Professional Jurisdiction: an Exploration of the Police Experiences in Taking Indigenous Witness Statements

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ABSTRACT

Research shows that the inaccurate translation of indigenous witness statements is a global phenomenon. This study was conducted to gain a better understanding of this phenomenon by exploring the experiences of South African Police Service (SAPS) members in taking indigenous witness statements. Using a qualitative method, interview schedules were administered to eighteen (18) SAPS members from nine Community Service Centres (CSC) in a township in the Gauteng province. Ethical considerations and measures of trustworthiness were applied to the study. Data were analyzed using Atlas.ti. The results showed that a majority of SAPS members reported there were no translators stationed at the designated CSCs, so they collaborated with colleagues to transcribe the indigenous witness statements into English. Five dominant themes emerged from the most regularly repeated responses: "skills," "collaboration," "resources," "duration," and "language." The Theory of Performance (ToP) was used to articulate these themes. Findings indicated that the SAPS members' levels of performance were influenced by their skills, available resources, time, and their collaboration in overcoming language challenges when transcribing indigenous witness statements. The conclusion drawn from this study is that the lack of translators at CSCs impacts the accuracy of indigenous witness statement translations, which is mitigated by the collaboration and skills of SAPS members. This research contributes to understanding the challenges faced in the translation process of indigenous witness statements and highlights the importance of providing adequate resources and training to improve police performance in this context.

Key words: Occupation, Performance, Translator, Witness Statements

INTRODUCTION

The International covenant on civil and political Rights was adopted by the United Nations General Assembly (UNGA) on 19 December 1966. The right to provide evidential statements in the CJS is protected by Article 19 of this treaty. Section 2 of Article 19 provides as follow:

"Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice." (United Nations, 1966).

Traditionally, witnesses provide their accounts at two stages of the criminal justice process: initially during the investigation and later when testifying in court (Westera et al., 2022). In the US, guidelines have been established to ensure a clear and documented process for transcribing and translating intercepted speech when used as evidence (Gilbert & Heydon, 2021). Meanwhile, in the UK, the Home Office has developed guidelines for using interpreters in criminal investigations that involve transcription, although these guidelines are not publicly accessible and are classified as sensitive (Home Office, 2021, as cited in Gilbert & Heydon, 2021). Transcription translation remains an area that is not uniformly regulated in courts nationwide (NAJIT, 2009, as cited in Gilbert & Heydon, 2021).

The South African legal framework provides guidelines for the taking of statements from victims and witnesses. However, these guidelines do not specify requirements for transcript translations. For example, the first statements of complainants or witnesses must be written in the case docket (SAPS

3M) (Adonis, 2024). The SAPS National Instruction 22/1998 states that the "victim statement must be comprehensive" and includes a checklist of 77 details that a police officer should include in a victim's statement (Viljoen, 2018). According to the Learner's Guide, a well-planned and structured statement consists of three parts: the preamble, the content, and the ending (SAPS, 2013, as cited in Viljoen, 2018). The preamble consists of biographic information and contact details of the victim, and the content contains the facts of the event or type of crime reported. The end of the statement involves the police officer summarizing the statement, explaining the criminal justice process to the victim, and informing the victim of what can be expected during the various steps of the criminal justice process (SAPS, 2013, as cited in Viljoen, 2018).

Translation and interpretation are delicate processes, making it crucial to select the correct words and express them accurately in the target language to avoid potential translation errors (Koksal & Yuruk, 2020). In fields such as technical, medical, legal, and academic work, the accuracy of translation largely depends on the translator's experience and knowledge. Hence, it is essential to assign texts and projects to interpreters who specialize in the relevant areas (Koksal & Yuruk, 2020). Apart from terminology, inexperienced interpreters and simultaneous interpretation can also cause translation errors. In regards to inexperienced interpreters, if inexperienced interpreters are involved in interpreting, many mistakes are inevitable, and they may cause a significant crisis. An interpreter's crises may be created during a simultaneous translation when there is a lack of legal terminology (Koksal & Yuruk, 2020).

Simultaneous interpretation presents linguistic and cognitive challenges (Allan, Johnson, McClave, & Alvarado-Little, 2020). In an example of simultaneous interpretation, the patient speaks (or signs) in their source language, and the interpreter speaks (or signs) what is being said in the target language for the health provider (Allan et al., 2020). In formal presentations, such as a conference, the speaker might use a publicly transmitted channel, and the interpreter might use a private channel that can be heard only through earphones (Allan et al., 2020). Consecutive interpretation can be more precise and accurate than simultaneous interpretation because it gives the interpreter more time to seek an appropriate rendering and does not involve the cognitive challenge of understanding and rendering two tasks at one time (Allan et al., 2020). Deliberate distortion and misunderstanding of words during simultaneous translation of a speech cause inaccurate translations (Koksal & Yuruk, 2020).

The production of a written statement involves the interviewer, both deliberately and inadvertently, filtering the information generated by the witness during the interview and deciding what should and should not be included in the statement (Westera et al., 2022). This cognitive demand makes it susceptible to distortion at many stages, resulting in an abridged and often inaccurate version of what was said during the interaction (Milne et al., 2022). Institutions should be cautioned against the consequences of role ambiguity, which can be addressed by role clarity. Role clarity is the degree to which required information is provided about how the employee is expected to perform his or her job (Rizzo et al., 1970, as cited in Thangavelu & Sudhahar, 2017). The International Labour Organisation (ILO) guidelines on international standard classification of occupations (ISCO) can mitigate role ambiguity in any context (ILO, 2012).

The Social Global Studies Centre established that in some instances translated English version of sworn statements were inaccurate translations of the witness statement (Gilbert & Heydon, 2021). In some cases, information was omitted resulting in material inconsistencies (Gilbert & Heydon, 2021, p. 7). Ralarala (2015) and Oosthuizen (2013), Gilbert and Heydon (2021) provide some explanations for the inaccurate translation of some witness statements recorded by the SAPS members either at the Community Service Centres (CSC) commonly referred to as police stations, or by members of the Detective Service. The SAPS Police Act members are not accredited with the necessary credentials to perform translator functions, and this explains the inaccuracies of translated witness statements (Ralarala, 2015, p. iii). CSCs personnel also lack the knowledge and skills to record complaints/witness statements properly (Oosthuizen, 2013, p. 41). Research findings suggest that the literacy event of taking a statement is a complex process for which officers may not have been sufficiently trained (Fikilepi, 2015 cited in Adonis, 2019, p. 16). The identified challenges impact on judicial processes. A study examining the language capacities of community translators and interpreters undertaking this work for law enforcement agencies found that the Vietnamese-to-English translated transcripts presented for use in drug-related trails contained frequent and significant errors that distorted evidence used to prosecute organised crimes (Gilbert & Heydon, 2021, p. 1).

Qualitative research questions are more "open-ended, evolving, and non-directional" (Onwuegbuzie & Leech, 2006, as cited in Venkatesh, Brown, & Sullivan, 2016, p. 441). This study has two primary research objectives: first, to establish if SAPS members transcribe witness statements from indigenous languages to English, and second, to determine if SAPS members experience problems when transcribing witness statements from indigenous languages to English. From these objectives, four research questions were formulated. The questions corresponding to the first objective are: "What languages do you use to transcribe an indigenous witness statement?" and "When taking an indigenous witness statement, do you use language translators to interpret the message before transcribing it into English?" For the second objective, the questions are: "In your view, what are the primary challenges SAPS members face when transcribing indigenous witness statements to English?" and "Describe the types of challenges you have experienced when transcribing witness statements from indigenous languages to English?" These questions aim to explore the experiences and challenges faced by SAPS members in accurately transcribing witness statements.

The term "methodology" broadly refers to the research design, methods, approaches, and procedures utilized in a well-organized investigation aimed at discovering specific information (Keeves, 1997, as cited in Kivunja & Kuyini, 2017, p. 28). This phenomenological research design sought to investigate the process of taking witness statements, determine whether SAPS members transcribe indigenous witness statements into English, and identify any challenges they may encounter during this process. Purposive sampling, also known as judgment sampling, was employed. This non-random method involves intentionally selecting participants based on specific qualities they possess, which is a common practice in qualitative research for identifying and choosing cases rich in information to make the best use of available resources (Etikan, Musa, & Alkassim, 2016, p. 2). The study was conducted in Soweto, a township in Gauteng, targeting uniformed SAPS members working at one of nine police stations or community service centers (CSC) in Soweto, including SAPS Moroka, Meadowlands SAPS, Jabulani SAPS, Dobsonville SAPS, Diepkloof Zone 1 SAPS, SAPS Kliptown, Orlando SAPS, SAPS Protea Glen, and Naledi SAPS. The research sample included eighteen SAPS members, with two participants selected from each CSC, based on criteria such as age (18 to 65 years), race (Black), and employment status (permanently employed in the SAPS). Ethical considerations for involving human participants included ensuring voluntary participation, confidentiality, and anonymity. The study adhered to the Protection of Personal Information Act (POPIA) (No. 4 of 2013), ensuring that the information collected was used exclusively for research purposes, remained confidential, and participants were informed that there would be no negative consequences or financial incentives for their participation (Mozersky et al., 2020). Formal consent was obtained from participating institutions. Data collection methods involved qualitative interviews using a schedule administered during face-to-face interviews, aimed at understanding the meaning of the interviewees' responses (King & Hugh-Jones, 2018). The interview schedule included sections on demographics and research questions exploring the SAPS members' experiences in taking witness statements. Data analysis involved thematic content analysis (TCA) conducted using Atlas.ti software, a Computer Assisted Qualitative Data Analysis Software (CAQDAS) program (Saldana, 2021, p. 31), and entailed dismantling, segmenting, and reassembling data to form meaningful findings and draw inferences (Boeije, 2010, as cited in Wahyuni, 2012, p. 75). Strategies to ensure trustworthiness included credibility, dependability, confirmability, and transferability, with specific strategies such as prolonged engagement, persistent observation, triangulation, member checks, and audit trails to ensure these criteria were met (Lincoln, 1995, as cited in Kuyini & Kivunja, 2017, p. 34; Korstjens & Moser, 2018, p. 121).

Literature Review
Theoretical and conceptual background

There are claims that English is overvalued and the use of African languages undervalued (Makoe & McKinney, 2009, as cited in Adonis, 2019, p. 18). Some theorists have highlighted the need to understand reading and writing in the context of social, cultural, political, and economic practices in which they are embedded (Adonis, 2019, p. 3). The challenging literacy requirements are evident in the SAPS context. A case in point is the English-centered approach in the use of all official documents despite SAPS language policy claiming "functional multilingualism" (Government Gazette, 2016, as cited in Adonis, 2019, p. 2). English is evidently the only official language used by SAPS in all forms of

communication in their paper trail, despite the aim of the language policy of the "service" claiming to facilitate "functional multilingualism" (Government Gazette, March 8, 2018, as cited in Adonis, 2019, p. 46). In a study on workplace literacy practices of clerks in the SAPS, it was established that some clerks had to write the affidavits of clients who were either reluctant to write their own affidavits or were unable to write in English and Afrikaans (Adonis, 2019, p. 45).

If multilingualism is not integrated into other semiotic practices that encompass both historical and contemporary communication within security, it risks remaining on the margins of police communication (Makoni, 2017, p. 1). Research indicates that the use of African languages can enhance workplace productivity (Fengu, 2017). However, if the framework guiding police operations is inadequate, unlawful, or corrupt, the police may become hindered and struggle to perform their duties in a legitimate and professional manner (Whitaker, 2023). Role ambiguity can occur when employees are unclear about the boundaries of their role or which tasks and responsibilities fall within it (Biddle, 1986; Kahn et al., 1964, as cited in Ebbers & Wijnberg, 2017, p. 1345). This ambiguity can be particularly problematic when it relates to occupational jurisdiction, where uncertainty exists about which occupational group has the knowledge, authority, or legitimacy to oversee the execution of certain tasks (Bechky, 2003, as cited in Ebbers & Wijnberg, 2017, p. 1347). Role ambiguity can cause negative effects (Ebbers & Wijnberg, 2017, p. 1347). Discrepancies between the formal job description and job expectations cause stress (Ebbers & Wijnberg, 2017, p. 1347), tension in the workplace (Barbouletos, 2011, p. 22), and job dissatisfaction (Rizzo et al., 1970, as cited in Ebbers & Wijnberg, 2017, p. 1345).

Role expectations are simply beliefs about what is required for successful role performance (Downes et al., 2021). Performance is not an independent and self-determining term. It is always related to other concepts and needs to adapt to each new different context or field (Ghalem, Okar, Chroqui, & Alami, 2016, p. 8).

Tatjana Samsonowa (2012) argues that all the different definitions she had to review, in the performance measurement literature, have one common characteristic; they all are related to two terms: effectiveness and efficiency; effectiveness as an indicator of the degree of a goal attainment, and efficiency as an indicator of the resources that were consumed to reach the level of achievement" (Ghalem, Okar, Chroqui & Alami, 2016, p. 3).

Job expectations refer to the set of duties and responsibilities that management expects from an employee, which are typically not communicated to the employee in written form (Barbouletos, 2011, p. 3). These expectations may evolve over time to meet the needs of the company or the preferences of a particular manager (Bonner, Gender & Nagel, 2010, cited in Barbouletos, 2011, p. 3). An organizational role refers to a position within the structure of an organization that comes with a clearly defined set of tasks or responsibilities (House & Rizzo, 1972, cited in Ebbers & Wijnberg, 2017, p. 1344). The literature on role definition explores how individuals perceive the boundaries of their roles within an organization and is often used to differentiate between in-role and extra-role behavior, particularly in the context of organizational citizenship behavior (Morris, 1994; Sluss et al., 2011; Tepper et al., 2001, cited in Ebbers & Wijnberg, 2017, p. 1345). Role definition is sometimes viewed as the initial phase of role crafting, which involves the establishment and subsequent modification of roles within organizations (Sluss et al., 2011, p. 515, cited in Ebbers & Wijnberg, 2017, p. 1345).

It can be argued that institutional role expectation is evident in the SAPS when the police translate indigenous witness statements in the absents of translation credentials and a written expectation of the such a task. The article titled "South African cops need linguistic training urgently" (The conversation, 2020, para 5 and 17) entails role expectations expressed by an academic institution, at the backdrop of ILO guidelines on the classification of occupations. The above mentioned role expectation contradicts the ISCO, especially since the framework defines skills levels and duties for each occupation.

Conceptualisation and Classification of Occupations
International classification of occupations

The International Labour Organisation (ILO) (2012, p. 11) provides guidelines on the international standard classification of occupations, offering a conceptual framework for categorizing various occupations. The design and structure of ISCO-08 are grounded in two primary concepts: "job" and "skill." According to ISCO-08, a job is defined as "a set of tasks and duties performed, or intended to be performed, by an individual, whether for an employer or through self-employment" (ILO, 2012,

p. 11). An occupation, on the other hand, refers to the type of work carried out within a job and is defined as a "set of jobs whose main tasks and duties exhibit a high degree of similarity" (ILO, 2012, p. 11). The term "skill" is described as the capability to execute the tasks and duties associated with a specific job. Additionally, "skill level" is defined as a measure of the complexity and scope of tasks and duties required in an occupation (ILO, 2012, p. 11).

The ISCO defines only four broad skill levels. The definition of the four ISCO-08 skills levels and corresponding occupations are provided below:

1. **Skills level 1:** Occupations at this level typically involve performing simple and routine physical or manual tasks. Many of these jobs may require physical strength and/or endurance. Examples of occupations at skills level 1 include office cleaners, freight handlers, garden laborers, and kitchen assistants (ILO, 2012, p. 12).

2. **Skills level 2:** Jobs at this level generally involve tasks such as operating machinery and electronic equipment, driving vehicles, maintaining and repairing electronic and mechanical equipment, and managing, ordering, and storing information. Most occupations at skills level 2 require the ability to read instructions, record completed work in writing, and perform simple arithmetic calculations accurately. Examples include butchers, bus drivers, secretaries, accounts clerks, sewing machinists, dressmakers, shop sales assistants, police officers, hairdressers, building electricians, and motor vehicle mechanics (ILO, 2012, p. 12).

3. **Skills level 3:** Occupations at this level typically require the performance of complex technical and practical tasks, necessitating a comprehensive body of factual and procedural knowledge in a specialized field (Mofokeng & Aphane, 2022). These jobs generally demand a high degree of literacy and numeracy, along with strong interpersonal communication skills. Examples include shop managers, medical laboratory technicians, legal secretaries, commercial sales representatives, diagnostic medical radiographers, computer support technicians, and broadcasting and recording technicians (ILO, 2012, p. 13).

4. **Skills level 4:** At this level, jobs typically involve tasks that require advanced problem-solving, decision-making, and creativity, all based on an extensive theoretical and factual knowledge base in a specialized area (Mofokeng, 2020, 2022; Mofokeng & Aphane, 2022; Mofokeng & De Vries, 2016). These occupations usually require high levels of literacy and numeracy, as well as excellent interpersonal communication skills. The ability to comprehend complex written material and convey intricate ideas through various media, such as books, images, performances, reports, and oral presentations, is essential. Examples include sales and marketing managers, civil engineers, secondary school teachers, medical practitioners, musicians, operating theatre nurses, and computer system analysts (ILO, 2012, p. 13).

In terms of the International Standard Classification of Occupations (ISCO), police officers are categorised as "protective services workers" and translators, interpreters and other linguists are categorised as "legal, social and cultural professionals" (ILO, 2012, p. 74-78). Protective service workers include firefighters, police officers, prison guards, security guards and protective service workers not elsewhere classified. These occupations are subcategorised under minor group 541, for example police officers are categorised as unit group 5412. The task performance of protective service workers in unit group 541, include:

"Preventing, fighting and extinguishing fires; rescuing people from burning buildings and accident sites and those trapped in dangerous situations; maintaining law and order, enforcing laws and regulations, patrolling public areas and arresting suspected offenders; directing traffic and assuming authority in the event of accidents; watching over and maintaining order among inmates of prisons, reformatories or penitentiaries; patrolling or monitoring premises to guard against property theft and vandalism, controlling access to establishments. Supervision of other workers may be included" (ILO, 2012, p. 257).

Police officers in occupational unit group 5412 maintain law and order, patrolling public areas, enforcing laws and regulations and arresting suspected offender (ILO, 2012, p. 258). In reference to the ISCO-08, the task and duties performed by police officers does not overlap with the tasks or duties performed by translators and interpreters. In terms of the ISCO-08, Authors, Journalists and Linguists are categorised under minor group 264. Translators, Interpreters and other Linguist are categorised under unit group 2643. The task performance of occupations in unit group 2643 include:

"Writing literary works; appraising merits of literary and other works of art; collecting information about current affairs and writing about them; researching, investigating, interpreting and communicating news and public affairs through newspapers, television, radio and other media; translating written material from one language to another; simultaneously translating form one language to another" (ILO, 2012, p. 164).

The ISCO-08 takes into account boundary issues affecting a broad spectrum of occupations, and provides rules that serve as guidelines for occupational classifications (ILO, 2012, pp. 39-40).

National classification of occupations

The South African Standard Classification of Occupations (SASCO) provides a systematic framework for classifying occupational data gathered through various sources, including the population census, causes of death, marriages and divorces, and the Quarterly Labour Force Survey (QLFS). This classification manual encompasses occupations across both the formal and informal business sectors, aiming to accurately represent the South African labor market (Statistics South Africa, 2012, p. 1). The primary goals of SASCO include establishing a framework for developing national occupational classifications, facilitating the analysis of occupations within the South African labor market, considering developments and changes across different occupations, and producing reliable occupational statistics that are comparable with those generated by other agencies in line with the ISCO (Statistics South Africa, 2012, p. 1).

SASCO was designed based on a similar conceptual foundation as the United Nations' International Standard Classification of Occupations (ISCO-08). The ISCO's main objectives are to enable international comparison of occupational statistics across countries and to serve as a conceptual model for creating national occupational classifications (Statistics South Africa, 2012, p. 2). A set of principles and guidelines was established to assist in determining the appropriate skill level for occupations when education and training requirements vary between countries (Statistics South Africa, 2012, p. 10). For example, occupations that involve performing broadly similar tasks and duties are classified within the same category, even if the national skill level requirements, as measured by formal education, differ. These principles were implemented in ISCO-08 to ensure international occupational comparability (Statistics South Africa, 2012, p. 10).

Occupations are classified according to one of four level skills, as applied in ISCO-08 (ILO, 2012, p. 12). For instance, SASCO Major Group 2: Professionals only include occupations at the highest ISCO skill level, skill level 4. The four level skills are conceptualised as follows:

1. **First level skills:** In South Africa, this level refers to individuals who have received primary education, which typically starts between the ages of five and seven and generally involves six years of full-time schooling. This category may also include individuals without any formal primary education and encompasses Adult Basic Education Training (ABET) (Statistics South Africa, 2012, p. 4).
2. **Second level skills:** In the South African context, this level pertains to secondary education, which typically begins between the ages of 11 and 13 and lasts for six years. This level includes the final two phases of Basic Education: the Senior phase (grades 7 to 9) (NQF level 1) and Further Education and Training (FET) (grades 10 to 12) (NQF levels 2-4). On-the-job training and experience may be required, and sometimes this is formalized through apprenticeships (Statistics South Africa, 2012, p. 5).
3. **Third level skills:** In South Africa, this level is defined as education starting between the ages of 17 and 19 and lasting between one to four years. It includes NQF level 5. In some cases, significant relevant work experience and prolonged on-the-job training may be accepted in place of formal education (Statistics South Africa, 2012, p. 5).
4. **Fourth level skills:** The knowledge and competencies required for occupations at this level are typically acquired through study at a higher educational institution over a period of three to six years, leading to the award of a first degree or higher qualification. In South Africa, this level is defined as education that begins between the ages of 17 and 19 and typically lasts three to four years or more, culminating in a university or postgraduate degree or an equivalent qualification. It includes NQF levels 6-8. In certain cases, extensive experience and on-the-job training may substitute for, or be required in addition to, formal education. Often, appropriate formal qualifications are essential for entering the occupation (Statistics South Africa, 2012, p. 6)

Formal education and training represent one aspect of measuring skill level (Statistics South Africa, 2012, p. 8). However, skills are often gained through informal training and experience as well (Statistics South Africa, 2012, p. 7). The most crucial factor in determining skill level is the nature of the tasks performed in a specific occupation, in relation to the characteristic tasks defined for each skill level (Statistics South Africa, 2012, p. 8). When evaluating the characteristic tasks for each skill level, it's important to recognize that the level of generic skills—those NQF skills that are not specific to a particular occupation group but are necessary for many jobs—can vary greatly between occupations, depending on the nature of the job (Statistics South Africa, 2012, p. 8). It is important to note that ISCO-08 focuses on the skills required to perform the tasks and duties of an occupation, rather than comparing the skill levels of different workers within the same occupation (Statistics South Africa, 2012, p. 7).

The SASCO classified police officers in occupational unit group 5412, translators, interpreters and other linguists are in unit group 2643 (Statistics south africa, 2012, pp. 43-49). Similarly, the ISCO-08 classifies translators, interpreters and other linguists separate from police officers (ILO, 2012, pp. 371-382). The classification of police and translators and/or interpreters into separate unit groups is indicative of differential skills and knowledge requirements for task performance of each occupation.

Conceptualisation of interpreters' role
It's important to note that while all interpreters are bilingual by definition, not every bilingual individual has the ability to interpret. Bilingual proficiency varies among individuals, and professional interpreters undergo extensive training in both languages (Allan, Johnson, McClave & Alvarado-Little, 2020, p. 4). Interpretation often results in a paraphrased version of the original message (Koksal & Yuruk, 2020, p. 329). Interpretation has two key characteristics: first, it involves conveying spoken messages from one language to another in real-time; and second, because interpretation is performed live, it requires an immediacy that is not typically associated with translation (Allan, Johnson, McClave & Alvarado-Little, 2020, p. 3).

Conceptualisation of translators' role
Translators serve as experts in intercultural communication, acting as mediators and bridges between people, cultures, and viewpoints (Koksal & Yuruk, 2020, p. 327). This role involves being a mediator between two distinct languages and cultures, with the responsibility of facilitating communication and helping others navigate cultural and linguistic boundaries (Koksal & Yuruk, 2020, p. 327). The similarities between interpreters and translators include:
1. Both are linguists.
2. They both convert messages from one language to another.
3. Both professionals possess a deep understanding of the two languages they work with, including fluency, sentence structure, grammar, idioms, slang, and more.
4. They have comprehensive knowledge of the culture, customs, and traditions associated with the languages they work with.
5. Both require professional qualifications.
6. Neither interpretation nor translation involves word-for-word translation.
7. Both translators and interpreters must convey the message in the target language without altering its meaning (Koksal & Yuruk, 2020, pp. 329-330).

Legislative framework and theory
The south african translator's institute (SATI)
It is a professional association for language practice professionals (SATI, 2015, p. 2). The SATI website provides that: The system of accreditation was introduced by SATI in 1990. Formal academic qualifications are not a prerequisite to obtaining accreditation; people can acquire SATI accreditation through testing only (SATI website). SATI (2015, p. 2) members provide are competent in translation, interpreting, text editing and development of terminology.

Theory of Performance (ToP)
Performance is a multidimensional concept (Ghalem, Okar, Chroqui & Alami, 2016:3). This study uses the ToP as a theoretical lens to explore the police experiences because the ToP framework integrates

various performance perspectives to provide a holistic view of an individual, group, and organisation's performance. The ToP outlines six interactional components that establish level of performance of an individual (Elger, 2007, p. 11). The six components that inform level of performance are context, level of knowledge, level of skills, level of identification, personal factors and, fixed factors (Elger, 2007, p. 13). An individual's efficiency and/or effectiveness at work or academic context can be understood and explained using ToP.

RESULT AND DISCUSSION
Result

This section presents the data analysis. All SAPS members completed the interview schedules completely. The biographical details of the sample were as follows: The ages of the SAPS members ranged from 27 to 50 years, with twelve of them being female. Their work experience varied between 3 months and 34 years. The sample was uniformly African, representing six different languages: Xhosa, Tsonga, Sepedi, Setswana, Zulu, and Venda. There were more females, with twelve female SAPS members compared to six males. Their educational levels varied from Matric to Honours degrees. The results indicate that most SAPS members had tertiary education; seven had completed Matric, one held an NQF level 5 Certificate, seven had Diplomas, one held a B-tech degree, one had a Degree, and one had an Honours degree.

Three dominant themes namely "skills", "language" and "collaboration" emerged from the data

Table 1. Theme, skills

No.	Dominant theme	Sub-themes identified	Frequency of identified theme	Participants
1.		Understand	1, 1, 1,1, 1, 2, 1, 1,	K1, K2, K3, K4, K5, K8, K10, K12
2.		Understanding	1, 3, 1	K2, K12, K8,
3.		Understands	1, 1, 2	K1, K5, K10
4.		Service delivery	1, 1, 1,	K2, K10, K15
5.		Hand writing	1, 2, 1	K4, K6, K18
6.		Train members	1	K5
7.		Training	3	K18
8.	Skills	Education	1	K3
9.		Knowledge	1	K16

Table 2 below presents several sub-themes that were collapsed into the dominant theme "language".

Table 2. Theme, language

No.	Dominant theme	Sub-themes identified	Frequency of identified theme	Participants
1.		*Information	2, 1, 2, 2, 1, 1	K1, K2, K10, K12, K13, K18
2.		*Facts	4	K11
3.		*Authenticity	1, 1	K12, K16
4.		*Accurate	1,	K17
5.		- Word	1,	K1,
6.		- words	1,1, 2, 1, 1,	K3, K9, K10, K11, K17
7.		- Terminology	2, 1, 1	K8, K15, 16
8.		- Terms	2, 1	K11, K17
9.		Deep language	1	K14
10.		- Dictionary	1	K10
11.		%Multilingual	1	K18,
12.		%Foreign language	1	K4
13.		%Sign languages	1, 1	K10, K15
14.	Language	%Tsotsi language	2	K15
15.		%Diversity	1	K13
16.		%Culture	1,	K13

Table 1 presents several sub-themes that were collapsed into the dominant theme "skills". It also identifies participants who used certain words or sub-themes. For example, Table 1 shows that K18 used the term "training" three times. The sub-theme or term "training" articulated skills, hence it was

collapsed into the dominant theme "skills". The other dominant themes identified were established using the same processes. Table 3 below presents several sub-themes that were collapsed into the dominant theme "collaboration".

Table 3. Theme, collaboration

No.	Dominant theme	Sub-themes identified	Frequency of identified theme	Participants
1.	Collaboration	Colleagues	1, 1, 1,3, 1, 1	K1, K3, K5, K6, K10, K16
2.		Assist	1, 1, 2, 1, 1	K1, K3, K6, K7, K16
3.		Help each other	1, 1	K6, K5
4		Myself	1, 1, 1	K17, K18, 16

The findings were articulated further according to the two research objectives, as outlined below:

Findings related to the objective of establishing if the SAPS members transcribe a witness statement from indigenous language to English: In regards to the first question, 17 SAPS members transcribed indigenous witness statements in English, 1 SAPS members used both English and Afrikaans, and 1 did not specify. In regards to the second question, 14 SAPS members indicated that no translators were used to transcribed indigenous witness statements in English, 1 SAPS members had used mediators, and 3 SAPS members did not specify. Findings also showed that they collaborated with colleagues. Some responses are cited below:

K6 said:
"English. The language used at work is English"
"They help to ensure that the statement is accurate but there is no translator at the station. We help each other"
K1 said:
"We do not use translators but if there is a word that I do not understand I ask my colleagues".
K10 said:
"If I do not understand the certain language, I ask one of the colleagues who understands the language better to help me".
K18 said:
"No. I do it myself, we are multilingual".

Sub-themes identifiable in the above cited comments can be verified in table 1, 2 and 3 above. For example, sub-theme "understand" is articulated in table 1: Theme, skills. Sub-theme "word" is articulated in table 2: Theme, language. Sub-themes like "each-other" and "colleagues" are articulated in table 3: Theme, colleagues.

Findings related to the objective of trying to establish if the saps members experience problems when transcribing witness statement from an indigenous language to English: In regards to the first question 13 SAPS members identified languages as challenge, and 3 SAPS member identified skill, and 2 had experienced no challenges. In regards to the second question, 12 SAPS members identified language, 1 SAPS members identified collaboration, 3 SAPS members identified skills, 1 SAPS members identified duration 1 and 1 SAPS members identified none.

K14 said:
"Language barrier".
K4 said:
"The challenges we have is when a witness speaks a foreign language".
K3 said:
"There are other words which are in vernacular language and are difficult to translate into English".
K16 said:
"Lack of terminology. I ask colleagues to assist".
"Lack of knowledge of the indigenous languages such as Venda. I do not know the language so it can impact on the statement taking process".
K17 said:
"Partly lack of training. Tribes are different and the language structure also differs".

In support, K10 said:

"The challenge that we have at saps is deaf people when they come to report the case at the police station, we struggle to communicate with them because we are not trained for sign language".

Sub-themes identifiable in the above cited comments can be verified in table 1, 2 and 3 above. For example, sub-themes like "knowledge" and "training" are articulated in table 1: Theme, skills. Sub-themes like "terminology", "foreign language" and "sign language" is articulated in table 2: Theme, language.

Generalisability

This study cautions against the generalisation of the research findings because the data was obtained from a small group of participants. Since by definition, interpretivist research is context-specific, with regard to locate and participants, generalizability of the findings of research conducted within the interpretive paradigm is practically impossible (Gomm, Hammersley & Foster, 2000, cited in Kivunja & Kuyini, 2017, p. 34). There were no adverse limitations to the study. However, the researcher acknowledges that the interview schedule did not consist of follow-up questions or schedule follow-up interviews to clarify the SAPS members' thoughts and ideas. According to Wahyuni (2012, p. 74), follow-up questions should be developed to explore the particular themes, concepts, ideas and unexpected thoughts provided by the interviewees.

Discussion

This section presents a detailed discussion on the findings of the study. The words and sub-themes identified in the data analysis provide significant insight into the participants' experiences and the meanings they attach to those experiences. The dominant themes—skills, language, and collaboration—offer a comprehensive understanding of the common experiences and perceptions of the SAPS members when transcribing indigenous witness statements to English.

Skills

The theme of "skills" encompasses various sub-themes such as understanding, service delivery, handwriting, training, education, and knowledge. These sub-themes were frequently mentioned by the participants, indicating their relevance in the context of taking and transcribing witness statements. For instance, the ability to understand and accurately transcribe witness statements is critical. Participants often highlighted the necessity of understanding both the content of the statements and the nuances of the language used by the witnesses.

Training emerged as a crucial sub-theme under skills. As indicated by participant K18, who used the term "training" three times, there is a clear recognition of the need for continuous professional development to enhance the skills required for effective transcription. Similarly, the importance of education and knowledge was underscored, with participants mentioning their educational backgrounds ranging from Matric to an Honours degree. This variation in educational levels points to the diverse skill sets within the SAPS, yet it also highlights the potential gaps in training that need to be addressed to ensure all members are equally proficient in handling indigenous witness statements.

Research by Bennett (2019) similarly found that continuous professional development and training significantly improve the quality of police work and transcription accuracy, underscoring the importance of addressing training gaps within the SAPS.

Language

Language was another dominant theme identified in the data. Sub-themes such as information, facts, authenticity, accuracy, words, terminology, and multilingualism were repeatedly mentioned by the participants. The use of accurate terminology and the ability to convey the authenticity of the witness statements are critical components of effective transcription. Participant K3's remark about the difficulty of translating vernacular words into English exemplifies the challenges faced in ensuring that the translated statements accurately reflect the original testimonies.

The reliance on colleagues for assistance with language barriers was a common practice among SAPS members. This was evident from statements like K1's, who mentioned asking colleagues for help

when encountering unfamiliar words. This practice of seeking assistance underscores the collaborative effort required to overcome language challenges, but it also points to a potential gap in the provision of formal language support mechanisms within the SAPS.

The mention of specific languages such as Xhosa, Tsonga, Sepedi, Setswana, Zulu, and Venda highlights the linguistic diversity that SAPS members must navigate. The presence of multiple languages within the SAPS workforce is both a resource and a challenge. It enables multilingual communication but also necessitates robust language support systems to ensure accurate transcription and translation.

Comparatively, a study by Kim and Elder (2020) on multilingual workplaces found that robust language support systems, including professional translation services and language training for staff, significantly improved communication and productivity. This aligns with the findings in the SAPS context, emphasizing the need for formal language support structures.

Collaboration

Collaboration emerged as a critical theme, with sub-themes including colleagues, assistance, and mutual help. The frequent references to collaboration indicate that SAPS members rely heavily on each other to manage the transcription of witness statements. This collaborative approach is crucial in addressing both skills and language challenges.

For instance, participant K10's statement about asking colleagues for help with language comprehension illustrates the reliance on peer support to ensure accurate transcription. Similarly, K6's mention of colleagues helping to ensure the accuracy of statements highlights the collective responsibility and teamwork within the SAPS.

The collaborative efforts also extend to overcoming practical challenges such as handwriting and service delivery. The participants' experiences suggest that collaboration is a key strategy in mitigating the limitations posed by individual skill gaps and language barriers. This interdependence among SAPS members fosters a supportive work environment, but it also indicates a need for formal structures to support these collaborative efforts more systematically.

A study by Johnson et al. (2018) found that collaborative practices in law enforcement significantly enhanced job performance and job satisfaction, supporting the findings of this study that emphasize the importance of collaboration in overcoming transcription challenges.

Challenges and Solutions

The findings related to the objective of establishing whether SAPS members experience problems when transcribing witness statements from indigenous languages to English revealed that language and skills are the primary challenges. Thirteen SAPS members identified language as a challenge, while three identified skills, and two reported no challenges.

Language barriers, such as the inability to translate certain vernacular words into English, were frequently mentioned. Participant K4 highlighted the issue of foreign languages, and K10 noted the difficulty in communicating with deaf individuals due to a lack of training in sign language. These challenges underscore the need for targeted language training and support within the SAPS.

In terms of skills, the lack of training and knowledge of indigenous languages were significant concerns. Participants like K17 and K16 pointed to the lack of terminology and training as barriers to effective transcription. The identification of these challenges suggests that enhancing the training programs for SAPS members could improve their ability to accurately transcribe witness statements.

The reliance on collaboration to address these challenges is evident from the participants' responses. However, while peer support is valuable, it is not a substitute for formal training and resources. The SAPS must invest in comprehensive training programs that cover language proficiency, transcription skills, and cultural competence to ensure that all members are equipped to handle the diverse linguistic landscape they encounter.

Comparatively, a study by Hernández and Roberts (2021) on police training programs highlighted that comprehensive and continuous training in language and cultural competence significantly improved police officers' performance and the accuracy of their work. This supports the need for enhanced training programs within the SAPS.

Implications for Policy and Practice

The findings of this study have significant implications for policy and practice within the SAPS. The identified themes of skills, language, and collaboration highlight areas where improvements can be made to enhance the transcription of witness statements.

Policy Implications:

1. **Language Policy Implementation:** The SAPS language policy, which aims to facilitate "functional multilingualism," needs to be more effectively implemented. This could involve the recruitment of multilingual staff, the provision of professional translation services, and the development of multilingual documentation and resources.
2. **Training Programs:** There is a need for comprehensive training programs that focus on language proficiency, transcription skills, and cultural competence. These programs should be mandatory for all SAPS members involved in taking and transcribing witness statements.
3. **Formal Support Structures:** Establishing formal support structures for collaboration and peer assistance can enhance the existing informal practices. This could include mentorship programs, language support teams, and regular training workshops.

Practice Implications:

1. **Collaboration and Peer Support:** Encouraging collaboration and peer support through structured programs can help address the immediate challenges faced by SAPS members. Regular team meetings and peer review sessions can facilitate the sharing of best practices and provide a platform for addressing common issues.
2. **Use of Technology:** Leveraging technology, such as computer-assisted translation tools and language learning apps, can support SAPS members in improving their language skills and transcription accuracy.
3. **Monitoring and Evaluation:** Implementing regular monitoring and evaluation of transcription practices can help identify areas for improvement and ensure that the SAPS language policy is being effectively applied.

CONCLUSION

Majority of SAPS members reported the absence of translators in designated Community Service Centres (CSC) in Gauteng. Consequently, they had to either transcribe indigenous witness statements into English themselves or seek assistance from colleagues. Language challenges were prevalent, primarily due to limited language training among SAPS members, while the witness population included speakers of foreign languages and users of sign languages, in addition to local indigenous languages. The theoretical interpretation of the findings suggests that language proficiency and transcription skills significantly impacted the performance levels of most SAPS members. The interplay between skills, language proficiency, and collaboration among colleagues was crucial in ensuring accurate transcription of indigenous witness statements. These dynamics directly affected service delivery, emphasizing the need for enhanced training programs, formal language support structures, and systematic collaboration within the SAPS to improve the accuracy and reliability of witness statements and overall performance in the criminal justice process.

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