

CONFLICT OF INTEREST IN COURT INTERPRETING IN SOUTH AFRICA: CASE STUDY OF FOREIGN AFRICAN COURT INTERPRETERS

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“Any condition which impinges on the objectivity of the interpreter or affects his professional independence constitutes a conflict of interest”, according to Almeida and Zahler (1981). A professional court interpreter must ensure that there is no conflict of interest in his/her involvement in a case otherwise he/she may be committing a serious breach of professional code of ethics in court interpreting. This is more important in the legal setting because of issues involved, where for example personal liberty or public liberty is at stake, hence no room should be given for miscarriage of justice. This calls for the maintenance of a standard of practice which includes impartiality – a standard of practice in which conflict of interest is considered a breach of professional code of ethics.

This study looks at instances or lack thereof of court interpreting practices by foreign African court interpreters in South Africa which constitute a conflict of interest. It also looks at how the role of management in the court reinforces foreign African court interpreting practices which could be termed conflict of interest.



The data were collected through questionnaire and post-survey interviews from all the principal participants in the courtrooms as well as the Chief Interpreters whose mandate is to manage court interpreting. The presentation and discussion of the data show several instances of conflict of interest. The data also reveal how practices by both the foreign African court interpreters and the management predispose them to committing conflict of interest unwittingly.

The study ends with a recommendation regarding how to ensure that the use of the foreign African court interpreters is guided by a strict code of ethics in order to avoid conflict of interest.

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