SOME REFLECTIONS ON THE CONCEPTUAL AND TERMINOLOGICAL PROBLEMS INVOLVED WITH THE TRANSLATION OF ENGLISH CRIMINAL LAW

STEVE TERRETT
Uniwersytet Warszawski
British Law Centre
Wybrzeże Kościuszkowskie 47
00-347 Warszawa
s.terrett@uw.edu.pl

Abstract: This article evaluates the particular difficulties surrounding the translation of English criminal law texts into a foreign language, with particular emphasis on translation into Polish. It argues that the specificity and peculiarities of English law make such translation a particularly onerous task. Such difficulties are compounded by the creative, and often counter-intuitive, interpretations of statutory law adopted by the British courts. It provides some examples of these difficulties and offers a limited analysis of some commonly encountered English criminal law vocabulary which translators may come across during their work.

Abstrakt: Artykuł jest oceną szczególnych trudności związanych z tłumaczeniem angielskich tekstów z zakresu prawa karnego na język obcy, ze szczególnym naciskiem na tłumaczenie na język polski. Argumentuje, że specyfika i osobliwości prawa angielskiego powodują, iż takie tłumaczenie jest wyjątkowo uciążliwym zadaniem. Trudności te potęgują przyjmowane przez sądy brytyjskie twórcze i często sprzeczne z intuicją wykładnie przepisów ustawowych. Artykuł podaje przykłady tych trudności, przedstawiając krótką analizę niektórych najczęściej spotykanych terminów z zakresu angielskiego prawa karnego, które może napotkać tłumacz w swojej pracy.

> *Translation is not a matter of words only: it is a matter of making intelligible a whole culture.* (Anthony Burgess)

> *Translators are the shadow heroes of literature, the often forgotten instruments that make it possible for different cultures to talk to one another…* (Paul Auster)

This article evaluates the particular difficulties surrounding the translation of English criminal law texts into a foreign language, with particular emphasis on translation into Polish. It argues that the specificity and peculiarities of English law make such translation a particularly onerous task. Such difficulties are compounded by the creative, and often counter-intuitive, interpretations of statutory law adopted by the British courts. It provides some examples of these difficulties and offers a limited analysis of some commonly encountered English criminal law vocabulary which translators may come across during their work. The latter analysis does not purport to be comprehensive or sufficiently in-depth to answer all questions concerning the terminology discussed, but it aims to achieve the modest function of contextualising some vocabulary which, in the author's personal experience, can lead to the true meaning of English law being "lost in translation".

1. The role of the criminal law translator and the difficulties caused by the peculiarities of English criminal law

The role of the translator is a relatively thankless one, in the sense that the ultimate test of a successful translation (in this author's entirely subjective opinion) is when the reader fails to consider that the two texts in front of him have entirely different authors. The accuracy and fluency of the translated text leads the reader to conclude that the original work and its translation can only have been penned by one and the same person. Anonymity becomes synonymous with success. Conversely, if the reader considers the translation to be striking or noteworthy, to the extent that the reader seeks to identify its author, this is rarely in order to sing the translator's praises but,

rather, to strike the translator from the reader's list of potential future co-operators. Accordingly, this author agrees entirely that translators are indeed the "shadow heroes" of all aspects of written communication, not merely literature.

The translator's function is complicated and, to my mind, much more challenging when the original text is a legal one, for the simple reason that the reader of such texts is not intending to read the text for mere pleasure or instruction but, rather, in order to establish their legally binding rights and obligations. Much as the reader of literature may be disappointed if they consider that a translator has inaccurately fumbled their way through a piece of fictional literature, this pales into comparison with the reader of a translated legal text who finds themselves at the sharp end of a civil claim for non-performance of a contractual obligation which a poor translation failed to explain properly. *A fortiori*, a person who finds themselves criminally culpable, or whose criminal liability is exacerbated, due to a poor translation of a criminal law text may be tempted to conduct a variety of criminal offences (against the person) in respect of the blameworthy translator, as opposed to merely crossing them off their Christmas card list.

Having, hopefully, convinced the reader that the translation of criminal law texts is perhaps the most onerous of all translation tasks, a remark should be made as regards the particular difficulties that may be encountered when translating *English* criminal texts. The long and, comparatively speaking, stable legal history which England has been lucky to enjoy has created a uniquely difficult linguistic environment for translators, since a great deal of still-binding English law was created at a time in history when the spoken and written English was virtually unrecognisable from its modern-day equivalent. Indeed, this author's personal experience has demonstrated that contemporary native English speakers, including law students at even the most prestigious English universities, often encounter significant difficulties in comprehending the precise meaning of legal definitions formed many centuries ago. As one of many examples, it is possible to cite Coke's eighteenth-century definition of murder (a crime which, in comparison with most of the world, is still not derived from statute law in England) as being:

> *…when a man of sound memory, and of the age of discretion, unlawfully killeth within any country of the realm any reasonable creature in*

> *rerum natura under the King's peace, with malice aforethought, either expressed by the party or implied by law, so as the party wounded, or hurt, etc. die of the wound or hurt, etc. within a year and a day after the same.* (Coke, 1797: 96)

This author dares to suggest that the look of confusion on the faces of the reader of a Polish translation of this definition would almost entirely mirror the look of total confusion on the faces of native English law students when hearing this definition for the first time. Coke and his contemporaries may have understood perfectly what was meant by reference to a person of "sound memory" who, being of the "age of discretion", kills a "reasonable creature", but this knowledge is not necessarily shared by modern-day English native speakers, and is likely to be even less comprehensible when translated into a foreign language.

The same remains true for much statute law, which often enjoys a longer and more peaceful life than statutes do in Poland or many other continental legal systems. By way of an example from criminal law, one may cite the *Offences Against the Persons Act 1861*, which continues to be applied to thousands of incidents involving non-fatal injuries against a victim. The language of this statute may not be as obfuscated as Coke's definition of murder, but this author is convinced that a decent linguistic translation of some of the terms in that statute would nevertheless still fail to convey the essential prerequisites for criminal culpability of its most commonly committed offences.

For example, section 47 thereof prohibits any *"…assault occasioning actual bodily harm…"*. One might expect to find the concept of "assault" translated in a manner which implies the imposition of some kind of physical force, yet the jurisprudence of the English courts has arrived at the conclusion that an "assault" occurs whenever the defendant causes the victim to apprehend immediate and unlawful personal violence, even if no actual touching of the victim occurs, whether violent or otherwise (see *inter alia R v Ireland and Burstow [1997] UKHL 34*). This is hardly the interpretation which most native English speakers would have derived from use of the word "assault", which carries far more aggressive and physical connotations.

Likewise, the same statutory section indicates another depressing fact of legal life, namely that statutes themselves may be

poorly drafted. Reference to the requirement for an "assault" in section 47 (and Parliament's failure to include the alternative reference to *"an assault or battery"*) may create the impression that a person who attacks the victim unseen from behind, or who attacks a sleeping victim, cannot be guilty of the section 47 offence, since the victim failed to *apprehend* the violence which followed and therefore no "assault" took place. If Parliament had included the words *"...or battery"* within this section, no such interpretative problems would have arisen, since a battery includes any unlawful touching, regardless of whether or not it was anticipated beforehand (see *inter alia R v Day (1841) 9C & P 722*). The notable omission of any reference to battery, however, caused something of an interpretative headache for the nineteenth century English courts. Ultimately, the courts resolved to correct Parliament's apparent oversight by interpreting the statute's reference to "assault" as also *including* a reference to "battery". This may have made sense to the judges at the time, since a literal interpretation of the statute would have resulted in its inapplicability to those who were fortuitous enough to attack someone whose sensory perception was impaired in some way, such as by being asleep, unconscious or deaf. Nevertheless, the linguistic gymnastics which the courts were required to perform, in order to secure the rational workability of a poorly-drafted statute, do not make life any easier for the translator who needs to explain the concept of "assault" in a foreign language without the ability to explain the concept during the hour-long lecture which most English law students require to understand it.

Put simply, the ability to convey the meaning of statutory language is vastly complicated whenever the courts' jurisprudence has adopted anything other than a purely literal interpretation of the statutory words. The greater the degree of creative (or "purposive") interpretation, the less likely is the translator to be able to convey the true meaning of those statutory terms in the few short words available to them.

Even without stepping outside the confines of the *Offences Against the Persons Act 1861*, it is possible to see how this problem arises in relation to other common criminal offences. For example, references to a requirement for "maliciousness" on the part of the defendant are to be found in both section 18 ("Shooting or attempting to shoot, or wounding with intent to do grievous bodily harm") and section 20 ("Inflicting bodily injury, with or without weapon") of that

Act. The former of these states that: *"Whosoever shall unlawfully and maliciously by any means whatsoever wound or cause any grievous bodily harm to any person, . . . with intent, . . . to do some . . . grievous bodily harm to any person, or with intent to resist or prevent the lawful apprehension or detainer of any person, shall be guilty of felony, and being convicted thereof shall be liable . . to be kept in penal servitude for life . . ."*. The latter states that: *"Whosoever shall unlawfully and maliciously wound or inflict any grievous bodily harm upon any other person, either with or without any weapon or instrument, shall be guilty of a misdemeanour, and being convicted thereof shall be liable . . . to be kept in penal servitude . . ."*. Despite such clear references to the *malicious* nature of the assault, the courts have interpreted this in such a manner that the defendant need only act *recklessly* (and not intentionally, let alone "maliciously" in the commonly-understood meaning of that word) as regards the question of whether their actions would injure the victim. The linguistic (and legal) difference between a malicious state of mind, on the one hand, and a reckless state of mind, on the other hand, is considerable and it is hardly likely that any sound-minded translator would have concluded that the intended meaning was that: "…*It is quite unnecessary that the accused should have foreseen that his unlawful act might cause some physical harm of the gravity described in s20* (*R v Mowatt [1968] 1 QB 421, per* Lord Diplock)". One may ask, indeed students often do, how a person may be said to have *maliciously* committed a criminal act if they need not even *foresee* that the act will result in the harm which is described in the statute. Surely, maliciousness requires as a *sine qua non* that the inflicted harm be not only *foreseen* but also *intended*? However, the courts' desire to make a statute workable, and the necessarily creative interpretation of the statutory words which this entails, constitute emotions and actions which were undertaken with no thought given to the difficulties it would later cause for law students or translators. Unfortunately, *c'est la vie*.

For the aforementioned reasons, this author is perfectly willing to confess that he approaches all translation obligations (of which he, thankfully, has relatively few) with an enormous degree of trepidation. Such cowardice and apprehension would certainly preclude this author from accepting any responsibility for translating any text or document which has the potential to influence another's

penal liability. It also underpins this author's tremendous admiration for those who are courageous enough to do so.

2. The growing need for criminal law translations and the dangers inherent therein

The increasing frequency with which English language criminal law materials now require translation is clearly evident. As regards English-Polish translations, this phenomenon has resulted by virtue of the enormous amount of Poles who moved to live, work or perhaps just to visit the United Kingdom following Poland's accession to the European Union. This has inevitably led to an increase in the number of criminal law cases before the British courts where the defendant has Polish nationality. Likewise, many convicted defendants are returned to Poland to serve any sentence imposed upon them by the British courts, which requires the Polish national authorities to have reliable translations of the findings and sentences handed down by the British courts.

Equally, the creation of the EU's own Area of Freedom, Security and Justice has necessitated closer cooperation between the courts, judiciaries, legal professions and law-enforcement institutions of the EU's Member States. It has also necessitated the translation of a substantial amount of criminal law-related legislation into Polish and other EU languages. Although this does not necessarily involve English-into-Polish translations, the fact that a great deal of draft EU legislation is prepared and negotiated in English makes this a fairly common phenomenon. Accordingly, the growth in the sheer volume, and complexity, of the foreign law (often English language) materials which now require translation into Polish is undeniable. This author can only speculate that the number of criminal law translators in Poland has grown significantly in line with these developments and/or that the amount of criminal law work sitting at any one time on a single translator's desk is unrecognisably greater than 10 years hence. The scope for such translators expanding their experience and knowledge of foreign criminal law, not to mention their personal incomes, therefore appears to be considerable.

A cautionary word of warning should be added at this stage, to avoid the impression that this author's admiration of criminal law translators is in danger of becoming an unquestioning and uncritical (shadow) hero worship. As Pope famously said, a little knowledge is a dangerous thing (Pope 1711: 5). Particularly in situations where a little knowledge, as opposed to an in-depth knowledge, of foreign criminal law issues may have significant repercussions on a person's liberty.

With the best will in the world, the translator can only realistically hope to have acquired "a little knowledge" on the substantive content of the relevant foreign criminal law. The manner in which they then create their translation needs to avoid the risk of such knowledge becoming "a dangerous thing".

Prior to finalising any translation of foreign criminal law texts, it is highly advisable (though sometimes financially unrealistic) to consult the translation with a lawyer, experienced in the relevant legal area, who also speaks the language into which the text has been translated. Where time or money constraints and/or clients' instructions prevent this, the translator should at least indicate (in footnotes or bracketed text) the existence of any concepts and terminology contained in the original text which do not have any immediately obvious counterparts in the legal system of the translation language. The translator may also (if translation convention thus permits) guide the reader to extraneous materials which explain such confusing terminology more comprehensively. In this author's opinion, any criticism that may be made of a translator who inserts such references, and thereby adds content which is not included in the original text, must be weighed against the more harmful accusation that failure to do so may result in the translation becoming misleading and the reader forming an incorrect opinion on a legally sensitive issue.

Naturally, this suggestion is capable of placing the translator in an uncomfortable position vis-à-vis the client who provided the text for translation, since it may implicitly/explicitly raise questions about the informative clarity of the original text. However, by applying the "due diligence" approach with which all lawyers are familiar, any translator who highlights potential problems that readers may have in understanding the translated version, and who offers suggestions as to how to supplement the translation so as to minimise such problems, should be applauded and not derided. In areas as sensitive as criminal

law, anyone who has been bold enough to accept the task of translating such materials needs to be bold enough to argue the case for including helpful, additional explanations.

Having suggested that a little knowledge of foreign criminal law is (or at least may be) a dangerous thing, the remainder of this essay proceeds to look at certain selected aspects of English criminal law terminology with which translators may come into contact most frequently. It does not purport to offer a comprehensive compendium of such terminology, nor does it, in light of the restraints concerning the advised length of the articles published in this collection or works, purport to offer unequivocal definitions of each of the terms mentioned. It does seek, however, to place much of this terminology in a framework which will hopefully assist the reader to contextualise the meaning of certain phrases and concepts and thereby gain a more practical understanding of the language in action.

3. Terminology related to the type and categories of criminal offences in English law

The first issue of note is that English law categorises crimes into three distinct types, largely depending upon which court will hear a trial concerning the relevant offence.

The first of these categories are the *summary offences*, which are the least serious offences (in some ways equivalent to administrative offences in many civil law countries). Defendants who are charged with such offences have no right to a trial by jury (despite the famous existence of the right to trial by jury in the Magna Carta of 1215) and their trials occur *summarily* before the Magistrates Court. Equally, no *indictment* too be prepared by the Crown Prosecution Service (i.e. the UK's general public prosecutor) before a person may be charged with such an offence. Such offences include, for example, most motoring offences, minor criminal damage and (the students' favourite!) being drunk and disorderly.

At the opposite extreme are the *indictable offences*, which are the most serious offences. All such crimes, which include murder, manslaughter, rape and many others, are charged by way of issuing an *indictment* (i.e. a piece of paper which formally lays out the charges

issued against the defendant) and are heard before the Crown Court and, in the ordinary course of events, a jury (although the *Criminal Justice Act 2003* now allows for the possibility for a Crown court trial to take place in the absence of a jury if the trial judge considers that there is a genuine risk of jury-tampering).

The vast majority of criminal offences in the UK are, however, known as *triable either way* offences. This means, in essence, that the trial may take place either in the Magistrates Court or in the Crown Court. The decision as to which court is appropriate, in light of the facts of the given case, to hear the case is determined at a *Mode of Trial hearing*. Such a hearing only occurs in the event that the defendant has not pleaded guilty to the charges against him, or in the event that he refuses to state a plea of guilty/not-guilty. If the defendant has pleaded not guilty to the charge(s) brought against him, the magistrates consider recommendations made by prosecutors, the seriousness of the offence, the defendant's previous convictions, and assess whether their powers of punishment are adequate when deciding on the mode of trial. They possess the discretion to decide that the circumstances surrounding the committal of the offence were so serious that their powers of punishment do not suffice, in which case they may commit the defendant to the Crown Court for trial and/or sentencing. (Merely for informational purposes, I should add that the Magistrates' Court may, pursuant to the *Criminal Justice Act 2003*, impose a maximum of 6 months' imprisonment for a single offence (or 12 months in the case of multiple offences) and/or a maximum fine of £5,000 fine (or £20,000 for legal persons), a maximum of 300 hours' "community orders" or 3 years "probation"). If the defendant enters a guilty plea, the case is handled in the Magistrates' court and, in fact, proceeds to sentence – there is no "trial" in the real sense of the word, since the defendant has admitted his guilt.

A particularly confusing feature of English criminal procedure is that all defendants aged 18 or over who are charged with a criminal offence (regardless of the category of the offence) will, pursuant to s 51(1) of the *Crime and Disorder Act 1998*, make their first appearance at court before the Magistrates' Court, even if the offence is an *indictable* one which must be heard by the Crown Court. This can cause confusion during some translations, since a "little knowledge" would lead us to the conclusion that an offence which appears to have begun in the Magistrates' Court but ended in the

Crown Court must be a *trial either way* offence, whereas this is not necessarily the case.

4. Terminology related to the burden and standard of proof in English criminal law

One issue which has appeared curious to this author during his time in Poland is the variety of answers proffered in response to questions regarding the *onus probandi* in Polish law. Inevitably, the answer begins with references to the *burden of proof* lying with the prosecution, as opposed to the defendant, but that part of the explanation which refers to the *standard of proof* usually gives rise to a wider variety of responses.

At first glance, English law on the question of the *onus probandi* is relatively simple. The prosecution is required to prove "beyond reasonable doubt" that the constituent elements of the offence(s) with which the defendant was charged were committed. However, English law is sometimes surprising to many Polish lawyers for the reasons that it does not hesitate on occasion to place the burden of proof (as regards *dis*proving the existence of some, although never *all*, of the elements of a criminal offence) on the defendant. Accordingly, in *R v Lambert [2001] 3 All ER 577*, the House of Lords upheld the legality of statutes which reversed the burden of proof onto the defendant to prove the existence of "diminished responsibility" (as *per* s.2(2) of the *Homicide Act 1957*) or to disprove their intention to supply others with drugs in their possession (as *per* s.5(4), read in conjunction with s.28, of the *Misuse of Drugs Act 1971*). When such a burden exists on the defendant, however, the defendant is usually merely required to introduce *some explanation* which the prosecution must then, if it wishes to win the case, disprove "beyond reasonable doubt" (this is known as the *evidential burden* and effectively acts as a limitation of the right to silence – for further details, see *Sheldrake v DPP [2004] UKHL 43*). However, in some limited cases, the defendant is required to not only introduce *some explanation* but also to ensure, if he does not wish to be convicted, that this explanation is convincing "on the balance of probabilities" – i.e. that it is more likely true than the prosecution's version of events.

5. Terminology relating to the period prior to the trial date

Perhaps the most common "false friend" translation that this author has encountered in criminal law terminology is the comparison made between the English concept of "arrest" and the Polish concept of "areszt". Whilst these terms are visually and aurally similar, the manner in which they function in practice in the two legal systems is extremely different.

In English terminology, an "arrest" is used to temporarily deprive someone of their liberty for a short period until they are charged with a criminal offence, generally on the basis that reasonable grounds exist to believe that his detention (without being charged) is required to secure or preserve evidence relating to an offence for which he is under arrest, or to obtain such evidence by questioning him in police custody. This situation is comparable to the Polish rules on *zatrzymanie* as opposed to "areszt". An indication of the short-term nature of "arrest" in English law, which prevent the possibility of any long-term arrests of the kind witnessed within the scope of the Polish "areszt" doctrine, is that the applicable English legislation (i.e. the *Police and Criminal Evidence Act 1984* and the *Police Act 1996)* specify an absolute maximum period of "arrest" of 96 hours (i.e. 4 days), which may only be applied with the approval of the Magistrates' Court. Shorter periods of arrest are capable of being authorised by the appropriate rank of police officer (for example, a Superintendent or above may authorise an arrest for up to 36 hours in relation to *indictable offences*) and they are reviewed regularly to ensure that the police investigation is being conducted diligently and expeditiously.

Accordingly, "remand" is the appropriate term to use when describing a period (after charge) within which the defendant's liberty and freedom are restricted. A defendant may be remanded in one of three ways.

Firstly, the defendant may be *remanded in custody*. This means that he is kept in a prison (or a remand centre) for a stated period of time before the trial. Again, it is important to emphasise that this is *not* the equivalent of Polish "areszt" since, in the latter case, the person who has been deprived of their liberty (often for very lengthy periods) has not necessarily even been charged with any offence at

that time. The English law rules of remain under discussion here happen *only* after the defendant has been charged and only for a period until the relevant court's calendar is free to enable to trial to take place. It is *not* a period during which the prosecution may choose to use for the purposes of gathering evidence or strengthening the case against an individual prior to charging them. The basic rule is that a defendant may not be *remanded in custody* for more than 8 clear days at a time (although in certain circumstances the court may extend this to 28 days) before being returned to court in order to assess the likely trial date and any other developments in the case. The overall maximum period of remand in custody in the Magistrates' Court is 70 days before trial for an *either way offence* and 56 days before a summary trial. However, in reality, these periods are generally much shorter, given the efficiency of the British courts' system in handling cases and avoiding backlogs.

Secondly, the defendant may be *remanded on bail with conditions attached* to that bail. In essence, this means that the defendant is allowed to return home (or to such other place as specified in the conditions) if another person is willing to pay an amount of "bail" money into court, which would be forfeited if the defendant failed to show at court when required to do so (e.g. for his trial). The courts are provided with tremendous discretion with choosing the conditions to impose upon a remanded defendant and they may include positive conditions, such as attending a police station at a stated time each day/week, and negative conditions, such as avoiding contact with a particular person(s) or staying away from a certain geographical area.

Thirdly, the defendant may be *remanded on unconditional bail*. As the title suggests, bail is granted with no conditions having been imposed on the defendant.

In both situations involving non-custodial remand (whether conditional or unconditional), the courts will often require that a *surety* (which is the name given to a *person* and not an amount of money) enters into a *"recognisance"* of money which obliges them to use all reasonable efforts to ensure that the defendant attends court as required. The surety will be required to attend court and confirm their willingness to act in this capacity, although the actual payment of the *"recognisance"* amount will normally not need to be paid at this stage, nor indeed at any stage unless/until the defendant fails to show at court as required. Even in the latter event, the surety may not be

required to pay the *"recognisance"* amount if the court believes that the defendant's non-attendance occurred despite the surety having used all reasonable efforts. However, in some cases, the court may ask the surety to pay a *security* (i.e. a stated amount of money) into court immediately and the surety may automatically forfeit this amount of money in the event of the defendant's failure to attend court when required.

6. Terminology relating to the period prior to the trial date

Upon conviction, the defendant may be sentenced to a variety of punishments, but they are generally categorised into four main groups, namely: *custodial sentences* which deprive the defendant being deprived of his physical liberty by detaining him in custody for a specified period of time (minus any time which the defendant may already have spent on remand in custody prior to sentencing); *community sentences* which oblige the defendant to undertake certain activities within the community; *monetary fines* and *discharges (conditional or unconditional)* whereby the defendant receives no immediate penalty but may, if sentenced to a *conditional* discharge, be sentenced again for the original offence if he commits another offence within a period of time specified by the court.

Naturally, each of these types of sentence is capable of being analysed in great detail, and some of them give rise to quite interesting (and occasionally confusing) terminology. On example of such potential confusion is the difference between a "suspended custodial sentence" (whereby the court delays the defendant's serving of a sentence in order to allow them to undergo a period of probation, following which, if the defendant behaves lawfully and complies with any probation conditions, the court will dismiss the sentence) and a "deferred custodial sentence" (whereby the court delays handing down sentence against the defendant – for a period of up to 6 months from the date of conviction – in order to assess whether an anticipated change in the defendant's material circumstances, such as getting a job or moving to a new part of the country, convince the court that a custodial sentence is no longer appropriate).

Nevertheless, the modest restraints of this particular work prevent a more in-depth investigation of this minefield of legal vocabulary, or of the multifarious other areas of criminal law (both substantive and procedural) which are capable of giving translators pause for thought and of confusing both native speakers and non-natives alike.

7. Some modest conclusions

The aim of this paper was not to provide a comprehensive account of English criminal law. Indeed, such an aim would rightly be condemned as unachievable in any single academic article. Its rather more modest aim was to indicate that the ubiquitous problems facing translators of all kinds are certainly present in the realm of English criminal law and that, in light of the potential adverse consequences they may have on the individuals involved (whether this is a court seeking to understand the law or a judgment of a foreign court, a legislator seeking to implement EU law which is expressed in vague and unfamiliar terms following lengthy political negotiations, a lawyer seeking to represent a client or the defendant themselves), the translation of such texts should be undertaken by those courageous enough to understand and accept the potential consequences that flow from their work, but humble enough to heed Pope's warning regarding the dangers of "a little knowledge".

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