

# GWENT POLICE

## INTERPRETERS AND TRANSLATORS POLICY



### 1.0 Aims of Policy

This policy explains how to access and use interpreters and translators within Gwent Police. It is to be noted that the terms 'interpreter' and 'translator' are used in accordance with the nationally recognised linguistic meanings as follows:

**An interpreter is someone who converts the spoken word from one language to another orally or through sign language.**

**A translator is someone who converts the written word from one language to another in written form.**

**The policy is not just for foreign language interpreters but also for Welsh language translations/interpretation and for British Sign Language and other facilities to assist communication with the d/Deaf.**

When the need for a translator or interpreter is identified Gwent Police officers and staff will secure that service through the Wales Interpretation and Translation Service (WITS).

WITS is a partnership of public services established by Gwent Police, Cardiff Council and Cardiff and Vale University Local Health Board.

WITS maintains an accurate list of interpreters and translators who have been:

- (a) properly security vetted by the Professional Standards Department, and;
- (b) tested in their linguistic ability, and;
- (c) trained in respect of techniques and professional code of conduct.

**PRINTED VERSIONS SHOULD NOT BE RELIED UPON. THE MOST UP TO DATE VERSION CAN BE FOUND ON THE INTRANET POLICIES SITE.**

## **2.0 The Legal Basis**

There is a legal requirement for you to engage the services of an interpreter in the following circumstances:

The PACE Codes of Practice dictate that a person must not be interviewed in the absence of an interpreter if:

- He/she has difficulty understanding English; and
  - The interviewing officer cannot speak the person's own language; and
  - The person wishes an interpreter to be present.
- (For the exceptions to the above see 13.2 of Code C, Codes of Practice).

If a person appears to be hearing impaired or there is doubt about their hearing or speaking ability, they must not be interviewed without an appropriate interpreter unless they agree in writing. The same rule applies if it is the appropriate adult who appears to be hearing impaired.

In addition in Wales we have a legal obligation under the Welsh Language Act 1993 to provide public services to our citizens in Welsh, in accordance with their own choice. The Act requires that the Welsh and English languages are treated on an equal basis.

We are also governed by other legislation that affects how we provide our services:

1. The Disability Discrimination Acts 1995 and 2005 - require that citizens are treated fairly regardless of any disability they may have, e.g. deafness or blindness.
2. The Race Relations Acts 1976 and 2000 - require that citizens are treated fairly in accordance with their own particular language needs.
3. The Human Rights Act 1998 – specifically includes clauses to ensure an individual is provided with information in a language they understand.

## **3.0 Human Rights Certificate of Compliance**

The policy has been checked for compliance with the Human Rights Act; with particular reference to the legal basis of its precepts: the legitimacy of its aims; the justification and proportionality of the actions intended by it; that it is the least intrusive and damaging option necessary to achieve the aims; and that it defines the need to document the relevant decision making process's and outcomes of actions.

#### **4.0 Compliance with The Welsh Language Scheme**

This policy aims to comply with the organisations Welsh language Scheme in terms of dealing with the Welsh speaking public, impact upon the public image of the organisation and the implementation of the language scheme.

#### **5.0 Risk Assessment and health and safety Considerations**

The Gwent Police Service Dynamic Assessment should be applied as necessary. A training package in the use of risk assessment will be provided to all police personnel if requested or required.

#### **6.0 Identification Section**

**Policy Title: Interpreters and Translators Policy**

**Reference: 519/1 a issue 3**

**ACPO LEAD: ACC**

**Service Area Owner: Response Policing**

**Department Responsible: Custody**

**Links to other Policies/Procedure:** Health and Safety Policy, Equal Opportunities Policy, Information Security, Data Protection, Fairness at Work, Disciplinary / Misconduct Procedures.

**Policy Implementation Date: Reviewed May 6<sup>th</sup> 2010**

**Policy Review Date: two years following review.**