INTERPRETING FOR LAB

LEGAL AID BOARD

LEGAL AID BOARD

- Legal Aid Board is an independent, publicly funded organization that provides legal advice and representation in civil law (including international protection) and criminal law matters; it also offers family mediation services.
  - Legal advice: clear, confidential guidance to help the candidate understand their rights, the process and what to expect at each stage.
  - Legal representation: professional support from LAB solicitors and barristers to represent the candidate in court.
- The Board (a chairperson and ten other members) are appointed by the Minister for Justice and Equality and have a five-year term of office.
- LAB has a Chief Executive and approximately 450 staff in 48 offices across the country.

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CRIMINAL LAW

LAB manages and administers three Criminal Law schemes:

- The Garda Station Legal Advice Revised Scheme: this allows for legal advice to be provided to people detained in Garda Stations.
- The Legal Aid Custody Issues Scheme (LA-CIS): legal representation in the High Court, Court of Appeal and Supreme Court for certain types of cases not covered by other schemes. The Scheme provides legal representation for people who cannot afford it.
- The Criminal Assets Bureau Ad-hoc Legal Aid Scheme: provides legal representation in relevant cases for people who need but cannot afford it.

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CIVIL LAW

Examples of civil law areas that may be dealt with by Civil Aid Board >>

Divorce →
Divorce is the legal process of ending a marriage through the courts.

Separation →
Separation means living apart from your spouse or partner.

Domestic Violence →
Domestic violence is abuse or intimidation in an intimate or family relationship, including threats, harm or control.

Rights of Cohabitants →
Cohabitants are couples who live together but are not married, and in some cases. they may have legal rights after a relationship ends.

Maintenance, Custody, Access & Guardianship →
Maintenance, custody and guardianship are the legal arrangements for caring for a child - covering financial support, daily...

Applications to Take Children into State care →
An application to take a child into care is when a social worker asks the court for permission to remove a child from their home if they...

International Protection →
International protection is when someone asks to stay in Ireland because they fear persecution or danger in their home country.

Assisted Decision-Making Act 2015 →
Assistant-Decision Making is a legal process that helps people to get help making decisions, if they need it.

Mincéir/Traveller Legal Support Service →
Minceir/Travellers can receive legal advice and legal representation in certain areas

Abhaile Scheme →
Abhaile Scheme provides free legal advice to people who are insolvent and in mortgage arrears on your home.

Child Abduction →
Child abduction is when a child is taken or kept across borders without the legal right or permission to do so.

Medical Negligence →
Medical negligence happens when a mistake or poor care during treatment causes harm

Personal Injuries →
Personal injuries involve people who have been hurt in an accident and want to claim compensation.

Other Areas →
Other areas that we can provide legal aid in.

INTERNATIONAL PROTECTION SERVICES

- Translit interpreters are frequently involved in LAB International Protection cases.
- International protection (IP) is the protection granted by a government to someone who has left another country to escape being harmed.
- LAB provides IP applicants with assistance with their application if they are applying for international protection in Ireland or are appealing the IP decision.
- LAB has specialised International Protection Law Centers in Dublin (Smithfield), Cork (Popes Quay) and Galway (Woodquay)
- LAB can provide legal advice and legal representation to IP applicants.

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LEGAL AID BOARD INTERPRETING: SPECIAL CONSIDERATIONS

- LAB sessions can have a significant impact and far-reaching consequences for the participants. Because of this, you must follow the rules of interpreting in formal and legal settings when working for LAB.
- The following points are particularly important:
  - Maintaining punctuality.
  - Following the client's instructions re. access to and movement within the client's premises.
  - Following any prescribed behaviour rules.

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MAINTAINING PUNCTUALITY

- Maintaining punctuality is of utmost importance for interpreters due to the following reasons:
    - Long waiting periods and high impact on people's lives. Any cancellation is a grave setback for the participants.
    - High costs of lawyers, consultants, experts. Cancellations are a waste of public funds and private time and money.
    - Complicated scheduling: sessions postponed by weeks and months.
- Make sure you are at the venue (or online) at least 10 minutes before the start of your session.

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CLIENT'S PREMISES

- You must follow the rules set by clients regarding access to and movement within their premises:
    - Do not arrive at the venue unless you have a confirmed assignment. Ensure that the job you are attending is marked as 'Booked' in your Translit Hub profile. Note that jobs marked as 'Accepted' are not yet confirmed.
    - Expect restricted public access and specific rules regarding entry, exit, and movement within the premises.
    - Wear a badge if you are issued one during the check-in process.
    - CCTV is typically in operation for safety and security reasons, and you will see clear signage indicating this.

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ETHICAL PRINCIPLES OF INTERPRETING:

As in any formal and legal settings, the following ethical principles of interpreting must be adhered to strictly:

- Confidentiality: do not discuss, report, or provide an opinion concerning any matter for which you provide interpretation services without prior authorisation
- Impartiality: perform your duties in a professional manner maintaining objectivity and impartiality at all times, without counselling, advising or projecting personal biases or beliefs
- Accuracy: make every effort to maintain the highest level of accuracy possible, without any alterations, additions, or omissions
- Professionalism and Competence: maintain a professional standard at all times, interpret only from/into languages and dialects in which you are proficient, do not interfere with or comment on how sessions are conducted

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CAUTION

- In certain situations (e.g., in a Garda station), the interpreter may be required to assist in "giving a caution". The term "caution" refers to a formal warning given by Gardaí (Irish police) to a suspect before they are questioned or asked to make a statement.

- Its purpose is to inform the suspect of their right to silence and to ensure that any statement or confession is made freely and voluntarily. The caution is usually worded as follows:

  "You are not obliged to say anything unless you wish to do so, but anything you say will be taken down in writing and may be given in evidence"

- Be prepared to interpret the caution to the suspect. Practice saying it in your working language(s).

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OATH

- At the start of official hearings parties to the hearing may be asked to declare that they are going to speak the truth.
- An oath is a sworn declaration, such as the promise to tell the truth, in a court of law; it is usually sworn on the relevant holy book from their religion, e.g New Testament for Christians, Holy Quran for Muslims, etc.

  Example: *"I swear by Almighty God that I shall speak the truth, the whole truth and nothing but the truth."*

  Interpreter's Oath:

  I [name] swear by Almighty God (or the name of another deity, if applicable) that I will well and truly interpret to the Workplace Relations Board all matters and things that shall be required of me to the best of my ability and understanding.

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SOLEMN DECLARATION (AFFIRMATION) – NON-RELIGIOUS

- A non-religious version of Oath is referred to as a Solemn Declaration or an Affirmation
- Interpreter's Solemn Declaration:

  "I [name] do solemnly declare that I will well and truly interpret for the all matters and things that shall be required of me with my best ability and understanding".

- Breaking your oath or solemn declaration may amount to perjury
- Perjury is a crime of wilfully telling an untruth or making a misrepresentation under oath
  - wilfully = deliberately;
  - misrepresentation = distortion of truth

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LAB INTERPRETING: GENERAL RULES

- Arrive or log onto a remote hearing at least 10 minutes before the scheduled appointment.
- Do not speak to the service user (the person for whom you'll be interpreting) prior to or after the hearing. If they try to talk to you, explain that you are not allowed to speak to them beforehand.
- At the initial introductory stage, try to establish if there are any real or perceived communication difficulties or conflict of interest between yourself and the service user; if so, alert the officer.
- Explain to the service user that your role is to convey everything that the service user says in a manner that accurately reflects the meaning of what has been communicated.
- Ensure that your mobile phone is on silent before commencing interpretation.

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DURING THE HEARING

- Interpret fully and accurately in the first person singular (“I”)
- Inform the official if you need to consult a dictionary, or if the participants speak too quietly or to fast, or in sentences that are too long.
- Ask to repeat, rephrase, explain if necessary to ensure high quality of interpreting
- Ask the official to speak in private if anything makes you uncomfortable during the hearing
- You can take notes to assist in your interpretation; leave them in the room afterwards to be destroyed

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RECORDINGS

- In some legal and law enforcement settings, interviews are often video recorded. By accepting such assignments, you acknowledge and consent to this practice.
- If you are uncomfortable with being recorded, please inform us immediately so that we do not assign you to such jobs.
- You will not have access to these recordings, which may be used in legal proceedings, including for verifying the accuracy of interpretation.
- Once you accept an assignment, you cannot refuse the recording process or request access to the footage afterward.

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ONLINE INTERPRETING SESSIONS

- Do not use a mobile phone, any other device is preferable (laptop, PC, tablet).
- Headphones, microphone or a headset are recommended as they will improve the quality of video and audio.
- Camera & microphone are required and must be switched on and "allowed" for use (not "blocked").
- Ensure professional appearance: proper dress, clean & tidy space around you; use virtual background feature if necessary.
- Download the required app/programme (WebEx, MS Teams, Zoom, etc.), and check that it works on your device.
- Ensure that your internet connection is strong and stable; test it in advance and rectify any problems.
- Close all other applications on your device as they may interfere with the quality of your video call and access to the virtual hearing room.

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DEALING WITH CHALLENGES

- If anyone who presents at the hearing speaks in a manner that is too fast or too long for you, raise your hand to indicate that this is so.
- If you do not know how to translate a word or a phrase, do not guess but stop and tell the official that you need a clarification.
- If you do not understand the meaning of what a person says, tell the official that you would like the person to clarify or repeat what they have said, to avoid misunderstandings or miscommunications.
- If you notice that there is a misunderstanding to do with the language, ask the official's permission to explain the misunderstanding so that it may be corrected.
- If you are tired and require a break, or find it difficult to deal with emotionally-challenging content, inform the official.

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FINAL THOUGHTS….

- Stay calm.
- Remain in the interpreting role (not any other role, such as advisor, spokesperson, cultural mediator, interrogator, etc.).
- Refer to the official if you have any difficulties
- Be guided by the rules of confidentiality, impartiality, accuracy and professionalism.
- Ask for a break if you need it.
- Best of luck!