



ITIA BULLETIN

April 2012

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■ Editorial

Dear Readers,

This issue focuses on the current UK court interpreting crisis.

I have to say I admire the UK court interpreters for their solidarity and leadership. They have managed to build an incredibly effective campaign against the new interpreting model for the Ministry of Justice, the key to which is probably the support of the legal community. When a similar model was introduced in Ireland a number of years ago it all happened very smoothly. Why? The major difference is probably that previously there was no court interpreting system per se in Ireland, whereas in the UK there was an established system whereby the courts were using a national register of interpreters. To be included in it, interpreters have had to pass expensive and hard examinations. This is what created a sense of unity and purpose among the UK interpreters. This is what created a profession. What the current UK administration is trying to do is a major paradigm shift in relation to court interpreting. They want to de-professionalize it and change it into what it is currently in Ireland – a playground for amateurs, a hobby, or a job done in spare time by speakers of foreign languages rather than by professional interpreters.

I hope this attempt fails and I hope the Irish government takes heed of it and draws the right conclusions. If the system is shown not to work in the UK, how is it possible that it is working in Ireland?

Adam Brozynski
Editor ITIA Bulletin
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But problems started soon after it was launched, sparking delays and cancellations. The Courts Service was forced to take on extra workers to cope with demand for translators.

Crispin Blunt, Justice Minister, has now agreed that courts may revert to the old system if necessary to avoid delays at short notice adjournments.

He said: “There was an unacceptable number of problems in the first two weeks of full implementation of the contract after January 30, following a smoothly-implemented new service in the north west pilot area during the previous two months.

“Close monitoring of the national roll-out has ensured that an action plan to address the problems was in place within two weeks of the new interpreter service commencing on a national basis.”

“This plan includes providing additional staff to deal with bookings, further targeted recruitment of interpreters in key languages and improvements to the call handling and complaints process.”

The about-turn came in answer to a written Parliamentary question by the shadow Justice Minister Andy Slaughter.

The new widely-criticised scheme required all court interpreters to come from a new single agency, called Applied Language Solutions — with a call centre in India — rather than courts being able to select them from the National Register of Public Service Interpreters, a list of accredited translators who work in specialist public services. Applied Language Solution is a subsidiary of outsourcing giant Capita.

Since the contract was launched there have been long delays, interpreters turning up late or underprepared or failing to turn up at all.

The court interpreters previously used by the courts were not prepared to work for the much lower rates paid by the new agency and without full expenses paid.

One court administrator told The Times: “We asked [last week] that this agreement with the new service

■ Courts last in translation... thanks to outsourcing giant

The Government intends to cut at least £350 million from the legal aid budget

Hundreds of trials involving witnesses or defendants who cannot speak English have been thrown into chaos by Government changes over booking interpreters, ministers admitted last night.

A Government minister acknowledged that the new system of outsourcing translators, aimed at saving some £18 million a year, has caused “unacceptable” disruption.

The new scheme for booking interpreters in criminal cases in Wales and England, as well as for hundreds of immigration hearings, was introduced by the Ministry of Justice.

should be torn up and the sensible arrangements in place before reinstated, before utter chaos unfolds with many adjourned hearings.”

“The cost of adjournments should have been considered before the Ministry of Justice entered into this contract. Some interpreters often travelled long distances in the UK to serve requirements at Immigration Tribunal hearings at short notice.”

“It was inevitable that they would no longer do this for next to nothing and this should have been obvious to the MoJ when they entered into this harebrained scheme.”

The new rates meant that interpreters could be waiting all day for a case and then paid £20.50, without any travelling costs, if within ten miles.

Interpreters have protested that they would end up working at a loss over the day, when parking and expenses are taken into account.

Frances Gibb

Original source: <http://tinyurl.com/cx89f9h>

■ Court translation service in crisis after cost-cutting deal

A government deal aimed at cutting the cost of court translation services, results in a boycott by interpreters and additional cost to the taxpayer, Channel 4 News has learned.

A government deal with Applied Language Solutions (ALS) was supposed to cut £18m off the Ministry of Justice's (MoJ) bill for court translation services in England and Wales - around 23 per cent of the budget. But what was intended as a cost-cutting measure will cost the government thousands of pounds every day in delays and adjournments, Channel 4 News has been told.

Around 1,000 interpreters have not been turning up to court because of the reduced pay and expenses offered by ALS. As a result, court hearings reliant on interpreters have been delayed or postponed, at a high cost to the MoJ and the taxpayer.

One of the most serious cases was at Leeds Crown Court on February 22, which led Judge Robert Bartfield to say: “Apart from the waste of time for the jurors, the distress caused to witnesses and the defendant himself,

the cost of this now aborted trial is likely to run into thousands of pounds.”

Geoffrey Buckingham, chairman of the Association of Police and Court Interpreters (APCI) told Channel 4 News that translation services are required at an average of two cases a day, at over 300 magistrates' courts.

Based on Crown Prosecution figures in a 2006 report, each postponed hearing in a magistrate's court costs the taxpayer £101, if adjusted for inflation. If a trial in the magistrates is postponed, the total cost is £816 at today's prices, while a trial which is abandoned completely on the day it was due to start costs the taxpayer £1,037, or about £1,231 at current rates.

When a defendant has to be remanded in custody because of an adjournment, each day in custody costs £94.35. The average adjournment between hearings is 23 days, making the total cost £2,170, or £2,662 at current prices.

“What they (the MoJ) have come up with is a ham fisted, poorly constructed, ill-thought-through and extremely costly concept, which when they've implemented it has proven to be as disastrous as we predicted last August and September,” he told Channel 4 News.

In addition to the lack of translating staff, ALS has been accused of providing unqualified interpreters to court, because a lack of qualified interpreters who are willing to work for the company.

At Boston Magistrates court, on February 1, Channel 4 News was told that a Polish interpreter turned up to court wearing a hat and overalls and didn't understand the solicitor when he said they needed to go down to the cells.

The following day at Basildon Magistrates Court, the interpreter did not know what an oath was. It emerged that this was her first time in court, and she was not familiar with the legal language

To read the full article and watch accompanying video reports go to: <http://tinyurl.com/bpy9blo>

■ 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
- ◆ Corporate
- ◆ 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.

Corporate Membership is available to translation companies. As this category is currently under review, we are not accepting applications at the moment.

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/y65bgbtb>

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Interpreting

To keep up-to-date with our latest activities, events and news you can now follow the Irish Translators' and Interpreters' Association on both **Facebook** and **LinkedIn**.

■ Boss of court-translation firm Applied Language Solutions hits back after judges blast service

The founder of a firm responsible for courtroom translations has vowed the service will improve in the wake of criticism from judges. Businessman Gavin Wheeldon – who set up Applied Language Solutions (ALS) nine years ago from his bedroom – won a £60m government contract to translate in English and Welsh courts. The agency, based in Delph, near Oldham, began supplying staff to translate for foreign language

The next issue of the ITIA Bulletin will be out in two months. If you have any contributions, suggestions or scandals that you would like to share with over 1,000 subscribers worldwide, send them to Adam Brozynski at theitiabulletin@gmail.com.

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witnesses and defendants last month. But hundreds of experienced interpreters are refusing to sign up to the service – complaining of poor rates of pay and conditions. Judges and solicitors say the switch-over has seen dozens of cases cancelled because the stretched agency has been unable to find enough staff. Mr Wheeldon, 35, insisted the firm DID have enough staff – and initial problems were being addressed.

He said: “Throughout the tender process, the Ministry of Justice has understood that there would be turbulence. This is a big change. It is inevitable that not everything is going to go smoothly on day one.” Mr Wheeldon, who has appeared on TV shows *Dragon’s Den* and *Secret Millionaire*, supplies foreign language translators to Greater Manchester Police and other forces.

Last August, his company won the ‘one-stop’ contract to supply translators to English and Welsh courts. He added: “When we won the contract for all the north-west police forces, the first six weeks saw similar disruptions. They knew it and they understood it but we quickly bedded in and got up to 98 per cent service delivery with them. They now enjoy a much higher service than they did before.” Court translators were previously paid £30 an hour, with three hours guaranteed, along with paid travel. ALS pays up to £27 for the first hour and £22 an hour after that – although less-qualified staff receive as little as £16 per hour. Translators claim the new deal works out as little as half their previous rate.

But Mr Wheeldon, who is ALS chief executive after selling the firm to Capita in a deal worth £68m, defended his rates. He said the changes would result in savings for the taxpayer. He said: “Previously, every court would have a list of interpreters and agencies and ring around until they found somebody. There were no records kept of how well that interpreter performed or which were reliable. The efficiency in it was abysmal. The new system will provide proper efficiency and management information.” ALS directly employs 130 staff in Britain and abroad – although it has around 3,900 freelance translators on its register.

Ministers ordered courts across the country to switch to a single provider to save £18m. But dozens of complaints have been filed to the government since the contract came into force on February 1. Manchester Crown Court Judge Martin Steiger QC slammed ALS as ‘very unsatisfying’ – hitting out after the sentencing of a sex offender from India was postponed twice when interpreters for the agency failed to turn up. He was so

outraged he said he had considered putting the firm in the dock for contempt. Judge Steiger said there had been no way to contact the interpreters who failed to attend the two previous hearings and ALS had not been able to explain their absence. The sentencing went ahead on the third attempt, when an interpreter attended.

A trial at Leeds Crown Court had to be called off and rescheduled because no one was available to translate for the Czech defendant, with the judge slamming the cost of rescheduling the case. Solicitor Robert Moussalli, a lawyer with 20 years' experience from Manchester firm Burton Copeland, said he was 'unimpressed' by some of the replacement interpreters sent by the agency.

Read more at: <http://tinyurl.com/bld8doc>

Yakub Qureshi

■ Interpreting error leads to £25,000 retrial costs

A trial at a London court collapsed last Friday after it was revealed that an interpreter employed by Applied Language Solutions had made a grave interpreting error.

During the trial for burglary, which started at Snaresbrook Crown Court last Tuesday (10 April), a Romanian-speaking defendant was interpreted as saying that they had been "bitten" by the claimant. It was only on Friday during cross-examination when the defendant was asked to produce photographic evidence of the bite mark that the error was revealed. The claimant had in fact said that they had been "beaten". Once the mistake was out, the interpreter admitted on the spot that they had realised the error at the time but did not mention it to the court.

Following the revelation, the trial was immediately suspended and the jury was discharged. There will be a hearing this Wednesday (18 April) to decide how the trial will proceed but it is already estimated that the cost to retrial the case will be in the realm of £25,000.

The incident is one of a growing list of trials that have collapsed and repeatedly been readjudged due to problems with the government's new provider for court interpreters, a system which was implemented on 30

January 2012 in courts across England and Wales (20 February 2012).

In February The Lawyer reported that the MoJ had decided to allow courts to revert to the old system of selecting interpreters from the National Register of Public Service Interpreters (NRPSI) in order to avoid further hearings being adjourned as a result of interpreters from a new agency failing to turn up to court (23 February 2012).

Dhaneshwar Sharma of Sharma Law Solicitors has been forced to issue several wasted costs orders against ALS (9 March 2012). His firm was representing the defendant in the recent Snaresbrook case.

"Even when you put costs aside, this is a 13-year-old girl who will have to come back again to court and give evidence again. It would be traumatic enough for an adult to give this kind of evidence, let alone for a girl of her age. The worrying thing about this case is that it shows how the government's new system is leading to miscarriages of justice."

Although Sharma said he had had one good experience with an ALS interpreter, he says the situation is still not good enough. "Out of all the interpreters I've used from ALS, there's been just one good one. My clients deserve proper representation and proper interpreters. I want to know what the MoJ proposes to do about the situation.

The system is no longer in the early stages anymore, so they can't make excuses. I also want to know what organisations like the Law Society and the Legal Services Commission are doing when they are getting so many concerns from solicitors about how their clients are being so poorly represented."

A number of solicitors have contacted The Lawyer to voice their concerns over the inadequacies of the new court interpreting system (16 February 2012).

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Original source: <http://tinyurl.com/bu4lh7a>

Ruth Green

■ Workshop Report

THE PRACTISE PROFESSION APPROACH TO HEALTHCARE INTERPRETING

Last February the Medisigns project in conjunction with the Centre for Deaf Studies, Trinity College Dublin ran a very interesting workshop by Robyn Dean entitled, "The Practise Profession Approach to Healthcare Interpreting". Robyn has been a Sign Language interpreter for over 20 years, with experience in the medical and mental health settings. She is currently a PhD candidate at Heriot-Watt University.

It was one of the best workshops on interpreting I have ever attended. It was important for me as it dispelled several myths about the work of interpreting, such as the myth that both sign and spoken language interpreters are not active and influential participants in the interpretation assignment. Another myth is that if followed strictly, a limited set of best practice behaviour, like a code of ethics, will ensure that interpreters are ethically sound.

The workshop examined the practice of interpreting in a different frame and as a result challenged some long-held ideas about ethics and decision-making. Interpreters are active and influential participants in the communication event, and the constructs of language and culture that are used to analyse interpreting work are insufficient to appreciate the myriad demands of interpreting work. Also, a discussion of the interpreter's role would not be complete without a discussion of the interpreter's responsibility. We need to pay careful attention to the impact of our decisions and ourselves on the communication event - and not to deny the existence of such impact.

It was important to learn about Demand-Control theory (Robert Karasek and Töres) and its relevance to the field of occupational health and the connections between wellness, effectiveness, and ethics and to discover the ethical decision-making approach of the Demand- Control model logic work analysis.

Robyn also referred to the EIPI (Environmental, Interpersonal, Paralinguistic and Intrapersonal) demands of an interpreting assignment. They are true demands for every interpreter, no matter who he or she is, or how many years of experience they might have. In order to assess if an assignment is difficult or enjoyable, the interpreter has to consider the resources available and the EIPI model addresses three current important

topics in the profession: the interpreter's health and wellness; effective interpreting practice; and ethical decision-making, as well as expectations for professional development.

It is through this new approach that we can consider some of the unique demands of healthcare interpreting and discuss not best practices but a best practice process, a different vehicle for formulating and critiquing work decisions.

Robyn referred to the controls, skills or resources that the interpreter can bring to bear in response to the demands of the jobs such as behavioural actions, particular translation decisions, and attitudinal acknowledgments. Robyn referred to the types of controls: these could include pre assignment controls such as the experience, education and direct preparation for the assignment, the controls during the assignments such as, Code of Ethics/Professional Conduct and the post assignment controls such as debriefing and follow up.

The Demand- Control approach can be used in specific fields (e.g., medical, mental health, legal). Given the parallels that the interpreting field shares with these other professions, it is noteworthy that this common practice is rather foreign to the field of interpreting. However, establishing such a practice within the interpreting field poses many challenges. Some of the barriers include a long history of interpreters feeling criticized by their colleagues, beliefs about the mandate of confidentiality, and doubts about the benefits of discussing one's work with peers.

I found Robyn to be an excellent speaker, knowledgeable, engaging, and passionate about the field of interpreting. Robyn's theory and definitions apply to interpreters' everyday experiences.

Further info:

<http://tinyurl.com/d9brpuj>

<http://tinyurl.com/bmff2cp>

Miren-Maialen Samper

Miren-Maialen Samper holds a postgraduate qualification in community interpreting (Graduate Certificate in Community Interpreting) by Dublin City University and she is an active member of the ITIA Interpreting Sub-committee

■ Recommended Websites

Blog Articles

- ◆ How to Kill Your Translation Business
<http://tranfree.com/tf68.html>
- ◆ Ten (Good) Reasons To Hire a Translator Directly ... and Say Goodbye to Translation Agencies
<http://provenwrite.com/articles-interviews/ten-good-reasons/>
- ◆ Toxic Translation: A Twelve-Step Program for Self-Injuring Translators
<http://provenwrite.com/articles-interviews/twelve-step-program-for-self-injuring-translators/>

Recommended website:
www.interpreting.info

This is a free, community-driven Q&A website about interpreting, i.e. spoken language translation.

The target community for this site is composed of professional or occasional interpreters, interpreting students, their trainers but also buyers and users of interpreting services and other stakeholders in the conference industry, such as event planners, convention centres, standardisers and equipment suppliers.

We invite each of them to contribute their questions and answers to the site.

As some claim, this website is “sure to become one of the most valuable resources for interpreters on the internet”. Below is a sample question and answer found on it:

Q: As an interpreter you might find yourself interpreting war criminals or their victims for an ongoing period. How do you, as an interpreter, cope with the stress caused by this type of experience?

A: Nurturing oneself should be a priority rather than a luxury that is squeezed into a busy schedule. Understandably, it is hard for interpreters to take time out for themselves, especially if working on a piecemeal basis or as a freelance interpreter to earn a casual income. Nonetheless, it is a necessity to take the time to “check in” with oneself on a daily basis even if it is only for a short time.

As Salston and Figley (2003) note, we need to “balance caring for others with caring for ourselves” (p. 173). Having hobbies, activities, interests, and a life outside of interpreting is important. Developing stress buffers

and self-protection/self-healing strategies helps one to manage occupational stress and responses to traumatic work circumstances.

Educators and employers should encourage students or employees to build a self-care plan that takes into account regulating and caring for the following:

1. Physical health (diet, sleep, and exercise are important)
2. Emotional health (being human and acknowledging normal human reactions to traumatic material)
3. Social needs (family and friends are critical)
4. Spiritual needs (a belief system about the world helps)
5. Financial needs (determining how much is needed vs. how much is wanted helps one say “no” to work if necessary) (Bontempo & van Loggerenberg, 2010)
6. Out of interest, Murphy’s (1996) meta-analysis of stress management interventions in the workplace found that, as a single technique, meditation provided the most positive and consistent results in terms of an intervention. However, combining interventions (for example, muscle relaxation plus cognitive reframing) were far more effective at reducing occupational stress than applying any single technique alone.

Original source: <http://tinyurl.com/blqq6rh>

■ Ireland more diverse

IRELAND IS becoming a more mixed country with the latest census data showing that those born outside the State account for some 17 per cent of the population.

The number of people born outside Ireland but living here increased by 25 per cent to 766,770 in the period 2006-2011. This occurred despite the decline in the economy which when expanding attracted many thousands here.

The Central Statistics Office said the majority of those arriving came in the early part of the five-year period. The pace of immigration slowed as economic activity cooled from 2008 onwards. The data shows that 33,674 foreign nationals moved to Ireland in the four months to April 2011, a significant fall on the figure recorded in 2006. The CSO said, however, that given the State’s

recent economic difficulties the 2011 figure “confirms Ireland as a destination of choice for people from a wide range of countries”.

Polish nationals (122,585) have overtaken those from the UK (112,259) as the largest non-Irish group living in the State. The number of Polish nationals living here increased by 93.7 per cent between 2006 and 2011, while the number of UK nationals declined by 0.3 per cent. Overall, 544,357 non-Irish nationals were living in Ireland at the time of the 2011 census, an increase of 29.7 per cent or 124,624 on 2006, some 12 per cent of the population.

The rate of growth was considerably slower than in the period covered by the 2006 census when the non-Irish population almost doubled to 419,733.

The sharpest percentage increases in non-Irish-born residents were among Romanians, with the population more than doubling from 8,566 to 17,995 (up 110 per cent) following EU accession in 2007 and people from India, where the community grew by 91 per cent to 17,856.

The largest rise in overall terms was, unsurprisingly, among the Polish-born community which grew from 63,090 to 115,193 (up 83 per cent) in the period.

The growth in the number of Polish-born people was more than five times that recorded in the Lithuanian community, which grew by the second largest number (10,039) to 34,847.

The data highlights considerable increases in the number of Polish-born women and children (aged under 14 years) living in Ireland. The CSO said this was a strong indicator of families being reunited here.

The number of Polish-born women living in the State increased by 142 per cent to 55,584 and the number of children born in Poland more than tripled to 14,172. There were 59,609 Polish-born men living in Ireland on census night 2011.

People born in England and Wales still account for the largest group of individuals living in Ireland that were not born here at 212,286. The rate of growth in the group was small by comparison to many countries between 2006 and 2011 at about 3.7 per cent.

A question on foreign languages was asked for the first time in the 2011 census. And the results show that

514,068 people living in Ireland speak a foreign language at home – some 11 per cent of the population.

Unsurprisingly, Polish – with 119,526 people – was the foreign language most spoken in the home, followed by French (56,430), Lithuanian (31,635), German (27,342) and Spanish (22,446).

More than 25 per cent of those who spoke a foreign language at home were born in Ireland. Of these, 13,690 were children aged three to four years; 26,569 were primary school children and 21,187 were secondary pupils.

Those who said they spoke a foreign language at home were also asked how well they could speak English. Some 80,000 respondents said not well (70,126) or not at all (9,242).

Overall, 48 per cent of respondents to the question said they spoke English very well, 31 per cent said well, 15 per cent said not well and 6 per cent said not at all.

People from Lithuania, at 30 per cent, had the highest proportion of people saying they spoke English not well or at all, quickly followed by people from Latvia at 29 per cent.

Some 99 per cent of people from Denmark living in Ireland said they could speak English well or very well.

The CSO noted that the ability to speak English improved rapidly once a child started school, with about 1 per cent of primary school children not speaking English at all and less than 1 per cent in secondary.

A total of 5,718 people classified as being of working age (25 to 64 years) said they spoke no English at all.

In terms of ethnicity, 85 per cent of Irish residents identify themselves as white Irish, a 4.9 per cent increase on the 2006 census. Immigration from eastern Europe helped to push the number of “other white” respondents up by 43 per cent to 412,975.

Almost two-thirds of those making up ethnic groups other than white Irish were aged 35 years or less. Just 3 per cent in these groups were 65 or older. In contrast, less than half of those in the white Irish group were aged under 35 and 13 per cent were 65 or more.

Original source: Irish Times,
<http://tinyurl.com/cl3vk78>

■ Contacting The ITIA

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■ ITIA Resources for Translators

For more information about the *Irish Translators' & Interpreters' Association* and its activities, please visit our website at www.translatorsassociation.ie.