

*Loputko Olena, Ph.D in Pedagogics,  
Associated Professor of the Department of  
Foreign Languages of the National Academy  
of Internal Affairs*

## **PROFESSIONAL COMPETENCE OF THE LEGAL TRANSLATOR**

As we live in the global and unstable world its necessary to cope with the information in the neverending stream of the contemporary life and the English language is one of the main tools which enable us to do this. From this point of view, it is impossible to underestimate the role of English in the sphere of legal communication.

Number of cases in the International Courts, necessity to adopt our national legislation to the modernizations in the sphere of International Law, need in cross-countries professional communication in the field of Law Enforcement and a great amount of other factors underline the actuality of finding out the ways of developing and perfecting standards of the legal translation, as the competent representation in the case of an international legal translation is believed to be one of the main factors of success.

The notion “Legal translation” can be defined as “the translation within the field of law. As law is a culture-dependent subject field, the work of legal translation and its products are not necessarily linguistically transparent» [3]. Indeed, it has a number of peculiarities which are defined by the special character of the field. In order to be aware of them we should study general grounds of the translators’ work.

Professional translators are expected to be able to translate from one or two foreign languages into their native language. Translators also have different areas of specialization (e.g. literature, science and technology, law, medicine). The more a translator knows about a subject, the easier it will be to render texts accurately and quickly and spot errors.

In most western countries (the UK included) alongside undergraduate and postgraduate degrees in translation and languages, the main professional qualifications available are the Institute of Translation and Interpreting’s MITI (Qualified Member Status) for translators and the DPSI (Diploma in Public Service Interpreting), and the Chartered Institute of Linguists’ DipTrans (Diploma in Translation).

Coming closer to the legal sphere we should admit that the legal translator/interpreter should possess not only special language knowledge and be an expert in the sphere of Law but should also have some

communication skills, ethical background and strong mental health as constitutive parts of his/her professional competence.

Codes of conduct (sometimes also called codes of professional ethics) have been developed by most national and international translation and interpreting associations: firstly, to help regulate interactions between translators and translation users; and secondly, to help members to perform their job according to sound and consistent ethical principles.

The purpose of a code of conduct is usually to establish a common understanding of the standards of behaviour expected by the members of a professional body. The British Institute of Translation and Interpreting (ITI)'s code of conduct [2] establishes basic principles guiding translators and interpreters in areas such as:

1. Advertising.
2. Confidentiality.
3. Quality of Work.
4. Competence.
5. Contractual Arrangements.

According to the ITI's code of conduct [2], a professional translator should, for example:

- Only translate into their native language or 'a language of habitual use'. The translator's competence in those languages is assessed and certified by the professional body. (Art 4.1.1)

- Translate in a way that ensures 'fidelity of meaning and register', unless they have been specifically required by the client to re-create certain elements of the source culture or context. (Art. 4.1.2)

- Notify the client if there are errors, omissions or imprecise language in the source text. (Art. 4.1.4)

- Keep information and material translated confidential. (Art. 3.5.1).

Of course, the work of the legal translator/interpreter is a great challenge and includes much more aspects that can be mentioned in the article. According to the opinion of the professional court interpreters [1] the main aim of their work to put foreigners on an equal footing with the English-speaking person by eliminating the language and cultural barriers. In order to achieve this goal, he/she should demonstrate:

- a strong knowledge of the two languages;
- a very strong knowledge of the subject matter;
- a very strong active knowledge;
- nerves of steel;
- a very professional attitude;

➤ a neutral, impartial, professional position to facilitate the communication.

As a conclusion it can be added that even the amount of the strong professional knowledge, communicative skills and ethic principles does not guarantee complete avoiding of the tense and wrong situations at work. Constant professional practice, development and perfection of the specialists' skills are to be inseparable companions for those, who make legal translation their field.

### **List of the used Literature**

1. Legal translation. Режим доступа до журналу: [https://en.wikipedia.org/wiki/Legal\\_translation](https://en.wikipedia.org/wiki/Legal_translation)

2. The British Institute of Translation and Interpreting (ITI)'s code of conduct. Режим доступа до журналу: [http://www.iti.org.uk/attachments/article/154/Code%20of%20professional%20conduct%2008%2009%202013\\_Final.pdf](http://www.iti.org.uk/attachments/article/154/Code%20of%20professional%20conduct%2008%2009%202013_Final.pdf)

3. Working with translation. On-line seminar. Режим доступа до журналу: <https://www.futurelearn.com/courses/working-with-translation>.