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Beatriz Carrasco Aguas, BA

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Introduction

Legal interpreting is in a time of change. There is growing awareness, both on the part of international organizations such as the EU and at the national level in Spain, of the need to ensure quality legal interpreting services (Blasco Mayor & del Pozo Triviño, 2015). However, research in this field has largely overlooked an essential actor: interpreting agencies.

The role of interpreting agencies is understudied in general (Ozolins, 2007, p. 122). There is a lack of literature and, when these agencies are mentioned in academic writing, the agencies are generally criticized. Many point out these agencies' lack of standards and poor working conditions for the interpreters¹ they employ or whose services they offer to different public service institutions, especially in the case of legal interpreting (González & Auzmendi, 2009; Martin & Ortega Herráez, 2013). Therefore, there is a need for further research within this field.

Hence, this master's thesis will primarily aim to answer the following question: what is the role of legal interpreting agencies within the Spanish legal system? Secondly, it aims to provide an overview of legal interpreting services in Spain, as well as the options available to end-users to access these services. For this purpose, a comprehensive analysis of the relevant literature in this field will be conducted, which will be explained in more detail in the following paragraphs. Upon completion of the theoretical analysis, an empirical study directly related to legal interpreting agencies in Spain will take place.

Before dealing with the research itself, it is necessary to establish the key concepts that will be used throughout the thesis. For this reason, the first chapter will serve to discuss the relevant terminology and to give an overview of the current situation in the field. This analysis will include European regulations, several aspects of professionalization, such as training, competences, ethics and quality standards, as well as the role of sworn translators and interpreters and of the National Registers for legal translators and interpreters.

¹ Throughout this thesis, various writing strategies have been used to favor inclusive language. The most recurrent one is the use of the plural form (e.g. interpreters-they). However, when the use of the plural negatively affects the text, the strategy of using the generic masculine has been chosen, since the use of double pronouns (he/she) or combined pronouns (s/he) was considered inappropriate, as it affects reading fluency.

The second chapter will focus on interpreting agencies and their current role in the market. It is essential to explain why there is such a lack of information regarding interpreting agencies and the reasons for the poor external perception. As previously stated, most of the literature mentioning interpreting agencies focuses on complaints about their lack of standards when hiring interpreters, the low salaries professional interpreters are paid and the agencies' lack of interest in offering quality interpreting services in general. In this context, it is necessary to go a step further and see how translation and interpreting agencies really interact with the market, analyze their services and focus on the challenges and issues that they face.

The third chapter deals with the specific situation in Spain today. Although Spain is not at the forefront of Europe in terms of translation and interpreting in public services, it is a very interesting country to focus this analysis on for two main reasons: It is a border country with a large flow of immigration and it has a high degree of internal multilingualism, which is a result of the country's co-official languages. This chapter will include relevant aspects of Spain's multilingualism, the current provision of legal interpreting services and the outsourcing system and essential aspects of the professionalization such as the concept of sworn translators and interpreters and professional associations.

The fourth and fifth chapters will be focused on the empirical analysis, including the methods and results of the study. They will combine the analysis of an expert interview with the CEO of a legal translation and interpreting agency in Spain and the webpage analysis of the two agencies that currently hold the public contracts for the provision of legal interpreting services in Spain.

Finally, the sixth chapter will include a discussion and conclusions as well as suggestions for possible further research.

1. Legal interpreting

Legal interpreting is understood as “interpreting related to legal processes and proceedings, including but not limited to lawyer-client representation, prosecutor-victim/witness interviews and law enforcement communications” (Framer et al., 2010, p. xi). Legal interpreting is prevalent in many different contexts and settings, from criminal law procedures to prisons or asylum hearings.

Legal interpreting services are essential in today’s world, as migration is becoming increasingly common. Although there are people who firmly believe that migrants must learn the new country’s official language, whenever there are migrants who do not speak this official language, a legal interpreter is needed in order for them to rightfully access services, since the idea that they need to learn the language in order to integrate in the new country is not something that can be put into practice from one day to the next (Bancroft, 2015, p. 222). Researchers in this field have different terminological systems to categorize the various concepts. In the following paragraphs, essential concepts relevant to this master’s thesis and their categorization will be discussed.

1.1. Settings

As already mentioned, legal interpreting encompasses a broad variety of settings, from interpreting inside a courtroom to interpreting for the police, in prisons or in asylum settings. This is why most authors consider it to be a part of community interpreting, also known as public service interpreting, as it enables equal access to a public service for individuals who do not speak the language of the service (Bancroft et al., 2013). There are, however, some authors who consider that legal interpreting, and especially court interpreting, should not be understood as a setting within the field of community interpreting (Bancroft, 2015). In addition to having diverse perspectives for categorization, there is also no consensus on terminology. There is a variety of terms that are used as synonyms for legal interpreting, including judicial interpreting, forensic interpreting, interpreting in criminal proceedings and court interpreting (Lee, 2015). There are authors who use one or more of these terms to refer to the whole spectrum of interpreting that takes place in the legal field, but in order to facilitate the reading and understanding of this master’s thesis, a more detailed categorization will be offered.

This categorization is based on Bancroft et al. (2013), who propose to differentiate between court interpreting, which takes place inside the courtroom, and the “gray zone”, which includes all the other services and processes that are linked to the legal system, but

that take place outside the courtroom, such as interpreting for law enforcement, in prison settings, in domestic violence shelters or for immigration services. The differences and challenges of each of these types of interpreting are described in detail below. Throughout this master's thesis the term “legal interpreting” will refer to the whole field, whereas “court interpreting” will be used only for the specific setting of interpreting in court proceedings. Although there are differences between the various types of legal interpreting, there are also certain common aspects, such as the focus on bilateral interpreting or the predominant use of the consecutive mode².

One essential aspect of legal interpreting is the asymmetry of the context, in the sense that each participant's role is not only clearly defined but also constrained (Haworth, 2006, p. 740). In contrast to other types of interpreting, such as conference interpreting, legal interpreting takes place in a context where the interactions take place between (at least) three parties, with one party being an expert representing an authority (such as judges, lawyers, police officers, etc.) and another party being someone who needs access to the service (such as suspects, victims, witnesses, etc.). Between the two parties is the interpreter, who has to be able to deal with the added difficulty of this power imbalance in order to deliver a high-quality interpretation, which requires great intercultural sensitivity and empathy in order to be able to take into account the points of view and interests of both parties (Hale, 2007; Kalina, 2015; Pöllabauer, 2015).

Within the context of legal interpreting in intra-social settings, the fields of interpreting in court, for the police, in prisons and in asylum proceedings will be analyzed in more detail in the following paragraphs. However, not all legal interpreting takes place within the community. There are also cases of legal interpreting in international settings, which is mainly focused on tribunal interpreting in an international level (Hertog, 2015). The best-known example is the Nuremberg trial, although there are other high-profile international cases, such as the case of the Madrid bombing trials, which some researchers categorize within this category.

1.1.1. Court interpreting

If we disregard its use as a synonym for legal interpreting, the concept of court interpreting refers, in a more restricted sense, to interpreting in a courtroom (Lee, 2015,

² Throughout this thesis, the concept of interpreting will refer to interpreting in spoken languages and not to sign language interpreting, unless otherwise specified.

p. 186). According to many authors, the main objective of the court interpreter is to facilitate communication despite the language barrier between the defendant and the system since, in many countries, individuals have the right to an interpreter if they do not speak the language used in the system. However, other authors see the function of the court interpreter as a facilitator of the communication between the people involved in the process, rather than a means for the defendant to gain access to the system (Kadric, 2019). Although the right to an interpreter in such contexts is taken for granted, in most cases there are no laws specifying who can act as an interpreter in court proceedings (Mikkelsen, 2016). Therefore, if the interpreter is not appropriately qualified, the defendants cannot be considered to be enjoying their right to a fair hearing (Lee, 2015).

Several modes of interpreting are used within this context, including consecutive interpreting during the examination of witnesses and defendants, and simultaneous interpreting during the proceedings, often in whispered mode in domestic courts, when just one or two defendants are in need of an interpreter. Although it is recommended that in some cases there should be several interpreters, for example if the proceedings last several hours or are of extreme importance, this is not something that happens frequently in practice (Lee, 2015).

The biggest difference between court interpreting and interpreting in other legal settings is that court interpreting is historically more regulated, although the current status of the profession depends on each country. Some countries, such as the USA and Canada, have an established certification system for court interpreters, while other countries, such as Denmark, Australia and Japan, do not. Of the countries that do not have such a system, there are some that have other types of accreditations for translators and interpreters and others that have no certification system at all for the field of translation and interpreting in public services (Lee, 2015). The countries that have accreditation and certification systems do not have a unified system either, as each country runs a different system. This must be taken into account when discussing and analyzing this type of interpreting, as the requirements, training and working methods of interpreters can vary greatly depending on the country in which they are working.

The lack of uniform standards is also reflected in the codes of ethics and codes of professional conduct, which provide guidance for the professional behavior of the interpreters (Kalina, 2015, p. 66). However, there is one premise that seems to be the basis of practice in all of them, and that is that interpreters are expected to convey the entire content of the interaction. This does not mean that they are expected to literally

translate every word that is spoken throughout the process, but rather the entire content, including all the relevant linguistic nuances (Kadric, 2019). Jurists are often of the opinion that the only way to get a proper interpretation is if everything is interpreted literally (Kalina, 2015, p. 77). According to Kranjčič (2010) there is this idea that interpreters should act as mechanical translators, without thinking about or analyzing what they are saying. In addition, there is the idea of interpreters' invisibility and impartiality, which implies that their presence should not even be noticed. In contrast, there are also experts who believe that court interpreters should not do a mechanical interpreting job. They consider court interpreters as "experts for a foreign language" (Kadric, 2001, p. 125), meaning that they are expected to give explanations when the cultural knowledge of one party is insufficient to understand the other one. An example of this is the perspective shared by Lankisch (2004), who focuses on the cultural aspect underlying interpreting. She affirms that interpreters should also help the different parties overcome the cultural barrier that separates them because, in many cases, these barriers can complicate or even prevent effective communication.

The point of view and the results of research carried out in this field depend entirely on the country in which they are developed, since the legal systems and judicial practices differ greatly. For example, in the Anglo-American context, Berk-Seligson (1990) was one of the pioneers in analyzing the field of court interpreting. According to her observations, court interpreters in the United States are not an external and isolated figure who tries to be invisible, but an active figure who interacts with the rest of the participants. Her point of view clashes with what other authors claim, which is that court interpreters are expected to interpret literally (Kalina, 2015, p. 74) and that, especially in the context of the Common Law, it is essential that the interpretation maintains the content, tone and register of the original message (Mikkelsen, 1998).

1.1.2. Interpreting in police settings

The right of individuals to be informed of any criminal charges against them in a language they understand is established by the United Nations International Covenant on Civil and Political Rights (United Nations General Assembly, 1966). However, the fact that this right exists does not mean that it is always respected. On the contrary, it is quite common that police practices overlook this right (Mikkelsen, 2016).

Interpreting in police settings does not necessarily have to take place inside police stations and can also occur in public spaces or while interviewing witnesses at crime

scenes. This is why interpreters in these contexts are sometimes exposed to more risks and this can affect the quality of the interpreting (Tipton & Furmanek, 2016). However, research shows that interpreting in police settings is mostly carried out during police interviews.

Police interviews are usually carried out in the form of investigative interviews, which means that they are “goal-focused events, the primary aim of which is the collection and synthesis of evidence into a written statement for use in any subsequent court hearing” (Coulthard et al., 2017, p. 58). They take place in a very formalized context, which definitely plays a role in the interpreters' work. These types of interviews are often very stressful for both parties and the addition of an interpreter does not make them any easier. Professionals in this field tend to use very deliberate language to achieve specific results for this type of interview. It is not uncommon for them to use various linguistic tactics to get the interviewee to react in a certain way, including particular ways of wording, the order of ideas and altered sentence structure (Mulayim et al., 2014). This also greatly affects the asymmetry of the interaction. This asymmetry is clearly perceived in the structure of the conversation, since the dominant interlocutor, i.e., the police officer, is the one who controls the turns and their duration. In addition, the ultimate goal of such interviews, as mentioned in the definition, is the reception of the information by the judicial system, which tends to analyze even the smallest detail of what is said and may reach different conclusions by misrepresenting what was said or meant in the original interview (Mikkelsen, 2016). All this, together with the mix of formal legal language, police jargon and street slang, makes this setting a great challenge for interpreters (Ortiz Soriano, 2015).

The need for joint work to optimize the training of both interpreters working in the field and police officers working with interpreters is mentioned by many researchers (Mulayim et al., 2014; Pérez & Wilson, 2007). It is a cooperation that ultimately aims to improve the quality of service by working together in a way that ensures justice. The professionalization of this field is not only dependent on professional interpreters being trained for the context, but on police officers also being able to work professionally with interpreters. At the same time, interpreters need to have an in-depth knowledge of the dynamics of this context, as they must be familiar with the questioning methods used within police investigative interviews (Mulayim et al., 2014).

1.1.3. Interpreting in prison settings

Another setting in which legal interpreting is present is in prisons and penitentiary institutions. While some of the interpreting in this context is clearly court-related, such as parole hearings or client-lawyer interviews, many other interactions do not involve legal issues, as is the case of conversations between inmates, interactions with prison workers or medical consultations (Martínez-Gómez, 2014, p. 235). This is why some authors study this setting from the point of view of community interpreting in general, instead of analyzing it as part of legal interpreting. However, for the purpose of this thesis, it will be considered a setting within the field of legal interpreting.

Interpreting in prison settings is at various levels of development and professionalization in various countries, both in practice and in research. However, the main problem is the same in all countries the fact that foreign prisoners have to deal with a linguistic barrier, as they often lack a basic knowledge of the official language (Kalmthout et al., 2007, p. 17). There are several international legal instruments aimed at ensuring adequate treatment in prisons. Some of them, like the UN Standard Minimum Rules for the Treatment of Prisoners (United Nations General Assembly, 2015), mention the particular needs of foreign individuals, including communication needs. Also at the European level, there are the European Prison Rules (Council of Europe, 2006), which also cover the linguistic rights of foreign prisoners. They even mention interpreters in sections 38.3 “linguistic needs shall be met by using competent interpreters and by providing written material in the range of languages used in a particular prison” and 59.e “[prisoners charged with disciplinary offences shall] have the free assistance of an interpreter if they cannot understand or speak the language used at the hearing”.

However, despite the existence of a legal framework for the provision of such services, the reality does not always correspond to the legislation. There are currently different methods for dealing with the language barrier of foreign prisoners. In most cases, there is no specific regulation on who can work as an interpreter (Martínez-Gómez, 2014; Mikkelsen, 2016), so *ad hoc* interpreters (non-professional interpreters) take part in the interaction. They are usually inmates who speak both languages, and sometimes prison staff. In some cases, professional interpreters are used, but only in exceptional situations and as a last resort. The use of inmates as interpreters is often quite spontaneous; when foreign prisoners need to communicate, they try to find someone who can help them solve the language problem. In some specific cases, such as England and Wales, systems have been set up to formalize interpreting by inmates. This involves

training them to help others adapt and overcome language barriers. They are free to decide whether they want to do this and are paid for their services. Another case where translation and interpreting services are often provided is in the monitoring of foreign language communication for security reasons. In such cases, the prison in question provides translation for written correspondence and interpreting for face-to-face or telephone conversations. In the event that this cannot be done, external services are arranged for translation and/or interpretation (Martínez-Gómez, 2014).

The use of inmates as interpreters, especially if it is done in an informal way, can have various consequences, such as limiting the quality of the interpretation and the reliability of communication for the prisoner who does not speak the language. It may also affect the roles in the communicative situation or influence the interpreter's position of power, as the interpreter is also a prisoner. However, in her study of the provision of interpreting services in Spanish prisons, Martínez-Gómez considers that the interpreting carried out by prisoners was "acceptable", both from an external perspective and from the perspective of the inmate interpreted, despite her initial expectations to the contrary (2011).

1.1.4. Interpreting in asylum settings

Before starting to analyze interpreting in asylum settings, it is necessary to define the main terms that are part of this type of proceedings. According to the 1951 United Nations Geneva Convention and 1967 Protocol relating to the Status of Refugees (United Nations High Commissioner for Refugees, 2011), the term "refugee" refers to someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion (Article 1).

Asylum proceedings are those processes by which refugee status is determined. These proceedings are carried out in many countries, although those that receive the most asylum applications are the industrialized countries. There is a large number of people who leave their country of origin every year to seek protection in another country, and this is where the work of interpreters in this field begins. Interpreters play an essential role in asylum proceedings (also known as interrogations, hearings or tribunals). As asylum applicants (also known as seekers or claimants) are usually unable to speak or understand the official language of the host country, interpreters are the only ones who understand everything that is being said and what is going on (Pöllabauer, 2015, p. 203).

As previously mentioned, this form of interaction generally consists of three parties: the officer, the asylum seeker and the interpreter, although in some cases there may be other people present, such as a legal representative in the case of unaccompanied minors, lawyers, etc.

These proceedings are highly asymmetrical interactions, as asylum seekers' language and cultural competences are not always useful in the host country's institutional settings. The asymmetry can also be seen in the structure of the interaction, the turn-taking during the interview, the kinds of questions they are asked and the answers they are supposed to give (Blommaert, 2001; Pöllabauer, 2007). All this means that the interpreter's work is not only essential but can also greatly influence the interaction itself. The role of interpreters in this type of interaction is something that has often been discussed, since some authors consider it necessary for them to be "neutral" (Morris, 1995) and others that they should act as "intercultural agents" or "cultural mediators" (Barsky, 1995; Merlini, 2009).

Asylum application procedures vary depending on the country in which they take place, but they generally start when the application is submitted and, once it is processed, the interview takes place. Interviews are a central point in asylum proceedings, since in many cases there are no physical documents to confirm the applicant's history, such as identity documents or passports (Pöllabauer, 2005). That is why concepts such as the credibility and plausibility of what the applicant says are key points when it comes to accepting the asylum request. Therefore, applicants undergo tests aimed at verifying that what they say is logical, coherent and true. The line between truth and lie can be very thin in this type of interview and the applicant may lie or omit information either unconsciously or consciously. In many cases, the omission of information is done consciously because, for example, it is believed to increase the applicant's chances of being granted refugee status, whereas in other cases it is done completely unconsciously and might be due to cultural backgrounds or personal values (Pöllabauer, 2005, 2015).

The mode of interpreting typically used in this setting is short bilateral consecutive interpreting with or without notes, depending on the interpreter and the length of the interventions. It is usually structured as a question-and-answer interaction, similar to police interrogations, where an officer asks more or less open-ended questions, and the applicant has to answer them satisfactorily. Sometimes *chuchotage* (whispered interpreting) is used to interpret long answers, but this is usually more confusing than

useful. The use of remote interpreting systems is increasingly common in this setting (Pöllabauer, 2015).

A very important aspect of interpreting in asylum proceedings is the language in which they are conducted. In most cases, applicants have the right to use a language they understand, but it does not necessarily have to be their mother tongue, as is stated in the European Convention on Human Rights in Article 5.2 (Council of Europe, 2010). The choice of the language in which the procedure is to be carried out is essential, because, depending on the language, the applicant will be able to communicate freely or will have problems if it is a language which they do not master. This may ultimately have a significant influence on the outcome of the asylum process. Other linguistic aspects, such as irregular turn-taking, the use of politeness markers, hedges, language mixing or the use of highly culture-specific words or culture-bound concepts, may hinder interpreter-mediated communication and have an impact on the outcome of the asylum application (Pöllabauer, 2005, 2015).

A final point that is important to highlight here is the psychological aspect. Since these are emotionally charged situations, horrific and traumatizing stories are told and many applicants are considered to be part of especially vulnerable groups, such as children, people with mental illness or victims of crimes and abuses of various kinds (Mikkelsen, 2016; Pöllabauer, 2015). Interpreters must therefore be prepared to cope with the psychological burden that this context often entails.

1.2. European Framework

Legal interpreting practices are partially regulated by rules, directives and laws created by various bodies. Throughout the first section of this chapter, several of these rules have been briefly mentioned. This second section will present both the most relevant projects so far and the recent legal developments at the European level in the context of legal interpreting. Further on, in the third chapter of this thesis, the legal framework currently employed in Spain will be analyzed.

1.2.1. Legal developments

Within the European legal context, it is essential to create standards that facilitate cooperation between member states, as national agencies are not normally authorized to act outside their borders, making the exchange of information and joint work essential to

ensure justice across borders (Hertog & van Gucht, 2008, p. 13). In order to achieve this, legal translation and interpreting are essential.

The development of standards and regulations for legal translation and interpreting was not something isolated but has always been mentioned in the context of other legal rights at the European level. One of the first steps was the creation in 2003 by the European Commission of the Green Paper on procedural safeguards for suspects and defendants in criminal proceedings throughout the European Union (European Commission, 2003), with the aim of ensuring that the rights set out in the European Convention on Human Rights were put into practice. This document focuses on various aspects of legal protection, including the right to a qualified interpreter and/or translator, which is mentioned in the 5th chapter. This chapter is mostly based on the Grotius projects (Hertog et al., 2007, p. 158). The Commission stipulates that the only way to ensure the right to a quality trial is for suspects to understand the language in order to be able to defend themselves, for which the assistance of a duly qualified translator or interpreter is necessary and must be provided free of charge to the suspect.

Two years later, the Commission presented the proposal for a Council Framework Decision on certain procedural rights in criminal proceedings (European Commission, 2004), which is based on the Green Paper but included some changes and has partially adapted to the feedback received by member states.

Finally, on October 20, 2010, the European Parliament and the Council adopted the Directive 2010/64/EU on the right to interpretation and translation in criminal proceedings (European Parliament, 2010). It is based, *inter alia*, on Article 5.2 of the European Convention on Human Rights according to which “Everyone who is arrested shall be informed promptly, in a language which he understands, of the reasons for his arrest and of any charge against him” and Article 6.3, which states that everyone charged with a criminal offence has the right to have the free assistance of an interpreter if he cannot understand or speak the language used in court (Council of Europe, 2010). In short, it is necessary to protect the right of citizens to a fair trial, despite the fact that they speak different languages or have different cultural backgrounds. According to Hertog (2015), it was essential to definitively lay legal foundations in the European Union in order to build a joint system to ensure the quality of these services. The importance of this resides in the fact that each country has different standards regarding the quality of legal translation and interpreting services. At the same time, national registers of qualified personnel of different countries are not compatible with each other and there are also no

interdisciplinary guidelines for joint work between personnel from different legal fields and translators and interpreters.

There are subsequent directives that should also be mentioned, such as Directive 2012/13/EU on the right to information in criminal proceedings (European Parliament, 2012a). This directive states that, in order for the defense in a judicial process to be effective, it is necessary that access to information is simple and understandable. This is closely related to what is proposed in the 2010 Directive, as Article 3 explicitly highlights the right to a translator and an interpreter in order for information rights to be exercised effectively. This is also the case for Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime (European Parliament, 2012b), which highlights in Article 7 the right to interpretation and translation.

There is no doubt that the adoption of these directives has been essential in the development and professionalization of translation and interpreting services in the legal field. However, their transposition by Member States has proved slower than expected. According to a report by the European Commission (2018), Member States had to transpose Directive 2010/64/EU into national law before October 2013. By that time, 16 Member States had not transposed it yet. Transposition is a necessary preliminary step for the active implementation of the Directive. According to the report published by the Commission, it appears that there are difficulties in adopting certain aspects of the Directive, in particular in relation to the communication between defendants and their legal team, the translation of essential documents and the cost of translation and interpreting services (p. 13). Although implementation is slow, Member States are actively working towards it.

1.2.2. Projects

In the last decades, the European Union has carried out several projects related to legal translation and interpreting, among which the two Grotius projects and the Agis project stand out.

The first one was the Grotius Project 98/GR/131 (Hertog, 2001) that took place between the years 1998 and 2000. It was a collective action between five institutes, all within the European Union, with the aim of establishing equivalencies at the European level in terms of standards for the selection and training of legal translators and interpreters, as well as codes of ethics and conduct. The idea was to do this on the basis of the joint work of legal translators and interpreters and the judicial systems of the

countries concerned, in order to establish the aforementioned standards based on the real needs of the field.

The second one was the Grotius Project 2001/GRP/015 (Hertog, 2003). The main objective of this project was to disseminate the standards proposed in the first project and to establish the basis for collaborative work in this field. Interdisciplinary teams from different countries of the European Union participated in it, some of them had already participated in the first project and others were new. This project was carried out knowing that the implementation of this type of standards depends on each country and has a different pace in each member state. However, it was considered that coordination between member states would obtain better and quicker results (Hertog et al., 2007).

The two Grotius projects were followed by the AGIS-project *Aequilibrium: Instruments for lifting language barriers in intercultural legal proceedings*, which was carried out as part of a European initiative. The initiative consisted of several independent projects and this one in particular was based on an international conference, the corresponding publication of articles and the creation of a manual with material to train legal translators and interpreters and legal services. The conference took place in The Hague in November 2004 and one part of it was focused on creating strategies to improve the professionalization of the provision of legal translation and interpreting services (Keijzer-Lambooy & Jan Gasille, 2005).

1.3. Professionalization

Professionalization of a field can be understood as achieving and maintaining the credibility of a particular professional group in the eyes of its public, which may be the general public, patients, clients or companies (Rudvin, 2007, p. 50). Although it would be logical to think that a change in organizational structure, such as language policies or codes of ethics, would have to be clearly reflected in professional practice, these two levels do not always go hand in hand. In practice, it helps to set boundaries to facilitate understanding and decision making (Jo Kent, 2007).

In general, the status of legal interpreting in each country depends on its history of immigration and multiculturalism. Countries that have had to provide such services for a long time tend to have a more established system, better training and accreditation possibilities for interpreters, who in turn are paid fairly for their work. In contrast, countries that have been receiving foreign nationals on a regular basis for a shorter time

are still at an early stage in developing the necessary infrastructure for legal interpreting (Lee, 2015).

Throughout this master's thesis, several aspects of professionalization are mentioned, such as the previous section on European policies or regulation in Spain in the third chapter. The following sections focus on key aspects of professionalization, such as training, ethics, role, quality in interpreting, interpreters' associations and national registers.

1.3.1. Training and accreditation

As has already been mentioned, there is no unified system of training and accreditation in the field of legal interpreting, so for an in-depth analysis it would be necessary to investigate the specific situation of each country individually. However, there are certain aspects that can be considered generic and important regardless of geographical location.

In legal interpreting contexts, four groups of interpreters can be distinguished according to their training: interpreters with formal training, i.e. who have been trained at universities; interpreters with shorter training, such as courses of varying lengths or in-house training; sworn and court-certified interpreters; and finally, interpreters with no training in interpreting. All of them are necessary, due to the needs of the field and the way training systems are set up (Pöllabauer, 2015). In many countries, there are regulated training systems (in universities), although these are generally not specific to the training of interpreters in the legal field, and legal interpreting is limited to a part of the training. There are also private training systems and courses, although these are usually more focused on preparing interpreters for specific certification exams (Lee, 2015). Also, the complex language situation in the contexts where legal interpreting is needed makes it necessary to use non-professional interpreters for languages with no available trained professionals (Pöllabauer, 2015). Non-professional interpreters are also known as *ad hoc* interpreters. This concept is widely used in the research field of community interpreting and it refers to interpreting performed by unqualified individuals who might be related to the person that needs the service, such as family members or friends, but can also include untrained bilingual staff or volunteers (Bancroft, 2015, p. 220).

It is essential that interpreters working in legal settings not only have a perfect command of the two languages in which they work, including regional varieties and various registers, but they are also familiar with the judicial system, its specific terminology and renditions and the working methods of all those involved in this type of

proceeding (Mikkelsen, 2016). They also have to be psychologically prepared for the work they have to do, as they are often faced with complicated and very stressful situations (Lee, 2015).

Marjory Bancroft (2015, p. 229) suggests possibilities for the unification and improvement of training for legal interpreters based on published standards, research and evaluations. The most important points are the following. On the one hand, it is necessary to identify gaps in training and establish international standards to improve quality and consistency. Regardless of the type of training, aspects of ethics, conduct, protocol and roles should always be included. It is essential to spend as much time as possible on practice with language-specific supervision and to ensure that language standards are met before training begins. And finally, it is essential to create standardized skill-based exit tests at the end of the training to ensure the level and quality of the interpreters.

One last aspect on which many authors agree is that training should not be limited to legal interpreters, but that, in order to optimize joint work and ensure the quality of the service, workers in the legal system, such as lawyers, judges, police officers or civil servants, should also be trained to know how to work with interpreters (Hale, 2015; Mikkelsen, 2016; Pérez & Wilson, 2007). This would avoid later problems, such as opposing views of the job and/or the role of the interpreter in certain contexts, and it would facilitate the understanding of key concepts such as what constitutes correct, complete and impartial interpreting.

One good example for this is the training of police officers to work with interpreters. Training in police forces often includes aspects related to multilingualism and cultural diversity, but it is rare to find specialized training systems for working with interpreters. As a result of this lack of training provision, Pérez & Wilson (2007) carried out a project to train police officers to work together with interpreters. The project took place in Scotland, but their findings could perfectly be applied to the field in general. After the first phase of the training was conducted, the participants were asked to answer a questionnaire in order to know their perceptions and adapt the second part of the training. According to their answers, police officers working with interpreters tend to have concerns regarding the logistics, accuracy, trust, conversation flow, the interpreters' knowledge of the police procedures and their skills and role. On the other hand, Pérez & Wilson (2007) also conducted a survey with public service interpreters who work regularly in police interviews and their respondents pointed out the police officers' lack of knowledge of how to work with interpreters, their role, the interpreting process, the

lack of proper briefing and the adverse working conditions for interpreters in general. The authors conclude that, while it is unrealistic to think that all interpreters will be as thoroughly trained as police officers would like them to be, having officers understand the interpreting process would improve the situation considerably.

As for interpreter accreditation systems, they depend on each country. In countries where the profession is more established, there are national accreditation systems for the practice of the profession, as is the case in Australia. However, as mentioned at the beginning of this chapter, accreditation is usually focused on the field of court interpreting, with exams such as the sworn interpreter/translator exam. The type of examination and job opportunities depend on the country. The accreditation system for sworn translators and interpreters in Spain will be analyzed in depth in Chapter 3.

1.3.2. Quality

Quality in interpreting is an aspect which is always mentioned in the context of professionalization, as it is not easy to define what is considered optimal or high-quality interpreting. In the field of legal interpreting, quality standards are usually related mainly to aspects such as ethics, the role of the interpreter, or interpreting competencies (Kalina, 2015, p. 73). Research shows that the process of interpreting is not simply a matter of changing the words from the original language into the interpreted language, but it is a process of decoding, abstraction and encoding, while considering cultural and social aspects (Collados Aís & García Becerra, 2015; Mikkelsen, 2016). Interpreters in the legal field have to interpret accurately and precisely, without modifying, shortening, summarizing or adding anything, and maintaining the original register of the speaker (González Dueñas et al., 2012).

However, there are authors who do not share this point of view and consider that sometimes it is necessary to add some things or explain cultural aspects, because if the interpretation is completely focused on the transfer of information, it would not be useful for the listener (Mikkelsen, 2016). What is expected of professional interpreters in such cases is that they should be able to position themselves somewhere in between these two extremes, depending on the circumstances in which they find themselves (Tipton & Furmanek, 2016).

It is also important to mention the relation between interpreters' training, testing systems and delivering quality services. As a study conducted by Melissa Wallace (2015) shows, one of the main problems in the US in connection with court interpreters is that

most of the candidates who take the certification tests are unable to pass them, and the second big problem is that plenty of unqualified interpreters end up working in courts. Quality standards cannot be maintained if the systems created for this purpose do not work, and of course it is impossible to ensure quality if there are no professionals available to provide the service. With reference to this, Ozolins & Hale (2009) comment that quality in interpreting does not depend solely on the interpreter, but is a joint responsibility of all those involved in some way in the interaction: the speakers for how they communicate, the employers for the conditions they offer interpreters, and those responsible for the different contexts for providing the necessary resources.

1.3.3. Ethics

The concept of ethics can be defined as the respect of specific values by maintaining a series of norms and principles, which may have been developed in a society over time or that have been defined by a certain group of people (Kalina, 2015, p. 65). In the field of interpreting, the concept of ethics has always played a fundamental role, as interpreters are constantly working with sensitive information. Hence, the creation of a concrete framework for ethical practice is essential in the process of professionalizing the field (Ozolins, 2015b, p. 319).

An important step is therefore the creation of ethical codes or codes of conduct, which serve to guide interpreters in their professional performance and which should include guidance for situations where conflicts of interest may arise or where it may be difficult for them to know what is most appropriate. Moreover, the reality is that interpreters have different ways of acting, thus creating a system applicable to all is necessary but challenging at the same time.

Ethical codes for interpreting differ greatly depending on the field to which they refer, as can be seen in the studies carried out by various authors (Hale, 2007; Ozolins, 2015b). In the case of legal interpreting, such codes are created by interpreters' associations or by the authorities responsible for the service or for the interpreters' training in that field (Kalina, 2015). Codes of ethics for interpreters in the legal field usually include aspects such as accuracy, impartiality, confidentiality, protocol and the maintenance of their interpreting skills (de Jongh, 2012). Failure by interpreters to follow these ethical standards can lead to very problematic situations and directly affect the outcome of the case in question, as well as the life of the person for whom they are interpreting.

1.3.4. Role

When the role of the interpreter is mentioned, it is often associated with the idea of invisibility, that is, as a linguistic link that mediates between two parties who do not have a common language (Angelelli, 2001). However, according to the results of Angelelli's study (2003), interpreters do not perceive their role as "invisible" in any context, quite the contrary. All the participants in the study consider that they have an active role in the situation they are part of, including aspects such as building trust, facilitating mutual respect, communicating, explaining cultural aspects, helping to control the communication flow, etc. Nevertheless, it is true that the internal perception of the role changes depending on the context, and that interpreters in the legal field consider themselves less visible than interpreters in other settings, for example in the medical field (Angelelli, 2003, p. 26).

Looking at the role of interpreters from an external perspective, i.e. how they are perceived by the users of interpreting services, there is considerable confusion in this regard (Hale, 2008). There are several reasons for this, including the fact that there are no clear standards for practicing the profession and, as mentioned above, the actual situation depends entirely on each country. Even in countries that have a fairly well-established system of legal interpreting, the role of the interpreter is still not entirely clear.

According to Hale's study (2008), interpreters can adopt various roles and it is not uncommon for several of these roles to be perceived together during a single interpretation, as professional interpreters have the ability to adapt and reconsider their position depending on the situation. With this in mind, it is important to remember that each interpreting situation is different and even if interpreters adapt their role, external perception has a considerable influence on their work and can lead to conflict when the different participants in the interaction expect different things from the interpreter.

The author proposes the following five categories. The first one is the role of the interpreter as "advocate for the minority language speaker" (p. 102). As mentioned at the beginning, interpreting in the legal field is characterized by the power imbalance between the participants in the situation. In this case, the interpreter would adopt the role of protector of the weaker party, speaking for them rather than interpreting faithfully. The second role that the interpreter may assume is that of the "advocate for the institution or the service provider" (p. 106), in which the interpreter pays more attention to the needs of the institution than to those of the person who does not speak the language. The third role mentioned is "the gatekeeper role" (p. 110), in which the interpreter does not only

interpret, but also includes his or her own explanations and comments. The fourth role is that of “facilitator of communication” (p. 112), which is a combination of the first two roles, so that both parties communicate as effectively as possible by intervening in both directions. The fifth and last role is “faithful renderer of other’s utterances” (p. 115), which is the one proposed by the ethical codes. The issue with this role is what is understood as accuracy or faithfulness. If it is considered as a word-for-word translation of the original, the interpreter would be perceived as a machine that merely has to change words from one language into the other, not considering all the choices to be made while interpreting. However, although ethical codes expect and prescribe complete impartiality on the part of the interpreter, this is simply not possible. What is clear is that, although it is impossible to interpret in a completely impartial manner, interpreters who make the effort to do so tend to achieve a more accurate rendition than those who clearly decide to support one of the parties (Hale, 2008).

Analyzing the role of interpreters in police investigative interviews, Mulayim et al. (2014) state that interpreters should not only be aware of the importance of their role, but that their main concern should be to bring the power dynamics to a level in which an interviewee who does not speak the language is at no more of a disadvantage than a native speaker in the same context (p. 30).

In the context of interpreting in asylum proceedings, several studies have also shown that interpreters are not neutral language conversion machines, but play the role of an active third party in the interaction. They intervene openly in the interaction, abbreviate, paraphrase and filter the utterances, always with the approval of the officer (Pöllabauer, 2007). Their work can have a great influence on the outcome of the procedure. Without an interpreter, such interviews could not be conducted, but a misinterpretation can result in the denial of the asylum claim with all that entails (Pöllabauer, 2015).

1.3.5. Professional associations

Translators and interpreters’ associations are created with the aim of representing the interests of professional translators and interpreters. As this is a field with a developing professionalization and very different in each country, professional associations have a fundamental role in the creation of standards for the training and accreditation of interpreters, as well as in establishing standards of quality, ethics, the implementation of projects and the creation of norms for the development of the profession (Katschinka,

2011, p. 466). Although professional associations often have similar objectives, the development of their activities and their organizational system can vary considerably from one association to another. Particularly with regard to the types of membership and how to become a member, there are often differences between associations (Phelan, 2001).

There are several types of professional associations in this field. On the one hand, there are international associations, such as AIIC (International Association of Conference Interpreters). This association is based in Geneva, Switzerland, but has member interpreters in more than 100 countries (AIIC, 2022). Another example is the FIT (International Federation of Translators), which is a federation of professional associations of translators, interpreters and professional terminologists, which is also present on a global level (FIT, 2022). On the other hand, there are professional associations that are present within the boundaries of a country, such as the AUSIT (Australian Institute of Interpreters and Translators), ITA (Irish Translators' Association) or the ATA (American Translators Association).

EULITA (European Legal Interpreters and Translators Association) stands out among the international professional associations working in the field of legal interpreting. This association was created in 2010 with the aim of facilitating the implementation of the aforementioned Directive 2010/64/EU by improving the services and standards of interpreting in the legal field (Katschinka, 2011). Its main objectives include facilitating the creation of a homogeneous system of legal translation and interpreting services in the different member states of the European Union, improving the training and accreditation systems for interpreters, improving the joint work of legal interpreters and lawyers, and the creation of national registers of legal interpreters that are interconnected to facilitate cooperation within European borders (Katschinka, 2011, p. 467). EULITA has full members, who are national associations of legal translators and interpreters from different European countries, and also associate members, which are universities, organizations, and individual persons from both European and non-European countries (EULITA, 2022; Katschinka, n.d.).

Of course, in the specific case of legal interpreting, there are also specific professional associations in a given country, such as the American NAJIT (National Association of Judiciary Interpreters and Translators), or the Spanish APTIJ (Asociación Profesional de Traductores e Intérpretes Judiciales). The latter will be discussed in depth in Chapter 3.

1.3.6. National registers

According to Directive 2010/64/EU, which is mentioned in the second section of this chapter, quality translation and interpretation services must be guaranteed in criminal proceedings throughout the European Union. This requires well-qualified translators and interpreters, homogeneous standards and ethical codes. A further aspect for the implementation of the standards proposed by the Directive is the creation of national registers of legal translators and interpreters. The concept of a national registry refers to a system that includes certain data on the training, experience and qualifications of interpreters to facilitate access to quality services (Wallace, 2015). In her research on national registers in the field of legal interpreting, Wallace (2015) mentions that, in a field as heterogeneous as that of interpreting, which also lacks specific standards for access to the profession, this type of registry is beneficial from several perspectives. They serve to counteract market disorder, facilitating the creation of standards, trust and transparency. They also improve public trust and also avoid the outsourcing of interpreting services to companies that do not offer quality services and do not know how to value the work of interpreters.

However, not all European countries currently have national registers of interpreters, and where such registers exist, they are not always useful. Two examples are Spain and the UK (Corsellis et al., 2007; Wallace, 2015). While the specific case of Spain will be dealt with in depth in the third chapter, the case of the UK will be analyzed below to provide an example of what a national registry of interpreters might look like.

According to Corsellis et al. (2007), the UK National Register for Public Service Interpreters was created in 1994 (p. 139). It has various levels of membership, depending on the training, professional experience and working languages of each professional. It has a selection criterion for registration, including proof of professional experience, references of at least two people and a signed agreement to work according to the Code of Conduct. In the event of not following the rules, the professional would receive either a warning, a suspension or could even be struck from the register. The register should therefore help public services and their clients to find well-qualified and reliable interpreters and, at the same time, help public service interpreters benefit from a system that would give them access to a wide range of potential employers.

1.4. Summary

As can be discerned from this chapter, legal interpreting is at different points in its development and professionalization, both from a geographical point of view and from the perspective of the different contexts in which it can be conducted. Despite the differences between the various contexts, interpreters working in the intra-social legal field, i.e. those interpreting in contexts such as courts, for the police, in prisons or asylum hearings, face a number of common problems, such as asymmetry of the context, misperception of their role by those they have to interpret for or lack of specific training in many cases.

Progress is gradually being made in professionalization and in increasing recognition for interpreters and their work. This can be seen at the European level with the creation of the Directive 2010/64/EU, which clearly addresses the importance of having written standards for interpreting in this type of settings. However, the fact that there are written standards does not mean that these standards are widely implemented in all EU countries. It is essential that interpreting professionals, training programs, professional associations and public institutions in different countries work together to provide quality legal interpreting services, which is absolutely necessary in today's globalized world.

As can be seen after having individually analyzed different aspects of professionalization in the field of legal interpreting, there is still a long way to go. In addition, there is one aspect of the professionalization of this sector that has not yet been mentioned: the creation of companies specialized in providing this service. These companies are interpreting agencies, and they are key to understanding how the legal interpreting market works. An analysis of these agencies will be carried out in depth in the next chapter.

2. Interpreting agencies

The provision of interpreting services in community settings can be carried out following various models. On the one hand, there are several *ad-hoc* possibilities, which include interpreting carried out by the bilingual staff of the institution where it takes place, or by family or friends who speak both languages. On the other hand, there are also professional interpreter models, which include interpreters hired as permanent staff by the institutions, contract freelance interpreters hired to interpret only when needed and interpreting agencies (Downing & Roat, 2002).

In this last model, the agencies usually have a direct contract with the institutions and are in charge of finding interpreters and sending them to interpret when necessary (Downing & Roat, 2002, p. 13). It is now a widely-used model, and with the growth of community interpreting, agencies are playing an increasingly important role in this field, since they have the power, in many cases, to control the working conditions of interpreters (Grbic & Pöchhacker, 2015; Ozolins, 2015a). Usually, interpreters work as freelancers for one or more agencies in one or several fields and receive offers to interpret through these agencies rather than directly from the institutions (Norström et al., 2012, p. 248; Ozolins, 2007, p. 121). Therefore, it is safe to say that interpreting agencies play an essential role in the provision of interpreting services in community settings nowadays. However, they are difficult to research, as there is almost no public documentation about them, and the literature in the field of translation and interpreting studies is insufficient (Ozolins, 2007).

The aim of this chapter is to conduct an in-depth analysis of interpreting agencies through articles and studies published on the subject, as well as information provided by institutions in various countries and private agencies themselves. This will be useful to have a broad vision of the current trends in agencies, their organization, their relationship with interpreters, institutions and the market, their advantages and disadvantages as well as the issues they might encounter. Subsequently, this analysis will lay the groundwork for the interviews that will be carried out in the fourth chapter of this master's thesis.

2.1. What are interpreting agencies?

According to García-Beyaert (2015), interpreting agencies are one of the “key external players” in the field of interpreting and they help situate interpreting within a complex web of different interests, rights, responsibilities and powers (p. 45). Those external players include grantors, receivers and providers of services, agencies being one type of

service provider. Although there are authors who use the term “language service providers” (LSPs) as a synonym for interpreting agencies (Stern & Liu, 2019), throughout this chapter the nomenclature to be used is interpreting agencies.

Interpreting agencies act as intermediaries between interpreters and end-users and can be small family operators, fully commercial companies, not-for-profit organizations (NGOs), government-controlled agencies or agencies that provide interpreting services exclusively for a specific language community, for example for sign language users (García-Beyaert, 2015; Ozolins, 2007, 2015a). In general, NGOs and government-controlled agencies focus on the provision of interpreting services exclusively in the public sector, while private agencies have a wider range of activity. Such agencies usually have close business relationships with public institutions, since in many cases interpreting services for public institutions in the context of community interpreting are outsourced through private subcontracted agencies (Ozolins, 2007, 2015a). As mentioned above, their main role is to provide end clients (whether institutions, companies or individuals) with interpreters for specific situations, being the link between the parties. However, their functions are diverse, as they are in charge of recruiting, in some cases training, paying and monitoring the work of interpreters (Downing & Roat, 2002).

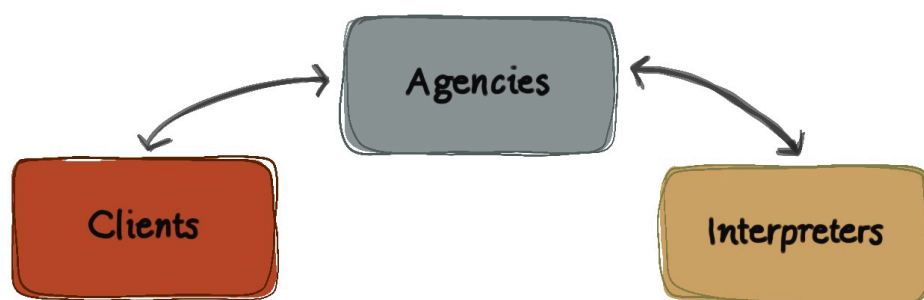


Figure 1: Agencies as a link

It is important to note that there are many different types of agencies that provide language services in different fields, so talking about agencies in general is complicated. Even so, there are certain trends that are present in many of them. One thing that many agencies working in the field of community interpreting have in common is that they work in a highly unregulated field. In order to understand the professional dynamics of interpreting agencies with their market, it is necessary to remember that there are

generally few standards, different training and professional accreditation options and few strong interpreters' associations that can lay a solid foundation for the development of the profession (Ozolins, 2007, p. 123).

2.1.1. Dynamics between agencies and interpreters

The relationship between interpreting agencies and interpreters is a direct commercial relationship. In many community interpreting contexts, agencies have the power to control the working conditions of the interpreters, since, as mentioned above, they hold the contracts with institutions. On this basis, the agency decides on essential conditions such as fees, working hours or breaks (Grbic & Pöchhacker, 2015). The following paragraphs will present a generic relationship between agencies and interpreters, but it is important to point out that each agency works in a particular way and not all of them follow this scheme.

Usually, the business relationship begins when interpreters send their application to the agency, which reviews their skills (working languages, training, experience, fields of expertise, etc.) and, if deemed competent, invites them for an interview, which normally also includes tests to verify their real competence (Norström et al., 2012, p. 249). In the case of more widely spoken languages, there is usually no problem finding qualified interpreters, or at least there are usually several candidates for the agency to consider. However, in the case of minority or less common languages, it is not uncommon for agencies to hire people who are not trained and simply have a passable knowledge of both languages. In many cases, they prefer to send unqualified interpreters rather than refuse the assignment (Downing & Roat, 2002, p. 13; Norström et al., 2012, p. 249). In this case, it should be noted that agencies face the challenge of having to cope with rapidly growing multilingualism, so it is understandable that they have to deal with the problems of finding qualified interpreters to provide quality services, especially in lesser-used languages (Ozolins, 2010).

Once the agency decides to work with an interpreter, either to keep him available for future assignments or to send him directly to interpret, specific working conditions are decided. The interpreter is usually paid by the hour on a freelance basis and individual contracts tend to be drawn up for each assignment. There are agencies that have fixed rates for interpreters and other agencies that change according to the job. In some cases, the interpreter may be compensated by the agency for travel expenses, but preparation hours are almost never paid (Norström et al., 2012; Ozolins, 2007). For interpreters,

freelancing has some advantages, such as flexibility or being able to work for several agencies depending on the amount of work, but at the same time it has disadvantages, most of them money related. According to a study by Norström et al. (2012) with community interpreters in Sweden, the majority of interpreters interviewed stated that their salary was too low to be able to save money to go on vacation or even pay for insurance. In addition, their freelance status means that they only get paid when they work and do not have the possibility to take sick leave when needed (p. 249).

In general, dynamics between agencies and interpreters are not easy. Ozolins (2007) analyses the problems that can arise from the relationship between agencies and interpreters. From the agencies' point of view, one of the biggest problems is that they have no way of really controlling how the interpreters work, so they have to rely on their professionalism and the quality of the services provided. In the event that a client complains of an interpreter being unprofessional, the agency finds itself in a very delicate position, as it has no way of knowing what has really happened. In such cases, they have to decide whether it is worth for them to intervene in some way or simply leave it alone (p. 123). From the interpreters' point of view, the lack of information and standards regarding agencies can be a major problem. Agencies are rarely mentioned in codes of ethics or training programs, so when interpreters start working with an agency, they are not always sure about the dynamics of the business relationship (p. 124). In addition, as mentioned above, each agency has its own standards, which makes it even more difficult for interpreters to have a clear idea of what is expected of them. This disparity includes issues related to punctuality, what to do if you are late, protocols for leaving a job, last minute changes, how to handle breaks, how to deal with people who have no experience working with interpreters, or what to do if misunderstandings or communication problems arise (p. 125).

Ozolins (2007) explains that many of these problems stem from the fact that ethical codes often describe the work of interpreters in an idyllic setting in which only two parties work: the interpreter and his client, while completely ignoring the fact that interpreters actually find themselves in a triadic relationship in which agencies are also involved. In this dynamic, the agencies, which he calls the "third client", are interpreters' main source of work and their direct client: they work directly with the agencies, which are responsible for paying the interpreter, act as intermediaries between interpreters and institutions or end clients and should be held responsible if something goes wrong (p. 124). In order to improve this, the author proposes the creation of "codes of industry

practice” as a way of setting clear standards and explicitly defining what each party must bring to the business relationship (p. 125).

On the other hand, authors analyzing this topic agree that agencies have the power to become much more involved in the professionalization of this sector. One aspect that many mention is that they have the possibility of offering continuous training for interpreters directly related to the needs of the market (Grbic & Pöchhacker, 2015; Norström et al., 2012; Ozolins, 2007). They can also support interpreters by creating an effective system of supervision and psychological support for interpreters facing risky situations or interpreting in contexts where they work with victims of traumatic experiences (Grbic & Pöchhacker, 2015). In addition, as they are responsible in many cases for direct contracts with public institutions, they could demand standards and participate in the creation of public policies to provide quality services for the end client (Ozolins, 2015a). This is currently a double-edged sword, since in many countries, the creation of unwise public policies has led to the de-professionalization of interpreting services in countries such as the UK, Ireland and Spain, especially in the field of court interpreting (García-Beyaert, 2015).

2.1.2. Dynamics between agencies and their market

The market for interpreting agencies is made up of all those individuals, companies or institutions that contract their services. These relationships are usually conditioned by the fact that the purchasers of the services lack experience in working with interpreters, so their expectations are often incorrect. Some of these expectations include not understanding interpreters’ real role, not knowing how to work with them, having confusing demands, not understanding the prices, the length of notice or the need to provide information beforehand in order to choose the best qualified interpreter with enough time to prepare for the assignment (Ozolins, 2007).

Contracts between individuals or private companies and interpreting agencies depend on each agency and service purchaser. Generally, agencies have lists indicating the different interpreters who are theoretically available to carry out the assignment, although the fact that they are on these lists does not imply that they will be available or accept the job. There are even cases of interpreters who have seen their data in the listings of agencies they no longer work for. Besides this, service purchasers do not always ask the agencies for specific information on the interpreters they have available (Norström et al., 2012, p. 249).

Contracts between agencies and public institutions, such as government authorities, county councils and municipalities, tend to be part of an outsourcing system for interpreting services and the specific conditions depend on the institution and the country. However, there is a tendency for the outsourcing system to work as follows: authorities responsible for the provision of interpreting services publish a call for tenders specifying the services to be covered (languages, modes, etc.), as well as the essential characteristics that the companies applying must have (financial situation, certification and qualification of interpreters, etc.). All agencies that meet the requirements and are interested can submit their proposals and at the end of the process the contract is awarded to the agency offering the best conditions, which often coincides with the one offering the cheapest services. The contract is signed for a specific period of years during which the agency in question is fully responsible for the provision of interpreting services. At the end of this period, a new tender is held (Norström et al., 2012; Vigier-Moreno, 2020).

Although it seems relatively straightforward, agencies might encounter problems in finding qualified interpreters who are available and willing to interpret when needed, as the conditions they offer are often far from optimal. One of the main consequences of this system is that the interpreters' rates are drastically reduced. However, in most cases, the real cost to the institution in question is not so low, so it is assumed that it is the agencies that keep most of the money for their role as intermediaries (García-Beyaert, 2015, p. 54). For these and other reasons, the outsourcing system is very controversial (Downing & Roat, 2002; Norström et al., 2012; Ozolins, 2007, 2015a; Vigier-Moreno, 2020), something that will be discussed in more depth when analyzing specific examples from different countries.

In addition to the outsourcing issue, there are other aspects that need to be mentioned when analyzing the relationship between agencies and their market. One of them is the relationship with other agencies that, even if they are not their direct service purchasers, indirectly influence their work and conditions. For example, if agencies compete in terms of price, it can be problematic, but if competition is focused on other aspects such as feedback, training opportunities and quality standards, it can have positive results. Another aspect is that some agencies are making an effort to improve the market's view of the field and interpretation services by explaining the role and importance of high-quality language services to their purchasers (Ozolins, 2007, p. 127).

2.1.3. Agencies as mediators

A very curious aspect of interpreting agencies is that their role is often unclear to service purchasers and to the interpreters themselves (Ozolins, 2007, p. 122). Having seen the dynamics of agencies with interpreters and the market, it is indisputable that their main role is to mediate between two groups that, although they need each other, are not always able to interact with each other adequately. Therefore, when tensions arise between the interpreters and the purchasers, it is essential that the agency take action to facilitate their resolution. However, the contracts that are signed between the agencies and the purchasers (when a drafted document is signed, which is not always the case), are rarely negotiated with explicit mention of the interpreters who are to carry out the assignment (Ozolins, 2007, p. 128). This is clearly a mistake.

It is important for agencies to be clear about where they stand on various issues. For example, when accepting an assignment, do agencies try to get all relevant information so that the interpreter can prepare? Although it should be their normal routine, this is rarely the case (Norström et al., 2012, p. 251). If a purchaser files a complaint against an interpreter, what do agencies do? They could inform the interpreter, just leave it alone, or actively try to do something about it. Or if the interpreter has complaints against a purchaser, how do agencies proceed? It is important for the interpreter to know whether agencies are willing to accept such complaints and what they will do about it, whether they would discuss them with the purchaser or if they would be too afraid of potentially losing a source of income (Ozolins, 2007, p. 128). However, the fact that agencies focus too much on their relations with purchasers without taking interpreters into account can work against them, since without interpreters the agency cannot offer any services, hence the importance of taking care of and maintaining good relations with them. It is also important to note that not all agencies have the possibility to decide whether or not to take on a client. It is also up to them to decide whether they can afford to stop working with a specific purchaser or not. This is often the case for smaller agencies, which tend to work with extremely low profit margins and have little choice but to book assignments and deliver services (Ozolins, 2007, p. 126).

Money is always a controversial topic, especially in the context of community interpreting, as the tendency is to work with tighter and tighter budgets (Ozolins, 2015a) and the ultimate goal of outsourced interpreting agencies is none other than to maximize their profits as much as possible (García-Beyaert, 2015, p. 54). This is something that becomes a major problem when agencies consciously decide to send interpreters who are

clearly not qualified for the job in order to turn a profit (Valero Garcés, 2010).

Therefore, it is essential that agencies find a middle ground where they remain financially profitable while improving the quality of work and remuneration of the interpreters they work with, and helping to make the purchasers of their services and final clients more aware of the reality of working with interpreters.

2.2. Interpreting agencies from the perspective of interpreting studies³

2.2.1. Interpreting agencies in different contexts

As mentioned above, although interpreting agencies are an essential player in the provision of language services in many countries, they are generally understudied. This can be due to two main reasons: on the one hand, it is difficult to access documentation and data from this type of agencies, as most of them are private companies and are not obliged to share such information (Ozolins, 2007). On the other hand, the field of community interpreting is still in the process of professionalization, and agencies are therefore a relatively recent phenomenon. Nevertheless, there are several authors who have focused part of their research on topics directly or indirectly related to these agencies.

Some of them, like Uldis Ozolins, have several key publications about interpreting agencies in general, such as “The interpreter’s “third client”: Interpreters, professionalism and interpreting agencies” (2007) from the 4th Critical Link Conference, in which Ozolins analyses the role interpreting agencies currently have in the market. He also wrote an entry about agencies in the *Routledge Encyclopedia of Interpreting Studies* (2015), which provides an overview and mentions the contributions of other authors in the last few years. Another author who has explored interpreting agencies is Sofia Garcia-Beyaert with her publication “Key external players in the development of the interpreting profession” as a part of *The Routledge Handbook of Interpreting* (2015). In this chapter, Garcia-Beyaert classifies the various actors who participate more or less externally in the dynamics of the interpreting field, including interpreting agencies. She then develops three case studies: one on international organizations and the birth of the interpreting profession, another on sign language interpreting, and the third on the outsourcing system

³ Although this chapter mainly mentions topics covered by researchers in the field of interpreting studies, the information is supplemented and contrasted with external sources, such as newspaper articles, blogs and websites.

and the de-professionalization of court interpreting, a process in which interpreting agencies play a key role.

Apart from the works of these authors, there are occasions when agencies are briefly mentioned in the literature. One of them is within the context of interpreters' training, as there are cases where agencies are mentioned as possible training providers together with other programs and universities, especially regarding online interpreting training possibilities (Bao, 2015, p. 407). Agencies are also mentioned with regard to sign language interpreting, as this is one of the fields where interpreting agencies are most visible, with special attention being paid to the joint work of agencies, final clients and interpreters (Bontempo, 2015; García-Beyaert, 2015; Napier, 2015).

In the context of community interpreting, when talking about the working conditions of interpreters, the figure of agencies tends to appear, since, as mentioned in the previous section, the working conditions of interpreters depend to a large extent on them (Grbic & Pöchhacker, 2015). In the case of healthcare interpreting, agencies are also often mentioned, since in many countries private agencies are responsible for providing interpreting services in hospitals, clinics, rehabilitation centers, etc. (Downing & Roat, 2002; Hsieh, 2015; Phillips, 2010; Puebla Fortier, 1997). They are also sometimes mentioned in the context of interpreting in conflict zones, as in many occasions interpreters used in the military field are sent by interpreting agencies subcontracted by the defense departments (Moser-Mercer, 2015, p. 308). And, of course, agencies appear in the context of court interpreting quite often, especially when the outsourcing system does not work optimally and there are problems in the provision of interpreting services (García-Beyaert, 2015; Napier, 2015; Waterhouse, 2013, 2015).

Although after this overview it may seem that agencies are a recurring theme in interpreting studies, the reality is that these mentions are generally very brief and do not go into an in-depth analysis of the situation of agencies in these contexts, nor do they analyze their role in regard to the market, interpreters and clients.

In addition to the mention of interpreting agencies in some contexts, there are authors who have investigated the figure of interpreting agencies in more depth in country-specific studies. An overview of the work of interpreting agencies in various countries is presented below.⁴

⁴ The specific case of Spain will be studied in more depth in the next chapter.

2.2.2. Interpreting agencies in different countries

2.2.2.1. Australia

Australia is one of the most advanced countries in the world in terms of interpreting service providing (Ozolins, 2000, p. 24). It is a country where four out of five people speak only English, but of the remaining 20% there are speakers of more than 160 different languages (Phillips, 2010; Stern & Liu, 2019). This can be seen in the regularization and professionalization of services. In relation to interpreting services in official institutions, there is a document from the Department of Families, Housing, Community Services and Indigenous Affairs that explains in detail how to carry out these services (FaHCSIA, 2013). This guideline includes information related to the costs of the service and how government agencies should arrange the funds, evaluation systems, feedback mechanisms, how to train agency employees to work with interpreters, how to decide which languages or dialects should be interpreted or when to opt for telephone, videoconference or on-site interpreting.

With reference to the provision of interpreting services, three possibilities are mentioned. The first is the direct employment of interpreters on a part-time or full-time basis, but this system should only be available in institutions or agencies that have a high constant demand for interpreting services and in the most demanded languages. The second option they propose is for interpreters to be contacted directly and hired as freelancers on an *ad hoc* basis, but only in the case of an agency or institution with a very low demand for interpreting services. For all other occasions, the outsourcing of language service providers is the preferred option. These agencies and their interpreters should preferably be accredited by the National Accreditation Authority for Translators and Interpreters (NAATI) and contracts should specify the required standards (FaHCSIA, 2013, p. 17).

In healthcare interpreting, Australia has a very advanced system for interpreting services. The Translating and Interpreting Service (TIS) is the largest telephone and on-site interpreting service in Australia and has 1500 interpreters in a total of 160 languages (Phillips, 2010, p. 189). It is very easy to work with this system: when doctors need the assistance of an interpreter, they call the service, give their code and they are assigned an interpreter in the needed language that is available for telephone interpreting. This service is free of charge for healthcare personnel and, since 2008, it is also available in pharmacies (DIAC, 2008, p. 173). If face-to-face interpreting services are required, there are also a number of private agencies that provide this service. Philips (2010) includes a

table in her article listing the various publicly funded health interpreting service providers in Australia, specifying whether they operate nationally or regionally, the availability of their services and the languages they offer, as well as their contact details (pp. 190, 191). This provides a comprehensive overview of the number of options available to healthcare workers requiring such services in Australia.

In relation to the provision of interpretation services in the legal field, Australia, like many other countries, faces the challenge of coping with increasing multilingualism. Despite accreditation systems and quality standards for interpreting services in this field, there are many languages in which there are no regulated training and accreditation systems for interpreters in the legal field, which is a major inconsistency with the advanced system that this country has. This implies that, in many cases, it is practically challenging to find qualified interpreters for the provision of services (Stern & Liu, 2019). In one of their latest publications, Stern & Liu (2019) investigate the importance of interpreting agencies in changing this landscape. Their study includes key aspects such as the actual requirements agencies have for hiring interpreters, how their selection process works, what initial training options they offer interpreters when they start working for the agency, the possibility of specific training in the field of legal interpreting, support services for interpreters who are just starting out, quality control of the services provided and career development options. Most of the agencies that participated in the survey agree on the challenge of providing quality services in this field, and state that they have introduced changes in the way they work in recent years in order to improve service provision.

As discussed in the previous paragraphs, the work of interpreting agencies in Australia goes beyond the simple provision of interpreting services. They are also active in the training and accreditation of interpreters and in the creation and maintenance of quality standards. Their active participation is also seen in cases such as the report to improve the NAATI testing system (Hale et al., 2012). According to the available data, 36 translation and interpreting agencies actively participated in this study, some of them being private companies while some others were government agencies and they were active both on a national and also a regional level. Questions in the survey included topics such as the relevance of the NAATI accreditation when hiring interpreters, differences in fees, or users feedback (Hale et al., 2012, p. 99).

2.2.2.2. United States

As to the provision of interpreting services in the United States and the specific mention of interpreting agencies in research publications, there is a clear tendency to discuss interpreting agencies in the context of healthcare interpreting (Downing & Roat, 2002; Hsieh, 2015; Puebla Fortier, 1997). This is not surprising, since researchers in the United States are at the forefront of publications related to interpreting in healthcare contexts as a result of institutional efforts to regulate linguistic access in healthcare settings (Youdelman, 2008).

There are currently several models for the provision of interpreting services in healthcare settings in the US, including the agency model. In this type of service provision, the hospital or clinic contracts with one or more agencies to provide interpreters when they are needed. It is basically an outsourcing service similar to those mentioned above, in which the agencies find, hire, pay and send interpreters to the hospital in question. They are also sometimes responsible for training the interpreters and monitoring their work, although this is not always the case (Downing & Roat, 2002).

This model has certain advantages. For example, as interpreting agencies are companies specialized in the field, they have the potential to offer good quality services and understand the real needs of the market. In addition, if they have several large volume contracts with healthcare providers, they can employ interpreters full-time and have a large number of available interpreters in their portfolio, as well as being able to cover a wide range of languages that smaller language providers would not be able to handle (Downing & Roat, 2002, p. 13). However, this model also has some disadvantages. In general, it is not uncommon for agencies to hire interpreters who are not qualified for the job. In addition, sometimes agencies or interpreters cancel at the last minute, leaving the patient and healthcare professional unable to communicate effectively. Finally, it is a rather costly service delivery model for healthcare providers, as having intermediaries (agencies) increases the final price of the service (p. 14). There are also cases of healthcare providers that opt to use telephone or videoconference interpreters instead of face-to-face interpreters. In these cases, they also outsource the service to specialized agencies (p. 15).

In a study of interpreting in healthcare, the case of a group of hospitals in Seattle was analyzed (Puebla Fortier, 1997). The provision of interpreting services as it is known today began when the Office for Civil Rights (OCR) and the hospitals negotiated a system to ensure that interpreters would be available whenever needed, which, until then, was not always the case. Then, ten hospitals agreed to use the language services of a bank of

interpreters administered by community clinics called Community Interpretation Services (CIS). By 1994, CIS was providing full-time interpreting services in more than 30 languages for 22 hospitals, as well as interpreting services in community service clinics (p. 167). Unfortunately, more specific data on the status of interpreters or the internal workings of CIS are not known. Nowadays, CIS does not exist anymore, and the interpreting services are covered by International Community Health Services (ICHS). They have a website available in several languages, where people who need interpreting services both on-site and remotely can request them when making an appointment with their medical center. In the case of needing interpreting in a language that is not offered, ICHS will arrange for an external interpreter. In addition, the patient can cancel or change the appointment and interpreting services up to 24 hours before the appointment (ICHS, 2022). It is difficult to say whether this service is now an independent private outsourced agency or actually still controlled by the clinics and whether interpreters in the languages mentioned on their website are contracted employees or work on a freelance-basis.

2.2.2.3. Sweden

Along with Australia, Sweden is one of the leading countries in the provision of community interpreting services, as well as in the training of interpreters (Ozolins, 2000, p. 24). Norström, Fioretus and Gustafsson (2012) conducted a study on the working conditions of community interpreters in Sweden, in which they also analyzed the provision of interpreting services and the role of interpreting agencies. To conduct the study, they interviewed 26 interpreters spread throughout the country. The interpreters were very diverse, some had several decades of experience while others were just starting out, they had very different language combinations and only a few were state authorized. In addition, researchers also interviewed clients, agency representatives, trainers and officials.

There are currently no clear regulations on the provision of interpreting services in Sweden. Authorized interpreter and authorized translator professional qualifications do exist, although not in all languages. Once interpreters are authorized, they can take exams to specialize as a legal or medical interpreter. In addition to this, there is the regulatory document Good Interpreting Practice, as well as the Public Procurement Act, which requires institutions to source their interpreters from the free market. There has also been a nationally consolidated interpreter training system in place since 2006. According to the authors, the Public Procurement Act has led to a worsening, rather than

an improvement in interpreters' working conditions. After its approval, there was a great deregulation of the market, which led to the emergence of many interpreting agencies working in a highly competitive market. As agencies lacked any kind of public supervision, their quality standards were clearly questionable (p. 246).

In their study, Norström, Fioretus and Gustafsson mention what the joint work of interpreters and agencies should be like: interpreters work as freelancers for one or more interpreting agencies, which, before hiring them, check their training, authorization and specialty, and verify their competence through tests (p. 248). However, the results of their study show that this is not always the case, as in most cases agencies work with unauthorized interpreters. Often the "interpreters" are more or less bilingual people who are willing to do the job. This is usually due to two factors that have already been mentioned above: because the rates are too low or because the languages are minority languages for which there are no qualified professionals. The actual working conditions depend entirely on each agency, although the tendency is for the interpreter to be paid for the time interpreted, without taking into account the time invested in preparation. Interpreters who work with recurrent languages and are at the top of the agencies' lists tend to have work quite often, while interpreters of minority languages usually have other jobs to make ends meet.

According to the interpreters who took part in the study, there are agencies that understand the importance of taking care of their relationship with interpreters and that invest in maintaining a good relationship. This includes paying for training programs, licensing and professional guidance. They also strive to improve the dialogue between service purchasers, clients and interpreters. All of this demonstrates that they have an interest in both improving the quality of their interpreters' work and the external perception of the profession. Of course, they also mentioned that there are many other agencies that are reluctant to invest in their interpreters, claiming that the competitiveness of the market forces them to lower their rates and that they lack the resources to improve their working conditions (p. 249). The fact that relations between interpreters and agencies are so unstable has both a positive and a negative side, as interpreters may decide to accept a job with another agency at the last minute if the latter offers better conditions. Furthermore, in most interviews interpreters mentioned the lack of transparency and oversight they perceived on the part of the agencies. (p. 250).

With regard to institutions, agencies are often subcontracted to provide interpreting services on an outsourced basis. Contracts are usually drawn up for two years,

which means that agencies have to strive to win the tender again if they do not want to lose the contract altogether. As a consequence, they end up lowering interpreter rates in order to remain competitive. Currently, the only institution that has fixed rates for interpreters in Sweden is the Swedish National Court Administration. Professional associations propose to follow this model across the board in order to stabilize the market. This would also mean that agencies would compete on other aspects rather than on price, such as quality of service (p. 250).

The results of this study include that some interpreters perceive their freelance-status as something that gives them freedom. However, this sense of freedom is in reality very restricted, as their precarious working conditions mean that they have very little stability and security. In addition, the competition between colleagues can be very tough (p. 256). It is clear that the system has much room for improvement and that the agency outsourcing system would benefit from institutional regulation and supervision (p. 257).

2.2.2.4. United Kingdom

The case of the United Kingdom has been much commented on because of the problems related to the outsourcing of interpreting services in the judicial field. In her analysis, García-Beyaert (2015) speaks of a “de-professionalization” of the sector (Slaney, 2012), in which, despite there being more and more trials that need interpreters, it is unqualified people who end up interpreting instead of professional interpreters. In the UK, the provision of interpreting services in the judicial system had been organized through the National Registry of Public Service Interpreters (NRPSI), a not-for-profit bank of interpreters, through which the court system directly hired freelance interpreters (Maniar, 2013). In August 2011, a contract between the Ministry of Justice and the interpreting agency Applied Language Services (ALS) was signed. ALS, which was shortly after acquired by Capita Group, was then responsible for the provision of interpreting services within the justice system. This led to a deterioration in working conditions for interpreters and, as rates fell, many qualified interpreters stopped providing their services and quality standards dropped drastically (García-Beyaert, 2015, p. 52).

ALS was not only responsible for hiring unqualified interpreters, which alone led to many interpreting errors and the consequent problems in the affected trials. Several interpreters who worked for this agency claimed that they had also failed to check their Criminal Records Bureau (CRB), a requirement of the Ministry of Justice in order to be allowed to work as interpreters in this context. This was a major scandal, as the

information an interpreter has access to in court can be incredibly sensitive, and not putting any system in place to ensure that it does not fall into the wrong hands is unacceptable (Crawford, 2012). The decision to outsource interpreting services was based on financial savings. However, the data that the Ministry of Justice presented in 2014 to corroborate that its strategy was still valid did not include the costs derived from having to repeat trials, individuals being held unnecessarily on remand and delays as a consequence of an inadequate interpreting provision (Maniar, 2015).

Despite attempts by professional interpreters and associations to negotiate improved conditions to improve this situation, the system is still not working properly. Legal professionals constantly complain about the poor quality of interpreting services. Capita claims that there is no need to worry, as it has a success rate of 98 per cent. However, these statistics are completely unrealistic, since to appreciate the interpreting mistakes it is necessary to understand at least a little of the languages being interpreted (Staton, 2019).

It seems that the criticism has been effective, as in February 2022 it was announced that the Ministry of Justice was conducting a review of the minimum qualifications for interpreters in this field. The main objective is to establish a framework with clear standards before the retendering of the contracts in 2023, which has been seen as a step in the right direction to solve the current problems in the provision of interpreting services in the long term (Marking, 2022).

2.2.2.5. Ireland

García-Beyaert (2015) also discusses the outsourcing of interpreting services in Ireland in her aforementioned analysis. Another author who has analyzed this case in depth is Kate Waterhouse. She states that the case of Ireland is a rather special case since, due to the large migratory influx in the late 1990s, the Irish judicial system went from being almost exclusively monolingual to having to adopt an infrastructure that would allow interpreting in more than 70 languages (Waterhouse, 2013, p. 179). At that time, a number of interpreting agencies emerged to meet the growing demand for interpreting services. However, the system was rather chaotic, so the Irish Courts Service decided to contract a single agency to provide court interpreting services throughout the country. Despite this, most interpreters work for several agencies, because even if the main contract is with a single agency, in many cases it cannot take care of all the interpreting services needed, so other agencies have to provide interpreters for the system to work. Moreover, interpreters

tend to combine their work for the legal system with interpreting in other community contexts, such as hospitals or asylum services (Waterhouse, 2015, p. 153).

The outsourcing for court interpreting in Ireland has been widely criticized, as the main reason for it was to solve the multilingualism issue in a cost-effective and efficient manner. However, there is an interesting duality, since the Courts Service is paying for high quality interpreting services, but there is no system in place to ensure the quality of the work of interpreters in court (Waterhouse, 2013, pp. 190,192). In the end, as seen in previously discussed cases, regardless of the amounts that are agreed upon between the court system and the agency holding the contract, interpreter rates drop drastically with the use of an intermediary. When interpreters were asked about this issue, many of them stated that the rates prior to this outsourcing system were good, but that afterwards the agency is the only one making money (Waterhouse, 2013, p. 191, 2015, p. 151).

The contracts between the agency and the court system are found to be unspecific in general, as there are several aspects that do not agree. For example, the judge and the solicitors expect interpreters to be able to consult outside of the trial, but they are prohibited from doing so according to agency policies (Waterhouse, 2015, p. 106). They also have policies regarding what to do if they do not hear well or do not understand what is being said. The premise is clear: interpreters have to keep interpreting, they cannot remain silent under any circumstances (Waterhouse, 2015, p. 124). This means that, although external participants sometimes perceive that interpreters are very competent because they never hesitate, the reality is that it is not possible to know whether what they are interpreting corresponds to the original speech or not. Moreover, the agency is also not particularly interested in training interpreters (Waterhouse, 2015, p. 125).

Despite all this, the interpreters participating in Waterhouse's study (2015) perceive their work in District Court as a positive experience, as their work is appreciated as essential. Their complaints are mainly focused on the interpreting agency they work for (p. 131).

It is difficult to know what the current situation is like and whether some of the problems mentioned in the Waterhouse studies have been solved, as there is not much information published on the subject. In 2017, Phelan published an article on this topic in the April issue of the *Law Society Gazette*, from which it appears that no relevant changes have taken place so far.

2.3. Summary

As mentioned at the beginning of the chapter, it is not easy to research interpreting agencies. It is interesting to see that there are authors who have tried to approach the reality of these agencies and analyze their work, as they really are key players in the various fields of community interpreting. However, information is not particularly accessible and the available data leaves many open questions and important aspects remain unanalyzed. This chapter has provided a general overview of how interpreting agencies operate, as well as their role in relation to the market, institutions, interpreters and clients. It also gives an overview of their role in various fields in specific countries, such as healthcare interpreting in the USA or the issues resulting from the outsourcing of interpreting services in the legal field in countries such as the United Kingdom or Ireland.

However, key aspects of the work of interpreting agencies remain unclear. For example: how are interpreting agencies created? How do they start their work in such an unregulated field? What are the contracts they sign with interpreters really like? Or, if public outsourcing contracts are won by large companies, how and in what context do smaller agencies without such contracts work?

These are some of the questions that are to be clarified or at least addressed with the analysis conducted in the empirical part of this master's thesis. However, before moving on to the empirical part, an analysis of the situation of the legal interpreting system in Spain and other relevant related aspects will be carried out, since the empirical part as well as the research question of this thesis focus on the case of Spain.

3. Legal interpreting in Spain

3.1. Introduction

After the analysis of legal interpreting and interpreting agencies from a more global point of view, we will proceed to the specific analysis of Spain. This chapter aims to apply some of the information previously analyzed to the current situation in Spain.

The chapter is divided into several sections. To begin with, there is a section dedicated to multilingualism in Spain, which includes both the official language and the co-official languages as well as the foreign languages present in the country. It also tries to approach the reality of the language and translation policies that are in place, especially in aspects related to the legal field. The next section focuses on the different sectors in which legal interpreting is carried out. As this is something that has already been analyzed in depth in the first chapter, this section focuses on current trends in Spain and aspects that authors and practitioners in this country have mentioned and worked on. The last section of this chapter focuses on the aspects of the professionalization of the sector that are most relevant in Spain. Being the last chapter of the theoretical part of this master's thesis, these sections are followed by a summary before continuing with the empirical part.

An important point to note is that throughout the specific literature in the field of translation studies in Spanish there is no cohesion in terms of terminology. There are authors and practitioners in the field who indistinctly use the terms “translator” and “interpreter” (Valero Garcés, 2003), as well as others who only speak of translators when referring to both.⁵ To facilitate the analysis, throughout this chapter and in the empirical part, a distinction will be made based on the activity carried out by the individual: we will speak of translator when referring to work with written texts and interpreter when referring to oral interpreting. In specific cases in which both terms appear, as in the case of the title of “sworn translator and interpreter”, the literal translation will be made mentioning both parts. A final point to note regarding essential terminology and to facilitate the understanding of this chapter is the distinction between legal interpreter (*intérprete en el ámbito legal*), court interpreter (*intérprete judicial*) and sworn translator and interpreter (*traductor/intérprete jurado*). While legal interpreters are those who work in any legal setting, court interpreters are those specifically working in court proceedings

⁵ A practical example of the interchangeable use of these terms can be seen in the transcript of the expert interview in Appendix 3.

and sworn translators and interpreters are the ones accredited by the Spanish Ministry of Foreign Affairs.

3.2. Multilingual reality of Spain: language and translation policies

It is a fact that languages play a major role in the construction of societies, especially regarding the sense of unity, cohesion and identity (González Núñez, 2016; Meylaerts, 2011). However, the idea that only one language is used within the borders of a country is a concept that is not reflected in reality (Meylaerts, 2011, p. 744). This is, among many others, the case of Spain, a multilingual country.

Before proceeding to analyze the complex linguistic reality of Spain, it is important to clarify some essential concepts. First, there is the concept of language policy, which refers to the set of legal norms that regulate the use of languages in a specific territory in essential areas such as education, communication with institutions, media and administration (Meylaerts, 2011, p. 744). Based on this definition, there are authors (Díaz Fouces, 2002; González Núñez, 2016; Meylaerts, 2011) who affirm that the existence of language policies is intrinsically linked to translation policies, since the fact of creating norms that regulate the use of languages implies that there is also the right to translation and interpreting. Meylaerts (2011) proposes a categorization system for the different translation regimes. These categories are: complete institutional multilingualism with obligatory multidirectional translation in all languages for all (p. 746), complete institutional monolingualism and non-translation (p. 747), institutional monolingualism and translation into the minority languages (p. 750) and institutional monolingualism combined with institutional multilingualism (p. 752). Scholars usually categorize languages as dominant languages and minority languages, the latter divided into national minority languages and immigrant languages (González Núñez, 2016, p. 3).

As previously mentioned, Spain is a multilingual country in which several native and immigrant languages coexist. However, this has not always been the case. During the Franco dictatorship, minority languages were totally repressed and it was not until the 1978 constitution that this imbalance was broken and the foundations were laid for the system that Spain has today (Cichon & Doppelbauer, 2008, p. 7). However, it is an issue that continues to be relatively conflictive in Spain, as the linguistic reality goes hand in hand with various political aspects. Since it is not the main objective of this thesis to analyze in depth the linguistic policies and reality in Spain, the focus of this section will be to highlight the points that are relevant to the analysis of interpreting agencies. For a

more in-depth perspective on the reality of multilingualism in Spain, Doppelbauer & Cichon (2008) have carried out an extensive sociolinguistic analysis of almost all regions of Spain, showing how the different languages and dialects, their language policies and their use have evolved over time. In their book, they also point out that the analysis of languages of recent immigration is extremely complicated and that is why it is not included in their book (p. 10).

In the following paragraphs, a general analysis of the official and co-official languages in Spain will be presented, and their importance for the legal system and the presence or lack thereof in the access to information in this field will be discussed. Subsequently, a general analysis will be made of the languages of immigration in Spain, which is essential to understand the importance of interpreting in the legal field in this country.

3.2.1. Official and co-official languages

According to Article 3 of the Spanish Constitution (Cortes Generales, 1978), the official language of the country is Spanish (Article 3.1) and the other languages are also official in the respective Autonomous Communities in accordance with their statutes (Article 3.2). The languages that have an official language status in one or several Autonomous Communities are called co-official languages, and are Galician in Galicia, Basque in the Basque Country and part of the Chartered Community of Navarre, and Catalan in Catalonia, the Valencian Community, where it is also called Valencian, and the Balearic Islands (Doppelbauer, 2008, p. 28). Currently, and according to data from the National Institute of Statistics (INE, 2016) data, 89.8% of the Spanish population between 18 and 64 years of age have Spanish as their mother tongue, 11.1% have Catalan as their mother tongue, 5.5% have Galician, 4% have Valencian and 1.8% have Basque as their mother tongue. Of these people, 11.7% consider themselves to have two mother tongues (see Figure 2).

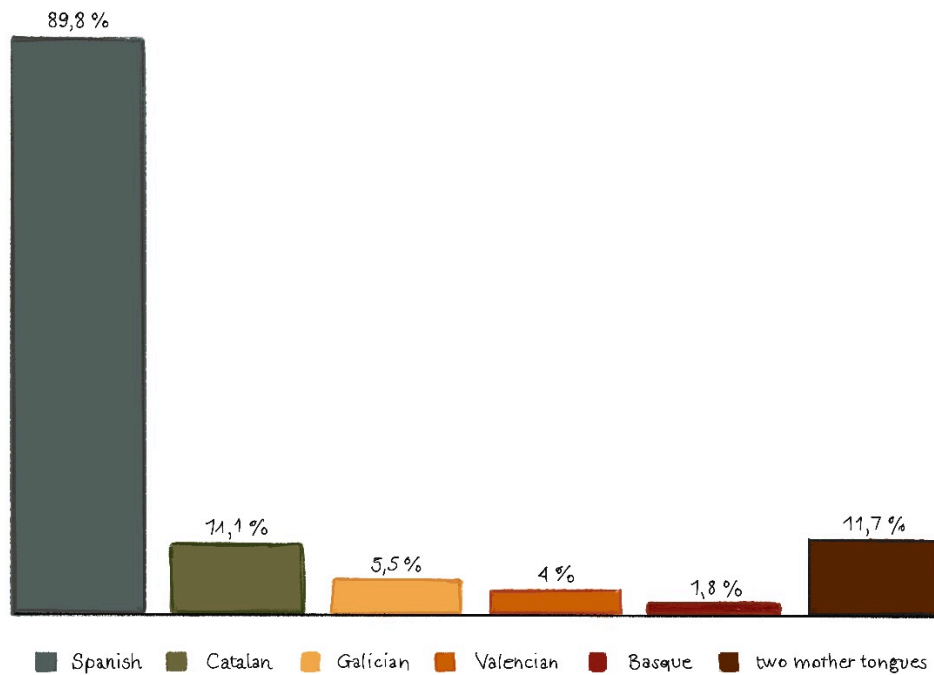


Figure 2: Official and co-official languages in Spain

Due to Spain's decentralized system, the linguistic reality of each of these communities is very diverse, although they all have several points in common, for example, that language policies implemented over the last decades have been closely linked to the field of education (Arzoz, 2008; Casares Berg & Monteagudo, 2008; Gimeno Menéndez, 2008). Moreover, the aspects reflected in the policies and the reality of people's private lives do not always correspond (Gimeno Ugalde, 2008). In relation to the Spanish legal system, decentralization makes it quite complex (Vigier-Moreno, 2020). There are international regulations, supranational regulations (coming from the European Union), national regulations related to the Spanish Constitution (Articles 148 & 149) and, on a regional level, the Statutes of Autonomy which regulate each Autonomous Community individually (Aparicio Pérez, 2011). Thus, the Autonomous Communities with co-official languages have their own internal regulations and access to this information tends to be available in both languages, Spanish and their co-official language, as accessibility is an essential part of the linguistic policies. In the case of Galicia, the website of the vice-presidency of justice of the regional ministry of Galicia is available both in Galician and in Spanish (Junta de Galicia, 2022). The same applies to the justice departments of the Basque Country and Navarre, whose websites are available in both Spanish and Basque

(Gobierno de Navarra, 2022; Gobierno Vasco, 2022). The information available on the website of the Department of Justice of Catalonia is not only available in Spanish and Catalan, but also has the option to be translated into English and French (Generalidad de Cataluña, 2022a). The Valencian Ministry of Justice has its website available in Spanish and Valencian (Generalidad Valenciana, 2022). And finally, the website of the Ministry of Justice of the Spanish government is available in Spanish, Catalan, Valencian, Galician, Basque and English (Gobierno de España, 2022).

However, the linguistic accessibility of the web pages contrasts sharply with the reality of the accessibility of translation and interpreting services in these departments. These services are not only relevant in the co-official languages but especially in other foreign languages. On the websites of Galicia, Valencian Community and the Basque Country it has not been possible to find information on these services, nor is this possible on the website of the Ministry of Justice of the central government. On the website of Navarra, there is news about the extension of the telephone interpreting system that allows the user to have access to services in a total of 51 languages (Gobierno de Navarra, 2021). However, it has been impossible to find more detailed information on the provision of these services, as on the system that allows the user to access them.

In the case of Catalonia, there is clearer and more accessible information, as their website explains the system of partial subcontracting for the provision of translation and interpreting services in the administration of justice (Generalidad de Cataluña, 2022b). It also includes a list of related documents, including regulations on legal translation and interpreting, the demand for interpreting services in the judicial and police fields in Catalonia, sworn translation and interpreting, university training in this field, as well as the competencies and accreditation of translators and interpreters. However, these documents are only available in Catalan.

3.2.2. Languages of immigration

Regarding the languages of immigration in Spain, it is very difficult to access current official data. The problem is not only that official data does not exist, but also the intrinsic difficulty of analyzing languages, since they are not something tangible that can easily be quantitatively analyzed. Therefore, in order to get an overview of immigration languages in Spain, the analysis is based on data from the National Institute of Statistics (INE, 2021) regarding the countries of nationality of immigrants in Spain in 2021. Based on the different countries of origin of the foreign population, main languages of communication

have been assigned, which usually correspond to the official language of each country.⁶ The reason for working with the data in this way is that, in order to analyze the feasibility of legal interpreting services in Spain, nationality is not as important as languages of communication, as it is essential to know which languages are actually in demand. Therefore, it is logical that there is a higher demand for the languages that are more present among the foreign population groups living in Spain.

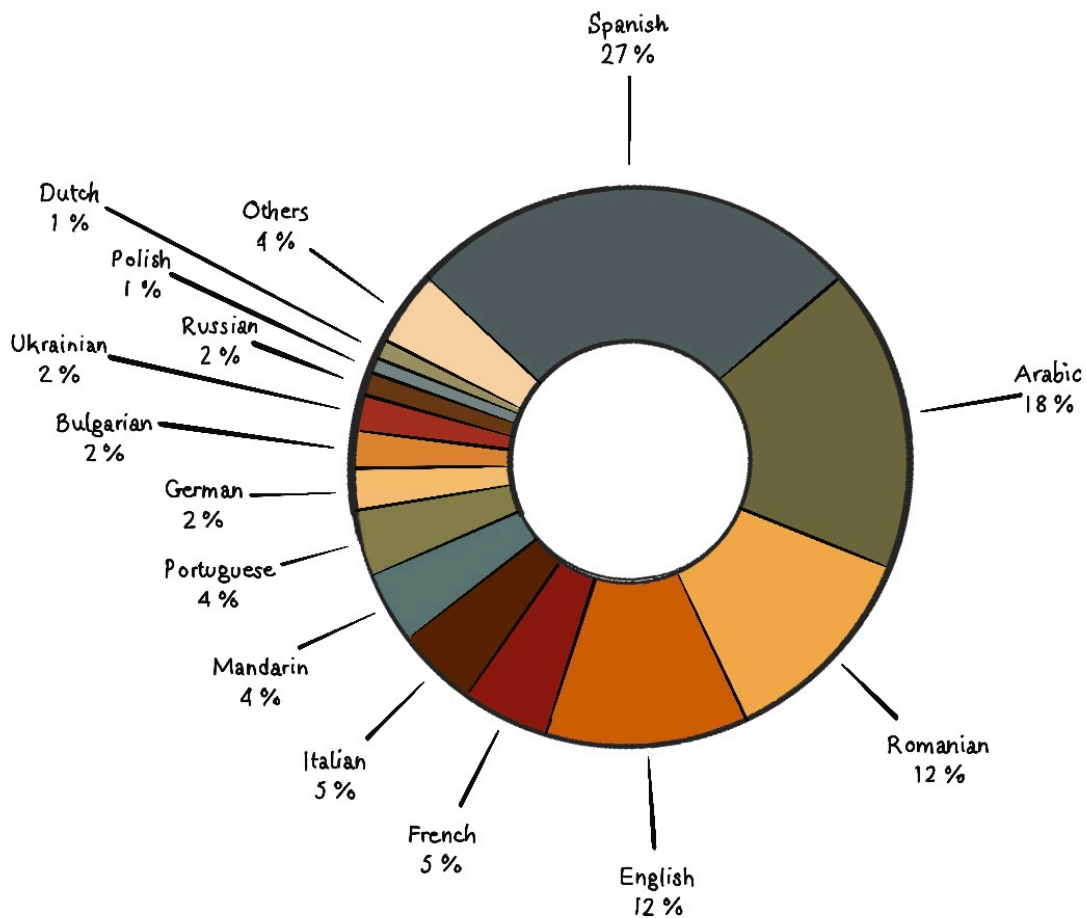


Figure 3: Languages of immigration in Spain

According to INE data, in 2021 the total number of foreigners residing in Spain was 5,440,148. These are of very diverse nationalities and speaking a multitude of foreign languages. According to the analysis conducted, 27% of the total foreign population comes from countries where the official language is Spanish, being the largest group by far. Although this is not relevant for the provision of legal interpreting services, since

⁶ Details on the specific data can be found in Annex 1.

these are people who can communicate without the need for an interpreter, it is the largest group, so it should not be overlooked in the analysis. The next largest group is made up of people from Arabic-speaking countries, accounting for 18% of the total. In third place are speakers of Romanian and English, both languages are present in 12% of the foreign population. These groups are followed by foreigners from French-speaking countries and Italy, each group with 5%, and Mandarin and Portuguese speakers with 4% of the total. The next groups, all of them present with 2% of the total, consist of speakers of German, Bulgarian, Ukrainian and Russian, followed by speakers of Polish and Dutch with 1%. The remaining 4% is made up of some 30 languages with a more limited presence.

Although there is no more specific official information in this field, there is a study carried out by de Vega Martínez (2021) on the subcontracting of interpreting agencies in the legal field. One of the parameters analyzed by this author is the most demanded language combinations based on the number of interpreters required in the public tender for each language. The results show that the languages most in demand are English, German, French, Romanian and Arabic (p. 59). Most of these languages correspond to the previous analysis of demand, although the specific case of German is noteworthy since, according to the results mentioned above, it has less presence in Spain than other languages such as Italian, Mandarin or Portuguese.

To all this we must add that Spain is subject to the mandate of the aforementioned European Directive 2010/64/EU, whereby everyone must have access to justice in a language they can understand. The variety of languages present, especially among the foreign population, gives the first indications of the difficulties encountered by the agencies in charge of providing these services (de Vega Martínez, 2021).

In view of all this, it is difficult to categorize Spain's translation policy. On the one hand, at the national level and in the Autonomous Communities without co-official languages, Spain could be included in a category of institutional monolingualism with translation into all languages, since, according to European regulations, the legal system should be accessible to all. The feasibility and reality of legal interpreting services in Spain will be analyzed in future sections of this chapter. On the other hand, Autonomous Communities with co-official languages could be categorized as having a translation policy of multilingual institutionalism with translation into other languages.

3.3. Current trends in legal interpreting settings

3.3.1. Court interpreting in Spain

Spanish courts reflect the social reality of the country in the last decades, marked by an increasing number of foreigners. In this context, the intervention of court interpreters becomes essential. However, the system has serious shortcomings, as the legislation has not been adequately adapted and, due to the poorly managed outsourcing of external companies for the provision of these services, the quality of interpreting services in Spanish courts has been severely affected (Blasco Mayor & del Pozo Triviño, 2015, p. 15; Gascón Nasarre, 2011, p. 31).

3.3.1.1. Historical perspective

In Spain, there have been sworn translators and interpreters appointed by the Ministry of Foreign Affairs since 1848. These were traditionally in charge of interpreting for the courts (Peñarroja Fa, 2003, p. 133). In certain specific cases, the task fell to non-sworn interpreters provisionally authorized by a judge, since there were languages that were not included in the examinations for sworn translators and interpreters (Sali, 2003, p. 148). Beginning in the 1980s, with Spain's entry into the European Economic Community and the new migratory flows, legal translators and interpreters began to be hired on a permanent basis in the administration of justice. There are currently about a hundred spread around the country, although most of them are located in the Community of Madrid in the central bodies of the administration of justice, the *Audiencia Nacional* (Criminal Division of the National Court) and the Supreme Court (Sali, 2003, p. 147). The role of sworn translators and interpreters and that of permanent contracted legal interpreters will be discussed in more detail below.

An essential part of the history of court interpreting in Spain is the case of the Madrid bombing trials, also known as the 11M terrorist attack trial. On March 11, 2004, a terrorist attack took place in which different parts of the train system in the city of Madrid were bombed. The terrorist attack claimed the lives of 191 people and more than 1.500 others were injured. After investigation, the attack was attributed to Islamic extremists, who faced trial from February 15th to July 2nd, 2007. As the defendants came from several countries and their native languages were not Spanish, there was a great linguistic challenge throughout both the investigation and the trial (Aparicio Pérez, 2011). The trial involved 29 defendants who mostly required interpreting between Arabic and Spanish, and around 750 witnesses requiring interpreting in other languages, such as

Berber, Italian or French. Lawyers, judges, members of the Public Prosecution Service, police officers and 400 journalists from all around the world were also involved (p. 102). It took place at the *Audiencia Nacional*, as it has, among others, jurisdiction over crimes related to terrorism. Although it is used to dealing with cases where interpreters are needed (there were 16 staff translators and interpreters employed at the *Audiencia Nacional* at the time), a case of this magnitude required them to reorganize their system, for which they appointed a coordinator of interpreting services for the trial to design a strategy. Interpreting was necessary throughout the whole process, since, for example, lawyers could not communicate effectively with their clients without an interpreter present (Martin & Ortega Herráez, 2013).

During the trial, interpreters had to interpret in simultaneous mode in order to save time and allow the participation of the defendants. For this purpose, technical equipment had to be installed, as the equipment needed is not usually found in Spanish courtrooms (Valero Garcés & Abkari, 2010). However, there were several problems with the equipment installed. One of the most important ones was that the interpretation from Spanish into Arabic was heard through headphones worn by the defendants, but the interpretation into Spanish was provided through loudspeakers, as it was relevant to the rest of the people present. This interpretation was picked up by the open microphone of the interpreters, who listened to it again through their headphones, making it incredibly difficult for them to do their job properly.

This led to numerous communication problems throughout the process and shaped the perception of the interpreters' role, as mistakes were often made due to technical complications (Martin & Ortega Herráez, 2013, p. 104). In addition, being a case of high media interest, there was an unprecedented visibility of the interpreters. Another problem that arose during the trial was that some of the interpreters were called as expert witnesses, which was widely criticized. Furthermore, the lack of knowledge on the part of legal professionals regarding the process of translation and interpreting also posed a major problem, and clearly brought out the need to improve cooperation between legal professionals and interpreters. It is also essential to emphasize that the interpreters agreed that they were taking part in an historic event that entailed a high level of responsibility and that their highly professional performance contributed to guaranteeing a fair trial (Martin & Ortega Herráez, 2013).

This trial was an unprecedented experience for most of its participants, including the interpreters, who had to deal with an enormous amount of pressure and stress, but it

also made their work more visible. After this trial, public entities in Spain made an effort to provide qualified translators and interpreters, which, according to some authors, has slightly improved the status and working conditions of this group (Valero Garcés & Abkari, 2010, p. 56). However, this point of view clashes with the outsourcing system that is currently in place, as there is plenty of criticism of the conditions derived from this system (Arróniz Ibáñez de Opacua, 2000; Arumí Ribas, 2018; Gascón Nasarre, 2011; Peñarroja Fa, 2003; Sali, 2003; Vigier-Moreno, 2020).

3.3.1.2. Legal framework for interpreting in Spanish criminal courts

As already discussed in the first chapter of this masters' thesis, in recent years there have been several developments in the legal framework for legal translation and interpreting services. The following paragraphs aim to analyze how these European standards have been transposed into Spanish legislation, and they also give an overview of other internal regulations related to this field.

Based on European directives, each Member State is responsible for establishing a system to guarantee the quality of legal translation and interpreting services. The rights of detainees facing criminal proceedings in Spain are set out in the Criminal Procedure Act (*Ley de Enjuiciamiento Criminal*, LECRIM) and the transposition of European Directives 2010/64/EU and 2012/13/EU is found in LECRIM Articles 118, 123-127 and 520 (Ministerio de Justicia, 2021). These amendments were introduced in 2015, two years beyond the deadline proposed by the European authorities (Bestué, 2018). Moreover, the transposition includes small deviations from the original texts. For example, LECRIM Article 520 focuses on the right of the accused to communicate effectively to ensure their defense. It states that those arrested must be informed of their rights in writing and in their own language, not in a language they understand, as proposed in Article 5.2 of the Directive 2010/64/EU. Although there are specific protocols for action in the Spanish State Security Forces, the implementation of these rights can be quite difficult, especially in more isolated areas or when minority languages are involved (Álvarez de Neyra Kappler, 2018).

The right to an interpreter is also reflected in other texts, such as Article 231 of the Organic Law of the Judiciary (*Ley Orgánica del Poder Judicial*) (Jefatura del Estado, 1985). This article recognizes various linguistic aspects, such as the possibility that any person who knows the language used may be qualified as an interpreter after taking an oath (art. 231 sec. 5). Also, according to Article 22.2 of the Immigration Law (*Ley de*

Extranjería), it is stipulated that foreigners who are in Spain and have to go through certain administrative or judicial procedures have the right to the assistance of an interpreter if they do not understand or speak the official language used (Jefatura del Estado, 2000).

One of the most controversial elements of the legal framework is related to interpreter selection. According to European directives, authorities of member states must have an official register of court interpreters, and only in exceptional circumstances for example if none of these interpreters are available may another duly qualified person, not included in the register, interpret on court proceedings. Having such a register would be the best way to ensure the quality of court interpreting services (del Pozo Triviño, 2016, p. 127). However, this registry does not exist to date in Spain. Nor are there any rules specifying the requirements that professionals interested in joining the register must meet. This striking delay may be due in part to the accusations by various professional associations upon learning of the intention of the Spanish authorities to include not only individuals but also companies in this register, which would mean a new problem similar to the current one with the subcontracting of companies (Vigier-Moreno, 2020, p. 210). There is currently an annually updated list of active sworn translators and interpreters accredited by the Spanish Ministry of Foreign Affairs (Ministerio de Asuntos Exteriores, Unión Europea y Cooperación, 2022a). However, as will be seen below, this list can in no way replace the registry of court interpreters.

Another very important point when talking about regulation in interpreting is ethical codes. There is not a single, universal code of ethics for interpreting in legal contexts, as it may vary according to the country and its legal system. In Spain, the APTIJ created a code of ethics in 2010 that lays down the standards of conduct for court translators and interpreters (APTIJ, 2010).

In addition to this and related to the regulation of court interpreting in Spain, it is important to note that, although there is no specific regulatory law, there are texts that frame the work of translators and interpreters. The Spanish Criminal Code (Ministerio de Justicia, 2022) states a series of offenses for legal translators and interpreters, which include the crime of false testimony, divulging of secrets, bribery, obstruction of justice and disloyalty. However, the fact that these offenses are punishable is not enough, since, in many cases, they are not easy to prove. For instance, the crime of false testimony is, extremely difficult to establish in practice. On the one hand, the line between intentional misrepresentation of the facts and misinterpretation is not so clear. On the other hand,

unless the inconsistencies are so great as to make it impossible to conduct the trial, it would require external experts in both languages to be able to point out the misrepresentation (Alonso Araguás et al., 2018, p. 16). These offenses are mentioned both for the actions of civil servants, i.e. interpreters hired as civil servants by the justice system, and for the actions of external contracted personnel and professionals external to the administration, such as freelance interpreters and outsourced interpreting agencies (Alonso Araguás et al., 2018, p. 21). The penalties for any of these offenses include imprisonment, fines and disqualification from working for the public authority.

In spite of all this, many authors have criticized the laxity of the Spanish system in regulating access and quality control systems for court interpreters (Alonso Araguás et al., 2018; Blasco Mayor & del Pozo Triviño, 2015; Vigier-Moreno, 2020).

3.3.1.3. Provision of interpreting services in Spanish criminal courts

As mentioned above, despite the existence of a framework that regulates to some extent the provision of interpreting services in Spanish courts, the reality of these services leaves much to be desired. Currently, the provision of court interpreting services is the responsibility of each Autonomous Community, so there are different models for the provision of these services (Vigier-Moreno, 2020). They are the traditional model, the integrated public management of the service model and the contract model (Blasco Mayor & del Pozo Triviño, 2015).

The traditional model is made up of interpreters who are hired through a public competitive examination and work as permanent civil servants, and freelance interpreters who interpret when there is too much work or when there is no interpreter for a particular language (Blasco Mayor & del Pozo Triviño, 2015; Vigier-Moreno, 2020). Interpreters who work as freelancers in this model are registered on a list of the territorial management of the Ministry of Justice in each province. When their services are needed, the interpreters are contacted directly by the authorities and paid for their services. However, they do not have to pass any test or selection process, which favors the intrusion of non-qualified interpreters and reflects the lack of concern of the public authorities regarding this issue (Arróniz Ibáñez de Opacua, 2000, p. 158). This model was for a long time the general model governing the provision of services at the national level (Peñarroja Fa, 2003) but today, it is less and less present, as it has clear disadvantages. On the one hand, having staff hired on a permanent basis is not very flexible, making it difficult to adapt to the real needs of the service. On the other hand, one of the major criticisms of this system

has been the examination process for permanent staff, which has been criticized for several reasons. One of these is that candidates are not required to have a higher degree to participate in the examination process (Peñarroja Fa, 2003). Another reason is that the tests are written, so they focus on the translation of texts but there are no exercises to test the candidate's oral language skills or interpreting skills (Ortega Herráez, 2011, p. 87). This is rather striking and is probably related to the fact that in Spain the distinction between translator and interpreter is not yet fully established. However, it is an essential distinction, since a good translator is not necessarily a good interpreter and vice versa (Arróniz Ibáñez de Opacua, 2000, p. 160).

The integrated public management of the service model is exclusive to the province of Las Palmas and it has a single official translator/interpreter who is in charge of coordinating the entire provision of interpreting services. Although it is not a perfect model, it has certain advantages, such as the fact that the interpreters are paid in full the rates paid by the State because there is no intermediary company, and the fact that one translator/interpreter is in charge of coordinating the service helps to maintain a certain quality control (Blasco Mayor & del Pozo Triviño, 2015). However, the quality control that the coordinator can exercise is relatively limited, since this model lacks a certification system to guarantee the professionalism of the interpreters hired, so it is possible that those who work as interpreters are not really qualified to interpret (Vigier-Moreno, 2020, p. 211).

The contracting model is based on the subcontracting of private companies that take full responsibility for the provision of the service. To this end, the authorities issue a call for tenders to which several private companies submit bids. It specifies the services that are to be covered and the requirements that bidders must meet. In the end, the company that submits the best bid is the exclusive provider of translation and interpreting services for the duration of the contract (Blasco Mayor & del Pozo Triviño, 2015; Vigier-Moreno, 2020). Generally, the company that wins the contract is the most competitive in terms of final price (Peñarroja Fa, 2003; Vigier-Moreno, 2020). Currently, the model that is most present in Spain is the contracting model, which, as will be seen below, has serious consequences for the quality of interpreting, the social perception of the profession and the working conditions of interpreters. There are various reasons for the administration of justice to outsource interpreting services, but they can be summarized in two main points: because of organizational and financial reasons (Gascón Nasarre, 2011, p. 32).

Before going deeper into the contracting model, it is important to mention that there are also Autonomous Communities that combine several of these models. This is the case, for example, in the Basque Country with Basque language interpreters (González & Auzmendi, 2009). On the one hand, they have interpreters who work full time and on a permanent basis, partially following the traditional model, but with some variations. They tend to have degrees in interpreting-related fields, such as Basque philology or translation and interpreting and they are actively trained once they start the job to successfully work as court interpreters. On the other hand, interpreters who work as freelancers do so to fill in when interpretations cannot be provided by staff interpreters. They access the service through a subcontracted agency, so the working conditions leave much to be desired (González & Auzmendi, 2009, p. 140).

When discussing the provision of court interpreting services in Spain today, what is most striking are the innumerable criticisms of the current contracting model, which is basically an outsourcing system. This is something that has already been mentioned in Chapter 2 when analyzing interpreting agencies, so here we will focus on the specific difficulties faced in Spain.

Many of the criticisms focus on the working conditions of interpreters working for these agencies, specifically with regard to the interpreters' remuneration. According to Gascón Nasarre (2011), the outsourcing of interpreting services increases the cost of the service for the administration, while the quality of the service deteriorates considerably. Despite this increase in public spending, subcontracting entails a setback in the interpreter's salary conditions, since the intermediary company keeps a considerable part of the money previously earned by the interpreter. The final remuneration is between 10 and 15 euros per hour of actual work, i.e. not including waiting or travel time. These fees are far below the prices of the private market, where professional interpreters' fees start around 90 euros per hour (Gascón Nasarre, 2011, p. 38). This means that many professional interpreters have decided to stop interpreting in Spanish courts, opening the door to people who are not qualified for the job and thus creating a system of interpreting service provision that does not guarantee the communication rights of people who need the services of an interpreter (Vigier-Moreno, 2020). Another major criticism is that the subcontracting system has created a situation of oligopoly in Spanish courts (Blasco Mayor & del Pozo Triviño, 2015, p. 30).

De Vega Martínez (2021) analyzes in depth the interpreting outsourcing system present on administration of justice in Spain between 2015 and 2019. There are several

elements of this system that have a direct impact on the quality of the service, some of them are factors associated with the bidding and awarding phase of the tenders, and others with the execution phase. The factors related to the bidding and awarding phase are relatively easy to analyze, since they are reflected in public documents, such as the bidding documents and award resolutions. However, documentation regarding the execution of the interpretations is not publicly available (p. 20).

There are several points of this analysis that stand out. According to the data obtained and analyzed, the amount allocated to interpreting services at the national level is relatively constant, with an average annual value of around 4.800.000€. However, when compared with the number of cases filed in Spanish courts, there is a growing mismatch between the need for interpreting services, which is on an upward trend, and the budget allocated to cover it, which remains constant (p. 34). As for the analysis of the actual awarding of contracts, there are two aspects that are very striking. The first one is that several tenders were declared void and very few companies participated in the remaining ones. Which leads to the second aspect: there are only two companies that have obtained a contract: *Ofilingua, S.L* and *Septotec Traducción e Interpretación, S.L.* (p. 39). Between 2015 and 2019, Ofilingua won 68.1% of the total contracts, amounting to a total amount of 13.407.611,71€, and Septotec won 31.9%, amounting to a total of 6.282.651,52€ (p. 40). This is a clear confirmation of the oligopoly mentioned above.

The next point of analysis is the unit price of the tender, which is essential to know what the interpreters' final fees will be and, consequently, to see whether the result corresponds to the widespread criticism that the working conditions are getting worse. The analysis has been hampered by the heterogeneity of the information available, as each administration follows a different criterion for measuring and paying for work. To this end, a system of homogenized unit prices was created, which in interpreting are based on interpreting assignment and interpreting hour (p. 42). It should be noted here that the void tenders proposed payment per interpreting assignment, regardless of the length of service (p. 62), something that clearly does not correspond to the payment system used in the field of interpreting, which is calculated on a time basis. To this are added different prices for transcriptions and translations, as well as for waiting hours. The findings show that there are several differences between the tenders, since, for example, the actual interpreting hours have prices ranging from 22,47 €/h to 60,00 €/h, with an average price of 44,59 €/h (p.46). However, the prices offered by the successful bidder are considerably

lower, ranging from 18,76 €/h to 49,50 €/h, so that the actual average price is 29,55 €/h (p. 52).

With regard to the prices for waiting time, only 23% of the tenders include this parameter, which varies between 10,00 €/h and 30,00€/h. Here again, the price offered by the successful bidder is considerably lower, with an average base bid price of 24,33€/h and an average final price of 8,62€/h (p. 54). In addition, none of the bidding documents includes the payment of per diems or travel expenses, and only one of them includes higher prices for interpreting services performed out of business hours, such as at night or on weekends (p. 54).

After this exhaustive analysis, the author concludes by stating that the criteria for awarding competitions are essentially financial factors and that the downward trend in terms of price for these competitions has several consequences. On the one hand, these competitions are detrimental to interpreters' working conditions and, consequently, to the quality of interpreting. On the other hand, such low prices mean that there are very few companies that can afford to participate in the competition, since at such low prices it is very difficult to make a profit. In addition, there is a certain laxity on the part of the public authority with respect to the control of the execution of the contract, since it should ensure that the company in charge of providing the services provides a quality service in accordance with the specifications of the tender (p. 62). This laxity of the public authority in ensuring that the requirements of the competition are met is something that has also been mentioned by other authors. According to de la Peña Palomo (2011), the public authority has made it clear that it is impossible for them to control both the working and economic conditions that companies provide to interpreters.

Zaragoza Casteló, a sworn translator and interpreter, presents another case study of justice administration contracts with private agencies (2003). This case is a more personal reflection, in which she explains first-hand her experience working for the Centro de Traducciones Newroz in the Valencian Community. Although it is a text that predates the study by de Vega Martínez (2021), it is a good example to see the interpreter's perspective. According to her study, interpreters are not hired as staff, but are freelancers who send an invoice with their fees at the end of the month. Each interpreter has a specific agreement with the company regarding his fees; some have an agreed minimum, while others simply charge for the hours worked (p. 208). They usually call them the day before or even the same day they are scheduled to interpret to let them know about the assignment. They also do not know in advance the duration of the assignment, they may

be interpreting all day or they may be called to interpret for fifteen minutes (p. 208). The training provided by the company is quite scarce, although she denounces that the greatest difficulty is economic, since it is necessary to combine interpreting with another job in order to make ends meet (p. 209). This criticism also corresponds to that of Gascón Nasarre (2011).

For all these reasons, it can be said that the current system for the provision of court interpreting services in Spain leaves much to be desired. In addition, this subcontracting system is also present in other areas of legal interpreting in Spain (Vigier-Moreno, 2020, p. 213), which will be discussed in more detail below.

3.3.2. Interpreting in police settings

Police interpreting in Spain has traditionally been carried out by people who were simply there when interpreting was needed (Ortega Herráez & Foulquié Rubio, 2008), but in recent years an attempt has been made for the profession to advance in this field.

The term police interpreting (or interpreting in police settings) refers to its generic meaning, which includes all law enforcement agencies (Foulquié Rubio, 2002, p. 107). In order to see how the interpreting services are provided, it is important to first explain the organization of law enforcement agencies in Spain. There are two bodies that are present at the national level: National Police (*Cuerpo Nacional de Policía*) and Civil Guard (*Guardia Civil*). In addition, each region has a Local Police (*Policía Local*) and, in some regions, there is a regional police force. This is the case of the Basque Country Police Force (*Ertzaintza*) and Catalanian Police Force (*Mossos d'Esquadra*) (Ortega Herráez & Foulquié Rubio, 2008, p. 125). For a more in-depth look at the structure of law enforcement agencies in relation to the provision of interpreting services, it is recommended to read the studies conducted by Fernández Rodríguez (2014) and López Pérez (2014).

In regard to the legal framework for the provision of interpreting services in police settings in Spain, the regulations correspond to those analyzed in the context of court interpreting. The right to an interpreter, as set out in legal texts such as LECRIM or the Immigration Law, is applicable to the different stages of the judicial procedure, and not only to the trial phase. In addition to this, the different law enforcement agencies have internal regulations that partly regulate the provision of this type of services. These regulations have changed over time and have led to the emergence of various models for the provision of services (López Pérez, 2014).

The organization of police interpreting services in Spain is not easy to analyze, as there is a great lack of official information. Based on what has been published in the field of interpreting studies, there are several models for the provision of these services. On the one hand, there are interpreters hired by the Ministry of the Interior for full-time police interpreting. Some of them are permanent civil servants and others are non-permanent. The selection processes are similar to those for court interpreters, something that has been widely criticized (Fernández Rodríguez, 2014; Foulquié Rubio, 2002; Ortega Herráez & Foulquié Rubio, 2008). Interpreters are not evenly distributed throughout the territory, but have a greater presence in areas where more foreigners are concentrated, such as regions with a focus on coastal tourism (Canary Islands, Balearic Islands, Malaga, Alicante), border regions (Ceuta, Melilla), immigration destination areas for employment (Almeria, Barcelona) and, of course, in Madrid (Ortega Herráez & Foulquié Rubio, 2008, p. 127).

On the other hand, there are interpreters hired part-time during the summer season due to the large influx of tourists during these months. For a long time, such positions have been filled by people who were unemployed and interested in working in something related to languages, especially people belonging to groups at risk of exclusion, such as the long-term unemployed, single mothers or people with some kind of disability (Ortega Herráez & Foulquié Rubio, 2005, 2008). The use of these parameters in the selection process was clearly reflected in the quality of service provision. It is not clear if this model is still being used or if the selection and hiring process is still the same, as it has been impossible to find updated information on the matter.

There are also freelance interpreters, who are called upon when there is a need for their services. The various law enforcement agencies have the power to decide how to organize these services, so the system of hiring freelance interpreters is diverse. They can call on interpreters who have been previously hired in one of the two previous models, interpreters who have offered their services directly by leaving their CV or business card, or use one or more interpreting agencies to provide the service (Ortega Herráez & Foulquié Rubio, 2008, p. 128).

Contradictory information has been found regarding the provision of services through interpreting agencies. On the one hand, there are authors who state that the use of this type of agency is not subject to public contracts as is the case with court interpreting (Ortega Herráez & Foulquié Rubio, 2008). Many police stations decide to contact interpreting agencies because they consider it the most efficient way to offer

services. However, it seems that this has changed. Due to the difficulties in managing the service effectively, it was decided to start outsourcing the service in 2008 (López Pérez, 2014, p. 23). From that moment on, interpreting that cannot be provided by the interpreters directly hired by the ministry will be carried out by the company that won the contract. The two companies that have been awarded contracts since then are the same as those in the field of court interpreting, *Ofilingua, S.L* and *Seprotec Traducción e Interpretación, S.L.*, although in the case of police interpreting, Seprotec is the one that monopolizes most of the contracts (Europa Press, 2019; Fernández Rodríguez, 2014; López Pérez, 2014). This company has been strongly criticized for the quality of the provision of interpreting services for the police in Spain, as it hired people with criminal records as interpreters, which is completely unacceptable (Fernández, 2008). Criticism is also levelled at the working conditions of the interpreters, as the fees are derisory compared to what the company charges for the contract with the Ministry of the Interior. It seems that, regardless of the legal interpreting setting in which these types of agencies are service providers, the problems arising are quite similar. After an exhaustive analysis of the provision of interpreting services at the National Police, López Pérez (2014) concludes that there are substantial discrepancies between what the tender documents stipulate, especially the aspects related to quality control and the requirements for recruiting interpreters, and what the winning companies end up putting into practice (p. 34).

In addition to these models, it also often happens that *ad hoc* solutions are sought, especially when dealing with uncommon languages. These solutions include using acquaintances who know the language, associations, NGOs, friends, relatives or other detainees who speak both languages (Ortega Herráez & Foulquié Rubio, 2008, p. 128). This demonstrates once again the lack of professionalism in the sector, something that has a negative impact on the development of the entire process in which an interpreter is needed. In particular, the use of detainees as interpreters has been criticized (López Escudero, 1999).

As to the contexts in which it is usually necessary to use an interpreter, the most important are statement-taking, interrogations, investigations and police station complaints (Fernández Rodríguez, 2014). They are also often involved in the filing of telephone complaints by foreigners (López Pérez, 2014). This corresponds to some extent with the information on the National Police website for foreign citizens (Figure 4) (Policía Nacional, 2022c). This web page has the option of being translated into the various co-

official languages and some foreign languages, namely English, French and German. What is interesting is that, when the option to translate the page into English is applied, the information available is reduced to less than half (Figure 5) (Policía Nacional, 2022a).



Figure 4: *Ciudadanos extranjeros* (screenshot)

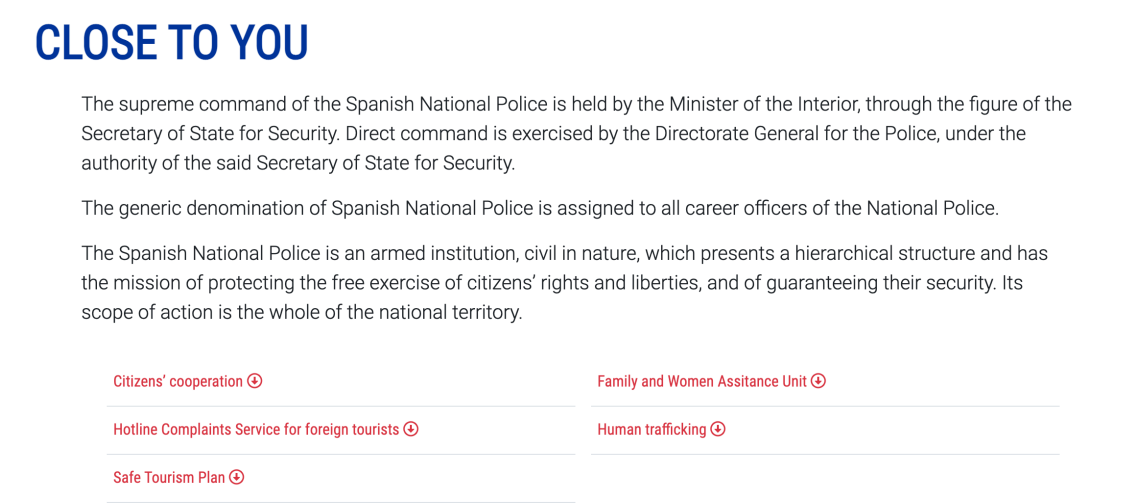


Figure 5: Close to you (screenshot)

The options that are available in English correspond to some extent with the settings in which the interpreters usually work, such as the “Hotline Complaint Service for foreign tourists” or the “Safe Tourism Plan”. However, when trying to access more specific information, it is often only available in Spanish. For example, in the first section “Citizens’ Cooperation”, the description is available in English, but when trying to access the contact form, the information is only available in Spanish. The only exception found is the “Protection Order Application Form”, which is available in English (Policía Nacional, 2022b). With regard to translation and interpreting services, no information

could be found on this website. This once again demonstrates the generalized difficulty in accessing information from the Spanish administration in the legal field in non-official languages, as well as the lack of transparency related to interpreting services.

Difficult access to information is something that researchers in this field also face (Fernández Rodríguez, 2014; Foulquié Rubio, 2002; Ortega Herráez & Foulquié Rubio, 2008). Several authors have attempted to carry out studies through surveys sent to police officers and/or interpreters. Participation rates by police officers were very low and, in some cases, nonexistent. The survey distributed by Fernández Rodríguez (2014) was completed by only 3 police officers and the one by Ortega Herráez & Foulquié Rubio (2008) received no response at all, which is very striking. The case of the questionnaires sent to interpreters is somewhat better, but there is no great interest in participating in this type of project either. That is why the results of these projects, although they are very interesting and give some insight into the realities of police interpreting, are not necessarily representative.

The case of López Pérez (2014) in her study on interpreting services in the National Police is different and clearly an exception. Although she did not conduct interviews, she does not seem to have had great difficulty in accessing information. It is important to mention in this case that she works for the National Police, so it is very likely that this has greatly facilitated her access to data.

The general lack of interest among law enforcement agencies to participate in research projects in the field of interpreting is not only limited to small research projects, but has also been reflected in European projects. This is the case of the GROTIUS Projects to establish equivalence in the standards of training, assessment and practice of legal interpreters. The translation and interpreting service of the National Police participated in the first project, GROTIUS I 98/GR/131, but did not participate in subsequent editions of the project (Fernández Rodríguez, 2014).

Regardless of the difficulties that these researchers may have had in accessing the information, most of them have reached similar conclusions and proposals for improvement (Fernández Rodríguez, 2014; Foulquié Rubio, 2002; López Pérez, 2014; Ortega Herráez & Foulquié Rubio, 2008). These include: encouraging the training of personnel, both interpreters and police officers, and centralizing the coordination of interpreting services, creating a system with similar criteria that is effective for the provision of services at the national level. This would put an end to the subcontracting system and improve service provision as well as conditions for interpreters. They also

propose the establishment of an effective system for quality control of the services provided.

3.3.3. Interpreting in prison settings

Migration in Spain is a phenomenon of great relevance for society as a whole and also for the penitentiary system. In recent decades, there has been a large increase in the percentage of foreign prisoners in the Spanish prison system (de la Cuesta Arzamendi, 2005; García García, 2006; Martínez-Gómez, 2017). It is true that an increase in the foreign population in general inevitably leads to an increase in the foreign prison population. However, the percentage of foreigners in prison is much higher with respect to the total foreign population (García García, 2006, p. 5). As mentioned when discussing foreign languages in Spain, according to the INE there are a total of 5,440,148 foreigners residing in the country, which represents 11.46% of the total population. In relation to the prison population, there were a total of 55,509 foreign prisoners in 2020, which represents 25.06% of the total prison population in the country (INE, 2020). According to García García (2006), some of the factors associated with this imbalance are criminological factors and procedural and penal factors. Among the criminological factors are social and psychosocial factors associated with criminal behavior, such as marginality, poverty, lack of family ties and lack of stable employment. Added to this is the increase in organized crime, with foreigners arriving as part of these organizations or as drug couriers. There are also procedural and criminal factors, such as the fact that foreigners tend to have more difficulties in obtaining provisional release or alternatives to prison sentences. In addition, the crimes most frequently committed by foreigners are largely related to international drug trafficking, which are punishable by sentences of 9 to 12 years (de la Cuesta Arzamendi, 2005, p. 122; García García, 2006, p. 5).

Foreign inmates must face a series of difficulties, since they have a different culture, language, customs and beliefs. For this reason, the Council of Europe (1984) issued principles to guarantee equal rights in terms of education, training and release, reduced isolation and facilitate the process of social reintegration, which are included in Recommendation no. R (84) 12. Spanish legislation respects these principles; however, there are clear difficulties in putting them into practice. Therefore, it is necessary to carry out programs that facilitate the implementation of these principles (de la Cuesta Arzamendi, 2005). The aspect of communication is especially important and, in order to advance, the availability and use of interpreters is essential (de la Cuesta Arzamendi,

2005, p. 124). However, in Spain there are hardly any legal instruments to protect the linguistic rights of foreign prisoners, the Prison Rules (*Reglamento Penitenciario*) being the only ones that specifically mention linguistic assistance and stating that this must be carried out through the prison staff or with the help of another prisoner.

Martínez-Gómez (2017) has carried out a study in Spanish prisons to see what communication strategies are implemented with regard to foreign prisoners. Currently, communication between foreign prisoners and prison staff is mostly carried out using *ad hoc* strategies. In general, prison staff prefer to communicate directly with the prisoner even if their Spanish level is very low. In the event that this mix of "broken Spanish" and non-verbal communication is not effective, another prisoner is called in to act as an interpreter (p. 825). However, prison workers are not particularly thrilled with this method of communication, as they consider the prisoners acting as interpreters to be unreliable and feel that, in many cases, it can have very serious consequences for the communicative situation, especially when sensitive issues are involved (p. 825). This point is also made by Martínez-Gómez (2016), emphasizing that, in the context of non-professional interpreting in prison mental health interviews, interpreters do not simply act as intermediaries, but are an active part of the communicative process and have interests of their own (p. 113).

What is clear from reading the few studies on the subject is that prison interpreting in Spain is still at an early stage in the process of professionalization and no outsourcing to external interpreting agencies is used in this field. There is an increasing need for interpreting services, but *ad hoc* strategies are still being used to overcome communication problems instead of developing a system with qualified interpreters who can provide a quality service and ensure communication rights of foreign prisoners.

3.3.4. Interpreting in asylum settings

The history of Spain has repeatedly been marked by persecution, emigration and exile, for example, with the case of the Republicans after the civil war or the waves of emigrants in the 1970s (las Heras Navarro, 2010, p. 20). However, in recent decades, Spain's role has changed radically from that of a sending country to that of a receiving country. The following section will show how interpreting services are organized in asylum settings.

In addition to the regulations and documents described in chapter 1.1.4. that apply to the international level, in Spain there is Law 12/2009 of October 30, 2009, regulating the right of asylum and subsidiary protection (Jefatura del Estado, 2009). Its Article 18.b

clearly states that the asylum seeker is entitled to free legal assistance as well as the free assistance of an interpreter. However, as we have seen in previous sections of this paper, this is not very specific, so it is important to see how this type of service is provided in practice.

Usually, in Spain, interpreting services in asylum settings depend on various NGOs, with volunteers who are responsible for interpreting as well as accompanying persons who become *ad hoc* interpreters (Jiménez Ivars & León Pinilla, 2018; León Pinilla et al., 2016). The latter are usually relatives, friends or members of the community of origin of the person involved and do not appear in any registry, so it is difficult to quantify their work. It is known, however, that they interpret on a constant basis and cover a large part of the need for the service (León Pinilla et al., 2016, pp. 31, 32). There is also a part of these services that is covered by interpreting agencies and by the public authority, although it has hardly any professionals on staff for this type of work (Jiménez Ivars & León Pinilla, 2018; León Pinilla et al., 2016). However, after making a fairly exhaustive search for information, it has not been possible to find specific information on the interpreting agencies that provide these services.

With regard to NGO volunteers, there is a wide variety of profiles, from people with more or less language proficiency to professionals who offer their services free of charge as community service (las Heras Navarro, 2010, p. 18). There are NGOs that have created structured translation and interpreting services to cover this need in view of the fact that the public authorities do not take care of them. The most prominent are those of CEAR (Spanish Commission for Refugee Aid), the SETI of COMRADE (Translators and Interpreters service of the Committee for the Defense of Refugees, Asylum Seekers and Immigrants of the Spanish State) and ACCEM (Spanish Catholic Migration Commission Association). Each of these NGOs has its own interpreter registry, but they often exchange translators and interpreters to better meet the needs that arise (León Pinilla et al., 2016).

To see in more detail how these services are organized within NGOs, CEAR will be used as an example (las Heras Navarro, 2010). It is an association created in 1979 which, initially, was mainly composed of volunteers who had been refugees. The translation and interpreting service was one of the first to be set up after the approval of the first Asylum Law in Spain in 1984 and began to be organized more systematically and professionally in the 1990s. Its main objective is to ensure the translation of documents that applicants have to submit, as well as to facilitate interpreting services

associated with the procedure, such as in interviews with lawyers, social workers, psychologists or in medical consultations (p. 17). This association offers interpretation services in approximately twenty-five languages, but the actual number depends on demand. The profile of its interpreters is very varied, with a wide range of ages, languages, countries of origin and life trajectories. However, they all have one essential point in common: their commitment to refugees and immigrants. According to Carmen las Heras Navarro (2010), who is responsible for the coordination of the translation and interpretation service of CEAR, they have a meticulous selection and training process that favors the professionalization of the volunteers' work (p. 18).

This view, however, contrasts with other studies related to the provision of interpreting services in asylum settings. Several authors agree in their conclusions that there is a great deal of precariousness in this field (Jiménez Ivars & León Pinilla, 2018; León Pinilla et al., 2016). Although many of the users agree that interpreters are an essential part of this process, especially when the applicant does not speak Spanish, others complain that NGO interpreters are not professional and that the quality of the service is low, so they are not always reliable (Jiménez Ivars & León Pinilla, 2018, p. 40; León Pinilla et al., 2016, p. 38). For all these reasons, it is essential that in this field progress is made in the professionalization of the service and that funds are allocated to provide quality services.

3.4. Professionalization of legal interpreting in Spain

As seen in the first chapter, professionalization of this sector is reflected in key aspects, such as the quantity and quality of training programs, accreditation systems, ethical codes or national registries. This section will analyze these aspects within the Spanish national territory in order to get the clearest possible picture of the current situation of legal interpreting services in Spain.

3.4.1. Training and accreditation

In this first section, the training systems for legal interpreters in Spain will be analyzed. In Spain, interpreting as an academic discipline dates back to the 1970s (Arumí Ribas, 2018, p. 49).

However, the vision of interpreting as an academic discipline was only a first step in the process of professionalization, since, for many years after it was accepted as a discipline, there was a gap between the qualification required by the Spanish

administration to work as a legal interpreter and the training that was actually necessary for the interpreter to deliver a proper interpretation (Sali, 2003). For quite some time, the administration only required a secondary school diploma and knowledge of a foreign language to be able to work as an interpreter (p. 151, 152). However, as has already been emphasized at various points in this thesis, in order to be a good legal interpreter, it is necessary to have training and knowledge related not only to the working languages in general, but also to the legal instruments of both linguistic communities as well as specific training in interpreting (p. 157, 158).

In recent decades, training in translation and interpreting has increased enormously in Spain, but specific training in the field of legal interpreting is still scarce. In most cases, these are specific modules within broader programs, rather than specific training for legal interpreters (Blasco Mayor & del Pozo Triviño, 2015, p. 23). Researchers in this field share the opinion that this is mainly due to the poor working conditions that professional legal interpreters have to face as a consequence of the outsourcing system that currently exists in the country (Arumí Ribas, 2018; Blasco Mayor & del Pozo Triviño, 2015).

As already mentioned in the first chapter, training options that currently exist in this field are divided into formal and non-formal training. Within formal training in Spain, the following training programs stand out: Master's Degree in Intercultural Communication, Interpreting and Translation in Public Services from the Universidad de Alcalá de Henares (UAH, 2022); Master's Degree in Legal Translation and Court Interpreting from the Universitat Autònoma de Barcelona (UAB, 2022b); Master's Degree in Institutional Translation from the Universitat d'Alacant (UA, 2022) and the Master's Degree in Legal and Court Translation and Interpreting from the Universidad Rey Juan Carlos (URJC, 2022).

Among them, the Master in Legal Translation and Court Interpreting of the UAB and the Master in Legal and Court Translation and Interpreting of the URJC are the ones that focus more ECTS credits on training related to legal interpreting. The UAB's program includes the compulsory subject Techniques and Practice of Court Interpreting (9 ECTS). The URJC's Master has two optional subjects in court interpreting, which would account for 12 of the 60 ECTS of the master's degree. The rest of the ECTS credits of both master's degrees are focused on training related to law, legal systems and specialized translation. The latter also includes a compulsory external internship module, which is essential for the training of quality interpreters and to facilitate subsequent access to the labor market

(Gallardo, 2003). In addition, it is important to note that these programs are not available in all languages, as the first can only be taken with the language combination English-Spanish and the second with Spanish-Arabic, Spanish-Chinese, Spanish-English or Spanish-German. These language combinations, although they include some high-demand languages, are not sufficient to meet the real needs for the service.

With regard to non-formal training programs, there was the Diploma of Specialization in Translation and Interpreting for Community Services at the University of La Laguna (Blasco Mayor & del Pozo Triviño, 2015, p. 26), but it seems that it has not been offered for several years now (ULL, 2014). In the year 2021, UAB launched its first edition of the Course in Interpreting in Public Services and Community Areas (UAB, 2022a). According to the information available on its website, it is a short course with the aim of providing participants with the necessary tools to help providers and users of public and community services to overcome language barriers effectively. However, it has been impossible to find out what language combinations are offered in this course or whether it is training that does not depend on the working languages.

Regarding the accreditation of interpreters, understood as an established process with reliable tests by which candidates must show sufficient skills to offer quality guarantees and that must be designed and evaluated by external experts (Blasco Mayor & del Pozo Triviño, 2015, p. 27), there is currently no accreditation system or process for court interpreters in Spain. However, there is a system for appointing sworn translators and interpreters, which will be discussed in the next section.

3.4.2. Sworn translators and interpreters

The profession of sworn translator and interpreter has existed in Spain since the end of the nineteenth century (Sali, 2003, p. 160). This is closely related to the Ministry of Foreign Affairs, which is in charge of organizing and carrying out the tests for those interested in becoming sworn translators and interpreters (Mayoral Asensio, 2003; Sali, 2003).

Initially there were very few sworn translators and interpreters, their fees were high and their clients were Spanish citizens with a medium-high social and cultural status (Mayoral Asensio, 2003, p. 127). With the growth of training programs in the field of translation and interpreting, there were more and more qualified people. Moreover, for a time, many graduates in this field were able to obtain the title of sworn translator and interpreter thanks to the recognition of the Ministry of Foreign Affairs without having to

go through a selection process (p. 130). The requirements to obtain such recognition were to have a degree in translation and interpreting and to have passed a specific number of credits in subjects related to legal translation (Sali, 2003, p. 161). However, this process of recognition was not maintained and, currently, only those professionals who successfully complete the process become sworn translators and interpreters.⁷ Although their appointment is the responsibility of the Ministry of Foreign Affairs, the work of these professionals is not linked to the public system; rather, they practice their profession on a freelance basis (p. 160). The current profile of their clients has also changed considerably since, although there are still Spanish citizens who need their services, most of their clients are foreigners with a rather low economic and social level (Mayoral Asensio, 2003).

Sworn translations have official status and are therefore accepted by judicial and administrative bodies. The documents are always signed and stamped by the sworn translator, thus certifying the fidelity and accuracy of their content. They must be done by a translator in possession of the official title of sworn translator and interpreter in the specific language (Ministerio de Asuntos Exteriores, Unión Europea y Cooperación, 2022b). The Ministry makes available to the public a list of all the sworn translators who are in active service, which is updated periodically (Ministerio de Asuntos Exteriores, Unión Europea y Cooperación, 2022a). However, with regard to sworn interpreting, their role has changed completely since the entry into force of Law 7/88 of 28 December (Jefatura del Estado, 1992), as court interpreting was no longer the sole competence of sworn interpreters (Sali, 2003). As a result, sworn interpreters were gradually dispensed with until the current system of subcontracting in Spanish courts was introduced.

Regarding foreign languages, the examination process to become a sworn translator and interpreter is as follows. From time to time, the Ministry of Foreign Affairs publishes the notice of the examination specifying the languages for which there will be tests, as not all languages are always available. Once the candidate is accepted, the examination phase begins, which consists of three eliminatory exercises. The first exercise is a 50-question multiple-choice test in Spanish according to the syllabus mentioned in the call for applications. The second consists of three translation exercises: the first is the translation into Spanish of a general text, the second is the translation of

⁷ There is also the possibility for the Ministry of Foreign Affairs to recognize analogous qualifications from another European Union member state, but this is not common.

another general text into the foreign language (both without using dictionaries) and the third is the translation of a legal or economic text into Spanish with a dictionary. The third and last exercise is a consecutive interpreting test (Ministerio de Asuntos Exteriores, Unión Europea y Cooperación, 2014). Candidates who successfully complete all the rounds are officially sworn translators and interpreters.

These exams have not been held since 2018 (iTrad Traducciones, 2020; Translinguo, 2020). As published in Royal Decree 724/2020 of August 4, this procedure is going to change. It specifies that the joint title of sworn translator and interpreter will cease to exist and that, from now on, there will be two processes and two independent titles: on the one hand, there will be sworn translators and, on the other, sworn interpreters, although the professionals who have the previous title will be able to keep it for life (Ministerio de Asuntos Exteriores, Unión Europea y Cooperación, 2020). There has not yet been any call for applications after the publication of the Royal Decree, so it is not possible to know what the selection process will be like.

With regard to co-official languages, the Ministry of Foreign Affairs assigned the appointment of sworn translators and interpreters to the Generalitat de Catalunya, the Xunta de Galicia and the Basque Government, which grant their degrees independently and on the basis of their Statutes of Autonomy (Ministerio de Asuntos Exteriores, Unión Europea y Cooperación, 2022b).

3.4.3. Professional associations

Professional associations, as mentioned in the first chapter, are a fundamental element in safeguarding the interests of professional interpreters. In the case of Spain, there are several professional associations for interpreters at the regional level, such as AGPTI (Galician Association of Translation and Interpreting Professionals), ATIJC (Association of Sworn Translators and Interpreters of Catalonia), ASATI (Aragonese Association of Translators and Interpreters), EIZIE (Association of Translators, Proofreaders and Interpreters of the Basque Language), XARSATIV (Network of Translators and Interpreters of the Valencian Community), as well as others at the national level, such as AICE (Spanish Association of Conference Interpreters), APTIJ (Professional Association of Legal and Sworn Interpreters and Translators), ASETRAD (Spanish Association of Translators, Proofreaders and Interpreters). In the specific case of legal interpreting, the most relevant association is APTIJ.

This professional association brings together professionals working in the field of legal interpreting, such as court interpreters, interpreters for law enforcement, sworn translators and interpreters, as well as teachers and researchers in this field. It is a founding member of EULITA and is also a member of Red Vértice, the network of Spanish professional associations for translation, interpreting and proofreading (APTIJ, 2022a). One of its main objectives is to make visible the precarious working conditions suffered by professionals in this sector, as well as the difficulties they face when trying to provide quality services. All this ultimately leads to a violation of the procedural guarantees of the people who need legal interpreting services, for which APTIJ has filed a complaint with the Public Advocate (*Defensor del Pueblo*) that is currently being processed (APTIJ, 2017).

In order to be a member of this association, in addition to having a university degree, it is necessary to meet one of the following requirements: work for the public authority as an interpreter in the legal field, either as a civil servant, as a freelancer or as a worker hired by one of the companies that have public contracts; have an active title of sworn translator and interpreter or be a teacher or researcher in the field of legal translation and interpreting. The annual membership fee per member is 75 euros (APTIJ, 2022b). Its website has relevant information for both professionals and potential clients, such as the procedures in which these professionals work, information on the regulations governing the profession of legal interpreters, the differences between a sworn interpreter and a legal interpreter, as well as links and news of interest. The site is available in Spanish, English, German and French.

The association has also created a code of ethics to govern the actions of all interpreters who are active members. The document is available in Spanish and English and is based on the principles of accuracy and complete rendering of the speech, impartiality and absence of any conflict of interests, confidentiality, qualification, professional conduct, limitations of their professional activity and extended education (APTIJ, 2010).

Based on the information available, it seems that the association is quite aware of the limitations and difficulties that the sector is currently facing and is actively working to find practical solutions.

3.5. Summary

As we have seen in this chapter, Spain is a country with an extremely complicated linguistic reality, since an official language coexists with several co-official languages and a large number of foreign languages. This difficulty is highlighted by the lack of clear and specific regulations that help facilitate communication, as well as an official and common translation policy for the whole Spanish territory. The country's general decentralization of competencies is also present in this field and makes it very difficult to move forward together to achieve a quality national interpreting system.

This is clearly seen in the analysis of interpreting services in the different legal areas, especially in those sectors where the subcontracting system is present. It is a system that, as it stands right now, does not work. The public authorities are unwilling or unable to take responsibility for the in-house provision of this essential service; outsourcing it could be a good solution for all parties, but not as it currently works. The reality is that the choice of the company for the provision of the service is based mainly on the economic factor, turning a blind eye and leaving aside essential aspects, such as the working conditions of the interpreters or the quality of the interpretations. It is also very striking that there are tenders that have no bidders. This raises the question of why the two companies that apply for the other tenders are not interested in applying for them, whether it is because they do not have the capacity to take on more work or because it is not economically worthwhile for them. The question also arises as to whether there are not smaller companies that meet the requirements and might be interested in covering this service and, if so, why they do not apply. To a certain extent, this subcontracting system has led to the de-professionalization of interpreting services, especially in court interpreting, where sworn interpreters used to provide the services almost exclusively.

Access to information related to this field has proved extremely complicated. It is particularly striking that there is no clear and accessible online information about the provision of services for clients who need them, since the first step to be able to communicate through an interpreter is to know that you have that right and how to access the service.

It is essential that professionals, companies, professional associations and the public authorities join forces to make progress in this field and develop a system that safeguards the rights of clients while employing qualified professionals who can provide quality services and have decent working conditions. However, from what has been analyzed in this chapter, it seems that this is still a long way off.

4. Methodology

4.1. Objective

This chapter will develop the methodology chosen for the empirical study of the thesis that, together with the literature analysis previously conducted, will help to answer the main question posed at the introduction: what is the role of legal interpreting agencies within the Spanish legal system? It should also give some insights in the second part of the research question, which focuses on providing an overview of legal interpreting services in Spain, as well as the options available to end-users to access these services.

The initial approach was to do this through several interviews with experts. On the one hand, interviews would be conducted with people responsible for the coordination and management of legal interpreting agencies in Spain and, on the other hand, with interpreters working in these agencies, in order to confirm whether their experience and perception of the field corresponds to what was investigated in the first three chapters. However, as was partly to be expected given the difficulty of accessing such information in this field, only one of the five agencies contacted responded by agreeing to the interview. No positive response was obtained from any interpreter, neither from those working for the agency that agreed to be a part of the study nor from those contacted individually.⁸ This is why in the end it was decided to use a mixed methodology composed of one expert interview and the analysis of the websites of the two large companies that currently hold the outsourcing contracts with Spanish courts. The methods chosen and the development of the research are explained in detail below.

4.2. Expert interview

4.2.1. Why expert interviews?

The expert interview is an empirical qualitative research method focused on obtaining data from a specific field (Döringer, 2021). According to Meuser & Nagel (2009), they are interviews based on a thematic guide focused on the expert's knowledge in a specific field. Experts are people who possess specialized knowledge acquired through training periods, certifications and experience in the development of activities, i.e., their knowledge in the area in which they are experts exceeds general knowledge (Misoch,

⁸ Interpreters that work on a regular basis for the agency were contacted through the agency and 40 sworn English interpreters from the official list of the Ministry of Foreign Affairs were directly contacted via email.

2019, p. 119). What differentiates this type of interview from other types of qualitative interviews is that the expert is not interviewed about his personal experience, but acts as a functional representative and, therefore, a bearer of special knowledge. This makes the subjective constructions of his experience as an individual take a back seat and the interviewee is a link for accessing information related to the specific field he represents (Misoch, 2019, p. 120).

Regarding the objective of expert interviews, a distinction can be made between the collection of contextual knowledge or operational knowledge (Meuser & Nagel, 2009). If the interview focuses on contextual knowledge, the expert is interviewed about the actions of others, and not about his own. In contrast, when focusing on operational knowledge, the main point of the interview is about the expert and his own actions. In this case, the expert interview will be conducted from the point of view of operational knowledge, so the questions will be focused on the expert and her own actions. The expert in this case is the owner and CEO of a legal translation and interpreting agency in Spain, so the content will be centered on her company, their work and her perception of the profession and the agency's market.

To carry out this type of interview, it is necessary to prepare both methodologically and in terms of content. According to Trinczek (1995), experts tend to be more proactive in sharing information and knowledge if the person interviewing them is well prepared in terms of content. Therefore, it is essential to research the subject matter thoroughly before creating an interview guide and conducting the interview. The expert interview model proposed by Misoch (2019) has been used as the basis for the planning, development and analysis of this interview.

4.2.2. Interview guide

This type of interview is usually based on a thematically structured guide of questions whose main objective is to answer the question formulated in the research project. The objective of the questions is to generate a narrative from the interviewee, so it is important to use the questions in the guide flexibly and let the expert speak and express himself freely. The researcher can change the order of the questions spontaneously during the development of the interview to link the topics in a more natural way (Misoch, 2019, p. 123).

For this interview, a guide was created with four thematic blocks: introduction, relationship with employees, relationship with clients and other questions. The

introduction deals with general topics such as the creation of the company and its current situation, including the number of locations and number of employees. The second block focuses on the relationship with employees, with topics such as the type of professionals they have on staff, external contracts, quality control systems, possibilities of continuous training, ethical codes, etc. The third block focuses on the relationship with clients, how they reach the company, the profile of the clients or if they have previous experience working with translators and interpreters. The fourth and last block is made up of other questions relevant to this research, such as the expert's opinion on the current system of service outsourcing by the public authorities or their participation in professional associations. The complete original interview guide can be found in Annex 2.

During the interview, all the questions posed in the interview guide were covered, although some were not formulated exactly as they were initially drafted. The order of the content was maintained throughout most of the interview and some clarifying questions and comments related to the interviewee's answers were added spontaneously.

4.2.3. Content analysis model for an expert interview

The evaluation of the expert interviews is carried out as a typological analysis in several steps through which the material is condensed in order to facilitate the analysis. It focuses on the thematic fields of the interview and is divided into four steps: transcription, paraphrasing, coding and typological analysis (Misoch, 2019, p. 124).

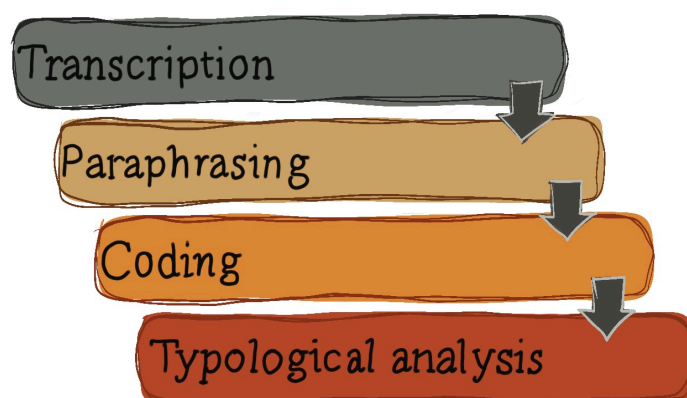


Figure 6: Model for the analysis of expert interviews

The first step, transcription of expert interviews, focuses on the content, leaving aside para-linguistic elements that are either not observed or only observed in a very limited way. The transcription of this interview is based on the model proposed by Braun & Clarke (2013), and focused on orthographic transcription. This means that it focuses

on the transcription of words and other relevant sounds recorded during the interview (p. 162). The choice of this type of transcription rather than a phonetic one is that the focus of this interview is on content rather than form. It is important not to lose sight of the fact that transcription is the consistent written representation of a conversation and spoken language is quite different from written language. This is why features of orality are also included in the final transcript, as well as relevant pauses in speech. The only things that have been omitted in the transcription are the marks of Andalusian speech, such as phonological aspirations or the omission of the –s or –r at the end of a syllable. Grammatical errors and inconsistencies have not been corrected, the transcription has been made following the original audio. The interview took place at the company's headquarters in Seville in April 2022. The total duration is approximately 30 minutes and it was done in an office where there were more people, so, at some points, other employees join in. The recording included only the audio and, as agreed in a written consent prior to the interview, the transcript of the audio is used for this analysis. The complete transcript of the interview in Spanish as well as the transcription key can be found in Annex 3.

The second step of the analysis is paraphrasing, which focuses on following the original course of the transcription in order to summarize the content of the interview faithfully but in a condensed form. The third one, coding, focuses on the thematic assignment to the different passages of the interview through codes while keeping it as close as possible to the original. During this step, twelve different thematic blocks were identified throughout the paraphrased interview. Finally, typological analysis is based on reorganizing the material according to the themes that have been found in the previous step. The original method also included the thematic comparison between different interviews as a fourth step, however, as only one interview was conducted, this step was left out.

4.3. Analysis of web pages

4.3.1. Why web pages?

New technologies are nowadays an essential aspect of everyone's daily life and have completely changed the way we see the world. With regard to access to information, a great deal of content is consumed through the web (Kim & Kuljis, 2010). This is why it was decided to conduct research based on web pages as a part of the empirical study of this thesis. In the field of social sciences, web content analysis is a research practice that

is increasingly being used, since it has numerous advantages, such as enabling easy access to an enormous amount of content. However, analyzing this type of information can also entail some difficulties, such as its unstructured format or the use of different media simultaneously, such as audio, video or code (Kim & Kuljis, 2010).

This is why it is necessary to use a structured method in order to analyze this type of material systematically. In this particular case, it was decided to conduct content analysis of the information found on several web pages. According to Krippendorff (1980), content analysis is a research technique used to make replicable and valid inferences from data to their context. It is widely used in qualitative text analysis and can be done from different points of view: conventional, direct and summative (Hsieh & Shannon, 2005). For the purposes of this specific research, conventional content analysis was conducted, which is based on describing a specific phenomenon when there is relatively little literature on the subject or there is no specific theory applicable to it (p. 1279). In contrast, direct content analysis is based on existing theories (p. 1281) and summative content analysis focuses more on the use of words in specific contexts (p. 1283), so they are not suitable methods for this particular case.

Krippendorff (1980) highlights several advantages of content analysis, including the fact that it is not an obtrusive method, it can be adapted to different contexts, it can be used to manage a lot of data and it focuses on the content of something concrete such as texts or images and not on an individual directly, as would be the case with other methods such as questionnaires or some types of interviews. However, in relation to web content analysis, there are some limitations. The most relevant one is that web content is very changeable (Kim & Kuljis, 2010), but this problem can be avoided by downloading all the content to be analyzed as quickly as possible. In this case, since only two web pages were part of the analysis, all the content could be downloaded directly within 3 hours, and the analysis took place afterwards.

4.3.2. Content analysis model for the analysis of web pages

For this specific research, it was not possible to find a model for website content analysis that would suit the type of analysis being carried out. This is why it was decided to use an adapted version of a more general content analysis model, namely that of Mayring (2015). The model consists of several steps shown and explained below.

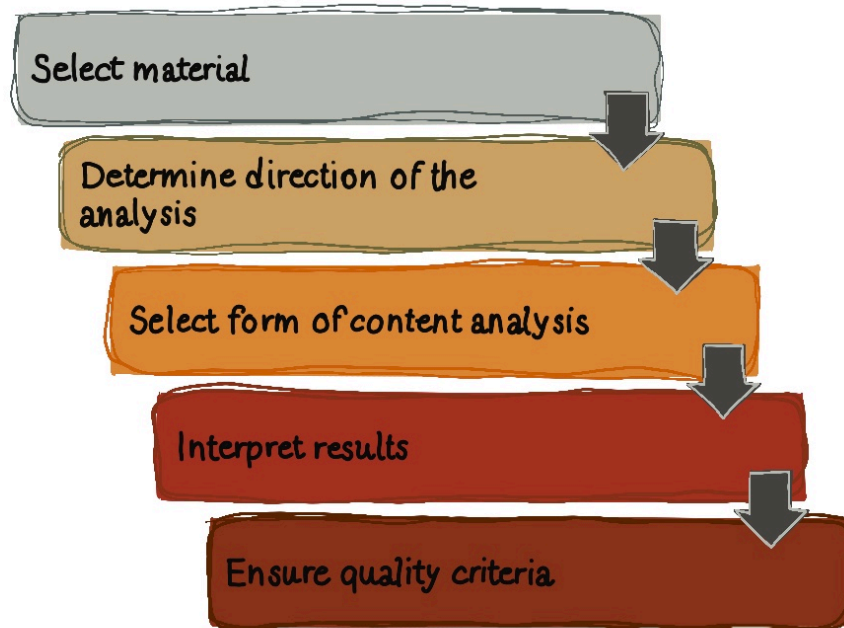


Figure 7: Model for the analysis of web pages

The first step is to choose the material to be studied (Mayring, 2015, pp. 54, 55). In many cases, it is necessary to choose a quantity of material that can be worked with from a larger total. It is important to define where the material comes from, i.e., who created it, who its target audience is and the specific context in which it was created. It is also important to analyze its formal characteristics, for example, whether it is a written text or an oral interview that has subsequently been transcribed. In this case, it was decided to work with the material from the websites of the two agencies that have contracts for the provision of interpreting services in the Spanish courts: Ofilingua and Seprtec. Although it would have been very interesting to include the analysis of the agency's website where the expert interview was conducted, this was not possible for confidentiality reasons.

The second step is to determine the direction of the analysis (pp. 58, 59). It is necessary to have a concrete question that the analysis wants to answer in order to determine in which direction the analysis will be carried out. The analysis can focus, for example, on the content of the text, on what it says about its creator, or on the perceptions of its target audience. The third step focuses on choosing a form for the content analysis (p. 61). The form has to be optimal for the type of material and the objective of the particular analysis. To increase the accuracy of the analysis, it is important to focus on

three main aspects when choosing the form of analysis: code unit, context unit and analysis unit. The code unit defines the minimum unit of material that can be evaluated, the context unit refers to the maximum size unit of the material to which a category can be assigned and the analysis unit focuses on which parts are to be evaluated after others. In this case, the analysis focuses on the information that appears in the text of both websites and the technique to analyze it was a mixture of summary and explanation. The aim was to concentrate the information first in order to focus on the relevant ideas and, subsequently, explain and interpret them to answer the initial question. Categories were created inductively, i.e. on the basis of the material available for analysis (Mayring, 2015, p. 85). As for the form of the content analysis, the unit of code in this case was the sentence and the unit of context a paragraph (provided that it focused on one main idea). The unit of analysis followed the order of the categories created. In order to carry out the analysis and because Seprotec's website has so much information, two levels of categories were created: general categories, numbered 1 to 6, and subcategories, marked with the letters A to U⁹.

The fourth step consists of interpreting the results based on the analysis performed according to the proposed methods. And the fifth and last step focuses on ensuring quality criteria. There are different methods for ensuring the quality of content analysis, depending on whether they focus on material, process or result (p. 126). The quality criteria for material-oriented analysis are semantic validity and sampling validity; the one focusing on process is construct validity; and those focusing on outcome are correlational validity and predictive validity. It has not been easy to find a criterion that is applicable to this particular analysis, since both its form and content are different from what has been published in this line of research so far. In the end, the predictive validity criterion was chosen because, as the analysis of web pages is only a part of the research, contrasting its results with the results of the other parts of the study will help assure the quality of the analysis itself.

⁹ Detailed information on the categories can be found in Annex 4.

5. Results

This chapter will present the analyses that have been carried out following the methods proposed in Chapter 4, as well as the results obtained. The main objective of the analysis of the expert interview and the analysis of the web pages is to provide an overview and give some details of real interpreting agencies that are active in the field of legal interpreting. The information obtained will be contrasted with the results obtained through the literature analysis and finally help to answer the questions posed at the beginning of this thesis.

5.1. Overview

As an overview before the presentation of the specific results of each analysis, Table 1 shows which themes are mentioned in each of them and which are repeated in all three.

	Oflingua	Seprotect	Agency C.
Translation services	×	×	×
Interpreting services	×	×	×
Other services	×	×	×
Training		×	×
Quality		×	×
Ethics			×
Associations	×	×	×

Table 1: Overview agencies

This table reflects in a very simplified way the main topics that appear in the analyses presented below. These topics are translation and interpreting services, other services, training, quality, ethics and associations. As will be seen in the detailed analyses, it is very difficult to compare the information related to the three agencies, since the analysis of Agency C¹⁰ is done through an interview with its CEO, so the content of the interview was focused on this specific research project. The analyses of the other two agencies,

¹⁰ To facilitate this analysis and the drafting of conclusions, this agency will be referred to as Agency C.

Ofilingua and Seprotec, were carried out through the content of their websites but, as will be presented, the characteristics of these two companies and their online presence are completely different from each other. It is important to note that Ofilingua's website had much less information than Seprotec's, something that also stands out in Table 1.

5.2. Analysis of web pages

The content analysis focuses on the websites of the two interpreting agencies, Ofilingua and Seprotec, which currently hold the public contracts for the provision of court and police interpreting services in Spain. Before going into detail, it is important to highlight the differences in format of the two websites in terms of graphic design, images and video, as well as the amount of content that can be found on both websites. Screenshots of the home screen of both sites are shown for illustration in Figure 8 and Figure 9.

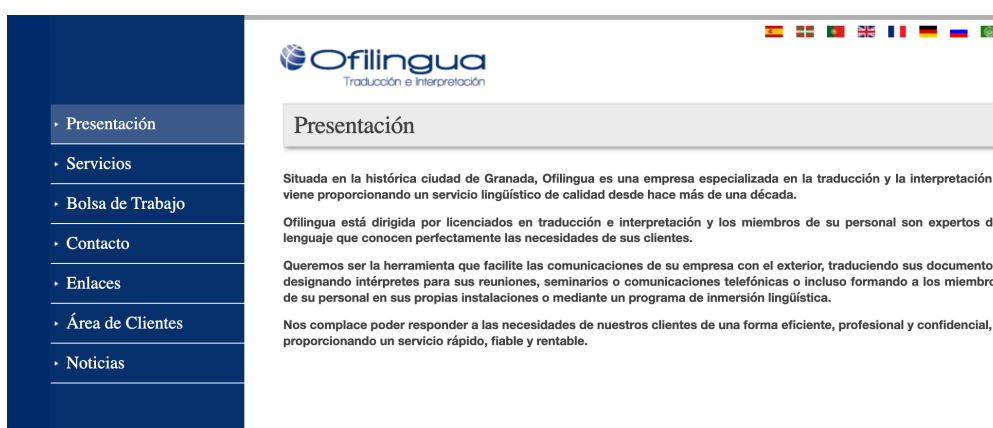


Figure 8: Home page Ofilingua (screenshot)

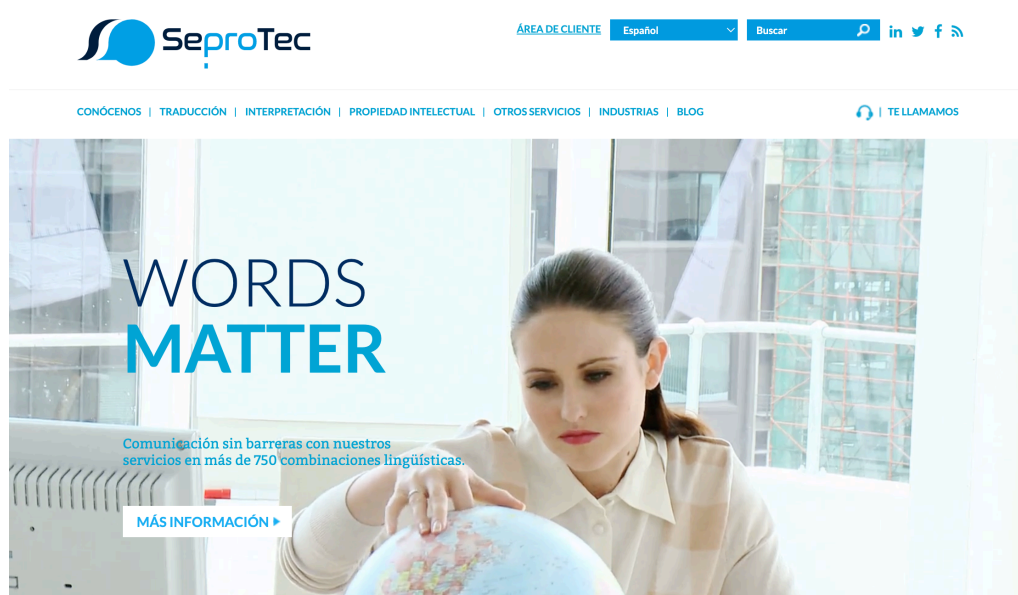


Figure 9: Home page Seprotec (screenshot)

As shown in the images, Ofilingua's web design is quite simple, and user navigation is easy because there is nothing that distracts from the textual content. It has relatively little information (35 units of content were part of the analysis) and lacks graphic and audiovisual content. Seprotec's website has much more textual content (180 units of content) as well as images, videos and graphics. The only thing the two sites have in common is the color palette chosen, centered on blue tones. Since they are so different, instead of making a comparative analysis of the content of both web pages, the content analysis has been carried out individually on each of them.

Ofilingua's website, as previously mentioned, has relatively little information, but it contains details related to the five main categories of the analysis. The first category, general information, shows that they are a Spanish company with two physical locations, one in Granada and the other one in Madrid, and that they have been providing language services for more than a decade. Regarding employees, they only mention that they work with graduates in translation and interpreting, but do not provide further information on professional profiles, type of contracts, working conditions, working languages or any other relevant information in this regard. Their website has a form for translators and interpreters who are interested in working with them to fill in specific fields with their personal information, such as training and experience. In this form, there is a section related to the type of translation tools and other programs which the candidate has experience with, such as Word, Excel, Trados or Transit. It can therefore be understood that the agency has an active workflow in the field of translation and that they work internally with these programs. Regarding the profile of interpreters, it is impossible to know anything with certainty. There is also no concrete information about their clients, nor is there any direct mention of external contracts with public administrations.

With reference to service provision, which is the fourth category of the analysis, the agency focuses on providing translation and interpreting services in European languages, Arabic, Chinese and other Oriental languages. They briefly explain what the translation, localization and interpreting processes consist of in order to inform potential clients. They also offer training services in foreign languages for Spanish companies and in Spanish as a foreign language for foreign school groups. The fifth category of the analysis consists of external links and news, a category in which this site has quite a lot of information. Ofilingua's website has a section directly related to agency-related news. One of the news that is included there mentions the contracts for the provision of legal interpreting services of various Autonomous Communities, although some of the news

are very outdated. The web page also has a section with links of interest, which include a wide range of topics, such as the RAE, several Spanish universities, professional associations, websites of Autonomous Communities or a golf club. It has not been possible to find a logical system to categorize this content.

Due to the limited information on Ofilingua's website, it would be easier to draw conclusions from the information that is missing than from the information that is available. From this analysis, it can be concluded that the website gives very little information about the company and its services, so it is not likely to be their main channel for acquiring customers. It does not give much detail on the services they provide or information related to rates or prices. One striking aspect is that they have a detailed online form for potential workers. Although it does not give any details on the type of contracts or working conditions of people working for them, it gives some insights in certain aspects that are important to the agency when hiring new people, such as technical experience with translation-related software. Unfortunately, there are no relevant aspects for interpreting-related profiles.

The second website analyzed is that of Seprotec. This website has a lot of information, although much of it is repeated. When browsing the website, it is striking that information on its services can be accessed in two different ways: by services or by industry. In order to facilitate the analysis, it has been decided to access the information by services, but it is important to highlight the access by industry, as it can be very useful and informative for potential clients who are not familiar with language service provision and are looking for options related to one specific industry.

Seprotec's website has quite a lot of information relevant to the first category of the analysis, which is general information. This Spanish agency was founded in 1989 and currently has fourteen offices in eleven countries. It had a gross annual turnover in 2020 of 61.4 million dollars and total availability for its clients, 24 hours a day, 365 days a year. In relation to the second category of analysis, the employees, the agency's website has a section with an overview of its management team. Apart from that, they have a staff of more than 385 employees and some 11,500 collaborators including translators and interpreters. This shows that most of the work is done by external workers who are not directly hired by the agency, although it is not possible to know exactly in which fields or under what conditions. They specify that they work with highly qualified professionals specialized in the different fields, whether linguists, translators and interpreters or engineers, designers or architects. These concepts of high-quality, well-trained and

specialized professionals appear in almost all sections of the website, especially in those related to the provision of services. In relation to the third category of the analysis, Seprotec's website also mentions that they have more than 1,000 clients around the world and that a large part of their work consists of advising them on the services they really need and which best suit their needs. They do not include more detailed information in this regard, but the type of services the agency offers, the professional associations they are part of, their annual turnover, the structure of their website and the type of information they include in it, suggest that an important part of their clients are companies and not individuals.

Since Seprotec provides a wide range of services, it is useful to have an overview before going into detail regarding content related to the fourth category. Figure 10 shows the structure they use on their webpage, partially adapted to the order in which the present analysis is conducted. In addition to its wide variety of services, it is worth noting that all the services offered on its website include a detailed explanation of the service so that the client fully understands what the service to be contracted consists of.

The first type of service they offer is translation, including document translation services, sworn translations and an automatic translation and post-editing service using their own internal software. They currently translate in more than 750 different language combinations. Within the translation services section, they also offer localization services for web pages, software and e-Learning, working with leading programs and various formats, as well as terminology management, proofreading and editing services. According to their website, it is essential for Seprotec to offer high quality work as well as to guarantee the confidentiality of their clients, aspects that are recurrently mentioned on their website.

Secondly, they present the services they offer in the field of interpreting, mentioning that the number of daily interpreting services performed amounts to 605. The first type of interpreting service they offer is conference interpreting, where they report on the different options and contexts where they are most suitable: simultaneous interpreting in booth, simultaneous interpreting with Infoport, *chuchotage*, consecutive interpreting and bilateral interpreting. They also have a section for the rental and sale of technical equipment that is necessary for the service, such as the Infoport equipment or aspects related to the booths. They also give the option to hire technical staff for the event. In relation to public service interpreting, they focus on the different contexts, explaining the interpreter's skills that are necessary for each of them, as well as the importance for

the company of training interpreters in these skills. However, there is no more specific information in this regard, such as training programs, accreditation or concrete information on interpreter qualification.

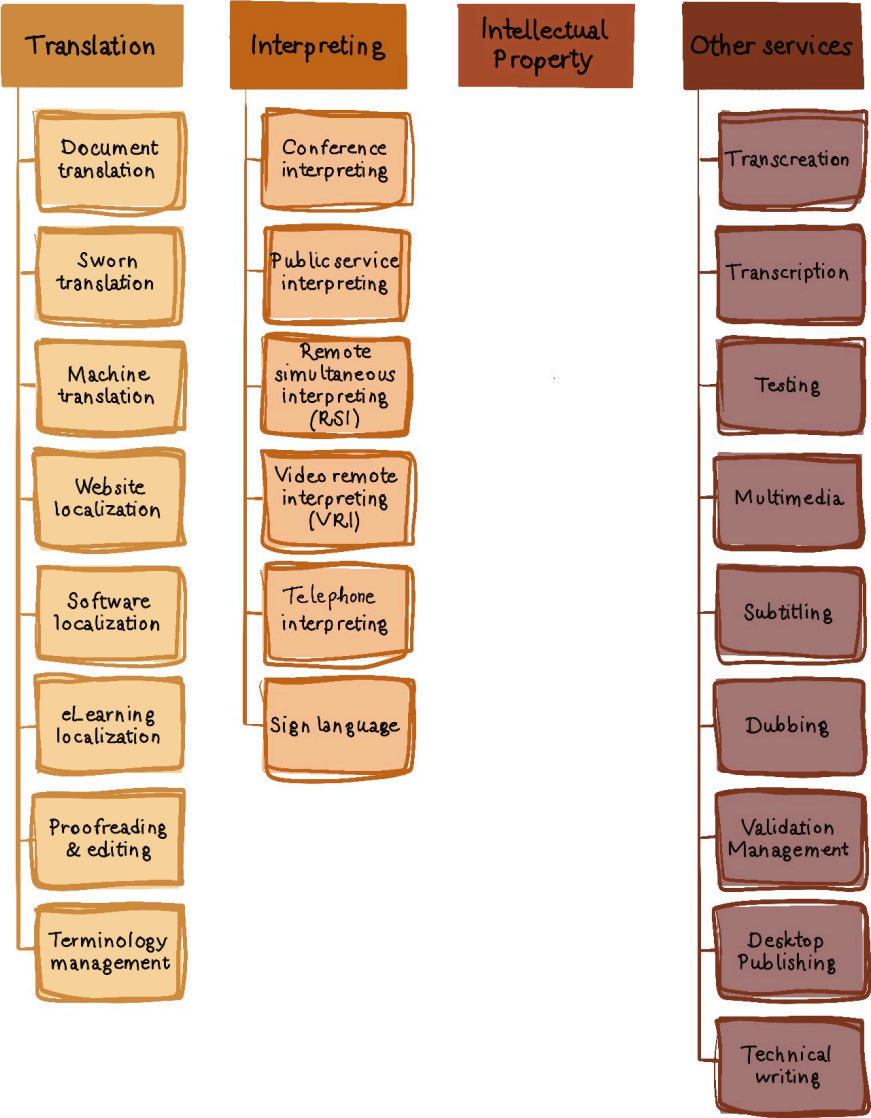


Figure 10: Seprotec’s services

Fields mentioned in this section are interpreting for social services, healthcare interpreting, court interpreting and interpreting for law enforcement. In the case of court interpreting services, they comment that they have been providing this type of service for more than a decade, both privately and to public administrations, this being the only mention they make on their website of contracts for the provision of legal interpreting services for the judicial system. The following sections of the website focus on remote interpreting systems: remote simultaneous interpreting (RSI), video remote interpreting

(VRI) and telephone interpreting. In each of these sections they explain the technology they work with, as well as fields of application and advantages of use. In some cases, they also mention the payment systems, such as that the rate for telephone interpreting is per minute, but the website does not specify the rates for this or any other services. Finally, they have a section related to sign language interpreting.

Thirdly, they have a section of the website dedicated solely to intellectual property, a field in which they have extensive experience. In this field, they apply a combination of the most advanced technology and a multidisciplinary team of professionals, as well as compliance with ISO quality standards associated with intellectual property. Fourth and last, they have a section that includes other services: transcreation, transcription, testing, multimedia, subtitling, dubbing, validation management, desktop publishing and technical writing. In each of these sections they explain the service, its use and advantages for the clients.

The fifth category of the analysis focuses on external information, such as news and external links. Seprotec's web page gives access to an external blog of the company, as well as links to the sites of companies for which they are an official provider of translations in the field of intellectual property: SHIP Global IP and the World Intellectual Property Organization.

The sixth and last category of this analysis includes other details that are not central for the analysis but are important to understand the overall image of the agency. Of particular note are the sections dedicated to corporate social responsibility, awards and recognitions and associations they are members of, such as GALA, ATA, ALCT, AIPPI, TAUS or APROSET.

After analyzing the content of its website, it can be stated that Seprotec is a large company that has been a part of the international market for quite some time. It has a flow of services, personnel and money that is not comparable to that of companies that are only present on a national level. Their website is very informative and clearly focused on being attractive and accessible to the client, with plenty of information regarding the services they provide and about the company itself. However, no specific contact system has been found for professionals who want to work with them, something quite striking considering the high number of collaborators they seem to have. As for the provision of services, it is very varied and well explained so that clients can understand well how some services differ from others, but there is no specific information about the team behind them, beyond the management team, nor about prices or rates for the services. They also

do not provide detailed information on the provision of legal interpreting services for public authorities or other similar contracts and focus the information on collaborations with various associations and private companies. It can be concluded that the information included on their website, although quite useful and informative for potential clients regarding the services they offer, is not really transparent in terms of the actual provision of these services, since it is not known who is behind them, the real professional profiles of their workers or the prices of the services. Nor is it possible to know anything related to the working conditions of either workers or collaborators.

5.1. Expert interview

The content of the interview was divided into two main groups: the agency and their¹¹ view of legal translation and interpreting in Spain. Within the agency, three subcategories are distinguished: staff, service provision and involvement in the professionalization of the sector.

Agency C was created almost twenty years ago. It opened its first office in El Puerto de Santa María (Cádiz) and currently also has offices in Seville, Málaga, Madrid, Barcelona and Oviedo. It employs full-time administrative staff and translators, two of whom are sworn translators, one for English and the other one for German. They also have interns thanks to internship agreements with several Spanish universities and also universities abroad, especially in the United Kingdom. Some of them work on-site at their offices and others work remotely. They do not have interpreters on staff because there is not enough demand for work.

In terms of service provision, the agency's main focus is on sworn translations, which account for approximately 80% of their workflow. Interpreting is about 15%. When they have to offer interpreting services, they contact external interpreters and offer the service according to the conditions set by the interpreter in question. Here the interviewee adds that the rates often seem excessive to her and that this may be one of the reasons why there is not so much demand for the service. She also comments that there are times when interpreting services are covered in other ways, especially in the case of languages where there is no accreditation for sworn translators and interpreters.

¹¹ The use of the third person plural when analyzing the interview's content corresponds to the Spanish use of "nosotros", referring to the people who are part of the agency.

Several important issues related to their involvement in the professionalization process are discussed during the interview, such as accreditation and training of professionals, quality, visibility of the field, codes of conduct, associations, clients or possible conflicts. Regarding the training and accreditation of translators and interpreters, the agency only works with duly accredited and qualified professionals. Likewise, its CEO considers that in this field it is highly important to be continuously trained. Specifically, she believes that it is essential for her employees to be trained in the field of new technologies, which is why they invest time and effort in this area. This is closely related to the quality control system. The personnel selection system is very thorough, both for in-house employees and external collaborators. In addition to having specialized training in translation and interpreting, they have to pass a personal interview and internal translation tests. When talking about how to deal with the recruitment process for other working languages, she says that the agency only works in the fields in which they can ensure the highest quality, so they do not offer much variety of languages. She does not go into details on how quality is ensured for specific translations or interpreting situations. For the agency, it is essential to give visibility to the field of translation and interpreting. On the one hand, they work closely with universities to inform students about the reality of the profession, mentioning for example a presentation a few months earlier at the University of Córdoba. On the other hand, visibility outside the field is also important, so they participate whenever possible in fairs and congresses. She specifically mentions the IMEX internationalization fair that took place in Madrid in May 2022. Finally, the agency has a strong online presence and is very active on social media. This is clearly reflected during the interview, as she decides to record part of it on video to upload some of the questions to social media afterwards.

When talking about codes of conduct, the interviewee mentions that they follow the data protection law as well as a translators' code of ethics, without specifying which one she is referring to. As for professional associations, the agency has been a member of an American translators' association for quite some time, but she could not remember the name. Currently they are not part of any association and, when asked about their experience with the American association, she commented that it was useful for keeping up to date and connected with other translators, but that it does not change anything in the reality of their work or in the day-to-day running of the agency. She also talked about their clients, who come to them on the recommendation of people who know the agency. Other clients find them on the internet or through social media. The agency has all kinds

of clients since nowadays anyone could need a sworn translation. Most clients are not sure about what they need when they come to the agency, so part of their job is to advise them on this aspect. She also mentions that the success of her company lies in the fact that they are very good at their job, they are dedicated and work very seriously, so their clients end up happy, come back and recommend them afterwards. When asked about possible conflicts with clients or workers, she answers that nothing stands out. They had to deal sometimes with translation errors that had to be corrected afterwards. On an isolated note, she mentions they had a case in which a client was dissatisfied because he did not receive an answer as soon as he expected, but she does not consider it to be especially relevant.

The other thematic group focuses on the vision of legal translation and interpreting in Spain. In general, she is of the opinion that the current situation could definitely be better. As to legal translation, being the area in which the agency is most active, they have developed their own software during the last two years focused on the digitalization of sworn translations. However, she does not go into any more details during the interview. Finally, in relation to legal interpreting, she considers that the outsourcing system is not good and uses the expression "they have hijacked the service". She believes that the outsourced agencies do not offer quality services, because they hire people who are not professionals and do not have the necessary tools to do a good job. In the end, the clients turn to them privately because they do not trust the service offered by the company with the public contract, as they do not want to put such delicate matters in the hands of non-professionals. She considers that the solution is that the provision of this service should not be through the public administration and the outsourcing system as it is right now, but on the basis of a free market system in which the client contacts the interpreter directly. She states that the system is currently set up to only benefit the agencies that hold the public contracts. In the case of her agency, when receiving an interpreting assignment, their role is merely to act as a link between the client and interpreters. They contact interpreters, who inform them of their conditions and rates, and pass the information on to the client, who decides whether to accept the offer or not.

6. Discussion and conclusions

This last chapter focuses on the discussion of the most relevant aspects mentioned throughout the thesis with the goal of clarifying the main question raised in the introduction: what is the role of legal interpreting agencies in Spain? At the same time, this paper aims to provide an overview of legal interpreting services in Spain as well as the options available to end-users to access these services. Having researched the field of legal interpreting in Spain in depth, the first conclusion to be drawn is that it is an incredibly diverse and complex field. It mixes a great number of needs and interests of different parties that do not always go hand in hand, which makes the provision of interpreting services a challenge. It is therefore important that specific standards and norms are created for the proper development of the profession and, consequently, the provision of services.

In Spain, the provision of interpreting services in the legal field depends very much on the context and the geographical area. On the one hand, there is a certain laxity on the part of public authorities with regard to information and provision of this type of services. Considering that users are often foreigners, whether immigrants or tourists, who are in the country and do not have sufficient knowledge of the language, it is essential that information on these services is available in other languages. Therefore, the websites of the relevant public authorities, such as the Ministry of Foreign Affairs or the National Police, should be fully translated into at least the most common immigrant languages, as well as have detailed and clear information on translation and legal interpreting services. Access to information is an essential first step in safeguarding the rights of people in need of this type of service.

On the other hand, there is the provision of services itself. It is clear that in a country with such a large linguistic variety and a decentralized administrative system, creating homogeneous standards for the provision of legal interpreting services is a challenge. However, given the amount of criticism of the system as it is currently conceived, there is great room for improvement. The current models for the provision of legal interpreting services leave much to be desired. The one based on permanently hired civil servants by the administration has no future, as it is too rigid and does not adapt to the real needs of the users. The subcontracting system, at least as it is currently implemented, also has several problems. It is not a fundamentally bad system, but certain aspects need to be adapted so that quality services can be offered. An essential point would be to implement a control mechanism to ensure that the agencies holding the

contracts comply with the stipulations of the public contracts, for example, respecting the working conditions of the interpreters or their professional profiles. It is important that quality standards are maintained when offering this type of services and for the companies to have real consequences in the event that they do not comply with them.

Finally, the integrated system that exists in Las Palmas could be a good model on which to base the provision of services at the national level: having several professionals hired on a permanent basis by the public authorities (national and/or regional) that are responsible for coordinating the services. This would allow the interpreters' salary conditions to be better, since they would work as freelancers directly with the authorities without their rates being conditioned by an agency that practically has a monopoly on the service. This system would not eliminate interpreting agencies from the equation, as they could continue to act as intermediaries but on a smaller scale, opening up the market to smaller agencies, such as Agency C. At the same time, interpreters would have the chance to work directly with the administration. In addition, this model would also be perfectly compatible with the national register of interpreters proposed by the 2010 Directive. This would require defining standards that ensure a quality service, while remaining relatively flexible and open to professionals with different profiles, so that all the needs of the service could be covered. It is possible for the new system that is going to be implemented for the accreditation of sworn translators and sworn interpreters to be a step in the right direction. However, it is difficult to know for sure, as there is still no official information.

With regard to interpreting agencies specifically, and as already discussed in the second chapter, they are organizations that can present themselves in a very diverse way, something that is clearly perceived in the profiles of the three agencies that are been part of the empirical study of this thesis. However, despite being very different in terms of size or service provision, their main role remains stable: they are a link between interpreters and users of interpreting services. As for the specific agencies that have been analyzed, it is important to highlight some aspects, always keeping in mind that the analysis was carried out with a mixed methodology, so the information obtained from all three agencies is not completely at the same level. It would have been very interesting to interview someone in one of the agencies currently holding the contracts, as well as interpreters active in this field, in order to be able to contrast points of view.

With regard to Agency C, it is clear that the company is focused on legal translation and not on interpreting, mainly as a result of the way the current outsourcing system works. It is an agency that is very involved in the professionalization of the sector,

its visibility and development, as well as in the use of new technologies applied to this field. Its CEO criticizes the current outsourcing system and proposes a real free market system for the provision of interpreting services in the legal field. Although the current system for the provision of interpreting services aims to be a free market system, its implementation has turned it into an oligopoly, which is detrimental for all professional interpreters that want to work in this field. Agency C CEO's idea, although not bad, raises a number of questions in its implementation, such as how to ensure that the service reaches everyone who needs it, considering that interpreting in legal procedures is a right for those who need it, regardless of their financial situation.

With regard to the agencies that have been analyzed through their websites, Ofilingua and Seprotec, it is interesting that, being the two agencies making up the current outsourcing oligopoly, their online presence is so different, since their websites are the image they project to the world. It is striking that the online presence of these companies, especially that of Seprotec, is so professional, as this contrasts with the external criticisms that have been mentioned in the previous chapters of this thesis. In the case of Seprotec, the information related to the agency's turnover in 2020 is particularly striking, since, in relation to the amount it invoiced between 2015 and 2019 for the provision of interpreting services through public contracts with Spanish administrations, the provision of these services is a minuscule part of its overall turnover. In the case of Ofilingua it is impossible to know, as there is no information on its overall turnover. Something very positive about Seprotec's website is the importance they give to new technologies, an aspect that, in the case of legal interpreting, could be a huge step forward in the case of implementing viable systems for the provision of remote interpreting services at a national level. In the case of all three companies it was clearly perceived that rates are still a taboo. In the interview with the CEO of Agency C, it is mentioned that the interpreters' rates seem excessive to her and also that the wage conditions as a result of outsourcing are bad, but no concrete numbers are mentioned. On Ofilingua's website there is no mention of this, and on Seprotec's website, although they include their annual turnover, there is no information of any kind regarding their actual rates.

The overall perception throughout this research is not only that there is a certain difficulty in accessing written information within this field, but also a generalized lack of interest on the part of professionals in the sector to participate in this type of project. Many, if not all, of them are aware that the system does not work optimally. One of the interpreters contacted to participate in the research answered that he did not want to

participate because, due to the deplorable working conditions in Spanish courts, he had stopped providing interpreting services many years ago. The professional associations present at the national level, and specifically the APTIJ, seem to be aware of the problem and, within their possibilities, are trying to improve the situation. However, it is essential to keep moving, to give these issues visibility both within and outside the field of translation and interpreting while trying to develop and implement new systems that ensure transparency, good working conditions and high-quality interpretations.

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Annex 1: INE data on foreign population

In the absence of official data on the main languages of communication of the foreign population in Spain, it was decided to work with data from the National Institute of Statistics on the foreign population residing in Spain based on their country of origin. On this basis, and with the aim of obtaining an approximate view of the languages of communication, each country was assigned a main language of communication and, subsequently, the total number of speakers of each language was calculated. Finally, the total percentage of speakers of each language in relation to the total resident foreign population was calculated. Countries with more than one assigned language were counted only in the table in which they appear.

inglés		
Reino Unido	inglés	282.124
Irlanda	inglés	16.669
Malta	inglés, maltés	370
Nigeria	inglés	37.767
Gambia	inglés	21.937
Ghana	inglés	19.984
Camerún	inglés, francés	6.199
Sudáfrica	inglés, afrikaans	1.632
Kenia	inglés, swahili	1.428
Sierra Leona	inglés	705
Liberia	inglés	236
Dominica	inglés	506
Estados Unidos de América	inglés	39.812
Canadá	inglés, francés	4.921
Pakistán	inglés, urdu	99.352
India	inglés, hindi	53.056
Filipinas	inglés, filipino	37.335
Australia	inglés	2.805
Nueva Zelanda	inglés, maorí	801
		627.639

español		
Honduras	español	130.119
República Dominicana	español	71.686
Cuba	español	61.909
Nicaragua	español	61.563

El Salvador	español	23.467
Guatemala	español	7.674
Costa Rica	español	3.288
Panamá	español	2.882
México	español	27.818
Colombia	español	291.751
Venezuela	español	199.078
Ecuador	español	123.736
Perú	español	111.681
Argentina	español	89.472
Paraguay	español	85.866
Bolivia	español	85.292
Uruguay	español	27.659
Chile	español	27.148
Guinea Ecuatorial	español, francés, portugués	12.586
		1.444.675

portugués		
Brasil	portugués	95.433
Portugal	portugués	97.187
Guinea-Bissau	portugués	4.446
Cabo Verde	portugués	2.671
Angola	portugués	1.590
		201.327

francés		
Costa de Marfil	francés	5.056
Togo	francés	457
Benin	francés	313
Burkina Faso	francés	1.404
Congo	francés	1.349
República Democrática del Congo	francés	875
Mali	francés	28.409
Senegal	francés	78.550
Francia	francés	109.397
Luxemburgo	francés, alemán, luxemburgués	642
Bélgica	francés, neerlandés, alemán	34.669
Guinea	francés	11.465
		272.586

árabe		
Egipto	árabe	4.163

Túnez	árabe	2.905
Mauritania	árabe, bereber	8.313
Argelia	árabe, bereber	64.954
Marruecos	árabe, bereber	872.759
Siria	árabe	7.979
Iraq	árabe, kurdo	1.807
Jordania	árabe	1.392
Arabia Saudí	árabe	788
Líbano	árabe	2.483
		967.543

alemán		
Alemania	alemán	109.556
Austria	alemán	7.191
Suiza	alemán, francés, italiano	13.058
Liechtenstein	alemán	30
		129.835

rumano		
Rumanía	rumano	644.473
Moldavia	rumano	17.719
		662.192

ruso		
Rusia	ruso	79.485
Kazajstán	ruso, kazajo	2.932
		82.417

griego		
Chipre	griego, turco	480
Grecia	griego	5.123
		5.603

Otras lenguas		
Vietnam	vietnamita	2.362
Italia	italiano	257.256
China	mandarin	229.254
Bulgaria	búlgaro	118.120
Ucrania	ucraniano	112.034
Polonia	polaco	52.206
Países Bajos	neerlandés	46.833

Georgia	georgiano	20.550
Suecia	sueco	20.011
Bangladesh	bengalí	19.865
Lituania	lituano	15.913
Armenia	armenio	12.154
Finlandia	finés	11.176
Noruega	noruego	11.148
Hungría	húngaro	10.610
Dinamarca	danés	8.951
Irán	persa	7.081
República Checa	checo	7.004
Japón	japonés	6.186
República Eslovaca	eslovaco	5.790
Belarús	bieloruso	5.682
Nepal	nepalí	5.492
Turquía	turco	5.299
Letonia	letonio	5.063
Corea	coreano	4.190
Albania	albanés	4.013
Serbia	serbio	3.852
Croacia	croata	2.858
Estonia	estonio	2.731
Israel	hebreo	2.365
Tailandia	tailathaindés	2.218
Indonesia	indonesio	1.976
Eslovenia	esloveno	1.705
Islandia	islandés	1.431
Bosnia y Herzegovina	bosnio, serbio, croata	1.192
Andorra	catalán	1.168
Macedonia	macedonio, albanés	679

Annex 2: Interview guide

Introducción: empresa, datos generales

- Cuéntame cómo nació la empresa y cuál es la situación actual (sedes, empleados, cantidad de trabajo, etc.)

Relación con los empleados:

- ¿Qué tipo de profesionales tenéis contratados a tiempo completo?
- ¿Tenéis becarios y/o trabajadores a tiempo parcial?
- ¿hay TeI jurados que hagan ambas cosas?
- Contratos externos: ¿intérpretes o también traductores? Tipo de contratos, horas de preparación y desplazamiento incluidos en precio
- Sistema de control de calidad: ¿cómo decidís si un T/I está cualificado para el trabajo?
- Posibilidades de formación continuada/capacitación: ¿se lo plantean? ¿Lo ofertan?
- Códigos éticos y de conducta: ¿siguen alguno?
- ¿Os involucráis de forma activa en dar visibilidad al campo de TeI? ¿Cómo? Redes sociales, charlas, etc.
- ¿qué otros proyectos lleváis a cabo como empresa?

Relación con los clientes:

- ¿Cómo os encuentran los clientes? Online, recomendación, ferias, otros...
- ¿Qué tipo de clientes soléis tener? Personas privadas, empresas, instituciones, etc.
- ¿Los clientes en general conocen el trabajo del traductor/intérprete (jurado)? Tienen experiencia en el trabajo con TeI, conocen el campo, saben lo que quieren, etc.

Posibles problemas con clientes/intérpretes. ¿Ha habido problemas en el pasado? En el caso de haberlos, ¿qué hace la empresa?

Otras preguntas:

- ¿Formáis parte de alguna asociación profesional? Como empresa o los TeI de forma individual

- ¿Cómo evaluarías la situación de las agencias de TeI (jurada) en España?
¿Funciona bien/mal? ¿Consideras que el campo está excesivamente/muy poco regulado?
- Sistema de subcontratas en la interpretación judicial: ¿qué opináis al respecto?
¿consideraríais participar en un concurso público para la provisión de servicios de interpretación en este tipo de contexto?
- ¿Hay algo más que quieras añadir?

Annex 3: Interview transcript

Transcript key	
B	Interviewer
C	Interviewee
D, M	Workers involved or mentioned in the interview
...	Elongated sound at the end of the word
(.)	Pause
XX	Company name, not mentioned for confidentiality reasons
(sim)	Several people speak at the same time
(-)	Unfinished word
(risas)	Laughter

B: Buenos días y gracias por participar en la entrevista. Para empezar, la idea sería un poco que me cuentes cómo surgió la empresa, y cuál ha sido su trayectoria y en qué situación se encuentra actualmente. Qué sedes tenéis, más o menos cuántos empleados, qué, con qué trabajáis.

C: A ver. Voy a ponerme un poco más cerca. Bueno, pues la idea de la empresa surge en base a una necesidad muy, a una necesidad real, eh hace aproximadamente unos diecisiete... diecisiete, dieciocho años. Que yo vivía en Cádiz, en el Puerto de Santa María y, debido a la gran demanda que había por parte de los americanos que vivían en la Base Naval de Rota, pues decidí empezar con las traducciones juradas para trámites burocráticos de los americanos que vivían allí. (.) Entonces, ese fue... el comienzo, una necesidad. Intentar cubrir una necesidad real con una demanda de una población extranjera que había en la Base Naval de Rota. ¿Quieres que continúe?

B: Sí, sí, claro. Sigue contando (risas).

C: (risas) Ah, vale, vale. Pues, eh, bueno, en un principio esos fueron los orígenes. Después, claro, yo me doy cuenta que esa necesidad se traslada... pues a una población que hay... migratoria en... (.) en el Puerto de Santa María en Cádiz y poco a poco, bueno, pues... voy cogiendo un poco terreno. Empiezo por Cádiz, después por Sevilla, voy avanzando (.) y así poco a poco pues intento cubrir... pues claro, debido al... a la globalización, al tránsito de extranjeros que hay...

bueno, tanto de extranjeros como de población española que decide vivir fuera y que hay una necesidad real de cubrir de... pues... los trámites burocráticos de traducciones juradas, de papeles académicos, de... eh documentos civiles y tal, pues... pues por ahí empiezo y... y, claro, cada vez la necesidad es mayor. Entonces, bueno, pues intento ir abarcando cada vez más campos, más ciudades (.). Y... y poco a poco, fue así como se construyó la base de XX. Empecé con la oficina en Cádiz, en el Puerto de Santa María, que todavía se mantiene, que es la oficina matriz... después de Cádiz vino Sevilla (.). Después de Sevilla vino Málaga, después de Málaga vino Madrid, después fue Barcelona y ahora desde octubre hay una oficina en Oviedo con lo cual ahora tenemos seis oficinas. (.) Eh... ¿cuál era la otra pregunta? (risas)

B: Eh... sí, pasando a la parte de los empleados, eh... ¿Qué tipo de profesionales tenéis vosotros en plantilla? O sea, contratados de forma fija o a tiempo completo.

C: ¿A tiempo completo? Pues... eh... a ver (.) nosotros somos traductores... entonces, salvo la parte de administración que son administrativos, ¿vale? Eh... el resto somos traductores todos, incluida yo.

B: Y, ¿tenéis becarios o trabajadores a tiempo parcial?

C: A tiempo parcial, nadie. Nosotros tenemos... ahora mismo tenemos... una chica que está en la oficina del Puerto que... (.) que empezó, bueno, que es becaria y... y continúa como becaria y después ella está presencial, de forma presencial. Y aquí en Sevilla pues tenemos a dos chicas ¿dos? Tres chicas que están... que son extranjeras y que también son becarias de una Universidad de Inglaterra. A parte tenemos... bueno, pues varios acuerdos con universidades españolas y... tenemos becarios de forma online. Alguna... vamos, también tenemos becarios de forma online españoles.

B: Pero, ¿son convenios de prácticas, o...?

C: (sim) Son convenios de prácticas, sí. Hay... sí, sí, convenios de prácticas profesionales, si.

B: Vale. Eh... y, los traductores que tenéis contratados, ¿son todos traductores e intérpretes jurados?

C: No. (.) Eh... no son traductores e intérpretes jurados. De hecho... bueno, pues... tenemos dos traductores jurado, uno es de inglés y el otro de alemán. Y los demás, pues... son traductores, pero son asistentes a los traductores jurados. ¿Vale? Los traductores jurados, como estamos especializados en traducciones juradas, (.) pues

son un poco los que... la base. Y el resto, bueno, pues, van un poco en función de los traductores jurados.

B: Y, ¿tenéis intérpretes? ¿Aceptáis servicios de interpretación también?

C: A ver, nosotros intérpretes (.). Yo, por ejemplo, como traductora. Tú cuando te licencias, pues eres licenciada en traducción e interpretación. Vale. ¿Qué ocurre? Que además yo sé que tú estás interesada en esta parte.

B: (sim) Sí, sí.

C: Vale. ¿Qué ocurre? Que... los traductores, el tiempo te dice que los traductores no son intérpretes (.) y los intérpretes, no son traductores. Hay excepciones, ¿vale? Porque nosotros, incluso aquí en la oficina hay veces que yo, alguna vez, he hecho alguna interpretación. Aunque yo no me dedico ni a interpretar ni a traducir... pero me encuentro quizás más cómoda interpretando. Y aquí en la oficina se han hecho algunas interpretaciones juradas para clientes de demandas, de juicios y las hemos cubierto nosotros, ¿vale? Porque, a lo mejor, por la premura y tal, pues lo hemos cubierto nosotros. Pero, lo normal, nosotros trabajamos con un equipo externo. Es lo que yo te decía, nosotros el 80% del trabajo... bueno, no, el 90% del trabajo son traducciones, ¿vale? Y un 10-15% son interpretaciones. Que esas interpretaciones, pues... van variando también un poco (.) de la estación del tiempo. Hay épocas en las que hay más servicios de interpretación, como es en el comienzo del año o al final del año, y hay otras épocas, por ejemplo, pues... en verano, que hay menos. Que puede haber, pero que hay menos.

B: ¿Por qué crees tú que hay tan poca carga de trabajo en interpretación en comparación con traducción?

C: Pues... (.) la verdad es que... no lo sé. Quizás porque, muchas veces, los servicios de interpretación, bueno, pues... (.) a veces, se cubren de otra forma. O, a veces, los ponentes... no lo sé. Cuando son traducciones, digo interpretaciones juradas, sí. Sí. Pero, sobre todo, lo que hay es demanda de papeles. De servicios... a lo mejor salen casamientos... (.), juicios... pero que es una cosa que... es más ambigua y, entonces, se suele cubrir de otra forma. El motivo no lo sé.

B: ¿A qué te refieres con “cubrirse de otra forma”?

C: Pues, bueno, hay veces que, por ejemplo, hay idiomas que no existe el intérprete jurado. Por ejemplo... en España, de turco, no hay intérpretes jurados. Bueno, pues entonces, en esas... situaciones, que a lo mejor tú tienes una demanda, un juicio y necesitas un intérprete porque no se entienden las partes pues, entonces,

lo que se hace es que... eh... una persona de habla turca con conocimientos de español, pues se compromete, firma de que va a decir la verdad. Pero no es un intérprete jurado. Entonces, cuando no se puede cubrir el servicio con un profesional acreditado, lo que se hace es que se recurre a una persona que sea... conocedora de la lengua, y que pueda dar el servicio, y que firme que lo que va a decir es un testimonio fiel.

B: Aha, vale. Eh... y con el tema de... entonces, los intérpretes los contratáis simplemente cuando hay una necesidad, se les pagan las horas y ya está. Ese es el tipo de relación que tenéis

C: (sim) Sí.

B: Y, ¿están incluidas en esas horas las horas de preparación? ¿O solamente son las horas de interpretación?

C: A ver, es que, aquí... los intérpretes, normalmente, las tarifas de los intérpretes son... también hay... mucha polémica. No polémica, pero quizás... una falta de mer(-) de conocimiento del mercado. Y... falta de información, a veces de comunicación... los intérpretes, normalmente las tarifas son excesivamente elevadas. ¿Qué ocurre? Que ellos incluyen en sus tarifas la preparación. La preparación del servicio, eh... las horas del servicio... y... y lo incluyen ahí todo. Entonces, bueno, pues a veces, estas tarifas también hacen que, al ser tan elevadas, los servicios de interpretación no prosperen. (.) Porque... hay veces que las tarifas de los intérpretes son muy desorbitadas. De un intérprete de conferencias pues será, a lo mejor, un día 600€ aproximadamente el... el servicio solamente. Entonces, bueno.

B: Porque, normalmente, ¿se pagan por hora, o se pagan por día, o medios días, o cómo?

C: Ellos... establecen... ahí nosotros... no podemos tampoco... ellos establecen unas tarifas de precios que normalmente son... tienen... las tienen casi todas establecidas igual. Y te dan por franjas de media jornada y de jornada. Y que van variando. Tampoco te sé decir con exactitud.

B: (risas) Tampoco es ahora mismo el tema principal. Vale, cuando a ti te llega un traductor o un intérprete y tú lo necesitas para un servicio, ya sea para contratarlo en la empresa o de forma externa, ¿tú cómo sabes que esa persona está cualificada para hacer el trabajo? ¿qué tipo de control de calidad tenéis para saber que la persona está cualificada?

C: A, ver. Nosotros, por ejemplo, eh... pero ¿qué te refieres, a intérpretes, o sea, a los traductores de plantilla o a los traductores externos?

B: (sim) Sí, cuando a ti te llega una persona, ya sea de plantilla o externo a un proceso que tú haces para decidir si esa persona que manda su currículum aquí para trabajar con vosotros...

C: (sim) Vale, es que ahí estás hablando varias cosas diferentes. Nosotros, primero, no arriesgamos un proyecto a cualquiera. O sea, nosotros, los proyectos, siempre se le da a los mismos traductores que previamente han pasado un control de calidad aquí en la empresa, ¿vale? Y... y después nosotros, por ejemplo, para contratar a alguien, a un traductor, pues nosotros hacemos una entrevista ¿vale? Y también hacemos pruebas de traducción, además de la acreditación del traductor. O sea, nosotros ya en una entrevista, pues hacemos una serie de preguntas que nos indican. Indudablemente esto es prueba-error (risas). O sea que hay un factor que desconocemos y que se nos escapa. Pero intenta(-)

B: (sim) Eso es siempre así

C: Claro. Pero intentamos afinar lo máximo y, entonces... primero se le hace una entrevista, en la cual, normalmente... (.) tomo la decisión, quizás yo. Pero que no solo yo... lo veo. Que lo vemos varios traductores, ¿vale? Para contratar a alguien, siempre lo vemos varios traductores. Y, después, una parte es la parte oral y otra es la parte escrita, la prueba de traducción. Pues eso lo ven por lo menos dos traductores o tres traductores. Antes de seleccionar a alguien hay un proceso muy minucioso detrás. Muy minucioso. Para no equivocarnos. Que, lo que te digo, te puedes equivocar. (.) Te puedes equivocar porque eso... puede pasar, pero intentamos comprar muchas papeletas para que no ocurra (risas).

B: ¿Y cuando os enfrentáis a contratar a alguien con lenguas de trabajo que vosotros no tenéis? ¿Habéis estado en esa situación alguna vez?

C: No, no. No hemos estado en situación, no. Cubrimos todo lo que tenemos. O sea, lo que vendemos es lo que defendemos y lo que cubrimos. No me voy a meter a chino si yo desconozco chino, ¿entiendes?

B: vale, sí. Eh, luego, como empresa, ¿vosotros tenéis algún tipo de sistema de formación continuada para los trabajadores? ¿O tenéis algún tipo de convenio con universidades para participar en procesos de formación de estudiantes?

C: A ver, nosotros... eh... los traductores (.) por la profesión que tenemos, nos vamos formando continuamente. Es que, esto es... estudiar, estudian todos los días. Los

traductores que trabajan... o sea, mi equipo de traducción en plantilla, tanto, bueno... y externos los que trabajan muy muy vinculados con nosotros, son gente que están permanentemente en formación. O sea, es que no terminas de formarte nunca. Permanentemente en formación. Y luego a parte en la formación que nosotros tenemos más bien es tecnológica y digital. Nosotros lo que intentamos es estar en la vanguardia de herramientas de traducción que sean útiles para agilizar los procesos. ¿Vale? Porque hay una parte que es la parte que nosotros nos formamos aquí... bueno, pues estamos, ya te digo, en permanente formación por la profesión. Y otra parte es la parte que desconocemos, que es la tecnológica, que ahí intentamos tener siempre, bueno, pues... herramientas de vanguardia y de traducción y estar pendientes de todo (.) muy muy de lo que... de lo que sale.

B: Vale. Eh... ¿seguís algún sistema de código ético, código de conducta...?

C: (sim) Bueno, el código del traductor. A parte estamos acogidos también a la ley de protección de datos y el código deontológico de los traductores.

B: Y, luego, como empresa, ¿trabajáis para dar visibilidad al campo de la traducción y la interpretación a través de redes sociales, conferencias...?

C: (sim) Sí, sí, muchísimo.

B: ¿O cosas así?

C: (sim) Sí, sí, sí. Muchísimo, muchísimo. A ver, una cosa que nosotros intentamos es acercarnos a la profesión y acercar a la gente a la profesión de la traducción, ¿vale? Entonces nosotros, eh... intentamos dar visibilidad al campo de traducción y... y llegar a los traductores y... bueno... (.) mira, si quieres paramos esta pregunta y la vamos a repetir de nuevo. D, ¿la puedes grabar y la subimos a las redes sociales? Porque me parece muy interesante.

[Pausa en el audio mientras preparan la cámara y la luz para grabar en vídeo esta pregunta]

B: Como empresa, ¿os involucráis de forma activa en dar visibilidad al campo de la traducción y la interpretación? Y ¿cómo lo hacéis? ¿A través de redes sociales, conferencias...?

C: Pues, a ver, nosotros, esa es una parte muy importante para... para nosotros porque... estamos muy pendientes de llegar a la... a la traducción, de llegar a los traductores y de tener visibilidad máxima con todos los traductores. Nosotros, a través de las redes sociales, intentamos explicar nuestra labor diaria, lo que nosotros hacemos. Explicar muchas veces cuáles son los... las dificultades que nos encontramos con la traducción, cómo se forma el traductor. Entonces, para nosotros, la

presencia en las redes sociales es muy importante. Intentamos ser totalmente transparentes en nuestro trabajo y dar mucha visi- visibilidad al campo de la traducción porque... hay mucha gente que..., al hacer la carrera, desconoce realmente lo que es la profesión. Entonces, nosotros, a través de pequeños tips, y a través de nuestros blogs y a través de las redes sociales, siempre intentamos acercarnos al traductor. Y... y, bueno, y esperamos, pues... conseguirlo con estas... pequeñas... cosas que hacemos. (.) Fíjate, hablo mejor sin... saber eso me bloquea un poco...

B: (sim) (risas) Sí...

D: Lo de la presencia, en concreto, la (ininteligible) y tal...

C: (sim) Sí, claro, sí, sí, sí

B: (sim) Esa parte también es importante, sí

C: Sí, la voy a decir otra vez. Sí, grábame otra vez, que luego se lo paso a M y después...

B: (sim) Claro, que lo monte luego...

D: (sim) Sí, sí, claro

C: (sim) Sí, luego lo vamos a montar. Eh... a ver, nosotros...

D: (sim) cierra la ventana que hay mucho ruido

C: (risas) Para nosotros también es muy importante nuestra presencia en ferias, en conferencias... y, de hecho, intentamos, siempre que se nos invita, intentamos siempre estar en todas. En octubre estuvimos en la Universidad de Córdoba. Estuve dando yo una conferencia en la cual explicaba cuál es el papel del traductor, cómo hacer... cómo se puede hacer una práctica en XX con nosotros... y, ahora, curiosamente, la semana que viene, vamos a participar de forma muy activa en... en una feria que se celebra en Madrid, que es una feria anual que se llama... IMEX. Es una feria de internacionalización. Esta feria son tres días y... y XX va a estar tres días ahí en la feria, pues... bueno, pues, primero, dando visibilidad a los traductores y intentando llegar a las empresas. Eh... intentando, pues, eh... (.) mostrarle al cliente la importancia que tiene el traductor jurado para poder internacionalizar su negocio con éxito. Entonces, bueno, pues es una parte muy importante también para nosotros de estar presentes, de asistir y de poder contar lo que nosotros hacemos y de cómo podemos ayudar a las empresas.

B: Muy bien. ¿Hay algún otro proyecto que llevéis a cabo en la empresa del que te interese hablar en este contexto, alguna otra cosa?

C: (sim) Bueno, hay un proyecto ahora muy grande, muy muy grande... que hemos sido trending topic, casi, que... no, ahí no vas a grabar, D (risas)

D: (risas)

C: No sé si tú conoces Tutraduces.

B: No.

C: Bueno, Tutraduces eh... si quieres te lo cuento luego después de la entrevista.

B: Sí, sin problema, lo que tú prefieras.

C: (sim) O si quieres meter esto en la entrevista... como tú quieras.

B: Si tú quieres que aparezca en la entrevista se mete, si no, no se mete... eso depende de ti.

C: Hmm, bueno, pues vamos a centrarnos en esto y yo después te lo cuento y ya te quedas tú con la idea. Y si tú quieres en un futuro preguntarme sobre esto... yo te voy a mandar, como yo tengo tu móvil, ha salido dos reportes, eh... dos reportajes han salido en prensa hace dos domingos. Y ahora, el 1 de mayo, sale un reportaje en Publicaciones del Sur de una... un software que hemos creado nosotros, que es una traducción digitalizada, que es un proyecto... que llevamos dos años trabajando, que ha salido en prensa. Te voy a pasar el enlace para que lo veas y veas lo interesante que es. Y si tú quieres, en el futuro, darle difusión en el esto, yo me presto para otra entrevista (risas).

B: Perfecto, fantástico. Lo dejamos así entonces. Vale. Y luego, en relación con los clientes, ¿cómo os encuentran los clientes? ¿Cómo llegáis vosotros a vuestros clientes potenciales? ¿A través de presencia online, recomendaciones...?

C: (sim) Bueno, pues eso es mucho. Primero, eh... nosotros llevamos una trayectoria ya te he dicho de diecisiete años. Yo diría 2000... bueno, pues si llevamos una trayectoria profesional de... casi dieciocho... diecisiete, dieciocho años. En estos dieciocho años, hemos sido capaces de construir una base sólida a base de mucho trabajo, mucha dedicación y mucho esfuerzo. Y a nosotros nos conoce muchísima gente. Si tú miras en las redes sociales, e internet... tú buscas en Google, te va a salir una de las primeras opciones y... sale una lista de lo que nosotros hacemos y... y, bueno, es una de las principales... bueno, pues las principales cosas que hacemos es el trabajo de veinte años de crecer con trabajo y el boca a oído. Que la gente habla de nosotros, nos recomienda. Indudablemente también hay una parte de marketing y publicidad. Pero, realmente, si tú, por ejemplo, yo siempre

se lo digo a la gente. La gente me pregunta: oye C, ¿cuál es el éxito de la empresa vuestra? ¿Por qué funcionáis tan bien? Cuéntame cuál es el secreto. Digo: secreto no hay. Es muchas horas de trabajo. Muchas horas de trabajo. La gente cuando ve que tú eres buena, que te comprometes, que estás dedicada a tu profesión... la gente no busca a otro. La gente se queda contigo. Porque tú le resuelves la papeleta, te comprometes..., te implicas... y eso hace, pues... que al final, pues... ese es el éxito. El éxito es igual a trabajo y dedicación. Mucha (.) mucha dedicación.

B: Y...

C: (sim) Si no, ya me lo contarás tú cuando empieces a rodar profesionalmente.

B: (risas) Totalmente.

C: Seriedad, mucha seriedad, mucha dedicación y... ser buena en lo tuyo. No hay otra.

B: Y qué... ¿qué tipo de clientes soléis tener? ¿Son personas privadas, empresas...?

C: (sim) De todo. Es que, cualquiera que pasa por la calle puede necesitar nuestro servicio de traducción. Cualquier persona necesita un servicio de traducción en un momento de su vida. Tú, por ejemplo, no sé tu situación, pero cualquier persona que viaja al extranjero.

B: No, si vosotros habéis tenido papeles míos aquí.

C: Pues tú... ya en un momento de tu vida has necesitado una traducción jurada. Pues así todo el mundo. Cualquiera que esté... y ahora mismo con la globalización... con todo el mundo, que todos viajamos, que todos podemos trabajar fuera, que todos podemos... hacer... entonces... (.) ahora mismo, pues todo el mundo necesita de traducciones juradas.

B: Y, en general, ¿a ti te da la sensación de que, cuando una persona llega como cliente aquí sabe en qué consiste vuestro trabajo? ¿Sabe lo que necesita?

C: No, no, no. Normalmente, la gente que... la gente que viene aquí a la oficina pues... hay gente que desconoce... bueno... mira, por ejemplo, ellos (refiriéndose a unos clientes que había en ese momento en la oficina). Un 40% de la gente le dices que necesita una traducción jurada. La gente llega aquí a la oficina y no saben lo que quieren. Entonces, muchas veces, además de hacer un trabajo, explicamos lo que es el servicio, enseñamos cómo va la traducción jurada, que va firmada. Entonces, eso también es nuestro trabajo (risas).

- B:** Y, cuando... ¿alguna vez habéis tenido en todos estos años algún problema con algún cliente o con algún trabajador por algún tipo de situación o conflicto? ¿Os habéis enfrentado a problemas de ese tipo?
- C:** Problemas grandes, gracias a Dios, no. Gracias a Dios, problemas grandes, no. Han surgido... incidencias de: oye, mira que en esta traducción... rara vez, pero ocurre. Cuando hay mucha demanda de trabajo te puedes equivocar en una palabra, en un esto. Pero se subsana en 0, y el cliente queda contento. Otras veces, a lo mejor, el cliente no ha quedado contento porque no se le ha respondido enseguida, porque...
- B:** (sim) Ya, pero yo me refiero a problemas o más bien cuestiones que hayan sido dificultades.
- C:** No.
- B:** Y luego, cambiando de tema, ya dejando atrás todo esto, ¿XX, como empresa, forma parte de alguna asociación profesional? ¿O los traductores que trabajan aquí a título personal?
- C:** Eso no lo sé yo. No sé si ellos de forma individual... forman parte. Nosotros estábamos en una asociación americana de traducción, hemos estado varios años inscritos en la asociación eh... de traductores americanos. La asociación que había en Estados Unidos. Pero, ahora mismo, el año pasado nos dimos de baja en la... en el confinamiento. En esa época nos hemos dado de baja y no hemos vuelto a reengancharnos. Pero no me acuerdo de cómo se llama (risas).
- B:** No pasa nada. ¿Y tú sientes que os aportaba cosas formar parte de esa asociación? O ¿Por qué estabais ahí?
- C:** Hombre, porque... las tendencias... un poco... quieres estar informado de lo que ocurre... a ver, ellos no cambian el curso de nada. Porque el curso es el día a día aquí en la oficina, lo que tú haces, lo que tú ves, el trabajo del día a día. Pero sirve un poco para estar en contacto con otros traductores, con asociaciones internacionales, ver cómo lo hacen ellos, ver cómo se mueven... al final, no cambia nada, pero... sí quieres estar ahí, ¿sabes?
- B:** Ya. Y ¿cómo evaluarías la situación de la traducción y la interpretación jurada en España? ¿Consideras que el sistema funciona... tal y como está ahora mismo... con los exámenes del ministerio, luego que los traductores trabajen por su cuenta, etc.? ¿Consideras que ese sistema funciona bien? ¿No funciona bien? ¿Cambiarías cosas? ¿Cómo lo ves tú?

C: Es mejorable. Siempre todo es mejorable. Indudablemente eh... la profesión de traducción e intérprete jurado no se puede comparar al traductor... normal porque... tiene una responsabilidad y una carga legal que el otro no lleva. Entonces, bueno, en esa parte pues... funciona bien. O sea, funciona bien... habría que a lo mejor mejorar algunos aspectos. De hecho, nosotros tenemos la herramienta del Tutraduces está dirigida ahí. Hay que mejorar algunos aspectos, como en otras cosas. Pero bueno, no hay nada... no hay noticia ahí. No hay noticia destacable que yo ahora mismo a priori piense.

B: Vale. Además de esto, yo he leído mucho sobre la interpretación judicial aquí en España y que funciona como un sistema de subcontrata de macroempresas. Y ha habido... hace unos años recuerdo que en el periódico salió mucho que la calidad no era buena, varios escándalos y tal. ¿Tienes alguna opinión al respecto?

C: Pues mira, ahí sí tengo yo una opinión. Yo creo que... que, efectivamente, a nosotros... hay empresas que tienen las concesiones con organismos públicos, ¿vale? Entonces ellos son los que se ocupan de distribuir quizás... ellos son los que copan todo el trabajo. ¿Vale? Entonces ellos tienen un acuerdo legal con organismos públicos... y entonces ellos son los que se ocupan de dar el servicio a los juzgados y tal. ¿Qué ocurre? Que ellos son los que oficialmente dan ese servicio de traducción jurada... interpretación jurada en los organismos públicos. ¿Qué ocurre ahí? Que no es bueno. (.) No es bueno. Entonces, ellos... pues... no... no se da bien el servicio. ¿Qué ocurre? Que a nosotros nos subcontrata el cliente porque no confía en ese servicio. ¿Vale? Esa es la realidad de esto. El cliente no confía. Entonces el cliente recurre a nosotros porque le da miedo que, en un tema legal, cualquiera... y cuando digo cualquiera es porque hay muchos idiomas que en ese momento no se tiene el traductor jurado a mano, ¿vale? Pues entonces recurren a alguien que hable, con una firma legal, que se comprometa. Y, entonces, ¿qué pasa? Pues que el servicio no es bueno. No tiene la formación, no tiene las herramientas, no saben los tiempos, no saben cómo proceder, no saben cómo hacer una toma de notas... desconocen la profesión. Entonces hay intrusismo. ¿Qué pasa? Hay... en Andalucía hay... pues una empresa que lo hace (.). Ellos contratan a cualquiera (.). Pagan mal. Bueno, pero eso no es mi... sabes qué te digo...

B: (sim) Sí, sí.

- C:** (sim) Esto ya... entonces, claro, las tarifas no... no... entonces está como... secuestrado. Entonces, al estar ese servicio, pues entonces no dejan que los traductores se luzcan. ¿Vale? Porque ese servicio debería no estar por organismos oficiales, sino el propio traductor jurado con el cliente. Pero al haber un intermediario... están secuestrados.
- B:** O sea, tú crees que si, por ejemplo, se eliminara el intermediario, si se eliminara la subcontrata...
- C:** Claro, totalmente.
- B:** En un sistema de libre mercado.
- C:** Claro, claro. Porque es que, al final, el que gana es la subcontrata. No es el traductor.
- B:** Sí, si yo lo sé (risas).
- C:** (risas) Claro. Entonces a nosotros, ¿qué es lo que nos llega? Nos llega el 20% de ese trabajo. Entonces subcontratamos al traductor con sus tarifas. ¿Vale? Yo contrato al traductor con sus tarifas en las que él estima oportuna para ese tipo de servicio cuando no lo da el organismo público. El organismo público, ¿qué pasa? Que tiene competencia en todas las Comunidades Autónomas. Entonces, nosotros, pues claro, estamos limitado ahí. Nosotros el servicio nos llega mínimo.
- B:** Y vosotros creéis que...
- C:** (sim) Esto es importante para ti, ¿no?
- B:** Esta es una parte muy importante de mi investigación.
- C:** (risas) Lo sabía.
- B:** En XX, ¿vosotros estaríais interesados en proveer más servicios de interpretación si tuvierais acceso?
- C:** Hombre, a nosotros sí, porque nosotros... a ver, nosotros lo que hacemos es que somos, al final, un enlace. Nosotros, al final... pues hablamos con los traductores cuando hay servicio de interpretación, los traductores marcan sus tiempos. Los traductores profesionales, eh... marcan sus tiempos, sus tarifas, sus condiciones... y eso es lo que se le ofrece al cliente. Y luego el cliente acepta o no acepta. De la otra forma, pues claro, ¿qué ocurre? Ahora mismo, al estar secuestrado el 90% por una empresa, pues ellos tienen toda la demanda. Tendrán una base de datos de traductores y ellos dirán: esto y aquello. Pero desconozco. Ahí no quiero entrar.
- B:** Muy bien, muchas gracias. ¿Hay alguna otra cosa más que quieras añadir?
- C:** No, yo creo que ya he explicado... no...
- B:** ¿No se te queda nada en el tintero?

C: No, yo creo que hay... ahí está la base de todo.

B: Muy bien, pues entonces esto es todo. Muchas gracias por participar.

C: Nada, espero que te haya servido.

B: Sí, muchas gracias.

Annex 4: Categories for website analysis

Categorías generales:

Información general, contexto	1
Personal, trabajadores	2
Clientes	3
Servicios	4
Enlaces externos, noticias, blogs	5
Otros	6

Subcategorías:

Traducción	A
Interpretación	B
Oficinas (localización física)	C
Datos temporales	D
Formación	E
Formularios	F
Dinero	G
Asociaciones	H
Control de calidad	I
Valores	J
Proyectos	K
Remoto	L
Software, otras tecnologías, equipo interpretación	M
Localización web	N
Revisión y edición	Ñ
Gestión terminológica	O
Propiedad intelectual	P
Explicación conceptos para informar personas externas al sector	Q
Otros	R
Multimedia	S
Simultánea	T
Consecutiva	U

Abstract (English)

In today's globalized world, where people are increasingly mobile, legal interpreting has become a key aspect of safeguarding essential rights and in recent decades it has received increasing attention from the perspective of interpreting studies. However, there is one side of legal interpreting that has been widely overlooked: interpreting agencies. Within the field of interpreting studies in general, interpreting agencies are a phenomenon that has been rarely discussed and, the few mentions that can be found, are usually critical of their performance in the field.

This master's thesis is focused on the role interpreting agencies play in the field of legal interpreting, specifically in Spain. To this end, the thesis is divided into two main blocks: the first block is a literature-based analysis and the second one is dedicated to an empirical study. The literature-based analysis is conducted throughout the first three chapters and is first centered on giving an overview of the field of legal interpreting, specifically on the different settings and key aspects of its professionalization; then it makes a comprehensive analysis of interpreting agencies and their role in this sector and, finally, focuses on the specific situation of Spain, highlighting the role of interpreting agencies in the fields of court and police interpreting as a result of the current outsourcing system that is present throughout the country.

Subsequently, an empirical study is carried out using a mixed model that combines the expert interview with the CEO of a legal translation and interpreting agency, and the analysis of the websites of the two companies that currently hold the outsourcing contracts for interpreting services in the aforementioned fields. Finally, the discussion and conclusion chapter highlights the results and further possibilities of this field of study.

Abstract (German)

In der heutigen globalisierten Welt, in der die Menschen immer mobiler werden, ist das juristische Dolmetschen zu einem Hauptaugenmerk für die Wahrung grundlegender Rechte geworden und hat in den letzten Jahrzehnten im Bereich der Dolmetschwissenschaft immer mehr an Aufmerksamkeit gewonnen. Es gibt jedoch ein Teil des juristischen Dolmetschens, die bisher weitgehend übersehen wurde: die Dolmetschagenturen. Innerhalb der Dolmetschwissenschaft sind Dolmetschagenturen ein Phänomen, das nur selten diskutiert wurde, und die wenigen Erwähnungen, die man findet, sind in der Regel kritisch gegenüber ihrer Leistung in diesem Bereich.

Die vorliegende Masterarbeit befasst sich mit der Rolle der Dolmetscheragenturen im Bereich des juristischen Dolmetschens in Spanien. Zu diesem Zweck ist die Arbeit in zwei Hauptteile unterteilt: Der erste Teil ist eine literaturbasierte Analyse, der zweite ist einer empirischen Studie gewidmet. Die literaturbasierte Analyse wird in den ersten drei Kapiteln durchgeführt und konzentriert sich zunächst darauf, einen Überblick über den Bereich des juristischen Dolmetschens zu geben, insbesondere über die verschiedenen Rahmenbedingungen und Schlüsselaspekte der Professionalisierung. Dann wird eine umfassende Analyse der Dolmetschagenturen und ihrer Rolle in diesem Sektor vorgenommen. Schließlich wird auf die spezifische Situation Spaniens eingegangen, wobei die Rolle der Dolmetschagenturen in den Bereichen des Gerichts- und Polizeidolmetschens als Ergebnis des gegenwärtigen Outsourcing-Systems, das im ganzen Land vorhanden ist, hervorgehoben wird.

Anschließend wird eine empirische Studie mit einem gemischten Modell durchgeführt. Es ist eine Kombination aus der Expertinneninterview mit der CEO einer juristischen Dolmetschagentur und der Analyse der Websites beider Unternehmen, die derzeit die Outsourcing-Verträge für Dolmetschleistungen in den oben genannten Bereichen abgeschlossen haben. Abschließend werden in einem Diskussions- und Schlussfolgerungskapitel die Ergebnisse und weiteren Möglichkeiten in diesem Bereich aufgezeigt.