Non-renditions and the court interpreter's perceived impartiality: a role-play study

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Abstract

This experimental study examined whether non-renditions are linked to the court interpreter's perceived impartiality. A witness examination was simulated in three variations on a scripted role play, with consecutive interpreting between Cantonese and English. A sample of female Cantonese speakers, divided into two experimental groups and a control group, each played the part of the witness in one role play; the interpreter and the English-speaking bench (judge and defense attorney) were always played by the same three actors. In two experimental groups, the interpretation included some utterances with no source speech counterpart (non-renditions): a Cantonese non-rendition group (16 individuals) had procedural and textual non-renditions addressed to them in Cantonese, without English interpretation for the bench; an English non-rendition group (15 individuals) heard some brief exchanges between the interpreter and the bench, with no Cantonese interpretation. A control group (15 individuals) was not exposed to non-renditions. All three groups completed a questionnaire after the role play. The English non-rendition group rated the interpreter significantly lower than the others on impartiality, and was also the only group to comment unfavorably on the interpreter. A possible explanation is that the Cantonese speakers in this group could not follow the English non-renditions and felt excluded.

Keywords: non-rendition, court interpreting, perceived impartiality, role play

1 Non-renditions

The purpose of this study was to investigate a possible link between non-renditions in various contexts and the court interpreter's perceived impartiality. Non-renditions are utterances made by the interpreter that have no counterpart in the speech or turn s/he is interpreting (Wadensjö 1998), examples being phatic expressions, continuers, stoppers, requests for clarification, requests for repetition, and responses to requests or queries. Wadensjö (1998: 110) identified two categories of non-rendition: text-oriented, as in the case of "requests for clarification, request[s] for time to translate [or] stop talking [and] comments on translations"; and interaction-oriented, as in "requests to observe the turn-taking order, invitations to start talking, [and] requests for solicited but not yet provided information." A number of studies report non-renditions to be common in various dialogue interpretation settings, such as medical interpreting, police interpreting, and court interpreting (Amato 2007; Baraldi & Gavioli 2012, 2014; Berk-Seligson 1990; Cirillo 2012; Dubslaff & Martinsen 2005; Gavioli 2012; Merlini & Favaron 2005; Metzger 1999; Rosenberg 2002).

Non-renditions are multifunctional and may contribute to conversational rapport (Amato 2007), promote participation, improve emotional rapport between lay and institutional participants (Farini 2013), or be used by the interpreter to engage actively in addressing an issue (Le et al. 2009). In medical interpreting, non-renditions may help clarify cultural nuances felt and/or expressed by the patient, while enhancing affective dynamics and the patient's self-confidence, ultimately creating conditions for a collaborative relationship that enables diagnosis and treatment (Baraldi & Gavioli 2012). Sign language interpreters use non-renditions to identify source speakers for the benefit of deaf interlocutors (Sanheim 2003).

The use of non-renditions is a double-edged sword, however, because they can not only facilitate but also inhibit communication. Linguistic expression of cultural specificities through non-renditions (Barnett 2006; Kelly 2000) can help to achieve effective communication. Moreover, in some cases, non-renditions are part of the stock-in-trade that can be used by the interpreter in "fulfill[ing] the purpose of enabling communication in line with institutional requirements" (Pöchhacker 2012: 53). By contrast, some types of non-rendition have drawbacks and may affect the interpreter's perceived impartiality. Thus, non-renditions have been observed to "alternately encourage and discourage the primary participants' engagement in a three-party affective sequence" (Cirillo 2012: 113); their use puts the interpreter in a position to "either promote or inhibit affective communication" (2012: 120).

Non-renditions may function as a gauge for user perceptions of interpreter impartiality. Although most monolingual users may be unable to assess an interpreter's impartiality by detecting semantic differences between the source and target languages, it is often not difficult for them to notice non-renditions. Wadensjö (1998) has described interpreting as implicit coordination, which can be made explicit by the use of non-renditions. In dialogue interpreting, interpreters play an active role and coordinate the exchange, which means that non-renditions are not uncommon. However, their use deviates from the strictly translational role that some participants expect of the interpreter (Hertog 2013). Although the Australian Institute of Interpreters and Translators states that interpreters must be able to control a dialogue and seek clarification (Laster & Taylor 1995), it is still not clear to what extent their doing so by non-renditions might affect interlocutors' perceptions of interpreter impartiality. Hence the rationale for empirically testing the possibility of a link between the two.

2   Participants' perceptions of interpreters

Maintaining positive perceptions of interpreters among users is important (Cambridge 2005). It is also essential that interpreters, particularly community interpreters who interact closely and directly with ordinary people, know the expectations of both lay and institutional users (Gustafsson et al. 2013). However, research shows no clear trend regarding these expectations: while Hale (2004), Pöllabauer (2004), and Wadensjö (1998) found that they varied among different users, the expectations expressed by the judges, attorneys, prosecutors, and witnesses in Christensen's (2011) study were very similar. This indicates the need for a broad study of users' expectations, with a range of differently qualified interpreters.

Edwards, Temple, and Alexander (2005) found that, in addition to emphasizing the importance of language skills and professional authority, users expect interpreters in a variety of fields to be proactive and sympathetic. Since monolingual users of interpreting services are rarely able to assess the accuracy of interpretation, the interpreter's manner and empathy may actually be more important to them. For instance, the service users in Vargas-Urpi (2014: 487) were found to "value interpreters' personality and attitude more than their specific interpreting skills"; and one user quoted in Edwards et al. (2005: 85) stated: "It doesn't matter if their Polish is fantastic if they are cold to people."

A possible explanation for the lack of a clear trend in data on expectations is users' poor understanding of the interpreter's actual responsibilities: respondents in one questionnaire-based study showed no knowledge of interpreters' conventional role or ethical obligations, expecting them not only to interpret but also to provide assistance, advice, and moral support

(Hale & Luzardo 1997). Such a view of the interpreting process has been termed the participants' "frame of reference" or "sense of what activity is being engaged in" (Tannen & Wallat 1993: 60). In this respect, non-renditions can be considered a "frame shift". Educating users about the role of interpreters, as described in Tebble (2012), can improve the context of interpreted communication and anchor all parties to the same frame (Takimoto & Koshiba 2009).

Although educating users with regard to expectations is important, so too is understanding their perceptions of the interpreter: these can affect the dynamics of the interpreting process, even exerting "a significant impact on the outcome of the interpreted event" (Napier 2011: 60). One important perceived quality is impartiality, which is defined by the primary parties' perceptions of the interpreter's interactions or behaviors (Marcus et al. 2011). In court interpreting, the interpreter's perceived impartiality is essential to the aim of providing all parties involved with equal access to justice: both institutional and lay participants need to share the perception that justice is being done. If an interpreter's behavior is perceived to be partial, participants may feel mistreated by the court and have serious misgivings about the court's fitness as an institution of justice. As posited by Hale and Luzardo (1997), participants may reject an interpreter if they perceive that s/he is incapable of meeting their expectations. However, the expectations of lay and institutional participants vary in this respect.

With specific reference to non-renditions as a possible factor in the interpreter's perceived (im)partiality, the following section discusses how these are seen by institutional and lay participants.

2.1 Non-renditions and institutional participants

Since non-renditions can have both advantages and disadvantages, institutional participants can react to them in different ways. On the one hand, Gallez and Maryns (2014) observed that courts, judges, prosecutors, and defense attorneys alike sometimes seem unconcerned about dyadic exchanges between interpreters and defendants; indeed, some legal professionals seem to expect non-renditions from interpreters (Pöllabauer 2004), probably with a view to facilitating communication. By contrast, others disapprove of non-renditions: a case in point is the judge in Morris (1995: 33), who, after "seeing a seemingly personal exchange beginning between counsel for the prosecution and an interpreter, immediately reprimanded … the interpreter". Legal professionals who react in this way probably do so from fear of losing control. They may even see non-renditions as making it difficult for them to "use tactics to confuse and trip up witnesses in their questioning techniques" (Hale 2007: 46): an interpreter's non-renditions to request clarification from a questioning attorney can be viewed as an unwelcome form of encroachment onto the latter's professional domain, which includes controlling the flow of questioning to elicit the desired answers, at times putting a witness or defendant off balance.

Some researchers point out that certain forms of non-rendition, such as those that are "prodding and prompting" in nature (Ng 2009), are likely to interrupt the flow of court proceedings (González et al. 2012). However, there are also grounds for arguing the very opposite position – i.e., court interpreters' non-renditions, which "control the flow of testimony" (Berk-Seligson 1990: 86) by prompting speakers, silencing them, or redirecting the flow, may actually "make the proceedings go more smoothly and with less frustration for the legal participants" (1990: 85).

By virtue of their language abilities, interpreters have "the advantage of power inherent in all positions which control scarce resources" (Anderson 1976: 218). There is also the possibility that they may take over some of the power vested in legal professionals (Hale 2004). For example, non-renditions that are incomprehensible to lawyers may prevent them from controlling the flow of information in the courtroom or deny them the opportunity of "formatting it in the highly ritualized language of the law" (Borgersen & Shapiro 1997). Although court interpreting is by no means restricted to merely conveying the words of the original (Berk-Seligson 1990; Hale 2004; Jansen 1995; Niska 1995), "many legal professionals still see the interpreter as some sort of mechanic conduit" (Hertog 2013: 2) and require that s/he ask for permission before initiating non-renditions. Lay participants, on the other hand, are generally not entitled to make such requests.

2.2 Non-renditions and lay participants

Lay participants are an important presence in the court interpreting setting. However, their perception of interpreters' different behaviors has been little studied. Non-renditions may reinforce the inherent power imbalance in the courtroom between lay and institutional participants. Not only can interpreters use non-renditions to inhibit communication, but those between an interpreter and institutional participants may also result in lay participants feeling excluded and powerless (Hale 2007). Lay participants who understand neither legal proceedings nor the language of the court are the most disadvantaged (González et al. 2012). Therefore, an interpreting service is provided to ensure full participation in the proceedings by lay participants summoned as witnesses or defendants. However, non-renditions may severely restrict their level of participation. As stated in the previous paragraph, interpreters are not required to consult lay participants before initiating non-renditions addressed to institutional participants. This means that lay participants who do not understand the non-renditions addressed to others in the court can be temporarily excluded from full participation and from the main intended benefit of an interpreting service.

A participant laboring under such a disadvantage may tend to distrust the interpreter to whom s/he is "forced to relinquish control over the communication" (Mikkelson 2000: 53): the resulting sense of exclusion may jeopardize the perception of interpreter impartiality (Koo 2009; Mikkelson 2000). Research participants in Cheung (2014), when exposed to interpreters' use of reported speech with the specification of the source speaker's professional title (e.g., "the judge/barrister said"), rated interpreter impartiality as low. This may be related to the excluding function of reported speech, compounded by the perception of "solidarity with the speaker and detachment from the addressee" (Cheung 2014: 202) that is associated with specific mention of the reported speaker's institutional and/or professional title.

Reported speech and non-renditions have at least two major features in common: they are detectable by monolingual users, and they have an excluding function. The latter feature is more explicit in the case of non-renditions, insofar as a non-addressee is truly excluded if s/he does not understand the language in which they are expressed. Cheung (2014) argues that an interpreter's impartiality may be questioned by participants who understand that s/he is behaving in certain ways (e.g., prefacing the interpretation of a turn by specifying the speaker's professional title or status). To date, however, there has been no empirical research examining whether non-renditions affect users' perception of the interpreter's impartiality. The role-play study reported here focuses on this possibility, in a simulated court setting.

3   Research method

3.1 Research design

As non-renditions can be addressed to both lay and institutional participants, the experiment was designed to compare participants' perceptions of interpreter impartiality in three settings: 1) no non-renditions (control group); 2) Cantonese non-renditions, addressed to monolingual Cantonese-speakers acting as lay participants (first experimental group); 3) English non-renditions addressed to English-speaking actors playing the part of legal professionals, and not interpreted for the Cantonese-speaking witness (second experimental group). In each setting, the actors playing the judge and defense attorney read from a script; the witness had been given the background story, but no script.

The dialogue was kept as similar as possible across the three groups, except that: (i) in the control group, all parties could understand the dialogue; (ii) in the first experimental group ('Cantonese non-renditions'), some portions of the dialogue were not interpreted for the English-speaking bench; (iii) in the second experimental group ('English non-renditions'), the Cantonese-speaking witness was excluded from some portions of the dialogue. This is explained more fully below (see 3.3).

The sample dialogue in Appendix B illustrates one example of the divergences among the groups. Here, the defense attorney begins by asking in English: "The defendant Mr. Wong, your next-door neighbor, is he a polite person?" This question is interpreted into Cantonese, and the Cantonese-speaking witness replies. At this point, the scripts for the three groups diverge. In the control group, the witness's Cantonese reply is interpreted into English, followed by the Cantonese interpretation of the attorney's second question: "Do you greet each other when you see each other?" In the Cantonese non-rendition group, instead of interpreting the witness's reply immediately, the interpreter asks her in Cantonese: "Do you greet each other when you see each other?" In the English non-rendition group, just after the interpretation of the witness's reply into English, an exchange between the interpreter and the defense attorney is not interpreted for the benefit of the Cantonese-speaking witness. Only when this exchange has been completed is the defense attorney's question ("Do you greet each other when you see each other?") interpreted into Cantonese.

Studies of the association between interpreter characteristics (other than the substance of their interpretations) and user perceptions are not uncommon. However, data collection is an important methodological challenge in studies of this kind. For instance, Cheung (2012) and Christensen (2011) used interviews to collect data on user perceptions, but they had relatively few respondents (eight and five, respectively).

An experimental approach generally makes it possible to involve more participants. Berk-Seligson (2002), Hale (2004, 2011), Jie and Zhong (2008), and Mendoza, Hosch, Ponder, and Carrillo (2000) all manipulated interpreter styles in audio- or video-recordings to investigate mock jurors' assessments of source speaker credibility. The findings of Berk-Seligson (2002), Hale (2004), and Jie and Zhong (2008) suggested that interpreter styles might affect listeners' perceptions of source-language speakers, but Mendoza et al. (2000) found the opposite.

One methodological weakness of these studies was the use of experimental audiences who were not reliant upon the interpreters to communicate with source-language speakers. Their perception of the interpreters may thus have differed from those of authentic users, who actually rely upon interpretation to interact with the speaker. In this respect, Gile (2003) raised a note of caution about the validity of studies that investigate the responses of

experimental audiences. However, it would be difficult to collect data from an actual court interpreting setting. First and foremost, it is a criminal offense to approach witnesses, at least in Hong Kong, where the author of this paper was based when the study was conducted. Second, interpreters may adopt different styles within a single interpreting event, which would make it difficult to investigate how one particular style affects user perceptions in a non-controlled setting. One way to overcome these difficulties is to use an experimental setting based on role play.

3.2 Participants

Cheung (2014) studied an experimental sample based on role play, to test how interpreters' use of reported speech affects users' perceptions of their impartiality. A similar approach was used for the present study, with the Cantonese-speaking research participants relying upon an interpreter to communicate with English-speaking parties in a mock courtroom setting. A total of 60 participants were randomly distributed among the three role-play groups. However, due to interpreter errors during the role-play sessions, only 46 of the sessions were deemed valid. To control for variability, the participants were recruited from the membership of a social services agency that organizes daytime activities for elderly individuals living in a government housing project. All participants were women between 55 and 63 years of age, who stated that they had never been exposed to interpreting and were not fluent in English. In the 46 valid role-play sessions, 15 participants were in the control group; 16 were in the Cantonese non-rendition group; and 15 were in the English non-rendition group.

Each participant took part in one role-play session, acting as a police witness in a fictional domestic violence trial who was being examined by the defense attorney. Participants were given some background information on the court case. Most of the questions posed by the English-speaking judge and attorney were closed-ended – e.g., "Is your name so and so?" and "Are you the next-door neighbor of the victim, Mrs. Wong?"

As shown in Figure 1, each role-play session involved one research participant, two English-speaking males playing the part of legal professionals (a Caucasian judge and a South Asian defense attorney), and a Cantonese-speaking Chinese female interpreter. The two English speakers wore formal courtroom dress; the interpreter, who stood near the witness box, was in business attire. To reduce variability, the same individuals played the judge, defense attorney, and interpreter throughout the study.
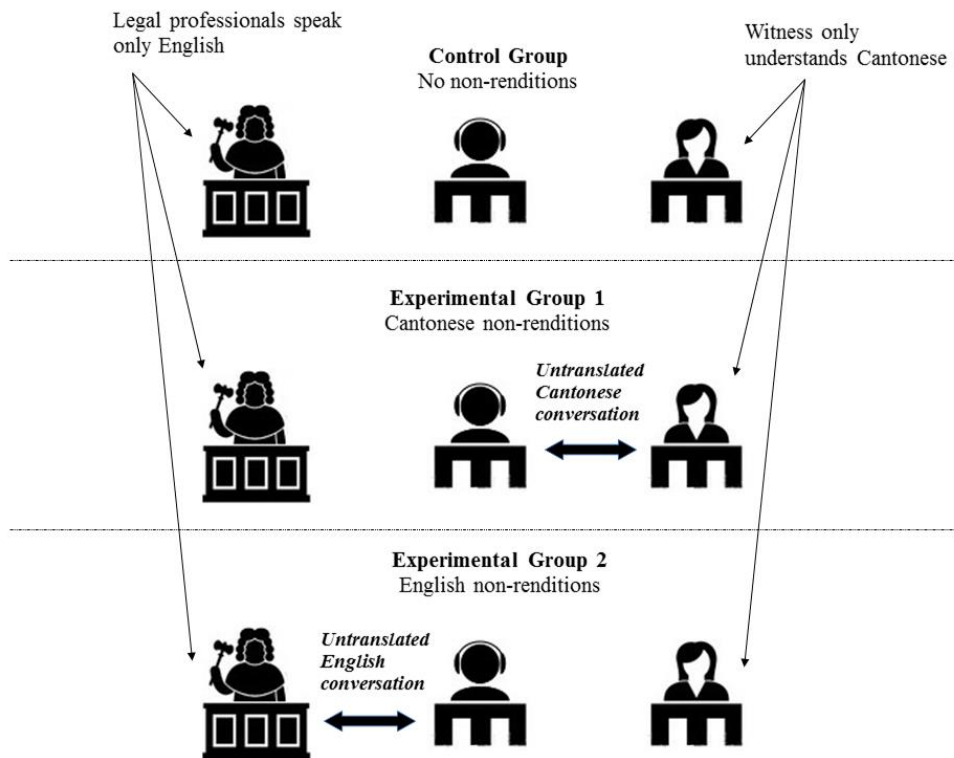
Figure 1. Courtroom setup during the role-play sessions

3.3 Role play

Five "non-rendition clusters" (Appendices A-E) were incorporated into the scripts of the two experimental groups. Of the five clusters, two were procedural in nature (one at the beginning of the role-play, and one at the end); the other three non-rendition clusters, during the defense attorney's examination of the witness, were textual in nature. In both experimental groups, all non-renditions were confined to the clusters.

Each textual non-rendition cluster contained two questions. In the Cantonese non-rendition group, the first of these was a trigger question from the attorney, and the second was a follow-up question from the interpreter in the form of a non-rendition. In the English non-rendition group, both questions were asked by the attorney, coming on either side of a brief dialogue between him and the interpreter: the latter's utterances in this brief dialogue were non-renditions. Non-renditions tend to require a trigger from the intended addressee – possibly, for example, when the latter does not leave enough time for the interpretation or is not understood by the interpreter. Such non-rendition triggers are difficult to manipulate in a role-play setting. Hence, in this study, follow-up questions were the only form of textual non-rendition used. These follow-up questions were initiated by the interpreter, in response to an utterance by one of the legal professionals. Using a script for all these exchanges meant that the required differences in the three versions of the dialogue could be carefully controlled.

The first non-rendition cluster (Appendix A) was procedural in nature and took place at the beginning of the examination. In the control group, the judge first asked a question to determine whether the witness was religious and then administered a religious oath or solemn affirmation accordingly. Both the question and the oath/affirmation were interpreted into Cantonese by the interpreter. In the Cantonese non-rendition group, this initial procedure was handled entirely by the interpreter through two non-renditions: she first asked whether the

witness was religious and then administered the oath/confirmation, without interpreting the witness's reply for the judge. In the English non-rendition group, the interpreter and the judge engaged in several exchanges, both before the question to the witness about her religious status and before the latter's swearing in or solemn affirmation.

Non-rendition clusters 2, 3, and 4 (Appendices B, C, and D) were textual in nature, with each group following the same format. In the control group, the defense attorney asked an initial question and then a follow-up question, both of which were interpreted by the interpreter.

In the Cantonese non-rendition group, the pattern in these cases was for the attorney to ask an initial question, which was interpreted. The witness's reply, which was not interpreted into English, was followed by a Cantonese non-rendition in the form of a follow-up question. The interpreter then added another Cantonese non-rendition to acknowledge the witness's reply to the follow-up question, before interpreting the witness's responses to both the attorney's question and the follow-up question. In the English non-rendition group, the attorney's first question and the witness's reply were both interpreted. The interpreter then engaged in a brief exchange with the attorney, after which she interpreted a simple question into Cantonese for the witness and conveyed the latter's reply to the bench in English.

Finally, cluster 5 (Appendix E) was procedural in nature. In the control group, the defense attorney's statement that he had no further questions was interpreted, as were the judge's words of thanks to the witness and his request that the usher escort the witness out of the courtroom. In the Cantonese non-rendition group, the words of thanks to the witness and the request to the usher were addressed to them directly by the interpreter, in Cantonese, as non-renditions. In the English non-rendition group, the interpreter addressed the attorney in reply to the latter's announcement that he had no more questions; she then had a brief dialogue with the judge, before interpreting for the witness and immediately afterwards engaging in one final exchange with the judge.

3.4 Questionnaire

At the end of each role-play session, the woman who had played the witness was escorted to a different room to answer a general open-ended question about the interpreter and to complete a perception questionnaire with the help of a Cantonese-speaking research assistant. Having explained to the participants that the questionnaire was designed to elicit their perceptions of the interpreter, the assistant then read out the five questionnaire items and recorded the participants' responses to each. Responses were scored on a Likert scale, ranging from 5 (strongly agree) to 1 (strongly disagree). Originally written in orthodox Chinese characters, the questionnaire items were statements about the Cantonese interpretation (indicating that it was intelligible and fluent, in items 1 and 2 respectively) and about the interpreter (indicating that she was confident, impartial and professional, in items 3, 4 and 5 respectively).

4   Results

4.1 Quantitative results

Forty-six valid questionnaires were collected, and the data were recorded and processed using SPSS software. The descriptive statistics are reported first, followed by the one-way analysis of variance (ANOVA) and Tukey ad-hoc comparison results. As Table 1 shows, the

Cantonese non-rendition group had the highest mean scores for all five survey items. The English non-rendition group had the lowest mean scores.

Table 1. Mean scores on questionnaire items

	Intelligible	Fluent	Confident	Impartial	Professional
Control	3.87	3.93	3.73	3.80	3.60
Cantonese	4.25	4.31	4.19	4.44	4.38
English	3.13	3.27	2.87	2.73	2.80

Since the purpose of this study was to investigate a possible link between non-renditions in various contexts and listeners' perceptions of the interpreter's (im)partiality, one-way ANOVA was performed to analyze the differences in the mean scores of the survey items among the three groups. The one-way ANOVA results in Table 2 show that the scores for all five survey items differed significantly across the three groups.

Table 2. ANOVA results of survey items

	Intelligible	Fluent	Confident	Impartial	Professional
ANOVA	$F_{(2/43)}=17.079$, $p=.000$	$F_{(2/43)}=16.415$, $p=.000$	$F_{(2/43)}=17.412$, $p=.000$	$F_{(2/43)}=36.999$, $p=.000$	$F_{(2/43)}=30.032$, $p=.000$

Tukey's procedure was adopted to analyze whether the two experimental groups differed significantly from the control group for these five items. It was first used (at $p=.05$) to assess the pair-wise differences between the mean scores on each item for the three groups. The results for impartiality show that both the Cantonese non-rendition group and the English non-rendition group differed significantly from the control group ($p=.007$ and $p=.000$ respectively). The results were similar for professionalism, with significant cross-group differences: control group vs. Cantonese non-rendition group ($p=.001$) and control group vs. English non-rendition group ($p=.000$). For intelligibility, fluency, and confidence, the only significant difference in each case was between the English non-rendition group and the others.

For the purposes of the present study, the focus is obviously on impartiality, and the results for other items will not be examined in detail below.

4.2 Qualitative results

The 46 responses to the general open-ended question were entered into the Atlas.ti qualitative analysis software. When the responses were judged to have several components, each of these was coded separately. For example, "the interpreter was not bad, talked fast, very efficient" was divided into "not bad" (scored as a weak positive evaluation), "talked fast" (scored as a concrete positive evaluation), and "very efficient" (scored as a concrete positive evaluation). "Not bad" was the most frequent evaluation, scored as a weak positive. Seven of the 15 (47%) participants in the control group, eight of the 16 (50%) in the Cantonese non-rendition group, and three of the 15 (20%) in the English non-rendition group used the phrase "not bad" to provide a weak positive evaluation.

Positive evaluations
Consistent with their positive evaluations in the questionnaire, eight of the 16 (50%) Cantonese non-rendition group participants gave an answer coded as a strong positive evaluation (e.g., "Very talented, speaks very good English"; "The interpreter was very helpful, very professional"). As with the questionnaire, the control and English non-rendition groups

were comparable, with fewer positive evaluations than the Cantonese non-rendition group. However, comments by two of the 15 (13%) control participants were coded as strong positive evaluations (e.g., "Very quick"; "I think she's very good"), whereas none of the participants in the English non-rendition group did so. The chi-squared test scores comparing the positive evaluations of the Cantonese non-rendition group with each of the other groups were both significant (χ^2 (1, N = 31) = 4.76, p <.03 vs. English non-rendition group; χ^2 (1, N = 31) = 10.11, p <.001 vs. control group).

Although the expression "non-rendition" was not used, three of the 16 (19%) Cantonese non-rendition participants commented on the interpreter giving them instructions of her own initiative (e.g., "[she was] very much familiar with court environment, told me when to do what"). In other words, these three participants do seem to have noted the Cantonese non-renditions. One possible explanation for this is that the final procedural non-rendition, informing the witness that the examination was over and that she was to wait for the escort, was the one most readily recalled by the participants when they completed the questionnaire immediately afterwards. The data also suggest that the participants may have considered Cantonese non-renditions as "small talk," a form of discourse that functions primarily to establish a community (Ehlich & Rehbein 1979, cited in ten Thije 2009) and that may facilitate personal relationships between parties engaged in a communication process (Gile 2009). Powerful law enforcement agents have been observed to use accommodative communication styles such as small talk to ease powerless lay individuals' initial perceptions of them, shifting from intergroup-oriented to more interpersonal-oriented modes of communication (Giles et al. 2007). There was no reference to such features of the interpreter's output in the control group or the English non-rendition group.

The qualitative results clearly show that the Cantonese non-rendition group evaluated the interpreter most favorably (50% of strong positive endorsements in the open-ended question, as compared to 13% and 0% for the control and English non-rendition groups respectively). This finding is consistent with the significantly higher rating of the interpreter's impartiality by the Cantonese non-rendition group than the other two groups.

Negative evaluations
The consistently positive evaluation of the Cantonese non-rendition group in both the qualitative and questionnaire items is also reflected in the absence of unfavorable evaluations, none of the comments made by this group or the control group being coded as negative. The English non-rendition group alone provided comments that were coded as unfavorable evaluations, made by nine of the 15 respondents (60%) in that group.

The unfavorable comments and evaluations may have to do with the manner in which the Cantonese speakers viewed the English non-renditions, probably perceived at best as inappropriate and, at worst, as arrogant and partial. Three comments from the English non-rendition group are quoted here in full, to give a flavor of the responses: (i) "She seemed to be a bit arrogant because [she] sometimes ignored me, but maybe she needed to ask the judge questions; she did not ignore those foreigners, [but] was very friendly to them, always chit-chatting with them."; (ii) "Her English must be very good, [as] she chit-chatted with the foreigners; that's why I think she's arrogant. When she was chit-chatting, I was sitting there waiting for her, [and] sometimes they talked for a long time, and I just sat there and waited. It [was] stressful."; (iii) "She's okay, [but] I did not really like her because she was friendly with the foreigners more. She was always talking to them, [but] she was not talking to me much, and she only told me what those foreigners said."

These comments indicate that participants were aware of the non-renditions and were concerned about impartiality. Similar comments were not found in the control and Cantonese non-rendition groups. On the subject of impartiality, this is defined as the "the absence of bias or preferences in favor of one or more [primary parties]" (Moor 2003: 53). One possible reason for participants' concern about this in the English non-rendition group may be their inability to understand any turns not interpreted into Cantonese for their benefit.

The differences between the responses of the English and Cantonese non-rendition groups may be related to the participants' expectations of being fully included in the exchange, and of being helped by the interpreter to understand what is going on. The analysis of the two groups' responses suggests that they were not concerned about the non-renditions *per se*, but about the language used. Since the Cantonese non-renditions were comprehensible to the addressees, they did not feel that they were being kept in the dark about anything. Hence, their expectations of the interpreter were met. This did not apply to the English non-rendition group, who received no help from the interpreter in understanding her exchanges with the bench.

5   Discussion

The survey results are consistent with the general impression that non-renditions affect users' perception of an interpreter's impartiality. The data show that the English non-rendition group perceived the interpreter to be less impartial than did the control and Cantonese non-rendition groups. By contrast, the Cantonese non-rendition group's impartiality rating of the interpreter was significantly higher than the control group's. These differences in perception may be attributable in part to the presence or absence of non-renditions. However, non-renditions come in different shapes and forms, with varying effects. This study focused on two forms of non-rendition: those addressed to the witness, in Cantonese, as follow-up questions and interpreter-initiated instructions; and those which were part of a brief dialogue, in English, with other parties. Those in Cantonese were comprehensible to the witness, whereas those in English were not.

There is power asymmetry in courtrooms between institutional and lay participants, because questions are formulated and initiated by the former and the latter are allowed only to respond. Because the participants who completed the questionnaire acted as witnesses in the role-play sessions, they were the powerless parties and may, accordingly, have had a tendency to seek out an ally (Morris 1999; Mikkelson 2000). Since the Cantonese-speaking participants shared three obvious characteristics with the interpreter (race, language, and sex), it is quite likely that they expected her to be that ally. Being excluded from the exchanges between the interpreter and the English speakers, who were institutional participants, may have gone counter to their expectations. Like the use of indirect speech with explicit mention of the reported speaker's status in Cheung's (2014) earlier role-play study, the English non-rendition clusters may have seemed indicative of the interpreter's solidarity with the English speakers and detachment from the Cantonese-speaking participants, thereby aggravating the power asymmetry. Some of the subjects in the English non-rendition group may thus have felt excluded or even vulnerable, leading to an unfavorable perception of the interpreter.

It is also possible that the charge in the fictional court case (i.e., domestic violence) may have influenced the subjects' feelings, because they may have identified with the victim, further exacerbating their sense of powerlessness or injustice. In addition, English was formerly the colonial language of Hong Kong. Highly educated individuals and people involved in international commerce are among those most likely to be fluent in English: this may have led

participants in the English non-rendition group to perceive the interpreter as demonstrating a sense of her own importance by interacting on linguistically equal terms with this elite.

By contrast, the Cantonese non-renditions may have put participants at ease in a relatively stressful setting. The group exposed to these non-renditions gave the highest scores to all five survey items and did not comment explicitly on the non-renditions. It is reasonable to assume that their favorable perceptions of the interpreter's impartiality may have resulted, at least in part, from the Cantonese non-renditions addressed to them.

By engaging to a limited extent in what might be described as small talk with the Cantonese non-rendition group, the interpreter may have gained the participants' trust and liking. Thus, her behavior may have met their expectations. Hale and Luzardo (1997) found that lay users expect interpreters to provide assistance and moral support. Consistent with this observation, the Cantonese non-rendition group's assessments of the interpreter were very favorable.

Despite these findings, several limitations of the present study must be noted. First, due to its experimental nature, not all types of non-renditions could be incorporated. Second, the participants were not given an opportunity to provide narrative statements in responding to questions in the mock courtroom. Third, textual non-renditions in the Cantonese group were limited to follow-up questions. Fourth, since all participants reported that they did not understand English, the nature of the English non-renditions may not have been an issue for the group concerned. The fifth consideration is a reservation about how realistic the scenario was in one particular: non-renditions in a courtroom setting tend to be addressed more to the lay participants than to the legal professionals, whereas no non-renditions were actually addressed to the English non-rendition group in this study.

In addition, the participants self-reported their fluency level, and no formal test of English fluency was administered. It would be uncommon for a Hong Kong native to be unfamiliar with basic English pleasantries at the very least. Hence, it is possible that some of the participants understood more of the uninterpreted English dialogue than others, which could have affected the degree of variability in the experiment.

Finally, the qualitative data offer grounds for only a tentative exploration of possible trends. The participants had very little time in which to provide brief comments about the interpreter. In addition, some of the survey items, such as the statements about impartiality and professionalism, may not have been understood uniformly by all participants: the manner in which they conceptualized the interpreter's impartiality was not investigated. Similarly, in view of the large number of participants, no in-depth qualitative analysis was performed. While reasonable care was taken to control variability, more detailed work on qualitative aspects of the study would provide a suitably robust basis for further appraisal of the trends that have been only cursorily examined here.

6   Conclusions

The purpose of this study was to investigate a possible link between non-renditions in various contexts and the extent to which the court interpreter is perceived as impartial. Each research subject participated in one role-play session, after which she answered a short open-ended question and completed a five-item perception survey. The findings suggest a possible link between non-renditions and users' perceptions of the interpreter's impartiality, in that the experimental groups' perceptions differed significantly from those of the control group.

The Cantonese non-rendition group gave the highest rating on impartiality, perhaps because they saw the interpreter's instructions and follow-up questions as a helpful means of balancing the power asymmetry inherent in the courtroom setting.

By contrast, the English non-rendition group gave the interpreter's impartiality the lowest rating of the three groups and made unfavorable comments in answer to the open-ended question, perhaps because they perceived the interpreter's exchanges with the English-speaking bench as hindering the witness's access and full participation, thereby aggravating the power asymmetry in the courtroom. These participants may have felt that the interpreter was partial because of her brief dialogues with the English speakers.

Perhaps the two experimental groups' different reactions to the non-renditions were caused by differing expectations. When users have an understanding of the interpreter's role, they are more likely to have realistic expectations. It may thus be appropriate for interpreters to brief users, particularly lay users, on what to expect from them. One point that could be covered in such briefings is that, in the course of interpreting, both lay and institutional participants may be asked to clarify or repeat something and that only the clarified result will be interpreted. However, this sort of explanation of the interpreter's role is not common in Hong Kong courtrooms, and it was not included in our role-play experiment. One possible direction for future research would be to examine whether such explanations affect users' perceptions of interpreters.

Given the limitations of the study, the results discussed above are obviously not generalizable to other populations. The participants were monolingual Cantonese-speaking women in their 50s and 60s. The inclusion of participants with different demographic backgrounds may yield very different results. Similarly, the study did not investigate the perceptions of institutional users, whose expectations might differ from those of lay users.

Interpreters use non-renditions for different purposes. However, few studies have investigated whether (and how) their use influences the dynamics of the interpreted interaction and the primary parties' perceptions of the interpreter. In this respect, further research on non-renditions that are easily identified by monolingual users could shed additional light on the practical and ethical implications of the interpreter's perceived impartiality.

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Appendix A. Non-rendition cluster 1 – procedural

Control group	Cantonese non-rendition group	English non-rendition group
Judge: are you a believer	Interpreter (Cantonese non-rendition): are you are believer	Interpreter (English non-rendition): my lord, the witness is seated and ready to testify, please could you ask if the witness is a believer?
Interpreter: *Cantonese rendition*		
Witness: *Cantonese reply*	Witness: *Cantonese reply*	
Interpreter: English rendition	Interpreter (Cantonese non-rendition): Repeat after me, (if the witness was a believer) *I swear by the Almighty God that the evidence I shall give shall be the truth, the whole truth and nothing but the truth/* (if the witness was not a believer) *I do solemnly and sincerely and truly declare and affirm that the evidence I shall give shall be the truth, the whole truth and nothing but the truth.*	Judge: thank you miss interpreter, everything is ready?
Judge: Repeat after me, (if the witness was a believer) I swear by the Almighty God that the evidence I shall give shall be the truth, the whole truth and nothing but the truth/ (if the witness was not a believer) I do solemnly and sincerely and truly declare and affirm that the evidence I shall give shall be the truth, the whole truth and nothing but the truth.		Interpreter (English non-rendition): yes my lord, everything is ready
		Judge: are you a believer
		Interpreter: *Cantonese rendition*
		Witness: *Cantonese reply*
		Interpreter (English non-rendition): my lord, the witness is/ isn't a believer, please could you administer the oath/ affirmation
Interpreter: *Cantonese rendition*		Judge: I see, thank you miss interpreter, so she is/ isn't a believer you said
		Interpreter (English non-rendition): that is correct my lord
		Judge: Okay, thank you miss interpreter
		Interpreter (English non-rendition): thank you my lord

| | | Judge: repeat after me (if the witness was a believer) I swear by the Almighty God that the evidence I shall give shall be the truth, the whole truth and nothing but the truth/ (if the witness was not a believer) I do solemnly and sincerely and truly declare and affirm that the evidence I shall give shall be the truth, the whole truth and nothing but the truth. |
| | | Interpreter: *Cantonese rendition* |

Appendix B. Non-rendition cluster 2 – textual

Control group	Cantonese non-rendition group	English non-rendition group
Counsel: the defendant, Mr. Wong, your next door neighbor, is he a polite person?	Counsel: the defendant, Mr. Wong, your next door neighbor, is he a polite person?	Counsel: the defendant, Mr. Wong, your next door neighbor, is he a polite person?
Interpreter: *Cantonese rendition*	Interpreter: *Cantonese rendition*	Interpreter: *Cantonese rendition*
Witness: *Cantonese reply*	Witness: *Cantonese reply*	Witness: *Cantonese reply*
Interpreter: English rendition	Interpreter (Cantonese non-rendition): *Do you greet each other when you see each other, like say good morning or ask each other if they have eaten a meal yet, yes or no?*	Interpreter: English rendition
Counsel: Do you greet each other when you see each other, like say good morning or ask each other if they have eaten a meal yet, yes or no?		Interpreter (English non-rendition): mister barrister, when people in Hong Kong meet each other, they often ask if the other person has eaten a meal, this is a form of greeting, may I suggest that you ask the witness if she and the defendant greet each other when they see each other, thank you mister barrister.
Interpreter: *Cantonese rendition*	Witness: *Cantonese reply*	
Witness: Cantonese reply	Interpreter (Cantonese non-rendition): *I see*	
Interpreter: English rendition	Interpreter: English rendition	
		Counsel: that's an excellent point, thank you miss interpreter
		Interpreter (English non-rendition): thank you mister barrister
		Counsel: Do you greet each other when you see each other like say good morning or ask each other if they have eaten a meal yet, yes or no?
		Interpreter: *Cantonese rendition*

Appendix C. Non-rendition cluster 3 – textual

Control group	Cantonese non-rendition group	English non-rendition group
Counsel: your TV was on and it was the mid-day news, that's why you told us it was at noon when you heard the cry for help?	Counsel: your TV was on and it was the mid-day news, that's why you told us it was at noon when you heard the cry for help?	Counsel: your TV was on and it was the mid-day news, that's why you told us it was at noon when you heard the cry for help?
Interpreter: *Cantonese rendition*	Interpreter: *Cantonese rendition*	Interpreter: *Cantonese rendition*
Witness: *Cantonese reply*	Witness: *Cantonese reply*	Witness: *Cantonese reply*
Interpreter: English rendition	Interpreter (Cantonese non-	Interpreter: English rendition

Counsel: I am not suggesting that you are not telling the truth, but sometime when you are doing chores and the TV is on, you don't pay attention to the TV, some people may mistake what they hear from the TV as something coming from their neighbors, so you are sure the cry for help was from Mrs. Wong not from the TV?	rendition): *not suggesting that you are not telling the truth, but sometime when you are doing chores and the TV is on, you don't pay attention to the TV, some people may mistake what they hear from the TV as something coming from their neighbors, so you are sure the cry for help was from Mrs. Wong not from the TV?*	Interpreter (English non-rendition): mister barrister, may I say something?
		Counsel: yes miss interpreter, what is it?
		Interpreter (English non-rendition): thank you mister barrister, I am not suggesting the witness is not telling the truth but mister barrister, you know sometime when you are doing chores and the TV is on, you are not paying attention to the TV
	Witness: *Cantonese reply*	
	Interpreter (Cantonese non-rendition): *I see*	
	Interpreter: English rendition	Counsel: yes, please go on
Interpreter: *Cantonese rendition*		Interpreter: (English non-rendition): Thank you mister barrister, so some people may mistake what they hear from the TV as something coming from their neighbors
		Counsel: yes, that happens
		Interpreter (English non-rendition): mister barrister may I suggest that you ask the witness if she was certain that the cry for help she attributed to Mrs. Wong the victim was in fact coming for the victim, instead of the TV, thank you mister barrister.
		Counsel: thank you miss interpreter, that's an excellent point
		Interpreter (English non-rendition): thank you mister barrister
		Counsel: I am not suggesting that you are not telling the truth, but sometimes when you are doing chores and the TV is on, you are not paying attention to the TV, some people may mistake what they hear from the TV as something coming from their neighbors, but you are sure the cry for help was from Mrs. Wong not from the TV?
		Interpreter: *Cantonese rendition*

Appendix D. Non-rendition cluster 4 – textual

Control group	Cantonese non-rendition group	English non-rendition group
Counsel: have you seen bruises on Mrs. Wong, yes or no?	Counsel: have you seen bruises on Mrs. Wong, yes or no?	Counsel: have you seen bruises on Mrs. Wong, yes or no?
Interpreter: *Cantonese rendition*	Interpreter: *Cantonese rendition*	Interpreter: *Cantonese rendition*
Witness: *Cantonese reply*	Witness: *Cantonese reply*	Witness: *Cantonese reply*
Interpreter: English rendition	Interpreter (Cantonese non-	Interpreter: English rendition

Counsel: some women are timid, they don't want to let others know that they husband are violent, they wear long sleeves even when it's very hot or they hide at home and don't go out, but some women are not afraid of letting others know (if answer was negative) are you sure you have never seen any; (if answer was positive) bruises on Mrs. Wong's face	rendition): *some women are timid, they don't want to let others know that their husbands are violent, they wear long sleeves even when it's very hot or they hide at home and don't go out, but some women are not afraid of letting others know,* (if answer was negative) *not even once?/* (if answer was positive) *bruises on Mrs. Wong's face?*	Interpreter (English non-rendition): mister barrister, some Hong Kong women are timid, they don't want to let others know that they husband are violent, they wear long sleeves even when it's very hot or they hide at home and don't go out, but some women are not afraid of letting others know, just my observation mister barrister
	Witness: *Cantonese reply*	Counsel: is that right?
Interpreter: *Cantonese rendition*	Interpreter (Cantonese non-rendition): *I see*	Interpreter (English non-rendition): yes mister barrister
	Interpreter: English rendition	
		Counsel: so what would you suggest miss interpreter?
		Interpreter: (English non-rendition) well, mister barrister, may I suggest that you ask the witness to reconfirm her answer to the previous question, just in case she was not paying attention, thank you mister barrister; (if answer was positive) mister barrister, may I suggest that you ask the witness if she saw bruises on Mrs. Wong's face, thank you mister barrister
		Counsel: of course
		Interpreter (English non-rendition): thank you mister barrister
		Counsel: some women are timid, they don't want to let others know that they husband are violent, they wear long sleeves even when it's very hot or they hide at home and don't go out, but some women are not afraid of letting others know (if answer was negative) are you sure you have never seen any; (if answer was positive) bruises on Mrs. Wong's face
		Interpreter: *Cantonese rendition*

Appendix E. Non-rendition cluster 5 – procedural

Control group	Cantonese non-rendition group	English non-rendition group
Defense counsel: I have no further questions	Defense counsel: I have no further questions	Counsel: I have no further questions
		Interpreter (English non-rendition): thank you mister barrister
Interpreter: *Cantonese rendition*	Interpreter (Cantonese): *OK, the barrister has asked all the*	

Judge: that's it for now, thank you for coming. Usher, please escort the witness Interpreter: *Cantonese rendition* Usher (Cantonese): *please come with me*	*questions, thank you very much for coming, in a moment, the usher will escort you to a different room, now that lady is the usher, please follow her*	Counsel: thank you for your help miss interpreter
		Interpreter (English non-rendition): thank you mister barrister, my lord, please would you let the witness know that this is the end of the examination?
	Usher (Cantonese): *please come with me*	
		Judge: of course, thank you miss interpreter, that's it for now, thank you for coming.
		Interpreter (English non-rendition): thank you my lord
		Interpreter (Cantonese): *no more questions, thank you for coming*
		Interpreter (English non-rendition): my lord, please would you ask the usher to escort the witness
		Judge: yes, thanks very much for your help miss interpreter. Usher please escort the witness
		Interpreter (English non-rendition): thank you my lord
		Usher (Cantonese): *please come with me*

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