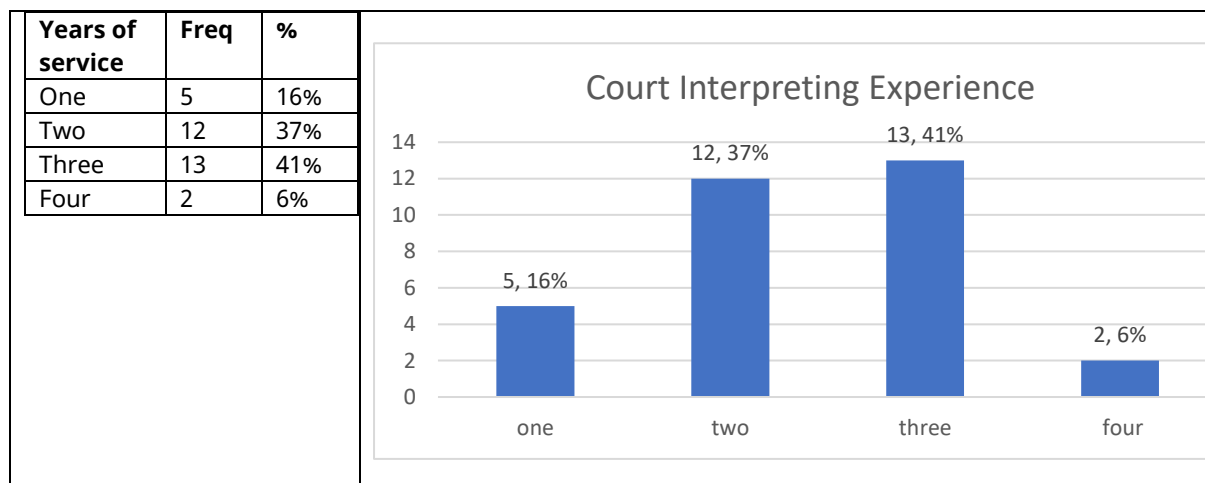


This data on the number of languages spoken has some implications for courtroom interpreting. First, the fact that the majority of interpreters reported speaking between three and five languages suggests that courts may need to rely on multiple interpreters to cover all the languages needed in a given case. This can increase costs and logistical challenges associated with coordinating multiple interpreters. Second, the fact that only one interpreter reported speaking seven languages suggests that it may be difficult to find qualified interpreters for some less commonly spoken languages. This can create challenges for ensuring that all parties in a case have equal access to justice, particularly for those who speak languages that are not commonly spoken in the region. Finally, the data suggests that interpreters may need to be prepared to work with languages that they are not completely fluent in. This can create challenges for ensuring accurate interpretation, particularly for complex legal terminology and nuanced aspects of legal proceedings. The data highlights the need for courts to carefully consider the language needs of all parties in a case and to work to ensure that qualified interpreters are available for all necessary languages. This may involve investing in interpreter training and recruitment programs and exploring innovative solutions such as remote interpretation to help address the challenges associated with providing interpretation services for less commonly spoken languages.

5. Court Interpreting Experience

The data on interpreter's years of service shows that the majority of the interpreters surveyed have been working as interpreters for two to three years, with 12 interpreters

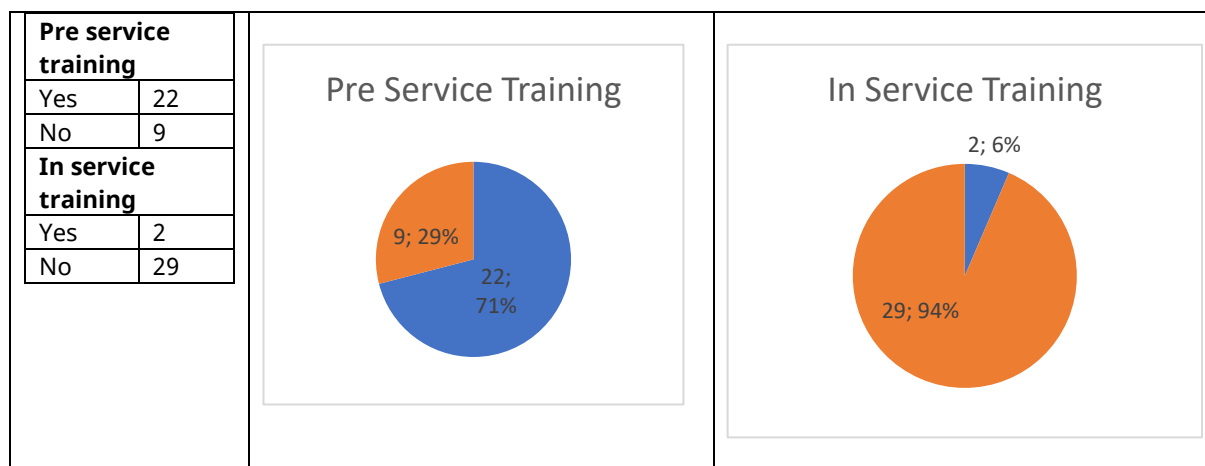
(46%) having two years of experience and 13 interpreters (50%) having three years of experience. This suggests that the majority of the interpreters surveyed are relatively new to the profession. It is worth noting that only two interpreters (8%) in the sample have four years of experience, indicating that there may be a high turnover rate in the profession. This may be due to a variety of factors, such as burnout, job dissatisfaction, or lack of job security.



Having more years of experience can be beneficial for interpreters, as it provides them with more opportunities to refine their skills and gain expertise in interpreting. However, it is important to note that experience alone does not necessarily equate to higher quality interpretation.

6. Availability of Pre-service and In-service Training

The data on the provision of pre-service and in-service training for courtroom interpreters suggests that there is a difference in the level of training that interpreters receive before and after entering the field. Specifically, the data indicates that a majority of the interpreters (22 out of 31) reported receiving pre-service training, while a majority (29 out of 31) reported not receiving in-service training. This suggests that there may be greater emphasis placed on training interpreters before they begin working in the field, rather than on providing ongoing training and professional development opportunities.



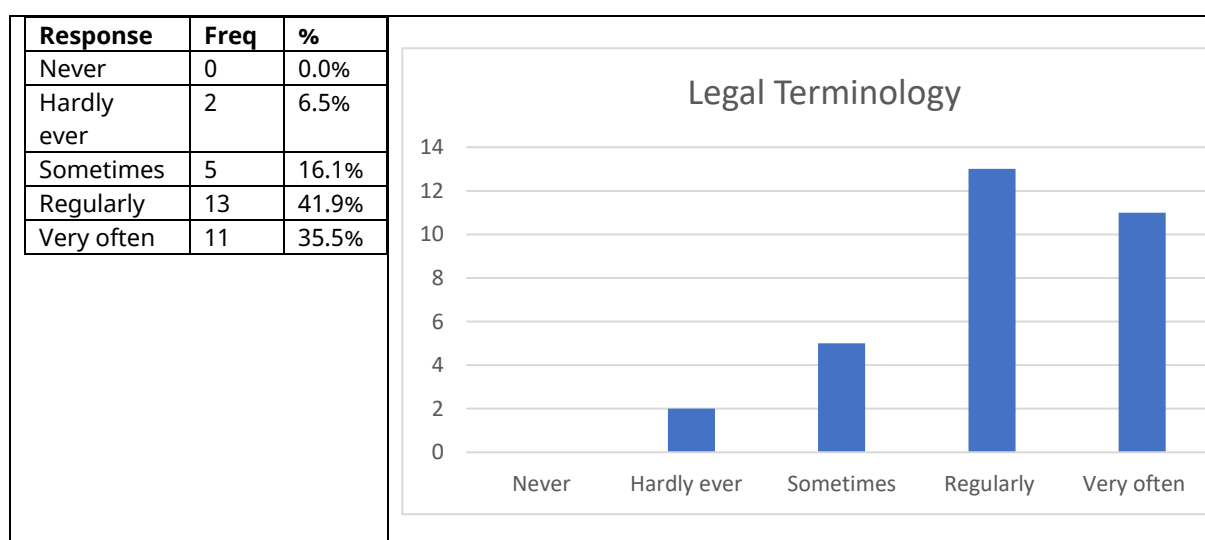
The provision of pre-service training can help to ensure that interpreters have a foundational understanding of legal terminology, court procedures, and ethical considerations related to interpretation. This can be particularly important for interpreters who are working with languages that are less commonly used in legal settings or who are new to the field. However, the lack of in-service training opportunities can have implications for the quality of interpretation services over time. Without ongoing training and professional development opportunities, interpreters may struggle to keep up with changes in legal terminology, evolving best practices in interpretation, and new technologies or tools that can support interpretation work.

Overall, the data highlights the need for courts and interpretation service providers to prioritize both pre-service and in-service training opportunities for interpreters. This may involve investing in interpreter training programs, providing ongoing professional development opportunities, and exploring ways to leverage technology to support interpretation work. By providing interpreters with the tools and support they need to perform their work at a high level, courts can help to ensure that all parties in a case have equal access to justice.

Linguistic Challenges

As noted in the introduction, the study sought out to investigate the linguistics challenges that courtroom interpreters face in their everyday work. In this section we discuss the various challenges that were recorded in the survey. The section discusses these under seven key areas namely legal terminology, terminology in other specialized areas, kinship terminology, measurement and quantities terms, Descriptive terms, Idiomatic expressions and speakers' use of long Sentences.

1. Legal Terminology



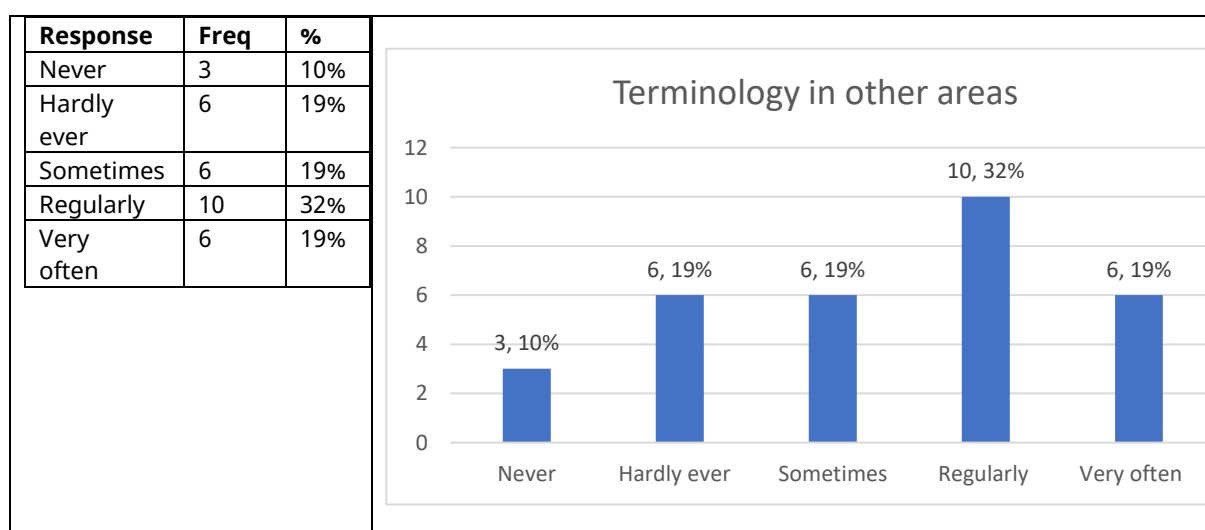
Regarding the challenge of difficulty in interpreting “difficult” legal terminology, the data shows that a significant proportion of courtroom interpreters encounter difficult legal terminology on a regular basis. Specifically, over three-quarters of the respondents (77.4%) indicated that they regularly or very often encounter difficult legal terminology.

This suggests that interpreting legal proceedings can be a challenging task that requires a high level of expertise and knowledge of legal terminology. It's worth noting that while the majority of respondents encounter difficult legal terminology on a regular basis, a significant proportion (22.6%) reported encountering it less frequently.

This may suggest that some interpreters are more experienced or have a greater degree of familiarity with legal terminology, while others may be newer to the profession or have less exposure to legal proceedings. Overall, this data underscores the importance of having qualified and experienced interpreters in courtrooms, particularly in cases where legal terminology may be particularly complex or difficult to understand.

2. Terminology in Other Areas Such as Medical Science, Finance, Economics, etc.

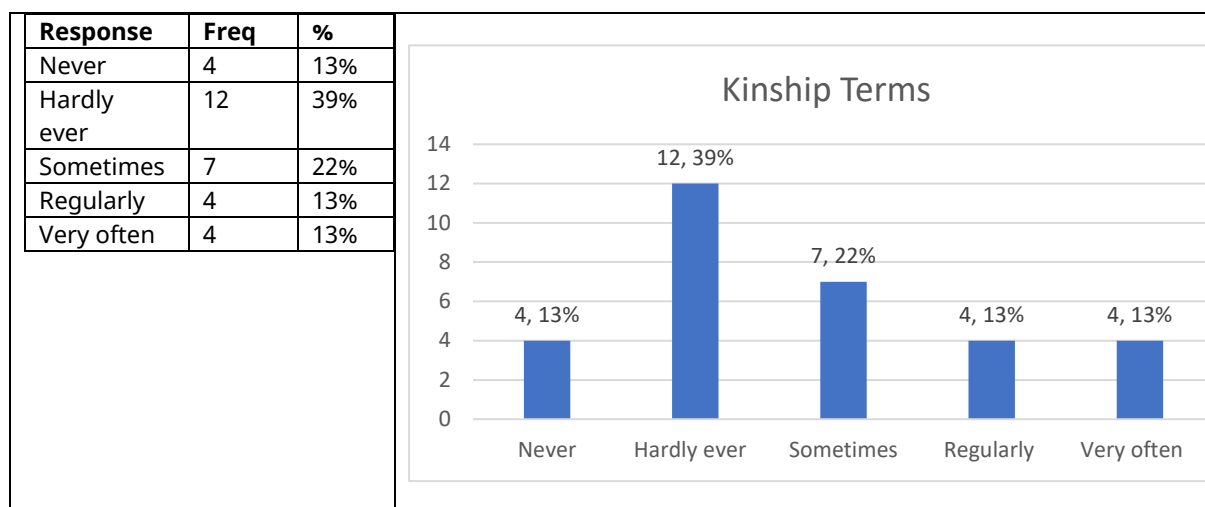
Regarding difficulties in interpreting terminology in other areas such as medical science, finance, economics, the data show that majority of interpreters (61.3%) reported encountering difficulty with interpreting terminology in other areas at least sometimes. Specifically, 10 interpreters (32.3%) reported encountering such difficulties regularly or very often, while 6 (19.4%) reported encountering difficulties only sometimes. In addition, 6 interpreters (19.4%) reported encountering such difficulties hardly ever, while 3 (9.7%) reported never encountering difficulties with interpreting terminology in other areas. It is worth noting that interpreting in other specialized areas may require additional training and expertise beyond that which is necessary for interpreting in a legal setting. As such, it may be important for interpreters to receive specialized training or work with colleagues who have expertise in these areas to improve their ability to interpret terminology accurately and effectively.



3. Some Linguistic Features, Such as Tag Questions and Kinship, Terminology (e.g. Brother, Cousin, Uncle, Friend)

Based on the data provided, it appears that courtroom interpreters do not encounter significant difficulties in interpreting certain linguistic features and terminologies, such as tag questions and kinship terms. Looking at the data, we can see that the majority of interpreters (60.0%) reported encountering difficulties with these linguistic features and

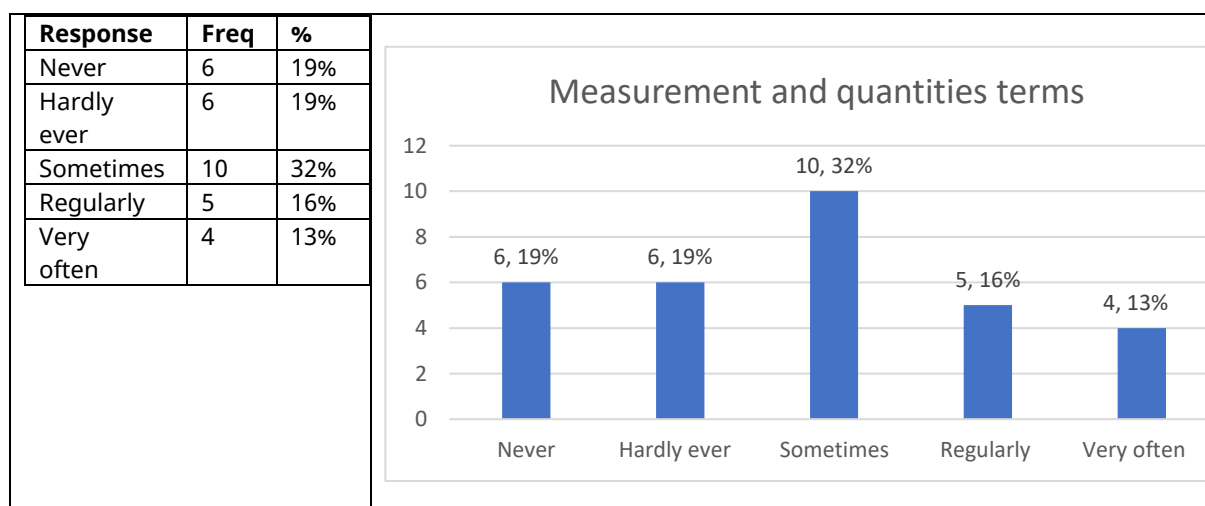
terminologies hardly ever or never. Specifically, 4 interpreters (13.3%) reported never encountering difficulties with these features, while 12 (40.0%) reported encountering difficulties hardly ever. Additionally, only 4 interpreters (13.3%) reported encountering difficulties very often or regularly.



It is worth noting that these linguistic features and terminologies may be more common in everyday language and may not require the same degree of specialized knowledge as legal terminology or terminology in other specialized areas. However, even if these features and terminologies are not particularly difficult for interpreters to handle, it's important that they are accurately and effectively interpreted to ensure the integrity of legal proceedings. Overall, this data suggests that courtroom interpreters may have a high degree of competence in interpreting certain linguistic features and terminologies. However, ongoing training and development may still be necessary to ensure that interpreters are equipped to handle a wide range of linguistic features and terminologies that may arise in legal proceedings.

4. Measurement and Quantities Terms (e.g. Money, Fines, Land, Time, etc.)

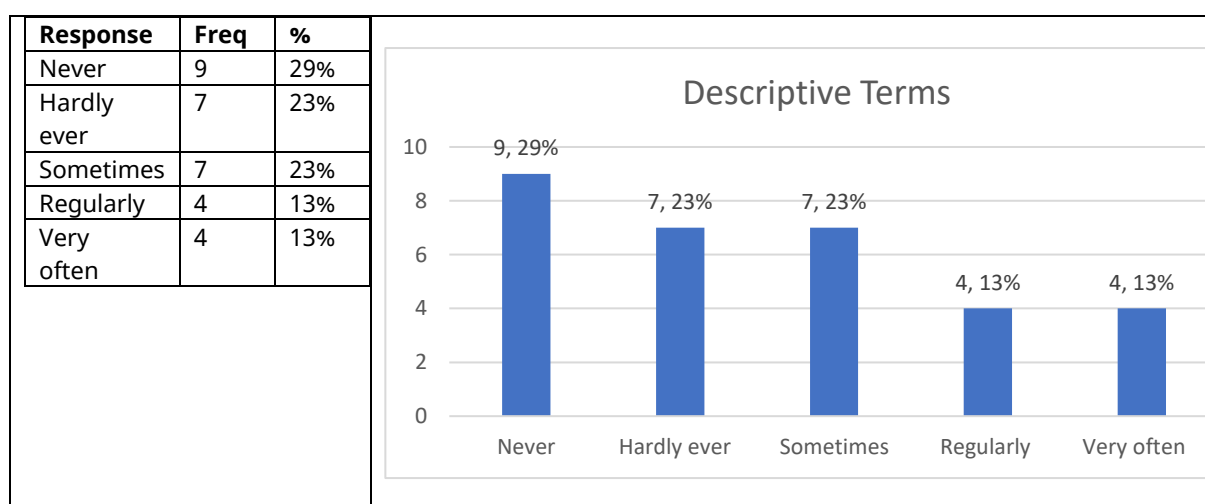
The data provided indicates the level of difficulty that courtroom interpreters face in interpreting measurement and quantities terms.



Of the 31 responses, 19.35% of respondents reported never experiencing difficulty in interpreting these terms. Another 19.35% reported experiencing difficulty hardly ever. The majority of the respondents reported facing difficulty in interpreting these terms to some degree. 32.26% reported experiencing difficulty sometimes, while 16.13% reported experiencing difficulty regularly. 12.90% of respondents reported facing difficulty very often. Overall, the data suggests that a significant portion of courtroom interpreters face challenges in interpreting measurement and quantities terms, with more than half of the respondents reporting experiencing difficulty at least occasionally. This highlights the need for continued training and support for courtroom interpreters to ensure accurate interpretation of complex legal concepts.

5. Descriptive Terms Like Color, Height etc.

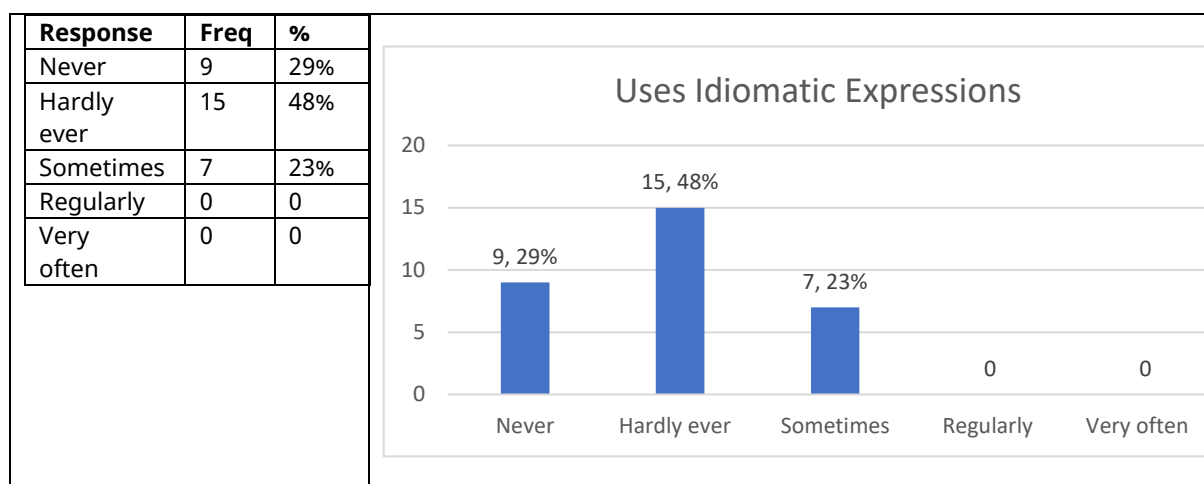
The data provided indicates the level of difficulty that courtroom interpreters face in interpreting descriptive terms like color, height, etc.



Of the 31 responses, 29.03% of respondents reported never experiencing difficulty in interpreting these terms. 22.58% of respondents reported experiencing difficulty hardly ever, and 22.58% of respondents reported experiencing difficulty sometimes. A smaller proportion of respondents reported facing difficulty on a more regular basis, with 12.90% of respondents reporting experiencing difficulty regularly and another 12.90% of respondents reporting facing difficulty very often. Overall, the data suggests that courtroom interpreters generally have a relatively low level of difficulty in interpreting descriptive terms like color and height, with more than half of the respondents reporting never experiencing difficulty. However, there is still a notable proportion of interpreters who face challenges in interpreting these terms, particularly on a regular or frequent basis. This highlights the need for ongoing training and support to ensure accurate interpretation of descriptive terms in the courtroom setting.

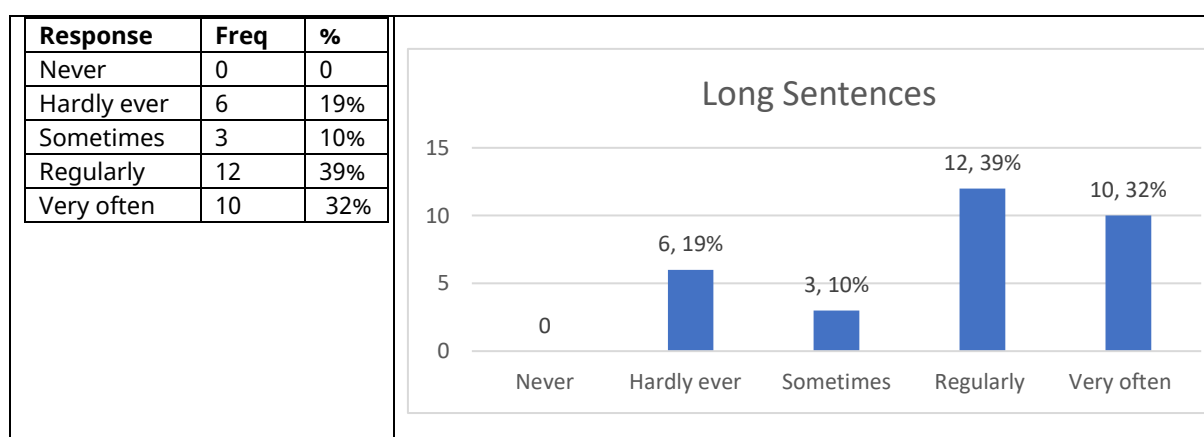
6. The Speaker Uses Idiomatic Expressions You Are Not Familiar With

The data provided indicates the level of difficulty that courtroom interpreters face in interpreting speakers' use of idiomatic expressions that they are not familiar with.



Of the 31 responses, 29.03% of respondents reported never experiencing difficulty in interpreting idiomatic expressions. A larger proportion of respondents (48.39%) reported experiencing difficulty hardly ever, indicating that they only face challenges in interpreting idiomatic expressions on rare occasions. A smaller proportion of respondents (22.58%) reported experiencing difficulty sometimes, while none of the respondents reported facing difficulty regularly or very often. Overall, the data suggests that courtroom interpreters generally have a relatively low level of difficulty in interpreting speakers' use of idiomatic expressions. However, there is still a notable proportion of interpreters who face challenges in interpreting idiomatic expressions on occasion. This highlights the need for ongoing training and support to ensure accurate interpretation of idiomatic expressions in the courtroom setting, particularly for those interpreters who may not be as familiar with the language or culture of the speakers.

7. The Speaker (e.g. Judges, Lawyers, Plaintiffs etc.), Uses Long Sentences



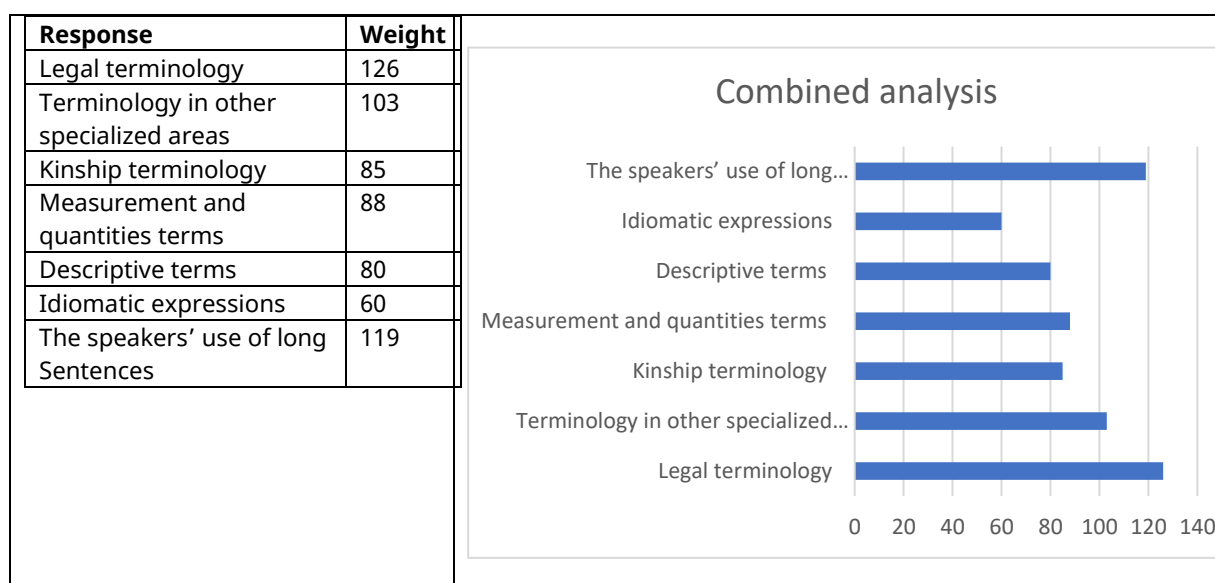
Based on the data provided, 40% of the respondents reported that courtroom interpreters face the difficulty of interpreting the speakers' language very often, while another 30% reported that they encounter this difficulty regularly. This suggests that a significant proportion of courtroom interpreters find it challenging to interpret the speakers' language accurately and effectively. Furthermore, 20% of the respondents reported that courtroom interpreters face the difficulty of interpreting long sentences very often, while another 60% reported that they encounter this difficulty regularly. This

indicates that the use of long sentences by speakers, such as judges, lawyers, and plaintiffs, poses a significant challenge for courtroom interpreters. Overall, the data suggests that courtroom interpreters face significant difficulties in interpreting the language of speakers in courtrooms, particularly in dealing with long sentences. This highlights the importance of providing appropriate training and support to courtroom interpreters to enable them to perform their role effectively and accurately.

8. Combined Analysis

Based on the data provided, courtroom interpreters face a range of challenges when interpreting in courtrooms, with legal terminology being the most challenging area. Respondents reported a weight of 126 for legal terminology, indicating that it poses a significant difficulty for courtroom interpreters. This is not surprising, as legal language can be complex and technical, with precise meanings that can vary depending on the context.

The second most challenging area reported by respondents is terminology in other specialized areas, with a weight of 103. This suggests that courtroom interpreters may struggle with technical language used in areas such as medicine, engineering, or finance. Kinship terminology and measurement and quantities terms were also reported to be challenging areas, with weights of 85 and 88, respectively. These areas can pose difficulties for interpreters as they involve precise language that can be difficult to translate accurately. Descriptive terms, such as adjectives and adverbs, were also reported to be challenging, with a weight of 80. This suggests that interpreters may struggle with the nuances of descriptive language and the precise meanings that these words can convey. Idiomatic expressions were reported to be less challenging than other areas, with a weight of 60. This may be because interpreters are often trained to recognize and translate idiomatic expressions, which are commonly used in spoken language.



Finally, the data also highlights the speakers' use of long sentences as a significant challenge for courtroom interpreters, with a weight of 119. This suggests that speakers

who use long, complex sentences can make it difficult for interpreters to follow the meaning of what is being said and accurately translate it into the target language. In summary, the data indicates that courtroom interpreters face a range of challenges when interpreting in courtrooms, including legal terminology, specialized language, kinship terminology, measurement and quantities terms, descriptive terms, idiomatic expressions, and long sentences. These challenges highlight the importance of providing appropriate training and support to courtroom interpreters to enable them to perform their role effectively and accurately.

Coping Mechanisms

Section 4.2 discusses the significant difficulties faced by interpreters while working in court, and in this section, we outline some of the strategies that interpreters use to manage these challenges. The results of the post-survey analysis demonstrate that interpreters use different coping mechanisms such as code mixing, omitting details, approximating colors, kinship terms, and measurements, as well as seeking clarifications. The following sections will provide a detailed discussion of these coping mechanisms.

1. Code Mixing

Code-mixing is a sociolinguistic phenomenon that occurs when speakers switch between two or more languages or language varieties within a single conversation, sentence or clause. This phenomenon is observed in multilingual communities and is often used to convey social meaning, express identity, or achieve communicative goals. See (Myers-Scotton 2006). The interpreters at the Madina magistrate court often resorted to this mechanism when faced with a terminological gap. Examples of these cases of code mixing observed from the Madina magistrate court are presented in examples (1) through to (5) below.

- | | |
|------------------|---|
| 1. <i>Twi</i> | <i>Ya garanti application no</i>
They grant application DET
“They (judge) has granted the application” |
| 2. <i>Twi</i> | <i>ɔ se wo ne wo kunu yɛɛ agreement</i>
2SG say you and your husband make agreement
“She said you and your husband had an agreement” |
| 3. <i>Twi</i> | <i>ɔ maa wo hunu sɛ ɔ rekordi</i>
He make you know that he recording
“He made you know that he is recording” |
| 4. <i>Dangme</i> | <i>Mɛni ligbi nɛ o nine su samasi nɔ</i>
When day foc 2SG.sbj hand get summons PostP
“When did you receive the summons?” |
| 5. <i>Dangme</i> | <i>kojɔɔ ɔ ke e disitsaji mo</i>
Judge DEF say 3sg.subj discharge you
The judge says he has discharged you. |

In example (1), "grant" and "application" are code mixed into the Twi sentences while in examples (2) and (3) "agreement" and "recording" are code mixed into another Twi sentence. In example (4) and (5) 'summonses' and 'discharged' rendered as '*samansi*' and *disitsaji* are code mixed in to a Dangme sentences. It is worth noting that despite the code mixing, the parties involved in the legal proceedings did not have any difficulty understanding the interpreters' communication.

2. Omission of Details

In addition to code mixing, interpreters frequently omitted "unnecessary" details. For example, fines described in "penalty units" were converted into actual monetary values, excluding the specifics. This can be seen in example (a) and its interpretation in (b), where a fine of 125 penalty units is simply stated as "thousand five hundred Ghana Government fine" in monetary terms.

(a). "You are fined 125 penalty units"

(b). *Aban abɔ wo ka thousand five hundred Ghana*
 Government beat you adept thousand five hundred Ghana
 "Government has fined you thousand five hundred Ghana"

Another form of omission observed was in cases where multiple sub-events of a broader concept were described. In these instances, interpreters often omitted the details and focused solely on the outcome of these events. For example, in (c) the speaker describes a series of events related to renovating a house, such as painting, tiling, and fixing windows. The interpreter omits these details and simply states the outcome of the events in the interpretation (d), "he said he repaired the house."

(c). "I painted the house, tiled it and also fixed the windows"

(d). *ɔ-se ɔ siesie dan no*
 he said he repaired house DET
 "he said he repaired the house"

3. Approximations of Colors and Kinship Terms

Throughout the research, a pattern of approximating colors and kinship terms, was identified. These approximations are examples of how language can be adapted to convey concepts that may not have direct equivalents in other languages. By utilizing approximations, speakers can enhance cross-cultural communication and convey ideas more effectively across linguistic and cultural barriers. In the following examples, we show instantiations of these in the data.

A. Approximations of Colors

Language often involves approximations, and color terms are a typical example. Different languages can have varying color vocabularies, and these words may not always have a direct equivalent in other languages. For instance, some languages may

use a single term to refer to both green and blue, or different terms for light and dark shades of the same color. To overcome this challenge, interpreters often resort to approximations. In the Madina Magistrate court, an example of such an approximation was observed in a case where a dark blue car described as "blue-black" was referred to as dark in Twi. Example (e) illustrates this case, and its interpretation is shown in (f).

(e). "The car is blue-black"

(f). Car no ye tumtum
Car DET be dark
"the car is dark"

B. Approximations of Kinship Terms

Kinship terms are words used to describe relationships between family members. However, these terms may not always have equivalent translations in other languages. For example, in some languages, there may be a single word to describe both aunts and uncles, or different words to describe maternal and paternal grandparents. In these cases, speakers may use approximations, such as describing a family member. The post survey observation showed instances of such approximations of kinship terms.

4. Seeking Clarifications

As previously mentioned, requesting clarifications is a critical component of courtroom interpretation, as it promotes precise communication among all parties participating in the legal proceedings. According to post-survey observations, interpreters frequently sought clarifications from parties, particularly when parties used lengthy sentences. It was observed that these interventions by the interpreters frequently resulted in resolving ambiguities and misunderstandings, leading to improved efficiency, impartiality, and, ultimately, the delivery of justice.

Conclusion

This article presents a survey report that focuses on the linguistic difficulties experienced by courtroom interpreters in their daily work. Additionally, the article discusses various strategies that interpreters use to overcome these challenges and proposes recommendations that can improve the performance of Ghanaian courtroom interpreters. The study found that interpreters face several linguistic challenges, including the absence of legal and technical terminology equivalents in indigenous languages, inadequate kinship term equivalents, limited measurement and descriptive terms, the use of idiomatic expressions, and long sentences. To mitigate these challenges, interpreters commonly use strategies such as codemixing, omission of details, approximating color and kinship terms, and seeking clarification through intervention.

To mitigate the challenges outlined and thus improve the quality of interpretation in the Ghanaian courtroom, we recommend all the following:

1. **Creation Glossaries in the indigenous languages:** To address the absence of legal and technical terminology equivalents in indigenous languages, interpreters can create glossaries or dictionaries of key legal and technical terms. This can help ensure consistency and accuracy in the interpretation of complex legal concepts.
2. **Collaboration with Communities to identify and develop appropriate kinship terminology:** Inadequate kinship term equivalents can be addressed by collaborating with indigenous communities to identify and develop appropriate terminology. Interpreters can also consult with community members to better understand cultural nuances and ensure accurate interpretation.
3. **Development of Context-Specific Terminology:** Limited measurement and descriptive terms can be addressed by developing context-specific terminology that is appropriate for the legal setting. Interpreters can work with legal experts to develop clear and concise terminology that accurately conveys the intended meaning.
4. **Simplifying Language:** To address the use of idiomatic expressions and long sentences, interpreters can simplify language by breaking down complex sentences into simpler phrases and avoiding the use of idiomatic expressions. This can help ensure that the interpretation is clear and accurate.
5. **Pre-Session Preparation:** Courtroom interpreters can prepare themselves prior to a session by reviewing the relevant documents to familiarize themselves with legal jargon and terminologies in advance. They can also consult with legal experts, legal practitioners, and other interpreters to get a better understanding of the legal context and procedures.
6. **Training and Professional Development:** Finally, training and professional development opportunities can help interpreters develop the skills and knowledge necessary to address these challenges. Regular training and professional development programs can help interpreters stay up-to-date with the latest legal terminology and develop strategies to address challenging language issues.

References

- Anyidoho, A., & Dakubu, M. E. K. (2008). Ghana: Indigenous languages, English, and an emerging national identity. *Language and National Identity in Africa*, 141, 157.
- Atintono, S. (2013). *The semantics and grammar of positional verbs in Gurene: A typological perspective*. Doctoral dissertation, The University of Manchester, United Kingdom.
- Atintono, S., & Nsoh, A. (2018). Inconsistent language policy and its implications for the quality of education in Ghana. *Education for Life in Africa*. Leiden: ASC, 82-99.
- Dakubu, M. E. K. (2015). *The Languages of Ghana*. Routledge.
- De Jongh, E. M. (1991). Foreign language interpreters in the courtroom: The case for linguistic and cultural proficiency. *The Modern Language Journal*, 75(3), 285-295.
- Eberhard, D. M., Simons, G. F., & Fennig, C. D. (Eds.). (2023). *Ethnologue: Languages of the World (26th ed.)*. Dallas, Texas: SIL International.
- Government of Ghana. (1992). Constitution of the Republic of Ghana

- Hale, S. (2004). The discourse of court interpreting. *The Discourse of Court Interpreting*, 1-288.
- Hale, S. (2008). Controversies over the role of the court interpreter. *Benjamins Translation Library*, 76, 99.
- Judicial Service of Ghana (2011) Interpreters Handbook.
- Kaplan, C. D., Korf, D., & Sterk, C. (1987). Temporal and social contexts of heroin-using populations: An illustration of the snowball sampling technique. *The Journal of Nervous and Mental Disease*, 175(9), 566-574.
- Kiguru, E. G. (2008). Strategies employed by court interpreters and categories of interpreter error in selected Kenyan courts. *Unpublished MA Dissertation*). Kenyatta University, Nairobi.
- Kohn, K., & Kalina, S. (1996). The strategic dimension of interpreting. *Meta*, 41(1), 118-138.
- Laster, K., & Taylor, V. L. (1994). Technocratic Multiculturalism: Lawyers Use Interpreters. *Law Context: A Socio-Legal J.*, 12, 76.
- Lee, J. (2009). Conflicting views on court interpreting examined through surveys of legal professionals and court interpreters. *Interpreting*, 11(1), 35-56.
- Morris, R. (1993). The interlingual interpreter—Cypher or intelligent participant?. *Revue Internationale de Semiotique Juridique*, 6(3), 271-291.
- Mikkelsen, H. (1998). Towards a redefinition of the role of the court interpreter. *Interpreting*, 3(1), 21-45.
- Myers-Scotton, C. (2006). Natural codeswitching knocks on the laboratory door. *Bilingualism: Language and Cognition*, 9(2), 203-212.
- Nartowska, K. (2016). The role of the court interpreter: A powerless or powerful participant in criminal proceedings? *The Interpreters' Newsletter*, 20, 9-32
- Philister, Y. & Mwangi, P. (2020) Linguistic challenges faced by the interpreter in presentation of litigants' evidence in Kericho county, Kenya. *International Journal of Management Studies and Social Science Research*, 65-68