

### **Abstract**

Over the last two decades, many legal systems have formulated professional standards regarding the work of court interpreters, in many cases supported by academic research. These standards have been found to be instrumental to the provision of apt, accurate and complete interpretation, considered a prerequisite for truth finding and justice, and for safeguarding civil rights and due process for the language-dependent. They include definitions of interpreter role, interpreter status and the interpreter's integration in the legal system, codes of ethics and professional conduct, issues related to remuneration, working conditions, career paths and quality requirements in court interpreting, training and certification, principles for the resolution of interpreting dilemmas in courts, inter-cultural issues, technical aspects such as acoustics, location in the courtroom and the use of electronic equipment, and the division of responsibility between court administrations, interpretation-providing agencies, judges and other actors.

This paper examines whether the court interpreting provided by the State of Israel as mandated by law in criminal proceedings complies with the aforementioned standards. Eight working interpreters were interviewed, and discussions and interviews were conducted with two officials in charge of court interpreting in Israel's national Court Administration (Administrative Office of the Courts), and with two managers of the tender-winning agency. In addition, data were collected from the Court Administration and from experts and colleagues in various countries.

The study hypothesized that the interpreters currently working in Israel's court system would be found to be unprofessional, i.e. their practices would not conform to the above standards. However, findings showed that unprofessionalism seems to be

systemic. Court interpreting in Israel is not handled by any professional body. Across the board, court administrators, authors of tenders, tender winners, interpreters and judges are unfamiliar with professional standards, unaware of the complex issues involved in court interpreting, and do not take any measures to improve professionalism.

Findings point to the following deficiencies in Israel's court interpreting: insufficient awareness and professional know-how as explained above; no clear definition of interpreter role and status; no professional training; no certification and no mentoring for court interpreters; low wages, precarious working conditions and employment insecurity; almost no monitoring by the Administration; consistent infringement of many of the requirements in the 2003 tender by the tender-winning agency; a problematic 2007 tender in which all requirements pertaining to interpreter qualifications were removed, leaving the Court Administration with its hands tied. Contrary to the accepted practice in advanced Western countries, Israel's court interpreters are not bound by a code of ethics and until recently were not even aware of the existence of such codes in their profession.

Many in Israel's court system deny that there is any problem with the professionalism of interpreters, or understate it. The interpreters interviewed for this study stated that many judges and lawyers have expressed dissatisfaction with the interpretation provided by the courts. Complaints about quality, however, rarely reach the Court Administration, enabling the system to claim that all is well. The only complaints the Administration has expressed awareness of relate to interpreters not showing up, a serious problem in itself as it entails a waste of the courts' time and money, infringement of the rights of the accused, and violation of the law by judges who proceed to conduct trials in the absence of an interpreter.

Regarding future research, one topic worthy of investigation is related to the most appropriate and efficient method for the management of court interpreting: Is outsourcing the best way to obtain professional quality interpreting? It might be preferable to establish an in-house interpreters office or a non-profit organization under the auspices of the Court Administration, so that funds which are currently pocketed by the franchisee as profits could instead go to financing interpreter training, certification and monitoring, efficient case scheduling, preventing a brain drain (good interpreters leaving at the first opportunity), and training for judges and lawyers in how to work optimally with interpreters. The first proposal for future research in this area would be a feasibility study comparing alternatives.

This being a qualitative study with a small, unrepresentative sample, it is proposed that its findings be verified by further study, involving interviews with judges and lawyers experienced in working with interpreters.