THE BENEFITS OF AUSTRALIA'S LINGUISTIC DIVERSITY

Empowering individuals, improving services, strengthening communication
AUSTRALIAN MOSAIC

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FECCA received funding from the Department of Social Services to produce Australian Mosaic magazine.
Welcome to the 2015 winter edition of our Australian Mosaic magazine. With approximately 47 per cent of Australians who were either born overseas or have at least one parent who is born overseas, it is imperative there are services and programs in place to assist in meeting the linguistic needs of our diverse Australian community.

In this edition we explore the great advantage of Australia’s linguistic diversity and the contributions made by people from culturally and linguistically diverse backgrounds (CALD). This edition aims to provide different perspectives on the challenges and opportunities for translating and interpreting services and the impact of these services on CALD communities. We engage in discussion on the ways multilingualism is an asset for our culturally cohesive society, the need to improve services to cater to our evolving society, as well as ways to strengthen communication and the preserve languages.

Recent FECCA consultations have highlighted that challenges remain in the area of translating and interpreting services, especially in relation to cost, the technical difficulty of translated materials and access to interpreters. Access issues were particularly identified in rural and regional areas, and among new and emerging communities who may often represent a small number of speakers of particular languages.

In this edition, FECCA has engaged in a partnership with the National Accreditation Authority for Translators and Interpreters (NAATI), who are the national standard and accreditation body for translators and interpreters in Australia. Through its work, NAATI strengthens the inclusion and participation of people from CALD backgrounds in all areas of Australian society.

We cannot discount the great benefits of bilingualism and multilingualism, and with around 20 per cent of Australians speaking a language other than English at home, it is something to be celebrated. Languages contribute to Australia’s rich social and cultural diversity.

Migrants from non-English speaking backgrounds bring their language with them to Australia and may continue to use it in their daily life. The benefits of migrants maintaining language from their country of origin include the preservation of important
relationships, traditions and cultural identity. By passing their language on to their children, migrants can instil a strong sense of culture and community in second generation Australians.

In the workforce, bilingualism is an important skill which is valued by employers who see language skills as crucial to being competitive and succeeding in the global economy. Bilingual workers are also highly valued in service sectors and in professions where customers are increasingly diverse.

In many other countries, speaking more than one language is a relatively normal practice. Linguistically diverse individuals contribute to Australia’s rich cultural, social and economic tapestry. With all of these benefits, as well as the added political and cognitive advantages, we should celebrate the multiplicity of languages in Australia and encourage the development of language education and preservation across the country.

FECCA would like to reiterate our commitment to working with our members, stakeholders such as NAATI, and the Government in developing progressive policy solutions to address issues impacting on culturally and linguistically diverse Australians. FECCA hopes this edition of Australian Mosaic will provide a good focal point of discussion on the enhancement of communication, opportunities and services for our linguistically diverse communities.
A MESSAGE FROM THE FECCA DIRECTOR

GULNARA ABBASOVA

Australia’s commitment to multiculturalism is based on the fundamental rights of all Australians, regardless of their background, to practise and maintain their culture, traditions and languages within the law and free from discrimination. This approach translates into a just and inclusive society where Australians from all backgrounds are able to participate equally in social, economic and cultural life, and to receive equitable access to services and support.

In the settlement context, a holistic and successful approach is the one that aims to develop the knowledge and skills of new immigrants to become independent participants in society, while ensuring that governments and society are responsive to the cultural, linguistic and religious diversity of our population. Indeed, adequate supports and equitable access to settlement programs and services are imperative for maximising the economic and social value of Australia’s cultural diversity, as well as fostering social cohesion and harmony. Social participation is the cornerstone of successful settlement and English proficiency is one of its key indicators. Participation is enabled through greater independence and impacts on new arrivals’ economic and personal well-being, as well as life satisfaction and a sense of belonging.

Australia’s linguistic diversity is unique—some 300 languages are spoken in our households—and only enhances the richness of our society. However, for many first generation migrants and refugees, the language barrier presents a challenge and FECCA’s annual consultations on equitable access to government services reveal that this is one of the most critical issues that face CALD Australians in accessing programs and support. Well-resourced, flexible and culturally-appropriate English language learning programs are crucial for ensuring English proficiency of new immigrants from non-English speaking backgrounds, while interpreting and translating services are imperative to assure equitable access to community and government services.

Our partner in this edition is the National Accreditation Authority for Translators and Interpreters (NAATI) tasked with delivering quality assurance for consumers of translating and interpreting services, and John Beever reflects on the role and impact of the accreditation authority to date and the opportunities ahead. Senator the Hon Concetta
Fierravanti-Wells discusses the importance of the three ‘Es’—English, education and employment—for successful settlement and full participation. We thank the Senator for her leadership on the issues of availability and sustainability of language services, and engagement with the language services sector and the community through a series of roundtables.

Dr Sandra Hale looks at the origins of community interpreting in Australia, the importance of competent and qualified services for equal access and the initiatives undertaken so far to address the needs and gaps in the provision of services. One of such initiatives is the establishment of the Judicial Council on Cultural Diversity and Carla Wilshire discusses the objectives and the envisaged practical steps of the Council to achieve improvements in the judicial system, both short- and long-term.

Feedback from our community consultations indicates that addressing the language barriers facing many migrants and refugees through employing staff who speak several languages is highly important in helping clients to access services effectively. Tina Karanastasis explores the opportunities for harnessing linguistic and cultural capabilities of our diverse workforce through training and development and reflects on the role and contribution of bilingual workers.

Translated information is a key communication tool. Availability of translated materials is not only critical for raising awareness on specific issues; it may be instrumental in addressing some initial queries of non-English speaking clients and possibly the need to provide interpretation for them. But what if translations are machine based? Pino Migliorino shares his concerns about automated translation, and emphasises the need for upholding standards and maintaining good practice.

This edition features a number of State-specific examples of policy and practice development. Hakan Harman provides a New South Wales perspective on multicultural affairs and discusses the work of Multicultural NSW, including language services and support, as part of the agency’s strategic plan, Harmony in Action. Rosa Colanero shares her insights into the establishment and growth of language services and expertise in South Australia. Vivienne McDonald, of Queensland’s Diversicare, explains communication needs and potential solutions in the context of the aged care reforms and transitioning to a consumer directed care model. A Victorian example of supporting students to become interpreters through scholarships gives us an idea of what can be done to address community language needs.

Cathy Preston-Thomas reminds us it is important to use professional translating and interpreting services whenever possible; this is particularly critical in situations such as health-related procedures which may have potential legal implications, not to mention the fact that accurate communication is essential for diagnosis. Finally, the Victorian School of Languages celebrates its 80th anniversary this year and reflecting on the history of this outstanding institution, Frank Merlino discusses the immense benefits of the study of languages.

To John Beever and his team at NAATI, thank you for your collaboration on this important edition and for your continued support for FECCA.
John Beever is a graduate in Economics and Politics who became a journalist then speech writer for Australian Ministers. He went on to specialise in government communications such as the Australian Government’s Plain English Program before representing a major health profession. John convened the Professions Reference Group when registration and accreditation of Australian health professions was made national. That led to his present appointment as CEO of NAATI, the national certification organisation for Australian translators and interpreters.

Australia has been a pioneer in supporting social cohesion in diversity through its accreditation of community interpreters and translators. While there are now organisations like Australia’s National Accreditation Authority for Translators and Interpreters (NAATI) in several other countries, whether Australia remains a leader in this highly specialised field will depend on decisions to be taken in the next year.

NAATI was created in 1977 in the Immigration portfolio of the late Minister Michael McKellar. Its role was to help meet the language needs of post World War 2 migrants by setting and maintaining high standards in community interpreting and translating. Its responsibilities include testing intending interpreters and translators, assessment of overseas qualifications, tertiary course approvals and for accreditation and registration.
After five years the original NAATI was set up to operate independently as a not-for-profit corporation accountable to all the governments of Australia.¹

In that form NAATI now continues to deliver quality assurance for the end consumers of interpreting and translating services and for the departments and agencies of Australian governments which depend on translators and interpreters to deliver social services to them.

As such NAATI and community interpreters and translators are part of the remarkably successful settlement services in one of the most multicultural societies in the world. While not without setbacks, Australia has welcomed and settled waves of new citizens speaking diverse languages from all around the world. Australian community interpreters and translators have played a key role in achieving tolerance and social cohesion.

NAATI’s role in ensuring quality language services supports the access and equity policies of Australian governments by helping newcomers who do not yet speak English to become self-sufficient members of Australian society is well known. However, the risk management NAATI provides for those organisations which deliver health, legal, education or immigration services to people with no or limited English is not widely understood.

The need for this quality assurance was highlighted earlier this year when an Australian court awarded more than $300,000 in damages to a hospital patient with limited English who was not provided with information to the required standard in a language and in terms the patient understood. The court found a qualified interpreter should have been engaged because of the patient’s language difficulties.²

This Australian case follows an earlier US one in which a hospital acted on information provided by a Spanish speaking family with limited English when admitting their unconscious son. Tragically language confusion contributed to delayed diagnosis of a brain haemorrhage which resulted in the patient becoming a paraplegic. A court awarded $US70m in damages to care for him for the rest of his life.³

These cases show the risks run when health systems deal with people with language difficulties without engaging professional interpreters. Think of the comparable risks departments run in policing, in courts, in refugee tribunals or in security operations and the costs-benefits of governments managing their risks by investing in language quality assurance are clear.

For these reasons Australian governments of both sides of politics have supported NAATI throughout its existence. NAATI hopes that support will continue in future, in particular as NAATI undergoes its most ambitious initiative, the Improvements to NAATI Testing Project, now generally known as INT.

¹ At the same time NAATI assisted in the creation of the national professional body, the Australian Institute of Interpreters and Translators to be responsible for discipline, professional ethics and promotion and representation of the profession.
² George v Biggs [2015] NSWDC 11
³ See the International Medical Interpreters Association website http://imiaweb.org/resources/legal.asp
The current system has evolved greatly and is basically sound but remains much the same as when established. The Board of NAATI, with the support of NAATI’s government Members, decided it was timely to review best practice and if needed to update and enhance the national system.

As the name suggests, INT is about improving NAATI’s central activity of testing interpreters and translators. The project began in 2012 when NAATI commissioned independent advice from a group of leading local and international experts led by Professor Sandra Hale from University of New South Wales and published in full their resulting report *Improvements to NAATI testing – Development of a conceptual overview for a new model for NAATI standards, testing and assessment.*

This independent critique acknowledged NAATI’s role in establishing the profession in Australia, its status as an international leader in the accreditation of community interpreters and translators and its important relationship with interpreting and translation education and training. The report recommended improvements in prerequisites to accreditation, validity and reliability of testing instruments, assessment methods and training of examiners which were needed for NAATI to maintain and strengthen its position as a rigorous accreditation body.

Following a national round of consultations in 2013 with its government Members, professional bodies, educators, employers and individual practitioners, NAATI accepted in whole or part, most recommendations, and reserved judgement on just two.

NAATI has since invested its own resources investigating how these recommendations could be implemented and examining how similar organisations overseas operate. While NAATI is thought to be the first national accreditation system, similar systems now operate in China, Belgium, Norway, the UK and other countries. These international comparisons have been particularly useful highlighting how different countries are dealing with very similar challenges in similar ways and how accreditation systems are starting to work together.

For NAATI and its government Members, the time of research, consultations with stakeholders and feasibility studies is coming to end. Decisions will need to be made in the next year to proceed to implementation. Just how ambitious NAATI will be in the scope and speed of implementation will soon be decided. These decisions will shape the future of the national accreditation system for interpreters and translators into the future.

4 See Improvements to NAATI Testing Project at www.naati.com.au
I extend my congratulations to FECCA for the 40th issue of the *Australian Mosaic* magazine.

Our nation’s cultural diversity has reached historic levels. The proportion of Australians born overseas is at its highest point in 120 years, with 28% of our population (6.6 million people) born outside the country.

With strong migration programmes and growth in migration from countries where English is not the first language, cultural and linguistic diversity is an integral part of our makeup and will continue to be into the future.

Australia’s success as an immigrant nation reflects our desire to see all migrants participate fully in our way of life. We value the participation of migrants in our society and economy. Active and engaged citizens drive prosperity and help create a sense of shared purpose.

The Government is capitalising on the skills and creativity of our diverse workforce. We strongly believe that the three ‘Es’—English, education and employment—are critical to enhanced participation.
The benefits of employment to everyone, including migrants are immense. A recent report on the economic impact of migration estimates that by 2050, migration will contribute $1.6 trillion to the Australian economy. A job leads to economic self-sufficiency by enabling people to rebuild their lives in a new country, including through access to housing, health care and education.

It is also linked to self-esteem, independence and achieves a greater sense of community belonging and personal well-being—all of these contribute to greater social cohesion.

Getting young people into education early in their settlement process is also critical, as is making sure school age children are enrolled in primary or secondary soon after arriving in Australia so they can build self-confidence and make social connections.

Young refugees come to Australia with many strengths and resources, international and cross-cultural knowledge, multilingual skills and the strong desire to achieve and succeed.

This is a motivated and positive group.

Great outcomes often depend on receiving the right help at the right time. Recently announced Budget initiatives ensure young refugees and vulnerable migrants remain engaged in education so they can successfully move between school and post-school education or employment.

Employment and education outcomes are linked to the other critical ‘E’, English. Learning English plays a critical role in successful settlement. It also helps equip individuals to deal with key life transitions and unexpected life events, supporting families and communities.

The benefits are far-reaching, including higher levels of education and better employment outcomes as well as improved community cohesion and decreased welfare dependency.

I spend a lot of time engaging with multicultural community leaders and settlement service providers who work closely with migrants, and migrants themselves.

The importance of learning English is an issue that is often raised with me: for parents wanting to communicate with their children’s teachers at school; for those seeking language skills to find a job; and for isolated community members who would like to get to know their neighbours and participate fully in their community, among other things.

The nature of migration patterns means that language services must be diverse and dynamic. Today, we identify with about 300 ethnicities and speak almost as many languages, including indigenous languages.
This presents a great challenge in providing language services to those who need it, when they need it, while supporting people to learn English as soon as practical. As we shift from a manufacturing-based economy to a service-based economy, English becomes even more important.

Australia’s multicultural and settlement programmes focus on assisting migrants to become self-reliant and active members of our community.

For new arrivals, the Adult Migrant English Programme (AMEP) has a central role to ensure that English language, settlement and employment outcomes for migrants and refugees are maximised. The Government is currently conducting a review of AMEP with these drivers in mind.

AMEP clients benefit from a purpose-designed settlement English course to help them develop basic, everyday language skills.

Clients should have every opportunity to undertake the AMEP. However, there is often tension between short-term and long-term goals. For example, clients often choose taking a job over English classes, although the latter may be more beneficial in the longer term.

With the transition to new employment services from 1 July 2015, there is now an opportunity to build stronger connections between AMEP service providers, settlement services providers and job active employment services providers.

While there can be little doubt that learning English and training is a foundation for greater employment and education outcomes for all Australians, we recognise the vital role that translating and interpreting services play in ensuring equitable access to government and other services, such as health and legal.

Under the Australian Government’s Multicultural Access and Equity Policy, it is an obligation of Government agencies and their funded service providers, to ensure equitable access to services regardless of cultural or linguistic diversity, which includes the provision of language services (translating and interpreting) where appropriate.

Translators and interpreters play an important role in social inclusion because they facilitate communication with those members of our community who are not proficient in English.

The Australian Government is keen to engage with the translating and interpreting sector, and the community more broadly, about how more non-English speakers can learn English more quickly, while achieving the full participation of all Australians in our society and the economy. However, the translating and interpreting industry faces a number of challenges, including long-term sustainability.

In November 2014, I hosted two roundtable discussions with stakeholders from the translating and interpreting sector. These Roundtables focused on discussing priorities for stakeholders, future scenarios for the sector and priorities for improvement. The key themes of the issues raised centred around the sustainability of the translating and interpreting sector, quality assurance and risk management and the way language services are procured.

Issues raised at the Roundtable will be considered in conjunction with a review of Translating and Interpreting Service (TIS) National, currently being undertaken by the Department of Social Services and the Department of Immigration and Border Protection.

We must ensure that translating and interpreting services are flexible and meet emerging needs, assist with initial settlement and integration, encourage people to learn English and ensure those most vulnerable get the help they need, particularly at critical times.

Over the coming months, the Government will be working to develop a broader understanding of the wider multicultural context in which translating and interpreting services operate in order to inform future policy and programme initiatives.

With the Government’s ongoing efforts to review and refine settlement support services and continued focus to ensure mainstream programmes and services are responsive to the needs of culturally and linguistically diverse Australians, I am confident that in partnership with our stakeholders and service providers, we will deliver greater economic and social participation for all.
COMMUNITY INTERPRETING IN AUSTRALIA:
ITS CRUCIAL ROLE IN A FAIR AND EQUITABLE MULTILINGUAL SOCIETY

Dr Sandra Hale

Dr Sandra Hale is Professor of Interpreting and Translation at the University of NSW and the current AUSIT national President. She has NAATI professional interpreter and translator and conference interpreter accreditations in Spanish/English. She has published extensively on issues of pedagogy, ethics and accuracy, especially in relation to legal interpreting. She is involved in many multidisciplinary research projects and has received a doctorate Honoris Causa from the University of Antwerp in recognition of her innovative research methodologies. She has been offering sessions on how to effectively work with interpreters to the judiciary for over fifteen years.

Australia has been heralded as an example of community interpreting services, accreditation and education. Australia was one of the first countries in the world to offer universal free interpreting services to new migrants, one of the first and still one of the few to have a national accreditation system, and also one of the few to have degree programs in community interpreting rather than conference interpreting. Much of the research into community interpreting has also been pioneered by Australian academics. On the surface, we are doing very well and indeed we should be proud of our many achievements. However, there is still a long way to go in order to ensure a well-coordinated system that ensures quality services for all who need them. This article will present an overview of community interpreting in Australia; it will highlight its strengths and weaknesses, describe the current projects and initiatives and recommend future directions.

Community interpreting is the type of interpreting that takes place in domestic settings, where people who are resident of the same ‘community’ or country do not share a common language and need to communicate for any reason, generally to access a public service. The two main community areas where interpreters work in Australia are the legal and medical settings—the police, the courts and the hospitals. Conference interpreting, on the other hand, takes place in international settings, between speakers of different languages that come together from different countries for conferences or other international meetings.
Historically, in most parts of the world, only conference interpreting was considered a profession, with university training and research and attractive remuneration and adequate working conditions. Such conditions have given conference interpreting prestige and ensured the maintenance of high quality practitioners to serve the needs of users. The need for any other type of interpreting was not recognised until the advent of mass migration. This was particularly true for Australia after the Second World War, notwithstanding the fact that there were already many Aboriginal Australians who did not speak English well or at all, as well as the deaf.

Communication problems became evident when non-English speakers came into contact with service providers, in particular, the health and legal sectors. Being unable to communicate, they were often ‘assisted’ by friends and family or even domestic staff with often disastrous consequences. Such situations prompted the establishment of free government interpreter services and of a national standard setting authority—NAATI—in the 1970s, and specialist degrees and a national professional association—AUSIT—in the 1980s: on the surface, producing what appeared to be a perfect system. However, many inherent complexities, systemic flaws and inconsistent implementation of policies have led to a less than perfect system, which we are currently trying to rectify.

Probably the most significant flaw has been the voluntary nature of training and accreditation. There is no legal requirement for interpreters to be either trained or accredited in order to practice. Even those who are accredited vary in their background: some have undergraduate or postgraduate degrees in interpreting, some—TAFE diplomas, and some—no training at all. This has produced a very disparate group of practitioners, from the highly skilled to the barely bilingual, with obvious consequences. Particularly, in high stakes areas, such as the courts and health, inadequate levels of interpreting can have serious implications, such as unfair convictions or acquittals, or incorrect diagnoses and treatments.

The absence of a requirement to be formally trained reflects an underlying assumption that any bilingual speaker, regardless of their level of competence, is automatically an interpreter, at least in community settings. Consequently, the status of the profession is low, with commensurate low levels of remuneration and poor working conditions. This leads to few being attracted to the profession, and worse still, to a high level of attrition of the best qualified practitioners who leave after a few years to pursue better paid and better recognised professions.

Another issue is the ever-changing and increasing number of languages of demand, depending on the different migration waves. According to the last Census, around 20 per cent of Australian residents either do not speak English well or at all. Interpreters are essential for these residents to access any of the basic services that others take for granted. However, only competent interpreters can provide equal access. Incompetent interpreters can do more damage than good, hence adequate training for all interpreters is crucial.

The issues listed above need to be addressed in order to ensure a viable future for community interpreting in Australia, and the provision of
competent interpreting services for those who need them. A number of steps are being taken in order to address these issues:

1. Multidisciplinary research into different aspects of community interpreting is being conducted in Australia and results are being disseminated and applied to the training and the practice.

2. NAATI has commissioned a review of its accreditation system, called the INT—Improvements to NAATI Testing—project, which led to the INT Report with 17 recommendations; the first one being “that all candidates complete compulsory education and training in order to be eligible to sit for the accreditation examinations” in accordance with a new suggested model which incorporates non-language specific modules to cater for all languages, including those of limited diffusion. Another recommendation is the establishment of Specialist Interpreter accreditations in legal, medical and conference interpreting. NAATI is currently considering the recommendations.

3. AUSIT, the national professional association, is also reviewing its membership structures to include specialisations in the above area, and is improving its professional development courses, in order to offer highly specialist services to users.

4. The recently formed Judicial Council on Cultural Diversity is currently developing a national protocol for legal interpreters.

5. Professionals Australia, a network that fights for better pay and working conditions, has established an Interpreter and Translator Group.

Although much is being done, there is much more that needs doing. Firstly, users of interpreting services must acknowledge the need for highly trained, competent practitioners. There is empirical evidence of the negative repercussions of incompetent interpreting. Secondly, aspiring interpreters need to have access to good quality, affordable training options, with possibilities for scholarships or employer funding. Thirdly, practitioners need to be given incentives to acquire such training. Currently trained practitioners are neither paid more nor given preference over less qualified practitioners. Finally, professional interpreters need to be provided with adequate working conditions in order to perform to their best of their skills and abilities.

In order for Australia to become a true equitable multilingual society, community interpreting needs to be recognised as a true profession, with a consistent universal quality benchmark for all practitioners, and commensurate levels of remuneration, so that all vital services can be made available to those who need them, regardless of their language and background.
Ms Carla Wilshire is the CEO of the Migration Council Australia (MCA). MCA was set up to provide independent research and policy advice on migration, settlement and social cohesion. Ms Wilshire is also a member of the Judicial Council on Cultural Diversity and the National Anti-Racism Partnership. Ms Wilshire has a background in public policy and has worked as a public servant, ministerial advisor and Chief of Staff. She has a background in tertiary research and policy development and has worked as a researcher and lecturer at the University of Sydney. She has extensive knowledge of multiculturalism, settlement and migration policy.

Australia is a country of great cultural and linguistic diversity. One in four Australians were born overseas and 60 per cent of Australia’s future population growth will come from migration. In total, over 300 languages are spoken in Australian households. Moreover, the Aboriginal and Torres Strait Islander population is diverse and spread through urban, regional and remote areas around the country. There are approximately 145 Aboriginal languages and three main languages spoken by Torres Strait Islander peoples.

Australia’s cultural and linguistic diversity presents particular systemic challenges in maintaining a level playing field; this is particularly pertinent to issues of access to justice. The Australian legal system was designed at a time when the population it served was more homogenous than it is now. In 2014, in response to changing demographics, the Council of Chief Justices endorsed the formation of a new advisory body – the Judicial Council on Cultural Diversity (JCCD). The JCCD aims to assist Australian courts, judicial officers and administrators to positively respond to the changing needs of Australian society and ensure that all Australians have equal access to the courts.
The JCCD reports to the Council of Chief Justices and will provide policy advice and recommendations to it. The Council is chaired by the Hon Wayne Martin AC, Chief Justice of Western Australia. Membership of the Council is predominantly composed of judicial officers from all Australian geographical jurisdictions and court levels. There is an Indigenous representative and legal and community bodies are also represented. The Migration Council Australia serves as secretariat for the JCCD.

As part of its work plan, the JCCD has commenced the development of a nationally applicable protocol on translating and interpreting that will set best practice standards for courts and interpreters. The JCCD considered this to be of particular importance given that there are no consistent practices around Australia on the use of interpreting services in courts, nor is there uniformity across states or jurisdictions with respect to the types of guidelines available and their content. For example, the Supreme Court of the Northern Territory has developed comprehensive interpreter protocols, which will serve as a basis for the national protocol. However, other jurisdictions have varying levels of guidelines; these often come from a diverse range of sources, making accessibility difficult, and they often lack the comprehensiveness that a national protocol would offer.

This lack of a national uniform standard has led to a number of issues with interpreting and translating in courts. In 2011, Professor Sandra Hale conducted a national survey of interpreter policies, practices and protocols in Australian Courts and Tribunals. She identified many issues that arise under current practices. For example, she stated that in some instances judicial officers may consider using family and friends as interpreters, while others recognised the conflict of interest such practices can give rise to and the potential risks associated with them. Further, while many judicial officers were concerned about the quality of interpreting, they did not always give preference to the highest-qualified interpreters when hiring them. Low standards of interpreting have clear impacts upon access to justice, as a person’s ability to understand and participate in their hearing is greatly reduced.

From the perspective of interpreters, there was frustration that there are few incentives for them to become better trained, as the system rarely rewards their qualifications. Further, serious concerns were raised about the lack of adequate working conditions and the need for improvement, including by ensuring regular breaks and the provision of preparatory background materials in order to ensure interpreters understand the context of the case they are interpreting.
At the same time, it is important to balance expectations and acknowledge that courts and tribunals have limited resources. They are under significant pressure to ensure timely access to justice, whilst maintaining the provision of qualified interpreters. Further, an ongoing concern of judicial officers is the capacity to find qualified interpreters within smaller communities and ensure the interpreter is not familiar with the person or people involved in the hearing.

Against this background, the JCCD’s project aims to ensure short-term improvements within the judicial system, whilst recognising that substantive reform will require time and resources. It has a number of components, including:

- guidelines in relation to the processes and procedures to be used to identify the need for an interpreter in advance of any hearing;
- guidelines relating to the management of conflicts of interest;
- the identification of minimum standards required of court interpreters;
- the possibility of introducing a specialist qualification for court interpreters; and
- the provision of guidelines and a standard protocol for the assistance to be provided to interpreters in terms of prior briefings and working conditions.

There will be a substantive consultation process to gain feedback from interpreting practitioners and interpreting service users. Once the protocol is finalised, it will be presented to the Council of Chief Justices for consideration and approval.

Further information about the JCCD can be found on its website – www.jccd.org.au. The JCCD welcomes any suggestions, feedback and questions.
A HOLISTIC LANGUAGE SERVICES POLICY FOR AUSTRALIA

TINA KARANASTASIS

Tina Karanastasis is the Senior Deputy Chair of FECCA. She has been actively involved in multicultural affairs since the release of the groundbreaking Galbally Report in 1978 and has worked extensively in the government, non-government and community sectors to advance Multiculturalism as a policy for all Australians. As the Regional Coordinator of the Office of Multicultural Affairs within the Department of the Prime Minister and Cabinet, Tina undertook state-wide consultations for the National Agenda for a Multicultural Australia and provided a leadership role in South Australia towards the implementation of the Australian Government’s Access and Equity and Community Relations strategies. She has served on numerous Boards and has particular expertise in Access and Equity reform. Tina currently holds the position of Senior Program Manager of Service Development with Ethnic Link Services in South Australia, a specialist provider of aged care services for older people of CALD background and their carers.

This issue of Australian Mosaic is both timely and important in considering ‘where to from here’ in advancing the development of a Language Services Policy which articulates the needs of Multicultural Australia and provides a blueprint for positive change.

FECCA is passionate about this issue. We contributed to the Interpreting and Translating Roundtable discussions conducted in Canberra at the end of last year and are eager to undertake further work with the Government towards enhancing the Commonwealth Language Services guidelines and developing a more comprehensive policy for Australia. We believe that a more holistic approach is required which recognises the important role and juxtaposition between interpreters and translators,
bilingual bicultural workers, and English language learning. All three components must be considered together as a means of addressing barriers to communication, access and participation for people of culturally and linguistically diverse (CALD) backgrounds.

THE POWER OF LANGUAGE

Our ability to communicate is everything. It allows us to connect with others through our shared language and unique colloquial expression; to access the services and help that we need; to develop a sense of identity and belonging; and as we often have to do in life, to present and argue our case. Communication also opens the doors to participation in all spheres of life. To be locked out of this engagement with others due to the inability to communicate will inevitably result in feelings of alienation, frustration and helplessness—of being on the outside looking in.

We all strive to understand others and to be understood. The language we speak is inextricably bound to our cultural identity and therefore defines us and our place in the world. It also influences how we view ourselves within the context of the society in which we live. I’m sure many of us can recall instances where we have spoken to someone from the same cultural background in their language when we weren’t expecting it or did not know that we shared the same background. What strikes me every time is the power of language to create trust, instant rapport, and a sense of ease which comes with recognising your own. “You are Greek” they say to me, and what usually follows is a sharing of personal stories—from which part of Greece are my parents, do I know so-and-so from the same island, was I born in Australia or Greece, am I married, do I have children?

Speaking the same language can create an immediate and trusted intimacy which is beautifully captured by Nelson Mandela’s poignant words: Without language, one cannot talk to people and understand them, one cannot share their hopes and aspirations, grasp their history, appreciate their poetry, or savour their songs. (Long Walk to Freedom)
BILINGUAL BICULTURAL WORKERS—THE UNSUNG HEROES OF Multiculturalism

Whether in health and community services, education, the law, commercial enterprise, or trade and international relations, skilled communication is the key to success. Effective two-way communication supports positive outcomes for clients and service providers alike; creates an ‘equal playing field’ which enables the client to become the protagonist of their care instead of a passive recipient; and makes mediation, negotiation and diplomacy possible. Australia’s productive diversity objectives are also predicated on harnessing the linguistic and cultural intelligence of its workforce.

Over the years, interpreters and translators have played a significant role in addressing barriers to communication and should be applauded for their important work in contributing to the Government’s Access and Equity objectives. This issue of *Australian Mosaic* promotes this important work.

Equally vital to a comprehensive language services policy for Australia is the role and contribution of bilingual bicultural workers. Whether employed by ethno-specific, multicultural or mainstream services, these workers are not always given the recognition they deserve. Bilingual bicultural workers do not have a national body through which they can present a united voice, promote their work and achievements, and pursue collective objectives related to their professional development (perhaps they should). This may be due to the diversity of their profile and experience across different sectors. Bilingual workers have different levels of professional qualifications acquired in Australia and overseas; many are NAATI accredited; many are highly experienced while others have come into the migrant and refugee services sector more recently to work with their newer, emerging communities; and some are specifically recognised for their language skills and remunerated accordingly while most are expected to use their language skills as part of their designated roles.

What is not always understood is that the role of interpreters and bilingual bicultural workers differs significantly. Interpreters provide a language service on a face to face basis or over the telephone which is situational and has very strict parameters which govern the interpreting role. There is no ongoing relationship with the client, the only exception being subsequent episodes of care where the same interpreter may be requested or provided for the purpose of supporting some degree of continuity. Interpreters cannot contact clients directly and cannot influence the discourse in any way. Bilingual bicultural workers have a different relationship with their clients, often walking alongside clients as they move through the service continuum and providing a ‘cultural bridge’ to services which clients cannot readily navigate. They are also more directly involved in service delivery.
TRAINING AND DEVELOPMENT FOR LANGUAGE SERVICES PERSONNEL

Needless to say, ensuring that appropriate standards are upheld in the provision of language services is critical to both the perceived credibility and level of usage of interpreters and bilingual bicultural workers.

Interpreters are able to access various training and accreditation opportunities specifically related to their language services role through their professional body. Bilingual bicultural workers access different types of training depending on the conditions of their employment and designated role. Those who work with smaller CALD communities may not have access to the same level of training and this is particularly true for those working with newer, emerging communities. There is also no recognised certificate or university course for bilingual bicultural workers. The University of Western Australia offered a Diploma in Bilingual Work which ceased in 2012 and as far as I’ve been able to ascertain no other similar course is offered across Australia. FECCA would be very interested to hear from anyone who has any additional information about this.

Ethnic Link Services, one of the largest employers of bilingual bicultural staff in aged care services in South Australia, is currently doing some work in this space through a partnership initiative with TAFESA. An accredited skills-set entitled ‘Bilingual Work in Health and Community Services’ has been developed and trialled with Ethnic Link Services’ bilingual bicultural staff working across all its service locations, i.e. metropolitan Adelaide and country. Once evaluated, this training can be rolled out to other interested services across Australia and will form the basis of ongoing work towards the development of a Certificate IV in Bilingual Work. Ethnic Link Services has discussed this initiative with FECCA which has expressed a strong interest in supporting the continued development and national recognition of such a course specifically tailored for aspiring bilingual bicultural workers as well as those already in the field. This initiative will be explored further through a presentation by Ethnic Link Services at the national FECCA 2015 Conference in Sydney later this year.

FECCA looks forward to continuing to work closely with the Government and its constituency in the ongoing development of a language services policy for Australia which is holistic in its approach, bold in its vision and relevant for our times.
MACHINE TRANSLATION – WHAT ARE WE BUYING?
A REFLECTION ON THE PAST 20 YEARS
PINO MIGLORINO

In an age in which IT and computer technology have made such a huge impact on our lives, the idea of having a machine take information in one language and produce an output in another, appears not only desirable but also logical. The positioning and acceptance of computer aided translation in the market is both an important and relevant discussion for contemporary multilingual Australia.

The idea of machine based translation is obviously attractive:
- It appears instantaneous
- It therefore seems efficient
- The costs are minimal

But as the adage goes if something looks too good to be true then it probably isn’t true.

The issue of translations software and their position within the translations area is complex and needs to be carefully considered.

The first consideration is really about whether the machine translation conveys the right message should be about its ability to convey meaning. A well-known anecdote on this was a translation of ‘the British Prime Minister and his Cabinet’ being processed by computer software into Chinese and coming out ‘the British Prime Minister and his Wardrobe’. In 2009, HSBC bank had to launch a $10 million rebranding campaign to repair the damage done when its catchphrase “Assume Nothing” was mistranslated as “Do Nothing” in various countries. These anecdotes illustrate the issue that the computer program is only as good as the ability of...
the programmer to understand and build-in a range of cultural considerations not least of which are specific vernacular, jargon and idiom.

While the future is unknown and the progress of technology is exponential, what we know right now is that machines cannot apply what amounts to linguistic intelligence and contextual relevance to the translation process. At best, programs that translate single words are successful, but as soon as words move into sentences and sentences into narrative then context and meaning need to be added to the process.

The translation companies’ response to this weakness is to add a post translation editor to the task with this person reviewing the translated text against the original text and correcting the most obvious mistakes or changes in meaning. The suggestion of efficiency is arguably counterintuitive. Translators themselves believe that the time it takes to bring these translations up to scratch is even greater than the time required to do the translation manually in the first place.

Consequently, if this approach is to support the low per word rates being paid, the online editors can only afford the time to change only the most obvious mistakes or translations that are right off the mark. While this will result in a translation that could loosely be considered technically correct, it will not result in a translation that has taken into consideration the usage and language level of its end reader, the context within which it is to be viewed and read, and therefore be the poorer for it.

Is this an issue for translations buyers such as Government departments? The answer is unfortunately no. Most translations are purchased on price. Machine translations processes are indeed cheaper than actually using and paying expert and accredited translators. Translations are predominantly seen as a commodity and as such price is the ultimate criteria. Value or quality is less likely to be part of the purchase decision.

The question that begs to be asked is if you are going to the extent of purchasing translations why would you accept a lower quality product? The answer at best is that there is a lack of understanding or appreciation of the translations process and what constitutes good practice or quality; at worst it is the result of a rudimentary compliance approach in which translation buyers are ticking off CALD activities required for political orthodoxy rather than trying to effectively meet the information needs of non-English speakers. In plain English there is just a low level of care.

As such many buyers do not think twice about why some translation quotes differ by extraordinary factors and do not question extremely low quotes. This has led to a downward pressure on translation quotes, and subsequently this is being passed on to translators who are being paid less now for translations than they were twenty years ago.

So where in all this are issues of safety and quality? Equally do we consider risk or the potential negative consequences?
The answer is again that these values are not given priority. This becomes even more obvious when we compare the translation process to the current processes around English language communications which involve copy writers, editors, multiple levels of scrutiny and approval and in our public communications a high level of research and testing. This care and risk mitigation rarely occurs when multilingual material is being produced.

Good practice does exist. Good practice is based on following the Translation Standard which has been developed by the Royal District Nursing Service. This Standard (involving 10 procedural steps) has been endorsed by the Australian Commission of Safety & Quality and supported as a necessary systemic response to quality.

The problem is good practice is not being practiced.

What about our translators? The cold reality is that at this time when bodies such as NAATI are trying to increase the professionalism and credentials of translators, the marketplace is devaluing their skills and their products. This is a disincentive that is affecting the profession and the retention of expert translators within it.

To state the obvious, translation is not a literal process. It is about the transferring of meaning from one language to another. As such it requires judgement, experience, contextual knowledge and an understanding of the audience. Many of our Australian translators operate in a world market, have highly developed subject specialisation and have committed themselves to the development and maintenance of professional practice in Australia.

As a supplier of translation services, I feel comfortable in treating translation software with both skepticism and concern. I would rather lose work because of the fact that I choose to use real people who can understand what the communication is trying to achieve, than contribute to the ‘dumbing down’ of this area of expertise.

The 10 Key Components of the Translation Standard developed by the Royal District Nursing Service:

1. Develop the English text and/or test the translation with members of the target language other than English (LOTE)-speaking community;
2. Undertake a cultural and linguistic assessment of the English text in preparation for its translation;
3. Undertake a subject matter expert assessment of the English text as appropriate;
4. Organise for the English text to be translated by an accredited translator;
5. Undertake a cultural and linguistic assessment of the translation;
6. Organise for the translation to be proofread by an accredited translator;
7. Include the title of the text in English on the translation;
8. Include the name of the target language in English, on both the English text and the translation;
9. Distribute the translation in bilingual format—English and LOTE;
10. Date, monitor, evaluate and update the English text and the translation as part of an ongoing review program.
2014 was a watershed year for Multicultural NSW, formerly known as the Community Relations Commission. Guided by a new visionary strategic plan, Harmony In Action, a new Act (Multicultural NSW Act 2000) proclaimed in November 2014 and a Minister for Multiculturalism appointed post the March 2015 election, the Agency now has an even sharper focus on making NSW number one in multicultural practice.

The NSW Government recognises the importance of cultural and linguistic diversity as a social and economic asset to our state. New South Wales is one of the most culturally diverse societies in the world with almost one in every two people either born overseas or having one parent born overseas. That means 45 per cent of us have a direct link to somewhere else on the planet. We come from 225 different countries, speak more than 200 languages and practise about 125 different religions. This is a true reflection of Harmony In Action and should be seen against a backdrop that includes:

- 2014 Global Cities Index nominating Sydney as the most popular city in the world for international university students, beating more than 83 cities – including London, Paris and New York.
- The latest Scanlon Foundation 2014 national survey called Mapping Social Cohesion, indicating that 84 per cent of people surveyed think that multiculturalism has been good for Australia.
- Seven out of 10 respondents agreeing that multiculturalism benefits the economic development of Australia and encourages immigrants to become part of our society.

Hakan Harman is Chief Executive Officer of Multicultural NSW. He is an experienced Senior Executive in both the Public and Private Sectors. His qualifications include a Bachelor Commerce and Master of Public Administration and he is a Fellow of CPA Australia. His areas of expertise include change management, corporate governance, stakeholder and strategic management and organisational leadership.

He has worked at the CBA, Burns Philp, Unilever as well as a number of smaller private organisations including as a Forensic Accountant prior to joining the Public Sector in 2002.

He commenced his career in the NSW Public Sector at the Community Relations Commission and moved to the State Library of NSW as Director Operations Chief Financial Officer in 2010. In January 2014, he re-joined the Community Relations Commission as Chief Executive Officer and has since led a substantial review of the organisation including a change of name to Multicultural NSW, legislation amendments, and a new vision for the organisation through a three year strategic plan, Harmony-In-Action.
Our success as a culturally diverse nation and state however has not come about through sheer luck. The visionary efforts of many people following the abolition of the white Australia policy during the 70’s and the bipartisan support since for the significant advantage which our cultural diversity affords, needs enduring support.

Our strategic plan, *Harmony in Action*, spells out the steps we will take to build and maintain a cohesive and harmonious multicultural society that enriches the lives of all people living in NSW.

Central to our work is ongoing consultation with many diverse groups across the state, including regional NSW. We have developed a comprehensive community engagement strategy and will be implementing this over the life of our strategic plan. Our regional advisory council structure is central to the success of our community engagement activities and will be in place by January 2016.

We administer a new Grants Program which focuses on promoting cultural harmony and social cohesion in four categories.

- Celebration grants up to $5,000 help communities celebrate their traditional festivals;
- Support grants up to $10,000 help individuals and communities to build capacity and fully participate in civic life;
- Unity grants of up to $30,000 support cross-cultural community projects; and
- Partnership grants of up to $150,000 are available for significant projects that have a real impact on long-term outcomes in NSW.

Legislated Multicultural Principles and a framework for cultural diversity planning applicable to all public sector agencies (the Multicultural Policies and Services Program or MPSP) drives coordinated service delivery through our public facing institutions.

Multicultural NSW assesses agency performance and assists in improving cultural diversity plans. An annual report on the state of community relations is tabled by the Minister for Multiculturalism to NSW Parliament. This is Multicultural NSW’s assessment of agencies compliance with the MPSP framework and our general observations on the state of community harmony.

Multicultural NSW offers language services in more than 100 languages including translations for documents such as driving licences, birth certificates and overseas qualifications. To improve this service for the people of NSW, translations will be available through Service NSW network of centres. To be fully rolled out by the end of June this year, all service centres across our state (currently 31) will be accepting Multicultural NSW Language Service bookings.

Our challenges are many. Multicultural NSW aims to be a centre of excellence in multicultural research and policy. We will continue to ensure that we provide a safe place for diverse communities to connect through dialogue. And we must carefully navigate and negotiate the impacts of overseas conflicts on our local communities.

The NSW Government, through Multicultural NSW, is supporting the Federation of Ethnic Communities’ Councils of Australia 2015 National Biennial Conference, to be held in Sydney later this year. Multicultural NSW will be incorporating its annual Symposium within this Conference to further demonstrate the collaborative and partnership approach that our Agency sees as vital.

Multicultural NSW is committed to working towards a more harmonious, cohesive and inclusive multicultural NSW. I and my dedicated team of professionals are ready to respond to these opportunities.
A PERSONAL REFLECTION ON EARLY YEARS OF INTERPRETING AND TRANSLATING IN SOUTH AUSTRALIA

ROSA COLANERO

As a student in the mid-seventies I was involved in several community based organisations, including producing an Italian language community radio program. Presenters (volunteers) included teachers, public servants; academics; consular officials, ethnic community activists and Italian language students. As a radio program, we scripted segments on a myriad of topics and we regularly translated information for broadcast in the Italian language. We relied on the individual presenters to translate and deliver their pieces and as producer I would forward available scripts to be reviewed by another person so that the language was checked and accurate but regularly this review didn’t happen because of the program deadline for copy; the presenter and/or the reviewer missing the deadlines. Occasionally there were mistakes: details of grammar or intonation or vocabulary. We were about communication: getting information, meanings, ideas across in Italian and not necessarily language perfection. If communication was achieved with the occasional mispronunciation or word slips: so be it!

Rosa Colanero is Chief Executive Officer of Multicultural Aged Care Inc (MAC) which delivers information, resources and training in the aged and community care and allied health sectors, to assist service providers to better manage and deliver culturally responsive care so that people can receive targeted and inclusive information and services. Rosa has extensive experience in supervising the administration of state and national education, training and professional development programs. She also has developed training policy, information, research projects, resources and delivered training programs and sessions. She chaired and sat on numerous ministerial committees and peak bodies focusing on education and training; gender issues; access and equity and social justice; cultural diversity and community capacity building.
The setting up of interpreting and translating services nationally was applauded. We, amongst many other protagonists, supported the idea and hoped for language standardisation and quality control because we inhaled existing ad hoc processes for interpreting and translating into Languages other than English (LoTE). Our lived experience included interpreting and translating being done by whoever put their hand up; whoever was being directed to do it; whoever couldn’t say no; whoever thought they had the knowledge and skills; family members and so forth and so on. We were aware that existing processes were disaggregated and the quality of work variable. We supported a systematic, policy and procedures approach where the rewards were efficiency and efficacy and access and equity promoted for those whose first language was not English.

After a sojourn doing post graduate university work in Italy on an Italian Government scholarship I returned to Australia and found there were now courses established for Interpreting and Translating at the then College of Advanced Education and also at TAFE. To keep up my Italian language skills I enrolled for the course.

The many highlights of doing the Interpreting and Translating course included:

- meeting a diverse range of amazing people—professionals who could not get their overseas qualifications recognised and thought Interpreting and Translating opportunities would suit them better than driving a bus or working in a factory; women who wanted flexibility in employment; public servants who wanted an extra string to their bows; students who were searching for a career…;

- learning about and feeling grounded in Interpreting and Translating ethics, protocols and procedures;

- examining languages, words in context, form and function;

- participating in the role plays, scenarios and activities; and

- being witness to the setting up/development of National Accreditation Authority for Translators and Interpreters (NAATI).
There was much going on in the Interpreting and Translating space in SA and Australia but much of it disaggregated: TIS working at national and state levels; NAATI establishing its role, functions, exam structures and pathways in different languages; TAFE courses; Adelaide College of Advanced Education courses.

The gap remained between where the better practice policy discussion was at and what was actually happening on the ground. The reality for many, mirrored mine. As a Senior High School teacher I was asked to translate the school newsletter into Italian every fortnight. I did it and I was one of the lucky ones, I enjoyed the process of translating from one language to another.

Friends and colleagues in other sectors were not so happy but Interpreting and Translating continued to happen in these informal ways, even when attempts were being pursued for coordination and standardisation.

In the early eighties, as a component of my fulltime public service appointment I became involved in setting up and supervising the SA Schools Interpreting and Translating Service (SASITS). The Program was funded by the three education systems in SA and provided Interpreting and Translating Services across schools in the metropolitan area in Adelaide. Translations of systems’ policies and procedures were also provided to schools in rural and regional areas.

The SASITS Management Committee interviewed people and set up a register of names and contact details for Interpreters and Translators. Priority was given to using accredited personnel (from the Courses and the NAATI exams) but in those early days it was difficult to attract sufficient numbers of the required accredited personnel in specific and particular languages and challenges remained for the Coordinator of SASITS to liaise with the various stakeholders so that face to face requested interpreting sessions with teachers and parents took place on site in schools, and translations in the requested LoTE were made available in a timely manner.

Regular seminars on the education system in SA were conducted and attendance considered essential. It was considered imperative that the Interpreters and Translators know the background and context to policies and procedures of the education systems. Seminars on organisational structures; educational pathways; curriculum priorities; roles and responsibilities of school councils; assessment processes; behaviour management protocols were regularly conducted.

With interpreters, we encouraged them to know the education systems and to use the best language tools at their disposal to interpret the meaning of the message. Feedback was regularly sought and interpreters built up a professional reputation for their knowledge, competencies and professionalism.

When it came to translations of systems’ education forms, policies and procedures they were commissioned, peer reviewed before being consolidated and printed in similar formats to English language ones. If differences arose, then a third translator would be commissioned. The emphasis remained on communicating the meaning and message as accurately as possible.
The experience of supervising SASITS highlighted better practice:

- mentoring a diverse range of amazing people, many of them becoming community leaders and rising to positions of influence in different sectors;
- empowering culturally and linguistically diverse persons to access information and services in their preferred language and settings;
- supporting better practice Interpreting and Translating ethics, protocols and procedures;
- recognising the significance and intersectionality of languages in context, form and function;
- supporting the development of NAATI so that Interpreting and Translating could be valued as competencies to be developed, validated and remunerated;
- valuing the concept of communication of meanings as the priority focus; and
- emphasising the importance of the professionalism of interpreters and translators.

Since those early years, I have become more an observer than a protagonist. I have supervised officers who have used the services available for particular projects; I have witnessed interpreting sessions and reviewed translated documents.

Interpreting and Translating has become more professional and formal. And better practice has been more common in theory as well as execution.

NAATI continued to play an overarching role in coordinating assessment and accreditation; pursuing standards of approach and excellence in language. Government subsidised services becoming more readily accessible and private agencies providing complementary services. Interpreting and translating services better recognised as essential to access and equity principles.

So 40 years on, there is much to celebrate

- Increased access to interpreting and translating services;
- Better access to information and services in preferred languages and settings;
- More accredited interpreters and translators in more LoTE;
- More interpreters/translators in specialist areas: legal, medical, dialects;
- Increased professionalism (ethics, protocols) demonstrated more regularly;
- More people making a living from the profession; and
- Resources and technology making interpreting/ translating user friendly.
PERSON CENTRED OR CONSUMER DIRECTED CARE: OUR EXPERIENCE

VIVIENNE MCDONALD

Vivienne McDonald is a Registered Nurse, with an Advanced Diploma in Business, Diploma in Management and is an Associate Fellow of the Australian Institute of Management. She is currently the General Manager of Diversicare, Community Care division of the Ethnic Communities Council of Queensland Ltd, delivering direct care services to culturally and linguistically diverse people, in their homes, as well as delivering education, training and information sessions to communities and service providers. Her background is in nursing both in the UK and Australia. For the past 20 year, Vivienne has worked in the area of managing people, business development, strategic planning and project management within the health and aged care sectors in Victoria and Queensland.

Diversicare’s community related unique perspective and insight on translation and interpretation when transitioning to a ‘person centred’ model of care in the community.

Diversicare is the community care division of the Ethnic Communities Council of Queensland (ECCQ). Ours employees are predominantly bilingual and bicultural and we attempt to match the employee and our consumer’s cultural background and language as best we can. This isn’t always possible and in those instances we employ the services of an interpreter from Translating and Interpreting Service (TIS) to assist with the communication barrier. In March 2014, Diversicare commenced its pilot phase of transitioning an initial group of selected culturally and linguistically diverse (CALD) consumers to a consumer directed care (CDC) model. The pilot phase was trialled for seven months and ended in October 2014. Included in the pilot phase were ten of our CALD consumers that expressed an interest in being involved in the pilot. All were from different backgrounds, cultures and languages.

At the beginning of our transitioning pilot phase to the new CDC model of service delivery, we asked our Home Care Package (HCP) staff what were the main areas of focus for the transitioning to a CDC was for our consumers. The results were varying but a common thread was that translating and interpreting services would be a vital component to the communication strategy for a smooth transition for our consumers.
The HCP staff worked in collaboration with our other internal departments, i.e. IT/IS and Finance with the goal of understanding each other’s roles and creating a synergy for the overall benefit of the consumer. A bilingual CDC Project Officer was also seconded to lead the HCP team.

A communication strategy was developed to inform the CALD consumers of the changes to their HCP that included their choice and control of their care package. This strategy included the utilisation of translation services for certain consumers that did not speak English and that we did not have the language equivalent staff to translate.

The translation included:
- Translation of the CDC agreement into specific languages for our CALD clients.
- Flexible individualised approach to Service Delivery with translated goal oriented care plans

The successful outcomes of the transitioning to CDC utilising translation were evident by the feedback received from our CALD consumers, their carers and families. This approach also ensured that our organisation was complying with the rules and procedures of the CDC guidelines as well as the following important goals:
- Empower the consumer in a language they understand;
- Allow consumers greater control through effective communication strategies;
- Greater flexibility for improved independence;
- Consumer chooses care or services in a language they understand;
- Understanding and delivery of their choice of services, i.e. “who” and “when”.

The Diversicare HCP Team were able to communicate with the consumers utilising their skills, in their own language base, as well as with the assistance of interpreters for the consumers that required a language outside of our staff expertise. Our team demonstrated competence and the ability to interpret the messages without additions or distortions from the original communication strategy for the CDC transition.

With the assistance of skilled translation services and the professional interpreter, in a particular language, the communication was relayed with emotion and feelings to our CALD consumers. Our communication was interpreted in such way that our consumer understood exactly what we were relaying to them in a way that made sense and gave clarity about the changes to their delivery of care.

Community (in home) interpreting differs from other types of interpreting as no equipment is used and it is face-to-face which serves as a guide, advisor or social mediator. Often referred to as the consumer’s advocate and helping hand. The skills involved in interpreting in a consumer’s home are unique in that they make use of both interpreting skills and linguistic skills. This includes active listening, good memory retention, mental ability to transpose and verbalise messages to the consumer. As well as this, a depth of knowledge in and understanding of the subject area is crucial, i.e. CDC and the related terminology. The other very important skill and attribute noted was the understanding of the consumer’s culture (not only their language) and their respect for that culture.
Cathy Preston-Thomas has been working with people from a refugee background since 1998. She has worked with refugee communities in Australia and overseas in various capacities: in community development, policy, project management, research, and training. In between wrangling three boisterous children and the occasional consultancy, she has coordinated training at the NSW Refugee Health Service for over ten years.

She has a Master of International Social Development (UNSW) and a Master of International Law (USyd).

The following does not constitute legal advice. If you have concerns about a medical practitioner’s failure to use an interpreter, contact the complaints department of the relevant health service, seek independent legal advice, or approach the health care complaints commission or tribunal in your state or territory.

Let me ask you: What would you consent to? Would you go to a medical appointment without knowing the health practitioner’s role and why you were sent there?

If you did go, would you:

• Let the person take your blood?
• Let the person feel your breast?
• Let the person inject you with something without knowing what it was?
• Let the person give you an internal examination?
• Let your teenage daughter be operated on without you knowing what surgery was going to be performed?

If you are beginning to feel a little uncomfortable it is no surprise: being able to control what happens to our body is fundamental to our identity, to our autonomy. Everyone will surrender some of that power to a doctor, but we all want to maintain some level of control over how and who touches our body.

Recognising this right should be universal practice, but is particularly crucial when working with refugee populations because the refugee experience is all about abuse of power. A repressive regime or militia in power has forced them to give up their life and
country for reasons outside their control. Recovery involves allowing people to regain power over their lives, by creating a safe environment, building trust, and providing them the information they need to make decisions over their lives.

Interpreters are one of the tools that health practitioners have to help refugees regain control. Failure to use an interpreter renders the patient powerless, it further disempowers them. At the Refugee Health Service, we once inadvertently referred a patient to a gynaecologist who refused to book an interpreter. The doctor insisted that the man accompanying the patient could interpret - that person was her landlord. He had given her a lift to the appointment on his way to the shops.

This is not an isolated case. In one local study, 30 per cent of General Practitioners said they would not arrange a qualified interpreter if requested. Anecdotal experience suggests the refusal rate may be even higher amongst specialists.

When interpreters are not used, there are predictable effects. If you refused consent to any of the above questions, what would you do next? Would you walk out? Get angry? Refuse treatment? Not return? Grab someone (anyone!) who can speak your language to ask them for help? Patients use all these strategies: the angry father at the emergency department; the elderly woman who never returns for the follow-up visit; the parent who takes their child out of school so they can interpret at the surgery.

The consequences for the patient are well understood: anxiety, increased risk of error in diagnosis and treatment, poor adherence to instructions, and avoidance of the health system until an illness becomes critical. The impact can be deadly. For example, the woman who was referred for a termination of pregnancy in error; the patient who did not understand their GP’s instructions and died soon after.

The adverse consequences are not borne equally by practitioners. Serious consequences such as legal action or disciplinary proceedings are rare.

Failure to use an interpreter is common, but complaints are not. Of some 5000 complaints made last year to the NSW Health Care Complaints Commission only a handful addressed failure to use an interpreter, and none led to any disciplinary proceedings. Newly arrived people from a refugee background are probably the least likely to know how to complain, or to have the resources to pursue it. It is again an issue of power: the power imbalance between the medical profession and patients, particularly disadvantaged patients.

The right to informed consent is well developed in law. If the patient did not understand the nature and associated risks of the treatment or procedure and they had an adverse outcome, the practitioner could potentially face a civil claim for negligence, or even trespass. Hospitals and other health services could also be found liable for the negligent acts of their employees.

This year in George v Biggs, the NSW District Court found both the surgeon and hospital were negligent in failing to properly inform the patient of the risks associated with surgery in terms she could understand. The patient did not speak English and a friend had been used to interpret, leading her to mistakenly believe that she had a brain tumour that required immediate removal.

The right to be treated with reasonable care and skill by the health care provider is also enshrined in law, although rarely addressed directly in relation to interpreter issues. In Wang v Central Sydney Area Health Service the NSW court noted that had a professional interpreter been used, the triage nurse may have made a better assessment of the patient’s head injury, although the judge did not find the hospital negligent on those grounds.
Other consequences for medical staff include the threat of disciplinary proceedings by a regulatory body. The Australian Health Practitioner Regulation Agency (APHRA) is responsible for the registration and accreditation of fourteen health professions across Australia, most of which have clear guidelines on interpreter use. Complaints entities in each state and territory investigate complaints about registered health practitioners and can take disciplinary proceedings.

While failure to use an interpreter comes within the jurisdiction of these compliant bodies, the outcome would depend on many factors including the particulars of the complaint, the consequences of not engaging an interpreter, and the willingness of the provider to take steps to resolve the complaint. While remedies available to regulatory bodies include cautions, reprimands, de-registration or even suspension, these are rarely (if ever) used in response to failure to use an interpreter. It is more likely that a resolution between the two parties would be negotiated, amounting to an acknowledgement of system failure and an undertaking to improve in future.

It is clearly not enough to provide doctors and specialists (and pharmacists) access to immediate, free professional interpreters, as is available across Australia with the TIS National Doctors Priority Line. It is clearly not enough for public health services to provide access to specialist health care interpreters, which they do. The masses of mandatory health policies and professional body directives stressing the importance of using interpreters in health care settings are apparently not persuasive enough either.

Letting doctors provide an inequitable service to people from non-English speaking backgrounds, and allowing some specialists to effectively cherry-pick their client demographic by stating they do not use interpreters, is not something we should accept.

Multiple strategies will always be required. There are more carrots that could be added, such as allowing financial compensation for the extra consultation time required when using an interpreter. But perhaps we should wield the sticks a little harder too, because the organisations responsible for insuring doctors may be more persuasive than policy makers.

For the situation to improve, advocates need to challenge power structures too. It takes courage to take on the medical profession—we shake our heads in sympathy but rarely help people take it further. In the health sector, the reluctance to criticise colleagues is so pervasive that reporting gross negligence had to be made mandatory. If we are serious about empowering our clients (and improving health care) we should all get better at helping patients raise their voice.
CONTRIBUTION OF THE VICTORIAN SCHOOL OF LANGUAGES:
CELEBRATING ITS 80TH ANNIVERSARY (1935-2015)

FRANK MERLINO, PRINCIPAL, VICTORIAN SCHOOL OF LANGUAGES

Frank Merlino (B.A., B.Ed., M.Ed.) is a graduate of Melbourne University majoring in French, English and Italian. After joining the Education Department he taught at Melbourne High, Coburg High, Fitzroy High and Princes Hill Secondary. He became a member of the Principal Class in 1990 and has been Principal of the Victorian School of Languages since 1995, and is the longest serving Principal of the school. Frank has a lifelong interest in the teaching and learning of languages and in his current capacity is responsible for the delivery of 50 languages in the Education Department’s specialist language school the Victorian School of Languages. Frank is a member of a number of committees and he initiated the formation of the “Australian Network of Government Language Schools” (ANGLS) of which he is the current national President.

Any assessment of what makes a successful multicultural society has to include the measures it takes to preserve its languages and how these are taught in schools. Research shows that the knowledge and ability to speak a language is crucial to the development of a person’s self-image and identity. Language study offers significant benefits to students, recognised by most State governments who encourage students to study a second language. As a trading nation, Australia requires its workforce to be able to speak other languages. Moreover Australia continues to receive tourists from other countries, and Australians continue to travel overseas. More broadly, language study contributes to social cohesion and a more cosmopolitan and vibrant society.

In this particular area there is no better example than the contribution of the Victorian School of Languages, which this year is celebrating its 80th anniversary as a school and as a State-wide service of the Victorian Department of Education and Training. From offering an original two languages in 1935—Japanese and Italian—the school has acted as a catalyst and assisted in the introduction of dozens of new languages to the Victorian school curriculum.

The Victorian School of Languages now teaches the following Languages: Albanian, Amharic, Arabic, Bosnian, Bulgarian, Chin Falam, Chin Hakha, Chin Matu, Chinese (Mandarin), Chinese (Cantonese), Classical Greek, Croatian, Dari, Dinka, Dutch, Filipino (Tagalog), French, German, Greek, Gujarati, Hebrew, Hindi, Hungarian, Indonesian, Italian, Japanese, Karen, Khmer, Korean, Latin, Macedonian, Malayalam, Maltese, Persian, Polish, Portuguese, Punjabi, Romanian, Russian, Serbian, Sinhala, Spanish, Syriac, Tamil, Tigrinya, Turkish, Vietnamese, Zomi.

This is an Australian record and probably a world record.
The languages are taught after hours, in 40 campuses around metropolitan and country Victoria to school-aged children from Foundation (Prep) to Year 12 VCE (Victorian Certificate of Education). We know that there are many schools in country and regional areas of Victoria that cannot provide a full curriculum, especially in languages. The VSL also has a distance education section where 11 languages are taught by distance education: Arabic, Chinese (Mandarin), Classical Greek, French, German, Greek, Indonesian, Italian, Japanese, Latin, and Spanish.

The growth in the use of technology has also provided new opportunities to make lessons and teaching more interesting and equip students with the skills to engage in the digital world. The widely known website, Languages Online, is managed by the VSL on behalf of the Victorian Education Department. Victoria gives a language bonus to VCE students who successfully complete a language at Year 12. The bonus of 10 per cent of the language score is added to the aggregate of the best four scaled scores. The bonus is received irrespective of whether the language result is one of the student's best four subjects.

Many believe that the Victorian School of Languages commenced in the late 1950’s in order to meet the needs of the children of the post war immigration period in Victoria. It has been a pleasant surprise to many that the school’s origins go back to 1934 when a small number of teachers went to Japan in the early 1930’s and were surprised at the country’s rapid industrialisation and exotic landscape. Two of these were language teachers Ms Amelia Pittman and Ms Irene Ryan who approached the Education Department and requested that it introduce Japanese. They received a favourable response from the Chief Inspector of Secondary Schools, Mr John Seitz. A quick survey of neighbouring high schools found that there were insufficient students in any one school to justify classes; however the solution was to hold the classes on Saturdays and to invite senior secondary students from all neighbouring schools. Vision was also shown by the principal of MacRobertson Girls High School, Miss Mary Hutton, who offered to host the classes, an incredible offer.
given that the new school buildings were opened only three months before the classes started! The other key player was Professor A.R. Chisholm, head of the Language Department at The University of Melbourne.

To the initial Japanese and Italian classes in 1934, were added Dutch, Japanese and Russian in the 1940’s. The real explosion began in the 1960’s with the immigration boom. Indonesian, Hebrew, Spanish and Portuguese were added. These were followed by ten languages of Eastern Europe. Arabic and Turkish were introduced in the 1970’s and these were followed by Asian languages—Vietnamese, Pushto, Khmer, Hindi, Filipino Sinhala, and Tamil. The first African languages were Amharic, Tigrinya, Dinka and Somali. The newest arrivals are the languages of the settlers from Myanmar (formerly Burma). Credit must be given to the various principals over the years who managed the expansion at a time when they had limited support staff. In particular, Virgil Cain (1941-1964), Burnie Rymer (1965-1973), Stefan Kasarik (1975-1981) and Joe Abiuso (1982-1991) made a great contribution.

Australia is moving slowly towards implementing a National Curriculum. However, we are fortunate that Australia has had for many years a national assessment for languages called CCAAFL—Collaborative Curriculum and Assessment Framework for Languages—which allows students from all States and Territories to sit for the Year 12 examinations provided that there is a school in their State that teaches the respective language.

A major concern is that a large section of the Australian community is not convinced that studying a ‘foreign’ language is important as English is a world language. Hence the challenge remains for all organisations (Ethnic Communities Councils, Language Teachers Associations, Multicultural Commissions, cultural organisations like the Cervantes Institute and the Alliance Française, etc.), school principals, business leaders, individuals and volunteers to promote the study of languages.

While we are concerned about the short supply of language teachers we are pleased to see Victorian Governments have decided to make languages compulsory from Foundation to Year 10. It is to be hoped that other States and Territories will follow. The VSL has made its mark but it wants to do more. Referring to the 2015 VCE Premier’s Awards function on 3 June 2015 Herald Sun Education Reporter, Kathryn Powley, wrote: “The Victorian School of Languages was the top-performing school last year, with students receiving 15 awards, ahead of Scotch College (12), Methodist Ladies’ College (11) and Melbourne High School (10).”

The Victorian Education Department and Victorian Governments have to be congratulated for their vision and support in having this language service as part of strengthening our diverse society. The VSL model is being considered by other countries with significant immigration. Professors G. Extra and K. Yagmur in their 2012 report to the European Commission, Language Rich Europe – Trends in policies and practices for multilingualism in Europe, made reference to the VSL:

“The pioneering and widely known policies and practices in the Victorian school of Languages (VSL) in Melbourne Australia constitute an excellent ‘good practice’ that can be adopted in the European context as well.”

Happy 80th birthday Victorian School of Languages!
OVER $300,000 IN SCHOLARSHIPS PROVIDED TO NEW INTERPRETING STUDENTS IN VICTORIA

Funded by the Victorian Government Office of Multicultural Affairs and Citizenship, the Interpreter Scholarship Program assists speakers of new, emerging, and established languages, to study the Diploma or the Advanced Diploma of Interpreting at RMIT University.

Since 2003, the program has supported 450 students to study interpreting by providing bursaries that assist in the cost of course fees. The program has led to 199 students receiving the National Accreditation Authority for Translators and Interpreters (NAATI) accreditations across 20 languages.

This year 130 scholarships were awarded across 6 language groups - Tamil, Burmese, Turkish, Vietnamese, Greek and Italian. The 2015 program has provided the most scholarships in a single year since the program began.

The Victorian Minister for Finance and Multicultural Affairs, the Honourable Robin Scott MP, presented scholarships to recipients at the Interpreter Scholarship Ceremony on 8 April 2015 at Deakin Edge, Federation Square, Melbourne. More than 250 people attended the ceremony, including stakeholders from the Victorian and national language services industry, NAATI, government and from interpreter training institutions. A large number of family members attended to celebrate with the scholarship recipients.

The annual ceremony also provided an opportunity for 10 previous scholarship recipients who completed the Diploma of Interpreting in 2014, to publicly receive their accreditation certificates from NAATI. These students represented the Karen, Punjabi and Dari languages.

The Minister used the opportunity to acknowledge the important role interpreters play in providing accessible services to the more than 200,000 Victorians who are likely to require the help of interpreters and translators. In responding to these needs, the Victorian Government spends over $30 million per year to provide language services.

2014 scholarship recipient, Sarita Sherwal, spoke to the audience about the positive impact completing a Diploma of Interpreting in Punjabi has had on her employment prospects, and how she has used interpreting to help the Indian community overcome language barriers: “I decided to study interpreting to help my Indian community. My experience studying interpreting was an amazing pathway to enhance my knowledge and skills and what clients need from me when I work with them as an interpreter. Since graduating from the Diploma of Interpreting I have been working with some of the interpreting agencies and have found my work as an interpreter to be both challenging and rewarding”.

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FECCA is the national peak body representing Australians from culturally and linguistically diverse (CALD) backgrounds. We provide advocacy, develop policy and promote issues on behalf of our constituency to government and the broader community. FECCA supports multiculturalism, community harmony, social justice and the rejection of all forms of discrimination and racism.

FECCA’s membership comprises state, territory and regional multicultural and ethnic councils. FECCA has an elected executive committee and a professional national secretariat implementing policies and work programs on behalf of its membership and stakeholders.

For more information and to read more about FECCA’s policies and program, please visit our website: www.fecca.org.au. Alternatively, please contact the FECCA office on (02) 6282 5755, or email: admin@fecca.org.au.
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