

Sunday Times (London)

May 6, 2007, Sunday

Mistranslating court interpreters are 'a threat to justice'

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**SECTION:** HOME NEWS; Eire News; Pg. 7

**LENGTH:** 533 words

IT'S a case of getting lost in translation. The standard of interpretation in Irish courts has been criticised by the Irish Translators and Interpreters Association (ITIA), which says many foreign defendants don't know what's being said.

The organisation wants an independent testing system to be introduced, as well as a national register of accredited interpreters.

"The situation is very worrying because there are no checks, no quality control and nobody is testing these interpreters to see if they can actually interpret," said Mary Phelan, ITIA secretary.

"It's not good enough to assume that anybody who can speak two languages is a competent interpreter. We are letting anybody who seems to have good English and another language interpret in the courts without any questions being asked."

Under the European Convention on Human Rights, a person charged with a criminal offence is entitled to have the free assistance of an interpreter if they cannot understand or speak the language used in court.

Lionbridge, a private agency, has been providing all the interpreters in Irish courts since March after it won a €2m-a-year contract from the Courts Service.

A qualification in interpreting is not mandatory in order to operate in the courts. Phelan says court interpreters need to have a specialised vocabulary, including legal terminology, and must relay all information.

"It seems to me when I sit in the district court that some interpreters are not interpreting everything that is said. They are just standing there beside the defendant and interpreting what they consider the important bits. I'm quite sure that justice is not being done."

In the UK, court interpreters must hold a Diploma in Public Service Interpreting.

Phelan says a one-day course provided by Lionbridge to interpreters is not sufficient training.

Ivana Bacik, a professor of law at Trinity College Dublin, said it was unacceptable that interpreting and translating services in courts have been privatised.

"There is no proper accreditation provided by the state. The Courts Service is relying on private companies certifying their own interpreters as being professional. There just is no accountability about it," she said.

"Individual barristers like myself -and I have had clients needing interpreters - can't judge whether the interpreters are adequate. We simply haven't the expertise." Bacik is concerned that sub-standard interpreters may have a bearing on outcomes in court.

Chinedu Onyejelem, editor of Metro Eireann newspaper, said: "There is a need for accreditation. Sometimes I get phone calls from interpreting agencies asking me to provide somebody and they don't ask if the person knows the system or not, they just want somebody straight away."

A study by Juan Miguel Ortega of the University of Granada in Spain, where there is a similar lack of regulation, has concluded that court interpreters have more active roles than was initially assumed. More than half admitted adding, summarising or omitting information when translating.

The Courts Service said: "We are aware of the concerns and we are working with our service provider to ensure the highest quality."

Lionbridge said nobody was available for comment.