
Interpreting services — Legal interpreting — Requirements

*Services d'interprétation — Interprétation juridique et judiciaire —
Exigences*

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Foreword

ISO (the International Organization for Standardization) is a worldwide federation of national standards bodies (ISO member bodies). The work of preparing International Standards is normally carried out through ISO technical committees. Each member body interested in a subject for which a technical committee has been established has the right to be represented on that committee. International organizations, governmental and non-governmental, in liaison with ISO, also take part in the work. ISO collaborates closely with the International Electrotechnical Commission (IEC) on all matters of electrotechnical standardization.

The procedures used to develop this document and those intended for its further maintenance are described in the ISO/IEC Directives, Part 1. In particular the different approval criteria needed for the different types of ISO documents should be noted. This document was drafted in accordance with the editorial rules of the ISO/IEC Directives, Part 2. www.iso.org/directives.

Attention is drawn to the possibility that some of the elements of this document may be the subject of patent rights. ISO shall not be held responsible for identifying any or all such patent rights. Details of any patent rights identified during the development of the document will be in the Introduction and/or on the ISO list of patent declarations received. www.iso.org/patents.

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For an explanation on the voluntary nature of standards, the meaning of ISO specific terms and expressions related to conformity assessment, as well as information about ISO's adherence to the WTO principles in the Technical Barriers to Trade (TBT) see the following URL: Foreword — Supplementary information.

The committee responsible for this document is ISO/TC 37, *Terminology and other language and content resources*, Subcommittee SC 5, *Translation, interpreting and related technology*.

Any feedback or questions on this document should be directed to the user's national standards body. A complete listing of these bodies can be found at www.iso.org/members.html.

Introduction

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.

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.

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.

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.

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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Interpreting services — Legal interpreting — Requirements

1 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.

2 Normative references

The following documents are referred to in the text in such a way that some or all of their content constitutes requirements of this document. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

ISO 20108, *Simultaneous interpreting — Quality and transmission of sound and image input — Requirements*

ISO 20109, *Simultaneous interpreting — Equipment — Requirements*

3 Terms and definitions

For the purposes of this document, the following terms and definitions apply.

ISO and IEC maintain terminological databases for use in standardization at the following addresses:

- ISO Online browsing platform: available at <http://www.iso.org/obp>
- IEC Electropedia: available at <http://www.electropedia.org/>

3.1 Terms related to interpreting — Modes of interpreting and persons involved

3.1.1

interpret

render spoken or signed information from a *source language* (3.2.5) to a *target language* (3.2.7) in spoken or signed form, conveying both the register and meaning of the *source language content* (3.2.6)

[SOURCE: ISO 18841:2018, 3.1.1, modified - “in oral or signed form” is replaced with “in spoken or signed form”.]

3.1.2

interpreting interpretation

rendering of spoken or signed information from a *source language* (3.2.5) to a *target language* (3.2.7) in spoken or signed form, conveying both the register and meaning of the *source language content* (3.2.6)

[SOURCE: ISO 18841:2018, 3.1.2, modified - “in oral or signed form” is replaced with “in spoken or signed form”.]

3.1.3

legal interpreting

interpreting (3.1.2) at *communicative settings* (3.1.23) related to the law

[SOURCE: ISO 18841:2018, 3.3.4]

3.1.4

interpreter

person who *interprets* (3.1.1)

[SOURCE: ISO 18841:2018, 3.1.3]

3.1.5

legal interpreter

interpreter (3.1.4) who is qualified to provide *legal interpreting* (3.1.3) services

Note 1 to entry: Legal interpreters can be required to be authorized by law.

3.1.6

translate

render *source language content* (3.2.6) into *target language content* (3.2.8) in written form

[SOURCE: ISO 17100:2015, 2.1.1]

3.1.7

translation

rendering *source language content* (3.2.6) into *target language content* (3.2.8) in written form

[SOURCE: ISO 17100:2015, 2.1.2, modified - “set of processes to render” replaced with “rendering”.]

3.1.8

translation output

result of *translation* (3.1.7)

3.1.9

translator

person who *translates* (3.1.6)

[SOURCE: ISO 17100:2015, 2.4.4]

3.1.10

legal translator

translator (3.1.9) who is qualified to provide *translation* (3.1.7) services related to the law

Note 1 to entry: Legal translators can be required to be authorized by law.

3.1.11

speaker

person addressing others, using either *spoken language* (3.2.3) or *sign language* (3.2.2)

[SOURCE: ISO 18841:2018, 3.1.7]

3.1.12

spoken language interpreting

interpreting (3.1.2) between two *spoken languages* (3.2.3)

[SOURCE: ISO 18841:2018, 3.1.8]

3.1.13**sign language interpreting**
signed language interpreting

interpreting (3.1.2) between two *sign languages* (3.2.2) or between a *sign language* (3.2.2) and a *spoken language* (3.2.3)

[SOURCE: ISO 18841:2018, 3.1.9]

3.1.14**mode**

established method for the delivery of *spoken language interpreting* (3.1.12) or *sign language interpreting* (3.1.13)

[SOURCE: ISO 18841:2018, 3.1.11]

3.1.15**consecutive interpreting**

mode (3.1.14) of *interpreting* (3.1.2) performed after the *speaker* (3.1.11) pauses

Note 1 to entry: *Interpreters* (3.1.4) can use special *note-taking* (3.1.19) techniques to help in rendering lengthy passages.

[SOURCE: ISO 18841:2018, 3.1.12]

3.1.16**simultaneous interpreting**

mode (3.1.14) of *interpreting* (3.1.2) performed while a *speaker* (3.1.11) is still speaking or signing

[SOURCE: ISO 18841:2018, 3.1.13]

3.1.17**chuchotage****whispered interpreting**

simultaneous interpreting (3.1.16) where the *interpreter* (3.1.4) speaks very quietly

Note 1 to entry: Chuchotage/whispered interpreting is used for smaller audiences of one, two or a maximum of three persons.

[SOURCE: ISO 18841:2018, 3.1.16, modified - Definition and Note 1 entry slightly reworded.]

3.1.18**sight translation**

rendering written *source language content* (3.2.6) to the *target language* (3.2.7), in the form of *spoken language* (3.2.3) or *sign language* (3.2.2)

[SOURCE: ISO 18841:2018, 3.1.14]

3.1.19**note-taking**

technique in *consecutive interpreting* (3.1.15) used by *interpreters* (3.1.4) for remembering, conceptualizing and summarizing information

Note 1 to entry: Note-taking is highly individual and can involve a mixture of symbols, abbreviations, words and diagrams.

[SOURCE: ISO 18841:2018, 3.1.15]

3.1.20

distance interpreting **remote interpreting**

interpreting (3.1.2) of a *speaker* (3.1.11) in a different location from that of the *interpreter* (3.1.4), enabled by information and communications technology

[SOURCE: ISO 18841:2018, 3.1.10]

3.1.21

relay interpreting

interpreting (3.1.2) that occurs when an *interpreter's* (3.1.4) input comes from another interpreter's rendition and not directly from the *speaker* (3.1.11)

Note 1 to entry: When a speech, spoken or signed, is to be *interpreted* (3.1.1) into three or more *target languages* (3.2.7) and the interpreters of those languages do not all understand the language of the speaker (e.g. Urdu), a *source language* (3.2.5) interpreter renders the speech to a language common to other interpreters at the event (e.g. from Urdu to English) who then interpret into their respective target language (e.g. from English to French, German, Italian, Nahuatl, Spanish, Welsh, etc.).

3.1.22

communicative event

encounter between two or more parties during which information is transmitted

Note 1 to entry: The speaker's intention, as well as the gestures, pauses, silences and tone the speaker uses can affect the transmitted information.

3.1.23

communicative setting

environment where an interaction between interlocutors takes place

[SOURCE: ISO 18841:2018, 3.3.1]

3.2 Terms related to language and qualifications

3.2.1

language

systematic use of sounds, characters, symbols or signs by which to communicate

[SOURCE: ISO 18841:2018, 3.4.1]

3.2.2

sign language

signed language

language (3.2.1) which uses a combination of hand shapes, orientation and movement of the hands, arms or body, and facial expressions

[SOURCE: ISO 18841:2018, 3.1.12, modified - Note to entry is deleted.]

3.2.3

spoken language

language (3.2.1) based on vocal expression

3.2.4

content

information in any form

EXAMPLE Text, audio, video, etc.

[SOURCE: ISO 18841:2018, 3.4.3]

3.2.5**source language**

language (3.2.1) from which content (3.2.4) is interpreted (3.1.1) or translated (3.1.6)

[SOURCE: ISO 18841:2018, 3.4.4]

3.2.6**source language content**

content (3.2.4) to be interpreted (3.1.1) or translated (3.1.6)

[SOURCE: ISO 18841:2018, 3.4.5]

3.2.7**target language**

language (3.2.1) into which content (3.2.4) is translated (3.1.6) or interpreted (3.1.1)

[SOURCE: ISO 18841:2018, 3.4.6]

3.2.8**target language content**

content (3.2.4) that has been interpreted (3.1.1) or translated (3.1.6) from a source language (3.2.5)

[SOURCE: ISO 18841:2018, 3.4.7]

3.2.9**language proficiency**

ability of a person to understand or communicate in a specified language (3.2.1)

Note 1 to entry: Language proficiency generally refers to speaking, listening, reading and writing skills.

3.2.10**authorization**

third-party attestation of a person's right to provide a specialized service

Note 1 to entry: Authorization for *legal interpreters* (3.1.5) and *legal translators* (3.1.10) is conferred by a recognized authoritative body.

Note 2 to entry: In some countries, state/official authorization is referred to as accreditation, certification, credentialing, etc.

3.2.11**protocol**

rule, official procedure or common practice that guides the conduct of members of a profession

EXAMPLE Taking an oath in court to perform accurate *interpreting* (3.1.2), using direct speech when interpreting, or adhering to the code of ethics of a professional association.

[SOURCE: ISO 18841:2018, 3.1.17]

4 Basic principles of legal interpreting**4.1 General**

Legal interpreting shall be performed by legal interpreters meeting the requirements of [Clause 5](#), following a relevant code of professional ethics and adhering to accepted professional practices, so-called professional interpreting protocols, which can vary by interpreting setting, and by country or region.

4.2 Nature of legal interpreting

As a specialization of interpreting, legal interpreting contributes to equal access to the law for all parties by facilitating communication between users of legal services who do not share the same

language — either spoken languages or sign languages. It occurs mainly in different legal settings such as police stations, court rooms, lawyer's offices, prisons, etc. ([Annex B](#) lists the different settings). Legal interpreting can involve the transfer of signed, verbal and/or non-verbal messages in real time usually in both directions.

There are certain areas of overlap with community interpreting/public service interpreting concerning interpreting communicative events. See [3.1.22](#) and [Figure B.1](#) for details.

NOTE Non-verbal messages can include tone, body language, facial expressions and (explanatory) gestures.

Legal interpreting takes place between at least three participants:

- 1) a user of a language other than the language of service who needs to communicate with a speaker of the language of service;
- 2) a user of the language of service who needs to communicate with a speaker of a language other than the language of service; and
- 3) a legal interpreter.

NOTE In some countries "language of service" is also referred to as "official language", "language of the court" or "language of proceedings".

[Annex A](#) gives an overview of national and international documents pertaining to the right to interpretation in legal proceedings.

4.3 The work of legal interpreters

Legal interpreters engage in interactive types of communication that usually follow a bi-directional pattern. Such individuals are proficient in at least two languages (spoken languages or sign languages) and so are able to facilitate interpreted communication between two or more languages regarding legal topics. Legal interpreters can work in a mixed mode switching between consecutive and simultaneous mode, with sound transmission equipment when working with large groups or without sound transmission equipment (chuchotage [whispered interpreting]). Sometimes they work face-to-face and sometimes remotely using technology such as video- or tele-conferencing (distance interpreting [remote interpreting]). Legal interpreters must adapt their working mode to the specific situation or communicative setting (in and out of court). [Annex C](#) provides more details.

NOTE [Annex D](#) describes the typical steps of an interpreting assignment by way of example.

4.4 End-users of legal interpreting services

The end-users of legal interpreting services belong to two distinct groups. Legal service providers are the first group. They must be able to understand and communicate with the persons who are not sufficiently proficient in the language of service used in order to solve legal issues. Legal service providers are speakers of the language of service used in legal settings. They shall ensure that the services of qualified legal interpreters are retained in order to avoid delays in proceedings and errors/mistakes in communication which can lead to legally effective but erroneous decisions. The other group is generally made up of persons who are not sufficiently proficient in the language of service used in the specific legal setting and who need to communicate with speakers of the language of service in order to solve legal issues. Speakers of other languages than the language of service used in legal settings can only have access to fair-trial standards when legal interpreting services of a sufficiently high quality are systematically provided.

NOTE Relay interpreting (see [3.1.21](#)) is sometimes used and acceptable for the provision of interpreting services for which no or only a few qualified interpreters are available.

5 Competences and qualifications of legal interpreters

5.1 General

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.

NOTE For examples of codes of professional ethics see e.g. EULITA (European Legal Interpreters and Translators Association) website (<https://eulita.eu/wp/>).

Legal interpreters shall also demonstrate a commitment to life-long learning in the pursuit of updating their knowledge and the skills critical to effective linguistic decision-making and interpreting within legal settings.

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.

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.

Judicial and other authorities as well as clients in general are encouraged to provide legal interpreters access to case-related and other reference materials in order to enable them to prepare for the interpreting service.

5.2 Domain competences related to legal interpreting

Legal interpreters shall have the ability to convey a message from the source language into the target language (whether spoken languages or sign languages) in an interpreting mode appropriate for a given legal setting. They shall accurately, faithfully, and impartially interpret the substance of all statements without any additions, omissions, or other misleading factors that could alter the intended meaning of the speaker's message. Legal interpreters shall maintain confidentiality of the information that they are party to during assignments unless disclosure is required by law or by a court order. Legal interpreters shall demonstrate mastery of the various interpreting techniques (modes) and the appropriate supportive strategies. Such mastery involves consecutive, simultaneous, and whispered simultaneous interpreting as well as relay interpreting along with sight translation and the support techniques such as memory skills, note-taking, and stress management.

Their competences required for interpreting in legal settings shall also include:

- a) full understanding and mastery of the legal systems involved in the interpreted communicative event,
- b) high language proficiency in the working languages to the level of legal discourse,
- c) ability to accurately and idiomatically turn the message from the source language into the target language,
- d) ability to make quick linguistic decisions regarding word choice or terminology and register selection,
- e) awareness that linguistic, stylistic and vocabulary choices convey information about the client's socio-economic, educational and cultural background,
- f) ability to conserve para-linguistic features (non-verbal features) of the original speech such as hesitations, false starts and repetitions,
- g) ability to excel consistently at interpreting in the mode required by the setting and to provide accurate renditions of informal, formal, and highly formal discourse.

5.3 Linguistic competences

For their working languages, legal interpreters shall have linguistic competences based on accepted standards of language proficiency.

Language proficiency shall include speaking, listening comprehension, and reading comprehension skills (i.e. to be able to comprehend various regional accents and/or dialectal differences, recognize various language registers, including formal and informal, be familiar with subject-specific vocabulary, idiomatic expressions, colloquialisms, and slang). They shall have an ability to move easily between formal and informal speech levels and to interpret accurately for speakers with different educational backgrounds.

NOTE For further information about linguistic competences for interpreting services refer to ISO 18841.

Signed language interpreters shall also have skills to receive and produce signed messages.

5.4 Interpreting competences

Legal interpreters shall have acquired and be able to demonstrate mastery of the various interpreting techniques (modes) and the appropriate supportive strategies. Such mastery involves consecutive, simultaneous, and chuchotage (whispered interpreting) as well as relay interpreting along with sight translation and the support techniques such as memory skills, note-taking, and stress management.

The interpreting competences shall also include:

- a) mastery of the role of the legal interpreter (introduction, positioning, turn-taking, when and how to ask for clarification, as appropriate),
- b) ability to work in various legal settings, situations, or conditions, command of legal terminology and its functional equivalents in the working languages,
- c) ability to achieve the same effect as the source language utterance in the target language interpretation,
- d) awareness of investigative techniques in police settings, including rapport building strategies, and ability to accurately portray such strategies into the target language,
- e) understanding of the discourse of the courtroom, including the strategic use of questions and ability to accurately portray such strategies into the target language, ability to communicate in spoken or sign language and express ideas well,
- f) ability to self-monitor and self-correct,
- g) ability to provide appropriate delivery,
- h) profound awareness, integration, and application of the highest standards of professional conduct and ethics,
- i) awareness and observance of the applicable code of professional ethics and the best-practice standards governing a specific legal setting (protocol).

5.5 Intercultural competences

Legal interpreters shall be aware of and conversant with cultural differences and render them in their linguistic output, gestures and tone. Whenever necessary, legal interpreters shall bridge the cultural and conceptual gaps separating the participants.

5.6 Interpersonal competences

Legal interpreters shall have strongly founded communication and interpersonal skills because they must often contend with the great cultural and linguistic diversity of people, often in stressful

circumstances, and in difficult settings. They shall be able to build rapport and to exhibit self-control and impartial behaviour in all legal settings.

Legal interpreters shall have the ability to move easily between formal and informal speech levels and to interpret accurately for speakers with different educational backgrounds.

Legal interpreters shall disclose any real or perceived conflict of interest and shall refrain from accepting gifts, gratuities, etc. Legal interpreters shall maintain confidentiality of the information that they are party to during assignments unless disclosure is required by law or by a court order.

5.7 Technical competences

Legal interpreters shall demonstrate the ability to use interpreting equipment (such as microphone, audio- and video-conferencing technology) that can be required for interpreting in a given legal setting (e.g. volume control, microphone etiquette).

NOTE In most situations, technical staff is available to support the use of interpreting equipment.

5.8 Evidence of legal interpreting qualifications

Legal interpreters shall keep on file and produce on request evidence that attests to their qualifications:

- a) a recognized degree in legal interpreting from an institution of higher education; or
- b) a degree in interpreting, linguistics, or language studies which includes significant interpreting training from an institution of higher education; or
- c) a recognized degree in any other field from an institution of post-secondary education and a state examination in interpreting, or in languages plus proof of their interpreting competence; or
- d) an official authorization/diploma in legal interpreting.

If in exceptional circumstances the requirement for qualifications listed under a), b), c) or d) cannot be met, for example for languages for which no or only a few qualified interpreters are available to provide interpreting services, interpreters shall keep on file and produce on request documentation providing evidence of recent interpreting experience in the language and of continuing professional development.

NOTE Evidence of interpreting qualifications is documented in some countries by at least 2 years of interpreting or a minimum of 800 hours of interpreting.

5.9 Continuing training/education

Legal interpreters shall maintain and expand their qualifications and be able to provide documentation of any relevant training courses or seminars attended.

5.10 Authorization as legal interpreter

Legal interpreters requiring authorization shall keep on file and produce on request evidence of their authorization as legal interpreters, confirming the interpreter's right to provide legal interpreting services. Authorization can be granted by e.g. government, an inter-governmental or international organization, or a non-profit professional body.

NOTE 1 In some countries, the authorization as legal interpreter implies that they provide both interpreting (spoken) services as well as translation (written) services. In other countries a separate authorization is granted to legal interpreters and legal translators, although one person can obtain both authorizations.

NOTE 2 When no authorized legal interpreters are available, especially for languages for which there are no or only a few qualified interpreters, the justice administration or a judge can appoint a person who can demonstrate his/her knowledge of the two languages involved. This appointment is used in exceptional circumstances when no other alternative is available.

6 Settings with legal interpreting

In criminal, civil and administrative proceedings, legal interpreters can be required in any of the phases of the proceedings, from the pre-trial investigation phase to the judgment hearing, including the post-judgment phase. Legal interpreters interpret in settings involving judges, judicial authorities and defence counsels.

In extra-judicial contexts, legal interpreters work in proceedings or in activities dealing with private law such as legal transactions and contracts for law firms.

Different categories of settings with legal interpreting are given in [Annex B](#).

When accepting a legal interpreting assignment, legal interpreters shall be aware of the responsibilities they undertake and which are set by law.

NOTE 1 In judicial contexts, the interpreter can be appointed by the prosecuting authorities (police, public prosecutor, judges) or by the defence.

7 Interpreting modes

7.1 General

Interpreting services are provided in a wide variety of settings requiring different interpreting modes, strategies and competences, both linguistic and extra-linguistic. The most common settings in which legal interpreters provide interpreting services are listed in [Annex B](#) and described in [Annex C](#).

According to the type of setting and the specific situation legal interpreters will adapt their interpreting mode varying between consecutive interpreting (monologic or dialogic, with and without note-taking), simultaneous interpreting (including chuchotage [whispered interpreting]) and sight translation.

The technical equipment for simultaneous interpreting shall comply with ISO 20108 and ISO 20109.

7.2 Working conditions

Legal interpreters shall make sure that they are provided with adequate working conditions, including being able to:

- a) interpret only in the language combination they are hired for;
- b) require any relevant documents and case materials to be used during the assignment that can be sent to the interpreter in advance;
- c) demand information on (adequate) breaks during the assignment;
- d) make sure any necessary interpreting equipment will be available, if applicable;
- e) work with one or more team interpreters, if needed;
- f) take turns, to stay focused and reduce cognitive fatigue and errors;
- g) require adequate sound, visibility and sitting arrangements;
- h) receive in advance the details of how their remuneration will be decided;
- i) refuse to perform unrelated duties;
- j) require sufficient assurances for healthy and safe working conditions, when the work is not performed in an office environment, with exposure to outdoor temperatures or dirt and dust or very loud or unsafe environments.

In general two interpreters should be assigned whenever simultaneous interpreting (including chuchotage [whispered interpreting]) is used for a duration of more than 45 min.

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Annex A

(informative)

Legal interpreting and legal interpreters — Non-exhaustive list of international and national documents

A.1 International documents

The right to legal interpreting services has been enshrined in several international documents such as:

- Universal Declaration of Human Rights, December 1948 (Articles 1-11),
- UN Convention on the Rights of Persons with Disabilities and Optional Protocol: <http://www.un.org/disabilities>,
- European Convention for the Protection of Human Rights and Fundamental Freedoms, November 1950 (Articles 5 and 6),
- Charter of Fundamental Rights of the European Union (2000/C 364/01), CHAPTER III – Articles 20 and 21, CHAPTER VI – Articles 47 – 50,
- Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings,
- Directive 2011/36/EU of the European Parliament and the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, Article 10(5): Access to interpretation and translation services should be provided to victims of human trafficking,
- Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings,
- Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime,
- The American Convention on Human Rights, also known as the Pact of San José, Publication date: 22 November 1969; entry into force: 18 July 1978.

A.2 National documents

- Argentina:
Law 20.305 dated 24/04/1973, created CTPCBA (Colegio de Traductores Públicos de la Ciudad de Buenos Aires): <http://www.traductores.org.ar/ley-20305>
- Australia:
Australian National Standards for Working with Interpreters in Courts and Tribunals, Judicial Council on Cultural Diversity: <http://jccd.org.au/publications/>
- Austria:
BGBl. Nr. 137/1975, Bundesgesetz über die allgemein beeideten und gerichtlich zertifizierten Sachverständigen und Dolmetscher (Sachverständigen- und Dolmetschergesetz – SDG)

— Belgium:

https://justitie.belgium.be/nl/e-services/nationale_registers_experten/documentatie

— Canada:

CANADIAN CHARTER OF RIGHTS AND FREEDOMS, section 14: <http://laws-lois.justice.gc.ca/eng/const/page-15.html>

Official Languages Act, section 1, <http://laws-lois.justice.gc.ca/eng/acts/O-3.01/page-1.html>
 QUEBEC CHARTER OF HUMAN RIGHTS AND FREEDOMS 1975, c. 6, s. 36; 1982, c. 61, s. 13: <http://legisquebec.gouv.qc.ca/en/showdoc/cs/c-12>

— Colombia:

Sentencia C-605/12 de la Corte Constitucional: NORMAS TENDIENTES A LA EQUIPARACION DE OPORTUNIDADES PARA LAS PERSONAS SORDAS Y SORDOCIEGAS

LEY 982 DE 2005 DERECHOS DE LAS PERSONAS SORDAS Y SORDOCIEGAS

Sentencia T-409/14 de la Corte Constitucional DERECHO DE DEFENSA EN EL SISTEMA PENAL ACUSATORIO

Sentencia C-209/07- SISTEMA PENAL ACUSATORIO- DERECHOS DE LA VÍCTIMA- CORTE CONSTITUCIONAL

— France:

Decree of October 25, 2013 — On the right to interpretation and translation in criminal proceedings

— Germany:

Gesetz zur Stärkung der Verfahrensrechte von Beschuldigten in Strafverfahren (vom 2. Juli 2013):

http://www.bund.es.gerichts.hof.de/SharedDocs/Downloads/DE/Bibliothek/Gesetzesmaterialien/17_wp/Verfahrensrechte/bgbl.pdf%3Bjsessionid%3D8E3B90BB320175D138BC8EA319F124C1.2_cid354?__blob=publicationFile

16 Länder laws on legal interpreting and/or translation

— Italy:

D.Lgs. 4 marzo 2014, n. 32 - Attuazione della Direttiva 2010/64/UE sul diritto all'interpretazione e alla traduzione nei procedimenti penali (GU n. 64 del 18 marzo 2014): [http://www.archiviopenale.it/dlgs-4-marzo-2014-n-32--attuazione-della-direttiva-2010-64-ue-sul-diritto-all-interpretazione-e-alla-traduzione-nei-procedimenti-penali-\(gu-n-64-del-18-marzo-2014\)-/contenuti/2705](http://www.archiviopenale.it/dlgs-4-marzo-2014-n-32--attuazione-della-direttiva-2010-64-ue-sul-diritto-all-interpretazione-e-alla-traduzione-nei-procedimenti-penali-(gu-n-64-del-18-marzo-2014)-/contenuti/2705)

— The Netherlands:

Wet beëdigde tolken en vertalers (Stb. 2007, 375)

Besluit beëdigde tolken en vertalers (Stb. 2008, 255)

— Poland:

Act of 25 November .2004 on the Profession of Court Sworn Translator and Interpreter — Ustawa z dnia 25 listopada 2004 r. o zawodzie tłumacza przysięgłego (OJ 2004 No 273 Item 2702): <http://isap.sejm.gov.pl/DetailsServlet?id=WDU20042732702>

Polish Court Sworn Translator's and Interpreter's Code — TEPIIS: <http://tepis.org.pl/wp-content/uploads/Kodeks-zawodowy-t%C5%82umacza-przysi%C4%99g%C5%82ego-2018.pdf>

— United Kingdom:

Police and Criminal Evidence Act 1984 (PACE), Code C Para 13

— United States of America:

Court Interpreter Act of 1978: <https://www.law.cornell.edu/uscode/text/28/1827>

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Annex B

(informative)

Examples of settings in which legal interpreting services are provided

B.1 Investigative/Police interviews and pre-trial proceedings

These settings can include, among others, the following:

- police interviews,
- proceedings before a pre-trial judge,
- communication between the suspected person (or victim or witness) and his/her legal counsel,
- various investigative measures including joint cooperation meetings, detention,
- law-enforcement settings.

B.2 Judicial settings

Judicial settings can be court proceedings at every court instance and other communicative events related to the law such as

- criminal proceedings,
- civil proceedings conducted by general civil courts, labour courts, social courts, family courts, commercial courts or other courts,
- communication with legal counsel,
- law-enforcement settings.

B.3 Administrative proceedings

These settings include, among others, public institutions dealing with:

- asylum matters,
- immigration matters,
- tax issues,
- customs issues,
- residence issues,
- weddings,
- breach of administrative regulations (example: penalty for speeding).

B.4 Legal matters requiring a notary

These settings can include, among others, legal matters in connection with:

- succession,
- family matters (example: prenuptial agreement),
- notarial deeds (examples: founding deed, power of attorney, affidavit, etc.).

B.5 Legal and/or business negotiations

These settings include various meetings concerning:

- contracts,
- mediation,
- litigation,
- debt collection,
- employment, etc.

B.6 Settings involving intercepted telephone calls and other communication data

This type of setting applies when authorities need a (real time) transcript and/or translation of intercepted telephone calls, short messages or email communication.

B.7 Settings involving children, victims or other vulnerable persons

These specific settings can include:

- proceedings before juvenile courts,
- police interviews,
- proceedings before civil courts,
- proceedings concerning asylum or immigration matters, etc.

B.8 Settings involving medical, psychological or psychiatric examination for judicial purposes

These are non-public settings where the legal interpreter facilitates communication between an expert and a client.

NOTE 1 Interpreting at the above setting is not an informal practice performed by persons who do not have the competences and qualifications of this document and who do not follow a relevant code of professional ethics.

B.9 International courts

Proceedings at international courts have their own standards. They are mentioned here for the sake of completeness.

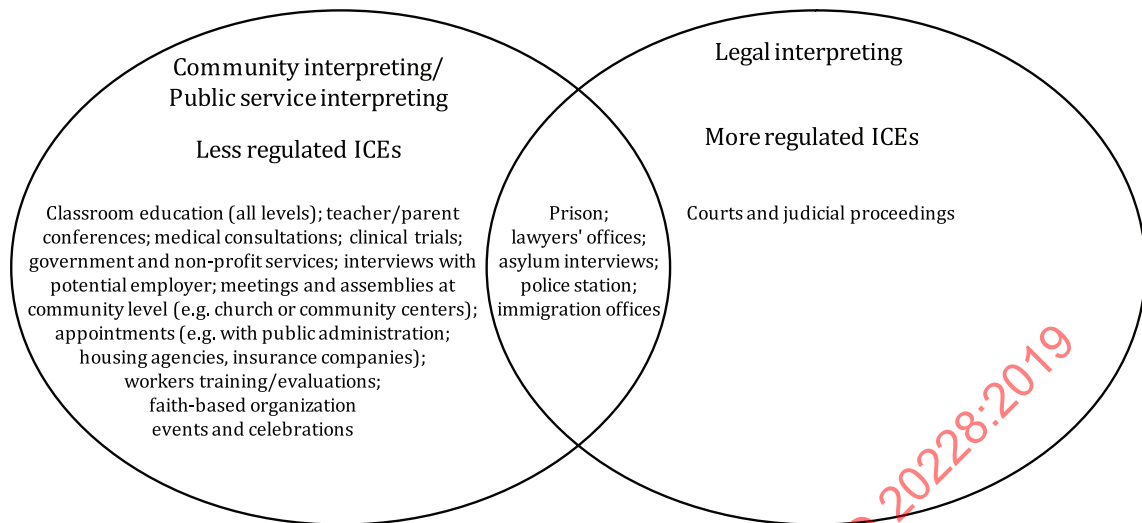


Figure B.1 — Distinctions and overlaps related to interpreting communicative events (ICEs)
 (ISO 13611:2014, Figure A.1)

Annex C **(informative)**

Recommendations for interpreting mode

C.1 Investigative/Police interviews and pre-trial proceedings

The place/position where the interpreter stands or sits can vary but generally the interpreter should have good visual and acoustic contact with all involved parties for whom he/she interprets. The interpreting mode of the interpreter should reflect the interviewing technique chosen by the interviewing officer. According to the interviewing technique, note-taking can be used by the interpreter. If the interview is recorded, the interpreter either interprets consecutively or uses chuchotage (whispered interpreting), in which case the interpreter should be given proper positioning in the room in order to avoid overlapping of the speakers' voices.

C.2 Communication between counsel and client

The most frequent interpreting mode employed by the interpreter is consecutive interpreting. Chuchotage (whispered interpreting) can be the best option for some detailed and complex explanations of legal situations.

C.3 Investigation measures including joint cooperation meetings

This is a specific setting where the interpreter interprets, for example, between two investigating authorities conducting joint investigations. According to the specific situation, the interpreter can use the consecutive interpreting mode. However, chuchotage (whispered interpreting) can also be appropriate in certain situations such as when video-recorded observations are commented on, etc.

C.4 Court proceedings

The place/position where the interpreter stands or sits can vary but generally the interpreter should have good visual and acoustic contact with all involved parties for whom he/she interprets. The specific position of the interpreter in the court room varies according to national regime. A sign-language interpreter should stand next to the judge/prosecutor/lawyer.

Consecutive interpreting, chuchotage (whispered interpreting), and sight translation should be used throughout the hearing. Positioning the interpreter close to the defendant enables chuchotage (whispered interpreting) into the foreign language and audible consecutive interpreting into the language used in court.

In consecutive interpreting, interpreters should be allowed to interpret in short intervals when note-taking is not allowed e.g. by the magistrate for e.g. confidentiality reasons.

Simultaneous interpreting can also be used, depending on equipment availability in court rooms; distance interpreting (remote interpreting) through video-conference can also be required in some situations.

C.5 Administrative proceedings

The standard interpreting mode in most cases is short consecutive interpreting with or without note-taking.