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**Contents**

[Welcome iii](#_Toc129260313)

[Before you first come to court 1](#_Toc129260314)

[Court tour 1](#_Toc129260315)

[Observing another interpreter in court 1](#_Toc129260316)

[Training modules 2](#_Toc129260317)

[The interpreter services quality framework 2](#_Toc129260318)

[When you are contacted for a booking 3](#_Toc129260319)

[Booking requests 3](#_Toc129260320)

[Immigration and Protection Tribunal bookings 5](#_Toc129260321)

[Travel and accommodation 5](#_Toc129260322)

[Sick? Cold or flu symptoms? 6](#_Toc129260323)

[What to do at court 7](#_Toc129260324)

[General 7](#_Toc129260325)

[Arrive on time 7](#_Toc129260326)

[What to wear 7](#_Toc129260327)

[Parking 7](#_Toc129260328)

[Security 8](#_Toc129260329)

[Where to go after security 8](#_Toc129260330)

[Pre-hearing briefing 8](#_Toc129260331)

[Interpreting in court cells 9](#_Toc129260332)

[Microphones 11](#_Toc129260333)

[Remote hearings 11](#_Toc129260334)

[Oath and affirmations 12](#_Toc129260335)

[After a hearing 13](#_Toc129260336)

[Timesheets 14](#_Toc129260337)

[Getting paid 15](#_Toc129260338)

[Standard Terms and Conditions 15](#_Toc129260339)

[Information on GST and non-GST invoices 17](#_Toc129260340)

[How to submit an invoice and timesheet 17](#_Toc129260341)

[Process for new interpreters 18](#_Toc129260342)

[Payment policies 18](#_Toc129260343)

[Duration of bookings and additional time 19](#_Toc129260344)

[Cancelled and rescheduled hearings 20](#_Toc129260345)

[If we receive a complaint 21](#_Toc129260346)

[Miscellaneous 23](#_Toc129260347)

[Your contact details 23](#_Toc129260348)

[Criminal record checks 23](#_Toc129260349)

[Your wellbeing 24](#_Toc129260350)

[Ongoing professional development 24](#_Toc129260351)

[Materials you may be provided with 24](#_Toc129260352)

[Glossary – Key terms 25](#_Toc129260353)

[Important links 28](#_Toc129260354)

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| Disclaimer: please refer to the Ministry of Justice website for up-to-date information |

# Welcome

#### Thank you for interpreting in courts and tribunals

Your role as an interpreter in courts and tribunals is essential to ensuring that people have access to justice no matter what language they use.

The information in this booklet should provide you with everything you need to know to help you prepare for interpreting in courts and tribunals. It sets out:

* how to familiarise yourself with courts and tribunals interpreting before you first come to court
* what to do when you are contacted for a booking
* what to do when you come to court to interpret
* how to get paid
* brief information on the types of courts and tribunals you may work in
* other information such as changing your contact details and what we will do if there is a complaint.

You should also familiarise yourself with the [Interpreter Services Quality Framework](https://www.justice.govt.nz/about/lawyers-and-service-providers/service-providers/interpreting-in-courts-and-tribunals/interpreter-services-quality-framework/). The framework includes a code of conduct that you are required to comply with.

If after reading this booklet you have any questions or concerns, please contact [interpreters@justice.govt.nz](mailto:interpreters@justice.govt.nz) If you have questions when you are at a court or tribunal you should raise these with the Court Registry Officer (CRO) at the main service counter or the Court Manager.

There is a glossary of terms and useful links at the end of this booklet.

# Before you first come to court

## Court tour

If you would like to familiarise yourself with a court or tribunal before you come to interpret for the first time, we can arrange for you to take a court tour.

To do this, please contact the Court Manager[[1]](#footnote-1) of your closest court.

Court Managers (CM) should be given at least two weeks’ notice before your first assignment. This allows the CM to find a suitable time for your tour to take place.

You should be aware that layouts of individual courts differ, but during your tour, court staff will clarify:

* court security (where they are located on each floor), and health and safety procedures
* the location of key areas within the court such as the service desk, bail counter, courtrooms, toilets, cells, break areas
* how the cases will be called, and what to do when they are
* where to sit or stand in the courtroom
* what will happen when the hearing starts, including taking an official oath or affirmation
* how to address the judicial officer in each court or tribunal and other relevant court protocols
* how to get your timesheet signed.

## Observing another interpreter in court

To help you feel more prepared, we can also arrange for you to observe another interpreter in court before your first hearing.

You can contact the Ministry of Justice (the Ministry) at [interpreters@justice.govt.nz](mailto:interpreters@justice.govt.nz) to find a time when an interpreter is working in a court or tribunal near you. If you work for a Language Service Provider (LSP), they may organise this for you.

We will aim to find a hearing that is open to the public, but if there are none, we can seek permission from a judge for you to attend a closed hearing. You can also attend any hearing that is open to the public to gain an understanding of how court proceedings are run.

## Training modules

We have made three training modules for you to complete before you first come to court.

The modules are free to complete and are available on the [Ministry’s website](https://www.justice.govt.nz/about/lawyers-and-service-providers/service-providers/interpreting-in-courts-and-tribunals/training-modules-for-interpreters):

The training modules cover:

* an overview of the justice system
* who’s who within the justice system and what their roles are at each stage of the process
* professional conduct.

Each module should take about 10 minutes to complete. Once you have completed all of them, please email [interpreters@justice.govt.nz](mailto:interpreters@justice.govt.nzt) to let us know and we will record that in our system.

We may make additional training modules available from time to time and we will ask you to complete these too.

You can read more about the different types of jurisdictions and hearing types you may attend here: [Hearing types](https://www.justice.govt.nz/assets/Documents/Publications/e394ca56d0/Overview-of-hearing-types-interpreters-may-be-required-for.pdf) and [types of courts and tribunals](https://www.justice.govt.nz/assets/Documents/Publications/d5a0c63acf/Overview-for-interpreters-about-common-jurisdictions-in-the-Courts-and-Tribunals.pdf)

## The interpreter services quality framework

The Ministry’s [Interpreter Services Quality Framework](https://www.justice.govt.nz/about/lawyers-and-service-providers/service-providers/interpreting-in-courts-and-tribunals/interpreter-services-quality-framework/) sets standards for:

* interpreter qualifications and training
* delivering interpreter services in courts and tribunals
* how the Ministry will manage ongoing quality improvement for the interpreter service.

We expect you to be familiar with the quality framework. It can be a useful resource to check if you are unsure of how to manage any situation that arises.

If anyone asks you to behave in a way that contradicts the standards in the quality framework you can let them know what the quality framework says, and that you are required to follow the standards set in the quality framework.

The quality framework includes an interpreter code of conduct.

# When you are contacted for a booking

Booking requests

The Central Registry (CR) team within the Ministry manage courts and tribunal interpreter bookings and payments. They will send you a request via email to ask if you are available for a particular case.   
  
**Table 1: Information in the booking request and what it means**

|  |  |
| --- | --- |
| **Information in the request** | **What this means** |
| Case number | The number that the court uses to identify the case – you can quote this number to the court if you need them to answer any queries and you will need to include this number in your invoice. |
| Language | This is the language you need to interpret at the hearing. Please let us know if you do not interpret in this language or dialect. |
| Hearing type | This is the court event you will be attending, this could be a sentencing, first appearance or short cause hearing. |
| The date(s) for the hearing | The date you should come to court. For a trial, you might need to come to court for all of the days mentioned here. |
| Time | What time the hearing is scheduled to start. You should arrive at court at least 15 minutes before this time. |
| Duration | How long we would expect you to be available for this case. |
| Interpreter for | Who you would be interpreting, for example the defendant, applicant, respondent, or witness. |
| Party names | A person or agency (for example Police) who begins court proceedings or a person who proceedings are brought against (for example, the defendant). |
| Location | Where you would need to come for the hearing. |
| Nature of the offence/dispute | Types of charges (for example, robbery). |
| More Information. | Additional information that you may need to be aware of, such as, whether it is a remote hearing, or if you have attended a previous hearing. |

You should confirm your availability as soon as possible – within three working days. When you confirm your availability, our expectation is that you will attend the scheduled hearing unless you are no longer available due to illness etc.

If you work for an LSP, we will send the request to them and they will respond on your behalf.

The Ministry’s Standard Terms don’t include a minimum payment policy. The Central Registry’s general approach will be to agree to a minimum payment period of three hours for attending a court or tribunal hearing. Within this timeframe, you may be approached by court or tribunal staff and asked to interpret for another case(s). You can agree to interpret for the additional case(s) – the CR needs to be notified by either yourself, court, or tribunal staff so they can make a note under the cases(s). Any additional cases need to be recorded on your timesheet and signed off by court or tribunal staff.

If you are also contracted through a Language Service Provider (LSP), you will be booked under the LSP’s pricing policy as agreed between the Ministry and the LSP.

**Booking confirmation**

The CR will send you a booking confirmation email with the booking confirmation letter attached. The booking confirmation email will contain links to our website where you will find more information on:

* Standard Terms and Conditions
* Interpreter Services Quality Framework
* Timesheets
* Expenses
* Invoicing and payment.

If the court or tribunal has additional information that needs to be provided, such as Microsoft Teams (MS Teams) links or teleconference instructions, these will be attached alongside the confirmation letter. If you require flights, accommodation, or car hire, the travel itinerary will also be attached.

Keep a copy of this email or letter as you may be required to show it to staff members of the court or tribunal.

**IMPORTANT:** The booking confirmation letter is a record of the Ministry’s agreement to engage your services as an interpreter. Without this letter, you should not attend a court hearing unless:

* The CR has contacted you with an urgent request or courts or tribunal staff have approached you directly with an urgent booking request whilst at court or asked you to stay longer to interpret for another case.

Please email the CR at [interpreters@justice.govt.nz](mailto:interpreters@justice.govt.nz) if you haven’t received your booking confirmation email and letter.

## Immigration and Protection Tribunal bookings

There are slightly different processes for booking an interpreter for the Immigration and Protection Tribunal (IPT) – this includes:

* checking for any conflicts of interest at the same time as making the request
* requiring the interpreter to work within specific guidelines and Code of Ethics
* additional privacy requirements.

If you have any questions about working within IPT, please contact [interpreters@justice.govt.nz](mailto:interpreters@justice.govt.nz).

## Travel and accommodation

From time to time, we may ask you to travel outside your normal service delivery area, for example, travel from Auckland to Christchurch. The CR will arrange travel for any flights, accommodation, or car hire that you require.

To make travel arrangements, the CR will need your:

* Full name
* Gender
* Title
* Mobile number

The CR will work with you to find flight times and accommodation that suits you (subject to availability).

Please ensure that you have a copy of your itinerary when you travel, either on your phone or as a paper copy.

**IMPORTANT:** Flights, accommodation, and car hire will **NOT** be accepted as part of a claim for travel expenses unless the CR approved this before the hearing.

If you have any issues or would like to make any amendments to your itinerary, please contact the CR at [interpreters@justice.govt.nz](mailto:interpreters@justice.govt.nz) between 7am and 5pm Monday to Friday. For any changes required outside these times you will need to contact Tandem Travel on 0800 707 102.

## Sick? Cold or flu symptoms?

If you are due to interpret in a court or tribunal and become unwell, particularly with symptoms of cold or flu, please let us know as soon as possible by emailing [interpreters@justice.govt.nz](mailto:interpreters@justice.govt.nz).

Please provide the case number and hearing date so we can reassign the case to other interpreters.

# What to do at court

## General

If you are unsure about any matter or have any question prior to the hearing you should ask the court or tribunal staff.

## Arrive on time

Please arrive at least 15 minutes before the hearing is scheduled to begin. You can claim the 15 minutes as part of your interpreting fees. You also need to ensure that you return from breaks on time.

## What to wear

You should wear formal clothes when working in courts and tribunals – this means tidy business clothes such as pants or skirts, a blazer and/or a tidy shirt or top. Casual clothes, jeans, hats, gang affiliated symbols etc must not be worn.

## Parking

If you are driving, please ensure that you leave home with enough time to find a car park at the court. If there isn’t any visitor’s parking available, please park on the street or in a parking building. We will reimburse you for the costs of parking. More information on how to do this case be found on page 19.

**IMPORTANT**: We will **NOT** reimburse you for any parking infringements. These are to be paid at your own cost.

**Wearing identification**

We encourage you to wear a badge or lanyard that makes it easy for court staff and Court Security Officers (CSOs) to identify you as an interpreter. This could be:

* a badge issued by the Language Service Provider you work for
* a badge issued by the New Zealand Society of Translators and Interpreters
* your own badge or identification card
* a badge/identification issued by the Ministry of Justice.

If you do not already have an identification card or badge you can wear, please let us know by emailing [interpreters@justice.govt.nz](mailto:interpreters@justice.govt.nz) and we can send you one.

## **Security**

When you arrive at court, you will need to go through security. There may be queues in busy courts, so please allow enough time for the security check and be at the courtroom 15 minutes before the hearing.

The CSOs will ensure you aren’t bringing any items into the court or tribunal that are prohibited like:

* sharp items like pocketknives, pen knives, ceremonial daggers or swords, scissors, knitting needles, steel forks
* alcohol or illegal drugs (prescription or auto-injectors are fine)
* other items at the discretion of court security.

If the alarm rings as you go through the scanner you will need to go through an additional scan by the CSOs.

**IMPORTANT:** if you are running late for a booking, please email us on [interpreters@justice.govt.nz](mailto:interpreters@justice.govt.nz) or phone 0800 268 787 so that the court or tribunal can be advised.

CSOs are responsible for maintaining a safe and secure environment for all people within a court, including interpreters. If you have any safety concerns while you are at court, please raise these with CSOs or court or tribunal staff. Part of the court tour will include where the CSOs are located on each floor.

## Where to go after security

After security, please check the notice boards displaying the cases being heard that day to ensure the courtroom (which may have changed since your confirmation letter was sent) is still correct. Then make your way to the courtroom listed on the notice board.

If the case name doesn’t appear on the notice board, please go to the public counter to confirm whether the case is proceeding or not.

## Pre-hearing briefing

You should arrive at the specified courtroom **15 minutes before the hearing**. This time allows counsel, with the help of an interpreter, to receive any instructions from their client (if the hearing is a first appearance). It also provides you with the opportunity to be briefed on:

* nature and complexity of the case
* what is likely to occur during the hearing and what possible outcomes there are
* whether there are any written materials to be presented that may need to be translated
* any legal or technical jargon likely to be used
* whether you will need to take an oath or affirmation
* if there are likely cross-cultural issues that the court may need to be aware of.

Once the briefing is over, you will need to wait outside the courtroom of the court or tribunal until the case is called. You should enter the courtroom when you hear the case parties’ names being announced over the speaker.

## Interpreting in court cells

Most courts have secure police cells within the building. On occasion, you may need to attend a pre-hearing meeting between counsel and the person you are interpreting for in the cells.

The location of the cells will be different for every court, you will need to check at the counter upon arrival and court staff will be able to direct or escort you where you need to go.

**In the courtroom**

You will enter the courtroom and stand or sit near the person you are interpreting for, or wherever the judicial officer directs you to position yourself. You need to be in clear view of all parties in the courtroom. New Zealand Sign Language interpreters who are working in tandem with another interpreter should be seated together.

The judicial officer may introduce you to the court.

You will be asked to take an oath or affirmation to confirm that you will interpret everything that is said during proceedings.

You must interpret:

* charges
* sentencing remarks
* explanations from the bench about adjournments and court processes
* any questions put to the party from the judicial officer or counsel
* bail or any conditions imposed by the court
* a prosecutor or judicial officer reading a victim impact statement
* examination and cross-examination of witnesses, including expert witnesses
* direct speech by the party or witness, including any comments addressed to the interpreter
* sentences, orders, and conditions.

The judicial officer will ensure the hearing proceeds at an appropriate pace to allow you to interpret what is being spoken.

During the hearing, it’s important that you interpret everything accurately and impartially, exactly as the person said it.

You should tell the judicial officer during the hearing if you:

* become aware that you have a conflict of interest
* cannot interpret something for any reason
* did not accurately hear what was said
* need other people in court to speak more slowly, use plain English and/or pause after each complete concept to allow you to interpret
* need to correct an error
* need to refer to a dictionary or reference material
* need to explain a legal concept, jargon, acronym, or technical term that is not easily interpreted
* are unable to keep up with the evidence and require the speaker to slow down
* experience an issue with the party
* become aware of a material potential intercultural miscommunication issue
* need a break.

All requests by the interpreter during a court hearing should be addressed to the judicial officer.

***The following guidance is from the code of conduct in the Ministry’s Quality Framework:***

|  |  |
| --- | --- |
| **Talking to a judicial officer** | A judge of the High Court, Court of Appeal and Supreme Court is referred to as “Justice” followed by their surname.  A judge of the District Court or other court (such as the Employment Court or Environment Court) is referred to as “Judge” followed by their surname.  A judge may also be addressed as “Your Honour,” “Sir” or “Ma’am”  In te reo Māori, a Judge is addressed as “E te Kaiwhakawā” and Chief Judge as “E te Kaiwhakawā Matua.”  A community magistrate or justice of the peace is addressed as “Your Worship,” “Sir” or “Ma’am”  A referee will instruct parties at the start of the hearing on how they’d like to be addressed.  Unless told not to, an interpreter must stand when speaking to a judicial officer, or when they are spoken to by a judicial officer. |

## Microphones

Everything you say in court should be recorded by a microphone. For short appearances, you can use a fixed microphone in the court. For longer appearances, court or tribunal staff may provide you with a portable microphone and show you how to use it.

The use of microphones in the court and tribunals is important as it allows those present to hear what you are saying, and it enables an audio recording of the interpretation to be made.

You must not record any part of a hearing.

## Remote hearings

Some court or tribunal hearings may be conducted using remote technology such as:

* audio visual link (AVL)
* teleconference
* videoconferencing, such as Microsoft Teams (MS Teams) or Virtual Meeting Room (VMR).

There are four ways in which an interpreter may appear in court where there is remote participation. These are:

* **interpreter is in court/person being interpreted is remote** – for example the person is in custody and has connected to the court using remote technology, and the interpreter is in court
* **interpreter is remote/person being interpreted is in court** – the interpreter is appearing using remote technology and the person they are interpreting for is in person at the court or tribunal
* **interpreter and person being interpreted are both remote, and in the same location** – for example, a witness is giving evidence using remote technology and the interpreter is located with the witness to interpret their evidence
* **interpreter and person being interpreted are both remote, and in different locations -** for example, the tribunal operates remotely, and all parties connect using remote technology.

Regardless of the scenario used:

* you should be able to see and hear all of the people who will speak or use New Zealand Sign Language (NZSL). Ideally you should be able to see the judicial officer and both counsels at the same time
* all parties should be able to hear you. The judicial officer should be able to see you so they can signal if they need to seek clarification
* you should be able to face the person you are interpreting for (or upper body, face, and hands for NZSL). NSZL interpreters may provide guidance on how to position cameras
* the person you are interpreting for should be able to see the entire court room, rather than just yourself (unless they request otherwise)
* court staff will ensure the technology is working before the hearing starts
* you should meet the person you are interpreting for before the hearing starts to ensure you are able to communicate using the same language
* the court taker will administer the oath or affirmation to you if required.

## Oath and affirmations

If you are interpreting during a trial, you will be asked by the judge or court staff to take the oath or make an affirmation that you will interpret to the best of your skill and ability. This might happen at the start of the hearing (for defendants) or before a witness requiring an interpreter gives evidence.

If you wish to take an oath, you can do this in a manner appropriate to your religious belief. Copies of the Koran and Old Testaments should be available in all courts and tribunals.

An affirmation is a non-religious version of an oath. You can decide if you prefer to make an oath or affirmation.

|  |  |
| --- | --- |
| When interpreting for a **defendant** | |
| *Oath* | *Affirmation* |
| Court or tribunal staff will ask the interpreter to stand and take the bible (or other text) in their hand, and ask:  *“Do you swear by the Almighty God that you shall truly and faithfully interpret from the \_\_\_\_\_\_\_ language into the English language, and the English language into the \_\_\_\_\_\_\_ language, all matters and things regarding the present case, to the best of your skill and ability?”*  The interpreter must say that they agree. | Court or tribunal staff will ask the interpreter to stand, and ask:  *“Do you solemnly, sincerely and truly declare and affirm that you shall truly and faithfully interpret from the \_\_\_\_\_\_\_ language into the English language, and the English language into the \_\_\_\_\_\_\_ language, all matters and things regarding the present case, to the best of your skill and ability?”*  The interpreter must say that they agree. |

|  |  |
| --- | --- |
| When interpreting for a **witness** | |
| *Oath* | *Affirmation* |
| Court or tribunal staff will ask the interpreter to stand and take the bible (or other text) in their hand, and ask:  *“Do you swear by the Almighty God that you shall truly and faithfully interpret the oath or affirmation to be administered to the witness and the evidence about to be given, and all other matters and things regarding the present case, which you shall be required to interpret from the \_\_\_\_\_\_\_ language to the English language, and the English language into the \_\_\_\_\_\_\_\_\_ language, to the best of your skill and ability?”*  The interpreter must say that they agree. | Court or tribunal staff will ask the interpreter to stand, and ask:  *“Do you solemnly, sincerely and truly declare and affirm that you shall truly and faithfully interpret the oath or affirmation to be administered to the witness and the evidence about to be given, and all other matters and things regarding the present case, which you shall be required to interpret from the \_\_\_\_\_\_ language into the English language, and the English language into the \_\_\_\_\_\_\_, to the best of your skill and ability?”*  The interpreter must say that they agree. |

**Witness’s oath or affirmation (including defendant’s giving evidence)**

When a witness requiring an interpreter is called to give evidence, you will take your oath or make an affirmation, then the witness will take their oath or make an affirmation. The judicial officer or court staff administers the oath or affirmation in English which is then interpreted into the witness’s preferred language.

|  |  |
| --- | --- |
| *Oath* | *Affirmation* |
| Court or tribunal staff will ask the witness to stand and take the bible (or other text) in their hand, and ask:  *“Do you swear by the Almighty God that the evidence you are about to give regarding the matter now before the court shall be the truth, the whole truth and nothing but the truth?”*  The interpreter will then repeat the oath in the witness’ preferred language. The witness must say that they agree, which should also be repeated by the interpreter in English. | Court or tribunal staff will ask the witness to stand, and ask:  *“Do you solemnly, sincerely and truly declare and affirm that the evidence you are about to give regarding the now before the court shall be the truth, the whole truth and nothing but the truth?”*  The interpreter will then repeat the affirmation in the witness’ preferred language. The witness must say that they agree, which should also be repeated by the interpreter in English. |

In some cases, grammatical differences between languages may require a different approach to interpreting the oath or affirmation. A copy of the oath or affirmation should be provided to you in advance so you can decide the best approach to take.

## After a hearing

Once the hearing has finished, the judicial officer may consider whether you should also:

* interpret the outcome of proceedings, including any orders made or bail conditions imposed
* interpret for the defendant to facilitate communication with probation, health officials and report writers for any pre-sentencing reports
* inform the person you are interpreting of any future hearings, or that they are dismissed from future events.

This is to ensure that the party who required the interpreter, understands any outcomes, decisions or instructions that came from the hearing.

## Timesheets

Once the hearing has finished, you can ask the Court Registry Officer (CRO) in the court or tribunal hearing to sign your timesheet. Or you can you ask the staff member at the customer service desk to do this. This confirms for us that you attended the hearing as booked.

If you are interpreting for a hearing via teleconference, VMR, or MS teams you will still need to provide a timesheet, but it doesn’t need to be signed off by court or tribunal staff. There is more information on timesheets in the next section.

**NOTE:** please ensure that your timesheet is filled in before the hearing so that it only needs to be signed at the end and does not delay other proceedings.

# Getting paid

## Standard Terms and Conditions

The Standard Terms and Conditions for Interpreter Services in Courts and Tribunals (Standard Terms) apply to every booking we make, whether they’re made in writing or by phone.

For more information on the Standard Terms and Conditions, please refer to [Standard Terms](https://www.justice.govt.nz/about/lawyers-and-service-providers/service-providers/interpreting-in-courts-and-tribunals/standard-terms-and-conditions/).

**Invoices and timesheets**

To get paid, you must submit an invoice and timesheet as soon as you can after a hearing. If you work for an LSP, they may do this for you.

There are five [invoice and timesheet templates](https://www.justice.govt.nz/about/lawyers-and-service-providers/service-providers/interpreting-in-courts-and-tribunals/submit-invoices-and-timesheets/) available on the Ministry’s website for you to use (you can choose the one that suits your GST status).

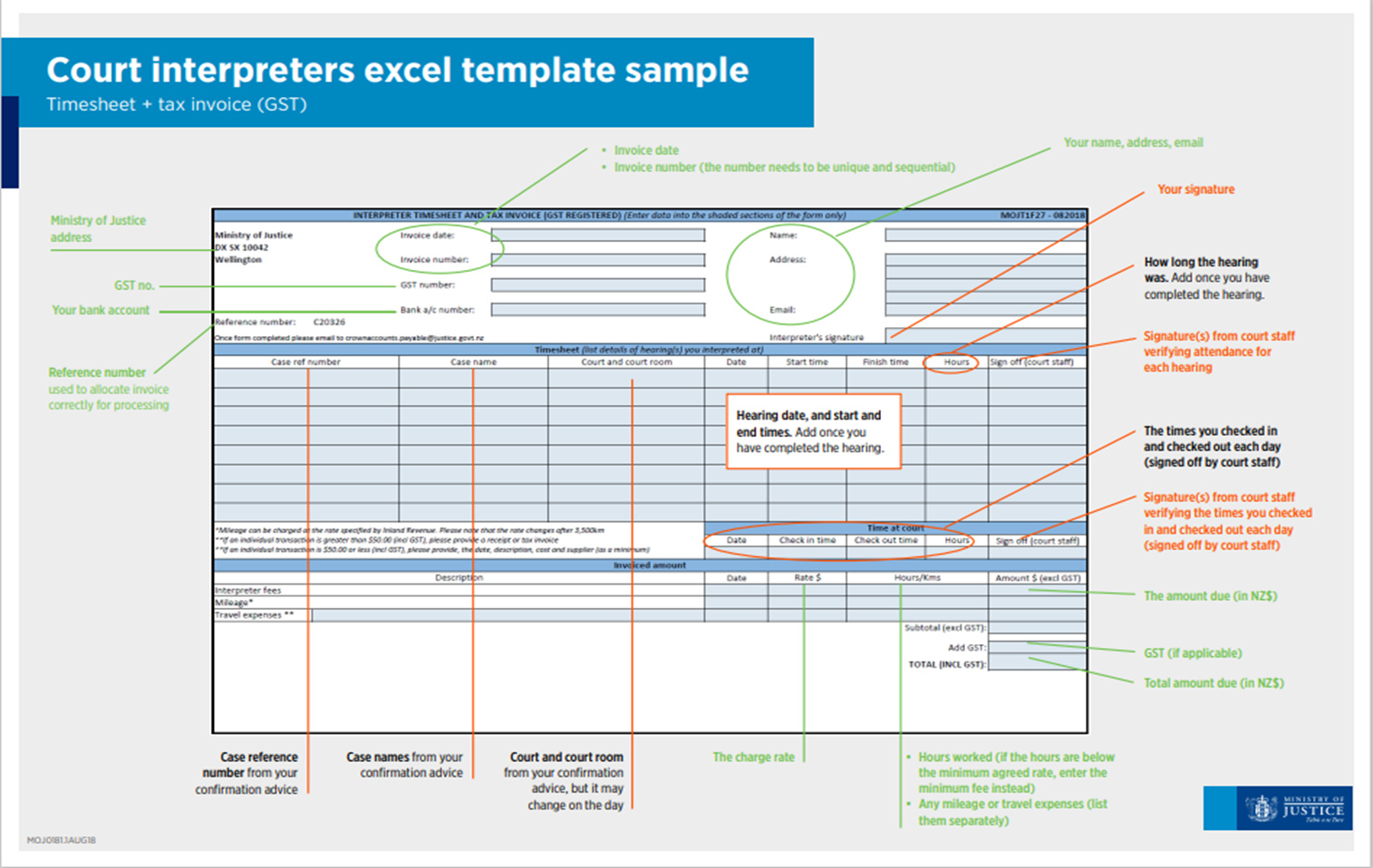
You can use your own invoice and timesheet if you wish, but please ensure that it contains all of the required information to enable fast payment.

Your timesheet must include:

* court or tribunal hearing attended and the case number(s)
* number of hours spent in hearing
* start and finish time
* date of hearing
* invoice date
* invoice number

All timesheets, except for hearings conducted remotely, must be signed by court staff and the interpreter.

An example template is shown below.



## Information on GST and non-GST invoices

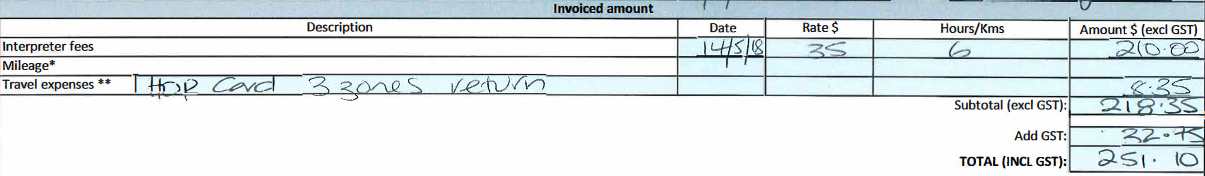
The Ministry has a mixture of GST registered and non-GST registered independent interpreters and LSPs. There is no legal requirement for you to be GST registered to work as a court appointed interpreter for the Ministry.

Examples of GST and non-GST invoice and timesheet templates can be found at [Invoice templates](https://www.justice.govt.nz/about/lawyers-and-service-providers/service-providers/interpreting-in-courts-and-tribunals/submit-invoices-and-timesheets/). If you are GST registered, you must always include your GST number on your invoice. Non-GST interpreters or LSPs won’t need to worry about this.

GST registered interpreters need to charge GST at 15%. This means that you pay 15% of the price you charge for your goods and services. You can do this by either:

* adding GST to your prices (for example, if your hourly rate is $50 per hour and you work 3 hours, the GST amount would be $22.50 making the inclusive amount $172.50)
* taking GST off the price you receive (for example, if you have a parking receipt for $30, the GST amount would be $4.50 making the exclusive amount $25.50).

Remember if you are claiming GST, you need to put the GST exclusive amounts in first before you include the total GST amount. See example below:



For more guidance on when and how to charge GST, see [Inland Revenue’s](https://www.ird.govt.nz/gst/charging-gst) website.

**IMPORTANT:** the top of your invoice must include:

* an invoice date for example, 09/08/2022 or 20220809 or the date your invoice is emailed to us for payment.
* and **invoice number -** this is important – we can’t pay you without it.

How to submit an invoice and timesheet

Once your invoice and timesheet are ready, email it to Transactional Services at [crownaccounts.payable@justice.govt.nz](mailto:crownaccounts.payable@justice.govt.nz). In the subject line of the email, you will need to include:

* the reference number **C20326.** This ensures the invoice is allocated to the correct area for processing:
  + if you use the Ministry’s templates this reference number has been added to the templates available on the Ministry’s website
  + if you have your own invoice, please include this reference number, preferably in the invoice header
* the case reference number, for example FAM-2022-XXX-XXX
* your own unique invoice number
* attached invoice and timesheet as PDFs.

 **IMPORTANT:** invoices and timesheets must be submitted as PDFs to Transactional Services. You can combine the invoice and timesheet into the one PDF or as separate attachments in the one email. If you want to email multiple invoices, you can either do it as one PDF per email or a maximum of four attachments where the documents are combined into a single PDF. If a single PDF contains multiple invoices and timesheets, 16 for example, the subsequent documents won’t be picked and up and will be rejected and you will be asked to send them as separate invoices and timesheets.

## Process for new interpreters

New interpreters will email their invoice and timesheets to Transactional Services at [crownaccounts.payable@justice.govt.nz](mailto:crownaccounts.payable@justice.govt.nz). Transactional Services will then email a “New Creditor Form” for you to complete.

You will be asked to provide bank verification which must be unmodifiable and include the bank logo, account number and account name. It can be in the form of either:

* a pre-printed bank deposit slip
* a cropped image of your bank statement with the logo, account number and account name visible
* a verified print out from your local bank branch.

You will then return the New Creditor Form, bank verification and your invoice to [ap.queries@justice.govt.nz](mailto:ap.queries@justice.govt.nz).

Once Transactional Services confirm everything is correct and a profile is created, your invoice and timesheet will be loaded into the system for payment.

## Payment policies

We will aim to pay you within 10 working days of an invoice being loaded into the system. If you have your own payment terms, the Ministry will make payment based on those terms.

If payment isn’t received after 10 working days, please email [interpreters@justice.govt.nz](mailto:interpreters@justice.govt.nz) and the CR will check on the status of the invoice(s).

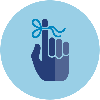
Make sure the following details are included in the email:

* case reference number (from the booking confirmation)
* creditor number (from a previous remittance advice received from the Ministry)
* invoice number.

## Duration of bookings and additional time

If you are required to stay at court for longer that the duration agreed to on the booking confirmation letter, please record the additional time on your invoice and timesheet and have it signed off by court. If you have been asked to interpret for an additional case(s), please include the case numbers on your invoice and timesheet.

When you send in your invoice for payment, please provide an explanation of the additional time and round it to the nearest 15 minutes. We pay for any additional time in 15-minute increments.

**Reminder:** You will need to add any additional time to your invoice or timesheet before it is signed off by court or tribunal staff.

**Expenses**

We will reimburse you for any reasonable and actual costs you incur in the course of providing interpreter services at courts and tribunal. Expenses will be agreed to at the time the booking is confirmed. You’ll need to keep your receipts in case we ask for proof of your expenses. We accept digital or paper receipts.

The following table sets out our policies for reimbursing expenses.

**Table 2: Interpreter expenses policies**

|  |  |
| --- | --- |
| **Mileage** | If you travel over 35km round trip, you can claim mileage at the rate specified by [Inland Revenue](https://www.ird.govt.nz/income-tax/income-tax-for-businesses-and-organisations/types-of-business-expenses/claiming-vehicle-expenses/kilometre-rates-2021-2022).  The current mileage rate is $0.95.  The CR will notify independent interpreters and LSPs as soon as practicable when the mileage rate is changed by Inland Revenue. |
| **Travel time** | If you travel 35kms and over return from your home-court-home, you’re entitled to charge travel time at the rate of $50 per hour. Payment will be $50 (ex GST) for the first hour and in 15-minute increments thereafter at $12.50. Talk to the CR for guidance about including travel time in your invoice. |
| **Meals** | Interpreters travelling outside of their normal service delivery area can be reimbursed up to $50 (ex GST) per day for meals. Please keep all receipts as these will need to be included with your invoice. |
| **Overnight allowance** | An overnight allowance may be claimed if an independent interpreter or an LSP interpreter is required to stay overnight outside their normal delivery region. The overnight allowance is $100 (ex GST). |
| **Other expenses and receipts** | Please keep receipts or a tax invoice for any other travel expenses you incur while getting to and from a hearing, such as parking fees, taxi, uber, train, hop/snapper card:   * attach a receipt or tax invoice for each expense to your invoice. * if a receipt or tax invoice is not available, please include a description of the expense in the invoice. The description must include the date, description of the travel, cost, and supplier, for example ‘7 August 2018, bus fare - 2 zones return, Hop Card, $9.60.’   If you’re GST registered (and claiming GST), you must list any expenses as GST exclusive and add GST to the subtotal in the invoice.  If you’re not GST registered, you must list the full amount spent on travel expenses. |
| **Additional time (over initial booking time)** | Interpreters may claim for actual time spent interpreting that is additional to the original length of booking. This is paid in 15-minute increments of the hourly booking rate. |

## Cancelled and rescheduled hearings

The CR will notify you as soon as possible if a booked hearing has been cancelled or rescheduled. You’ll be paid according to the terms set out in our [Standard Terms](https://www.justice.govt.nz/about/lawyers-and-service-providers/service-providers/interpreting-in-courts-and-tribunals/standard-terms-and-conditions/).

The charges you are able to claim will depend on how much notice the CR gives you about the cancelled or rescheduled hearing – whether it was more than, or less than two working days. We measure this time in full working days, excluding the day of notice and the day of the scheduled hearing. For example:

* if you receive notice of a booking cancellation on a Tuesday, and the hearing was scheduled to start on Wednesday or Thursday of that same week, you’ve been given less than two working days’ notice of cancellation (entitled to payment)
* if the hearing was scheduled to begin on Friday and you were notified on the Monday of the same that it wasn’t proceeding, you’ve been given more than two working days’ notice of cancellation (not entitled to payment).

If you are booked for a jury trial that has for example, a duration of 6 weeks if the trial is cancelled at any point during that time you can only claim for an additional 5 days after the date of cancellation.

For the full definition of working days and our cancellation terms please read our [Standard Terms](https://www.justice.govt.nz/about/lawyers-and-service-providers/service-providers/interpreting-in-courts-and-tribunals/standard-terms-and-conditions/).

# If we receive a complaint

A complaint is an expression of dissatisfaction or concern by a person about the conduct, standard of service, actions, or lack of action by an interpreter providing services in relation to proceedings before a court or tribunal.

Anyone can make a complaint to the Ministry, court or tribunal, including Ministry staff.

The purpose of our complaints process is to give people a way to raise dissatisfaction or concern with the quality of interpreting. It provides the Ministry with a robust process to investigate complaints and determine what action or response is needed to maintain and improve the service.

The complaint process will follow the principles below:

* *Fairness:* the process is objective, and all complaints are dealt with in an unbiased, fair, and reasonable way
* *Consistency:* decisions on complaints are consistent in that similar situations lead to similar outcomes
* *Confidentiality:* personal information relating to complaints is treated in line with the principles in the Privacy Act 2020
* *Accessibility:* the process is easy for all complainants and interpreters to access and understand
* *Timeliness and responsiveness:* complaints are acknowledged promptly, addressed, and dealt with as quickly as possible, and the complainant and interpreter are kept informed throughout the process.
* *Responsibility:* it is clearly established who is responsible for complaints, and complaints and responses are monitored and reported to management regularly.

**Complaint process**

If a complaint is made about an interpreter, we will review the complaint to determine whether a full investigation is required or if it can be resolved immediately.

If we consider the complaint requires an investigation, we will:

* confirm the facts of the complaint to verify the circumstances (for example time, place, case parties, interpreter name)
* contact the interpreter the complaint is about, or the agency that provided the interpreter, to share the details of the complaint and provide an opportunity to give their view of events
* review the complaint and supporting correspondence to resolve the complaint, and take any further action where needed. In many cases, other actions may be required for example, a review of the quality of interpretation by a third-party interpreter may be necessary.

If any interpreter (including those working for an LSP) has a complaint made against them, they may have existing bookings cancelled, and any future bookings will be placed on hold until an outcome is reached.

Resolution of a complaint should be made within 20 working days of receiving the complaint. We will notify the interpreter and the person who made the complaint of the outcome.

Depending on the outcome of the investigation one or more of the actions below will be taken:

* **Recommend further education –** follow up with the interpreter or LSP to enquire what steps have been taken to undertake further education before booking them in the future
* **Formal warning** – record that a formal warning was given to the interpreter
* **Remove from list** – we will no longer engage that interpreter and will advise any LSP they work through not to make any bookings for courts and tribunals with that interpreter
* **Declined – we will not progress an investigation** into the complaint because there is not enough evidence to show that the interpreter has done wrong or has not followed the quality framework and the complaint is unsubstantiated.

# Miscellaneous

## Your contact details

If you need to update your address or contact details, please email us at [interpreters@justice.govt.nz](mailto:interpreters@justice.govt.nz) and let us know what changes to make.

We maintain a national list of interpreters and language service providers (LSPs), which contains an interpreter or LSP’s, name, email address, language(s), contact numbers and the service delivery area they work in.

We will not share your contact details (mobile number or email address) without your permission. If you don’t want your details to appear on the national list, you can let the CR know via email to [interpreters@justice.govt.nz](mailto:interpreters@justice.govt.nz). With your consent, we can make this information available to:

* people who want an interpreter for a court or tribunal but don’t meet the criteria for a Ministry-paid interpreter.
* third-party service providers who may need an interpreter.

If you are contacted by a case party who wishes to discuss their case, please do not discuss the case (other than to arrange interpreting services) and contact us at [interpreters@justice.govt.nz](mailto:interpreters@justice.govt.nz) so that the appropriate action can take place.

## Criminal record checks

All interpreters must complete a criminal record check when they begin to work in courts and tribunals and every three years afterward. Interpreters must share the results of their criminal record check with the LSP they work with, and the Ministry.

If you are charged or convicted of an offence, you must notify either the LSP or the Ministry immediately. The Ministry will assess, at its discretion, whether it will continue to engage any interpreter who has been charged or convicted of an offence.

You will not be booked for any future bookings while we undertake this assessment.

If the assessment shows that we can no longer engage you for court or tribunal hearings, we will advise you or your LSP and remove you from the national list.

## Your wellbeing

We acknowledge that court appointed interpreters can be exposed to distressing material while performing their role in court.

To support your wellbeing, you can access counselling at no cost to you through the Ministry’s Employee Assistance Programmes (EAP). EAP is a confidential service that operates nationwide with qualified and registered counselling professionals.

You can contact EAP by phone or via their website:

Phone: 0800 327 669

Website: [Request an Appointment with EAP Services Limited | EAP Services Limited](https://www.eapservices.co.nz/request-an-appointment/)

Whether you call EAP to request an appointment or complete the online booking form, EAP will ask you to provide your business group. Please advise EAP that your business group is “interpreters”.

**NOTE:** if you are engaged through an LSP that offers counselling services to its employees or contractors you should access counselling provided by the LSP in the first instance.



**REMINDER:** please ensure that you are staying hydrated with water and that you are eating during designated break times to ensure that you are able to concentrate for long periods of time. Come prepared with your own drinks, snacks, lunch, as many of the courts don’t have café facilities onsite.

## Ongoing professional development

To maintain a high standard of interpreting, you are expected to continue with your own professional development either independently or through an LSP.

Interpreters should keep up to date with relevant technology, cultural understanding, and language trends.

National Accreditation Authority for Translators and Interpreters (NAATI) credentials have a three-year validity period and interpreters wishing to maintain their credentialled status must successfully recertify before their credential expires. Recertification involves (among other things) being able to demonstrate that you have meet the criteria, which include work practice criteria and professional development criteria. These criteria are set out on the NAATI website [NAATI](https://www.naati.com.au/) and in the [NAATI Professional Development Catalogue](https://www.naati.com.au/wp-content/uploads/2021/03/Professional-Development-Catalogue.pdf).

## Materials you may be provided with

In some instances, you may be provided with some additional materials to help you prepare for a hearing, such as a summary of facts or witness impact statement.

# Glossary – Key terms

There is a [Glossary](https://www.justice.govt.nz/about/glossary/) of commonly used legal terms available on the Ministry’s website. We have repeated the most common terms you are likely to hear while interpreting below, and also defined some of the terms used in this guide.

**Adjourn/Adjournment** – postponing a court hearing until a later date or time

**Adjudicator tenancy** – tenancy tribunal hearings are heard by an impartial and independent adjudicator

**Affidavit** – written statement sworn or affirmed before a person who has authority to administer an oath. Some of the evidence in a court case may be presented by an affidavit

**Appeal** – when a party formally requests a higher court to reconsider the decision of a lower court.

**Audio Visual link (AVL) –** this links a prison to the court or tribunal hearing room

**Bail** – police or courts release someone from custody on the condition that they show up in court when next required and comply with other conditions:

* Police bail – police hold or detain a person then release them before they go to court for the first time. Police can do this if the person has been arrested without a warrant and they’re charged with a summary offence, less serious offence that’s dealt with by a judge alone trial
* Court bail – when a defendant’s case is not decided in court on the first time they appear, and the court decides to release them until their next appearance

**Bail application** – application by a person in custody for the court to grant bail

**Central Registry –** the team within the Ministry of Justice who books and pays books and pays interpreters for court hearings

**Community Magistrate** – judicial officer who sits on a wide range of less serious cases in the criminal jurisdiction of DC. They can only impose sentences like community-based sentences such as periodic detention.

**Conflict of Interest** – where a person (interpreter) knows or knows of a participant that is going through the courts.

**Coroner** – judicial officer appointed to look into sudden or suspicious deaths to establish what happened

**Counsel** – a lawyer who represents one of the parties in a court case

**Court Manager –** Individual(s) who manages teams of people within the District Court. Also looks after the day to day running of the court.

**Court order** – formal direction from the court requiring the person to do or not do certain things

**Court proceeding** – a case that is being considered by the court or tribunal. Typically started by information (in criminal cases), or by an application or statement.

**Court Registry Officer** – is a court staff member who focuses on the day-to-day operations of the court. First point of contact for customers and court users

**Court taker** - court staff member who makes sure that the formal process of the court is followed and that records of hearing are accurately kept and who gives effect to any direction from the judge

**Defendant** – person or organisation whom a charging document has been filed or a person who has had a criminal charge filed against them

**Dissolution** – order formally ending (dissolving) a marriage a civil union. Commonly referred to as a divorce

**Dock** – place where defendant stands or sits during a criminal case

**Hearing** – meeting in a courtroom where a judge hears from the parties to the case, hears evidence, decides what should be done about the case. Community Magistrate and Justice of Peace also conduct hearings

**Judge alone trial** – a type of case that is only heard before a Judge, Community Magistrate or Justice of the Peace

**Judicial officer** – individual who has the authority to hear cases in the District Court. Includes, Judges Community Magistrates, Justices of the Peace.

**Judiciary** – judges and judicial officers who apply the law by hearing and deciding cases

**Jurisdiction** – authority that a particular court has to deal with matters brought before it

**Jury trial** – substantive hearing for category four offences and some category three offences before a Judge and jury

**Justice** – is fairness in the way that people are treated, also a legal system that a country uses in order to deal with people who break the law

**Justice of the Peace** – official who can exercise some judicial powers. Can witness signatures, documents, take oaths and affirmations, and issue search warrants. Usually presides over preliminary hearings in criminal cases, and they hear and decide some minor traffic cases

**Name suppression** – means there is a suppression order restricting the publication of certain details, which may either be as a result of statutory prohibition or judicial order restricting publication. It can apply to the defendant or another party in the case such as the victim

**Party** – person who is involved in a court case such as the applicants, respondent, defendants, witnesses (generally called “parties”).

**Participant –** someone who is going through the court or attending a hearing. Can also be referred to as defendant, applicant, or respondent.

**Plaintiff** – party making a claim in a civil case

**Referee disputes tribunal –** is heard by a referee who has been carefully selected and trained. Any ruling made is binding and will, if necessary, be enforced by the courts

**Registrar** – court official who makes sure that the formal processes of the court are followed and that accurate records of hearings are kept and who gives effect to any direction from judge

**Relationship property –** includes family home, car, household furniture and appliances, even if one person owned this property before the relationship and all property acquired by either partner during the relationship

**Request –** formal request sent to an interpreter checking availability. Provides relevant details for bookings

**Sentence –** punishment defendant will be given. Happens when a defendant has pleaded guilty or been found guilty

**Service Delivery Area -** the area in which an interpreter accepts the majority of bookings, e.g., where they live (Auckland Region)

**Teleconference** – hearings which are conducted remotely via phone rather than face to face

**Tribunal** – is a board or panel appointed, usually by the government, to consider and make decisions about specific matters, for example the Waitangi Tribunal

**Verdict** – conclusion reached by a jury

**Victim adviser** – district court staff member who helps victims through the court processes

**Video-conferencing** – hearings that are conducted either by Virtual Meeting Room (VMR) or Microsoft Teams (MS Teams)

# Important links

The below are links to websites that you may find useful.

**General**

Court locations – [Court locations](https://www.justice.govt.nz/contact-us/find-us/)

Criminal Record Checks – [Criminal record checks](https://www.justice.govt.nz/criminal-records/)

EAP – [EAP](https://www.eapservices.co.nz/)

Courts – [Courts of New Zealand](https://www.courtsofnz.govt.nz/)

Ministry of Justice - [MOJ](https://www.justice.govt.nz/criminal-records/)

[Hearing types](https://www.justice.govt.nz/assets/Documents/Publications/e394ca56d0/Overview-of-hearing-types-interpreters-may-be-required-for.pdf)

[Types of courts and tribunals](https://www.justice.govt.nz/assets/Documents/Publications/d5a0c63acf/Overview-for-interpreters-about-common-jurisdictions-in-the-Courts-and-Tribunals.pdf)

[Court materials](https://www.justice.govt.nz/assets/Documents/Publications/5872c69c28/Court-materials-for-interpreters.pdf)

**Standards and Codes of Ethics**

NZSTI – [NZSTI Code of Ethics](https://nzsti.org/Pages/SYSTEM/Utility/Download.aspx?id=976832ed-a16a-46f7-b22f-c7050caae1a8&newtab=1)

AUSTI – [AUSTI Code of Ethics](https://ausit.org/wp-content/uploads/2020/02/Code_Of_Ethics_Full.pdf) or [AUSTI Code of Ethics](https://ausit.org/code-of-ethics/) (translated)

SILANZ – [SILANZ Code of Ethics](https://slianz.org.nz/wp-content/uploads/2018/10/SLIANZ-Code-of-Ethics-2012.pdf)

[Interpreter Quality Framework](https://www.justice.govt.nz/about/lawyers-and-service-providers/service-providers/interpreting-in-courts-and-tribunals/interpreter-services-quality-framework/)

Family Violence translations for interpreters – [Family Violence translations](https://www.justice.govt.nz/about/lawyers-and-service-providers/service-providers/interpreting-in-courts-and-tribunals/family-violence-translations-for-interpreters/)

NAATI – [NAATI home](https://www.naati.com.au/services/endorsed-qualification/endorsed-qualification-institutions/)

Privacy Guidelines for providers of Justice services – [Privacy Guidelines](https://www.justice.govt.nz/about/lawyers-and-service-providers/service-providers/privacy/)

**Payments**

Inland Revenue GST – [Charging GST](https://www.ird.govt.nz/gst/charging-gst)

Inland Revenue Mileage – [Mileage](https://www.ird.govt.nz/income-tax/income-tax-for-businesses-and-organisations/types-of-business-expenses/claiming-vehicle-expenses/kilometre-rates-2021-2022)

Invoice – [Invoice and timesheets](https://www.justice.govt.nz/about/lawyers-and-service-providers/service-providers/interpreting-in-courts-and-tribunals/submit-invoices-and-timesheets/)

Standard Terms and Conditions - [Standard Terms and Conditions](https://www.justice.govt.nz/about/lawyers-and-service-providers/service-providers/interpreting-in-courts-and-tribunals/standard-terms-and-conditions/)

**Ministry of Justice   
Tāhū o te Ture**

**justice.govt.nz**

info@justice.govt.nz

0800 COURTS   
0800 268 787

National Office   
Justice Centre | 19 Aitken St   
DX SX10088 | Wellington | New Zealand

1. Central Registry (CR) can provide the generic email address for your closest court upon request. When you email the court, mention that you are an interpreter wanting a tour of the court and request that the email be forwarded to the Court Manager. [↑](#footnote-ref-1)