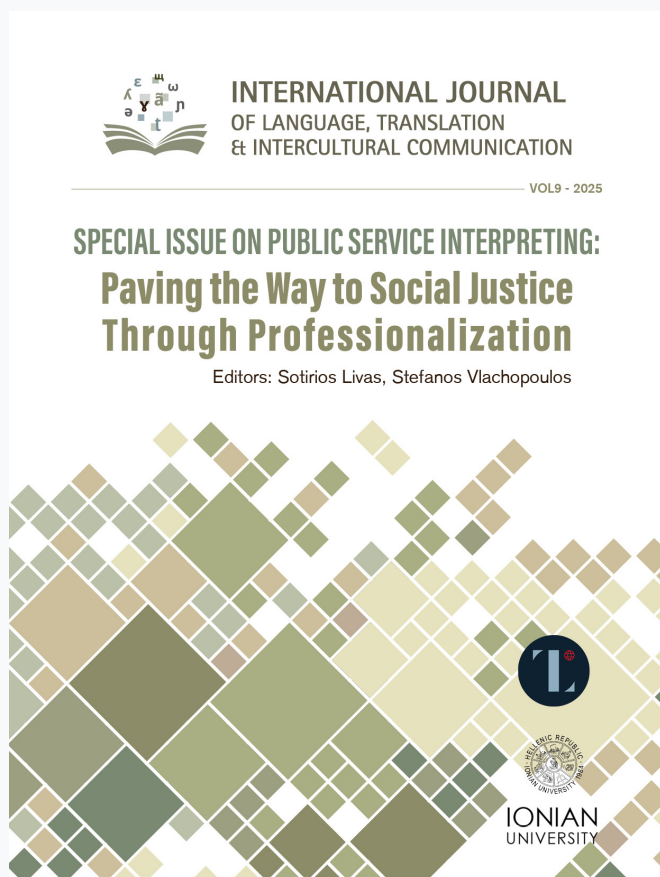


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## Sight Translation in PSI Training

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# Sight Translation in PSI Training: Advice of Rights in Czech and English as a Case in Point

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## Abstract

*Sight translation is a commonly used mode of interpreting in public service interpreting settings and exams, and therefore needs to be addressed in PSI training. In addition to the challenges related to the shift from the written to oral form, the documents so translated are often terminology heavy and the situational context may be emotionally challenging, which may require customized interpreting. This paper will take the case of advice or letter of rights, which is a document used e.g. in asylum proceedings or court or police contexts, to discuss ways to approach sight translation in interpreting classes. The paper will include a contrastive analysis of this genre in English and Czech from a variety of settings and intended for a variety of addressees, comparing the structure, terminology load and other discursive features. Further, it will present a didactic proposal to introduce students to this genre, raise their awareness of the issues involved and present strategies that may be used to tackle such issues to achieve the desired communicative effect. Although the paper is based on English and Czech texts, it may be adapted to other linguistic pairs and complement the existing teaching materials.*

**Keywords:** public service interpreting, sight translation, advice of rights, customized interpreting, interpreter training

## 1 Introduction

Public service interpreting (PSI), including court interpreting, requires the use of a variety of interpreting modes most often including (dialogue) consecutive interpreting, chuchotage, and sight translation (cf. de Pedro Ricoy, 2010). Even though interpreters are almost never contracted to perform exclusively sight translation (cf. Pöchhacker, 2018), it is considered by Havnen (2019) a frequently used method in public service encounters, which is also confirmed by Tipton and Furmanek who claim (2016:37) that dialogue interpreting as the principal mode is “supported by sight translation where appropriate”.

Sight translation (ST), also referred to as “sight interpreting”<sup>1</sup>, “prima vista” or “translation at sight” may be defined as “immediate and on-the-spot interpretation of a written text from one language to another” (Kadrić et al., 2024:115) or “method by which a written text is mediated into speech in another language” (Havnen, 2021:2). Due to the double transfer involved (language and form), Čeňková (2010) sees sight translation as a dichotomous process<sup>2</sup>. This paper will show that in some cases there may also be another level of transfer present, namely from formal language to the language comprehensible to the addressee, referred to by Kadrić et al. as “customized interpreting” and reflected in the Havnen’s definition through the reference to *mediation*.

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<sup>1</sup> This paper will employ the term *sight translation*. Interestingly, Nilsen & Havnen (2019) argue that *Interpreting from writing to speech* is a more convenient label stressing the mediation from one mode to another and the variety of textual combinations.

<sup>2</sup> The shift from written to oral is sometimes also referred to as a modal shift (cf. Havnen, 2019).

In PSI settings, a variety of documents and text types may get sight translated. For example, informed consents in healthcare settings, or transcripts of interviews may get back-translated in asylum or police settings. Therefore, sight translation needs to be addressed as part of PSI courses as it is reported that interpreters in public service sight translate almost every day (Nilsen & Monsrud, 2015). This paper will focus on a specific text referred to below as *advice of rights*, which is a document informing a person of their rights in specific proceedings. The addressees may range from suspects, witnesses or victims in police and court settings, to asylum seekers or foreign nationals applying for different types of residence permits.

The paper first provides a basic overview of the sight translation best practices, strategies and cognitive aspects. Then it goes on to describe the author's training context which frames the contrastive analysis of *advice of rights* in English and Czech and its classroom application, which constitutes the essence of the paper.

## **2 Sight translation best practices**

Sight translation requires the interpreter to quickly and accurately process written text, which is made more difficult by a number of factors (AUSIT, 2024:2) such as the linguistic complexity of written texts as well as formality of the language used. In practical terms, there is a key distinction made by Spitzl & Hlavac (2018:125), namely between consecutive and simultaneous mode with the former allowing the interpreter to read the full text in advance. In the latter, the interpreter is given little or no preparation time. Adopting a slightly different perspective Lambert (2004) uses the terms unstressful and stressful sight translation respectively. This paper will assume the consecutive scenario when the interpreter is given some time to prepare the document, or when the interpreter has already sight translated the document before, which may be the case as the *advice of rights* forms may not vary greatly in time and interpreters working in asylum or police settings repeatedly may know the document. Even though interpreters may be prompted to translate the document in advance and use the translated version, this scenario will not be considered.

In the consecutive scenario, the interpreter should maximize the minutes allowed for preparation. To this end, there are numerous best practices (e.g. AUSIT, 2024, Spitzl & Hlavac, 2018) lists for sight translation usually including:

- Skimming the text for meaning;
- Checking any challenging terms and finding (looking up) appropriate target language equivalents;
- Asking for clarification from the person providing the document;
- Mentally planning the best way to render long and/or complex sentence constructions into segments that will be readily comprehensible to the listener;
- Maintaining eye contact with the other parties;
- Delivering the sight translation in a rhythm similar to spoken language, including insertion of pauses and elicitation of back-channelling signals from the other parties.
- Numbering/colouring the different elements of sentences or taking notes on the side.

In terms of strategies, it is necessary to stress the importance of “letting go” the source written text, which, unlike in the case of interpreting, remains constantly accessible to the interpreter (cf. Spitzl & Hlavac, 2018:125). This is especially relevant with respect to the syntax of the source text in order to avoid interferences and copying the source structure as the risk of interference is extreme in sight translation compared to other modes (Agrifoglio, 2014). This may involve splitting long sentences, reordering the elements in a sentence such as changing clause-final elements to clause-initial position as illustrated in Section 4.2 below. Similarly, Nilsen & Havnen (2019:379) stress the importance of making the text listener-friendly and rendering it in a way that allows the listener to understand its content easily.

Some controversy is related to the simplification of the text, which is one of the logical strategies to make the text listener-friendly. On the one hand, segmentation of long sentences is a generally recommended procedure<sup>3</sup> as chunking or parsing the source text lessens the burden of information processing, facilitates understanding and speeds up rendition in the target language (Chen, 2015:145). On the other hand, guidelines often advise against simplifying the text (AUSIT, 2024:3). For example, Weber (1990) excludes legal documents when arguing that interpreter must make the text understandable and listenable, and that it is thus possible to change expressions for the sake of smooth delivery. Similarly, Mikkelsen & Willis (1993) argue against the use of paraphrasing in court. It will be argued below that some degree of simplification may be useful and may enhance the chances that listener will understand the document even in the case of legal documents.

The process of sight translation and (consecutive and simultaneous) interpreting differs in many aspects<sup>4</sup> such as how the information is presented and how the message is processed due to different time constraints and cognitive operations (Agrifoglio, 2004: 48). The efforts involved in sight translation are reading, speech production, memory and coordination (Gile, 1995), which are reflected in the skills needed: reading skills<sup>5</sup> (fast reading is an advantage), delivery skills as the output is spoken and thus all requirements applicable to good public speaking delivery hold, but also translation skills including the use of relevant strategies (cf. Lee, 2012).

It is also important to draw a distinction between two approaches to sight translation discussed by Kadrić et al., namely preserved and customized interpreting. Preserved interpreting refers to situations where “every word and every nuance of meaning have such significance that the interpretation should reflect the original with greatest precision” (Kadrić et al., 2014:44). On the other hand, customized interpreting treats the source text as “raw material for a comprehension-oriented communicative action adapted to the listener” (Kadrić et al., 2014:45) with the goal of making the content comprehensible to the listener relying on strategies such as replacing technical terms with everyday words, additions or even transformation of indirect speech into direct speech. While students should be made aware of both of these approaches and their implications, what will be promoted in this paper is mastering customized interpreting of the *advice of rights*.

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<sup>3</sup> Gile (1995: 179) notes that segmentation is made more difficult by the absence of segmentation signals by the speaker.

<sup>4</sup> See Agrifoglio (2004: 49) for a comparison of the sight translation and consecutive and simultaneous interpreting in terms of reception and production conditions.

<sup>5</sup> A comprehensive overview of ST skills is presented by Chen (2015: 150).

### 3 Classroom application

The didactic proposal presented in this paper is derived from the author's training context. Within an undergraduate English for Translators and Interpreters programme, students follow progression from dialogue and bilateral interpreting to consecutive interpreting with notes and finally simultaneous interpreting. One of the dialogue interpreting seminars<sup>6</sup> focuses specifically on public service interpreting including areas such as healthcare interpreting, police interpreting or asylum interpreting. It follows that PSI is only a part of the interpreting curriculum rather than a standalone study programme as may be offered by other universities such as Oslo Met (Nilsen & Havnen, 2019), where a special course may be devoted to sight translation. In the author's case, sight translation is incorporated into a variety of interpreting seminars (including non-PSI ones where different text types are used). In the PSI seminar, sight translation exercises are used to supplement the role plays used to practise dialogue interpreting. Since the *advice of rights* is a key document in many proceedings where interpreting is involved as illustrated in Section 4, it should be one of the genres practised with PSI students not only in university settings (cf. de Pedro Ricoy, 2010) but also in other training contexts (e.g. refresher courses as part of continuing professional development). In fact, the overlap with court interpreting situations warrants its inclusion also in court interpreting courses (cf. Klabal, 2023). It is also possible, especially with more advanced courses, to incorporate the sight translation exercise directly into a role-play as suggested by Hale & Gonzalez (2017:211), who mention a document adduced in evidence and sight translated as part of a moot court exercise. The students in the author's programme do the PSI course rather early in the curriculum and progression-wise, it is more convenient to do shorter exercises in the class interpreted by different students rather one more complex, though, authentic, role-play.

In terms of lesson planning, students are first introduced to the genre and its importance for safeguarding the rights of asylum seekers, suspects, victims etc. Then they are provided with two English documents: a more formal and linguistically complex US document and a plainer E&W one, and asked to compare the documents identifying various ways of phrasing the same information. The comparison is used as a basis for discussing the comprehensibility of the documents and practising reformulation strategies. In the next step, students are presented with Czech *advice of rights* documents, and asked to compare them with the English ones; specifically, documents for asylum seekers in the Czech Republic and in the UK are used<sup>7</sup>. This triggers discussion about the linguistic aspects along the lines described below. The introduction is followed by sight translation practice in both directions, with an emphasis on sight translating the Czech documents into English since it is the direction which is more challenging in terms of the application of reformulation and simplification strategies, and students are more likely to work in this direction if they stay and work in the Czech Republic.

Essentially, the classroom application follows the structure introduced in the analysis presented below addressing linguistics aspects, intertextuality, layout as well as terminology. The combination of intralingual as well as interlingual contrastive analysis makes students see the variety of ways to express the same information and offers them ideas for interlingual as well as

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<sup>6</sup> The seminar includes a total of 13 weekly lessons of 90 minutes each. The usual cohort includes 20 students.

<sup>7</sup> The Czech documents are sourced from the author's professional assignment, which is the approach taken by other trainers (cf. Hale & Gonzalez 2017, 211). The English documents come from official government websites in the respective English speaking countries.

intralingual reformulation. In addition, strategies applicable to sight translation in general are discussed, especially situations when meaning-making is impacted by the modal shift such as verbalization of graphic or structural elements or other textual features typical of written texts (cf. Havnen, 2020). The sight translation assignments are either performed by one student in front of the entire class, or students work in pairs with one of them being the listener. The latter set-up makes it possible to practice even interactional strategies (e.g., showing the part being translated in the document to the listener), which are key to successful mediation through sight translation (cf. Havnen, 2021 or Vargas-Urpi, 2019).

## 4 Advice of rights

It is important to note that not all documents are suitable for sight translation. According to the AUSIT guidelines, there are two criteria that determine the suitability, namely length and complexity/technicality. The recommended length ranges from 200-300 words. It is further recommended that the document should not be technical. In addition, “legal practitioners should not require interpreters to sight translate during the course of a hearing without prior notice (“sight unseen”) long, complex or technical documents. Sight unseen translation by interpreters of even simple or short documents should be avoided as far as possible” (Judicial Council on Diversity and Inclusion, 2022).

One example of a document that may be sight-translated<sup>8</sup> in police contexts is the so-called police caution in situations when official translation is not available. Ironically, very often the document does not comply with the requirements for sight-translated documents since it is often longer than 300 words and in some jurisdictions indeed contains complex language. Spronken (2010: 39) mentions the Czech Republic as a jurisdiction where only Czech version is available.

### 4.1. *Advice of rights*: legal background

The term *advice of rights* is used in this paper to refer to a document that informs the addressee of his or her rights with respect to a specific legal procedure with the language playing a key role in successful communication (cf. Spronken, 2010: 38). Such documents exist, in one way or another, in almost all jurisdictions which guarantee the rights of parties in legal proceedings (The Law Library of Congress, Global Legal Research Center, 2016). The addressees may range from defendants, witnesses or even tenants in landlord-tenant relationships. Legal terminology is often jurisdiction-specific. The terms may be limited to specific contexts; e.g. the *letter of rights* is used with respect to suspects and accused persons deprived of their liberty as required by Article 4 of Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings (hereinafter the “Directive”). Since (legal) interpreters are often called on to interpret in such situations, they are very likely to be asked to sight translate the document. Table 1 shows the terms used in major English-speaking jurisdictions. Other terms may also be found such as *police caution* in the UK or *Miranda rights* in the US. These are, however, limited to criminal contexts. In other jurisdictions such as Canada or Australia, there seems to be no specific name for the document, but the concept and practice of informing an arrested person/asylum seeker of their rights indeed exists.

Table 1: *Advice of rights* in different jurisdiction

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<sup>8</sup> In Latvia, there is even a legal requirement to provide a written translation, which may be challenging in terms of time (cf. Spronken, 2010).

Jurisdiction	Name
US	Advice of rights <sup>9</sup> Advisement of rights
Scotland	Letter of rights
England and Wales/Northern Ireland	Notice of rights and entitlements
Ireland	Notice of rights
EU	Letter of rights

Interestingly, not all countries use a uniform document across the country; the situation may be different in different EU member states<sup>10</sup> or vary from one US state to another. Also, the content of the document may vary greatly. For example, the Hungarian document is 11-page long, which makes it not an ideal document for sight translation (European Union Agency for Fundamental Rights, 2016:69).

The rights listed in the respective documents vary from jurisdiction to jurisdiction; in the case of EU countries, they include the rights listed in Articles 3 and 4 of the Directive.

Despite the difference in the form and content of the documents, the following sections of the paper will not make a distinction between the documents used in criminal proceedings, asylum proceedings or other contexts, and will consider the *advice of rights* to be a generic text type. The examples used will draw on a variety of documents either from the author's practice or available online from a number of English-speaking jurisdictions<sup>11</sup>.

In terms of classroom application, it is proposed that the actual analysis of the documents be preceded by a short warm-up focusing on the role of the *advice of right* in the respective settings. Students may be asked to discuss the following questions in pairs or in groups:

- Why do you think the *advice of rights* is part of so many legal proceedings?
- What would happen if the *advice of rights* was not properly given?
- What rights would you expect in *advice of rights* given to a person suspected of committing a crime?
- Can you think of any duties or obligations that could also be part of the document despite the fact that its name refers to *rights* only?

In addition to the group discussion, students may be invited to think about movies, series or books where they may have encountered the document. They may also be asked to do some background research about the *Miranda* case that gave rise to the name of the document used in the US<sup>12</sup>.

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<sup>9</sup> Although the usual spelling is *advice of rights*, *advise of rights* may also be encountered as a nominal term, sometimes even within a single document both spellings may be used interchangeably (New York South District Court).

<sup>10</sup> The European Union Agency for Fundamental Rights (2016:69) states that 23 out of 26 EU countries had a uniform letter of rights applied at all police stations across the country.

<sup>11</sup> For Czech language, the Czech Republic is the only relevant jurisdiction.

<sup>12</sup> The US Courts offer useful background materials including possible activities (not aimed primarily at translators, but possibly adaptable).

## 4.2 *Advice of rights*: linguistic aspects

Blackstock et al. (2013:253) have analysed a number of letters of rights and have concluded that those given to suspects in England and Wales (E&W) are “formulated in simple, straightforward language and ... in an inviting tone”. Similarly, Spronken (2010:70) notes:

The language should be easily understandable for the suspect and legal terms should be avoided. The Letter of Rights should not be too long and should be written in a style that would not discourage suspects to make use of their rights. Although simple language is desirable, some level of detail is needed as to what these rights encompass. The language used should also maintain a certain degree of flexibility because the interpretation of rights varies within the EU Member States.

In fact, the documents are often available in easy-to-read versions, and sometimes even translated into other languages<sup>13</sup>. In addition, the documents often include visual elements such as drawings or photos, and show better organization, or even use bigger fonts. While they may not be necessarily different in terms of length (e.g. *the Notice of Rights and Entitlements*<sup>14</sup> used in the UK is 11 pages long), it is much easier to understand the rights in the English ones. For example, the E&W one has a one-page summary of the rights followed by a more detailed description. The Czech documents are structured into paragraphs, but each paragraph contains all the information related to the respective right or point. Spronken (2010:38) notes that the Czech letters of right are mere enumerations of rights.

Table 2 shows the comparison of the provision on legal aid in the Czech, E&W and Maryland (USA). The English version effectively talks to the addressee, using imperatives and relies on simple and short sentences. In terms of the cognitive load on the listener, it is more likely that the information about the assistance of a lawyer being free will be better understood if phrased as a short sentence (*This is free*) rather than if the key message is lost in too detailed information, whose relevance in the situation may be limited (e.g. the fact that it is the presiding judge during and a judge in the pre-trial proceedings is a legal technical detail without any practical consequences). In such cases, generalization may be a useful strategy (*court/judge will determine*) without making the distinction between the stages. In addition, syntactic restructuring may be useful, but admittedly not enough time may be available to the interpreter.

Table 2: Language of *advice of rights* in contrast

Czech	English translation <sup>15</sup>	E&W	US (Maryland Police)
Podle § 33 odst. 2 trestního řádu osvědčíte-li, že nemáte dostatek prostředků, abyste si hradil náklady obhajoby, rozhodne předseda senátu a v přípravném řízení soudce, že máte nárok na obhajobu bezplatnou nebo za sníženou odměnu.	According to Section 33 Para 2 of the Code of Criminal Procedure, if you attest to have not money enough to pay the defence costs, the presiding judge and in pre-trial stage the judge shall determine that you are entitled to free defence or defence for reduced fee.	Tell the police if you want a solicitor to help you while you are at the police station. This is free.	If you now want the assistance of a lawyer but cannot afford to hire one, you will not be asked any more questions at this time and you may request the court to appoint a lawyer for you without charge.

<sup>13</sup> Scotland, England and Wales. It must be noted, however, that the Czech translation poses some issues, which would be worth a separate analysis going beyond the scope of this paper.

<sup>14</sup> Available from the official UK government website (Home Office).

<sup>15</sup> The English translations used in Table 2 and 3 are taken from Spronken (2010).



In terms of strategies, students should be advised to use reformulation and segmentation since breaking long sentences into shorter ones will most likely make them more intelligible for the addressee. Table 3 shows an English translation of a paragraph of Czech *advice of rights* and its versions where the reformulation and segmentation strategies have been applied. Naturally, it may take some experience to feel confident to opt for such reformulation in sight translation, and students or even professional interpreters may consider it interference with the source text. The ultimate decision is up to the interpreter doing the actual job but without being aware of the reformulation options available, interpreters will be less likely to engage in such reformulation exercises.

Table 3: Reformulation of complex language

English translation from Czech	Reformulated version
According to Section 307 Para 1 of the Code of Criminal Procedure in proceedings conducted for a delict, which is a crime committed with a negligence, or an intentional crime for which the law sets the term of imprisonment the upper limit of which does not exceed five years, the court with the consent of the charged person and the public prosecutor in pre-trial proceedings may conditionally terminate the criminal prosecution, if the charged person has pleaded guilty to the crime, has compensated the damage if caused by the crime or the charged person and the injured person have concluded an agreement on the compensation of the damage, or the charged person has taken any other measures necessary to compensate the damage, and such a decision may be considered sufficient with regard to the person of the charged person, taking into consideration his/her life up to now and the circumstances of the case.	Have you committed a misdemeanour, i.e. crime by negligence or an intentional crime that carries a maximum prison time of 5 years? If yes, your prosecution may be conditionally stayed. However, you must meet the following conditions: (i) you must plead guilty (ii) you must compensate any damage, and (iii) you entered into an agreement with the victim to compensate the damage or you have taken any other measures. Such conditional stay is only possible if warranted by your criminal history and circumstances of the case.

#### 4.2.1 Intertextuality

It has been argued that legal texts especially in the civil law countries (e.g. France, Spain, Czech Republic and other countries with the continental legal system), show high degree of intertextuality with many references to legislation (cf. Orts Llopis, 2012:321). In the *advice of rights*, this tendency is especially visible with multiple references to legislative provisions with respect to penalties in the Czech *advice of rights* used in criminal proceedings (Police of the Czech Republic).

- Žadatel byl poučen, že je povinen vypovídat pravdivě, nesmí nic zamlčet a v případě, že uvede nepravdivé nebo neúplné údaje, spáchá přestupek dle § 156 odst. 1 písm. i) zák.č. 326/1999 Sb., za který mu může být uložena pokuta až do výše 3 000 Kč. (*The applicant has been informed of his or her duty to tell the truth and not withhold anything; if the applicant's testimony includes false or incomplete details, the applicant commits an administrative infraction contrary to Section 156(1)(i) of Act No. 326/1999 Sb., which carries a fine up to CZK 3000*)<sup>16</sup>.

<sup>16</sup> Unless specified otherwise, the translations of the Czech documents into English have been made by the author of this paper.

- Podle § 43 odst. 3 trestního řádu jste jako poškozený oprávněn také navrhnout, aby soud v odsuzujícím rozsudku uložil obžalovanému povinnost nahradit v penězích škodu nebo nemajetkovou újmu, jež byla poškozenému trestným činem způsobena, nebo vydat bezdůvodné obohacení, které obžalovaný na jeho úkor trestným činem získal. **(Under Section 43(3) of the Code of Criminal Procedure, you may, in your capacity of a victim, propose that the judgment of conviction orders the defendant to pay any damages caused to the victim as a result of the crime, or render unjust enrichment received).**

It may be argued that the legislative references marked in bold do not add much to the meaning and are of little relevance even in monolingual settings. Therefore, if providing a customized interpreting, students may be prompted to leave such references out as they may overburden the listener who may then miss the actual point. This may be supported by the examples taken from English documents where no references are included, and the point is made very clear:

- As an asylum applicant in the United Kingdom, it is your responsibility to: co-operate with the UK Border Agency and tell us the truth. **It is a crime** to make an asylum application that involves trying to deceive us (Border Agency).

Arguably, the language used in the English version is more effective in communicative terms as it is more likely that the direct warning that failing to tell the truth is illegal will prevent the addressee from lying more than specific legal references do.

#### 4.2.2. Tenor and deixis

It has been noted in relation to English and Czech legal documents, such as privacy notices or employment contracts, that the English documents tend to use direct style (*i.e. you*) more often than the Czech ones (cf. Klabal, 2024:56-57), and the *advice of rights* is no exception. The analysed Czech documents either use third person to refer to the addressee (Czech Ministry of the Interior), or a mixture of direct address with impersonal statements (Czech Police). This may be very confusing for the listener as it is cognitively demanding, even more in cases of limited English proficiency, to realize that the person referred to with a generic term (*applicant, victim, accused* etc.) is actually them. Therefore, the recommended procedure should be turning the indirect Czech style into direct style, *i.e.* replacing the generic references with *you*. Similar strategy should be used with other deictic expressions as discussed by Havnen (2020).

The situation is even more challenging in cases of some Czech documents which are drafted as records of the *advice of rights*. Spronken (2010:40) makes a similar observation and notes that the documents function “as a checklist for the interrogating officers to read out to suspects their rights and for the suspect to sign in order to record that the interrogating officer has performed his duty to caution the suspect.” The theory is that the respective officers provide the *advice of rights* in a spoken oralized manner and explain it to the addressee and only then the addressee is required to sign the record. Anecdotal evidence and the author’s experience supported by the observations of Spronken (2010:38) show, however, that the oral part is entirely missing, and the interpreter is asked to sight translate the document straight away. Havnen (2021:6) makes a similar observation that the public service representative often leaves the text with the interpreter and sometimes even leaves the room entirely and excludes themselves from the interaction. To

make the sight translation of documents drafted as ex-post records as communicative as possible, the interpreter should transfer the indirect speech into direct speech as shown in Table 4.

Table 4: Indirect versus direct speech

Czech original	Literal English translation	Communicative version (as interpreted)
Žadatel byl poučen, že jako účastník řízení je zejména oprávněn uplatňovat svá práva a oprávněné zájmy, dát se zastupovat zmocněncem na základě plné moci.	The applicant has been informed of the fact that as a party to proceedings he or she may, without limitation, exercise his or her rights and legitimate interests and be represented by an agent under a power of attorney.	As a party to proceedings you may, for example, exercise your rights and legitimate interests and be represented by an agent under a power of attorney.
Žadatel prohlašuje, že se po zdravotní stránce cítí v pořádku, není pod vlivem léků ani jiných utišujících prostředků, které by mohly ovlivnit jeho schopnost vypovídat nebo být vyslýchán.	The applicant represents to feel fit, not to be intoxicated by drugs or tranquilizers that may compromise his or her ability to testify or be interviewed	Do you feel fit? Are you intoxicated by drugs or tranquilizers that may compromise your ability to testify or be interviewed?
Žadatel vyjádřil souhlas s tím, aby výslech byl veden v jazyce českém za přítomnosti výše uvedené tlumočnice anglického jazyka, s jejímž přibráním jako tlumočnicka souhlasí. Jde o tlumočnici zapsanou v seznamu tlumočnicků, kterou si v souladu s § 16 odst. 3 zákona č. 500/2004 Sb., správní řád, obstaral žadatel na vlastní náklady.	The applicant has agreed to be interviewed in Czech in the presence of an English-language interpreter specified above, with whose engagement the applicant agrees. The interpreter is a licensed interpreter registered in the register of interpreters who will be paid for by the applicant in accordance with Section 16(3) of Act No. 500/2004 Sb, the Code of Administrative Procedure.	Do you agree with the interview being conducted in Czech and being interpreted by me? You will have to pay me for my services yourself.
Žadatel stvrzuje svým podpisem, že poučení rozuměl.	The applicant signs this document to certify that he or she has understood it.	If you have understood, please sign here.

As the examples show, the interpreter should not only turn the third person into the second person, but also correctly identify the direct speech behind the recorded versions, whether it is a statement (*you may*), a question (*Do you agree...*) or an imperative (*Please sign...*). In addition, the text includes a part when the interpreter themselves is referred to, which also needs to be accounted for in the interpretation to make sense. In fact, the sentence requiring the interpreter to be the licensed interpreter is redundant to some extent because, when interpreting the sentence, the interpreter has been already hired.

#### 4.2.3. Layout

Another issue that frequently comes up is the verbalization of the layout. The individual rights (or duties) are often listed as bullet points, or as standalone paragraphs. While such layout is available to the reader of the source text, listener of the sight translation cannot see it unless they

go over the text together with the interpreter, which implies the issue of listener accessibility (cf. Nilsen & Havnen, 2019). An easy strategy that may help is putting numbers next to the points and then verbalizing the numbers as the interpreter goes sight translating the text, or using other means to make the function of the bullet points accessible to listener. Such strategy makes it easier for the listener to distinguish between individual rights, but also gives the interpreter more time to get ready for the next segment. It is also important to stress that such strategies need to be used consistently throughout the assignment; otherwise they may create even more confusion<sup>17</sup>. The following list of rights from a notice given to asylum seekers in the UK lends itself to such numbering.

As an asylum applicant in the United Kingdom, you have the right to:  
 be treated fairly and lawfully regardless of your race, gender, age, religion, sexual orientation or any disability;  
 practise your own religion, and you are expected to show respect for people of other faiths; have your application considered fairly and accurately;  
 have access to support and accommodation if you meet the requirements for it;  
 have access to free health care from the National Health Service (NHS); and  
 have legal representation. Free legal help may be available, depending on your income and your case.

#### 4.2.4. Terminology

Even though the general recommendation for the language used in *advice of rights* is avoiding legal terminology, the Czech documents are rich in legal terms, some of which may be non-transparent even to Czech language speakers. This is probably due to the quest for legal precision and possibly fear of challenge by the defense lawyer. It is, however, in sharp contrast, with the English documents where a marked preference for general language can be seen (*a court of law*, *a case goes to court* etc.) especially in E&W and Scotland. The following paragraph from a Czech *advice of rights* of an accused person (Police of the Czech Republic) and a US *advice of rights* (New York Southern District Court) may be cited as an example (with legal terms marked in bold).

- Podle § 28 odst. 2 trestního řádu, za podmínek uvedených v odstavci 1, je třeba obviněnému písemně přeložit **usnesení o zahájení trestního stíhání, usnesení o vazbě, usnesení o nařízení pozorování obviněného ve zdravotnickém ústavu, obžalobu, dohodu o vině a trestu a návrh na její schválení, návrh na potrestání, rozsudek, trestní příkaz, rozhodnutí o odvolání a o podmíněném zastavení trestního stíhání**; to neplatí, jestliže obviněný po poučení prohlásí, že pořízení překladu takového rozhodnutí nepožaduje. (*Under Section 28(2) of the Code of Criminal Procedure, it is necessary to translate for the accused person a **police decision to initiate prosecution, custody remand decision, inpatient supervision order, indictment, plea agreement and proposal for approval of the plea agreement, summary indictment, judgment, summary judgment, appeal judgments and decision on conditional stay of proceedings**; this does not apply in cases when the accused person states after being advised of this right not to insist on such translations*).

<sup>17</sup> Havnen (2020) has found that strategies used by interpreters to deal with structural, graphic or other similar elements differ and oftentimes are not used consistently even by a single interpreter.

- I understand the nature of the **charges** against me, my constitutional rights, and the punishment that could be imposed by the Court upon my **plea of guilty**, including: any **maximum and mandatory minimum terms of imprisonment**; the **effect of any term of supervised release** that may be imposed; the possibility of an **order of forfeiture**; the possibility of an **order of restitution** if any **financial injury** was caused by the offense; the fact that the Court must consider any **applicable sentencing guidelines** as well as the other factors enumerated in Title 18, United States Code, Section 3553(a), in imposing sentence; and the fact that the Court may depart from the sentencing guidelines in some circumstances.

All the terms marked in bold in the Czech example are essentially names of decisions issued by law enforcement authorities and courts in the course of criminal proceedings. Some of them are actually mutually exclusive, i.e. there will not be summary judgment and the standard judgment at the same time in the same proceedings, so only some of the documents may be applicable in the specific case. It may be presumed that foreigners in the capacity of accused persons will have little knowledge of the stages of criminal proceedings and what each document means for them. Therefore, it may be argued that overwhelming the listener with all the terms will compromise the chance of his/her understanding the entire paragraph. Depending on the legal knowledge of the listener and other situational factors, it may be defensible to turn the exhaustive list into a non-exhaustive one giving only a few examples of the documents. The US example also includes rather technical vocabulary, which may need explanation or paraphrasing when translating into Czech or any other language.

## Conclusion

As sight translation is a frequently employed task in public service settings, it must be sufficiently addressed in training —especially since it is an interpreting mode where the interpreter has primary agency (Havnen, 2021:15). Research suggests (c.f. Havnen, 2019) that the choice made by interpreters in sight translation assignments seem to be guided by intuition rather than being research-based. Similarly, Lee (2012) has identified vast potential for improving all skills involved in sight translation in interpreter trainees. Against such context, this paper has aimed to contribute to the body of resources available to interpreter trainers when teaching sight translation in public service settings, or possibly even to professional interpreters, by discussing a number of features of the genre of *advice of rights* from the perspective of an interpreter. It can be assumed that if the features are addressed systematically, they may reduce the effort needed when performing the task. In line with Nilsen & Havnen (2019:382) it is believed that sight translation as a method does not differ across different settings, so the skills trained on an *advice of rights* are transferable to other settings such as healthcare. Accordingly, *advice of rights* may be used, in addition to practicing the features typical of the genre, to train other strategies such as chunking or meaning-making through verbalization of structural or graphic elements, or deictic expressions. Although the article has been based on the English-Czech language pair, it is hoped that many of the points raised are also applicable to other language pairs<sup>18</sup>, or may be adapted. The approach and materials presented have been used by the author for a number of years and

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<sup>18</sup> Spronken (2010) lists other EU member states whose letters of rights show similar comprehensibility problems as the Czech one.

proved effective in showing interpreting students (at a rather early stage of their studies) how to approach such documents and gain more confidence at sight translating them.

The *advice of rights* is a document that will indeed be encountered by public service interpreters, and therefore specific training is advisable. In the case of sight translation from Czech to English, which is the author's training context, the task is made more challenging due to the differences in the comprehensibility and formality of the language used as argued above. In such cases, the interpreter may be facing a dilemma: is it better to turn the language into a more comprehensible form and possibly face a challenge by the defense lawyer, or sticking literally to the original? In the latter case, it may be again the defense lawyer who challenges the act as the rendering may be hardly comprehensible for the listener. It is believed that the former approach does more justice to the role of the interpreter, but personal exchanges with professional interpreters show that their philosophies are not unified any many interpreters refer to professional codes of conduct that prohibit any additions, omissions or alterations (cf. Havnen, 2000). It is strongly believed that the strategies presented herein do not violate such rules and do not amount to any alterations of meaning. In fact, avoiding literal translation is a frequently recommended strategy for sight translation (cf. Lee, 2012:696). Even in cases of doubt, however, awareness of the issue and the risks and benefits involved makes decision-making easier. Arguably, it is the role of the interpreter to contribute to the smoothness of communication and "customized interpreting" of the *advice of rights* may be one of the options.

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