

Welsh Language Seminar for Judges, 4 March 2019

Presentation by Geraint Wyn Parry, Chief Executive of Cymdeithas Cyfieithwyr Cymru

Thank you for the invitation to join you and for the opportunity to highlight one of Cymdeithas Cyfieithwyr Cymru's key partnerships, namely our close working relationship with HM Courts & Tribunals Service Welsh Language Unit, and specifically to emphasise our efforts to ensure professional arrangements and standards when providing Welsh/English interpreting in courts and tribunals in Wales.

The relationship between the association and the Welsh Language Unit goes back many years, and is recognised in HMCTS current Welsh Language Scheme which was published in 2018. I intend to focus on what's happened since 2007 when Cymdeithas Cyfieithwyr Cymru received a letter from Judge Eleri Rees, the then Liaison Judge for the Welsh language. She wrote:

"I believe that Cymdeithas Cyfieithwyr Cymru's decision some two years ago to introduce an examination process for interpreters was an important one in that it established a system of professional accreditation for interpreters and ensured a more consistent standard. It was thus a fairly easy decision for us as a service to change our policy (from April 2008) to choose interpreters for court cases from the association's list of those who have passed its examinations."

In that letter, we were also asked to hold an Interpreting Test into Welsh for the purpose of interpreting in courts – at the time the association's Interpreting Test only involved interpreting into English and our Interpreting membership was into English only. That Interpreting Test was held in 2009.

Those who succeeded in that Interpreting Test are now recognised as Interpreting members into Welsh. In 2017 in response to the Welsh language Standards, we established a second category of Interpreting membership, into Welsh. As in the case of Interpreting membership into English individuals must pass the association's Interpreting Test into Welsh to achieve that membership.

Judge Eleri Rees's letter was an important and significant step forward in ensuring that the quality of interpreting in courts would be protected, that there would be a consistency of standard in the interpreting provided as it would be based on the highest professional standards, and that the rights of individuals would be safeguarded.

In 2013, we were very pleased to be able to contribute to the thorough review undertaken by HMCTS Welsh Language Unit of the arrangements for booking Welsh/English interpreters in court and tribunal cases where a Welsh language requirement had been indicated. The resulting new procedure gave courts and tribunals clear guidelines with regard to hiring the services of qualified Welsh/English interpreters who had to be members of Cymdeithas Cyfieithwyr Cymru. Another result of the review was to ensure that interpreters were provided with all relevant information in advance of a hearing, which is extremely important when providing an effective and professional service.

This review serves as an excellent example of the two professions working in collaboration, and which lead to the strong and stable foundations which exist for the provision of Welsh/English interpreting in courts and tribunals in Wales.

Fast forward to 2015, and Cymdeithas Cyfieithwyr Cymru's intention to establish a means of recognising Areas of Professional Expertise of its Full and Interpreting members.

Choosing the first area of professional expertise was relatively simple: Interpreting in Courts and Tribunals. In choosing this area of expertise we saw an opportunity to further strengthen the important role of interpreting in courts and tribunals, as well as all the arrangements which had been put in place since April 2008. It was also an opportunity to strengthen the status of professional Welsh/English interpreters in courts and to highlight that interpreting is a respected craft and vocation.

Our main criterion for acknowledging the professional expertise of the initial interpreters was based on the experience each one of them had gained of interpreting in courts and tribunals. This was done by using HMCTS Welsh Language Unit records and evidence from the interpreters themselves.

As part of this new process we shall also be arranging a seminar every two years for interpreters and court staff, providing an opportunity to discuss matters of mutual interest and for both parties to better understand each other's needs. As part of their commitment to CPD, interpreters will be expected to keep abreast of relevant developments.

To increase the number of recognised interpreters who can work in courts and tribunals we will arrange a programme of induction to the work of courts and tribunals for interpreters who have no experience of this. A successful training day was held at the Crown Court in Caernarfon in March 2018 under the leadership of District Judge Hywel James.

In whichever direction there is a need for Welsh/English interpreting in courts and tribunals in Wales, therefore, it will be provided by an Interpreting member of Cymdeithas Cyfieithwyr Cymru who has been recognised in the Area of Professional Expertise: Interpreting in Courts and Tribunals. In the same way that conducting a hearing through the medium of Welsh is a skill, so is providing a professional interpretation. To date 24 of our Interpreting members have been so recognised, and this can be seen in the Membership Record of these members on the association's website.

Developing the Area of Professional Expertise: Interpreting in Courts and Tribunals links in directly with Judge Eleri Rees's letter and will strengthen the clear and unambiguous message given in that letter that the professional standards that Cymdeithas Cyfieithwyr Cymru upholds and promotes are important in courts and tribunals in Wales. It will provide assurance for everyone directly involved in the administration of justice, and the general public, that trustworthy and qualified interpreters are available to undertake the work.

And this is an extremely important message that we should neither forget nor ignore. The arrangements in place to provide Welsh/English interpreting services in the courts and tribunals in Wales are extremely robust and of a high professional standard, and we need to protect and defend these arrangements in the face of any threat from the Ministry of Justice in London.

Since 2012 the Ministry of Justice has procured court interpreting services through outsourcing via a framework agreement with one company which in turn is responsible for booking the services of external interpreters. From the very beginning there has

been, and there remains, considerable dissatisfaction with this arrangement amongst both interpreters and the associations and unions representing interpreters.

This resulted in the establishment of Professional Interpreters for Justice (PI4J), an umbrella group of partner organisations drawn from the leading professional interpreting and translation associations and union representatives. Cymdeithas Cyfieithwyr Cymru is a member of the group. PI4J is committed to promoting the highest professional standards and to a sustainable interpreting and translation service in the public services.

Cymdeithas Cyfieithwyr Cymru is strongly of the opinion that the robust arrangements established for Welsh/English interpreting in courts and tribunals in Wales should not be devoured as part of a massive contract that hundreds of interpreters in other languages have chosen to reject and have decided to stop working in courts, arrangements which have seen many of these turn their backs on the profession.

And as I see it, this threat to the arrangements we have worked so hard to establish has not diminished. As financial cuts continue, the Ministry of Justice could insist that all court interpreting in Wales in all languages come under a single contract. The inevitable consequence of this, I believe, will be a reduction in standards, the postponement of hearings, increased costs, and downgrading the status of the Welsh language.

Put simply, Cymdeithas Cyfieithwyr Cymru's aim is to ensure that Welsh/English interpreting in courts and tribunals in Wales will continue to be of a high professional standard and will be one in which we can put our trust and be proud of. In ensuring this, we shall continue to work closely with HMCTS Welsh Language Unit to protect and develop the arrangements we have in place.

I know that you as Judges acknowledge the reliability and accuracy of the Welsh/English interpreting service, appreciate that it is a first rate service, and that you have a great respect for the interpreters who facilitate your work in listening to Welsh language hearings. We all need to continue to be vociferous in favour of these arrangements for interpreting, continue to promote them, continue to ensure that they remain robust, and more than anything protect them as they are effective arrangements which provide value for money and importantly, are arrangements in which there is complete trust.