FECCA

AUSTRALIA'S GROWING LINGUISTIC DIVERSITY:

An opportunity for a strategic approach to language services policy and practice

CONTENTS

ACKNOWLEDGEMENTS

EXECUTIVE SUMMARY

This report provides an analysis of FECCA's consultation and research to develop an evidence base on language service provision in new and emerging languages, that is, languages spoken by individuals who came to Australia as humanitarian entrants over recent years.

Approximately 200,000 humanitarian entrants settled in Australia between 2000 and 2014. About 70 per cent of these arrivals speak the top 17 languages spoken by the cohort (3,000+ speakers each), and about 30 per cent speak over 200 other languages and dialects. The diverse range of languages spoken by Australia's recent humanitarian entrants are referred to as new and emerging languages.

The provision of language services, whether through interpreting, translating or bilingual work, can enhance access to social services for migrants, assist to alleviate isolation and lead to better connection with the community. Quality language services can also improve health outcomes and enable access to crucial rights, such as the right to a fair trial. The availability of well-trained, competent interpreters to work with individuals in complex circumstances, such as family and domestic violence situations, is critical to ensuring the safety and wellbeing of these individuals.

English language learning is an important feature of successful settlement, assisting migrants to fully participate in Australian society. However, learning English takes time, not all new arrivals are able to acquire English fluency, and many will only acquire a functional level of English that, while adequate for day-to-day activities, will not be sufficient for them to be informed patients in the health system or actors in legal situations.

Training options for interpreters in new and emerging languages are limited. The availability of tertiary courses in Australia's recent humanitarian intake languages remains low, which presents significant challenges for the National Accreditation Authority for Translators and Interpreters (NAATI) accreditation at paraprofessional and professional levels and the subsequent provision of services in these languages. NAATI does not provide accreditation testing for many languages of low community demand, and new and emerging languages often fall within that category, which in turn often restricts access to credentials for interpreters in these languages to recognition only.

In new and emerging languages where NAATI testing is not available, language service providers recruit individuals to work as 'interpreters' without credentials. This results in an invisible cohort of un-credentialed 'interpreters' working in Australia, which potentially exposes agencies (including hospitals and courts) and their non-English speaking clients to significant risk.

The number of NAATI credentialed interpreters varies significantly between different new and emerging languages. However, there is currently no way of knowing how many of those interpreters who have been credentialed are practising in these languages, and how many 'interpreters' practise without credentials. The introduction of NAATI's revalidation scheme will assist to fill this knowledge gap.

There are unique supply and demand issues relating to the market for language services in new and emerging languages, due to thin or niche markets with relatively low numbers of speakers spread right across the country.

Enhancing demand

Low demand for language services does not necessarily imply low need; there may be under-utilisation of interpreters by agencies and/or a lack of awareness and knowledge of services among non-English speakers. There is an absence of compulsory, coordinated training on how to work with interpreters for judicial officers, legal professionals and health professionals. This affects the rate of utilisation of professional interpreting services.

The use of family and friends as 'interpreters' is not supported in policy because of problems associated with accuracy of interpreting, confidentiality and conflicts of interest. However, individuals who are not proficient in English may prefer to communicate through a relative or a friend, in view of the interpreter's gender or cultural background, the client's lack of understanding of the availability of services or of the risks associated with not engaging an interpreter. It is crucial that non-English speakers are informed and empowered to use language services.

There is significant potential for appropriate data collection to assist in developing policy and improving services for individuals, but this must be achieved through a coordinated effort, including consistency in data collection across agencies and jurisdictions.

Enhancing supply

The nature of the language services industry has significant implications for attracting, training and retaining highly capable interpreters and translators, including in new and emerging languages. These issues are exacerbated by an insufficient market for new and emerging language services, inhibiting the ability of interpreters to maintain full employment.

Language service providers draw on the same pool of interpreters, particularly in smaller languages; these interpreters are largely employed as casual employees or contractors, so contracting with multiple providers allows them to maximise their workload. Given professionals come from the same talent pool, there is a disincentive for language services agencies to train staff, as the benefit of any such investment will also be enjoyed by the company's competitors.

Given the limited financial capacity of many members of new and emerging communities, the cost of NAATI testing can influence whether interpreters in these languages upskill and seek higher credential levels, particularly given that they will not necessarily draw a higher wage for being accredited at a higher level. Costs may also be prohibitive to individuals undertaking training courses, particularly for asylum seekers who are not eligible to access funding through the Commonwealth government's FEE-HELP scheme.

Tertiary institutions who want to offer training for interpreting in new and emerging languages have difficulties attaining the appropriate staff to teach classes in particular languages, and forming a class that is large enough to justify running a course. A number of institutions, particularly TAFE SA and RMIT University, have developed innovative training models which fill an education gap for new and emerging languages where the Diploma of Interpreting is not available. Supporting professional development for interpreters is also important.

Bilingual workers—workers who do their ordinary job in two languages—are a valuable resource in particular situations such as filling simple communication gaps in provision of services. However, these workers are not, and should not be considered to be, interpreters. Without nationally consistent minimum standards and certification for bilingual workers, these workers, non-English speakers and service providers are exposed to risks, and the skills of the bilingual workforce will continue to go unrecognised and under-developed.

The way forward

There is added complexity to addressing language services needs in view of the dynamics of the humanitarian intake in the recent years, and particularly the increased intake in response to the crisis in Syria and Iraq. However, the emergence of new languages is not unprecedented in Australia; in fact it is a common phenomenon. With the diversity of Australia's population only increasing, a solution to address language services needs for emerging languages must be sustainable, flexible and forward-looking; one that can be contextualised and applied to specific languages and the changing circumstances of supply and demand. Such a solution could also have a positive flow-on effect for addressing language services supply and demand gaps for other, more established languages, by developing evidence of good practice and innovative solutions.

In the context of the broad challenges of the language services sector, the unique gaps in supply and demand for new and emerging languages can be best addressed through a *sui generis* model positioned within a national, multi-jurisdictional framework underpinned by a number of elements with a view to achieving a dual purpose— concurrently increasing supply of interpreters in new and emerging languages and demand for language services in these languages. Consistent investment over a period of time by Commonwealth and State/ Territory Governments, as major purchasers of language services, is needed to build the supply of quality interpreters in new and emerging languages. This approach will be able to respond to the changing demographics and emerging needs for language services.

The key element of any such framework must be **collaboration and coordination between Commonwealth and State/Territory Governments**, and with tertiary institutions, language service providers, professional associations, and the community sector. One way to achieve this would be through a permanent forum—as opposed to an *ad hoc* roundtable— convened annually by the Commonwealth Minister with responsibility for multicultural affairs and their State and Territory counterparts, with the

2

participation of Commonwealth immigration and settlement agencies, relevant State/Territory agencies, interpreting and translating service providers, NAATI, tertiary bodies, professional associations, and community sector organisations working with new humanitarian migrants and refugees. This forum could assess and agree on priorities for targeting of language services, share evidence of challenges and successful models and promote further collaboration amongst all stakeholders.

Data collection is an important planning mechanism for meeting the language needs of new migrants, and particularly refugees. Review of language and dialect terminology across settlement, training and accreditation datasets and the creation of whole-of-government data collection standards would ensure more consistent datasets and enable better planning, response and collaboration. Data to assist with planning should also be collected on: client's preferred language and interpreting needs; availability of bilingual staff and in-house interpreters; and staff training needs to improve utilisation of language services.

A strategic element of the proposed framework would focus on **targeting high-need languages and high-risk settings**. Building a pool of professional interpreters in new and emerging languages will be most effective if it is structured to target the languages of most need; that is with the current lowest ratio of credentialed interpreters for the total number of speakers, further informed by any available data on the unmet demand across agencies and jurisdictions. In order to secure minimum prospective sustainability for the pool of professionals, it would also be strategic to focus on high-risk areas of expertise, such as health and legal.

It is important to establish **training, accreditation and professional development pathways**. Commonwealth, State and Territory Governments, including through the proposed national forum, should consider opportunities to collaborate among themselves, engage with relevant stakeholders to identify language services needs, and target individuals who are interested in completing interpreting courses in new and emerging languages. Utilising online classrooms and local support networks, courses could be conducted with students from across Australia.

Recognition of the bilingual workforce will allow for better stock-taking of language services demand, as well as better identification of the need for qualified interpreting. This will also address government agencies' concerns about meeting language services needs. Finally, a recognition process for bilingual workers will benefit the translating and interpreting industry by delineating the roles of interpreters and bilingual workers, clarifying the scope and limitations of the bilingual worker profession, and contributing to raising the interpreting industry standards.

The challenge of increasing demand can be addressed through **enhanced policy implementation**. Language policies are most effective when they and their mandatory implementation are communicated adequately to frontline staff and those engaging directly with non-English speakers. With policies establishing the agencies' responsibility to provide language services, this can be achieved through the development of practical guidelines, regularly updated to reflect good practice, and informing staff of ways to determine the need for interpreting services, how to access those services, and what to do when interpreters in the requested language or at the requested level are not available—equally a critical consideration for developing agreed protocols with contracted language services providers.

Key to increasing demand for language services would be **building capacity of consumers of language services**. It is important to empower non-English speakers as confident and informed consumers of language services. A national communication strategy, in collaboration with the community sector, should address the lack of awareness among non-English speakers about the importance and benefits of engaging credentialed interpreters, the availability of fee-free interpreting, and the risks of not utilising professional language services and involving family members and friends. Strategies need to be in place to inform non-English speakers about the role of interpreters and benefits of using language services.

Optimal training and accreditation model

Based on the review of various models across jurisdictions, and the identification of good practice elements in the provision of language services, this report recommends the conceptualisation and implementation of a national, multi-jurisdictional training and credentialing program to increase the quantity and quality of language services in new and emerging languages.

The proposed model comprises a two-stage process. Stage one would involve a VET-delivered Skill Set program, made up of four units from the Diploma of Interpreting, complying with the Australian Qualifications Framework, and providing a pathway to completing the Diploma at a later date. Funding from State Governments for this training will reduce the financial burden on participants. In stage two, participants who have completed the Skill Set would be screened prior to moving on to attaining a NAATI credential. Commonwealth Government funding at this stage would assist participants to undertake NAATI testing, supplemented by a small investment by the participants and possibly NAATI.

The key benefits of such a model include effective national coordination, co-contributions from State and Commonwealth Governments to share costs, the provision of a pathway to further study for participants, and clear monitoring, reporting and impact assessment.

4

INTRODUCTION

Australia is a linguistically diverse nation. The Australian Bureau of Statistics reports that more than 300 languages are spoken by the Australian population. Languages spoken by an individual form an integral part of their identity, and influence their ability and capacity to engage in social and economic life. The importance of, and intrinsic relationship between, language and culture has been explored for centuries. Language structures the way individuals perceive the world, or in other words, ideas and relationships used in understanding various concepts derive from language.[1]

Many migrants face difficulties when adopting a new society and a new lifestyle due to limited support networks from their country of origin, language barriers, and lack of knowledge about the new culture.[2] The inability to communicate is one of the harshest forms of isolation. Physical disconnection from the community caused by language barriers, financial constraints and inadequate access to transport can intensify a sense of isolation,[3] causing adverse psychological and mental effects such as feelings of alienation, frustration and helplessness. International research indicates that low English proficiency can be one of the reasons for higher rates of mood and anxiety disorder among migrants.[4]

Learning English plays a critical role in successful settlement, and the Australian Government provides migrants and refugees with access to 510 hours of English language training through the Adult Migrant English Program (AMEP). Although the importance of ability to communicate in English is self-evident, three per cent of longer-standing migrants and a further three per cent of recently arrived migrants reported not speaking English at all.[5]

Language needs and how adequately they are met through language services provision are issues that go beyond the scope of settlement. Catering for the language needs of all migrants is imperative to ensure equitable access to services, community engagement, and health and wellbeing in general. However, with regards to language needs, humanitarian entrants are the most vulnerable cohort and the one with added complexities, for example loss of first language due to living in refugee camps outside their country of birth. Through transitions, refugees, especially young children, learn languages other than their mother tongue. For instance, those who transitioned through Kenya learnt English and Swahili, and those who transitioned through Egypt learnt Arabic.[6] Children often learn languages faster than adults, and as a result become the family translator, often bearing the burden of having to explain reasons which forced them to migrate and suffering signs of secondary trauma.[7]

Language services can enhance individuals' access to social services, assisting to alleviate isolation and leading to better connection with the community. They provide opportunities for those with limited English proficiency to actively participate in society and enhance their confidence and self-determination. The benefits are even more significant for refugees and humanitarian entrants. Many in this group have already suffered from trauma such as war, natural disaster or torture, possibly causing depressive and anxiety disorders and Post-Traumatic Stress Disorder.[8] Difficulty communicating with others—particularly when accessing services and supports—can exacerbate these health conditions. Conversely, the ability to use one's own language to communicate via an interpreter can reduce these psychological effects.

Many new migrants and refugees experience a lack of community participation that can lead to lack of self-esteem and independence. A sense of belonging in society is important to realising social cohesion, as identified by the Scanlon-Monash Index of Social Cohesion.[9] Language barriers were nominated as an obstacle to a sense of belonging according

---

1 Spencer A. Rathus, *Psychology: Concepts and Connections* (Wadsworth Cengage Learning, 10th edition, 2012), 278.

2 Dr. Gary N. Heilbronn, Paul Latimer, Dr Jennifer Nielson, Tony Pagone and Dorothy Kovacs, Introducing the law (CCH Australia, 7th edition, 2008), 410.

3 Ibid, 2.

4 Ibid, 7.

5 Australian Bureau of Statistics, '2071.0 - Reflecting a Nation: Stories from the 2011 Census, 2012-2013', accessible at: http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/2071.0main+features902012-2013

6 See further: Aniko Hatoss, *Displacement, Language Maintenance and Identity: Sudanese Refugees in Australia* (John Benjamins Publishing Company, 2013), 114.

7 Mehmet Okyayuz, Peter Herrmann and Claire Dorrity, Migration-*Global Processes caught in National Answers* (Wiener Verlag für Sozialforschung, 2014), 73.

8 Laurence J. Kirmayer, Hannah Kienzler, Abdel Hamid Afana and Duncan Pedersen, 'Trauma and Disasters in Social and Cultural Context' in C. Morgan and D. Bhugra (eds), *Principles of Social Psychiatry* (John Wiley and Sons, Ltd, 2nd edition, year), 162-170.

9 Ibid, 10-11.

to a survey conducted in Blacktown, Sydney, and Mirrabooka and Balga, Perth.[10] A sense of belonging can be improved by providing language services to the population with limited English proficiency to engage in the community, and facilitate equitable access to social services as underpinned by the Australian Government *Multicultural Access and Equity Policy: Respecting diversity. Improving responsiveness*. Under this policy, government agencies commit to meeting the diverse needs of Australians to achieve equitable outcomes, recognising that cultural diversity principles should be incorporated into the application of program and service delivery.

> By way of facilitating communication in services provided by the government, community interpreters effectively offer a "voice" for ethnic communities with their resettlement country… trained community interpreters play a crucial role in facilitating all phases of the resettlement process as well as offering means of communication with the wider community. They are often considered agents of social inclusion by government agencies dealing with settlement services.[11]

The growing population of new migrants, and the ageing migrant population, will likely correspond with an increasing demand for language services. While government and community interventions are important to support this increasing demand across all languages, specific challenges arise when addressing the language needs of Australia's recent refugees and humanitarian entrants.

Provision of language services in these new and emerging languages has unique supply and demand trends. These are 'thin' or 'niche' markets with relatively low numbers of speakers spread across the country, and the purchasers of the services are almost entirely limited to government agencies or the judicial system. Meeting the service needs in these languages will require tailored responses, as well as *sui generis* structured supply and demand models.

Australia's humanitarian intake

Australia's Humanitarian Programme includes visas granted offshore, and to a lesser extent visas granted onshore. The programme consists of a number of different visa categories, namely, refugee, in-country special humanitarian, emergency rescue and women at risk visas.[12] Refugee visas are granted to individuals who are found to be refugees under the *1951 UN Convention in relation to the Status of Refugees* and the *1967 Optional Protocol* (the Refugee Convention). In addition to those identified as refugees under the Convention, Australia grants humanitarian visas to individuals and/or families who are currently facing, or are in imminent danger of facing, persecution, violence or serious abuse.[13] Thus, this cohort consists of refugees and other humanitarian entrants, the latter being a broader term that encapsulates any individual with a humanitarian visa. The Humanitarian Programme is currently focusing on refugees and people granted Special Humanitarian Protection from three priority areas—the Middle East, Asia and Africa.[14]

In 2015, the Commonwealth Government committed to a one-off additional humanitarian intake of 12,000 individuals from Syria and Iraq as a response to the crisis in that region, increasing Australia's humanitarian intake to 25,750 for the 2015-16 fiscal year—the largest intake since the Second World War.[15]

10 Justine Dandy and Rogelia Pe-Pua, report prepared for Joint Commonwealth, State and Territory Research Advisory Committee, 'Research into the Current and Emerging Drivers for Social Cohesion, Social Division and Conflict in Multicultural Australia' (2013), 51.

11 Miranda Lai and Sedat Mulayim, 'Training interpreters in rare and emerging languages: The problems of adjustment to a tertiary education setting' in Christina Schäffner, Krzysztof Kredens and Yvonne Fowlers (eds), *Interpreting in a Changing Landscape. Selected Papers from Critical Link 6* (John Benjamins Publishing Company, 2013), 290.

12 See further: Department of Immigration and Border Protection, 'Australia's Humanitarian Programme 2016-17 Discussion Paper' (2016).

13 Ibid.

14 Department of Immigration and Border Protection, *Annual Report 2014-15*, 119.

15 Barry York, 'Australia and Refugees, 19012002: An Annotated Chronology Based on Official Sources' (Parliament of Australia, 2003); The Hon Tony Abbott MP, Hon. Julie Bishop MP and Hon. Peter Dutton MP, 'The Syrian and Iraqi humanitarian crisis' (9 September 2015), accessible at: http://www.formerministers.dss.gov.au/15738/the-syrian-and-iraqi-humanitarian-crisis/

Approximately 200,000 humanitarian entrants have settled in Australia between 2000 and 2014.[16] Roughly 89,000 of this cohort were female, with over 17,000 women aged 25-34 years. Over 110,000 males were granted humanitarian visas during this period, and more than 25,000 of them are aged 25-34 years, followed by 18,800 aged 18-24 years.[17] The largest number of humanitarian arrivals between 2000 and 2014 were from countries such as Afghanistan, Iraq, Iran, Sudan and Myanmar, and speak a number of different languages and dialects.[18]

Scope and methodology

This report provides an analysis of FECCA's consultation and research to develop an evidence base on new and emerging languages, including language services needs and how adequately these needs are addressed through the provision of quality services, and any incentives or deterrents for individuals to obtain interpreting qualifications in these languages.

Research was undertaken with new and emerging communities to assess their language services requirements through targeted consultations. FECCA engaged its large network of members and stakeholders to gather feedback on how language services are currently meeting the language needs of recent humanitarian arrivals who speak languages that are new and emerging in Australia.

Extensive desktop research was undertaken, including reviewing reports on the interpreting and translating sector and relevant language services policies. Data from the Australian Government Department of Social Services (DSS) Settlement Database was utilised to analyse the languages spoken by recent humanitarian entrants to Australia.

FECCA engaged with language services providers, institutions offering training, support and accreditation for interpreters in new and emerging languages, as well as ethno-specific and generalist community service providers utilising bilingual workers.

Engagement with stakeholders was complemented by comparative research of existing programs to assist interpreters in new and emerging languages. Relevant Indigenous languages programs were also reviewed as part of identifying good practice.

---

16 Australian Bureau of Statistics, Australian Census and Migrants Integrated Dataset (2011).

17 Department of Social Services, Settlement Database.

18 Ibid.

LANGUAGE NEEDS OF AUSTRALIA'S HUMANITARIAN ENTRANTS

KEY POINTS

- Approximately 200,000 humanitarian entrants have settled in Australia between 2000 and 2014.
- Longitudinal study data reveals that prior to arrival around 80 per cent do not speak English well or at all.
- About 70 per cent of humanitarian arrivals between 2000 and 2014 speak the top 17 languages spoken by this cohort (3,000+ speakers each), and about 30 per cent speak 200+ other languages and dialects.
- Acquiring English language proficiency is a key contributor to new migrants' and refugees' successful settlement, and the role of effective English language learning is essential in this regard.
- Learning English takes time, not all new arrivals are able to acquire English proficiency, and those who do still face the significant risk of reverting back to their first language as they age.

> When they arrive [in Australia], they need an interpreter but there are no interpreters to help
> – **Service provider**

The DSS Settlement Database provides an important, and up-to-date, source of information on Australia's humanitarian entrants. Provision of personal information (that is, name, gender, date of birth, country of birth, date of arrival) are mandatory items in this data collection. However, main language, main language reading proficiency, and English skill level and proficiency (along with ethnicity, religion, and marital status) are not mandatory data items.[19] Thus, individuals may opt to leave such questions unanswered which results in a high level of 'not stated' or 'unknown' results.[20]

Languages spoken by humanitarian entrants are often referred to as 'new and emerging' in the context of Australia's languages landscape. The Commonwealth *Multicultural Language Services Guidelines* describe a new and emerging language as a language which:

- has only recently (although not exclusively) become a spoken language in Australia;
- has become a spoken language in Australia through the recent arrival of migrants (usually refugee/humanitarian entrants);
- is not an Australian Aboriginal or Torres Strait Islander language;
- is not widely spoken or commonly known in Australia; and
- has not yet reached the stage where academic education or instruction, or NAATI accreditation in translating and interpreting, is readily or widely available in Australia.[21]

The new and emerging languages are also characterised by an uneven distribution of the number of speakers, with several languages spoken by about two-thirds of the cohort, and a much larger number of languages being spread amongst the remaining third.

Figure 1 demonstrates the top 12 languages spoken by over 50 per cent of the 2000-2014 cohort of about 200,000 humanitarian entrants.

19 Australian Bureau of Statistics, '3414.0 - Guide to Migrant Statistical Sources' (Edition 2, 2011), accessible at: http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/3414.0main+features482011%20(Edition%202)

20 Department of Social Services, 'Settlement Reporting Facility Data Dictionary' (March 2014), 24.

21 Commonwealth of Australia, *Multicultural Language Services Guidelines for Australian Government Agencies* (2013), 22.

Figure 1. Top 12 languages spoken by humanitarian entrants (2000-2014)
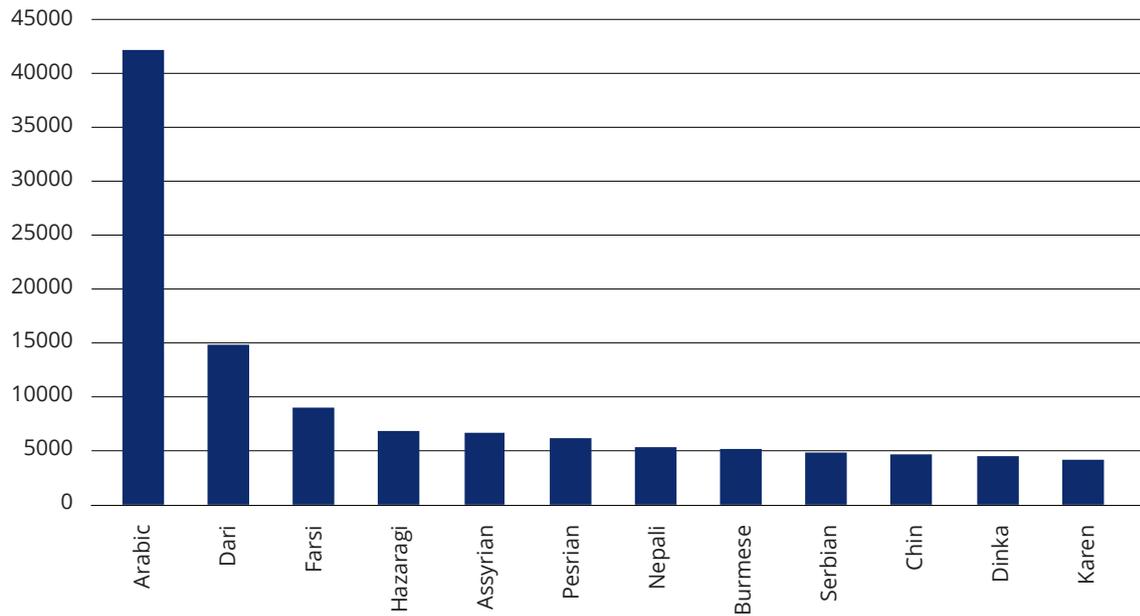
Data source: DSS Settlement Database 2000-2014

In addition to the difference in languages, it is important to note that dialects have a significant importance to the language spoken. Dialects give languages a different temperament and in some cases have the characteristics of a separate language. Individuals from the same country may speak a number of different languages or speak a different dialect of the same language. The following table shows the top seven languages spoken by humanitarian entrants from 2000-2014, broken down by the top three countries of origin that migrants came from.

Figure 2. Top seven languages spoken by humanitarian entrants, by country of origin (2000-2014)
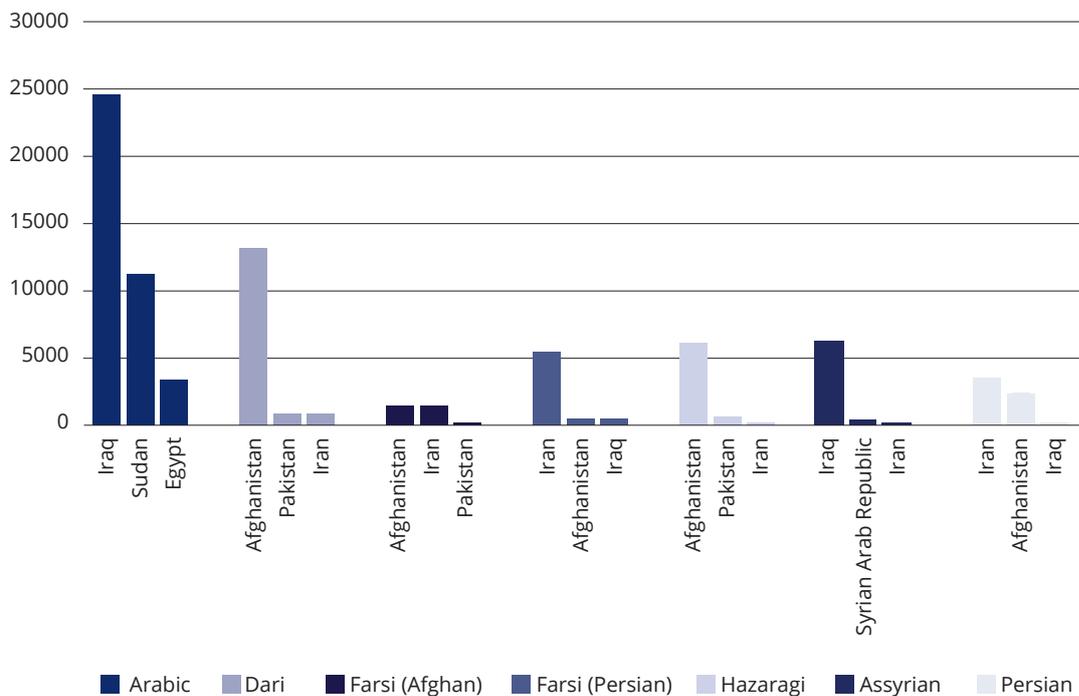
Data source: DSS Settlement Database 2000-2014

In its 'language spoken' data category, the DSS Settlement database records 164,029 individuals entering Australia as humanitarian entrants between 2000-2014. The reason this number differs from the 200,000 size of the humanitarian intake referenced above is most likely due to discrepancies in data collection, and in view of 'language spoken' not being a mandatory data field. In this group, the top 17 languages (with over 3,000 speakers each) are spoken by nearly 70 per cent of the entire cohort, while the rest of the cohort speaks approximately 235 listed languages. Some languages are described as broadly as 'African', 'Southeast Asian', or 'Burmese and related languages'. A further 3,402 entries to the database during this period were 'not stated', 482 'inadequately described', 254 'non-verbal so described', and 29 left blank.

Table 1. Languages spoken by humanitarian entrants 2000-2014

NUMBER OF SPEAKERS (2000-2014)	LANGUAGE
36,736	Arabic
12,531	Dari
6,000 – 6,999	Hazaragi, Assyrian
5,000 – 5,999	Farsi (Persian) , Nepali, African Languages (not further defined)
4,000 – 4,999	Burmese / Myanmar, English, Persian, Karen
3,000 – 3,999	Tamil, Swahili, Dinka
2,000 – 2,999	Farsi (Afghan), Mandarin, Somali, Chin, Karen S'gaw, Serbian
1,000 – 1,999	Tigrinya, 'Other languages', African languages (not elsewhere classified), Urdu, Pashto, Amharic, Chin Haka, Kirundi / Nyarwandwa / Rundi, Kurdish, French
900 – 999	Oromo, Krio, Burmese and related languages (not further defined)
800 – 899	Chaldean Neo-Aramaic, Chaldaean
700 – 799	Tibetan
600 – 699	Bosnian, Rohinga, Acholi
500 – 599	Turkish, Kinyarwanda / Rwanda
400 – 499	Chinese (not further defined), Chin Teddim
300 – 399	Chin Falam, Uygur / Uyghur, Mandingo, Bengali, Spanish
200 – 299	Nuer, Indonesian, Madi, Hmong, Singhalese, Mende, Gio, Middle Eastern Semitic Languages (not elsewhere classified), Punjabi, Lingala, Shona, Cantonese, Russian, Bari,Vietnamese, Armenian, Kachin, Ewe, Tigre,Timorese
100 – 199	Afghan, Croatian, Fijian, Albanian, Karen Pwo, Temne / Themne, Burmese and related languages (not elsewhere classified), Kreole / Creole (African), Uzbek, Zophei, Hindi, Chin Mara, Krahn, Kurdish, Southern (Feyli), Iranic (not further defined), Kuku, Luo, Eastern Kayah, Chinese (not elsewhere defined), Kissi, Korean, Mano
50 – 99	Chin Zome, Hakka, Afrikaans, Bemba, Loma / Lorma, Persian (excluding Dari), Chin Zotong, Mon, Bassa, Fullah, Papua New Guinea Papuan Languages (not elsewhere classified), Thai, Haka, Kpelle, Mongolian, Mauritian Creole
0 – 49	Khmer, Kakwa, Moro, Susu, Tetum, Chin Senthang, Grebo, Kono (Sierra Leone), Malay, Arakanese, Serbo-Croatian / Yugoslavian so described, Acehnese, Tagalong, Sri Lankan, Karen Paku, Pakistani, Bembe, Lao, Kru, Luganda / Ganda, Oceanian Pidgins and Creoles (not further defined), Pular / Fuuta Jalon, Vai, Yoruba, Chin Daai, Tok Pisin, Southwest and Central Asian languages, Ndebele, Sindhi, Fuliiru, Indian, Malayalam, Romany, Limba, Lisu, Balochi, Dagbani, Gujarati, Igbo, Iranic (not elsewhere classified). Shan, Tongan, Ukrainian, Portuguese, Kikutu, Turkmen, Hebrew, Romanian, Anuak, Mon- Khmer (not elsewhere classified), Nyanja (Chichewa), Asante, Liberian English, Papuan, Dzonkha, Georgian, German, Karen Manumanaw, Arabic (Sudanese Creole), Azeri, Chin Thado, Kurdish (Sorani), Celtic (not further defined), Italian, Karen Bwe, Other Southeast Asian languages (not elsewhere classified), Shilluk, Karen Geko, Motu, Oceanian Pidgins and Creoles (not elsewhere classified), Sign languages (not elsewhereclassified), Southern European languages, Unspecified former Yugoslavia, Akan, Chin Mun, Hausa, Hmong-Mien (not further defined), Loko, Parsun, Slovene, Zulu, Chin Khumi, Chin Mro, Greek, Kannada, Karen Yinbaw, Mina, Other Eastern Asian languages

Data source: DSS Settlement Database

English language learning

Migrants and refugees come to Australia with vastly different pre-migration experiences as well as levels of literacy, numeracy, education and English language proficiency. English language proficiency is fundamentally linked to good settlement outcomes. Conversely, a lack of proficiency in English constrains the opportunity for new immigrants and refugees to fully participate in Australian society.

The Department of Education and Training administers AMEP, which provides up to 510 hours of English language tuition to migrants and humanitarian entrants.[22] From 1 July 2015, access to AMEP was extended to some temporary visa holders.[23] In the 2016-17 Budget, the Government announced that the AMEP program will be re-designed to improve client participation, English language proficiency, and employment outcomes. Changes will include offering additional hours of English tuition to eligible clients, introducing better monitoring of improvements in client English skills and establishing two new AMEP service streams— Social English and Pre-Employment English. The Department of Education and Training also administers the Skills for Education and Employment (SEE) programme, which provides up to 800 hours of language, literacy and numeracy training to eligible job seekers having difficulties finding employment.[24]

The AMEP re-design is an encouraging development that may create important opportunities for migrants and refugees to become proficient in English and subsequently allow for increased employment opportunities and effective settlement, as well as serve to reduce the social exclusion experienced by new arrivals as a result of limited English language proficiency. Ensuring Australia's English language settlement programs are operating as effectively as possible will provide long term economic benefits and savings to government by helping to facilitate the effective settlement of immigrants and enable them to participate productively in our economy and the broader community.

Improvements to AMEP are particularly relevant in view of the community feedback about the program lacking sufficient flexibility and funding to cater to the diverse needs of learners accessing the program, and the need for a more practical, practice-oriented structure and AMEP content:

> The contents of AMEP courses require better scrutiny as many participants would benefit from a more practice-oriented training rather than academic-oriented learning. Many participants also felt that these courses need to be trade specific as far as practically possible.[25]

There are particular considerations for migrant and refugee women with regards to the lack of flexibility in the structure and the delivery of AMEP, including the restriction to English language support after the first five years of settlement.[26] Women may experience various circumstances which may lead to delay in involvement with AMEP—securing employment and income to support their family will necessarily take priority over learning English, and caring responsibilities within family can make it difficult to participate in English language tuition, particularly for women.

> Poor access to childcare, ongoing health concerns and cultural dynamics combine to make it difficult for women to attend classes. Women can perceive service delivery approaches as inappropriate when they have little or no experience in formal classroom settings... Women from Muslim communities have reported a range of specific barriers to their participation in English language programs... [including] access to private transport, fear of using public transport, not being allowed to travel unaccompanied, discomfort with mixed sex classes, lack of information, unsympathetic spouses, and discouragement from peers.[27]

English language learning is an integral part of a strategy to address language services needs of new migrants. The ACT Government language policy recognises that well equipped and flexible English language programs are a priority for the Canberra community, as it provides opportunities for new migrants and refugees to fully participate in work, education, training and in other aspects of community life.[28] Through the policy, the ACT Government commits to support English as an additional language or dialect and to fund English language programs to be delivered through the public school

---

22 For further information: https://www.education.gov.au/adult-migrant-english-program-0

23 Commonwealth of Australia, *English Courses for Holders of Certain Temporary Visas 2015, legislative instrument under Immigration (Education) Act 1971*.

24 For further information: http://www.education.gov.au/skills-education-and-employment

25 FECCA, 2014-14 *Multicultural Access and Equity Report,* 23.

26 Women's Health West, *Promoting Economic Participation and Equity for Women from Refugee and Migrant Backgrounds* (2016), 8.

27 Ibid.

28 ACT Government, 'Many Voices: 2012-16 Australian Capital Territory Language Policy' (2012).

system (Introductory Language Centres) and through funding agreements with key service providers in the local community sector, where there is a demand.[29] The Introductory Language Centres provide support to newly arrived students with minimal English through intensive language teaching, prior to entry to mainstream schooling.[30]

For English language learning to work as a broad solution to the language services needs—whether through AMEP or any other program—it should be made available to migrants and refugees until they reach written and oral English proficiency. It is also important to recognise that, while English language education is an important part of successful settlement, not all migrants will be able to achieve fluency in English, as illustrated by the 'Building a New Life in Australia' longitudinal study. This study interviews a cohort of approximately 2,400 humanitarian migrants annually for five years.

The graph below shows that 12-18 months after arrival (wave two), 13 per cent of participants could not understand spoken English at all, with 44 per cent reporting that they could not understand spoken English well.

Those who do reach a functional level of English may still need to use an interpreter or translated materials for particular circumstances, for example where there is more technical language (such as in health and legal settings) and in stressful or emotional situations. Language services are also needed for older migrants as they age and revert back to their original language.

Figure 3. English proficiency over time

n=2,009   ■ Very Well   ■ Well   ■ Not Well   ■ Not at All

Understand Spoken

Pre-arrival: 3 | 18 | 40 | 37
Wave 1: 5 | 29 | 44 | 21
Wave 2: 7 | 25 | 44 | 13

Speaks English

Pre-arrival: 3 | 15 | 37 | 44
Wave 1: 4 | 24 | 43 | 28
Wave 2: 5 | 33 | 47 | 16

0%   20%   40%   60%   80%   100%
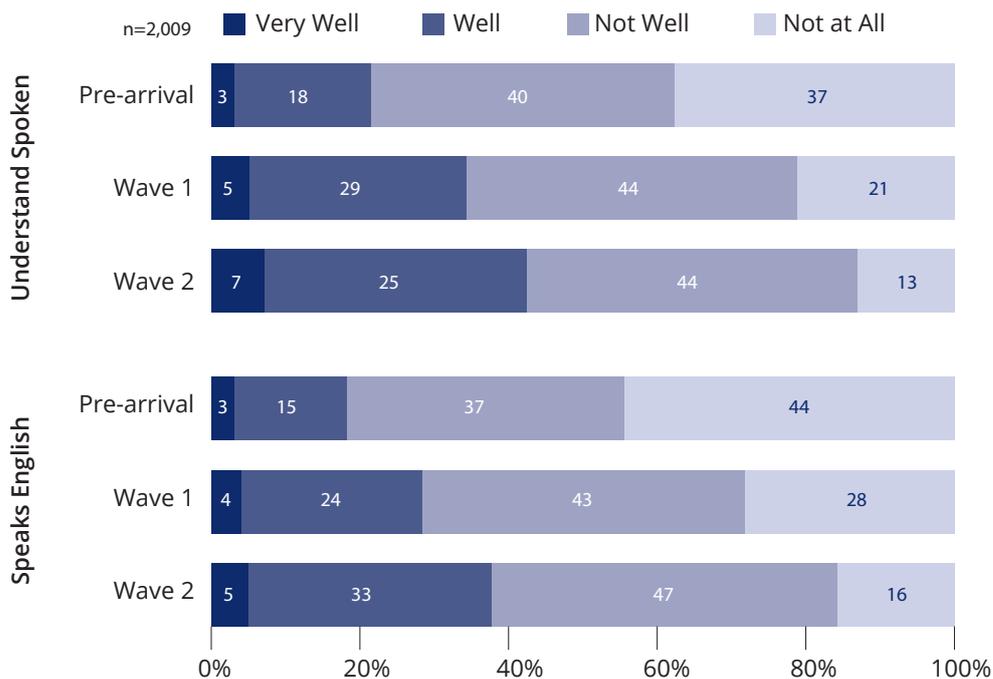
Data source: K Cala and A Rowland, 'Strengthening outcomes and maintaining a high level of settlement services: What are the findings from the Building a New Life in Australia (BNLA) study telling us?' (May 2016), presentation at the Settlement Council of Australia Conference.

29 Ibid.

30 For further information: http://www.education.act.gov.au/teaching_ and_learning/english-as-an-additional-language-or-dialect

LANGUAGE SERVICES AVAILABILITY AND QUALITY: UNDERSTANDING THE VALUE, ASSESSING THE RISK

KEY POINTS

- NAATI accreditation—the only official credential for the profession of translating and interpreting—is attained at professional or paraprofessional levels by satisfying certain requirements.

- The number of NAATI accredited or recognised interpreters varies significantly between different new and emerging languages, and many 'interpreters' working in new and emerging languages are non-credentialed, which exposes agencies and their non-English speaking clients to significant risk.

- Bilingual staff are a valuable resource for many organisations, however, they may not have the language skills required for high-risk situations and are not bound by a professional code of ethics requiring confidentiality, impartiality and accuracy.

- The issue of interpreting quality is particularly critical in specialised and sensitive areas, such as health or legal settings, or domestic violence circumstances.

- The scope of government language services policies does not extend to cover areas such as private health practices or courts and tribunals, in the discharge of its responsibilities.

13

Language services primarily encompass services provided by interpreters and translators, and can be delivered in various settings. Of particular relevance to this report is community interpreting.

> [Community interpreting] is the interpreting sector that enhances equal access to public and community services for individuals who do not speak the language of service... [This definition] typically refers to interpreting that primarily directly benefits an *individual* rather than an *institution*, and thereby allows that individual to gain access to a service.[31]

Interpreters act as intermediaries between two parties who speak different languages. Interpreting can take place in person or over the telephone/videolink.

Interpreters provide spoken or signed versions that convey, in another language, the content and intentions of the statements by the original speaker.[32]

Translation means converting written information from one language into another.[33]

Interpreters and translators credentialed by the National Accreditation Authority for Translators and Interpreters Ltd (NAATI) are bound by a code of ethics when doing their job. The Australian Institute of Interpreters and Translators (AUSIT) Code of Ethics for Interpreters and Translators is recognised as setting standards for the profession. The Code of Ethics has been endorsed by NAATI and adopted by many organisations.

---

31 Marjory A. Bancroft, Lola Bendana, Jean Bruggeman and Lois Feuerle, 'Interpreting in the Gray Zone: Where Community and Legal Interpreting Intersect' *Translating and Interpreting* (2013) 5 (1), 95.

32 Australian Institute of Interpreters and Translators, *Interpreting: Getting it Right*, accessible at: http://ausit.org/AUSIT/Documents/gir_interpreting.pdf

33 Centre for Culture, Ethnicity and Health, *Translation: An Introduction*, accessible at: http://www.ceh.org.au/downloads/languageservices2014/LS6_Translation_an_introduction.pdf

General principles in the Code include professional conduct, confidentiality, competence, impartiality, accuracy, clarity of role boundaries, maintaining professional relationships, professional development and professional solidarity.

The scope of language services may also include bilingual workers. These are workers who do their ordinary job in two languages. Some bilingual workers may hold NAATI accreditation in their personal capacity.

> Bilingual staff [are] employees who agree to communicate with clients in a language other than English and are not employed as qualified interpreters.[34]

Government agencies across Australia employ staff from non-English speaking backgrounds, either through the implementation of workforce diversity strategies or by virtue of demographics. A bilingual workforce is a significant asset, particularly for agencies that provide front-line service delivery. Community organisations and service providers also engage bilingual/bicultural staff and utilise their in-house language skills on a regular basis.

While bilingual workers are not subject to the interpreters' Code of Ethics, they may be governed by relevant professional standards and legislative requirements for their profession or their employer.[35]

> Staff who use English and another language in their work are employed in a range of occupations such as receptionists, nurses, attendant carers, financial counsellors, multicultural education aides, community health educators, social workers, case managers, and settlement support workers.[36]

Bilingual staff can offer important value to agencies, including the ability to promptly fill simple communication gaps and provide general cultural information and understanding for the organisation.[37] Bilingual workers are also important for building long term relationships with culturally and linguistically diverse communities and facilitating access to language services in rural and regional areas.[38]

The role of bilingual workers is recognised, although inconsistently, in language policies across various jurisdictions. The definition of 'language services' includes employment and accreditation of bilingual or multilingual staff in the Commonwealth language services guidelines[39], the ACT language policy,[40] and Queensland language services policy.[41] The scope of language services under the Northern Territory language services policy includes only the employment of bilingual staff,[42] and the Western Australian guidelines definition refers to the employment of bilingual workers/language assistants.[43] The Victorian guidelines describe language services as those provided by NAATI-accredited interpreters and translators, yet note that in certain circumstances language aides can provide language assistance in low-risk situations.[44] The Tasmanian policy definition of language services does not include the bilingual workforce, and it is noted that use of interpreters who are not credentialed should be avoided as much as possible.[45]

Bilingual and bicultural staff play a critical role in delivering quality and appropriate services to migrants and refugees. However, if they do not hold a NAATI credential, they are not, and should not be engaged as, interpreters. Determining situations where it is appropriate or not to engage bilingual staff requires careful risk assessment. The baseline risk assessment may be summarised as follows: bilingual/multilingual staff should not be used to communicate information that is legally binding or puts at risk either the client or the agency, which can be common in the health context.[46]

---

34 Centre for Culture, Ethnicity and Health, *Language Services: Better practice in Victorian health services and local government* (2014).

35 Ibid, 10.

36 Centre for Cultural, Ethnicity and Health, *Bilingual Staff Research Project Report* (2008), 4.

37 Ibid, 5.

38 Futures Upfront, 'Everyone counts – Why language services matter' (May 2015), 17.

---

39 Commonwealth of Australia, 'Multicultural Language Services Guidelines for Australian Government Agencies (2013).

40 ACT Government, 'Many Voices: 2012-16 Australian Capital Territory Language Policy' (2012).

41 Department of Aboriginal and Torres Strait Islander and Multicultural Affairs, 'Queensland Language Services Policy' (2014).

42 Northern Territory Government, 'Language Services Policy' (2012).

43 Government of Western Australia, 'Western Australian Language Services Policy 2014 and Guidelines', (2014).

44 Office of Multicultural Affairs and Citizenship, 'Using Interpreting Services: Victorian Government Guidelines on Policy and Procedures' (2014).

45 Communities, Sport and Recreation Tasmania and Department of Premier and Cabinet, 'Multicultural Language Services Guidelines for Tasmanian Government Agencies' (2014).

46 Department of Aboriginal and Torres Strait Islander and Multicultural Affairs, 'Cultural Diversity Queensland: Language Services Policy Review' (2014).

Language aides should only provide language assistance where the outcome of a situation has no risk of adverse effects for either the client or the organisation. Language aides should not be used to communicate information that is legally binding or puts at risk either the organisation or the client.[47]

In these circumstances a qualified interpreter should be engaged. The impartiality of bilingual staff may also be brought into question particularly in sensitive health or legal situations where conflict of interest issues may arise.

NAATI credentials

[I]n order for all non-English speakers to have equal access to all services there must not only be an adequate supply of interpreters in the required languages, but those interpreters must be competent to perform the required tasks. Providing the service of inadequate interpreters will not fulfil the requirement for access and equity.[48]

Australia's national accreditation system is a key strength of the language services industry, providing a means of setting minimum standards for interpreters and translators. NAATI is the body tasked with setting and maintaining the standards in the translating and interpreting to ensure a pool of credentialed professionals. It is owned jointly by the Commonwealth Government and all State and Territory Governments. NAATI credentials are the only credentials available in Australia for the profession of translating and interpreting. These credentials are accepted through policy, rather than regulatory mechanisms.

NAATI's primary purpose is to strengthen inclusion and participation in Australian society by assisting in meeting the nation's diverse and changing communication needs and expectations through:

- setting, maintaining and promoting high national standards in translating and interpreting; and
- implementing a national quality-assurance system for credentialing practitioners who meet those standards.[49]

- NAATI has a number of different levels of credentials depending on the individual translator or interpreter's skills and competence.

Professional interpreter/translator represents the minimum level of competence for professional interpreting/translating and is the minimum level recommended by NAATI for work in most settings, including law, health, and social and community services. Professional interpreters are capable of interpreting across a wide range of semi-specialised situations and are capable of using the consecutive mode to interpret speeches or presentations. Translators at this level work across a wide range of subjects involving documents with specialised content.

Paraprofessional interpreter/translator represents a level of competence in interpreting for the purpose of general conversations, or enabling the production of a translation of non-specialised information (for example, a birth certificate). Paraprofessional interpreters generally undertake the interpretation of non-specialist dialogues. Practitioners at this level are encouraged to obtain Professional level accreditation.

There are three primary ways to obtain NAATI accreditation:

- passing a NAATI accreditation test;
- successfully completing a course of studies in translation and/or interpreting at an Australian institution as approved by NAATI; and
- providing evidence of a specialised tertiary qualification in translation and/or interpreting obtained from an educational institution overseas.

The first two options are the only viable pathways to becoming interpreters and translators for newly arrived refugees and migrants who may be proficient in languages spoken by Australia's humanitarian entrants but do not have any qualifications or experience from overseas.

Professional level training is another key strength of the Australian translating and interpreting industry. The first courses in interpreting and translating were established in the mid-1970s, prior to the establishment of NAATI, as a result of a Committee on Overseas Professional Qualifications report looking at the possibility of setting standards for interpreters and translators. Throughout the 1980s there was considerable development of NAATI approved tertiary courses.[50] NAATI continues to oversee

47 Office of Multicultural Affairs and Citizenship, 'Using Interpreting Services: Victorian Government Guidelines on Policy and Procedures' (2014).

48 Professor Sandra Hale et al, Improvements to *NAATI testing: Development of a conceptual overview for a new model for NAATI standards, testing and assessment* (30 November 2012), 36.

49 NAATI, *Annual Report 2014-15: The Key to Language Diversity*.

50 Uldis Ozolins, *Interpreting and translating in Australia: Current issues and international comparisons* (The National Languages and Literacy Institute of Australia, 1998), 45.

the approval of tertiary courses for interpreters and translators and convenes a committee, which provides expert professional and academic advice to the NAATI Board concerning standards, assessment, course approvals and a variety of related matters.[51]

During 2014-15, 69 per cent of NAATI awarded interpreters or translators acquired their accreditation via the approved course pathway.[52] The number of available courses has increased due to high demand.

The availability of tertiary courses in Australia's recent humanitarian intake languages remains low. Out of around 60 NAATI approved courses provided by over 20 institutions across the country, only a few institutions deliver approved courses in Australia's new and emerging languages.

The Translating and Interpreting Service (TIS National) and many other language service providers have highlighted the importance of NAATI credentials as an interpreting quality assurance tool.[53] During 2013–14, 78 per cent of on-site services delivered by NAATI credentialed interpreters were by workers accredited at paraprofessional level, although TIS National encourages interpreters to have professional level accreditation, where it is available.[54]

Limited or no availability of tertiary courses at professional and paraprofessional level in a number of languages spoken by recent humanitarian entrants present significant challenges for NAATI accreditation at such levels and the subsequent provision of services in these languages.

NAATI does not provide accreditation testing for all languages of low community demand, and new and emerging languages often fall within that category. For languages where no professional or paraprofessional level accreditation is available, **interpreter/translator recognition** may be granted, as an acknowledgement of an interpreter or translator's experience, without specifying the level of proficiency. This credential is an acknowledgement that at the time of the award the applicant has had recent and regular work experience as an interpreter/translator, but no level of proficiency is specified. In order to be granted NAATI recognition, the applicant must provide proof of English proficiency and complete an introductory NAATI workshop or related activity. Recognised interpreters and translators are encouraged to obtain accreditation as it becomes available.

In Tasmania, the majority of professional interpreters hold the paraprofessional level credential. There may be no paraprofessional interpreters and/or only a small number of recognised interpreters for the languages of small communities, particularly those who have recently arrived.[55]

All decisions to add a language to the list of those offered for accreditation are subject to approval by the NAATI Board, based on consideration of the following criteria:

• community need;
• humanitarian need;
• demand from industry/stakeholders; and
• business case.[56]

In January 2016, NAATI announced that it will soon begin offering language testing in Rohingya, a decision that "was in response to demand from industry stakeholders and met the policy criteria for community and humanitarian need".[57] Recently, NAATI has also introduced a new schedule of testing. From 1 July 2016, testing dates for many new and emerging languages will be determined through a free, online expression of interest process.[58] This change will provide NAATI with the opportunity to look at different models for setting and marking accreditation tests and has the potential to provide improved access to accreditation for more new and emerging languages.

The authors and contributors of the *Improvements to NAATI Testing* report hold the view that NAATI should only be concerned with ensuring high standards, not with issues of service provision.[59] The report considers that given pre-employment training is now almost universal in the Australian labour market, it is no longer appropriate for NAATI to continue to accredit candidates who have not undergone any interpreting or translating training.[60]

---

51 Ibid, 35.

52 Ibid, 24.

53 Australian National Audit Office, *Management of Interpreting Services*, ANAO Report 28 (2015), 64.

54 Ibid, 65.

55 Communities, Sport and Recreation Tasmania and Department of Premier and Cabinet, 'Multicultural Language Services Guidelines for Tasmanian Government Agencies' (2014).

56 NAATI, 'NAATI Language Selection Policy' (2015).

57 NAATI, 'Rohingya language testing now available' (21 January 2016). https://www.naati.com.au/media/1054/210116_media_release_rohingya_language_testing_now_available.pdf

58 NAATI, 'NAATI introduces new scheduled testing'(16 June 2016), https://www.naati.com.au/news-events/news-events-container/media-releases/naati-introduces-new-scheduled-testing/

59 Professor Sandra Hale et al, *Improvements to NAATI testing: Development of a conceptual overview for a new model for NAATI standards, testing and assessment* (30 November 2012), 35-36.

60 Ibid, 35-36.

Table 4. NAATI approved Australian courses for Australia's new and emerging languages (as of 29 February 2016)

LANGUAGE	INSTITUTION	INTERPRETER LEVEL
Arabic	TAFE NSW – South Western Sydney Institute Western Sydney University TAFE SA, Monash University RMIT University	Paraprofessional and Professional
Dari	TAFE SA RMIT University	Paraprofessional and Professional
Dinka	TAFE SA RMIT University	Paraprofessional and Professional
Hazaragi	TAFE SA RMIT University	Paraprofessional
Hindi	Sydney Institute of Interpreting and Translating	Paraprofessional Interpreter
Lao	TAFE NSW – South Western Sydney Institute	Paraprofessional
Nepali	Australian Ideal College (NSW) Sydney Institute of Interpreting and Translating TAFE SA	Paraprofessional Interpreter
Persian	TAFE SA RMIT University	Paraprofessional and Professional
Punjabi	Sydney Institute of Interpreting and Translating RMIT University	Paraprofessional
Swahili	TAFE SA RMIT University	Paraprofessional and Professional
Tamil	RMIT University	Paraprofessional and Professional
Amharic Malay Burmese Karen Khmer Nuer Oromo Pashto Somali Tigrinya	RMIT University	Paraprofessional and Professional
Assyrian Bangla Chin (Hakha) Chin (Tedim) Hakka Kirundi Kurdish (Kurmanji) Kurdish (Sorani) Kurdish Southern (Feyli) Rohingya	RMIT University	Paraprofessional

(Note: not all institutions listed have approved courses for all levels included in the table; only a small number of courses run in any given year)

17

[W]e can see two important advantages to the current NAATI system: 1. its uniformity as a national system, and 2. the availability of testing in many more languages than in other countries, including signed language for interpreting. However, we strongly believe that NAATI could improve in two most important aspects: the requirement for compulsory pre-accreditation education and training and the availability of specialisations.[61]

While this proposed approach is underpinned by important rationale, it should take into account potential implications for languages where no tertiary training is available, such as recent humanitarian intake languages, and the importance of providing entry level pathways for continuous professional development, raising quality standards, and recognition of professional skills.

FECCA's consultations with community members and service providers have revealed that where an accredited interpreter is not available, untrained 'interpreters' or family members are engaged. While NAATI accreditation on its own does not guarantee an interpreter's competency in specific sites, such as health or legal settings, a qualification may create further incentive to continue professional development activities and experience in a range of settings, with a view to ensuring the ongoing quality improvement of an interpreter's work. NAATI is considering how to recognise specialised skills in its accreditation scheme through specialised credentials in health and legal.

Figure 4.

NAATI credentials issued (2000–2014)
Speakers in 2000–2014 humanitarian cohort

61 Ibid, 30.

Figure 5.

Language and ratio (number of credentialed interpreters to number of speakers)	
Oromo 1:27	36/988
Tibetan 1:117	6/700
Bosnian 1:6	117/678
Rohingya 1:63	10/629
Kinyarwanda (Rwanda) 1:27	20/532
Uighur (Uighurese) 1:112	3/335
Mandigo (1:313)	1/313
Nuer 1:8	35/295
Hmong 1:24	11/265
Lingala 1:57	4/229
Bari 1:109	2/217
Ewe 1:102	2/204
Tigre 1:25	8/202
Acholi 1:85	2/169
Themne (Temne) 1:166	1/166
Afrikaans 1:6	14/89
Mon 1:25	3/76
Bassa (Liberian) 1:73	1/73
Kakwa 1:16	3/47
Aceh (Acehnese) 1:37	1/37

■ NAATI credentials issued (2000–2014)
■ Speakers in 2000–2014 humanitarian cohort

19

Figure 6.

Language	
Chin	**4/2,315**
Chin (Tedim)	**14/412**
Chin (Falam)	**11/372**
Chin (Mara)	**3/127**
Chin (Zotung)	**3/79**
Chin (Hakha)	**31**
Chin (Mizo) (alternative name Miz)	**4**

■ NAATI credentials issued (2000–2014)
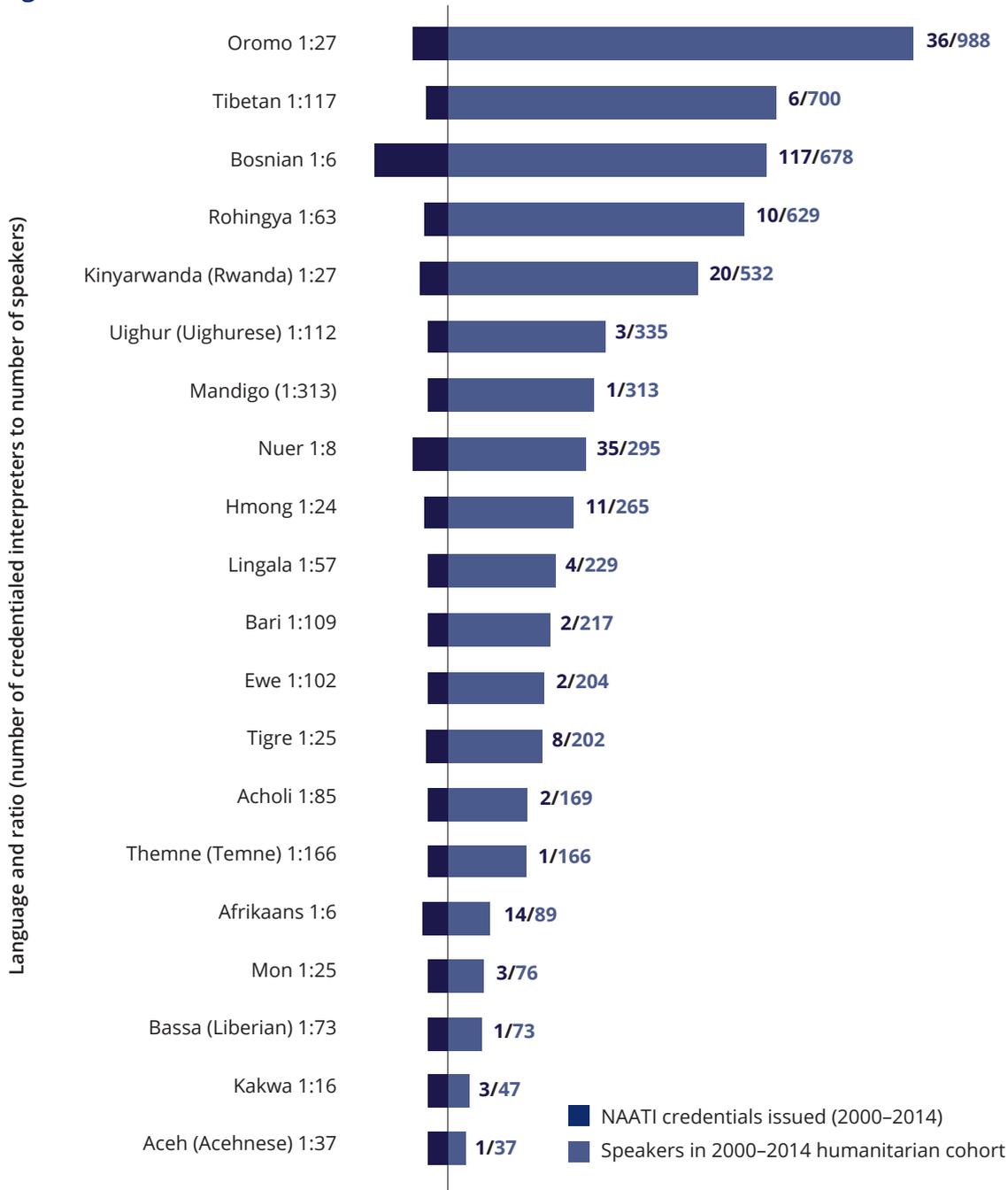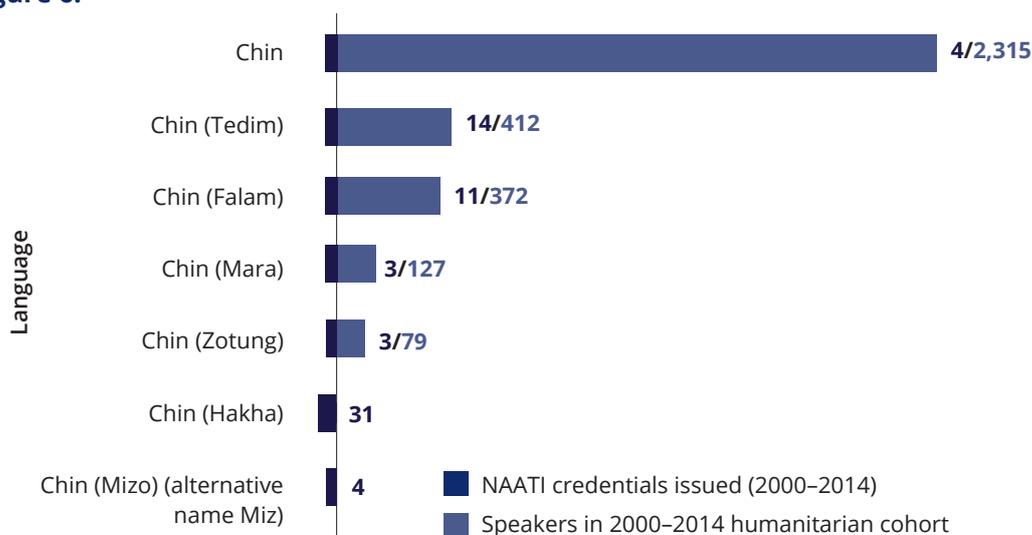■ Speakers in 2000–2014 humanitarian cohort

Credentialed interpreters in new and emerging languages

In the 2000-2014 humanitarian cohort, language services needs for some entrants are better met due to established communities in Australia speaking their language and the higher number of NAATI-credentialed interpreters in these languages. Examples include:

· Turkish;

· Cantonese;

· Indonesian;

· Armenian;

· Punjabi;

· Tetum; and

· Lao.

The number of NAATI-credentialed interpreters varies significantly between different new and emerging languages. The graph below illustrates some of the largest language groups, comparing the number of speakers who arrived in the 2000-2014 humanitarian cohort and the number of interpreters credentialed at any level by NAATI in the same period.

These numbers are indicative only—there is no way of knowing how many of those interpreters credentialed by NAATI in the 2000-2014 period are currently practising—and represent the best case scenario for each language, as it is highly unlikely that all credentialed interpreters are practising. There is also likely to be a number of non-credentialed 'interpreters' practising in these languages, as discussed earlier in this report.

There are significant differences between languages where over 1,000 speakers arrived in the 2000-2014 humanitarian cohort (**Figure 4**). For example, for the largest language group—Arabic—there was approximately one interpreter credentialed for every 62 speakers who arrived. Dari is similar (one credentialed interpreter for every 61 speakers), while Hazaragi (one credentialed interpreter for every 30 speakers) and Dinka (one credentialed interpreter for every 38 speakers) appear to be better serviced. Languages of concern in this group are:

· Burmese (one interpreter credentialed for every 226 speakers);

· Tamil (one interpreter credentialed for every 193 speakers); and

· Assyrian (one interpreter credentialed for every 119 speakers)

There are also significant differences for languages where less than 1,000 speakers arrived in the 2000-2014 period (**Figure 5**). For example, there was one Mandingo interpreter credentialed for the 313 speakers who arrived during this period. If this interpreter is no longer practising, there are no credentialed interpreters who can assist with the language services needs of this group or of an agency seeking to communicate with members of this community. In Tibetan, there was one interpreter credentialed for every 117 speakers. On the other hand, there was one interpreter credentialed for every eight Nuer speakers, and for every 27 Oromo speakers.

Comparing NAATI credentials and the reported number of speakers in the DSS Settlement database reveals a number of concerns with regards to data collection.
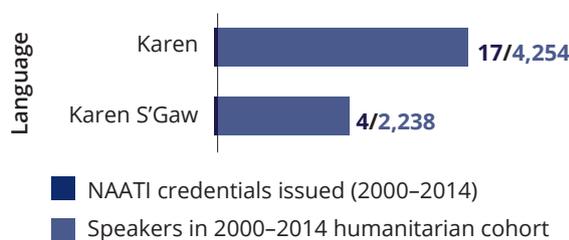
While NAATI has credentialed interpreters in seven dialects of Chin, the Settlement Database only records arrivals speaking five of these dialects (**Figure 6**). This discrepancy raises questions about whether the dialects have been accurately recorded upon arrival of the individuals, and whether their language needs have been adequately assessed.
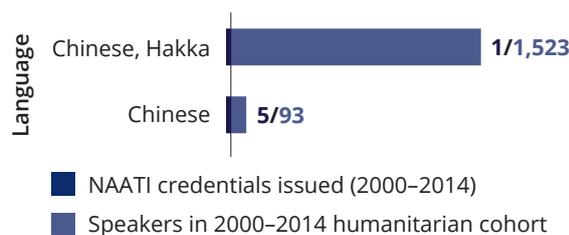
Figure 7.

Language

- Kurdish, Southern (Feyli) — **28/124**
- Kurdish (Kurmanji) — **16**
- Kurdish (Sorani) — **48**

■ NAATI credentials issued (2000–2014)
■ Speakers in 2000–2014 humanitarian cohort
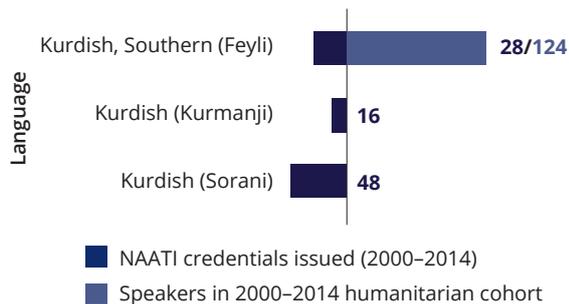
Similarly, in the period 2000-2014, NAATI credentialed interpreters in three Kurdish dialects (**Figure 7**), however, the Settlement Database only records people arriving who speak one of these dialects.

Figure 8.

Language

- Karen — **17/4,254**
- Karen S'Gaw — **4/2,238**

■ NAATI credentials issued (2000–2014)
■ Speakers in 2000–2014 humanitarian cohort

Given the discrepancies in relation to Chin and Kurdish dialects, there may potentially be issues with recording in the Settlement Database of Karen and Karen S'Gaw speakers who arrived in 2000-2014 (**Figure 8**).

Figure 9.

Language

- Chinese, Hakka — **1/1,523**
- Chinese — **5/93**

■ NAATI credentials issued (2000–2014)
■ Speakers in 2000–2014 humanitarian cohort

Chinese (Hakka) has been classified in two different ways in both the Settlement Database and the NAATI database (**Figure 9**). The duplication in NAATI's database is an anachronism of the organisation's computer database; the duplication in the Settlement Database raises questions about the accuracy of the classification of speakers of Chinese (Hakka), and thus the numbers of speakers should be considered carefully.

Language services in high risk settings

> Anywhere where there is poor interpreting can be risky – **Interpreter**

The issue of quality in the provision of language services is particularly critical in specialised areas, such as health or legal settings, or circumstances relating to domestic violence.

> The interpreter service is a key multicultural service which promotes access to health services for people with limited English proficiency.[62]

Language services play a vital role in assisting those who have limited English proficiency to maintain and advance their health. The majority of patients with limited English proficiency are most concerned about their inability to directly communicate with doctors and nurses about their feelings and expressed fear, despair, sadness, frustration, and sometimes embarrassment and upset at not being able to speak English efficiently.[63] Patients from a refugee background or with trauma face a challenge to attain well trained interpreters who know how to deal with their particular situation.[64]

The Centre for Culture, Ethnicity and Health conducted focus groups with culturally and linguistically diverse consumers to discover how these consumers access and use language services.

62 Pam Garrett, 'Healthcare Interpreter Policy: Policy determinants and current issues in the Australian context', *Interpreting & Translation* (2009) 1(2), 45.

63 Pamela W Garrett, Roberto Forero, Hugh G Dickson and Anna Klinken Whelan, 'How are language barriers bridged in acute hospital care? The tale of two methods of data collection', *Australian Health Review* (2008) 32(4), 760.

64 Ben Gray, Jo Hilder and Hannah Donaldson, 'Why do we not use trained interpreters for all patients with limited English proficiency? Is there a place for using family members?', *Australian Journal of Primary Health* (2011) 17, 245; Karen Kumar and Cameron Leaver, 'George v Biggs [2015] NSWDC 11', Hicksons Health Law Blog (2 March 2015), accessible at : http://hicksonshealthlawblog.com/2015/03/02/george-v-biggs-2015-nswdc-11/

Most participants said that using a competent, professional interpreter was the best way to communicate fully with a health professional and that full communication was essential in enabling a participant to both access health services and receive effective, quality health care. Participants also said that without this mutual understanding, health consultations could be ineffective, a waste of practitioner and participant time, or could have dangerous or traumatic consequences. Participants stressed that professional interpreting services were particularly important in a health setting because they enabled the participant to understand and express the complex language used in a health setting...[65]

Appropriate, high quality language services facilitate healthcare access regardless of cultural or linguistic background, consistent with the international human rights standards recognising the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.[66] Patients with low English proficiency tend to have inadequate access to a usual source of care, decreased physician visits and preventive services.[67] Poor English proficiency has been associated with poorer health.[68]

Using quality language services allows mutual understanding of health concerns, diagnoses and medical procedures between patients and health professionals, preventing misconduct or misunderstanding of medical treatment. There are four main benefits of using professional interpreters in health settings:

- increased comprehension of medical recommendations;
- reduced risk of medical errors related to incorrect translations;
- increased trust and motivation; and
- ensured comprehension of informed consent and confidentiality.[69]

When the quality of language services has been ensured, the accountability of the health care system and medical institutions improve due to enhanced patient satisfaction. The use of professional interpreters also tends to increase trust and satisfaction in health services.[70]

One contributor to poor quality is inaccurate interpretation especially regarding medical terminology and insufficient interpretation by omitting, editing and simplifying. Some interpreters have a tendency to reduce what it is being said, by omitting, revising or reducing the content during the communication.[71] In one study, 66 per cent of translated conversation pieces had substantial translation errors, omissions or simply were not translated. In another study, 52 per cent of translation errors affected the interpretation of symptoms and the credibility of patients.[72] In addition to linguistic accuracy, cultural sensitivity is also important to conveying information truthfully.

Similar to the impact of language services in health settings, the quality and availability of interpreters can determine the effectiveness of proceedings in the courtroom. The right to a fair hearing, including the right to the free assistance of an interpreter when one cannot understand or speak the language used in court, is contingent upon the quality of language services.[73] Lack of professionalism by an interpreter can create suspicion of interpreters, undermine the credibility of the witness and result in unnecessary confusion in trials.

> [T]he adversarial courtroom has been compared to a battle between two opponents, where their main weapon is language.[74]

There is no national accreditation for specialised court interpreting or a requirement for court interpreters to undertake training on court interpreting and the Australian legal system. There is also no testing of competence in specialist areas, such as legal.[75]

65 Centre for Culture, Ethnicity and Health, *Language Services in Victoria's Health System: Perspectives on Culturally and Linguistically Diverse Consumers* (2006), 13.

66 International Covenant on Economic, Social and Cultural Rights.

67 Leah S. Karliner, Elizabeth A. Jacobs, Alice Hm Chen, and Sunita Mutha, 'Do professional interpreters improve clinical care for patients with limited English proficiency? A systematic review of the literature', *Health Services Research* (2007) 42(2), 728.

68 Pam Garrett, 'Healthcare Interpreter Policy: Policy determinants and current issues in the Australian context', Interpreting & Translation (2009) 1(2), 47.

69 Joan Muela Ribera, Susanna Hausmann-Muela, Koen Peeters Grietens and Elizabeth Toomer, *Is the use of interpreters in medical consultations justified? A critical review of the literature*, PASS-International (2008), 7.

70 Ibid, 8.

71 Pam Garrett, 'Healthcare Interpreter Policy: Policy determinants and current issues in the Australian context', *Interpreting & Translation* (2009) 1(2), 49.

72 Joan Muela Ribera, Susanna Hausmann-Muela, Koen Peeters Grietens and Elizabeth Toomer, *Is the use of interpreters in medical consultations justified? A critical review of the literature*, PASS-International (2008), 6.

73 *International Covenant on Civil and Political Rights*, Article 14.

74 Sandra Hale, 'The Challenges of Court Interpreting: Intricacies, responsibilities and ramifications', *Alternative Law Journal* (2007) 32(4), 198.

75 Professor Sandra Hale et al, *Improvements to NAATI testing: Development of a conceptual overview for a new model for NAATI standards, testing and assessment* (30 November 2012), 13.

[T]he NAATI Interpreter examination is generic in nature and passing the NAATI examination does not guarantee competence in legal interpreting; yet once accredited at this level, interpreters are deemed qualified to act as interpreter in both courts and tribunals.[76]

Interpreters are not required to receive any specialist legal interpreting training before working in legal contexts, for example in courts and tribunals. Despite the complexity of court interpretation, in 2009-10, only 64 per cent of court interpreters had completed either TAFE or university training.[77] Without specialised court interpreting training, the manner of court interpretation, linguistic registers, accuracy of interpretation, and understanding of legal procedures can be compromised.[78] There is currently no specialised career path for interpreters who wish to work in court interpreting in Australia, unlike in other countries such as the United States. The recent review of NAATI, *Improvements to NAATI Testing*, recommended that a legal specialisation be established for interpreter accreditations.[79]

Using professional interpreters in courts can help to ensure that the process is fair, avoiding miscarriages of justice caused by miscommunication. When a participant with limited English proficiency cannot understand or be understood, the legal process lacks legitimacy and justice cannot be achieved.[80] Interpreters in a courtroom play an important role in protecting human rights and justice.[81] Inadequate interpretation, competence, training and preparation can undermine a lawyer's best efforts to advocate for their client, a jury's attempts to evaluate the credibility of a witness, and a judge's evaluation of the evidence.[82]

Court interpreting requires persistent concentration and an ability to follow complex dynamism which is both physically and psychologically challenging.[83] Legal professionals and interpreters often perceive the role of interpreters differently. For example, 67 per cent of legal professionals perceived the court interpreter's role as that of a translation machine, while 89 per cent of interpreters saw themselves as a facilitator of communication.[84] This gap in understanding of the role of interpreters may interfere with effective communication and trust between lawyers and interpreters.

> As a solicitor, I put a lot of trust in the interpreter, trust that they are interpreting correctly. This shows how important the training of interpreters is. Law is a language of its own, so specialist training for interpreters in legal language and concepts would be helpful – **Service provider**

A significant shortage in credentialed professional interpreters leads to other issues including the quality of interpreting.[85] In Victoria, 24 per cent of interpretation services in Family, Youth and Civil category were not delivered by Victoria Legal Aid during 2008-09 mainly because an interpreter was not available when they were needed.[86] The lack of availability of language services results in an increase in the postponement of court proceedings and use of unqualified interpreters. One study found that 42 per cent of legal professionals had to postpone proceedings until a qualified interpreter was available, and 23 per cent stated that they accept other interpreters regardless of qualifications.[87]

In the case of the Family Court of Western Australia, the use of unaccredited interpreters is encouraged for some cases, considering the assistance of a friend as interpreter to be sufficient, such as undefended divorce.[88]

23

76 Professor Sandra Hale, *Interpreter Policies, Practices and Protocols in Australian Courts and Tribunals: A National Survey* (The Australasian Institute of Judicial Administration Incorporated, 2011), 13.

77 Ibid, 9.

78 Nicole Choolun, 'Lost in translation? An examination of court interpreting in Australia', *Queensland Law Student Review* (2009) 2(1), 30.

79 Professor Sandra Hale et al, *Improvements to NAATI testing: Development of a conceptual overview for a new model for NAATI standards, testing and assessment* (30 November 2012), 87.

80 Sandra Hale, 'The need to raise the bar: court interpreters as specialised experts', *The Judicial Review* (2011), 238.

81 Charles M. Grabau and Llewellyn Joseph Gibbons, 'Protecting the Rights of Linguistic Minorities: Challenges to Court Interpretation', *New England Law Review* (1996), 227.

82 Ibid, 238.

83 Ibid, 28.

84 Jieun Lee, 'Conflicting views on court interpreting examined through surveys of legal professionals and court interpreters', *Interpreting* (2009) 11(1), 45.

85 Nicole Choolun, 'Lost in translation? An examination of court interpreting in Australia', *Queensland Law Student Review* (2009) 2(1), 28.

86 Law Institute of Victoria, *Final Report Interpreting Fund Scoping Project* (2010), 28.

87 Sandra Hale, *Interpreter Policies, Practices and Protocols in Australian Courts and Tribunals: A National Survey* (Australasian Institute of Judicial Administration Incorporated , 2011), 17.

88 Ibid, 12; Family Court of Western Australia, 'Court funded interpreter services policy' (July 2006).

It has been found that there are serious concerns about the provision of interpreters in courts across Australia, including:

- lack of clarity about who is responsible for engaging an interpreter;
- failure to assess the need for an interpreter or incorrectly assessing need;
- the skill of interpreters being engaged;
- lack of awareness amongst judicial officers and lawyers about how to work with interpreters;
- engaging interpreters who are inappropriate in the circumstances; and
- unethical and poor professional conduct by interpreters.[89]

In this regard, it is important to note the Judicial Council on Cultural Diversity's recommendation that all courts should have court interpreter policies that are publicly available and easily accessible. These policies should identify who is responsible for engaging and paying for an interpreter in all cases, establish processes to identify when court users need an interpreter, and establish procedures for ensuring that appropriate interpreters are engaged.[90] The Judicial Council is developing National Standards for Working with Interpreters in Courts and Tribunals.

Recent focus on domestic and family violence in Australia has included an examination of the role of interpreters in the family violence and intersecting systems. Evidence presented by the Coroners Court of Victoria to the Royal Commission on Family Violence in Victoria revealed that 000 and crisis hotlines do not use interpreters as a matter of course.

> If a caller to 000 is unable to speak English, their call is transferred to the capital city police in the state they are calling from, and an interpreter will then be arranged.[91]

The Commission also heard evidence relating to police practices in relation to interpreters. A number of problems were raised including not using interpreters, not notifying the court of the need for an interpreter when the police are applying for a family violence intervention order, relying on an interpreter from a different language group and inappropriately using children, people known to the perpetrator or the perpetrator themselves.[92]

The Royal Commission identified issues with the use of interpreters in the court system. The Commission reported the sheer number of applications where an interpreter is needed:

> In 2013-14 there were 1210 cases in which interpreters were requested by applicants and respondents in family violence intervention order applications. The number of respondents requesting interpreters in the Magistrates' Court has nearly doubled since 2004-05 from 235 to 417 in 2013-14. Requests for interpreters for family violence intervention order proceedings now account for about half of the Magistrates' Court total interpreter expenditure.[93]

The competency of interpreters to work with individuals in circumstances of family violence was questioned by the Royal Commission. As set out by the Magistrates' and Children's Courts:

> Competent, ethical and highly skilled interpreters are an essential element in meeting some of the significant safety risks which exist for families from CALD communities living with family violence. An independent governance structure for interpreters, such as an improved accreditation process, would give the court greater confidence.[94]

There is currently no compulsory training in relation to family violence being provided as part of the interpreter accreditation process. Some tertiary institutions and language service providers that FECCA consulted with reported that they do provide such training, however, there is no requirement to do so or a coordinated approach to offering this training.

A 2016 South Australian Parliamentary Committee report on domestic and family violence recommended that the South Australian Government investigate the adequacy of current interpreting services for Aboriginal people and those from culturally and linguistically diverse backgrounds experiencing, or perpetrating domestic and family violence.

The Victorian Royal Commission into Family Violence recommended:

- that Victorian Government guidelines on policy and procedures in using interpreting services and the Victoria Police Code of Practice for the Investigation of Family Violence (with training provided to all appropriate levels of the Police) be updated to

---

89 Judicial Council on Cultural Diversity, *The Path to Justice: Migrant and Refugee Women's Experience of the Courts* (2016), 7.

90 Ibid, 9.

91 Victorian Government, Royal Commission into Family Violence (March 2016), 118.

92 Ibid.

93 Ibid, 120.

94 Ibid.

emphasise the risks of using perpetrators, children and other family members as interpreters, as well as using the same interpreter for both perpetrators and victim;

- for the Magistrates' Court of Victoria to allocate specific funding for family violence interpreters and develop court guidelines for booking interpreters in family violence matters;

- for the Victorian Government to work with NAATI to ensure that accreditation and testing processes and approval of translator and interpreter courses require an understanding of the nature and dynamics of family violence.

In its 2016-17 Budget, the ACT Government has committed $1,223,000 to investment in translation and interpreting services in ACT Courts and Tribunals and family violence specialist services.[95]

Invisible cohort of non-credentialed interpreters

In new and emerging languages where NAATI testing is not available, language service providers recruit individuals to work as 'interpreters' without credentials. This recruitment is conducted differently by each service provider, but generally involves assessing the applicant's previous work experience (interpreting and/or other), English language proficiency (usually through a face-to-face interview), and understanding of the AUSIT Code of Ethics. Most service providers that FECCA consulted with said that once hired, they encouraged these workers to work towards NAATI recognition by building practical interpreting experience. Some providers managed the workload of their non-credentialed 'interpreters' by only giving them 'low-risk' assignments to begin with, to help them build skills and confidence. Other providers told FECCA that they have confidence in their hiring practices and all of the un-credentialed interpreters that they hire, and thus deploy these 'interpreters' on 'riskier' assignments such as health and legal interpreting from the beginning of their work with the provider.

> The quality of interpreters that come from language service providers varies significantly – **Service provider**

This invisible cohort of 'interpreters', those who work without credentials, is of significant concern. These workers expose agencies (including hospitals and courts) and their non-English speaking clients to significant risk. Quality of the language service, and understanding of the ethics and role of interpreters, will vary depending on the interpreter's previous experience and training. Agencies and organisations engaging non-credentialed 'interpreters' through language service providers are reliant on the providers for assurance of quality and expertise. While many organisational policies require a certain level of NAATI credential for interpreters who are sourced to provide language services (for example, professional level accreditation), in many cases where an interpreter with that level of accreditation is not available, a lesser accreditation will be accepted. In the case of new and emerging languages, the highest level of NAATI credential available may be recognition; due to the small numbers of credentialed interpreters on the books of language service providers, 'interpreters' without credentials are often utilised.

A survey of judicial officers in Australian courts and tribunals found that when interpreters with the minimum qualifications required by them or their court of tribunal are not available:

- 42 per cent of respondents would adjourn proceedings until a qualified interpreter is available;

- 23 per cent would accept other interpreters regardless of qualifications;

- 14 per cent would use telephone interpreting services;

- two per cent would use video conferencing; and

- 12 per cent reported that their decision would depend on the seriousness of the case.

Some judicial officers reported that in languages where there were not many qualified interpreters, they would proceed with the aid of a friend, family member, lawyer, or fellow prisoner or defendant.[96]

---

95 ACT Government, 'Budget 2016-17: Safer Families Statement' (June 2016) http://apps.treasury.act.gov.au/budget/budget-2016-2017/fact-sheets/domestic-violence

96 Professor Sandra Hale, *Interpreter policies, practices and protocols in Australian Courts and Tribunals: A national survey* (Australasian Institute of Judicial Administration Incorporated , 2011), 17.

ENHANCING THE DEMAND: BRIDGING POLICY IMPLEMENTATION GAPS

KEY POINTS

- While not supported in policy, engaging friends or family members as 'interpreters' is a widespread practice when an interpreter is unavailable, obtaining the services of an interpreter is considered too difficult or costly, or due to the preference of agency staff or their non-English speaking clients.
- There is an absence of compulsory, coordinated training on how to work with interpreters for judicial officers, legal professionals and health professionals. This affects the rate of utilisation of professional interpreting services.
- Individuals who are not proficient in English may prefer to communicate through a relative or a friend, in view of the interpreter's gender or cultural background, or the client's lack of understanding of the availability of services or of the risks associated with not engaging an interpreter.
- Technology, including telephone and video-conferencing can be used to increase access to professional interpreting services.
- Data collection can assist in developing policy and improving services for individuals, but this must be coordinated.

Under-utilisation by agencies

> The effective use of interpreters is... both an access and equity issue and an important factor in good administrative decision making[97]

Lack of awareness of the importance of engaging interpreters and the practical steps involved often results in service providers not utilising language services. Inadequate availability and quality of language services can also contribute to their reluctance to utilise language services, which in turn further perpetuates poor quality and availability. Many service providers are not willing to use language services because other options, for example, engaging unqualified *de facto* or *ad hoc* 'interpreters' such as family members or friends, are perceived as more effective or convenient.

The failure to identify the need for, or to promote the availability of, language services may create a risk of inadequate procedural fairness. This may result in decisions being reviewed and overturned, incurring additional costs and avoidable delays.[98]

FECCA's consultations revealed that the use of friends or family members as 'interpreters' is a widespread practice when an interpreter is unavailable, obtaining the services of an interpreter is considered too difficult or costly, or due to the preference of the individual or service provider. As a relative or friend is unlikely to be qualified as a professional interpreter, they may lack many important skills including an understanding of the role of interpreters and the Code of Ethics.

According to a 2015 survey conducted by futures Upfront, only 40 per cent of managers of services funded by NSW Ageing, Disability and Home Care use professional interpreting services.[99] Lack of language services utilisation by service providers suggests a lack of knowledge about when it is necessary to use an interpreter, how to arrange

---

97 Commonwealth Ombudsman, *Use of interpreters: Australian Federal Police, Centrelink, Department of Education, Employment and Workplace Relations, Department of Immigration and Citizenship* (March 2009), 2.

98 Office of Multicultural Affairs and Citizenship, 'Using Interpreting Services: Victorian Government guidelines on policy and procedures' (2014).

99 futures Upfront, *Everyone counts - Why language services matter* (2015), 43.

language services for a client and how to work with an interpreter. This lack of knowledge often comes from insufficient training for service providers about language services and cultural competency. In the futures Upfront survey, 50 per cent of staff reported that they had never received any training on language services and overall 75 per cent of staff said that they would benefit from training on accessing interpreters.[100]

The cost related to language services can be a barrier to equality of access with regards to social services. When hiring interpreters on-site, service users may need to pay bills for interpreters' traveling, parking, phone use, sometimes accommodation, as well as a minimum fee.[101] These costs can be significant and may prevent service providers from hiring qualified interpreters, instead preferring to hire less skilled or not qualified interpreters at a lower price, or who can volunteer.

A recent report by Women's Health West found that a lack of interpreters was among the many logistical concerns that migrant women experience that create "seemingly unsurmountable problems in their interactions with job support agencies, service providers and potential employers".[102] The report recommends that all government and non-government services be funded to ensure refugee and migrant women's access to interpreters, and are required to clearly communicate information about appointments, their rights, and debt reduction strategies.[103]

Given the importance of interpreting in legal settings, as discussed in the previous chapter, language services should be embedded in the judicial system to provide the same quality of services for all Australians. Each court has its own guidelines for using interpreters. The Judicial Commission of New South Wales *Local Court Bench Book* instructs court officials that the decision as to whether an interpreter will be used is a matter for the discretion of the court; however, not providing an interpreter can amount to a denial of procedural fairness. The Bench Book gives guidance as to situations where an interpreter might be used, including where an individual is unable to communicate in English, able to communicate in English but with limited capacity,

or where the witness is able to communicate in English but may not be comfortable using the language.[104] The Federal Circuit Court of Australia Interpreter and Translator policy instructs court staff that where there is doubt, to exercise discretion in favour of using an interpreter's services.[105]

Many court policy and guidance documents preference accredited interpreters at professional level first, followed by paraprofessional level, and finally interpreters with recognition.[106] However, a national survey found that 47 per cent of judicial officers do not know if their court gives preference to qualified interpreters, compared to 38 per cent who report that preference is given to qualified interpreters, and 14 per cent who say that no preference is given. Most judicial officers (70 per cent) do not have a say in the choice of interpreter; if they did have a choice only 28 per cent said that they should.[107]

The affordability of interpreters also affects the availability of court interpreters. A Victorian report argues that the reluctance of seeking or using interpreting services could be caused by a lack of means to pay for an interpreter or a lack of access to funded interpreting services.[108] The same report also found that in 2008-09, the overall average cost of an on-site interpreter was $150 per interpreting service and the total expenditure on telephone interpreter services was $32 per interpreting service.[109]

> The direct cost of language services delivery is not linked to the efficiencies that are realised through the effective delivery of the primary service. Fundamentally, this separation of direct cost and indirect return creates a significant problem in the assessment of the cost utility of delivering the services in the first place. Without appropriate cost utility evaluations the direct costs of delivery have the impression of being budget outlays without significant return or value to the department or agency.[110]

100 Ibid.

101 Australian Institute of Interpreters and Translators Incorporated, *Getting It Right Translation*, accessible at: http://ausit.org/AUSIT/Documents/gir_translation.pdf

102 Women's Health West, *Promoting Economic Participation and Equity for Women from Refugee and Migrant Backgrounds* (2016), 18.

103 Ibid, 32.

104 Judicial Commission of New South Wales, *Local Court Bench Book*, [85-000], [85-040].

105 Federal Circuit Court of Australia, 'Federal Circuit Court Interpreter and Translator Policy'.

106 Judicial Commission of New South Wales, *Local Court Bench Book*, [85-080]; Federal Circuit Court of Australia, 'Federal Circuit Court Interpreter and Translator Policy'.

107 Sandra Hale, *Interpreter Policies, Practices and Protocols in Australian Courts an of Tribunals A National Survey* (Australasian Institute of Judicial Administration Incorporated , 2011), 15-16.

108 Law Institute of Australia, *Final Report: Interpreting Fund Scoping Project* (2010), 19.

109 Ibid, 17.

110 Professionals Australia, *Language Services in Australia: Notes to inform the Translation and Interpreting Industry Roundtable* (November 2014), 4.

The absence of compulsory information provision for judicial officers about working with interpreters in the courtroom results in a lack of knowledge and skills in how to engage with language service providers. A lack of understanding of court interpretation and its value can lead to a vicious circle when a judge is unprepared to work with an interpreter or deal with an interpretation problem that arises during a proceeding.[111] Legal professionals need training to understand how the interpreting process operates and how to best work with interpreters.[112]

In many jurisdictions, the coordination of language services in health settings is not currently effective. There are many cases where interpreting services are not sufficiently provided to patients with low English proficiency. In Sydney, only about a third of patients with low English proficiency had utilised a professional interpreter service during the 30 years after interpreter services were introduced in hospitals.[113] Additionally, only three per cent of all telephone and 35 per cent of all on-site interpreter services from TIS National were conducted by doctors in 2006-07.[114] There is clearly a gap between policy and practice. According to 2010 data, Australian General Practitioners (GPs) utilise interpreters significantly less than their counterparts in New Zealand.[115]

Medical practitioners providing Medicare-rebateable services and their reception staff are among the eligible agencies for the Free Interpreting Service delivered by DSS through TIS National. Other agencies that can access this free service include:

- Non-profit, non-government, community-based organisations for case work and emergency services where the organisations do not receive funding to provide these services;

- local government authorities who communicate with non-English speaking residents on issues such as rates, garbage collection and urban services; and

- pharmacies for the purpose of dispensing the Pharmaceutical Benefits Scheme medications.[116]

In 2014-15, the Department of Social Services delivered 247,684 free translating and interpreting services.[117] This is a decrease from 253,505 the year before.[118]

Community feedback to FECCA has also revealed reluctance by medical practitioners, especially GPs, to use interpreting services. Migrant and refugee community members have reported staff at GP clinics being unaware of TIS National services, or asking patients to bring a friend or family member with them to their appointment to interpret for them.

While there is scope for improving access to fee-free interpreting to include other medical services in addition to GPs and medical specialists to provide Medicare rebateable services, the priority focus must be on ensuring that language services are adequately utilised by eligible organisations, including private GPs. State and Territory language services policies do not apply to private GPs, so other avenues are necessary to address the reluctance by health professionals to engage professional interpreters, the tendency to turn to family members, lack of awareness of working with interpreters and the ability to assess the risks.

A lack of available interpreters inhibits equitable access to health care, particularly in Emergency Departments, when visiting specialists, and for hospital in-patients.[119] For example, only 13 per cent of patients with limited English in the Emergency Department use a professional interpreter.[120] In the case of specialists, availability is also related to the cost of hiring interpreters. Some patients are not able to access interpreters when they were not on-site in a hospital.[121]

111 Charles M. Grabau and Llewellyn Joseph Gibbons, 'Protecting the Rights of Linguistic Minorities: Challenges to Court Interpretation', *New England Law Review* (1996), 227.

112 Sandra Hale, *Interpreter Policies, Practices and Protocols in Australian Courts and Tribunals A National Survey* (Australasian Institute of Judicial Administration Incorporated , 2011), 19.

113 Pamela W Garrett, Roberto Forero, Hugh G Dickson and Anna Klinken Whelan, 'How are language barriers bridged in acute hospital care? The tale of two methods of data collection', *Australian Health Review* (2008) 32(4), 760-761.

114 Christine B. Phillips and Joanne Travaglia, 'Low levels of uptake of free interpreters by Australian doctors in private practice: secondary analysis of national data', *Australian Health Review* (2011) 35, 477.

115 Ben Gray, Jo Hilder and Hannah Donaldson, 'Why do we not use trained interpreters for all patients with limited English proficiency? Is there a place for using family members?', *Australian Journal of Primary Health* (2011) 17, 245.

116 Department of Immigration and Border Protection, 'About the Free Interpreting Service', https://www.tisnational.gov.au/en/Agencies/Charges-and-free-services/About-the-Free-Interpreting-Service

117 Department of Social Services, *Annual Report 2014-15*, 53.

118 Ibid, 54.

119 Cara Brough, *Language Services in Victoria's Health System: Perspectives of Culturally and Linguistically Diverse Consumers*, The Centre for Culture Ethnicity and Health, Melbourne, Victoria, Australia (2006), 18-21.

120 Pam Garrett, 'Healthcare Interpreter Policy: Policy determinants and current issues in the Australian context', *Interpreting & Translation* 1(2) (2009), 50.

121 Cara Brough, *Language Services in Victoria's Health System: Perspectives of Culturally and Linguistically Diverse Consumers* (Centre for Culture Ethnicity and Health, 2006), 18-21.

Failure to utilise language services prevents higher attendance rates of patients with low English proficiency at primary health clinics, leading to increased diagnostic investigation, emergency department return rates and length of stay in hospital.[122] One survey found that the increased number of interpreters, in-house staff, translated materials and transcultural trainings contributed to reducing the length of stay for patients with limited English proficiency by about three days.[123] Clinical errors caused by misinterpreting can lead to greater economic loss for hospitals. In 2015, an Australian court awarded more than $300,000 in damages to a hospital patient with low English proficiency who was not provided with information to the required standard in a language and in terms that the patient understood.[124] Although information of potential risks of the procedure was provided by the doctor, the Court found that it was not passed on by the patient's friend and an unqualified interpreter to the patient.

The underuse of language services may often reflect doctor preference rather than patient preference.[125] A study carried out with physiotherapists in Australia indicated that practitioners tend not to utilise interpreting services because they consider them expensive and not trustworthy, and also believe that using interpreting will increase consultation times.[126] This view leads to many health professionals asking patients to engage family members for interpretation, organise their own interpreters, or conduct medical consultations without assistance.

ACT Health significantly increased use of interpreters across the agency between 2011-12 and 2014-15 using a number of strategies:

• Centralising all available data within the newly created Multicultural Health Policy Unit (MCHPU). The Unit provides a detailed quarterly report to the Canberra Hospital and Health Services Executive, including breakdown by clinical division.

• Face-to-face training and development of e-learning for staff on working effectively with interpreters.

• Centralising expenditure on interpreters into one Canberra Hospital and Health Services cost centre, which has removed the requirement for individual work units to budget and pay for language services.

• Introducing a Language Services Policy and Interpreter Procedure, together with a Guide to Language Services (formally endorsed in December 2015).

FECCA surveyed Australian medical schools to find out whether they provide any training for students in relation to working with interpreters and/or training on cultural competency of medical professionals as part of their curriculum. Responses were received from five universities: Flinders University, University of NSW, University of Tasmania, Western Sydney University and University of Wollongong. Approaches differed across the five medical schools to teaching cultural competency and skills for working with interpreters. For example, the University of NSW had a structured set of activities addressing working with interpreters in healthcare settings, cross-cultural communication, and communicating with Indigenous patients. University of Tasmania and Western Sydney University identified that they had designed integrated programs which include principles of cultural competency throughout the

Figure 10. ACT Health interpreter bookings

| | 2012-2013, Q3-4 | 2013-2014 (MCHPU commenced) | 2014-2015 |
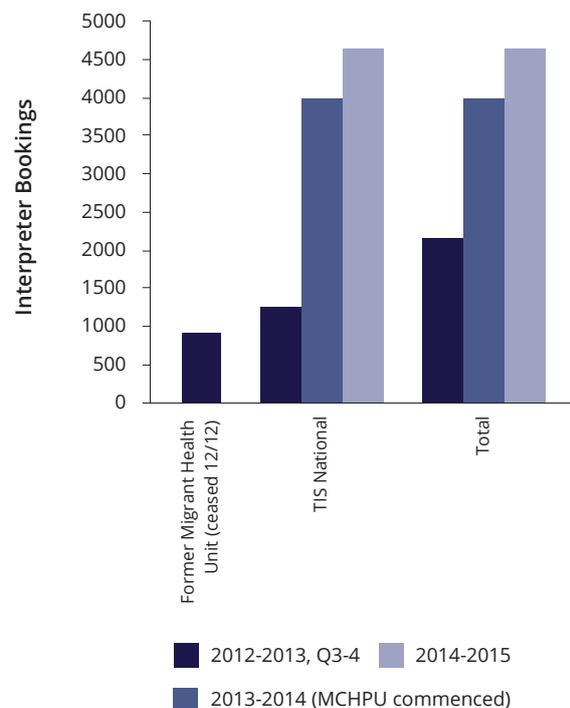
122 The Association of Professional Engineers, Scientists and Managers, Australia, *The Case for Change: Consequences and costs of failures in the translating and interpreting industry* (2013), 8.

123 Ibid.

124 *George v Biggs* [2015] NSWDC 11.

125 Christine B. Phillips and Joanne Travaglia, 'Low levels of uptake of free interpreters by Australian doctors in private practice: secondary analysis of national data', *Australian Health Review* (2011) 35, 477.

126 Joan Muela Ribera, Susanna Hausmann-Muela, Koen Peeters Grietens and Elizabeth Toomer, *Is the use of interpreters in medical consultations justified? A critical review of the literature*, PASS-International (2008), 10.

course. A number of the universities ran practical workshops using qualified interpreters in role plays. The Western Sydney University program includes placements with multilingual health professionals.

Awareness among non-English speakers

It is important to note that low demand resulting in under-utilisation of language services does not necessarily imply low need, and may be due to other factors, such as lack of awareness of services among non-English speakers. Many patients are unwilling to engage professional interpreters. In addition to policies that address the utilisation by service providers, strategies and policies need to be in place to inform non-English speakers about the role of interpreters and benefits of using language services.

Only a third of patients with low English proficiency had utilised the services of an interpreter in a hospital according to a patient survey and medical record review with 258 respondents.[127] Many indicated that they prefer family members, relatives or friends as interpreters due to already established trust and comfort in their relationships.[128] Family and friends were engaged in about half of the interpreted consultations.[129] Another survey shows that 88 per cent were positive about engaging their relative as an interpreter: "[t]he majority felt happy, supported, at ease, confident and comfortable with their relative, and most importantly, they trusted them".[130] Reliance on family members, relatives or friends also comes from the embarrassment of speaking to interpreters about private matters. Many patients also engage family or friends to interpret to avoid waiting times to access interpreters and for convenience (particularly when they attend regular appointments).

> Sometimes you don't want to use an interpreter because it is personal. You want a person that you know. Especially doctors – **Community member**

Engaging family and friends as 'interpreters' is not supported in policy in many countries, including Australia, because of problems associated with linguistic accuracy, confidentiality, medical litigation and abrogation of the provider's duty of care.[131] If the causes of health issues are from domestic and family violence, engaging family members as interpreters is particularly problematic. In one Victorian case, a female migrant was taken to a GP with her husband and mother in law who acted as interpreters where she was implanted with a contraceptive device without her consent.[132]

Further, there have been situations where having a relative present (who may be a perpetrator of violence) as an interpreter can act as a deterrent where women may want to disclose an experience of sexual abuse and/or domestic and family violence. Using a child as an interpreter is particularly inappropriate due to the complexity of consultations or difficulty of topic, lack of language ability, cross gender interpreting, lack of complete interpretation and likelihood of exposing the child to sensitive information that is not age-appropriate.[133] One case shows that a 10 year old child who acted as an interpreter for her younger sibling who died of renal failure suffered a serious traumatic stress reaction.[134]

Many of the relevant policies and standards do make allowance for cases when the consumer refuses an interpreter or when the consumer requests a family member or friend. The policies and standards recommend the development of a procedure by the health service for these occurrences and their mandatory documentation in the consumer's health record.[135]

127 Pam Garrett, 'Healthcare Interpreter Policy: Policy determinants and current issues in the Australian context', *Interpreting & Translation* (2009) 1(2), 50.

128 Pamela W Garrett, Roberto Forero, Hugh G Dickson and Anna Klinken Whelan, 'How are language barriers bridged in acute hospital care? The tale of two methods of data collection', *Australian Health Review* (2008) 32(4), 761.

129 Ben Gray, Jo Hilder and Hannah Donaldson, 'Why do we not use trained interpreters for all patients with limited English proficiency? Is there a place for using family members?', *Australian Journal of Primary Health* (2011) 17, 245.

130 Pamela W Garrett, Roberto Forero, Hugh G Dickson and Anna Klinken Whelan, 'How are language barriers bridged in acute hospital care? The tale of two methods of data collection', *Australian Health Review* (2008) 32(4), 760.

131 Ibid, 761.

132 Foundation House: The Victorian Foundation for Survivors of Torture Inc, *Promoting the engagement of interpreters in Victorian health services* (2013), 12.

133 Ben Gray, Jo Hilder and Hannah Donaldson, 'Why do we not use trained interpreters for all patients with limited English proficiency? Is there a place for using family members?', *Australian Journal of Primary Health* (2011) 17, 243.

134 Foundation House: The Victorian Foundation for Survivors of Torture Inc, *Promoting the engagement of interpreters in Victorian health services* (2013), 12.

135 Queensland Health, *Literature Review: Best practice multicultural policy implementation* (2012).

Different dialects, levels of education and familiarity with the Australian health system can affect a patient's comprehension of the context even when it was interpreted accurately.[136] Stigma, shame and lack of awareness about certain types of health conditions and disabilities including mental health issues can result in creating barriers to communication between individuals and interpreters. In addition, there are instances where there are no direct translations for certain medical terms and conditions in other languages which could mislead or misinform both professionals as well as the individuals.

Age, gender and religious background of the interpreter may deter individuals from revealing material facts in relation to sensitive matters such as those relating to sexual and psychological health. The Western approach to decision making may also cause confusion. For example, when interpreting, it is important to consider some Arabic-speaking patients' cultural beliefs that no one can predict a patient's diagnosis as only God can decide who lives or dies.[137]

> Under the current rules, an interpreter has to translate accurately what is being said but sometimes with some communities in terms of health concepts you have to find another way of describing it. How do you talk about self-management courses to people from some Arabic groups who really firmly believe that pain is sent to you by God and you've got to withstand it and withstanding it gets you closer to God?
> – **Government agency employee**

Due to lack of availability of female interpreters, women can feel uncomfortable articulating some specific health issues with a male interpreter such as female genital mutilation, domestic violence and sexual abuse.[138]

Promotion of service availability

Agencies must advise clients that interpreter services are available. Agencies have a responsibility to promote interpreter services across a range of service channels including agency websites, call centre telephone lines, brochures and forms, agency 'shop fronts' and through agency staff who contact clients directly. Agencies are also responsible for ensuring that their contractors promote the interpreter services that are available and provide access as required.[139]

As recommended by the Commonwealth Ombudsman, Australian Government agencies should promote access to interpreter services by providing a direct link on their website home page to information on interpreter services and other relevant information for non-English speakers, including information translated into other languages.[140]

An updated whole-of-government guide on the use of interpreters would be helpful to ensure consistency in the approach and level of services offered by government agencies. Clients may access multiple services from a range of government agencies. Interpreter services should be provided in a consistent manner and clients should have similar access to agency complaint handling procedures.[141]

The Commonwealth Government's *Multicultural Language Services Guidelines* sets out what to do if a person with limited English language proficiency does not want to use a language service. The guidelines suggest several strategies including explaining to the person that it is the provider who requires the language service, not them; speaking with family members or friends present to ascertain the reason why the person is refusing the language service; and engaging a telephone interpreter to assist in ascertaining the issues and explain the need for the language service.[142]

136 Ben Gray, Jo Hilder and Hannah Donaldson, 'Why do we not use trained interpreters for all patients with limited English proficiency? Is there a place for using family members?', *Australian Journal of Primary Health* (2011) 17, 237.

137 Pam Garrett, 'Healthcare Interpreter Policy: Policy determinants and current issues in the Australian context', *Interpreting & Translation* (2009) 1(2), 48.

138 Foundation House: The Victorian Foundation for Survivors of Torture Inc, *Promoting the engagement of interpreters in Victorian health services* (2013), 88.

139 Commonwealth Ombudsman, *Use of interpreters: Australian Federal Police, Centrelink, Department of Education, Employment and Workplace Relations, Department of Immigration and Citizenship* (March 2009), 11.

140 Ibid, 12.

141 Ibid, 26.

142 Commonwealth of Australia, *Multicultural Language Services Guidelines* (2013), 31.

The Victorian Government guidelines emphasise the need to promote the availability of interpreters by noting that "it is important that all government departments and funded agencies make it clear that interpreters are available to clients who require language assistance".[143] They also propose a course of action if interpreting is refused.[144]

If a client refuses the offer of an interpreter, it is important to try to clarify and address the reasons. Possible reasons are that the client:

- has misunderstood why an interpreter is needed;
- may feel confident communicating in English;
- may prefer a family member or friend to act as an interpreter;
- may know the interpreter assigned to the interview and feel uncomfortable;
- may be concerned that they will have to pay for the interpreter;
- may be uncomfortable with the gender of the interpreter.

If the client continues to refuse an interpreter, you may choose to continue with the appointment and document your concerns.

Use of technology

A better use of technology in the provision of language service could improve access to government frontline services, making it easier for clients, and help to reduce the costs of using interpreter services for Government agencies.[145]

The introduction of the Emerging Telephone Interpreter Services (soon re-named Telephone Interpreter Service) in 1973 has been described as "the most original contribution to interpreting services in Australia".[146] Telephone interpreting allows many people to access an interpreter quickly and easily, however, for new and emerging languages it is often a requirement that users book ahead to ensure that an interpreter is available in their language. FECCA's consultations revealed that telephone interpreting is often used to reduce the risk of the interpreter

being from the same community as the user, which can present a conflict of interest. The anonymity of this mode of interpreting was cited by many service providers as an advantage, however, many users told FECCA that telephone interpreting does not entirely remove this problem as the interpreter may still be from the user's community, particularly for languages with a small number of speakers.

FECCA received strong community feedback that face-to-face interpreting is preferred to telephone interpreting, where practicable.

> I believe and know from experience that most community members prefer face-to-face interpreting. Most of the time these people have more needs that they wish to communicate but can't via telephone as they feel embarrassed and find issues hard to disclose – **Community member**

> The problem with the telephone is that you don't get that personal approach – **Service provider**

Some agencies utilise video conferencing, which assists to reduce travel times for interpreters, increase access to clients in regional and rural areas, and maximise the number of jobs that an interpreter can complete. Video conferencing also allows for interpreters to see the context of the conversation, including a person's body language and hand movements, which can assist with accurate interpreting.

> Sometimes facial expressions and gestures help to enhance interpretation because this is a universal language which one could communicate and understand anywhere in the world when this is communicated face-to-face – **Bilingual worker**

---

143 Office of Multicultural Affairs and Citizenship, *Using Interpreting Services: Victorian Government guidelines on policy and procedures* (2014).

144 Ibid.

145 Queensland Government Department of Aboriginal and Torres Strait Islander and Multicultural Affairs, *Cultural Diversity Queensland: Language Services Policy Review* (2014), 26.

146 Dr Uldis Ozolins, *Interpreting and Translating in Australia: Current issues and international comparisons* (Language Australia: The National Languages and Literacy Institute of Australia, 1998), 29.

Data collection

As recommended by the Commonwealth Ombudsman, Australian Government agencies should keep a client's record of interpreter needs, including language and dialect, any gender or other requirements, and whether an interpreter is required for oral and/or written communication.[147] There is significant potential for data to assist to develop policy and improve services for individuals, but this must be coordinated.

The Victorian Office of Multicultural Affairs has developed the *Standards for Data Collection on Interpreting and Translating Services* to assist government departments, program areas and funded agencies that regularly use interpreting and translating services to improve their own understanding of the needs of their client group, and monitor the accessibility of the services they provide to people who use other languages.[148] The Standards cover a number of areas, including client demographics, expenditure on interpreting and translating, in-house staff, and service provided by language services providers. The last area is of particular interest, as it would allow agencies to receive information on, *inter alia*, the accreditation of practitioners and unmet requests for assistance. In the context of new and emerging languages, such data would provide some degree of clarity on the proportion of NAATI-credentialed interpreters who continue to practice, at what levels, and to what extent.

---

147 Commonwealth Ombudsman, *Use of interpreters: Australian Federal Police, Centrelink, Department of Education, Employment and Workplace Relations, Department of Immigration and Citizenship* (March 2009), 20.

148 Office of Multicultural Affairs, *Victorian Government Standards for Data Collection on Interpreting and Translating Services.*

ENHANCING SUPPLY: INCENTIVES AND DETERRENTS

KEY POINTS

- While agencies may engage a range of language services providers in line with their respective procurement policies, these providers draw on the same pool of interpreters, largely employed as casual employees or contractors of language service providers.
- The nature of the language services industry has significant implications for attracting, training and retaining highly capable interpreters and translators; for professionals working in new and emerging languages, the issues are exacerbated by insufficient market to maintain full time employment.
- The cost of training and accreditation can be prohibitive, particularly for members of new and emerging communities who are likely to be recently arrived migrants.
- There are two main challenges for tertiary institutions wishing to offer training for interpreting and translating in new and emerging languages—attaining the appropriate staff to teach the class, and forming a class that is large enough to justify running the course. Utilising online opportunities could help alleviate these issues.
- Bilingual workers, while not a replacement for interpreters, can be part of the solution—these workers can fill simple communication gaps, provide a service in a language other than English and supply general cultural information to the organisation.

Training new migrants or refugees as interpreters or translators can provide employment opportunities for these new Australians. Burmese and Swahili students who came to Australia as humanitarian entrants and are studying the Diploma of Interpreting at the Royal Melbourne Institute of Technology regarded the study as an excellent opportunity to master interpreting skill or to obtain professional employment. At the same time, many of these students had actively participated in the community and various local organisations.[149] The successful integration of migrants into Australian society through effective participation in the education system and community contributes to improving the lives of individuals as well as Australian society as a whole.

> The [community members] that I have used [as interpreters], they have all been very proud to do that. They have always been really proud to help police but I think that they are also helping their community. They get two satisfactions out of it – **Government agency employee**

Conversely, internal and external reviews of TIS National have consistently identified difficulties in recruiting interpreters for Australia's new and emerging languages due to fluctuations in migrant and humanitarian intakes and the consequential range of language groups to be covered.[150]

> For new and emerging community languages, there are often not enough interpreters within the community who have the required qualification, experience or language ability to be recruited by interpreter service providers. The cost and time involved in the accreditation process through NAATI, as well as the limited remuneration, also inhibits some community members from considering interpreting as a potential career path. In some community languages there is no accreditation available. Feedback from TIS National indicated that for new and emerging community languages the demand for interpreting services may outweigh the ability to supply services.[151]

Key challenges for individuals wishing to train as interpreters in new and emerging languages include lack of options for accreditation, lack of resources and lack of networks.

149 Miranda Lai and Sedat Mulayim, *Training refugees to become interpreters for refugees*, The International Journal for Translation & Interpreting Research (2010) (2)1, 54.

150 Australian National Audit Office, *Management of Interpreting Services: Department of Immigration and Border Protection, Department of Social Services* (2014-15 Performance Audit), ANAO Report 28 (2015), 31.

151 Queensland Department of Aboriginal and Torres Strait Islander and Multicultural Affairs, *Cultural Diversity Queensland: Language Services Policy Review* (2014), 18.

Sector-wide challenges

The industry issues that impact on interpreters operating in small markets are equally relevant for the rest of the sector. There are an estimated three to five thousand active interpreters in Australia covering more than 170 languages and dialects.[152] The 2011 Census reports that there were 3,349 interpreters at that time, with 43 per cent of these individuals having worked fewer than 16 hours in the preceding week.[153]

> It is a profession, not just facilitating conversation between two people – **Service provider**

There is, however, no way of knowing how many interpreters are working in particular languages without speaking to service providers. NAATI can only provide data on how many people are credentialed in certain languages, and whether these accreditations are current (revalidated). NAATI, as an accreditation body, currently has limited capacity to track if these individuals are working as interpreters. The newly introduced revalidation scheme, which requires accredited translators and interpreters to demonstrate that they remain active and committed to the industry at regular intervals, will assist to fill this knowledge gap. However, it must be accompanied by appropriate data collection and sharing strategies.

Interpreters and translators in Australia are largely employed as casual employees or contractors by language service providers. Some permanent employment opportunities exist where organisations have in-house interpreting units, for example, in some hospitals. Language service providers allocate interpreting and translating work after clients contact them, prioritising employees who have high levels of NAATI accreditation. The amount of work, and therefore pay, that interpreters have access to is thus based on the demand for language services in the language that they are accredited in.

> There is an inherent contradiction between the courts' high expectations of interpreting performance and the absence of any requirement for training. On the one hand, there is dissatisfaction from within the legal system concerning the inadequate supply of competent interpreters. On the other hand, competent interpreters report frustration at the lack of recognition for their skills and training, poor working conditions and low remuneration.[154]

A 2012 Professionals Australia (then APESMA) survey of translators and interpreters found that the four key areas of concerns for this cohort were the lack of appropriate reward for the skills and experience required to provide quality translating and interpreting services, that pay rates have failed to keep pace with the cost of living, perceptions of translators and interpreters' pay rates relative to other occupations, and the link between declining pay rates and loss of service quality.[155] A majority of respondents (89 per cent) indicated that lack of income security was a significant or moderate problem.[156]

> The quality of the work plays a secondary role. In this world of easy and quick telecommunications, quotes are easily obtained from many practitioners all over the world, and in the end, those who want to do a good and thorough job get priced out of the market.[157]

Less than eight per cent of translators and interpreters are under 30 years of age and 48 per cent are at or approaching retirement age, which has significant implications for the sustainability of the industry.[158]

Language services are provided by Federal and State Government-owned agencies, and private providers. Many service providers operate nationally and draw on a similar pool of workers; many interpreters and translators are contracted with multiple service providers to maximise their workload. This structure provides a disincentive for service providers to train staff, as the benefit of any investment in training of staff will also be enjoyed by the company's competitors.[159]

152 Australian National Audit Office, *Management of Interpreting Services: Department of Immigration and Border Protection, Department of Social Services (2014-15 Performance Audit)*, ANAO Report 28 (2015), 11.

153 Australian Bureau of Statistics, '6273.0: Employment in Culture. Table 8: Persons employed in cultural occupations by hours worked per week', (2011).

154 Professor Sandra Hale, *Interpreter policies, practices and protocols in Australian Courts and Tribunals: A national survey*, (Australasian Institute of Judicial Administration Incorporated, 2011), 1.

155 APESMA (now Professionals Australia), *Lost in Translation: Barriers to Building a Sustainable Australians Translating and Interpreting Industry* (2012), 13.

156 Ibid, 16.

157 Ibid, 13.

158 Department of Social Services, 'Translating and Interpreting Sector Roundtable Discussions - Summary' (2014), 1.

159 Professionals Australia, *Language Services in Australia: Notes to inform the Translation and Interpreting Industry Roundtable* (November 2014), 7.

For 'thin market' languages, these issues are exacerbated, as the market-based model is explicitly inadequate and insufficient to support the increase in supply that would meet an appropriate demand, that would in turn facilitate further increase in supply and raise the standards in service delivery.

> I am a professional interpreter. Out of 10, I might get paid for two jobs and volunteer the other eight. I focus on supporting my community rather than making money – **Interpreter**

The quality of interpreters in legal settings can be compromised by poor work conditions such as a lack of briefing and background materials and inadequate physical conditions. About 84 per cent of interpreters mentioned the absence of provision of background materials or information to prepare for the case before the commencement of legal proceedings.[160] This preparation is essential in order to understand terminology, content, the context of the matter and the most appropriate way to interpret.[161] Only 29 per cent of interpreters in the survey reported they are regularly provided with drinking water and over 50 per cent never got breaks.[162] These poor work conditions indicate the undervalued position of interpreters in the courtroom and can negatively impact the quality of interpreting.

In health settings, poor quality of interpreters can be related to the nature of the work environment; often interpreters are hurried and stressed during medical consultations, leading to patient distrust towards interpreters when they seem too busy, appear distracted with phone calls and leave the appointment in a hurry.[163]

The nature of the language services industry has significant implications for attracting, retaining and training highly capable interpreters and translators. Experienced interpreters choose to leave the industry due to not being able to make a living in this work.[164] Many migrants from emerging communities who

are under considerable pressure to support their families following settlement in Australia find that they need to take employment in other industries rather than spend time and resources training for an occupation which will likely yield low pay.

> The best practitioners very quickly leave the profession because they find other jobs – **Researcher**

Costs implications

> For the majority of interpreters and translators, the cost (both financial and in terms of time, given many work in other occupations as well) of obtaining a qualification, a credential and then maintaining their currency through PD [professional development] are difficult to justify, given the limited income the occupations offer.[165]

Speakers of new and emerging languages are likely new arrivals to Australia who have limited financial resources. For this reason, FECCA's consultations with these communities have revealed concerns about the difficulty of NAATI's testing, including the high fail rate and the significant expense potential interpreters need to pay to undertake the test. For example, to take the paraprofessional interpreter test, Australian citizens and permanent residents pay the fee of $587, while non-Australian citizens and non-permanent residents pay $909.[166] Assessment for recognition is $255.

These costs also influence whether interpreters will upskill and seek a higher accreditation level. Without higher wages for interpreters with higher accreditation, the only impetus to move up is if the pool of professional interpreters in a particular language increases so much that a paraprofessional interpreter finds that they are being offered less work. For many, the cost of gaining a higher accreditation is not justified given the low income that they draw from working as an interpreter.

160 APESMA (now Professionals Australia), *Lost in Translation: Barriers to Building a Sustainable Australians Translating and Interpreting Industry* (2012), 29.

161 Sandra Hale and Ludmila Stern, 'Interpreter quality and working conditions: comparing Australian and international courts of justice', *Judicial Officers' Bulletin* (2011) 23(9), 77.

162 Ibid, 76-79.

163 Cara Brough, *Language Services in Victoria's Health System: Perspectives of Culturally and Linguistically Diverse Consumers* (Centre for Culture Ethnicity and Health, 2006), 24.

164 Department of Aboriginal and Torres Strait Islander and Multicultural Affairs, *Cultural Diversity Queensland: Language Services Policy Review* (2014), 17.

165 Western Australian Financial, Administrative and Professional Services Training Council Inc, *Translating & Interpreting Taskforce Report* (December 2015), 4.

166 NAATI, 'NAATI Fees and Charges 2015-2016' https://www.naati.com.au/media/1079/fees-and-charges.pdf

The Commonwealth-funded **New Interpreter Project (NIP)**, delivered by NAATI, provided funding to undertake a 15 hours' introduction to interpreting workshop and the NAATI English language proficiency test, if applicable, and to apply for recognition as an interpreter or sit for an accreditation test as a paraprofessional interpreter. The project aimed to:

· Increase the pool of credentialed interpreters in new and emerging languages;

· Increase community awareness of the need for credentialed interpreters;

· Facilitate existing community interpreters to gain credentials; and

· Raise awareness of the role of NAATI in maintaining standards of interpreting in Australia.

The project targeted new and emerging languages identified through consultations with government agencies including TIS National and NAATI. NIP commenced in 2007-08 and was funded by the Federal Government until 2013-14.

According to data provided by NAATI, 193 individuals were awarded 245 credentials through the NIP program—137 accreditations and 108 recognitions. The revalidation rate of these credentials is nearly 50 per cent, much higher than the overall revalidation rate of 30 per cent.

Another program aimed at assisting individuals to gain NAATI accreditation has been administered in the ACT. The Canberra Institute of Technology (CIT) Solutions and Canberra Multicultural Community Forum (CMCF) have run the Community Interpreter Program in 2014 and 2016. The program, which runs with funding from the ACT Office of Multicultural Affairs (OMA), is designed to prepare participants for the NAATI paraprofessional interpreter test. Once accredited, course graduates register with OMA so that their services can be called on by ACT government agencies as needed. Participants pay $150 to do the course, and those who successfully complete the course are eligible for scholarships from OMA to apply for and sit the NAATI paraprofessional test. When selecting participants in the February 2016 intake, a list of 'languages in demand' in the ACT was consulted, including many new and emerging languages. In 2014, 24 participants completed the course and a further 21 completed the course in 2016; many but not all of these participants speak new and emerging languages. CIT Solutions reports that eight participants have been accredited following involvement in the program, and more participants are expected to sit the NAATI accreditation test this year.

In addition to costs for accreditation, practitioners may incur costs to become a member of AUSIT, the national association for the translating and interpreting profession. AUSIT offers a number of membership categories, including:

· student, for those enrolled part-time or full-time in a formal translating and interpreting program ($56.70 annual fee);

· candidate, for applicants who show either qualifications or experience and will be eligible for full membership upon having gained qualifications and experience ($108.20 one-time fee);

· associate, for individuals who have an interest in the profession but are not a practitioner ($108.20 annual fee);

· full member, for translators or interpreters with NAATI accreditation or recognition or equivalent qualifications ($191.40 annual fee); and

· senior practitioner, for members with full engagement in the translating and interpreting industry at professional level or above for at least five years ($241.70 annual fee).[167]

The availability of a number of categories of membership allows interpreters without formal qualifications to gain access to the organisation. Many interpreters are isolated, particularly those from new and emerging languages, and engaging with the national association allows access to other practitioners and information about the profession.

Training pathways

As discussed earlier in this report, the limited number of tertiary courses in new and emerging languages presents challenges for NAATI accreditation at professional and paraprofessional levels.

A Western Australian Taskforce has identified that there is currently no training available in the State for interpreting, excluding signed languages. To access training that is recognised by NAATI, individuals must study online with an interstate education provider.[168] The Taskforce recommended establishment of training based on an introductory course comprised of units from the Diploma of Interpreting. Further, this training should have a formal, established pathway into a Diploma course with an interstate provider.[169]

---

167 For further information: http://ausit.org/AUSIT/Join_AUSIT/ Membership_Categories/AUSIT/Join_AUSIT/Membership_ Categories.aspx

168 Western Australia Financial Administrative and Professional Services Training Council Inc, *Translating and Interpreting Taskforce Report* (December 2015), 17.

169 Ibid, 50.

There are two challenges for tertiary institutions wishing to offer training for interpreting and translating in new and emerging languages—finding appropriate staff to teach the class, and forming a class that is large enough to justify running the course.

TAFE SA offers the Diploma of Interpreting in a number of new and emerging languages. They also offer training for interpreting in a number of Indigenous languages. Funding provided by State and Commonwealth Governments has allowed TAFE SA to train small classes in Indigenous interpreting, which would ordinarily be unviable. The training in Indigenous interpreting is delivered by TAFE SA via online virtual classrooms in addition to bush trips which allow face-to-face training. Teachers who deliver the program report that this mode of delivery has worked well. Students without access to the internet at home have been able to participate in training by utilising public facilities such as at libraries to access the online classroom. This example shows how technology can effectively be used to allow students in different parts of the country to access training, ensuring that students are given appropriate support.

For many new and emerging languages where tertiary institutions do not offer courses, potential interpreters are left without options for training. The RMIT University Skill Set course attempts to bridge this gap. The course allows students to study three units from the Diploma course, with a view to preparing to apply for NAATI recognition. These units are: negotiate translating and interpreting assignments, prepare to translate and interpret, and apply codes and standards to ethical practice. While the three units are language neutral, the University works closely with the interpreting industry to include language components to assist students with their bilingual capacity. The course takes seven weeks to complete, and has been offered through online delivery. To be accepted into the Skill Set, applicants must be successful in a written and oral intake test in English and their other language.

After identifying a limited supply of interpreters in new and emerging languages in Queensland, particularly in rural and regional areas, Multicultural Affairs Queensland undertook to offer RMIT's Skill Set to interested individuals in the state. The training course was offered via group, online classes to students in Queensland in 2015. Multicultural Affairs Queensland worked collaboratively with a number of organisations to coordinate the simultaneous delivery of the training in five different locations across

the state. Settlement service providers in regional locations assisted to promote the course locally and supported students with course and NAATI related application processes. Following the conclusion of the course, Multicultural Affairs Queensland also supported training participants to meet NAATI's industry experience requirements by facilitating connections with interpreting service providers so that they could build practical experience.

A similar training model has recently been developed in South Australia. TAFE SA have secured a grant from the South Australian Department for Communities and Social Inclusion to cover the cost of a 12 week training course targeting interpreters in new and emerging languages. The training consists of the delivery of four non-language specific units from the Diploma of Interpreting covering ethics, discourse management, professional development and preparation for assignments, which will be delivered over seven weeks (May-July 2016). In addition, the students will receive training to prepare them to sit for a NAATI test or where a test is not available, assistance to seek NAATI recognition and prepare for an English test which is part of the recognition process. This component will be covered in five to eight weeks (July-September 2016).

After successful completion of the course it is expected that suitable students will start the process of seeking NAATI accreditation or recognition, and TAFE SA is currently seeking funding assistance to cover this part of the process. This report has identified that the cost of NAATI credentialing can be a significant barrier for many members of new and emerging communities, given their limited financial resources. Service providers in South Australia have undertaken to give priority in assigning jobs to those interpreters who have completed the course with TAFE SA. TAFE SA have recruited a committed group of 19 students to participate in the training, speaking languages including Somali, Burmese, Khmer, Nepali, Pashto, Punjabi, Sinhalese, Tamil, Kurdish, Chin, Chin Hakka, Kinyarwanda and Kirundi.

A different training model was developed in Sydney. Macquarie University ran a Graduate Certificate in Community Interpreting. The course was language neutral, attempting to fill a gap where individuals wished to access training for interpreting but could not do so because language specific courses are unavailable. The course was designed for people who were working, so the University utilised a blended delivery mode which could be completed in six months. The Graduate Certificate aimed to provide a pathway to the Graduate Diploma in Interpreting and

Translating and Masters of Interpreting and Training programs. Due to issues with securing further funding, the course is not currently running.

All of these institutions recruited participants in a similar way. They reached out to communities directly, through online promotion, ethnic media and other advertising. Participants were also recruited by developing relationships with relevant community organisations, who assisted by promoting courses to interested individuals.

The cost of training can be a significant barrier for some refugees who are not eligible for the Commonwealth Government programs which assist students to finance tertiary education. To be eligible for FEE-HELP, individuals must be an Australian citizen or a permanent humanitarian visa holder who will be resident in Australia for the duration of their studies.[170] People seeking asylum on Bridging Visas, Temporary Protection Visas or Safe Haven Enterprise Visas are unable to access funding for education through this scheme, and thus must pay international student rates to attend TAFE and university. The Refugee Council of Australia reports that there are almost 30,000 people living in the community awaiting a decision on their refugee claim, including 7,000 young people aged between 16 and 25 years.[171] Barriers to formal training in interpreting for refugees and asylum seekers contribute to a lack of trained interpreters for these communities.

A long-running scheme in Victoria assists interested individuals who speak new and emerging languages to undertake Diploma and Advanced Diploma level training. The Victorian Government, through the Office of Multicultural Affairs and Citizenship (OMAC), offers scholarships to students who are accepted into Diploma or Advanced Diploma programs at RMIT University to study interpreting in particular languages. Scholarships are available for Australian citizens or permanent residents, and pays for a portion of the RMIT course fee. Students are eligible for paraprofessional interpreter accreditation by NAATI if they successfully complete their program and achieve a mark of 70 per cent or above in the interpreting accrediting unit. The Victorian Government pays for the cost of NAATI accreditation for scholarship recipients who achieve this level. In 2015, the Interpreter Scholarship program targeted the following new and emerging languages:

- Diploma of Interpreting: Hazaragi, Khmer, Rohingya, Somali and Dinka; and
- Advanced Diploma of Interpreting: Dari and Tamil.

OMAC identifies unmet need in the Victorian community by analysing commercial data provided by language service providers regarding their unmet demand, Census data including growth of particular ethnic communities and prevalence of low English proficiency in particular communities, other settlement data and NAATI accreditation data. Scholarships are promoted online, on SBS radio and through peak organisations. OMAC has received significant interest in the program from community members.

---

170 For further information: http://studyassist.gov.au/sites/studyassist/helppayingmyfees/fee-help/pages/fee-help-#AmIEligible

171 Refugee Council of Australia, *Barriers to Education for People Seeking Asylum and Refugees on Temporary Visas* (December 2015), 4.

Table 5. OMAC Interpreter Scholarship 2003-2015

YEAR	NUMBER OF SCHOLARSHIPS	NEW AND EMERGING LANGUAGES	NUMBER OF NAATI ACCREDITATIONS	TARGETED NEW AND EMERGING LANGUAGES NOT SELECTED DUE TO UNVIABLE CLASS SIZES
2015	130 (also includes established language scholarships)	**Diploma:** Tamil, Burmese	TBC	Khmer, Hazaragi, Rohingya and Somali
2014	13 (also includes Punjabi)	**Diploma:** Karen	4 Karen	Dinka, Rohingya and Somali
2013	31	**Diploma:** Assyrian and Dari	15 Assyrian 12 Dari	Dinka, Kurdish (Feyli), Nuer and Swahili
2012	28	**Diploma:** Oromo and Tedim (Chin)	11 Oromo 10 Tedim Chin	Dinka, Kirundi and Somali
2011	32	**Diploma:** Haka (Chin) and Pashtu	15 Haka Chin 9 Pashtu	Tedim (Chin), Kurdish (Kurmancil), Kurdish (Sorani) and Assyrian
2010	32	**Diploma:** Dari and Tamil	10 Dari 10 Tamil	Dinka and Hazaragi
2009	40	**Diploma:** Karen and Nuer	11 Karen 7 Nuer	Dari and Dinka
2008	27	**Diploma:** Burmese and Swahili	6 Burmese 4 Swahili	Dinka, Karen, Somli and Tigrinya
2007	31	**Diploma:** Amharic and Nuer	13 Amharic 9 Nuer	Dinka, Somali and Swahili
2006	16	**Diploma:** Dari and Sudanese Arabic	1 Dari 8 Sudanese Arabic	Amharic, Dinka, Khmer, Nuer, Pushto, Somali and Swahili
2005	32	**Diploma:** Dinka, Dari and Oromo	9 Dinka 5 Dari 3 Oromo	Amharic, Nuer, Pushto, Trigrinya, Khmer and Somali (Advanced Diploma)
2004	19 (includes Timorese Hakka)	**Diploma:** Amharic **Advanced Diploma:** Somali	5 Amharic	Assyrian, Dari, Tetum, Oromo, Pushto and African (English)
2003	16	**Diploma:** Dari **Advanced Diploma:** Khmer, Farsi	1 Dari 1 Khmer 5 Farsi	Amharic, Assyrian, Oromo and Somali (Advanced Diploma),

Data source: Office of Multicultural Affairs and Citizenship, Victoria

OMAC reports that since offering the Advanced Diploma, they have offered scholarships to individuals who have previously completed Diploma level training through the scheme. This shows that continued investment can assist to upskill practitioners and provide pathways to higher levels of accreditation.

For eight years, OMAC identified that Dinka was a language with high community demand for interpreters, but could not enrol enough interested applicants to form a class. Other languages were also targeted for a number of years without success, including Dari, Rohingya, Somali and Assyrian. If a similar program was run with national collaboration and using technology to deliver training, a viable class is much more likely to be formed and this would assist to meet demand for interpreters in these languages nationally.

OMAC reports that between 2000 and 2013, scholarship graduates comprised 63 per cent of all NAATI credentials in Victoria in the languages targeted by the scholarships, and on six occasions comprised 100 per cent of the annual NAATI accreditations in Victoria in specific languages. In 2013-14, 85 per cent of past scholarship recipients reported working as paid interpreters and 82 per cent were registered with a language service provider.[172]

> The authors have observed over the years that the attrition rates for these rare and emerging languages in the interpreting program have been low compared with other non-refugee language streams, and these students have always expressed their heartfelt appreciation to [OMAC's] scholarships and the opportunity to study. Most importantly, they all felt a pressing need for their community to access qualified interpreters and how their completion of training forms part of the solution.[173]

The 2012 *Improvements to NAATI Testing* report suggested that "[c]oncerns about access to training can perhaps be best addressed through targeted funding and subsidising of courses for particular language communities".[174]

> These rare and emerging languages are not offered by the program on a continual basis. In some cases they are delivered only once, depriving the program of the capacity to accumulate language-specific materials[175]

A Commonwealth Ombudsman report recommends that Australian Government agencies encourage the development of interpreters in emerging languages and work together to provide timely access to qualified interpreters.[176] Commonwealth, State and Territory Governments are also major purchasers of language services.

> Some community members are interested in becoming interpreters but find the process long and difficult due to the language barrier as well as the expense of studying here in Australia – **Community member**

> The cost of accreditation is the biggest stumbling block. Many of our [bilingual workers] have arrived here as refugees... they just don't have the means to pay for the testing. However the experience of being part of our service ... has helped a number of them with their resumes – **Health service provider**

Professional development

Some language service providers have developed programs to support the professional development of interpreters who work for them. Multicultural NSW provides language services in 106 languages and dialects. The organisation actively seeks out interpreters who can work in languages for which

172 Australian Continuous Improvement Group for the Office of Multicultural Affairs and Citizenship, Department of Premier and Cabinet, *Multicultural Language Services Program Evaluation: Unpublished report* (November 2014).

173 Miranda Lai and Sedat Mulayim, 'Training interpreters in rare and emerging languages: The problems of adjustment to a tertiary education setting' in Christina Schäffner, Krzysztof Kredens and Yvonne Fowlers (eds), *Interpreting in a Changing Landscape. Selected Papers from Critical Link 6* (John Benjamins Publishing Company, 2013), 301.

174 Professor Sandra Hale et al, *Improvements to NAATI testing: Development of a conceptual overview for a new model for NAATI standards, testing and assessment* (30 November 2012), 36.

175 Miranda Lai and Sedat Mulayim, 'Training interpreters in rare and emerging languages: The problems of adjustment to a tertiary education setting' in Christina Schäffner, Krzysztof Kredens and Yvonne Fowlers (eds), *Interpreting in a Changing Landscape. Selected Papers from Critical Link 6* (John Benjamins Publishing Company, 2013), 300.

176 Commonwealth Ombudsman, *Use of interpreters: Australian Federal Police, Centrelink, Department of Education, Employment and Workplace Relations, Department of Immigration and Citizenship* (March 2009), 26.

there is an identified community need. For many new and emerging languages, there is no pathway to NAATI accreditation. Once hired, new interpreters participate in the ordinary Multicultural NSW induction process, during which time they are given more attention and support than newly recruited interpreters with more training and experience. They are also 'buddied up' with an experienced interpreter who can provide informal mentoring. The new interpreter is encouraged to take smaller jobs at the beginning to build their skills and confidence. Multicultural NSW encourages interpreters speaking new and emerging languages to have their experience recognised by NAATI once they have done a number of interpreting assignments.

Another language service provider provides more formal support for professional development. TIS National provides scholarships to its eligible interpreters, who are reimbursed for the cost of their NAATI accreditation testing fees if they are successful in achieving accreditation. Eligible interpreters can be reimbursed for one professional development course each year by TIS National to continue improving their skills.[177]

OMAC in Victoria has provided funding to the Monash University Translation and Interpreting Studies Program to deliver courses for recently graduated or accredited interpreters, and more experienced interpreters.[178] The short courses are not language specific, instead focusing on various topics including:

- legal interpreting;
- health interpreting;
- mental health interpreting;
- education interpreting;
- telephone and video-link interpreting;
- road safety and driving interpreting; and
- language services professional practice.

Completion of the short courses attracts professional development points for revalidation with NAATI. The program has been delivered in metropolitan and regional areas, including Geelong, Ballarat, Wodonga, and Morwell.[179]

Such programs are not available Australia-wide. AUSIT has begun offering non-language specific training for practitioners where there is a gap from training providers.

Bilingual workers

Bilingual staff are an incredible resource
– **Service provider**

Bilingual workers are workers who do their ordinary job in two languages. These workers may be hired for a particular position in a workplace or specifically for their language ability. Bilingual workers are often found as receptionists, nurses, attendant carers, financial counsellors, multicultural education aides, community health educators, special workers, case managers, settlement support workers.[180]

Bilingual staff should not be seen as a replacement for interpreters, but rather a resource for particular situations. The role of these workers is to fill simple communication gaps, provide a service in a language other than English and supply general cultural information to the organisation.[181] Communication between bilingual workers and clients should be conducted within situations where there is a minimum risk of adverse effects for the users.[182] Using bilingual workers can be an effective way for organisations to meet the needs of their non-English speaking clients, or clients who would prefer to speak in a language other than English in particular contexts, without engaging interpreters. In settings such as health promotion and settlement services, clients may feel more at ease speaking in their native language and better comprehend the information given to them.

The Department of Human Services (DHS) employs staff who are trained as DHS customer service officers and provide services via a call centre and in Centrelink shopfronts. The University of New South Wales has designed a test for staff members to sit and assess their language other than English before being able to work in this role. Staff are paid an additional allowance depending on how often they use their language other than English on a two tier payment schedule.

177 For further information: https://www.tisnational.gov.au/en/Interpreters/Information-for-current-TIS-National-interpreters/Professional-development-for-TIS-National-interpreters

178 For further information: http://artsonline.monash.edu.au/translation-interpreting/short-courses/

179 For further information: http://www.multicultural.vic.gov.au/projects-and-initiatives/improving-language-services/interpreter-scholarships?id=236

180 Centre for Culture Ethnicity and Health, *Bilingual Staff Research Project Report* (2008), 4.

181 Ibid, 5.

182 Ibid, 9.

Bilingual and bicultural workers are often engaged as cultural liaison officers—they are able to build trust and develop rapport with a client from a non-English speaking background. For example, Queensland Hospital and Health services operating in regional areas engage cultural liaison officers to support medical practitioners working with Aboriginal and Torres Strait Islander patients.

Bilingual workers vary in quality given the absence of nationally standardised qualification and training. The lack of national standards results in varied understandings of the role of bilingual workers by service providers and workers themselves. Bilingual workers are not subject to the AUSIT Code of Ethics, thus it is likely that these workers are not subject to the duties of confidentiality and impartiality, unless these duties apply to their formal role (for example, a doctor or lawyer would be bound by these duties). A worker's workplace conditions may impose a code of ethics or particular duties of care; however this will vary from workplace to workplace.

Service providers and those with limited English proficiency may assume bilingual workers do the same job as professional interpreters. This misconception can expose bilingual workers to situations where they lack the adequate skills to perform tasks asked of them and place them in situations of stress and discomfort. Organisations may demand more than the expected workload for bilingual workers.

There is an absence of uniform assessment of language proficiency for bilingual workers. Methods of assessing a bilingual worker's proficiency in another language are commonly assessed by examining the level of educational qualifications completed overseas, work experience, or references provided by other community members.[183] These measures do not necessarily guarantee competent performance in both English and a language other than English.

NAATI is currently assessing its capability to assess proficiency in languages other than English, which may assist agencies who use the bilingual capacity of their employees.

---

183 Susan K Lee, Cheryl R Sulaiman-Hill and Sandra C Thompson, 'Overcoming language barriers in community-based research with refugee and migrant populations: options for using bilingual workers', *BMC International Health and Human Rights* (2014) (14)11, 3.

CONCLUDING OBSERVATIONS TOWARDS SHAPING AN EFFECTIVE MODEL

There is added complexity to addressing language services needs in view of the dynamics of the humanitarian intake in recent years, and particularly the increased intake in response to the crisis in Syria and Iraq.[184] However, the emergence of new languages is not unprecedented in Australia, in fact it is a common phenomenon. With the diversity of Australia's population only increasing, a solution to address language services needs for emerging languages must be sustainable, flexible and forward-looking; one that can be contextualised and applied to specific languages and changing circumstances of supply and demand. Such a solution would also have a positive flow-on effect for addressing language services supply and demand gaps for other, more established languages, by developing evidence of good practice and innovative models.

In the context of the broad challenges of the language services sector, the unique gaps in supply and demand with regards to new and emerging languages can be best addressed through a *sui generis* model positioned within a national, multi-jurisdictional framework underpinned by a number of elements with a view to achieving a dual purpose—concurrently increasing supply of interpreters in new and emerging languages and demand for language services in these languages. Consistent investment over a period of time by Commonwealth and State/Territory Governments, as major purchasers of language services, is needed to build the supply of quality interpreters in new and emerging languages. This approach will be able to respond to the changing demographics and emerging needs for language services.

Fostering national/multi-jurisdictional collaboration and coordination

The key element of any such framework must be collaboration between Commonwealth and State/Territory Governments, and with tertiary institutions, language service providers, professional associations, and the community sector. This could take the form of a permanent forum—as opposed to an *ad hoc* roundtable—convened annually by the Commonwealth Minister with responsibility for multicultural affairs and their State and Territory counterparts, with the participation of Commonwealth immigration and settlement agencies, relevant State/Territory agencies, interpreting and translating service providers, NAATI, tertiary bodies, professional associations, and community sector organisations working with new humanitarian migrants and refugees.

Australia's structured migration and settlement planning would allow such a forum to identify any emerging trends with regards to the intake and related language services needs, and collaboratively conceptualise appropriate responses to address the gaps, such as developing a tertiary course for a particular language, introducing NAATI accreditation testing for a particular language, seeking interest among members of a specific community to enter training and professional development. It could also assist to coordinate NAATI testing in new and emerging languages for which testing will now be determined through an expression of interest process.[185]

The proposed national forum would also serve as a much needed national platform for exchanging data, sharing knowledge, learnings and outcomes, as well as promoting consistency in development and

184 The Hon. Tony Abbott MP, Hon. Julie Bishop MP and Hon. Peter Dutton MP, 'The Syrian and Iraqi humanitarian crisis' (9 September 2015) http://www.formerministers.dss.gov.au/15738/the-syrian-and-iraqi-humanitarian-crisis/

185 NAATI, 'NAATI introduces new scheduled testing' (16 June 2016), https://www.naati.com.au/news-events/news-events-container/media-releases/naati-introduces-new-scheduled-testing/

implementation of language services policies and practices across jurisdictions. This would provide an opportunity for states to share findings of reviews into the translating and interpreting industry, for example the recently announced Victorian government review.[186] Such a forum could be instrumental in addressing the consistency of policies, procedures and guidelines, as well as of data collection protocols and terminology, across agencies and jurisdictions. Most importantly, it would serve as an enabler to implement an effective and sustainable model of meeting language services needs of new migrants and refugees, by sharing of learnings and outcomes.

Enhancing data collection and data linkage

In addition to the ongoing assessment of, and improvements to, the utilisation of interpreters across agencies and jurisdictions, data collection is an important planning mechanism for meeting the language services needs of new migrants, and particularly refugees. Review of language and dialect terminology across settlement, training and accreditation datasets and the creation of whole-of-government collection standards would ensure better planning, response and collaboration.

With regards to the utilisation of language services, consistency of data collection by government agencies would allow comparative analysis across indicators, such as number of interpreting jobs provided, languages/dialects, level of accreditation, inability to engage an accredited interpreter and a resulting action (engaging a bilingual worker or a carer), reasons, the amount spent, and whether the service was not accessed due to unavailability of interpreting services. This would provide adequate information on the trends in availability and accessibility of interpreting services, as well as allow learnings to be shared across agencies, and inform the development of best practice. Most significantly, this would allow unmet demand to be measured, even if not able to identify all of the unmet need.

Data should also be collected to assist with planning, including client's preferred language and interpreting needs, as well as availability of bilingual staff and in-house interpreters, and staff training needs on utilising language services. Current data collection by State and Territory Government agencies,

under the relevant legislation and policy, and by various Commonwealth Government agencies lack consistency and comparability across indicators. As a minimum, 'language/dialect spoken' should be a mandatory data field in the DSS Settlement Database, and the terminology should be consistent with that used by NAATI.

Targeting high-need languages and high-risk settings

Building a pool of professional interpreters in new and emerging languages will be most effective if it is structured to target the languages of most need, that is with the current lowest ratio of accredited interpreters for the total number of speakers, further informed by any available data on the unmet demand across agencies and jurisdictions. In order to secure minimum prospective sustainability for the pool of professionals, it would also be strategic to focus on the high-risk areas of expertise, such as health and legal.

Due to the unique supply and demand characteristics for language services in new and emerging languages, a more sustainable approach would be to support a smaller number of people to become highly skilled and fill particular gaps in high risk areas; such an approach would also maximise the amount of work that these interpreters can access, making interpreting a more viable vocation and encouraging ongoing professional growth.

45

186 Victorian Minister for Multicultural Affairs Robin Scott, 'Boosting Language Services for All Victorians' (15 June 2016) http://www.premier.vic.gov.au/boosting-language-services-for-all-victorians/

Establishing training, accreditation and professional development pathways

Training pathways are currently localised and depend on a class of a certain size being constituted to make teaching a course financially viable. National, or at least multi-jurisdictional, coordination of training conceptualisation and delivery would assist to overcome this obstacle. State and Territory Governments, including through the proposed national forum, should consider opportunities to collaborate among themselves and engage with relevant stakeholders to identify language services needs and target individuals who are interested in completing interpreting courses in new and emerging languages. Utilising online classrooms and local support networks, courses can be conducted with students across Australia.

Following initial training and accreditation, practitioners who interpret in new and emerging languages must be supported to continue their professional development and connection to the profession. This could include developing courses in collaboration with the language services industry, tailored to the agency's particular area of work. Programs should assist interpreters in new and emerging languages to connect with AUSIT, for example by paying for AUSIT membership, to facilitate connection with the profession and further professional development.

A scholarship initiative, similar to the one implemented by OMAC in Victoria, could be implemented in other States and Territories to support practitioners' upskilling through NAATI-approved language-specific Diploma or Advanced Diploma of Interpreting programs. National coordination on such an initiative would help achieve viable class sizes through enhanced use of technology.

Recognising bilingual workers

Lack of formal recognition of bilingual worker's skills, along with limited availability of professional development and training opportunities, is a significant gap. Addressing this gap would potentially achieve benefits for everyone: the workers— by acknowledging their skills and contributions, including through financial incentive; and the agencies that employ them—by addressing some of their low-risk language services needs and reducing costs. Acknowledgement of the bilingual workforce will allow for better stock-taking of language services demand, as well as better identification of need for qualified interpreting. This will also address government agencies' concerns with regards to meeting the language services needs. Finally, this will benefit the translating and interpreting industry, by delineating the roles of interpreters and bilingual workers, clarifying the scope and the limitations of the bilingual worker profession, and contributing to raising the interpreting industry standards.

The NAATI Language Aide credential was created in the mid-1990s to meet the needs of State and Commonwealth Government Departments language allowance schemes. The format of the assessment, created specifically around a Centrelink customer service scenario, has not been reviewed or updated since its development. It appears that many Departments who made use of it initially find that the credential no longer meets their current needs.

While NAATI Language Aide credential is not widely accessed, consideration should be given to the development of nationally consistent minimum standards and certification, along with related training and professional development pathways that are affordable and accessible. Minimum standards for the bilingual worker profession could serve as a code of conduct—ensuring that bilingual workers are aware of when a qualified interpreter is required and that they are not to take on the role of an interpreter. Such standards would also identify relevant operational requirements that must be considered by employers when engaging bilingual workers, such as incorporating communication assistance tasks in their position descriptions.

Enhancing policy implementation

The majority of government agencies across jurisdictions have policies and procedures in place for the utilisation of language services. However, these policies are most effective when they and their mandatory implementation are communicated adequately to frontline staff and those engaging directly with non-English speakers. With policies establishing the agencies' responsibility to provide language services, this can be achieved through the development of practical guidelines, regularly updated to reflect good practice, and informing staff of ways to determine the need for interpreting services, how to access those services, and what to do when interpreters in the requested language or at the requested level are not available—equally a critical consideration for developing agreed protocols with contracted language services providers.

Further, with the Commonwealth/State/Territory level policy framework including the obligation to promote language services to clients (that is, non-English speakers and service providers who interact with them), particular focus should be placed on targeting areas outside the policy scope, such as private GPs. Fee-free language services must be implemented on a fully demand-driven basis, in conjunction with active promotion of the service to private GPs and patients.

Building capacity of consumers of language services

Tertiary level training in cultural competency and working with interpreters is particularly important for high-risk areas, such as health and legal, to ensure the professional's confidence and capability in interacting with people from non-English speaking backgrounds and assessing the need for engaging language services.

It is equally important to empower non-English speakers as confident and informed consumers of language services. A national communication strategy, in collaboration with the community sector, should address the lack of awareness among non-English speakers about the importance and benefits of engaging credentialed interpreters, the availability of fee-free interpreting, and the risks of not utilising professional language services and involving family members and friends. Strategies need to be in place to inform non-English speakers about the role of interpreters and benefits of using language services.

OPTIMAL TRAINING AND ACCREDITATION MODEL

Based on the review of various models across jurisdictions and the identification of good practice elements, this report recommends the conceptualisation and implementation of a national, multi-jurisdictional program to increase the quantity and quality of language services to meet the language services needs in new and emerging languages.
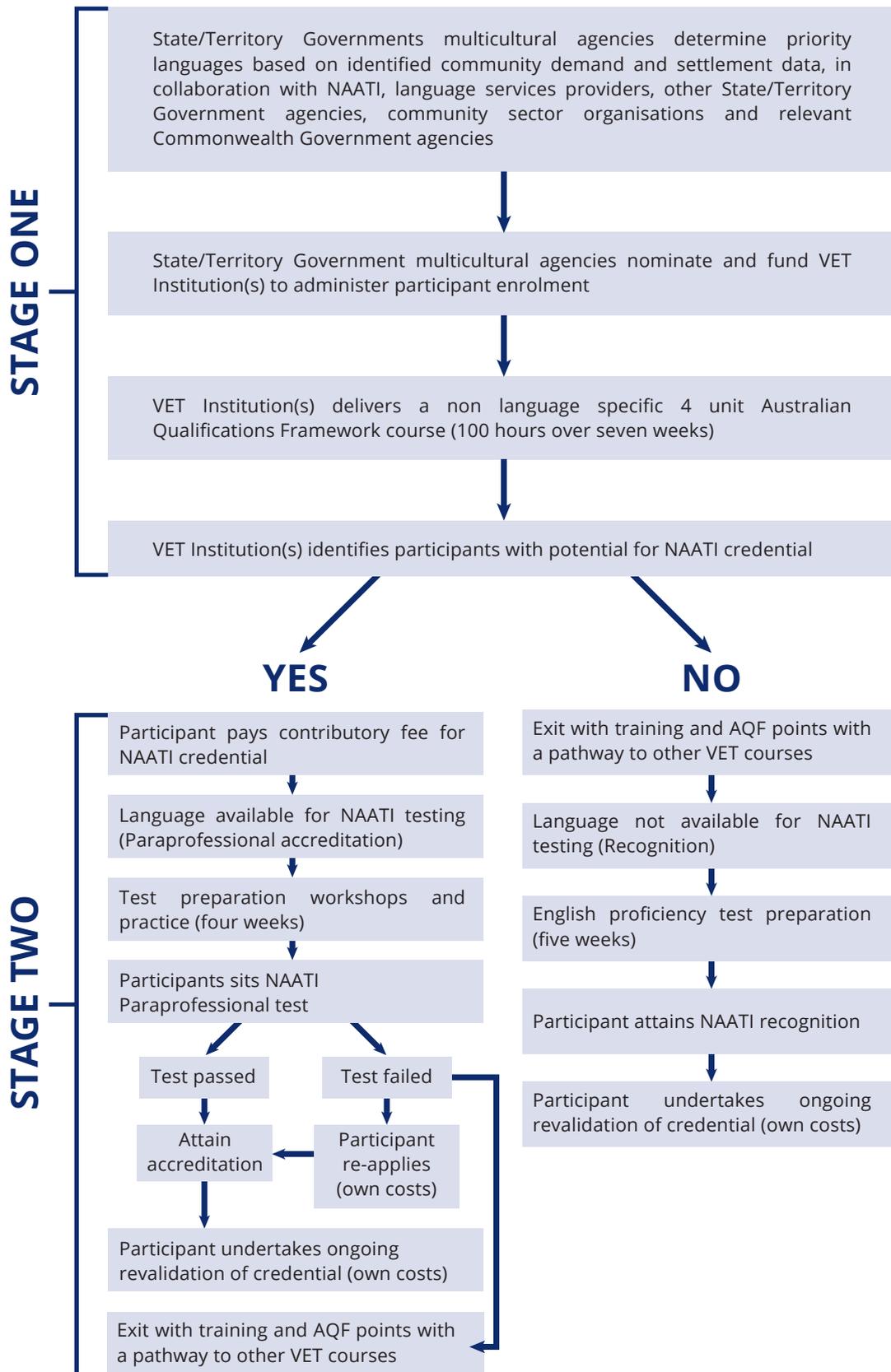
The model would comprise a two-stage process:

STAGE ONE: SKILL SET PROGRAM	• VET-delivered Skill Set of four units from the Diploma of Interpreting (100 nominal hours in total) complying with the Australian Qualifications Framework and providing a pathway to completing the Diploma of Interpreting at a later date. • Participants recruited by engaging with community organisations. • Flexible course delivery—either face-to-face or online—taking into account the needs of students from new and emerging communities, who may be working and require part time study and options for evening classes. • Access to Stage Two of the program through successful completion of Stage One. • Funding by State Governments to reduce the financial burden on participants.
STAGE TWO: NAATI CREDENTIALS	• Screening of participants, following successful completion of Stage One, prior to moving onto attaining a NAATI credential. • Funding assistance from Commonwealth Government for participants to undertake NAATI testing, supplemented by small investment by the participants and possibly NAATI.

The prospective sustainability and added value of the proposed model is underpinned by the following considerations:

• This is a more collaborative and transparent structure and includes commitment from both State and Commonwealth via co-contribution, resulting in significantly less net cost to the Commonwealth Government that could be reduced further through NAATI discounting, for example discounted application or testing fees.

• It is evidence-based, informed by identified consumer demand and input from the industry and the community sector.

• It requires a relatively small contribution from participants that would correlate with more dedicated engagement and commitment to complete the program.

• It has additional social benefits with regards to improving settlement outcomes for individuals through closer engagement with the education sector.

• It results in achievement of approved Australian Qualifications Framework (AQF) units to ensure consistency and the ability to transfer to other VET courses.

• It provides a pathway for higher education, including through Diploma or Advanced Diploma in Interpreting, and potentially subsequent NAATI accreditation.

• It provides for screening of participants at the completion of Stage One with a view to identifying suitable participants for Stage Two, thus minimising the costs of applicants sitting NAATI tests with little prospect of success.

• It is designed to facilitate flexible mode delivery (face-to-face or online) providing options for regional locations.

• It allows for clear monitoring, reporting and impact assessment.

Figure 11. Solution model flowchart

STAGE ONE

State/Territory Governments multicultural agencies determine priority languages based on identified community demand and settlement data, in collaboration with NAATI, language services providers, other State/Territory Government agencies, community sector organisations and relevant Commonwealth Government agencies

State/Territory Government multicultural agencies nominate and fund VET Institution(s) to administer participant enrolment

VET Institution(s) delivers a non language specific 4 unit Australian Qualifications Framework course (100 hours over seven weeks)

VET Institution(s) identifies participants with potential for NAATI credential

YES

NO

STAGE TWO

Participant pays contributory fee for NAATI credential

Language available for NAATI testing (Paraprofessional accreditation)

Test preparation workshops and practice (four weeks)

Participants sits NAATI Paraprofessional test

Test passed

Test failed

Attain accreditation

Participant re-applies (own costs)

Participant undertakes ongoing revalidation of credential (own costs)

Exit with training and AQF points with a pathway to other VET courses

Exit with training and AQF points with a pathway to other VET courses

Language not available for NAATI testing (Recognition)

English proficiency test preparation (five weeks)

Participant attains NAATI recognition

Participant undertakes ongoing revalidation of credential (own costs)

49

REFERENCES

Articles/Books

Bancroft, Marjory A, Lola Bendana, Jean Bruggeman and Lois Feuerle, 'Interpreting in the Gray Zone: Where Community and Legal Interpreting Intersect' *Translating and Interpreting* (2013) 5 (1)

Brough, Cara, *Language Services in Victoria's Health System: Perspectives of Culturally and Linguistically Diverse Consumers*, The Centre for Culture Ethnicity and Health, Melbourne, Victoria, Australia (2006)

Choolun, Nicole, 'Lost in translation? An examination of court interpreting in Australia', *Queensland Law Student Review* (2009) 2(1)

Dandy, Justine and Rogelia Pe-Pua, report prepared for Joint Commonwealth, State and Territory Research Advisory Committee, *Research into the Current and Emerging Drivers for Social Cohesion, Social Division and Conflict in Multicultural Australia* (2013)

Garrett, Pam, 'Healthcare Interpreter Policy: Policy determinants and current issues in the Australian context', *Interpreting & Translation* (2009) 1(2)

Garrett, Pamela W, Roberto Forero, Hugh G Dickson and Anna Klinken Whelan, 'How are language barriers bridged in acute hospital care? The tale of two methods of data collection', *Australian Health Review* (2008) 32(4)

Grabau, Charles M and Llewellyn Joseph Gibbons, 'Protecting the Rights of Linguistic Minorities: Challenges to Court Interpretation', *New England Law Review* (1996)

Gray, Ben, Jo Hilder and Hannah Donaldson, 'Why do we not use trained interpreters for all patients with limited English proficiency? Is there a place for using family members?', *Australian Journal of Primary Health* (2011) 17

Hale, Sandra, Ignacio Garcia, Jim Hlavac, Mira Kim, Miranda Lai, Barry Turner and Helen Slatyer, report prepared for NAATI, *Improvements to NAATI testing: Development of a conceptual overview for a new model for NAATI standards, testing and assessment* (30 November 2012)

Hale, Sandra, *Interpreter Policies, Practices and Protocols in Australian Courts and Tribunals: A National Survey* (The Australasian Institute of Judicial Administration Incorporated, 2011)

Hale, Sandra, 'The need to raise the bar: court interpreters as specialised experts', *The Judicial Review* (2011)

Hale, Sandra and Ludmila Stern, 'Interpreter quality and working conditions: comparing Australian and international courts of justice', *Judicial Officers' Bulletin* (2011) 23(9)

Hale, Sandra, 'The Challenges of Court Interpreting: Intricacies, responsibilities and ramifications', *Alternative Law Journal* (2007) 32(4)

Hatoss, Aniko, *Displacement, Language Maintenance and Identity: Sudanese Refugees in Australia* (John Benjamins Publishing Company, 2013)

Heilbronn, Gary N, Paul Latimer, Dr Jennifer Nielson, Tony Pagone and Dorothy Kovacs, *Introducing the law* (CCH Australia, 7th edition, 2008)

Karliner, Leah S, Elizabeth A. Jacobs, Alice Hm Chen, and Sunita Mutha, 'Do professional interpreters improve clinical care for patients with limited English proficiency? A systematic review of the literature', *Health Services Research* (2007) 42(2)

Kirmayer, Laurence J, Hannah Kienzler, Abdel Hamid Afana and Duncan Pedersen, 'Trauma and Disasters in Social and Cultural Context' in C. Morgan and D. Bhugra (eds), *Principles of Social Psychiatry* (John Wiley and Sons, Ltd, 2nd edition, year)

Lai, Miranda and Sedat Mulayim, 'Training refugees to become interpreters for refugees', *The International Journal for Translation & Interpreting Research* (2010) (2)1

Lai, Miranda and Sedat Mulayim, 'Training interpreters in rare and emerging languages: The problems of adjustment to a tertiary education setting' in Christina Schäffner, Krzysztof Kredens and Yvonne Fowlers (eds), *Interpreting in a Changing Landscape. Selected Papers from Critical Link 6* (John Benjamins Publishing Company, 2013)

Leach, Michael and Fethi Mansouri, *Lives in Limbo: Voices of Refugees under temporary protection* (University of New South Wales Press, 2004)

Lee, Jieun, 'Conflicting views on court interpreting examined through surveys of legal professionals and court interpreters', *Interpreting* (2009) 11(1)

Lee, Susan K, Cheryl R Sulaiman-Hill and Sandra C Thompson, 'Overcoming language barriers in community-based research with refugee and migrant populations: options for using bilingual workers', *BMC International Health and Human Rights* (2014) (14)11

Muela Ribera, Joan, Susanna Hausmann-Muela, Koen Peeters Grietens and Elizabeth Toomer, *Is the use of interpreters in medical consultations justified? A critical review of the literature,* PASS-International (2008)

Okyayuz, Mehmet, Peter Herrmann and Claire Dorrity, *Migration- Global Processes caught in National Answers* (Wiener Verlag für Sozialforschung, 2014)

Ozolins, Uldis, *Interpreting and translating in Australia: Current issues and international comparisons* (The National Languages and Literacy Institute of Australia, 1998)

Phillips, Christine B. and Joanne Travaglia, 'Low levels of uptake of free interpreters by Australian doctors in private practice: secondary analysis of national data', *Australian Health Review* (2011) 35

Rathus, Spencer A, *Psychology: Concepts and Connections* (Wadsworth Cengage Learning, 10th edition, 2012)

York, Barry 'Australia and Refugees, 1901-2002: An Annotated Chronology Based on Official Sources' (Parliament of Australia, 2003)

Reports

APESMA (now Professionals Australia), *Lost in Translation: Barriers to Building a Sustainable Australians Translating and Interpreting Industry* (2012)

Australian Continuous Improvement Group for the Office of Multicultural Affairs and Citizenship, Department of Premier and Cabinet, *Multicultural Language Services Program Evaluation: Unpublished report* (November 2014)

Australian National Audit Office, *Management of Interpreting Services: Department of Immigration and Border Protection, Department of Social Services* (2014-15 Performance Audit), ANAO Report 28 (2015)

The Association of Professional Engineers, Scientists and Managers, Australia, *The Case for Change: Consequences and costs of failures in the translating and interpreting industry* (2013)

Centre for Culture, Ethnicity and Health, *Language Services: Better practice in Victorian health services and local government* (2014)

Centre for Cultural, Ethnicity and Health, *Bilingual Staff Research Project Report* (2008)

Centre for Culture, Ethnicity and Health, *Language Services in Victoria's Health System: Perspectives on Culturally and Linguistically Diverse Consumers* (2006)

Commonwealth of Australia, Department of Social Services, *Annual Report 2014-15*

Commonwealth of Australia, Department of Immigration and Border Protection, *Annual Report 2014-15*

Commonwealth Ombudsman, *Use of interpreters: Australian Federal Police, Centrelink, Department of Education, Employment and Workplace Relations, Department of Immigration and Citizenship* (March 2009)

FECCA, *2014-14 Multicultural Access and Equity Report*, 23

Foundation House: The Victorian Foundation for Survivors of Torture Inc, *Promoting the engagement of interpreters in Victorian health services* (2013)

Futures Upfront, *Everyone counts – Why language services matter* (May 2015)

Judicial Council on Cultural Diversity, *The Path to Justice: Migrant and Refugee Women's Experience of the Courts* (2016)

Law Institute of Victoria, *Final Report Interpreting Fund Scoping Project* (2010)

NAATI, *Annual Report 2014-15: The Key to Language Diversity*

Refugee Council of Australia, *Barriers to Education for People Seeking Asylum and Refugees on Temporary Visas* (December 2015)

Queensland Government Department of Aboriginal and Torres Strait Islander and Multicultural Affairs, *Cultural Diversity Queensland: Language Services Policy Review* (2014)

Victorian Government, Royal Commission into Family Violence (March 2016)

Western Australian Financial, Administrative and Professional Services Training Council Inc, *Translating & Interpreting Taskforce Report* (December 2015)

Women's Health West, *Promoting Economic Participation and Equity for Women from Refugee and Migrant Backgrounds* (2016)

Policies

ACT Government, 'Many Voices: 2012-16 Australian Capital Territory Language Policy' (2012)

Commonwealth of Australia, *Multicultural Language Services Guidelines for Australian Government Agencies* (2013)

Communities, Sport and Recreation Tasmania and Department of Premier and Cabinet, *Multicultural Language Services Guidelines for Tasmanian Government Agencies* (2014)

Family Court of Western Australia, 'Court funded interpreter services policy' (July 2006)

Federal Circuit Court of Australia, 'Federal Circuit Court Interpreter and Translator Policy' (March 2007)

Government of Western Australia, 'Western Australian Language Services Policy 2014 and Guidelines', (2014)

Judicial Commission of New South Wales, *Local Court Bench Book* (2016)

Queensland Government, Department of Aboriginal and Torres Strait Islander and Multicultural Affairs, 'Queensland Language Services Policy' (2014)

NAATI, 'NAATI Language Selection Policy' (2015)

Northern Territory Government, 'Language Services Policy' (2012)

Office of Multicultural Affairs and Citizenship, 'Using Interpreting Services: Victorian Government Guidelines on Policy and Procedures' (2014)

Office of Multicultural Affairs, *Victorian Government Standards for Data Collection on Interpreting and Translating Services*

Media releases

NAATI, 'NAATI introduces new scheduled testing' (16 June 2016), https://www.naati.com.au/news-events/news-events-container/media-releases/naati-introduces-new-scheduled-testing/

Victorian Minister for Multicultural Affairs Robin Scott, 'Boosting Language Services for All Victorians' (15 June 2016), http://www.premier.vic.gov.au/boosting-language-services-for-all-victorians/

ACT Government, 'Budget 2016-17: Safer Families Statement' (June 2016), http://apps.treasury.act.gov.au/budget/budget-2016-2017/fact-sheets/domestic-violence

NAATI, 'Rohingya language testing now available' (21 January 2016), https://www.naati.com.au/media/1054/210116_media_release_rohingya_language_testing_now_available.pdf

The Hon Tony Abbott MP, Hon. Julie Bishop MP and Hon. Peter Dutton MP, 'The Syrian and Iraqi humanitarian crisis' (9 September 2015), http://www.formerministers.dss.gov.au/15738/the-syrian-and-iraqi-humanitarian-crisis/

Datasets

Commonwealth of Australia, Australian Bureau of Statistics, Australian Census and Migrants Integrated Dataset (2011)

Commonwealth of Australia, Australian Bureau of Statistics, '2071.0 - Reflecting a Nation: Stories from the 2011 Census, 2012-2013'

Commonwealth of Australia, Australian Bureau of Statistics, '3414.0 - Guide to Migrant Statistical Sources' (Edition 2, 2011)

Commonwealth of Australia, Australian Bureau of Statistics, '6273.0: Employment in Culture. Table 8: Persons employed in cultural occupations by hours worked per week', (2011)

Commonwealth of Australia, Department of Social Services, Settlement Database

Cases

George v Biggs [2015] NSWDC 11

Legislative instruments

Commonwealth of Australia, *English Courses for Holders of Certain Temporary Visas 2015*, legislative instrument under *Immigration (Education) Act 1971*

Treaties

International Covenant on Economic, Social and Cultural Rights

International Covenant on Civil and Political Rights

Other

Australian Institute of Interpreters and Translators, *Interpreting: Getting it Right*, accessible at: http://ausit.org/AUSIT/Documents/gir_interpreting.pdf

Cala, K and A Rowland, 'Strengthening outcomes and maintaining a high level of settlement services: What are the findings from the Building a New Life in Australia (BNLA) study telling us?' (May 2016), presentation at Settlement Council of Australia Conference

Centre for Culture, Ethnicity and Health, *Translation: An Introduction*, accessible at: http://www.ceh.org.au/downloads/languageservices2014/LS6_Translation_an_introduction.pdf

Commonwealth of Australia, Department of Immigration and Border Protection, 'Australia's Humanitarian Programme 2016-17 Discussion Paper' (2016)

Commonwealth of Australia, Department of Immigration and Border Protection, 'About the Free Interpreting Service', https://www.tisnational.gov.au/en/Agencies/Charges-and-free-services/About-the-Free-Interpreting-Service

Commonwealth of Australia, Department of Social Services, 'Translating and Interpreting Sector Roundtable Discussions - Summary' (2014)

Commonwealth of Australia, Department of Social Services, 'Settlement Reporting Facility Data Dictionary' (March 2014)

Kumar, Karen and Cameron Leaver, '*George v Biggs* [2015] NSWDC 11', Hicksons Health Law Blog (2 March 2015), accessible at:

http://hicksonshealthlawblog.com/2015/03/02/george-v-biggs-2015-nswdc-11/

NAATI, 'NAATI Fees and Charges 2015-2016' https://www.naati.com.au/media/1079/fees-and-charges.pdf

Professionals Australia, *Language Services in Australia: Notes to inform the Translation and Interpreting Industry Roundtable* (November 2014)

54