



CO-Minor-IN/QUEST II
Final workshop

Co-funded by the Justice Programme of the European Union



JUST/2015/JTRA/AG/EJTR/8678



Final workshop

Overview of the Co-Minor- IN/QUEST projects

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KU LEUVEN





World Refugee Day

20-6-2018



World Refugee Day
20 June

Home	Background	UN Action	Messages	Resources	UN Observances
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Syrian Kurdish refugees cross into Turkey from Syria, near the town of Kobani. ©UNHCR / I. Prickett



CO-MINOR-IN/QUEST



With financial support from the Criminal
Justice Programme of the European
Commission DG Justice



Cooperation in interpreter-mediated questioning of minors - JUST/2011/JPEN/AG/2961



Directives



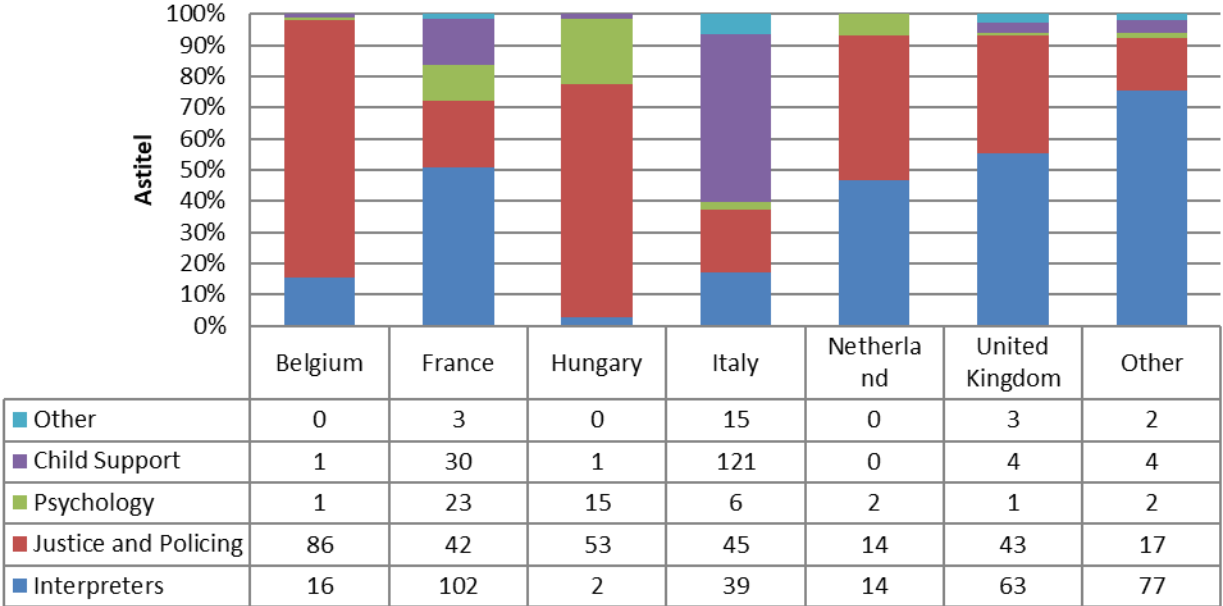
- 2010/64/EU: right to interpretation and translation in criminal proceedings
- 2012/29/EU: establishing minimum standards on the rights, support and protection of **victims of crime** (replacing Council Framework Decision 2001/220/JHA)



Questionnaire 4 professional groups in BE, FR, HU, IT, NL, UK



1. Interpreters (spoken and signed language)
2. CSW (child support workers)
3. Psychologists/psychiatrists
4. Justice and Policing





Lack of ...

TRUST

- In each other = interpreters and OP (other professionals)
- In each others' competences and professionalism
- And the child: build rapport with whom?

Knowledge

- About the “other” involved in ImQM (interpreter-mediated questioning of minors) en his professional requirements

- What does the interpreter know about interview techniques?
- What does the interviewer/psychologist know about the role of the interpreter?
- What does the interviewer/interpreter know about developmental psychology?

About extreme vulnerability because of physical or mental impairment, learning and behavioral disorders?





Lack of ...

TIME



BRIEFING

- Of the different participants in ImQM
- Especially of the interpreter
- → to work as a team, interpreter included (!)

TRAINING

- **Joint training** to learn *with, from and about each other* to improve collaboration



Deliverables: flyers in 5 languages (EN,FR,IT,HU,NL)



BEFORE THE INTERVIEW

INTERPRETERS

Request a briefing from the other participants about:

- * the interviewing strategies planned.
- * the case (any particular issues or special needs),

Stress to the other participants that in order to provide high-quality interpreting, you must be able to prepare as in any other profession.

Agree an appropriate seating arrangement with the other professionals.

Agree the interpreting mode and whether to interpret in the first or the third person when addressing the minor.

Disclose any potential difficulties you might have in handling the child's language or the demands of the situation and discuss coping strategies.

Bear in mind that impartiality must be maintained from the moment all parties gather.

OTHER PROFESSIONALS

Request a professional interpreter as soon as you become aware that your language is not the child's first or preferred language.

- * You must not use family members as interpreters.
- * You should check that the interpreter appointed masters the language of the child.

Enable the interpreter to prepare, like any other professional, in order to provide high quality interpreting (e.g. by offering access to relevant documentation).

Brief the interpreter in a separate room about:

- * the case (highlighting any particular issues or special needs),
- * your interviewing strategies.

Agree the interpretation mode, and the strategies for cooperation and interaction.

Agree an appropriate seating arrangement with the interpreter. Ensure that impartiality is maintained from the moment all parties gather.



DURING THE INTERVIEW

INTERPRETERS

Ask to be introduced and for your role to be made clear before the interview starts.

Reflect the child's use of language (e.g. register, word choice, marked non-verbal signals, etc.).

- * Do not take the lead in the communication process.
- * Do not interrupt the child's story.

Channel requests for clarification or repetition through the other professionals, if you need to address the child.

Remain neutral and do not display your emotions or allow your interpreting to be influenced by them

Respect the child and avoid any patronising behaviour.

Do not take initiatives such as adapting the language to the needs of the child. This is the responsibility of the other professionals involved.

Do not fill any 'empty' gaps in the communication, because silence may be a part of the process.

OTHER PROFESSIONALS

Introduce the interpreter and explain the ground rules for communicating together before the actual questioning starts.

Take the lead in the interaction; you are responsible for:

- * adapting the language to the age, maturity and needs of the child,
- * explaining difficult words and technical/legal terminology,
- * asking for clarification if necessary.

Replace the interpreter if they are not the right person for that particular job.



AFTER THE INTERVIEW

INTERPRETERS

Request a debriefing with all the professionals as an opportunity to raise any concerns related specifically to the interpreting.

Do not give your personal opinion, even if you are asked to do so.

Do not retain any documentation or your notes after the interview.

Be aware that you might be affected afterwards: if you find that the effect is prolonged or recurring, ask the institution which employed you or your professional body to facilitate access to counselling.

OTHER PROFESSIONALS

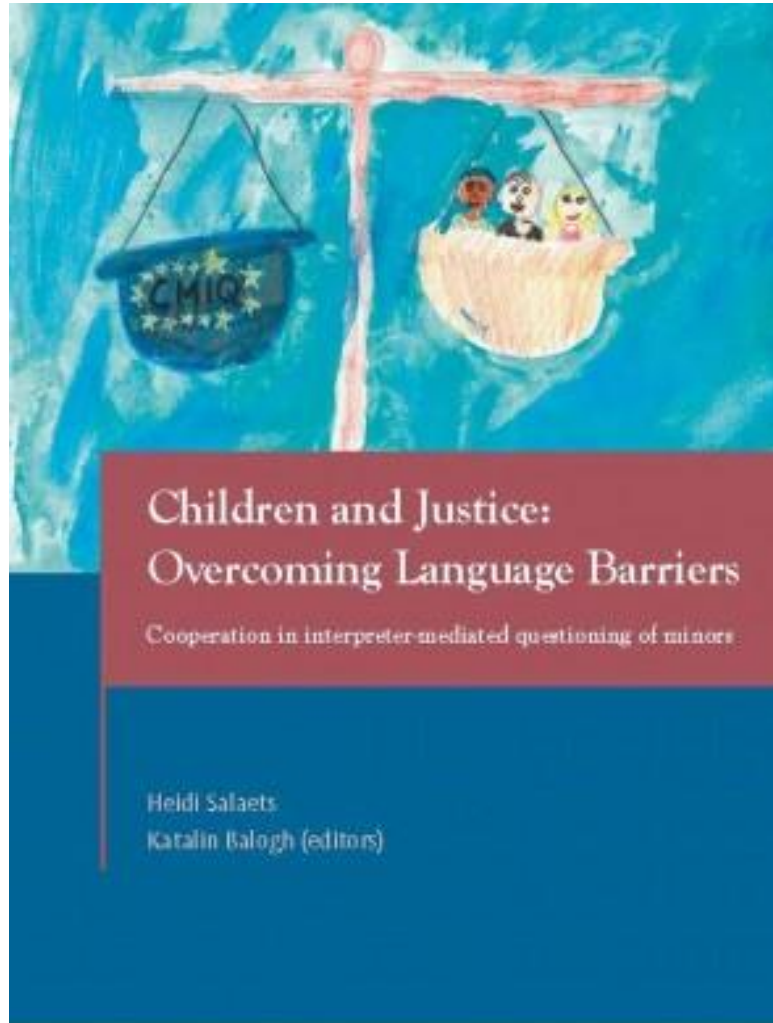
- * Request a debriefing with all the professionals to give the interpreter the opportunity to highlight any issues relating specifically to the interpreting.
- * Do not ask the interpreter to give their personal opinion regarding individuals or on the case.



©how2ask.nl



Deliverables



academics, interpreters (spoken and SLI), interpreter trainers, youth lawyers, police officers specialized in interviewing minors, youth judges, forensic psychologists, child support workers, psychiatrists, child rights experts, international family mediator, expert learning difficulties and intellectual disabilities

[https://www.arts.kuleuven.be/tolkwetenschap/projecten/co minor in quest/children-and-justice](https://www.arts.kuleuven.be/tolkwetenschap/projecten/co%20minor%20in%20quest/children-and-justice)



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Co-funded by the Justice Programme of the European Union

+ **(EU)2016/800** on procedural safeguards for children who are suspects or accused persons in criminal proceedings



JUST/2015/JTRA/AG/EJTR/8678



Partners

- KU Leuven (coordinator) – Katalin Balogh, Heidi Salaets, Dominique Van Schoor
- ISIT (France) - Christiane Driesen, Lucie Solem, Agatha de Laforcade
- Università di Bologna (Italy) - Amalia Amato, Gabi Mack
- Terre des Hommes (Hungary) - Pierre Cazenave





Partners

Experts:

- György Virág (forensic psychologist, Hungary)
- Szilvia Gyurkó (child rights expert, Hungary)
- Eric Van der Mussele (youth lawyer, Belgium)
- Hans de Wiest (Belgian Federal Police, Head Behavioral Sciences)
- Myriam Vermeerbergen (KU Leuven, Campus Sint-Andries, Antwerp, Signed Language)





Qualitative research methods : FGD & SSI

- **Focusgroup discussion** with stakeholders in ImQM => professionals of the 4 professional groups in the 4 partner countries (BE,FR,HU,IT)
- **Semi-structured interviews** => children, 10/partner country in experimental design – how do they see/experience “the interpreter”?
- Webinar training *Terre des Hommes: child safeguarding policy*





Joint interprofessional training PILOT

- KU Leuven, campus Antwerp
- **15-06-2017**
- Toolkit I for the trainees of the 4 professional groups : **who** participates?
- Toolkit II to be completed by the trainees of the 4 professional groups : **what do they know or not know** about ImQM?
- Training: with Katalin Balogh & Heidi Salaets as “facilitators”
- **Observers** were: members of the four professional groups + members of the consortium (to observe the training design, content, process, etc.)





Feedback

- Oral feedback after pilot
- **16-06-2017 ... after that:**
 - Toolkits I & II adapted
 - Training manual: adapted
 - Instructions for 'facilitators': adapted
 - Written feedback processed





Deliverables

- Reports per partner country about FGD and SSI
- Toolkit I (5 languages)
- Toolkit II (5 languages)
- Manual:
Interpreter-mediated child interviews: tools for inter-professional training (En)
- **Also available in nl, fr, it, hu**
- Freely accessible through website

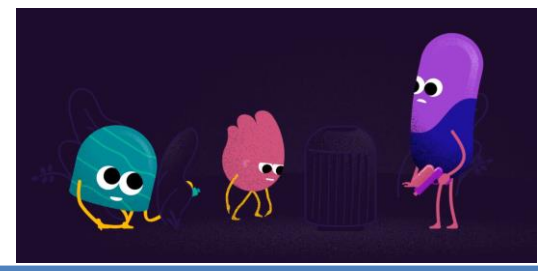
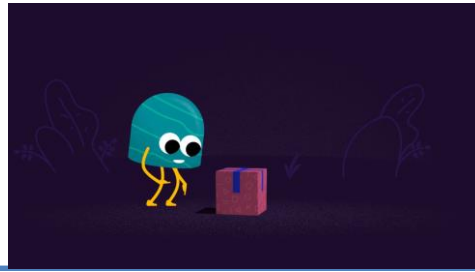
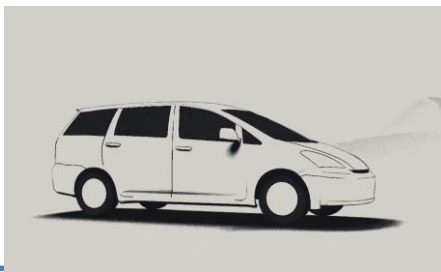




Animation movies

- **1 with voice-over in English** for the stakeholders in ImQM (other languages will follow)
- 1 for children, without language: 2-6 y.
- 1 for children, without language: 6-18 y.

To illustrate what an interpreter can do...



PINS





Never again:
Mawda (2
years) killed in
police chase in
Belgium

† 17-5-2018

Politie Bergen: "Minderjarigen niet aangemeld door gebrek aan tolk"

29-05-18, 16.33u - Redactie - Bron: (eigen info, Belga)



De jongen met bruine jas en geel blauwe rugzak (L) is een 14-jarige Afghaan die ook in de bestelwagen zat. © Wouter Van Vooren

Dat in de zaak-Mawda de procedure voor de bescherming van minderjarigen niet is gevolgd - er zaten drie onbegeleide minderjarigen in het busje - is volgens de politiechef van de zone Mons-Quévy (Bergen-Quévy) te wijten aan het ontbreken van een tolk. Daardoor is de Dienst Voogdij niet verwittigd, luidt het.



0 SHARES

→ Other unaccompanied minors who were in the same van were there because of “lack of interpreters”





Bij de Dienst Vreemdelingen-
zaken doet de tolk het werk van de
Commissaris maar niet zijn eigen werk
als tolk. Ze zeiden tegen ons: "Het is niet
waar, je bent geen 16 jaar of 17 jaar. Je
bent 18 jaar." Wanneer ze dat zeggen,
zijn ze geen token meer.

- JONGEN, 17 JAAR,
AFGHANISTAN -

“At the Immigration Office, the interpreter does the job of the responsible officer, not his own job as an interpreter. They told us: ‘it is not true, you are not 16 or 17. You are 18 years old.’ When interpreters do so, they are not interpreters any more”

Boy, 17 years old, Afghanistan
(our translation)

From the Belgian Unicef Report 2018

‘What do you think?’

Migranten-en vluchtelingenkinderen in België aan het woord: ‘What do you think?’, Rapport UNICEF België, 2018: p. 69



Oxfam: "Minderjarigen worden mishandeld en teruggestuurd aan Frans-Italiaanse grens"

15-06-18, 00.50u - IB - Bron: Belga



De Franse grenspolitie controleert migranten die de grens met Italië overgegaan zijn in het treinstation van Menton. © AFP

Kinderen van amper 12 jaar worden mishandeld, gevangen gehouden en illegaal teruggestuurd naar Italië door de Franse grenspolitie. Dat blijkt uit een nieuw rapport dat Oxfam vandaag publiceert.



French police changes information in the minor's documents, so that it looks as if they are older and want to go back to Italy out of their own free will. This is against current French and European legislation. (our translation)

Fysieke en verbale mishandeling, papieren aangepast
Het rapport beschrijft de manier waarop de Franse politie dagelijks niet-begeleide kinderen aanhoudt en hen op de trein naar Italië zet. De **Franse politie verandert informatie op de papieren van de kinderen, zodat het lijkt alsof ze ouder zijn of dat ze geheel uit eigen wil terugkeren naar Italië.** Kinderen geven aan dat ze fysiek en verbaal mishandeld werden, en dat ze 's nachts vastgehouden werden in cellen zonder water, zonder eten, zonder deken en zonder toegang tot een voogd. **Dat is in strijd met de huidige Franse en Europese wetgeving.**



THIS is in breach of UN Convention on the Rights of the Child

FOUR fundamental principles

1. Non-discrimination
2. Best interests of the child
3. Participation
4. Right to life and development

The above-mentioned principles underpin any action that impacts on a child, be it in relation to legal or policymaking, or implementation in practice.

(Interpreter-mediated child interviews, pp. 33-34)



→ All these children...

Run a higher risk of being involved in criminal proceedings

As **victim**

As **witness**

As **suspect** → be aware that a minor suspect is often himself “victim” of something (trauma, domestic violence, isolation, seeking refuge...) and an easy prey for drug dealers, pimps ... (and other people with bad intentions) (quote Eric van der Mussele)





For listening



<https://www.arts.kuleuven.be/tolkwetenschap>



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