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Working Condition of Japanese Court Interpreters

Abstract

Recent increase of foreigners in Japan created urgent demand for court interpreters. The improvement of the training and appropriate system is necessary.

Based on nineteen years of court interpreting experience, this paper will present the development of the working condition of the court interpreters in Japan.

The figure reported on the White Paper shows demographic trend and evidence of the increase in criminal cases related to foreigners. In 1987, the number of foreigners being charged for the criminal cases was 2,494. This number increased 3.5 times to 8,348 in 1999 due to the financial gap created by the rapid economical development in Japan. Data shows that in 1987, only 15% of the defendant (375) were provided interpreters. However, in 1999, the number increased to 84% (7,157), which was a great improvement in the Japanese court system. The interpreting languages required in 1999 was Chinese 39.4%, Korean 11.1%, Filipino 9.3%, Persian 8.9%, Thai 7.2%, Spanish 5.5% and English 3.5%. Along with the increase of the cases, recruitment of interpreters became urgent. In 1987, only 411 court interpreters were registered, but the number increased to 2500 in 1999. (Criminal White Paper, 2000)

Nineteen years ago, the interpreter was only asked to translate when the defendant was obliged to talk. There was no interpretation of the defendant's rights nor of the explanation of due process.

Interpreters were considered just as a convenient machine that would automatically change the words into different languages. No information for the case was released with the explanation of «It is confidential.» Only the Indictment Sheet was handed to the interpreters prior to the court hearings. Not knowing what would come next was a great pressure to the interpreters. Sometimes the court hearing lasted more than three hours without any recess. Psychological and physical fatigue made the interpreters exhausted. If you did the work perfectly, you are OK. If you make any mistake, you are a failure. The frustration accumulated among the interpreters against the fact that the users don't know the mechanism of interpretation.

In 1992, ten interpreters with the same concern got together and organized the Japan Judicial Interpreters Association (JJIA) in Osaka. The aim of JJIA was to supply correct knowledge of the criminal procedures and opportunities for self-training. Also to upgrade the mentality of the conventional interpreters; to give confidence to them to be brave enough to say what they can do and cannot do to the lawyers and to the judges. Journal (JJIA) has been issued twice a year along with the training seminars held twice a year with the cooperation of scholars and lawyers.

Fortunately, Supreme Court has acknowledged our effort. At the same time, a desperate need for the understanding of the court interpreters were transmitted to the Justice Ministry by Senator Reiko Ohmori who had worked as a the District Prosecutor at Kobe District Prosecutors Office in the 1990s. As a result, the Justice Ministry took 4,500,000 yen (US\$37,000) for its budget on the study of Judicial Interpretation system in 2000. Supreme Court also mandated training

seminars for the beginners and for the experienced twice a year respectively for every district court with its own materials starting from 2000. Osaka University of Foreign Language (public university owned by the government) is now considering a judicial interpretation program at graduate level starting from 2002 with the great effort of Professor Mamoru Tsuda who also serves as a court interpreter in Japan.

The awareness of the importance of the qualified interpreters became widely spread. Consequently, the working condition of the court interpreters also improved dramatically in the last five years. Now, the interpreters are sent confidential documents prior to the court hearing by mail or even by fax for them to study and translate beforehand. Surprisingly, a «SENTENCE» written in obsolete style Japanese with dignity can be seen at the judge's office before going into the court room. If necessary, the interpreters can spend hours preparing for the interpretation of the confidential «SENTENCE.»

However, there still remain many problems to solve; (1) Creating certification system. (2) Making more learning materials. (3) Improving wages. (4) Introducing professional code of conduct. (5) Increasing training opportunities.

Japan's court interpreting system may still be thirty years behind that of Canada and the United States, but the time has come after twenty years of struggle by the interpreters to develop the working condition of the court interpreters in Japan.