

Ozolins, U. (2010). Factors that determine the provision of Public Service Interpreting: comparative perspectives on government motivation and language service implementation. *The Journal of Specialised Translation*, 14, 194-215.

<https://doi.org/10.26034/cm.jostrans.2010.585>

This article is publish under a *Creative Commons Attribution 4.0 International* (CC BY):
<https://creativecommons.org/licenses/by/4.0>



© Uldis Ozolins, 2010

Factors that determine the provision of Public Service Interpreting: comparative perspectives on government motivation and language service implementation
Uldis Ozolins, University of Western Sydney

ABSTRACT

This paper undertakes a comparative examination of language service policy, as various countries struggle to meet multilingual communication needs. Four macro factors are posited that affect provision of public service interpreting:

- Increasing linguistic diversity
- Reliance on public sector finance
- Institution-led, rather than profession-led standards and practices
- Cross-sectoral interpreting needs that conflict with usual sector-specific policy development

While these factors affect policy in all countries, it is argued that countries differ widely in other crucial aspects that affect language service policy, including overall attitudes to immigrants; divergent models of government service provision; federalism or unitarianism in government; whether legal/court interpreting is favoured over other sectors; and even variation in response to the very concept of 'interpreting.' Examination of these factors allows us to understand differences in such outcomes as provision of interpreter training, certification, allocation of resources and reach of language services.

Specific motivations for government interpreting policy are examined to see how governments can be persuaded to take initiatives to develop language services, looking at normative factors, building of coalitions to press for services, and attending to the interactions between such factors as training, certification and finance to ensure quality language services.

KEYWORDS

Public Service Interpreting, language services, accreditation, certification, training, linguistic diversity, government policy.

This paper undertakes a comparative examination of language service policy, as various countries struggle to meet multilingual communication needs and provide Public Service Interpreting [PSI] in the face of increasing linguistic diversity and pressures on public service finance.

A number of universal constraining factors that influence the development of public service interpreting will be identified, as well as a number of country-specific factors that help to understand the very different policies pursued in PSI, and the motivations for governments to establish the kinds of language services they do. Our focus will be on the languages of immigration, being mindful also of Sign Language and Indigenous language needs and policy developments.

Developing language services—from neglect to comprehensive provision

In an earlier article (Ozolins 2000), this author outlined a spectrum of response to multilingual interpreting needs, adapted in Figure 1. The need to respond to linguistic diversity, especially through immigration or asylum seeking, is rarely planned for by host societies; at first there is neglect, then some institutions (typically Police and hospitals) find *ad hoc* means of getting some interpreting done (by friends, family, volunteers); many countries have then moved on to provide some generic language services (for example operating a Telephone Interpreting Service, or appointing interpreters to the staff of hospitals). A comprehensive approach (at that time best exemplified by Australia and Sweden) involved not only widespread provision of generic or specialised language services, but also a certification system, a training regime, and a degree of policy planning and evaluation.

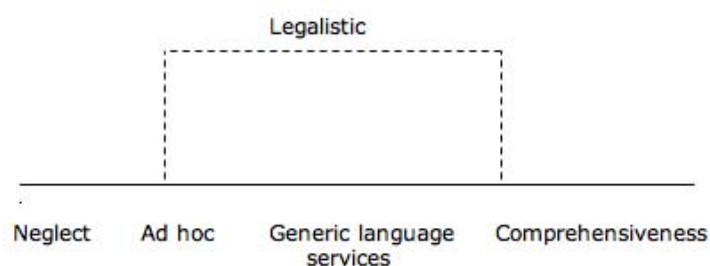


Figure 1. The international spectrum of response to multilingual communication needs in interpreting.

The 'legalistic' detour represented those countries, most conspicuously the USA, where language services had arisen out of legal (constitutional) contestation and policy proceeded with priority to the legal or court systems—so in the USA, the 1978 Federal Court Interpreters Act came as a result of legal challenges, but mandated the setting up of interpreter services only in courts; other areas of interpreting have needed to fight their own battles to get recognition. In some European countries (eg Austria and Germany) there is also a privileging of court interpreting in language service provision, certification and remuneration.

While this model is useful in tracking a degree of development particularly of language services and their support infrastructure, it nevertheless presents a too linear and teleological model, as if there were to be an inevitable move of countries from the *ad hoc* to the comprehensive stage. It also presents no explanation in itself as to why different countries are at different points of the spectrum.

The question arises as to what are the factors then that influence the development of interpreting services to meet these multilingual needs,

and in particular what influences governments and the public sector more generally to take steps to develop effective language services.

We posit four constant macro factors that are present in all situation of provision of PSI, and which in themselves do a great deal to determine what kind of provision that will be. These four constant macro factors are:

- The obvious reliance on government funding and budgets to provide language services in the public sector, and the changing ideologies of public sector finance that affect the nature and quality of language services;
- The increasing diversity of languages that must be catered for, preventing any easy meeting of needs and standards in a smaller range of languages, and constantly bringing new demands and practitioners into the interpreting environment;
- The institutional basis of language services, making it an institution-led field (identifying needs, looking for resources, determining responses, setting whatever standards, limiting commitment) rather than a profession-led field where a set of standards and practices have evolved and been established through a professional socialisation process;
- The inevitably cross-sector needs for interpreting: non-speakers of dominant languages may have many interactions with the public service. Language policy thus entails cross-portfolio policy making, as opposed to the usual sector-specific public policy development processes.

These four macro factors, it is argued, are constants in that they apply in all countries and jurisdictions, and define both the imperatives to provide language services but also the limits within which such development can take place, particularly the institutional complexity that quickly manifests itself in any phase of policy making.

Yet to find what induces governments to take greater or lesser interest in language service provision and infrastructure, requires a number of subsidiary factors to tease out the nuances of response in different countries. We present these as five optional factors in that they reflect different priorities that may arise from specific political, social and administrative dispositions, even where the macro factors may be similar.

These five optional factors are:

1. Overall political/social attitudes to immigration (attitudes to indigenous populations are also important in some cases, or attitudes to the Deaf);

2. Federalism or unitarianism in government and in general relations between central and local authorities;
3. Public policy models of government provision as opposed to NGO, charity, voluntary, or private agency provision of services;
4. Whether interpreting in legal domains is privileged over interpreting in other areas of need;
5. Attitudes towards the concept of 'interpreting;' in particular default views of 'interpreting' being equated with conference interpreting.

Political/social attitudes to immigration differ widely among countries, from those seeing themselves as historic immigration-based societies (largely New World countries) to those faced with substantial migration - sometimes for the first time - in recent years, thus challenging previous monocultural and monolingual self-images. Hertog et al in their work on legal interpreting identify "the reluctance of governments and people in almost every country to address the practical needs of those who do not speak their language." (2007:153) Yet two caveats are in order: some traditional non-immigrant countries such as Sweden have developed quite comprehensive approaches to language service needs; while even among immigration countries (say USA, Canada and Australia) quite significant differences exist in how language services have developed and how governments have responded.

Federalism or Unitarianism. Federal states, whether large (Canada, USA, Germany) or small (Belgium, Switzerland) will often exhibit variations among States/provinces in policy towards language services, even where there are at times strong federal laws or initiatives. Quite separate infrastructures and approaches mark Belgium, for example, where Flemish organisations have developed now quite extensive language services including a central telephone interpreting facility Babel (Lannoy & Van Gucht, 2006), but where language service infrastructure is far less developed in French-speaking Wallonia. In the USA, despite the federal Court Interpreter Act, States have had to work out (or not) their own specifications for court interpreting, a task that has only become easier with the Consortium for Language Access in the Courts (formerly the Consortium for State Court Interpreter Certification). The federal system there has also made issues of medical interpreting much more complex, where the medical systems are ostensibly State run but with complex federal financing as well.

In Germany the federal system, again in relation to court interpreting, has led to

Completely different preconditions, qualifications, compensations, etc. on the level of the German federal states [...] Although we have a federal law regulating the compensation of translators and/or interpreters in the field of justice throughout Germany, more and more federal states are offering their own contracts having much worse financial conditions (Piprek 2009).

The curious exception here may be Australia, with a federal system that is often problematic for public policy, but where a central government commitment to a robust immigration policy including comprehensive settlement services for immigrants enabled the introduction of a national system of accreditation rather than the State-based system of recognition of other longer-established professions. Australia's National Accreditation Authority for Translators and Interpreters [NAATI] was established in 1977. Australia also established the world's first Telephone Interpreter Service in 1973, again as a federal initiative covering all Australia (Ozolins 2000).

Public policy models. While the notion of PSI inevitably assumes government interest and finance, countries around the world have vastly different views of the limits of public service responsibilities, and different service delivery models. Several countries deliver a good proportion of social services through NGOs, religious or voluntary associations—both Japan and a string of Mediterranean countries place heavy emphasis on NGOs supplying interpreters, usually from small organisations assisting refugees, migrants or foreigners, and there is often little government interest in regulating or supplementing these functioning bodies. Germany has largely considered interpreting needs outside of court interpreting to be adequately met by voluntary or NGO provision. Among NGOs, one further variation is the importance of charities and foundations, crucial for the development of interpreting infrastructure and services in the UK (Townley 2007; Corsellis 2008) and also very important in significant policy development in health interpreting in the USA (NCIHC 2009). The Scandinavian system of explicit public provision or close public supervision of delegated services stands at the opposite end in policy terms.

However, in public policy terms one other significant issue has been involvement of the private sector in language services, spurred on often by neo-liberal turns in policy ideology even in highly public-centred systems such as Sweden and Australia, where much direct provision of services is now undertaken by private agencies. Governments there nonetheless see themselves as having an important role in setting standards and guidelines and monitoring outcomes. In other systems, private enterprise plays a significant and indeed leading role in *de facto* place of absent government action, best exemplified in the USA by Language Line, a telephone interpreting service begun in the early 1980s as a community service, but grown into a significant corporation and now global player. With its enormous throughput and market share, Language Line sets its own accreditation standards and engages in training of its

interpreters as a corporate selling point, even establishing the Language Line University for its training needs. It has thus taken on many aspects that would in other settings be done by official accreditation or training bodies or professional associations (Ozolins 2007).

The issue of interpreting agencies and their influence on the interpreting field has been little researched and is an area that needs far more attention in considering future policy needs and objectives.

Is legal (usually court) interpreting privileged? In her article "Community interpreting: a profession in search of its identity," Roberts (2002) poses three main sub-divisions in interpreting: conference interpreting, court interpreting and community-based interpreting. Roberts claims that conference interpreting achieved professionalisation in the 1950s and court interpreting in the 1970s, while community-based interpreting is still to achieve this status. This distinct status of court interpreting has been achieved in those countries which have gone down the 'legalistic' path outlined above, particularly the United States with its federal Court Interpreters Act of 1978, European examples of Germany (Piprek 2009) and Austria (Springer 2009) and Asian examples in Malaysia (Ibrahim 2007) and Hong Kong (Ng 2009). More widely in Europe and elsewhere, the now long-standing practice of having 'sworn interpreters' for court systems (sometimes with no accompanying requirement for certification or training) lingers on.

Two comments need to be made about this. First, while recognising the importance of court interpreting, non-speakers of the official language of a country are likely to have much more frequent contact with other areas of the public sector such as health, social security, employment organisations, immigration or other administration bodies, than they are ever likely to be in a courtroom. A focus on court interpreting may represent an important self-view of the importance of the legal system but may not meet the most pressing language service needs.

Second, even within the legal system, an emphasis on court interpreting often curiously stands apart from seeing interpreting needs in all other legal processes that may lead up to a trial (or which are carried out without there ever being a trial). Police, investigations work, lawyer contact, legal aid and other perilegal work may often be serviced by *ad hoc* interpreters; and even beyond trials, issues such as interpreting in corrective institutions or parole boards again may not be serviced by court interpreters, commented on further below.

However, the emphasis on court (or legal) interpreting is indicative of one of the macro elements that affect public service interpreting—the usual predilection for sector-specific policy implementation, when a whole-of-government approach would benefit the public sector.

Attitudes towards 'interpreting.' A surprisingly telling indicator of policy development in PSI is the curious but insistent debate over what the field should be called that is termed 'Public Service Interpreting,' but also 'community interpreting,' 'dialogue interpreting,' 'liaison interpreting,' 'cultural interpreting,' 'cultural mediation,' and many other appellations including, simply, 'interpreting.' Some English-speaking countries use the unmarked form 'interpreting' as in the USA and Australia, using an adjectival form only when making contrasts with conference interpreting, or within interpreting (e.g. 'court interpreting'). NAATI in Australia applies no adjective to its name. Britain moved to 'Public Service Interpreting' from the more generic 'community interpreting' for complex reasons, feeling on the one hand that the notion of community became too ambiguous in the context of the then European Community, but also concerned with widespread if diffuse perceptions that 'community interpreting' implied interpreting by unqualified practitioners (Roberts 2002; Corsellis 2008).

Scandinavia has generally used 'interpreting,' but there is also now some use in Norway of 'Public Service Interpreting.' (Mortensen 2001) And then the diversity of descriptions starts:

- In France, the expression used is the controversial 'Interprétariat' to indicate the functionary nature of this kind of interpreting, the interpreter being an officer of an authority or institution rather than a liberal professional who can be called an interpreter. Pöchhacker (2008:22) tells us that Seleskovitch, doyenne of conference interpreting, had rejected this term as a "barbarism, associated with the practices of untrained bilinguals," but it was ably defended by Sauvêtre at Critical Link 2 Conference in Vancouver, arguing that the Interprétariat performs very specific functions in public sector settings and needs to be seen as an enterprise in its own right (Sauvêtre 2000).
- In similar vein, Pöchhacker recounts that "in Austria, an initiative in the late 1980s to offer native-Turkish 'language assistance' in municipal hospitals deliberately avoided any reference to 'interpreting' for fear of encroaching on an established professional domain." Meanwhile in Italy he also cites that 'mediatore linguistico-culturale' is the description in 1998 immigration legislation" (2008: 22).
- In Spain there have been attempts to move from typical descriptions of 'intercultural mediator' to a description of 'public service interpreting,' but Pöllabauer comments that the terminology is very diverse still: "interpretación en los servicios públicos, interpretación comunitaria, interpretación social or interpretación de enlace" (Pöllabauer 2008: 7).

- The influence of francophonie on attitudes to interpreting is substantial and revealing; in **Canada, Wallonia, France** and **French-speaking Switzerland** there is a variety of terminology but always sharp dividing off of the unmarked 'interpreting' i.e. conference interpreting, from other language service activities, and in the case of Canada even affecting the English-speaking majority provinces with a preference for using 'cultural interpreting,' despite intense dispute over this term (Garber 2000).
- **In Germany and Switzerland** we find perhaps the greatest diversity of nomenclature. Pöllabauer comments that the website of INTERPRET, a significant policy development organisation for interpreting in Switzerland, stresses "the difference made in Switzerland between 'Übersetzerinnen' (translators), 'Dolmetscherinnen' (interpreters), 'interkulturelle Übersetzerinnen' (intercultural translators), 'interkulturelle Vermittlerinnen' (intercultural mediators) and 'Mediatorinnen' (mediators). However, their distinctive features are not very clear" (Pöllabauer 2008: 20).

Attempts to find a way through this terminological morass are offered by Roberts (2002), Pöchhacker (2007) and Pöllabauer (2008), with Pöchhacker providing the most considered theoretical treatment of the notion of 'mediation.' Yet this issue is far from merely a philosophical dispute over terminology, for there seems to be a very direct *and inverse* correlation between deliberately avoiding the concept of interpreting and the provision of effective language services in the public sector. As Niske argues in the European context "the countries with the largest number of immigrants, France and Germany, were less prompt in organising public interpreting services for immigrants, compared to the Nordic countries, Great Britain and the Netherlands" (2002: 136).

We are in a position now to attempt a tentative categorisation of the ways in which these variable factors have combined to determine language service outcomes in a number of countries (Table 1).

| Country | Attitude to immigration | Public policy I – federalism; localism | Public Policy II – Govt vs charity/ NGO / Professional/ private | 'Legalism': Policy favouring legal/ court interpreting? | Attitude to 'interpreting' nomenclature |
|------------------------------------|--------------------------------------------------------|-------------------------------------------------------------------------|------------------------------------------------------------------------------|----------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| Australia | Positive, interventionist | Federal, but some national features | Govt plus private providers | Non-legalistic | Neutral |
| Austria | Politicised reactions to immigration | National, local govt important | Govt plus NGOs | Legalism | Mediator, 'language assistant' etc. 'Interpreting' = Conference interpreting |
| Belgium | Minimally empire based but liberal tolerant | Formal federalism; differences in Flemish/Walloonian approaches | Govt, through local govt, NGOs, volunteers often | Court interpreting most developed | Varieties of 'mediation' favoured, or 'social interpreting'. 'Interpreting' = Conference interpreting |
| Canada | Positive | Federal | Govt, through provinces, some NGOs | Non-legalistic | 'Cultural interpretation' 'Interpreting' = Conference interpreting |
| France | Empire based, Republican (French as national language) | National | Charity, NGO | Non-legalistic | 'Interprétariat'. 'Interpreting' = Conference interpreting |
| Germany | Historically resistant, becoming more positive | Formal federalism, service delivery highly variable | NGOs, local govt, ethnospecific organisations | Legalism | Immense diversity of terminology; heavy emphasis on mediation and go-between 'Interpreting' = Conference interpreting; adjectival, role confusion |
| Italy | Recent shock of immigration | National but heavy reliance on local govt | NGOS, local govt, volunteers | Non-legalistic | 'Linguistic/cultural mediation Interpreting' = Conference interpreting |
| Japan | Resistance to recognition of migration | National | Volunteer, small community organisations, | Non-legalistic | Neutral, but field is a novelty |
| Netherlands | Empire based but liberal tolerant until very recently | Active national & local service delivery, developing national standards | Govt | Non-legalistic | Neutral |
| Norway | Recent immigration but planned response | Local govt provision, national regulation | Govt, especially local govt provision, a few private operators | Non-legalistic, generic accreditation | 'Interpreting' or 'Public Service interpreting' |
| South Africa – an exception | Issue not primarily migration but indigenous language | National but heavy reliance on local authorities | Govt but very constrained financially; heavy reliance on bilingual personnel | Non-legalistic | Neutral, but often confused with bilinguals |

| | | | | | |
|---------------|--------------------------------------------------------------------|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| Spain | Recent shock of immigration | National but heavy reliance on local govt | NGOS, local govt | Non-legalistic | Disparate terminologies used, 'mediation' but some use of 'Public Service Interpreting'. Interpreting' = Conference interpreting |
| Sweden | Positive, interventionist | Local govt provision but national standards | Govt plus private providers | Non-legalistic | Neutral |
| UK | Positive but Empire-based; Belatedly becoming more interventionist | Local govt delivery but national standards | Charity/ professional, limited govt | Non-legalistic | Relatively neutral, but adjectival: PSI |
| USA | Positive but laissez-faire | Formal Federalism | Govt funding but avoid direct govt provision or intervention; charities, foundations, professions, private operators | Highly legalistic; importance of Civil Rights Act; court interpreting | Neutral |

Table 1 A tentative categorisation of effects of the variable factors upon language service outcomes.

The table gives us some contours for different combinations of factors that will affect language service outcomes. It is important to stress that any one factor by itself will not predict how well or poorly a country does in language services, but some combinations do build predictive power: the already mentioned France and Germany, for example, share both an aversion to calling anything other than conference interpreting 'interpreting,' and a heavy reliance on NGOs and social organisations to provide services. Their overall attitudes to immigration also have some similarities, though France is more complex because of its Empire background. They are as a result very far from developing national accreditation or training systems or standards of performance.

By contrast Canada as we see shares both an aversion to the nomenclature of 'interpreting' and an extreme federal system, which militates against national standards but there has nevertheless been considerable government provision of services and innovation in areas of indigenous interpreting, Sign Language interpreting and professional leadership (e.g. leading the Critical Link conferences—Carr et al 1997; Roberts 2000; Brunette 2003), an activism that has largely come about with the role played by provincial governments in supporting language services that has eventually resulted in developed national guidelines (Goggins 2008). Meanwhile, the highly legal-based approach to interpreting of the USA and patchy development in non-legal areas differentiates it very sharply from Australia, which despite its federalism has developed generic national standards and widespread language services.

And this table also allows us to understand outcomes on other aspects of interpreting: where do national certification or accreditation systems exist? Where is interpreting other than conference interpreting offered in higher education?

It comes as no surprise that in the USA national accreditation is highly sector specific and only for federal court interpreting. The national accreditation systems can be found in Australia, Sweden, the UK, Holland, Norway and few other countries. As Pöllabauer (2008) comments on other European countries, the only legislative underpinning for any even partial systems of certification are for legal or asylum-seeker areas, with health rarely having any organised system of certification and other areas even more neglected. Kelly's (2007) argument that spoken language interpreter certification should be generalist in the first instance (as in Sign Language interpreting) has been little heeded.

And which countries have university level education for interpreters? Most training is at less than a tertiary level, and given the constraints of our macro-factor of language diversity, it will not be possible to have training in all languages regularly and certainly not at a university level. Despite this, several countries (Australia and Sweden again, and now the UK) do have significant university training in interpreting for a wider range of languages, supplemented by other training for new and emerging languages in polytechnics or folk high schools. And joining them in tertiary education for PSI are, somewhat surprisingly, Spain and Italy, discussed further below. Elsewhere, university level training is almost always restricted to legal translation (less commonly interpreting) but is very scarce—in the USA there are few university courses other than for Sign Language interpreting, and few that deal even with the favoured area of court interpreting.

The attempt over the past decade to get common European standards in legal translating & interpreting (Hertog et al 2007, EULITA 2009) is a significant move that will *inter alia* bring training to languages not of the EU, in which training has only been available very patchily and often not at university level. The rather Herculean task of gaining acceptance for such a program was helped by the utilitarian aim of providing largely for languages of the EU for which clear needs exist, but languages of immigrants will have a chance to be offered and receive equal status.

Incentives and pressures for government initiative in language services.

We move from an analysis of the national factors that affect the provision of language services and associated infrastructure, to consider some of the specific points at which governmental and institutional awareness of the need to provide language services can be raised. As has already been demonstrated, government motivations to take initiatives in language

services vary enormously, but we will look at the successful implementation of policy and categorise these positive motivations under three headings:

- First, normative factors that have in some cases convinced governments to act on language services;
- Secondly, the more common seizing of opportunities and building of coalitions by various interested parties that have successfully pressed for language service provision;
- And thirdly, we look at a number of initiatives that show the importance of cross-sectoral approaches and attendance to practical problems of training, accreditation, payment for services and professional support to convince governments of the capacity to provide quality language services.

Normative factors that force governments to act

The number of occasions on which documented normative factors have been uppermost in having governments move to provide language services is relatively small but provides some striking examples of the effect of legislation. We have already referred to the Court Interpreters Act in the USA, a federal Act but one that has led to many States following a similar path.

An illuminating variation of this is provided by Abraham & Weston in their understanding of “what ‘pushes’ public policy” in Canada:

The Ontario Human Rights Code identifies disability as a ground for discrimination and individuals requiring sign language interpreters are covered by the existing Code. This entitlement was reinforced by the 1997 Eldridge Decision by the Supreme Court of Canada which stated that the failure to provide sign language interpretation where it is needed for effective communication in the delivery of health care services violates the rights of deaf people. The Eldridge Ruling states that governments cannot escape their constitutional obligations to provide equal access to public services.

Needless to say there is no equivalent ruling for language interpreting. (Abraham & Weston 2004: 8)

It is significant that several English-speaking countries and some others such as in Scandinavia have introduced Disability Discrimination Acts, which have had a signal effect on provision of interpreting services in Sign Languages, making a significant contribution to the strength and growing professionalisation of the SL interpreting field (WASLI 2007).

A much more contested normative move has been in the United States, where the provisions of Title VI of the Civil Rights Act have been seen to

cover issues of discrimination of Limited English Proficient clients, opening up a potentially solid basis for proving language services. This was particularly brought to the fore by President Clinton's Executive Order 13166: "Improving Access to Services for Persons with Limited English Proficiency" (US Department of Justice).

Yet normative initiatives which target particular ethnic or population groups themselves bring opposition from other interests and, in the American context, the ever-present possibility of constitutional challenge. In the case of the Executive Order, there was immediate hostility from some areas of local administration, but also from the American Medical Association which claimed that costs for language services must not be pushed onto medical practitioners (Ku & Flores 2005). The path of judicial or constitutional determination will often result in political or administrative contests.

Finally here, while probably the most rare of all normative incentives, we have seen situations where revolutionary change in politics leads to a deliberate change in language services. The most salient recent case has been that of South Africa, where the new post-Apartheid constitution changed the previous English/Afrikaans official language regime with the addition of nine African languages. This has brought about manifold issues in the scramble to establish language services that cater for all languages for a full gamut of services, from interpreting for parliament and government meetings to local government, health and legal services. In this instance, too, such revolutionary change has come in a situation of limited resources and immense poverty, making implementation of systems of certification, training and provision of services difficult (Erasmus 2002).

Seizing opportunities and building coalitions

The salutary lesson from Corsellis' work (2008) is that the PSI field has largely developed from seizing opportunities by small groups of initiators who can also connect with governmental and sector-specific movers.

Corsellis describes a series of otherwise unremarkable legal cases in the UK where failure in interpreting led the magistrates/judges to not only legal conclusions about the validity of certain court decisions, but led them to campaign for more attention to the needs for interpreting throughout the legal system, and a linking up with the Institute of Linguistics, a professional body, and other government agencies in other sectors. A key point stressed by Corsellis is to have some key government involvement that can generalise across different sectors to ensure a basis for national standards. Without this, we remain locked into sector-specific development, as with the various Court Interpreter Acts:

A co-ordinated national approach is advisable because a piecemeal approach has associated risks. In the legal system, for example, to have excellent interpreting and translation facilities in courts alone, without similar standards in the police, probation and prison services, means that the courts risk trying cases on unreliable evidence gathered during the police investigation and having their sentencing options unfairly diminished. (Corsellis 2008: 9)

Occasionally, such broad-ranging moves can be ignited by a disaster of a kind too rarely documented. In New Zealand, Crezee (2003) traces the following series of events at an Auckland hospital:

The establishment of the first interpreting service followed a large cervical cancer study, which came to be known as the 'unfortunate experiment' [...] The study involved two groups, one of which was treated in the (then) generally accepted way, while the other group was merely 'followed-up.' Unfortunately, the study involved a number of women for whom English was a second language. Interpreters were not used during the study and many women consented to be 'followed up,' rather than treated, because of misunderstandings that arose from both language and cultural problems. (Crezee 2003: 252)

The subsequent official inquiry recommended setting up a pilot interpreting service and instituting a protocol for informed consent in all hospitals. The issue of patient safety, concern for consent, and legalisation of many medical procedures are significant factors in the development of language services for health, though highly constrained by the financial predicament of health institutions, and arguments over additional costs (Garrett 2009).

Yet even disasters similar to the one mentioned may have a less significant reach. In the USA, there have been several occasions on which patients have sued health institutions for failure to provide adequate interpreting—in one case a sum of \$71million was paid to a patient who became a quadriplegic after a critical term was mistranslated by an interpreter (Weise 2006).

Yet it is difficult to trace specific policy initiatives coming from such single cases—which in this last instance happened as long ago as 1984. Suing over the quality of interpreting may be just one item in a larger culture of litigation that health institutions must negotiate.

More often, initiatives in this field cannot rely on one policy-turning event and need careful building up of coalitions. Yet the participants of such coalition-building need not only be interpreters and relevant government institutions. A particular contribution in both Spain and Italy has been the involvement of high level activist academics in the birth and development of language services, in relatively difficult circumstances. Pöllabauer, looking at medical interpreting in a selection of European counties (Austria, Croatia, Finland, Germany, Slovenia, Spain, and Switzerland) reports that

What is surprising with respect to the other countries under investigation in this report is that Spain has a very active research community which focuses intensively on CI [Community Interpreting] [...] There are several research groups which have published a wealth of publications. (Pöllabauer 2008: 7)

Their academics, among whom the most prominent are Valero-Garcés in Spain (2003,2008; Valero-Garcés & Taibi 2004) and Rudvin in Italy (2006; Rudvin & Tomassini 2008), have not only conducted research but have all been involved in working with government agencies, NGOS and others to set up structures for interpreting, engaging in considerable consciousness-raising with previously often uninterested institutions on the necessity for quality language services.

Apart from the specifics of Italian or Spanish language service provision, such a phenomenon of quality research is significant as the greater part of interpreter training around the world is delivered in sub-tertiary education institutions. This means that the field still has a relative paucity of research, which can be an important aspect of infrastructure and professional support both to legitimise the interpreting enterprise but also by directly raising standards of training, professional development, user education, project management, ethics and professional conduct.

Infrastructure issues for public service interpreting

The macro factors identified earlier in this report put enormous constraints on any attempt to develop sound PSI policy in a constantly changing and challenging environment, and set up a series of vicious circles—linguistic diversity leading to poor professional socialisation leading to sometimes negative attitudes to interpreting, all within tight public budgets. There have been various attempts to break this vicious circle by emphasising particular factors—better training, better certification, better infrastructure, better professional support. A number of studies have shown the weakness of even well-meaning interpreter training programs or of proposed certification systems that do not address wider issues that affect interpreters.

In the field of **training**, Dubsloff & Martinsen's (2007) survey of community interpreters in Denmark reveals precisely how fragile is many interpreters' commitment to interpreting, because of its uncertain reward (often part-time work only) and unpredictability: as a result, the interpreting work itself for many practitioners is only fitted in between other commitments. And as regards training, such practitioners would only be interested in such training if it led to higher remuneration. In the general pattern of remuneration where there is often little or no difference in pay to contract interpreters according to their qualifications or experience (Ozolins 2004), it is difficult to convince practitioners such training is important; only if it becomes a hurdle requirement to get work at all is there likely to be motivated uptake of training. Dubsloff and

Martinsen, who began with a survey from their Business school investigating training needs for interpreters, came to the crucial need to address broader issues such as remuneration, employment, career and overall policy:

Improving the standards of CI [Community Interpreting] is not only a matter of training the interpreters, but also of improving condition on the market as a whole [...] The interplay of many factors in the process of professionalisation requires more or less simultaneous efforts in more than one field. (Dubsloff & Martinsen 2007: 122)

At the moment, perhaps only the National Register of Public Sector Interpreters in the UK is able to demonstrate a unified link between training and certification to gain a place in the register, plus having significant public sector bodies commit to taking interpreters only from the Register (National Agreement 2007).

Training is not enough. This looking at the broader factors that support interpreting is particularly important for recently arrived and emerging language groups, where often interpreters themselves are still struggling with issues of their own settlement or adjustment to a new society, and still in many cases improving both their language skills and their understanding of the institutions and practices of their host society (Cambridge, 2004).

Expecting new interpreters still facing their own settlement issues to be able to take on immediately the urbane role of an effective freelancer able to move effectively throughout the host society institutions is likely to lead to disappointment for clients, agencies and the interpreters themselves.

A significant problem that besets training courses not only in newly emerging languages but also often in well-established languages is the problem of finding adequate instructors; given that many training courses in PSI are relatively new, and that many practitioners may have never undergone T&I training themselves, finding adequate instructors is a constant challenge, now being addressed in some programs (Murray 2004).

Likewise, **certification** or accreditation systems are critical to establish a profession and to give confidence to users in working with interpreters, but even after several decades of their implementation there are significant gaps in the reach of certification programs. This is brought about largely by our macro factor of increased language diversity, but also because of the still weak link between the requirement for accreditation and the ability to practice, or a missing link between accreditation and training. In Sweden, for example, despite its decades of accreditation, only a small fraction of practitioners are accredited; on the other hand,

most practitioners have undergone training and are able to practice without the formal accreditation (Joe 2007).

In Australia, NAATI tests in over 60 languages but again language demands far outstrip this supply. Accreditation can be gained through one-off tests or passing an approved course, but the lack of compulsory training to gain accreditation is a weakness. From this author's experience as well, in some cases training courses designed for new and emerging languages result in numbers of candidates passing their courses and gaining accreditation, but not going on to practice interpreting as free-lancers but rather look for full-time employment in any field because of superior pay and conditions, using their interpreting training qualification as a general qualification for employment. It would be worthwhile to compare whether this is also a factor in interpreter supply in other countries.

Finally on certification, there still exist certification systems which *appear* to be certifying competent practitioners but do not do so; Piprek details the German system where State-run examinations for "State-Certified/Officially Certified Interpreter" demand a good deal of written work including translation but no real testing of interpreting skills. As she ironically comments:

Unevaluated in this context remain the following competencies:

- Interpreting techniques like consecutive, simultaneous and chuchotage interpreting.
- Note-taking techniques. (Consecutive interpreting)
- Juridicial terminology. (Piprek 2009: 11)

Planning and financing of language services: Who pays?

Historically, many language services have started out as small, either government-run or NGO/charity run services; while there has been a move to larger language services and more involvement of private market operators, there has been little research on the most effective means of financing of services. In Canada, where central government-subsidised services (or sometimes private operators) provide interpreting to a range of public sector bodies at no charge, Abraham & Weston (2004) raise questions of the efficacy of such a model, arguing that if institutions do not pay for interpreters out of their own budgets, they do not appreciate their importance. Against that, there is a concern that forcing institutions to pay out of their own overstretched budgets may encourage them to revert to some of the worst *ad hoc* practices of the past.

Other countries such as Australia, the UK and Sweden have moved very strongly away from free central government-provided services towards cost-recovery and making institutions budget for language services, and research on the costs and benefits of different models of financing is

needed, particularly on the degree of regulation and supervision needed to ensure services are delivered. In the health area, fundamental financial questions immediately arise, particularly in complex systems such as in the USA where hospitals, insurance companies, Health Maintenance Organisations and private doctors all fiercely contest the issue of paying for language services.

Very often, however, such decisions on financing are made on the basis not of what is appropriate for interpreting services but rather what prevailing ideologies of public finance will determine for whole sectors (competition policy, outsourcing, cost recovery, insurance requirements etc), and those promoting PSI will need to be able to negotiate these financial systems for their own benefit.

Conclusion

There are no easy or universal paths by which governments and institutions can be persuaded to adopt more comprehensive PSI policies. There is no way out of a long march through the institutions to spread an understanding that language services are necessary not for 'them'—the non-speakers of the dominant language—but for the institutions to be able to function effectively for all their clients.

Our survey has shown that legislation-led policy is quite rare, important when it does occur, but is often sector-specific and limited in its reach. Coalitions need to be built around instances of concern over institutional functioning, backed sometimes by a concern for human rights, sometimes by institutional leaders who value inclusiveness and effectiveness in their public service, and sometimes by the fear of processes going wrong and clients being at a disadvantage.

There must at all times be a concern with the total environment of interpreter practitioners including employment, remuneration, professional support and support of target public services.

However daunting this sounds, the relentless multilingualisation of societies around the world will force governments to respond; the widespread development of language services particularly over the last two decades, despite all their problems, indicates that there will continue to be scope for the interpreting profession to learn from colleagues and to influence policy.

Bibliography

- **Abraham, Diana & Doreen Weston** (2004). *Does the Absence of Public Policy Compromise the Professionalisation of Community Interpreting? Case Study and Analysis.* http://www.criticallink.org/files/CL4_Abraham_Weston.pdf (consulted 23.02.2010)
- **Brunette, Louise et al.** (2003). *The Critical Link 3: Interpreters in the Community.* Amsterdam/Philadelphia: Benjamins.
- **Cambridge, Jan** (2004). 'Profession' is a Cultural Concept: Training New Arrivals. http://www.criticallink.org/files/CL4_Cambridge.pdf (consulted 22.02.2010)
- **Carr, Silvana et al.** (1997). *The Critical Link: Interpreters in the Community.* Amsterdam/Philadelphia: Benjamins.
- **Corsellis, Ann** (2008). *Public Service Interpreting. The First Steps.* Basingstoke: Palgrave Macmillan.
- **Crezee, Ineke** (2003). "Health interpreting in New Zealand. The cultural divide." Brunette, L. et al. (2003), 249-260.
- **Dubslaff, Friedel & Bodil Martinsen** (2003). "Community interpreting in Denmark: results of a survey." Brunette, L. et al., 113-126.
- **Erasmus, Mabel** (2002). "Making multilingualism work in South Africa the establishment of translating and interpreting services for local government." Hung, E. (ed.), 197-210.
- **EULITA [European Legal Interpreters & Translators Association]** (2009). *Conference Programme.* <http://eulita.eu/conference-programme> (consulted 22.02.2010)
- **Garber, Nathan** (2000). "Community interpretation: a personal view." Roberts, R. (2000), 9-20.
- **Goggins, Kim** (2008). "More than words: Health care interpreters play key role in quality care." *CrossCurrents.* Spring, 2008. http://www.camh.net/Publications/Cross_Currents/Spring_2008/morethanwords_crcu_spring08.html (consulted 23.02.2010)
- **Garrett, Pamela** (2009). "Healthcare interpreter policy: Policy determinants and current issues in the Australian context." *Interpreting & Translation* 1 (2), 44-54.
- **Hertog, Erik et al.** (2007). "From Aequitas to Aequalitas: Establishing standards in legal interpreting and translating in the European Union." Wadensjö et al. (2007), 151-165.
- **Hung, Eva** (ed.) (2002). *Teaching Translation and Interpreting 4: Building Bridges.* Amsterdam/Philadelphia: Benjamins.
- **Ibrahim, Zubaidah** (2007). "The interpreter as advocate: Malaysian court interpreting as a case in point." Wadensjö et al. (2007), 205-213.
- **"Improving Access to Services for Persons with Limited English Proficiency."** US Department of Justice. Online at <http://www.justice.gov/crt/cor/13166.php> (consulted 25.05.2010)

- **Joe, Young K.** (2007). *Labour Market Research for Translating & Interpreting Professionals in Sweden*. http://www.ling.mq.edu.au/translation/lmtip_sweden.htm (consulted 25.02.2010)
- **Kelly, Nataly** (2007). "Interpreter certification programs in the U.S. Where are we headed?" *ATA Chronicle*, January. https://www.atanet.org/chronicle/feature_article_january2007.php (consulted 25.02.2010)
- **Ku, Leighton & Glenn Flores** (2005). "Pay now or pay later: Providing interpreter services in health care." *Health Affairs* 24 (2), 435-444.
- **Lannoy, Katrien & Jan Van Gucht** (2006). "Babel rebuilt: A survey of social welfare institutions and interpreting and translation services in Flanders." Pym, A., Shlesinger, M. & Jettmarová, Z. (eds) *Sociocultural Aspects of Translating and Interpreting*. Amsterdam/Philadelphia: Benjamins, 191-200.
- **Mortensen, Diane** (2001). *Measuring Quality in Interpreting. A Report on the Norwegian Interpreter Certification Examination (NICE)*. University of Oslo. <http://folk.uio.no/dianem/IntQuality-Internet.pdf> (consulted 25.02.2010)
- **Murray, Antoinette** (2004). "'Training the trainers': a post-graduate certificate in Public Service Interpreter training." *Examinations Newsletter*. <http://www.iol.org.uk/qualifications/IoL-Exams-Newsletter-2004.pdf> (consulted 22.02.2010)
- **National Agreement On Arrangements For The Use Of Interpreters, Translators And Language Service Professionals In Investigations And Proceedings Within The Criminal Justice System** (2007). [http://frontline.cjonline.gov.uk/includes/downloads/guidance/race-confidence-justice/National Agreement on Use of Interpreters-August 2008.pdf](http://frontline.cjonline.gov.uk/includes/downloads/guidance/race-confidence-justice/National%20Agreement%20on%20Use%20of%20Interpreters-August%202008.pdf) (consulted 24.02.10)
- **NCIHC [National Council for Interpreting in Health Care]** (2009). *National Standards for Healthcare Interpreter Training Programs* <http://www.ncihc.org/> (consulted 25.02.2010)
- **Ng, Eva N.S.** (2009). "The tension between adequacy and acceptability in legal interpreting and translation." Hale, S. et al. (eds). *The Critical Link 5. Quality in Interpreting—a shared responsibility*. Amsterdam/Philadelphia: Benjamins, 37-54.
- **Niska, Helge** (2002). "Community interpreter training: Past, present future." Garzone, G. & Viezzi, M. (eds) *Interpreting in the 21st Century: Challenges and opportunities*. Amsterdam/Philadelphia: Benjamins, 133-144.
- **Ozolins, Uldis** (2000). "Communication needs and interpreting in multilingual settings: the international spectrum of response." Roberts, R. P. et al. (2000), 21-33.
- — (2004). *Survey of Interpreting Practitioners*. Melbourne: VITS LanguageLink. <http://www.vits.com.au/downloads/VITS%20Survey%20Report-Final.pdf> (consulted 24.02.2010)
- — (2007). "The interpreter's 'third client': Interpreters, professionalism and interpreting agencies." Wadensjö, C. et al, 121-131.
- **Piprek, Helena** (2009). "The function of a 'court interpreter and/or translator' in the

Federal Republic of Germany—preconditions, qualifications, compensations and legal basis.” EULITA (2009). Online at <http://www.eulita.eu/function-court-interpreter-andor-translator-in-Germany> (consulted 24.02.2010).

- **Pöchhacker, Franz** (2008). “Interpreting as mediation.” Valero-Garcés, C & Martin, A. (eds) *Crossing Borders in Community Interpreting: Definitions and Dilemmas*. Amsterdam/Philadelphia: Benjamins, 9-26.
- **Pöllabauer, Sonja** (2008). *Summary report: Workpackage 3. MedInt: Development of a Curriculum for Medical Interpreters*. University of Graz. http://www.uni-graz.at/wp3_final_report_210508.pdf (consulted 24.02.2010)
- **Roberts, Roda P.** (2002). “Community interpreting: a profession in search of its identity.” Hung, Eva (ed.) (2002). *Teaching Translation and Interpreting 4: Building Bridges*. Amsterdam/Philadelphia: Benjamins, 157-175.
- —, Silvana E. Carr, Diana Abraham and Aileen Dufour (eds.) *The Critical Link 2* (eds) (2000). *The Critical Link 2: Interpreters in the Community*. Amsterdam/Philadelphia: Benjamins.
- **Rudvin, Mette** (2006). “Negotiating linguistic and cultural identities in interpreter-mediated communication for public health services.” Pym, A., Shlesinger, M. & Jettmarová, Z. (eds) *Sociocultural Aspects of Translating and Interpreting*. Amsterdam/Philadelphia: Benjamins, 173-190.
- — & **Elena Tomassini** (2008). “Migration, ideology and the interpreter-mediator: The role of the language mediator in educational and medical settings in Italy.” Valero-Garcés, C. & Martin, A. (eds) *Crossing Borders in Community Interpreting: Definitions and Dilemmas*. Amsterdam/Philadelphia: Benjamins, 245-266.
- **Sauvêtre, Michel** (2000). “De l’interprétariat au dialogue à trios. Pratiques européennes de l’interprétariat en milieu social.” Roberts, R. P. (2000), 35-48.
- **Springer, Christine** (2009). “The main features of the Austrian Court Interpreters Act—A model for future developments.” EULITA (2009). <http://www.eulita.eu/main-features-austrian-court-interpreters-act-model-future-developments> (consulted 25.02.2010)
- **Townsley, Brooke** (2007). “Interpreting in the UK community: Some reflections on Public Service Interpreting in the UK.” *Language and Intercultural Communication* 7 (2), 163-170.
- **Valero-Garcés, Carmen** (2003). “Responding to communication needs: Current issues and challenges in community interpreting and translating in Spain.” Brunette, L. et al., 177-194.
- — (2008). *Formas de Mediación Intercultural. Traducción e interpretación en los servicios públicos*. Granada: Editorial Comares.
- — & **Mustapha Taibi** (2004). *Professionalizing Public Service Translation and Interpreting in Spain*. http://www.criticallink.org/files/CL4_ValeroGarces_Taibi.pdf (consulted 22.02.2010)
- **Wadensjö, Cecilia et al.** (eds). *The Critical Link 4: Professionalisation of interpreting in the community*. Amsterdam/Philadelphia: Benjamins.

- **WASLI [World Federation of Sign Language Interpreters]** (2007). *Country Reports*. <http://www.wasli.org/Publications.htm> (consulted 24.02.2010).
- **Weise, Elizabeth** (2006). "Language barriers plague hospitals." *USA Today* July 29. Online at http://www.usatoday.com/news/health/2006-07-20-hospital-language_x.htm (consulted 22.05.2010).

Biography



Dr Uldis Ozolins is a researcher, lecturer and practitioner in language policy and T&I. His PhD at Monash University studied language policy in relation to Australian immigrant languages. His T&I contribution includes over 20 books and articles, many on policy and management issues, including papers at the last four Critical Link conferences, the international conference on community interpreting. He has taught in T&I at Deakin University and Royal Melbourne Institute of Technology, while also running his consultancy practice Language Solutions. He is currently Adjunct Associate Professor in T&I at the University of Western Sydney.