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# ITIA BULLETIN

February 2012

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## ■ Editorial

Dear Readers,

We would like to hear more from you! We are interested in publishing real stories based on true professional experiences of translators and interpreters working especially in Ireland, but also elsewhere. To encourage you to share your thoughts with us, we would like to offer you the opportunity to present yourself to all our readers in our Bulletin. If your letter or article is chosen and gets published you will become our "featured translator/interpreter" and your short resume will be published alongside your piece. Hopefully this form of exposure will help you establish new valuable contacts as well as improve your standing in the market place.

I wish everybody pleasant reading,

**Adam Brozynski**  
Editor ITIA Bulletin  
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guaranteed standard of interpretation to which he was constitutionally entitled, and in particular during the very details of the complainant's factual allegations of sexual assault," Hill said.

Stories about the shortage of accredited interpreters are common in courthouses in Canada.

What is unusual in this case is that audiotapes from cross-examination were sent to an expert in the United States, who, in a scathing report, said the interpreter "did not interpret verbatim, summarized most of the proceedings and was not able to interpret everything that was said on the record."

Umesh Passi, a member of the New York State Bar, said the interpreter spoke "perfect Hindi but could not keep up with the pace required for simultaneous interpretation."

## ■ Bad "Hindi Translation" Leads To Mistrial In Brampton Sex Assault Case

Superior Court Justice Casey Hill declared a mistrial in a sexual assault case against Vishnu Dutt Sharma, an Indian citizen on a work permit in Canada, because the interpreter's Hindi interpretation of the proceedings was poor and substandard, according to court documents.

TORONTO – A "physical" assault is not the same as a "sexual" assault. Touching "between legs" is not the same as touching the "genital area." And "a couple of weeks" is definitely not "two days."

But a Hindi interpreter mistranslated those phrases exactly that way in a sexual assault case in Brampton, triggering a mistrial and sending ripples through the GTA legal community, reported the Toronto Star newspaper.

Superior Court Justice Casey Hill declared a mistrial in a case against Vishnu Dutt Sharma, an Indian citizen on a work permit in Canada, because the interpreter's Hindi interpretation of the proceedings was poor and substandard, according to court documents.

"In this case, the non-English-speaker was prejudiced by a denial of full linguistic presence at his trial on April 27, 2011, on account of pervasive departure from the

Passi's report included a 182-page transcription of each question, answer or submission followed by his interpretation of the interpreter's Hindi words.

Court documents don't identify the interpreter; only her initials, A.K., are used.

Prashant Rai, Dutt's lawyer, is fluent in Hindi and says that helped bring the problem to the forefront. The court may not have become aware of the inaccuracies otherwise, he added.

"She spoke well in Hindi ... I don't know what happened while interpreting," Rai said.

Brendan Crawley, a spokesperson for the Ministry of the Attorney General, said an interpreter can be scheduled for work while a complaint is under review.

A.K. also failed to show up a couple of times due to illness; the court services supervisor said she had been asking for more money.

Pat Band, a director with the Criminal Lawyers' Association of Toronto, called the situation with interpreters "a crisis. There aren't enough accredited interpreters and the standards (of interpreting) are almost impossible to tell."

He also pointed out there is no way to find out from the ministry if an interpreter was deemed incompetent anywhere else in the province.

There are 171 accredited and 290 conditionally accredited interpreters in the Toronto area. They serve a population of 1.5 million residents who regularly speak neither English nor French at home. Of that number, at least 200,000 can't hold a conversation in either language.

Recruitment is ongoing in commonly used languages such as Punjabi, Korean, Tamil, Mandarin and Vietnamese, said Crawley, who added that potential interpreters are being recruited among international students at universities, law schools and professional organizations. There are just two accredited Portuguese-language interpreters, one Pashto and one Tamil. There are none in Korean, Filipino, Sudanese Arabic or Swedish.

Courtesy Toronto Star

Original source: <http://tinyurl.com/7oger6u>  
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## ■ FNC passes law on translators

Abu Dhabi: Translators who do not pass a certification test and have licence from the Ministry of Justice will either face a jail term of up to two years or fine of not more than Dh100,000 or both, according to a draft law.

However, courtroom translators would be exempt and can do translation only after they take oath before the judge.

The bill, which was passed on Tuesday by the Federal National Council, is meant to ensure all translations and interpretations are performed by skilled and qualified individuals.

*They must obtain licence from justice ministry and renew it every three years*

The draft law requires approval of the Cabinet and the President's signature before it is enforced as law. Under the draft law, which consists of 3 articles, translators who are already licensed and registered with the

Ministry of Justice have to adjust their legal status within a year from the date the law is enforced.

According to the bill, governmental and non-governmental organisations can request from the Justice Ministry to register translators from among their staff, provided that they do the job in their organisations only.

### Grace period

No authority would be allowed to attest or recognise a translated document unless the translation is done by a certified translator.

Translator licences will be renewed every three years, and translators will be provided a grace period of 90 days to get their licences renewed, failing which the registration of a translator will be cancelled. An ad hoc committee said in a report the bill was prompted by the fact that nearly 7.3 million foreigners of more than 200 nationalities are living in the UAE.

The report estimated that more than 13,000 labour disputes were filed with the labour courts in Abu Dhabi and Dubai in 2010.

The bill, which would replace regulations that varied among emirates, also requires translation firms to obtain an operating permit from their emirate and to have insurance. Courts which often suffer from a shortage of translators would be entitled to assign uncertified translators after they take oath.

### Shortage

The house's committee said the UAE was suffering a severe shortage of translators, with only 345 translators registered with the Justice Ministry, 37 of them are Emiratis. Translators will also be required to take an oath, undergo a certification test at the Justice Ministry and have professional training. Translation firms would also need to be operated by a licensed translator.

Under the law, a translation firm's manager has to prominently post the certification licence and the firm's permit, inform the Justice Ministry of translators working in the firm and any change in the staff within a month of its occurrence, and keep a record of translation jobs, their dates and names of clients. The House has amended the law to include simultaneous translation, legal translation, and sign-language translation.

Samir Salama

Original source: <http://tinyurl.com/6wgcvc2p>  
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## ■ 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/y65bgtb>

### New ITIA Certified Translators

**MICHAEL McCANN**  
Spanish-English

**AGNIESZKA ZAREBA**  
English-Polish

**MARK FLEMING**  
Spanish-English

**SVETLANA SELEZNEVA O'FARRELL**  
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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.

## ■ Jobs agency slammed over 'cheap' interpreters

When the Swedish National Employment Office (*Arbetsförmedlingen*) recently contracted an interpreting agency it chose one with prices significantly below the market prices, according to a new report from Sveriges Radio (SR).

"It is up to each individual supplier to name their price. Those who want to get into the market may choose, for marketing purposes, to place their price very low, and that is very hard for us to question," said head of economy at the agency Karin Leth to SR.

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](mailto:theitiabulletin@gmail.com).

### Subscribing to the ITIA Bulletin

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The agency recently took over some of the Migration Board's (Migrationsverket) duties for asylum seekers who had just arrived in Sweden. It is therefore imperative that they have access to interpreters over the phone, according to SR.

The interpreting service provider Semantix, owned by private-equity company Litorina, recently won the public procurement after offering their interpreters' services for 59 kronor (\$8.50) for the first 30 minutes, a price significantly lower than the competing companies, which offered prices of 210 and 200 kronor, respectively.

Eva Entrena is an authorized medical interpreter in Spanish, who has been working in the trade for 30 years and is currently also involved in training future interpreters. She is outraged that the agency chose a service offering interpreters for such a low price.

"To me it is completely preposterous that you can get an experienced and trained interpreter for 59 kronor per half hour. I would never accept such an offer," she said to SR. Within the Swedish legal profession, interpreter fees are based on education and experience, reports SR.

In 2011 the lowest level of remuneration for an interpreter with basic training was 300 kronor per hour, while an authorized interpreter with specialist knowledge received 500 kronor per hour when working for a Swedish court. At the police, prosecutor's office and the Swedish Enforcement Agency (*Kronofogden*), the tariff is somewhat lower.

According to SR, there were a handful interpreting agencies that entered the tender last spring. Only three of those were seen to fill the employment agency's demands. However, all three were deemed equal in the quality of their service.

Even if Semantix' price for the following 15 minutes was higher than that of the competition, they received significantly more points for their price put together and they subsequently won the tender.

At the Employment Agency they wish that it was possible to look more to quality and less to price when evaluating procurement bids. Leth thinks that the high number of appeals in public procurements are unfortunate and that they make officials wary of making quality demands.



"The demands get very narrow and the price often become the deciding factor and I personally find that unfortunate," she told SR.

Rebecca Martin

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Original source: <http://tinyurl.com/7byqhsa>

## ■ MoJ interpreting hub a 'false economy'

Concern is mounting that the Ministry of Justice's central contract for interpreting work could prove a false economy, incurring knock-on costs for criminal justice agencies.

A week into the new framework agreement under which courts and justice agencies across England and Wales obtain interpreters and translators through a single agency, questions have already been raised about the quality of the service. Applied Language Solutions, set up by Gavin Wheeldon in 2003 and acquired by Capita in December 2011, won the contract last August following a tender process. Criminal justice agencies had previously contacted interpreters directly from a national register.

The MoJ expects the new service to save £18m a year, cutting translating costs by nearly a third. ALS has provided interpreting services for some police stations since 2009. The Gazette has in the past reported concerns raised by defence solicitors over the quality of service.

Magistrate Richard Bristow, chair of the West London bench, told the Gazette that since 1 February he has had 'lots of problems' with the new system, with either two ALS interpreters attending hearings or none at all. He said colleagues had reported a fall in the quality of interpreters. Bristow warned that the new regime could turn out to be a 'false economy'. He said: 'If cases have to be put off, the cost to the police, the Crown Prosecution Service and the courts is huge. There are bound to be appeals from people who say they did not get a fair trial due to inadequate interpretation.'

The Professional Interpreters' Alliance (PIA), which represents public service interpreters, has also voiced concern. PIA director Madeleine Lee told the Gazette that 60% of the 2,300 interpreters on the national register have refused to work for ALS because of its pay policy and allegedly low standard of qualification required.

Since the start of February PIA members have gone to courts to observe. Lee said: 'We are already hearing horror stories from all over the country. Being a court interpreter is a specialised and difficult job. You have to be accurate as people's liberty is at stake.'

An ALS spokeswoman said all ALS interpreters hold recognised qualifications and undergo independent assessment. She said more than 3,000 interpreters have registered to work with ALS and are being vetted to ensure they have the necessary qualifications and experience. She said ALS had not been made aware of complaints of the wrong interpreter being sent, but acknowledged that there have been circumstances where it had not been possible to fulfil a booking at short notice. She added: 'Prior to rollout there was limited accurate management information available regarding the expected daily volumes of short notice interpreter requests.'

'One week into rollout we now have a much clearer picture of daily volumes, which is enabling us to implement more resource with a focus on those languages where we are experiencing higher demands.'

An MoJ spokesman said it is 'closely monitoring' the operation of the new contract.

Catherine Baksi

Original source: <http://tinyurl.com/82chq83>

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## ■ Judge: Use of interpreters to be curbed due to budgets

The Central Criminal Court judge Paul Carney has indicated that the provision of interpreters for criminal cases will be curbed in future, due to budget cuts.

Mr Justice Carney was speaking after an application for four interpreters to be provided for the trial of three foreign defendants accused of rape. All of the defendants speak the same language. Mr Justice Carney said: "In the present budgetary constraints, we simply cannot have such Rolls Royce habits as we had in the past." Mr Justice Carney said he would allow the four interpreters for the men's trial, but warned in future that he would assign only one to each side, in cases where the defendant does not speak English.

BreakingNews.ie

January 16, 2012 Monday

## ■ Contacting The ITIA

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