

Ibrahim, Zubaida (2002). *Court Interpreting in Malaysia in Relation to Language Planning and Policy*. Unpublished doctoral thesis, faculty of languages and linguistics, University of Malaysia.

This doctoral thesis (348 pages, 38 pages of bibliography, and 75 pages of appendices), is an essentially empirical investigation with very little theory. It is an analysis of the situation of court interpreting in Malaysia, and focuses on the question of how effective the Malaysian court system is in providing adequate interpreting service, suggests that the present system is dysfunctional, and makes specific recommendations with a view to improving the situation.

Ibrahim defines her approach as based on *soft system methodology*, basically a triangulation with careful on-site observation, interviews, a review of the literature and questionnaires (with piloting before the actual operational stage). This work was carried out with remarkable professional care.

The author explains the structure of the Malaysian court system and the highly heterogeneous ethnic and linguistic make-up of the population (in the year 2000, 54.8% of the population was ethnic Malay, 25.3% ethnic Chinese, 7.4% ethnic Indian). The official language of trial and of record being Malay, what is more, a formal type of Malay, and 45% of the population being potentially unable to plead in this language, the role of court interpreters is clearly very important. Historically, English was and remains important, but Malay was selected as a national language, which poses considerable difficulties, in view of the persistence of ethnic differences without a 'common culture'. In the Legal system, in spite of a clear Language policy in favor of Malay, major problems arise: Malaysian laws are deeply rooted in English Common Law, a large body of legal documents are still not available in Malay, and the majority of lawyers and judges were trained in the United Kingdom and operate better in English than in Malay.

A rich dataset is analysed (in Chapter 5). Ibrahim notes in particular that the most significant part of the interpreter's job is that "she carries out her duties without any supervision and without any kind of written guide or operations manual", that "the overall problem in court is shortage of human resources, especially interpreters", that poor working conditions appear to be the reason for failure to recruit more interpreters - an overwhelming majority of interpreters interviewed (86%) said they would leave the service if they only had the opportunity. The author also notes that the pay and conditions of service for freelancers vary enormously: freelance interpreters from government departments are paid RM 25.00 per diem, while interpreters obtained from embassies are paid between RM 300.00 and RM 500.00 per diem. As to the role of interpreters, it is very vaguely defined, one of the most problematic aspects of court interpreting in Malaysia: respondents among judicial officers see it as including assistance to the judge (90%), translation (89%), and even clerk duties (65%). In spite of almost 100% agreement that interpreters carry heavier duties than clerks, and over 70% agreement that trials

cannot proceed without the interpreter, 57% of registrars and magistrates still insist that interpreters must also perform the clerical duties (p. 242). The perception of the interpreters regarding the duties required of them in court is in direct contrast with these views.

Malaysian interpreters enter the service straight from school and begin work without any prior training. They have typically been expected to learn on the job by observing more experienced colleagues, and there is 100% consensus that they need training, but besides a one week workshop, virtually none is provided to them. Nevertheless, the questionnaire on quality generated an impressive figure of 95% of respondents who considered interpreters to be efficient and reliable - but the interpreters themselves were very self-critical on this matter.

Ibrahim notes that the Malaysian system is unique in that the Bench takes down verbatim notes during the proceedings, and that court interpreters perform two further and mutually incompatible sets of duties, namely those of the Clerk of the Court in the British system, and of an adviser to the unrepresented accused (!).

The seventh and final chapter concludes the study with a summary of 10 main findings and a set of recommendations, including training of magistrates, prosecutors and lawyers on how to work with interpreters.

Ibrahim points out that this thesis provides solid information which allows interpreters to substantiate their claims and plead for an improvement. Indeed, a vast amount of relevant data was collected, and findings are striking. They show convincingly that when institutional conditions are not appropriate, court interpreting, a socially important type of interpreting, cannot be provided adequately. While the study was carried out in Malaysia, many of the findings apply to a varying extent to other countries all over the world. Food for thought, and for potential action. An excellent document.

Reviewer : Daniel Gile