

Bringing Source Text Quality into the Legal Translation Classroom: Training Translators to Face Defective Source Texts

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Legal translators are routinely faced with defective source texts in their professional practice while being expected to produce effective translations despite such quality issues. Given the high quality expectations required in legal translation, we have brought this professional reality into the classroom by outlining a quality control activity to allow legal translation trainees to systematise how they deal with defective Spanish administrative source texts. The proposal includes two steps: a translatability assessment and a pre-editing stage of defective administrative source texts. After empirically testing our proposal in the classroom, our initial findings suggest that this approach not only assists trainees to factor in poor source text quality when translating, but also to produce better translations.

Keywords: legal translator training; quality control; translatability assessment; pre-editing; defective source texts

1. Introduction

Legal and institutional translators are often faced with vague, obscure and incomprehensible source texts (STs) (e.g. European Commission 2012; Lafeber 2012). This professional reality means that translators experience the challenge of confronting poor quality STs in practice, which then require “summarising, explaining or adapting according to the needs of the employer or reader concerned” (Molnár 2013, 60). Thus, poor ST quality hinders the translation workflow, not only due to the time spent on clarifying poor quality STs, but also since they give rise to additional costs to be faced by translation providers (European Commission 2012, 19-20). This has two direct implications for Translation Studies (TS). For research, it suggests that even if TS and Legal Translation Studies (LTS) have traditionally addressed translation quality assurance focusing on target text (TT) quality, the need to address ST quality should not be ignored. For training, it brings to the fore that ST quality needs to be included in the translation classroom, if we wish trainees to acquire the skill of “Dealing with unclear or poorly drafted originals” (European Commission 2012, 12) effectively when entering the translation market.

Thus, framed within LTS, our goal is to propose a quality control activity for STs, which can be integrated into translator training to help trainees to raise their awareness of ST quality and deal with quality issues during the translation process systematically. Foregrounding that quality evaluation should be customised for specific text typologies and the specific challenges they pose (Prieto Ramos 2015, 18), our

proposal has been designed to be used when translating Spanish administrative STs in the legal translation classroom. Our rationale is that factoring in ST quality is paramount when translating obscure administrative texts produced by the Spanish Administration, as both original and translated administrative texts have proven to be incomprehensible due to an array of quality issues (Toledo Báez and Conrad 2017; Ruiz-Cortés 2022).

In order to meet our goal, we will use the three-stage research proposal of Borja Albi, García Izquierdo and Montalt i Resurreció (2009, 60-61) comprising a conceptual stage, an empirical stage and an interpretative stage. Thus, after presenting a succinct literature review on ST quality, this methodology will allow us to present our pilot study—implemented in 2022 in a legal translation module (Spanish into English)ⁱⁱ— where our quality control activity for administrative STs was tested, as shown in Table 1:

Table 1
Methodology (drawing on Borja Albi, García Izquierdo and Montalt i Resurreció 2009, 60-61).

STAGE OF THE METHODOLOGY	AIM(S)	SECTION OF THE PAPER
Conceptual stage	To outline our quality control activity for administrative STs.	Section 3
Empirical stage	To present trainees' feedback about the activity by analysing their responses to an initial questionnaire and final questionnaire on ST quality control distributed in the module.	Section 4
Interpretative stage	To discuss our initial findings comparing the responses given by trainees in the empirical stage.	Section 5

2. Reframing the role of ST quality in the translation process

Translation quality is relative and depends on multiple variables. Accordingly, defining what constitutes quality in TS has given rise to contentious debates, not only because different approaches to translation may prompt different definitions of quality, but also due to the complexity of finding a suitable definition for the various fields of TS, including LTS (see Prieto Ramos 2015). Inherently, finding a definition of ST quality is also challenging due to the diversity of factors that condition it. Concurring with Prieto Ramos (2015, 13) that translation quality assurance can be generally regarded as “systems and processes used to help create or maintain quality” (Saldanha and O’Brien 2013, 95), for our training purposes, we will focus on the quality assessment and pre-editing of the ST (section 3) as processes aimed at raising trainees’ awareness of ST quality issues and at systematically dealing with these issues within the ST analysis stage.

Using different labels, several TS researchers have placed poor quality STs at the centre of their research agendas. Among other research avenues, some have advocated using intralingual translation to recontextualise STs in plain language or easy language to target their audiences (Castillo Bernal and Estévez Grossi 2022); using plain text design to improve ST quality (Ruiz-Cortés 2022) or pre-editing them in order to prepare STs for machine translation (MT) to avoid subsequent errors in translations (Sánchez-Gijón and Kenny 2022). In certain scenarios, translators may even be

responsible for ensuring that a ST is in fact “translatable” (Sánchez-Gijón and Kenny 2022, 82). In the context of MT, it has been argued that in order to make a ST translatable it is necessary “to write it that way in the first place” (Sánchez-Gijón and Kenny 2022, 82). These studies ultimately highlight what translators can do with STs in order to enhance effective communication when they are actually allowed to improve or adapt the ST. However, translators’ interventions in STs remain limited in legal translation, as summarised in section 2.1.

2.1. ST quality in LTS

In LTS, quality assurance also remains a major challenge, among other aspects, for the high quality expectations required in a field where inadequate translations may directly impact on legal certainty (Prieto Ramos 2015, 12). The quality of STs as a major factor conditioning the translation process has been highlighted in this field, in particular when dealing with deficient clarity or fluency (e.g., Prieto Ramos 2014).

Legal translators necessarily scrutinise ST quality issues during the translation process, as “the quality of originals [...] crucially condition their translation” (Prieto Ramos 2015, 23). However, legal translators do not normally intervene on STs to improve their quality. They might do so in certain instances of production of multilingual texts where translators are allowed to communicate with drafters of STs and contribute to corrections and improvements before all the language versions are finalised. This is the case, for example, of institutional settings where legal translators can raise quality issues with drafters. In fact, in such contexts, “translation remains an instrumental vehicle and a key quality filter for the creation of international or supranational multilingual law” (Prieto Ramos 2014, 326; see also *ibid*, 320-321 and European Commission 2015, 19, on instances of undeliberate ambiguity or errors in processes of multilingual text production).

The recognition of translators’ valuable input when dealing with ST quality issues at international organisations brings to light how legal translators’ expertise can be used to contribute to ST quality in professional contexts. Furthermore, it suggests that the ability to detect ST quality issues in legal translation may be a must instead of a plus. This is illustrated, for example, by Lafeber’s survey of institutional translators (2012, 115), which revealed that “the ability to work out obscure passages in the source text” and “the ability to detect inconsistencies, contradictions, nonsense, unintended ambiguities, misleading headings, etc. [in STs]” are highly important “analytical skills” that new recruits at international organisations often lack (Lafeber 2012, 115, 119). This may indicate that as argued by Lafeber (2012, 117) “the translation of poorly written source texts” is not usually “given much attention in translator training programmes.” While most approaches to legal translation methodology pay extensive attention to ST analysis, a more proactive approach on the part of translators (Way 2016) may indeed be recommended or even required when dealing with poor quality STs.

The quality control activity proposed below is a contribution in that direction. Its first step, the translatability assessment, aims to raise trainees’ awareness of ST quality

issues and to allow them to identify and assess these issues systematically before producing their translations. Although in our pilot study it was presumed that intervention by the translator to modify the ST might not be possible in practice (section 3), this scenario was presented to trainees as the second step of our quality control activity: the pre-editing of the ST. Thus, this second step aims not only to guide trainees in understanding how they may intervene in STs in professional contexts where they may be allowed to intervene, but also to facilitate the translation of poor quality STs even when intervention in STs is not possible.

3. The conceptual stage: Bringing ST quality into the legal translation classroom

Legal translators face a myriad of challenges during the legal translation process (Way 2016). Unquestionably, one of them is ST analysis. However, prior studies have not made explicit proposals about how to deal with ST quality within this ST analysis stage. This is the aim of the proposal outlined below.

The first question that needs to be addressed is how ST quality control may be operationalised in training contexts. In our proposal we chose to do this by using the notion of defective ST. Its convenience for training contexts is that it allows trainees to measure ST quality by assessing whether or not a text is defective, i.e., by assessing whether or not it contains defects. This notion then allows us to provide trainees with the declarative knowledge they require to assess ST quality, i.e. what is defect, and thus, what is a defective ST. Trainees were provided with the following definition of defect, specifically coined by the author, to be used as part of this quality control activity:

A defect is an imperfection, a fault, a shortcoming, an error or lack that, regardless of its nature, hinders textual communication. This implies that a defect is not necessarily an error, but an element that, regardless of its nature, may hinder the communicative effectiveness of the text.

The suitability of this definition for training purposes stems from its versatility, as it allows an array of elements to be included within it. Furthermore, it foregrounds that a defect may not always be an error (as trainees may initially assume, section 4). From this definition we may also infer that trainees need to assess whether or not an element is a defect by assessing its impact on the communicative effectiveness of the ST. In order to assist trainees to do this, we linked ST and TTs' communicative effectiveness to the concepts of comprehensibility and actionability in the classroom.

Concurring with Nisbeth Jensen (2015) that text comprehensibility is not a property of the text in itself, but the result of the interplay between text characteristics and the characteristics of the text receivers (their expectations, prior knowledge...), it follows that “comprehensibility should also be regarded as a continuum: A translation [or a ST] is not either comprehensible or incomprehensible, but rather comprehensible to a greater or lesser degree.” Accordingly, since “comprehensibility would thus be operationalised as the lowest possible textual complexity” (Nisbeth Jensen 2015, 166) [for a given audience], the following definition of *communicative effectiveness* was coined by the author to be used as part of this quality control activity in the classroom:

“the lowest textual complexity required in a text for its target audience to understand it [comprehensibility] and to use it to attain its intended purpose [actionability].” Thus, the notion of actionability was also introduced in our definition of communicative effectiveness as it entails recipients using the information in the text to become active participants with control over the communicative act. An example was presented in the classroom using the case of an administrative form to apply for a social benefit. Trainees were guided to understand that, in order to measure the ST’s communicative effectiveness, they needed to consider not only whether users understood the ST form [comprehensibility], but also if this understanding allowed them to acquire the necessary information to complete it properly in order to obtain the social benefit in question (its intended purpose) [actionability.] This background knowledge was vital for trainees to identify defective STs (declarative knowledge) and to subsequently conduct the proposed quality control activity to systematically deal with these defective STs in the classroom (procedural knowledge).

3.1. The quality control of Spanish administrative STs

The quality control of Spanish administrative STs proposed in our activity is comprised of two consecutive steps. Its first step is a “translatability assessment” (Gouadec 2007, 70-72) that aims to help trainees in assessing whether the ST in question is up to the standard to be translated or if, conversely, it presents defects that need to be addressed before translating it. In other words, this translatability assessment ultimately assists trainees in determining whether their ST is “translatable.”

In this training activity, trainees were presented with five defective administrative STs (three guidelines and two application forms) produced by the Spanish Civil Registry. These informative STs revolve around the services provided by this institution for foreigners in Spain, and therefore, they were written for foreigners. Trainees were asked to translate the selected STs from Spanish (mother tongue of most of the trainees) into English for the same audience. Selecting this registry as sole producer of our STs was a conscious pedagogical decision that allowed trainees to primarily focus on understanding the typical defects encountered when dealing with the quality of Spanish administrative texts from this registry (e.g., vagueness, undeliberate ambiguity, long paragraphs and sentences, obscure bureaucratic passages, archaisms...). Indeed, translators are in an ideal position to identify these defects as:

Translators [...] discern how the problems of the ST may affect not only its comprehension, but also the comprehension of its subsequent translations into different languages. [...] This is so since translators not only analyse the ST comprehensibility [and actionability] based on their thorough knowledge of the source language, the source culture and the source Public Administration, but also by recognising how the asymmetries of the target languages, target cultures and target Public Administrations involved may affect the comprehensibility of the ST and its translations (Ruiz-Cortés 2022, 127-128).

It was presumed that intervention by the translator to modify the ST might not be possible in practice. However, this scenario was presented to trainees as the second step

of our quality control activity: pre-editing to assist trainees in contributing to their ST's translatability. Overall, the training activity was therefore aimed at developing trainees' analytical skills by fostering a more proactive ST analysis, while also reinforcing editing (and intralingual translation) skills in the mother tongue and translation competence into the target language.

As discussed in section 2, an array of procedures can be used to make STs "translatable" in TS (Sánchez-Gijón and Kenny 2022, 82). Pre-editing was a convenient option to serve our pedagogical purpose. As mentioned above, we are advocating this exercise not only to improve the communicative effectiveness of the administrative ST in a potential scenario of intervention, but also as a way of facilitating the translation of defective STs even when intervention in STs is not possible or allowed (section 2.1.). Below, our quality control activity is outlined in more detail.

3.1.1. Step one: A translatability assessment for Spanish administrative STs

The first step of our proposal is the translatability assessment, which has been visually represented in Appendix 1. This appendix has two first columns completed by the trainer and columns 3 to 8 to be completed by trainees. Columns 1 "Level" and 2 "Category of defect" aim to guide trainees in identifying the defects present in their STs by determining whether they are dealing with a macrostructural or microstructural defect and by reflecting on the category of the defect identified.

In order to choose the most frequent administrative ST defects to be included in column 2, firstly we drew on the classification of ST defects described by Molnár (2013, 64-65) in his empirical study on STs defects in the translation market. His taxonomy was used to draft a general classification of defects generally applicable to STs (e.g., factual correctness, coherence, cohesion, terminology, incompleteness, grammar mistakes, stylistics, spelling, punctuation, formatting...). Secondly, we drew on Toledo Báez and Conrad (2017) and on Ruiz-Cortés (2022) to customise Appendix 1 and reflect the prototypical defects found in Spanish administrative STs (e.g., length of paragraphs, length of sentences, terminological inconsistencies, obscure institutional references, abbreviations, acronyms, technical expressions, etc.)ⁱⁱⁱ. To redress any possible shortcomings, in both the macrostructural and microstructural levels we included an 'others' subsection to add any other defects not considered in column 2. The result is the non-exhaustive, but still representative, enumeration of defects presented in column 2, "Category of defect."

Columns 3 to 8 were designed to make trainees reflect on the implications of the defects identified. In column 3, "Description of the defect(s)," trainees were asked to specify the defect(s) identified for each category presented by the trainer in column 2, "Category of defects." If we take the category omissions as an example, in column 3 trainees were expected to indicate the specific omission(s) found in their ST. In column 4, trainees were expected to reflect on the impact of the defect in question on the communicative effectiveness of their ST, and in column 5, on the communicative effectiveness of their TT ("Impact on the communicative effectiveness of the ST" and "Impact on the communicative effectiveness of the TT" respectively). From the very

beginning we foregrounded that this severity may be flexible^{iv} and should be assessed individually. In order to analyse the impact of the defect involved on their ST and their TT in columns 4 and 5, trainees were provided with the following 5-point Likert scale to measure the levels of importance: very important, important, moderately important, slightly important and not important^v.

In column 6, “Pre-editing decision,” trainees were asked to consider whether or not the pre-editing of the defect found in their ST will contribute to benefits its communicative effectiveness by responding “yes” or “no.” In column 7, “Type of decision-making,” trainees were expected to factor in whether the pre-editing of the defect involved in the ST, if chosen, would imply a mandatory correction (for instance, correcting a grammar mistake by following the grammatical norms of a given language) or a non-mandatory edit or improvement (for instance, changing the sequence of information in a paragraph to enhance its clarity). Thus, column 7 was included to make trainees reflect on the fact that when pre-editing defects related to, for instance, spelling, punctuation or grammatical problems, they can rely on objective established norms. However, when pre-editing to enhance, for instance, text cohesion, they are making more subjective decisions in the sense that they might not imply mandatory corrections. Lastly, in column 8 “Techniques to be applied” trainees were presented with techniques to pre-edit their STs systematically, as discussed below in the second pre-editing step of our proposal.

3.1.2. Step 2: pre-editing defective Spanish STs

Put simply, the aim of pre-editing is not only to avoid errors in the translated text, but also to ensure “that the translation, beyond conveying a meaning consistent with that of the source text, also achieves the same or a similar effect on the reader of the target text as the source text did on its reader” (Sánchez-Gijón and Kenny 2022, 81; 87-88). To do so, translators are supposed to remove “negative translatability indicators” (O’Brien 2006) from STs, which are generally understood as a linguistic feature that is known to be problematic for MT. This approach is shared by other movements with similar aims; as for writing for global audiences or for plain language and clear administrative writing.

Thus, informed by previous research in these areas, in our quality control activity, we adapt the notion of pre-editing to our pedagogical purposes. Accordingly, we contend that the “negative translatability indicators” (O’Brien 2006) in our activity are the defects identified by trainees through the translatability assessment. Accordingly, in our quality control activity, pre-editing requires trainees to address the defects identified in Spanish administrative STs, not only to avoid reproducing these defects in their translations, but also to produce translations that meet their communicative effectiveness despite such defects^{vi}. To do so, in the translatability assessment outlined in Appendix 1, we provided trainees with some literacy on Spanish administrative STs: (1) by assisting them in predicting which elements would probably be problematic for their subsequent translation (for instance length of sentences, see

Microstructure in column 1), and (2) by providing them with some initial guidelines on how these STs can be pre-edited (i.e. to pre-edit long sentences to shorten them).

As for how we asked trainees to pre-edit their STs, they were encouraged to do so using their editing skills and intralingual translation competence, by rewording the defects present in the Spanish ST in the same language, Spanish, before the translation commences. Nisbeth Jensen (2015, 167) argues that translators often use their intralingual translation competence to make TTs comprehensible, by firstly translating interlingually, and then intralingually in order to tailor the TT to its audience. Conversely, in this training activity, we encourage trainees to use their intralingual translation competence to enhance the communicative effectiveness of STs before their translation (even if both may be necessary), presuming that this intervention will be possible in a professional context, before ensuring the communicative effectiveness of TTs. By putting the emphasis on STs, and not only on TTs, trainees are not only contributing to better TT quality, but also to better ST quality (which may be beneficial not only for a specific translation assignment, but also, for example, for the ensuing translation of the ST into other languages).

In column 8 of our translatability assessment “Techniques to be applied” (Appendix 1), we asked trainees to pre-edit Spanish administrative STs in a structured manner (Sánchez-Gijón and Kenny 2022, 96) based on a list of translation techniques. Specifically, we have followed the proposal of translation techniques outlined by Molina and Hurtado Albir (2002, 509-511), since these techniques have been useful in solving incomprehensibility issues in Spanish administrative STs (Toledo Báez and Conrad, 2017; Ruiz-Cortés 2022) (see the result in Appendix 2). By encouraging trainees to pre-edit STs by using translation techniques, several pedagogical benefits can be introduced in the classroom. (1) Trainees will further their knowledge on translation techniques while getting familiar with the required metalanguage; (2) trainees will reflect upon how to use traditional interlingual translation techniques in intralingual translation contexts; and (3) the level of intervention of trainees in the ST can be controlled by the trainer. Below, trainees’ feedback after using our training activity is summarised.

4. The empirical stage: Analysing trainees’ feedback

Two questionnaires were distributed in the legal translation module where our pilot study was implemented. The first questionnaire was distributed at the beginning of the module (week 1). Its main goal was to discover trainees’ prior knowledge of ST quality. The second questionnaire was distributed once the administrative part had been concluded (week 5). Its main aim was not only to collect trainees’ feedback on our quality control activity, but also to understand whether our proposal had also enabled them to further their knowledge of ST quality. The participants of both questionnaires consisted of 30 Spanish into English trainees enrolled in this Spanish-English legal translation module during the 2022–2023 academic year. A mixed-methods methodology was used to collect both quantitative data (via close-ended questions) and

qualitative data (via open-ended questions) in our questionnaires. Both questionnaires were validated by trainers in the field of legal translation to avoid any linguistic ambiguities or technical errors (Krosnick and Presser 2010). As for the type of answers designed, these can be divided into three groups: a statement, yes/no/other format answers, and a 5-point Likert scales to measure levels of frequency. After their informed consent was obtained, trainees answered both questionnaires anonymously.

4.1. Initial questionnaire

The goal of our initial questionnaire was to explore trainees' pre-existing knowledge of ST quality assessment before our quality control activity was presented to them. It consisted of 6 items that inquired about their academic background, their prior experience addressing ST quality in the classroom and their general perceptions of ST quality. Answers on their academic background (item 1) showed that: 96.7% of the participants (29 out of 30) were final year students of the Faculty of Translation and Interpreting of the University of Granada and 3.3% were final year Erasmus students (1 out of 30), as shown in Table 2:

Table 2. Academic background.

	Final year student of the BA in translation and Interpreting at the University of Granada	Final year student of the BA in translation and Interpreting abroad	Other (please specify)
Item 1: Which of the following statements applies to you?	96.7% (29 out of 30)	3.3% (1 out of 30)	0% (0 out of 30)

As to their prior experience addressing ST quality assessment: the majority of them reported that "Rarely" (56.7%, 17 out of 30) or "Never" (33.3%, 10 out of 30) were they encouraged to reflect on ST quality in prior translation modules by analysing the ST as a text in its own right, while 10% (3 out of 10) reported that this had happened "Very often" (item 2). Furthermore, they mostly reported that "Rarely" (20%, 6 out of 30) or "Never" (73.3%, 22 out of 30) had they systematically addressed the defects present in STs in prior translation modules, while 6.7% (2 out of 30) reported that this had occurred "Very often" (item 3):

Table 3. Prior experience addressing ST quality in the classroom (1).

	Always	Very often	Sometimes	Rarely	Never
Item 2: Has the need to REFLECT on the quality of the source text and its shortcomings been addressed in prior modules? (i.e. not analysing it from the perspective of the problems it poses for translation but as a text in its own right)	0% (0 out of 30)	10% (3 out of 10)	0% (0 out of 30)	56.7% (17 out of 30)	33.3% (10 out of 30)
Item 3:	0%	6.7%	0%	20%	73.3%

Have you previously systematically ADRESSED defects in source texts before translating them in prior modules?	(0 out of 30)	(2 out of 30)	(0 out of 30)	(6 out of 30)	(22 out of 30)
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When asked whether they applied any kind of systematic approach to analyse the quality of STs in the classroom (item 4), 90% (27 out of 30) of the participants answered that they did not, 6.7% (2 out of 30) reported that they did and 3.3.% (1 out of 30) reported they did not think that they needed one. The two participants who reported having a systematic approach were asked to succinctly describe it (item 5). Both of them mentioned that it mostly consisted in identifying grammar mistakes, factual problems, incoherencies and ambiguities in the ST, as shown in Table 4:

Table 4. Prior experience addressing ST quality (2).

	Yes	No	Other (please specify)
Item 4: Do you have any kind of SYSTEMATIC APPROACH to analyse the quality of source texts in the translation process?	6.7% (2 out of 30)	90% (27 out of 30)	3.3% (1 out of 30): no need of a system
Item 5: If your answer to question 4 is yes, please describe this systematic approach succinctly (Open-ended question)	Identifying grammar mistakes, factual problems, inconsistencies and ambiguities in the ST.	-	-

Subsequently, trainees were asked about their initial perceptions of the relevance of assessing ST quality. In order to do so, we presented them with a sixth item, in which they were asked whether, in previous academic years, they had perceived reflecting on and addressing ST quality as an unnecessary task that could be excluded from the translation process. In this case, 70% of the participants (21 out of 30) reported that they had not ever considered the possibility of reflecting on and addressing ST quality in the translation process in previous academic years, 16.7% (5 out of 30) reported that they did not think that it was an unnecessary task, while 10% (3 out of 30) reported they thought it was unnecessary. Interestingly, 1 of the participants (3.3%) replied to this last question in the “other” section reporting: “As I have never faced poor quality STs [in the classroom], I had never thought about the importance of this task.” This statement certainly captures our initial diagnosis concerning these trainees’ pre-existing knowledge of ST quality. Since ST quality has been generally neglected in their prior training, this has resulted not only in trainees lacking a systematic approach to address ST quality in the translation classroom, but more importantly, in most of them not even factoring in ST quality until the final year of their graduate training.

Table 5. Trainees’ general perceptions of the relevance of assessing ST quality.

	Yes	No	I did not think about it	Other (please specify)
Item 6:			70%	3.3%

In previous academic years, did you think that reflecting on and addressing SOURCE TEXT QUALITY was an unnecessary task that can be excluded from the translation process?	10% (3 out of 30)	16.7% (5 out of 30)	(21 out of 30)	(1 out of 30)
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4.2. Final questionnaire

The final questionnaire was distributed when the administrative part was concluded. It is comprised of 16 items divided into 3 separate sections: (1) questions concerning the quality control activity (2) perceptions of ST quality after using our proposal and (3) other comments. When this questionnaire was distributed, trainees had conducted the proposed quality control activity when translating five Spanish administrative STs into English.

In section 1, the first three items approach the notion of defect. Trainees were firstly asked to consider whether the notion of defect presented in the classroom was useful to them in order to implement the proposed quality control of STs (item 1). In this case, 96.7% (29 out of 30) of the participants replied that it was useful, while 3.3% (1 out of 30) replied that this notion was not useful. As a follow-up open-ended question, trainees were asked to explain their answer to question 1 (item 2). It could be inferred from all 30 responses that all of the participants considered this notion useful, which may suggest that the trainee who answered “No” in question 1 may have changed his/her view in this reflective answer. As for trainees’ reflective answers to item 2, they highlighted that this notion was useful as it allowed them to consider something they had previously disregarded: certain ST elements, while not errors, may impact negatively on the ST’s communicative effectiveness. In general their comments reflected that they were more critical when analysing their STs than at the beginning of the module. Trainees were also asked whether, after having been presented with the notion of defect, they thought that they had misperceived the number of defective STs they had encountered before this module (item 3). In this case, 90% (27 out of 30) of the participants replied affirmatively, foregrounding that they did encounter more defective texts during their prior training than those that they had initially been able to categorise as such. However, 10% (3 out of 30) of them also answered that their initial perception had not changed throughout this period.

Table 6. The notion of defect.

	Yes	No	Other (please specify)
Item 1: Has the definition of DEFECT provided been useful for you in order to implement the proposed quality control of source texts?	96.7% (29 out of 30)	3.3% (1 out of 30)	0% (0 out of 30)
Item 2: Please explain your answer to question 1 succinctly (Open-ended question)	Different reasons were given	No clear explanation for this response	-

Item 3: Now you have seen the definition of defect: Do you think that you have encountered more DEFECTIVE SOURCE TEXTS before this module than you were able to identify at the beginning of this module?	90% (27 out of 30)	10% (3 out of 30)	0% (0 out of 30)
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Later, in section 1, trainees were presented with four more items about the usefulness of the translatability assessment, i.e. the first step of our quality control activity. Firstly, they were asked whether, in their view, the use of the translatability assessment for STs equipped them to better identify defective STs in the module involved and other modules they were taking (item 4). In this case, 100% (30 out of 30) of the participants confirmed that the translatability assessment had indeed helped them to do so. Then, when asked if the same logic applied to the identification of defective administrative STs specifically (item 5), again all answers were affirmative (100%, 30 out of 30). We also asked them to assess whether, in their view, the translatability assessment equipped them to better analyse how the defects present in administrative STs may influence their communicative effectiveness (item 6). Again, 100% of them (30 out of 30) replied affirmatively. Lastly, trainees were asked to consider whether the translatability assessment had helped them to produce better translations by avoiding the reproduction of ST defects in their translations (item 7)^{vii}. In this case, 96.7% (29 out of 30) of the respondents answered that it has helped them, while 3.3% (1 out of 30) reported: “I think that pre-editing the ST has helped me more than using the translatability assessment.” Then, trainees were asked to explain their answer to question 7 in a follow-up open-ended question (item 8). This answer summarises trainees’ reflections in this regard: “Without the translatability assessment my analysis of the ST would have not been as thorough and conscious. It has guided me to understand the kind of defects that I would have missed without it; defects that I would undoubtedly reproduce in my translations.” However, some of them also acknowledged that: “It was useful. However, I hope to interiorise the translatability assessment to be able to apply it automatically in the future.”

Table 7. The translatability assessment.

	Yes	No	Other (please specify)
Item 4: Broadly, in this module and in other modules you are taking, do you think that the use of the TRANSLATABILITY ASSESSMENT has equipped you to better identify defective source texts?	100% (30 out of 30)	0% (0 out of 30)	0% (0 out of 30)
Item 5: Specifically, do you think that the use of the TRANSLATABILITY ASSESSMENT has equipped you to better identify defective administrative source texts?	100% (30 out of 30)	0% (0 out of 30)	0% (0 out of 30)
Item 6: Do you think that the use of the TRANSLATABILITY ASSESSMENT has equipped you to better analyse how the defects present in administrative source texts may influence their communicative effectiveness?	100% (30 out of 30)	0% (0 out of 30)	0% (0 out of 30)
Item 7: Do you think that the use of the TRANSLATABILITY	96.7% (29 out of 30)	0% (0 out of 30)	3.3% (1 out of 30):

ASSESSMENT has helped you to produce better translations by avoiding the reproduction of the source text's defects in your translations in this module?			Pre-editing helped more
Item 8: Please explain your answer to question 7 foregrounding the reasons why (Open-ended question)	-	-	-

Subsequently, trainees were asked to consider the usefulness of pre-editing, i.e. the second step of our quality control activity, by assessing whether it had helped them to produce better translations by avoiding the reproduction of ST defects in their translations (item 9). In this case, while 93.3% (28 out of 30) responded that it had indeed helped them, 3.3% (1 out of 30) reported that it had not helped them at all, and 3.3% (1 out of 30) replied “Yes and no.” When asked to explain their answer to question 9 in an open-ended question (item 10), those who replied “No”, or “Yes and no”, pointed out that they thought that the translatability assessment has been more useful than the pre-editing. Conversely, several of the other participants described the pre-editing stage in their reflective answers to item 10 as “a vital part of the translation process.”

Table 8. The pre-editing.

	Yes	No	Other (please specify)
Item 9: Do you think that PRE-EDITING the source texts has helped you to produce better translations by avoiding the reproduction of the source texts' defects in the translation of administrative texts?	93.3% (28 out of 30)	3.3% (1 out of 30)	3.3% (1 out of 30): Yes and no
Item 10: Please explain your answer to question 9 foregrounding the reasons why (Open-ended question)	-	The translatability assessment helped more	The translatability assessment helped more

Lastly, three more questions were posed to trainees in section 1 concerning the proposed quality control as a whole. Particularly, they were asked: whether they thought that they would have reproduced more defects in their translations if they had not conducted the quality control of STs (item 11); whether they thought that the quality control of STs had helped them to systematise how to deal with the translation of defective Spanish administrative STs (item 12) and whether they thought that the proposed quality control had generally benefited their translation process (item 13). In all three items all of them replied a resounding “Yes” (100%, 30 out of 30):

Table 9. The quality control of STs as a whole.

	Yes	No	Other (please specify)
Item 11: In your view, if you had NOT used the translatability assessment and had NOT performed the subsequent pre-editing of the source text: Do you think that you would have reproduced more defects present in the source text in your translations?	100% (30 out of 30)	0% (0 out of 30)	0% (0 out of 30)
Item 12: Do you think the quality control of source texts (translatability	100% (30 out of 30)	0% (0 out of 30)	0% (0 out of 30)

assessment + initial pre-editing of the source text) has HELPED you to systematise (have a system for) how to deal with the translation of defective Spanish administrative source texts?			
Item 13: Lastly, do you think that the quality control of source texts (translatability assessment + initial pre-editing of the source text) HAS BENEFITTED your translation process?	100% (30 out of 30)	0% (0 out of 30)	0% (0 out of 30)

In section 2 of the questionnaire, in order to understand whether trainees' perceptions of ST quality had evolved over this period, trainees were asked to consider to what extent, in their view, reflecting on the quality of STs as independent texts in their own right was necessary (item 14). While 76.7% (23 out of 30) said that it should "Always" be considered, 23.3% (7 out of 30) of the trainees answered that it should be considered "Very often." Afterwards, as a follow-up and open-ended question (item 15), trainees were asked whether or not their perception of the need to reflect on ST quality and on STs' defects had changed, and if so, why. In all 30 responses provided by trainees they reported that their perceptions had changed. Interestingly, at the end of this teaching experience, trainees underscored perceiving the identification of quality issues in STs as part of their job as translators "as the only way of not reproducing these problematic issues in the translation." Furthermore, at this final stage, some of them described ST quality analysis as "a key component of the translation process." Other reflective answers to this item are worth highlighting: "This module has profoundly changed my opinion about the importance of ST quality. In our earlier training we never paid attention to the ST as an independent text, nor were we encouraged to reflect upon the notion of ST quality in the classroom." Other participants reported: "Yes, it [the opinion] has changed a lot. I am quite surprised to have gotten this far in my degree [final year] without ever questioning the quality of the STs I was translating." Another participant stated: "Thanks to the activities we have done in this module, I have been able to apply what I've learnt on ST quality to other modules. I have realised that many of the texts I translate in the classroom have some kind of defect, a fact I had previously overlooked."

Table 10. Impact of the training activity on trainees' perception of ST quality.

	Always	Very often	Sometimes	Rarely	Never
Item 14: After the implementation of the quality control of source texts: Do you think that is necessary to REFLECT on it the quality of the source text and its shortcomings? (i.e. not analysing the source text from the perspective of the problems it poses for translation but as a text in its own right):	76.7% (23 out of 30)	23.3% (7 out of 30)	0% (0 out of 30)	0% (0 out of 30)	0% (0 out of 30)

<p>Item 15: After the implementation of the quality control of source texts, please specify whether or not it has changed YOUR PERCEPTION of the need to reflect on the quality of the source text and on its defects. Please, explain the reasons why: (Open-ended question)</p>	-	-	-	-	-
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Lastly, in section 3 trainees were presented with this final statement: “Please make any other comments you deem relevant” (item 16). Only 23.3% of the participants (6 out 30) chose to complete this last item. After analysing all answers given, we can confirm that their comments were quite positive. Two specific comments are worth highlighting: “Receiving training on ST quality much earlier in my BA degree, rather than now [final year], would have been very helpful.” Another respondent emphasised: “I believe that the quality control activity is so useful and so necessary that translation trainees should use it from their very first translation module, even before they start translating as such. If we are able to identify defective texts, we will be better professionals and we will produce better quality translations from the very beginning.” Below we discuss these initial findings.

5. The interpretative stage: Discussion

From the analysis of trainees’ feedback (see section 4), arguably our quality control activity has been useful for bringing ST quality more explicitly into the classroom. Firstly, it seems that the notions of defective STs and of defect have proven useful to bring ST quality into this specific training context. As for trainees’ feedback concerning our two-step approach, while for some of them one step was more useful than the other, both seemed to have been generally effective in raising trainees’ awareness of ST quality and in assisting them to deal with ST quality (our goal).

When asked about the translatability assessment (the first step), trainees unanimously confirmed that it helped them to better identify defective STs in general (in this module and in other translation modules) and more specifically defective Spanish administrative STs. Furthermore, they underscored it assisting them to assess how the defects found impacted on their STs’ communicative effectiveness, while equipping them to produce better translations. This highlights that this translatability assessment may be a useful exercise to help trainees develop vital ST analytical skills and produce more effective legal translations. One of the participants commented on the need to interiorise the translatability assessment. This reflection is certainly relevant, as this is precisely the point of our proposal. In other words, we are aware that professional translators (or even trainees) are not expected to have the time to complete this table for each translation assignment. However, by presenting them with this table in their training, we aim to assist them in progressively systematising how to deal with defective STs without requiring the completion of the translatability assessment *per se*.

Trainees also reported the pre-editing stage (second step of our training activity) contributing to equip them to produce better translations. This may suggest that pre-editing STs can be a beneficial training activity to raise trainees' awareness of ST quality and to develop their ability to improve ST quality in professional contexts where translators may contribute to it. Lastly, when asked about the usefulness of the quality control of STs as a whole, trainees unanimously recognised that they would have reproduced more defects in their translations without it, and accordingly, that it generally benefitted their translation process. Furthermore, overall our proposal has benefitted an evolution concerning the need to address ST quality on the part of trainees. While in the first questionnaire 70% of the participants (21 out of 30) reported that they had not even previously considered the need to consider ST quality in the translation process, in the final questionnaire 76.7% (23 out of 30) reported that it should "Always" be considered and 23.3% (7 out of 30) of them that it should be considered "Very often."

Furthermore, a shift in trainees' perceptions of STs as whole can also be inferred when analysing their initial and final responses. Broadly, they have moved from their generalised perception of STs as good quality texts towards them recognising the identification of quality issues in STs as part of their role as translators. Thus, our proposal seems to have initially helped them not only to factor in that their STs may be of poor quality, but also to realise that, when necessary, the quality of their STs can be questioned. Thus, although this pilot study is limited in its scope, since it exclusively aims to test the usability of our initial proposal, it is a relevant starting point to further explore its usefulness in training contexts in the future.

As for implications for translator training more broadly, our findings also call for further emphasis on the relevance of assessing ST quality from an early stage. Some of the participants have even suggested that ST quality should be systematically brought into the equation at the beginning of their training, rather than at the very end (section 4.2.). This suggestion is highly relevant as it will allow trainees to progressively develop their critical thinking skills when dealing with defective STs during their training, thereby fostering a critical eye that will be vital when subsequently facing specialised translation modules.

6. Conclusion

With the aim of bringing ST quality to the forefront in the context of LTS, we have designed and implemented a ST quality control activity to assist legal translation trainees to systematise how they deal with ST quality when translating defective Spanish administrative STs. Our initial findings suggest that it will be beneficial if it is integrated as a key component of the ST analysis stage in order to ensure legal translation quality.

Arguably, our proposal seems to initially bring two main benefits into the legal translation classroom. Firstly, it enhances trainees' critical thinking skills by equipping them with the tools to critically analyse their STs. And, secondly, by emulating real-life

situations, it prepares translators to deal with defective STs that they will inevitably face in practice, including situations where they might actually be allowed to intervene to improve the quality of the STs.

References

- Borja Albi, A., García Izquierdo, I., and Montalt i Resurrecció, V. 2009. "Research Methodology in Specialized Genres for Translation Studies." *The Interpreter and Translator Trainer*, 3(1): 57-77. <https://doi.org/10.1080/1750399X.2009.10798781>
- Castillo Bernal, P., and Estévez Grossi, M. 2022. *Translation, Mediation and Accessibility for Linguistic Minorities*. Berlin: Frank and Timme.
- European Commission. 2012. *Quantifying Quality Costs and the Cost of Poor Quality in Translation*. Luxemburg: Publications Office of the European Union.
- European Commission. 2015. *Joint Practical Guide of the European Parliament, the Council and the Commission for Persons Involved in the Drafting of European Union Legislation*. Luxemburg: Publications Office of the European Union
- Gouadec, D. (2007). *Translation as a Profession*. Amsterdam: John Benjamins.
- Krosnick, J. A., and Presser, S. 2010. "Question and Questionnaire Design." In *Handbook of Survey Research*, edited by J. D. Wright and P. V. Mardsden, 263–313. Bingley: Emerald.
- Lafeber, A. 2012. "Translation Skills and Knowledge: Preliminary Findings of a Survey of Translators and Revisers Working at Inter-governmental Organizations." *Meta* 57 (1). 108-131. <https://doi.org/10.7202/1012744ar>
- Molina, L., and Hurtado Albir, A. 2002. "Translation Techniques Revisited: A Dynamic and Functionalist Approach." *Meta*, 47(4): 498–512. doi: <https://doi.org/10.7202/008033ar>
- Molnár, O. 2013. "Source Text Quality in the Translation Process." In *Tradition and Trends in Trans-language Communication* edited by J. Zehnalová, O. Molnár and M. Kubánek, 59–86. Czech Republic: Palacký University Olomouc.
- Nisbeth Jensen, M. 2015. "Optimising Comprehensibility in Interlingual Translation : The Need for Intralingual Translation." In *Translation and Comprehensibility*, edited by K. Maksymski, S. Gutermuth and S. Hansen-Schirra, 163-194. Berlin: Frank & Timme.
- O'Brien, S. 2006. *Machine-translatibility and Post-editing Effort: An Empirical Study Using Translog and Choice Network Analysis*. Doctoral thesis, Dublin City University.
- Prieto Ramos, F. 2014. "International and Supranational Law in Translation: From Multilingual Lawmaking to Adjudication." *The Translator* 20(3). 313–331. <https://doi.org/10.1080/13556509.2014.904080>
- Prieto Ramos, F. 2015. "Quality Assurance in Legal Translation: Evaluating Process, Competence, and Product in the Pursuit of Adequacy." *International Journal of Semiotic of Law*, 28: 11–30. <https://doi.org/10.1007/s11196-014-9390-9>
- Ruiz-Cortés, E. 2022. "The Translator as a Plain Text Designer for the Public Administration: A Necessary Role?" In *The Human Translator in the 2020s*, edited by G. Massey, E. Huertas-Barros and D. Katan, 125-145. London: Routledge.
- Saldanha, G. and O'Brien S. 2013. *Research Methodologies in Translation Studies*. Manchester: St. Jerome Publishing.
- Sánchez-Gijón, P. and Kenny, D. 2022. "Selecting and Preparing Texts for Machine Translation Pre-editing and Writing for a Global Audience." In *Machine Translation for Everyone: Empowering Users in the Age of Artificial Intelligence*, edited by D. Kenny, 81–103. Berlin: Language Science Press.
- Toledo Báez, M.C. and Conrad, C. A. 2017. "Informational Pamphlets for Asylum Seekers in English: A Proposal for Simplification in Translation Based on the Plain Language Movement." *Revista española de lingüística aplicada*, 30(2), 559–591. <https://doi.org/10.1075/resla.00007.tol>
- Way, C. 2016. "The Challenges and Opportunities of Legal Translation and Translator Training in the 21st Century." *International Journal of Communication*, 10, 1009-1029.

Appendix 1. Translatability assessment for Spanish administrative STs

LEVEL	CATEGORY OF DEFECT	DESCRIPTION OF THE DEFECT	IMPACT ON THE COMMUNICATIVE EFFECTIVENESS OF THE ST (Very Important Important Moderately Important Slightly Important Not Important)	IMPACT ON THE COMMUNICATIVE PURPOSE OF THE TT (Very Important Important Moderately Important Slightly Important Not Important)	PRE-EDITING DECISION (Yes/no)	TYPE OF DECISION-MAKING	TECHNIQUES TO BE APPLIED List in Appendix 2
MACROSTRUCTURE	Structure of the text						
	Consistency of text attributes (bold, italics...)						
	Sequence of information						
	Omissions						
	Factual correctness						
	Misplacement of information						
	Cross references within the text						
	Manipulation of the text (such as crossed-out parts)						
	Blanks						

	Illegibility						
	Additional information (instructions)						
	Formatting						
	Other issues						
MICROSTRUCTURE	Grammar and syntax:						
	-active voice is preferred to passive voice						
	- indicative mood is preferred to subjunctive						
	-reduction of noun strings and impersonal forms are advisable						
	- the distance between the subject and verb as well as negative constructions should be avoided						
	<i>Officialese</i>						
	-Length of paragraphs						
	-Length of sentences						
	-Terminological inconsistencies						

	-Ambiguity or vagueness						
	-Out-dated terminology						
	Inappropriate terminology						
	-Obscure cultural references						
	-Obscure institutional references						
	-Abbreviations and acronyms						
	-Archaism						
	-Technical expressions						
	- Capitals						
	-Spelling and punctuation						
	-Other issues						

Appendix 2. Taxonomy of translation techniques used (based on Molina and Hurtado Albir 2002, 509-511).

Adaptation	Replace a source text cultural element with one from the target culture.
Linguistic amplification	Add linguistic elements. Opposite of linguistic compression.
Amplification	To introduce details not explicitly formulated in the source text: information, explanatory paraphrasing, etc. Opposite of reduction.

Calque	Literal translation of a foreign word or phrase; it can be lexical or structural.
Compensation	Introduce a source text element of information or stylistic effect in another place in the target text because it cannot be reflected in the same place as in the source text.
Linguistic compression	Synthesise linguistic elements in the target text. Opposite of linguistic amplification.
Description	Replace a term or expression with a description of its form or/and function.
Reduction	Suppress a source text information item in the target text. Opposite of amplification.
Established equivalent	Use a term or expression recognised (by dictionaries or language in use) as an equivalent in the target text.
Generalisation	Use a more general or neutral term. Opposite of particularisation.
Modulation	Change the point of view, focus or cognitive category in relation to the source text; it can be lexical or structural.
Particularisation	Use a more precise or concrete term. Opposite of generalisation.
Borrowing	Take a word or expression straight from another language.
Literal translation	Translate a word or an expression word for word.
Transposition	Change a grammatical category.

ⁱ The author was affiliated with the University of Granada when she conducted the work presented in this paper. Thus, the author acknowledges the support of the University of Granada.

ⁱⁱ This module is framed within the BA in Translation and Interpreting offered at the University of Granada (Spain). <https://www.ugr.es/estudiantes/grados/grado-traduccion-interpretacion/traduccion-especializada-b-ingles-0> Accessed 28 December 2022

ⁱⁱⁱ Unquestionably, other quality metrics taxonomies may be useful to do this kind of assessment (including various criteria and not necessarily just defect or error types). Other approaches may thus be compatible with this proposal.

^{iv} For instance, spelling mistakes which are easily corrected may impact only on the ST, while spelling mistakes in STs that give rise to ambiguity may impact not only on the communicative effectiveness of the ST, but also on the communicative effectiveness of its subsequent translation.

^v <https://www.extension.iastate.edu/documents/anr/likertscaleexamplesforsurveys.pdf>. Accessed 28 December 2022.

^{vi} We have not used the verb “to remove” but the verb “to address” in our definition.

^{vii} While our proposal may assist trainees to produce more effective translations for other reasons besides avoiding the reproduction of STs’ defects, in this initial study we have chosen to focus on this specific benefit.