



Legal Interpreting and Translating in the Netherlands

Law on sworn interpreters and translators (2009)

- Competences required for enscription in Register:
 - Language skills
 - Cultural knowlegde
 - Attitude
 - Interpreting/translating skills
 - Integrity

Statutory instruments

- Oath or promise (by a court) after registration which is aimed at:
 - Behaviour/Confidentiality
- Complaints procedure
- Prolongation of registration after 5 years
 - Sufficient additional training
 - Minimal professional experience
- Compulsory purchase

Compulsory purchase

- Courts
- Prosecutor
- (Military) Police
- Immigration and Naturalisation Services
- In criminal and asylum cases

Complications

- Requirements
 - I/T training and education in 16 language combination
 - No testing schemes
 - Which languages?
 - Language competences often not provable
- Compulsory purchase not easy verifiable
- Availability

Availability (nov 15st)

- 1.256 interpreters in 70 combinations
- < 10 interpreters in 40 combinations
- 5.808 translators in 81 combinations
- < 10 in 59 combinations

Research on legal interpreting

- The right interpreter on the right spot (2001)
- Requirements for (police and) criminal court interpreters
- Method: observations and interviews with magistrates
- Results: Behaviour:

Results: Desired behaviour

- Exact and integral reproduction
- 'Modest' appearance
- Facilitator/service provider

Required competences

- Consecutive interpreting (2 minutes)
- Simultaneous (whisper) interpreting
- Knowledge Dutch legal system
- Knowledge of 'foreign' legal system
- Ethics
- Specific interpreting skills
 - Ability to perform in different stages of legal procedure
 - Terminology

Statutory competences

- Competences required for enscription in Register
 - Language competences
 - Cultural knowlegde
 - Attitude
 - Interpreting/translating skills
 - Integrity
- No legal knowledge required!

However.....

- Additional competences possible
- Existing training program for court interpreters and legal translators (13 languages), completed by
 - 420 interpreters
 - 450 translators
- Training program on Dutch legal system and court interpreting

Additional strategies(1)

- Develop testing programs
- Code of behaviour
 - Based on CoB FIT Europe
 - Specifies content of oath/promise
 - Forms framework for I/T
 - Provides expectations to commissioners
 - Is a guidance book for complaint committee
- Enabling registration of additional competences

Additional strategies (2)

- Framework for permanent professional development
- Stimulating/facilitating training programs
- LIT in civil cases.....

LIT in civil cases

- Register publicly accesable
- Government hires services via mediating agency
 - Health care/Social services
 - Returning asylum seekers to land of origin
 - Labour inspection
 - **Legal Aid**
 - Debt restructuring

Demands

- Current contract expires January 1st 2010
- New contract: agency must
 - Give preference to sworn I/T
 - Stimulate other I/T to
 - undergo training and
 - testing programs
 - enlist in Register

Summary

- Specify general quality criteria
- Distinguish provable quality from other
- Compulsory selection of sworn IT
- Additional (legal) competences can be registered
- Supporting development of (specialised) training and testing programs

Wishes for future

- More grasp on quality
- Means to develop and establish quality
- Specialisation
- Educate commissioners
 - Select the right I/T
 - Preparation
 - Physical settings
 - Complexity and duration of spoken word
 - Etc.

On a European level

- One quality standard (general and additional)
- Exchange experiences/knowledge with training and testing programs
- ‘Exchange’ data on qualified (L)IT
- Modernise procedures on ‘sworn/certified’ translations