

You Have the Right to Remain Signing: A Snapshot of the Irish Justice System and Deaf Signers

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Abstract

This paper presents a first snapshot of what we know about how the Irish justice system responds to deaf signers. We look specifically at engagement with An Garda Síochána, the District Court and the Irish Prison Service. We draw on a body of data that stems from (i) the European Commission funded Justisigns Project, (ii) the ‘grey literature’, and (iii) a small study of how equally deaf prisoners access services available to hearing prisoners. We set out to document and benchmark provisions, mapping current practice against the requirements of the European Directives, and reflecting on how these sit with respect to the obligations outlined in the Irish Sign Language Act (2017) and the UNCRPD (2006). We identify a number of gaps arising from systemic issues such as the siloed manual recording of requests for interpreting, quality assurance protocols where interpreters are provided (e.g. the video recording of all parties), and arising from this, the limited opportunities for true evidence-led practice for all those engaged with deaf signers in the Irish justice system.

Keywords: *Justisigns project; Irish justice system; deaf prisoners; deaf suspects; deaf victims; sign language interpreting; UNCRPD; Irish Sign Language Act (2017)*

1. Introduction

The European Union has passed a number of directives in recent years that seek to protect the rights of individuals who come in contact with European legal systems as victims, witnesses,



or as accused parties. While Ireland has transposed these directives into national law via statutory instruments, there is a gap between idealised notions of what these legal instruments provide for and the lived experience of deaf people who engage with the legal system. There is also a dearth of empirical analysis of bilingual, bimodal, intercultural communication that occurs as a matter of course when deaf people engage with law enforcement officials in the Irish context.

In this paper, we present a snapshot of what we currently know about how the Irish justice system responds to deaf signers. We present findings from research conducted via the Justisigns project and a small follow-up study to explore the situation of deaf prisoners in Ireland (Flynn, 2019).

From 2013–16, the Centre for Deaf Studies at Trinity College Dublin partnered in a European Commission funded project, Justisigns,¹ which focused on deaf sign language users' access to justice, with a particular focus on engagement with police forces. Across the life of the project, the Justisigns team forged collaborative partnerships with key stakeholder organisations such as An Garda Síochána (the Irish police force), the Dublin Rape Crisis Centre, Police Scotland, regional police forces in Switzerland and Flanders, and the respective national deaf and interpreter associations in each partner country. While the scope of the Justisigns project was pan-European in nature, for the purposes of this paper, we focus on the Irish context.

We explored, for the first time, issues relating to how key stakeholders engage with deaf sign language users, in legal, and particularly, police, settings in the Republic of Ireland. During the life of the project, we noted that the situation of deaf prisoners was unclear. Following from this, in 2018–19, a small-scale study explored whether deaf signers have equal access to services in Irish prisons as their hearing counterparts was conducted by Sophie Flynn in part-fulfilment of the Bachelor in Deaf Studies requirements, supervised by Lorraine Leeson. Here, we include Flynn's results to provide as complete a snapshot as possible at this point in time.

¹ See: www.justisigns.com for more detail. Project partners included pan-European NGOs (the European Forum of Sign Language Interpreters (efsl), the European Legal Interpreters' and Translators' Association (EULITA)) and a number of academic institutions (Trinity College Dublin (Ireland), KU Leuven (Belgium), Heriot Watt University (Scotland), HfH Zurich (Switzerland), and our project coordinating and management team, Interesource Group Ireland Limited.

2. Literature Review

We begin by considering the legal instruments that govern engagement with, and participation in legal systems in the European Union and Ireland before turning to discuss some of the academic literature that relates to deaf peoples' access to justice.

2.1. Legal Instruments

Deaf communities hold a variety of views on how they are positioned vis-à-vis the disability movement, but legally, rights-based approaches for deaf people are mapped to disability legislation.

The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) (United Nations, 2006) makes explicit reference to access to justice. Article 13(1) requires state parties to: “ensure effective access to justice for persons with disabilities on an equal basis with others, including through the provision of procedural and age-appropriate accommodations, in order to facilitate their effective role as direct and indirect participants, including as witnesses, in all legal proceedings, including at investigative and other preliminary stages.” Par. 2 calls on state parties to promote appropriate training for those who work in the administration of justice, including police and prison staff, in order to help to ensure effective access to justice for persons with disabilities. Article 14 requires states to ensure that if persons with disabilities are deprived of their liberty as a result of any process, that they are entitled to guarantees in accordance with international human rights and provided with reasonable accommodation. Article 15 focuses on the freedom from torture or cruel, inhuman or degrading treatment or punishment.

More recently, EU Directives that have been transposed into Irish law. For example, Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings instructs Member States to take concrete measures to ensure that the interpretation and translation provided meets the quality required under Article 2(8) and Article 3(9). Article 5 makes reference to the quality of interpretation and translation: Article 5.2. notes that “In order to promote the adequacy of interpretation and translation and efficient access thereto, Member States shall endeavour to establish a register or registers of independent translators and interpreters who are appropriately qualified”. In transposing this directive, the Irish government has not made any reference to a legal register. Further, despite the directive, the right to an interpreter is not

guaranteed – the requirement is that one be provided if it is “reasonable” to locate one, especially in rural environments. This is an issue we return to later (§3.2).

The Criminal Justice (Victims of Crime) Act 2017 transposed the Directive 2012/29/EU, (the “Victims Directive”) on 5 November 2017 which sets out minimum standards on the rights, supports for, and protection of victims of crime. The directive makes several references to linguistic access. For example, Article 3 requires that “communications with victims are given in simple and accessible language” while Article 7: points to the “right to interpretation and translation” and that the victim has a right to receive information in clear and concise language and to interpretation and translation where necessary.

There are a number of Irish legal instruments that make reference to linguistic access, and specifically, to the right to interpretation and translation in legal settings. Some pre-date the directives, while others stem from them. These include the European Convention on Human Rights Act 2003, S.I. 564/2003 re: Interpretation and Translation for Persons in Custody in Garda Síochána Stations, S.I. 565/2013 European Communities Act 1972 (Interpretation and Translation in Criminal Proceedings) Regulations, 2013, and the Equal Status Act 2000 - which states that you cannot discriminate against a person on the basis of their disability (Government of Ireland 2000).

The Irish Sign Language Act (2017) consolidates many provisions that had previously been in place for all non-English/Irish speakers, but also appears to extend to civil cases given the reference to ‘any court’ in Article 4 (1). This states that:

- (1) A person may use Irish Sign Language in, or in any pleading in, any court.
- (2) Every court has, in any proceedings before it, the duty to do all that is reasonable to ensure that any person competent in Irish Sign Language and who cannot hear or understand English or Irish appearing in or giving evidence before it may be heard in that language, if that is his or her choice, and that in being so heard the person will not be placed at any disadvantage.
- (3) For the purposes of ensuring that no person is placed at a disadvantage as aforesaid, the court may cause such facilities to be made available, as it considers appropriate, for the simultaneous or consecutive interpretation of proceedings into Irish Sign Language.

There is no reference to any other part of the legal system in this section of the ISL Act. Thus, whether services provided by An Garda Síochána, the Irish Prison Service and Probation Service are covered by Article 6 (5), “Duty of Public Bodies” has yet to be tested. These bodies are defined as: “a public body such other person, body, organization or group financed wholly or partly out of moneys provided by the Oireachtas (Irish houses of parliament) (being a person, body, organization or group that, in the opinion of the Minister, ought, in the public interest and having regard to the provisions and intentions of this Act, to be so prescribed)”. This section of the Act requires that public bodies do “all that is reasonable to ensure that interpretation into Irish Sign Language is provided for a person who is competent in that language and cannot hear or understand English or Irish when that person is seeking to avail of or access statutory entitlements or services provided by or under statute by that public body” (Section 7 (1)). Provision of interpretation should be at no cost to the person concerned (Section 7 (2)) and there is scope for the Minister to (by regulations) (a) provide that where a person intends to avail of ISL services provided by a public body, the person should give the public body prior notification of his or her intention within the period specified in the regulations, or (b) provide for the procedure in relation to the provision of such services by a public body (Section 7 (3)). Finally, section 7(4) allows for provision of remote interpreting as a mechanism for the public body to sufficiently meet their obligations under the act, if the ISL user consents to same.

At a policy and practice level, some awareness of the situation of deaf signers is evidenced. For example, there is reference to Irish Sign Language and the provision of sign language interpreting in the Deaf and Hard of Hearing Prisoners Policy document (2014), inherent also in the Garda tendering process for agencies to provide interpreters and in legislation that explicitly notes the requirement to provide interpreters and translators in criminal cases. However, as we shall see, despite the legal basis in place, there are gaps in provision.

2.2. Academic Literature Review

Most of the available literature on the situation of deaf people in legal settings is American in origin, and it reports that deaf people face serious obstacles in legal settings (Miller, 2004; Miller & McCay, 2001, 2002). Most show that a combination of inadequate communication coupled with lack of knowledge on the part of deaf people regarding the law and the criminal justice system is widespread, sometimes resulting in tragic consequences. Ensuring appropriate procedures in these contexts is currently highly problematic. The literature

suggests a lack of systemic understanding of what constitutes linguistic access and, following from this, appropriate accommodations, for deaf people. Combined, these create a less than equal access to justice for deaf signers. These themes resonate in the small number of studies from other jurisdictions. In the UK, Brennan and Brown's (1997) seminal study of deaf peoples' access to justice found that bimodal interpreting, that is working between languages that are expressed in the visual-gestural modality (a sign language) and an aural-verbal modality (a spoken language) presented specific issues for interpreting in the justice system. They identify major problems in ensuring that deaf people have full access to legal processes. Brennan and Brown (1997) observed trials in England and Wales which included deaf defendants and/or deaf witnesses, and where British Sign Language/English interpreters were employed. They additionally observed and videotaped trials in Scotland, mostly in the Sheriff courts, with some also in the District Courts. The team secured permission to video-record proceedings in a Sheriff Court, providing a unique data set. This has not yet occurred in any Irish court, where filming in court is not permissible except with the permission of the President of the court concerned (Courts Service Ireland, 2018). Building on this work, Brennan (1999, p. 228) reports that legal personnel are often:

...completely unaware of changes in message from source to target language; they are not always aware of interpreter intrusion; and they are often unaware of interactions taking place between defendants, witnesses and members of the general public, even where – as the research team observed – these actually take place within the courtroom (1999, p. 228).

A common theme that emerges from reviewing the published literature on deaf peoples' access to justice is the significant barriers faced by deaf signers (Napier & Haug, 2015, Miller, 2004; Wakeland et al., 2019). Barriers include systemic issues, individual differences, offender factors, and relational influences (Brennan & Brown, 1997; Wakeland et al., 2019). Intersecting factors from across these themes including inadequate interpreting provision, poor quality interpreting services, or lack of training, accreditation and standards for legal sign language interpreters also impact. Further, lack of training for key stakeholders is problematic. Police officers, prison officers and others in the legal system typically have no preparation for working with deaf people or sign language interpreters. Factors that require their consideration include awareness of how deaf people communicate and engage (particularly around use of eye-gaze, back-channelling norms, use of touch to gain attention,

etc.), alongside understanding the functional English language literacy competency required to successfully participate in legal settings.

The situation of interpreters and legal personnel (lawyers, police officers, judges) has also been addressed in the international literature (Napier & Spencer, 2008), though predominantly this work focuses on interactions with speakers of a language other than the dominant language in a given jurisdiction where spoken language translation and interpreting services are required (Hertog, 2001, 2003). Many of the findings in these studies hold for situations involving sign language users too, though the bimodal nature of legal engagements where sign language/s and spoken languages are used are still under-documented, with a resulting policy and/or practice gap that needs to be addressed to ensure equality before the law for deaf sign language users (see, for example, Colin & Morris, 1996; Mason, 2008; Mulayim Lai & Norma, 2015; Napier & Spencer, 2008; National Consortium of Interpreter Education Centers (NCIEC), 2014; Potterveld, 2012; Russell & Hale, 2008).

3. The Undocumented Irish Context

The Justisigns project marked the first empirical foray into the how the Irish justice system engages with deaf signers. Given the breadth of the justice system, the project team determined that a focus on engagement with police services was the most sensible starting point. The reasons for doing this included the fact that court-presented cases are a follow on from an engagement with police services, and challenges raised in court in cases involving deaf people often link back to issues associated with police engagement. Queries may for example, relate to the accuracy or quality of the interpreting during the police investigation stage, the lack of provision of interpreters during police interviews, or inappropriate interpreter provision during interviews.

Data from Ireland is included in the pan-European project report (Napier & Haug, 2015), though individual country-specific challenges are not laid out there. We note here that key challenges in Ireland include the fact that while there are established provisions for sign language interpreters in legal contexts, these are inconsistently implemented. Just as there is no uniform approach across Europe to training/ certification of legal interpreters, here in Ireland we face this same challenge. Further, the availability of interpreters for legal settings is an issue, both in Ireland and across Europe. A key challenge is the difficulty in identifying the scope of legal interpreting needs when it is not possible to identify the number of deaf

sign language users in the legal system, with scant access to institutional statistics from policing and justice networks (ibid.).

An important Irish piece of work was undertaken by Dr. Gill Harold, who, with funding from the Irish Research Council, examined the experience of a cohort of Irish deaf victims. This research has not yet been published (Harold, personal communication 2019), but a summary of the study is available online (Harold 2014). Harold is particularly interested in the positioning of orality as a central tenet of adversarial processes in common law jurisdictions, including Ireland. She notes that:

...the implication of this principle sees emphasis placed on the spoken word and oral testimony. Within adversarial proceedings, the ability to articulate one's case well is highly significant. Proficiency in spoken (and written) communication is important for providing statements to the police about incidents, for the preparation of victim impact statements, and for liaising with professionals in criminal justice agencies. This system clearly benefits the witness who is capable of articulating their case well. (Harold 2014, p. 1).

With this as a backdrop, Harold explores whether this focus has implications for how deaf victims engage with the Irish Justice system, suggesting that the emphasis on the spoken word compromises levels of access afforded to deaf people in the system (ibid.).

4. Benchmarking the Irish Context

Our goal was to document and benchmark provisions, map current practice against the requirements of the European Directives, and reflect on where these sit with respect to the obligations outlined in the Irish Sign Language Act (2017) and the UNCRPD (2006). Our work incorporated a number of components that intersect to help map out the situation in the Irish context, as illustrated in Figure 1.



Figure 1. Access to Justice for Deaf People in Ireland: Overview of Study

(refers to parties whom we did not get to formally interview as part of this initial investigation, but who we hope to return to in a follow-on study).*

In this paper, we present an overview of the key issues emerging. The Justisigns project served as a vehicle for our investigation of how the Irish legal system responds to deaf signers. We completed one-to-one interviews with ten interpreters (5 Deaf Interpreters, 5 non-def interpreters), legal professionals (n=2) and other stakeholders (n=2). Further, we surveyed the Irish prisons and in 2018–19 interviewed representatives from a number of NGOs (n=4) who support deaf people in prison/former prisoners (Flynn, 2019) to benchmark the position of deaf prisoners in Ireland insofar as we could. Approval was secured for all components of this work from Trinity College Dublin's School of Linguistic, Speech and Communication Studies Research Ethics Committee.

While the focus of the Justisigns project was on access to police services, a natural extension was to reflect on the court experiences of deaf signers in Ireland, particularly where issues were raised in court that associated with police-related engagement. As a result, we observed two District Court cases in 2016. We also engaged with the President of the District Court,

and were grateful to have an opportunity to present to the conference of District Court judges in 2016 to highlight some issues around interpreted cases (Phelan & Leeson, 2016).

Other data sources that we draw on includes the so-called grey literature, such as responses to Dáil Questions ((i.e. parliamentary questions), census data, and information received from the Courts Service and An Garda Síochána.

We begin by considering interaction with An Garda Síochána, before turning to discuss courts, and prisons. We know that there are many gaps in the data we present here, illustrating how much more empirical work is required to fully document the practices that impact on how deaf people engage with the Irish justice system and the implications thereof.

4.1. An Garda Síochána and Deaf Signers

In 2016, the Office of the Garda Commissioner advised that over two million euro is spent on translation and interpreting annually (Private Secretary to Commissioner, Personal Communication, 31 August 2016). However, no breakdown of costs is available with respect to annual spend on sign language interpreting specifically. Further, there is no documentation of requests made and *not* filled. Documentation of persons in custody is paper-based and not centrally recorded on any database: no extrapolation of data with respect to demand versus supply is available. While An Garda Síochána has been an engaged collaborator in exploring ways to increase access for the Irish Deaf community (e.g. the Irish Remote Interpreting Services (IRIS) pilot for desk based queries in Cabra and Tralee Garda Stations across 2019 and 2020; presenting messages to the deaf community on their social media sites in Irish Sign Language during the COVID19 lockdown in Spring 2020 and extending support to vulnerable deaf people by bringing them medication/shopping, etc. as needed during the period), no empirical studies of interpreting in Garda environments have been carried out to date (Private Secretary to Commissioner, Personal Communication, 31 August 2016).

While we had planned to distribute a questionnaire adapted from a survey distributed across other European police forces as part of the Co-Minor-In/Quest project in 2013² to Irish Gardaí, no response was forthcoming from the Irish Garda Research Office to our request for

² Project overview and results can be seen here: https://www.arts.kuleuven.be/english/rg_interpreting_studies/research-projects/co_minor_in_quest/index (Accessed 1 September 2019).

access to members of An Garda Síochána in this regard (Leeson, Napier, et al., 2017). Instead, we engaged in discussion with members of An Garda Síochána, particularly via engagement with officers who participated in training delivered by the Garda Racial, Intercultural and Diversity Office (GRIDO) that we contributed to in conjunction with the Irish Deaf Society, DeafHear.ie (now Chime), and the Deaf Community Centre, Limerick.

We asked participants about their experience working with interpreters. Of a mixed cohort of some 60 Gardaí, Detectives, Diversity Officers and Victim Liaison Officers at the regional training sessions we contributed to, only one had attended any formal training that addressed how to best work with an interpreter. Only one had prior experience working with a sign language interpreter, but all of the others had experience working with spoken language interpreters. They reported that they do not, as a matter of course, ask interpreters about their credentials, as it was assumed that the agency providing interpreters controls for this. Gardaí we talked to reported feeling that they lose some of their control of an interview process when it is interpreted, saying that they feel that the interpreter takes on some of the coordination task at hand, which is at odds with a key tenet of interpreting practice: impartiality (Snellman, 2016). While we could scaffold discussion of engaging with sign language interpreters on the back of a discussion of experiences of engaging with spoken language interpreting, there is clearly a need to ensure that Gardaí have some awareness of the key issues that arise when working with deaf people – as witnesses, victims, or suspects – and of issues for consideration when working in bimodal interpreted settings. While we could do this with the Gardaí whom we met across the life of the Justisigns project, there is still a significant gap to be filled to ensure that every Garda has some basic understanding of the potential pitfalls they may encounter as part of their basic training, and in further training offered to higher ranking officers. These include (but are not restricted to) the issues outlined in Figure 2, which draw on findings from our interviews with other stakeholders.

Setting	Key question/point of concern	Solution	Challenges Remaining
Emergency Settings	Can a deaf Irish Sign Language user access the	Text 111 – but they must have pre-registered to use this	Deaf people report not knowing if their message has been received; not

	emergency services?	service.	knowing if/when someone from emergency services will respond.
Reporting an incident	How prepared are Gardaí for receiving a report from an ISL user?	Initial engagement with deaf signer requires culturally appropriate engagement;	Most Gardaí are not familiar with Deaf cultural norms for gaining attention, turn-taking, etc.
		Manner of communication to be determined	Gardaí should not assume that lipreading or writing in English will be a reliable means for communication.
		Booking an interpreter from a reputable source	Family members should not be asked to interpret.
		Ensuring the interpreter is appropriately qualified and skilled for the task at hand	Challenges with procurement – some spoken language interpreting agencies state they can provide ISL/English interpreting, but they may not vet interpreters adequately. The ISL Act 2017 will require that only interpreters who are members of the national register may be used in public service settings.
		Ensure the interpreter knows the protocols that will be followed	Make sure the interpreter knows that they will may be asked to make a statement regarding their interpretation. Ensure they know they may be called to

			testify regarding their interpreting should the case go to court.
		Ensure you know which sign language/s are required	Deaf people from abroad may not know Irish Sign Language. In such instances, a Deaf Interpreter (DI) (see O’Callaghan & Lynch, this volume) or an interpreter who works between other sign/spoken languages may be required.
		Documenting the incident	There is a need to document ISL source text. At present, if a case is brought forward, only the English language documentation is presented as evidence, and this requires back translation to ISL, which can be problematic for a range of reasons. (There are cases where the ISL source is called upon, but this is frequently because the quality of interpretation is examined when a case goes to court).
Arrest	Reading of Garda	An officially sanctioned	No officially sanctioned

	Caution	Irish Sign Language version of the Garda Caution could be made available via local digital device (e.g. iPad, computer screen) to ensure consistency of delivery of a legally acceptable translation.	Irish Sign Language version of the Garda Caution is currently available. Thus, each interpreter presents their own rendition to ISL. A sanctioned translation that is available is the ideal goal, with explanation available also in ISL.
Interview	There is time pressure associated with duration of custody	Appropriately qualified and skilled interpreters must be booked from a reputable source.	Deaf people from abroad may not know Irish Sign Language. In such instances, a Deaf Interpreter (DI) (see O’Callaghan & Lynch, this volume) or an interpreter who works between other sign/spoken languages may be required.
		Brief interpreters regarding process. Advise interpreters that they may be called as witnesses in court and cross-examined about their work in this case.	Interpreters report that they do not receive adequate briefings ahead of interpreting in legal settings. They also report not knowing that they could be called as witnesses and cross-examined about the veracity of their work in recorded police interviews.
	Recording of	Interview rooms are	It is difficult to ensure that

	interview	small and the rooms were set up with hearing, speaking interviewees and interviewers in mind. Thus, camera angles capture the interviewed person.	both the interviewee and the interpreter/s are on-screen and clearly visible. This can create challenges in verifying that questions put to the interviewee have been appropriately interpreted to the deaf interviewee. Capturing all signers on screen safeguards police processes.
	Ensure quality of interpreted process	Default is to request one interpreter. However, interviewing may run across a number of hours.	Even with regular breaks, the quality of work for a single interpreter working simultaneously over a number of hours will decline. International best practice advises that two interpreters be provided in contexts running over two hours. Regular breaks will be required (after 30-40 minutes of interpreting).
	Verify and confirm the interview content	The interpreter is asked to relay the content that the Garda has taken down contemporaneously, by hand. This requires back-translation.	Neither the original (sign language) statement nor the back translation (version rendered from English back into ISL by the interpreter) are entered into evidence as a matter of course. They are

			thus backgrounded in the process.
		Discourse structure differs greatly between English and Irish Sign Language.	Gardaí would benefit from priming around the nature of interpretation, and the kinds of structures that may prove challenging in bilingual-bimodal settings. This facilitates ensuring (e.g.) that the questions asked in English are not leading in ISL/ other sign language.

Figure 2: Some Issues for Gardaí to consider when engaging with deaf signers

Amongst these concerns, one that deserves particular attention is the issue of ensuring that video recorded interviews with suspects capture the signed content produced by the interpreter/s as well as the interviewee. Current protocol requires that only an interviewee is captured on film. The lack of interpreter-rendered recordings is problematic on many counts. The official record is entered in English, based on the interpretation the interpreter provides from Irish Sign Language (or another sign language) to English. There is also a lack of awareness across the legal system of the fact that the ways in which information is packaged in a sign language differs significantly from how it is packaged in English, especially with respect to the description of events. For example, in ISL, signers can use their bodies to represent their own and/or other’s bodies; they can use their bodies to present an alternative perspective on an event (Leeson & Saeed, 2012, this volume). Signers can use simultaneous constructions to background or foreground aspects of a piece of discourse and make use of body-partitioning where parts of the body are recruited to represent aspects of an event at the same time (Dudis 2004), and create complex, blended views of events (Fauconnier, 1985; Liddell, 2003; Nilsson, 2010). Further, gestural elements are evident in sign languages (Janzen, Shaffer, & Leeson, 2016; Leeson, Janzen, & Shaffer, 2015; Leeson & Saeed, 2012), and these may be handled in a wide range of ways by interpreters, who take intersubjective

stances with respect to the material they are interpreting and co-construct their target language output with other stakeholders in the interpreted event (Janzen & Shaffer, 2008). That is, the interpretation that is provided may work for the purposes of the interaction in the moment, but detail, particularly modality-specific detail in the presentation of a narrative that, in a sign language, is visually driven, may be lost between interpretations. For example, if a deaf interviewee was to describe how they walked across a field, they would encode their path of movement (e.g. left to right in a straight path; right to left in a weaving path; left to right in a diagonal path, etc.). They may also map their movement to a landmark – this can be an immovable landmark (e.g. a tree, a building) or a moveable landmark like a person (Leeson & Saeed, 2007; Napoli & Leeson, 2020). However, in interpretation, some of this information may be gapped (Baker, 1992; Leeson, 2005; Napier, 2006). The interpreter may not specify the onset and offset of movement, the path of movement, or relative position of the deaf person with respect to landmarks referenced. In other contexts, this may not matter in terms of the delivery of functional equivalence, but in legal contexts, it can be highly problematic, making it impossible for Gardaí to question on the basis of such detail, and opening up challenges in court. Such gapping also means that interpreters who have to re-present the deaf person's statement to them must attempt to re-conceptualise these mappings without sufficient detailed input from the English record, as it is missing. Thus, the English language record is necessarily impoverished in terms of the detail that was available in the ISL source, and is further influenced by the interpreter's own experience, which can influence the nuance of the description captured (Leeson, Shaffer, & Janzen, 2017a, 2017b). We discussed these challenges with Gardaí in a number of GRIDO-led training sessions, where Gardaí responded with recognition of the challenges that lack of awareness of these matters could cause for their process.

Further, given that many deaf people struggle with English language literacy (James, O'Neill, & Smyth, 1992; Mathews & O'Donnell, 2018; Napier & Kidd, 2013), the fact that they are required to sign off on statements in English, which are the *de facto* legal documents for their case, is problematic (and see §3.2 below). Indeed, the sign language versions of their statements are not routinely presented to the court. Additionally, misunderstandings regarding the relationship between a source text (here, Irish Sign Language) and a target text (here, English) can lead to situations where the use of a word in the English language documentation is loaded with intention or given weight that did not exist in the source language. The fact that the target text represents the *interpreter's* syntactic and word choices

in English (led by the ISL source language text) is poorly understood and can lead to lines of questioning about specific word choices or lexical formulations, assumed to be the deaf person's when they are, in fact the interpreter's word choices. Such information was surprising to the legal professionals we engaged with. Gardaí with whom we discussed these issues reacted positively to framing interpreting as co-constructed interaction (Wadensjö, 1988), taking away the point that they too have input into the interpreted interaction, and can guide the process best when they better understand how interpreting is operationalised. Together, we explored the issue of bilingual competency, using Gardaí's own personal varying levels of competence with Irish as a point of reference for thinking through the linguistic skill required to interpret effectively in a range of police and court settings.

4.2. Deaf People in the Irish Courts

One of the key concerns raised by professionals working with deaf people (social workers, interpreters, solicitors) whom we interviewed was the fact that initial court hearings typically do not have any interpreter provided. In such circumstances, the deaf person's solicitor must ask the judge to grant permission for an interpreter to be requested via the Courts Service. As a result, such cases are pushed back, causing delay for the deaf party, and lost time for all stakeholders involved, not least a cost to the exchequer.

From information provided by the Courts Service we can see that across 2003–15 there were two peaks in interpreting usage (in 2007–10, and again in 2015) (see Figure 3), but we do not know what caused these surges. Now, ahead of the commencement of the ISL Act 2017, we suggest that it would be helpful to consider better mechanisms for capturing demand and supply. Consideration needs to be given to how information about deaf peoples' right to interpreters in legal settings are better communicated to them in ISL. Currently, no information is available in ISL on the Courts Service website or in court buildings (Citizens Information Board, 2018), reinforcing Harold's (2014) view on the phonocentric nature of Irish legal settings.

Between 2003–2015, an estimated 542 days of interpreting was provided. This equals an average of 42 days a year of sign language interpreting (including interpreting agency administration fees³) at all levels of court-based interaction for an estimated 5,000 sign

³ We note that ISL/English interpreting fees have not risen in over ten years, thus allowing for this analysis.

language users. No figures are available for requests that were made but not filled (see also Citizens Information Board, 2018). Similarly, there is no breakdown detailing what sign language was required (Irish Sign Language, British Sign Language and International Sign have all been used in court cases in Ireland over the past five years). Similarly, the data does not capture the frequency of recruitment of Deaf Interpreters (DIs), though we know that they too have worked in Irish courts across the past five years. This leaves us with many questions around how provision is mapped to demand.

Year	Spend	Days (on basis of daily rate of €300)	With 20% agency admin fee included
2003	4402.75	15	12
2004	6400.38	21	18
2005	5011.35	17	14
2006	5536.18	18	15
2007	25075.52	84	70
2008	38743.35	129	108
2009	29522.71	98	82
2010	27479.22	92	76
2011	5602.02	19	16
2012	5856.37	20	16
2013	3932.56	13	11
2014	6700.98	22	19
2015	30469.10	102	85

Figure 3: Courts Service Spend on Sign Language Interpreting in Ireland

There have been a number of cases involving deaf parties as accused persons that have been reported on by the media in recent years. Here, we reference two cases from 2016 which we had the opportunity to observe in part; they illustrate the confluence of seeming lack of awareness around how to engage with deaf signers, and/or lack of availability of Irish Sign Language/English interpreters, coupled with a lack of reflection on the legal obligations of some members of An Garda Síochána and other legal stakeholders vis-à-vis deaf signers in the criminal system.

In May 2016, the Donegal Daily reported that 42 year old Gerard Doherty, had a drink driving conviction overturned after claiming he could not understand Gardaí following his arrest (Donegal Daily, 2016). Initially, Mr. Doherty was found guilty of the offence at Letterkenny District Court, having been found to be three times over the legal limit. Judge John O'Hagan said that while he believed the arrest was valid there was a “puff of smoke” over the case. He noted that it was clear Gardaí had tried their very best to get a sign language interpreter and when they had not been able to secure one, they had tried to deal with Mr Doherty using gesture and writing notes to him. However, the court heard that neither Garda had had any training around working with a deaf signer. While the Gardaí wrote a number of messages for Mr. Doherty, the caution was not written for him. Further, Mr. Doherty's barrister, Peter Nolan, argued that Mr. Doherty's “first language is sign language. He is basically illiterate in English and he did not, and could not, understand what was happening.” (Donegal Daily, 7 May 2016). In delivering his decision, Judge O'Hagan said that while citizens using Letterkenny Garda Station were met with signs offering them a service in Irish there was none offering sign language facilities. He noted that despite there being evidence that the Gardaí had gone to great lengths to get across the information to Mr Doherty “it is clear that on occasion [...] he did not understand” everything that was going on. Given this, the judge said, “I feel to convict on the evidence would be dangerous.” He went on to note that he had “... a suspicion about the case but a suspicion is not good enough.” (Ibid.).

In a second case, also in county Donegal, John McGrotty, a 65-year-old man, was banned from the county for harassing a neighbouring family (Harkin, 2016). The Irish Examiner reported that for an earlier court sitting, no interpreter was available (Maguire, 2016), and it also became known that no interpreter/s were provided for him at Garda interview stage in 2014 and 2015, or at earlier stages of the court process. In this instance, Mr. McGrotty, who had pleaded guilty a few days prior, was later brought to Falcarragh District Court after his neighbours, Dara and Eimear McEniff, complained of further harassment. The judge asked if Mr McGrotty's solicitor or social worker could communicate with him via written language. They responded that they could not because Mr McGrotty's English language literacy is poor. This left Mr McGrotty in a position where he could not follow the May 18th hearing in any meaningful way and was not able to provide any evidence in his own defence. Yet, at that sitting, Mrs. McEniff was allowed to give evidence. Judge Paul Kelly could have routinely adjourned the case. However, he did not. Instead, he advised Mr. McGrotty that he

could be remanded in custody or stay away from Donegal until his sentencing hearing, scheduled for the following month (Cradden, 2017).

In both cases, the lack of awareness on that part of the police and courts around what is required to facilitate participation in one's legal proceedings is not consistent with the principles of justice in affording equity and fairness when an accused individual is unable to participate in one's own case and what that means for natural justice. Against this backdrop, in June 2016, TD⁴ Clare Daly asked then Minister for Justice and Equality, Frances Fitzgerald, if she intended to introduce legislation to provide that where an ISL interpreter cannot be present for a court hearing involving a deaf defendant, the proceedings must be suspended until an interpreter is present. The Minister responded, noting that, "the courts are subject only to the Constitution and the law, independent in the exercise of their judicial functions, and the conduct of any case is a matter entirely for the presiding judge." (Parliamentary Question No. 100, 8 June 2016). She went on to note that:

"every effort is made to source interpreters when required by the courts. However, this cannot always be guaranteed as sign language interpreting and, in particular, Irish Sign Language interpreting is a very specialised skill. Despite the best efforts of Courts Service staff, an interpreter may not always be available at short notice and, in these instances, a case is generally put back to a later date to allow more time to arrange a sign language interpreter." (ibid.)

The Minister also noted that there was work ongoing with respect to a new Disability Inclusion Strategy that sought to respond credibly to the issues raised, including making a real difference in relation to facilitating the use of ISL and ensuring that public bodies provide ISL users with interpretation when availing of their statutory services. Now that the ISL Act 2017 is in place, and the UNCRPD has been ratified, there are further drivers of change in place, legally. However, it remains to be seen how implementation will be managed, monitored and appraised in these spheres.

⁴ TD means "Teachta Dála", or member of the Irish house of parliament. See: <https://www.oireachtas.ie/en/visit-and-learn/how-parliament-works/dail-eireann/> (accessed 30 June 2020).

4.3. Deaf People in Irish Prisons

Deaf people also engage with the prison system yet almost nothing is known of their experience in that context. Thus, in early 2019, a questionnaire was circulated to eleven service providers, including the Irish Prison Service to explore a range of questions around deaf prisoners. Responses were received from three (Flynn, 2019). A further four individuals from a range of organisations who work in some capacity with deaf people in prisons were interviewed. Additionally, data available in the public domain following from parliamentary questions relating to the situation of deaf people in Irish prisons was examined. For example, Clare Daly, TD asked the Minister for Justice and Equality to advise on the number of ISL interpreting hours provided to the Irish Prison Service in each of the years 2015-18 (Parliamentary Question 482, 15 January 2019). The Minister responded on 12 March 2019, noting that this information is not recorded centrally, and thus had to be collated manually. He went on to provide detail of the number of hours of interpreting that had been contracted for by Irish prisons between 2015 and 2018 inclusive (Parliamentary Question 193, 15 March 2019).

Analysis of these figures indicates the relative lack of interpreter provision within Irish prisons. Cross-referencing the figures provided by the Minister for Justice and Equality with data from the 2016 Census, we found that there were 69 prisoners recorded in the 2016 Census with “Deafness or a serious hearing impairment” (Central Statistics Office (CSO), 2016) (see also Flynn, 2019). Following Conama (2008) we apply the general rule of thumb that some 10% of the population of deaf and hard of hearing people will be Irish Sign Language users, suggesting some 6 or 7 prisoners in the system may be ISL users. The Minister for Justice and Equality advised the Dáil that in 2016, 25 hours of Irish Sign Language interpreting were provided in the Irish Prison Service (Figure 4). Flynn (2019) reverse engineered this figure to evaluate how many days of interpreting this would roughly equate to. Bearing in mind that sign language interpreters in Ireland are booked for either a half or a full day (i.e. a one-hour booking is treated as a three-hour half-day assignment) (Trinity College Dublin, 2016), these figures lead us to estimate that interpreting was provided for approximately 4 days or 8 half-days (or part thereof) of interpreting across 2016 for those estimated 6 or 7 prisoners. If this is reflective of the actual situation of deaf people in Irish prisons, then these figures suggest that deaf prisoners are linguistically isolated for most of their time in prison. Without recourse to further detail, it is impossible to say what kinds of events interpreters were booked for, but it seems highly unlikely (given the number

of hours booked annually across the period referenced) that any deaf prisoner was facilitated in accessing educational programmes where interpretation was provided. The lack of interpreting provision coupled with the lack of trained personnel within the Irish Prison Service who are fluent in Irish Sign Language, suggests that deaf prisoners are functionally linguistically isolated from their fellow inmates, which further isolates them, adding a significant penalty for them in contrast to their hearing peers as they serve out their prison sentences. This is certainly at odds with the requirements of the UNCRPD and the Equal Status Act (2000).

Year	No of Hours
2015	9
2016	25
2017	13
2018	32

Figure 4: ISL Interpreting Provision in the Irish Prison Service 2015-18

(Source: Parliamentary Question 482 of 15 January 2019,

<https://www.oireachtas.ie/en/debates/question/2019-03-12/193/> (Accessed 31 August 2019))

The Equal Status Act 2000 states that a person cannot be discriminated against on the basis of disability (Government of Ireland, 2000). However, there seems to be some increasing awareness in the system regarding the need for action in this regard. In January 2019, responding to a parliamentary question from Claire Daly, TD, the Minister for Justice and Equality, Charles Flanagan, noted that the Irish Prison Service had facilitated a 10-week Quality and Qualifications Ireland (QQI) level 3 Irish Sign Language training course in Mountjoy Prison during 2018. He reported that this course was delivered by the Irish Deaf Society and completed by 12 Irish Prison Service staff.

It is important to note that while a very welcome development, such an introductory course is not sufficient to develop more than basic interactive communicative skills. Meaningful communication requires greater skill development, and we suggest that further attention must be given to the linguistic access of deaf sign language users in prison, and in particular the provision of appropriate interpreting services. The Minister added that, since June 2018, the Irish Prison Service has commenced recording data from committal interviews on the

Prisoner Information Management System, including details of whether interpretation, including Irish Sign Language, is requested by the prisoner. He also noted that between the introduction of this electronic system in June 2018 and his response to the Dáil in March 2019, there had been no recorded instances where a prisoner sought the assistance of an Irish Sign Language interpreter on committal to prison (Parliamentary Question 193, 12 March 2019). The situation of those already incarcerated is unknown, though we concur with the DeafHear.ie (now Chime) 2015 submission to the Irish Human Rights and Equality Commission:

Deaf and Hard of Hearing people who are given a custodial sentence are extremely isolated and have little or no access to communication in prison. A small number of Deaf people have been given custodial sentences, but while in prison, not only is their liberty taken from them, but they have virtually no opportunity to communicate while in prison. This is both inhumane and a denial of a basic human right. Prisoner supports, such as counselling and educational services, are not accessible to Deaf prisoners because the Irish Prison Service does not provide Deaf prisoners with access to interpreters for these services. This is also an equality issue. (DeafHear.ie 2015, p. 3.)

Our sampling, whilst limited, suggests that there remains a varying level of knowledge among prison governors and prison management about the access deaf prisoners have/should have within Irish prisons (Flynn, 2019). One respondent to our questionnaire likened a prisoner's deafness to other restrictions prisoners have imposed on them. They suggested that deafness was akin to a prisoner who is 'on protection', who would not be allowed access to educational service. Another respondent acknowledged that deaf prisoners have access to services provided as long as "sign language is not a must", which functionally excludes deaf signers. This contrasts with the Deaf and Hard of Hearing Prisoners Policy Document which states that "for Deaf prisoners who are sign language users, sign language interpreters will be sought as required to access prisoner educational and counselling services" (Irish Prison Service 2014, p. 2). It seems clear that this policy requires oversight to ensure that provision is made where required to facilitate equality of access for deaf prisoners who are sign language users. Lack of communication was highlighted by interviewees from NGOs as the most serious issue leading to feelings of isolation and placing the deaf prisoner at risk of violence within the prison.

5. Conclusions

Our overarching finding is that there are a series of gaps in the interface between the Irish legal system and deaf signers that need to be filled. Some are systemic: procurement processes must ensure that adequately trained interpreters are provided; the dispersed, localised manual recording of requests for interpreting and the lack of any centralised point for capturing requests and provision, languages required, and any issues arising is highly concerning. This seems to be repeated across the system, and collectively provides a vacuum within services, and across services. Good practice is often achieved because individual police or prison officers, solicitors, or other stakeholders in the legal system, recognise the linguistic and cultural differences of deaf people, but this is not happening systemically in spite of the existence of legal instruments and institutional policies that require consideration of ISL users. While interpreters are often provided in Garda stations and the courts, this is not always the case, and we do not have a clear picture of what the reality of the situation is, or if there are urban-rural divides in this regard, arising from lower rates of availability of interpreters in some regions, for example. In prison settings, while there are policies in place that allow for interpreting provision, it is unclear how they are communicated to prisoners and prison staff to ensure that take up is possible. We also do not know how frequently an interpreter is requested but denied, and what the reasons for denial of provision might be.

Other systemic gaps we can point to are the lack of any Irish statutory or voluntary register of legal interpreters (of spoken and/or signed languages) or apparent government intention to establish same (despite Article 5, Par. 2 Directive 2010/64/EU), although a generic register of ISL interpreters is in the process of establishment under the provisions of the ISL Act, under the auspices of the Sign Language Interpreting Service (SLIS).

Given these factors, it is currently virtually impossible to make any needs assessment that is built on reliable facts and figures. This, in turn, allows for an environment that may seem like deaf signers are accessing the justice system, but they are not gaining equal access to that system as their hearing peers. The seeming lack of any quality review of practices in this regard, including the absence to date of any empirical analysis of sign language interpreting in police or court settings is extremely worrying. The current situation renders evidence-led practice almost impossible.

Looking forward, there is a need to build corridors between the silos. There is a need to ensure training for legal stakeholders around their legal obligations with regard to linguistic access for deaf signers in Ireland, and preparatory work to ensure that the legal system is ready to respond once the ISL Act 2017 is commenced in December 2020. There is also a need to facilitate the participation of legal stakeholders in focused continuous professional training that includes interpreters and deaf people to maximise cross-disciplinary engagement and the development of protocols that are both functionally desirable and legally viable.

When it comes to the provision of interpreting, we would add that stakeholders (booking parties, Gardaí requesting interpreters, Courts Service, etc.) require guidance regarding what constitutes ‘fitness to practice’ for interpreting (and indeed, around other accommodations) in legal settings. Further, we would recommend that a review of current processes around the documentation of source language content in police and court settings be considered, particularly where that source language is a sign language.

Across Europe and here in Ireland, there is a general lack of formal training for interpreters wishing to work in legal settings (Napier & Haug, 2015; Phelan & Leeson, 2016). There is also a lack of awareness on the part of key gatekeepers regarding deafness, with the need for education and training for stakeholders. We note that the Justisigns project has developed a suite of open access materials that aim to bridge this gap (see www.justisigns.com), but additional, joined-up thinking is required to systematically shore up the systems gaps and knowledge gaps that we have laid out here.

Finally, a key missing piece in the puzzle is research-led practice. It behoves us to look at practice, to analyse that systematically, and generate better approaches to the tasks at hand. To do this, a commitment to supporting and facilitating research in police, court and prison settings is required.

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References

- Baker, M. (1992). *In other words: a coursebook on translation*. London: Routledge.
- Brennan, M. (1999). Signs of Injustice. *The Translator*, 5(2), 221–246.
- Brennan, M., & Brown, R. (1997). *Equality before the law : deaf people's access to justice*: University of Durham, Deaf Studies Research Unit.
- Central Statistics Office (CSO). (2016). *Databases*. Retrieved from <https://www.cso.ie/en/index.html>
- Citizens Information Board. (2018). *Information Provision and Access to Public and Social Services for the Deaf Community*. Retrieved from Dublin: http://www.citizensinformationboard.ie/downloads/social_policy/Deaf_Community_Research_Rpt_Feb2018.pdf
- Colin, J., & Morris, R. (1996). *Interpreters and the Legal Process* Winchester: Waterside Press.
- Conama, J. B. (2008). *Evaluation Of Signing Information Mid-West*. Limerick: Paul Partnership.
- CC20 - Use of cameras and electronic devices in court, CC20 C.F.R. (2018). Courts Services Ireland (2018). CC20 - Use of cameras and electronic devices in court. Dublin: Courts Services Ireland. <http://www.courts.ie/Courts.ie/Library3.nsf/16c93c36d3635d5180256e3f003a4580/d4108a13c8522acc8025834a003a8fcc?OpenDocument>
- Cradden, J. (9 June 2017). Deaf have human interpreter in court. *Village. Ireland’s Political and Cultural Magazine*.

DeafHear.ie. (2015). *DeafHear Submission to Irish Human Rights and Equality Commission on the development of the IHREC Strategy Statement 2016-2018*. Retrieved from Dublin:

<http://www.deafhear.ie/DHFiles/docs/DeafHear%20IHREC%20Submission%20Oct%202015.pdf>

Donegal Daily. (7 May 2016). Deaf Man Three Times Over Limit Has Drink-Drive Conviction Over-Turned. *Donegal Daily*,. Retrieved from

https://www.donegaldaily.com/2016/05/07/deaf-man-3-times-over-limit-has-drink-drive-conviction-over-turned/?fbclid=IwAR0ankN2A03tNTRe7ZVcc53fHeuFl_QmenSaCoJ_XAOUmZcj7eQhOkHV30Q

Dudis, P. (2004). Body partitioning and real-space blends. *Cognitive Linguistics*, 15(2), 223–238.

Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings, Directive 2010/64/EU of the European Parliament and of the Council C.F.R. (2010).

Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA, Directive 2012/29/Eu of the European Parliament and of the Council C.F.R. (2012).

Fauconnier, G. (1985). *Mental spaces : aspects of meaning construction in natural language*. Cambridge, Mass: MIT Press.

Flynn, S. (2019). *Do Deaf Prisoners have Equal Access to Services as Hearing Prisoners in the Irish Prison System?* . (Bachelor in Deaf Studies (Bt.St. Su.)), Trinity College Dublin, Dublin.

Government of Ireland (2000). Equal Status Act 2000.

<http://www.irishstatutebook.ie/eli/2000/act/8/enacted/en/html>

Government of Ireland (2017). Irish Sign Language Act.

<https://beta.oireachtas.ie/en/bills/bill/2016/78/>

Harkin, G. (2016, 19 May 2016). Deaf man banned from Donegal for harassing family. *Independent.ie*. Retrieved from <https://www.independent.ie/irish-news/courts/deaf-man-banned-from-donegal-for-harassing-family-34728437.html>

Harold, G. (2014). Access to justice for Deaf victims of crime: Exploring the socio-spatial side of justice. Retrieved from

<https://blogs.ucc.ie/wordpress/ccjhr/2014/11/27/access-justice-deaf-victims-crime-exploring-socio-spatial-side-justice/>

- Hertog, E. (Ed.) (2001). *Aequitas: Access to Justice across Language and Culture in the EU*. Antwerp: Lessius Hogeschool.
- Hertog, E. (Ed.) (2003). *Aequalitas: Equal Access to Justice across Language and Culture in the EU. Grotius Project 2001/GRP/015*. Antwerp: Lessius Hoogeschool.
- Irish Prison Service (2014). *Deaf and Hard of Hearing Prisoners Policy document*.
- James, T., O'Neill, E., & Smyth, J. (1992). *Reading Achievements of Children with Hearing Impairments*. Retrieved from Dublin and Jordanstown:
- Janzen, T., Shaffer, B., & Leeson, L. (2016). *The Proximity of Grammar to Gesture: Stance-taking in American Sign Language and Irish Sign Language Constructions*. Paper presented at the 7th Conference of the International Society for Gesture Studies, Paris, France.
- Janzen, T. D., & Shaffer, B. (2008). Intersubjectivity in Interpreted Interactions: The Interpreter's Role in Co-Constructing Meaning. In J. Zlatev, T. P. Racine, C. Sinha, & E. Itkonen (Eds.), *The Shared Mind*, pp. 333–355. Amsterdam: John Benjamins.
- Leeson, L. (2005). Making the Effort in Simultaneous Interpreting: Some considerations for signed language interpreters. In T. Janzen (Ed.), *Topics in Signed Language Interpreting*, pp. 51–68. Amsterdam and Philadelphia: John Benjamins.
- Leeson, L., Janzen, T., & Shaffer, B. (2015). *I SEE What You Mean: Visual Conceptualization in Spoken and Signed Language Interpreters*. Paper presented at the ICLC 13, University of Northumbria, Newcastle.
- Leeson, L., Napier, J., Skinner, R., Lynch, T., Venturi, L., & Sheikh, H. (2017). Conducting research with deaf sign language users. In J. McKinley & H. Rose (Eds.), *Doing Research in Applied Linguistics: Realities, Dilemmas and Solutions*, pp. 134–145. London: Routledge.
- Leeson, L., & Saeed, J. (2007). Conceptual Blending and the Windowing of Attention in Irish Sign Language. In M. Vermeerbergen, L. Leeson, & O. A. Crasborn (Eds.), *Simultaneity in Signed Languages*, pp. 55–73. Amsterdam and Philadelphia: John Benjamins.
- Leeson, L., & Saeed, J. (2012). *Irish Sign Language*. Edinburgh: Edinburgh University Press.
- Leeson, L., Shaffer, B., & Janzen, T. D. (2017a). *Blended Space and Co-construction of Meaning in Simultaneous Signed Language Interpreting*. Paper presented at the International Pragmatics Association, Belfast, Northern Ireland.

- Leeson, L., Shaffer, B., & Janzen, T. D. (2017b). "Let me describe sleep in space". *Leveraging Visual Conceptualization for Interpreting Practice*. Paper presented at the International Symposium on Signed Language Interpretation and Translation Research, Gallaudet University, Washington DC.
- Liddell, S. K. (2003). *Grammar, gesture, and meaning in American Sign Language*. Cambridge: Cambridge University Press.
- Maguire, S. (2016, 19 May 2016). Deaf Man told to stay out of county over harassment of family. *Irish Examiner*.
- Mason, M. (2008). *Courtroom Interpreting*. Lanham, MD: University Press of America.
- Mathews, E., & O'Donnell, M. (2018). *Reading and Deaf and Hard of Hearing Pupils in Mainstream Education*. Dublin: Catholic Institute for Deaf People, Chime, and the Irish Deaf Society.
- Miller, K., R. (2004). Linguistic Diversity in a Deaf Prison Population: Implications for Due Process. *Journal of Deaf Studies and Deaf Education*, 9(1), 112–119. doi:10.1093/deafed/enh007
- Miller, K., R. , & McCay, V. (2001). Linguistic Diversity in Deaf Defendants and Due Process Rights. *Journal of Deaf Education and Deaf Studies*, 6(3), 226–234.
- Miller, K., R., & McCay, V. (2002). Assessing Linguistic Diversity in Deaf Criminal Suspects. *Sign Language Studies*, 2(4), 380–390.
- Mulayim, S., Lai, M., & Norma, C. (2015). *Police Investigative Interviews and Interpreting: Context, Challenges and Strategies*. Boca Raton, London and New York: CRC Press, Taylor and Francis Group.
- Napier, J. (2006). Interpreting omissions: A new perspective. *Interpreting*, 6(2), 117–142.
- Napier, J., & Haug, T. (2015). *JUSTISIGNS -A European overview of sign language interpreting provision in legal settings*. Retrieved from Dublin: <http://www.justisigns.com/downloads/report2016.pdf>
- Napier, J., & Kidd, M. R. (2013). English literacy as a barrier to health care information for deaf people who use Auslan. *Australian Family Physician*, 42(12), 896–899.
- Napier, J., & Spencer, D. (2008). Guilty or Not Guilty? An Investigation of Deaf Jurors' Access to Court Proceedings Via Sign Language Interpreting. In D. Russell & S. Hale (Eds.), *Interpreting in Legal Settings*, pp. 72–122. Washington DC: Gallaudet University Press.
- Napoli, D. J., & Leeson, L. (2020). Visuo-spatial construals that aid in understanding activity in visual-centered narrative. *Language, Cognition and Neuroscience* 35 (4) 440–465.

- National Consortium of Interpreter Education Centers (NCIEC). (2014). *Institute for Legal Interpreting Highly Effective Court Interpreting Teams in Action Workbook*. Colorado: University of Northern Colorado- Mid-America Regional Interpreter Education Program (UNC-MARIE Center).
- Nilsson, A.-L. (2010). *Space in Swedish Sign Language: Reference, Real-Space Blending, and Interpretation*. (PhD), Stockholm University Press, Stockholm.
- Parliamentary Question 100. 8 June 2016. [14414/16]
<http://www.justice.ie/en/JELR/Pages/PQ-08-06-2016-100> [Last accessed 30 June 2020].
- Parliamentary Question 482 of 15 January 2019. [1604/19].
<http://www.justice.ie/en/JELR/Pages/PQ-15-01-2019-482> [Last accessed 30 June 2020].
- Parliamentary Question 193. 15 March 2019. [11732/19].
<https://www.oireachtas.ie/en/debates/question/2019-03-12/193/#pq-answers-193>.
- Phelan, M. & Leeson, L. (2016). *The Challenges of Interpreter Provision in Legal Contexts*. Paper presented at the Annual District Court Conference organised by the Committee for Judicial Studies. 13 May 2016.
- Potterveld, T. (2012). *Law Enforcement Interpreting for Deaf Persons*. Alexandria, VA: RID Press.
- Russell, D. (2002). *Interpreting in Legal Contexts: Consecutive and Simultaneous Interpretation*. Burtonsville, MD: Sign Media.
- Russell, D., & Hale, S. B. (2008). *Interpreting in legal settings*. Washington, D.C.: Gallaudet University Press.
- S.I. No. 564 of 2013 European Communities Act 1972 (Interpretation and Translation for Persons in Custody in Garda Siochana Stations) Regulations (2013).
- S.I. 565/2013 European Communities Act 1972 (Interpretation and Translation in Criminal Proceedings) Regulations (2013).
- Snellman, P. (2016). Constraints on and dimensions of military interpreter neutrality. *Linguistica Antverpiensia, New Series: Themes in Translation Studies*, 15, 260–281.
- Trinity College Dublin (2016). *Trinity College Dublin Guidelines for provision of and working with Irish Sign Language Interpreters*.
https://www.tcd.ie/disability/assets/doc/pdf/Guidelines_for_ISL_in_Trinity_2015-2018.pdf [Last accessed 30 June 2020].

United Nations. (2006). *Convention on the Rights of Persons with Disabilities*. New York:

United Nations Retrieved from

<http://www.un.org/esa/socdev/enable/rights/ahc8adart.htm>.

Wakeland, E., Rose, J., & Austen, S. (2019). Professionals' experience of Deaf offenders with mental health difficulties. *American Annals of the Deaf*, 164(1), 137–157.