

EULITA project: ISO 20228 – Legal Interpreting

An update on EULITA's project of an ISO standard on legal interpreting (DIS 20228)

EULITA General Assembly 2018, Sofia, Bulgaria

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Background (1):

Proposal for a new work item submitted to ISO TC 37 / SC 5 in June 2014

ISO TC 37 / SC 5 accepted the proposal in November 2014 and assigned it to WG 2 (interpreting)

Project coordinator → EULITA (European Legal Interpreters and Translators Association)

Experts nominated by several countries → mirror committees

Working draft (WD) submitted to ISO TC 37 / SC 5 / WG 2 in Matsue, Japan, in June 2015

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Background (2):

Working draft adopted at Matsue meeting

Matsue comments included in Committee draft (CD) →

CD presented to ISO TC 37 / SC 5 / WG 2 in Copenhagen, Denmark, in June 2016

Copenhagen comments included and draft international standard (DIS) adopted

DIS presented to ISO TC 37 / SC 5 / WG 2 in Vienna, Austria, in June 2017

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Background (3):

DIS (2) adopted with Vienna comments →

Final draft international standard (FDIS) to be presented to
ISO TC 37 / SC 5 / WG 2 in HangZhou, China, in June 2018

Final vote = adoption by vote in second half 2018

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What comes next?

European certification?

National certification?

National legislation?

Lobbying?

Revision of academic courses?

..... spread the word!

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What is a standard? (1)

A standard is a document that provides requirements, specifications, guidelines or characteristics that can be used consistently to ensure that materials, products, processes and services are fit for their purpose.

ISO definition

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What is a standard? (2)

A standard is a common denominator of different opinions expressed by experts in the field.

A standard defines the state of the art of a given product or service.

A standard is a voluntary effort by the stakeholders concerned.

A standard serves as a reference document for producers of products / providers of services AND users of products / services

A standard is NOT an equivalent to legislation.

A standard is a work in progress → it is revised periodically.

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Why is there a need for a standard on legal interpreting services?

A guidance document for legal interpreting service providers.

A guidance document for users of legal interpreting services.

A reference source for all judicial stakeholders.

A tool to harmonize legal interpreting standards

A means to raise the quality of legal interpreting standards.

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Current relevant ISO standards and projects

ISO 18841 – Interpreting – General requirements and recommendations

ISO 13611 – Guidelines for Community Interpreting

DIS 20228 – Interpreting Services — Legal Interpreting – Requirements

WD 21998 – Healthcare Interpreting

NP 23155 - Conference interpreting and

CD 20771 – Legal Translation

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Content of standard:

- introduction
- scope
- normative references
- terms and definitions
- basic principles of legal interpreting
- competences and qualifications of legal interpreters
- settings with legal interpreting
- interpreting modes and working conditions

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Normative annexes:

A – List of national and international documents

B – Examples of setting for legal interpreting

C – Recommendation for interpreting mode

D – Workflow: Legal interpreting assignments

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Introduction (1)

- This document was developed in response to a worldwide and growing need to accommodate the interpreting needs of persons deprived of liberty, suspects, accused, defendants, plaintiffs, claimants, complainants, witnesses, victims, parties in different legal settings during spoken and signed communication as well as judicial stakeholders such as judges, lawyers, prosecutors, police officers, court administrative staff, notaries as well as private persons requiring interpreting services during communicative events related to the law.

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Introduction (2)

The right to legal interpreting services has been enshrined in several international documents (see Annex A). Legal interpreting needs to be of a sufficiently high quality to ensure equal access to justice to all persons as well as fair trials.

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Introduction (3)

Legal interpreting has become established as interpreting services provided by professional interpreters. There are various codes and standards (protocols) for specific settings (e.g. for the police or in court) but they vary from country to country, and there are no universally agreed rules or standards for the provision of legal interpreting services.

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Introduction (4)

NOTE: For the purposes of this document, a professional legal interpreter is an individual that meets the requirements of Clause 5.

Legal interpreting is distinct from legal translation and involves the communication of spoken or signed messages in real time.

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Introduction (5)

Standards of legal interpreting training and practice vary widely, and are subject to change with remarkable fluidity. In practice, current trends in several countries go in the direction of de-professionalism due to shortage of financial means, absence of specialized training and lack of awareness of the risks of using non-professional legal interpreters.

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Scope:

This document establishes the basic principles and practices of legal interpreting services, and specifies the competences of legal interpreters. It also describes the various legal settings and provides recommendations for the corresponding interpreting modes.

It is applicable to all parties involved in facilitating communication between users of legal services using a spoken or signed language.

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Qualifications and Competences (1)

Legal interpreters shall have competences based on domain expertise, professional practice and qualifications abiding by a code of professional ethics and observing one or several protocols.

Legal interpreters shall have comprehensive knowledge of the structure of the legal system(s) and administration of justice in the countries where their source and target languages are used.

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Qualifications and Competences (2)

They shall have an understanding of the relevant fields of law (substantive, procedural, criminal, civil, administrative, etc.).

They shall demonstrate a thorough understanding of the roles of lawyers, judges, judicial officers, prosecutors, and interpreters

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Qualifications and Competences (3)

- **Domain competences related to legal interpreting**
- **Linguistic competences**
- **Interpreting competences**
- **Intercultural competences**
- **Interpersonal competences**
- **Technical competences**

AIIC – Court and Legal Interpreting Committee

Qualifications and Competences (4)

- **Continuing training/education**
- **Evidence of legal interpreting qualifications**
- **Authorization as legal interpreter**

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Thank you for your attention!

Any questions?