

Annexure E

Guidelines for working with interpreters

Assessing the need for an interpreter

- If a non-English-speaking client has difficulty communicating in English, they should be provided with an interpreter. When a client requests an interpreter (eg by displaying a Queensland Interpreter Card, or asking in another way) an interpreter should be provided. The Queensland Interpreter Card assists non-English speakers to inform Queensland Government agency staff that they require an interpreter. The card is similar in size and quality to a business card and identifies the language for which an interpreter is required. Multicultural Affairs Queensland distributes this card.
- If a client does not ask for an interpreter, it may be difficult to assess if an interpreter is required. Even if a client can have a basic conversation in English, it does not mean they understand written English or have the skills to understand complicated legal information. If you have any doubt about a person's ability to communicate in and comprehend English, an interpreter should be used.
- A qualified interpreter helps both parties to communicate. It is acceptable to use an interpreter even if the client or an accompanying family member or support person thinks the person does not need an interpreter. You should explain the benefits of using an accredited qualified interpreter to the client, including the fact they are bound by a Code of Ethics and should maintain confidentiality and respect privacy.
- Having an accredited interpreter present will be crucial when swearing affidavits or statutory declarations and obtaining "informed consent", etc. Not providing an interpreter in these situations could lead to costly mistakes, complaints or litigation.
- When assessing the need for an interpreter, consider factors such as gender, ethnicity and dialect, literacy levels, hearing impairment or other communication difficulties. How comfortable a client is in the interview will have an impact on your outcome.

Preferences for engaging interpreters

- It is preferable to engage an interpreter accredited by the National Accreditation Authority for Translators and Interpreters (NAATI). The highest level of NAATI accreditation is Conference Interpreter (Senior) and Conference Interpreter. This level is required if organising an international conference.
- For most public sector usage, the second highest level of accreditation is sufficient. This is known as 1st preference – Interpreter (formerly level 3). It is preferable to use an interpreter with this level of accreditation for legal matters.
- Where an interpreter at the preferred level is not available, the other levels are as follows:
 - 2nd preference – Paraprofessional Interpreter (formerly level 2)
 - 3rd preference – NAATI Recognised or other interpreter registered with the Translating and Interpreting Service (TIS).
- Non-qualified interpreters should not be used unless the situation is urgent and a qualified interpreter is unavailable.
- Inquire about the client's gender and language preferences and provide their preferred interpreter if possible, although availability of particular interpreters may be an issue.
- The majority of accredited interpreters in Queensland are qualified at the para-professional level. In languages of small communities or recently arrived communities, there may be no accredited interpreters and only a small number of recognised interpreters.

- Access to qualified interpreters in regional and rural Queensland is often limited to telephone interpreters through TIS Eastern, although some qualified interpreters are available for on-site work in regional centres such as Cairns and Townsville. Current availability of accredited interpreters can be checked through the Manager, TIS, and the NAATI Regional Officer for Queensland. Additionally NAATI and the Australian Institute of Interpreters and Translators (AUSIT) produce directories of accredited practitioners. Both directories are available on their respective websites.
- You should use the most qualified interpreter available for complex interpreting work that may have serious implications for the client.

Practices to avoid

- Friends and family members should not be used as interpreters, unless there is no other practical option. Obtaining a qualified interpreter over the telephone will generally always be a practical option. Children and young relatives are not appropriate interpreters in any context.
- Both clients and family members may be embarrassed when family members act as interpreters. In these situations communication may be distorted or changed because of a lack of competence in English or the other language or bias on the part of the family member or advocate. However, the client may feel more comfortable with a family member, bilingual associate or worker being present for support, along with the qualified interpreter.
- Qualified interpreters are trained to maintain confidentiality, impartiality and accuracy as part of their code of ethics. This code is not binding on relatives or friends, or bilingual staff.
- Bilingual staff who are not qualified interpreters may assist with communication with clients in certain circumstances. But as the general rule, qualified interpreters should be used for the reasons outlined above and to establish the independence of the process.
- If a client refuses professional interpreter services, preferring to use an accompanying child, relative or friend, staff should be trained to provide an appropriate response, for example: “non-qualified interpreters may compromise or misinterpret important communication”. Staff should advise clients that our policy is to use qualified interpreters and emphasise this policy helps everyone involved in the communication process.

Arranging an interpreter

- Qualified interpreting services can be accessed either over the phone (solely through TIS) or on-site, where the interpreter is physically present. Audiovisual access through videoconferencing networks is also possible.
- TIS is Legal Aid Queensland’s preferred supplier for translating and interpreting services.

To arrange a TIS National phone interpreter, complete the phone interpreter booking form on the TIS National website – www.tisnational.gov.au

TIS interpreters can only be arranged using the TIS National website booking forms.

Note:

In January 2015, TIS National commenced a new automatic online booking system for on-site interpreters. Initially this service will co-exist with the current system and apply to on-site interpreters only. However, the system will eventually be extended to cover phone interpreters and the previous system will be phased out.

- Other sources of translators and interpreters are:
 - Deaf Services Queensland (for AUSLAN and other deaf community interpreters). Pre-book by fax on an Interpreter Request Form on (07) 3392 8511 or phone 1300 123 752 (office hours) or (07) 3018 0333 (after hours).
 - A list of NAATI accredited interpreters is available through the current NAATI Directory or from the NAATI Regional Office, Brisbane on (07) 3393 1358. The NAATI website address is: www.naati.com.au
 - The International Association of Conference Interpreters (AIIC) on (02) 6633 7122. The AIIC website address is: www.aiic.net
 - Private interpreting and translating agencies are available through the Yellow Pages under “interpreters”.

What to consider when requesting an interpreter

When requesting an interpreter:

- Give as much notice as possible.
- Establish gender and language/dialect preferences from the client and request these from the provider.
- Request the same interpreter where continuity and client confidence is important.
- Always check the interpreters’ NAATI identity cards and accreditation details before commencing the session.

Paying for interpreting services

- Legal Aid Queensland is responsible for budgeting for, and paying for, interpreters. Clients do not have to pay for interpreters.
- Interpreting services can be requested from Legal Aid Queensland by either the client or the lawyer providing the services to the client.
- The use of an interpreter is one factor that may be taken into consideration when determining if a matter is a ‘complex matter’ for the purpose of granting aid.
- The TIS charging policy and rates are available from TIS Finance Administration on 1300 304 604 or at tis.finance@immi.gov.au
- Rate details recommended by AUSIT, the professional association of interpreting/translating practitioners are available by calling AUSIT Queensland on (07) 3356 8255.

Most effective interpreting mode

- Telephone interpreting is cost-effective, readily available regionally, and can be used for most languages through the TIS national network. It is more immediate, anonymous and preserves confidentiality and privacy. The disadvantage is the difficulty for all parties when visual cues are absent.
- On-site interpreting is more appropriate in legal and counselling contexts. It offers a more complete and detailed communication option with the possibility of continuity with the same interpreter. Continuity can be a vital factor in confidential and sensitive matters, such as those relating to violence against women.
- Videoconferencing networks can be used in legal and other contexts to include a qualified interpreter at another location. Video conference interpreting also offers a practical option when sign language interpreters are not available locally.

Accountability

- Professionally qualified interpreters are required to observe their own professional obligations and comply with relevant codes of ethics and professional conduct to maintain confidentiality, accuracy and impartiality. The AUSIT Code of Ethics for Interpreters and Translators is endorsed by NAATI and can be obtained from local AUSIT representatives.
- Staff should verify the identification details of TIS and other interpreters by checking their identity card and accreditation details. Unsatisfactory performance by TIS interpreters should be brought to the attention of TIS Client Liaison and Promotions on 1300 655 820 or at tispromo@immi.gov.au

Skilling staff in working with interpreters

- Legal Aid Queensland staff and preferred suppliers are expected to be familiar with this policy and attend training about working with interpreters.