

CIOL Qualifications Level 6 Diploma in Public Service
Interpreting

Qualification Number: 501/1250/8

Units: Unit 01, Unit 03, Unit 05

Pathway: Law

Language: English Sample Paper

CIOL Qualifications Level 6 Diploma in Public Service
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Qualification Number: 501/1250/8

Unit: Unit 01

Pathway: Law

Language: English Sample Paper

Time allowed: 30 minutes

Unit 01: Interpret Consecutively and Simultaneously in the Public Services Context of Law (H/650/5815)

Part A – Scenario 1

Interpreting technique to be used – **consecutive**

(i.e. interpreting after an interlocutor has stopped speaking)

Time allowed – 20 minutes approximately

In Part A there is one role play

Interlocutor 1 – English-speaking Legal Adviser (Female)

Interlocutor 2 – Other Language-speaking Landlord (Male)

CONTEXT: A landlord has come to the local law centre seeking advice on how to evict a tenant who is failing to pay rent.

START OF INTERVIEW

I. Legal Adviser:

Good morning. My name is Alex. How can I help you today?

1. Landlord:

Hello. My tenant is not paying his rent. // I want him and his family gone but I don't know what to do.

II. Legal Adviser:

I imagine that is very frustrating for you. // How long has the tenant not paid their rent?

2. Landlord:

It's been about seven months now. What am I meant to do? I'm not made of money you know. // That rent covers the mortgage payment on the property. // I've been paying it and I have to support my own family as well. // How can I be expected to pay for two mortgages on my salary?

III. Legal Adviser:

I can see how difficult it is for you. How long has the tenancy been in place for? Have they been there for a while? How have they been?

3. Landlord:

At first everything was fine. We are now 18 months in, and they stopped paying for the past seven months. // I'm sure they are also subletting the property which is prohibited under the terms of the tenancy agreement.

IV. Legal Adviser:

Can you tell me what conversations or actions you have taken so far to try and recover the money from your tenant?

4. Landlord:

I'm not an unreasonable person. // I've spoken to various people over the phone on at least three occasions and written too.

V. Legal Adviser:

Can you give me details about the first phone conversation e.g. dates and what was said?

5. Landlord:

April was the first time they defaulted rent payment. // Payment is due on the 1st of the month so I must have called sometime shortly after that. // I asked if there was an error because the payment had not gone through. // The tenant said it was a mix up with the bank and I would get the money the following week. That didn't happen.

VI. Legal Adviser:

OK – what about the second conversation?

6. Landlord:

By mid-April I hadn't received the money so I called back. // This would be around the 20th but when I called I spoke to another person who said I needed to speak to their landlord // – this is why I think they are subletting.

VII. Legal Adviser:

Did you have another verbal interaction with the tenant?

7. Landlord:

I called a third time the following week. // This would have been before the end of the month because the May payment was coming up. // This time my tenant answered –

he apologised and said he had a family emergency and was all over the place. // He promised to pay two months' rent in May and clear the arrears. // Two weeks after the May payment was due there was still no rent. // I tried calling for 6 weeks after that – on different days and different times of the day on both the mobile and landline. // There was no answer.

VIII. Legal Adviser:

You mentioned writing to the tenant? When did that happen?

8. Landlord:

The letter is dated 6th June and I wrote a letter giving them notice to quit the property // as they had 3 months' rent arrears and I was no longer going to wait. // They had to settle the outstanding arrears immediately failing which // I would be terminating the tenancy due to non-payment of rent. // You know they had the audacity to write back telling me I can't evict them because of the state of the economy // and that they have the law on their side because the law has changed making it impossible to evict. // They were going to wait until I had to get them evicted with a court order or by force which they said would take at least 9 months. // They didn't even have the decency to accept my offer to discuss a rent repayment plan.

IX. Legal Adviser:

Have you served anything on your tenant? You mentioned a notice to quit? // And when did you ask them to leave the property by?

9. Landlord:

If that's the proper name for the notice asking them to leave, then yes I have. // I completed the online template and I effected personal service on the tenant by posting it through the door. // I know they've got it or someone in the house has it as I only posted it halfway through the door. // I filmed it and you can see the letter pulled through the letter box by someone inside. // As I said – I'm not an unfair person and I recognise that lots of people have been affected adversely by the state of the economy. // I gave them 3 months' notice to leave the property.

X. Legal Adviser:

Do you have the dates to hand?

10. Landlord:

I gave them the notice in July and said they had to leave in 3 months which takes us to October. // We're now in November and they still haven't left. // I'll wait for them to go out and then I'll just go in and change the locks.

XI. Legal Adviser:

No don't do that. If you do you could be in trouble yourself because that would be considered to be an illegal eviction. // This can be a criminal offence under the relevant legislation // and by changing the locks you are deliberately depriving your tenants of their occupation of the property, // without having followed the required legal processes which enable you to reclaim possession.

11. Landlord:

So what am I meant to do? How do I get them out so I can get people in that will pay.

XII. Legal Adviser:

The good news for you is that you are not affected by any legislation which changes notice periods // and you have been more than reasonable in the amount of time you have given them to leave. // You can now apply to the court for something formal which would require them to vacate the premises. // You can do this online for a small fee to make this application.

12. Landlord:

More costs so that I'm out of pocket just to get them out. // Can I recover the costs from them at least? // Do you have the website for me to make this application and // can I get some kind of exemption to payment of the court fees?

XIII. Legal Adviser:

You can seek a waiver of court fees. // There are details of that on the government's website which is the same website where you can find more general information about tenants' and landlords' rights. // All the information you need is there, and you just need to answer all the questions and pay online. // I'm afraid as a general rule, court costs are rarely recoverable in these circumstances but if it gets that far, // you can always ask the judge, but don't expect any significant costs order in your favour. // I'm sorry I don't have better news for you.

13. Landlord:

Thank you for your help.

END OF INTERVIEW

Unit 01: Interpret Consecutively and Simultaneously in the Public Services Context of Law (H/650/5815)

Part B – Scenario 2

Interpreting technique to be used – *simultaneous*

(i.e. interpreting while a recording is being played)

Time allowed – 10 minutes approximately

In Part B there are two passages and two recordings

CONTEXT: The duty solicitor is providing advice to a client who has been arrested for the offence of theft.

Passage 1 (recording 1) delivered by - Other Language - speaking Client

I need to be able to explain my side of the story. This is all a big mix up man. I just made a genuine mistake. So, I went to the supermarket. I have 20 quid on me, which is enough to buy some nappies, baby food and a ready-made meal for myself and my partner. We don't have much until my benefit comes through next week. I tell you what, having a new-born, it's exhausting man. I even put my trousers on the wrong way around. I just walked out that way. I had the money to pay, I just wasn't with it. I know I ran from the store detective but if someone starts chasing you, then you run. I didn't sleep at all last night as the little one was up all night crying. I was tearing my hair out this morning from the exhaustion and the last thing I needed was to have to go to the shop because we'd run out of nappies. I didn't know it was the store detective. If I heard him, I would have stopped and realised what had happened. I'm not pleading guilty to this. I've told you the truth. I'll do what I did before and give my account to the police at trial. Then they'll know I'm telling the truth. You need to make sure my previous convictions don't come out at the trial. It's really important to make sure my previous convictions aren't put before the jury otherwise they'll convict me for sure. One thing I need to know is whether you can get me bail. Also, can you tell me if I will get a custodial sentence if I'm found guilty? If I'm going to go down for this – I'd like the chance to go home and say goodbye to my little baby before I go to prison.

Passage 2 (recording 2) delivered by – English Language - speaking Duty Solicitor

Thank you for explaining your version of events to me. We have got the police interview tonight and, once this is completed, they may or may not charge you. We'll deal with the question of bail if you are charged later on. I've looked at the initial evidence against you, and honestly the position for you isn't great. As you have 24 previous convictions for theft, all thefts from shops like this time, there is no opportunity for a warning or similar. The store detective says he called out and you still ran which strengthens the Prosecutor's case that you committed the offence intentionally.

We need to discuss more fully whether you really want a trial. If you stick to your initial instructions to plead not guilty, I suggest you give a no comment interview. Let's wait for all the evidence to come in and it means nothing more damaging can come out. As you know, if you go to trial, you will have every opportunity to give evidence on your own behalf, but at least then, you'll have seen all the evidence against you.

Based on the strength of the prosecution's case, in order to get the best outcome my advice would be to plead guilty, if you accept the case against you. I can note your reasons for accepting the offence and setting out your reasons for why it was committed. Then when the matter goes to court you have the best opportunity to argue for a more lenient sentence. You should be aware that there is a strong likelihood of a custodial sentence because of your record, that it's not been that long since your last offence and the courts don't take kindly to a similar offence being committed so soon after the imposition of a non-custodial disposal. However, a guilty plea gives us a stronger basis in which to argue for as short a custodial sentence as possible. Do you still wish to plead not guilty?

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Unit: Unit 03

Pathway: Law

Language: English Sample Paper

Time allowed: 10 minutes

Unit 03: Provide a Sight Translation from English in the Public Services Context of Law (F/650/5814)

Instructions to candidate:

Study the following text for 5 minutes. You are not allowed to take notes.

You will then have up to 5 minutes in which to produce an oral translation of the text, which will be recorded. The interlocutor will instruct you when to start.

CONTEXT: You are asked to translate a witness statement to the defendant following an arrest for breaching bail conditions.

SIGHT TRANSLATION STARTS HERE

This statement signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

I was on duty in a marked police vehicle with other officers when we received a call to attend an address. On arrival, I could see a man arguing with a woman in the doorway. I exited the vehicle and took the male to one side. I identified the male as Mr John Smith.

A check on the Police National Computer showed the male was subject to bail conditions not to enter Doncaster Drive. I relayed to the male that he was in breach of his bail conditions. I cautioned the suspect and asked if he was aware of his bail conditions and he replied, "yes but I just wanted to get my stuff back". At 15:49 I arrested him for breach of bail conditions. The male was then conveyed to Hightown Police Station.

SIGHT TRANSLATION ENDS HERE

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Unit: Unit 05

Pathway: Law

Language: English Sample Paper

Time allowed: 1 hour and 10 minutes

Unit 05: Translate from English in the Public Services Context of Law (A/650/5812) (Level 5)

Instructions to candidate:

Time allowed – 1 hour and 10 minutes

CONTEXT: You have been asked to translate the Sentencing Remarks from a Criminal Court judge passing sentence.

TEXT FOR TRANSLATION STARTS HERE

You stand convicted by a unanimous jury of a serious violent offence.

You were lawfully apprehended for driving your van without insurance. When you first pulled up, you refused to exit your vehicle. You drove off a short distance, then stopped again. You got out of your van and were immediately confrontational both in your body language and words, challenging the police officers. You were in a rage; the evidence from the witnesses and the recorded footage make that clear. You chose to cause unnecessary violence with the machete. The officer sustained very serious injuries.

I am sure that the violence started with you. But I reject the unattractive submission that the officer was using excessive force in circumstances in which you had assaulted him and were forcibly resisting arrest. I am sure that this it is not to be treated as a case of excessive self-defence.

Having considered carefully all of the relevant material before me, I have no doubt that you present a significant risk to members of the public of serious harm.

There was higher culpability with the dominant feature being the use of a weapon. There was greater harm with serious injury in the context of the offence. This was an offence committed against a police officer in the course of his duty. You also have serious previous convictions. By way of mitigation, all that can be said is this was not a planned attack.

The custody threshold is passed. I also have regard to your record I therefore pass an extended sentence of imprisonment and the custodial term will be 4 years with a further 2 years of supervision within the community.

TEXT FOR TRANSLATION ENDS HERE