

# J'accuse...

The demand for interpreters is constant, but there are no standards for ability or security vetting. It is unsatisfactory and unsafe writes Tom O'Sullivan



PHOTO: EOIN CONWAY

**P**icture a scenario where you are on duty in the public office of your station. A non-Irish national arrives at the public counter to report an assault perpetrated against them. This victim does not speak English. Do you:

- consult a list of state approved and accredited interpreters?
- pick up the Golden Pages and select an interpreter or agency from an advertisement by an unverified company/individual?
- check the noticeboard in the station for various flyers that are handed in or that arrive by post from unverified sources?

The reality, in 2008, is that the member carries out either (b) or (c) as, due to a failure to implement a professional approach to the problem by senior garda management, members of An Garda Síochána do not have the appropriate policy to consult and members of the public are not receiving a professional service.

## BACKGROUND

The current situation relating to the use of interpreters by An Garda Síochána is deplorable. Over the past fifteen years Ireland has seen an enormous increase in the number of non-Irish

nationals arriving in the country; a percentage of these are the victims or perpetrators of crime and they are being encountered by gardaí in the course of everyday policing.

As far back as 2002 the Garda Commissioner directed that a working group be set up to examine the use of interpreters and translators by An Garda Síochána. This working group provided a comprehensive report and made detailed recommendations on changes to be adopted to comply with best practise globally. It was recognised that An Garda Síochána was almost unique among western police services in having no standards or protocols. The report's recommendations were not implemented.

## CURRENT SITUATION

Throughout the criminal justice system we

see the involvement of trained professionals such as police officers, solicitors, judges, and medical practitioners. This professionalism does not however extend to the role of interpreters; there are major shortcomings in the accreditation of interpreters. Any foreign national with a mobile phone and a notepad who speaks reasonable English can operate as an interpreter in a completely unregulated environment. This results in regular unsatisfactory incidents due to a lack of professionalism by the interpreter.

Cases that I am aware of include that of someone interpreting for an asylum seeker over the phone while simultaneously

serving and haggling with customers at a car boot sale. In another incident, a colleague terminated a discussion between a non-Irish national he had detained and an interpreter when he realised that she was providing her service from the upper floor of a double decker bus full of people. The interpreter had to raise her voice above the din and also asked

the member to speak louder.

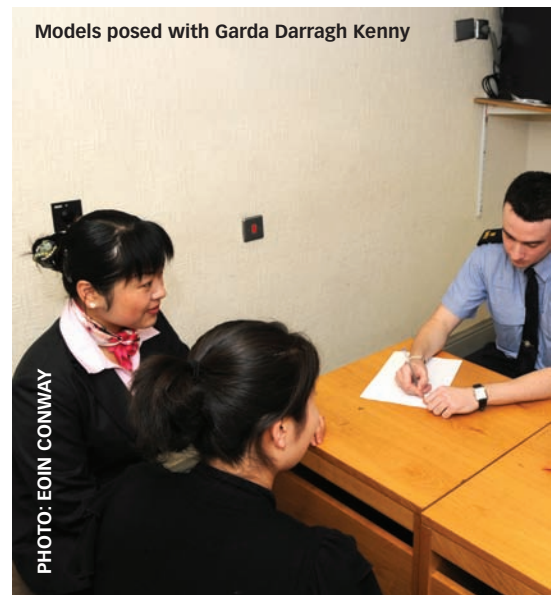
In the last two months, a member of An Garda Síochána checked the GNIB status of a Chinese interpreter he had engaged at the Bridewell in Dublin and discovered that this person was illegally in the state.

There are several difficulties experienced in the interaction between gardaí and interpreters including the lack of academic checks on interpreters to ensure that they are professionally competent to do the work. More worryingly, there is an abject failure to carry out criminal record or security vetting on interpreters used by police. Pragmatically, there are problems in sourcing interpreters outside normal office hours.

There is strong evidence that the work carried out by interpreters is undervalued and consequently underpaid in Ireland. Some agencies in the industry are notable

**"In the last two months, a member of An Garda Síochána checked the GNIB status of a Chinese interpreter he had engaged at the Bridewell in Dublin and discovered that this person was illegally in the state"**

Models posed with Garda Darragh Kenny



only for their poor rates of pay. As a consequence, the industry does not always attract people of the highest professional training.

## IN THE PIPELINE

The organisation has decided recently to issue a tender for the biggest public sector interpreting contract in the state. I am informed that contracts have been awarded, but I am not aware of the winning tenders.



Tom O'Sullivan is a Detective Garda attached to Interpol at Garda Headquarters. He is the holder of a BA(Hons) in linguistics and Italian from UCD. He holds a Masters degree in Applied Linguistics from TCD and is a professional member of both the Irish Translators and Interpreters Association and the Chartered Institute of Linguists (London).

## LOST IN TRANSLATION

### Accreditation concerns

The academic ability and cultural knowledge is vital to get accurate information from a victim, witness or perpetrator. A poor interpreter might easily make a mistake in complex legal language; cultural significance may also be lost.

Also, some of the material that the interpreter has to process may be traumatic, and their welfare concerns must be met.



While there is no doubt that some thought went into the selection process, there is a clear difficulty in giving all of the interpreting business to one or more corporate entities. While there is a review mechanism to be put in place to monitor the successful tender companies, I believe that there will still be an

over reliance on these firms to self-police.

The Irish Translators and Interpreters Association (ITIA) said that it is hugely concerned at the quality of the service being provided to major state bodies. Mary Phelan, Secretary of the ITIA and head of the Graduate Certificate in Community

Interpreting at DCU claims that the quality of interpretation work being carried out for major public sector bodies is often inadequate.

Drawing on a model used by other public service sectors in this country may not constitute a satisfactory approach. I attended a trial at the Central Criminal Court in 2007 where a Lithuanian national was tried for the attempted murder of a French student in Dublin. An interpreter was provided by the court services to interpret from English to French for the victim. The interpreter, a Moldovan national, did not have a good command of the French language, never mind the high level required to interpret in a courtroom setting. In fact, she could not even say her nationality in French. It transpired that the victim spoke very good English and the interpreter was not used; just as well. This is not an isolated incident and I have heard of recurring similar problems from colleagues countrywide.

Strategic goal five of this year's policing plan for ethnic and cultural diversity strives "to provide equal protection and appropriate service while nurturing mutual respect and trust". This will only be achieved if the highest standards and international best practise are adopted by An Garda Síochána.

Police officers expect to have the appropriate structures in place; the public demand them. While An Garda Síochána cannot be held accountable for the absence of a national state-sponsored accreditation system for interpreters, it is incumbent on the police to put the appropriate structures in place to ensure that the public and individual police officers can have confidence in the system.

### RECOMMENDATIONS

We don't have to invent best practise in the use of interpreters; other countries have had tried and tested procedures in place for many years. Britain has a register of public service interpreters who are fully tested for professional competence and must provide proof of security clearance. They may be employed on a freelance basis or by agencies but the bottom line is that the individual interpreter will not work for the police unless he or she meets the exacting standards of the public service' list.

Australia has a professional model. The National Accreditation Authority for Translators and Interpreters (NAATI) sets and monitors standards for translators and interpreters. NAATI accreditation is the



Model posed with Garda Darragh Kenny



only credential officially accepted for official translation and interpreting in Australia. All government services require translators and interpreters to be NAATI accredited.

It is unsafe, for the reasons stated, to rely on any private company to 'guarantee' the professional competence of individual interpreters. It is a lazy assumption to make that any such company will impose the appropriate high standards required, when one of their primary motivations is cutting margins to increase profit. In the absence of a national register regulated by a state authority, An Garda Síochána should step in and compile a list of interpreters who are:

- professionally competent
- members of a professional body such as the Chartered Institute of Linguists or

the Irish Translators and Interpreters Association

- security checked
- vetted for a criminal record in this jurisdiction and any other country that the interpreter has lived in for a significant period of time
- checked as to GNIB status

In addition, probationer gardaí should complete a short module on how to use an interpreter to maximise the service received and to ensure that the rights of the service recipient are not undermined. This training could also be delivered via the continuous professional development programme.

Members of all frontline ranks now need a professional structure corresponding to best international practise following years of procrastination; previous efforts are

notable only for their shortcomings. The principles behind the new procedures to be implemented in 2009 are flawed. A great opportunity has been wasted. **GR**

### Security concerns

It is vitally important that the interpreter is working for the gardaí and does not have any conflict of interest. There remains the possibility that the interpreter may be known to the victim or the perpetrator of a crime. There are also concerns of confidentiality – the interpreter often has access to information vital to an investigation.