



FAMILY COURT OF AUSTRALIA

CEO POLICY: 2007/01

INTERPRETER AND TRANSLATOR POLICY

The basic principles of access and equity are that no Court client should be disadvantaged in proceedings before the Court or in understanding the procedures and conduct of Court business, because of a language barrier. The two-way process of communication and understanding between the client and the Court may require that the Court engage an interpreter, or a translator.

The Family Court of Australia has guidelines in place to ensure uniform access to interpreter and translator services.

1. Services Available

- 1.1 Each Registry has at least one Courtroom with a hearing loop installed. Arrangements can be made to assist clients who are deaf or hearing impaired to utilise this facility where practicable.
- 1.2 Interpreter services for deaf, hearing impaired and/or speech impaired clients are available. Arrangements can be made for AUSLAN interpreters or CART (Communication Access Real-time Translation) service providers to accompany clients who are deaf, hearing impaired and/or speech impaired at court events.
- 1.3 The National Relay Service (NRS) is a free telephone service that allows deaf, or hearing and/or speech impaired clients with a TTY machine, to make telephone calls to a Registry. Telephone: 133 677 (clients who are deaf *or* hearing impaired) or 1300 555 727 (clients who are both deaf/hearing impaired *and* speech impaired) www.relayservice.com.au
- 1.4 The Translating and Interpreting Service (TIS) is funded by the Department of Immigration and Citizenship, and provides a service that facilitates communication between people who do not speak English, and English speakers. TIS can provide both telephone and onsite interpreters. Telephone: 131 450 www.immi.gov.au
- 1.5 It is the responsibility of parties to provide accredited translated copies of foreign documents to the Court. In exceptional circumstances where the Court determines that it is in the interests of the Court to obtain a translation of a document to assist in a Defended Hearing, this should be authorised by a Judicial Officer, and can be arranged and funded in the same way as interpreter services.

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1.6 The Court may receive correspondence in a foreign language from a litigant or potential litigant. Unless this correspondence clearly fits the category of "nuisance mail", it is the Registry's obligation to meet the cost of translation, in accordance with the basic principle of access and equity outlined in this Policy. Where there is a doubt as to the relevance of, and necessity for a full translation, a general translation may be obtained, which would enable the responsible officer to then decide what further action should be taken.

2. Accessible Government Services for All

2.1 The Accessible Government Service for all framework applies to all government services and contains four principles:- Responsiveness; Communication; Accountability and Leadership. Under this framework, clients from diverse linguistic backgrounds are able to contact the Translating and Interpreting Service (TIS) to facilitate telephone contact with the Family Court of Australia. www.immi.gov.au

3. Code of Ethics

3.1 Interpreters and translators engaged by the Family Law Courts are bound at all times to act in accordance with the standards set out in the Australian Institute of Interpreters and Translators (AUSIT) Code of Ethics. AUSIT is the national professional association of interpreting and translation practitioners. General principles of the Code of Ethics include: Professional Conduct; Confidentiality; Competence; Impartiality; Accuracy; Employment; Professional Development and Professional Solidarity. Further information can be obtained from the website: www.ausit.org

4. Feedback and Complaints

4.1 To ensure that Court clients are assisted by high calibre interpreters, clients are encouraged to provide feedback to the Courts on the standard of interpreting and translating services provided.

4.2 Where a complaint is made concerning the calibre or use of interpreter services, the Complaints Officer in accordance with standard complaints handling procedures, should handle the complaint.

Richard Foster
Chief Executive Officer

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