How to guarantee sufficient quality of interpretation and translation?

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Ideal situation:

- Click on EU database
- Enter query and search
- Find interpreter/translator
- Contact interpreter/translator
- Proceed with fair interpreter-communicated proceedings
Common situation:
- Where do I find a T/I register?
- Which T/I has time for the assignment?
- Does the T/I have any qualifications?
- What is the price of the T/I service?
- Should I contact an agency?

How to ensure good quality for interpreting/translation services?

Recommendation:

The Reflection Forum recommends that the legal services and professionals recognize the professional profile of the legal interpreter.

Professional profile: (1)

Language proficiency:

Proficient language knowledge and skills in both the language of the legal system and the foreign language.
Professional profile: (2)

Cultural competences:

Knowledge of the relevant countries and cultures.

Professional profile: (3)

Interpersonal skills and attitudes:

Legal interpreters often deal with a great cultural and linguistic diversity of people, often in stressed and anxious situations, in difficult settings, thus requiring strongly founded communication and interpersonal skills.
Professional profile: (4)

Knowledge of the legal systems:

- Structures, procedures, legal professions, services, etc.
- General legal terminology and the specific terminology relevant to an assignment (e.g. family law, asylum, fraud, etc.)

Professional profile: (5)

Profound awareness, integration and application of the Professional Code of Conduct and the Guidelines to Good Practice.
Professional Code of Conduct

The Professional Code of Conduct is the responsibility of the professional association of legal interpreters/translators. The code should be taught, as an integral part of the training, through formal teaching and through inclusion in role-plays, discussions and observations.

Professional Code of Conduct (EULITA)

- competences of legal I/T
- accuracy of transfer from source to target language in interpreting/translation
- impartiality
- confidentiality
- protocol + demeanour
- solidarity + fair conduct
Guidelines to Good Practice (1)

They support the practical implementation of the professional code of conduct.

It is recommended that guidelines to good practice be worked out by the I/T profession in cooperation with each legal service.

Guidelines to Good Practice (2)

The guidelines will assist the legal interpreter in assessing an assignment before accepting it (e.g. language match, availability, subject matter, etc.), carrying it out in a professional way (e.g. observe dress codes, check any necessary arrangements, using direct speech, etc.) and evaluating the assignment after having completed it (e.g. identifying what elements were unsatisfactory, what went well, seeking support when necessary, etc.).
How to ensure good quality for interpreting/translation services?

→ Directive 2010/64

Article 5: Quality of the interpretation and translation

(1) Member States shall take concrete measures to ensure that the interpretation and translation provided meets the quality required under Article 2(8) and Article 3(9).
(2) In order to promote the adequacy of interpretation and translation and efficient access thereto, Member States shall endeavour to establish a register or registers of independent translators and interpreters who are appropriately qualified. Once established, such register or registers shall, where appropriate, be made available to legal counsel and relevant authorities.

Article 6: Training

Without prejudice to judicial independence and differences in the organisation of the judiciary across the Union, Member States shall request those responsible for the training of judges, prosecutors and judicial staff involved in criminal proceedings to pay special attention to the particularities of communicating with the assistance of an interpreter so as to ensure efficient and effective communication.
Artikel 4: Costs of interpretation and translation

Member States shall meet the costs of interpretation and translation resulting from the application of Articles 2 and 3, irrespective of the outcome of the proceedings.

Article 10: Report

The Commission shall, by 27 October 2014, submit a report to the European Parliament and to the Council, assessing the extent to which the Member States have taken the necessary measures in order to comply with this Directive, accompanied, if necessary, by legislative proposals.
INFOCRIM report by FRA/EU

Rights of suspected and accused persons across the EU: translation, interpretation and information


FRA Opinion 5

When establishing a register of legal interpreters and translators in line with Article 5 (2) of Directive 2010/64/EU, EU Member States should consider introducing relevant safeguards to maximize the quality of translation and interpretation services ensured through such a register.
FRA Opinion 5

For instance, they should consider defining clear admission criteria, and providing for regular registration renewals, mandatory professional development for legal interpreters and translators, and special training for legal interpreters and translators who work with vulnerable groups.

FRA Opinion 5

At the same time, EU Member States should consider making it mandatory for criminal justice authorities to use such registers when they need interpretation and translation services in the context of criminal proceedings.
FRA Opinion 6

To ensure that the interpretation and translation provided meets the quality required under Directive 2010/64/EU, Member States could consider developing clear and binding rules on the conditions for using alternative ways of securing legal interpreters or translators.

Such rules should include specific quality safeguards, such as a minimum level of education or years of experience to be included on alternative lists.

Member States should also consider supporting other measures that help safeguard the quality of interpretation and translation services, such as codes of conduct and ethic codes specifying professional quality standards. National associations of legal interpreters and translators often voluntarily develop such codes.
FRA Opinion 6

Using information and communication technology (ICT)-solutions or engaging in cross-border cooperation with other EU Member States could help ensure the quality of services even when appropriately qualified translators or interpreters are not available in a given country.

In a cross-border context, criminal justice authorities could share resources, such as legal interpreters and translators available in their national registers.

How to ensure good quality for interpreting/translation services?

ISO FDIS 20228: Interpreting services – Legal interpreting - Requirements
Thank you for your attention

Are there any questions?

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