



Member organisation
Fédération Internationale
des Traducteurs
International Federation
of Translators

Quarterly publication of the
Australian Institute of Interpreters and Translators

AUSIT in TOUCH

Volume 24, number 2 — Summer 2016



VALE DR SEDAT MÜLAYIM

The T&I community mourns
RMIT's much-loved head of
T&I Programs

HONOURS FOR AUSIT COLLEAGUES

Patricia Avila, Ilke Bruecker-Klein
and Amale Hourani named as
AUSIT Fellows

Senior Practitioner Lushan Charles
Qin awarded an OAM for services
to international relations

AUSIT MINI-CONFERENCE

Recognising T&I student excellence

PRACTITIONER-AGENCY RELATIONSHIPS examined

HUMANITARIAN INTERPRETING
Working on the front line

In Touch

Summer 2016
Volume 24 number 2

Editor

Helen Sturgess
editor@ausit.org

Design and production

Mine Konakci
designer@ausit.org

The submission deadline for the Autumn 2017 issue is **1 February 2017**.

The editor reserves the right to edit or not publish any item submitted for publication. Opinions expressed in articles published are those of the authors, and do not necessarily align with those of AUSIT or its Executive, *In Touch's* Editorial Committee, or its editor.

Cover image

The late Sedat Mülayim

AUSIT contacts

PO Box 193, Surrey Hills Vic 3127
Telephone 03 9895 4473
Fax 03 9898 0249
email: admin@ausit.org
www.ausit.org
yahoogroups@ausit.org

Editorial Committee

Chair

Melissa McMahon
melissamcmahon@inet.net.au

Academic

Stephen Doherty
s.doherty@unsw.edu.au

Book review editor

Melissa McMahon
melissamcmahon@inet.net.au

Interpreting practitioners

Tania Bouassi
Tania.Bouassi@health.nsw.gov.au
Michael Cooke
intercult@netspeed.com.au

Auslan

Christy Filipich
christy.filipich@gmail.com

Translation practitioner

Barbara McGilvray
mcgilvray.barbara@gmail.com

Researcher

Denise Formica
denise.formica@monash.edu

Postgraduate

Vera Gu
verasnake@hotmail.com

A letter from *In Touch's* new editing and design team

AUSIT is turning 30 in 2017! ... and to celebrate, *In Touch* is getting a makeover.

As the new editor of *In Touch*, I would like to introduce myself, Helen Sturgess, and new designer Mine Konakci to you, the readers. And on behalf of AUSIT, the Editorial Committee and yourselves, I would like to thank *In Touch's* departing Editor Jeremy Gilling and Designer Philip Coyte for their hard work and invaluable input over the last three years. Jeremy has contributed a topical article to this edition, and we hope he will continue to do so.

Mine and I are working closely with AUSIT's Editorial Committee, particularly Chair Melissa McMahon, to redevelop the look and content of *In Touch*, working towards an ever more enticing, informative, entertaining, and thought-provoking magazine.

A magazine is only as good as its contributors, so we rely on you, the readers, to participate—by either submitting an article for publication in one of next year's four editions (please see the following invitation to contribute), or contacting us over the summer with feedback on what you would like to see in the magazine (c/o editor@ausit.org).

In the meantime, enjoy the summer and look forward to *In Touch's* AUSIT 30th Anniversary issue (Autumn 2017), which will launch the new look.

Contributions welcome

If you have an opinion on, expertise in, or an interesting experience of a particular area of T&I, we'd like to hear about it.

In Touch is overseen by its Editorial Committee. Each member of the committee provides feedback on submissions that fall within their main area of expertise.

If you wish to contribute, please contact the editor with your idea or drafted piece, and it will be referred to the committee or a particular member.

As a preliminary to writing or adapting your article, please view *In Touch's* Submission Guidelines, which you can find through the 'Newsletter' link at: www.ausit.org/AUSIT/Publications.

Three members appointed Fellows of AUSIT

At this year's National AGM, three new AUSIT Fellows were announced:



Patricia Avila
(interpreter and translator, Spanish< >English), nominated by the Queensland branch



Ilke Brueckner-Klein
(translator, German< >English), also nominated by the Queensland branch



Amale Hourani
(translator, Arabic< >English), nominated by the NSW branch

The title of Fellow, carrying with it the postnominal FAIIT (Fellow of the Australian Institute of Interpreters and Translators), is the highest honour that AUSIT members can bestow on their peers. The requirements for nomination are financial membership of AUSIT for at least the five preceding years, gainful interpreting and/or translating at a professional level or above for a period of at least five years, and making a significant contribution to the advancement of the profession in general.

A member is nominated by the relevant branch committee via a proposal submitted to the National Council (NC), accompanied by letters of support from at least ten financial members. If the NC approves the proposal, the branch prepares a citation and a certificate that are presented to the nominated member, usually by the national president at an AGM. The whole process is carried out without the nominee's knowledge, so that the award comes as a complete surprise.

An edited copy of the branch citation for each of 2016's new AUSIT Fellows will be published over the next three issues of *In Touch*. First is **Patricia Avila FAIIT**, who also has a piece in this issue on the distinction between interpreting performed by non-accredited bilinguals, and that performed by trained and accredited interpreters. Congratulations, Patricia.

Contents

	PAGE
Three members appointed Fellows of AUSIT	01
Patricia Avila—Citation—AUSIT Fellowship 2016	02
Sedat Mülayim (1 December 1965 – 30 June 2016) by Barry Turner, with assistance from Ismail Akinci and Miranda Lai	03
Professor Lushan Charles Qin OAM by Melissa McMahon	04
Aboriginal Video Interpreter Service by Helen Sturgess	04
Judge agrees that cumulative minor misinterpretations can result in procedural unfairness by Jeremy Gilling	05
Consecutive vs simultaneous—does it make a difference in court? by Sandra Hale	06
Education, ethics and employment—a successful AUSIT National Mini-conference 2016 by Nicola Thayil	08
T&I practitioners and agencies: tensions despite a common cause by Uldis Ozolins	10
Symposium on Interpreter Training and Humanitarian Interpreting by Linda Fitchett	12
Notes on interpreting by non-accredited bilinguals vs. by interpreters by Patricia E Argüello de Avila	14
The translation of proper names in legal translation by Rocco Loiacono (book review) by Moira Nolan	16

Patricia Avila: AUSIT Fellow 2016

CITATION



The AUSIT Queensland Branch Committee, in their initial statement of nomination, commented that they “would be hard pressed to find another candidate whose vast and innovative contributions in interpreting and translation [and] ... impact as a trainer and a mentor ... compete with those of this nominee”.

Patricia’s impressive early performance in the field of interpreting is matched by her extensive research and ongoing learning, which have led her to engage in critical and highly specialised assignments and to develop a special interest in training. She demonstrates exceptional flexibility, accommodation and insight, which have allowed her to successfully transfer her skills and experience across continents, rising to the challenges of a different culture and new environment in Australia. She continually applies her ongoing research and broad continuous learning, and this is particularly evident in her development of excellent training courses.

What makes Patricia worthy of being named a Fellow of AUSIT is that extra mile that she always goes to provide the best and most up-to-date input to her profession, colleagues and students. Patricia has a special interest in training. She has designed and delivered training courses to translators and interpreters (through NAATI, AUSIT, Southbank TAFE, TIS, Sunshine Coast TAFE and ONCALL), as well as to professionals who work with interpreters—such as lawyers, social workers, schoolteachers and doctors—and has also addressed students at Universities and TAFEs on topics related to the T&I professions.

Patricia’s effectiveness as a trainer and mentor is clearly attested to by her students themselves. The feedback forms we have received over the years from courses and training sessions are full of expressions of gratitude and praise, such as ‘life-long mentor’, ‘changed/touched my life’, ‘motivating’, ‘inspiring’, and so on.

Patricia can take a significant share of the credit for the survival of AUSIT QLD, when amalgamation with the NSW branch was seriously considered in 1993–94. At the time, Patricia herself was undertaking a move from the Department of Immigration to a position with the CSIRO that she was to hold for a number of years, utilising her considerable personal and professional skills in working and travelling to South America with CSIRO scientists to assist with contract negotiations, while continuing to undertake translation assignments.

Patricia has gone on to become a major figure in Queensland in the delivery of

and also in assisting senior trainees to learn important mentoring skills and increase their confidence through sharing their own experiences. Patricia believes in two-way learning, i.e. by the trainer as well as the student, and keeps all channels open in order to learn from her students, and from any relevant interactions and experiences that come up during the training process.

Patricia’s contribution to the T&I profession is infinite. She is AUSIT’s representative in QAIWG (Queensland Accessing Interpreters Working Group), as well as its immediate past Convenor, and is still an active member of NAATI QLD’s Regional Advisory Committee. She represented AUSIT at a meeting with other stakeholders in the T&I industry, ASLIA (the Australian Sign Language Interpreters Association) and NAATI, during which the joint Professional Development Points System was created.

Motivated by genuine interest in students and the T&I profession, and powered by her creativity, Patricia creates a ripple effect which moves outwards via those who encounter her in a professional capacity.

consultancy services and training for interpreters, and also as a member of T&I professional bodies. Her cheerful collegial nature and professional acuity make her popular with those who employ her services, are taught by her, or work with her to improve the T&I industry’s profile and practice, both in Queensland and beyond.

In 2007 Patricia authored Queensland Health’s Introductory and Advanced levels interpreter training seminars, and the following year she co-designed ‘Introduction to Interpreting in Mental Health Settings’ training sessions for interpreters working with one of Queensland Health’s centres specialising in CALD clients.

Patricia has developed innovative approaches in order to engage both junior and senior practitioners. She is skilled in supporting beginners while they build their skills and broaden their knowledge,

I also recall the meticulous minutes Patricia drafted when serving on the AUSIT National Council as general secretary; currently, as vice-chair of the Ethics and Professional Conduct Committee, she is providing invaluable support to our organisation.

The example Patricia sets as a skilled senior professional and mentor is both inspiring and humbling. In an era in which professionals seem to be ever more focused on their own performance and development, Patricia stands out as a very different breed. Motivated by genuine interest in students and the T&I profession, and powered by her creativity, Patricia creates a ripple effect which moves outwards via those who encounter her in a professional capacity. I hope you honour her with this award, so she can serve as an inspiration to more trainee T&I professionals and colleagues.

Sedat Mülayim

(1 December 1965 – 30 June 2016)

by Barry Turner, with assistance from
Ismail Akinci and Miranda Lai

The head of RMIT University's T&I programs, Dr Sedat Mülayim, passed away on 30 June after a five-month struggle with cancer.

Sedat was much admired and loved at RMIT and within the wider T&I community; this was evident at the memorial service held for him at RMIT on 19 July, at which there was standing room only. The variety of backgrounds of those who attended and their deep sense of loss were testament to the harmonious multicultural environment so ably nurtured and led by Sedat at RMIT, and within the profession he loved.

Sedat was born in Ankara, Turkey on 1 December 1965. He graduated from the T&I program at Ankara's Hacettepe University before emigrating to Australia with his parents, Ali and Behiye, and his four siblings.

Sedat attended the T&I course at Melbourne's Victoria College (now Deakin University). Ismail Akinci, a classmate and close friend, remembers his fellow student as a friendly person who mingled well with his peers while demonstrating an early dedication to the career that he had chosen. Sedat went on to teach at Deakin and pursue a Masters by Research degree in Translation Studies, while already forging a career as a freelance practitioner specialising particularly in legal and police interpreting.

Ismail recalls that the quality of Sedat's work was immediately recognised, and his services were highly sought after by clients who were often willing to work around his availability.

Sedat's capabilities were soon also recognised by NAATI; in the 1990s he became a member of the Authority's Turkish Panel, and went on to chair it for many years.

When the Deakin programs closed, Sedat began teaching on a sessional basis at RMIT. After taking up part-time employment there he was offered a full-time position in 2006, and was appointed manager of the T&I programs in both the vocational and higher education sectors in 2009.

Miranda Lai, a colleague at RMIT who was close to Sedat, recalls him as a brilliant practitioner with unrivalled experience, and a bright scholar with incredible insight and vision. His PhD examined the access and equity issues faced by citizens with language barriers, pointing out the 'unchanging culture' in public services regarding communication with ethnic minorities, the vulnerability of these community members, and their constant exposure to 'symbolic violence'.

His dedication to new and emerging communities through RMIT's innovative and pioneering programs to train interpreters in their own languages contributed to greater social inclusion, by enabling people with limited proficiency in English to access essential services.

Sedat's intellect shone through in his scholarship. He completed his PhD during his final illness, by which time he had already produced many book chapters and journal articles. He had also written a book on police interpreting with Miranda Lai and Caroline Norma that was published in 2015, and later this year a book on ethics for police interpreters and translators that he co-authored with Miranda will be published.

Sedat was dedicated, above all, to his wife Arzu and their children, Ali and Aylin. His legacy will live on through

them, and also through the staff and students of the large and successful programs that he so ably shaped and managed at RMIT, and his many publications.

Dr Barry Turner is an adjunct professor in the School of Global, Urban and Social Studies at RMIT. He was Sedat's predecessor as head of RMIT's T&I program, and his friend and colleague of long standing.



Professor Lushan Charles Qin OAM

by Melissa McMahon

This year's Queen's Birthday Honours saw an AUSIT Senior Practitioner, Lushan Charles Qin, awarded an Order of Australia Medal in recognition of "services to international relations, particularly through translation and interpreting".

Charles arrived in Australia 26 years ago, with just a few years' interpreting experience and a degree in English Language. Just two years later, in 1992, he co-founded Chin Communications, a specialist Chinese communications company based in Melbourne, and is now the Managing Director.

At that time, the need for Chinese language services and the importance of the China–Australia relationship were underrated. "Who's interested in China?" he was asked. Today, of course, it is a leading field of T&I study and practice in Australia, and Chinese–English translators and interpreters facilitate the continuing growth of political and economic connections between China and Australia.

To foster development in this field, Chin Communications established a scholarship with Monash University to help international students studying in the Translation and Interpreting Masters program. The company has also provided mentoring and work placement opportunities for students and graduates in conjunction with Monash.

Qin has interpreted for US presidents, Australian prime ministers (see photo), politicians and judges, and on topics from geology to maritime disasters. He has delivered Mandarin interpreting to every Chinese president since Deng Xiaoping, and was the first interpreter ever to provide simultaneous interpreting in Parliament House for the inaugural address by a Chinese president, for which he received an AUSIT award. He is also the only Mandarin interpreter in the country to date to have been accepted into the International Association of Conference Interpreters (AIIC).

As well as being an active member of AUSIT and AIIC, Charles is a founding member of the Chinese Interpreters and Translators Association of Australia, and has been its president since 2014.



On hearing about the award, Charles said that it was a great honour and that he has loved his life in Australia: the opportunities Australia has given him; its egalitarian spirit; and the vital position that the China–Australia relationship holds. "The Chinese diaspora in Australia is very strong, so many Chinese migrants and descendants make significant contributions to their adopted country in all walks of life. I owe a huge thanks to my adopted country for giving me this opportunity ... to help build the relationship between Australia and China and shine a light on translators and interpreters who help make it happen."

Melissa McMahon is a Sydney-based French>English translator and chair of the Editorial Committee for In Touch.

INDIGENOUS INTERPRETING

Australia's first Aboriginal Video Interpreter Service

by Helen Sturgess

November saw the launch of Australia's first Aboriginal Video Interpreter Service in the Northern Territory, where some 35,000 people speak an Australian Indigenous language at home. Many of them are unable to communicate effectively in English, yet in legal, medical and housing contexts they are generally required to use English, and more often than not without any access to T&I services.

The service was launched to extend the Northern Territory's existing Aboriginal Interpreter Service (AIS), which already provides interpreting services each year to thousands of people who speak one of

Australia's many first languages as *their* first language. The AIS covers the 35 most common languages and dialects, but cannot currently provide trained and accredited interpreters in all the communities where they are needed.

Through the new video service—which is being rolled out in Darwin, Alice Springs and Katherine—the AIS will be able to decrease travel and other associated costs, and greatly increase the number of communities—and therefore clients—that they can reach; and there are already plans to extend the video service to cover more languages.

Watch these pages for a more in-depth report on this new service, which is funded by the Federal Government through the Department of Human Services.

The information above comes from a report by Felicity James on ABC Radio National's PM program, which aired at 5pm on Monday, 28 November.

Helen M Sturgess is the new editor of In Touch. She works as a freelance copywriter and editor, and is also a practising visual artist.

Judge agrees that cumulative ‘minor’ misinterpretations can result in procedural unfairness

by Jeremy Gilling



A Federal Court judge has set aside a visa application decision made by the Federal Circuit Court (FCC) in December 2015. The FCC decision upheld the Department of Immigration and Border Protection’s refusal of a protection visa for a Vietnamese woman, and the subsequent endorsement of that refusal by the Refugee Review Tribunal (now the Administrative Appeals Tribunal, or AAT).

However, in May 2016 Judge Edelman ordered the AAT to rehear and redetermine the woman’s application, in large part because “when the sheer number and substance of ... mistranslations and omissions are considered as a whole, in light of the issues before the tribunal, a conclusion of a denial of procedural fairness is inevitable”.

Judge Edelman noted that FCC Judge Jarrett held that “any single one of the errors or mistranslations would not have been sufficient, individually, for a conclusion that there was a denial of the procedural fairness required by [the ACT]”, and agreed that “many of the individual conclusions reached by [Judge Jarrett] are impeccable”. In his decision, however, Judge Edelman relied on a 1999 statement by Federal Court Judge Kenny which he describes as “the ‘seminal’ statement in this area”. Judge Kenny states that:

It is not necessary, and indeed might never be possible, to achieve a ‘perfect’ interpretation.

“Whilst the interpretation of a tribunal hearing need not be at the very highest standard of a first-flight interpreter, the interpretation must, nonetheless, express in one language, as accurately as that language and the circumstances permit, the idea or concept as it has been expressed in the other language.”

According to Judge Edelman, several legal principles “concerning whether defective interpretation has caused a denial of procedural fairness” flow from this ‘seminal’ statement. These include the following:

- “It is not necessary, and indeed might never be possible, to achieve a ‘perfect’ interpretation;”

- “whether or not an inadequate translation or interpretation means that a hearing has not been fair is an evaluative exercise which will depend on the particular circumstances ... including the course the hearing took as well as the reasoning of the decision-maker;”
- “interpretation ... must be adequate to convey ... ‘the substance of what is said’ or ‘the essential elements that were being conveyed by the appellant’ ... to a sufficient degree that the hearing can be described as real and fair;”

- “however, it is not necessary, and in many cases will not be possible, to establish a causal link between an error of interpretation or translation and an adverse finding.”

The appeal was undertaken by the woman at its centre and her husband, identified as BZAID and BZAIE respectively. (The husband’s visa application is dependent solely on the success of his wife’s, so was not the subject of the Federal Court appeal.)

Jeremy Gilling is the former editor of In Touch (2013–16).



Consecutive vs simultaneous—does it make a difference in court?

by Sandra Hale

Have you ever wondered whether your presence as interpreter affects how the accused is perceived and/or assessed by those who are judging him or her? Or whether the mode of interpreting used affects the perceptions of those listening to your interpretation? A research team led by Professor Sandra Hale of the University of New South Wales set out to find answers to these questions.

For the study, a simulation of an interpreted trial was mounted in order to test three conditions (C1, C2 and C3):

- C1: The interpreter sat next to the accused, interpreting consecutively.
- C2: The interpreter sat in a booth, interpreting simultaneously.
- C3 (monolingual; the control condition): The accused gave evidence in English without an interpreter.

The role of the court interpreter, as stated by the Commonwealth Attorney General's Department (1991), is to place the non-English speaker in the same position as an English speaker. The goal of the interpreter, therefore, is to interpret accurately (both content and manner of speech) in order to render the situation as close to a monolingual situation as possible. This research project set out to ascertain whether the mode of interpreting used affects the fulfilment of that goal.

The mock trial was conducted multiple

times in a real courtroom, at different times of day, with a total of 447 'jurors'. Each juror was randomly allocated to one of the three conditions. The trial participants, including the accused and the interpreter, were played by professional actors and the dialogue was scripted. In other words, all jurors, across all three conditions, heard exactly the same testimony from the interpreter and the accused. The interpretation languages were Spanish to English.

The main results of the study were:

1. When jurors were asked to state how likely they were to convict the accused, there were no significant differences between the three conditions. This suggests that an accurate rendition can, as intended, place a non-English speaker in the same position as an English speaker with respect to likelihood of conviction.

2. When jurors were asked about their perceptions of the accused's evidence (with respect to consistency, reliability and credibility), there were no significant differences between C2 (simultaneous) and C3 (monolingual), thus suggesting that in C2 the interpreter fulfilled their role as defined above. However, there were significant differences between C1

(consecutive) and C3 (monolingual), with the former eliciting a more positive perception of the accused overall.

The interpreter used in the study was well dressed and acted professionally, and it may be that in C1, in which the jurors were often visually focused on the interpreter, the positive impression that this created was projected onto the accused. (By extension, it can be posited that manipulation of other interpreter variables (age, gender and so on) might also alter jurors' perception of the accused, and that this could conceivably affect the likelihood of conviction.) When the accused's evidence was interpreted simultaneously, with jurors listening via headphones, they were likely to focus visually on the accused with less interruption.

The consecutive mode tended to distract jurors more and to interfere with their assessment of the accused—effects which did not occur with the simultaneous mode.

3. In the afternoon, jurors in C1 (consecutive) tended to report more loss of concentration than in C2 (simultaneous), indicating that consecutive interpreting is more distracting to jurors than simultaneous.

That the study found no significant differences in the rate of conviction across the three conditions is encouraging, as

this seems to indicate that when interpretation is accurate, the interpreter will not change the outcome of the case. However, the study also seems to indicate that the simultaneous mode (C2) may be preferable to the consecutive mode (C1) with respect to achieving the intended interpreter role of placing the non-English speaker in the same position as an English speaker. The consecutive mode tended to distract jurors more and to interfere with their assessment of the accused—effects which did not occur with the simultaneous mode.

However, research into the difference, if any, that mode makes to accuracy is needed before any recommendation can be made. The research team has applied for further funding to conduct the next phase of the research, to try to ascertain whether the same level of accuracy is achieved using consecutive and simultaneous interpreting, across three typologically different languages: Arabic, Chinese and Spanish.

This research project was funded by the Australian Research Council Linkage Program 2011, Round 2 (LP110200394) and the following partner organisations: the Australasian Institute of Judicial Administration (AIJA), the Department of Attorney General and Justice (NSW), the Department of Justice (Vic), PTW Architects, ONCALL Interpreters and Translators, the Australian Federation of Deaf Societies (AFDS)/Sign Language Communications, the Department of Justice and Attorney General (Qld), and ICE Design Australia Pty Ltd.

The project was led by Professor Sandra Hale from the University of New South



The 'consecutive interpreting' simulation. From left to right: the judge, the accused and the interpreter.

Wales (UNSW). The other investigators were Prof. David Tait, Dr Meredith Rossner and Assoc. Prof. Uldis Ozolins from Western Sydney University (WSU), Prof. Jane Goodman-Delahunty from Charles Sturt University (CSU), Assoc. Prof. Ludmila Stern from UNSW, Prof. Jemina Napier from Heriot-Watt University (HWU), Edinburgh, Scotland and Diane Jones from PTW Architects, Sydney.

For the full research results and more publications, go to: <https://hal.arts.unsw.edu.au/about-us/people/sandra-hale/> ('Publications' tab).

Sandra Hale is Professor of Interpreting and Translation at the School of Languages and Linguistics, UNSW, and national president of AUSIT.

<https://research.unsw.edu.au/people/professor-sandra-beatriz-hale>

Education, ethics and employment— a successful AUSIT National Mini- conference 2016

by Nicola Thayil



The AUSIT National Mini-conference 2016 was held in Melbourne, in conjunction with the AGM, on 18 and 19 November 2016. The theme this year was 'Translation and Interpreting: Practice, Research and Publics'.

On Friday 18 November, the keynote speaker was Dr Erika Gonzalez (lecturer and tutor, University of NSW and Western Sydney University, and AUSIT National Professional Development Coordinator), who presented the results of the National Professional Development Survey. The results show not only the needs and gaps in professional development (PD), but also the range in levels of education, training and accreditation of our practitioners, some misconceptions regarding AUSIT, and the clear necessity for implementing compulsory training before accreditation. AUSIT has taken a responsible approach in the delivery of high-quality PD courses, and is continuing to plan PD events for the future.

The other Mini-conference papers presented were divided into three thematic streams:

Education & Training

This stream looked at issues related to how to train the professional translators and interpreters of tomorrow, the status of translator education in Australia, and the demographic, motivational and career-aspirational features of trainee interpreters.

Politics, Ethics & Publics

This stream examined the relationship between social and public policy and the implementation of T&I services, political ideology in translation, interpreter role boundaries, and dealing with family violence situations.

Demands in the Workplace & New Media

This stream allowed delegates to explore translation practices in migrant communities, interactional management strategies for interpreters in police settings, and the complexity of legal translation.

The afternoon sessions were centred around practice and the profession, giving delegates the opportunity to delve more into literary, judicial and television translation as well as healthcare and telephone interpreting. Robert Foote (Manager, Development at NAATI) spoke about the next steps for the Improvements to NAATI Testing (INT) project.

A big thank you to all those who submitted abstracts. The Mini-conference

organising team was overwhelmed by your response and the quality of the submissions.

Before the National AGM on Saturday 19 November, Victorian Minister for Multicultural Affairs, the Hon. Robin Scott MP, delivered the annual Jill Blewett Memorial Lecture. Jill played an important role in the early development of the translating and interpreting (T&I) profession in Australia. An interpreter and translator herself, she fought for the establishment of high standards and for regulation of the profession, and it is largely as a result of her efforts that Australia is now recognised internationally as a leader in the field of community-based interpreting.

Overall, the conference provided a valuable forum for exchange between translators and interpreters, agencies and language service users, government departments, tertiary institutions and other industry stakeholders. Delegates also heard the latest updates about the International Federation of Translators XXI World Congress – Disruption and Diversification. FIT 2017 will held in Brisbane in August 2017 (visit www.fit2017.org for more information).

At the conclusion of the conference, drinks were hosted by gold sponsor NAATI and included the presentation of the AUSIT student excellence awards. These awards recognise students who have demonstrated outstanding performance and have fulfilled requirements to graduate from one of AUSIT's affiliate education institutions. Congratulations to the 2016 winners:

Calvin Hsieh-hao Liao (Monash—Master of I&T Studies, interpreting stream, Mandarin<>English)

Jiayao Fu (Macquarie—Postgrad. Dip. T&I, translating English>Mandarin, interpreting Mandarin<>English)

Kate Garrett (Monash—Master of I&T Studies, translating stream, German>English)

Sébastien Clevy (UNSW—Master of Translation and Interpreting, translating English>French, interpreting French<>English)

Titis Pratiwi (RMIT—Master of T&I, translating English>Indonesian)

Yuka Ishida-Smith (RMIT—Adv. Dip. Interpreting, Japanese<>English)

Nicola Thayil (née Savage) is a qualified French>English translator and French<>English conference interpreter based in Melbourne. She holds a Master of Interpreting and Translation Studies from Monash University, and is currently chair of the AUSIT National Communications, Promotions and Public Relations Committee.

The student winners were each asked to tell us (in 50 words or less) the most valuable lesson they learned as a student. It is clear from their responses below that these students have really flourished in their training:

“Studying at Monash, I got to interact with fellow students from diverse cultural and professional backgrounds. The training struck a balance between practical skills and research, and gave me a profound understanding of the field of study and the industry. It has been an invaluable experience that prepares me for my future career.”

Calvin Hsieh-hao Liao

“The most valuable lesson I have learned is how to become a professional interpreter and translator. It is not only a matter of language competence or cultural awareness as generally required, but it also concerns interpersonal relations and certain codes of ethics as a profession aiming to facilitate communications.”

Jiayao Fu

“Before I began my degree at Monash, I never considered becoming a translator. But studying here, I learned how important it is to take a chance—because this turned out the best decision I’ve ever made. I’ve learned the power I have to effect change in the world.”

Kate Garrett

“Following my passion for translation requires hard work, focus, integrity, intellectual curiosity and courage to learn from failures. UNSW teachers instilled these fundamental values in students, providing us with the practical skills and theoretical knowledge required to thrive in a professional environment. I can’t wait to start my career as a T&I professional.”

Sébastien Clevy

“I learned that my expectation of how an endeavour will yield certain outcomes limits personal growth. Allowing the experience to unfold leads to greater possibilities. I only expected to study interpreting here. Little did I know, the T&I policy course has enticed me to conduct research on female genital mutilation policies.”

Titis Pratiwi

“Studying in RMIT taught me the importance of respecting, cooperating with and assisting each other. Not only for your fellow students, but also teachers and the staff. I truly felt these aspects were valued by everyone within RMIT, and this feeling enabled me to work harder, extending my capability.”

Yuka Ishida-Smith

AUSIT would like to acknowledge the sponsors who made the event possible:

Gold sponsor

the National Accreditation Authority for Translators and Interpreters Ltd (NAATI)

Silver sponsors

SDL

the Victorian Interpreting & Translating Service (VITS)

All Graduates Interpreting & Translating

Bronze sponsors

Ezispak

ONCALL Interpreters & Translators

The conference was also generously supported by Monash University, which provided the venue at its Caulfield campus.

AUSIT would also like to thank all members in Melbourne on the Mini-conference Working Group for all their hard work and dedication to making the event a success; in particular the Group Coordinator Véronique Bergeron; Program Team leader Jean Deklerk; Sponsorship and Budgeting Team leader Jacqueline Skewes; Publicity Team leader Nicola Thayil; Logistics Team leader Nataša Ciabatti; and VIC/TAS Branch Committee Chair Dave Deck.



T&I practitioners and agencies: tensions despite a common cause

by Uldis Ozolins

Given the overwhelmingly freelance status of most T&I practitioners, and their dependency on agencies to provide work, the relationship between the two is vital. Yet this interdependency is rarely researched or discussed in depth, although dissatisfaction is frequently either expressed or hinted at on both sides.

To explore the relationship, I took a front-row seat at the '2016 UNSW Annual I&T Symposium', subtitled 'A Dialogue between Interpreting and Translation practitioners and agencies'.

AUSIT National President and UNSW Professor of I&T Sandra Hale set the scene by urging agency and practitioner participants to examine what unites them, and what issues can be addressed in common. The concerns raised are familiar to almost all T&I practitioners:

Our only resource is you, the practitioners.

1. Recruitment and selection.

The refrain "Our only resource is you, the practitioners" came from several agency speakers, stressing the importance of the link between agency and practitioner.

All agency representatives declared an unequivocal commitment to recruiting and selecting the most highly qualified interpreters, as judged by their level of NAATI accreditation. George Bisas from Multicultural NSW (MNSW) stressed the requirement for government agencies to follow strict rules of merit in recruitment.

Yet although the criteria for recruitment and selection favour the most highly accredited, the issue of availability is also salient. Georgiana Poulter from the Australian Association of Language Companies (AALC) stressed that with clients waiting, the ability to meet service demands becomes the uppermost priority, and those practitioners who are most

available are likely to get the most work.

Equally important is that practitioners are realistic about their capabilities, to avoid criticism or abandonment of assignments when interpreters realise too late that they are out of their depth.

Amelia Lemondhi gave the valuable perspective of a practitioner and Professionals Australia (PA) member who has established her own small agency, describing the choices she has to make in order to both meet clients' needs and treat practitioners fairly. Her approach is to create a win-win situation by ensuring that work given to practitioners is work "that you would be prepared to do yourself".

One area in which extra resources could go to practitioners is agencies' use of technology, such as online booking services, to improve operational efficiency. Alison Thorne from the Federal Government's Translating and Interpreting Service (TIS National) cited the extension of the agency's automated telephone calling system from 18 to 50 languages, along with other online improvements, as a win-win situation.

2. Agency faults, practitioner faults

Practitioner chat rooms regularly feature complaints and whinges about agencies, but the tone of the symposium as it unfolded was not one of unequivocal criticism of agencies.

While practitioner John Benson described the relationship between practitioners and agencies as 'disastrous', he turned this into talk of opportunity, telling agencies "You need to be our champions in the marketplace" for the considerable skills that interpreters and translators bring.

Practitioner Sean Cheng, in turn, questioned what knowledge agencies have of the skills and abilities of the practitioners they employ, particularly those who have been trained in, and could contribute robustly to, good service—including project management, training and professionalism.

A further issue that was identified is that, although many agencies assert that they look for the highest level of NAATI accreditation and welcome trained practitioners, many don't indicate individual practitioners' level of training on their databases.

Agencies, however, remain the brokers between practitioners needing work and clients needing a service, and Alison Thorne spoke of the price-sensitivity of interpreting services. She sees TIS as a champion of interpreters, convincing clients that they need to use professional interpreting services rather than resort to seeking assistance from untrained family members in order to cut costs.

Agency representatives stressed the potential negative consequences for agencies of unprofessional behaviour or substandard performance by practitioners—estimated at five per cent of work carried out. These can include loss of clients, being charged for material loss, or facing legal threats. Agencies need interpreters to understand that when they go on an assignment they carry the reputation of the agency with them. "You are the agency ... you represent the agency" stressed Maria Bancel-Guezello from Associated Translators and Linguists (ATL).

3. Government

In Australia, the public sector is the main client for interpreting services, and for a great deal of translation services as well. Ari Pappas from ONCALL pointed out that language services are often negatively affected by being viewed as welfare services. He argued that it is essential that governments understand that language services are primarily there to help them be able to function, by serving all their clients; focusing instead on the “poor bugger who doesn’t speak English” pushes language services into a welfare model, limiting attention and resources.

Opinions were deeply divided over whether governments should set fees for interpreters. Ari Pappas and Professionals Australia representative Matt Harris argued the importance of reaching a stage where competition between agencies is based on quality of service and not on price, and where interpreter fees cannot fall below a certain level, even in a deregulated market; but this was sharply criticised by Marie Bancel-Guezello. Based on her European experience, she argued that “If the government sets how much you are paid, you become poorer year after year”. George Bisas argued that in the Australian industrial relations system, the establishment of awards gives a good starting point; this was reiterated by Matt Harris, who stressed the need to enter into serious negotiations with governments, in order that progress can be made on remuneration and conditions.

In some cases government legislation becomes crucial. Kathy Wright from the Australian Sign Language Interpreters Association (ASLIA) described how Auslan interpreters, dissatisfied with effectively being viewed as social workers who speak for their Deaf clients, work to establish a professional interpreting infrastructure, with significant weight given to professional development and an effective mentoring program. It was pointed out, however, that a major factor in the enhanced position of Auslan interpreters—including higher remuneration—is the federal Disability Discrimination Act, which mandates the provision of interpreters, while little legislation has mandated provision of spoken language interpreting, or specified the quality of interpreting to be provided.

A major hindrance to effective action in pushing for legislative change is the passivity of many interpreters and translators themselves, resulting in a situation where poor remuneration is leading to an ageing workforce, as younger and often more highly trained practitioners steadily leave the profession. Although Amelia Lemondhi urged practitioners “If you are not happy [in relation to

remuneration], say so!” there is often a lack of activism on the part of practitioners. The idea that interpreters are their own worst enemy arose several times, specifically in relation to lack of organisation and solidarity, and a tendency to be demanding. Sign Language interpreters, unlike many of their spoken language colleagues, are more successful in making their professional status—as indicated by recognition of their interests and their right to be there—felt by clients.

You are the agency ... you represent the agency.

4. Quality

How are quality issues addressed? Alison Thorne asserted that TIS is very much concerned with quality, and has taken a number of steps to raise standards. One initiative is ‘mystery shopping’: certain assignments are listened to by NAATI examiners, to assess the performance of a TIS interpreter. Professional development and counselling is then recommended if significant flaws in performance are identified. Such quality control is useful, as interpreters who behave ethically and professionally are often undermined by others who don’t. Raising standards by subsidising NAATI tests to gain accreditation for their interpreters is another quality initiative of TIS.

Gordana Vasic from the Health Care Interpreter Service (HCIS) also showed what a large public agency can do in terms of careful induction of new practitioners, continuing professional development, and education of ancillary staff. However, instituting such measures in order to maintain quality may not be feasible for smaller private agencies working on

narrow margins of profitability, and where resourcing of quality measures may go unrecognised or unappreciated by clients.

5. Unaddressed issues

As this author has been charged with summing up the symposium, it is worth mentioning some issues which were not covered in the time allowed, but deserve further attention.

- Firstly, the interaction between agencies and practitioners, and the poor service that almost all practitioners at times receive from agencies—for example in relation to briefing and preparation—deserves further investigation.
- What makes an agency ‘good’ (or ‘bad’) in relation to practitioners? That practitioners sometimes treat agencies poorly was mentioned in the symposium.
- The issue of contracting out of significant (usually government) services and the frequent ‘race to the bottom’ in tendering processes surely deserves more scrutiny and discussion—is it impossible to set better standards of compliance?
- And lastly, we are clearly in desperate need of an industry body; without which agencies, like practitioners, remain isolated and tend to see each other only as competitors, even though most agencies are faced with identical problems and issues.

Video footage of the symposium can be found at: <https://www.youtube.com/watch?v=qYU0ltkivq4>

Dr Uldis Ozolins is Associate Professor and Director of Academic Programs—Languages, Interpreting and Translation, TESOL—in the School of Humanities and Communication Arts (SoHCA) at Western Sydney University.

2016 UNSW Annual I&T Symposium: A Dialogue between Interpreting and Translation practitioners and agencies (15 April 2016)

Speakers

Private agencies:

- Associated Translators and Linguists (ATL)—Marie Bancel-Guezello
- the Australian Association of Language Companies (AALC)—Georgiana Poulter
- ONCALL—Ari Pappas

Public agencies:

- the Health Care Interpreter Service (HCIS)—Gordana Vasic
- Multicultural NSW (MNSW)—George Bisas
- Translating and Interpreting Service (TIS National)—Alison Thorne

Professional Associations:

- the Australian Institute of Interpreters and Translators (AUSIT)—Professor Sandra Hale
- the Australian Sign Language Interpreters Association (ASLIA)—Kathy Wright
- Professionals Australia (PA)—Matt Harris

Practitioners:

- John Benson (French T&I)
 - Sean Cheng (Chinese T&I)
 - Amelia Lemondhi (Indonesian T&I)
- Chaired by Associate Professor Ludmila Stern

Symposium on Interpreter Training and Humanitarian Interpreting

by Linda Fitchett



This symposium, held at Monash University in April 2016, examined the challenges and opportunities inherent in the provision and use of interpreters in humanitarian and high-risk settings. Given its scale and diversity, it was a 'first' in Australia, and possibly the world.

Organised by Dr Marc Orlando, Senior Lecturer and Monash T&I Program Director, it brought together participants (speakers and audience) from diverse fields, including interpreters, trainee interpreters and academic staff, as well as representatives of both state and federal government bodies, the Australian Defence Force, services involved in refugee management and care, and a recruitment agency.

In his opening remarks, Orlando—a T&I researcher, trainer and practitioner—declared that “Delivering military assistance or emergency and humanitarian aid across language and cultural barriers and through interpreters and language mediators can be a major challenge. Working in high-risk settings and stressful environments can pose numerous challenges to ... interpreters ...”, yet the training available for them and their users in this context “is very limited”. He cited a recent survey by Businario which shows that 98.7% of humanitarian workers believe that “language barriers affect communication and compromise the delivery of aid”, and 42.9% believe that “message transmission issues are due to a lack of training in interpreting skills”. Orlando identified the main issues underlying the discussions of the symposium as:

- lack of recognition by employers of the role of interpreters in these areas
- lack of definition of that role, by both the T&I community and employers
- perception by local communities that locally recruited interpreters are either traitors or advocates of a particular cause
- lack of training in interpreting skills and ethics
- inadequate understanding by interpreters of their role as linguistic and

cultural mediators, or of the exact nature of the work they have been employed to carry out.

He therefore urged the T&I community and “all stakeholders involved in these areas” to “collaborate to improve the provision and training of interpreters working in the humanitarian sector”.

As the founder and CEO of Red T and the immediate past president of AIIC (see inset) respectively, Maya Hess and I were invited to make the keynote speech at the symposium, on the subject of interpreters in conflict zones. Our AIIC project currently focuses on drawing attention to the plight of those civilians who are locally recruited to act as translators and/or interpreters (T/Is) during conflicts. Working with foreign forces, journalists and so on, they are often viewed as traitors within their communities, and as a result come under threat. Red T, in turn, was created to address the persecution of T/Is around the world, stemming largely from the translator/traitor mentality.

Together with FIT (see inset), Maya and I first published a short Field Guide for T/Is. Containing advice regarding the rights and responsibilities of both T/Is and those using their services, it has been quoted by the British military and a Danish think tank, as well as various publications.

Subsequently, in partnership with four

other organisations (see inset), we have been writing open letters protesting against the persecution of T/Is around the world. The letters urge governments who have recruited T/Is locally in recent conflicts to honour their service when troops are withdrawn, by giving them and their families shelter in the form of protective visas or asylum. This successful cooperation between various bodies representing T/Is is another historic ‘first’.

Our ultimate goal is an international legal text mandating ‘protected-person’ status for T/Is in conflict, post-conflict and other high-risk settings. We recently launched a petition asking for support to achieve this goal in the UN, and hope that readers will sign and share it (anyone can sign, not only T/Is). The diverse participation at the Monash symposium offered us a great opportunity to bring our message to a broader audience in Australia, for which we thank our hosts.

The discussion that followed our presentation raised many issues concerning the specific status and designation of interpreters in these contexts, which recurred throughout the symposium.

Should we, for example, refer to locally recruited, untrained personnel as ‘interpreters’? What are the implications when a refugee ‘interpreter’ seeks

employment in his or her country of refuge—will unscrupulous employers attempt to sidestep professional accreditation requirements which apply there? Such a development could discredit the profession at a time when many T&I organisations are seeking to improve recognition and status through training and accreditation. Journalists tend to call such personnel ‘fixers’, implying that their role is not purely to interpret; some participants here suggested they be called ‘language assistants’; and many of the other speakers used ‘bilinguals’, a term which I don’t consider suitable, as their second language is often weak.

Civilians who are locally recruited to act as translators and/or interpreters during conflicts ... are often viewed as traitors within their communities.

And what are the contractual conditions of employment of these ‘interpreters’? Are they monitored by governments? What code of ethics applies to them? Have their role and status been defined in all cases?

Overall, Australia appears to be extremely well organised in the multilingual aspects of humanitarian action. All of the local bodies represented (see inset) deal, in some way, with intercultural communication issues. They recognise the need for, and use, interpreters in their daily work with migrants, refugees and other groups not proficient in English, in administrative, social and legal settings. However, whilst trying to avoid the use of family members as interpreters, they stressed the problem of finding trained interpreters in all languages.

UNSW Professor and AUSIT President Sandra Hale, the keynote speaker on the symposium’s second day, contended—and I absolutely agree—that languages “are not valued like other skills”, that the need to train interpreters is not widely recognised, and that “competent, ethically-informed practitioners raise our status”, which will

lead to improved remuneration and working conditions, and therefore retain interpreters in the profession. Hale also spoke of the importance of the ‘voice’ of the person being interpreted, of the interpreter’s role as an actor, and the fact that interpreting is used in a wide variety of contexts, such as conferences, conflict zones and courts, and therefore requires a differentiated approach.

Other speakers included Adolfo Gentile, a former president of FIT and chair of the board of NAATI, who worked for many years on the Migration and Refugee Review Tribunals (now combined into the Immigration Assessment Department), deciding on protection visas and ‘fast-track’ processing for those who have arrived by boat since 2012. Given the problems involved with interpreting in these areas, he advocated the creation of a specialisation, or at least an endorsement of accreditation.

Lieutenant Colonel Andrew Baker CSM, of the Australian Defence Force, has spent time deployed in Afghanistan. He reminded us that approximately 550 Iraqis were evacuated to Australia in 2008, and around 800 Afghans have also been evacuated here to date. He stated that Australia equips its interpreters with body armour, but no weapons—in accordance with the recommendations in our Field Guide. He confirmed that Australia sometimes uses interpreters recruited through contractors or from other forces, due to the need to find individuals with adequate security clearance at short notice. As a soldier who believes in his own professionalism, credibility and the need to trust, and be trusted by, his colleagues, Baker sought these characteristics in interpreters, along with familiarity with military jargon and the ability to read body language.

I was really impressed with the quality of presentations and discussion at this symposium, and took away a lasting impression that the interpreters present, and also those using or mediating their services, all want to improve the quality of service, to professionalise and therefore to invest in training. I wish them and training institutes such as Monash every success, and hope this kind of symposium will be repeated elsewhere.

The major international organisations active in this area are:

- Critical Link International (CLI)
- International Association of Conference Interpreters (AIIC)
- International Association of Professional Translators and Interpreters (IAPTI)
- International Federation of Translators (FIT)
- Red T
- World Association of Sign Language Interpreters (WASLI).

Details of the petition authored by these six organisations can be found on the AIIC website.

The local bodies represented at the symposium were:

- Australian Defence Force (ADF)
- Border Crossing Observatory (BOB), Monash University
- Indigenous, Regional and Intensive Services Division, Department of Human Services (DHS)
- Federation of Ethnic Community Councils of Australia (FECCA)
- Foundation House
- NAATI
- National Emergency Management Project (NEMP)’s National Auslan Communications for Emergencies
- ONCALL Interpreters & Translators
- Refugee Legal
- Settlement Services Advisory Council (SSAC)
- TIS National
- Translation and Interpreting Working Group of the Federal Settlement Services Advisory Authority
- Victorian Civil and Administrative Tribunal (VCAT)

Further information about the symposium can be found under Translation and Interpreting Studies on the Monash University website.

The study by Businaro mentioned here is cited by Moser-Mercer et al. in Federici, F. (ed). Mediating Emergencies and Conflicts: Frontline Translating and Interpreting (ebook). Springer, 2016.

Linda Fitchett is AIIC’s immediate past president, and coordinator of its project on interpreters in conflict zones.

Notes on interpreting by non-accredited bilinguals vs. by interpreters



Patricia Avila identifies and examines issues around the practice of interpreting being carried out by bilingual support workers who have little or no specific training in interpreting, a central topic of discussion at the recent humanitarian interpreting symposium (see report by Linda Fitchett in this edition). Accepting that this practice will, to some extent, continue, she makes some suggestions intended to help protect both the support workers and those using their services. (Adapted from a training session designed by the author.)

What is interpreting?

Within a linguistic context, interpreting is defined variously as:

"The oral transfer of messages between speakers of different languages ..."
(Gentile, Ozolins and Vasilakakos)

"... a form of [t]ranslation in which a first and final rendition in another language is produced on the basis of a one-time presentation of an utterance in a source language." (Pöchacker)

"... the translation of the spoken word ...", with translation defined as "a conversion process from one language to another, in either the written or the spoken mode." (several authors, paraphrased by Hale)

"The act of providing spoken (or signed) versions in one language that convey, in another language, the content and intentions of the statements by a speaker." (from AUSIT's *Interpreting – Getting It Right* brochure)

Why are these definitions relevant?

Because therefore, when one person is 'conveying something' said or signed in one language to another person in another language, by speech or signs, the act of interpreting is happening; usually in one or other of the following scenarios:

- a) The 'interpreter' is adequately trained and accredited. As a result, s/he can be considered able and empowered to deliver interpreting services according to certain standards, including a standard of conduct as prescribed by a code of ethics. (For example, in

Australia, the AUSIT Code of Ethics is the accepted ethical framework under which interpreters provide their services.)

- b) The 'interpreter' is not accredited or trained. Even if s/he is a fluent and well-educated bilingual and is interpreting as best s/he knows how, the interpreting and its outcomes may not be what the community expects, or adhere to appropriate standards, including taking into account ethical considerations, as mentioned above.

However, if something were to go wrong in either of the above 'interpreting' scenarios, the 'interpreter' could be found negligent and would be legally liable—whether they had qualifications in interpreting or not.

Therefore anyone engaged in the act of interpreting should be aware of:

- a) the expected standards and relevant ethical principles involved, and
- b) their boundaries and limitations, which should be defined according to the complexity, context and requirements of the interpretation setting, and the messages to be conveyed.

When is assistance with verbal (or signed) communication not interpreting?

Basically, when the communication is taking place entirely in one common language. For example, a bilingual support worker speaking a language other than English (LOTE) to a recently arrived member of a culturally and linguistically diverse (CALD) community who also

speaks that LOTE. The support worker may be introducing the new arrival to essential processes and systems in our society—for example, showing them how to take public transport to TAFE, or take their children to school—all the while speaking in the shared LOTE.

Such assistance is very valuable; using a language that a new arrival is familiar with in such situations can greatly decrease the stress that s/he experiences while settling in Australia. However, such support workers are amongst those who frequently find themselves, sometimes reluctantly and often inadvertently, asked or expected to provide interpreting services.

The importance of identifying interpreting scenarios

In the end, the conundrum is not really who is an interpreter and who isn't, but whether a person at any given time is delivering interpreting services (dealing in two different languages) or not (dealing in one language only). If the person is 'interpreting' according to the definitions given above, many considerations should be taken into account.

Although interpreting may appear to be an easy task, it is not. Many cognitive skills come into play, and not all bilingual people can engage in interpreting adequately, especially without training. In Latin America, Europe, Japan and China, interpreters working at a level of community interpreting equivalent to that experienced in Australia are required to have undertaken a full-time four- to five-year degree course at a tertiary institution. As Australia has long been the

final destination of refugees and migrants from all corners of the world, our universities and TAFEs offer interpreting and translation degrees in many of the languages spoken here, but not all. As a result, it would be near impossible for every interpreter to comply with the rigorous educational standards that apply elsewhere.

NAATI (the National Accreditation Authority for Translators and Interpreters) was created to provide testing for those aspiring to be interpreters. It sets minimum benchmarks of competence and accuracy, and the recipients of interpreting services by NAATI-accredited or -recognised interpreters can at least get some idea of their levels of linguistic skills. NAATI is currently undertaking a revision of its testing and accreditation processes; in the future, all aspiring interpreters will need to undergo a specified number of hours of appropriate training before they are deemed ready to sit NAATI accreditation tests.

Anyone who is already providing interpreting services, who enjoys doing so and feels they have the makings of a good interpreter, should be encouraged to seek support from their employers to formalise their skills via the NAATI accreditation process.

As mentioned above, bilingual workers do sometimes perform 'interpreting', irrespective of whether they are trained and/or accredited to offer these services. They do so for a variety of reasons—for example, reluctantly, to satisfy their employers, or willingly, because they are 'on the spot', and want to help. Ideally only accredited interpreters should be doing this work, for two main reasons. Firstly, the acquisition and application of the knowledge and skills required, as well as the professional ethical obligations, take years of specific training and experience. In addition, anyone doing this work should have the appropriate Professional Indemnity

Insurance (and in some cases Public Liability Insurance), to protect them and their employers/agencies in case of litigation. However, factors including cost and convenience frequently propel bilingual support workers to act as interpreters.

Certain simple and/or urgent interpreting tasks can be undertaken by a bilingual person until a qualified interpreter can assist, but great care has to be exerted as to the level of complexity of the 'messages' that need to be interpreted and the level of risk involved—to the CALD client, the agency looking after them, and/or the 'interpreter' themselves—in the event that these messages are misinterpreted.

It is very difficult to ascertain when the content of any exchange will be and remain simple throughout. Risk will always be present, as parties cannot be assured that what they have said has been accurately rendered into the other language. Staff from NGOs, settlement and other agencies, and bilingual workers themselves, should

be trained to recognise and assess the differences in complexity and potential risk of various interpreting contexts. They should be expected to decline to undertake any interpreting task that goes beyond a simple conversation, without prejudice to, or belittlement of, the bilingual worker; especially as anyone who engages in interpreting, whether they are accredited or not, may be subject to legal liability, as mentioned above.

In summary, anyone who provides interpreting services of any kind should:

- be empowered to decline requests for interpreting that may put them and their clients at risk
- have the option to decline any

interpreting task that may represent a real or perceived conflict of interests for them, or that may impinge on their own beliefs and/or impartiality

- be aware of the basic 'dos and don'ts' of interpreting, in order to minimise risk to all parties involved
- seek (or be provided with) training, in order to ensure the appropriateness and suitability of the services they deliver
- endeavour (or be encouraged) to sit the appropriate NAATI accreditation tests (or seek NAATI recognition, if testing is not available in their language), in order to formalise their skills in interpreting.

Anyone who is already providing interpreting services, who enjoys doing so and feels they have the makings of a good interpreter, should be encouraged to seek support from their employers to formalise their skills via the NAATI accreditation process. In this way they will be supported to deliver quality services and work within appropriate ethical and duty-of-care frameworks, increasing not only their effectiveness, but also the enjoyment they derive from their work, whilst also decreasing risk.

The definitions of 'interpreting' given come from:

Gentile, A., Ozolins, U. and Vasilakakos, M. (1996) Liaison Interpreting – A Handbook. Australia: Melbourne University Press, p. 5.

Pöchacker's definition in Hale, S. (2007) Community Interpreting. UK: Palgrave Macmillan, p. 5.

Ibid., p. 3. (A summary of definitions by several authors.)

Interpreting – Getting It Right (an AUSIT brochure)

For further information, email Patricia Avila: patriciaeavila@yahoo.com.

Patricia E Argüello de Avila is a conference and community interpreter (NAATI-Accredited Professional Interpreter and Translator English<->Spanish) and an interpreter educator.

The translation of proper names in legal translation

by Rocco Loiacono

Moira Nolan reviews this fourth e-book in Arachne's Law and Humanities Series, subtitled: *A study of the translation of the bilateral agreements between Australia and Italy*.

This volume is based on the author's 2014 PhD thesis on the difficulties associated with the translation of treaties across different legal systems, in particular, between common law and civil law. Its core is an analysis of the translation, either from English into Italian or vice versa, of 50 terms taken from 12 bilateral agreements signed between Australia and Italy between 1963 and 1996, all of which are currently in force. The 12 agreements are included in full in the appendix, in both English and Italian. Having been unable to ascertain which were drafted first in English and which in Italian (some cases may have involved a joint process, while others may have depended on which country initially requested the agreement), Loiacono assigns them to source or target himself (based on naturalness, appropriateness of lexical and syntactic choice, and communicative efficacy) for the purpose of his study.

Loiacono's thesis is that "legal terms, to be translated, can be treated as if they were proper names", arguing that "legal terms, like proper names, have a specific meaning and a referential function closely related to a specific cultural and linguistic environment". He tests this thesis by applying various strategies put forward for the translation of proper names, to legal translation. He also summarises translation strategies used to date in legal translation, from linguistic or formal

equivalence on the one hand to functional equivalence on the other, and suggestions made by various scholars of new strategies to adopt.

Loiacono explores his material via Viezzi's 10-category taxonomy of strategies for the translation of proper names¹. Ordered from more source- to more target-oriented, these are:

1. repetition or borrowing (e.g. using the English word 'partner' or 'leader' in Italian)
2. adaptation of spelling only
3. adaptation of terminology
4. linguistic (literal, word-for-word / root-for-root) translation, or calque (e.g. the White House, i.e. the US president's residence and workplace > *la Casa Bianca*)
5. translator's notes, i.e. explanatory phrases/footnotes outside the text itself
6. intratextual gloss, i.e. explanatory definitions/paraphrasing within the text
7. neutralisation, i.e. creating a term in the target language which is 'neutral'; which serves as a translation but for which there is no corresponding reality in the target culture (e.g. grand jury > *giuria d'accusa*; there is no such entity in the Italian civil law system)
8. naturalisation, i.e. using a word which means something different, but is 'natural' or has reference in the target culture (e.g. Dopey in the Walt Disney production of Snow White becomes *Cucciolo* [Puppy])
9. semiotic or functional transposition (e.g. Popeye becomes *Braccio di Ferro* [Arm of Iron])
10. simple omission.

Loiacono discusses in detail translation difficulties which arise from categories 1, 3, 4, 6 and 7 of Viezzi's taxonomy; some examples are listed below:

1. repetition
 - borrowing of 'pool' into Italian (*fondo comune*)
 - 1&3. repetition and terminological adaptation
 - pensioni d'inabilità* > inability pensions
 - Christmas Island > *l'isola di Natale*
 - Crown land > *proprietà della Corona*
 - 4. linguistic (literal) translation, or calque
 - ministero di grazia e giustizia* > minister of grace and justice
 - autorità competenti* > competent authorities
6. intratextual gloss
 - capo famiglia* > head of the family
 - Attorney General's Department (of Australia) > *Dipartimento Federale della Giustizia australiano*
7. neutralisation
 - approximate equivalents
 - magistrate/*magistrato*
 - generic terms
 - coniuge*/partner
 - asseverazione*/affirmation
 - neutral terms

It is perhaps not surprising that none of Loiacono's examples fall into the last three, more target-oriented of Viezzi's categories, i.e. naturalisation, semiotic or functional transposition, and omission. Loiacono concludes that in being more source-oriented, his examples are typical of legal translation for the public servants who

deal with those legal instruments, rather than of translation for a wider public.

However, as a practising translator I find Loiacono's examples typical of the choices one has to make on a daily basis in translation in general, rather than in legal translation in particular. I also think the categories of repetition, calque, translator's note, paraphrase, naturalisation, semantic/functional transposition and omission are used widely in translation, not just in reference to proper names. Loiacono also espouses the use of sense, meaning and reference (as in referent) to select or judge use of the above categories—which again, to me, is a common *modus operandi* of a translator, rather than specifically of a legal translator.

The author's argument for a more audience-oriented, communicative approach to legal translation is weakened by most of his examples coming from the source-oriented end of the spectrum. It isn't clear whether Loiacono specifically chose more source-oriented examples, or they simply predominated in the treaties; and as he acknowledges, there is a lot of overlap between these categories.

Overall, Loiacono's concentration upon proper names as a method for examining legal translation did not convince me.

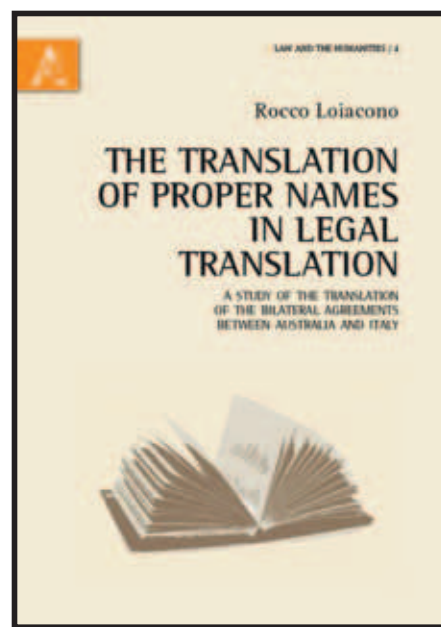
I also found myself wondering what

courts and ways of administering justice. These differences have led to different language styles, for example the common law system's use of much repetition in order to avoid ambiguity, versus the civil law system's use of broad principles.

Abundant subjects of examination exist in the multilingual legal translation in the European Union; in bilingual translation and co-drafting in Canada; and in the translation of international treaties, all providing terrain against which the detailed case studies of this book can be examined.

I consider Chapter Three, with its detailed discussion of scholarly work on the distinction between proper and common names, to be the most important theoretical chapter in this book. However, its use of Latin- and Greek-based linguistic terms, such as lemma, proprial, exegetic, morphemic, paretymological, periphrastic, and so on is challenging; a glossary would be of assistance here.

For me the strengths of this monograph are the inclusion of the full text of the treaties as appendices, the outlines of EU, Canadian and international multilingual treaty production and translation—which I found fascinating—and the discussion of the translation difficulties from the corpus of Italian–Australian treaties, which I found interesting and instructive.



Maira Nolan has translated French>English and Italian>English since 1997 and 2007 respectively. She is NAATI-accredited, and holds a Graduate Diploma in Interpreting and Translation from Edith Cowan University.

¹ Viezzi, M. (2004) *Denominazioni proprie e traduzione*. Milano: LED Edizioni Universitarie di Lettere Economia Diritto.

Loiacono's thesis is that "legal terms, to be translated, can be treated as if they were proper names".

current Italian bilateral treaties look like, and whether they have even more straight borrowings, given that the Italian propensity to borrow English words has increased dramatically since the late 1990s.

As one would expect in any volume on legal translation between a European and non-European country, there is a chapter on the history and nature of common versus civil law, with their different assumptions (for example methods of proof), processes (common law based on statutes and previous judgements, versus civil law and its codes), judicial personnel,

In criticism, there is some carelessness in translation and editing, including curious errors of language such as language 'breaker' instead of 'broker' (traceable to a misquotation); the appendix containing the treaties appears sideways onscreen; and the preface is not translated into English, depriving the English reader of this first brief summary. However, being a digital publication, these issues could all be easily addressed.



INTERPRETING AND TRANSLATION AT WESTERN SYDNEY UNIVERSITY

New languages, new courses

Western Sydney University is the oldest provider of professional Interpreting and Translation programs in NSW.

We are offering new languages in 2017 – Korean, Thai and Vietnamese, to join our established languages in Arabic, Chinese, Japanese and Spanish.

Vietnamese is a particularly welcome return, as we previously taught Vietnamese from the time we were Macarthur Institute of Higher Education.

These languages are offered in our Graduate courses:

- Master of Interpreting & Translation
- Graduate Diploma in Interpreting
- Graduate Diploma in Translation
- Master of Translation and TESOL

Why study Interpreting and Translation at Western Sydney?

- Well structured courses taught by internationally renowned staff and practitioners
- An emphasis on legal and medical interpreting, with extra length tutorials in these units.
- Leading authors and practitioners in community translation and translation technology
- All courses lead to professional level accreditation by NAATI
- The Master of Translation and TESOL allows you to gain two professional qualifications with one degree
- Excellent facilities and conditions at the Bankstown campus (for Interpreting & Translation) and at the new Parramatta City Square (for TESOL)

Note: Languages are offered on the basis of sufficient demand.

Study at Western Sydney University – we have a proven tradition of excellence in Interpreting and Translation

For Interpreting and Translation courses visit:

westernsydney.edu.au/interpretingandtranslation

For the Master of Translation and TESOL visit:

westernsydney.edu.au/translationandtesol