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An Overview of the Employment Landscape for
Chinese-speaking Court Interpreters in Malaysia

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Interpreters in Malaysia

本論文係魏藹茹 (R10147018) 在國立臺灣大學翻譯碩士學位學程完成之碩士學位論文，於民國 114 年 1 月 13 日承下列考試委員審查通過及口試及格，特此證明。

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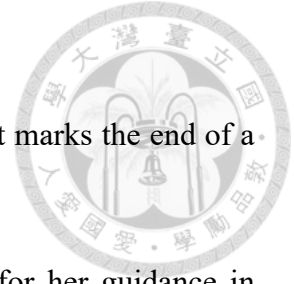
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摘要



1990 年 5 月 10 日，時任馬來亞大法官下達通令，指示馬來半島的所有法庭遵守《1963/67 國語法令》之修訂，改以國語（馬來語）進行審訊。然而，受到歷史和社會因素的影響，馬來西亞華裔對國語的重視程度普遍較低，水準亦良莠不齊，在許多法庭程序中仍須仰賴通譯協助。大馬國內針對法庭通譯的研究極為有限，最近期的相關研究已逾廿年。儘管現有研究已點出中文通譯嚴重短缺，可能會影響訴訟當事人的權益，但對於中文通譯在履行職責時所面臨的挑戰仍缺乏討論。本研究旨在探討中文法庭通譯的現況，以及他們在司法體系中擔任多重角色時所面臨的挑戰和機遇。本研究採用質性研究方法，通過實地觀察和半結構式訪談蒐集受訪者的職業特性和工作經驗。本研究以曾任或現任公務員法庭中文通譯為研究主體，共 14 位法庭中文通譯員參與了半結構式訪談。此外，研究還執行了三場實地觀察，以更全面了解法庭環境和通譯員的工作情況。訪談資料顯示，文書工作佔據了 80%-90% 的工作時間，比 20 年前增加了 30%-40%，導致「文員角色」超越了「口譯員角色」的現象。儘管口譯工作僅佔 10%-20% 時間，但受訪者均視口譯為最艱鉅的挑戰。究其原因，是政府從未提供中文口筆譯的訓練，且缺乏官方承認或由官方編纂的大馬法律中文參考資料。此外，僵化的工作環境和晉升制度以及限縮的培訓機會，也直接影響了中文通譯員的工作表現和職涯發展。不過，本研究也發現，儘管缺乏司法機關的支持，中文通譯員卻致力於化逆境為轉機，主動進修並且樂觀應對工作中的挑戰，展現出強大的韌性。然而，若政府在明確界定通譯職責、人才招聘和培訓制度上仍消極被動，法庭中文通譯的供需矛盾將愈加嚴重。因此，本研究建議，政府應針對法庭通譯制度進行全面改革，且務必

將中文法庭通譯納入改革考量之內，以打破現行的惡性循環，確保司法服務的品質與效率，否則將進一步損害民眾的語言權益。

關鍵詞：馬來西亞、法庭通譯、中文通譯、工作現況、挑戰、機遇



Abstract



The National Language (Malay) has been dominant in Peninsular Malaysian courts since the instruction by the then Chief Justice of Malaya on May 10, 1990, following amendments to the National Language Act 1963/67. However, due to historical and societal factors, many Malaysian Chinese have traditionally placed less importance on the Malay language. Consequently, many Chinese have varying Malay proficiency, often necessitating interpreters for legal proceedings. Research on the practice of court interpretation in Malaysia is notably scarce, with the most recent studies dating back over two decades. While existing research has highlighted the critical shortage of Chinese-speaking court interpreters and its potential to affect litigants' rights adversely, there has been limited academic discussion on the specific challenges Chinese-speaking court interpreters face in carrying out their duties. This study examined the working conditions of Chinese-speaking staff court interpreters and their perceptions of challenges and opportunities encountered while working in multiple roles within the court system. A qualitative approach, employing field observations and semi-structured interviews, was used to gather information on participants' job characteristics and experiences. Chinese-speaking court interpreters were eligible to participate if they were currently or had previously been employed as staff court interpreters within the civil service system. Fourteen Chinese-speaking interpreters each participated in a semi-structured interview. Additionally, three court observations were conducted to understand better the courtroom environment and interpreting settings. Analysis of interview data revealed that clerical duties now took up over 80-90% of the participants' working time, a 30-40% increase from 20 years ago. Consequently, the "clerk" role outweighed the "interpreter" role, even though they were designated court interpreters. Despite constituting only 10-20% of their workload, participants consistently identified interpretation as the most challenging task.



This was primarily attributed to the absence of formal training in Chinese translation and interpretation and the lack of officially recognized or government-published Chinese legal reference materials. The study further revealed that rigid work environments, inflexible advancement systems, and limited training opportunities have significantly negatively impacted interpreters' job performance and career development. However, the study also identified resiliency among Chinese-speaking staff court interpreters, who often transformed workplace challenges into opportunities. Many took the initiative to pursue further education and responded optimistically to the challenges they faced in their roles. The government's persistent passivity in clarifying interpreter responsibilities, talent recruitment, and training systems implementation likely leads to an inability to attract and retain qualified professionals. Unique considerations should be given to Chinese-speaking staff court interpreters, and the government should make systemic reforms to prevent a vicious cycle and ensure a high-quality and efficient judicial system. Otherwise, it will further compromise the public's language rights.

Keywords: Malaysia, court interpreters, Chinese-speaking court interpreters, working conditions, challenges, opportunities.

Table of Contents



Acknowledgment	i
摘要.....	ii
Abstract	iv
Table of Contents	vi
List of Figures	ix
List of Tables.....	x
Chapter 1 Introduction	1
1.1 Motivation	1
1.2 Background of the Study.....	1
1.3 Research Questions	6
Chapter 2 Literature Review	7
2.1 Court Interpreting.....	8
2.2 Court Interpreters' Role	11
2.3 Staff Court Interpreters and Freelance Court Interpreters.....	17
2.4 Challenges in Court Interpreting	21
2.4.1 Interpreting-related Issues	22
2.4.2 Workplace Dynamics	26
Chapter 3 Methods	29
3.1 Sampling Methods.....	29
3.1.1 The Participants.....	30
3.2 Data Collection.....	33
3.2.1 Semi-structured Interviews	33

3.2.2 Field Observations	34
3.3 Data Analysis	35
Chapter 4 Results	37
4.1 Interpreters in the Courtroom	37
4.1.1 Workspace and Staffing	37
4.1.2 Navigating the Open Court	40
4.2 The Evolution of Work Dynamics	44
4.2.1 Roles and Responsibilities	44
4.2.2 Self-perceptions.....	46
4.2.3 The Changes of Scheme of Service.....	48
4.3 Challenges and Strategies in Court Interpreting	50
4.3.1 Linguistic-Related Challenges	51
4.3.1.1 Interpreting on the Spot.....	51
4.3.1.2 Choice of Expression	53
4.3.1.3 Deterioration in Language Skills.....	56
4.3.1.4 Factors Contributing to Court Interpretation Challenges.....	59
4.3.2 Non-Linguistic Challenges.....	64
4.3.2.1 Excessive Workloads	64
4.3.2.2 Frequent Long-Distance Deployments.....	68
4.3.3 Interpreters' Perceptions of Challenges	71
4.3.3.1 Improving Court Performance	72
4.3.3.2 Enhancing Legal Language Proficiency	75
4.4 Personal and Professional Growth	77
4.4.1 Enhancing Educational Attainment.....	77

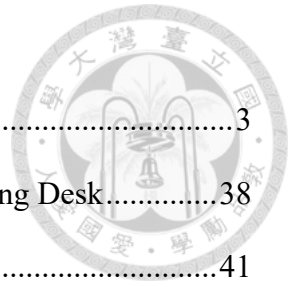


4.4.2 Lifelong Learning.....	83
4.4.3 Career Planning.....	84
4.5 Recommendations for Improving Working Conditions.....	88
4.5.1 Reliable and Durable Equipment	89
4.5.2 Strategic Placement.....	91
4.5.3 Tailored Training for Practical Applications	93
4.5.4 Competent Workforce	94
4.5.5 Attractive Remunerations and Benefits.....	96
4.6 Summary	98
Chapter 5 Discussion and Conclusion.....	100
5.1 Discussion on Findings	100
5.2 Limitations and Recommendations for Future Studies	107
5.3 Conclusion.....	108
References	112
Appendix 1: Consent Forms (Mandarin Version).....	123
Appendix 2: Consent Forms (English Version)	125
Appendix 3: Interview Questions.....	127
Appendix 4: Field Notes Template (Courtroom)	130



List of Figures

Figure 1 Hierarchy of Court in Malaysia	3
Figure 2 A View of the Courtroom and the Interpreter's Main Working Desk.....	38
Figure 3 Interpreter's Circulation Route in Court.....	41
Figure 4 Court Coverage Area of Participant P03	70



List of Tables

Table 1 Roles Adopted by Court Interpreters	14
Table 2 Additional Roles: Adopted by Malaysian Court Interpreter	15
Table 3 Academic Qualifications for Staff Court Interpreter	19
Table 4 Basic Information of the Participants	31
Table 5 Starting Salary of Court Interpreters by Appointment Qualifications as of July 1, 2016.....	50
Table 6 Educational Attainment of the Research Participants	78
Table 7 Career Planning of the Research Participants	85

Chapter 1 Introduction



1.1 Motivation

As a journalist, I believe that every investigation begins with an idea that is developed and refined to address various situations and circumstances. The COVID-19 pandemic of 2020, for instance, spurred global investigations into public health, economic impacts, and societal changes. Similar to international media, Malaysian media outlets also examined the pandemic's impact on society, analysed the government's response, and offered timely information to the public.. However, the government's pandemic-related announcements and aid were primarily disseminated in the National Language, Malay, leaving many non-Malay-speaking communities, especially migrant workers, often marginalized and living in poverty, voiceless and unable to access crucial information. Malaysia's prolonged lockdown further exacerbated the detrimental effects of language barriers on these vulnerable populations.

Having observed first-hand the difficulties faced by migrant workers during the pandemic, I became interested in the role of court interpreters in safeguarding linguistic rights and their contributions to ensuring equitable access to justice for linguistically vulnerable communities. Specifically, I sought to identify who these interpreters were and the efforts they had made to ensure equitable access to justice for all.

1.2 Background of the Study

Based on the 2023 national census DOSM (2023), Malaysia's total population in the first quarter of 2023 reached 33.2 million. The population of Malaysia consists of 91.7% citizens, totalling 30.4 million, and 8.44% non-citizens, amounting to 2.8 million. Out of the 30.4 million citizens, Bumiputera—comprising ethnic Malays and indigenous peoples—accounted for 70.1%. The Chinese made up 22.6%, the Indians 6.6%, and other

ethnic groups 0.7%. The population data indicates that Malaysia is a highly diverse country, both culturally and linguistically, with complex characteristics.

Malaysia has been regarded as one of the developing countries with significant globalization since gaining independence in 1957. Malaysian government implemented the Malaysia My Second Home policy (MM2H), which attracted multinational foreigners to reside in Malaysia for a duration of 10 years. Between 2002 and 2019, nearly 49,000 individuals were approved for the MM2H visa (Yee & Ting, 2021), with more than 35 percent of applicants originating from China, Taiwan, and Hong Kong, all of which are countries where Chinese is predominantly spoken.

According to Article 152 of the Federal Constitution, Malay is recognized as the national language of Malaysia, while English holds a secondary official status. In addition to Malay and English, Malaysia is home to various languages spoken by Chinese, Indian, and indigenous communities. Chinese Malaysians, who are descendants of Southern Chinese immigrants (largely from Fujian and Guangdong), flocking to Malaya after mid-19th century speak a range of native languages including Hokkien, Hakka, Cantonese, Teochew, Foochow, Hainanese, and more. According to Carstens (2018), Malaysian Chinese associate Malay as the language of Malay ethnicity, coupled with the controversy over banning Christians from using the word “Allah” to refer to “God” over decades, leading to negative sentiments towards Malay usage. Malay is a compulsory national education subject, and most educated Chinese can generally write and speak Malay. However, due to the fluidity of mixed language culture, a significant portion of Chinese are not conversant in Malay regarding speaking fluency and proficiency.

This perception can be traced back to the emergence of originalism in Malaysia following the May 13 incident in 1969. After that painful incident, the Chinese population began to feel detached from the government, coinciding with the implementation of the

According to the National Language Act 1963/67, “All proceedings (other than the giving of evidence by a witness) in the Federal Court, Court of Appeal, the High Court or any Subordinate Court shall be in the national language.” This highlights the significance of interpretation as an essential tool within the country’s legal system. The importance of court interpreters is also emphasized in the Criminal Procedure Code (Act 593, 2012), which ensures that accused is entitled to the assistance of an interpreter during open court proceedings.

Hence, Chinese-speaking interpreters play a vital role in providing court interpretation services to a large and underserved Chinese community. However, over the past four decades, there has been a significant shortage of Chinese-speaking interpreters, resulting in a backlog of trials that cannot proceed and defendants being detained in detention centres. For instance, in February 2010, four suspects involved in the kidnapping of a 19-year-old student were charged in the magistrate’s court. As there was no Chinese-speaking interpreter available in the courtroom, the suspects were unable to understand the charges, leading to a trial postponement until March (星洲日報, 2010). Similarly, in December 2019, 14 suspects from China were charged in court for entering Malaysia without proper documentation. After all, due to the absence of a Chinese-speaking interpreter, the trial had to be scheduled for the following January (東方日報, 2019). During this period, all the suspects were held in prison without bail. The above two cases highlight the importance of interpreting as a key legal actor upon whom the fair administration of justice rests (González et al., 2012). It also demonstrates that the linguistic absence put defendants’ rights at risks. de Jongh (2008) even cited a famous aphorism from a U.S. court case to crystallize this phenomenon:

It would be as though a defendant were forced to observe the proceedings from a soundproof booth or seated out of hearing at the rear of the courtroom, being able

to observe but not comprehend the criminal processes whereby the state had put his [or her] freedom in jeopardy. (p. 20)

Court interpreting studies in the western context are extensively documented (e.g. González et al., 2012; Hale, 2011; Moeketsi & Wallmach, 2005), with active research focusing on China (e.g. Leung, 2019; Wang, 2023), Japan (e.g. Nakane & Mizuno, 2019), and Taiwan (e.g. Chang, 2013). However, studies on court interpreters are limited in a developing country like Malaysia. To date, only few research papers have been found on this subject. The initial research conducted by Teo Say Eng in 1984 explored *The Role of Interpreters in Malaysian Courts*. The subsequent and most comprehensive study was Zubaidah Ibrahim's doctoral dissertation titled *Court Interpreting in Malaysia in Relation to Language Planning and Policy*, completed in 2002. Both of these studies are classified as unpublished research papers and are not accessible to the public.

Ibrahim's research delved extensively into the practice of court interpreting and explicitly highlighted the severe shortage of Chinese-speaking interpreters. According to her research paper, only 612 of the 895 available positions were filled, leaving 283 vacancies. This represented a 30% shortfall rate. The most significant issue was the scarcity of Chinese-speaking interpreters, which affected 42% of courts. Furthermore, there was a significant demand for Chinese dialects, constituting 85% of the daily demand. It is noteworthy that Ibrahim presented her findings and potential solutions to the Judicial Department and relevant agencies, aiming to enhance interpretation services. However, the researcher continued to encounter news reports about the ongoing shortfall of Chinese-speaking interpreters:

There is now an acute shortage of Chinese and Tamil interpreters, which is a serious concern...In my recent experience, the Shah Alam and Kuala Lumpur

courts do not provide Chinese interpreters anymore but civil litigants are given the liberty to bring their Chinese interpreters if required. (Supramani, 2022)

The above situation does not appear to be improving; instead, it is progressively worsening, and the challenges faced by Chinese-speaking interpreters today are expected to remain exceptionally high. Therefore, it is essential to closely examine how Chinese-speaking court interpreting in Malaysia has evolved over the past two decades.

1.3 Research Questions

This study focused on Chinese-speaking staff court interpreters in Malaysia. It aimed to examine their current working conditions, roles, and responsibilities, in order to gain insight into their daily experiences. The study also explored how these interpreters perceived and overcame their challenges. Additionally, it investigated how these challenges could be leveraged for personal and professional growth. The research questions for this study were formulated as follows:

1. What are the current working conditions, roles, and responsibilities of Chinese-speaking staff court interpreters in Malaysia?
2. How do Chinese-speaking staff court interpreters perceive and navigate challenges in their work?
3. How do Chinese-speaking staff court interpreters leverage challenges as opportunities for personal and professional growth?
4. How can we create a more accommodating environment for Chinese-speaking staff court interpreters in Malaysia?

To answer the research questions, the researcher employed a combination of semi-structured interviews and field observations. The ultimate goal was to use the findings to develop strategies for creating a more supportive and accommodating environment for Chinese-speaking interpreters within the Malaysian court system.

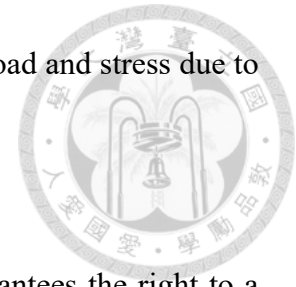
Chapter 2 Literature Review

Interpreting has come a long way from its humble beginnings as a basic form of communication facilitation. As societies advanced and interactions between different linguistic groups became more complex, the demand for skilled interpreters grew. This led to the development of specialized interpreting roles to meet to the unique needs of various domains, such as diplomatic interpreting, legal interpreting, conference interpreting, healthcare interpreting, community interpreting, and more.

Conference and court interpreting, while both under the umbrella of language professions, involve distinct settings, challenges, and dynamics. Conference interpreters primarily work in international or large-scale gatherings, facilitating communication among participants who speak different languages. Their focus is on conveying complex ideas accurately and efficiently in diverse fields such as diplomacy, business, or academia. In contrast, court interpreters navigate the intricacies of legal proceedings, ensuring effective communication between parties with language barriers in a courtroom setting. They play a critical role in facilitating due process, maintaining the integrity of legal proceedings, and upholding individuals' rights to comprehend and participate fully in the legal system. While conference interpreting demands versatility across various subjects, court interpreting requires a deep understanding of legal terminology and procedures. The skills and competencies required for these roles reflect the nuanced demands of each setting, showcasing the diversity within the broader field of interpreting.

The section explores both theoretical and empirical aspects of the role of court interpreters in legal settings. It presents an overview of previous research that serves as the foundation for the current study. The section highlights the critical roles of court interpreters, emphasizing their challenges, including linguistic accuracy, cultural

sensitivity, impartiality, and workplace dynamics, such as job overload and stress due to the demanding nature of their work.



2.1 Court Interpreting

The fundamental principle of international law, which guarantees the right to a fair trial, is enshrined in both the International Covenant on Civil and Political Rights (ICCPR) and Article 14 of the ICCPR. Specifically, Article 14 (3)(f) of the ICCPR ensures that individuals facing criminal charges have the right to receive the assistance of an interpreter if they are unable to understand or communicate effectively. This means that such individuals are entitled to the support of an interpreter to fully comprehend the trial proceedings and ensure that justice is carried out fairly for them. Court interpreting emerged as a response to the needs of individuals with limited language skills. While the term “court interpreting” is commonly used to encompass various forms of legal interpreting, as noted by Mikkelson (2016), court interpreters work not only in courtrooms but also in law offices, law enforcement agencies, correctional facilities, and other public institutions associated with the judiciary. Therefore, the courtroom represents just one of several settings where legal interpreting may occur (Gamal, 2009).

Research on the historical background of court interpreters has been limited thus far. Due to the scarcity of literature documenting the origins of interpreting, it can be reasonably assumed that the practice of court interpreting is nearly as ancient as the practice of law itself (Mikkelson, 2016). In Spanish-speaking nations, Sherr (1999) suggests that court interpretation likely began as early as the 1550s during the colonization of the Americas. One notable trial in the past that gained significant recognition was the Nuremberg trial of Nazi war criminals, which took place from November 20, 1945, to October 1, 1946, in Germany. This trial stands out as it was the first instance where equipment was utilized to provide simultaneous interpretation in

English, Russian, German, and French. In the Asia Pacific region, court interpretation in Japan can be traced back to the early 20th century (Nakane & Mizuno, 2019), but it garnered more attention during the late 1980s and early 1990s, coinciding with an economic boom in the country.

Australia, Malaysia and Hong Kong are common-law jurisdiction. Both court systems were inherited from British at the time of colonization. The use of court interpreters in Malaysia and Hong Kong exhibits similarities (see **Section 2.3**). The establishment of Malaysia's judiciary and legal profession can be traced back to the opening of the Supreme Court of Penang on May 31, 1808 (Ibrahim-González, 2007). As for the court interpreters in Hong Kong, they have been hired to serve the linguistic minorities since its establishment in 1842. Initially, they acted as middle intermediaries between the British judge and the locals (Ng, 2009). The development of court interpreting in Australia is relatively recent. It gradually took place during the post-war immigration period in the 1950s (Hale, 2004), starting from community interpreting.

Court interpreters deal primarily in the oral rendition of speech from one language into another during the course of judicial proceedings. In order to achieve legal equivalence, a court interpreter must possess superior linguistic, interpreting skills, cognitive flexibility and necessary strategies (González et al., 2012). To perform the skill of converting spontaneous speech into a meaningful legal equivalent in the courtroom, court interpreters utilise several modes of interpreting (González et al., 2012):

1. *Consecutive interpreting (CI)*: The interpreter attentively captures the entirety of a speaker's remarks or, at the very least, a significant passage, and then reconstructs the speech using notes collected throughout the listening process (Jones, 2014). CI involves language perception, storage, retrieval, and

generation. Many interpreters consider CI more difficult than SI. It demands active listening, strong memory, and note-taking skills.

2. *Simultaneous interpreting (SI)*: SI is the method in which the interpreter speaks simultaneously with the speaker of the source language. According to Van Dam in 1986 (as cited in González et al., 2012), SI refers to a situation where the interpreter is unable to refer to dictionaries or other sources and must quickly find a satisfactory solution. Interpreters focus on transmitting the message while simultaneously remaining attentive to the subsequent communication in the source language.
3. *Sight translation*: The interpreter is presented with unfamiliar material written in the source language. With minimal prior preparation, the interpreter delivers a comprehensive oral translation of the document in the target language (González et al., 2012). It demands the ability to read and analyse the content, a good command of natural-sounding speaking skills, and be faithful to the original text.

In addition to the above three major modes of interpretation, court interpreters are also required to carry out various translation tasks (Lee, 2015):

4. *Document Translation*: Court interpreters are sometimes called upon to perform related tasks, such as transcription and translation. When a translated document is presented as evidence, it must meet the same high standard of accuracy as the one court interpreters must adhere to when interpreting testimony for the official record (González et al., 2012).

There has been a rise in the adoption of videoconferencing during legal proceedings (Braun, 2013). Remote interpreting has expanded enormously during

COVID-19 due to the impossibility of holding meetings face-to-face (Buján & Collard, 2022):

5. *Remote interpreting (RI)*: Communication technologies are employed to establish a connection between primary participants situated in one location and an interpreter situated elsewhere, whether it be in a different room, building, town, city, or even country. This connection is established through means such as telephone or video link (Braun, 2013). However, remote interpreting has also increased the difficulty of the interpreter's job, especially regarding unpredictable technical issues such as sound quality and internet stability (Buján & Collard, 2022).

2.2 Court Interpreters' Role

Court Interpreting is often called Community Interpreting, which aims to resolve civil litigation and conflicts (Chen, 2015). Community interpreters primarily serve the public service sector, including health, legal, immigration and other regional public services, and are conversational, cross-linguistic and cross-cultural communicators (Pöchhacker, 2022). 陳子瑋 (2011) has compiled a list of alternative terms used to refer to the concept of community interpreter prior to its establishment in 2004, including ad hoc interpreting, liaison interpreting, cultural interpreting, dialogue interpreting, and public service interpreting.

These different terms illustrate the diversity of community interpreting, which also presents the cultural diversity among people. Community interpreting is an unfamiliar name, at least in Malaysia. A year ago, the researcher interviewed an NGO person who specializes in assisting refugees. Although he often needs an interpreter to convey information, he has never heard about this professional title or role. However, community interpreting is widespread in Australia. Hale has published numerous research

works (2007, 2014, and 2019) to increase the visibility of community interpreters in society. There is also a growing trend of community interpretation research in Taiwan, such as 陳子瑋 (2011), 裴恩 (2011), and Shih (2020), to name a few.



Tiselius (2021) noted that community interpreters, also known as heritage speakers, inherit languages from immigrants or ethnic minorities, resulting in greater diversity. Hale's (2014) emphasis on the role of interpreters in facilitating cultural understanding aligns seamlessly with the challenges. Kaufert and Koolage (1984) identified in the medical setting and Shih (2020) in the community setting. Kaufert and Koolage (1984) found that Canadian medical translators work as cultural mediators and patient advocates, reducing power imbalances in cross-cultural clinics. Whereas Shih's (2020) research also discovered that community interpreters, who knew both parties' language and culture, were responsible for fostering mutual comprehension when recognizing the potential for misunderstandings. All the above demonstrates that interpreters are no longer invisible in community interpreting settings; rather, they have rightfully emerged as critical players in communication. Both findings also echo Roberts' (1997) characterization of community interpreters as advocates or intermediaries in bridging linguistic and cultural divides.

The role of intervention is also frequently discussed. Interpreters have always been regarded as conduits, code-breakers and message conveyors. The professional code of ethics for interpreters (AIIC, 2022) generally requires interpreters to abide by the fidelity of interpretation, i.e., no embellishments, omissions, or alteration, especially in the case of judicial interpreting, where most of the norms emphasise the total fidelity and completeness of the message (Mikkelsen, 2016). However, interference is inevitable in actual practice, whether community interpreters or court interpreters, as empirical studies have shown (Martin & Martí, 2008; Ng, 2016; Shih, 2020).

As a medical and community interpreter working my way into the courtroom, intervention strategies are familiar territory. Their purpose and the nuance required to intervene effectively between doctors and patients, or services providers and clients, even angry customers or angry administrators, are ingrained and mostly automatic skills for me at this point (Allen, 2013).

On the other hand, de Jongh (2012) emphasizes that an interpreter's role extends beyond facilitating communication in multiple languages; they also serve as cultural intermediaries, bridging the gap between different cultural backgrounds. Barsky (1996) has explored how interpreters perform various intercultural functions in the context of refugee hearings. He highlights the interpreter's role in mediating culture-specific attitudes to minimize the potential damage caused by intercultural misunderstandings. An interesting observation was made in a survey conducted by Pöchhacker (2000) in Austria, which involved interpreters and service providers such as doctors, nurses, therapists, and social workers. It was found that interpreters felt more at ease explaining cultural differences compared to the service providers. Although Barsky and Pöchhacker's primarily referred to community interpreters, the characteristics identified in their study also apply to court interpreting. Thus, insights from community interpreting can shed light on aspects of court interpreting.

While community and court interpreting share the need for linguistic abilities, they differ regarding legal language comprehension, procedural complexities, and adherence to a more rigorous code of ethics within their specific domains. Court interpreting is a form of dialogue interpreting that requires communication among three participants. Every process of dialogue interpreting involved in the administration of justice is rigorous, from arrest to charge, to trial, to verdict. Each participant involved has a role and task that is clearly stated, except for the interpreter (Ibrahim, 2002a). Defining

role in court interpreting is a subject of ongoing debate and disagreement (Hale, 2008). In order to deepen our understanding of the role of court interpreters, Hale (2008) has prescribed court interpreters into five distinct role types (see **Table 1**).

Table 1

Roles Adopted by Court Interpreters

Role identity	Description of task
1. Advocate for the powerless participant	To help the minority language speaker present their case in the best possible way.
2. Advocate for the powerful participant	To help the service provider/institution. To serve as an institutional assistant.
3. Gatekeeper. The interpreter becomes the only powerful participant.	To be an active third participant in the interaction and decide on what should and should not be uttered.
4. Filter, embellisher, clarifier, speech assistant	To ensure effective communication between participants.
5. Faithful renderer of the original utterances	To remove the language barrier and place the minority language speaker in as similar a position as possible as someone who speaks the mainstream language.

Note. From *Controversies Over the Role of the Court Interpreter*, by Sandra Hale, 2008, John Benjamins Publishing Company.

The multiple roles in court interpreters apply to court interpreting in any jurisdiction, including Malaysia. In Malaysia, the interpreter's responsibilities extend beyond interpreting alone; they were also expected to assist the tribunal in the open court by executing various tasks (Ibrahim, 2002a). The researcher has compiled Ibrahim's findings and attempted to classify the additional occupational roles of Malaysian court interpreters that were not included in Hale's prescription (see **Table 2**).

Table 2

Additional Roles Adopted by Malaysian Court Interpreter

Role identity	Description of task
1. Clerk of the Court	To perform legal duties and to assist the Judge.
2. The clerical staff	To perform the clerical duties that support the documentation for the court.
3. Principal assistant to the Judge	To act as a liaison between the judge and court personnel.
4. Administrative assistant	To provide administrative support.

Note. Adapted from *Court Interpreting in Malaysia in Relation to Language Planning and Policy*, by Zubaidah Ibrahim, 2002, p. 327, University of Malaya.

Malaysian court interpreters are not unique in being tasked with clerical duties; interpreters in other countries, such as the United States¹ and Taiwan, also perform similar roles. In Taiwan, for example, the courts have stopped recruiting new staff interpreters to replace those who leave or vacate positions, a policy in place since January 24, 2006 (黃川容, 2020). By the end of 2017, nearly two-thirds of cases involving foreign parties were handled by contracted interpreters (陳映庭, 2018). This shift occurred due to the limited language capabilities of staff interpreters,

who were mostly proficient in English or Chinese dialects, but not other foreign languages. As a result, their responsibilities evolved from interpretation to more administrative functions, such as handling evidence, recording video and audio, and assisting with the smooth operation of court proceedings (張雅琳, 2019). Consequently, staff interpreters had fewer opportunities to engage in interpretation work.

However, Ibrahim's study revealed that a significant proportion of clerical tasks for Malaysian court interpreters reach ratios as high as 50:50 or even 40:60. Notably, certain high courts in the central Peninsular and courts in East Malaysia experience an exceptionally high ratio of clerical work, making up approximately 70% of the daily workload. If these roles are to work as intended, we must be concerned about the effects that multiple roles impose on interpreters. This is important to this study because court interpreters' perceptions of their roles affect their interpretation. As we delve into the multifaceted role of the interpreter, it becomes evident that understanding the distinctions

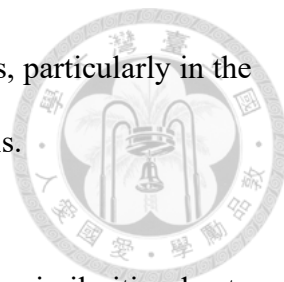
¹ The New York Unified Court System's employment announcement stated that court interpreters may also be tasked with clerical duties, such as filing documents or responding to inquiries. <https://www.nycourts.gov/legacyPDFs/careers/statewide/1491.pdf>

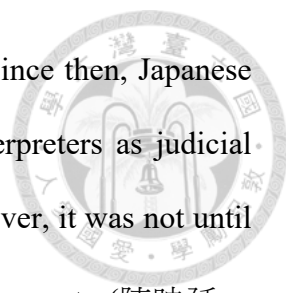
between staff and freelance court interpreters offers valuable insights, particularly in the context of the current landscape for Malaysian language professionals.

2.3 Staff Court Interpreters and Freelance Court Interpreters

The legal systems in Hong Kong and Malaysia exhibit striking similarities due to their shared history as former British colonies and their adoption of the Common Law system. While both Hong Kong and Malaysia prioritize the rule of law in their legal systems, Taiwan's legal system is distinctive, as it follows the civil law tradition. The researcher will briefly overview the variations in the court interpreter system across the three jurisdictions and then focus on the practice in Malaysia. This will help identify the similarities and differences between the three regions.

Court interpreting in Hong Kong was an entrenched practice. Interpreters were originally general clerical officers who served under the then-Secretary for Chinese Affairs. Court interpreters were not institutionally recognized by the civil service until the 1970s (Ng, 2009), and interpreters were recruited through the Civil Service Bureau. English was the predominant language of Hong Kong's legal system. Although Cantonese was the primary language spoken by the locals, English was the dominant language used in the courts. While the status of English remained unchanged, the demand for Cantonese and English interpretation had declined after the opening of the first Cantonese trial in Hong Kong in 1995 and the reunification of Hong Kong with China in 1997 (Leung, 2019). Despite this, Ng's (2009) study found that the number of staff interpreters did not decline, with 2007 data showing that 95% of staff interpreters were fluent in Mandarin. Interpreters were part of the Court Language Unit, which was the lowest group in the judiciary administration. Apart from interpreting in court, another onerous duty that interpreters had to undertake was the translation and certification of court documents (Ng, 2009).





Taiwan became a colony of the Japanese Empire in 1895. Since then, Japanese court interpreters have represented the first inception of court interpreters as judicial personnel in Taiwan (許雪姬, 2006, as cited in Chen, 2015). However, it was not until 1991 that civil servant interpreters officially appeared in Taiwan's courts (陳映廷, 2018). With the increase in the number of foreigners, civil service interpreters have gradually phased out since 2006 in favor of a contract system in response to practical needs. The contract court interpreter's system was fully adopted in 2015 - recruitment and training by the Judicial Yuan. Eligible persons are allowed to attend 22 hours of educational training, after which a certificate of competency is issued, valid for two years (陳映廷, 2018).

Unlike bilingualism in Hong Kong and Taiwan in the early days, the diversity of interpreting languages is due to the migration of people from other countries. However, in Malaysia, where the population's ethnicity is very pluralistic, the main target of interpreting services is locals. Hence, the Chinese-speaking interpreters must master at least three languages, i.e., Malay, English, and Mandarin. Like Hong Kong and many other countries, Malaysia's court has two categories of judicial interpreters: staff interpreters and freelance interpreters. To accommodate the increasing demand for a wider range of language interpretation services and to supplement the shortage of in-house interpreters, contract-based court interpreters have been increasingly employed in recent years.

The recruitment of staff court interpreters is overseen by the Public Service Commission of Malaysia (SPA), and the regulations and qualifications for the role are relatively lax. The researcher used data from the SPA and the Hong Kong Civil Service Information Network (CSRADAR) to compare the conditions set by the governments of the two regions when hiring the lowest grade of court interpreters (see **Table 3**).

Table 3
Academic Qualifications for Staff Court Interpreter

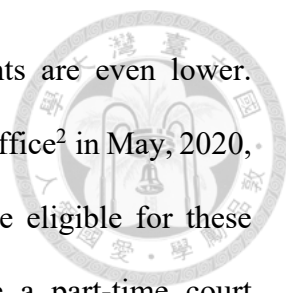


Country	Malaysia	Hong Kong
Entry grade	LA19	CI II
Minimum Requirements	a. Obtained at least Grade C at SPM, or equivalent, in Malay and English;	a. Bachelor' s degree awarded by any university in Hong Kong or equivalent;
	b. Pass in the oral test of the relevant languages/dialects conducted by appointing authority.	b. Level 2 in two language papers (Cantonese and English) in the CRE, or equivalent;
Requirements	c. Optional additional certificates: SKM, Level 2 or Level 3	c. Pass in the Aptitude Test of the CRE;
		d. Speak fluent Cantonese and English (preferably also speak fluent Mandarin);
		e. Pass in the Basic Law and Hong Kong National Security Law Test

Sources. SPA & CSRADAR (HK)

Note. SPM = Malaysian Certificate Examination. It is equivalent to the GCE O Level; SKM = Malaysian Vocational Certificate; CRE = Common Recruitment Examination.

SPA also outlines the responsibilities of court interpreter, which include: interpreting cases in open court and chambers; recording case proceedings or decisions in the files; maintaining the Court Exhibit Book and Diary; and, providing daily or monthly reports. They are also involved in administrative and clerical work, for example, collection of fines, issuing receipts, and banking in the day's collection (Ibrahim-González, 2007). It is clear that staff interpreters in the public sector of government, even though they work for the organization, are not just confined to courtroom interpretation.



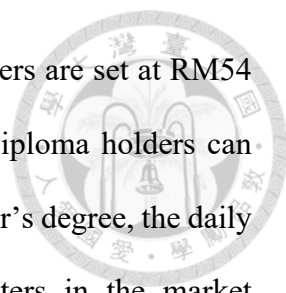
In the case of freelance court interpreters, the requirements are even lower. According to the job announcement released by the Chief Registrar Office² in May, 2020, fluency in Malay, English, and a third language is sufficient to be eligible for these positions. For Chinese dialects, the only prerequisite to become a part-time court interpreter is the ability to communicate effectively in those dialects. As for the job description stated in the recruitment announcement, part-time court interpreters are explicitly required to undertake both oral interpretation and written translation tasks. Additionally, it is clarified that part-time court interpreters are expected to assist in handling specific court-related matters, although the description is somewhat vague and does not specify the nature of these court-related tasks.

Both staff court interpreters and freelance interpreters will adhere to the Flexible Working Hours policy³. The new working hour policy was implemented on March 1, 2019 to streamline the workflow and improve overall efficiency within the organization. The designated work hours will begin between 7:30 a.m. and 9:00 a.m., concluding between 4:30 p.m. and 6:00 p.m., with a daily total of 9 working hours.

Low remunerations and limited prospects for career advancement have long plagued staff interpreters (Ibrahim, 2009). Within the Malaysian Public Service scheme, the starting salary for LA19 interpreters is RM1,355 (\$314.78), which falls below the national monthly minimum wage of RM1,500 (\$348.45) implemented on May 1, 2022. On the other hand, the salary of entry-level interpreters in Hong Kong reaches 32,430 HKD (\$4,173.42). Freelance interpreters are also paid at a very low rate. The job announcement specifies that the daily rate for part-time positions is contingent upon the

² Job opening posted by the Chief Registrar Office on Facebook
www.facebook.com/Kehakiman/photos/a.353352704779595/2915185271929646/

³ The General Order by JPA outlined Flexible Working Hour Flexible
<https://docs.jpa.gov.my/docs/myppsm/PPSM/SR/Waktu-bekerja/10/>



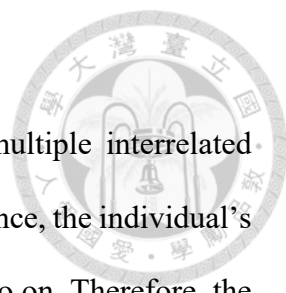
educational credentials of the individual. Daily wages for SPM holders are set at RM54 (\$12.54), while Malaysian Higher School Certificate (STPM) or Diploma holders can expect a daily wage of RM72 (\$16.72). Even for those with a bachelor's degree, the daily wage is only RM100 (\$23.23). Contrastingly, freelance interpreters in the market command an average hourly rate of RM45.00, approximately \$14.45 (PayScale, 2023). When compared to part-time court interpreters hired through JPA and holding a university diploma, freelance interpreters enjoy an hourly rate that is 2.7 times higher.

2.4 Challenges in Court Interpreting

Interpreting is the process in which “a first and final rendition in another language is produced on the basis of a one-time presentation of an utterance in a source language”(Pöchhacker, 2022, p. 11). Interpreting requires navigating a complex landscape that demands both cognitive and motor skills. Like a skilled conductor, the interpreter orchestrates this symphony of skills to convey meaning across linguistic boundaries, including listening and comprehending, abstracting and storing ideas, searching for matches, reconstruction and concurrent processing, and monitoring output. These are the core obligations and competencies of an interpreter.

However, interpreting is often mistakenly perceived as a straightforward task, particularly in today's society, where many individuals are proficient in multiple languages, leading to the notion that language conversion is a daily routine for them. Consequently, there is a tendency to disregard interpreting as a specialized profession. The lack of awareness regarding the interpreting profession among the general public within the interpreting industry has contributed to a stereotype wherein anyone familiar with a foreign language may consider themselves capable of being an interpreter. This section explores court interpreters' challenges, shedding light on the complexities of their task within the judicial system.

2.4.1 Interpreting-related Issues



Interpreting in the legal context is very complex due to multiple interrelated factors, such as the speaker's role perception, knowledge and experience, the individual's linguistic and cultural background, expectations of the system, and so on. Therefore, the meanings generated by the language of the courtroom are particularly subtle. It is widely acknowledged that the legal environment is constantly changing, characterized by frequent legislative updates and modifications. These alterations can include enacting new legislation, revisions to current statutes, and changes in legal interpretations. Interpreters must promptly familiarize themselves with the updated laws to convey legal information during hearings accurately. This includes understanding the new terms and correctly interpreting them, as the primary objective of court interpreting is to produce a linguistically accurate and legally appropriate rendition that reflects the legal equivalence of the original message without making any modifications, alterations, or omissions (González et al., 2012). Napier and Spencer (2008) believe that the difficulties faced by court interpreters are mainly reflected in the use of contextualized language and the expression of professional terminology. Legal discourse differs from spoken language at the lexical, semantic, and syntactic levels (Napier & Spencer, 2008). It is often difficult for the general public to understand.

There are studies (Hale, 2004; Wang & Grant, 2015) that highlight the challenge of maintaining terminological precision in legal language. Hale (2004) cited an example of a refugee hearing, which showed that, under the definition of "*refugees*" in the United Nations Convention, the terminology of "*well-founded fear*", "*persecution*", and "*nationality*" in the legal context involves complex concepts and definitions which may be difficult for interpreters to understand and accurately translate. In Wang and Grant's

(2015) study, as many as 10 out of the 11 interviewed interpreters expressed awareness of the continual emergence of new legal jargon.

The interpreter's choice of expression will be influenced by factors such as dialect, educational level, register, geographic variance, specialized or technical vocabulary, and style (de Jongh, 1991). We must recognize that courts generally address the interpretation of testimony as an evidentiary matter; erroneous interpretations can potentially violate fundamental constitutional rights (Santaniello, 2018). Achieving legal equivalence requires the interpreters to capture not only the content of the speaker's message but also the manner of speech, including register, style, tone, intent of the speaker, pauses, hesitations, false starts, and other speech performance characteristics or non-verbal cues (González et al., 2012; Moeketsi, 1999). Manner of speech can influence perceptions of credibility, socio-economic status, and trustworthiness. Understanding the intricacies of manner becomes especially significant in the adversarial courtroom environment, where judicial outcomes are often influenced by the effectiveness of communication. Research into speech styles, such as powerful and powerless speech (Tang, 2023), underscores the impact of linguistic nuances on the evaluation of a speaker.

Hale (2004) identified tag questions as challenging for court interpreters. Tag questions are short, and additional questions are appended to a statement, often seeking confirmation to elicit agreement or prompt a response. Hale (2004) revealed that interpreters omitted the tag 52.12% of the time due to the pressure to deliver quickly and save the court's time. Berk-Seligson's (1999) empirical study shows the same trend as Hale's: 49.6% of tags or other leading portions of the question were omitted entirely in the interpretation. This outcome demonstrates how the pragmatic power of the query can be lessened, making it less forceful. When the tag is removed, a tricky, leading question becomes a sincere inquiry into information. Using a court trial case in Hong Kong in 2011

as an example (明報專訊，2011). The 22-year-old sentenced to life imprisonment for murder was given a chance to reconsider the trial when the court interpreter omitted the English word “*serious*”. The Court of Appeal cited the interpreter’s error as destabilizing the conviction. Even though the circumstances mentioned in the case have nothing to do with tag questions, it also indicates that omitting certain words can completely overturn the legal outcome of a case. In an earlier study, Hale (1999) also found that when it came to discourse markers, interpreters omitted them almost systematically. The

omission may be attributed to various factors. One possibility is that the interpreter was so focused on explaining the meaning in the context that they forgot how important the questions were. Another explanation could be an inherent translation difficulty (Hale, 1999).

In addition to the omission, court interpreters also prepare to modify their target language by additions. Jacobsen (2003) revealed that court interpreters actively contribute additional information within the courtroom to explicate non-verbal and culture-bound information to serve as an attempt to align with the speakers’ intended meaning in a particular situation and guarantee clarity of communication. This illustrated the interpreters’ significant focus on the practical aspects of applying language in everyday situations.

While acknowledging courtroom interpreters’ challenges, Hale and Gibbons (1999) argue that this practice has undesirable consequences because these changes could significantly impact the evidence presented and, as a result, the final decision in the case. Therefore, the above scholars believe that the right way is to demand higher standards of interpreting with specialized training. Given the significant role played by the legal profession in society, as the upholders of the rule of law and protectors of individual rights, various countries have established translator and interpreter unions or associations, along

with educational institutions, to support and advance the interpreting profession. Examples include The Australian Institute of Interpreters and Translators (AUSIT), The Austrian Association of Certified Court Interpreters (AACI), The National Association of Judiciary Interpreters & Translators (NAJIT) in the USA, The Association of Police and Court Interpreters (APCI) in the UK, and others. Many professionals recognize the challenges faced in the courtroom and agree that legal interpreting training plays a vital role in supporting practising interpreters.

Several countries have taken steps to provide formal training, examinations, and certification for court interpreters. Prominent examples include The Court Interpreters Act of 1978 in the United States of America and NAATI's Certified Specialist Legal Interpreter Test in Australia. These initiatives establish assessments to evaluate the skills and competencies of court interpreters, granting them certification to work and improving the quality of interpretation while increasing the pool of qualified interpreters in the judicial system. Unfortunately, such professional training and certification programs are lacking in most countries. Consequently, as highlighted by studies conducted by Moeketsi (1999) and Hale (2004), a significant number of court interpreters heavily rely on the performance of their untrained senior colleagues or their intuition when making interpreting choices.

From the perspectives mentioned above, it can be understood that the field of law is not solely based on language; it involves complex intricacies. In addition to linguistic proficiency, court interpreters must possess legal knowledge, a comprehensive understanding of legal procedures, the ability to analyse legal documents, problem-solving skills, and familiarity with legal terminology. To fully comprehend the challenging and intricate responsibilities of interpreters, it is essential to have a comprehensive understanding of the present legal position of interpreting in courts.

2.4.2 Workplace Dynamics

The complex dynamics within the courtroom and the legal organization contribute to the intricate interplay of various stakeholders, influencing the overall functioning and outcomes of legal proceedings, including court interpreters, whose skills and competence are constantly questioned by judges, lawyers, witnesses, and the general public (Ibrahim, 2002a). Lack of comprehension of this complex process often leads to interpreters being the initial suspects or recipients of blame when misunderstandings arise (Wadensjö, 1998, as cited in Chang, 2013). Given the limited discussion on non-linguistic dimensions among court interpreting, Hale and Napier conducted a survey in 2016 on working conditions and perceptions of their appreciation and status in court interpreting among Australian court interpreters. The research findings highlight that interpreters often feel their professional status isn't fully acknowledged by both the court stakeholders and the system at large. Moreover, their working conditions seem to be influenced by how their professional standing is perceived.

As discussed in **Section 2.2**, court interpreters assume diverse roles, facing intricate dynamics and numerous challenges among various roles and responsibilities. The concept of stress has been examined in the field of interpreting research (Bower, 2015; Korpai, 2021; Schwenke, 2012; 張明心, 2018; 黃川容, 2020). Scholars in the field of interpreting seem to generally agree on the profession's capacity to induce stress (Kurz, 2003; Chen, 2023). Dean and Pollard (2001) delved into the diverse demands encountered by interpreters during their work. Their research indicates that sign language interpreters generally undergo stress and burnout, encompassing linguistic, environmental, interpersonal, and intrapersonal demands. 黃川容's (2020) research specifically highlights that people serve as stressors in the physical environment for court interpreters. 張明心's (2018) study on in-house interpreters within organizations also

elucidates the pressure related to communication with people, especially when dealing with superiors, senior officials, and various departments, emphasizing the importance of maintaining harmony. Drawing on Freudenberg's conceptualization of job burnout in 1974, the above studies repeatedly illustrate stress and burnout resulting from working conditions, interpersonal relationships, multiple roles, and workload. Those workplace demands that far outweigh the resources and support received can also lead to exhaustion and depersonalization (Lee & Ashforth, 1996; Schwenke, 2012). Interpreters experiencing stress-related challenges may also undergo physical distress, such as experiencing fatigue, back pain, eye irritation, and so on (Korpai, 2021).

In work and organizational psychology, role overload, role ambiguity, and role conflict are three common concepts that relate to individuals' dilemmas when playing different roles at work or in life. Literally, these three notions can be condensed into the trio of role stressors (Tang & Vandenberghe, 2021). Specifically, role overload is when an individual is given too many roles or responsibilities at the same time or for the same period, more than they can handle or cope with effectively (Creary & Gordon, 2016).

Furthermore, the issue of whether role overload is directly related to job performance expands upon the discussion of hindrances and challenges. Some researchers suggested that role overload is a hindrance to work performance (Crawford et al., 2010; Tang & Vandenberghe, 2021). In other words, hindrance stressors may prevent an individual or organization from achieving its goals. However, scholars (Lepine et al., 2005; Tang & Vandenberghe, 2021) also suggested that as long as the challenge stressors increased and counteracted the stress caused by hindrance stressor, individuals could still benefit from this strategy to increase motivation and performance at work.

It is essential to add that the relevant studies presented significant research findings, which is that the support of supervisors or top leaders is the main driving force

for individuals to turn role overload into a challenge. Schwenke's (2012) research results have indeed demonstrated this point. His findings suggest that allowing interpreters to talk about their work with colleagues is collegial as well as preventative of burnout. In a nutshell, adequate resources and support from supervisors can mitigate role overload's toll on the employee's long-term well-being.

In drawing the curtains on this chapter, the challenges faced by court interpreters extend beyond linguistic proficiency, encompassing legal language comprehension, procedural complexities, adherence to ethical norms, and the adaptability and versatility required of interpreters to workplace dynamics. The roles of court interpreters reveal the intricate dance between the information intermediary and an intercultural communicator. It also shows a visible and active participation of interpreters in the proceeding. Malaysian court interpreters, in particular, undertake additional responsibilities such as clerical duties, highlighting the multifaceted nature of their roles. Consequently, it becomes evident that addressing their working conditions and challenges is necessary. In doing so, we not only enhance the performance and job satisfaction of court interpreters but also uphold the integrity of the justice system they serve.

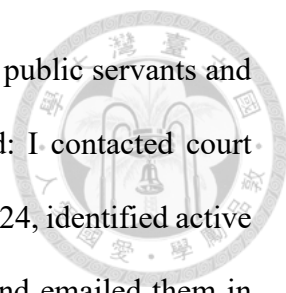
Chapter 3 Methods

To explore the research questions posed in this study, a qualitative approach was adopted. In-depth interviews with Chinese-speaking staff court interpreters in Malaysia served as the primary source of data for analysis, and field observations served as the secondary source of data. This chapter describes the participants of the study and explains the rationale for the interview questions and field observations.

3.1 Sampling Methods

This study focused on current and former public service court interpreters providing Chinese language services in Malaysia, regardless of ethnicity. Unlike standard court interpreters, who were typically required to translate between two languages, Chinese-speaking court interpreters in Malaysia were mandated to demonstrate proficiency in at least four languages during the entrance examination. These languages included Malay, English, Mandarin, and one of the Chinese dialects.

Public service court interpreters were the main focus for the following reasons. First, their scope of work encompassed criminal and civil cases, offering a broader perspective on the challenges and opportunities within the court interpreting profession. Second, their services were free to the public, making them accessible to a wider range of language users. Additionally, civil servants were subject to specific regulations, work experience requirements, and policy changes, providing a rich context for analysis. By examining the experiences of civil service interpreters, this study aimed to shed light on their challenges and propose strategies for improving their working conditions. Moreover, this study sought to contribute to a deeper understanding of the role of court interpreters in ensuring equitable access to justice for all. Despite the ethnicity-blind approach to soliciting participants, the vast majority of court interpreters with Chinese-speaking qualifications were still ethnic Chinese.



Recruiting participants was challenging due to their status as public servants and the associated code of conduct. A multifaceted approach was used: I contacted court interpreters during courtroom observations from February to April 2024, identified active interpreters through judicial websites across Peninsular Malaysia, and emailed them in March and May. Additionally, I spoke with an executive member of the Interpreters and Translator Union (KESATUAN)⁴ in April and sent a formal request for participant outreach via the union's mailbox (jurubahasa@gmail.com). I also shared participant invitations on social media, particularly Facebook, to reach a broader audience.

Finally, a snowball sampling technique was used, which allowed participants referred suitable individuals from their networks. Snowball sampling is a non-probabilistic method commonly used in interpreting research (Hale & Napier, 2013) when the target population is difficult to access directly. With numerous endeavours, the snowballing approach had the most optimistic results.

3.1.1 The Participants

The participant pool for this study was a diverse group of 14 court interpreters. Eleven were currently employed staff interpreters, two were freelance interpreters with prior staff experience, and one was a former staff interpreter who had resigned. **Table 4** contains details about the study participants, highlighting their varying levels of experience, court affiliations, and geographic locations. The table also specifies whether they now served in criminal, civil, or both capacities across Peninsular Malaysia. Some participants were identified as freelancers, adding to the diversity of the group.

⁴ The original appellation of this organization is “Kesatuan Jurubahahasa-jurubahasa dan Penterjemah-penterjemah, Kementerian Kehakiman Malaysia Barat”. According to Ibrahim (2002b), the interpreters set themselves up as a union in 1937.

Table 4*Basic Information of the Participants*

Code name	Seniority	Current court served	Region
P01	35	High Court (Criminal)	Central
P02	20	Sessions Court (Civil)	Northern
P03	17	Sessions Court ^a	East Coast
P04	17	Sessions Court (Criminal)	Central
P05	16	High Court ^a	Central
P06	16	Magistrate Court (Criminal)	Northern
P07	15	High Court (Civil)	Northern
P08	15	High Court (Civil)	Central
P09	15	Freelancer (Civil) ^b	Central
P10	15	Freelancer (Civil) ^b	Central
P11	13	Magistrate Court (Criminal)	Central
P12	12	Sessions Court (Criminal)	Northern
P13	4	Magistrate Court (Municipal) ^a	Northern
P14	3	Resigned ^c	Central

^a Handles both criminal and civil court proceedings.

^b Works only in civil courts of all tiers.

^c Previously worked for the High Court (Criminal)

Most interpreters were concerned about the sensitivity of their civil servant status. Under Malaysia's Federal Constitution, public servants must adhere to conduct rules, with Regulation 19(1)(b) prohibiting officers from sharing departmental information. To respect privacy and anonymity (Dörnyei, 2007), all participants were anonymized using code names based on seniority, and identifying details were altered. Gender was excluded as a variable to preserve neutrality and confidentiality in the interpreting profession.

In terms of seniority, the participants represented a broad spectrum, with experience ranging from three years to 35 years in the field. Of these 14 participants, two

(P01, P11) were invited face-to-face by the researcher in person at the court; three (P09, P10, P13) were approached by friends of the researcher; P03 received an invitation email and wrote back to say yes to the interview request. P14 was the only one who proactively contacted the researcher after reading messages widely circulated on social media. The remaining seven (P02, P03, P05, P06, P07, P08, and P12) were approached and invited through snowballing.

Although P09 and P10 were freelance interpreters at this stage, they had previously served as staff interpreters in the public service. P09 had served for five years and P10 for nine years. After leaving the public service, they continued to work as freelance court interpreters.

The case of P13 is unique in that, like the other interpreters, the federal agency SPA recruited P13. However, unlike the other interpreters who had the federal government as their “employer”, P13 had the state government as their “employer”. Apart from the difference in allowances from those of the federal government, other dimensions such as civil service grades, basic salaries, and pensions are all managed according to the federal government system. The Municipal Court is under the Magistrates’ Court spectrum. The Municipal Court belongs to the Second Class Magistrate Court, handling cases involving local authorities. The Magistrates sitting on the Bench are the same as other Magistrates’ Courts, who are appointed on the recommendation of the Chief Judge of the High Court through the His Majesty The Yang Di-Pertuan Agong, YDPA (King of Malaysia). Despite the different “employers”, the positions and service recipients, including the Bench, the public, etc., could be said to be homogeneous. Therefore, P13 was included as one of the participants.

3.2 Data Collection

3.2.1 *Semi-structured Interviews*

The data collection method used in this study was semi-structured interviews, involving questions within a predetermined thematic framework (George, 2022). To foster a relaxing environment and encourage open dialogue, individual interviews were conducted with each participant. This one-on-one approach allowed the participants to freely express their thoughts, perceptions, and feelings about their work environment. A hybrid approach was adopted to ensure geographic diversity, with four interviews conducted in person: two within the court complex, granting the researcher access to the interpreter's office, and two in a more casual setting - a cafe. Nine interviews were completed virtually via Zoom and Google Meet.

While a total of 13 interviews were conducted either in person or through virtual face-to-face platforms, one participant (P10) responded to the interview questions via email as part of the semi-structured interview. Although email interviews may lack the immediacy and non-verbal cues of face-to-face interactions, they provide participants with more time to reflect and offer more thoughtful responses, making them a valuable tool for qualitative researchers (Dahlin, 2021). The initial face-to-face interview with P10 was rescheduled multiple times due to their demanding schedule as both a lawyer and an interpreter. Nevertheless, P10 made a concerted effort to respond via email. Considering the value of P10's insights, their email responses were included in the analysis.

Prior to obtaining their written consent (see **Appendix 1 & 2**), both the interview process and study objectives were explained to participants. Interview questions were also provided in advance to allow for preparation.

The research focused on four key themes explored through the interview questions (see **Appendix 3**):



- 
- a. **Personal background:** Assessed the participants' personal details, educational qualifications and past experiences. This helped the researcher better understanding the participants and eased their nervousness at the first meeting through light conversation.
 - b. **Working conditions, roles and responsibilities:** Examined the interpreter's understanding of the job and their ability to fulfil its requirements.
 - c. **Challenges and opportunities:** Explored the interpreter's perspective on the difficulties inherent in court interpreting and their potential for growth.
 - d. **Improvements:** Aimed to gather feedback from interpreters on how to enhance their working environment and the overall quality of interpreting services.

All interviews were conducted in Mandarin and typically lasted between 75 and 130 minutes, except for the one that was conducted via email. As a token of appreciation for their time and valuable contributions, participants received an RM50 (\$12) electronic wallet transfer within one week of their interview.

3.2.2 Field Observations

While the interview had limitations in capturing the full extent of participants' experiences, the observation method could complement these shortcomings by providing a deeper understanding and contextual insights and further exploring court interpreters' experiences and feelings about their work. As Dantzker and Hunter (2006) pointed out, field observation involves observing individuals in their natural setting. Observation allowed for a more realistic depiction of the courtroom environment, and the researcher could uncover information that participants may be hesitant to disclose or small details that even the respondents themselves overlook.

Field observations were made in February and April of 2024 at the Magistrates Court and High Court, both located in the Kuala Lumpur Court Complex, and the

Sessions Court at the Petaling Jaya Court Complex. Three courts were chosen for this study based on the following criteria: geographic proximity to the researcher's location in Kuala Lumpur, a high caseload due to their location in densely populated urban areas, and a diversity of court jurisdictions which could lead to varying interpreter roles.

The data collection process followed courtroom restrictions, which involved detailed note-taking and unobtrusive sketching due to the prohibition of audio-visual recording and photography. This was done to minimize disruptions during court proceedings. Unlike some highly sensitive political cases, court proceedings in Malaysia were generally open to the public, allowing the researcher to observe as “a fly on the wall” (Drew, 2023, para. 7).

Field notes (see **Appendix 4**) were taken throughout a court proceeding, including pre-trial and post-trial activities. The observations aimed to understand the interpreters' role by focusing on the following four key elements:

- a. The physical layout of the courtroom, documented through a sketch that captured the interpreter's location and movements within the space.
- b. The interpreters' mannerisms and how they interacted with all parties in the courtroom.
- c. The specific duties the interpreters performed during open court sessions.
- d. The challenges faced by the interpreters during the interpreting process.

3.3 Data Analysis

In this study, two types of documents were examined: interviews and field notes. Content analysis was adopted to “interpret meaning from the context of text data” (Hsieh & Shannon, 2005, as cited in Shih, 2020, p.35) for data gathered through semi-structured interviews and field observation. This analytical approach involved establishing connections between themes through a logical progression.

Following each observation and interview, compiling verbatim transcripts, interview records, observation notes, reflections, and thoughts on the same day was imperative. This preparatory phase was essential to avoid getting lost in abundant information and “shape our thinking about the data and influence the way we will go about coding it” (Dörnyei, 2007, p.250).

The researcher converted interview recordings into text to comprehensively understand the collected data. All interviews were recorded and transcribed. Based on Dörnyei’s (2007) experience, manually transcribing a one-hour interview could take as much as 7 hours. The researcher utilized speech recognition software, including Good Tape, Aiko, and Yating, to increase efficiency and reduce transcription time.

Main ideas and patterns from the interview transcripts and field notes were identified and subsequently organised and coded in alignment with the research objectives and study themes mentioned in **Section 3.2.1**. Writing memos to make notes of all the thoughts and ideas that came to mind while conducting content analysing was valuable. The goal was to systematically extract the data’s meanings, ideas, and facts, analyse them individually, and conceptualise critical points. Regularly revisiting and updating the coding framework throughout the coding process helped explore the similarities and differences between codes. This consolidation and analysis process primarily aimed to help the researcher comprehend the situation without drawing premature inferences. Ultimately, conclusions and recommendations were formed with reference to literature review.

Chapter 4 Results

This chapter presents findings from field observations and semi-structured interviews with 14 Chinese-speaking court interpreters. The chapter is divided into five sections, each delving into a specific aspect of court interpreters' working conditions. The first section offers insights from the field observations in Malaysian courts. Section two through section five answer the four research questions presented in **Chapter 1**.

The second section examines the evolution of court interpreting in Malaysia over the past two decades, tracing significant changes and developments. The third section focuses on the challenges interpreters encountered in their work and their perceptions of them. The fourth section explores the strategies employed by interpreters to foster professional development and to overcome these challenges. Finally, the last section presents interpreters' suggestions for improving their working conditions, aiming to enhance their overall professional experience. For clarity and readability, a "Chinese-speaking court interpreter" is referred to as a "Chinese interpreter" in this chapter.

4.1 Interpreters in the Courtroom

This section describes court interpreters' working environment, staffing, and routines during open court sessions in Malaysian courts. It explores the physical setting, team structure, and diverse responsibilities of these professionals. Combined with the insights from research participants, this exploration enhances the understanding of their role in legal proceedings.

4.1.1 *Workspace and Staffing*

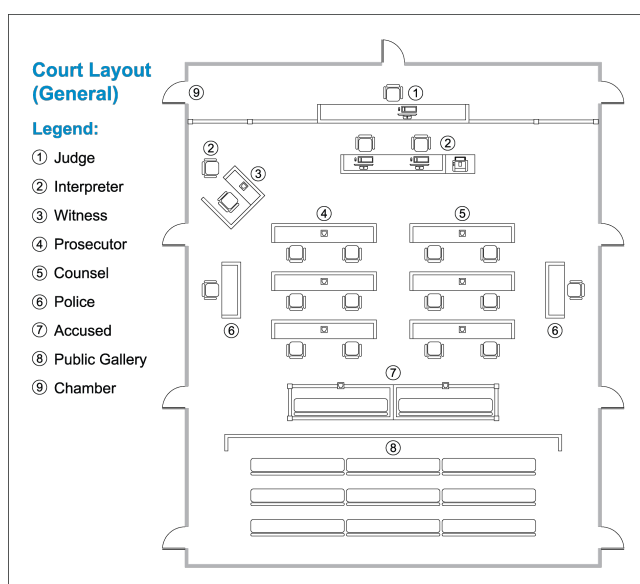
In Malaysia, most court cases were open to the public. Anyone could attend hearings and access court documents online. Due to the confidential nature of court proceedings, field observations of the current study were limited to open court without the necessary permissions to access chambers. The courtroom functioned as the primary

workspace for interpreters. They could easily be spotted. Despite being quite visible in the courtroom, their workstations surprisingly had no signs indicating who they were or what they did.

Figure 2 shows interpreter placement in the courtroom, where their designated work desks were positioned directly before the judge (the bench). In addition to the judge, interpreters were highly visible, facing the other participants, both the bar and the witness box, with clear sightlines to the accused and the public gallery. Most courtrooms had teams of two interpreters with different language skills, such as Chinese-Malay, Chinese-Tamil, or Tamil-Malay. Given the country's diverse ethnic makeup, some combinations might have included indigenous, Punjabi, Singh, or other languages. This dual staffing arrangement addresses two critical needs. First, it ensured the court's ability to provide multilingual interpretation promptly. Second, it guaranteed uninterrupted court proceedings even when an interpreter was on leave or temporarily assigned elsewhere. In such situations, the remaining interpreter could maintain court operations.

Figure 2

A View of the Courtroom and the Interpreter's Main Working Desk

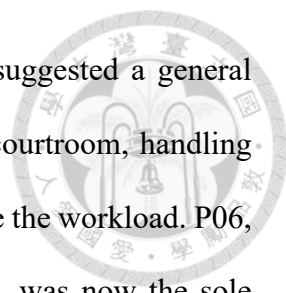


Traditionally, courts aimed to assign three interpreters to each courtroom (Ibrahim, 2002a). This arrangement was primarily designed to ensure that the language needs of three major ethnic groups could be met at any given time. Additionally, it allowed for greater flexibility in staffing, ensuring that there was always adequate coverage when an interpreter was absent. This practice was corroborated by P01, a participant with 35 years of experience in the profession.

以前我們三個人，有華人、馬來人、印度人 at one time 多好，就是說，你其中一個假期，我們都可以做。現在沒有，不懂哪時候是哪個首席法官，他說一個法庭兩個通譯員就夠了，就弄到我們很多問題。一個人假期，另外一個人多辛苦，你叫人家 cover，人家不喜歡，我也不喜歡的，我哪里懂你的法庭、你的程序是怎樣的？所以那天剛好我們兩個拿假期，kelam kabut 啦！ [In the past, when there were three of us—Chinese, Malay, and Indian—it was a much better situation. If one of us was on leave, the others could easily fill in. I cannot recall the specific Chief Justice or the exact time they suggested that two interpreters per courtroom would be enough. But this decision has caused a lot of problems. When one of us is absent, the remaining interpreter is burdened with an excessive workload. No one (from other courts) is willing to cover these shifts, as we are unfamiliar with each other's court procedures. It just so happened that both of us were on leave that day, and our court was in a mess!]

(P01)

The trend noted by P01 persisted. Out of the 14 participants in this study, only four (P02, P05, P06, and P13) reported working in a three-interpreter environment. This continued reliance on three interpreters in a single courtroom might have been explained by factors related to the court's staffing structure. P02 was the sole Chinese interpreter in



a court complex with 13 interpreters across six courtrooms. This suggested a general shortage of Chinese interpreters in that location. P05 worked in a courtroom, handling civil and criminal cases, potentially requiring a larger team to manage the workload. P06, a recently transferred interpreter who replaced a retiring colleague, was now the sole Chinese interpreter in their court complex and might have required additional assistance to handle overflow cases from other courts in surrounding districts. Put briefly, workload distribution, limited resources, and succession planning revealed reasons for these practices. As for P13, who worked in a specialised Municipal Magistrates Court, a unique context with only one such court per municipal council, which likely necessitated a larger interpreter team to handle demands.

This situation provided additional evidence to support the long-standing problem of the Chinese interpreter shortage, which has remained unresolved for decades. Nevertheless, some interpreters (P07 and P09) argued that the government's cost-cutting measures, explicitly reducing the civil service, were the primary cause. Malaysia's civil service is extensive, with one of the highest employee-to-population ratios globally (Kua, 2023). Overstaffing has resulted in disproportionately low productivity, straining the government's finances and consequently limiting the opportunities for Chinese interpreters.

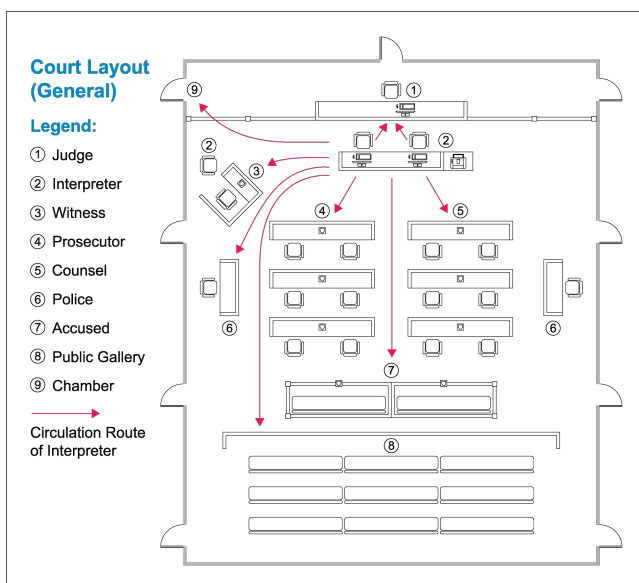
4.1.2 Navigating the Open Court

Unlike conference interpreters, who typically worked from soundproof booths, and interacted less with people outside the booths, court interpreters were highly mobile professionals who frequently interacted with various individuals within the courtroom. **Figure 3** illustrates the dynamic circulation route that a court interpreter might have followed during multiple stages of legal proceedings, including pre-session preparations, mentions, the main trials, and the announcement of the verdicts.



Figure 3

Interpreter's Circulation Route in Court



Note. Court layout can vary depending on the different district and the type of cases.

With the court system highly computerized nowadays, interpreters were no longer required to dispatch files and documents to the appropriate courts within the courthouse complex. They were also exempted from collecting fines and bail and issuing receipts, as there were specific counters within the courthouse to handle these tasks. Interpreters now dedicated their entire working hours to their workstations within the courtroom.

The interpreter's daily routine typically began with pre-trial preparation. Before the judge entered the courtroom to commence proceedings, interpreters ensured that all necessary preparations were complete, including opening files, registering cases, preparing cause lists, reviewing charge sheets, examining witness statements, checking exhibits, clarifying documents, and handling related correspondence.

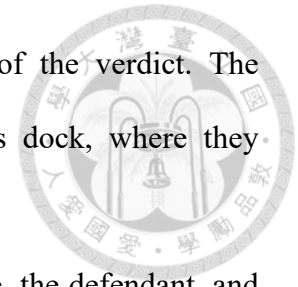
The red arrows in **Figure 3** illustrate the interpreter's dynamic movement within the courtroom, interacting with different parties or accessing necessary documents or equipment. Interpreters typically approached prosecutors and counsels during pre-trial

preparations to confirm their attendance and related documents. They may also have interacted with police enforcement to verify the accused's presence and consulted with the public gallery to check for any bailors. Interpreters proactively informed the accused of the availability of interpretation services, ensuring they knew their rights. Magistrates' courts often handled more cases than other courts, leading to increased activity within the courtroom. This could result in multiple prosecutors or defence attorneys being present, and the public gallery may have been filled with friends, family, and even media representatives. The interpreter's movement within the courtroom was tangible evidence of their multifaceted role in the legal proceedings. Beyond their primary function as language intermediaries, interpreters frequently engaged in tasks beyond the traditional scope of interpreting and carried out these tasks as court clerks and clerical staff.

In Malaysian courts, it was customary for interpreters to read the charge sheet during mentions. When reading the charge sheet, interpreters typically used the default language, Malay. However, if the accused requested a different language, the charge sheet was read in that language. This meant interpreters may have needed to perform sight translation of the charge sheet if a non-Malay language was requested, or they may have prepared translations in advance to ensure a smooth reading process.

The researcher observed a practical issue in courtrooms equipped with recording systems. Microphones were installed on the bench, bar table, and the witness box to facilitate audio recording and enhance audibility for those present in the courtroom. Although interpreters had their own microphones when they were interpreting for witnesses, their desks did not have microphones installed. This resulted in interpreters having to adopt unconventional methods such as reading the charge out loud from their workstation or approaching the defendant to ensure their voice was clearly heard when reading the charges and relaying the answer to the judge after asking the accused to enter

a plea. The same situation occurred during the announcement of the verdict. The interpreter left their workstation and approached the defendant's dock, where they whispered the verdict into the defendant's ear.



The interpreter also acted as a messenger between the judge, the defendant, and the public. Without microphones at the defendant's dock or in the public gallery, the interpreter had to move between these areas to relay information. For example, the interpreter had to relay the answer to the judge after asking the defendant to plead. If the judge asked about a surety, the interpreter had to locate and bring them forward and interpret for both if the judge asked surety questions. They then recorded their surety details and prepared bond bail.

Beyond their interpreting duties, court interpreters simultaneously paid close attention to the dialogue between the bench and the bar to determine the next steps in the proceedings. They also had to record procedural information and decisions, mark exhibits, and be prepared to provide the bench and the bar with a feasible date for the next hearing while closely monitoring all court activities. As participants P01, P08, and P11 in this study noted, court interpreters must be extremely alert to everything in the courtroom. Any administrative or clerical errors could delay court proceedings, highlighting this role's immense workload and pressure.

Malaysian court interpreters are entrusted with a broad spectrum of responsibilities not limited to interpretation alone. Their role is demanding, requiring constant attention, adaptability, and a deep understanding of the legal system. What this section has described is only a fraction of their work in open court. However, their contributions during closed sessions and in chambers, however, remain largely unseen.

4.2 The Evolution of Work Dynamics

Ibrahim's doctoral thesis (2002a) served as a foundational exploration of the Malaysian court interpreting system for the current study. Her study illuminated fundamental phenomena within the system, shedding light on its essential characteristics and challenges, and she proffered multiple recommendations for improvement. Twenty-two years later, a review is warranted to assess the system's evolution. This section explores the changes within the court interpreting landscape, particularly Chinese interpreters, examining shifts in their roles and responsibilities and the changes in the service scheme.

4.2.1 Roles and Responsibilities

Despite time, the roles and responsibilities of court interpreters remained unchanged. They served as court clerks, interpreters, principal assistants to the Judge, and administrative assistants. Some participants shared that their primary roles also extended to facilitators of communications (P01 and P02), mediators (P04 and P07), and problem solvers (P04). In line with the judicial transformation program, court interpreters required a new skill set to effectively navigate court proceedings through the e-Court System⁵ program. This shift necessitated not only technological proficiency in platforms like e-filing Systems (EFS), Case Management Systems (CMS), e-review, and the Court Recording System & Voice To Text (RVT) but also the ability to adapt their interpreting techniques within a digital environment, particularly virtual courts and online hearings since 2020 when the COVID-19 pandemic began.

The workload distribution for court interpreters showed a significant imbalance, with clerical tasks surpassing interpreting duties. This trend was similar to that identified

⁵ The e-Court system program was initiated by former Chief Justice Tun Zaki Tun Azmi in 2009.

in Ibrahim (2002a), but the current study's data suggested an even more significant expansion of clerical responsibilities. The workload ratio shifted from the previously reported 60% interpreting to 40% clerical tasks (6:4) (Ibrahim, 2002a) to a more pronounced imbalance of 80% clerical and 20% interpreting (8:2).

The demand for interpreting varied across court levels. High court and sessions Court cases typically involved harsher penalties and longer trials, leading to a greater need for interpreting. Conversely, magistrates' courts handled less severe cases, often disposed of without trials. This naturally led to lower interpreting demand, particularly in Second Class Magistrates' Court, which primarily dealt with traffic and departmental summons cases. P13 remarked that they might "handle up to a hundred cases in a single morning."

All participants acknowledged that Malay interpreters did little interpreting compared with Chinese interpreters since most court proceedings were already in Malay. With the judge's permission, if court proceedings were conducted in English, Chinese interpreters would likely see a higher demand for interpreting tasks than other interpreters because "many Malay interpreters may not be fluent in English" (P11), leading to a greater reliance on Chinese interpreters for these cases. Thus, the disparity in workload was evident with some experienced Chinese interpreters stating that "one of my retired colleagues (who was Malay) had not interpreted a single case in 17 to 18 years." (P01).

This disparity was even more pronounced in civil courts, where clerical tasks reached 90% (9:1) of the workload compared to interpreting activities. This trend was particularly evident in developed regions like Kuala Lumpur, Selangor, and Penang, where civil courts were gradually phasing out in-house interpreting services, as reported by most participants. A case observed on 24 April 2024 exemplified this shift. Despite involving Chinese-speaking parties, the two court interpreters were solely occupied with

clerical tasks. At the same time, the defence attorney opted for freelance interpreters for both chamber negotiations and open court proceedings.



4.2.2 Self-perceptions

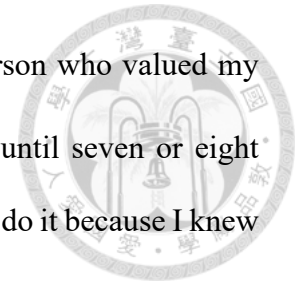
The role of an interpreter, if defined in terms of the proportion of work, was more in line with that of clerical staff, making it even more difficult for the public to recognize the interpreter in the courtroom. As P07 explained, the focus of their work should have been on supporting individuals in finding solutions, regardless of the title of their position. Therefore, desk labels became secondary. To find out how well the public acknowledged the interpreter, I surveyed two public members during the observation, and both called the interpreter either “*clerk*” or “*pegawai*” (*officer*).

Despite their low visibility in the community, the interviews with Chinese interpreters revealed a strong and consistent belief that their presence and contributions were highly valued by both judges and the public. This sense of appreciation was evident in the shared experiences and perspectives of P04 and P08. P04 demonstrated self-confidence in their field of work through this one sentence, “when they needed an interpreter, they all came to me.” Once, P08 felt pride in their profession when a retired Chief Registrar publicly described interpreters as the legal system’s “*backbone*”. This feeling of being valued was undoubtedly one of the main reasons that supported the court interpreters in serving in their positions with dedication and commitment.

This research confirmed that a judge’s positive perception significantly impacted an interpreter’s self-perception, professional identity, and work ethic, as P06 and P12 suggested. A judge’s dedication motivated and engaged interpreters, fostering a positive work environment where respect and appreciation fuelled continued high performance.

我以前的法官，他很好，他很欣賞我，I don’t mind 的，有時候我做到七八點，那個時候做政治人物的 case 我都 stay back，我沒有關係，因為我知道

他 appreciate 你的工作。 [My former judge was a great person who valued my work. I didn't mind working overtime, sometimes staying until seven or eight o'clock to handle cases of a famous politician. I was happy to do it because I knew the judge appreciated my efforts.] (P01)



The respect they received from both the public and their families fuelled a sense of pride in court interpreters. For example, P06 admitted to a sense of satisfaction when mistaken for a lawyer due to their attire and the courtroom setting. Similarly, as P07 noted, their parents considered it a distinct privilege for their child to work in close proximity to a judge. This external recognition, whether from public respect or familial pride, likely bolstered their confidence and enhanced their professional identity. It helped to ease doubts about their abilities and their educational background.

Interestingly, several participants acknowledged that some colleagues within the legal system may initially underestimate the value of interpreters' contributions. These colleagues often included newly appointed legal officers. P01, P11 and P13 had no experience of verbal derogation, but they witnessed other colleagues being verbally bullied by legal officers because of their qualifications, such as, *"Who are you here to teach me? I have a law background, and you have nothing!"* (P01); and, *"How did you become an interpreter without a law degree or university degree?"* (P11).

Some interpreters had a weak connection to their interpreting role. P02 and P14 found their colleagues with only SPM qualifications often struggling with self-doubt and having a negative perception of their profession. Despite these occasional negative perceptions, most participants reported feeling fortunate to face workplace disparagement rarely. They expressed optimism and confidence in their professional identity, indicating a strong sense of goodwill from colleagues and the public. This sense of appreciation reinforced their recognition of the importance of their position.

4.2.3 *The Changes of Scheme of Service*

The civil service underwent a notable advancement in its rank-and-file personnel. Historically, court interpreters were categorized as support staff, leading to lower recruitment standards and salaries. However, recent socio-economic growth has led to an apparent change in the scheme of service over the past 20 years.

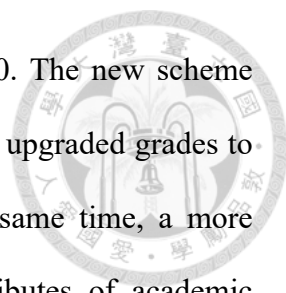
In 2002, the Malaysian Remuneration System (SSM) classified court interpreters with SPM qualifications into grades L17, L22, and L26. To help recruit interpreters for languages other than Malay and English, the government issued Service Circular No. 32/2005. This circular allowed STPM holders to qualify as well. However, both STPM and SPM holders were in the same grade range.

The Salary Matrix System determined salaries. The minimum wage for L17 interpreters with an SPM qualification was RM658.72 (\$153). The minimum wage for L17 interpreters with an STPM qualification was RM978.16 (\$227.25). This salary structure had been in effect since January 1, 2006.

However, despite possessing STPM qualifications, existing interpreters were not automatically eligible for an academic credentials upgrade under the 2006 changes. They could apply for a promotion in their civil service grade subject to specific requirements, including a recommendation from a supervisor. Still, they were not eligible for an upgrade to their education credentials.

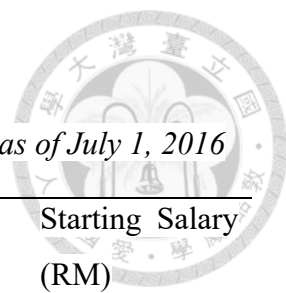
The civil service system and benefits had significantly improved since the mid-2010s, as revealed by P07 and P09. P07 identified that civil servants' current grades and education levels no longer met modern standards since many interpreters already possess higher academic qualifications. Consequently, the system was adjusted on July 1, 2016.

2016 scheme of civil service classified interpreters into two grades based on qualifications. Those with an SPM qualification fell within Grades 19 to 28, while those



with a Diploma or STPM qualification fell within Grades 29 to 40. The new scheme expanded qualification requirements to include STPM/Diploma and upgraded grades to LA19, LA22, LA26, LA29/30, LA32, LA38, and LA40. At the same time, a more diversified base salary structure (see **Table 5**) for different attributes of academic qualifications was also formulated to attract people with higher educational qualifications to join the interpreting profession. The change in the interpreter code from “L” to “LA” had not been officially explained by the government. However, P11 speculated that this might have resulted from lobbying efforts by the KESATUAN. The “LA” code could potentially signify a higher level of recognition for the specialized role interpreters played within the judicial system.

A key aspect of the 2016 service reform scheme was the opportunity it provided for interpreters with STPM/Diploma qualifications. Previously, most senior interpreters were stuck with the baseline SPM qualification. The 2016 reform raised the academic bar, allowing interpreters advance from L17-L26 to LA29/30 with a higher commensurate salary. However, the upgrade was limited to 2016. Ultimately, only three participants (P02, P07, and P10) benefited from the change due to their STPM credentials.

Table 5*Starting Salary of Court Interpreters by Appointment Qualifications as of July 1, 2016*

Grade	Qualifications	Starting Salary (RM)
	Secondary School Level	
	SPM	1,355.00
LA19	SPM with SKM - Level 2	1,411.40
	SPM with SKM - Level 3	1,467.80
	Higher Education	
	STPM	
	MOE Matriculation Certificate	1,513.00
LA29	STAM	
	Diploma	1,772.65
	Law Diploma	1,847.86

Note. Applicants must have achieved credits in English and Malay; MOE = Ministry of Education; STAM = Malaysian Higher Religious Certificate;

Source. Public Service Department of Malaysia

4.3 Challenges and Strategies in Court Interpreting

This section explores the challenges Chinese interpreters encountered in Malaysian courts and the strategies they employed to navigate difficult situations. The challenges in the legal setting were divided into linguistic-related challenges and non-linguistic challenges. This study identified interpreting on the spot, choice of expression, and deterioration in language skills as the biggest hurdles Chinese interpreters faced. The primary non-linguistic challenges identified by participants were excessive workloads and frequent long-distance deployments. While it was initially hypothesized that participants would perceive these challenges negatively, it was surprising to discover that many viewed them positively.

4.3.1 Linguistic-Related Challenges

In **Section 4.2.1**, it was mentioned that the work ratio of clerical and interpreting duties was 8:2 in criminal court and 9:1 in civil court. Despite comprising only 10%-20% of the court interpreters' workload, interpretation remained the most challenging aspect of their job. Based on interviews with the participants of this study, this research revealed an advantage when they interpreted in their "resident" courts. Due to their familiarity with the typical cases handled and the extensive clerical processing they had witnessed first-hand, these interpreters encountered minimal difficulty during interpretation. However, venturing outside their resident courts introduces many uncertainties, creating substantial challenges and pressure.

4.3.1.1 Interpreting on the Spot

The interview results showed that interpreting on the spot without preparation was the most challenging. Three specific workplace scenarios were identified that pose significant difficulties for interpreters:

- a. Temporary deployments to other courts:* These disrupted the familiarity with typical cases and procedures, requiring on-the-spot adaptation.
- b. Supporting courts at different levels (e.g., high court vs subordinate court):* Legal proceedings and terminology can vary significantly between court levels, demanding a more comprehensive range of knowledge.
- c. Supporting different types of courts (e.g., civil vs. criminal):* Each court type has distinct legal frameworks and jargon, necessitating an in-depth understanding of the specific field.

Scenario (a):

當場 on the spot 翻譯的時候，你會比較挑戰高一點.....（口譯時）你也要看他的臉 whether 他明白不明白我們在講什麼。 [On-the-spot interpreting was

more challenging, as it also required observing the listener's facial reactions to ensure they comprehension what we were saying.] (P06)

如果他剛好需要中文通譯員，我們沒有得提早看那些文件，我們不知道他當天會問什麼問題，有時候我們連那個字沒有聽過。 [If a Chinese interpreter was suddenly requested and we had no chance to review the document beforehand, we couldn't predict the lawyer's questions , and sometimes we might have encountered terminology that was entirely new to us.] (P05)

Scenario (b):

我很怕去 high court，因為你進 high court 你翻譯的就是那些比較嚴重的案件，可能隨時會令到一個人死刑。 [I was afraid of going to the high court because the cases were usually severe. (If I made a translation error) It might have affected the judgment, including the death penalty.] (P04)

Scenario (c):

當你要去翻譯不是你的領域的東西，比如建築，完全不知道這個東西。因為他有（建案專屬）高庭，我們聽也沒有聽過，即使那個文件到你的手，也沒有人跟你 brief，是困難的。 [Interpreting related to unfamiliar fields, such as construction, could be extremely daunting. When assigned an interpreting case in a specialized High Court for construction that you had never heard of, even though you had all the documents, it was tough to produce an accurate interpretation if nobody gave you a briefing.] (P11)

Commercial and civil court 很多東西我不懂的，因為我們又不是在那邊做，很多東西 terms 我真的是不懂的。其實我試過（支援民事庭）的，我翻譯到一半，我說「*Sorry, Tuan! Saya tak boleh, saya tak faham.*」，我連我自己都不懂，我怎麼去翻譯？你就是要懂你才可以翻譯嘛。 [I had difficulty

understanding the terminology used in commercial and civil courts because I did not work in that field. I had tried assisting civil court interpretations before but had to stop halfway and say, “*Sorry, Sir! I cannot continue, I do not understand.*” If I did not understand something myself, how could I interpret it? (As interpreter) We had to know what we were interpreting.] (P01)

To address these inevitable challenges, participants identified three primary strategies. First, they proactively requested police reports and statements from the relevant law enforcement agency and manually created a case charge sheet, ideally with access to the First Information Report (P04). Second, they candidly informed the judge of their limitations and requested a more suitable interpreter (P01 and P11). Third, they employed circumlocution or paraphrasing to explain the meaning of a word or phrase instead of providing a literal translation (P02 and P04).

4.3.1.2 Choice of Expression

Court interpreters struggled with the complex and evolving language of legal proceedings (Napier & Spencer, 2008; Wang & Grant, 2015), and this struggle was also described by the participants of this study. P07 recalled that during their orientation, a senior interpreter had mentioned that while technical terms could be tricky, it was the everyday language that turned out to be more challenging to interpret.

P07 provided examples. In a murder case, the precise identification of interpreters was crucial in cases involving knife-related homicides where witnesses or suspects had employed Chinese terms like “*砍*” (*to chop*) or “*刺*” (*to stab*). This was because these verbs had distinct Malay equivalents, “*melipas*” and “*menikam*”, respectively. This highlighted that translation surpassed mere literal expression; it necessitated a nuanced understanding of linguistic differences and cultural contexts, as varying word choices could significantly impact outcomes.



我曾經翻譯錯一次。證人說「當我看到我的朋友在那邊等的時候，我走過去的時候，然後有一堆人走過來」，然後證人就講福建話「我直頭走」，我就翻譯「*saya terus berlari*」，那律師就講證人其實不是「*berlari*」，證人是「*beredah dari situ*」。福建人講「我走」、「我走先」，他不是說「我跑掉」，他其實不是真的是「*running*」，他其實是「*beredah*」，他離開而已。所以律師講對了，我就接受。所以用詞很重要，要很準確，尤其是刑事案。[I made a mistake during interpretation once. The witness said, “When I saw my friend waiting there, I walked over, and then a bunch of people came over.” Then the witness continued in Hokkien, “I walked away.” I interpreted it as “I ran straight away”. The lawyer corrected me, saying that the witness did not actually “run” but “walked away from there”. In Hokkien, when people say “I go” or “I go first,” they do not mean “I run away.” The lawyer was right, and I accepted the correction. So, word choice is crucial, especially in criminal cases.] (P07)

Participants emphasized the importance of word choice accuracy in capturing case or speaker context. P01 described a challenging experience shared by a senior colleague. A misunderstanding arose when the term “機場”, which can mean both “airport” and “slot machine arcade” in Malaysian Chinese, was used in the court proceedings due to the lack of context provided by the speaker. P04 and P06 also described challenges in finding equivalent terms, which resulted in momentary lapses in concentration. For instance, P07 pointed out that the Chinese word “矛盾”, meaning “contradiction”, corresponded to “contradict” in English and “bercanggah” in Malay. However, the meanings of these words weren’t entirely equivalent. In certain contexts, “矛盾” might

have be closer to “*konflik*” (*conflict*, in English). Therefore, interpreters had to select the most appropriate word based on the context.

According to all the research participants, consecutive interpreting was their primary mode in court. This mode necessitated a complex skill set, including listening, prediction, memory, note-taking, and situational control (González et al., 2012). The intricate linguistic landscape of Malaysia, where interpreters often navigated English, Chinese, Malay, and multiple dialects, significantly compounded the cognitive demands of the role. As a result, Malaysian court interpreters faced exceptionally high cognitive loads. Consequently, it was common for interpreters to encounter sudden pauses or mental blanks during the interpreting task (P04).

When encountering difficulties with expression, participants typically simplified concepts, explained context, and used colloquial language instead of legal language.

選最重要的 gist、最重要的 keyword、詞，你在什麼地方、什麼年份、什麼地點、你在做什麼、你犯錯了什麼的條例。 [We needed to extract the most important gist, keywords, and phrases, such as where, when, where the incident took place, what the defendant was doing, and which law had been broken.] (P01)

用口譯的人教育水準不高，所以你不需要太多的這個 terminology。其實你知道我們做翻譯很多時候，並不是你的語言有多好，是你能不能 convey 那個意思。 [The educational background of people using interpretation services was generally not that high, so we didn't need to use too many terminologies. Often, being a good interpreter was not about how well you knew the language, but rather about your ability to convey meaning.] (P09)

不能講馬來文就講英文，這裡是馬來西亞，語言可以參（混合使用）的。 [If Malay was not working, we tried English. We were in Malaysia. Language could be code-switched.] (P11)



我的 senior 有跟我講過一個是「四腳蛇」，他們不知道要怎樣翻譯，他就講「*bigger than a lizard, smaller than a dragon*」。他說雖然他們會笑你連 *Reptilia* 都不會講，可是你不要怕給人家笑，你怎樣都樣讓大家明白那個是什麼。 [My senior once told me a story about *Reptilia*. The interpreter didn' t know how to translate “lizard”, so they described it as “*bigger than a lizard, smaller than a dragon*”. My senior said that even though people might laugh at you for not knowing the word “*Reptilia*”, you should not be afraid to make mistakes. Just focus on making sure everyone understood the meaning clearly.] (P02)

4.3.1.3 Deterioration in Language Skills

The rise of social media posed significant challenges for court interpreters as well. Social media platforms had become integral to modern communication. Still, they had also led to a surge in defamation cases, particularly those involving online defamatory statements. Court interpreters were increasingly tasked with translating written defamatory statements, primarily in civil cases. This trend was exacerbated by many Malaysians' relatively low language proficiency, which was influenced by the internet and the influx of foreign languages and cultures. Common issues such as misspellings, incorrect punctuation, and fragmented text created significant challenges for interpreters. Whether to replicate these errors in the translated text or correct them was a constant dilemma.

P09, having transitioned from an in-house interpreter role to a freelance interpreter with nearly a decade of experience, noticed a trend towards younger parties and media outlets in defamation cases. These cases often required the translation of not only written materials but also video content. P07, another experienced civil court interpreter, frequently encountered defamation cases involving divorced couples. Apart

from facing the same dilemma as P09, P07 also found that emotive terms posed specific difficulties in the translation of such disputes.

馬來西亞華人的中文水準其實是很低，很多人的中文其實很爛，用錯詞語（導致通譯在筆譯時）就是很難拿捏，你要用他錯的那個華語，你明明知道他不應該用這個詞的。[The Chinese standard of Malaysian Chinese was deficient, and many of them were very bad at Chinese. They used the wrong words, which made it very difficult for the interpreter to decide whether or not to translate according to those wrong words.] (P07)

筆譯時我又不能跑（遠離原文的調性），我知道他寫錯，我就跟著錯，因為我的工作是跟著你的原文翻譯啊，但是 lawyer 說「不能咧，我的 client 說是這個」，but not my problem！[I could not avoid the original text's characteristics when translating. I knew the person had written it wrong; I could only follow the mistake because my job was to translate according to the original text. However, the lawyer said, 'Your translation is wrong; my client said it was this (another meaning)', but it was not my problem!](P09)

Due to the frequent errors in speech or sentence structure they encountered in their work, interpreters developed a keen sensitivity to language. Both P01 and P09 admitted that their standards for languages were higher than those of the average person, and they carried this sensitiveness to language into their profession address the linguistic challenges they faced in their daily work.

我對語文很敏感，像我和孩子時常用英文 text，我看到不對，他放在 Facebook，我說你的語法不對，他說「媽咪你這樣認真」，我不是認真，我說不可以的，你 Facebook 全部人都在看，你（不能）養成那個（錯誤語法）的習慣。[I was susceptible to language. When my child and I sent English

messages, I would check if he was writing correctly. I would check his posts on Facebook as well. I would tell him, ‘Your grammar is wrong,’ and he would say, ‘Mummy, you are too serious!’ . I was not serious. I told him that people were reading your Facebook, and you could not get into the habit of using the wrong grammar.] (P01)

有時候我看到律師（說話）也是生氣，「*di-file-kan*」，「*di-fix-kan*」⁶，就是律師自己本身都亂說，因為沒有人去管！ [Sometimes I got angry when I heard lawyers saying things like “*di-file-kan*”, “*di-fix-kan*”. Their grammar and diction were messy, and no one cared about it!] (P09)

So, how did Chinese interpreters acquire the specialized vocabulary necessary for the demanding legal environment? Three primary methods emerged from the interviews with the participants: mentorship, self-learning, and peer collaboration. New interpreters often relied on the guidance of experienced colleagues. Senior interpreters shared invaluable insights, including translation techniques, document templates, and specialized legal terminology. This apprenticeship model was crucial for developing foundational knowledge.

Having received invaluable support and guidance from experienced interpreters during their career, P01 and P07 expressed a keen desire to impart their decades of knowledge to junior interpreters. Additionally, participants actively sought to expand their vocabulary through independent study. While general dictionaries were helpful, the unique language of the courtroom necessitated a deeper dive. Many participants created their own glossaries and reference materials to address this gap.

⁶ These two words were composed of Malay and English but were not grammatically correct.

倒也沒有什麼書籍可以參考的，就是 based on 有時候我們可以看 senior 怎麼翻譯我們跟著翻譯。 [There were no books that we could refer to. It was based on the fact that sometimes we could see how seniors translated, and we would follow them.] (P12)

Senior 沒有 glossary，自己也沒有，就 save 在頭腦。沒有所謂的 guideline，完全 是靠自己 general knowledge，真的要的話就帶一本字典進去。 [Neither my seniors nor I had a physical glossary. The glossary was stored in my head. There was no so-called interpreting guidelines, and we relied solely on our general knowledge. If necessary, a dictionary could be brought into the courtroom.] (P11)

FB 組也有人賣字典，尤其是法庭法律的術語如何翻譯去華文。 [The FB group for court interpreters had people selling dictionaries, especially dictionaries of how court and legal terminology was translated into Chinese.] (P14)

Besides, information sharing among interpreters was vital. Many participants expressed a strong sense of community and mutual support in vocabulary accumulation. P06 mentioned that a colleague had recommended a specific dictionary and shared it with them. P14 shared that they had lived with other interpreters and “often discussed translation and interpretation topics” in their daily lives. The cohesion of the interpreting community was further emphasized by P04, where they often met with colleagues after work to discuss their experiences.

4.3.1.4 Factors Contributing to Court Interpretation Challenges

Everything that happened had a reason. Participants cited that the lack of accessible Chinese legal reference materials and inadequate training exacerbated their difficulties. Coupled with the complexities arising from cross-disciplinary and cross-

cultural nuances, these factors contributed to constant pragmatic challenges, making the interpreting task particularly demanding.



Factor 1: Lack of Chinese Legal Reference Materials

有相傳的一些字典，不是 official 的，I think somebody actually compiled it and make it a compilation but it's never published。很多那種 court 的文件，affidavit surat 這種，比較 court terminology 的。因為本身沒有人去翻著一塊 Malaysia standard 的，很多都是用中國香港 standard 的，我們也會看到有台灣版本的、上海版本的。[There were circulating dictionaries among interpreters that were not formally published. I believed someone compiled them into a collection, but it was never printed. These dictionaries contained a lot of court documents, like affidavits, and focused on court terminology. Since there was no standardized Chinese legal dictionary for Malaysia, many court dictionaries here were based on the Hong Kong standard. We also saw versions from Taiwan and Shanghai.] (P09)

Senior 傳了很多法寶給我，比如說我們做的翻譯文件，它會有一些格式、certificate 那些，比如說一張那個遺囑的執行書，它的用詞裡面，都是他們經過那麼多年的翻譯，然後修改、再翻譯再修改的。[My seniors have passed on may treasures to me. For example, we followed specific formats for document translations. Let's take the will executor's order translation as an example. The translation language in this document was the result of years of careful refinement by our seniors.] (P07)

These materials, however, were compiled mainly from the experiences of senior interpreters who lacked verification, standardization, and professional scrutiny. As a result, their accuracy and appropriateness could not be guaranteed. Interpreters were left

to independently assess the reliability of these materials, leading to inconsistent usage and potential errors.



Factor 2: Inadequate Training.

Despite its long court interpreting history, Malaysia had also experienced a lack of formal training in this field. Some participants mentioned that orientation sessions were typically held for new hires. The three-day orientation program at the Palace of Justice in Putrajaya encompassed the interpreter's role, court protocol, and professional ethics as a public servant. P07, who had attended the orientation program in 2009, described a mock court exercise as a standout feature. Newcomers gained practical experience by role-playing as witnesses and interpreters in a simulated courtroom setting. Interestingly, although P14 also participated in an orientation session in 2011, their program did not include a mock court exercise, nor were there experienced interpreters to provide guidance. "They took us to the museum, a place with mannequins" (P14).

As a crucial welcome and essential step for a smooth transition into a new role, it was surprising to find that orientation was currently optional within the organization. Three interpreters (P07, P09, and P14) indicated that they had attended orientation, while three (P03, P05, and P13) reported no participation in such a program. The three interpreters who did not receive a notification for the orientation shared a similar reason for their absence. They were urgently needed to fill Chinese interpreters vacancies in the court. As soon as they received the job posting, they immediately started working.

Beyond the initial three-day orientation, ongoing training was necessary for professional development (Hale, 2007). However, all fourteen participants unanimously reported a lack of dedicated training programs. While some training opportunities existed, they primarily focused on non-translation-related topics, such as stress management, health management, finance management, and motivation courses, according to P02 and

P11. Only a limited number of officially sanctioned training courses directly addressed the specific needs of court interpreters by the Judicial and Legal Training Institute (ILKAP). The feedback from participants indicated a significant gap between the expected and actual outcomes of the training course. For instance, P05 pointed out that the translation courses were limited to Malay and English, with no Chinese language included. P06 expressed concern that the instructor was not a professional in the field but rather a peer from the same field. They also questioned the standardization of the course content, saying, “We don’t know if what the peer taught is accurate” (P06). As a result, the courses appeared to have fallen short in equipping interpreters with the necessary skills and knowledge to excel in their profession.

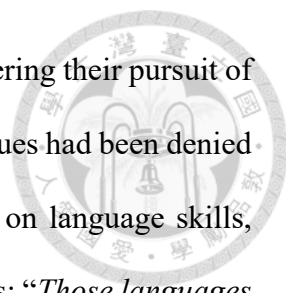
上過英文課，它給你的英文 course，去到的那些 peserta（指通譯）是“*my name IS xyz*”都可以講到“*my name ARE xyz*”。我不知道我是遇到極品還是什麼，他們的英文這樣子，我是跟他們一起學習的，然後那個老師他已經無言了，他就教囉。我是覺得我好像在跟一班幼稚園小朋友上英文課囉！ [I had an English lesson, and the interpreter who took part in the lesson even said “*My name IS xyz*” as “*My name ARE xyz*”. I wasn’t sure if I had met the right person or not, but I had to learn alongside them when their English was at that level. The teacher was speechless upon seeing such a level of interpreting, but he continued to teach. I felt like I was attending an English lesson with a group of kindergarten children!] (P02)

他會跟我們講我們的工作角色，這個要做什麼，基本上作為一個翻譯員你會做什麼工作，你需要怎樣，這種（幫助提升語言和翻譯技能的課程）完全沒有。 [The tutors explained our job roles and what you would need to do as

a court interpreter. There were no courses to help improve language and interpretation skills.] (P03)

有去到 translation 的 course，一兩個短程的，但是沒有什麼幫助，因為都是（學）那些 paper work，好像沒有關係到（翻譯）。應該要給我們多一點 translation，像在 in court 裡這樣的 training。[I had taken a translation course, along with one or two short courses, but they didn't help much as they focused primarily on paperwork rather than actual translation. We should have received more practical translation training, such as training in court settings.] (P04)

我上到一個 kursus penterjemahan 真的很好，那個是一個在 UKM 還是 UPM 的一個助教，他是 Doctor Maya 了……（課程結束後，筆譯能力）有提升，可是沒有 adopt 在我的工作。他講，我們的那個 hukuman 寫「*penjara selama 5 tahun dari tarikh tangkap*」，他說 imbuhan 裡面沒有 penjara 的，什麼叫做「監獄 5 年」，應該是「*dipenjarakan*」或「*memenjarakan*」。之前（前輩）都是叫我們這樣子寫，我們跟 senior 就是一路錯下來。[I had attended a translation course, which was really beneficial. The tutor was a lecturer at either UKM or UPM, and he held a PhD. After completing the course, I saw an improvement in my translation skills, but unfortunately, they were not applied in my work. The tutor pointed out the court judgement often used the phrase “*penjara selama 5 tahun dari tarikh tangkap*” (*prison for 5 years from the date of arrest*), but the “*penjara*” (prison) written there was without affix, which was incorrect. It should have been written as “*dipenjarakan*” or “*memenjarakan*” (both mean imprisonment). However, our seniors had directed us to write it the way they were taught, we followed their guidance, resulting in an error.] (P12)



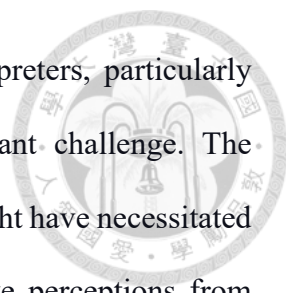
Several interpreters expressed frustration over obstacles hindering their pursuit of training opportunities. For example, P13 mentioned that their colleagues had been denied permission to enroll in training courses, particularly those focused on language skills, despite expressing interest. The rationale provided by supervisors was: “*Those languages were not frequently utilized in your work.*” This lack of opportunity for growth and development was a common theme among the employees. P08 explained that they had been offered a language translation course but declined due to their heavy workload, fearing that their absence would overburden their colleagues. Similarly, P06 was unable to attend a course in Kuala Lumpur due to the significant travel distance from their location.

4.3.2 Non-Linguistic Challenges

This study revealed two major non-linguistic challenges for Chinese interpreters in Malaysia, including excessive workloads and frequent long-distance deployments. Almost all participants spoke along the same line, and they were subjected to heavier workloads burdened with clerical duties due to the high demand for Chinese interpreters and a limited supply of support. Also, frequent long-distance deployments could lead to burnout and compromised work-life quality.

4.3.2.1 Excessive Workloads

Participants expressed a firm conviction that interpreters proficient in the Chinese language experienced a heavier workload compared to those who did not possess this linguistic ability. This disparity was attributed to the heightened demand for Chinese language interpretation services and a limited supply of qualified court interpreters in the Chinese language (P11, P01, P05, P09, and P11). This imbalance was particularly pronounced when other courts required Chinese interpreters, as P11 noted, “I had to help them regardless.” And P05 added, “Chinese interpreters were their go-to.”



The substantial volume of clerical duties assigned to interpreters, particularly those stationed in the magistrates' court, emerged as a significant challenge. The participants voiced concerns that the need to support other courts might have necessitated delays in completing primary tasks, potentially leading to negative perceptions from supervisors. P09 noted that interpreters who failed to maintain a balanced workload between the resident court and other courts might face negative consequences, such as being mentioned in judgments or complaints. This has led to a reluctance among many interpreters to support other courts.

The magistrates' court constituted the foundational tier within the court hierarchy. Unlike other court levels, magistrates' courts processed a substantially larger caseload. This elevated volume necessitated a primary focus on expeditious case resolution. Unlike higher courts, which adjudicated more severe offences potentially resulting in extended sentences, magistrates' courts primarily handled less serious matters, enabling swifter case closures. Here, "disposal" signified the court's capacity to conclude cases efficiently.

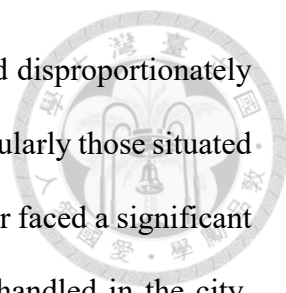
According to the Malaysian Judiciary's Year Book 2022, the cumulative number of pending criminal cases within magistrates' courts in 2022, including the preceding year's balance, amounted to 2,489,719. Attributable to the judiciary's endeavours, the disposal rate for that year reached 86.7%. Interpreters played a pivotal role in attaining this rate, particularly regarding clerical tasks, without which achieving a satisfactory disposal rate would have proven challenging. Building upon Ibrahim's (2002a) findings, which led to the introduction of Legal Administrative Assistant (PTUU) to alleviate the clerical burden on interpreters, the PTUU role persisted. Nevertheless, interpreters generally perceived PTUU as offering limited assistance due to ambiguities in duty distribution.

因為是 Magistrates' Court 所以沒有 clerk，我們就是那個秘書，我們就是接電話的人，我們就是那個幫推事安排事情的人.....OTP 原本都不是我們的工作，現在變成我們的。Bailing form 那是 PTUU 的工，但是我們做。像打 nota 其實是 PTUU 的工作或者是老闆自己打，但是在這裡我們自己打。

[Since it was a Magistrates' Court, we didn't have a clerk. We were THE secretaries: answering phones, scheduling the Magistrate's appointment, issuing OTPs, which hadn't originally been part of our role. Additionally, we processed bail forms, as task typically assigned to the PTUU. Even tasks like typing notes of proceeding, normally handled by the PTUU or the Magistrates, became our responsibility.] (P11)

東馬那裡有 PTUU，西馬也有 PTUU，但是西馬的 PTUU 很像他們的工作有很多其它的東西，變成很多東西都推回去給翻譯員。這邊的 PTUU，西馬的，比較多是做 jamin、letter、warrant to arrest and notice to show court，其它的都沒有做，其它都是我們翻譯員做，像那個 Warrant of Commitment 那些啊，都是翻譯員做，但是在東馬就不用做。 [Both East Malaysia and West Malaysia had PTUUs, but the PTUUs in West seemed to have a lot of other work to do. As a result, they ended up pushing a lot of work onto the interpreters. PTUUs in West mainly handled bail, letters, warrants of arrest, and notices to appear in court. They didn't do anything else. All the other work was done by interpreters. For example, interpreters did things like Warrant of Commitment, but in East, interpreters didn't have to do that.] (P04)

P01 served as an exceptionally qualified witness to the erosion of professional boundaries and the escalating workload imposed upon court interpreters. Based on P01's observations spanning several years, coupled with discussions with numerous senior



colleagues, the evidence confirmed that the intensity of the workload disproportionately affects interpreters assigned to courts within the Klang Valley⁷, particularly those situated in Kuala Lumpur, the capital city. P01 highlighted that Kuala Lumpur faced a significant shortage of Chinese interpreters due to the large number of cases handled in the city, particularly high-profile cases. P01 expressed strong disagreement with the necessity of colleagues in the court of excuses engaging in typing notes, as interpreters already fulfilled this responsibility during open court proceedings. Regarding matters outside the open courtroom, P01 asserted that the clerk or secretary should assumed this workload.

其實很久以前我們 join service，通譯員就不可以做這麼多 clerical work，因為我們什麼都能，很多東西我們可以做，我們會做（以致工作越來越多）。

Clerk 你上來（開庭）你幫不到我們的，翻譯你可以嗎？不可以的，他們以前就一直認為我們和 clerk 是一樣，我說不一樣的，你來法庭看，哪里一樣？

[When we first joined the service, interpreters weren't supposed to do clerical works. But because we were good at many things and willing to help, our workload has kept increasing. Clerks couldn't help us with interpreting, so why did people think we were the same? If you had come to court, you would have seen that our jobs were very different.] (P01)

In written communication with the researcher, P10 directly expressed dissatisfaction with the current situation, stating that the primary responsibility of a court interpreter was interpreting, not paperwork. P09, who consistently adhered to the principle of maximizing output in the workplace, perceived a shared expectation of exceeding job duties in both public and private sector employment. However, P09

⁷ The valley is named after the Klang River. Several major cities, including Kuala Lumpur, and cities and towns in the state of Selangor dominate the region.

cautioned against defining professional workers solely based on their willingness to take on additional responsibilities and emphasized the importance of fair workload distribution.

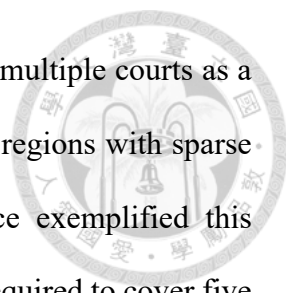


4.3.2.2 Frequent Long-Distance Deployments

Chinese interpreters reported an exceptionally high workload, often requiring them to abruptly shift their focus from ongoing cases to urgent requests from other courts. Despite pending matters, interpreters had to prioritize immediate needs, such as attending court proceedings in distant locations. This mobility extended beyond courtroom settings, with frequent assignments to hospitals, police stations, and crime scenes. For instance, P11's appointment was rescheduled due to a sudden deployment to a hospital 20 kilometres away to interpret for a pre-trial suspect.

The frequency of these demands was disproportionate compared to interpreters of other languages. Often summoned to work in various courts, interpreters wryly referred to themselves as "call girl/boy" (P01), a nod to the frequent demands of their profession. All Chinese interpreters interviewed reported experiences of being deployed to support other courts. While transfers within the same court building were considered optimal, some participants faced the physical and mental toll of commuting between different districts.

P12 and P13 experienced relatively minimal deployment challenges. Both were assigned to courts within a 12- to 13-kilometre radius within the same level subordinate court. P12 used to work three days per week in Court A and two days per week in Court B of the central region court. P13 also divided time between Court A and Court B, working three days in Court A and three days in Court B every fortnight in the northern region court. In contrast, P08, who possessed minority language skills, was assigned to a court 219 kilometres away.



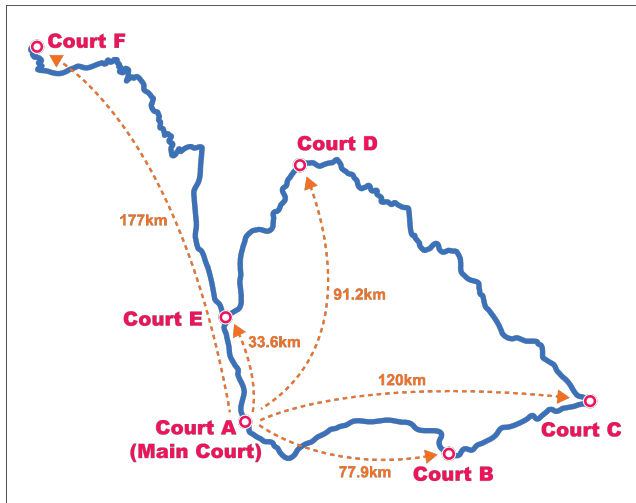
P09 characterized the frequent deployment of interpreters to multiple courts as a common challenge faced by district court interpreters, especially in regions with sparse populations like Sabah and Sarawak in Borneo. P03's experience exemplified this situation. In addition to the resident court responsibilities, P03 was required to cover five district courts, spending three to seven days at each location. P03 stated, "highly relied on a bus", resulting in significant time wasted waiting for transportation. This challenging arrangement continued for over a decade. Due to a lack of other Chinese interpreters during this period, P03 solely undertook this critical role. Only after successfully applying for a transfer to a court in another state was P03 able to end the physically and mentally exhausting travel.

To provide a clearer illustration of P03's workplace deployment challenges, **Figure 4** was developed to depict P03's court coverage area. The six points on the diagram represented P03's multiple work locations, with aliases used to ensure the confidentiality of the participant. Based on Google Maps, the distances and estimated travel times for a single journey by car between the main court A, and the other locations were as follows:

- Court B: 77.9 kilometres, about 1 hour and 4 minutes
- Court C: 120 kilometres, about 1 hour and 19 minutes
- Court D: 91.2 kilometres, about 1 hour and 15 minutes
- Court E: 33.6 kilometres, about 32 minutes
- Court F: 177 kilometres, about 2 hours and 17 minutes

Figure 4

Court Coverage Area of Participant P03



Court F, situated near the state border, was much farther from Court A than other courts. Despite being closer to courts in neighbouring states (60.7 km away), jurisdictional restrictions limited Court F to deploying P03, who was within the same state, rather than interpreters from nearby states. This obligation also extended to P03's current placement, where P03 was responsible for supporting a border court 171 kilometres away from the resident court.

P09, while unfamiliar with inter-district court deployments, possessed knowledge of district court operations. Citing Sarawak⁸ as a case in point, P09 described a distinct operational model. Unlike fixed-location courts, Sarawak's district courts operated on a circuit system. The presiding judicial officers, formally magistrates but colloquially referred to as circuit judges, oversaw multiple jurisdictions. Interpreters were integral to this circuit system, accompanying the circuit judge and their support staff, including a court clerk and driver. This itinerant model necessitated frequent travel between district

⁸ Sarawak was the largest state in Malaysia, roughly 457 times bigger than Taipei. The population density of Sarawak was 23.35 people per square kilometer, while Taipei was 9,724.

courts, often involving extended stays in each location. Despite the challenges posed by Sarawak's less developed road infrastructure compared to the Peninsular, providing a dedicated driver mitigated the physical and psychological demands of commuting.

In comparison to district court interpreters in Sarawak, P03 faced considerably more challenging circumstances, requiring independent arrangement of transportation and lodging for each assignment. Despite over a decade of this itinerant work, the court's reimbursement process remained antiquated, necessitating interpreters to advance funds for travel, accommodation, and sustenance prior to reimbursement.

像 taxi 的話啦，他會算你一個人頭吧！20 塊、30 塊吧，因為你一個星期一趟，就是從你的家去到法庭 E（算）一趟，從法庭 E 回家（算）一趟，吃飯就是一天你可以 claim 30 還是 20 吧！ [Taxi claims were based on a fixed fee per claim, something like RM20 or RM30 each way. I went to court E once a week, that's two trips: home to court and back. As for meals, I could claim a daily allowance of RM20 or RM30.] (P03)

It was important to note that transportation costs were reimbursed as a lump sum, rather than based on actual expenses. P03 did not elaborate on whether this practice benefited or disadvantaged interpreters financially.

4.3.3 Interpreters' Perceptions of Challenges

As previously discussed, court interpreters shouldered a significant clerical workload, often comprising up to 80% of their duties. They expressed concerns about the potential burden of additional responsibilities, such as supporting other court interpreting tasks, on top of their already heavy workload. Nevertheless, a notable portion of interpreters adopted a more optimistic view of clerical work, recognizing it as a supportive function rather than an obstacle. They highlighted a few primary benefits: (1)

expediting court proceedings and case management for judges and (2) enhancing their linguistic proficiency through exposure to legal terminology and documentation.

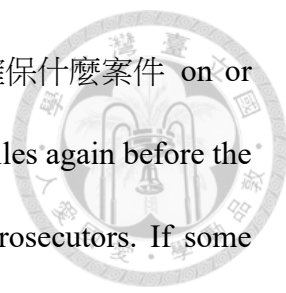


4.3.3.1 Improving Court Performance

Court interpreters often viewed themselves as essential to the smooth functioning of the courtroom. Recognizing case disposal as a key indicator of judicial efficiency, they generally perceived clerical tasks as essential components of effective courtroom operations. Clerical duties offered interpreters a comprehensive understanding of court operations. Involved in tasks such as preparing court records, managing exhibits, and participating in bail proceedings, interpreters gained first-hand exposure to court procedures, practices, and the legal complexities of various case types. For instance, interpreters like P03 and P12, who had previously worked in traffic/summons court, found that handling traffic offense cases required familiarity with traffic laws and police enforcement methods. This accumulated knowledge enhanced accuracy in supports effective communication between judges, lawyers, and accused. With years of experience handling clerical tasks, interpreters possessed a keen understanding of litigation documents. This allowed them to quickly identify potential issues, especially for new prosecutors unfamiliar with court procedures. Consequently, interpreters thoroughly examined case files upon receipt to prevent oversights that could delay the trial. As P03, candidly remarked, “We can do everything from A to Z.”

所有的文件會先到我們手裡，我們會比他（法官）先知道這個犯人是什麼案子，這個案子需要什麼證物，少了什麼是不可以的。[We had access to all documents beforehand, which allowed us to anticipate the case type, necessary evidence, and crucial details.] (P11)

要開庭之前我們就再看 file，和那些 lawyer 或 DPP（副檢察司）check，有些被告沒有帶來，做什麼？因為可能他生病留醫，我們都不曉得，就寫下

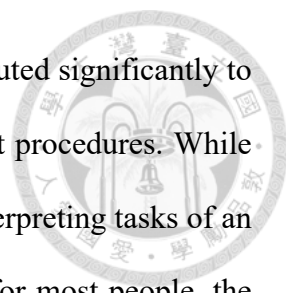


來，寫在我們的 cause list 那邊，方便我們告訴法官，確保什麼案件 on or off，律師請假我們也要記下來。 [We went over the case files again before the hearing and checked with the lawyer and Deputy Public Prosecutors. If some defendants did not show up, we needed to find out why and record it on the cause list. This make it easier for us to inform the judge which cases were on or off. If a lawyer was on leave, we needed to record that as well.] (P01)

我會學到很多法律上的東西，這個是我做了這樣就學到的，就是起碼我知道如果是這種申請它的 procedure 是什麼，雖然我每天都要讀那個 file，可是我知道，根據這個法律是不能這樣做，到底是怎樣的。 [Through this experience, I gained a deep understanding of legal matters. I had already learned the exact procedure for all types of applications. Despite the daily task of reviewing files, I came to grasp the legal limitations and requirements.] (P05)

我們可以學到很多知識，像比如怎麼樣去 issue 這個 Borang Pengawasan Section 15 的，像 OTP 怎樣 issue，像一個 commitment 怎樣 issue，這些一大堆的東西，我們如果是經歷過，我真的是會學到很多東西。 [We learned a lot, such as how to issue a Home Surveillance Order under Subsection 15, how to issue an OTP and a Warrant of Commitment, and many other things. Through hands-on experience, we truly learned a lot.] (P04)

Beyond expanding legal knowledge, clerical work contributed to the development of an interpreter's computer skills. As technology advanced, an increasing number of legal documents and court records were stored electronically. Interpreters, such as P13, reported acquiring specific computer operation abilities while on the job, including proficiency in using Excel spreadsheets for data analysis. These skills not only enhanced work efficiency but also facilitated adaptation to the evolving digital court landscape.



In addition to the interpreter's primary function, they contributed significantly to streamlining the legal process by familiarizing the public with court procedures. While not strictly clerical tasks, these actions were one of the main non-interpreting tasks of an interpreter. Given the infrequent nature of courtroom appearances for most people, the public often approached the judicial system with a sense of awe and uncertainty. Interpreters, as the initial point of contact for many upon entering the courtroom, could help alleviate this anxiety. Interpreters could contribute to a smoother and more efficient court experience for all parties by providing a welcoming presence and offering essential procedural guidance.

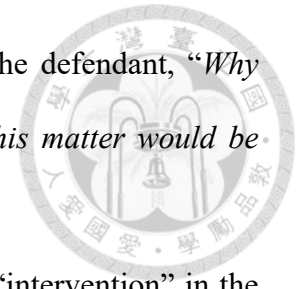
第一次來，可能真的是不懂，我是說在旁邊可能說陪伴他們，幫他們不用怕。有時候他不明白，可以問我們，這時候幫忙他們明白我們的 court procedure，例如什麼是過堂……有時候被告不懂你們法庭搞什麼，法庭的規則，所以就要告訴他，不然有些人沒有告訴他們。[First-time court attendees could feel overwhelmed. I could offer them companionship. They might have been unfamiliar with court procedures and rules, such as Court Mention. By explaining these things, we could help alleviate their confusion and anxiety.] (P01)

However, the “good intentions” of an interpreter exceeding their authority may have inadvertently turned into ‘intervention,’ raising suspicions of interfering with the court’s impartiality.

如果他沒有 lawyer 的話，我們就幫他求情，問他幾歲、做什麼工、需要養活誰。[If they didn't have a lawyer, we assisted with mitigation efforts. We gathered information about their age, occupation, and dependents..] (P03)

我就跟那個 plaintiff 講「你不如退一步」，然後跟 defendant 就講「你不如跟他道歉一下，道歉了可能這邊就沒有事了，家和萬事興」。[I told the

plaintiff, “*Why didn’t you retreat a step?*” and then told the defendant, “*Why didn’t you apologize to them? If you apologized, maybe this matter would be resolved. A harmonious family brings all prosperity.*” (P04)



Although only two or three participants revealed that their “intervention” in the communication process had been a reflexive action rather than a routine, this highlighted the need for interpreters to be trained in how to avoid reflexive interventions and to understand the potential consequences of their actions.

4.3.3.2 Enhancing Legal Language Proficiency

The work of a court interpreter was more than just language transfer; it required an in-depth understanding of legal texts, a mastery of terminology and a familiarity with court procedures. Clerical work, which may have appeared to be administrative in nature, invariably enhanced the interpreter’s linguistic skills and made them more comfortable in the courtroom. As the participants said, by processing or translating various legal documents, interpreters were exposed to a wide range of legal terminology, grammatical structures and document formats. From simple application forms to complex contractual agreements, these documents served as learning materials for interpreters, from which they could learn how to accurately translate legal terminology, how to understand the meaning of legal provisions and how to convert written language into spoken language, as well as how to enhance their mastery of the relevant legal procedures. All in all, clerical work and legal interpreting formed a “synergy” that helped interpreters to better cope with various challenges.

要感謝那 14 個月（第一個服務的法庭）我老闆（法官）逼我去讀 lawyer filing，你就知道 filing 是怎樣的、issue 是什麼、claim 是什麼，用的詞是什麼，你大概那邊你就一個一個字抓。[I was grateful to my boss (the judge) for forcing me to study lawyer filing during my first 14 months on the bench. That

experience equipped me with a solid understanding of filing procedures and legal terminology, such as issuing and claiming.] (P09)

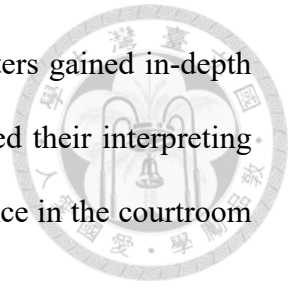
我會讀 file，然後找那些字啊，難的字那些，通常都會用到的那些字，就會查看是什麼，就是要怎樣翻譯。 [I read the files and looked up any unfamiliar words, especially the complex legal terms that were commonly used. I then researched these terms to determine their precise meanings and appropriate translations.] (P05)

筆譯其實對我們幫助很大，尤其是翻譯那些 contract tenancy 也好、business contract 也好、cooperation franchise contract 那些，當你讀多了那個法律的句子之後，standard 的英文句子之後.....證人一回答我們就可以直接馬上 apply，直接把我們平時翻譯的的中文句子放出來。 [Translation works was an enormous help, particularly for translating legal documents such as tenancy agreements, business contracts, and cooperation franchise agreements. By consistently exposing ourselves to standard legal English terms, we were able to effortlessly apply the Chinese phrases we had learned during witnesses' testimony.] (P07)

我很常翻譯.....有時候你每天組這些句子，組著組著，你就會懂的怎樣去組成一個適當的句子來給你（在）適當的時間用。 [I engaged with translation frequently. As I kept constructing these sentences, I developed an instinct for how to form the right sentence at the right moment.] (P08)

Taking everything into account, while clerical duties might have seemed peripheral to court interpreters, the workload was quite substantial. However, both P09 and P13 indicated that the paperwork was relatively simple. Nevertheless, these tasks made significant contributions to interpreter development. By handling a variety of legal

documents and actively participating in court proceedings, interpreters gained in-depth legal knowledge, became familiar with court procedures, and refined their interpreting skills. These combined proficiencies enhanced interpreter performance in the courtroom and fostered overall professional growth.



4.4 Personal and Professional Growth

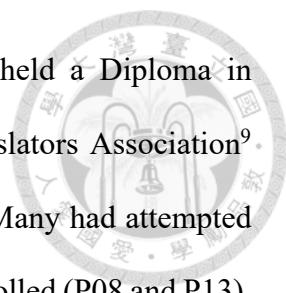
A synthesis of the preceding sections revealed that, in the context of Malaysian courts, Chinese interpreters played multiple roles, with the roles of primary judicial assistant and clerk far outweighing those of mere interpreters. Simultaneously, it exposed the judicial system's lack of rigour and consideration in recruiting interpreting talents. Coupled with a shortage of Chinese legal reference materials and inadequate training systems, Chinese interpreters often had to fend for themselves or risk being eliminated from their profession. This section unveils how these interpreters navigated demanding work environments, transforming obstacles into opportunities for professional growth.

4.4.1 Enhancing Educational Attainment

An intriguing trend emerged among Chinese interpreters. Many of them actively pursued higher education, even without immediate career rewards such as promotions or salary increases. **Table 6** sheds light on the educational journeys of 14 Chinese interpreters, showcasing the diverse degrees and professional programs they undertook while in service. This demonstrated their dedication to professional development.

Table 6*Educational Attainment of the Research Participants*


Participant	Before Joining	After Joining
P01	SPM	Professional Diploma in Translation; Advanced English; Commissioner of Oaths Certification
P02	STPM	No further study
P03	SPM	Professional Diploma in Translation; Commissioner of Oaths Certification; Business Administration Degree (present); Law Degree (incomplete)
P04	SPM	Professional Diploma in Translation; Law Degree (incomplete)
P05	SPM	Linguistics Degree
P06	SPM	Accounting Degree
P07	STPM	Law Degree (incomplete)
P08	SPM	A-Level Certificate; Law Degree (present)
P09	STPM	Professional Diploma in Translation; Law Degree (incomplete)
P10	STPM	Law Degree
P11	SPM	Public Management Degree
P12	SPM	Psychology Degree
P13	Degree	Commissioner of Oaths Certification; Law Degree (present),
P14	STPM	Public Management Degree



A majority of the interpreters (P01, P03, P04, and P09) held a Diploma in Professional Translation, a course provided by the Malaysian Translators Association⁹ (MTA) in collaboration with Dewan Bahasa dan Pustaka¹⁰ (DBP). Many had attempted law degrees, with some having completed them (P10), others still enrolled (P08 and P13), and a few not finishing (P03, P04, P07, and P09) due to the difficulty of law studies, combined with the demands of their jobs. Additionally, several interpreters had taken steps to enhance their language proficiency through advanced English courses (P01) or linguistics degrees (P05). Three interpreters (P01, P03, and P13) further distinguished themselves by obtaining Commissioner of Oaths Certifications. Beyond these specific areas, the interpreters demonstrated a diverse educational background, encompassing public management (P11 and P14), business administration (P03), accounting (P06), and psychology (P12).

Despite the relatively low number of court interpreters who had successfully completed a law degree, with only P10 being a notable example, a significant proportion (7 out of 14 respondents, or 50%) had undertaken legal courses. It's noteworthy that, despite being a practicing solicitor, P10 remained a freelance court interpreter, demonstrating a commitment to both professions. The primary motivation for this trend was a desire to advance within the judicial system. They aspired to transition into higher-level roles such as Magistrate or Registrar within the public sector, or work as practicing solicitors in the private sector, seeking to overcome the perceived limitations of their current positions.

⁹ MTA is member of International Federation of Translators (FIT). FIT has the status of a UNESCO consulting agency.

¹⁰ DBP is the government body responsible for coordinating the use of the Malay language and Malay-language literature in Malaysia



讀法律是為了有更多的出路.....老實講我曾經是想過畢業後申請副主簿官一職，但過後我看見每天在法庭上經歷的一切，我就認為如果說我 graduate 了，到時候看是什麼機會擺在我面前，然後就覺得我自己接受的，如果說準備去做，有機會在那邊，我就會去。 [Studying law was about having more employment opportunities...Actually, I had considered applying for the Deputy Chief Registrar position after graduation. However, my thoughts changed when I saw what I went through in court every day. I seized any opportunities that came my way after graduation. I would go for it if I were ready and the opportunity was there.] (P08)

不是講你去讀 law，然後讀完了 law 就可以直接升去 Magistrate.....怎樣都好，我們都需要通過 apply SPA 申請。如果剛好你有認識的法官，他可以幫忙你。 [It wasn't as simple as becoming a Magistrate right after law school. We all had to go through the SPA application process. Knowing a judge could be helpful, they could help you.] (P03)

假如能夠在裡面升職的話是最好啦，就是用我這個 law degree 去升職，但是我覺得機會是很難啦。或者看政府體系裡有沒有可以申調的工作，如果這兩條路都不行的話，就出來做律師。 [Getting promoted within the system using my law degree would have been best, but the chances would have been limited. Alternatively, I could see if there were any jobs in the government system that I could apply for a transfer to, and if neither of those two paths worked, then I would have become a lawyer.] (P13)

The Professional Translation Diploma Course was a popular self-study option for court interpreters seeking to enhance their skills. While interpreting remained their primary focus, many court interpreters also supplemented their income with translation

work. Obtaining an internationally accredited translation certification could help them expand their clientele and pursue more international translation projects.

因為它是 recognized by UNESCO，所以我們看到我們那些同學，哇，他們很厲害，有些專門翻譯書、詩集、subtitle、advertisement。一年的 intensive course 你知道我們多辛苦嗎.....我們得到了 certificate，UNESCO 的國家都承認我們。 [Because UNESCO had recognized it, we could see that our classmates were outstanding. Some specialized in translating books, poetry collections, subtitles, and advertisements. It was a one-year intensive course; we worked so hard on it. We received a certificate, and all the UNESCO countries recognized us.] (P01)

我有成為 Persatuan Penterjemahan 的 ahli seumur hidup.....它是 diploma professional 了，不是從 basic 學起的，而是專攻於 translation，它的 wording 我是覺得有幫助到我啦！ [I had become a permanent member of the MTA...The courses it offered were professional diplomas, which were not foundation courses but specialized in translation, and I thought the wording they taught had helped me.] (P03)

我想拿這個課程是因為我想過我以後退休了之後，我還可以繼續做翻譯的東西。我除了是一個口語翻譯員，我還是一個文筆的翻譯員，像那些 paper 的 translation，birth cert 那些一大堆我都可以翻譯，還有一些 agreement。 [I took this course because I wanted to continue to work as a translator after I retired. Apart from being an interpreter, I was also a translator, and I could translate many documents, such as birth certificates and agreements.] (P04)

To expand their professional capabilities, some participants became Commissioners for Oaths. This allowed them to continue administering oaths in the

courts they served, even after retirement. A Commissioner for Oaths was appointed by the Chief Justice of the Federal Court. The Oaths Commissioners Unit of the Federal Court Malaysia oversaw these appointments. Court interpreters often found it easier to become Commissioners for Oaths due to their advantage of being familiar with legal concepts acquired through their work (P07). This familiarity could expedite their understanding of the legal documents involved in the oath administration process. Unlike many other legal-related professions, becoming a Commissioner for Oaths did not require a law degree.

宣誓官只是額外的一個工作而已，政府每個月會給你一些津貼。

[Commissioner for Oath was just an extra job. The government provided a monthly allowance.] (P13)

我進工的時候，宣誓官的 allowance 是 20 塊。然後 after that 他們有起價到 120 塊 allowance，那個時候我就申請。在法庭櫃檯值班一個禮拜一次或兩次。通常我都會放在下午兩點半，因為早上一定要進 court。 [When I first became a court interpreter, the Commissioner for Oaths allowance was only RM20 per month. After it increased to RM120, I decided to apply for the certification exam. As a part-time Commissioner for Oaths, I usually scheduled my shift at the court counter for 2:30 PM to avoid conflicts with my morning court duties.] (P03)

我是打算退休之後申請做宣誓官，因為我以前是宣誓官。我是 church 的也可以申請做婚姻註冊官，都可以的，因為想服務人群。 [After retirement, I planned to apply for the position of Commissioner for Oaths, leveraging my previous experience in the role. Additionally, I was interested in serving as a Registrar of Marriages for the Church. Both positions aligned with my desire to contribute to the community.] (P01)

4.4.2 Lifelong Learning

Most of the participants acknowledged that continuous self-development was essential to maintaining their relevance in legal settings. In addition to pursuing higher education, they continued to develop their legal expertise through a combination of practical experience and ongoing learning.

As previously noted, many court interpreters viewed translation exercises as a valuable supplement to their interpreting work. These exercises contributed significantly to their development of accurate language expression and effective speaking skills. Regardless of whether translation assignments constituted their primary task as court interpreters or a secondary means of earning, they generally welcomed additional opportunities to engage in this work and enhance their professional capabilities.

Court interpreters also regularly perused news articles to stay informed about current national affairs and emerging societal trends. This practice not only facilitated a rich source of glossary for interpreters to learn from, but, by emulating the writing techniques employed by journalists, particularly the 5W1H framework (who, what, when, where, why, and how), interpreters could refine their ability to convey information with precision and clarity to all parties involved.

總覺得這裡每天需要多看點報章，可以的話，為什麼呢？有時候我們翻譯困難，是因為我們找不到那個詞的 vocab，我覺得多點 equipped 多點 vocab，可以幫到的。[I think we should read newspapers more often, if possible. Sometimes we had difficulty interpreting because we were struggling to find the exact word. Being more equipped with a larger vocabulary can be helpful.] (P01)

Some interpreters thought the dynamic interplay with legal professionals often sparked a desire for continuous learning. Interpreters were naturally drawn to using wealthy language peers, lawyers, and judges. Such interaction fostered a unique learning

environment where interpreters could expand their vocabulary and refine their skills. This interaction could also significantly boost their confidence.



我們會跟律師電郵，有時候看到那些律師寫的電郵用詞很深奧，我們就覺得很激動，想要搞懂那些用句的意思，下次我要用更強、用很深奧的句子來回覆。[We were always emailing back and forth with lawyers. Their emails could be full of big words, we got excited. We were trying to figure out all those fancy phrases and make our email replies look just as impressive as theirs.] (P08)

工作過後找幾個同行出來討論，如果遇到這個情況要怎樣，你們會怎樣翻譯.....如果問我做過哪些 case 和 glossary，我可以分享。[After work, I met with some colleagues to discuss what we should do or how to deal with translation in those situation. I was willing to share if anyone asked about the cases I had worked on or my glossaries.] (P05)

我從一個沒有英文的 environment 去到一個全英文的 environment，我真的從資深通譯員的談話中學到很多.....他們的英文是很流利的，grammar 是 perfect 的.....我很幸運接觸到這班很會講又很勁的人，彌補了我只會寫不會講。[I had gone from a place where no one spoke English to an environment where everyone does. I had picked up so much from chatting with seniors. Their English was flawless, and their grammar was perfect. I was really grateful to have found this group of talented people. It had helped me a lot with my speaking, which had always been my weak point.] (P02)

4.4.3 Career Planning

In the previous section, it has been shown that interpreters were motivated to improve themselves through self-learning and professional development. Indeed, it was through on-the-job experience that they realized their potential for advancement within

the court interpreting system. As **Table 7** shows, a significant portion of the participant's motivation stemmed from their vision for the future, whether leaving the job mid-career, retiring early, or planning for a long-term future after retirement. These aspirations were closely tied to their perception of the career prospects of court interpreting.

Table 7

Career Planning of the Research Participants

Participant	Career Planning
P01	Stay in the job until retirement.
P02	Stay in the job until retirement.
P03	Stay in the job until retirement.
P04	Stay in the job until retirement.
P05	Stay in the job until retirement.
P06	Applying for transition within or outside the court system.
P07	Considering freelance interpreting.
P08	Open to legal career advancement after a law degree completed.
P09	Currently a freelance interpreter.
P10	Currently a lawyer and freelance interpreter.
P11	Stay in the job until retirement and pursue a master's degree.
P12	Applying for transition within or outside the court system.
P13	Open to legal career advancement after a law degree completed.
P14	Currently an NGO initiatives coordinator.

Many court interpreters expressed a preference for stable employment throughout their careers, balancing factors such as salary, personal interests, career prospects, and stability. Six participants (P01, P02, P03, P04, P05, and P11) indicated a strong desire to remain in their current roles until retirement, primarily motivated by the pension benefits they would receive. One of the primary benefits of the pension system was the monthly pension payments available to eligible retired civil servants, which could reach up to 60% of their final salary.

其實我有想過離職或轉職，我有點後悔，可是我選擇了 pence，所以我怎麼樣都得繼續做這份工作，否則我就拿不到養老金。 [I had thought about it (leaving my job or switching to another one) and had had some regrets. However, I had already opted for the pension scheme when I joined the service, so I must continue working in this job. Otherwise, I will not be able to get my pension.] (P11)

一開始剛剛進來的話可能會有想過要走，可是現在都做了這麼多年了，就唯有在這邊（做到退休為止）。 [When I first joined the service, I thought of leaving, but now that I had been working for so many years, the only thing I have to do was to work here (until retirement).] (P05)

我覺得這份工比起很多私人行業已經很好了.....最大的意義就是我可以幫到很多人。 [This job was better than a lot in the private sector. The biggest thing was that I could help many people.] (P02)

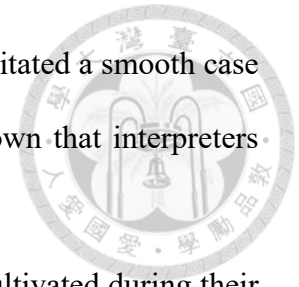
Meanwhile, P06 and P12 were looking to transition within the government, citing a loss of interest in court interpreting. P08 and P13, currently pursuing their law degrees, were open to exploring legal roles within the government too. They believed they were well-prepared to take on new challenges upon graduation.

While some court interpreters were seeking internal advancement within the government, others were drawn to external opportunities. Some court interpreters had received positive attention from external entities, with legal firms and private companies approaching them for employment opportunities, such as P08 and P11. While these offers often included higher salaries, they were not sufficient to entice most interpreters away from their current positions. P04 believed it was important to maintain a professional distance from clients and other court-related individuals to avoid appearing biased. P08 emphasized the importance of avoiding working for companies of acquaintances. If there's a chance, they would prefer to transition to "a completely new environment." (P08)

However, a smaller group had more ambitious plans. P07, for instance, was considering early retirement to pursue freelance interpreting, hoping to increase competitiveness in the field by taking on more challenging assignments. According to P07, to be eligible for early retirement, a person had to have worked for at least 20 years and be older than 40. Having served for 15 years, P07 was making significant progress toward meeting these criteria. P07 clearly stated their intention to leave the public sector and they hoped to achieve a level of interpreting skill comparable to the interpreters at the Chinese Ministry of Foreign Affairs.

我看到我們跟跳出來的同行，quality 也是不相上下，甚至有的比我們還 junior 的，翻譯也還差，也是跳出來，當他們（律師事務所）找不到別人的時候也是能接受，最重要是大家都能明白，案件能走，run smooth，就有錢收。所以在馬來西亞，說真的，翻譯這一行，人家不知道其實真的是蠻賺錢的。 [The quality of interpretation among our former colleagues who had transitioned to freelancing was comparable to ours. Some, even younger than us, may have offered lower-quality translations, yet still found work as freelance interpreters. Law firms often accepted any available interpreter when facing a

shortage. As long as interpreters fulfilled their role, and facilitated a smooth case progression, they would be paid. People may not have known that interpreters were pretty profitable in Malaysia.] (P07)



In general, the personalities, brands, and connections they cultivated during their time as in-house interpreters have significantly contributed to their subsequent work. For example, P09, who had been actively pursuing every assignment independently while working as an in-house interpreter, had gradually built relationships and taken on assignments as they became available. This had led to referrals, positive word-of-mouth, and ultimately, a successful freelance career.

Besides, P14 also had a success story to share. After resigning from their in-house interpreter position, P14 successfully secured a novel translation project by emphasizing their previous experience as a court interpreter. These examples demonstrated how the foundation laid as an in-house interpreter could serve as a springboard for future success in the freelance translation industry.

4.5 Recommendations for Improving Working Conditions

Based on interviews with 14 participants, 10 expressed a strong desire to remain within the government system. This commitment was rooted in a sense of duty and a belief in the importance of public service. Even those who had been seeking promotions or transfers within the government expressed a reluctance to leave the system entirely. Many participants expressed a hope that the court interpreter position, often overlooked and undervalued, would receive greater recognition and advancement. They believed that with increased investment and support, the role of court interpreters could be elevated within the government. When interpreters, across all language combinations, were equipped with the appropriate qualifications and a positive work environment, they could successfully tackle the challenges of a busy and stressful workload together. United by

the sense of collaborative spirit, they put forward several thoughtful proposals from various perspectives that demanded the attention of the authorities



4.5.1 Reliable and Durable Equipment

As noted in **Section 4.2**, the Malaysian court administration system had undergone a significant transformation since the 2010s, transitioning from a gradual implementation of the e-Court System to its full integration today. Having experienced the era of manual document delivery, interpreters generally expressed satisfaction with the e-Court System. As P11 remarked, they had to physically deliver files in the past, climbing up and down the stairs, “Now, [everything can be done] with just one click.” Similarly, P09 observed that in the past, lawyers had difficulty finding parking and waiting in line to file documents. They might even have been scolded by judges if they were late. But such occurrences were hardly ever seen anymore.

Despite simplifying many administrative procedures, the effectiveness of e-Court system and the RVT was often hindered by the inadequate equipment provided by court authorities, especially for interpreters in subordinate courts. These interpreters, who were responsible for creating verbatim transcripts for note of proceedings, found that relying solely on machine-generated transcriptions can be problematic, as current technology struggled to accurately recognize the mixed-language speech common among Malaysians. Additionally, the equipment’s low durability contributed to frequent breakdowns, which potentially delayed legal proceedings or forcing court closures. System server downtimes often occurred, further disrupting the smooth flow of e-Court processes. Moreover, the use of inadequate computers during remote trials significantly compromised audio quality due to the lack of essential peripherals, such as headsets.

AI capture 的那些文字，你是需要花很多時間一直 edit，edit 到它精明為止，精準為止……英文口音有倫敦腔、美式腔，馬來文還有 Kelate、

Terengganu、Penang，結果它翻譯出來的東西怪怪的。 [AI-generated text often required us spend significant time editing to ensure accuracy. There were many different English accents, such as the London and American accents, as well as Malay dialects like Kelate, Terengganu, and Penang. The AI system struggled to adapt to these accents, which often led to unexpected translations.] (P12)

我們的 court 的 recording system 壞了，我們就要去看看其它的 court 有哪一個 court 是空著，下午沒有走 case 的，然後我們要去借它的 recording。 [If our court's recording system malfunctioned, we had to locate an available court that was not in session during the afternoon to borrow its equipment.] (P02)

Headphone 那些我們是沒有的，舊筆電就是能用就用，有時候網線不好，我們也要用自己的網線，全部是要自己給錢的.....他給我的電腦還是人家那些 admin 不要了的電腦。 [We lacked headphones and relied on older laptops that were still functional. Internet connectivity was often unreliable, forcing us to use personal data plans. The court-provided laptops we used had previously been discarded by other administrators.] (P05)

These shortcomings not only frustrated interpreters but also impeded the overall efficiency and effectiveness of the legal process. They therefore suggested that the government consider adopting more sophisticated digital systems and online platforms. To address these shortcomings and ensure the success of hybrid hearings, it was imperative to invest in more advanced digital infrastructure.

Chief Justice Tun Tengku Maimun Tuan Mat highlighted in 2022 the potential for virtual court proceedings to persist beyond the COVID-19 pandemic. With hybrid hearings now standard practice, it was essential that all interpreters were equipped with the suitable computer equipment, headsets, and a reliable internet connection to

effectively fulfil their duties. As emphasized by AIIC (2020), dedicated equipment was needed for remote interpreting to ensure the quality of service. A hybrid hearing, by its very nature, involved multiple parties and required more than just one side being adequately equipped. Both the Judiciary and the Bar Council needed to establish a more comprehensive protocol to emphasize the importance of audio to all stakeholders.

4.5.2 Strategic Placement

As outlined in **Section 4.4**, Chinese interpreters demonstrated a solid commitment to personal and professional growth. Beyond academic pursuits, they sought to broaden their knowledge base through work experiences, preparing them for various challenges. More than a third of participants believed that job rotations were essential for their career development, as remaining in the same courtroom for a long time could limit their potential and hinder their career advancement.

P12, who had been in the subordinate courts (criminal division) for 12 years, demonstrated a strong desire to move to other courts, such as the high court or the civil division, where interpreters could experience different work environments, acquire new skills, and increase their competitiveness. A veteran of the subordinate courts with 16 years of service, P06 echoed this sentiment. The monotony of the current caseload has dampened P06's enthusiasm for the role. Transitioning to a court with a different jurisdiction or case complexity could have reignited P06's passion for the profession.

Participants confirmed that their initial court assignment often significantly impacted their entire career, with limited opportunities for lateral transfers. P12 strongly disagreed with this approach, arguing that it hindered interpreters' professional development. Four interpreters—P07, P08, P09, and P10, who joined the service in the same year—were all assigned to the high courts. P07 acknowledged that their placement

had primarily been to fill vacancies left by retiring interpreters, illustrating how vacancies, rather than seniority, had often determined where interpreters were assigned.

我們在 high court 那麼久了之後法官 get used to it，我們的 experience 也在那邊，他們也不想要從下面的人又再拉上來訓練，所以我們就一直在 high court 到現在。 [We had served in the high court for a very long time. The judges had gotten used to veteran interpreters like us, so they preferred not to recruit and train someone from the subordinate courts. That was why we had stayed in the high court until then.] (P07)

In P01's opinion, the lower courts served as the optimal starting point for new interpreters. Compared to the higher courts, the lower courts offered a more comprehensive range of case types, from traffic offences to minor criminal cases and general civil disputes. This exposure allowed new interpreters to quickly familiarize themselves with various legal terms, procedures, and courtroom atmospheres. By handling diverse cases, interpreters could rapidly accumulate practical experience and develop a keen understanding of legal nuances. Furthermore, the lower courts' higher volume of clerical work provided opportunities for new interpreters to master their legal duties and responsibilities, enhancing their communication skills and deepening their comprehension of legal provisions. The less intense environment of the lower courts also allowed new interpreters to adapt to the legal profession with less pressure, fostering a positive learning experience.

到了 certain period 你可以上去，因為 high court paper work 沒有這麼多，它是比較專的，比如 murder、kidnapping、drug trafficking、high profile case。 [Once we had served for a certain period, we were eligible for a transfer to the high court. The high court's caseload was more specialized, focusing on serious crimes like murder, kidnapping, drug trafficking, and high-profile matters.] (P01)

An alternative view was put forward by P05, who argued that cases in the high court required a higher quality of interpretation. Therefore, those with a Bachelor's Degree or above should have been given priority for placement in the high court on the premise that the government recognised all relevant qualifications and assigned commensurate salary structures.

我就希望他分清.....degree 的，他只可以做 high court 的 case，因為那個比較深奧，然後那些只有 SPM 的，他做 magistrates case 還是 sessions case。

[What I hoped was that they could make a distinction. Degree-holding interpreters should have been assigned to high Court cases, given their depth and complexity. Those with only SPM qualifications should have been assigned to magistrates or sessions court cases.] (P05)

Based on the participants' insights, a minimum of three years was typically required to thoroughly grasp the intricacies of court operations and interpretation demands. Participants suggested that a general guideline for court rotations should have been established at five years to foster the development of a more robust skill set.

4.5.3 Tailored Training for Practical Applications

In **Section 4.3.2.4**, the study explored the inadequate training often received by court interpreters. Many interpreters described their experience as an “on-job-training” process, accumulating knowledge through trial and error. According to P04, the Judiciary had sent their retired senior colleagues to study in specialized institutes as “student interpreters” for years. The study included formal coursework and examinations before they were officially appointed as court interpreters. However, this practice was believed to have been discontinued in the early 1980s, as evidenced by P01, who joined the service in 1989 and did not benefit from this pre-employment training period. While P01 did not have the advantage of pre-employment training like its predecessors, P01 still suggested

that the Judiciary could have emulated the Teacher Training Program of the Ministry of Education by implementing a three-year program for secondary school graduates aspiring to become court interpreters. If the Judiciary had done so, it would have benefited the student interpreters by allowing them to gain higher education qualifications and enhance the overall quality of court interpreting services.

Unanimously, all participants emphasized the transformative impact of proper training on court interpreting. However, while they agreed on the importance of training, there was a lack of specificity regarding its content and implementation, mirroring the findings of Ibrahim's study (2002a). While reinstating the pre-employment training policy might not have fully address the Judiciary's current expectations, it offered a valuable starting point for rethinking and improving the quality of interpreter training by ILKAP. Based on the participants' insights and suggestions, the essential components of a training program should meet the following three critical criteria: 1) mandatory orientation sessions and workshops; 2) Chinese translation and interpretation courses and 3) diverse training locations.

4.5.4 Competent Workforce

The government implemented new hiring practices to address the growing demand for Chinese interpreters. Senior interpreters reported that the government had begun hiring non-native Chinese speakers with proficient language skills. Additionally, the government had relaxed language proficiency requirements and extended the probationary period for new interpreters to allow them sufficient time to take the certification exam and become certified Chinese interpreters. Despite these measures, the workload of existing Chinese interpreters had yet to be alleviated. These interpreters felt even more unfairly treated. New hires who could speak Chinese but lacked the required

certification openly refuse to provide Chinese interpreting services, claiming to be “court interpreters” rather than “Chinese interpreters”.

他們說自己不是中文通譯員，所以不能夠翻譯，很多個都是這樣的態度，就是「我是*jurubahasa*，不是*certified*的*jurubahasa Cina*」……他是華人，他卻跟我說「*Saya tidak boleh cakap Bahasa Mandarin*」，然後轉過頭我聽到他跟電話裡面的人講華語。[They said they were not Chinese interpreters, so they couldn't interpret in Chinese. Many of them had this attitude, claiming “*I'm an interpreter but not a certified Chinese interpreter.*” They were Chinese, yet they told me (in Malay), “*I can't speak Chinese.*” But then, I overheard them speaking Chinese to the person on the phone.] (P04)

Participants in the study reported inconsistencies in the enforcement of language qualification requirements for court interpreters. While the court had mandated that interpreters obtain these qualifications within a three-year probationary period, some individuals had retained their positions despite non-compliance. This suggested a potential gap in oversight or enforcement. Participants acknowledged challenges in finding suitable examiners for certain language tests, which led to delays or cancellations of examinations, as indicated by P04: “The examination was not being organized due to a lack of examiners.” Additionally, they criticized the authorities for not offering specific language examinations, such as Chinese dialects, which hindered some interpreters' ability to meet the required standards.

The study also revealed a shortage of Chinese interpreters proficient in multiple dialects. While some non-Chinese colleagues could speak Chinese, even dialects, participants argued that they cannot be substitutes for qualified Chinese interpreters, especially when translations involved nuances of Chinese culture, traditions, or ethnic customs that non-native speakers may not fully grasp.

他們以為請了能講華語的馬來人就 ok 了，但是真的解決不到問題的.....雖然你懂那個語言，有時候你不懂那個文化，（因為）不是真正的華人。

[The government had assumed that hiring Malay Chinese speakers would be a solution, but it wasn't. Although you understood the language, sometimes they didn't understand the culture, because they weren't truly Chinese.] (P06)

如果政府一直只請會說中文的非華裔通譯員，萬一要用到廣東話時怎麼辦？語言使用者的權益就受到損害，會廣東話的同事就得 cover 更多法庭了。

[If the government had continued to hire only non-Chinese interpreters who could speak Chinese, what would have happened if Cantonese was needed? The rights of language users would have been compromised, and Cantonese-speaking colleagues would have had to cover more courts.] (P05)

Participants called on the government to take firm steps to resolve this matter. They recommended reintroducing the designation of “Chinese Court Interpreter” and strictly adhering to the original qualification that these interpreters must have been proficient in Malay, English, Mandarin, and one of the Chinese dialects. The government should have refrained from considering the employment of non-Chinese (ethnicity) interpreters based solely on their ability to speak Chinese, as this disregarded the subtle cultural nuances inherent in different languages and the importance of various dialects.

4.5.5 Attractive Remunerations and Benefits

All participants were dissatisfied with the remunerations, saying they were low compared to the weight of responsibilities. Some (P02, P05, and P09) recalled that when they had joined the service some 15 to 20 years ago, government salaries for secondary school graduates had been competitive compared to those in the private sector, especially in smaller towns. However, as the years passed, the gap between interpreter salaries and those in other professions widened. P12 noted that “the salaries are insufficient to meet

the demands of living.” This has led to a trend of interpreters supplementing their income with part-time translation work.

Interpreters felt the pressure in the current low-wage debate, and two issues stood out. One was the problem with the public service pay scheme, which could not fairly balance the differences in education and salary between newer and older employees.

我的最高 level 是可以去到 LA26，我不能去到 LA29.....我的 junior 現在因為他有 Diploma，我覺得他的薪水和我相差不多。 [The highest grade I can achieve is LA26. I wouldn't be able to get to LA29... My junior held a diploma, and I think our salaries were pretty close.] (P03)

當時候我們入職，政府的 requirement 就是 Form 5（如今新人以大專文憑入職並領更高的薪資）我們不是白做了嗎？我們的青春都在這裡.....我說現在補考呢？他說不算，算那一刻你 join service（就訂定了薪資框架）。

[When we first joined, all you needed was a Form 5 (secondary school graduates) to be an interpreter. (Now, new recruits joined with a higher qualifications and got paid more.) Was all our hard work pointless? We had given so much of our lives to this place... I suggested taking exams to upgrade our qualifications, but they said no. They told us that the qualifications we had submitted when we started had determined our salary, and that could not be changed!] (P01)

P11 faced the same bureaucratic challenges as others. Despite retaking the failed STPM subject to upgrade their qualifications, their promotion and pay raise application was ultimately rejected. P02 expressed frustration with the government's unwillingness to acknowledge higher qualifications.

Another point of contention was the government's recently proposed starting salary for interpreters in the private sector, which was suggested at RM4,675 (\$1,105). This would have further widened the significant pay gap between the public and private

sectors. Immediately after the announcement, P13 messaged the researcher, saying, “It’s a huge gap!” to express their disappointment with the low salaries in the government sector.

In the end, the demands of interpreters were pretty straightforward. They were merely seeking a transparent and fair compensation structure that could provide them with more reasonable salaries based on the experience and educational updates they had accumulated after joining the industry.

4.6 Summary

This study examined the multifaceted working conditions of Chinese-speaking staff court interpreters in Malaysia, making it one of the few studies in Malaysian academia focusing on this group. Recognizing that working conditions significantly influence interpreters’ well-being and performance, the research explored their experiences and contributed to a broader understanding of the challenges they faced.

Based on 14 in-depth interviews and court observations, the study found that court interpreters’ clerical duties often overshadowed their interpreting responsibilities. Interpreters noted that clerical tasks, while outside their primary role, helped expedite court proceedings, support case management, and enhance their linguistic proficiency through exposure to legal terminology and documentation.

The lack of formal Chinese translation and interpretation training, coupled with the absence of Malaysian legal reference materials in Chinese, posed significant challenges to Chinese-speaking staff court interpreters in Malaysia. This dearth of resources hindered their professional development and limited their ability to provide accurate and effective interpretation services. Consequently, interpreters often relied on self-directed learning and informal resources, which could possibly compromise the quality of their work and the overall fairness of legal proceedings. The results also

highlighted the Chinese-speaking interpreters' resilience in addressing career challenges. Despite a rigid working environment, they pursued further education and training to better align their skills with the demands of their role. Although they strived to enhance their qualifications through advanced education and training to meet the growing demands of their positions, their efforts were not recognized in terms of salary increases or promotions within the civil service.

The research emphasized the need for improved working conditions and supportive policies to enhance their professional lives. By examining their experiences, the study provided valuable insights for policymakers, stressing the importance of fostering better environments and supporting the growth of language professionals. The next chapter will include a discussion of the findings, addressing them in relation to the research questions.

Chapter 5 Discussion and Conclusion

This qualitative study aimed to gain a comprehensive understanding of the working conditions faced by Chinese-speaking staff court interpreters in Malaysia. By understanding the perspectives of these interpreters, a narrative was constructed to address the research questions. This chapter first summarizes the key findings related to the four research questions and highlights any unexpected results. It then delves into the implications of these findings, acknowledges the study's limitations, proposes suggestions for future research, and draws overall conclusions.

5.1 Discussion on Findings

Research question 1: *What are the current working conditions, roles, and responsibilities of Chinese-speaking staff court interpreters in Malaysia?*

The longstanding and persistent issue of court interpreter shortages had remained since the 1980s and continues to this day. This study and recent government data confirmed this shortage, revealing 1,000 court interpreter vacancies only 300 people applied (BERNAMA, 2024). The absence of university degrees as a mandatory requirement, coupled with low wages, heavy workload, limited promotion opportunities, and low social status, had contributed to labour shortages. The data of this study indicated that staff interpreters were overburdened: the original allocation of three interpreters per court has dwindled, with only four of the 14 study participants retaining this level of support due to unique court circumstances.

Court interpreters had spent more time on clerical work than interpreting. This trend was similar to the findings of Ibrahim (2002a) as well, but the latest data showed that clerical duties had expanded even further. Today's workload ratio was 80% clerical and 20% interpreting, compared to 60:40 two decades ago. The ratio was 90:10 in the civil court because interpreting duties had shifted to freelance interpreters. Despite the

introduction of PTUU two decades ago to alleviate this burden, interpreters continued to be overextended. This suggests a persistent lack of effective measures to address their workload and manpower.

Despite the time, their multiple roles remained unchanged, such as court clerks, interpreters, principal assistants to the Judge, administrative assistants, facilitators of communications, mediators, problem solvers, and the newly emerged tech-savvy interpreters. But in essence, their primary role had been to serve as the principal assistants to judges. Given the court's pressure of case disposal, their main task and goal had been to provide comprehensive support to judges throughout the judicial process. Despite the emphasis on cultural mediators by scholars such as Kaufert and Koolage (1984), Hale (2014), and Shih (2020), the participants in this study did not strongly identify with this role. This could be attributed to most of their clients being Malaysian Chinese, and the need for cultural mediation had been less. However, they strongly questioned the government's hiring non-Chinese as Chinese-speaking interpreters. They argued that the cultural differences between non-native Chinese-speaking interpreters could lead to disparities in linguistic expression and even hinder the comprehension of identical concepts.

The study had also revealed that the government had offloaded the burden of interpretation in civil courts onto litigants due to staffing constraints. While the Judiciary hadn't officially confirmed this policy, some courts had already denied free interpretation requests. The lack of free interpretation services had led to public complaints and dissatisfaction among interpreters, confirmed by participants. This could have hindered the language rights in civil proceedings.

Despite these deteriorating conditions, there had been some positive developments. The 2016 change in the grade code for court interpreters from "L" to "LA"

reflected their growing recognition. Even as the remuneration system was transitioning, with the latest in December 2024, the “LA” code persisted, underscoring the unique role of court interpreters.



Research question 2: *How do Chinese-speaking staff court interpreters perceive and navigate challenges in their work?*

As expected, Chinese-speaking interpreters’ challenges were categorized into linguistic and non-linguistic areas. On-the-spot interpreting and interpreting out of their “resident court” had increased their difficulties due to less preparation and varying levels and types of courts. Participants’ concerns highlighted the entrenched comfort of interpreters in their resident courts. They also highlighted the challenges of word choice and maintaining high language proficiency. The latter situation often related to the perception that clients’ language proficiency could impact the difficulty of the translation task.

To address these challenges, participants mainly proposed these strategies: proactively requests for reports and statements from the relevant agency; informing the judge of limitations and requesting a more suitable interpreter; using circumlocution or paraphrasing to convey meaning; and code-switching between English and Malay. Rotational assignments could provide a more effective solution. Some participants argued that being stationed in a resident court for an extended period could limit opportunities for professional development and adaptability. They proposed a five-year rotation to different courts as a means of fostering growth and building confidence to face future challenges.

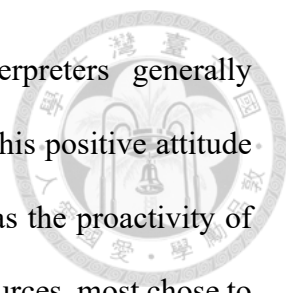
This research revealed a significant gap in Chinese legal terminology within the Malaysian legal system. Court interpreters relied on knowledge passed down from senior colleagues or compiled their own glossaries to complete their work. The study also

acknowledged that Chinese-speaking interpreters often referenced legal vocabularies from Sinophone regions such as China, Hong Kong and Taiwan during court and litigation procedures. Due to differences in the legal systems, cultures and languages, the degree of semantic equivalence between the legal terminology of two countries is greatly restricted (Šarčević, 1991). Despite the lack of research suggesting incompatibility, the direct applicability of these terms to the Malaysian legal system remains questionable, given the distinct legal frameworks.

The heavy burden of clerical tasks and the need for frequent long-distance deployments were a “by-product” of inadequate staffing. This unsustainable situation could have potentially created a vicious cycle, particularly given the disregard for their expressed mental and physical health concerns. In line with Freudenberg’s (1974) conceptualization of job burnout, excessive workloads and demanding roles led to stress and burnout among the participants. This contributed to serious health problems, including worsening chronic illness for P12, prolonged insomnia for P02, and depression diagnoses for P03 and P04. While these issues may have been multifaceted, the unique challenges of their work undoubtedly played a role in their deteriorating physical and mental well-being, raising serious management concerns.

Despite being burdened with clerical work, the participants often viewed it as beneficial. They believed it expedited court proceedings, enhanced their language proficiency, and allowed them to understand legal documents better. This deeper understanding helped them identify potential issues and prevent delays and contribute to the court’s achievement of a high case disposal rate.

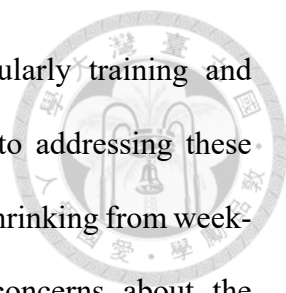
Research question 3: *How do Chinese-speaking staff court interpreters leverage challenges as opportunities for personal and professional growth?*



Building on research question 2, Chinese-speaking interpreters generally perceived the challenges in the field positively and had channelled this positive attitude into their personal and professional growth. A surprising finding was the proactivity of these interpreters. Rather than passively waiting for government resources, most chose to take the initiative and improve their skills and academic qualifications using their own resources. Out of 14, 10 had or were pursuing bachelor's degrees, two had diplomas, and two had STPM, all exceeding the government's minimum requirement of SPM. Compared to Ibrahim's (2002b) national survey of 471 interpreters, where 64.8% had a maximum qualification of SPM, and none held a degree, this current growth was encouraging, at least among Chinese-speaking interpreters. Even though their higher education did not lead to promotions or higher pay in the civil service, they continued to pursue knowledge with the goal of personal and professional growth, and they remained dedicated to lifelong learning.

While expressing concerns about the future outlook of court interpreting in Malaysia, nearly 80% of the participants (11 out of 14) indicated their intention to continue in this role because they recognized the need for more Chinese-speaking interpreters. Various career paths emerged among the 11 current in-house interpreters still working in the civil system. Six planned to remain in their current positions until retirement, two sought internal transfers within the civil service while remaining open to interpreting opportunities, two aspired to combine law degrees with court interpreting, and one intended to transition to freelance interpreting after early retirement. Put differently, they are highly committed to staying, and this unexpected finding remains the study's most surprising result.

Research question 4: *How can we create a more accommodating environment for Chinese-speaking staff court interpreters in Malaysia?*



Participants prioritized improving support systems, particularly training and remunerations. Government-led initiatives were deemed essential to addressing these issues. Unfortunately, interpreter training in Malaysia had declined, shrinking from week-long workshops to mere three-day sessions. There were also concerns about the effectiveness of the three-day training, with similarities drawn to training programs in Taiwan's public sector. Research in Taiwan has shown that such condensed training hours are insufficient, and the evaluation mechanisms are questionable (張雅琳, 2019). As a result, the effectiveness of the training is widely doubted, and Malaysia should take note of these findings. Moreover, the authorities' lax attitude towards interpreter participation further exacerbated the situation. The authorities' failure to address the specific needs of Chinese translation in the workshops forced Chinese-speaking interpreters to rely on self-study and trial-and-error to develop the necessary skills.

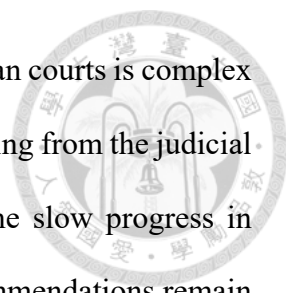
Interpreters who practice interpreting as a profession require “special knowledge and skills acquired through education” (Pöchhacker, 2022, p. 167). In this context, there is an urgent need for a tailored training program for Chinese-speaking interpreters. Based on participants' recommendations, this study suggests that the judicial department should consider developing mandatory workshops or courses on Chinese-to-Malay/English translation and interpretation. Recognizing the challenges of establishing such programs within the Malaysian context, authorities could collaborate with universities to offer short-term training (Chang, 2013). Taiwan, where Chinese is the primary language, can serve as a model. Interpretation training courses offered by Taiwan's non-governmental organizations have proven more effective for interpreters. By emphasizing practical application through simulated interpretations, these NGO-led courses provide a more diverse and comprehensive approach to training judicial interpreters (張雅琳, 2019). This model could also serve as a valuable reference for Malaysia's judicial system.

Collaborating with such organizations could significantly enhance the pragmatic skills of Chinese-speaking interpreters in Malaysia.

Finally, the debate surrounding the public service pay scheme's inability to balance education and experience equitably was particularly salient in the context of interpreters. Within the rigid civil service system, interpreters could not have their remunerations and grades reflect their advanced academic qualifications acquired through continued education because the government has yet to address the issue of setting a university degree as one of the entry requirements for interpreters. Moreover, promotions often required a reset of seniority and quota available for that specific grade, leaving qualified interpreters with a problematic choice: is giving up seniority worth the promotion?

In this connection, the Judicial Department should review and update its current policies for interpreters and propose changes to the JPA. These amendments should enable interpreters to pursue higher qualifications, especially in linguistic-related courses, and apply for promotions based on their educational achievements. The proposal should reflect the department's proactive stance by establishing criteria for recognizing and validating current interpreters' educational qualifications and recommending an increase in hiring criteria. This will result in a more qualified pool of court interpreters. The proposal should consider the following qualifications for interpreters:

1. *University degree* in translation and interpreting
2. *University degree* with a passing grade in the departmental examination
3. *Diploma* in translation and interpreting
4. *Diploma* with a passing grade in the departmental examination
5. *A-level* with a passing grade in the departmental examination



The predicament of Chinese-speaking interpreters in Malaysian courts is complex due to the interconnected factors, with the root of the problem stemming from the judicial system's perception of court interpreting as a profession. Given the slow progress in advancing the court interpreting system, Ibrahim's (2002a) ten recommendations remain relevant and should be implemented, alongside the recommendations proposed in this study. Considering the high demand for Chinese language services in Malaysian courts, the government should prioritize the quality of interpretation by providing substantial support to interpreters. By addressing these issues, we can work towards a more equitable and efficient legal system for all.

5.2 Limitations and Recommendations for Future Studies

Limitations have emerged due to the study's focus on the understudied field of Chinese court interpreting in Malaysia. Firstly, the language-specific nature of the study has confined its findings to Chinese-speaking staff court interpreters, limiting generalizability to interpreters of other language pairs. Secondly, the focus on staff interpreters, while including two freelance interpreters, has restricted the exploration of unique challenges faced by freelance professionals. Thirdly, strict confidentiality regulations for civil servants have further hindered data collection and recruitment.

Furthermore, the geographic scope of the study was limited to the Peninsular Malaysia. This restricted the ability to capture the experiences of Chinese-speaking interpreters in East Malaysia, where different languages and judicial systems may influence interpreting practices. Additionally, logistical constraints limited field observations to specific courts, hindering a comprehensive understanding of the diverse range of court settings and interpreter experiences.

Recognizing these limitations is crucial, as they contextualize the current study and highlight the need for further research to explore the experiences of court interpreters

working with languages other than Chinese. Incorporating freelance interpreters into future research could provide a more holistic view of the profession. While this study has focused primarily on staff interpreters, freelance interpreters may face challenges that warrant further investigation. For future research, it is also advisable to expand its geographic scope to include East Malaysia, particularly Sabah and Sarawak. These regions may have distinct linguistic and judicial systems that shape the work of interpreters in unique ways.

Finally, addressing the issue of interpreter well-being is crucial. Future research could explore the factors contributing to stress and burnout among court interpreters, such as heavy workloads, difficult cases, and lack of recognition. By identifying these factors, researchers can develop effective strategies for supporting interpreter well-being, such as providing mental health resources, stress management techniques, and opportunities for professional development.

Overall, given the limitations of the qualitative research methodology, such as the small sample size and subjective nature of the interview, the findings should be interpreted cautiously and cannot be generalized to the broader population of Chinese-speaking staff court interpreters or all civil service court interpreters in Malaysia. However, this study's results offer valuable insights and practical recommendations for improving professional development and working conditions Chinese language court interpreters.

5.3 Conclusion

This study examined the employment landscape of Chinese-speaking staff court interpreters in Malaysia. It delved into various aspects of their professional lives, including the diversity and complexity of their roles and tasks, the variety of challenge inherent in their work, the specific skills required to navigate these challenges, the

adequacy of their training and remuneration, and their perceived obstacles. The study also explored strategies for professional growth and development, examining the current support systems available to interpreters and identifying potential areas for improvement. Through the perspectives of 14 participants and field observations, valuable insights were gained regarding the circumstances of Chinese-speaking staff court interpreters in Malaysia.

Firstly, this study paralleled Ibrahim's (2002a) finding that Malaysian court interpreters primarily performed clerical tasks, with the role of principal assistant to judges being the most significant. Secondly, the government's continued recruitment of interpreters with the minimum SPM and the maximum Diploma highlighted its low regard for the profession. Despite participants' advanced degrees, the government disregarded education as a factor in promoting interpreters to higher grades, increasing their salaries, or improving overall court interpreting standards.

The experiences shared by the participants highlighted that many of the interpretation challenges they faced stemmed from inadequate training. While training opportunities were provided by the authorities, no courses specifically addressed Chinese language skills relevant to legal interpretation. Additionally, there had been a longstanding lack of planning for collecting and publishing law-related Chinese reference materials and Chinese glossaries. Consequently, Chinese-speaking interpreters often relied on the terminology used in the media, internet resources or some compilation materials passed on by seniors. Some even attempted to directly apply legal terms from other Chinese-speaking jurisdictions, which could be problematic due to differing legal frameworks.

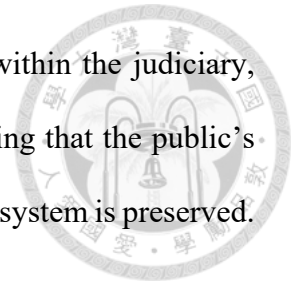
However, the study also demonstrated the remarkable adaptability and unwavering dedication of Chinese-speaking staff court interpreters. Despite the

challenges of their demanding roles, they have consistently turned adversity into opportunity, developing innovative strategies to meet the needs of the judiciary. They have transformed workplace obstacles into stepping stones for professional growth, continually striving for excellence, even in the face of limited formal training and minimal government support. Their commitment to investing in their own professional development, driven by sheer resilience, is nothing short of remarkable and deserving of our deepest admiration.

This study strongly advocates for a comprehensive and urgent reform of the court interpretation system in Malaysia to address its critical shortcomings. At the heart of this reform is the formal recognition of court interpreting as a skilled profession—one that requires specialized training, clear standards, and robust support. The government must prioritize the development of a specialized Chinese-Malay-English legal reference database to ensure accuracy and consistency in court proceedings. Furthermore, creating well-defined job descriptions, implementing a merit-based promotion system, and enhancing the salaries and benefits of court interpreters are essential steps to attract and retain qualified professionals.

To further elevate the quality of interpretation services, a comprehensive translation and interpretation training program in Chinese must be introduced and implemented by the relevant agency. This program should focus on improving linguistic proficiency, accuracy, and cultural competency among professionals in the field. Additionally, a system of rotating interpreters across different courts should be established to promote professional growth, reduce monotony, and facilitate the sharing of expertise.

Given the acute shortage of Chinese-speaking interpreters within the judiciary, these measures are not merely necessary—they are crucial to ensuring that the public's right to language access is upheld and that the integrity of the judicial system is preserved.



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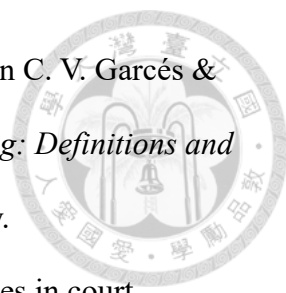
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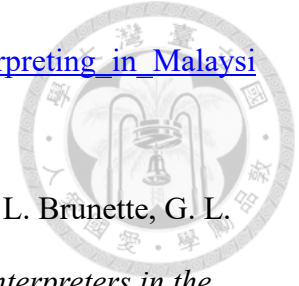
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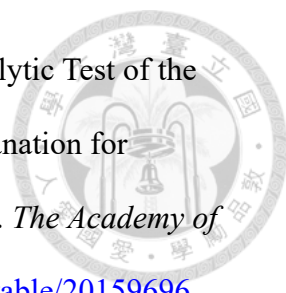


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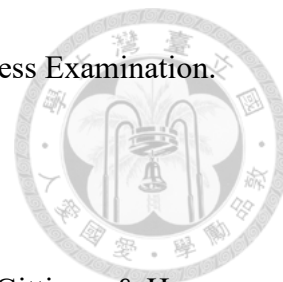
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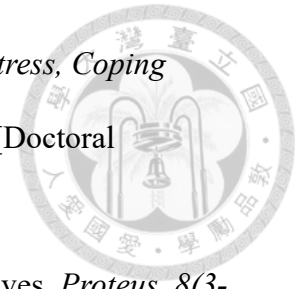
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Appendix 1: Consent Forms (Mandarin Version)



研究參與者知情同意書

感謝您參與本研究！此份文件為「研究參與者知情同意書」，詳述本研究之相關資訊和參與者權利。在研究開始和簽署本同意書之前，研究者將會為您說明研究內容，並回答您的任何疑問。

一、研究主題 馬來西亞法庭中文通譯之工作現況
二、研究者資訊 機構名稱：國立臺灣大學翻譯碩士學位學程 姓名：魏藹茹 職稱：研究生 電子郵件：[REDACTED] 電話：（馬來西亞）[REDACTED]（台灣）[REDACTED] 指導教授：吳茵茵博士 助理教授（[REDACTED]）
三、研究目的 本研究欲了解馬來西亞法庭中文通譯員的工作現況與挑戰
四、參與研究之條件與限制 1. 現任或前任全職法庭通譯員 2. 口譯語言組必須包含中文
五、研究方法與程序 90 分鐘的個別訪談，訪談地點依參與者指定的地點為主（包括線上訪談），訪談全程將會錄音。
六、研究風險、研究效益與對研究參與者獲益 1. 研究風險：參與本研究的風險極低。 2. 研究之科學效益：預期能夠深入了解法庭中文通譯的工作情況與挑戰，研究結果可為相關領域提供實際的建議和參考，並促進法庭中文通譯在司法體系中的專業發展，改善法庭中文通譯的工作環境和工作滿意度。 3. 研究參與者獲益：提高法庭中文通譯的社會能見度；參與者在完成研究流程後，將獲得馬幣 50 令吉作為謝禮。

七、研究材料的運用規劃與機密性

訪談過程、影音檔和逐字稿，以及研究者之觀察和紀錄，都將以代碼註記，並妥善保存在研究者設有密碼的電腦中。所有資料純屬學術研究，將來發表研究結果時，研究者仍將充分保密您的身分。

八、研究者之退出方式與處理

您可自由決定是否參與本研究，研究過程中不需要任何理由，可隨時撤回同意或退出研究，可透過電子郵件、電話或口頭方式告知研究者即可。

九、研究參與者權利

1. 研究者已經向您說明研究相關內容，並已告知可能影響您意願之所有資訊。
2. 如果您在研究過程中有任何疑問，可以直接詢問研究人員。
3. 研究者已將您簽署之一式兩份同意書其中一份交給您留存。

本人已詳細瞭解上述同屬內容，有關本研究計畫的疑問，研究者已詳細說明和解釋。本人同意成為本研究的自願參與者。

參與者姓名：_____

參與者簽名：_____

日期： 年 月 日

研究者姓名：_____

研究者簽名：_____

日期： 年 月 日

Appendix 2: Consent Forms (English Version)



Consent to Participate in Research

You are invited to participate in this research! This document details relevant information about the study and participant rights. Before the study begins and before signing this consent form, the researcher will explain the research content to you and answer any questions you may have.

1. Research Topic Working Conditions of Chinese-speaking Court Interpreters in Malaysia
2. Researcher Information Institution: Graduate Program of Translation and Interpretation, National Taiwan University, Taipei, Taiwan (R.O.C) Researcher: Wee Ai Loo (Ruby) Position: Graduate Student Email: [REDACTED] Contact Number: (Malaysia) [REDACTED] (Taiwan) [REDACTED] Advisor: Wu, Yinyin, Ph.D, Assistant Professor ([REDACTED])
3. Research Purpose The purpose of this study is to understand the current working conditions and challenges of Chinese-speaking court interpreters in Malaysia.
4. Requirements and Restrictions for Participation i. Current and former staff court interpreters ii. The interpreting language combination must include Chinese
5. Study Procedures If you agree to participate, you will be asked to interview with the researcher. The estimated time commitment for participation is 90 minutes, with the interview location primarily determined by the participant's preference (virtual interview is welcomed). The whole interview will be recorded.
6. Risks and Benefits i. There are minimal risks associated with participating in this study. ii. Scientific benefits of the study: It is expected to provide an in-depth understanding of the working conditions and challenges of Chinese language interpreting in courts, and the findings of the study will provide practical recommendations and

references for the relevant fields, as well as facilitate the professional development of Chinese language interpreting in courts in the judicial system, and improve the working environment and job satisfaction of Chinese language interpreters in courts.

- iii. Benefits to the study participants: Increase the social visibility of Chinese interpretation in the courts; participants will receive RM50 as a token of appreciation upon completing the study process.

7. Confidentiality

Your confidentiality will be strictly maintained. Interviews, audio-visual files, verbatim transcripts, and the researcher's observations and notes will be coded and stored securely in the researcher's password-protected computer. All information is purely for academic research purposes, and your identity will be kept confidential when the research results are published.

8. Voluntary Participation

Your participation in this study is entirely voluntary. You have the right to withdraw at any time without any reason. If you choose to withdraw, you may do so by simply informing the researcher by email, telephone, or verbal communication.

9. Participant Rights

- i. The researcher has explained the study's relevant details to you and provided all information that may affect your willingness to participate.
- ii. If you have any questions during the research process, you can directly ask the researcher.
- iii. The researcher has given you one copy of the signed consent form for your records.

I have read and understand the information provided above. I have had the opportunity to ask questions, and any questions I had were answered to my satisfaction. I voluntarily agree to participate in this research study.

Participant

Researcher

Full Name:

Signature:

Date:

Appendix 3: Interview Questions



A. Personal Background 個人資料

Please give a few details about yourself 請您簡要介紹自己：

- A.1 Your age, gender, educational background and ethnicity.
您的年齡、性別、教育背景和族裔。
- A.2 Your mother tongue, and language(s) that you interpret from and into.
您的母語、以及口譯語言組合（從哪種語言翻譯到哪種語言）
- A.3 The type of court you serve in and its location.
您服務的法庭與類型及其地點。
- A.4 Your seniority and present post.
您的年資和職位。
- A.5 What was your previous job before you took on the present job, and what was your experience in joining court interpreting?
您就任法庭通譯之前的工作？請您分享入職經歷。

B. Working Conditions, Roles and Responsibilities 工作現況、角色和職責

- B.1 Could you describe your typical working day as a court interpreter?
請您描述一下法庭通譯的典型工作日常。
- B.2 What are the primary roles and responsibilities you fulfil in your current position?
您的角色和職責是什麼呢？
- B.3 How do you perceive your professional status and value within the legal system?
What might be the reasons behind such perceptions? To what extent do these perceptions influence your working conditions?
您如何看待自己在司法系统中的专业地位和价值？您為什麼會這樣認為？
这些看法在多大程度上影响了您的工作現況？
- B.4 In your opinion, how do people (especially juridical personnel) perceive your profession?
依您看來，大眾（尤其是司法人員）如何看待您的職業？
- B.5 How would you characterize the overall working conditions for Malaysian court interpreters, particularly in the Chinese language cluster?
您認為馬來西亞的法庭通譯，尤其是中文語言組的整體工作條件如何？



C. Challenges and Opportunities 挑戰與機會

- C.1 In your experience, what are the main challenges faced by Chinese language court interpreters in Malaysia, particularly in their dual roles as clerical workers and interpreters?

根據您的經驗，法庭中文通譯面臨的主要挑戰有哪一些，尤其在馬來西亞的情境下，通譯同時要兼任口譯和行政角色？

- C.2 How do these challenges impact your work, the quality of interpretation provided and your life?

這些挑戰如何影響您的工作、口譯品質和生活呢？

- C.3 Have you experienced any stress or burnout in the workplace? What might be the reasons behind such stress or burnout?

您可曾發現自己有職業壓力和職業倦怠？若有，其成因為何？

- C.4 Can you share specific strategies or approaches you use to address the challenges you encounter in your role as a court interpreter?

您如何應對挑戰？請分享您的策略或方法。

- C.5 Are there support systems or resources provided to help interpreters overcome these challenges?

（政府/司法機構/上級）有否為您提供支援系統或資源，幫助您克服這些挑戰？

- C.6 Have you observed any unexpected benefits or opportunities resulting from your multiple roles?

根據您的經驗，法庭通譯的多重角色和任務，有否給您帶來意外的收穫或機遇？

D. Improvements 改進

- D.1 How has the work conditions of court interpreter evolved over the years, and what impact has it had on the profession?

如今的法庭中文通譯工作狀況與過去有什麼不同？哪一方面有顯著的改進、哪一方面又停滯不前呢？

- D.2 Are there specific training programs or resources that could enhance the skills and capabilities of Chinese-speaking court interpreters in the context of their dual roles?

（政府/司法機構/上級）有否推動培訓計畫或釋出資源，幫助提升法庭中文通譯的技能？

D.3 What improvements or changes do you believe could make the working environment more accommodating for Chinese-speaking court interpreters in Malaysia?

您認為（政府/司法機構/上級/同仁）應該有哪一些些改進，以為法庭中文通譯創建更佳的工作環境？

Appendix 4: Field Notes Template (Courtroom)



(A) Courtroom Observations

Type of Court	
Location	
Date	
Time Proceedings	
Case Observed	

Abbreviations Descriptions

A	Accused	J	Judge/Magistrate
D	Defend Counsel/Advocate	P	Prosecutor
I	Court Interpreter	W	Witness

Sketch of Courtroom (to identified the interpreter's location and their route of movement)

Researcher's Observation (interpreting-related issues/mannerisms and interaction between interpreters and others)