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‘Help is on the way’ (In)accessible policing in the UK through sign language interpreting

Robert Skinner and Jemina Napier
Heriot-Watt University

In the UK, police reforms to meet needs of a diverse society have been limited in the case of deaf signers to an increase in sign language interpreting services (SLIS). This article explores the consequences of this dependence on SLIS by the UK police. We consider how deaf signers’ contact with the police may be inaccessible, despite national frameworks that ‘guarantee’ accessibility through the provision of BSL-English interpreting. We draw on qualitative data from focus groups and interviews with police officers and custody sergeants who describe their experiences of having contact with deaf signers (or other minority language users) through interpreters. We examine and contrast their perceptions and experiences concerning if, when, and how SLIS provided access, as well as its impact on their contact with deaf signers. We compare these findings with UK police reform policies to identify the current state of these provisions along with potential divergences.

Keywords: deaf, interpreter, police, language access, criminal justice, accommodations

Introduction

Historical records of courtroom hearings dating back to 1725 provide insight into how the UK justice system has sought to enable participation of deaf signers and what adjustments over time have been regarded as acceptable to enable their participation in the legal process (Leahy in prep; Stone and Woll 2008). In these records, the parties who have facilitated communication have varied, including police officers, missionaries, family members, and friends or acquaintances of the deaf defendant, litigant, or witness. In most cases, these were individuals who could hear and demonstrate some skills in sign language, with their skill level



varying from basic language users to proficient signers. Although today's language access standards have progressed and language communication support in legal settings has been professionalized, the accommodations made to ensure accessible police services have not yet expanded to include the potential for language-concordant services. To date, the most frequent accommodation made for deaf signers is the provision of sign language interpreting services (SLIS).

Today, UK legislation emphasizes the use of trained and qualified interpreters for police encounters with victims, witnesses or accused persons who cannot participate in interviews directly in English (PACE 1984); however, exceptions are possible in certain instances, such as when an officer is linguistically competent to independently ask questions in the language of the interviewee (*Police and Criminal Evidence Act 1984* 11.18(c); College of Policing 2020). That said, this exception does not allow officers to act as an interpreter (ibid). The reforms to improve how the police serve deaf signers has been limited to increasing the provision of professionally qualified interpreters, either face-to-face or via video-conferencing technologies (Skinner, Napier, and Fyfe 2021). There is no clear police-led initiative to increase language-concordant services for deaf signers (Race and Hogue 2017). This lack of consideration afforded to deaf signers has been described by Skinner et al. (2021) as a national problem.

This article investigates the consequences of political and legal decisions from the development of a policing system that is heavily invested in the quality and availability of sign language interpreting services.¹ As highlighted here, the police rely on SLIS in their interactions with a citizen who is deaf and uses British Sign Language (BSL) across most areas of policing – e.g., either at the station or in other public and private locations, and face-to-face or via video-conferencing. De Meulder and Hualand (2021) have challenged the unquestioned acceptance that SLIS have become the institutionally normative solution to grant deaf signers access to public services, and thus SLIS could be considered as a social institution within the broader public institution context. De Meulder and Hualand (2021) go on to criticize this institutional position as one that replaces or conceals the need for language-concordant provisions to be made available. The dependency on interpreters to enable the police to engage with BSL users is linked to the lack of opportunities for deaf signers to play an active role in policing, masked by the assumption that the provision of SLIS is adequate.

The data in this article presents the practical and logistical challenges police officers and custody sergeants experience with implementing the so called 'ideal standard,' as described in UK legislation. We apply Brunson's (2007) legal accommodation themes in exploring police perceptions of how they ensure access to

1. This measure also includes the use of deaf interpreters.

deaf signers in police settings and suggest that deaf signers' contact with the police may actually be inaccessible, despite national frameworks that are in place to 'guarantee' accessibility through the provision of BSL-English interpreting. We shift the focus by articulating why the police struggle to meet these legal or institutional standards and their over-reliance on interpreters is discussed.

Research that examines how deaf signers experience policing often reinforces the argument for better trained interpreters and challenges the police to rethink their communication strategies. Our data drawn from interviews with police officers and custody sergeants provides examples of why over-dependence on interpreters is an unsustainable approach to achieving parity of service for deaf signers. In our conclusions we present the argument to include deaf signers in the delivery, design and monitoring of policing. The absence of deaf signers is an unacceptable standard when compared to the progress made with other social groups (e.g., ethnic minorities, women, LGBTQI+ groups).

Access to policing

Police reform, diversity and deaf signers

In the UK, policing is a devolved matter and the collective network of regional and national forces holds a crime control and social order mandate. Following the racist murder of Stephen Lawrence in 1993 and the highly critical Macpherson Report into the police investigation of this case, UK police forces have embarked on wide-ranging reforms to improve how they deliver policing services to diverse communities and to policing in a multicultural society (Coon 2016). The Macpherson inquiry was "built upon a long legacy of public dissatisfaction with the police and of public and government outcry about better policing practices regarding 'visible' minorities" (Bartkowiak-Théron and Asquith 2015: 91), and directly challenged the British police to reflect on and learn how to resolve highly complex issues around policing diversity.

The connection between citizen diversity and policing is how the citizen's background often characterizes their encounter with the police. For example, studies show women who had had dealings with the police were critical that they were not being offered appropriate protection or treatment by male officers (Hanmer, Radford, and Stanko 1989; Silvestri, Tong, and Brown 2013). The argument repeatedly put forward was that male officers could not understand or appreciate what it would be like to be physically or sexually assaulted (Hanmer, Radford, and Stanko 1989). As with the above feminist case for change, the police were also found to be ill-prepared when dealing with issues around race and unaware

of their contribution to discriminatory practices (Bowling and Phillips 2012; Skolnick 2011; Whitfield 2004).

Reform efforts that followed the Macpherson enquiry were not always successful, but a process was set in motion to determine how best to use a finite set of resources to improve workforce skills. These include ensuring fair and responsive services for all, increased community engagement, stronger focus on harm reduction, and reform of the police workforce and culture, and are key measurements to evaluate police performance (Her Majesty Inspectorate of Constabulary in Scotland [HMICS] 2018, 2019).

Providing parity of service across divergent communities is not only an ambition for the police forces across the UK, but also a measurement used by police inspectors to evaluate police performance (HMICS 2018, 2019). Little is known about how these advancements have benefited deaf signers and policing. The needs of deaf signers have not yet surfaced in the wider debate in policing diversity. Race and Hogue (2017) surveyed police and crime commissioners across the UK and found poor understanding of what it means to be deaf and a lack of awareness or urgency to resolve these shortcomings. The needs of deaf people were viewed solely as a disability issue, not a linguistic-cultural concern, or whether police staff and officers could adapt their approaches to meet the deaf citizens' needs. There was no proactive approach that sought to review how police services could best be accessible to deaf signers.

Research investigating the experiences of deaf UK citizens when in contact with the wider legal system is limited, yet it reveals a vast number of serious issues that bring into question equality of justice and its integrity (Brennan 1999; Brennan and Brown 1997; Lumsden and Black 2022). Brennan and Brown (1997) described the use of handcuffing as 'gagging,' where the detained deaf person is 'incapacitated linguistically' (1997: 95), and found a general lack of trust and confidence in the police because of the low level of deaf awareness and the prevalence of police stereotyping deaf signers as 'being disabled' and 'less educated,' regarding 'BSL as a form of English on the hands,' and 'perceiving the physical nature of signing as acts of aggression.' More recent studies of deaf signers' perceptions of the police suggests the low levels of trust remain unchanged (Race and Hogue 2017; Skinner, Napier, and Fyfe 2021; Lumsden and Black 2022).

In the United States, Brunson (2007) examined the experiences of 12 deaf signers in negotiating access when interacting with legal authorities. The preference was to be provided with an ASL-English interpreter, but Brunson identified there were often problems with this request. Brunson summarized these problems across three themes: (i) difficulties in obtaining desired accommodation (2007: 80), where deaf signers discussed the various problems they faced when they requested or attempted to negotiate for an interpreter (ii) dealing with a

problematic accommodation (2007: 80), where deaf signers discussed how they negotiated situations in which an interpreter behaved in a way that negatively impacted the outcome of the situation; and (iii) enduring a partial accommodation (2007: 86), where deaf signers highlighted that even when an interpreter was present, the interpreter was unable to provide access due to their lack of skill in the given situation. Brunson concluded that “[d]eaf people have very little control over the accommodation they receive and yet are held fully responsible for ensuring its efficacy” (2007: 77), and therefore the burden of access to the police was unfairly distributed.

McCay and Miller (2001: 43) raised their concerns with how US legislation emphasizes the use of interpreters to redress issues of access for deaf signers, stating that the effective interviewing of deaf people requires “far more than simply recognizing and using an interpreter.” McCay and Miller (2001) found that the US police also often rely on misinformed ideas about deaf signers, their communication methods, their own ability to make themselves understood and their own ability to assess and determine the deaf person’s well-being, linguistic and communication abilities.

One positive example where the UK police have considered deaf signers is through the Police Link Officer for the Deaf (PLOD) scheme. PLOD is a voluntary network of officers who are conscious of the access issues faced by deaf signers, and in their available time work toward promoting better community relations and equal access (Lumsden and Black 2017; Race and Hogue 2017). PLOD officers come from various ranks and departments and will have completed, at minimum, deaf awareness training, while many will have gone on to obtain varying levels of qualification in BSL (Gilbert 2016). Although the majority of PLOD officers will have some BSL skills, they still rely on the assistance of interpreters for complex interactions (Gilbert 2016). PLOD officers can offer the specialist knowledge needed by the police when dealing with deaf signers and working with an interpreter.

Police perspectives on interpreting

The Police Criminal and Evidence (PACE) Act (1984) was the first UK legislation to specifically mention BSL and the right to a BSL-English interpreter. The legal expectation to provide a qualified (spoken or signed) language interpreter is now stipulated in a range of legal or institutional mechanisms, such as the Equalities Act (2010), Police Scotland’s Interpreting and Translating Services Standard Operating Procedure (2018) and more recently the College of Policing’s (2020) national police guidance on working with interpreters (and other language professionals). Although the UK has a pool of approximately 1,600 registered qualified BSL-

English interpreters (Napier, et al. 2022), only a small proportion of them are willing to work in legal settings (Brien, Brown, and Collins 2002; Napier, et al. 2021).

There is a growing body of research investigating police officers' approaches in managing and promoting effective communication with citizens from different cultural-linguistic backgrounds. Early studies uncovered highly risky practices in using bilingual officers to undertake the interpreter role (Berk-Seligson 2009), for example leading to coerced confessions. It has thus been argued that police policies need to be reformed to introduce more robust safeguards, with solutions typically focusing on bringing in qualified interpreters who are trained to handle the institutional and interactive demands inherent within a police interview.

The legal requirement to source an interpreter introduces new kinds of challenges to policing. The level of autonomy and control officers regularly experience cannot be retained in the presence of an interpreter (Wakefield et al. 2014). Officers must contend with legal and institutional time pressures, resource limitations and resort to unrehearsed communication strategies to detect deceit, sincerity or ambiguity. Although these legal measures have been introduced to preserve the integrity of policing, they also underestimated the complexities of interpreter-mediated communication.

There is a clear argument for interpreters to upskill and specialize to ensure they can perform as needed by the police. This has only been one part of the debate. The police have also been challenged on how they conduct themselves. The communication strategies used by police officers in interviews have been shown to be ineffective when working with interpreters, despite existing guidance or best practice guidelines, and a handful of studies have sought to understand police perceptions of working with an interpreter (Goodman-Delahunty and Howes 2019; Howes 2020; Kredens 2016; Monteoliva-Garcia 2020; Skinner 2020; Wakefield et al. 2014). The majority of these studies were concerned with citizens who came from another nationality – i.e., refugees, immigrants or visitors from abroad. These studies also reveal attitudes toward interpreters and officers' willingness to form positive working relationships with interpreters to ensure fairness and a responsive service. Recent studies seem to suggest some progress can be observed, where interpreters (spoken or signed) describe more awareness with managing interactions with people from diverse linguistic and cultural groups, viewing interpreters as valued partners in delivering policing (Monteoliva-Garcia 2020; Skinner 2020; Skinner, Napier and Fyfe 2021). Confidence may have grown where access to resources has improved alongside better guidance and training. Although we see some progress in how the police work with, and understand the role of, interpreters, more research is needed to understand the perceived relationship between police and interpreters as a form of institutional accommodation.

Methods

The Justisigns project (Leeson et al. 2017; Napier and Haug 2016; Napier et al. 2022) was a qualitative study that sought to investigate access for deaf signers in policing contexts across Europe.² We were members of the research team that led the UK data collection. We contacted three UK police forces to better understand the issues attached to interpreter-mediated police interviews. Although the project's focus was on training needs for interpreter-mediated interviews, participants were consulted around the dependence on SLIS in frontline policing generally and issues with delivering parity of service to deaf signers. Participants shared their actual experiences or provided hypothetical explanations. The discussion topics revolved around the following sub-themes:

- how police officers would manage a situation involving a deaf signer (based on actual or hypothetical examples);
- what challenges police officers might experience in performing their duties (based on actual or hypothetical examples);
- what internal resources or guidelines would be referred to;
- whether UK police officers know how to obtain sign language interpreters; and
- whether UK police officers perceive that the provision of sign language interpreters meets their legal obligations to provide access for deaf signers.

Positionality

Before we detail the methods used, we acknowledge our positionality, which is important in recognizing our relationships as individuals with the people that were interviewed, the socio-legal context in which the study took place, and the potential influences on our interpretation of the data based on our backgrounds and motivations, in order to provide transparency to our research processes (Mellinger 2020). We are both sign language interpreter practitioners, researchers

2. The *Justisigns* project was a 36-month action research project, funded by the European Commission Lifelong Learning program. The remit of the project was to develop evidence-based training courses to be made available to sign language interpreters, police officers and deaf signers in the UK, Ireland, Belgium (Flanders), and Switzerland, but also to any other interested stakeholders. In addition, the project developed various other resources to support sign language interpreters, police officers and deaf signers in navigating interactions in police settings. See <http://justisigns.eu>. Data was collected from deaf signers, interpreters, and police officers across three countries. This article focuses on UK data specifically with police officers. For further discussion on other data, see Napier et al. (2022).

and educators and are active members of the British deaf community and BSL interpreting profession, and are members of the Scottish Government Justice Working Group, which may bring an element of subjectivity to our study of interpreting in the police context (Tiselius 2019; Bendazzoli 2016; Hale and Napier 2013; Wurm and Napier 2017). As Mellinger (2020) notes, there are several tangible benefits for interpreters to conduct research on interpreting, with one critical aspect being the applicability of research findings into practice (Napier 2011).

Mertens (2017:20) points out that “The participants’ perceptions of the researcher is a crucial piece of the puzzle and will determine the quality of relationships that are developed, as well as the data that will be collected.” In that sense, although we interviewed police officers and custody sergeants rather than interpreters for this study, our university department has a long-standing relationship with Police Scotland, the College of Policing and other UK police forces over several projects that has led to a trusted relationship between interpreting researchers and the police, allowing us to recruit from this participant group with confidence.

Participants

A total of 17 police officers (10 male, 7 female) were interviewed in semi-structured one-to-one interviews or focus groups. Table 1 describes the interview participants and the police force pseudonyms. All interviewees have been allocated a participant code according to whether they are female (F) or male (M), and a participant number.

Process and procedure

The police officers were recruited through network and purposive sampling methods (Hale and Napier 2013) through our professional and university contacts due to former collaborations on police training, through interpreters that had worked closely with the police on certain cases, and through the high profile of the UK PLOD network. As seen in Table 1, the police officers had varying experiences of either meeting deaf signers, or working with signed or spoken language interpreters, and some had never come into contact with any minority language users or interpreters.

The interviews were held either face-to-face or via Skype and were conducted in English by Robert who was the research associate for the project. Interviews were audio or video recorded. All data was transcribed for later analysis. The interviews were semi-structured (Mason 2002), so prompt questions were used to

Table 1. Interview participants

Police force	Participants	Contact	Data collection approach
MPF London Met	M1, M2 M3, M4	With deaf signers and BSL-English interpreters on a specific case	Group interview face-to-face
HPF Hampshire	F1, F2 F3, M5	A mixture of regular and single case contact with deaf people and BSL-English interpreters	Group interview face-to-face
PS Custody Scot	F4 M6	A mixture of regular and single case contact with deaf people and BSL-English interpreters	Group interview face-to-face
PLOD UK	M7 F5	Regular contact with deaf people and BSL-English interpreters	Individual interview online Individual interview face-to-face
PS Scot	F6, F7 M8, M9, M10	No contact with deaf signers but with other language minorities and spoken language interpreters	Group interview face-to-face

guide the discussion depending on the level of experience of the police officer(s). The questions focused on:

- gathering information on past experiences of interviewing suspects or witnesses with interpreters (spoken or signed);
- whether they had ever interviewed deaf sign language users (witnesses or suspects), and if so, whether they could recall the steps they took to ensure a successful interview (i.e., did they book an interpreter, how they booked an interpreter, whether they knew what interpreter qualifications were required, what checks they undertook to ensure the interpreter was qualified, had the right legal interpreting experience);
- how familiar they were with the interpreter's role and code of conduct;
- what steps they think are needed to ensure an effective police interview (for deaf suspects or witnesses) with an interpreter present;
- if they have ever interviewed with a sign language interpreter, was the interview filmed and could the interpreter see themselves on screen (to check the quality of video recording) and could they see the deaf suspect/witness

signing on the video? Were any additional video cameras used? Whether the interpreter worked simultaneously or consecutively, how much information was provided to the interpreter before beginning the interview, how they adapted their interview techniques to accommodate the difference in language and styles of communicating;

- what training needs they had, or they thought other police officers need in order to be able to work effectively with interpreters in interviews (particularly with deaf suspects or witnesses).

If they had never worked with interpreters or met deaf signers, then these were asked as hypothetical questions as to what they would do if they had that experience.

Analysis

We conducted a thematic analysis (Krippendorff 2004) of the interview transcripts. Initially we applied eight (8) *a priori* codes that aligned with the interview prompt questions and drew out examples concerning (1) training initiatives, (2) policy, (3) understanding of interpreter role, (4) linguistic issues, (5) interview procedure, (6) examples of negative practice, (7) strategies, and (8) cultural considerations. Through an iterative process of coding, we identified issues with making accommodations as a salient theme, so we drew on Brunson's (2007) three categories of (i) obtaining accommodation, (ii) problematic accommodation, and (iii) partial accommodation to further analyze these themes. The coding was completed first by Robert, and then checked and validated by Jemina.

Results and discussion

Through the thematic coding of the police interviews, we identified examples of issues with accommodation according to two out of Brunson's (2007) three categories: (i) obtaining accommodation and (ii) problematic accommodation. Rather than *partial accommodation*, which referred to Brunson's deaf signer participants commenting on lack of understanding even when an interpreter was present, for the police officers the issue that was most prominent, was their *lack of understanding* of what accommodations were needed in the first place. We present our findings in relation to this newly identified category first, before considering the other two categories.

Understanding accommodation

Across each of the data sets we discussed with the police participants how they have approached situations involving a deaf citizen for the first time. Those with no previous experience were invited to hypothetically describe their approach. In this section we include the hypothetical responses and responses based on prior experiences.

Across all groups it was acknowledged that incidences involving a deaf signer was a rare experience, but the general view was that it was incumbent upon the police, including the participants themselves, to take proactive steps to understand the deaf signer's needs. One PLOD respondent (M5, HPF) viewed the complexity that comes from not knowing how to deal with someone who is deaf as being no different to overcoming difficulties when dealing with people who have mental health issues, who are vulnerable, citizens who come from another culture or dealing with crime in general. This belief was similar to Monteoliva-Garcia's (2020) findings, where officers described themselves as 'problem solvers,' who must overcome communication issues when encountering a citizen who belongs to another linguistic community.

The force control room was viewed as an essential resource where practical guidance could be sought and accommodation to be organized,³ i.e., booking an interpreter. Other strategies included seeking advice from colleagues or using personal devices and apps. While officers believed there were ways of navigating and identifying support for situations involving a deaf signer (such as booking an interpreter or communicating via written English), those with actual experience dealing with a deaf citizen for the first time described the practical challenges with accessing advice to understand what accommodation was needed. These challenges occurred within all forces even if PLOD schemes were available.

Participant M2 was once part of a murder investigation, where the victim, suspect and witnesses were all deaf signers. The force Participant M2 belonged to did not have a designated PLOD team to provide support and advice. M2 explained there were institutional and legal pressures on the investigation team to understand police policies with how to conduct interviews with multiple deaf signers. As a possible murder enquiry, the investigation team needed to determine whether charges should be made or to release the suspect on bail.

3. The force control room is the first point of contact when members of the public call the police for assistance or to access services and is a vital part of the UK's police force in terms of provide remote support to officers, as well as responding to telephone calls from the public.

[...] the problem that we had was that there's an awful lot of information around the interviewing of witnesses, suspects but not specifically directed toward people who [are deaf] or more particularly communication issues. So, if I remember correctly, there was information in relation to somebody who has got, for instance, a speech defect and how to communicate but not anything set down in relation to somebody who is deaf. Correct me if I've got this wrong... from my recollection part of the problem was the guidance was centered around not specifically a person who is deaf but somebody who is vulnerable. Now, to my mind just because somebody is deaf doesn't mean they're a vulnerable person; they have a communication issue. (M2, MPF)

M2 was critical of the police guidelines in supporting the team to understand what accommodation is needed. M2 and his team were unsuccessful in sourcing existing guidelines that specifically explained best practices when interviewing a deaf signer, which includes the support of a qualified interpreter. It was not clear if the issues in identifying appropriate guidelines was linked to the officers' awareness with how to define their search, for example in vulnerability related guidelines, disability related guidelines or language related guidelines. Internal police guidance, such as PACE (1984), Police Scotland's Standard Operational Procedure (2018) and the College of Policing's briefing notes: using language services (2020) cautions against relying on assumptions about deaf signers and offers practical steps on how to manage communication and evaluate what kind of accommodation the deaf citizen requires. Based on M2's experience this information does not seem to be readily available to police officers.

The failure to understand appropriate accommodations and achieve this standard within an early time frame did lead to unequal and discriminatory treatment. The consequences described by participants included a suspect interview without an interpreter, an unlawful arrest where the suspect turned out to be the victim "because at the time of dealing with them at the scene, they [the police officers] went to the hearing person who could communicate but not the deaf person that couldn't communicate" (F3, HPF), and victims waiting extended periods or days before being interviewed. So, the notion of 'help is on the way' transgressed the rights of deaf citizens to access information promptly.

The assumption that the police can function as problem solvers repeatedly exposes the police's generic services as being inadequate and in some cases unlawful. The police do not have a consistent and recognized model on how to deliver a fair and responsive approach to policing deaf signers. The value and necessity for specialist and expert input was repeatedly raised by the PLOD officers and is further explored in the following two subsections.

Obtaining accommodation

In addition to understanding what accommodation is needed, the next challenge identified by police officers was how to obtain that accommodation – i.e., source a qualified interpreter. This was a theme discussed by those who had undergone an assessment or interview with a deaf signer. For those who had no prior experience with a deaf signer, the experience of calling on a spoken language interpreter was discussed instead.

In general, the shortage of interpreters and the time taken to reach an interpreter had a detrimental impact on how the police felt they could fulfill their duties. Participants M2, M5, M7, F2 and F7 provided specific examples where a deaf signer was either held in detention and released without being given the caution or participated in an interview without the assistance of an interpreter. The custody setting stood out as a particularly challenging area because of legal and time constraints. Unlike spoken language telephone interpreting services, custody suites or police stations are not equipped with compatible video-conferencing facilities to enable on-demand access to an established remote SLIS (Skinner 2020; Skinner, Napier, and Fyfe 2021). According to participant F5, a suspect should not be placed in a custody cell until a care plan and risk assessment has been completed. This requirement produces an extra burden on police resources, such as staffing, where officers are called upon to restrain or monitor the suspect until a care plan can be properly completed. Participant F5 also highlighted the need to protect the citizen's human rights, where they are made aware about their rights while in police detention.

The issue associated with sourcing an interpreter was further compounded when the investigation was of a serious nature, or there was more than one deaf signer involved. For example, the murder investigation team needed to formally interview deaf witnesses and a suspect. In the first instance an interview with a suspect was carried out without an interpreter, as an interpreter could not be sourced. To ensure best practice was eventually restored the officers approached several interpreters for their availability. The reliance on multiple interpreters was described by Participant M5 as a concern, where the quality of evidence collected could not be assured.

So, then you go into the issue of interpreters who are qualified and what qualifications do they need, what level do they need to be, where can we get them from, and then the advice that we were getting, and [M1 name] was dealing with this issue all the time, in relation to how do you do it. Do you have one interpreting and one observing, and you're running against time limits, aren't you?

(M2, MPF)

This same group of officers found interpreters to be reluctant to work in police settings, which corresponds with surveys of UK interpreters that have found the same (Brien, Brown, and Collins 2002; Napier et al. 2021).

With such challenges in locating a qualified interpreter we asked the PLOD participants if they had been called upon to assist with interviews or procedural matters. The PLOD viewed their primary duty as someone to offer advice on how deaf signers can best access police services, how to source an approved interpreter, how to conduct and record an interview mediated by an interpreter and in some cases engage in one-to-one communication with a deaf citizen. There were limits, for example, PLOD officers said they would not facilitate communication with a suspect for a serious crime. The PLOD service was the closest example of a language-concordant service, where PLOD officers who had fluency in BSL would engage in direct communication with the deaf citizen.

Although some forces had access to PLOD services, their availability was not always guaranteed, since the scheme was organized by volunteers of various ranks, and not all had sufficient BSL fluency to confidently engage in one-to-one communication. While obtaining interpreters for unplanned events represents the first logistical challenge, the next consideration for the officers we spoke with was how to achieve effective communication.

Adapting routine procedures and practices

Obtaining an interpreter with minimal delay is essential to meet the legal requirements and the progression of police work. As this section explains, learning how to work with interpreters and knowing how to modify frontline procedures to accommodate a deaf signer are not intuitively clear for the police.

Police practices have undergone several reforms to embrace diversity, for example procedural justice (Goodman-Delahunty 2010; Mazerolle et al. 2014) and viewing policing as “dealing with citizen vulnerabilities” (Bartkowiak-Théron and Asquith 2015). The focus of these reforms has been to develop a workforce that promote forms of engagement which work toward reducing tension, evaluates risk and reviews the citizen’s expectations and understanding of the law. This section reviews how these core interpersonal skills combined with police guidance on how to work with an interpreter, a contractor who can provide and explain how to work with an interpreter, and in some cases the help of a PLOD scheme shape the eventual outcome. The issues discussed come from police officers who had an actual experience of dealing with or interviewing a deaf citizen.

As explained earlier, officers were not always successful in locating relevant guidelines or found them of actual benefit. In custody settings, where ad-hoc access to an interpreter is not possible the responsibility falls on the custody

sergeant to consider how their behavior and practices should be modified. As explained by one custody sergeant, basic routine practices can unintentionally provoke or antagonize a deaf suspect.

We got the handover, and the preceding sergeant says “er, we have a deaf prisoner and he’s in cell one. We’ve got him on jobs just now due to communication issues.” And I say “right” and then went on to the twenty-seven prisoners... My next step is then to go round and visit each prisoner, to make sure during the handover that everything is okay. So, he was in the very first cell. So, I went in, my normal action for every single prisoner is to knock on the thing, pull the hatch down and say “are you okay? Do you have any issues?” If they say “no” then I write on the sheet which is held outside. And he was facing away. Forgetting he was deaf, so I was shouting into the cell saying, “are you okay?” Of course, this guy’s not answering me. Is something wrong? So, I open up the cell door and I walked in and I’m shaking him. And he turned round, and he jumped. And I was like “I’m really sorry!” (M6, PS)

This anecdotal example demonstrates how a workforce trained in dealing with procedural justice and citizen vulnerability is constructed around the ability to hear and/or interact in English. The value and necessity of explicit and specific instructions was highlighted by PLOD officers, where assumptions among officers needed to be challenged and dealt with.

Officers working without the assistance of a PLOD scheme described the actual benefit and learning coming from the interpreters who arrived onsite. The advice received from interpreters included assistance with locating available interpreters, interview practices, recording of interviews and appealing to witnesses from the deaf community to come forward with evidence. The involvement of interpreters as advisors was welcomed by officers and previous studies have described how interpreters are affected by the police’s shortcomings and will occupy a broader role, as co-provider of the policing service (Brennan and Brown 1997; Skinner 2020). In this capacity, interpreters will impart their knowledge of deaf signers’ access requirements to ensure the police understand what kind of adjustments are needed to ensure they follow best practice. The issue is how interventions like these may not be officially sanctioned, by the regulator or by deaf signers themselves. The PLOD scheme is intended to go some way toward filling this gap and remove sole responsibility for raising awareness from the interpreters.

One PLOD team had sanctioned the local interpreting service to not only ask specific questions about an assignment but to signpost the calling officer to the PLOD team.

the local [region] interpreter relationship is very good, so we know that, for example, if an interpreter receives a call about something in custody, they will often say, 'Have PLOD been involved in this?' If they say no, then it might be that we'll get a text message just to say we've had a job or something. They might not, but certainly if there's a problem around, for example, a video camera, well, we say put the video on the interpreter. It might not be evidence that – this is an exhibit, but you just need it in case someone challenges the interpreter's work, that you can go well, here's what he or she signed. (M7, HPF)

The proposed solution agreed between the PLOD service and interpreting provider is intended to mitigate any shortcomings the police may have in interacting with deaf signers. However, this collaborative solution to remedy a problem may not be a model necessarily championed by deaf signers, especially if PLOD officers are not fluent signers. In addition to issues around understanding and obtaining accommodations for deaf signers in the form of PLOD officers and/or interpreters, we also found evidence of problematic accommodations.

Problematic accommodation

In Brunson's (2007) study the quality of interpreters was raised as a critical issue with obtaining accommodation, because even getting a qualified interpreter was no guarantee of access. These criticisms came from deaf signers who were able to judge the interpreter's sign linguistic abilities and were possibly more experienced users of sign language interpreting services. While non-PLOD officers in this study had minimal knowledge of deaf signers and experience of working with interpreters, they had an expectation of interpreters:

I would expect them to be familiar with the police process. Whether it's witness or custody, I would expect them to be familiar with that environment in the same way I would expect a custody nurse to know how custody works as such. I would expect them to know that they're there to interview a witness of a crime or a suspect in a crime. (F2, HPF)

From their perspective, the interpreter was vetted and was therefore an 'expert.' The outsourcing of interpreting services gave a false sense of assurance, that the interpreter was safe to practice in police settings, but it was not always clear that the police officers understood what is necessary to be considered as an expert interpreter. Those involved with the PLOD scheme appeared to be responsive to the criticisms from deaf signers and would make it part of their role to vet the interpreting service.

I checked somebody who was deployed, then it had been cancelled. I said, 'I don't know them' and they were actually suspended on the register, temporary suspension. So, I was able to go back via our people who maintain that contract; they went back and put in, hopefully, another step of verifying on the register [...] which is outrageous because they should never have taken the work and that did end up getting fed back through and I think to [the registration body].

(M7, HPF)

The same PLOD officer explained how he would follow the local news and if an incident involved a deaf person, he would make contact with the neighboring force to make sure they were aware of best practices and how to work with an interpreter. Without specialist knowledge, officers reported undetected issues concerning how they worked with interpreters or the quality of interpretation that could impact the legal process further upstream (i.e., in the courts). One police officer who has been involved in interviewing a series of deaf witnesses in a case explained:

Also, we had things that – [female interpreter name]* explained because it's a physical language and the length of time that you're interpreting, as it goes on you get tired and that's when mistakes can start to creep in. We would be solely reliant upon the actual interpreters that were being used telling us that and liaising with the interviewing officer and saying, 'I can only actually interpret for, say, half an hour and then I need a 10–15-minute break.' Some did, but then you also get into when do you stop because somebody's in the middle of describing the intricacies of what's happened in a murder. The interpreter has to make a decision, when to have a break. What I thought afterwards, in relation to it, is perhaps our strategy would have been massively improved by interviewing officers saying when we get to this point, before we go into the actual punch that was thrown, I want you to stop and have a break for 10–15 minutes, and then we're going to go into the intricacies... I'm not sure that occurred, did it?

(M2, MPF)

Thus, it can be seen that from the police officers' perspective, the accommodation was problematic if bringing in an interpreter interrupted the start, or flow of, their interview somehow, either because they were not up to the job or experienced fatigue. They did not necessarily, however, take responsibility for ensuring that the interpreters brought in met the standards, or for ensuring that they understood how best to work with interpreters. They were not able to judge the actual competencies of the interpreters. Only the PLOD officers could take steps to ensure that suitably qualified interpreters were brought in, and the interview protocol was suitably adapted. But there was still a risk of the accommodation becoming problematic if other police officers assumed that the PLOD officers could function as an interpreter.

Conclusion

Despite the minimum standards and legal frameworks in place in the UK for the provision of interpreters in criminal proceedings, and the efforts to introduce a series of reforms to accommodate for diverse needs of different communities, deaf signers' access to the police system as a public institution is still inconsistent. It can be seen that reliance on accommodation solely through the provision of SLIS is problematic from the perspective of police officers in our study, as well as deaf signers (Brunson 2007) and perpetuates the concept of SLIS as a social institution.

This approach to policing situations involving a deaf signer is reactive, overdependent on interpreters and inconsistent. The data we present provides further evidence of what Russell (2021) describes as an 'illusion of inclusion.' The police accounts reinforce the argument made by De Meulder and Hualand (2021:12) that the "presence of an interpreter should not imply that communication in bilingual settings is 'taken care of,' and should be considered a signal to professionals that they need to be cautious about the linguistic and communicative challenges and loopholes in that specific situation"; and that the attempted provision of SLIS can actually be exclusive rather than inclusive.

We interpret the dependency on SLIS as a lack of understanding of what accommodations are needed for deaf signers; how to obtain interpreters and what standards are required; and that even if interpreters are brought in, there are assumptions about their capabilities in that context. Even with attempts to introduce a level of language concordance through the PLOD network, there is still an over-reliance on interpreters to provide access and to explain access requirements. Even with the provision of interpreting, access is not guaranteed.

This finding is of importance as historically studies investigating how the police serve deaf signers emphasize the need to increase access to highly skilled interpreters and for the police to review their communication practices (Brennan and Brown 1997; ImPLI 2012; Napier et al. 2022; Perez and Wilson 2007). This focus on interpreting services stands in the way of understanding what deaf citizens need or expect from policing services.

Crucially, deaf signers still hold no recognized space within police services. Although there will always be some need for SLIS in policing contexts, the absence of deaf signers does not mirror the UK police reforms witnessed for other social groups based on gender, ethnicity, faith and sexuality. It is our view that a consistent and recognized model on how to deliver a fair and responsive approach to policing deaf signers will not emerge until deaf signers themselves become recognized actors who define and participate in the delivery of policing services, including SLIS. As such, further research is needed by and with deaf signers to

gain greater insights into what BSL inclusive police forces in the UK might look like, and the role of SLIS in the police as a public institution.

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Address for correspondence


Robert Skinner
 Centre for Translation & Interpreting Studies in Scotland
 Heriot-Watt University
 School of Social Sciences
 Henry Prais Building
 Edinburgh EH14 4AS
 United Kingdom
 Robert.skinner@hw.ac.uk

Biographical notes

Robert Skinner is a lecturer and research assistant based in the Centre for Translation and Interpreting Studies in Scotland at Heriot-Watt University, Edinburgh. Robert's area of research includes interpreting in police settings, video-mediated interpreting and positioning theory. Robert is a Fellow of the Association of Sign Language Interpreters UK and an experienced BSL/ENG/IS interpreter practitioner of 23 years.

 <https://orcid.org/0000-0002-0543-759X>

Jemina Napier is Chair of Intercultural Communication in the Centre for Translation and Interpreting Studies in Scotland at Heriot-Watt University. Jemina's expertise is on communication mediated by professional sign language interpreters or by family language brokers. Jemina is a Fellow of the Association of Sign Language Interpreters UK and a Corresponding Fellow of the Australian Academy of Humanities.

 <https://orcid.org/0000-0001-6283-5810>

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