

Interpreting and translating Indigenous languages

- 6.1 According to Australian Bureau of Statistics (ABS) 2011 data, 16.6% of Aboriginal and Torres Strait Island language speakers report that they do not speak English well or at all.¹
- 6.2 During this inquiry the Committee was told by people working in many areas of government services that there was significant demand for Indigenous interpreting and translating services, however insufficient supply of appropriately qualified people to carry out this important work.
- 6.3 Under the Council of Australian Government (COAG) National Indigenous Reform Agreement service delivery principles, the Commonwealth and all States and Territories have agreed that programs and services should be physically and culturally accessible to Indigenous people, including through access to interpreting services. The Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) acknowledged that Indigenous people who require assistance communicating in English should have access to an interpreter so they can understand and be understood.²
- 6.4 This chapter explores access and provision of Indigenous interpreting and translating services across Australia, including:
- current Indigenous languages interpreting and translating services in Australia

1 Australian Bureau of Statistics, 'Census of Population and Housing', 2011, <[www.agencysearch.australia.gov.au/search/search.cgi?collection=agencies&form=simple&profile=abs&query=census of population and housing 2011](http://www.agencysearch.australia.gov.au/search/search.cgi?collection=agencies&form=simple&profile=abs&query=census%20of%20population%20and%20housing%202011)> accessed 12 September 2012.

2 Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA), *Submission 141*, pp. 3 and 8.

- funding and resourcing Indigenous interpreting services
- the development of the National Framework for the effective supply and use of Indigenous language interpreters and translators (the National Framework is an action under the National Indigenous Languages Policy)
- protocols on engaging Indigenous interpreting services
- the proposal for a National Indigenous Interpreting Service, and
- the accreditation and training of Indigenous language interpreters.

Current Indigenous interpreting and translating across Australia

- 6.5 State and territory governments have the responsibility for ensuring interpreters are available, when needed, to assist clients with government services. All states and territories have mainstream interpreter services which provide for a vast array of international languages, however the quality and supply of interpreters for Aboriginal and Torres Strait Island languages varies significantly across the states and territories.
- 6.6 There are two established Indigenous interpreting services in Australia: the Northern Territory Aboriginal Interpreter Service (NT AIS) provides interpreting across the Northern Territory and the Kimberley Interpreting Services (KIS) provides interpreting in Kimberley and central desert languages.
- 6.7 The NT AIS is established within the Northern Territory Government Department of Housing, Local Government and Regional Services, but provides services within an Aboriginal cultural framework. The NT AIS is one of the biggest employers of Aboriginal people in the Northern Territory with 422 active interpreters.³
- 6.8 KIS is a community-controlled Aboriginal organisation operating under the auspices of the Mirima Council Aboriginal Corporation and is guided by a Steering Committee of experienced interpreters. KIS has 170 interpreters representing 26 languages.⁴

3 M McCarthy, Northern Territory Government, *Committee Hansard*, Darwin, 2 May 2012, p. 2.

4 D Newry, KIS, *Committee Hansard*, Broome, 30 April 2012, pp. 14-15.

6.9 Both NT AIS and KIS, although structured differently, have established a strong 'social license' to operate by providing interpreting services in the 'right way', paying attention to both professional interpreting codes of ethics and Indigenous social protocols.⁵ The NT AIS and KIS engage accredited interpreters who are encouraged to identify and act upon conflicts of interest and other impediments to provide effective communication. The NT AIS website stated:

Professional interpreters are bound by a strict code of ethics covering confidentiality, impartiality, accuracy and reliability, and have completed training and assessment to certify that they have level of linguistic competence.⁶

6.10 The South Australian Government's Interpreting and Translating Centre offers services in Pitjantjatjara and Yankunytjatjara languages. In Queensland an interpreter service provides interpreting and translating in a number of Indigenous languages and in Aurukun there are qualified interpreters in the Wik Mungkan language.⁷

6.11 In addition, many language centres offer interpreting and translating services. For example, the Papulu Apparr-Kari Language Centre provides interpreting and translating services in the Barkly Region of the Northern Territory and charges fees for services.⁸

Commonwealth Government funding to Indigenous interpreting and translating

6.12 The Commonwealth Government provides funding for Indigenous interpreting through the Closing the Gap Northern Territory National Partnership Agreement (NT NP) and the National Partnership Agreement on Remote Service Delivery (RSD NP).

6.13 Through NT NP, FaHCSIA provides funding to the Northern Territory Government for the NT AIS. The Agreement provided \$8.085 million dollars over three years to 2011-12 for the professional development, training and accreditation of interpreters and the employment of

5 FaHCSIA, *Submission 141*, p. 13.

6 NT AIS, *Working with Interpreters* <www.dlghs.nt.gov.au/ais/working_with_interpreters> accessed 18 July 2012.

7 ATSIILS, *The Right to a Fair Trial: A Submission to the Commonwealth Attorney-General Regarding the Expansion of Aboriginal and Torres Strait Islander Interpreter Services*, 2012, pp. 17-19.

8 K Hayward, Papulu Apparr-Kari Aboriginal Corporation, *Committee Hansard*, Alice Springs, 4 April 2012, p. 29.

community liaison/mentor officers and community-based interpreters. The funding was to build the capacity of the NT AIS.

- 6.14 The RSD NP (2008-09 to 2013-14) identifies allocation between the Commonwealth, states and the Northern Territory for interpreting and translation, with \$38.7 million being identified across the duration of the Agreement, \$19.8 million by the Commonwealth and \$18.9 million by the States and Northern Territory. FaHCSIA has allocated most of the Commonwealth's RSD interpreter and translation funds to Remote Operations Centres to be administered in an integrated fashion with other engagement activities.
- 6.15 The Attorney-General's Department (AGD) administers a Memorandum of Understanding between the Commonwealth and Northern Territory Government for interpreter services to Indigenous people. Funding supports free access to interpreters for Northern Territory law, justice, health agencies and AGD funded legal assistance service providers. The interpreting services are provided by the NT AIS.⁹
- 6.16 Interpreting and translating services are not eligible for funding under the Commonwealth Government's Indigenous Languages Support (ILS) program. However, some of the ILS funded language centres do provide interpreter services on their own accord as a means of supporting income.¹⁰

National framework on Indigenous interpreting and translating

- 6.17 The National Indigenous Languages Policy provides for the Commonwealth Government to work with the states and the Northern Territory to introduce a national framework for the effective supply and use of Indigenous language interpreters and translators (National Framework). Components of the proposed national framework include:
- development and strengthening of Indigenous interpreting services through establishing mentor/coordinator positions, providing base salary funding for interpreters and administrative support of interpreters;
 - training and accrediting Indigenous interpreters – development of nationally consistent curriculum material for training and

⁹ FaHCSIA, *Submission 141*, p. 9.

¹⁰ Office of the Arts, *Submission 127*, p. 6.

- provision of training leading to accreditation and expertise in particular subject areas;
- increasing supply of Indigenous interpreters through development and establishment of a national recruitment and retention strategy, with localised flexibility;
 - increasing demand for interpreters through increased training for government and non-government employees working in relevant locations; translation of government information products.
 - Consideration could be given to forming a National Reference Group of Experts to advise on future directions of policy on Indigenous interpreters. Each of the components would involve contributions from the Commonwealth and from each of the jurisdictions.¹¹
- 6.18 The Council of Australian Governments (COAG) has agreed under the RSD NP that the Commonwealth should develop a National Framework, working with the states and the Northern Territory. FaHCSIA is the lead agency responsible for developing the National Framework and expected it would be developed over the year 2012.¹²
- 6.19 FaHCSIA stated that the National Framework would be the key means to improve capacity and engagement across all levels of government, third party service providers, industry, and Indigenous Australians. The Framework is being developed with consideration to the following:
- increasing the supply of suitably qualified Indigenous language interpreters
 - stimulating the demand for and use of interpreters by Indigenous communities, governments and third party services providers, and
 - creating a sustainable industry for Indigenous language interpreters.¹³
- 6.20 The Committee notes that the Torres Strait Regional Authority (TSRA) submitted that it would welcome an invitation to participate in the development of the National Framework. In its submission, the TSRA recommended the establishment of a pool of Torres Strait Islander language specialists, interpreters and translators to enhance strategies that aim to Close the Gap.¹⁴

11 Office for the Arts, 'Indigenous Languages – A National Approach 2009' <www.arts.gov.au/indigenous/languages>, accessed 18 July 2012.

12 FaHCSIA, *Submission 141*, p. 8.

13 FaHCSIA, *Submission 141*, p. 8.

14 Torres Strait Regional Authority, *Submission 146*, pp. 14-15.

Engaging Indigenous interpreting services

- 6.21 Many Commonwealth Government departments use interpreters and translation services to engage Indigenous people in the design and delivery of programs and policy. The Department of Human Services (DHS) has a policy of providing free interpreting and translation services to customers who have limited English. DHS is the largest government agency user of the NT AIS and KIS. Outside of the Northern Territory and the Kimberley, the department uses its own panel of interpreters and bilingual staff to meet demand.¹⁵
- 6.22 In the implementation of the RSD NP interpreters and translators are being used to ensure community members have a sound understanding of the processes. The intention is to enable effective local participation in developing Local Implementation Plans.¹⁶
- 6.23 Local Indigenous Engagement Officers (IEOs) have been recruited in the remote priority locations to help communities understand and engage with the implementation of the RSD NP. FaHCSIA stated that IEOs have played a critical role in remote locations in providing cross-cultural support and advice to communities and government officials.¹⁷ As at June 2012, FaHCSIA had employed 43 IEOs across Australia. FaHCSIA submitted that up to 90 full and part time IEO positions would be created over the next two years.¹⁸
- 6.24 The Commonwealth Ombudsman reported in its March 2011 report *Talking in Language: Indigenous language interpreters and government communication* that with the roll out of the NTER and subsequent programs under the COAG agreements and other Commonwealth initiatives, demand for Indigenous language interpreters had increased.¹⁹
- 6.25 However, the Ombudsman found that there was often a lack of awareness of the significant barriers that language poses for communication between Indigenous and non Indigenous Australians which can lead to gaps in service delivery by governments. The Ombudsman reported that there

15 Department of Human Services, *Submission 8*, p. 7.

16 FaHCSIA, *Submission 141*, p. 10.

17 FaHCSIA, *Submission 141*, p. 11.

18 FaHCSIA, *Submission 141a*, p. 1.

19 Commonwealth Ombudsman, *Submission 22*, Attachment A: Talking in language: Indigenous language interpreters and government communication, April 2011, p. 5.

was a shortage of interpreters and a failure to use them when they are available.²⁰

- 6.26 In its submission the Commonwealth Ombudsman stated that ineffective interpreting could undermine Close the Gap targets:

In our experience, without interpreters and proper regard to the language barriers that Indigenous Australians face, service delivery can be misdirected and damaging and people can be excluded from, and alienated by, the very programs designed to assist them. Further, if Indigenous languages are not preserved and then taken into account in service delivery to Indigenous Australians, many Closing the Gap initiatives will be undermined.²¹

- 6.27 Other participants in the inquiry believed there needed to be an improvement in the uptake of Indigenous languages interpreting services. The Central Land Council stated that in Central Australia many Aboriginal people do not speak Standard Australian English (SAE), and most Government workers do not speak an Aboriginal language, therefore good communication often necessitates the use of interpreters. The importance of using interpreters, however, was not realised in the public and private sectors and often interpreters were not used.²²

- 6.28 The Northern Territory Minister for Indigenous Policy noted that private sector institutions do not always use Indigenous interpreters:

We are very aware that the major operators like Telstra and Optus use interpreters from non-English-speaking backgrounds, but there are no Indigenous language speakers who are utilised in those services. This is, again, about providing job opportunities. We as a government are very aware that it should not be just in the government space that interpreters are used²³

- 6.29 Ms Denise Angelo asserted that government funded services would be more efficient and effective if clients understood the information provided and the processes required and were able to provide their information and be understood. Ms Angelo suggested government service providers should be rewarded for using interpreters.²⁴

20 Commonwealth Ombudsman, *Submission 22*, Attachment A: Talking in language: Indigenous language interpreters and government communication, April 2011, pp. 2-3.

21 Commonwealth Ombudsman, *Submission 22*, p. 1.

22 Central Land Council, *Submission 100*, p. 16.

23 M McCarthy, *Committee Hansard*, Darwin, 2 May 2012, p. 3.

24 D Angelo, *Submission 153*, p. 12.

- 6.30 Ms Claire Salter referred to the misconception that because individuals have a good understanding of English they do not require assistance of a professional interpreter:

In my experiences working within both health and education fields I have seen a very poor uptake of interpreting services in general. There remains a very Western-centric view of peoples' need for interpreting services and the common misconception is that because people have a sufficient level of conversational English then they do not need an interpreter for health or other higher level language information. It is often the health professionals' decision as to whether or not a person needs an interpreter, not the client or patient.²⁵

- 6.31 The Australian Society for Indigenous Languages (AuSIL) stated that many service providers are not aware that there are a number of Indigenous languages actively spoken in Australia and that there are interpreting and translating services available. AuSIL stated that translations are often ineffective:

The Federal and State governments are some of the worst offenders in packaging messages in ways that almost ensure they cannot be understood, and cannot be translated easily. Good government-speak is often a bad way to communicate with their intended target audience.²⁶

- 6.32 The Committee notes the Northern Territory's Language Services Policy which has been developed to promote and support access to services by speakers of languages other than English. While not specifically focussed on Indigenous interpreting services, the policy requires all Northern Territory departments or agencies to:

- acknowledge client's entitlements/rights to the services of an appropriately qualified interpreter or translator and be aware of the situations in the an interpreter should be used
- commit to the appropriate use of qualified interpreters and translators in the delivery of all services for people who speak a language other than English
- be aware as to when interpreters must be used, taking into account the agency's obligations to their clients, the legislative requirements and

25 C Salter, *Submission 100*, p. 5.

26 AuSIL, *Submission 60*, p. 6.

risks that could impact clients' health, safety and/or human rights if an interpreter is not utilised, and

- acknowledge that the use of language services by staff is a justifiable and necessary expense - each agency has an obligation to plan and budget for interpreting services to ensure that these services will be available when the need arises. Staff and divisions will incorporate language services strategies into their budget, their human resource programs, and organisational planning.²⁷

6.33 FaHCSIA is drafting a Commonwealth Government policy protocol on the use of Indigenous interpreters which will identify circumstances when departmental staff should use interpreters. The intention is that this protocol will be used by all Commonwealth agencies.²⁸

Committee comment

6.34 The Committee believes the development of a National Framework for Indigenous language interpreting and translating is an important step to building a national Indigenous interpreting service. The Committee experienced first-hand difficulties with the supply and service of Indigenous interpreters during the inquiry. These are discussed later in this chapter.

6.35 Commonwealth funding support has focussed on the Northern Territory and the 29 priority locations under the RSD NP. It is clear that Indigenous language interpreting and translating services are inadequate, particularly in remote communities. This is inconsistent with the aims and approaches of the National Indigenous Languages Policy and there is an urgent need for this deficiency to be remedied.

6.36 The Committee considers that the National Framework for the supply and use of Indigenous languages interpreters and translators is a priority. The Committee recognises that in order for it to function properly, issues of training, accreditation and business models must be investigated to ensure a reliable supply of professional interpreters and translators. The Committee discusses these issues in the following sections and in the Committee comments that follow it addresses the implementation issues of establishing a National Framework.

6.37 The Commonwealth Ombudsman and other participants in the inquiry referred to communication barriers occurring between government

27 Northern Territory Government, *Submission 138*, pp. 7-8.

28 FaHCSIA, *Submission 141*, p. 10.

agencies and Indigenous people which may be undermining Closing the Gap targets.

- 6.38 The Committee supports efforts by FaHCSIA to issue a protocol on the use of Indigenous interpreters to be used by all Commonwealth Government agencies.
- 6.39 The Committee believes all Commonwealth Government agencies would benefit from a protocol on the use of Indigenous interpreting services. A protocol would assist government agencies to raise awareness of the benefits of using interpreters and how to go about working with interpreters to deliver programs and services. The Committee further believes non-government organisations which regularly conduct their business in Indigenous communities would benefit from the protocol as a guide.

Recommendation 23 - Protocol on the use of Indigenous interpreting services

- 6.40 **The Committee recommends that the Minister for Families, Housing, Community Services and Indigenous Affairs expedite the release of a protocol on the use of Indigenous interpreting services for all Commonwealth Government agencies.**

The Committee further recommends that the Commonwealth Government raise at Council of Australian Governments (COAG) the need for all states and territories to have similar protocols and ensure the use of competent interpreters when required.

- 6.41 The Committee urges non-government organisations and businesses to utilise the protocol to guide their interactions and use of interpreting services when communicating with Indigenous peoples.

A national Indigenous interpreter service

- 6.42 As referred to in preceding paragraphs, the NT AIS has received a significant injection of Commonwealth Government funding to improve the training and support for an Indigenous interpreting service. The state governments are largely responsible for providing interpreting services in other regions of the country.

- 6.43 Demand for interpreting services in the Northern Territory remains high. The NT AIS reports that requests for interpreters by governments have increased from 3 947 tasks in 2007-08 to 6 461 tasks in 2010-11.²⁹ The Central Land Council submitted that the AIS is not always able to meet demand for its services and the quality of services it can provide varies according to interpreters' skill levels.³⁰
- 6.44 Although limited interpreting services are available, demand is very high in other areas outside of the Northern Territory. For example, in South Australia there is very high demand for interpreters, particularly in Pitjantjatjara and Yankunytjatjara languages, with limited numbers of interpreters available.³¹ Representatives from TAFE SA advocated the establishment of a South Australian Indigenous interpreting service to be managed by Aboriginal people who understand the culture and the people who could most appropriately do the work.³² The Sisters of St Joseph Reconciliation Circle submitted:
- In SA there have been up till the last very few years just 2 (TWO) extremely overworked Pitjantjatjara/ Yankunytjatjara interpreters. ... It has been good to hear that in this time, suitable people in SA have been actively sought for training as Interpreters - with the necessary funding, recruiting and enabling required. However just last year one of our members who has lived in SA regions where most Aboriginal people have English as a second language, was approached informally by a person responsible in one of the main Adelaide hospitals, saying the situation was still desperate at times and seemingly not aware of the networks.³³
- 6.45 The Committee heard that interpreting services are required across Australia, including where creoles or dialects are spoken. Mrs Bridget Priman from the Eastern States Indigenous Languages Group (ESILG) described a situation where she would have benefitted from interpreting of her first language, Aboriginal English. Although able to understand and be understood in her use of English words, she described how in a medical situation an understanding of the language differences was missing and this misunderstanding added to the stress of the situation:

29 FaHCSIA, *Submission 141*, p. 9.

30 Central Land Council, *Submission 100*, p. 16.

31 K Lester, University of Adelaide, *Committee Hansard*, Adelaide, 2 April 2012, p. 32.

32 I Scales and B McDonald, TAFE South Australia, *Committee Hansard*, Adelaide, 2 April 2012, p. 30.

33 Sisters of St Joseph SA Reconciliation Circle, *Submission 41*, pp. 4-5.

A good example is that you have to go from one to 10 on your pain. I always cry about this one. 'No, it's no good,' is what I will say. I will say, 'No, that's not good,' but they want you to tell them from one to 10 about the pain. I can say, 'It's pretty bad,' or, 'it's no good,' or, 'it's not too bad.' That is how we talk.³⁴

- 6.46 The justice and health sectors are considered to be areas where effective interpreting and translating is essential and in urgent need of more training and resources. Special concepts and vocabulary in these specialised fields require additional training or orientation. The Australian Society for Indigenous Languages commented on the need for 'additional training to raise the bar for existing translation and interpreting services', particularly for people in the justice and health sectors.³⁵
- 6.47 KIS and the Aboriginal and Torres Strait Islander Legal Services (ATSILS) referred to the costs associated with not using interpreters early in contact between service providers and clients, for example:
- in the justice sector, there are high hidden costs associated with adjourning and reconvening court sittings to enable lawyers to attempt to clarify and obtain clear instructions from their clients. The absence of qualified interpreters can increase the risk of litigation arising from miscarriages of justice³⁶, and
 - in the health sector, if interpreters were used early, clinicians could exchange accurate information earlier and provide more effective and efficient diagnosis, therapy and treatment.³⁷
- 6.48 During the Committee's 2009 inquiry into Indigenous youth in the criminal justice system, the Committee found that qualified Indigenous language interpreters available to work in the criminal justice system were scarce. The Committee was concerned that many Indigenous people with limited English skills came before the justice system and due to language barriers did not necessarily fully comprehend the situation or their rights. This has potentially serious consequences.³⁸
- 6.49 During this inquiry the Committee again received evidence around the poor Indigenous interpreting support in the justice system. The North

34 B Priman, ESILG, *Committee Hansard*, Brisbane, 6 October 2012, p. 15.

35 Australian Society for Indigenous Languages, *Submission 60*, pp. 5-6.

36 ATSILS, *The Right to a Fair Trial: A Submission to the Commonwealth Attorney-General Regarding the Expansion of Aboriginal and Torres Strait Islander Interpreter Services*, 2012, p. 14.

37 KIS, *Discussion Paper: Indigenous Language Interpreting Services*, 2004, p. 6.

38 House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, *Doing Time – Time for Doing: Indigenous youth in the criminal justice system*, 2011, p. 206.

Australian Aboriginal Justice Agency (NAAJA) asserted that Aboriginal people do not fully understand either the court process or the outcomes of those processes and interpreters are either unavailable or underutilised. NAAJA stated that there is a 'current paucity of qualified Aboriginal interpreters' which can be attributed largely to insufficient funding to the NT AIS and 'related problems of inadequate resources available for training, recruitment and retention of staff'.³⁹ NAAJA referred to the difficulties in arranging interpreters to be available for court proceedings within a short time and the dilemmas this presents with clients remaining in custody.⁴⁰

6.50 NAAJA supported increased funding to the NT AIS and better use of appropriately qualified Aboriginal interpreters by the courts. NAAJA contended that there would be many benefits to the criminal justice system, 'most importantly, Aboriginal people will have the opportunity to fully understand and participate in their court case'. There would also be 'broad positive social impacts, including potentially reducing rates of Aboriginal incarceration, and contact with the criminal justice system'.⁴¹

6.51 Other submissions referred to the need for greater engagement of appropriately skilled interpreters in the health sector, both in hospitals and in clinics. For example, Dr Jane Thorn from Royal Darwin Hospital stated:

Interpreting services (which are currently used very inefficiently in the public health system) are vital to beginning to establish some common understanding between a "white" medical system and its Indigenous patients, but words and word use alone do not equate to understanding, especially where those providing the information (i.e. health care professionals and interpreters) may not fully comprehend the information themselves or the implications of that information.⁴²

6.52 Low levels of communication between health professionals and patients can lead to inadequate diagnosis and treatment. Dr Thorn, who provides health care to women in the Northern Territory, discussed birthing and gynaecological services provided by the hospitals and its clinical services. Dr Thorn spoke of the difficulties in engaging with Indigenous women to ensure they were providing effective and appropriate services:

39 NAAJA, *Submission 135*, p. 6.

40 P Collins, NAAJA, *Committee Hansard*, Darwin, 2 May 2012, p. 34.

41 NAAJA, *Submission 135*, p. 6.

42 J Thorn, *Submission 50*, p. 2.

In terms of my dealing with my Indigenous patients, we are coming at the world from two very different places. It is not just a difficulty in communication; we can talk in words. I can talk about what I am going to do in relation to, say, something surgical. I can get out pictures. I can talk sometimes in relation to language to be able to say, 'This is what I'm going to do,' if I am talking about a surgical procedure. They can understand that on one level, but in terms of me actually understanding the implications of what I am talking about or what I am suggesting in my proposed treatment for those women, we are not connecting. I think the only way that we really can connect is where we can come to some way of not just communicating in words but communicating in a framework where we can negotiate between us what we really want to do. That is the only way we are going to get really good health outcomes.⁴³

- 6.53 The National Rural Health Alliance asserted that although Aboriginal Health Workers do interpret language, they are not specifically trained for this. Therefore, trained interpreters can offer great assistance to health providers in achieving meaningful health outcomes.⁴⁴
- 6.54 In the justice and health areas, interpreters require extensive training on the use and understanding of specialist English terminology and finding equivalents in their Indigenous language. Jobs in these sectors are complex and continuous professional development is required beyond accreditation at the paraprofessional level.
- 6.55 KIS suggested one solution would be to develop partnerships that allow an agency, hospital, or lawyer to work regularly with a group of interpreters to develop their language skills, whilst the non-Aboriginal person has access to cultural advice.⁴⁵ The Committee heard that the NT AIS are training people in law terms and vocabulary through an educator seconded from NAAJA.⁴⁶
- 6.56 A significant number of participants in the inquiry supported a national interpreting and translating service for Aboriginal and Torres Strait Islander languages.⁴⁷ A joint submission from Aboriginal and Torres Strait

43 J Thorn, *Committee Hansard*, Darwin, 2 May 2012, p. 67.

44 National Rural Health Alliance, *Submission 148*, p. 2.

45 KIS, *Discussion Paper: Indigenous Language Interpreting Services*, June 2004, p. 24.

46 M McLellan, AuSIL, *Committee Hansard*, Darwin, 2 May 2012, p. 31; P Collins, NAAJA, *Committee Hansard*, Darwin, 2 May 2012, p. 34.

47 Curriculum Council of Western Australia, *Submission 129*, p. 6; A Hawkes, *Submission 120*, p. 5; C Rosas, NT AIS, *Committee Hansard*, Darwin, 2 May 2012, p. 8.

Islander Legal Services (ATSILS) to the Attorney-General on Aboriginal and Torres Strait Islander interpreter services stated:

It is unacceptable that Aboriginal and Torres Strait Islander defendants are in this predicament yet other defendants in need of a foreign language interpreter have ready access to high quality interpreters through the Commonwealth funded Translating and Interpreting Service (TIS).⁴⁸

- 6.57 The National Congress of Australia's First Peoples supported the establishment of a National Indigenous Interpreting Service as important for the delivery of basic human services, particularly necessary in the area of courts and justice, where the lack of provision of these services may affect the ability of Aboriginal and Torres Strait Islander people to obtain a fair trial, and may lead to increased rates of incarceration.⁴⁹
- 6.58 In 2005, the National Indigenous Languages Survey (NILS) report recommended increasing translating and interpreting services in regional centres with large numbers of Indigenous people who do not speak English well. The NILS report also observed that interpreting services for Indigenous people had been relatively neglected compared with migrant language groups. The Translating and Interpreting Service (TIS) National is under the auspices of the Department of Immigration and Citizenship and provides a service to migrant language groups.⁵⁰

Challenges to establishing a national Indigenous interpreting service

- 6.59 One of the main challenges to establishing a national Indigenous interpreting service is there is often a limited pool of Indigenous language speakers who can effectively provide an interpreting or translating service. Mr John Beaver from the National Accreditation Authority for Translators and Interpreters (NAATI) referred to the lack of infrastructure to support interpreting in Indigenous languages in comparison to international languages:

Again, we can give you the perspective from the national accreditation authority but we think the critical thing that we have observed in the years and decades of working with international

48 ATSILS, *The Right to a Fair Trial: A Submission to the Commonwealth Attorney-General Regarding the Expansion of Aboriginal and Torres Strait Islander Interpreter Services*, March 2012, p. 15.

49 National Congress of Australia's First Peoples, *Submission 139*, p. 7.

50 Australian Institute for Aboriginal and Torres Strait Islander Affairs (AIATSIS) and the Federation for Aboriginal and Torres Strait Islander Languages and Culture (FATSILC), *National Indigenous Languages Survey Report 2005*, pp. 90 and 119.

languages is that international languages have the benefit of what I call the enabling infrastructure – large numbers of speakers, larger numbers of institutions that provide training in that language. Where there is training in those sorts of languages, they are quite often paralleled with translating and interpreting training which feeds off those languages.⁵¹

6.60 The Commonwealth Ombudsman noted there are significant challenges in recruiting and retaining interpreters, including:

- poor literacy and numeracy amongst those individuals who have the requisite Indigenous language skills;
- the ability to find people who are able to meet the demands of being an interpreter when there can be competing or conflicting cultural obligations;
- many people who would be suitable interpreters have other employment;
- the irregular nature of interpreting work can make it an unattractive employment option;
- the number of Indigenous languages spoken across Australia, coupled with a decreasing number of fluent speakers in some languages; and
- lack of accreditation at professional level for Indigenous language interpreters by the National Accreditation Authority for Translators and Interpreters (NAATI).⁵²

6.61 The relatively small pool of Indigenous language interpreters can result in burn out from overuse, particularly for those who specialise in a particular field of interpreting, for example health and justice.⁵³

6.62 The Department of Human Services identified challenges in delivering a national Indigenous interpreter service due to the shortage of trained and accredited professional Indigenous language interpreters across Australia, and the skill levels required to deal with the full range of complexities inherent in the Indigenous languages interpreting profession.⁵⁴

6.63 Another issue with establishing a pool of Indigenous language interpreters is the level of English level proficiency required by interpreters. It is well recognised that a good Indigenous interpreter

51 J Beever, NAATI, *Committee Hansard*, Canberra, 15 March 2012, p. 13.

52 Commonwealth Ombudsman, *Submission 22*, Attachment A: Talking in language: Indigenous language interpreters and government communication, 2011, p. 4.

53 J Giacon, *Submission 1*, p. 1; A Rigney, Kurna Warra Pintyandi, *Committee Hansard*, Adelaide, 2 April 2012, p. 2.

54 Department of Human Services, *Submission 8*, pp. 7-8.

requires a highly demanding and specific skills set. An effective interpreter must understand the English language of the court, the medical centre or the government agency and know how to pass that on to the community in an Indigenous language. Mr John Hobson stated:

Good abilities in their own language and good abilities in English are certainly necessary preconditions for a good translator and interpreter, but they are a highly specific skills set.⁵⁵

6.64 The Central Land Council asserted that the variable nature of employment of Indigenous interpreters does not allow for adequate professional development or opportunities for interpreters to work together on complex language concepts.⁵⁶

6.65 Ms Dee Lightfoot, Coordinator of KIS referred to the importance of interpreters having full-time employment and wages and that one of KIS's interpreters was seeking other means of employment in the mines.⁵⁷ Ms Annette Kogolo, Co-Chair of KIS explained that the casual nature of interpreting work means interpreters seek full-time work in other areas:

With employment and wages for interpreters, the existing training working scheme is not working for interpreters because of the casual nature of jobs in our region. Casual work means interpreting is always a secondary employment option. As an interpreter, I can do interpreting only casually if I have another job, and sometimes that makes it very difficult with my position in the other organisation where I am working. We need full-time wages to offer real employment, like in the Northern Territory. It is very empowering for our people to be employed on their own merits with their language skills and to work as interpreters or translators and also as mentors and community liaisons for interpreting.⁵⁸

6.66 The Northern Territory government is employing part time and full time interpreter positions, thereby offering a career path to otherwise casual interpreters.⁵⁹

55 J Hobson, Koori Centre, *Committee Hansard*, Sydney, 18 November 2011, p. 33.

56 Central Land Council, *Submission 101*, p. 17.

57 D Lightfoot, KIS, *Committee Hansard*, Broome, 30 April 2012, p. 17.

58 A Kogolo, KIS, *Committee Hansard*, Broome, 30 April 2012, p. 16.

59 Northern Territory Government, *Submission 138*, p. 7.

The role of language centres in interpreting services

- 6.67 Both FaHCSIA and the Office for the Arts suggested that consideration needs to be given to whether there are opportunities to link the development of the Indigenous interpreting industry with other activities to support the maintenance of Indigenous languages.⁶⁰
- 6.68 The Northern Territory Government referred to the contribution interpreters make to the maintenance of Indigenous languages:
- Mentoring of younger interpreters by older generations also facilitates intergenerational knowledge transfer and the maintenance of more traditional forms of language.⁶¹
- 6.69 At an AIATSIS conference in 2011, KIS advised that one-on-one learning relationships between a 'master' (elder, speaker) and an 'apprentice' (language learner) can deepen the Indigenous language skills of young Interpreters.⁶²
- 6.70 The Department of Human Services suggested that language centres could provide the basis for a viable structure with growth potential for an interpreter capability. A focus on developing bilingual speakers (and eventually interpreters) would help actively maintain and promote the languages while enhancing interpreter capability and capacity:
- A possible approach could be to combine the Language Centres under one overarching network, with proper training and technology, to link a series of Centres to form the basis of a national Indigenous interpreting service. DHS with the addition of the health, education and the justice systems creates an enormous potential to provide work and create resources for Indigenous interpreters and bilingual speakers.⁶³
- 6.71 Other submissions supported lining Indigenous language centres and a national Indigenous interpreting service as a combined effort to train interpreters, share resources, and maintain and revive Indigenous languages.
- 6.72 The Central Land Council supported the establishment of a Central Australia Languages Centre which could 'train and employ Aboriginal language teachers, translators, language researchers and promote the use

60 Office of the Arts, *Submission 127*, p. 6, FaHCSIA, *Submission 141*, p. 15.

61 Northern Territory Government, *Submission 138*, p. 7.

62 See FaHCSIA, *Submission 141*, p. 14.

63 Department of Human Services, *Submission 8*, p. 9.

of Aboriginal interpreters and knowledge of Aboriginal languages across the Central Australian region'.⁶⁴

- 6.73 The Wangka Maya Pilbara Aboriginal Language Centre in Western Australia stated that they have a high number of requests for interpreting and translating services but are unable to provide such a service without core funding.⁶⁵
- 6.74 Representatives from the Why Warriors Pty Ltd and the AHED Project supported better training of interpreters through well resourced language centres:

Our experience is that interpreters are not being trained in Yolngu language to a level where they can interpret complex concepts. As a result they are interpreting complex concepts using very basic training, without reference tools such as dictionaries or professional development courses to able to achieve this level of understanding of Yolngu Matha. Language centres need to be funded which are able to pay people to explore language at a deeper level and use resources to reach a level of language for professional use. The creation of dictionaries and e-learning self-training tools for Indigenous people with English as a Second Language must also be supported to enable them to access these important language tools themselves.⁶⁶

Accreditation and training

- 6.75 As identified above Indigenous interpreting is in demand across a range of complex areas, such as health, justice and government policy. Many English words and western concepts have no immediate equivalents in Indigenous languages so interpreters are required to work out ways to communicate these concepts.
- 6.76 Many participants in the inquiry supported ongoing training and accreditation opportunities at paraprofessional level and professional level.⁶⁷ Mr Richard Trudgen believed interpreting services are 'not good enough', particularly in the medical and legal areas:

64 Central Land Council, *Submission 100*, p. 17.

65 Wangka Maya Pilbara Aboriginal Language Centre, *Submission 78*, p. 3.

66 Why Warriors Pty Ltd and the AHED Project, *Submission 37*, p. 10.

67 D Angelo, *Submission 153*, p. 12.

What I find is the people who are doing that training now speak none, or almost none, of the language and definitely do not – say, if somebody is helping people understand the legal stuff – understand the legal language of the Aboriginal people. Therefore the type of training is, 'The judge sits there, the witnesses are here, this is there,' but when it gets down to actually dealing with their rights and responsibilities and roles in the court system and the legal language, you could just go through three sentences that are spoken in any court and there will be up to 10 words in them that the interpreter will probably have no idea of what they mean. We are flat-out breaking the UN regulation that says that people should be able to understand the charges they are charged with and the language of court in their first language. We are breaking it every day in Australia; as bad as any other country or regime in the world past or present, unfortunately, but we do not know about it. We just do not even know about it.⁶⁸

- 6.77 As part of the NT NP, the Commonwealth Government has provided funding to the Northern Territory Government so the NT AIS can develop and deliver training programs and training materials for Indigenous interpreters and increase the number of accredited interpreters employed by the service. The focus was on increasing the number of interpreters accredited at paraprofessional level, and developing models of training delivery that are matched to the needs of learners. In 2010-11, this work resulted in 17 new accreditations at NAATI paraprofessional level. There are currently 66 accredited interpreters working with the NT AIS.⁶⁹
- 6.78 Across Australia, the NAATI advised that it has awarded 262 accreditations in interpreting in Indigenous languages, with accreditations being provided in relation to the following Indigenous languages:

Alyawarra, Anindilyakwa, Anmatyerr (alt name Anmatyerre), Burarra, Djambarrpuynu, Djapu, Dyirbal, Eastern Aranda (Arrernte), Eastern Arrernte, Gajerrong, Garawa, Gumatj, Gunwinkgu, Gupapuyngu, Hiri-Motu, Iwaidja, Jaru, Kala Lagaw Ya, Kariyarra, Kaytej, Kaytetye, Kija, Kriol, Kukatja, Kunwinjku, Liyagalawumirr, Luritja, Manjiljarra, Martu Wangka, Meriam, Miriam-Mir, Miriuwung, Modern Tiwi, Motu, Murrinh-Patha, Ngaanyatjarra, Nunggubuyu, Nyangumarta, Pitjantjatjara, Tiwi, Torres Strait Island Creole, Walmajarri, Wangkatha, Warlpiri,

68 R Trudgen, *Committee Hansard*, Darwin, 2 May 2012, p. 21.

69 FaHCSIA, *Submission 141*, p. 12.

Warumungu, Western Aranda (Arrernte), Western Arrernte, Wik-Mungkan, Yankunytjatjara, Yanyuwa, Yindjibarndi⁷⁰

- 6.79 Almost all NAATI accreditations are at the paraprofessional level. As referred to later, three speakers were accredited at NAATI professional level for Djambarrpuyngu, a Yolŋu Matha language in 2009.⁷¹
- 6.80 NAATI stated that paraprofessional interpreters assist non-English speaking people in general conversations or non-specialist situations. Professional level interpreters are recommended for legal and health assignments where the consequences of inadequate interpreting can be significant for the non-English speaker.⁷²
- 6.81 Mr Robert Foote, Manager Accreditation, NAATI referred to the difference between professional and paraprofessional interpreter accreditation:
- Paraprofessional and professional interpreters are just in the range of different credentials that NAATI awards in both translating and interpreting. The difference between paraprofessional and professional interpreter accreditation is probably what you imagine it to be. It is really around the complexity of language in terms of the individual's ability to understand, their language skills and their transfer skills. So someone who simply speaks two languages will not always be a good interpreter. There are a range of skills that enable you to transfer meaning accurately and efficiently between the two languages, which are not related to language.⁷³
- 6.82 NAATI explained that there is a difference between the standard at which a person performs to receive the qualification and the standard at which a person is recommended for NAATI accreditation. NAATI tests are set at a high standard deliberately as a quality assurance measure.⁷⁴
- 6.83 NAATI is the national standards and accreditation authority for translators and interpreters in Australia. It is the only agency that issues accreditation or credentials for practitioners who wish to work in these roles in Australia. It is a not-for-profit company owned and is jointly funded by the Australian and State and Territory governments, as well as earning revenue from fees for product and services, such as the fees charged to candidates who sit accreditation fees.

70 NAATI, *Submission 140*, p. 2.

71 FaHCSIA, *Submission 141*, pp. 12-13.

72 NAATI, *Submission 140*, p. 2.

73 R Foote, NAATI, *Committee Hansard*, Canberra, 15 March 2012, p. 10.

74 J Beaver and R Foote, NAATI, *Committee Hansard*, Canberra, 15 March 2012, p. 12.

6.84 Under its Constitution NAATI's Mission is to:

...set and maintain high national standards in translating and interpreting to enable the existence of a pool of accredited translators and interpreters responsive to the changing needs and demography of the Australian culturally and linguistically diverse society.⁷⁵

6.85 NAATI fulfils this mission by setting and maintaining standards in a national quality-assurance system of credentialing practitioners who meet these standards. NAATI credentialing provides quality-assurance to clients of translators and interpreters and credibility to agencies that employ practitioners who are credentialed appropriately.

6.86 NAATI government funding has been provided through the departments responsible for migrant and refugee settlement. Funding for Indigenous services is provided by separate departments. NAATI stated that because 'its funding now generally comes from appropriations for migrant and refugee settlement purposes it cannot properly be used for other purposes'.⁷⁶

6.87 NAATI submitted that specific funding for improving services for Indigenous interpreters would be beneficial:

If NAATI had specific funding for improving services for Indigenous interpreters both AIS and NAATI would be able to deliver better their core business. NAATI would be able to expand the range of languages and levels of accreditation available to AIS and could relieve AIS of much of its present involvement in testing. NAATI would also be able to progressively expand the range of languages tested beyond the NT. AIS would be able to deliver more services in the NT and to extend the support it provides to other interpreting services which wish to learn from its success.⁷⁷

6.88 Despite not having specific funding for testing Indigenous languages, NAATI does work with relevant organisations which seek assistance with accreditation in Indigenous languages. NAATI's submission referred to the three interpreting projects it has been involved in:

- assisted the NT AIS to train people with the required English and Indigenous language skills. The project involved Charles Darwin

75 NAATI, *Submission 140a*, p. 1.

76 NAATI, *Submission 140a*, p. 2.

77 NAATI, *Submission 140a*, p. 3.

University in preparing course material, developing examiners course and developing training modules in note-taking, reading and listening skills in AIS's language of greatest need, Djambarrpuyngu. Three out of nine people who completed testing passed at NAATI Professional level

- assisted the Queensland Department of Justice and Attorney General to offer interpreter training and testing in Aurukun with the goal of using interpreters in the criminal justice system. Three out of the original six candidates sat the NAATI paraprofessional interpreters test in Wik Mungkan and all passed, and
- Tafe SA started delivering a Diploma of Interpreting course in 2008 designed for Anangu students living in remote communities on the Anangu Pitjantjatjara Yankunytjatjara Lands in north-west South Australia. In 2010 the course began delivering the course online and contact hours for students increased. Twelve interpreters graduated from the course with more expected by March 2012. After completion of the course students who meet the necessary requirements are eligible to receive NAATI accreditation at paraprofessional level.⁷⁸

6.89 NAATI treats Indigenous languages the same as international languages and has the same accreditation standards. However the pathways to accreditation differ with most credentials in Indigenous languages awarded through testing rather than through tertiary courses.⁷⁹ Most tests are conducted by NAATI, however in recent years tests have been run by other organisations, such as NT AIS, with the assistance of NAATI. The range of languages which can be accredited has been limited to those the NT AIS can fund. The NT AIS and NAATI were examining what initiatives might be possible to increase Indigenous languages accreditation significantly.⁸⁰

6.90 There is only one NAATI approved course for Indigenous language speakers. Graduates from the TAFE South Australia Diploma of Interpreting who reach the required standard can be recommended to NAATI for accreditation without sitting a test. The Batchelor Institute of Indigenous Tertiary Education (BIITE) in the Northern Territory was approved by NAATI, but that approval lapsed in 2008. The WA Central Institute of TAFE ran a diploma course in Indigenous interpreting but that course is no longer offered.⁸¹

78 NAATI, *Submission 140*, pp. 3-5.

79 NAATI, *Submission 140a*, p. 2.

80 NAATI, *Submission 140a*, p. 3.

81 NAATI, *Submission 140a*, pp. 2-3.

- 6.91 The Northern Territory Government advised that an MOU was to be signed between the BIITE and the Northern Territory Government to formalise the collaboration and delivery of a Diploma of Interpreting. The agreement would enable BIITE to recognise NT AIS delivered training activities, including on-the-job training, as credit towards a Diploma of Interpreting qualification.⁸² Ms Claire Kilgariff from BIITE referred to the close working relationship with the NT AIS:

There is indeed lots of variability in people who are interpreting. However, about a year or so ago we decided to form a very close partnership with the Aboriginal Interpreter Service. Instead of sending the client group to them when they were qualified, we now deliver in an embedded way, where our lecturers work right alongside the Aboriginal Interpreter Service. So all of the programs – for example, there is an induction program for new interpreters – are mapped to the qualifications, so our people work side by side with the Aboriginal Interpreter Service's trainers. That is one way in which we ensure the quality of our interpreters.⁸³

- 6.92 Representatives from KIS confirmed that a Diploma of Interpreting was not being offered in the Western Australia. However, there was an 'urgent need to expand capacity' in the region and the state. The Committee notes that at the time of the public hearing in Broome KIS had received an indication from the local TAFE that they had 'received funds to put the diploma of interpreting on scope' through the on-line course offered by TAFE South Australia.⁸⁴
- 6.93 TAFE South Australia lecturers are delivering interpreting training in the Anangu Pitjantjatjara Yankunytjatjara Lands and other parts of South Australia via remote access. The program uses a flexible training model to match the unique requirements of the location and needs of students.

Committee comment

- 6.94 Interpreting Indigenous languages is a difficult job. An effective and competent interpreter considers and respects culturally appropriate forms of language, must have a good depth of knowledge of English and Indigenous language, and have an understanding of the concept which is being discussed. An interpreter must adhere to ethical standards and be impartial when interpreting from one language to another.

82 M McCarthy, Northern Territory Government, *Committee Hansard*, Darwin, 2 May 2012, p. 2.

83 C Kilgariff, BIITE, *Committee Hansard*, Darwin, 2 May 2012, p. 62.

84 D Lightfoot, KIS, *Committee Hansard*, Broome, 30 April 2012, p. 16.

- 6.95 In developing Indigenous interpreting services, considerations need to be made about the difficulties in attracting and retaining people in the Indigenous interpreting profession. These difficulties are due to the variability of work, the modest pay, and logistical issues such as large distances and limited transport options in remote areas. The Committee acknowledges that the NT AIS is moving towards offering part time and full time positions to start to address these issues.
- 6.96 The Committee recognises the challenges involved in engaging interpreters in remote areas and considers that a mix of service delivery options, such as via phone, face-to-face, video-conferencing and Skype, could be viable options in establishing an interpreter service.
- 6.97 During this inquiry the Committee itself learnt first-hand the challenges associated engaging appropriate and effective Indigenous interpreting services. Issues with booking systems, building in sufficient preparation time and accessing appropriate qualified people to undertake the work were some of the challenges which the Committee worked through.
- 6.98 The Committee acknowledges that the NT AIS and KIS have greatly improved Indigenous interpreting services in the regions they serve. However, there remains a large gap between the need for Indigenous interpreting and use and accessibility of Indigenous interpreting services across the country. Participants in the inquiry demonstrated that interpreting is required across a variety of Indigenous languages, including traditional languages, creoles and dialects.
- 6.99 There are challenges around establishing a well trained and accredited Indigenous interpreting workforce. The Committee found there is an urgent need for accredited interpreting service in justice and health services.
- 6.100 With Aboriginal people representing 80 percent of the adult prison population and 97 percent of the juvenile prison population in the Northern Territory,⁸⁵ the low numbers of professional interpreters available is of serious concern to the Committee. The Committee considers it a national disgrace that an Indigenous person may face court proceedings or a serious health issue without effective interpreting support.
- 6.101 The Committee notes that state and territory governments are responsible for key elements of the justice system including police, courts, corrective services and juvenile justice, as well as many other areas of service

85 D Fox, NAAJA, *Committee Hansard*, Darwin, 2 May 2012, p. 33.

delivery including parts of the health system. State and territory governments have responsibility for ensuring interpreting services are available to clients of their services.

- 6.102 However, the Committee believes that access to an effective interpreter service is a fundamental right of all Australians and cannot be compromised or delayed. The Commonwealth Government must work with states and territories to develop a coordinated national Indigenous interpreting service and emergency measures must be put in place to remedy the current disgraceful situation. There is a variation across jurisdictions in both the demand and the accessibility of Indigenous interpreter services. In establishing a national Indigenous interpreting service these variations need to be considered.
- 6.103 The Committee considers that the National Framework must take into account the communicative requirements of Indigenous people and the need for Indigenous language interpreters across Australia. The Committee believes that there is urgent need for interpreting services to be developed in remote areas where Standard Australian English (SAE) is a second, third or fourth language for many Indigenous Australians.
- 6.104 The Committee was interested that the TSRA had not been involved in developing the National Framework and encourages FaHCSIA to ensure the TSRA is consulted in the development of the National Framework.
- 6.105 In 1992 the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs recommended the establishment 'of a national interpreter service for Aboriginal and Torres Strait Islander languages to ensure that people have reliable access to trained interpreters and translators'. Twenty years later, this Committee is appalled that it is faced with making the same recommendations to government and trusts it will not be met with the inaction that has characterised successive governments. The 1992 Committee called for the national service to utilise existing Aboriginal and Torres Strait language resources where possible.⁸⁶
- 6.106 During the inquiry into Indigenous youth in the criminal justice system, the Committee found that in many cases qualified interpreters were not available to Indigenous youth who came into contact with the criminal justice system. Many young Indigenous people were disadvantaged by the lack of easily accessible and skilled interpreters. The Committee concluded that an effective national Indigenous interpreter service would ensure Indigenous people have sufficient access to justice. The Committee
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86 House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, *Language and Culture: A Matter of Survival*, 1992, p. 62.

recommended in the 2011 *Doing Time – Time for Doing* report that ‘the Commonwealth Attorney-General’s Department, in partnership with state and territory governments, establish and fund a national Indigenous interpreter that includes a dedicated criminal justice resource and is suitably resourced to service remote areas’. The Committee recommended initial services be introduced in targeted areas by 2012 and full services implemented nationwide by 2015.⁸⁷

- 6.107 The Commonwealth Government responded that the states and territories are responsible for key elements of the justice and health systems and therefore responsible for ensuring interpreters are available for their clients. The Commonwealth Government further responded that it was continuing the development of the National Framework for the effective supply and use of Indigenous language interpreters.⁸⁸
- 6.108 In view of the evidence received during the present inquiry, it is clear that the need for a national Indigenous interpreter service cuts across all government jurisdictions. The Committee recommends that the Commonwealth Government, in partnership with the states and territories, establish a national Indigenous interpreter service that is suitably resourced to service urban, regional and remote Australia. The Committee recommends immediate ‘emergency’ measures be introduced to provide Indigenous interpreting services across justice and health sectors, while a more long-term approach is developed. There must be competent and gender and culturally appropriate interpreters available.
- 6.109 The Committee reiterates its recommendations from its 1992 and 2011 reports that a national Indigenous interpreting service is established to ensure Aboriginal and Torres Strait Islanders are allowed the same access to interpreting services as other Australians.

Recommendation 24 - National Indigenous Interpreter Service

- 6.110 **The Committee recommends that the Commonwealth Government, in partnership with the states and territories, establish a national Indigenous interpreter service that is suitably resourced to service urban, regional and remote Australia.**

87 House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, *Doing Time – Time for Doing: Indigenous youth in the criminal justice system*, June 2011, p. 210.

88 Australian Government, *Government response to the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs Report: Doing Time - Time for Doing: Indigenous Youth in the Criminal Justice System*, November 2011, p. 30.

Recommendation 25 –Interpreting in health and justice sectors

- 6.111 **The Committee recommends that the Commonwealth Government put in place immediate measures to ensure access to Indigenous interpreting services in the health and justice sectors, while a competent and comprehensive interpreting service is being developed.**
- 6.112 In establishing a national network of qualified Indigenous language interpreters, the Committee supports the notion that Indigenous language centres be involved with training and sharing resources. Often Indigenous language speakers are associated with language centres and assist to produce resources for their communities.
- 6.113 Linking languages centres with interpreting training could assist to build a professional Indigenous interpreter service. The Committee believes if language centres are appropriately resourced they could provide much assistance to training and providing interpreting services.
- 6.114 The Committee considers that language centres could have the combined effect of supporting language maintenance and revival and building a Indigenous language interpreting service.
- 6.115 The Committee commends the great work in recent years by the NT AIS to train Indigenous interpreters and significantly increase the number of paraprofessional interpreters working in the Northern Territory. The training, coordinated with NAATI, has also seen three people reach professional level accreditation.
- 6.116 The NT AIS and the KIS are the only two established Indigenous interpreting services in Australia. These two services offer trained and accredited interpreters who are bound by ethical standards. Outside of the Northern Territory and the Kimberley there is limited guidance on accessing Indigenous interpreting services.
- 6.117 The Commonwealth Government’s focus and funding towards Indigenous interpreter training has been in the Northern Territory. There is significant demand for qualified interpreters in the states. The KIS referred to the urgent need for further training for interpreters to achieve paraprofessional and professional qualifications to work across Western Australia.
- 6.118 The Committee reiterates its remarks earlier in this chapter that there needs to be dramatic progress in regard to training Indigenous language interpreters for working in technically difficult specialist areas, such as

justice and health. With health targets a large factor in Closing the Gap, interpreting and translating is of urgent importance. There remains high number of Indigenous people in contact with the justice and health systems, therefore the Committee considers there is further need for accessible interpreter training to take more interpreters to accreditation at the professional level.

- 6.119 The Committee considers such training to achieve paraprofessional and professional level qualifications should be accessible across Australia. There are numerous challenges with providing training and accreditation in remote Australia. On-the-job models of training delivery and online training technologies such as that delivered by TAFE SA hold promise to enable flexible and more cost-effective training delivery.
- 6.120 The Committee recommends that governments include interpreter training on a national scale as part of the consideration of the development of the national framework for the effective supply and use of Indigenous language interpreters and translators.
- 6.121 The Committee commends NAAJA and other justice and health providers which are helping to train Indigenous interpreters in the complex terminology in these sectors. The Committee supports the notion of KIS to support working partnerships between justice and health agencies and Indigenous interpreters.

Recommendation 26 - Interpreter training

- 6.122 **The Committee recommends the Commonwealth Government, as part of developing the national framework for the effective supply and use of competent Indigenous language interpreters and translators, allocate resourcing to provide Indigenous interpreters with accessible training to achieve paraprofessional and professional levels.**
- 6.123 There is need for qualified interpreters to work with government services. As NAATI implied, there is a need for further training and qualification of Indigenous interpreters to professional level to appropriately provide a service in the areas of health and justice. At present, NAATI is not funded by governments to provide testing in Indigenous languages.
- 6.124 There are too many cases of Indigenous people going before the courts and not having access to a professional interpreting service. The Committee believes Indigenous people deserve the same access to a professional interpreting service that is available through the Translating

and Interpreting Service National to migrants and other Australians who do not speak and understand SAE.

- 6.125 The Committee recommends the Commonwealth Government work with the states and territories to provide ongoing funding to NAATI for the testing and accreditation of Indigenous interpreters.

Recommendation 27 - Accreditation funding

- 6.126 **The Committee recommends the Commonwealth Government, in partnership with the state and territory governments, ensure dedicated and ongoing funding to the National Accreditation Authority for Translators and Interpreters (NAATI) for Indigenous language interpreter accreditation to paraprofessional and professional level.**