

COMPETITION CONDITIONS

- The winning entry shall be the first correct entry received at the office of the Law Society or, if no correct entry is received by the close of the competition, the entry judged to be the most correct entry received by the close of the competition.
- The decision of the Executive Officer of the Society as to the date and time of receipt of any entry shall be final.
- The competition will close at 4:00pm Darwin time on Friday 14 December 2001.
- Every entry shall be clearly marked with the name of the person submitting the entry and a daytime phone number. Entries that do not comply with this condition shall be null and void for all purposes.
- Entries may be submitted by mail or fax, through the Society's court box, or may be delivered to the office of the Society, but shall not be deemed to have been as received by the Society until physically received in legible form in the office of the Society.
- The Society is not responsible for any loss, delay or corruption in the course of transmission by mail or fax, or any delay resulting from the timing of the collection of mail or the clearing of the Society's court box.
- A contestant may submit as many entries as he or she wishes, but may submit only ONE entry on any one day (being the period of 24 hours starting at midnight).
- If more than one entry is received from the same contestant in any one day only the first entry received shall be regarded as a valid entry, and the other entry or entries shall be null and void for all purposes.
- If it is necessary to judge which is the most correct entry, incorrect letters in an entry will be penalised more heavily than squares left blank, and the decision of the judges shall be final.
- The winner of the competition will be notified by telephone, and the name of the winner will be published in the January 2002 issue of *Balance*.

THE TERRITORY'S WINNING ABORIGINAL INTERPRETER SERVICE

Barbara Weis, Manager Coordination and Research, Office of Aboriginal Development

The Aboriginal Interpreter Service (AIS) won first prize in this year's Northern Territory Equity and Diversity Awards (Small Agencies category). Such recognition of the contribution that the AIS makes to improving outcomes for Aboriginal people is much appreciated by the small team administering the Service. Perhaps more important, though, are the day-to-day rewards of hearing from Aboriginal interpreters and their clients about how the courts, hospitals and police stations of the Northern Territory are appreciably more just, inclusive and equitable than they were prior to the commencement of the AIS in April 2000.

As the end of 2001 approaches the AIS is looking at taking its 2500th booking (staggering really when you consider that one booking can be for a rostered duty interpreter at one of our hospitals or courts — and these interpreters may see many clients on each of their rostered days). There are 265 Aboriginal interpreters currently registered with the AIS and together they cover 104 Aboriginal languages / dialects.

Not only is the AIS hoping to see this number increase next year, but we are in the process of constructing a new training plan to meet the pressing need for specialist legal and health interpreters. The AIS has a tiny training budget reserved for innovative training programs. Last financial year's training was very successful in terms of the number and quality of participants. The program was quite large thanks to the substantial one-off funding from the Commonwealth Government.

AIJA National Conference:

The Australian Institute of Judicial Administration requested a presentation on the AIS for the National Conference which was held on 22 and 23 September 2001. Her Hon Judge Mary Ann Yeats,

District Court of Western Australia was Convenor of the Session titled: "Interpreters for Indigenous People Before the Courts". It was very much a Northern Territory session — with the first speaker being Dr Michael Cooke who would be known to many readers for his expertise as a Djambarrpuynu interpreter, linguist, and trainer of Aboriginal interpreters and their clients.

Delegates from around Australia were very interested to know about the history of the AIS and some of the distinguishing characteristics of working with Aboriginal interpreters in NT courts. Some of the issues presented for discussion (including some 'dos and don'ts') are worth noting here for legal practitioners and courts in regard to working with Aboriginal interpreters:

- Newness of the Aboriginal Interpreter Service means there is a mix of interpreter skill levels — some are more experienced and some have had more training than others.
- Most Aboriginal interpreters are very shy about court work and are still learning about the court environment. In as much as experience will see improvements, some have had such bad ones that they will not return to court again.
- For financial and other reasons the AIS currently concentrates on training interpreters rather than putting them through National Accreditation Authority for Translators and Interpreters (NAATI) tests. All AIS training is conducted by appropriately qualified trainers and assessment of participating interpreters is provided to the AIS.

Lawyers and judiciary may assist Aboriginal interpreters by:

- making them feel comfortable by explaining what is going on, run through some of the more difficult

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THE TERRITORY'S WINNING ABORIGINAL INTERPRETER SERVICE

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- concepts or expressions that may require interpreting during your case;
 - ensure that everyone involved understands which 'rules' are being followed — eg a hand signal for slowing the proceedings or to ask a question or whether every word will be interpreted or just when there is obvious difficulty;
 - slow English speakers down if they are too quick and it looks like the interpreter is having difficulty with the speed;
 - don't assume people are discussing positions or the case when there appears to be a dialogue because they are likely trying to find the right word — it is almost impossible to achieve literal translations between most Aboriginal languages and English;
 - some languages have an economy of grammar so are quick to interpret. Conversely, others are involved and may take considerably longer than the English version;
 - Be aware that there is no designated position for interpreters in courts. You may have to give thought to the appropriate placement and location and comfort of the interpreter;
 - Given that interpreters are often sitting around for long periods waiting to be used in court you should ensure they are kept aware of how proceedings are unfolding and when they will be required;
 - Some lawyers will be trying to protect the interests of their client by hurrying Aboriginal interpreters or objecting to their presence. This tactic is prone to undermining the confidence interpreter and will thus impact on their performance;
 - Please don't ask whether an Aboriginal interpreter can read and write — most of them cannot but that does not mean they are not excellent interpreters. Charge sheets and anything else written will generally need to be read to them — slowly. If you notice your colleagues asking about reading and writing please explain that interpreters are not the same as translators (who deal with written texts);
 - Most of our Interpreters are going to be related to the non-English speaker they are booked to work with (or know them). It is often futile asking what relationship they are in because of the differences in Aboriginal and English categories of relationships. There may not be appropriate words to translate the relationship. So trust the AIS staff to ensure that appropriate interpreters are selected for the job at hand;
 - All of the appropriate testing of the nature of the relationship would have been done by the AIS who are qualified to ascertain whether your client and the Aboriginal interpreter are in an inappropriate relationship. If you must know (say, because a Duty Interpreter is being used) it is better to ask whether there is a *relationship of obligation or avoidance* between the two parties. Trained interpreters will advise if there is a relationship of obligation or avoidance and whether they are able to work around that relationship;
 - Keep in mind the pressure that Aboriginal interpreters are put under by family and community and always try to highlight the impartial nature of their role. Reports on their performance in court are taken back to their community and may cause them difficulty down the line;
 - Do not shy away from the use of diagrams in court;
 - Most of all, please be patient with our development of a professional Aboriginal Interpreter Service and be supportive of people who are really pioneers in this profession.
- If you ever have any concerns about working with an Aboriginal interpreter, talk to anyone of the staff of the AIS. We don't think there is such a thing as a "silly question" and we love to learn new things from our clients.
- The AIS staff thank all legal practitioners for their support during 2001. We hope you have a lovely Christmas and that you have the

opportunity to work with one of our Aboriginal interpreters in the New Year.

I would like to thank the AIS team for their incredible drive and commitment, for giving up so many evenings and weekends with their families and for never agreeing with those that said it would be too hard to achieve an Aboriginal Interpreter Service in the Northern Territory.

Coordinator: Colleen Rosas
Booking Officer: Ann Vincent
Admin Officer: Karlene Savage
Booking Coordinator (Central Australia): Nora Kempster
Aboriginal Interpreter Service Contact details:
Darwin: Phone: 892 44217
Fax: 892 44223
Alice Springs: Phone: 895 15576
Fax: 895 15244

Superannuation in family law: a new era

The Family Law Section of the Law Council of Australia, in conjunction with the Family Court of Australia and the Federal Magistrates Service, will present a national seminar series on superannuation in family law to Territory practitioners in February 2002.

The seminar will feature presentations from family law specialists and a workshop session dealing with practical examples. A handbook of invaluable resource materials will be provided to participants.

The seminar will be held in Darwin. Details about times and location will be announced shortly, but people are encouraged to register their interest now.

Brochures and registration forms for the seminar are available from the Family Law Section Administrator, Law Council of Australia, phone 02 6247 3788 or fax 02 6248 0639.