



Irish Translators' and Interpreters' Association
Cumann Aistritheoirí agus Teangairí na hÉireann

ITIA Bulletin

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Irish Translators' and Interpreters' Association
Cumann Aistritheoirí agus Teangairí na hÉireann
19 Parnell Square, Dublin 1, Ireland

| Tel.: +353-1-8721302 | Fax: +353-1-8726282 |
| Email: itiasecretary@eircom.net | Web: www.translatorsassociation.ie |

Editorial

This issue of the Bulletin brings readers a veritable medley of news, articles and reports - in the main unusually positive - from home and abroad with a number of contributions from members (always welcome!) including a particularly interesting piece for court interpreters in relation to the transposition of EU Directive 2010/64/EU from our Chairperson, Dr. Mary Phelan.

Updating laws and raising standards certainly go some way to ensuring a professional service but this would need to be combined with considerable increase in rates of pay in order to attract qualified newcomers in and to encourage current practitioners to invest further in themselves.

We note with sadness the recent passing of one of the great writers of our times, Gabriel Garcia Marquez who, through his many translators, allowed us to enter his magically realistic Latin American world, in Hungarian, Mandarin, Lithuanian, Tamil, Japanese and Arabic amongst others.

Que en paz descansa.

Anne Larchet
Co-Editor

The ATIO welcomes court interpreter testing as a good start

Our Canadian colleagues happy to have skills put to the test

The President of the Association of Translators and Interpreters of Ontario (ATIO) Nancy McInnis, indicated clearly today that her association stands behind the initiative launched by the Ministry of the Attorney General to test the skills of its accredited interpreters.

“The Association of Interpreters of Ontario (ATIO) commends the Ontario Ministry of the Attorney General for taking the initiative of looking into Court Interpreter skills. In order to improve, we need to know where we stand and what is lacking, and this test was a good start,” said McInnis today.

The Ministry of the Attorney General has ordered the mandatory testing of all its accredited court interpreters. Following the first results published last week, some of the Ministry’s court interpreters have questioned the validity of the test.

According to Yuri Geifman, Director, Court Interpreters with ATIO, there is a widely held belief that the ability to speak two languages is enough for a person to act as an interpreter.

“Time and again, this view has been proved wrong by research and experience: whenever someone other than a professional interpreter is used, there is always a cost

and this is especially critical in the medical and legal setting, where the cost of errors is sometimes paid in human lives” added Geifman, an ATIO -certified Court Interpreter himself.

ATIO stresses the fact that bilingualism is a good foundation to build on, but is far from enough to practice interpreting at a professional level, and it should come as no surprise to court interpreters that the test administered by MAG covers more than language skills, but interpreting skills as well. ATIO suggests that concerted efforts between MAG, ATIO and training institutions may be warranted to provide professional training to court interpreters. This would result in higher scores, better rates and more public confidence. Finally, ATIO welcomes practicing court interpreters interested in becoming certified by ATIO.

For further information: Catherine Bertholet, Executive Director, Association of Translators and Interpreters of Ontario, 1 Nicholas Street -Suite 1202, Ottawa, ON, K1N 7B7,1

Original source: <http://tinyurl.com/kx2tw5a>

New EU Directive on Interpreting and Translation in Criminal Proceedings

ITIA Chairperson's view on Ireland's current EU Directive status

Interpreters are generally provided to defendants in criminal cases who do not speak English under the European Convention on Human Rights which was incorporated into Irish law in 2003.

The European Commission was keen to encourage EU member states to provide interpreters in police stations and the courts and in October 2010, directive 2010/64/EU on the right to interpretation and translation in criminal proceedings was introduced. EU member states were given three years to decide how to transpose the directive into national law. The directive includes some very positive aspects, such as an onus on member states to “take concrete measures to ensure that the interpretations and translation provided meets the quality required...” and allows for defendants to

complain about the quality of interpreting or translation or that they were not allocated an interpreter.

In the ITIA, we were keen to find out if, when and how the directive would be transposed into Irish law, and if transposition would help improve interpreter and translation provision. We have been concerned for some years about the lack of training and testing for interpreters who work in Garda stations and the courts. While we believe that some interpreters are competent, we are quite sure that this cannot be the case for all interpreters working in this field.

Minister for Justice Alan Shatter signed two Statutory Instruments in December 2013, one for the courts and one for the Garda. SI564 for the Garda is reasonably complete but we find SI565 for the Courts disappointing because quite a large number of items included in the directive are not addressed in the statutory instrument. While we appreciate of course, that some items such as, for example, training for judges, prosecutors and judicial staff, would not be included in a statutory instrument, we believe that SI565 could have done more to address the issues raised in the directive. I spoke to an official in the Department of Justice about this and his view was that the two statutory instruments give effect to the directive. He emphasised that the independence of the judiciary and the Courts Service had to be respected. It would be up to the Courts Service to introduce rules of court, if necessary, to address the directive. A search of the Courts Service website did not yield any results for new rules of court on interpreting and translation provision.

The ITIA is currently working on a submission comparing the directive with the two statutory instruments, which will be sent to the Minister for Justice. The full texts are available from these links:

- EU directive 2010/64/EU: <http://tinyurl.com/n3thkjj>
- Statutory Instrument 564 of 2013 <http://tinyurl.com/lu9n9cq> (Garda stations)
- Statutory Instrument 565 of 2014 <http://tinyurl.com/pc5v3j3> (Courts)

Mary Phelan

New agreement on fees and royalties for literary translations in Germany

Some very good news indeed from our German colleagues

On 1 April 2014 the German Association of Literary Translators VdU and a group of German publishing houses led by Carl Hanser Verlag in Munich, have concluded a joint agreement on remuneration and royalties for literary translations in Germany (“Gemeinsame Vergütungsregel”).

Twelve years since the new copyright laws came into force in 2002, giving authors the right to appropriate and equitable fees and royalties, and after a series of more than 50 legal actions brought by individual literary translators against their publishing houses, some of those publishing houses and the VdU have now reached an agreement on appropriate and equitable fees:

1. Literary translators are to receive a basic minimum fee of €18.50 per manuscript page (30 lines of a maximum 60 signs, ca. 1,500 characters including spaces) for texts of normal quality and difficulty, but a minimum of €15 for all kinds of literature (including children’s books, all kinds of non-fiction, manuals etc.) and a minimum of €22 for all kinds of difficult and demanding literature.
2. In addition to the basic fee, translators are to receive minimum royalties for printed book editions: 1% of retail price for sales up to 5,000 copies, 0.8% for sales from 5,001 to 10,000 copies and 0.6% for all sales above 10,000 copies. The same applies to all new editions, except for mass market paperback (Taschenbuch) editions following a first hardcover edition, in which case the rates halved; and 1.6% of the net price (or the publisher’s net receipts) for audio books or similar products to which fixed book prices do not apply.

3. For every form of digital download and digital audio books (eBooks etc.), the translator will receive 2.5% of the wholesale price or the publisher’s net receipts for every copy sold or lent.
4. For the sale of all secondary rights or licences, translators will receive 10% of the publisher’s net receipts except for licences for mass market paperback editions, for which the rates are halved (5%).
5. For translations from the public domain translators will receive the same basic fees, but a minimum of twice the royalties agreed in 2., 3.) and 4.) unless a contract with better conditions is drawn up.
6. These rules will be revised every 2 years by mutual negotiation.

The VdU and the publishing houses involved invite all publishing houses in Germany to join in with this agreement. According to the German copyright law of 2002 (<http://tinyurl.com/pmyf4ye>), this joint agreement applies to the whole of the book sector, and hence all publishing houses and publishing groups and literary translators are obliged to respect and apply the agreement, at the risk of fresh legal action.

News from German Literary Translators’ Association
VdU through www.ceatl.eu/

The Backstabbing Translator

Dream a Little Dream of Me (as a fish)

I recently had a dream that really freaked me out. I was a fish, swimming in a stream running through a cavern. It was dark and the water felt strange to me. I couldn’t quite place it, but I didn’t feel comfortable being there. I knew that I entered the stream to get someplace, but I

remember having a feeling of being stuck in it for a long time; longer than what I had believed when I got there. Looking around me, I saw countless other fish squirming about, their movements screaming a lack of direction and purpose, their eyes filled with confusion and hostility. I could make out some of them sharing colours and patterns in their appearance, as if within the thousands that surrounded me, there were groups that belonged to the same kind. They were certainly not together, however, as each fish snapped at whichever one got close to it.

After hours and hours of swimming in the seemingly endless, dark stream, we reached an opening where we could move more freely; and up ahead, I could see a single point of light shining through the water. I instantly knew that it was the way out, but, apparently, so did the rest of them. We all swarmed to the exit, seconds away from escaping the illusory freedom of the never-resting body of water. Just as I reached the threshold and saw a wondrous, vast ocean stretching across the opening, promising a wonderful, joyous life without worries, I felt something pushing me aside and hundreds of tiny little teeth having a go at my scaly flesh. Instead of working together to escape the stream, the fish began attacking and pushing each other out of the way, trying to get out first. The opening was not going anywhere and we certainly could all get through, if everyone remained calm and realized that there were no enemies amongst us. We were all after the same thing, and we could all get it!

I gasped my way out of the dream, sitting up on the bed, and left with the lingering, suffocating sensation of being stuck inches from my goal and unable to comprehend the aggressive nature of my fellow swimmers.

The Backstabbing Translator

Okay, you get my point with the metaphor, so I won't bother with explaining the specifics.

In the past five years, quite a few times, I've had to deal with fellow translators acting like I'm out to pillage their home, rape their wife and mangle their sweet Persian cat. I was recently contacted by a translation agency, dealing mostly with medical/pharmaceutical translations. They agreed to a pretty good rate (upwards of 12 eurocents) and requested a couple of samples from previous translations I'd performed.

I sent them two samples; a part of a clinical trial protocol I had recently translated, and a part of a SPC I had translated (AND performed the final QC), quite some time ago. Keep in mind that the SPC has been published by the EMA and is currently running wild in the market!

I heard back from them a couple of days later, and to my surprise, the vendor manager informed me that the SPC sample had been found wanting. She sent me the evaluation copy with the proofreader's comments (one of their long-term freelance translators in my language pair) included.

I was nine parts mad and one part amused, as I opened the file and immediately had to cover my eyes to avoid (permanent) blindness, from the sheer amount of bright pink tracked changes in the file. Apparently, the person responsible for evaluating my sample changed pretty much every single word that could be expressed in a different way. Even standard QRD terms and formatting instructions specific for that template version couldn't escape his/her mighty, pink, digital marker.

Having the aforementioned analogy completely reversed in my head, I wished the agency good luck and didn't break a sweat.

In the past, when a similar event occurred, I chewed down on the proofreader so hard that the vendor manager apologized to me and ensured me that they would never use their services again. I guess I'm way cooler and more mature nowadays! Okay, maybe not.

Plenty of Fish in the Pond

Okay, we all know that translators pop out left and right every day. Portals that welcome translator profiles are filled with thousands of linguists actively looking to obtain new clients. Certainly, the supply must have outweighed the demand in the LSP market by now, right? Not even close.

There is, and will be for the foreseeable future, enough demand to feed every single translator out there.

Actually, we need an influx of new linguists if we're to avoid all those big companies not being able to deliver their products in a worldwide fashion.

So, why all the hostility between one another? Why must we, under the pretence of being best buddies in social media networks, stab each other behind the back when it comes to sharing work? Work that's more than enough to cover everyone's needs!

Apart from the ridiculous notion that we need to drive prices down to receive any work at all – because, let's face it, you know that when the supply doesn't match the demand, the supplier can pretty much sell his services at a higher price than black market organs sell for these days –, there is absolutely no reason to bother getting in the way of another translator, as long as they cannot be held professionally or ethically accountable. If they're bad at their job, feel free to rip them apart; if they're doing a good job, give them a pat on the back and welcome them to your team.

As with many of the problems translators face nowadays, the whole issue has its roots deep within the linguist's psyche.

Instead of adding obstacles in every step we take, how about we have a look around and try to benefit from the given advantages of our profession?

By Konstantinos Stardelis
Original source: <http://tinyurl.com/q2f73ys>
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Conference Reports

Report on Interpreting in Mental Health Situations Workshop

Alda Gómez is a holder of the Graduate Certificate in Community Interpreting from Dublin City University and has worked as a translator and an interpreter. In recent years, she qualified as a counsellor and psychotherapist.

This combination of skills means that she is in a unique position to provide training to interpreters on how best to work in mental health settings. Alda drew on her extensive knowledge of the two fields to give a very interesting continuing professional development ITIA workshop on Saturday 1st February 2014.

Alda's approach throughout the workshop was to consider what interpreters working in mental health situations need to know. She started by covering the different practitioners and different approaches in mental health. She then went on to discuss transference and countertransference, boundaries and trust.

Typical scenarios that can arise for interpreters were considered and discussed. Alda suggested techniques that interpreters can use to prevent vicarious traumatisation. Over the course of the day, attendees acted out role plays designed to illustrate transference and countertransference in action, and also to highlight typical problems experienced by interpreters working in mental health. Finally, preparation for assignments and, in particular, the preparation of glossaries was considered. All of the information was presented at a very nice, relaxed pace.

Mary Phelan
<http://tinyurl.com/nrm5dbd>

Report on Interpreting Conference in Alcalá de Henares, Madrid, Spain

The 5th International Conference on Public Service Translation and Interpreting, organised by Dr Carmen Valero Garcés and her team at the University of Alcalá de Henares, in Spain, took place in April 2014. I attended this conference, which focused on re-envisioning ethics for interpreters and translators working in conflict situations and war zones.

Paolo Capelli from the International Association of Conference Interpreters (AIIC) shared the findings from his research on interpreters in conflict zones.

Assignment-related vicarious traumatisation is likely to affect Interpreters and translators as they are not aware – nor are the users of interpreting and translation services – that such problems exist. Also, local interpreters may provide ideology-driven translations because they may not work to a code of ethics. Capelli highlighted the importance of special pre-deployment training and psychological counselling for interpreters in conflict zones.

Emeritus Professor Erik Hertog gave a presentation about the experiences of interpreters interpreting for the trials in post-apartheid South Africa, and the civil wars in the former Yugoslavia. He explained that interpreters throughout history and increasingly so in our modern globalised world, have found themselves involved in calamitous events, painful confrontations or indeed violent conflicts. He drew attention to the demanding role of the interpreter in Kosovo and in Johannesburg. He referred to the Truth and Reconciliation Commission (TRC) in South Africa which would not have been possible without the work of interpreters who had no previous interpreting experience. Hertog cited a document drafted by AIIC and the Red Cross, which recommends changes for interpreters in conflict zones (see <http://tinyurl.com/b9vfr9t>) and another by the Centre for interpreting in conflict zones in Geneva (see <http://tinyurl.com/a3be6cb>).

A round table on public service interpreters and gender violence discussed the SOS-VICS European funded project “Towards specialisation of gender violence interpreters”. The need for specialised training for interpreters who work in this area was stressed.

Members of the panel presented the preliminary results of their ongoing research with both interpreters as well as users and institutions working on gender violence assistance services in Spain.

In one of the plenary lectures, “From Fear to Freedom”, Marjory Bancroft reviewed ethics and standards of practice around the world which relate to interpreting in situations of conflict and trauma and how such ethics collide with the personal and professional values of public service interpreters. She spoke about the importance of unifying and identifying a code of ethics for this sector, that should refer to legal, medical, mental health, educational, social service, sign language—and even conference and military interpreting.

The workshop chaired by Ian Andersen from the EU DG Interpretation and Pascal Rilof (EU Public Service Interpreting and Translation Network) was particularly useful as it involved a discussion around guidelines required for public service interpretation and translation in Europe. Each participant attending the workshop had to reflect on important points needed for the sector in order to prioritise important and urgent actions needed for the future. Rilof is one of the founding members of a new network called the European Public Service Interpreting and Translation Network (EPSIT).

Raquel Lázaro from the University of Alcalá spoke about the use of children as interpreters as well as the use of the service of gardeners, waiters, cleaning staff and other co-workers in any public service interaction (police stations, schools, public offices etc) and many more examples. Lázaro highlighted the importance of establishing codes of ethics for particular fields and informing the authorities about the importance of quality communication through qualified personnel.

A round table was held on the transposition of the new EU directive Directive 2010/64/EU on the right to interpretation and translation in criminal proceedings. Various representatives of the world of translation and judiciary warned that the mandate of quality and professionalism of Directive 2010/64/EU is in danger. It is extremely important that the Ministry of Justice in Spain opts for the creation of a register of freelance interpreters and translators and that they pass a certification test. Researchers Hendrik J. Kockaert and Erik Hertog from the University of KU Leuven, along with representatives of EULITA and the Spanish Ministry of Justice took part in the panel. It was pointed out that countries like Spain must remember that the ultimate purpose of the directive adopted in Brussels is to ensure the quality and excellence of translation and interpretation services throughout the criminal process. The conference was a huge success and I would like to extend my congratulations to the organisers for their efforts. The conference was attended by researchers, practitioners, trainers, academics, public service authorities and people who are generally interested in intercultural communication, translation and interpreting. It was a great opportunity to learn about current trends and an opportunity to exchange opinions. More info about the Alcalá's Conference, including the Conference Programme can be found here:

<http://tinyurl.com/k3zan35>

Miren Maialen Samper

Book Review: The Irish District Court

O'Nolan, Caroline (2013) The Irish District Court: A Social Portrait Cork University Press

Caroline O'Nolan's book on the District Courts is based on observation of proceedings between October 2008 and December 2009 in a number of District Courts; one in a suburb of Dublin, one in Dublin city centre, one 70 kilometres north of Dublin and a remand court in

Dublin west. The permission of the president of the District Courts was sought before commencement of the research and individual judges were aware that the researcher was in court. In addition, a small number of judges and solicitors were interviewed. All names of courts, judges, lawyers and defendants were changed to preserve anonymity.

A substantial part of the book relates to the remit of the District Court in Ireland, the type of crimes that are dealt with there, sentencing and immigration offences. However, for readers of the Bulletin, the most interesting section is Chapter 5, which deals with the topic of interpreter provision, something described by O'Nolan as "little more than window dressing" (page 148). O'Nolan observed a number of cases which were allowed to proceed despite the absence of an interpreter, possibly because defending solicitors felt it was preferable to finish the case rather than request an adjournment. Some defendants with little English, particularly those in custody, were not allocated an interpreter for their court appearances and had to be remanded in custody again. Some defendants were allocated interpreters for some court appearances, but not for others. O'Nolan concludes that some solicitors believe that "interpreters are only really necessary when a case comes to a conclusion" (161).

The author reports that she was asked by court interpreters to explain such terms as "bench warrant", "remand" or "bail bond", all of which are used daily in the District Courts (155). She formed the impression that several interpreters "did not seem to understand the court proceedings at all" (ibid). In cases where they could not hear what was being said, a common occurrence in the District Courts, most interpreters were reluctant to indicate this to the court (156). Most disturbingly, some interpreters said nothing at all and "just stood mutely beside the defendant" (157). The author observed some inappropriate behaviour by court interpreters; for example, some interpreters engaged defendants in conversation before, during or after the

court case (159). In a case relating to a possibly forged driving licence, the interpreter on his own initiative gave his own driving licence to the defending solicitor but at least in this case the judge objected to his helping the defence (ibid). It is gratifying to see that O’Nolan quotes extensively from submissions made over a number of years by the ITIA to the Courts Service.

In her conclusion, O’Nolan notes “a willingness to proceed despite the absence of a requested interpreter” and finds that “not all interpreters appeared to have the skills necessary to competently interpret court proceedings” (177). She suggests that the pace of proceedings should be adjusted to allow for the interpreters to do their work.

O’Nolan’s book is a very welcome addition to research on interpreter provision in Ireland. It shows that interpreter provision is an ongoing issue in the District Courts, and it is very worrying that the system of provision appears to be so ad hoc, with interpreters allocated on some occasions to defendants, but not on others. It is clear that there is a need to streamline the allocation of interpreters and to ensure that they are provided at every stage. While the research reported in this book took place some years ago, it is likely that the situation regarding interpreter provision is much the same today. After all, the last request for tender by the Courts Service (2010) included three levels of qualification for interpreters, none of which require a qualification in interpreting or even translation:

Level 1	The person can be shown to be competent in both English and the language concerned.
Level 2	The person is a native speaker of the language concerned and can be shown to be competent in English or is a native speaker of English and can be shown to be competent in the language concerned.
Level 3	The person is a native speaker of English with a third level qualification in the language concerned or a native speaker of the language concerned with a third level qualification in English

To work as an interpreter in the courts in Ireland, it is sufficient to speak English and another language; there is

no testing system in place to ensure that interpreters can actually provide a competent service. Essentially nothing has changed since Caroline O’Nolan carried out her research and it is reasonable to assume that if a researcher were to spend some months observing court proceedings in 2014, they would see similar scenes to what O’Nolan saw and would come to similar conclusions.

Mary Phelan

Worth a Click

Here are some links to other recent articles or websites which we think you might find useful or interesting:

- Pistorius Interpreter Under Fire: <http://tinyurl.com/kpg7hfu>
- The Frugal Translator: <http://tinyurl.com/q5m2che>
- The Rosetta Foundation: <http://tinyurl.com/n7ovukr>
- Medical Translation Hints: <http://tinyurl.com/mneprb8>
- “Crap” Translation Services: <http://tinyurl.com/mu7ugbe>
- Sex and the Translator <http://tinyurl.com/qhtn73p>
- Internet Translation Problems: <http://tinyurl.com/pzuslkk>

What's Hot, What's Not?

What's HOT...

According to recent scientific research, multi-lingual people are better at reasoning, multi-tasking reconciling conflicting ideas.... they work faster with less effort and retain their cognitive faculties. Good to know there are some (hidden?) advantages to our profession!

...What's NOT

A six month delay in translation (from English to Irish) stalled the Courts and Civil Law (Miscellaneous Provisions) Act July 2013 from coming into force! If you had consulted us we could have helped!

Joining the ITIA

The *Irish Translators' & Interpreters' Association* is pleased to welcome new members to the association. We currently have the following categories of membership:

- Professional
- Associate
- Institutional
- Student
- Honorary

Professional Membership is awarded to translators or interpreters who meet the strict criteria of the ITIA based on qualification and level of experience.

Applicants must also achieve a PASS in the annual Professional Membership Examination (translator or interpreter) set by the ITIA.

Associate Membership is available to translators and interpreters who are starting out on their careers and to those who do not work full-time as a translator or interpreter. Many members avail of Associate Membership until such time as they have acquired the requisite experience and/or qualifications to apply for Professional Membership. Associate Membership is also availed of by people with a professional interest in the professions of translation and interpreting (e.g. terminologists, translation/interpreting tutors etc.) and by those who have a general interest in these professions.

Institutional Membership is available to bodies that do not function as commercial agencies, for example university centres for translation and interpreting studies or cultural institutes. Application documents for Institutional membership are currently being prepared.

Student Membership is available to persons undertaking undergraduate studies in any discipline or those

undertaking postgraduate studies in translation or interpreting.

Honorary Membership is awarded by the ITIA AGM to persons in Ireland or abroad who have distinguished themselves in the field of translation or interpreting.

For further details and application forms, please see our website at <http://tinyurl.com/y65bgtb>

New Associate Members of the ITIA Jan.-April 2014

RENATA BANDI

ENGLISH from Hungarian, Romanian

DAVID CLARKE

ENGLISH from Spanish

MARZENA CLOHESSY

POLISH to and from ENGLISH

FRANK COMISKEY

ENGLISH from Japanese

ADRIANA HICKEY

POLISH to and from ENGLISH

PIOTR KUCHARSKI

POLISH to and from ENGLISH

VICTORIA LANARI

GERMAN to and from ENGLISH

VIRGINIA MATEO

SPANISH from English, Italian

ELIZABETH RYAN

ENGLISH from French, Spanish

MARIA DEL MAR SEGADE CAROU

SPANISH, GALICIAN from English

VILINA SVETOSLAVOVA

BULGARIAN to and from ENGLISH

Contacting the ITIA

Irish Translators' & Interpreters' Association Cumann Aistritheoirí agus Teangairí na hÉireann

Address: 19 Parnell Square, Dublin 1, Ireland
Telephone: +353 87 6738386
Email: secretary@translatorsassociation.ie
Web: www.translatorsassociation.ie

ITIA Bulletin

Co-Editors: Adam Brożyński | Anne Larchet | theitiabulletin@gmail.com |
Layout: Jody Byrne

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