



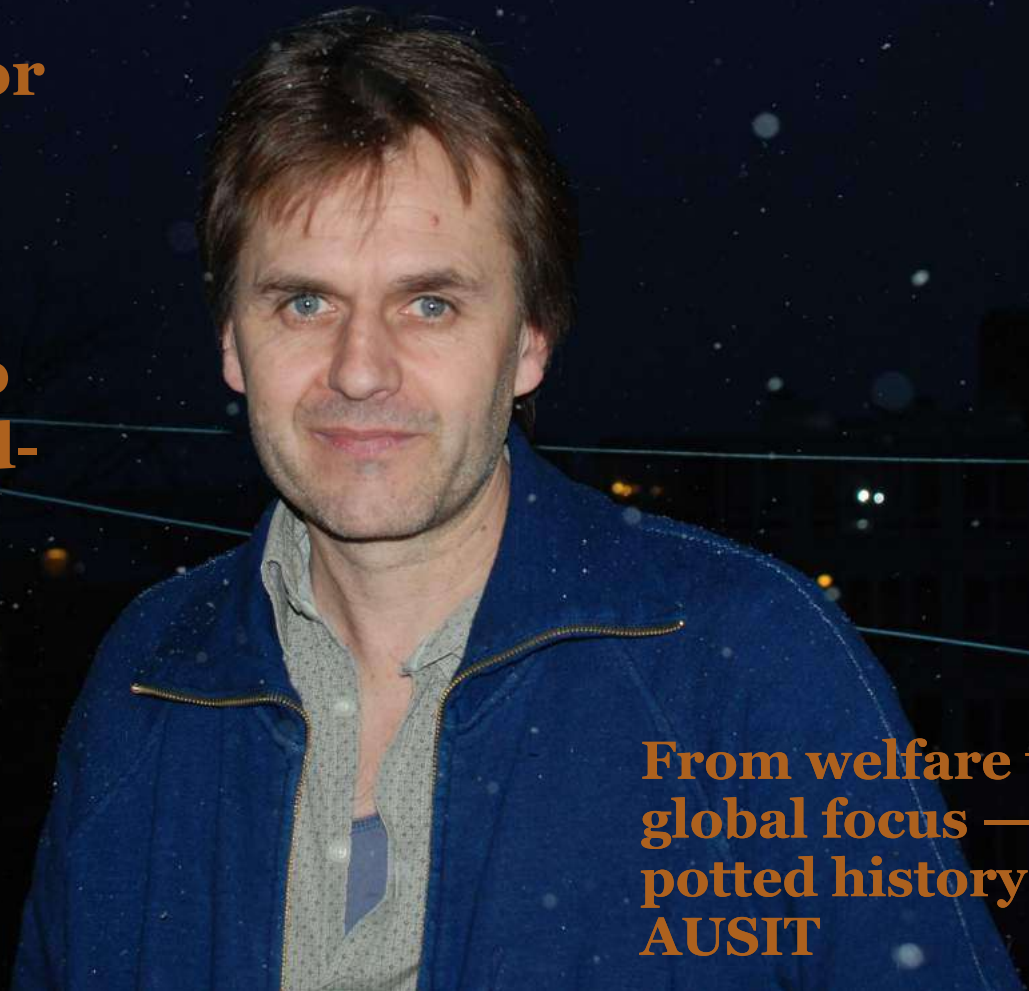
Member organisation  
Federation Internationale  
des Traducteurs  
International Federation of  
Translators

Quarterly Newsletter of the  
Australian Institute of Interpreters and Translators Inc

# AUSIT in TOUCH

Volume 20, number 4 — Summer 2012

**Translator  
David  
Colmer  
explains  
the key to  
his award-  
winning  
success**



**From welfare to  
global focus — a  
potted history of  
AUSIT**

**Legal interpreting in a non-adversarial system—  
is it a win-win for practitioners and for justice?**

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**Are Croatian, Bosnian and Serbian distinct  
languages? Will Firth considers the politics**

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# From the helm...



Dear Colleagues,

As it happens, my daughter was born in 1987, the same year AUSIT was founded. I look at her now and marvel at her transformation from the gorgeous, tiny, ever-hungry baby into a beautiful, successful, ever-busy adult. Was it the same with AUSIT?

## Bringing up baby

Joining our association in 2002, I did not know AUSIT in its infancy. My colleagues tell me that the birth was a relatively easy and joyful experience. Early development was steady but entering into the second decade, AUSIT experienced some turbulent years. Despite the difficulties, the well-liked child was a good performer and was admired by friends and foe alike. AUSIT entered the world scene by hosting the XIV FIT Congress in Melbourne in 1996. Adolescence brought about a growth spurt. Do you remember those enthusiastic years between 2000 and 2002? The Sydney Olympics, the website and the e-Bulletin, the 1800 phone number and

the focus on professional development. Years of maturing followed, characterised by introspection and numerous brave forays into the wide world. Barbara McGilvray's history timeline in this issue outlines AUSIT's development.

## AUSIT at 25 years of age

I feel proud of AUSIT, now in its 25<sup>th</sup> year. Our Institute is of fine character and enjoys modest popularity. Our association emanates quiet confidence and strength, and this strength comes from the inside. It is generated by our members — some of the most outstanding professionals in the industry. To be accepted into AUSIT requires solid evidence of a T/I's capabilities and skills. Once a member, professionals are expected to prove that they maintain their skills too.

It is often mentioned that AUSIT members come in all shapes and sizes. Their needs and expectations are accordingly varied. The latest satisfaction survey showed that in general, the membership is satisfied with the services and benefits they receive from AUSIT. Perhaps the happiest are those members who actively sustain AUSIT through their volunteer work and who serve in various committees and councils.

## The president's role

As I see it, my job is to coordinate the work of my colleagues, facilitate decisions and ensure they are made via a democratic and transparent process. It is a privilege for me and a source of joy to be in touch with fellow volunteers every day.

## The communication conundrum

However, communication with the membership at large still frustrates me. It happens when I'm asked to

send a piece of information that I thought I had made available via a number of channels already. It seems no matter how hard I try, I still fail to reach all the intended recipients of my messages. It looks as if many members don't read emails (or e-flashes) or don't read them beyond the first line. Thanks to the organisational talents and unceasing work of Daniel Muller, AUSIT Executive Officer, the e-flashes are now all available online at <http://ausitatwork.com.au/eflash/> This should make it easy to check a date or a venue, if members would only remember to go and visit the website!

## Goodbye to old friends and welcome to the new

Glancing back at the more recent past, I see a very busy period. AUSIT members created and attended several interesting PD events and all branches have held their annual general meetings in the last two to three months. I'd like to say a sincere thank you again to all committee members who have just retired. Your work will be long remembered, and we look forward to your continued support of AUSIT, albeit in a less active role. I wish to extend a warm welcome to new members of the committees and wish you good luck. Hopefully you will find your engagement in the association enjoyable and rewarding in terms of intellectual satisfaction, friendship-building and knowing you have contributed to the progress of the organisation. Please never hesitate to contact me if you think I can be of assistance. With Christmas and the end of 2012 fast approaching I'm sending Season's Greetings to all AUSIT members and supporters. May the new year bring peace, health, wealth and happiness. *Annamaria Arnall.*

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*Front cover photo: Award-winning Australian translator David Colmer who has travelled from his home in Amsterdam to talk at AUSIT's Jubilation 25 conference in December 2012.*

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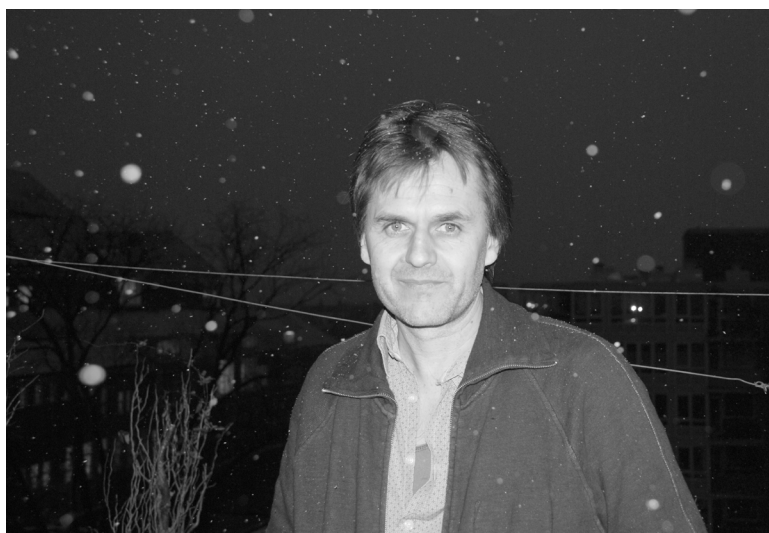
# The art of translation

David Colmer is an award-winning literary translator and writer, known for a chameleon-like ability to traverse different genres. **Maurite Fober** interviewed the writer prior to his appearance at AUSIT's JubilaTion 25 Biennial Conference.

**H**ad it been a sunny day, I would probably never have found out that David Colmer has an un-Australian aversion to cars. But it rained the day I met Colmer for our interview, so one of my favourite spots for quiet indulgence, Bracegirdle's chocolate café, was out. The stand-in was the least noisy, upstairs room of inner-city Cibo's, a short walk from Colmer's digs on the leafy side of Adelaide. Not surprisingly, it's in Amsterdam, where cyclists reign, that Colmer lives and thrives as a multi-award-winning literary translator.

I ask Colmer how many prizes he's actually won and he tries to downplay them, but I have another Dutch translator with me, Claudia Ait-Touati, and she's not buying it. When Colmer says, 'I've won six, but they weren't all big prizes', Claudia parries, 'but the David Reid Poetry Translation Prize is quite respected', to which he laughingly protests, 'I only won it one-third of the time!' He explains that the David Reid poetry competition is a private initiative by a retired translator in honour of her late husband. For six years, the widow nominated a poem every six months, open to anyone to translate, with a jury to decide the winner. Colmer won the prize four times. 'It's quite good fun,' Colmer says. 'It's not a prestigious prize at all but it's a nice competition so it was quite good to win it.' And the other prizes?

In 2009 Colmer won the NSW Premier's Translation Prize for his body of work and also won the 2010 IMPAC Dublin Literary Award for his translation of Gerbrand Bakker's *Boven is het stil* (*The twin*). Just this month the Dutch Foundation of Literature awarded its annual translation prize to Colmer; this prize judges 'a translator's oeuvre as a whole.' 'Please don't put all of that



David Colmer

in,' Colmer objects, 'you'll make me sound like an egomaniac!'

Colmer's humility may be attributed to the shadow which fell over his early career, one he shares in common with the likes of Richard Branson, Ralph Lauren, David Geffen, Steve Jobs and Mark Zuckerberg: he dropped out. The thought of finishing his medical studies still gives him nightmares. How, then, did he become such a success story? Partly because, being monolingual, Colmer says he didn't know enough about translation to think it might be too hard to aim for! Yet he worked hard and doggedly to apply himself to his new career goal. At twenty-six, he identified his challenge — German immersion. Colmer went to Berlin and worked as a labourer, denying himself the safety net of English and choosing to live within his linguistic means.

'It was an act of will to not use English,' he says of his time in Germany. 'It was just absolute immersion...I'm willing to accept that I probably have a talent for learning languages but I think what's important when you're learning is not how long you've been in the country, it's how many hours you've

spent learning or using the language. Although I was only there for a few years I was using the language maybe ten or twelve hours a day, so it adds up really quickly...And then I learnt Dutch similarly...The biggest problem with learning Dutch is that the Dutch people aren't very good at teaching other people how to speak it; they always want to speak English. But I had a very strong German accent when I went, so nobody spoke English to me; [they thought I was German]. I even went to a party not long after I'd moved there and this German guy was saying 'Oh, that guy's terrible, his accent's even worse than mine!' So that was a real advantage.'

Even today Colmer argues that his accent remains a 'complete mish-mash.' 'I think people who are good at languages tend to have unstable accents' he says, 'because they're so easily influenced by what's going on around them.' This may account for Colmer's versatility, one of the cornerstones of his craft; Colmer agrees that in trying to communicate in a foreign language one is always 'listening to what other people are saying all the time and...kind of moulding what you say to the



way that other people speak'. This has given him a chameleon-like ability to traverse different writing genres. The work he has translated ranges from Gerbrand Bakker's 'laconic dialogue and dark prose' to Dimitri Verhulst, 'a spendthrift with language,' and Peter Terrin's 'polished, cerebral' style. He was also selected to translate the children's verse of much-loved Dutch icon, Annie Schmidt. David Colmer has indeed proved to be pretty adaptable.

'Some people compare literary translation to a performing art like music, with a translator as the performer and the original language as the score,' Colmer says. 'Getting the notes right is just the start. It's the tone and phrasing that make the work come to life. And the other thing about translation is repertoire. The translator needs to be able to reproduce the style of very different authors and make them all sound like themselves in a foreign language. It's not a one size fits all process.'

Is this why he was able to get into the mind of a child in his rendition of the children's verse of Anna Schmidt? 'I think I don't have a lot of preconceived notions about how something should be written so that I tend to be quite flexible in responding to the original in the way that it's written,' Colmer says. 'One of the problems particularly visible with children's literature is that people impose a sense of adult style when they try to translate children's literature ... it's not there in the original, so their reflexes are too ingrained. Possibly one of my strengths is that I don't have particularly ingrained stylistic reflexes, so I try to respond to the original.'

Well that's a perfect lead-in to what I really want to know, how he works the nuts and bolts of literary translation. An interesting question is how he handles dialect and regional idiosyncrasies. 'I had an interesting problem in Gerbrand Bakker's new book,' Colmer says, to illustrate how he handles these issues. 'It's set in Wales, and the main character is Dutch but a lot of the other characters are English or Welsh. They all speak English but in the Dutch book that's all just standard Dutch, so that when

I translate it into English I have to try and make it plausible by giving these characters realistic accents. In English, you can't have the Welsh farmer sounding like the Dutch academic. So then I had to do a lot of research to try and work out how people talk in that place, which I'm not really familiar with, and then try and make it sound authentic. I wasn't able to go there, I didn't have time... I watched lots of films and documentaries and most of them didn't help very much. Because it was set in a particular area of North Wales where they have a particular accent, I managed to find an informant from that area who looked at some of the dialogue for me and gave me some advice on what some words are that a farmer might say.'

I'm also interested to find out how Colmer deals with a situation where he feels antipathy towards the voice of a writer he's translating, and whether he ever feels inclined to 'polish a

**'It's the tone and phrasing that make the work come to life...the translator needs to reproduce the styles of very different authors and make them all sound like themselves in a foreign language.'**

book' with his translation. 'How you deal with it depends on what kind of position you're in,' he says. 'If you're in a relatively luxurious position of having enough work offered to you, you just say 'no', that's how you deal with it!...I generally resist ['polishing' an writer's work]... With Dutch literature sometimes the standard of editing isn't high so the writing can be a bit repetitive. In one particular case I spoke with the publisher about that problem and the publisher agreed that it might be best if I made it a bit tighter for the English-speaking readers...'

Admittedly, this is a problem which Colmer rarely experiences these days. Winning awards has given him a lot of coverage and more than ever he is able to pick and choose the books he translates. He has up to five books on the go at the moment, including a collection of the poetry of Hugo

Claus, probably one of the greatest Flemish authors of the 20<sup>th</sup> century. Does this give him more power as far as royalties go?

'I always try to get a royalties clause but very often publishers insist on the payment up-front being an advance against royalties, so you have to earn that back from the royalties before you get any additional payments,' Colmer says. 'Given the number of copies that are sold of these books that makes the whole idea of royalties quite an academic point, because you have to sell so many copies before you get an additional payment. So I like to have a royalties clause but that doesn't mean that I actually get paid royalties because you have to earn the fee first, from your one percent of publisher's receipts, or whatever. It's often very low and it's hard to negotiate a good royalties rate as a translator.'

What about the situation with copyright in the Netherlands, I ask him. 'The Netherlands has a standard contract for literary translation,' he says. 'It's a fantastic contract with really good rights and really good royalties and everything, but that of course is for translation into Dutch. I have done some books for Dutch publishers and got the Dutch contract and that, of course, is amazing because you don't have to talk about it at all, it's all just set! With British or American publishers you have to negotiate each thing, each time, with each publisher. It's a real pain. I'm a member of the translators association in the UK and they have a contract vetting service which is included in the membership fee. If you're a member you can just send them the contract and they'll advise you about it...The Translator's Association is the translator's wing of the Society of Authors in the UK.'

I'm also keen to find out whether Colmer has ever used a translation house. 'Yeah, I mainly know about the Dutch one and the Flemish one, and they're quite different from each other...They do tend to vary a lot. The one I've stayed at is a Flemish translator's house. It's basically just two apartments. People who translate from Dutch into other languages can go and stay there and the idea is that while you're in Antwerp you can do *(Interview continues on page 10)*



*This page: Despite a few fashion mistakes along the way, AUSIT continues to nurture committed, professional representatives. Here are some of the organisation's early flag-bearers at the inaugural Annual General Meeting in Canberra, 1988.*

*Opposite: AUSIT hosts the 14th Federation of International Translators' Triennial World Congress in 1996*

# AUSIT kicks up its heels

With its initial focus on welfare, AUSIT has expanded to become a sophisticated, professional organisation with a global focus. **Barbara McGilvray** gives a potted history of AUSIT as the organisation celebrates its 25th birthday.

**A**s AUSIT is celebrating the 25th anniversary of its foundation, I thought today's members and other readers of this newsletter might be interested in a potted history of the Institute. So here it is in the form of a timeline, accompanied by a list of our National Presidents and Fellows. ('Fellow' is AUSIT's highest award, given to longstanding members who have made a significant contribution to our Institute and the wider profession.)

## Background

**1973** — The Federal Government establishes the Emergency Telephone Interpreter Service (now TIS National).

**1976** — The Committee on Overseas Professional Qualifications (COPQ) Working Party on Interpreting recommends the establishment of accreditation levels for translating and interpreting.

**Mid-1970s** — Training courses are set up in Victoria, NSW and the ACT.

**1977** — NAATI is established and begins developing accreditation of T&I courses.

**1978** — Recommendations of the Galbally report on Post-Arrival Services for Migrants lead to federal funding for state language services and government recruiting and training of interpreters. State language services are established from 1977 in Victoria, New South Wales and South Australia; Western Australia and Queensland rely on TIS (Federal).

**1980** — NAATI testing program for interpreters and translators begins.

## Establishment and history of the national professional association

**1987** — NAATI brings representatives of state and territory T&I associations together in Canberra

to establish an umbrella association.

**1988** — Draft Constitution and bylaws of the Australian Institute of Interpreters and Translators (AUSIT) are endorsed at its inaugural National AGM in the Sydney Opera House.

**1989** — First issue of AUSIT newsletter 'In Other Words' is published.

**1990** — AUSIT makes submissions to government inquiries and surveys including the Attorney-General's Access to Interpreters in the Australian Legal System and the Australian Law Reform Commission.

AUSIT's candidature for membership of FIT (the International Federation of Translators) is presented and approved at the FIT Triennial World Congress in Belgrade.

**1990s** — For several years in the early 90s, AUSIT has premises in Melbourne thanks to the generosity of the National Languages and Literacy





Institute of Australia (NLLA).

**1992** — Inaugural Jill Blewett Memorial Lecture (JBML) is presented during Language Expo in Melbourne, attended by members, politicians and other VIP guests. (From now on the JBML will be delivered annually in conjunction with the National AGM and will be published on the AUSIT website.)

'Invisible Interpreters & Transparent Translators' policy paper, aiming to raise the profile of T&I in Australia, is launched in Melbourne by Human Rights Race Discrimination Commissioner Irene Moss.

**1993** — AUSIT's bid to host the 1996 FIT World Congress is presented at the Congress in Brighton (UK) and succeeds. FIT National Council appoints AUSIT member Adolfo Gentile ex officio member of its Executive Committee. He will go on to serve as Vice President and then President.

**1995** — Inaugural AUSIT Fellows named.

**1996** — XIV FIT World Congress held in Melbourne, establishing Australian T&I on the world stage. AUSIT is invited to set up a new FIT Committee on Community-Based Interpreting (CBI). AUSIT representatives also nominated to FIT's Human Rights Committee and Literary Translation Commission. From now on AUSIT will be represented at all FIT Triennial World Congresses.

AUSIT's Code of Ethics is launched, endorsed by NAATI and adopted progressively by government language service providers and private agencies throughout Australia. In less than a decade its membership has grown to well over 700.

First edition of the AUSIT Journal 'Antipodean' published (intended as an annual publication, but only two issues are published).

**1998** — At the suggestion of AUSIT

NSW members at Language Expo in Brisbane, Joe Lo Bianco of Language Australia puts together a consortium to advise the Sydney Organising Committee for the Olympic Games on language provision for the Sydney Olympics. The committee includes several NSW AUSIT members and will provide consultation until the Games in September 2000.

**1999** — Community-Based Interpreting committee under Terry Cheshier presents the results of its international interpreter survey to the XV World Congress of FIT.

**2000** — Many AUSIT members are involved in the Sydney Olympics as interpreters, translators, editors or volunteers.

**2001** — The e-Bulletin electronic discussion forum is set up by David Connor, followed by language-specific forums and specialist groups such as literary translation, technology etc.

**2001-2002** — New focus on promotion of professional development as a fundamental AUSIT function.

The first specially-designed outsourced course for T&Is is conducted at a Melbourne TAFE Institute.

**2002** — First website developed, with online register of members.

First step in the overhaul of the administration, centralising basic functions such as fee collection and website management.

National 1800 phone number introduced, making it easier for members and the public to contact AUSIT.

**2004** — National conference held jointly with the Australian Sign-Language Interpreters Association (ASLIA) in Melbourne.

'Power to the profession' is the first of AUSIT's Biennial National Conferences.

State Excellence Awards introduced in Victoria.

**2005** — AUSIT submission on the pay and conditions of community interpreters presented to Federal Parliament, with AUSIT representatives appearing before a Senate Committee.

The Board of Professional Conduct is established as a mechanism for dealing with grievances.

Mid-year meeting of the National Council held in Cairns, beginning the tradition of a second annual face-to-face meeting of the Council, to be held in regional centres whenever possible.

**2006** — Category reform introduced to broaden AUSIT membership criteria beyond the original exclusive focus on NAATI accreditation.

New award category of Senior Practitioner introduced.

AUSIT adaptation of the international *Getting it right — Translation* guide published, to be followed by *Getting it right — Interpreting*.

Kaleidoscope, the first scientifically-based survey of the profession initiated by AUSIT is commenced, co-funded by Macquarie University and ASLIA.

Biennial National Conference 'Risks and rewards' takes place in Melbourne.

**2007** — At a meeting with NAATI and ASLIA in January, AUSIT's Professional Development points system is adopted. By now all AUSIT branches have a regular PD program in line with the interests of the membership. Presenters include employers, academics, lawyers, police, psychologists, speech therapists and international visitors.

Inaugural Biennial National Excellence Awards ceremony takes place in Sydney.

**2008** — Guide to working with interpreters in health care drawn up



to supplement the Code of Ethics and Code of Conduct.

Part of AUSIT administration is outsourced to Professional Association Management Service (PAMS) in Melbourne.

Biennial National Conference 'Get connected' is held in Brisbane. AUSIT WA submission on WA Language Services Policy.

**2009** — Excellence Awards ceremony, expo and demonstration day in Adelaide.

**2010** — 'Synergise' Biennial National Conference in Fremantle. Proceedings published by Cambridge Scholars Publishing.

Joint Monash/AUSIT working group begins review of the AUSIT Code of Ethics .

**2011** — Excellence Awards ceremony, expo and demonstration day held in Canberra. Trial of part-time paid Executive Officer position. AUSIT establishes a presence on social media.

**2012** — Part-time Executive Officer appointed, followed by a part-time National Professional Development Coordinator to consolidate and oversee a national PD programme.

With funding assistance from NAATI the TICPD online professional development hub is established to inform practitioners about opportunities to hone their skills. This includes a library of PD resources to be progressively stocked.

A community interpreter/translator group is set up in the Association of Professional Engineers, Scientists and Managers Australia (APESMA), a union representing independent professionals. APESMA will work with AUSIT and ASLIA to improve conditions for community interpreters and translators.

Online community of Learning and Practice (CoLP) established with the aim of providing mentoring to members. New website progressively unveiled by Executive Officer Daniel Muller.

Revised and updated Code of Ethics completed, to be presented for approval at the National AGM in Sydney.

#### Current overview

As T&I in Australia gradually expands beyond its original welfare focus to

become more business oriented and (for translation at least) globalised, the Institute too is becoming more professionalised and sophisticated in its management. However, our numbers — currently more than 600 and growing steadily — still represent too small a percentage of practitioners to be considered fully representative of the profession nationally. Thanks to the work of the Executive Officer Daniel Muller, AUSIT has a new interactive website with a wealth of information and data and T&I resources, including a virtual lecture room for professional development activities.

Communication with the membership has stepped up a notch with regular e-Flashes and occasional electronic surveys and polls. The Constitution is gradually being updated, with proposals for change presented at NAGMs since 2010. Our Annual General Meeting alternates between capital cities. It is always accompanied by the Jill Blewett Memorial Lecture, delivered each year by a distinguished speaker connected in some way with our profession, and by our Biennial National Conference or Excellence Awards ceremony (in alternate years).

Our quarterly newsletter *In Touch* is published in both electronic and print form. Other publications include the Code of Ethics and Code of Conduct (revised edition to be presented at the 2012 NAGM in Sydney), DVDs of a number of PD presentations and of sessions from the Critical Link 5 conference held in Sydney, and consumer guides on working with translators and interpreters.

AUSIT continues to be represented in industry forums at national and state levels, including the NAATI Regional Advisory Committee in each State or Territory, and the Professional Reference Group established by NAATI in 2012. Many AUSIT members are employed by NAATI as examiners and language panel chairs.

Our links and collaborations with other organisations are increasing. Memoranda of understanding have been signed with ASLIA and the New Zealand association, NZSTI. Branches often share professional development activities with tertiary training institutions in their state, legal bodies (Refugee Review Tribunal, NSW Law Society and the Bar Association) and

government agencies (TIS National, Centrelink, NSW Police), and with ASLIA.

Over the years a number of longstanding AUSIT members have been involved in practitioner training at all levels. Adolfo Gentile was our first homegrown full professor, at Deakin University, where he also headed the T&I research centre. Sandra Hale, a member of the first cohort of T&I graduates at the University of Western Sydney, is an internationally respected scholar in the area of court interpreting in particular, and is now a professor at the University of New South Wales. Marc Orlando has introduced a Double Master degree in translation and interpreting at Monash University with students graduating from Monash and Jean Moulin University in Lyon. The Diploma and Master courses in T&I pedagogy introduced at Macquarie University by members Helen Slatyer and Jemina Napier are an exciting recent development, giving Australia its first locally-trained T&I educators.

The following National Presidents and Fellows have contributed to making AUSIT the professional organisation it is today.

#### National Presidents

**1987-89** Luciano Ginori  
**1989-91** Bob Filipovich  
**1991-93** Mary Gurgone  
**1993-95** Armand von Stein  
**1995-97** Klaus Hermes  
**1997-99** Marta Barany  
**1999-2000** Skender Bregu  
**2000-02** Moreno Giovannoni  
**2003-05** Yveline Piller  
**2005-06** Chris Poole  
**2006-07** Uli Priester  
**2007-09** Sarina Phan  
**2009-10** Sam Berner  
**2010-11** Daniel Muller  
**2011-** Annamaria Arnall

#### AUSIT Fellows

**1995** David Connor, Mary Gurgone, Barbara McGilvray  
**1996** Terry Chesher, Harry Blackmore, Bob Filipovich  
**1997** Armand von Stein, Klaus Hermes  
**1998** Lia Jaric  
**1999** Marta Barany  
**2005** Moreno Giovannoni  
**2007** Annamaria Arnall, Yveline Piller  
**2010** Vince Danilo  
**2011** Uli Priester



Also on a maritime theme, Charles Qin accompanies Defence Minister Stephen Smith on board a destroyer in China

## A conclave of experts

**Professor Charles Qin** explains the benefits of legal interpreting in a non-adversarial context.

Readers may be puzzled by the article title and might be thinking that I've been hunkered down in the Vatican with a group of Chinese clerics. 'Hunkered down' is close; however, the Vatican is far.

Before I explain my recent work interpreting on two maritime cases, I'll need to define some terms.

The Concise Oxford Dictionary defines 'conclave' as 'a meeting place or assembly of cardinals for election of the pope, or a private meeting'. The term has come into common use in Australian dispute resolution to mean a meeting between technical experts, chaired by an arbitrator or mediator, the aim of which is to narrow the technical issues which will ultimately require resolution (where the parties and their lawyers may be present, but do not actively participate). (Robert Hunt, President Institute of Arbitrators & Mediators Australia, <http://www.roberthuntbarrister.com/Horsescourses.pdf>)

'Concurrent evidence' involves

enhanced judicial control over privately retained expert evidence through conclaves, joint reports and concurrent oral evidence. (Allsop, J., 'The judicial disposition of cases: dealing with complex and specialised factual material', *Bar News: NSW Bar Association*, Summer 2009/2010.)

Collisions of ships and maritime incidents happen often and there is a huge legal framework available to resolve disputes. Australia being a relatively small nation has few incidents, whereas jurisdictions like London and The Hague and China have a lot. China has no less than ten maritime courts and more than 5,700 cases involving foreign countries; Taiwan and Hong Kong/Macau were brought before them in the last three years. The opportunities to work as an interpreter in this jurisdiction are few and far between though.

I've been fortunate over the last few years to be engaged for two maritime cases. One of them involved multiple parties in which the crew

were Chinese but not the ship owner or other parties involved, damages were in the multi-millions and the case was incredibly complex and fulfilling. There was a world-wide search for a suitable 'maritime specialist' interpreter and I was the one selected.

After the arrest of a ship in May 2012, again I was conscripted to interpret for a maritime case in the Federal Court in Sydney, but this one turned out to be very different from the legal cases we are all familiar with and different also in the high level of interpreter involvement and intensity. This was my first adventure into concurrent evidence.

My research revealed that this type of hearing, in contrast to the traditional adversarial style, was very new in Australia and as the interpreter, I would work with both sides and really be in the middle. I realised that all parties had to be incredibly well prepared — both for the intensity, but also because counsel would be less able to 'control' the witnesses and the judge would also be able to intervene and ask many questions too. The traditional pattern of counsel asking 'tricky' questions to trip up the witness to prove the case would be quite difficult.

I learnt that rather than acting in



isolation, with each side finding a witness(es) to reinforce their argument, with concurrent evidence the witnesses are brought together in a 'conclave' in advance, to meet and identify the areas of agreement and disagreement in the case. A joint statement is prepared. In court, a 'structured discussion' then takes place on these issues. Experts can all respond to a question, counsel and judge can ask questions and seek clarification and the discussion continues to inform the judge. There is less tension and a genuine exchange of expert views occurs — no more instances of 'a yes or a no'. In this type of exchange the expert can fully answer the questions without being chopped off. Eventually wrong

answers are exposed, not necessarily because of a skilful barrister, but because the truth is discovered through a genuine process.

The judge can also decide that evidence introduced by counsel is not relevant — in particular to the joint report — and can be refused. In one instance counsel was able to question the judge on the appropriateness of his question; on another occasion counsel argued that there had been no opportunity to cross-examine the witness in the conclave, and therefore wanted to do so at the hearing, on a particular point.

The jury is still out (if you pardon the pun) on whether this type of hearing is a good thing for interpreters (and

their fees). This type of hearing certainly placed more pressure on me as the experts were all questioned together at the same time and for an extended period. I had to interpret back and forth. The presence of one microphone and the rule that only the person holding it was allowed to speak helped, but was very taxing. The length of trials handled in this way are shorter; the decisions fully explore the evidence, not just what counsel wants the judge to hear, so could be seen as fairer. Certainly there is a saving in public costs. Interpreter preparation time needs to be factored in as well — and as interpreters need to charge for that too — it would seem to be a win-win situation.

## The art of translation *(Continued from page 5)*

some research, expose yourself to the language and immerse yourself in it if that's necessary. You can establish contacts with Flemish authors and publishers. I went there the last time because I was doing some research for the Hugo Claus poems. I wanted to go and speak to some academics based in Antwerp, who specialised in Claus. It's just a fantastic apartment and you can go and stay there free of charge; in fact you can get an allowance to stay there. They have a small library there but you're also right near the university libraries or you can talk to people.'

'Who does the footwork to put you in touch with people?' I inquire.

'You have to take the initiative yourself, but they, the Flemish Literature Fund, help to facilitate those things, because they're supporting the translation of the Claus poems. I asked the poetry guy there about who the best people to speak to would be. He gave me a list of names and then I wrote to them.

In Amsterdam it's a little different because they have a house with a number of rooms and a shared kitchen, so there's much more contact between the different translators who are living there and they have a much better library. They have a lot of facilities in-house, but again, the idea is to go there and immerse yourself

in the language, or contact authors, publishers, people like that. Both those houses are limited to people who are translating Dutch literature. Some others are more general.

I think the one in Straelen is open to all translators. They have an enormous library, apparently. And there's one in Canada if you're translating Canadian literature. There are a number of them around the place. There's an organisation for European translation houses.'

We have been talking for some time when the balcony door starts banging in the wind, which is driving me nuts. I decide this is probably an opportune time to end the interview, but firstly I want to see what advice Colmer might have for budding translators.

'You need to be able to write really well in your own language,' he argues, 'in a variety of styles and you need to be able to understand your source language, but you need to have some strange disconnect in your brain so that one [language] goes in and the other comes out, without interfering with each other...'

Perhaps this is Colmer's peculiar talent, a flair which has led to such high achievement. However, Colmer is still slightly mystified at the immense capacity of the human brain to learn languages, to assimilate a vast amount of linguistic and cultural

information and to apply it to two or more languages. 'Even today I am slightly bemused if I stop and listen to myself speaking a foreign language. Is that really me?' he thinks. 'And if it is, is it the same me I thought I was before I learnt to do this?'

### Links for information on Translation Houses

Translators' house in Antwerp, Flanders <http://buitenland.vfl.be/en/content/132/vertalershuis.html>

In Amsterdam, The Netherlands <http://www.letterenfonds.nl/en/amsterdam-translators-house>

In Straelen, Germany <http://euk-straelen.de/english-information/kollegium/index.html>

For more on translators' residencies try RECIT, a network of European literary translation centres <http://www.re-cit.eu/>

In Banff, Canada <http://www.banffcentre.ca/programs/>

For a list of literary translations by David Colmer enter his name in the 'translator' field on this page: <http://www.nlpvf.nl/vertalingendb/>



# What's in a name?

Are Bosnian, Croatian and Serbian distinct languages? **Will Firth** considers this complex question.

The orthodox opinion in Australia is that Bosnian, Croatian and Serbian are distinct languages, and NAATI caters to the respective communities by conducting separate testing and accreditation. But elsewhere the issue is often contentious. I'd like to delve into this sometimes heated debate and hopefully provide a few insights.

First of all, a few basics. The South Slavic languages form a dialect continuum stretching from the Black Sea and northern Greece all the way to the Alps. While there is no debate as to the distinctness of Slovenian at the northern end and Bulgarian and Macedonian in the south and south-east, it is tricky defining the diverse linguistic terrain in the middle.

Matters are further complicated by the inclination of the roughly 16 million native speakers to call this language by the name of their ethnic group or country; i.e. the issues of language and identity get mixed up. Identity does indeed influence the way people think and communicate, but this is not always reflected in language.

The degree of divergence between standard 'Croatian' and standard 'Serbian' is no greater than between British and American English. The usage of educated speakers in Zagreb and Belgrade actually has more in common than Zagreb speech does with the Croatian dialects spoken on the Adriatic coast, or Belgrade speech with the dialects of southern Serbia, which are transitional to Bulgarian and Macedonian.

Naming the language is ultimately a political act. Readers who have become accustomed to the 'separatist' views prevailing in Australia may be surprised to learn that many speakers



German-based translator, Will Firth

in Europe avoid the issue by calling it 'naški' (our language).

Names can be dangerous. In fact, they were sometimes fatal during the post-Yugoslav wars of the 1990s. Given the ethnically mixed nature of Bosnia in particular, and for lack of any substantial differences in pronunciation, gestures etc., people's names often became a way of identifying which community they were from (even if only nominally, via family history). Muslim names were particularly identifiable. Being a Mustafa rather than a Miroslav could decide whether you were let through at a checkpoint, or taken off the bus and executed.

I am a NAATI-accredited translator of 'Croatian' and speak the Zagreb idiom, but I consciously use the term Serbo-Croat, first applied by Jacob Grimm in 1824, for lack of a succinct alternative. This term is controversial today due to the above-mentioned prejudice that nation and language must match. Other names are used at times, such as Bosnian/Croatian/Serbian (BCS), which is often seen in contexts such as the International Criminal Tribunal for the former Yugoslavia.

At present there are trends towards increasing differentiation. Croatian 'newspeak' in the 1990s was notorious for its mélange of ancient and newly created words, and many of the changes introduced have stuck. At the same time, there are

also levelling influences as contacts in the region are reestablished after the wars and isolation. Digital media make it easier for people to stay in touch with developments in the wider region and generally ensure a degree of exposure to other variants of the language.

Serb-Croat remains a pluricentric language — in a similar way to English — with several distinct literary standards based in the capital cities Belgrade, Zagreb and Sarajevo. With the advent of Montenegrin as a supposedly separate new language, whose spelling and grammar have now been codified, I guess we could add Podgorica to the list! Occasionally the use of the Cyrillic alphabet by (some) Serbs and Montenegrins is advanced as an argument for Serbian and Montenegrin being different languages but the script tells us very little about the nature of the language. There are dozens of languages which have been or are still written in multiple alphabets; e.g. Mongolian in Mongol and Cyrillic, Hindi/Urdu in both Devanagari and Arabic.

Of course, there's also the question of perspective. As an English native speaker who translates *from* these idioms into English, it's easy for me to see the shared features and not worry too much about the differences, and naming them. A translator from English *into* these idioms, or an interpreter, obviously has to be more attuned to the specifics of the target idiom. In fact, alongside their aptitude as a T&I professional, their acceptance by the respective community, based on affinity or identity, is arguably an important basis for their work.

But there is much arbitrariness involved in definitions. The Montenegrin writer Andrej Nikolaidis, whose novel I'm currently translating, has a mixed Bosnian-Montenegrin background. His language doesn't fit neatly into any box. Sometimes the English versions of his stories say 'translated from Montenegrin', other times 'translated from Bosnian'; once a publisher even put 'Serbian', which Nikolaidis protested about for reasons to do with the war (he fled the fighting in Sarajevo in 1992).

Nikolaidis's books are published in Zagreb and gently 'Croatianised' by the editors, mainly in terms of spelling, whereas his syntax and vocabulary, which are substantially closer to the Serbian standard, are left largely untouched. In this and many other cases, various labels are possible.

Given the complexity of these issues, a degree of relativism is appropriate: one should acknowledge and respect the linguistic differences that exist. But I feel it is wrong to overlook the common ground.

The Serbian/Croatian 'divide' is much less pronounced than one is led to believe. It can easily be blown out of proportion by media reports focussing on testosterone-fuelled clashes between young males or the statements of nationalist zealots.

If I may adduce some anecdotal evidence: a health interpreter from one of these communities recently told me that she had interpreted from time to time for members of the other community because — wait for it — they didn't want potentially embarrassing personal details to

become the subject of gossip within their community through a loose-lipped interpreter. They preferred to confide in an outsider, even one of 'them'!

This certainly turns the affinity/identity argument on its head. Quality interpreting was required, coupled with the discretion one should be able to expect of professionals; the hair-splitting about ethnic allegiance paled to insignificance. We are left with a single, mutually-comprehensible language with multiple names. Reality is often messy.

## Review

### ***Found in translation: How translation shapes our lives and transforms the world* by Nataly Kelly and Jost Zetzsche Penguin Group 2012**

A book dedicated to translators, gasp! Is this book here to publicly recognise that the world communicates because of us? It would seem so. Jost Zetzsche, a German translator who has written a doctorate on translation in history, and Nataly Kelly, a Spanish interpreter and scholar in sociolinguistics, paint a vivid canvas of just how many aspects of everyday life are profoundly affected by translation.

Well researched and presented, this book reveals the extent to which the products we use and the freedoms and pleasures we enjoy are made possible by translation. Above and beyond world politics and global business, the book is divided into chapters that cover areas as diverse as space travel, legal cases, battlefields, fashion, medicine, terrorism, marketing, the European Union, Ikea, Dr Seuss, the Simpsons, Twitter, Shakespeare, cinema, sport, religion, love, porn, the airline industry, food and more.

Each chapter is interspersed with highlighted text boxes that provide examples of funny diplomatic and marketing mistranslations, linguistic facts or quirky stories such as being

able to access the ATM in Latin at the Vatican. You will also read about real life examples from translators who have roles that go above and beyond what the average person realises. There are interpreters in war zones, pro bono translators for *The Economist* in China and sign language experts; the translation of text messages even helped save lives during the earthquake in Haiti!

Key statistics reveal that the translation industry is worth an estimated \$33 billion and according to the *Language services market 2011* report on commonsenseadvisory.com, there are more than twenty-six thousand companies throughout the world that sell translation and interpreting services. This is largely because people are much more likely to buy what they understand, so translation is critical to driving global revenue for many companies.

The authors demonstrate just how difficult the task is for translators and interpreters in the business world, who have to navigate a minefield of cultural references, word plays or lack of words in the target language, new trends and potentially farcical product names. Indeed, there is a great section on cringe-worthy food products such as Bimbo (Mexican sandwich bread), Big Nuts (Belgian candy) or Bra (Swedish yoghurt).

Translation technology is touched

upon in a section called 'Tools of the trade' which includes Translation Memory, glossaries and the controversial machine translation. The author's conclusion is that automated translation does not replace human translation, but that it does have a place in certain industries and for specific uses such as data mining.

I was pleased that the authors conveyed their appreciation of the translator or interpreter as more than just a converter of languages, highlighting that crossing cultures can sometimes present the most difficult challenges.

There are also examples of how technology is actually preventing languages from dying out. 'Every language is a unique representation of the human experience, and every extinguished language makes humanity that much poorer.'

This book truly illustrates just how far reaching the role of translation is in the world. It provides plenty of examples and stories, not just from mainstream languages but from little known African or Pacific Island ones as well.

The most common words used by translators and interpreters when talking about their work, according to the authors, are *fascinating*, *challenging*, *intriguing* and *rewarding*. I trust that this is true of you as well.

Nicole Savage

# How to sleep well at night —

## Ten tips to guarantee payment for your work

**Yveline Pillar** argues that being well organised and exercising caution can ensure regular payment for your work. However, sometimes taking extreme measures is necessary...

For a self-employed T&I, being paid promptly is almost a prerequisite to sleeping well at night. Perhaps I have been very lucky in the last 12 years, having had only one non-payment of \$50. Here are my techniques to help reduce the likelihood of non-payment.

### 1. Know thy client

When a colleague mentioned she had accepted a large job by email, (first announced as health related, then as financial), from an unknown source who did not say how they had found her details, all my warning bells started ringing and sure enough, not long after that, it turned out to be one of the email scams mentioned on the e-Bulletin.

If you know who you are dealing with, you are more likely to receive payment for your work. The client's story must be coherent. They should willingly disclose who they are, give their street address and contact details and explain how they found you. There must be a reliable and coherent link between you and them (professional directories where you know you have an entry, known colleagues, other clients). Expect clear answers from the prospective client on the kind of translation they require and how it will be used. If you are dealing with a new agency, ask on the AUSIT forums. You will get lots of useful tips. For extensive jobs, do not hesitate to require progressive payments from a new client.

### 2. Payment before delivery

I make things easy for private individuals by handling the whole transaction electronically, which saves them a couple of return trips to my suburb. But I explain upfront that I'll provide my banking details when the translation is ready, for immediate payment. As soon as the payment shows on my bank account,

I email the translation, with an acknowledgement of payment.

### 3. Do the paperwork

A seemingly obvious but frequent cause of late payment is due to the T&I practitioners not invoicing promptly and correctly. Invoices should be sent within 24 hours of delivering the job. If the client requires a timesheet or a supplier's form, process them at the same time, as large businesses will hold back your invoice until all paperwork is correct and complete. Prompt and correct invoicing indicates the translator is business savvy and not an easy target for chronic late payers.

### 4. The due date

My quotes and invoices indicate that payment is required within 7 days. It's short but often complied with. For known clients, I don't enforce this strictly because businesses often have a 30-day payment cycle for convenience, but it ensures my invoice is high on the pile of bills. Of course, invoices must show ABN, payment methods and banking details, including SWIFT code for overseas payments.

### 5. On the ball

Check your bank statement at least once a month. If a payment is outstanding, a friendly reminder usually gets results. More often than not, late payments are due to poor bookkeeping on the client's part. Attaching the invoice saves time as the client does not need to locate something they have clearly mislaid or forgotten about.

### 6. Still friendly but firm

If the payment is still due after a week or two, try a firmer reminder: *'Please advise when payment of my invoice No. 1234 (copy attached) was made. It was due in the month of October and I would appreciate your prompt action.'*

### 7. Escalation

If a third reminder is necessary, I indicate that I'll have to charge late interest if payment is not received within 7 days. Stating a scary but realistic rate, such as the one on my credit card statement (21%), is usually all that's needed to get results.

### 8. No excuses

Some clients will make excuses for delaying payment. Attaching the overdue invoice to each reminder ensures they cannot argue they have not received it. Some clients try to say they are waiting for their own client to pay. This is not a valid position. Refuse firmly and politely and remind them of the late interest. These techniques take care of the vast majority of late payments. Very occasionally, it's necessary to take things further and apply more pressure. In such cases, I accept that this is not a client I want to keep.

### 9. What a client values

I remind the recalcitrant client of my wider links to the profession and of their own interest in preserving their business reputation. For example, an agency will have easier access to a pool of T&I if they are known as reliable payers. A complaint to a law society would not look good on a lawyer's record.

### 10. Squeaky wheel

I once had to resort to extreme measures. The client was an interpreting agency overseas. My emails and phone calls elicited empty promises or untruthful answers, always a bad sign.

A lawyer would cost more than the amount at stake. After six months, I decided on a barrage of daily reminders, all polite and varied, from various phone numbers, fax numbers and email addresses. It was hard to do at first but after a month, they tired of it and paid up with the first available cash, admitting in the process that I was not their longest outstanding supplier. Other, less determined colleagues are still waiting for their money!





Rex the dog provides greater assistance with translation than any CAT

## Room with a companion

It isn't a view which sustains the solitary life of a translator, but good company. **Bradley Dawson** explains.

Views are nice — the one from my back shed where I work at the top of a hill in a small Victorian country town definitely is — but they aren't remotely enough compensation for sitting in front of a screen for eight or so hours a day. Forget tricky verb tenses, acronyms, obscure technical terms or sloppy writing in the original — a translator's real enemies are the unyielding forces of gravity, free radicals and inertia. And to combat them, you need a real friend. Mine is my dog Rex.

Recent studies show those who sit down for extended periods, such as *every translator in the world*, shave years off their life expectancy, increase their risk of stroke, colon cancer, etc. — the good news just rolls on. I understood a while ago I simply had to make exercise part of my working life, or risk losing my health. So I started regularly going to the gym, stretching, riding my bicycle. Coincidentally, that's also about the time I met Rex at the local RSPCA.

Rex is a Jack Russell cross and spends most days working in the shed with me. He is a small package of boisterous energy, excitable, very affectionate and great company. When it's cold, and he's not running

around the yard razzing up the neighbour's cat, he'll come into the shed, stand up and stretch his front paws onto my leg, meaning I am to pick him up and put him on my lap, where he'll happily sleep for long periods while I tap away at the keyboard. When the weather's warmer, he lies quietly near my feet — and can do so for hours.

As I sit and work, I occasionally chat to him, check on him, get up from my chair to pat him, go sit in the sun for breaks with him. His is a reassuring little presence during otherwise lonely, solitary days.

One thing about dogs is they need to be walked twice a day, every day — rain hail or shine. Even though I have a crushing deadline, am tired, can't spare the time, Rex drags me away from the computer and we walk — either around the neighbourhood or out bush — and I am always better for it.

My head clears, I breathe, become aware of my body again and hold it up straight. If my day's going badly, the act of having to look after him, make sure he doesn't get into strife, or even just patting him, pulls me out of myself and relaxes me. A typical

day involves a walk first thing in the morning, often down the street to get a coffee, then home to work for a few hours, a break for lunch, perhaps a visit to the shops to post things, then more work. By about four o'clock, however, Rex will become restless, give me that look. So I grab his collar and lead and out we go, away from the computer again.

While out, we frequently mix with other dogs and their humans. Rex is an excellent conversation starter and has helped me become acquainted with Saffy's, Georgie's, Poppy's and Chipper's owners, plus many others. And when we walk we focus, naturally, on dog, not human, business: *Here's the house where that cat lives. Are there snakes likely to be along this path? Is that something to roll in? What are those kids doing?* It's a great way to notice more of the town's details, focus on the now and shift your gaze.

Speaking of which, I don't care what the ophthalmologist says, I know staring at a screen which is backlit and never as sharply focused as hard-copy material has damaged my eyesight over the years. But when I'm out in the bush with Rex, focusing at the horizon, looking at the sky or the soft colours of the surrounding trees, my eyes simultaneously get the exercise and rest they need.

Come to think of it, dogs are about the best translation-assistance-tool there is; ownership of one should be mandatory for any serious translator. And, they love you.



QLD Branch members discuss legal ethics

## Branch news

### Queensland

The QLD Branch held its AGM on the 20<sup>th</sup> of September 2012 and we are happy to announce our newly elected committee:

**Chair** — Ilke Brueckner-Klein

**Vice-Chair** — Alison Rodriguez

**Branch Delegate** — Tea Dietterich

**Secretary** — Elisabeth Kissel

**Treasurer** — Asanka Haluwana,

**PD Coordinator** — Yoyo Dong

**Committee Members:** Yvonne Goldmann, Ita Szymanska, Vicky Zeng, Max de Montaigne, Rona Zhang. (While Sam Berner could not join committee officially due to other commitments, she will continue to help out as needed.)

A couple of days before writing this report, Yvonne Goldmann handed over the role of PD Coordinator to Yoyo Dong, who has been an active member of our branch for several years and who was one of our volunteers at the memorable 2008 Biennial Conference. The Committee

would like to take this opportunity to thank Yvonne for her effective and enthusiastic input as our PD Coordinator in the past year. We would also like to extend a warm welcome to Yoyo. We are happy to have her on board.

Christmas is approaching fast and since it will be a busy time for everyone, our branch decided to celebrate the end of this year early. The AUSIT End-of-the-Year Picnic was held on Sunday, 4th November 2012 in the beautiful Roma Street Parklands. The committee got together for a sit-down meal at a restaurant on 22 November.

Meanwhile, a series of workshops on ethics theory, ethics in legal interpreting/translating and ethics in health interpreting/translating were held in Brisbane, with the generous help from NAATI QLD who gave us their premises for free. These were presented by Sam Berner, Rona Zhang and Jadranka



Rona Zhang presents a workshop on legal translating and interpreting.

Brown and were very well attended. The workshops generated ongoing discussion and great interest in similar professional development activities.

*Ilke Brueckner-Klein, Chair*

### APOLOGY

In the Spring 2012 edition of the 'Room with a view' section of *In Touch*, a photograph of Trish Will was placed next to an article by Trish Worth. *In Touch* would like to apologise to both AUSIT members for this mistake





#### **PURCHASE AUSIT PUBLICATIONS & DVDs**

**SYNERGISE!** — A book of proceedings of the previous AUSIT conference 'Synergise!' is available now. Visit the publisher's website and type 'AUSIT' as a keyword in the search engine, [www.c-s-p.org](http://www.c-s-p.org).

#### **EDUCATIONAL LECTURES**

— A set of DVDs with lectures selected for their educational resource potential is available here: <http://www.artfilms.com.au/Detail.aspx?ItemID=4200>

#### **TRANSLATION THEORY**

— A DVD with Christian Schmidt's presentation 'Translation Theory: A mystery, a blessing, a curse?' has now been released. Length: 52 minutes. Price: \$ 38.50 (GST incl.) for home use by AUSIT members, \$ 55.00 (GST incl.) for home use by non-members, and \$264 (GST incl.) for public use by institutions such as universities, TAFEs, libraries.

## **CANBERRA 1987**

**Practitioners meet in Canberra to discuss setting up a national umbrella association — this becomes AUSIT!**

## **2012 Jill Blewett Memorial**

'Are we there yet? Taking stock of where we are up to and where we are heading' is the title chosen by Professor Sandra Hale for AUSIT's 20th Jill Blewett Memorial Lecture, which she will deliver at Macquarie University at 2pm on 3 December, the final day of our Biennial National Conference *JubilaTion 25*.

The Lecture is presented every year in conjunction with the National Annual General Meeting and honours the memory of Jill Blewett, who played a significant role in the formative years of the translating and interpreting profession in Australia, including the creation of NAATI and AUSIT.

Sandra is a long-term member and supporter of AUSIT who was among the first students to graduate from an Australian T&I course, at what is now the University of Western Sydney. Last year she was appointed Professor of Interpreting & Translation in the School of International Studies at the University of NSW.