



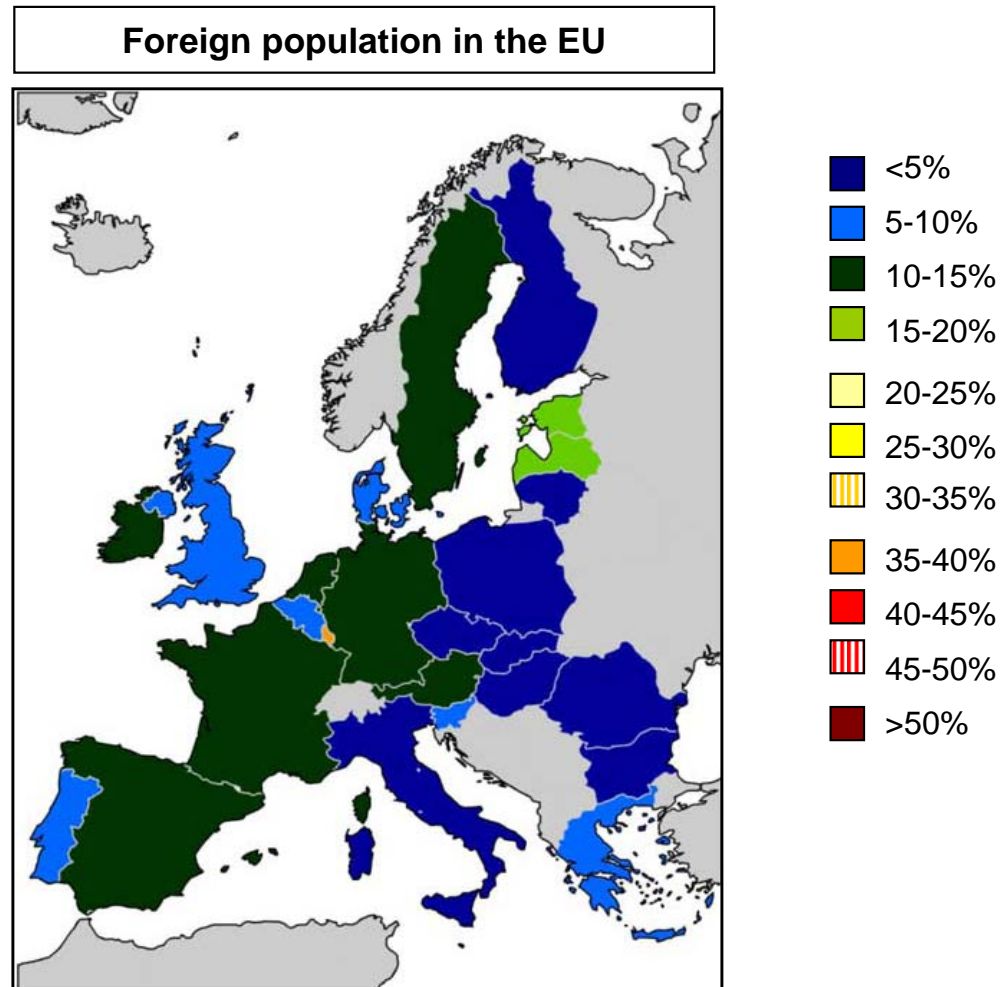
Beyond the bar... behind bars:

A case study on translation and interpreting in Spanish prisons

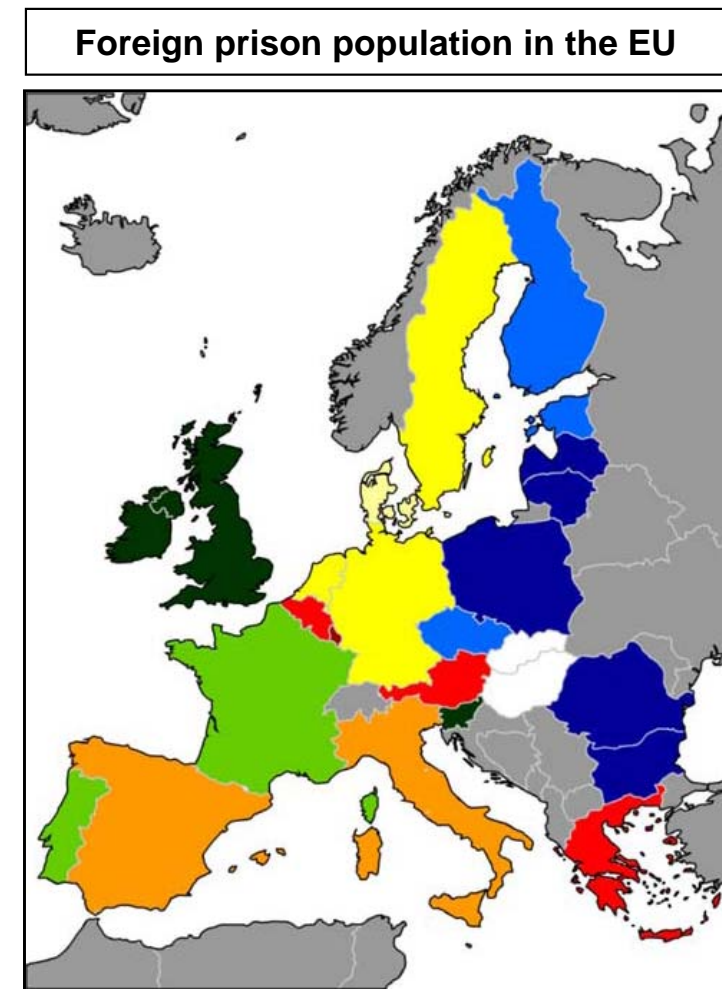
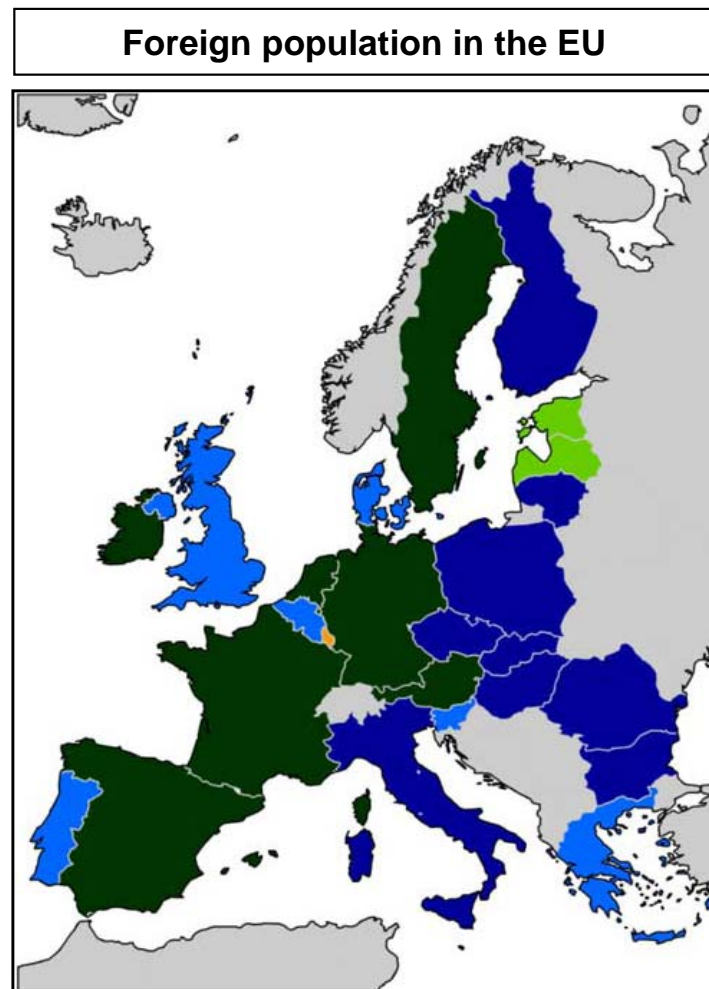
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Foreign population in the EU



Foreign population in the EU





The most common and significant problem faced by foreign prisoners is the **lack of knowledge of the national language**.

As a result, verbal and written **communication** is severely **hampered** and that causes feelings of **social isolation, uncertainty and helplessness** [...].

Daily interactions between foreign prisoners and staff are crucial and it often depends on the **goodwill** of prison staff and fellow-prisoners and the availability of an interpreter.

Linguistic barriers are often the **main source of other problems** that foreign prisoners are facing in penitentiary institutions.

(Van Kalmthout *et al.*, 2007: 17)

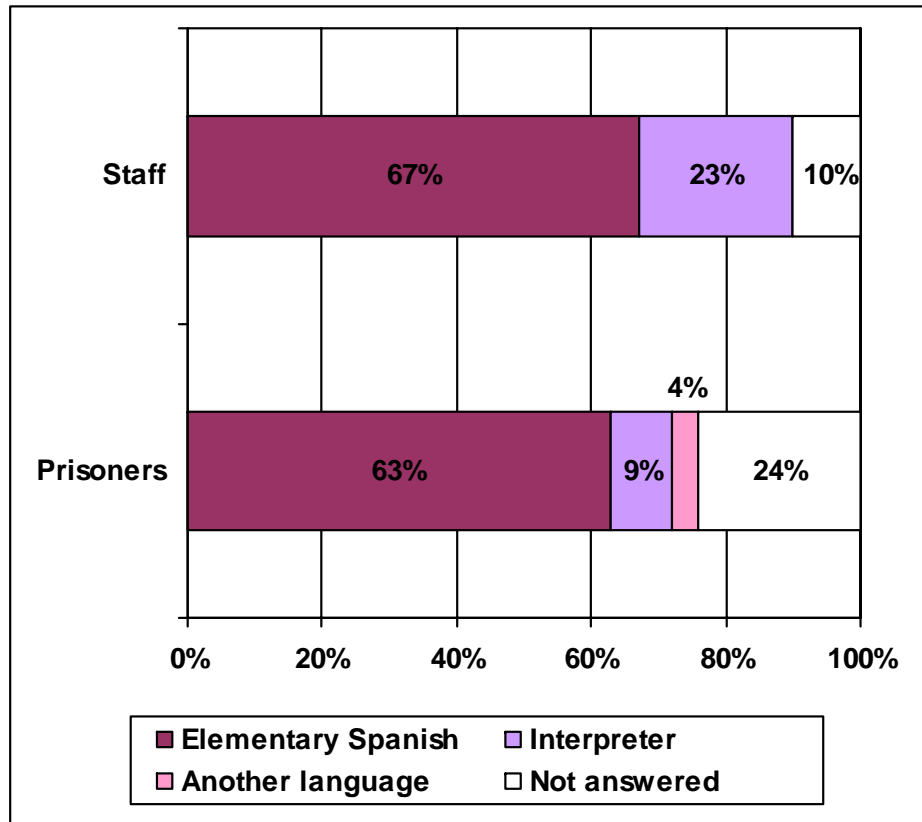
A case study on translation and interpreting in the Spanish prisons in the region of Valencia

- Prisons in the Spanish region of Valencia (4)
- Informants
 - Staff members
 - Managing staff
 - Front line staff
 - Prisoners
 - Foreign-language speakers
 - Interpreters
- Tools
 - Structured interviews
 - Questionnaires
- 47,8% response rate
- Analysis
 - Quantitative
 - Qualitative

Provisions concerning language in Spanish Prison Law

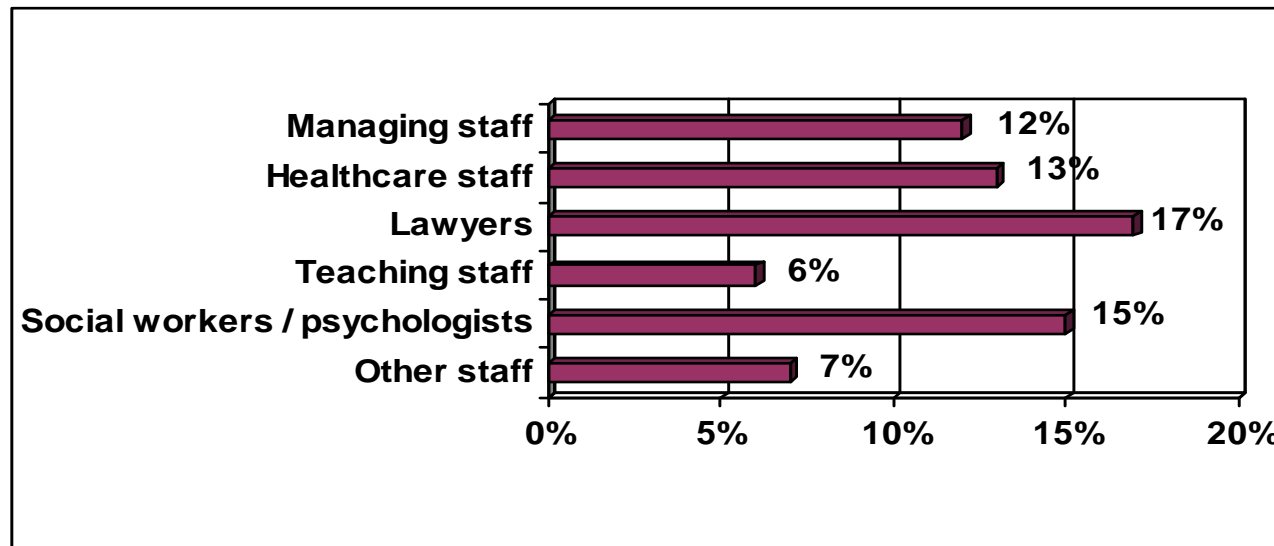
- International covenants
 - United Nations
 - Standard Minimum Rules for the Treatment of Prisoners [1955]
 - Recommendations for the treatment of foreign prisoners [1985]
 - Council of Europe
 - European Prison Rules [2006]
 - Recommendation R (84) 12 concerning Foreign Prisoners [1984]
- Spanish Law
 - Ley Orgánica General Penitenciaria [1979]
 - Reglamento Penitenciario [1996]
 - Information during induction in a language which they can understand
 - Translated materials
 - Conveyed orally in their language by staff member of prisoner
 - Use of staff members or prisoners as interpreters in disciplinary proceedings
 - Language learning opportunities

Measures to enable communication



- Main measure: Elementary Spanish
 - Few with absolutely no Spanish
 - Reluctancy to have an interpreter
 - Immediacy...
- Not exclusive options
- Depend on situation

Interpreting as a way to enable communication



- Delicate / abstract information: use more interpreters
 - Really useful?

Interpreters: profile and selection

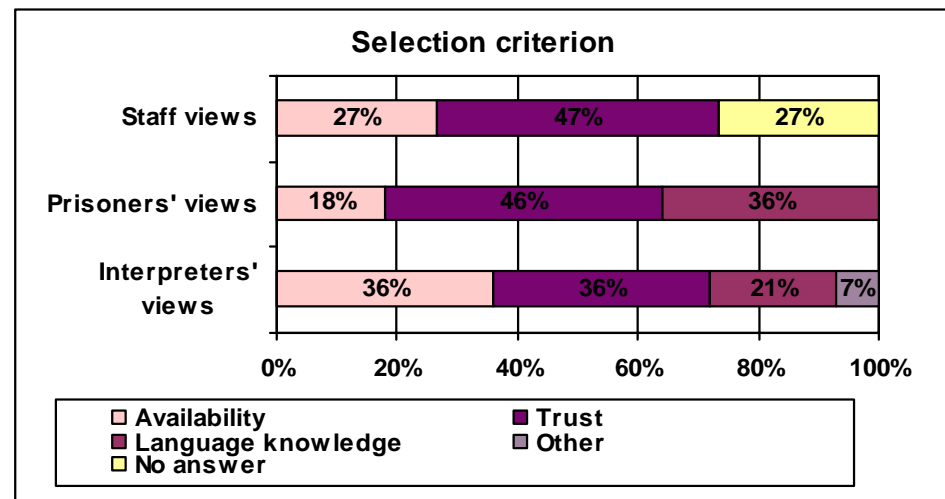
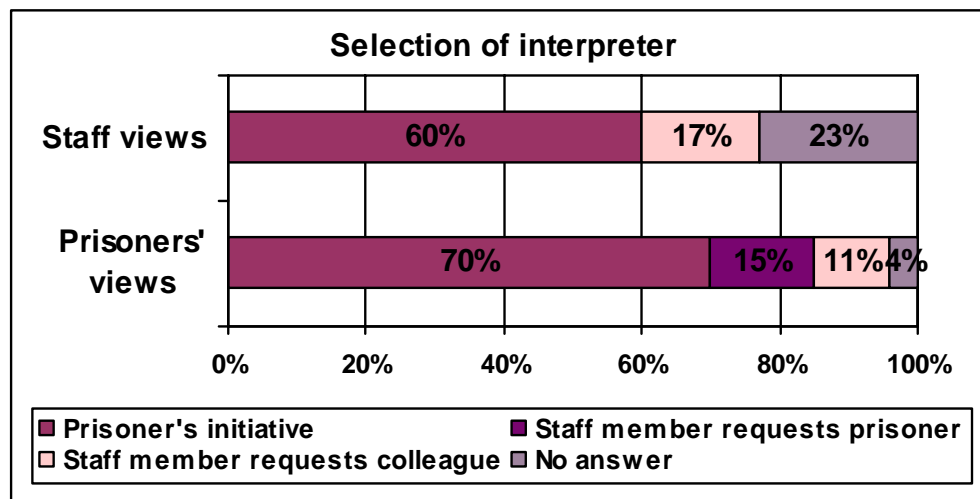
■ Interpreter

□ Prisoner

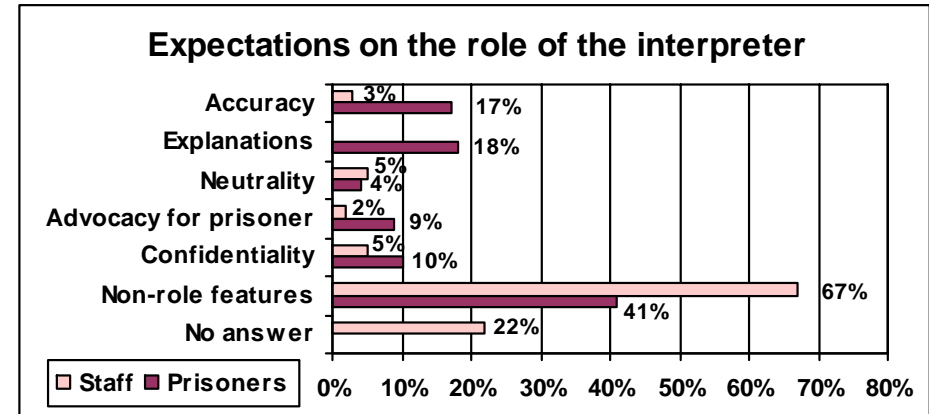
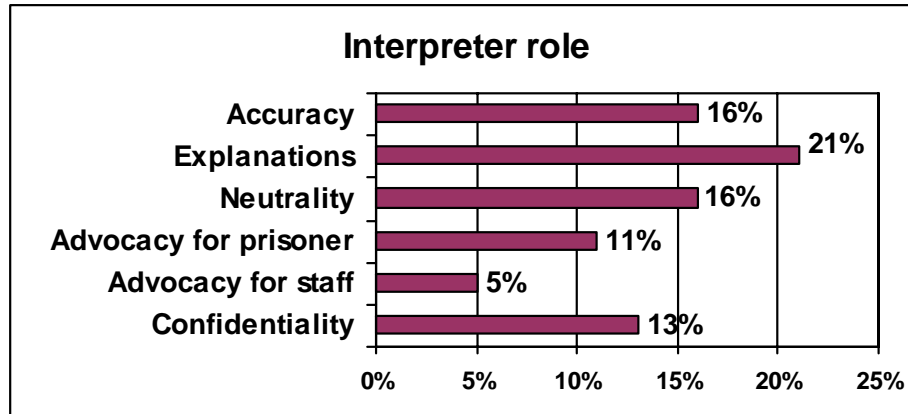
□ Chosen by prisoner

■ Sometimes chosen by staff: groups of trusted prisoners

□ Selection criterion: trust

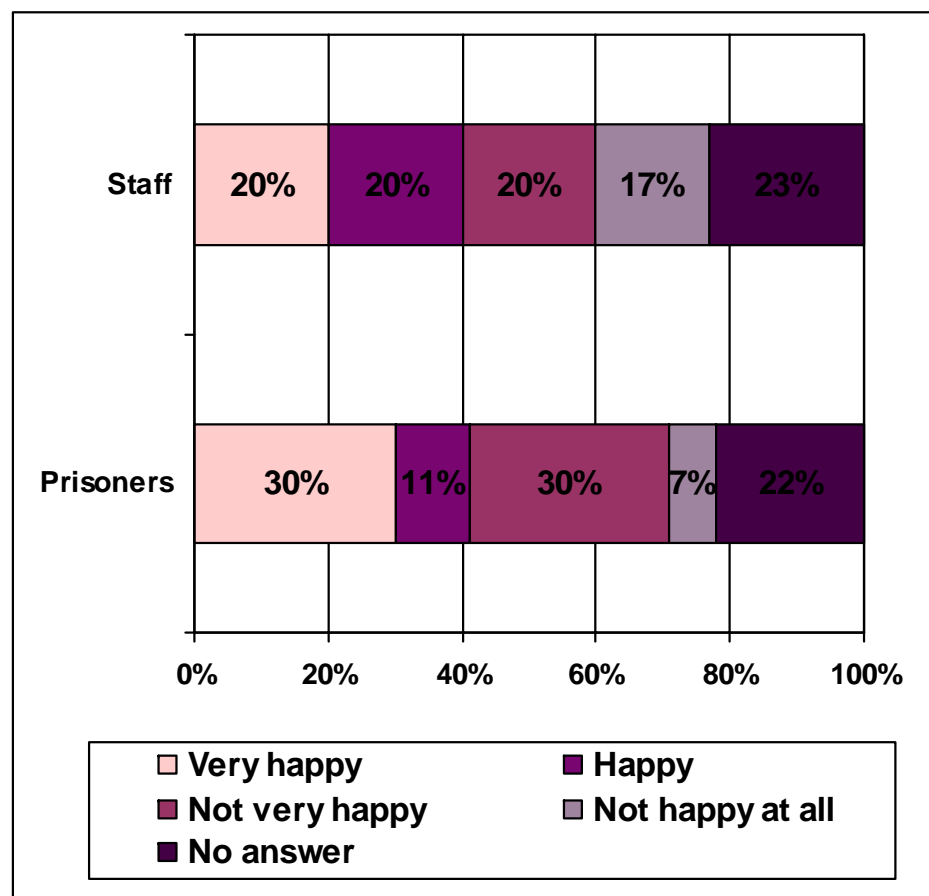


Interpreter role and expectations



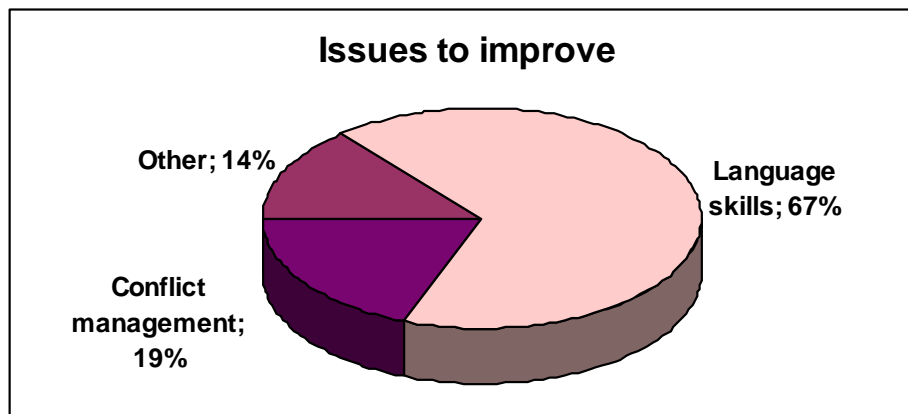
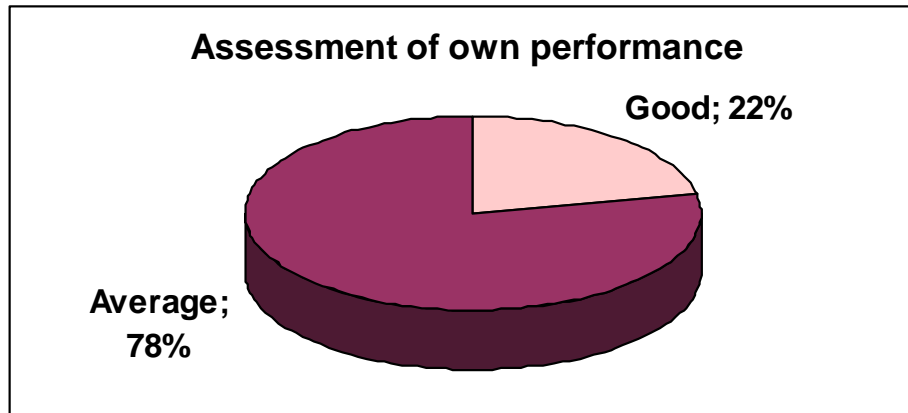
- Unclear interpreters' perception about the role: different stances
- Unclear users' expectations

Users' views on interpreting



- Intermediate position
 - Resignation
- Against interpreting
 - Lack of language competence (lawyers)
 - Lack of goodwill
- For interpreting
 - Trust in their goodwill
 - Availability

Interpreters' views on interpreting



- Cautious in assessment of own performance
- Aware of aspects to improve
 - Language skills
 - Spanish in general
 - Specific areas (e.g. law) in mother tongue
 - Conflict management
 - Other issues
 - “Constitutional rules for translators”

Professional staff translators

- 30 Arabic-Spanish staff translators working for the Spanish Prison Service
 - C.P. Alicante Cumplimiento & C.P. Valencia
- Monitoring terrorism-related prisoners
 - Translating letters sent/received
 - Monitoring reading materials received
 - Monitoring conversations with visitors
- Little or no interpreting

Translated materials

- Formal requests by prisoners
 - Written in Spanish by a fellow prisoner
- Formal notifications from prison administration to prisoners
 - Sight translations by a fellow prisoner
- Monitored correspondence
 - Translated on site
 - Sent to the Prison Service to have it translated
- Induction materials
 - Booklet in 7 languages: “La prisión paso a paso”

Concluding remarks

- Responsibility for overcoming the language barrier falls on prisoners
- Interpreting conducted by prisoners
 - Issues of trust, confidentiality, availability
 - Unclear definition of role
 - Different levels of satisfaction
- Patchy picture leading to
 - Inequalities
 - Hampered access to treatment
 - Emotional consequences (isolation, frustration...)



Justice cannot stop at the prison gate

Campbell and Fell v. the United Kingdom (§ 69)



Justice cannot stop at the prison gate

(Campbell and Fell v. the United Kingdom, § 69)



Thank you very much!

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