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《儿童法庭心理学》(节选) 翻译实践报告

A Report on the Translation of *Child Forensic Psychology* (Excerpts)

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摘 要

《儿童法庭心理学》(*Child Forensic Psychology*)一书是由 Robyn E. Holliday 和 Tammy A. Marche 编辑的心理学论文集,其内容是全球知名的研究人员和从业人员所撰写的论文,涵盖世界各地的主要案例研究,囊括了最前沿的理论和研究成果。因此,该书是研究法庭上儿童心理的一本不可多得的指导书,对心理学研究人员和法庭工作人员来说都是极为重要的经验来源。

本篇翻译报告是以第四章“Children as Eyewitnesses: Historical Background, and Factors Affecting Children’s Eyewitness Testimony”和第八章“Child Eyewitness Person Descriptions and Lineup Identifications”节选及其译语文本为基础,以翻译过程为研究对象,根据笔者在翻译实践中运用的 Newmark 的“关联翻译法”和文本类型理论,对翻译实践进行全面分析和总结。

本篇翻译报告包括五个章节,第一章为引言,包括了翻译项目的背景、目的和意义;第二章为翻译文本,包括原文和译文;第三章为原文概况,包括原文版本、作者和文本特点;第四章为翻译过程,包括翻译难点、译前准备和翻译方法;第五章总结了在翻译过程中所获得的经验教训、启发并指出仍待解决的问题。通过本次翻译实践,译者深化了对“关联翻译法”和文本类型理论的理解,掌握了翻译专著类文本的方法,深刻体会到了译前准备、翻译技巧和坚持练习的重要性,同时也意识到作为合格的翻译人员所应具有的决心和责任心。

本文认为,将“关联翻译法”和文本类型理论用于指导翻译实践,深化了对“关联翻译法”和文本类型理论的认识,有助于提高笔者的翻译水平和应用翻译理论指导翻译实践的能力。该项目的翻译能够为儿童法庭心理学的研究提供借鉴文本,丰富中国儿童法庭心理学研究资源库,促进儿童法庭心理学在中国的传播。

关键词:关联翻译法 文本类型理论 翻译方法 儿童法庭心理学

Abstract

Forensic Child Psychology is a collection of papers edited by Robyn E. Holliday and Tammy A. Marche. Papers in this book are written by a group of leading researchers and practitioners and cover the very latest theories and researches. This book is an indispensable guide that sheds light on the psychology of children in the courtroom and a vital resource for students and practitioners.

Based on the original text (Chapter 4 - Children as Eyewitnesses: Historical Background, and Factors Affecting Children's Eyewitness Testimony and Chapter 8 - Child Eyewitness Person Descriptions and Lineup Identifications) and its translation, this report takes the translation process as the object of study and provides a comprehensive analysis and summary of the translation practice under the guidance of the correlative approach to translation and text typology theory proposed by Peter Newmark.

This report is divided into five chapters. The first chapter is the introduction, which presents the background, object and significance of this translation project. Chapter two is the translation texts, which consists of the original English text and the Chinese translated version. The third chapter is the survey of the original text, which includes the edition, contents, author and stylistic features. Chapter Four is about the translation process, which describes the difficulties in translation, preparations before translation and translation strategies. Chapter Five is the conclusion of the translation report, which concludes with the gains, enlightenments and unsolved problems in the translation project. By doing this translation practice, the translator gains a better understanding of the correlative approach to translation and text typology theory, masters the methods used in the translation of academic works, fully realizes the importance of preparations before translation, translation skills and practicing and realize the patience and sense of responsibility needed for a qualified translator.

This translation report holds that the application of the correlative approach to translation and text typology theory to translation can deepen my understanding of the

theories themselves, contribute to the improvement of my translation skills and enhance my ability to apply translation theories to practice. This translation project can provide the research of child forensic psychology with a text for reference, enrich the resources and promote the development of child forensic psychology.

Key words: correlative approach to translation; text typology theory; translation strategies; child forensic psychology

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第一章 引言

1.1 翻译项目背景

我国正致力于建设法制现代化，法律心理学发挥着越来越重要的作用。乐国安（2003）把法律心理学（Legal Psychology）定义为研究社会生活中与法律有关的行为的心理学问题的一门学科，属于应用心理学的一个分支。其中，法庭心理学（Forensic Psychology）又称法证心理学，或法医心理学，是法律心理学的一个分支。Bartol & Bartol（2004：8）在其出版的《法庭心理学简介：研究和应用》（*Introduction to Forensic Psychology: Research and Application*）一书中将法庭心理学定义为：（1）检验与法律程序直接相关的人类行为的各类研究，（2）民法和刑法等法律制度中的或者与该法律制度相关联的心理学专业实践活动。随着人们法制意识的提高和对妇女儿童权益保护意识的提高，儿童在法庭中，特别是在涉及到儿童作为受害者或目击者的案件中，发挥着重要的作用。外在因素和儿童的内在心理特点影响了儿童在法庭中的作用，因此针对儿童作为受害者和目击证人的心理研究已显得很有必要。

法庭心理学研究在我国起步较晚，而儿童作为受害者和目击证人的心理活动的研究较少，缺少大量的相关研究，需要借鉴国际上该领域最新研究成果，因此需要一批有关儿童法庭心理学研究的译本。

本次翻译项目节选自 Palgrave Macmillan 出版社 2013 年出版的《儿童法庭心理学》（*Child Forensic Psychology*）。《儿童法庭心理学》是一本由 Robyn E. Holliday 和 Tammy A. Marche 主编的论文集，其内容涵盖了全球知名的研究人员和法律从业人士的有关儿童法庭心理学的最新论文，是研究法庭上儿童心理的一本不可多得的指导书。由于篇幅和时间上的原因，笔者节取了本书第四章 “Children as Eyewitnesses: Historical Background, and Factors Affecting Children’s Eyewitness Testimony” 和第八章 “Child Eyewitness Person Descriptions and Lineup Identifications” 节选 Attempts to increase children’s correct rejection rates 进行翻译实践。原文约 12000 个词，译文约 21000 字。

1.2 翻译项目的目的

本次翻译项目的目的如下：

首先，本次翻译意在准确理解原文基础上，把握作者的核心观点和思想精髓，理清文章思路和逻辑结构，严密规范表达，准确使用心理学专业术语，让译文符合汉语语言的表达习惯，为国内喜好心理学的读者提供译本，为从事法庭心理学研究的人员和法庭的工作人员提供指导和帮助。

其次，本次翻译可以提高笔者的翻译水平，有助于笔者积累更多的翻译经验，锻炼翻译能力。同时，笔者将 Newmark 的“关联翻译法”和文本类型理论应用于本项目的翻译实践，探索其对翻译实践活动的指导作用，深化对其理论的了解并增强应用翻译理论来指导实践的能力。

1.3 翻译项目的意义

本翻译项目的意义表现在两个方面：

(1) 儿童法庭心理学研究在国外已取得一定的成果，但在国内的发展起步较晚，研究较少。因此，本翻译项目有利于引起人们对儿童法庭心理学研究的重视，为我国的儿童法庭心理学的研究工作提供参考。《儿童法庭心理学》是一本由 Robyn E. Holliday 和 Tammy A. Marche 编辑的论文集，内容包括了全球知名的研究人员有关儿童法庭心理学的最新研究成果，是研究法庭儿童心理的一本很有价值的指导书。译者通过多种渠道查找，尚未发现该书有正式出版的中文译本和该部分的中文翻译，故作为翻译报告的选题材料，因此具备一定的新颖性，可以为关注或研究儿童法庭心理学的中文读者、研究人员和法庭工作人员提供参考，也可以为更多的人提供一个全新的角度来了解儿童法庭心理研究的重要性。

(2) 有利于深化对 Newmark 的“关联翻译法”和文本类型理论的认识，提高译者的翻译理论水平和实践水平。翻译理论对翻译实践具有指导作用，因此学习翻译理论，就要将其运用于实践。无论何种翻译策略和翻译技巧，都以翻译理论为基础。Newmark 的“关联翻译法”和文本类型理论较为适合应用于专著类别的翻译，而本次翻译项目就是基于这两个翻译而理论展开，翻译工作的完成必将有利于深化对该理论的认识。此外，专著类别的语类特点，决定了翻译中包含各

种翻译难点，通过克服这些翻译难点，可以提高译者翻译专著类读本的能力。

1.4 翻译报告结构

本翻译报告结构如下：

第一，本翻译项目的介绍，包括背景、目标以及意义。

第二，翻译文本，包括原文和译文。

第三，原文简介，包括原文版本、作者的介绍和原文文本内容分析。

第四，翻译过程，包括译前的准备工作、翻译的难点以及翻译方法在实际翻译过程中的应用。

第五，总结本次翻译项目的经验与教训，提出仍需解决的问题。

第二章 翻译文本

2.1 原文

Children as Eyewitnesses: Historical Background, and Factors Affecting Children's Eyewitness Testimony

TIMOTHY N. ODEGARD AND MICHAEL P. TOGLIA

The capabilities of child witnesses to accurately recollect events and provide reliable testimony have been debated for more than a hundred years (Binet, 1900; Varendonck, 1911). Initially, children were branded as unreliable and even dangerous witnesses, with early studies observing them to be highly susceptible to producing distorted recollections of the past (Pear & Wyatt, 1914; Stern, 1910). Yet, this initial view was tempered by a lengthy debate concerning the child witness that continues to spark interesting research questions, which speak to developmental, cognitive, and social factors surrounding the vulnerability of child witnesses to suggestion and their propensity to create false memories. Collectively, researchers have identified critical factors that influence the ability of a child witness to accurately recollect an event. Of these factors, some are intrinsic to a child, such as age and past experience with a given topic, whereas other factors are extrinsic to the child, relating to external factors, such as the inclusion of misleading information during questioning and various forms of social pressure (Melnik, Crossman, & Scullin; 2007).

Distorted recollections of the past provided by child witnesses can be viewed as stemming from a mixture of external and internal factors. We argue that the division of intrinsic and extrinsic factors allows for a powerful method of identifying means of helping to safeguard the veracity of a memorial report provided by a child witness. In particular, the identification of intrinsic factors provides a basis to evaluate the reliability of a child's memory, whereas the identification of extrinsic factors provides a basis to actively change the procedures used to interact with child witnesses in an effort to maximize the amount and accuracy of information obtained from them.

This division is similar to a distinction drawn by Gary Wells when differentiating between estimator and system variables associated with eyewitness lineups (Wells, 1978). In this framework, estimator variables, such as the witness's age, race, and sex, were highlighted as being useful for postdicting the accuracy of an eyewitness' identification of a suspect in a lineup. These variables are not under the direct control of law enforcement personnel and, as such, can only be used to estimate the potential reliability of an eyewitness. These factors closely resemble factors intrinsic to a child, such as age, background knowledge and emotional reactivity. These factors are in contrast to factors extrinsic to the child that can be directly controlled, such as the manner in which a child is questioned, or the use of specific props during the interview process. These extrinsic variables resemble system variables that are under the direct control of the law enforcement community and, as such, can be modified to maximize the accuracy of lineup identifications. These include providing unbiased instructions (the suspect may be absent, you can decide not to choose or say "I don't know"), using double blind administration and preventing co-witness contamination. The focus of this chapters is to first review the history of child witnesses from the perspective of psychology and the legal community, highlighting how a group once thought of as being unreliable and even detrimental to court proceeding are now viewed as potentially highly credible witnesses who can provide invaluable information. We will then review some of the intrinsic and extrinsic factors that influence the reliability of a child witness. It has been through the identification of these factors that practical recommendations have been made about how best to interact with child witnesses, allowing for more accurate eyewitness accounts to be obtained from children. Thus, in a concluding section, we will address applied implications and recommendations.

History

The very early research on the child witness was reported a little more than a hundred years ago. Binet (1900; Binet & Simon, 1905) commented on children's suggestibility of memory and there soon followed a number of experimental papers.

Degree papers are in the “[Xiamen University Electronic Theses and Dissertations Database](#)”.

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