



ITIA BULLETIN

October 2011

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■ Editorial

Dear Readers,

In this edition of the Bulletin I bring you more stories of controversies relating to community interpreting services provided in various countries across the world. We learn that there is a very elaborate system for the provision of court interpreters in New York City which entails tough examinations and adherence to a strict code of ethics. On the other hand we find out that Sweden's courtroom interpreters are very incompetent and pose a threat to the country's judicial system. And it makes me wonder - how does Ireland compare to those countries? A few weeks ago I received an email from an interpreting agency, an email which is very helpful in answering the above question. In it the agency informed me that there will be further cuts of around 20% in the rates paid for interpreting services. Let's reckon: at the moment community interpreters get paid between €12 and €20 per hour. One hour is the minimum payment they get and no travel expenses are reimbursed within county Dublin, which effectively means they may get paid as little as perhaps €5 per hour, or effectively per job. If we apply the new reduction of 20% the hourly rate in some cases will amount to no more than €4 per hour, which is more than 50% less than the minimum legal hourly rate in Ireland. However, the minimum wage regulation does not apply to interpreters as they are supposed to be self-employed. There can only be one conclusion. Community interpreting will undergo further deprofessionalisation in Ireland. Who knows, maybe Ireland will even surpass Sweden when it comes to threatening the rule of law due to inadequate interpreters. The paradox is that the Irish judges are among the highest paid in the world. And yes, their job is difficult and merits a very high salary. However, often times without an interpreter their job cannot be done at all.

Adam Brozynski
Editor ITIA Bulletin

The cost of paying translation agencies, who provide interpreters in GP appointments, opticians appointments and in hospitals, has risen steadily and is now at an all-time high.

The translator, who did not wish to be named, said: "It's horrendous how much time I spend waiting around watching television because my client has not turned up, or doesn't need me.

"I travel between Edinburgh, Glasgow, Dundee and even the Highlands, spending hours on trains, just to come back again. It is commonplace for groups of us to be paid to just sit around.

"I appreciate the work because I have to live, but I do see a lot of waste in the system and I can see why people would be shocked by the way their money is spent. I think translation is vital, but there is a lot of mismanagement."

The 14 NHS bodies ran up a bill of £3,914,939.7 in 2009-10, the latest figures available nationally. This compares to £1,995,947.30 spent in 2006-7.

The biggest spender of Scotland's NHS bodies was Greater Glasgow and Clyde, which spent £1,994,334 that year, compared with £1,250,844 in 2006-7, an increase of 59 per cent.

But despite its spending, Glasgow has seen the smallest rise of the country's NHS. Other less populated areas have increased their translation budget proportionally.

The biggest increase has been made by NHS Borders, which spent £4,037.72 in 2006-7 and £75,429.98 in 2009-10, an increase of 1,768 per cent. NHS Western Isles spent £56.40 in 2006-7, but £1,019.55 in 2009-10, an increase of 1,708 per cent.

The only NHS body to decrease its spending on interpreters and translators is NHS Shetland which reduced its spending from £493.50 in 2006 to £350.50.

A spokesman for the Taxpayers' Alliance said: "The spiralling costs of translation services are a huge drain on resources that the NHS cannot afford."

■ How £11,000 a day is lost in translation over foreign NHS patients

THE NHS in Scotland spent almost £4 million on translators for foreign patients last year - almost £11,000 every day. Latest figures reveal the cost of paying interpreters to help foreign patients has almost doubled in the past four years.

One Glasgow-based interpreter said yesterday it is "commonplace" to be called out and paid, even though no translation work takes place. The figure, revealed through the Freedom of Information Act, covers all 14 NHS bodies in Scotland and is 96 per cent more than the £2m spent on the same services in 2006.

“There will always be a limited need for translation services when foreign nationals need emergency treatment, but the taxpayer has a right to expect someone living in Britain to learn to speak English.”

“It's shocking that the taxpayer is footing the bill for an interpreter to travel across Scotland only to sit and watch TV. Reducing the cost of interpreters is a practical way for the NHS to make savings without cutting frontline services. The public want the health budget spent on treatment and health care, not translators and their taxi bills.”

A Scottish Government spokesman said: “Public authorities in Scotland have a duty to ensure equal access to their services. This includes providing translation and interpretation services where necessary. Spending by NHS boards on these kinds of services at local level will be according to local needs and priorities.”

By Sam Walker, 23 September 2011

Reproduced with permission from **The Scotsman**

■ Does Justice Lose Something in Translation?

When the DA's office finds it has a telephone conversation to consider as a piece of evidence, it has to find out what it says—even or perhaps especially when the conversation is in a language other than English. That can be a problem, because if you don't know the language at all, you can't tell which one it is just by listening to the tape.

The first thing to do is to contact an agency (an LSP or Language Service Provider) that can call on a range of people to listen to an extract so as to identify the language. However, the answer, whatever it is, may not help a lot.

The call from Dominique Strauss-Kahn's accuser to her friend in Arizona was in a language that is called *Peul* in French and either *Ful* or *Fulbe* or *Boulbe* or *Pullo* or *Gapelta* or *Pelta Hay* or *Domona* or *Pladina* or *Palata* or *Dzemay* or *Zaakosa* or *Pule* or *Taareyo* or *Sanyo* or *Biira* by its speakers and those of some other languages—but in English, and English alone, its name is *Fulani*. (I've spared you quite a few of its names and as for dialects, forget it—there are dozens more.)

Let's suppose that after getting a first answer and looking things up on Wikipedia the DA's office worked

out that it needed a professional Fulani-English translator with good transcription skills. The New York courts have an elaborate bureaucracy to provide translation services for defendants and witnesses, with proper exams for aspiring court interpreters and a solid book of rules about professional ethics. But even that system—one of the largest in the world—can't cover more than a small fraction of all the languages that might conceivably be spoken by someone in the cosmopolitan whirlpool of NYC: it services about 100 out of the roughly 7,000 languages spoken in the world today—not including Fulani.

Where in the world can you find a professional Fulani interpreter? Well, the expression “professional Fulani interpreter” is a nonsense in the first place. Nobody could possibly live in NYC or anywhere else except perhaps in Guinea on the workload he or she might get as a translator from Fulani into English! Fulani-Chinese is a more profitable skill these days, because the language is spoken by significant minorities in several West African countries where China is looking for investment opportunities.

But in New York? It's not as if there were novels or plays or sales brochures or maintenance manuals just waiting to be translated from Peul. The only possible recruit to the urgent job of translating a piece of evidence in the high-profile DSK case was necessarily earning a living doing something else, and would have had to find extra time—late at night, perhaps—to take on the task. Those are quite usual circumstances for translators the world over, but they are not conducive to high-quality work.

No wonder it took 6 weeks, from May 15 to June 29, to get that call translated. Even then, how could the DA be sure he'd got hold of an expert at the requisite level?

Well, as far as I can establish, there are no qualifying exams for Fulani interpreters, and therefore no one has professional experience of evaluating translations from the language. The DA would have been wise to track down more than one translator and to compare and evaluate the results. But against what? That's the problem. When you don't have access to the original, evaluations of variant translations is much like a game of blind man's bluff.

What turned out to be comical, though, was when the defense attorney claimed there was a translation error. How could he know? When he was eventually able to listen to the tape in the DA's office, he too had to rely on a Fulani interpreter! In these circumstances as in

many others that have cropped up throughout human history, in the end you just have to put your trust in a translator.

Indeed, however many exam passes, qualifications, professional experience and codes of ethics may be adduced to authenticate a translator or a translation, the user must ultimately just accept what one or another translator says. People don't like to do that. But they must.

Translation is a difficult and specialized skill. Translating for the law is a branch of the profession subject to quite particular constraints, and oral translation from a tape being played aloud is even more tricky. When non-linguists ask, Is that what she really said? they usually have no idea just how difficult it is to get even near to finding someone who has the first idea how to answer the question, let alone to answer the question itself.

If we want to be competent users of translation, we would do well to try to understand what it is that translators do, how they do it, for whom, in what circumstances, and for what reward.

By David Bellos, September 5, 2011
Original source: <http://tinyurl.com/3hu2h68>

■ 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 Associate Members of the ITIA - September 2011

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Community 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.

■ Courts Service Interpreting Tender Process

The Courts Service issued a request for tender for interpreting services in December 2010 to replace the previous interpreting contract which ran for four years to March 2011. The plan was to divide the country into four regions and to have multi-party framework agreements for each region.

Some of our members asked us about the results of the tender and when we checked on www.etenders.gov.ie we could not find any information.

We contacted the Courts Service who replied that they had gone through the process but one of the participating companies challenged the outcome. The Courts Service checked with their legal advisors and decided to terminate the process. As a result, contracts were not awarded and the Courts Service hopes to commence a new tender process soon.

Mary Phelan, ITIA Honorary Secretary

■ Bad interpreters a 'threat' to rule of law in Sweden

Half of Sweden's courtroom interpreters are so poor that they represent a threat to the functioning of the country's legal system, researchers have warned.

In some cases, judges have been forced to stop trials because interpreters don't understand legal terms used in the courtroom.

Many interpreters have only had one term of education before being involved in complicated conversations with clients and patients who don't speak Swedish. Substandard translations and huge misunderstandings are often the result.

In one asylum case, a boy said he had fled his country after a grenade had been thrown at his house. In court, however, the Swedish word for grenade, *granat*, became *granatäpple*, the Swedish word for pomegranate.

"The training is insufficient for managing conversations in jurisprudence, healthcare, and asylum. That's a threat to the rule of law," Lund University researcher Kristina

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\(a\)gmail.com](mailto:theitiabulletin(a)gmail.com).

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Gustafsson, who has studied the Swedish courts' interpreter service, told the TT news agency.

It's not uncommon for courts to break off trials due to language problems between interpreters, clients, and judges.

"It happens more often than I'd like," Kerstin Hardgren, a chief judge with the administrative court in Malmö, told TT.

Authorised interpreters are only present for around 600 of the 6,000 total hours which are interpreted in Sweden every day.

"They've gone through difficult tests. Of course one can still be competent, but about half of all interpreters can't manage the work they're assigned," said Gustafsson.

The Swedish Bar Association (*Advokatsamfundet*) has long been concerned about the problem of inadequate interpreters in the Swedish legal system

It's an incredibly large problem and I don't know if it looks to be getting any better," bar association head Anne Ramberg told TT.

She believes that significant effort is required to find a solution. "Ultimately, the politicians have responsibility to ensure that there are resources available to train legal interpreters. Then it's also a question of seeing that interpreters get compensated appropriately so the profession is respected and attracts talented people," said Ramberg.

That judges are forced to stop trials because interpreters don't understand legal terms "reveals the depth" of the problem.

"It's not only a substantive problem for the rule of law, but also a question of costs," she said.

Original source: <http://tinyurl.com/69h9z9b>

■ Utah's language law for driver's licence test creates roadblock for refugees

SALT LAKE CITY — Utah's driver license law continues to force most refugees to take the exam in English, despite efforts to make the process easier for new arrivals. The language requirement has apparently

led hundreds of refugees living in Utah to illegally drive with licenses from Arizona and Colorado, where translation is allowed.

The new Utah law, which took effect in July, was expected to allow most refugees to use interpreters during the test. But the law specifies that only those who have recently arrived qualify to use translators, whom they must pay.

That means Dhan Subba, a Bhutanese refugee who arrived in Utah two years ago, must take the test in English. Although she won an English student of the month award this summer, she remains intimidated by the test's vocabulary and has not taken it. She pays a neighbour to take her to work and relies on her son to drive for grocery shopping.

"I didn't understand driver words," she said. Sahar Al Mashhadani, an Iraqi refugee who drove for more than 10 years before coming to the United States in 2009, is worried she will fail the test because of the language barrier. With five children and a sick husband, Al Mashhadani is eager to get a job at Walmart so her family doesn't become homeless.

Yet being able to drive can often determine whether a refugee can work evening and overnight shifts or get to jobs far from their homes. "I'm scared because I hope my family don't stay in the streets," she said.

The new law specifies that refugees without a green card can use interpreters. But refugees are required to apply for a green card, also known as permanent residency status, after being here one year.

Many refugee advocates say one year is not enough time for many of these legal newcomers to learn English, particularly the technical language on the driver license exam. Yet they agree anyone driving needs to know enough English to read signs and be a safe driver.

"The test in English, by everybody's account, is very, very complicated and difficult," said Gerald Brown, director of the Utah Refugee Services Office. "We know American teenagers who have to take it several times before they pass."

When Jamal Anati translates for refugee clients at the Utah driver license offices, he notices that a question about seat belts will be easy for the test taker to understand in Arabic but confusing in English. He points out that an American moving to Jordan, his home

country, would need at least two years to learn Arabic well. So it is not reasonable, he believes, to expect a refugee to master English in a year in Utah.

“One year is not enough for an average person,” said Anati, who runs One Stop Employment Services.

Preventing refugees from using an interpreter was not the intent of the law. “Our focus was on new refugees coming in,” said Sen. Curt Bramble, who sponsored the law. “No one considered that you have a population that came in last year or two years ago.”

He plans to propose changes to help the larger group. One idea is to allow refugees to take the test with an interpreter for up to four years before having them re-apply in English.

“Providing someone the tools so they can provide for their family, be self-sufficient and not simply look to the public welfare rolls — I think there's nothing but positive that comes from that,” Bramble said.

But the English can be an impossible hurdle. After one Burmese refugee failed the test about five times, she went to Arizona where interpreters can be used, recalled Beth Garstka, the volunteer coordinator at the English Skills Learning Center. When other students realized they wouldn't qualify for translation help under the tweaked law, they also sought licenses out of state.

But state law says that Utah residents who drive here are required to be licensed here. The English Skills Learning Center is developing a curriculum teaching English for safe driving.

“I would like to see translator opportunities open to any individuals who need it, so we can have safe drivers on the road,” Garstka said. “Because they're going to be driving anyway.”

Through her work as an interpreter, Samira Harnish estimates that 200 Iraqis have gone out of state to get licenses. Although most have driven in the Middle East for years, they fail the test here because they have poor English skills.

“I want them to learn English, but the thing is, they need to drive to get a job,” said Harnish, founder of the non-profit Women of the World.

She suggests recording the test in different languages to prevent cheating and save the costs of translation.

A growing though unproven concern is that refugees may delay getting their permanent residency status so they can take the driver's test with an interpreter. A refugee's work permit typically expires after two years. A refugee could then get fired if he or she doesn't have documentation proving it is legal to employ them.

Despite the restrictions, the change has led to a spike in applications by refugees. In West Valley City, refugee applicants have to wait about four weeks for an appointment with an interpreter.

Rabi Adhikari, a Bhutanese refugee, won't be one of them. He's taken the test at least six times and remains stymied by the English.

It's the “long words,” said the refugee, who arrived in Utah more than a year ago. “Those are the words I don't understand.”

Reproduced with permission from The Salt Lake Tribune.
Original source: <http://tinyurl.com/6yf9fv2>

■ Work opportunities for Irish translators

The European Parliament wishes to recruit Irish language translators on a temporary basis to join its existing team in Luxembourg. Applicants should send their CVs and covering letters to Philip Cole, Head of the Irish and English Translation Unit, by the 31 October 2011. Further details about how to apply are detailed below.

Applicants must fulfil the following admission criteria:

- ◆ – have a third level degree in any discipline;
- ◆ – have excellent knowledge of Irish and English;
- ◆ – be a national of an EU Member State.

Knowledge of any of the other EU languages would be an advantage.

How to apply

Please send a CV in English, along with a covering letter in Irish explaining why you wish to apply. All applications are to be sent by email to [philp.cole\(a\)europarl.europa.eu](mailto:philp.cole(a)europarl.europa.eu) by 31 October 2011.

Candidates may be asked to sit an examination in Dublin or another designated examination centre. This exam will consist of a translation from English to Irish of a text of no more than 45 lines. Further information

about the examination will be given to candidates in due course.

Working conditions

Successful candidates who are offered a temporary position will start at grade AD 5. The gross monthly salary for staff at this grade is €4345. 24.

For further details regarding the working conditions within the European Institutions, please refer to:

<http://tinyurl.com/6kewexp>

■ Translation derails sex assault trial

A sexual assault trial has collapsed after it was revealed the accused's Hindi translator was so incompetent that she just summarized parts of the complainant's testimony.

Lawyers will meet with a judge Monday to decide whether to proceed with a retrial in the case of Vishnu Sharma Dutt, who is neither a citizen nor resident of Canada, and was in the country on a work permit when he was charged with sexual assault.

In scathing written comments, Mr. Justice Casey Hill said the interpreter was qualified by the province with a test that was only in English, and that she twice failed to show up for trial after disputing the terms of her payment, leading the judge to suspect she was faking sick.

The Crown disputed the characterization of incompetence, saying that translation is not an exercise in perfection, and although the interpreter "did some summarizing," she "generally interpreted what was said."

But the judge found the errors violated Mr. Dutt's charter right to translation, and that, in effect, he had been excluded from his own trial.

The translator, identified only as A.K., repeatedly translated "sexual assault" as "physical assault," and also had trouble with the word "genital," repeatedly translating it as "between your legs."

In her translation, "A couple of weeks" turned into "two days," the "afternoon" turned into the "evening," and in one instance, the complainant's testimony that Mr. Dutt

rubbed her legs was translated as the victim rubbing her own legs.

After a defence objection, the translation was sent to an expert, Umesh Passi, a New York lawyer and qualified Hindi interpreter, who found that AK was fluent in Hindi, but that she summarized most of the testimony and failed to keep up.

Incompetent translation is a recurring problem across Canada, with translators continuing to work even after failing lax tests. Last year, for example, one in three court translators in Ontario failed proficiency tests, and another third barely passed with probationary marks.

In 2004 in St. Catherines, Ont., a family court matter ended in a mistrial because a Hungarian translator's work "[bore] no relationship to what was actually said." Confronted with the errors, the translator offered what the judge described as a "lame" excuse: "I am old and tired."

"Whether that is true (he appeared neither old nor tired, just chagrined) or whether the explanation is more sinister (he had become an advocate for the respondent and saw some benefit in recasting the words actually spoken), is unimportant. An inability to translate accurately is no different than an unwillingness to do so," the judge wrote.

The problem can be especially acute at immigration tribunals. For example, a Kenyan woman was nearly deported based on an incompetent translator's "butchering" of her testimony about the persecution she faced.

Avtar Sidhu, a Mississauga man who speaks Punjabi, brought a lawsuit against the province of Ontario after his prosecution for assault causing bodily harm ended in a mistrial due to incompetent translation.

He was later convicted at a retrial, but that was overturned on appeal, by a judge who described the translation system in Ontario's Peel Region as "a critical threat to justice."

That case continues, and Mr. Sidhu's former lawyers have also launched a wider class action.

Joseph Brean, September 18, 2011

Reproduced with permission from National Post.

Original source: <http://news.nationalpost.com/2011/09/18/translation-derails-sex-assault-trial/>

■ Conferences, Calls and Courses

Localisation course

Unique opportunity to purchase the following essential for professional translators tools at a discounted rate upon successful completion of the Certified Localisation Professional (CLP) Level 1 training course with TILP:

- ◆ SDL Trados Studio 2009 Service Pack 3 (SP3) including SDL Trados 2007 Suite Freelance edition, SDL MultiTerm 2009 desktop and Passolo Essential for just €99 (list price €345);
- ◆ a full license of Catalyst 9.0 Translator/Pro (list price €499);
- ◆ a three-month full licence of WebBudget XT 3.9.0.3* (I've been told it should be unlimited licence)

Successful participants (CLP participants who achieved a minimum score of 55%) will receive the TILP CLP certificate, an accreditation that is internationally recognisable by localisation service providers, software vendors, and localisation institutions.

All participants will also receive a one year Associate Membership of TILP and a one year online subscription to *Multilingual.com*.

The courses consist of a combination of ten self-learning online modules and a four-day on-site intensive training and examinations session. The on-site training starts on 21 November 2011 in Barcelona, Spain.

For more information please go to:
<http://tinyurl.com/6hzzu9d>



■ 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.