

Legal Interpreting

An Introduction to Interpreting in the Judicial Sector

Court hearings, police interviews,
child care cases, asylum hearings and
prison visits

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What is interpreting?

- Conference, liaison, community
- Interpreting in the justice sector: comprises the whole sector
- Court interpreting: strict formal requirements, neutrality, working conditions, interpreting techniques used, incl. sight translation

Court interpreting: Historical background

- The Nuremberg trials
- The Norwegian War Trials: The use of Nazi informers, provocateurs and torturers as interpreters and collaborator identifiers in the pre-trial investigation

How to become a court interpreter

- Overview of public registers and training
- Accreditation – public register – authorisation
- Police background check
- The new Interpreting Act – the draft is now out for comments
- The use of “qualified “ interpreters mandatory in all situations affecting non-Norwegian speakers’ legal safeguards – loophole for agencies

The statutory basis for legal interpreting: international and domestic law

- International conventions
- EU/EEA legislation
- Domestic rules and regulations

The legislative process

- How laws come into being
- The structure and language of laws: civil and criminal terminology
- Laws and judgments - where to find them – Lovdata, Ministries, government agencies, EUR-lex etc.

The most relevant legislation

- **The Courts of Justice Act** – the structure and jurisdiction of the courts
- **The Dispute Act** – different procedures, the parties and their duties and rights, legal remedies, evidence, the different kinds of decisions
- **The Criminal Procedures Act** : The parties, expert witnesses and interpreters, evidence, the standard of proof, coercive measures, apprehension, remand, seizures, the main hearing, appeals

The most relevant legislation contd.

The Penal Code

- Statutory definitions
- Criminal liability– guilty as charged
- Criminal sanctions – definition of mitigating and aggravating circumstances
- Criminal acts: terrorism and protection of the public peace, violent offences, sexual offences, crime against property rights

Quality and Ethics

- What is quality?
- Integrity, duty of confidentiality, neutrality
- Codes of professional ethics: The ICC, OSCE, UNCHR, Eulita, the 3 relevant ISOs, the Norwegian Immigration Directorate's binding guidelines for registered interpreters, the Code of Ethics of the Norwegian Association of Sign Language Interpreters

Remand and main hearings

- Terminology and practical, linguistic and ethical issues that can arise

Interpretation modes

- Consecutive interpreting
- Simultaneous interpreting – booth manners,
- Sight translation
- Distance interpreting

Other legal settings

- Police interpreting
- Prison interpreting
- Child care meetings and hearings
- Asylum interviews
- Relevant rules and regulations, procedures, terminology, practical and ethical dilemmas

Preparing: Sources and source criticism

- How to identify reliable sources
- Translated Acts, regulations, guidelines, judgments
- Reliable databases (UN ,WIPO, EUR-Lex IATE, Linguee)
- Norwegian Ministries and public bodies
- YouTube and videotaped trials
- Keyword index – basis for glossaries