



# Manner Matters: Linguistic Equity Through a Court Interpreter in Australia

Ran Yi<sup>1</sup>

Accepted: 30 November 2023  
© The Author(s) 2024

## Abstract

Linguistic equity through an interpreter is not merely a fundamental human right but also an integral part of procedural justice. As codified in the professional code of conduct, interpreters should faithfully interpret everything that has been said in the exact same manner as the original speakers. Much has been researched about the content. Little has been known about the interpretations of the manner. Drawing on one hundred questionnaire responses, this article examines the interpreters' awareness of the manner of speech in Australian virtual courts and remote interpreting settings. The results suggest a general lack of understanding of the manner of speech, as reflected by interpreters' inadequate knowledge of definitions and specific types of manner-related features. Furthermore, the insufficient understanding of the manner of speech impacts the interpreters' perceptions of the manner of speech in the original utterances, and their views of the faithful reproduction of the se feature in courtroom discursive practices. The qualitative and quantitative analyses of written responses provided by professional interpreters provide insights into the practical aspects of reproducing the manner of speech in court.

**Keywords** Law and language · Linguistic equity · Procedural justice · Manner of speech · Court interpreting

## 1 Introduction

In the intersection of language and law and jurilinguistics, much has been written and researched about the accelerated trends of globalisation, migration, and technology advancements and their implications for linguistic equity and social inclusion for migrants and linguistic minorities in accessing court services in their host societies [36, 37]. For example, when migrants and minorities with limited proficiency in the official language of the court system are asked to give evidence in criminal trials,

---

✉ Ran Yi  
ran.yi@unsw.edu.au

<sup>1</sup> UNSW, Sydney, Australia

their evidence is most likely to be heard through a competent language interpreter. In other words, evidence provided in languages other than the official language of the court is not the original but an interpreted version of the original utterances provided by the witness through an individual court interpreter. That is to say, when making judicial decisions about the outcome of a trial, judges, lawyers, and jurors evaluate the trustworthiness of the witness and the convincingness of the testimony mainly based on the interpreter's reproduction of the content of the evidence given in a language or a dialect conveyed in a manner or a style represented by the interpreter in court. Therefore, ensuring a faithful interpretation of the content and the manner of the utterances in court is crucial for a fair outcome.

A review of existing literature reveals several gaps: (1) a perceived lack of attention to the manner, in particular, the way lawyers phrase their questions and witness respond to these questions in courtroom examinations; (2) insufficient attention to the interpretation of the manner, especially when assessing the accuracy of court interpreting; and (3) inadequate knowledge of the interpreted manner of speech in technology-supported communication during virtual courtroom proceedings.

To bridge these gaps in knowledge, this article examines the important role language interpreters play in ensuring a faithful reproduction of the manner of speech in technology-enabled virtual court proceedings. To be more specific, this article investigates three main aspects of the manner of speech: (1) interpreters' awareness of the manner of speech in lawyer questions and witness answers during courtroom examinations and (2) interpreters' prior knowledge and views about the best way to reproduce the manner of speech in virtual courtroom settings for ensuring an accurate interpretation of the manner of speech during interlingual and intercultural meaning transfers. To address these research questions, one hundred questionnaires were supplied to fifty certified professional interpreters based in Australia with varied experience in remote interpreting in virtual courtrooms. Questionnaires were used as a quantitative method to elicit interpreters' responses in the three aspects mentioned above. To process the data, statistical analyses were conducted to measure the interpreters' prior knowledge and views about their perceived best way to reproduce the manner of speech. In addition, content analysis was used to explore open-ended test responses provided by certified professional interpreters about their professional decisions and strategies when rendering the manner of speech during virtual courtroom examinations. To interpret survey data, a micro-analytical exploratory approach is adopted to categorise insights from interpreters' responses.

## 2 The Study

### 2.1 Setting the Stage: Linguistic Equity in Australian Virtual Courtrooms

The notion of 'linguistic human rights' refers to the 'fundamental rights protecting language-related acts and values' that are entrenched in the constitution of a country or an international treaty [33]. It can be dissected into a series of core rights (e.g. the right to speak one's language) and ancillary rights (e.g. the right to a translation or an interpretation from other languages and the right to learn the language).

In Australia, access and equity have been recognised as an official policy response to the needs of a culturally and linguistically diverse society since the 1980s [3]. For a country with nearly half of its population born overseas [2], Australia's multiculturalism policy is mainly achieved through the promise of linguistic equity for migrants and minorities to have equal rights to know, learn, speak, and get educated in their native language(s), particularly in the access to justice through an interpreter in court. As an integral part of linguistic human rights, linguistic equity refers to the recognition that all languages and all variations of a language are equally worthy, regardless of the population of the speakers. In this vein, ensuring linguistic equity is crucial for different language communities to have equal opportunities to express their needs, particularly when accessing court services in multicultural host societies.

In court, the right to fair representation is not merely a basic human right but also an integral part of procedural fairness. For multilingual court participants, the right to fair representation with the free assistance of an interpreter has been recognised by the legislative authorities at international [34], national and local [4, 29, 33] levels. The achievement of linguistic equity through the provision of adequate and accurate interpreting in the required language and dialect in court is essential to the general public's perceptions of the overall (1) competence, governance, integrity of public institutions, (2) social inclusion and civic engagements, and (3) the public trust, credibility, and the reputation of the public administration.

In technology-enabled virtual courtroom settings, the implications of digitalisation have become the 'new fuel' for judicial analytics and procedural fairness [15], particularly in interpreter-mediated courtroom encounters. Several recent empirical studies have pointed to the various challenges and difficulties regarding interpreters' meaning negotiation between the speaker and the hearer during interlingual and intercultural transfers. However, despite the practical challenges in achieving linguistic equity and the right to fair representation through an accurate interpretation of the manner of speech in court, progress has been made in the collaboration between the judiciary interpreting service users and the interpreting service providers to ensure linguistic equity and a fair outcome for migrants and minorities in their access to justice [18, 27, 38]. For example, the Federal Court of Australia released the General Practice Note titled "Working with Interpreters (GPN-INTERP)" on 24 March 2023 [14]. The recognition of the importance of linguistic equity through the accurate interpretation of the content and the manner by the Federal Court of Australia provides the foundations for the synergetic collaboration between legal and interpreting practitioners. It is therefore envisaged that such interdisciplinary collaborations can be furthered in the intersection of language education and social justice. For instance, practical recommendations may serve the shared purpose for migrants and minorities and the public institutions in host societies. These recommendations include (1) increasing the awareness of the manner-related features in language and interpreter education, (2) inspiring conversations about social inclusions for migrants and minorities in achieving linguistic equity and the right to fair representation, particularly in technology-mediated virtual courtroom, and (3) foster interdisciplinary knowledge exchanges about the importance of linguistic equity in education and social justice.

## 2.2 Acknowledge the Gap: Conceptualise Manner of Speech for Linguistic Equity

The issue of linguistic equity becomes more urgent in court when speakers with limited proficiency in the official language of the justice system present their evidence before the court, whose representations can only be heard through an interpreter. In court interpreting, a significant body of literature has pointed to the fact that both what is said and how it is said are equally important [7, 11, 22]. Particularly in the context of the adversarial courtroom, judicial outcomes are made primarily based on the evaluation of the evidence presented during confrontational courtroom examinations. For example, research into the powerful and powerless speech style in courtroom examinations [8, 9, 12, 30, 31] has pinpointed the impact of the manner in which the speaker expresses the content of his or her message upon the perceptions of the socio-economic status, educational background and intelligence level, personality and other psychological traits in court. It is thus argued that the powerless speech, which is marked with the use of linguistic devices and other features, has further implications for the judgement on the credibility of the witnesses and the trustworthiness of their testimony, particularly when the presentation of the testimony is channelled through an interpreter in court [6, 10, 24–26, 28]. For example, the mock jurors' perceptions of the trustworthiness of the witness testimony presented before the court through Spanish interpreters [19]. Interpreters' deviations from the original speech style were found in the form of additions and omissions of discourse markers, fillers, and hedges that influenced how mock jurors evaluated the truthfulness of the witness account in court.

The manner of speech, as conceptualised in the present study, refers to the way in which the speaker expresses the content of his or her message for a specific purpose in a certain context. Our working definition of the term 'manner of speech' involves the use of linguistic devices such as discourse markers (e.g. "I put it to you", "well", "you know", and "now"), speech style features (e.g. fillers, hedges, hesitations, false starts, repetitions, and self-repairs), and other features (e.g. register, intonation, tone of voice, politeness, and the use of vulgar language). In this study, we examine the interpreters' identification of discursive features and their perception towards them. It is important to note that the manner of speech speaks volumes about the speaker, both as an individual and as a member of a community to which s/he belongs. On an individual level, the manner reflects the speakers' choice and unconscious habits [32], and thus a marker of personality [23] and identity [5]. On a community level, the manner reveals the speaker's socio-cultural identities [13], which features become prominent in interlingual and intercultural transfer.

Considering the importance of the manner-related features in court, there has been a growing number of professional associations, advocacy agencies, advisory and consultancy bodies, and other stakeholders calling for the awareness of professional ethics when translating the manner of speech in court. For instance, in the context of multilingual Australia, the Australian Institute for Translators and Interpreters (AUSIT) has codified the requirements for accuracy in the 2012 version of the Code of Conduct. According to the Code of Conduct, interpreters should faithfully interpret everything that has been said in court in an exact manner as the original speaker to the best of their knowledge.<sup>1</sup> Another example is the Recommended

National Standards for Working with Interpreters in Courts and Tribunals released by the Judicial Council on Cultural Diversity and Inclusion.<sup>2</sup> The document has specified the preservation of the register, style, intonation and tone of the original speaker. However, existing literature mainly focused on the interpretations of the stylistic aspect of discursive practices in face-to-face settings. Little has been known about the interpreters' awareness of the meaning and importance of the manner of speech in remote settings.

### 2.3 Bridging the Gap: Research Aim, Questions, and Methods

The aim of the present article is to examine the less-investigated aspect of the interpretation of the manner of speech in court-related remote settings. To achieve this objective, the author intended to address two specific research questions in the present study. Table 1 shows an overview of the research questions, data collection and analysis methods.

To address RQ1, the author developed a pre-questionnaire that consists of question items that test interpreters' prior knowledge of the manner of speech in court. The main questions, including two free-text comments and eight multiple-choice questions, were presented in the form of a knowledge quiz. Interpreters were asked to indicate the number and the type of features (e.g. discourse markers, speech style, and other features) in the sample sentences that are commonly used by lawyers in courtroom examinations.

To address RQ2, the author developed a post-questionnaire that comprises question items that elicit interpreters' views and perceptions of the manner of speech in original courtroom utterances and of the reproduction of the manner of speech in the target language. Six questions were phrased in a way that allowed open narrations and statements from the respondents. Following the data collection, the author conducted the data analyses using both quantitative and qualitative methods. Descriptive statistics were conducted with the assistance of SPSS 27 software. The content analysis method was used to explore the free-text comment data provided by the respondents. In total, the author analysed 550 text entries regarding the interpreters' awareness of the meaning and the importance of the manner of speech in court-related remote settings provided by fifty research participants. The following section focuses on the research participants.

**Table 1** Research questions, data collection and analysis methods

Research questions (RQ)	Instruments	Data sets	Analysis Methods
1. How aware are interpreters of the meaning of the manner of speech?	Pre-Experiment Questionnaire (Part II, Q1–Q4)	2 × free-text comments 8 × multiple choice	1. Quantitative: Descriptive statistics 2. Qualitative: Content analysis
2. How aware are interpreters of the importance of the manner of speech?	Post-Experiment Questionnaire (Part I, Q1–Q3; Part II, Q1–Q3)	9 × free-text comments 1 × multiple choice 3 × Likert scales	

With regard to the study participants, a call for research participants is made through prominent professional associations in Australia. Table 2 shows the eligibility criteria for the screening process.

In the screening process, the author excluded participants who did not meet the requirements. Exclusion criteria for those who are not eligible to participate in the study includes:

- Under the age of 18 years
- Non-Australia-based
- No NAATI credentials in interpreting
- No work experience in Australian courts
- Without access to Zoom meetings and equipment
- Interpreters who are physically unfit for the purpose of this study
- Interpreters who are unable to access online questionnaires through Qualtrics

A total of fifty certified interpreters ( $N=50$ ) met the screening criteria and were thus invited to participate in the mixed-method experimental research study. The pre-questionnaire canvassed the interpreters' socio-professional profiles and their prior knowledge of the manner of speech in court-related remote settings, whereas the post-experiment elicited the interpreters' views and perceptions of the manner of speech in original courtroom utterances and of their reproduction of the manner of speech in court-related remote settings. Prior written consent from all research participants were obtained. Data collected from the research participants were fully de-identified. The demographic information of the research participants can be found in "Appendix".

### 3 Results

#### 3.1 Interpreters' Prior Knowledge of the Manner of Speech

To check interpreters' prior knowledge of the manner of speech, participants were asked to underline discourse markers in sample courtroom questions. These

**Table 2** Criteria for screening research participants

1. Age	18 years of age or older;
2. Location	Australia-based;
3. Certification	NAATI-credentialled practitioners certified at Certified Interpreter level; or Certified Provisional Interpreters with considerable relevant experience in court-related settings;
Language pair	Certified in Mandarin Chinese and English language combination;
Work experience	Experience of working as an interpreter in Australian courts;
Technical requirements	appropriate equipment (computer, headphones, microphone, internet and Zoom application, etc.)

sample courtroom questions are (1) “Well, do you think you might be able to answer the question I just asked you?”, (2) “Now, let me take you back to the date of the incident”, (3) “So first, can you please tell the court what you did that morning?”, and (4) “See, what I’m putting to you is that you didn’t, as you say, disclose this information”.

The correct answers to this question were (1) “well”, (2) “now”, (3) “so”, “(can you) please”, and (4) “see”, “as you say” in the the sample sentences above. These six DMs were typical examples of verbal rapport markers (e.g. acknowledgement and politeness markers). Out of 50 participants, responses were organised into two groups and labelled as “Category 1 answers” ( $n=24$ ) and “Category 2 answers” ( $n=26$ ). Category 1 answers are missing, either the participants skipped the question or indicated “I don’t know”. Category 2 answers are written responses provided by participants. To process Category 2 answers, each correct answer was coded as one, with values ranging between 0 (no correct answers) and 6 (all correct answers). For those who responded, the Mean is 3.58, the Standard Deviation (SD) is 1.15. Among Category 2 answers, only two participants (4%) did not identify the DMs expected in the present study, 24 participants (92.3%) indicated “well”, 24 participants (92.3%) indicated “now”, 17 participants (65.4%) indicated “so”, 19 participants (73.1%) indicated “see”, 8 indicated (30.8%) “(Could you) please”, and 1 indicated (3.8%) “As you say”.

## 3.2 Views and Perceptions of the Manner of Speech

### 3.2.1 Views and Perceptions of the Functions of the Manner of Speech

To check the interpreters’ views about the functions of the manner of speech, participants were asked to indicate whether they think these DMs in the sample sentences above serve any function, and were further asked to write down a few words or sentences regarding the functions they think the se DMs serve. The question is “2. Do you think the above DMs serve any function in courtroom questions?”. Two options were “No function at all, they’re just fillers” and “Yes, please tell us more in the box below”.

All fifty interpreters selected “Yes” and further explained the types of pragmatic functions they think these DMs in Q1 served in the text entry box. Interpreters were invited to provide answers in either Mandarin or English, whichever they felt comfortable with. Based on an initial exploration of participants’ responses, I organised their responses into six pragmatic functions, as shown in Table 3.

Interpreters’ written responses indicated that DMs served as (1) gap-filling or place-holding (28%,  $n=14$ ), (2) initiating, prefacing, and transitioning (24%,  $n=12$ ), (3) emphasis (20%,  $n=10$ ), (4) contextual or interactional cues (16%,  $n=8$ ), (5) strategising, and (6) attention-grabbing (8%,  $n=4$ ).

For the 14 participants who regarded DMs as (1) gap-filling or place-holding, two overarching themes were (1) gap fillers (71.4%,  $n=10$ ) and (2) place-holders (28.6%,  $n=4$ ), as shown in Table 4.

**Table 3** Pragmatic Functions Indicated by Participants

#	Responses	No. of participants	Per cent (out of 50 participants) (%)
1	Gap-filling or place-holding	14	28
2	Initiating, prefacing, or transitioning	12	24
3	Emphasis	10	20
4	Contextual or interactional cues	8	16
5	Strategising	4	8
6	Attention-grabbing	2	4
	Total	50	100

For the 12 participants who regarded DMs as (2) Initiating, Prefacing, and Transitioning, three overarching themes were (1) initiating (50%,  $n=6$ ), (2) pre-facing (33.3%,  $n=4$ ), and (3) transitioning (16.7%,  $n=2$ ), as shown in Table 5.

For the 10 participants who regarded DMs as (3) emphasis, three overarching themes were (1) highlighting a point (50%,  $n=5$ ), (2) emphasising the meaning (30%,  $n=3$ ), and (3) emphasising the subject (20%,  $n=2$ ), as shown in Table 6.

In terms of the emphasis function, the respondents mainly provided their responses in English, indicating a “point”, a “subject matter”, a “subject (person)”, and the “meaning” of a certain subject matter intended by a specific person being emphasised in court. Again, it is very interesting to note that the majority of responses provided by the respondents focused on the occurrences of markers and other features in the English language, that is, primarily in courtroom questions in examination-in-chief and cross-examination. There are seldom answers that deal with the same linguistic phenomena in the Mandarin Chinese utterances that took place in courtroom examination answers. One possible explanation for the disproportionate weight given to the markers and other features in the English language could be that the certified interpreters are based in Australia and have reported considerable experience in Australian courts. The official language of the justice system in Australia is English. Plus, residing in the country for a relatively long period of time in the interpreters’ life might contribute to more attention to the English language than Mandarin Chinese. Table 7 shows the sample answers related to the “Interactional cues” function.

**Table 4** Sample answers indicating the “gap-filling or place-holding” function

Categories	Sample answers (including original grammatical errors)	No. of responses	Percentage (%)
Gap-filling or place-holding	i. “我觉得,可能没什么用吧。大概就是像填充词那种感觉。”[English translation: “I think, perhaps no use. Probably just like fillers, something like that.”]	14	28
	ii. “They are basically gap fillers or starters of a sentence or question.”		



From the table above, the author further identified five sub-categories of markers and other features that served as interactional cues. These sub-categories include (1) to mark the speaker's attitude, (2) to mark the speaker's mood or feelings, (3) to mark the speaker's psychological status, (4) to mark the progression of the conversation, and (5) to mark the tone of the speaker. We also found sub-functions (3), (4), and (5) were evenly distributed among the respondents (25%,  $N=2$ ), which doubled that of attitude, mood or feelings markers (12.5%,  $N=1$ ). We then explored the specific comments provided by the respondents in relation to the se sub-categories. In regards to the "attitude marker" function, one sample answer from the respondent is shown below:

“我觉得，一些语气词或是其他虚词应该是有一定的交际功能，比如说，反映说话人此时此刻的心情、观点和态度等。”

[English translation: "I think, some exclamation or non-content words should serve a certain interactional function. For instance, (it) can reflect the speaker's mood, opinion, attitude, etc., here and now."]

In regards to the "mode or feelings marker" function, one sample answer from the respondent is shown below:

“上面这些词能给我提供一些信息，比如说，当事人的感受。”

[English translation: The above words can give me some information, for example, how the party in court feels. ”]

In regards to the "mode or feelings marker" function, one sample answer from the respondent is shown below:

“可能因人而异吧。每个人对于词语和语气的解读是不同的。但多少能听出律师或是被告的一些心理状态，‘他说没说谎’之类的。”

[English translation: "It depends. Perhaps it means different things to different people, how different people interpret (the meaning of) words and tone. But somewhat (it helps me) understand the psychological status of the lawyer or the defendant, like 'is he telling the truth', sort of."]

In regards to the "progression marker" or "tone marker" function, two sample answers from the respondents are shown below:

"It tells me where the conversation is."

"In addition, it sometimes conveys subtle meanings and reveals the attitude or underlying tone of the speaker."

Table 8 shows the sample answers related to the "Strategising" function. In regards to the use of markers and other features as strategic devices, the author further identified two sub-categories of functions. These functions are (1) to mark the lawyer's questioning technique and (2) to leave space for maneuvering. Responses were evenly distributed to both groups (50%,  $N=2$ ).

In regards to the "questioning technique marker" function, two sample answers from the respondents are shown below:

**Table 5** Sample answers indicating the “Initiating, prefacing, or transitioning” function

Categories	Sample answers (including original grammatical errors)	No. of responses	Percentage (%)
Initiating, prefacing, or transitioning	i. “开始说话前的铺垫或者过渡吧。” [English translation: “before start talking, prefacing or transitioning, perhaps.”] ii. “to initiate the start of a conversation.” iii. “They mark the start of a proposition or a question.”	12	24

“我认为，律师很聪明的，肯定是话中有话，法庭上绝不可能随便用词乱问问题。”

[English translation: “I think, lawyers are extremely intelligent, they must be very meticulous with their word choice in their language use and questioning techniques. They (lawyers) will not randomly throw out questions that serve no purpose at all in court.”]

“Questions are structured more logically.”

In regards to the “space for maneuvering” function, two sample answers from the respondents are shown below:

“上面有些词是在句首，一开始就说，我觉得她可能是有自己的想法，比如缓和一下、整理思路之类的，好方便下面再盘问。”

[English translation: “These words listed above, some are at the beginning of the sentence. First off, speak it out, I think, she (the prosecutor) may have her own thoughts, like, take her time, organise her thoughts so that (she can) better phrase her upcoming questions in the cross-examination.”]

“Sometimes markers can buy the barrister/witness some time in court.”

Table 9 shows the sample answers related to the “attention-grabbing” function. As indicated by the respondents, markers in English courtroom examination questions may serve as an alerting device and potentially induce a favourable response from the defendant in court.

In summary, the results have unveiled diverse views and perceptions held by the respondents regarding the use of discourse markers and other features in courtroom examinations. However, it is interesting to note that most of the responses centred around the discussions of English questions in courtroom examination-in-chief and cross-examination. Such a “language bias” might be justified by the residency, base location, and the overall environment in which they practised. The next section will further explore the interpreters’ views of the renditions of the manner of speech.

### 3.2.2 Views of the Renditions of the Manner of Speech

To investigate the views related to the reproduction of the manner of speech held by the respondents, the author asked questions to illuminate the respondents’ attitudes towards the reproduction of the manner of speech in court discourses. Table 10

**Table 6** Sample answers indicating the “Emphasis” function

Categories	Sample answers (including original grammatical errors)	No. of responses	Percentage (%)
Emphasis	i. “Stress the point” ii. “It emphasises the subject to whom speech is directed” iii. “To emphasis the meaning”	10	20

**Table 7** Sample answers indicating the “Interactional cues” function

Categories	Sample answers (including original grammatical errors)	No. of responses	Percentage (%)
Interactional cues	To mark the speaker’s attitude	1	12.5
	To mark the speaker’s mood or feelings	1	12.5
	To mark the speaker’s psychological status	2	25
	To mark the progression of the conversation	2	25
	To mark the tone of the speaker	2	25
	Total	8	100

summarises the views held by the respondents on the rendition of the manner of speech.

From the table above, the respondents mainly identified two disparaging views on whether or not to reproduce the manner of speech in court-related remote settings. It is reassuring to see that only a small portion of respondents (18%,  $N=9$ ) expressed a clear-cut non-rendition towards markers, speech style features, and other features. By comparison, a majority of respondents (82%,  $N=41$ ) indicated that they ought to reproduce these features in the target language for various considerations. These considerations mainly fell into three categories: (1) accuracy (30%,  $N=15$ ), (2) relevance (28%,  $N=14$ ), and (3) professional code of conduct and code of ethics (24%,  $N=12$ ). Next, the author took a further look at the specific motivations for renditions or non-rendition under each category. Table 11 shows the motivations of those who considered reproducing the manner of speech in court-related remote settings.

From the table above, the author further identified several motivations for each main consideration as to whether or not to render the manner of speech. For those who maintained that the manner of speech should be preserved in order to achieve accuracy, they expressed three evenly distributed categories of motivations: (1) to maintain completeness (10%,  $N=5$ ), (2) to achieve accuracy in both content and style (10%,  $N=5$ ), and (3) to present a verbatim rendition (10%,  $N=5$ ).

In regard to maintain completeness, two sample answers from the respondents are shown below:

“法庭口译员在翻译过程中必须完整传译每一句呈堂供词。不能有所删减概括。”

[English translation: “Court interpreters should completely interpret everything that’s said during the court proceedings. Not filtering or summarising.”]

“Fillers and hesitations are part of what’s been said originally. I won’t alter those information just to make interpretation sound smoothly.”

In regard to achieve accuracy in both content and style, two sample answers from the respondents are shown below:

“口译员需要传译所有话语, 包括源语的内容和风格。”

[English translation: “Interpreters need to interpret everything, including the content and the style of the source speech.”]

“BE TRUE TO THE MANNER AND CONTENT OF SPEECH OF ORIGINAL LANGUAGE.”

(The original response was given in all capital letters.)

In regard to present a verbatim rendition, one sample answer from the respondents is shown below:

“风格这个很难翻的。每个人理解还都不同。有时候, 我觉得还是照葫芦画瓢, 人家原来怎么说我们就怎么翻, 省着自己判断错了, 语气哪里不对了。逐字逐句我看也没问题。”

[English translation: “Style and the like are really difficult to translate. Every one has the ir own understanding, not necessarily the same. Sometimes, I still think it is better to mimic the original speaker. How did the original speaker say it? Then the author did the same in the exact same way. What if I made an incorrect judgment (regarding what has been said) in the wrong way (intonation or tone)? Save me the trouble. Word-for-word, I had no problem with it.”]

In regard to those who deemed the reproduction of the manner of speech as relevant, the y underscored the importance of retaining the manner, since the interpretations of the se features may impact the court’s decision on the case. Two sample answers from the respondents are shown below:

“如果是刑事案件庭审的话, 尤其是那种有陪审团的, 我觉得这个有必要把证人的说话风格给翻出来。说不好, 这会影响这些陪审员对证人的影响、整体感观这类的。这都很不好说的。责任重大啊!”

[English translation: “If it’s a criminal case trial, especially jury cases, I think it is very important to translate the witness’s manner of speech. It is

**Table 8** Sample answers indicating the “Strategising” function

Categories	Sample answers (including original grammatical errors)	No. of responses	Percentage (%)
Strategising	To mark the lawyer’s questioning technique	2	50
	To leave space for maneuvering	2	50
	Total	4	100

**Table 9** Sample answers indicating the “Emphasis” function

Categories	Sample answers (including original grammatical errors)	No. of responses	Percentage (%)
Attention-grabbing	i. “Place it catches peoples attention.” ii. “Grab the attention, induce a preferred answer.”	2	4

very tricky, it (the manner of speech) may affect his or her (the witness) impression on the jurors, general perception, and the like. You can never underestimate the heavy responsibility the author shoulder!”] “hesitation influences jury judgement.”

In regard to those who deemed the reproduction of the manner of speech as an integral part of professional ethics, they referenced relevant articles in the AUSIT Code of Conduct. Two sample answers from the respondents are shown below:

“这样理解吧，尽量忠实准确传译是我们口译员的职业操守，我们也不应该擅自概括非英语母语讲者或法律专业人士的话。”

[English translation: “Well, to interpret as accurate as the author can is part of (what is written) in the Australian interpreter’s Code of Ethics, the author are not supposed to summarise what the LOTE or the legal professionals had said.”]

“Under the Code of Conduct, Interpreters are supposed to accurately convey what’s been said without addition or subtraction.”

In regard to those who considered not to render the manner of speech, one sample answer from the respondents is shown below:

“有些 (风格) 还是翻吧。但感觉词语的重复不一定要翻吧。我不翻嗯嗯啊啊这类的填充词, 感觉没意义。”

[English translation: “Some (features), well, yes (the author should translate). However, personally I think the repetitions of words do not necessarily need to be translated. I don’t translate gap fillers, like uh, errh, because the y don’t contain any meaning.”]

**Table 10** Views on the rendition of the manner of speech

#	Categories of considerations	No. of responses	Percentage (%)
1	Rendition		
	Accuracy	15	30
	Relevance	14	28
2	Professional ethics	12	24
	Non-rendition	9	18
	Total	50	100

**Table 11** Motivations for the (non)rendition of the manner of speech

#	Motivations	No. of responses	Percentage (%)
1	Accuracy		
	Completeness	5	10
	Both content and style	5	10
	Verbatim rendition	5	10
	Relevance		
	Implications for court decisions	14	28
	Professional ethics		
2	Code of conduct	12	24
	Non-rendition	9	18
	Total	50	100

In the post-questionnaire, the author also invited the respondents to choose the most appropriate rendition of the manner of speech in three courtroom sample sentences. The sentences contained fillers and hedges, repetitions, false starts, and self-repair features. In the first sentence, 4 out of 50 respondents chose to disregard fillers and hedges in interpreted utterances. In the second sentence, 2 out of 50 responses ignored repetitions in the reproduction of the manner of speech. In the third sentence, 3 out of 50 opted for the omission of false starts and self-repair features in the rendition of original court utterances.

## 4 Discussion

### 4.1 Interpreters' Prior Knowledge About the Manner of Speech

Previous court interpreting studies reveal that interpreters are expected to preserve both the content and the manner of the original utterances in court questions and answers [17, 19, 28]. It has been empirically demonstrated that due to the lack of understanding of DMs and speech style features, interpreters tend to add, omit, or disregard the se features in their renditions [19]. For example, powerless speech features were seldom rendered by interpreters, in particular repetitions and hedges were omitted by interpreters. Interpreters might add the ir own speech style features, including fillers and hesitations or regard these features as superfluous to the content of the message. In the pre-experiment questionnaire, participants were specifically asked to underline the DMs and manner-related features and indicate the ir perceived functions of the se features through open-ended questions.

An exploratory approach was adopted to analyse the patterns that emerged from participants' written responses. The first pattern that emerged from the interpreters' prior knowledge about the Manner of Speech is that over half of the participants were able to underline at least two of the six DMs in the the sample court questions.

Most of these participants were able to underline "well" and "now" (92.3%), followed by "so" (73.1%). These participants were also aware of the pragmatic functions of the DMs they underlined. Most participants considered the se DMs as a prefacing device for starting a question, or emphasising the point of the message in a court question. A small number of participants were able to identify DMs as contextual or interactional cues (16%), strategising devices (8%), and attention-grabbing (4%) used by lawyers in the courtroom. However, it is noteworthy that participants in the present study did not link the se functions to any specific DMs. Therefore, their answers related to the functions of DMs were considered general functions that they thought DMs might serve in courtroom utterances.

In terms of the function of DMs as a prefacing device, participants' written responses are partly consistent with previous studies [19]. For example, "well" appeared often when the answer options might depart from the question in order to defer an answer or repair previous answers. "well" was used in questions to preface disagreements, equivalent to 'yes but' in the examination-in-chief. Also, in the cross-examination, 'well' could be used as a disagreement preface by both counsel and witness. In this study's participants' answers, they considered DMs as a prefacing device that mostly occurred at the sentence-initial position, either before a question or a statement in response to the lawyers' questions. The use of DMs, such as 'well', functions as a green light for making inferences about the optimal relevance of the speaker's meaning in interpreter-mediated courtroom examinations 'well'. In a Nigerian courtroom, DMs such as 'so', 'now', and 'okay' were found to serve as a device to reject the witness/defendant's previous answers and preface disagreement in courtroom examination questions. However, participants in the present study only reported DMs functioning as a prefacing device for starting a question. Participants did not specify that the DMs were used to preface disagreements in a court question.

In terms of the use of DMs as a transitioning, progression, or emphasising device. The marker 'now' can be used to emphasise progression in conversation, mark the transition, and guide the flow of information. Although participants in the present study did not specify any DM in their responses, they did mention the use of DMs as a transitioning tool in conversation and as an emphasising device to highlight a point or grab the hearers' attention.

In terms of the use of DMs as contextual or interactional cues, for definitional clarity, the term 'contextual or interactional cues' is often used in communication studies. The term is defined as verbal and non-verbal signals expressed through voice, face, body, or motion, guiding conversations and other social interactions by influencing one's impressions of and responses to others. In court interpreting studies, examples of the use of DMs as contextual or interactional cues [21, 22]. These DM examples include politeness markers (e.g. 'please') and interactional management markers (e.g. 'as you say'). In the present study, participants' written responses indicated that DMs may function as a clue to mark the speaker's attitude, mood or feelings, and psychological status. Previous study has noted that politeness markers could serve as a cue for participant status during courtroom interaction [1]. By analysing the use of forms of address by court interpreters in New York City, he showed that politeness features, such as formal address forms, are primarily relevant for the hearer, as they portray how the hearer is addressed or being treated in

institutionalised settings. However, he also emphasised a lack of understanding of the importance of the appropriate form of address in interpreter training and pedagogical practice, possibly due to the fact that politeness features could be difficult for interpreters to reproduce in interlingual and intercultural settings. As explained, the notion of politeness is language- and culture-specific. The expression of politeness may be constrained by the grammatical rules and the form of address in a specific language. In the present study, participants' written responses revealed that they were aware of the DMs' function as contextual or interactional cues for politeness and perceptions of the defendant by the lawyer in courtroom interactions.

In the present study, participants also mentioned that DMs could give them some information about whether the defendant was lying in court or whether the lawyer believed what the defendant said. Such responses were consistent with the findings from several social psychological studies [31]. As noted in the previous study, the powerless speech style is characterised by the frequent use of hedges and hesitation forms, whereas the powerful speech style is characterised by the absence of these features. In monolingual courtroom examinations, the testimony delivered in a powerful speech style was perceived as having a greater degree of credibility than that delivered in a powerless speech style. Similarly, existing studies also stated that the power of speech style may influence judgments of competence in court [8]. Bradac et al.'s analysis of the consumption of alcohol case found that the defendant was more likely to be judged under the influence of alcohol when he used the high power style. Furthermore, the defendant was rated higher for pre-dispositional violence when he used a powerful speech style. Powerful and powerless speech styles in courtroom examinations. By analysing narratives, fragmented testimony, hyper-correction, and formal speech styles in the witness testimony, witnesses who used the powerless speech style features are rated less favourably than those who used a more assertive speech style. However, it is also important to distinguish the functions of DMs and manner-related features in the questions from those in the answers. In the answers, these politeness and verbal rapport markers are seen as powerless features [32], whereas in the questions, they might be used as strategic devices [19]. In interpreter-mediated courtroom examinations, Lee [21] mentions that the use of linguistic markers, such as hesitations, polite forms, and other features that mark vagueness and uncertainty, might have implications for the legal professionals' perceptions of the credibility of the testimony in the courtroom examinations. In the present study, several participants' written responses revealed that DMs and manner-related features might indicate whether the defendant was telling the truth during courtroom examinations.

## 4.2 Views and Perceptions About the Manner of Speech

### 4.2.1 Perceptions of the IR Interpretations of the Manner of Speech

Previous studies on interpreters' perceptions about their interpretations of DMs and manner-related features suggest that interpreters may not remember these features, because interpreters deemed these features as superfluous [19]. To elicit



interpreters' perceptions about their interpretations of the Manner of Speech in the present study, they were asked to provide written responses to open-ended questions about whether or not they remembered any DMs and manner-related features and how accurately they thought they reproduced these features.

The first pattern that emerged from the results is that most interpreters believed they were able to recognise DMs and manner-related features while interpreting. They believed they were most likely to do so in consecutive mode and least likely to do so in simultaneous mode. One-fifth of the participants explained that they could not recall any DMs and manner-related features by providing two main reasons: (1) they deemed the manner as irrelevant or not important, and (2) they struggled to find the equivalence in the target language. These explanations provided by participants in the present study in their written responses were consistent with Hale [19] whose study suggested two reasons for interpreters' omissions of DMs: (1) a complete disregard of DMs, considering DMs as superfluous to the message and (2) translation difficulty due to lack of direct semantic equivalents with matching illocutionary force. A study conducted by Lee [21] found that interpreters rarely reproduced repetitions, hesitations, and other features of speech style during courtroom examinations. It was, however possible for most interpreters to faithfully recreate the same features in translated texts. This phenomenon could be attributed to a lack of pragmatic competence and practical difficulties in reproducing these features due to different grammatical and syntactic rules between Asian and European languages.

The second pattern that emerged from the interpreters' responses is that participants in the present study were more likely to remember DMs "well" and "so", and fillers (e.g. eh, ahh) than other types of DMs and manner-related features. For DMs and fillers, participants in the present study expressed that they could remember the same DMs and features once or twice while interpreting. For the use of vulgar language, only one participant revealed that she found it uncomfortable to reproduce the strong, emotionally charged language in the target language.

The third pattern that emerged from the interpreters' responses is that many of the participants could not remember the exact number of the same DMs. Moreover, participants were not certain whether they had accurately reproduced the manner in the target language. The common explanations provided by participants in the present study in their written responses included: (1) not sure if their understanding of the intent for using the discourse marker was accurate; (2) not certain what the original speaker (lawyer) expected when using the discourse marker to prefacing her question; (3) not clear whether there is a fixed (or equivalent) expression in the target language; and (4) not sure whether the force and effect of the interpretation should be retained in the same grammatical form. Participants in the present study were consistent with Lee [21], who suggested that the interpreters' uncertainty about whether they accurately reproduce speech style features may indicate a gap between knowledge and practice. Such a gap may be partly due to the semantic and pragmatic difficulties inherent in rendering the speech style features rather than simply interpreters' lack of attention to such stylistic features, particularly the cross-linguistic differences between an Asian language and a European language.

## 4.2.2 Opinions About the Best Way to Interpret the Manner of Speech

Previous studies on interpreters' opinions about their interpretations of DMs and manner-related features revealed conflicting views on the best way to reproduce the se features [20]. On the one hand, interpreters appeared to be aware of the pragmatic accuracy in court interpreting achieved through faithful reproduction of the register, the tone of voice, ambiguities, and other manner-related features. On the other hand, despite interpreters' best efforts to do so, they found it difficult to provide a pragmatically equivalent rendition of the original utterances due to practical challenges brought by linguistic differences between English and non-European languages. Responses to three Likert-scale statements revealed three overall opinions about the best way to interpret the Manner of Speech.

These findings were partly consistent with Hale [19]. In her survey, 72.7% of participants expressed the view that interpreters should be faithful to the message intention, keeping the same force, semantic and pragmatic meaning, register and imperfections. Moreover, the findings are consistent with Lee's [21] survey. In her survey, her participants indicated that the translatability issue of speech style features may contribute to the difficulties in reproducing the same features. Therefore, in such cases, her participants reported resorting to mechanic word-for-word renditions.

Another possible explanation for participants' overall understanding of the need for a pragmalinguistically accurate rendition of the Manner of Speech is that the interpreter education programmes may have/are likely to have contributed to the increasing awareness of rendering Manner of Speech features in pragmatically equivalent forms since most of the participants in the present study have completed the postgraduate degree level of study in translation and interpreting. Hale and colleagues [20] highlighted that the higher the level of training, the better the interpreter's performance.

## 5 Implications

The findings of this article provide insights into future professional and pedagogical practice. First, interpreters are not sufficiently aware of the meaning of the Manner of Speech in court interpreting, particularly in remote settings. Even though a considerable amount of literature has been published on the need to maintain the tone, register and illocutive force of the original rendition, the present study shows that the se studies have not been adequately applied to the training practice. Translators should not only maintain equivalence in the propositional content, but also the illocutionary function. Attention has also been given to conveying the syntactic, semantic, and pragmatic features of the original term. For example, based on the findings, interpreters report a lack of manner-related strategies in the note-taking practice and ensure that manner-related features are faithfully reproduced in the exact force with the same pragmatic effect.

Second, targeted pedagogical materials and specialised training modules are likely to be lacking in formal interpreter education. When learning a second language, polite and formal registers are favoured and impoliteness or obscene speech style is rarely included in the curriculum. In most cases, however, these modules and courses did not provide pedagogical content or targeted exercises about interpreting the Manner of Speech in court interpreting. In order for university interpreter education programs to be effective, it is important to extend beyond generalist content and provide targeted pedagogical sessions that focus on the Manner of Speech in court interpreting, particularly in different modes and conditions of remote settings.

## 6 Conclusion

This article examines the language interpreters' awareness of the importance of achieving linguistic equity through the accurate interpretation of the manner of speech in virtual courtroom examinations. Based on fifty professional interpreters' responses to one hundred questionnaires, the main findings are (1) nearly half of the participants revealed a vague understanding of the meaning of the DMs and manner-related features, whereas the remaining participants unveiled a fair understanding of the meaning and the pragmatic functions of DMs and manner-related features; (2) participants could recall some DMs and manner-related features while doing interpreting; and (3) participants indicated the importance of rendering the Manner of Speech in pragmatically equivalent forms. However, this study is only limited to one language combination in non-face-to-face criminal court proceedings. Further studies are needed in civil and administrative court proceedings in other language pairs<sup>12 3</sup>.

## Appendix

See Table 12.

---

<sup>1</sup> See AUSIT Code of Conduct. [https://ausit.org/wp-content/uploads/2020/02/Code\\_Of\\_Ethics\\_Full.pdf](https://ausit.org/wp-content/uploads/2020/02/Code_Of_Ethics_Full.pdf). Accessed 9 March 2023.

<sup>2</sup> See page 60. Judicial Council for Cultural Diversity and Inclusion (2022). Recommended National Standards for Working with Interpreters in Courts and Tribunals. 2nd Edition. <https://jcdi.org.au/wp-content/uploads/2022/05/JCDD-Recommended-National-Standards-for-Working-with-Interpreters-in-Courts-and-Tribunals-second-edition.pdf>. Accessed 9 March 2023.

<sup>3</sup> Here the author would like to acknowledge the use of materials from the 'Mode, accuracy and credibility in court interpreting' (2017-2022), by Chief Investigator Professor Sandra Hale (Lead, UNSW) and Professor Jane Goodman-Delahunty (CSU) Discovery Project DP170100634. The project received Ethics Approval from UNSW (HC17546).

**Table 12** Participants' demographic information

#	Gender	Age	Base location	Cert. Lvl	Education		Base location	Age	Gender	#	Work experience		Cert. Lvl	Education		Base location	Age	Gender	#	Work experience	
					Formal	Specialised					Court	Remote		Formal	Specialised					Court	Remote
01	F	35-44	QLD	CI	UG	N	VIC	35-44	F	26	Y	Y	CI	PG	Y	VIC	35-44	F	26	Y	Y
02	F	26-34	NSW	CI	PG	Y	VIC	26-34	F	27	Y	Y	CI	UG	Y	VIC	26-34	F	27	Y	Y
03	M	35-44	VIC	CI	UG	N	NSW	26-34	F	28	Y	Y	CI	PG	Y	NSW	26-34	F	28	Y	Y
04	F	26-34	QLD	CI	PG	Y	NSW	26-34	F	29	Y	N	CI	PG	Y	NSW	26-34	F	29	Y	Y
05	F	35-44	NSW	CI	PG	N	WA	35-44	F	30	Y	Y	CI	PG	N	WA	35-44	F	30	Y	Y
06	F	26-34	NSW	CI	PG	Y	VIC	35-44	M	31	Y	Y	CI	PG	N	VIC	35-44	M	31	Y	Y
07	M	35-44	VIC	CI	UG	N	NSW	35-44	F	32	Y	Y	CI	PG	Y	NSW	35-44	F	32	Y	Y
08	F	45-54	QLD	CI	PG	N	WA	45-54	F	33	Y	Y	CI	PG	N	WA	45-54	F	33	Y	Y
09	F	45-54	QLD	CI	PG	N	WA	26-34	F	34	Y	Y	CI	PG	Y	WA	26-34	F	34	Y	Y
10	F	45-54	NSW	CI	PG	N	NSW	26-34	F	35	Y	Y	CI	PG	Y	NSW	26-34	F	35	Y	Y
11	F	45-54	NSW	CI	PG	N	VIC	26-34	F	36	Y	Y	CI	PG	Y	VIC	26-34	F	36	Y	Y
12	F	45-54	NSW	CI	PG	N	NSW	26-34	F	37	Y	Y	CI	PG	Y	NSW	26-34	F	37	Y	Y
13	F	35-44	NSW	CI	PG	Y	VIC	35-44	F	38	Y	Y	CI	PG	N	VIC	35-44	F	38	Y	Y
14	F	45-54	WA	CPI	PG	N	VIC	35-44	F	39	Y	Y	CI	PG	N	VIC	35-44	F	39	Y	Y
15	F	35-44	NSW	CI	PG	Y	VIC	35-44	F	40	Y	Y	CI	PG	N	VIC	35-44	F	40	Y	Y
16	F	45-54	QLD	CI	PG	N	NSW	35-44	F	41	Y	Y	CI	PG	N	NSW	35-44	F	41	Y	Y
17	F	45-54	NSW	CI	PG	N	NSW	35-44	F	42	Y	Y	CI	PG	Y	NSW	35-44	F	42	Y	Y
18	F	45-54	NSW	CI	PG	N	NSW	35-44	F	43	Y	Y	CI	PG	Y	NSW	35-44	F	43	Y	Y
19	F	26-34	SA	CI	PG	Y	NSW	35-44	M	44	Y	Y	CI	PG	Y	NSW	35-44	M	44	Y	Y
20	F	35-44	SA	CI	PG	N	NSW	35-44	F	45	Y	Y	CI	PG	N	NSW	35-44	F	45	Y	Y
21	F	18-25	WA	CI	PG	Y	NSW	35-44	F	46	Y	Y	CI	PG	N	NSW	35-44	F	46	Y	Y
22	M	26-34	WA	CI	PG	Y	NSW	35-44	F	47	Y	Y	CI	PG	Y	NSW	35-44	F	47	Y	Y
23	F	26-34	QLD	CI	UG	N	NSW	26-34	M	48	Y	N	CI	PG	Y	NSW	26-34	M	48	Y	Y
24	F	26-34	NSW	CI	PG	Y	NSW	26-34	F	49	Y	Y	CI	PG	Y	NSW	26-34	F	49	Y	Y

**Table 12** (continued)

#	Gender	Age	Base loca- tion	Cert. Lvl	Education		Base loca- tion	Age	Gender	#	Work experience		Work experience	
					Formal	Specialised					Court	Remote	Court	Remote
25	F	35-44	NSW	CI	PG	Y	NSW	55+	F	50	Y	Y	Y	Y

NB: Cert. Lvl = Certification Level, CI = CI, CPI = CPI, UG = undergraduate, PG = postgraduate, F = F, M = M, Y = Yes, N = No

**Funding** Open Access funding enabled and organized by CAUL and its Member Institutions.

**Open Access** This article is licensed under a Creative Commons Attribution 4.0 International License, which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons licence, and indicate if changes were made. The images or other third party material in this article are included in the article's Creative Commons licence, unless indicated otherwise in a credit line to the material. If material is not included in the article's Creative Commons licence and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder. To view a copy of this licence, visit <http://creativecommons.org/licenses/by/4.0/>.

## References

1. Angermeyer, P.S. 2015. *Speak English or what?: Codeswitching and interpreter use in New York City courts*. Oxford/New York: Oxford University Press.
2. Australian Bureau of Statistics. 2021. Census. <https://www.abs.gov.au/census>. Accessed 6 October 2023.
3. Australian Human Rights Commission. 2012. Access and Equity: Inquiry into the responsiveness of Australian Government services to Australia's culturally and linguistically diverse population. [https://humanrights.gov.au/sites/default/files/content/legal/submissions/2012/20120224\\_access\\_equity.pdf](https://humanrights.gov.au/sites/default/files/content/legal/submissions/2012/20120224_access_equity.pdf). Accessed 6 October 2023.
4. Bell, A. 2001. Back in style: Reworking audience design. In *Style and sociolinguistic variation*, ed. P. Eckert and J.R. Rickford, 139–169. New York: Cambridge University Press.
5. Berk-Seligson, S. 2002. *The Bilingual Courtroom: Court interpreters in the judicial process*. Chicago/London: University of Chicago Press.
7. Blankenship, K.L., and T.Y. Craig. 2007. Powerless language markers and the correspondence bias: Attitude confidence mediates the effects of tag questions on attitude attributions. *Journal of Language and Social Psychology* 26 (1): 28–47.
8. Bradac, J.J., M.R. Hemphill, and C.H. Tardy. 1981. Language style on trial: Effects of 'powerful' and 'powerless' speech upon judgments of victims and villains. *The Western Journal of Speech Communication* 45 (4): 327–341.
9. Coulthard, M., A. Johnson, and D. Wright. 2016. *An introduction to forensic linguistics: Language in evidence*. London: Routledge.
10. de Jongh, E.M. 1992. *An Introduction to Court Interpreting: Theory and practice*. Lanham: University Press of America.
11. Durik, A.M., M.A. Britt, R. Reynolds, and J. Storey. 2008. The effects of hedges in persuasive arguments: A nuanced analysis of language. *Journal of Language and Social Psychology* 27 (3): 217–234.
12. Erickson, B., E.A. Lind, B.C. Johnson, and W.O. O'Barr. 1978. Speech style and impression formation in a court setting: The effects of 'powerful' and 'powerless' speech. *Journal of Experimental Social Psychology* 14: 266–279.
13. Fairclough, N. 2003. *Analysing Discourse: Textual analysis for social research*. London/New York: Routledge.
14. Federal Court of Australia. 2023. Working with Interpreters (GPN-INTERP). <https://www.fedcourt.gov.au/law-and-practice/practice-documents/practice-notes/gpn-interpret>. Accessed 6 October 2023.
15. Ferreira, D.B., and E.A. Gromova. 2023. Hyperrealistic jurisprudence: The digital age and the (un)certainty of judge analytics. *International Journal for the Semiotics of Law*. <https://doi.org/10.1007/s11196-023-10015-0>.
16. Gavioli, L., and C. Wadensjö. 2023. *The Routledge handbook of public service interpreting*. London: Routledge.
17. Gonzalez, E., K. Stachowiak-Szymczak, and D. Amanatidou. 2023. *Community translation: Research and practice*. London: Routledge.
18. Grey, A., and L. Smith-Khan. 2021. Linguistic diversity as a challenge and an opportunity for improved legal policy. *Griffith Law Review* 30: 1–17. <https://doi.org/10.1080/10383441.2021.1996883>.
19. Hale, S.B. 2004. *The discourse of court interpreting: Discourse practices of the law, the witness, and the interpreter*. Amsterdam: John Benjamins.

20. Hale, S., J. Goodman-Delahunty, and N. Martschuk. 2019. Interpreter performance in police interviews. Differences between trained interpreters and untrained bilinguals. *The Interpreter and Translator Trainer* 13 (2): 107–131. <https://doi.org/10.1080/1750399X.2018.1541649>.
21. Hale, S., J. Goodman-Delahunty, N. Martschuk, and S. Doherty. 2022. The effects of mode on interpreting performance in a simulated police interview. *Translation and Interpreting Studies* 17: 264–286. <https://doi.org/10.1075/tis.19081.hal>.
22. Hosman, L.A., and S.A. Siltanen. 2011. Hedges, tag questions, message processing, and persuasion. *Journal of Language and Social Psychology* 30 (3): 341–349.
23. Lakoff, R.T. 1979. Stylistic strategies within a grammar of style. In *Language, sex, and gender*, ed. J. Orasanu, M. Slater, and L.L. Adler, 53–78. New York: New York Academy of Sciences.
24. Laster, K., and V. Taylor. 1994. *Interpreters and the Legal System*. Leichhardt: The Federation Press.
25. Lee, J. 2009. Interpreting inexplicit language during courtroom examination. *Applied Linguistics* 30 (1): 93–114.
26. Lee, J. 2011. Translatability of speech style in court interpreting. *International Journal of Speech Language and the Law* 18 (1): 1–33. <https://doi.org/10.1558/ijsl.v18i1.1>.
27. Mellinger, H. 2022. Interpretation at the asylum office. *Law & Policy* 44 (3): 230–254. <https://doi.org/10.1111/lapo.12192>.
28. Mikkelsen, H. 2012. Garbage In, Garbage Out: The Court Interpreter’s Lament, In *Interpreting across Genres: Multiple Research Perspectives*, ed. Cynthia J. Kellett Bidoli, 201–218. Trieste: EUT Edizioni Università di Trieste.
29. NSW Legislation. Evidence Act 1995 NSW. <https://legislation.nsw.gov.au/view/html/inforce/current/act-1995-025>. Accessed 6 October 2023.
30. O’Barr, W.M. 1982. *Linguistic Evidence: Language, power, and strategy in the courtroom*. New York: Academic Press.
31. Olsson, J. 2008. *Forensic Linguistics*. London/New York: Continuum.
32. QLD Legislation. Human Rights Act 2019 QLD. <https://www.legislation.qld.gov.au/view/html/inforce/current/act-2019-005>. Accessed 6 October 2023.
33. Skutnabb-Kangas, T. and Phillipson, R. 1994. *Linguistic Human Rights: Overcoming Linguistic Discrimination*. Berlin: De Gruyter Mouton.
34. United Nations. 1966. International Covenant on Civil and Political Rights (ICCPR). <https://www.equalityhumanrights.com/en/our-human-rights-work/monitoring-and-promoting-un-treaties/international-covenant-civil-and-political-rights-iccpr>. Accessed 6 October 2023.
35. United Nations. 2018. Declaration on the Rights of Indigenous Peoples. [https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP\\_E\\_web.pdf](https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf). Accessed 6 October 2023.
36. Yi, R. 2023. The promise of linguistic equity for migrants in Australian courtrooms: a cross-disciplinary perspective. *Australian Journal of Human Rights* 29 (1): 174–180. <https://doi.org/10.1080/1323238X.2023.2232171>
37. Yi, R. 2023. Justice under microscope: analysing Mandarin Chinese markers in virtual courtroom discourse. *Discourse Studies*. Online First. <https://doi.org/10.1177/14614456231197045>
38. Yi, R. 2023. Interpreting the manner of speech in courts: an overlooked aspect. *Frontiers in Psychology* 14. <https://doi.org/10.3389/fpsyg.2023.1209908>

**Publisher’s Note** Springer Nature remains neutral with regard to jurisdictional claims in published maps and institutional affiliations.