

Fair and Accessible Public Services:

Summary Report on the Use of Interpreters and Other Language Assistance in New Zealand

Ministry of Business, Innovation and Employment
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Introduction

This project was established to improve access to interpreter services during newcomers' initial years in New Zealand to support them to settle well and integrate quickly into New Zealand life. As part of this, consideration was to be given to the role of language support in providing meaningful access to mainstream services and programmes, as well as government priorities for English language acquisition for new arrivals, and service delivery innovation and effectiveness.

While this project focuses on interpreter services, some of its proposals incorporate reference to translation services where this is considered appropriate.

Background

New Zealand's diversity continues to grow, with large increases in Chinese, Indian, Filipino, Samoan and Tongan residents in particular. In 2013, one-quarter of the national population was born overseas, while in Auckland this was higher at 39 percent.

Newcomers' ability to speak English is important to their participation and inclusion in daily life, including independent access to services. However English language skills amongst new arrivals, and the speed at which they can learn English subsequently, differ amongst immigration categories. Improving access to English language services has been the focus of recent work that is expected to inform government funding decisions for these services from 2017. Measures are also being introduced to improve the uptake of pre-paid English tuition for those migrants who must purchase this as part of their visa requirements.

Interpreters bridge the communication gap for government agencies and their clients where there is no common language. Interpreting in these settings is generally known internationally as community interpreting, liaison interpreting or public service interpreting, with recognised specialisms in medical or legal interpreting. These terms are not in widespread use in New Zealand.

Internationally, there has been an increasing focus on community interpreting, and an international standard providing guidelines for community interpreting was published in 2014 after consultation with a number of countries. New Zealand did not contribute to its development. The standard refers to the importance of qualifications and accreditation for community interpreters.

The main styles of interpreting used are: consecutive interpreting where the speakers and interpreter take turn-about in short bursts; simultaneous interpreting; and whispered interpreting known as chucotage. Consecutive interpreting is the main type of interpreting used in New Zealand public service settings, apart from sign-language interpreting that uses the simultaneous form. Interpreting services are provided face-to-

face with all present in the same location, by telephone, or through video-communications.

International practice: Australia

There are more than 33,000 accredited interpreters and translators throughout Australia where there is a well-integrated approach that supports the use of competent interpreters so non-English speakers can access government and other services. This approach includes a clear policy framework, detailed service guidelines for government interpreter users, and well-established accreditation requirements and professional standards for interpreters.

Accreditation is required for government work and must be renewed every three years. A major review of current accreditation arrangements is underway and the new accreditation scheme and related assessment tools are likely to be introduced from 2018. This will involve generalist testing and areas of specialist testing including for court and healthcare interpreting.

The Australian accreditation test is offered in New Zealand each year, and the Australian Codes of Ethics and Conduct are those applied to their members by the New Zealand Society of Translators and Interpreters.

A national telephone interpreting service provides 24 hour access to interpreters and has been operating since the mid-1970s. Non-English speakers may contact this service directly to make interpreter-assisted calls, and there is a facility to directly connect callers with interpreters in high-use languages. This telephone service is accompanied by a range of interpreter services at state and territory level provided by government, non-government and private organisations.

International practice: Canada

Canada has two official languages, English and French, and a longstanding commitment to multiculturalism. A Language Portal operates to help Canadians communicate in both languages, and to disseminate language resources. Terminologists who define terms connected with particular fields and find other-language equivalents are a feature of Canadian language services, in addition to interpreters and translators.

Canadian accreditation arrangements (called certification) differentiate between types of interpreting. Conference and court interpreting are part of established national and provincial accreditation arrangements while the approach to community interpreting, including in the health sector, has been more fragmented.

A national body, the Canadian Translators, Terminologists and Interpreters Council is a federation of the provincial and territorial professional bodies who set certification examinations. The Council is responsible for ensuring uniform standards are maintained.

Procedures for certification differ throughout the provinces. Court interpretation examinations are held only as required. Following certification, interpreters are bound by their Association's Code of Ethics. Reciprocity arrangements mean certification in any province is recognised throughout Canada.

An assessment tool, developed at the request of the Ontario Ministry of Citizenship, Culture and Recreation is used to assess community interpreters for certification in Ontario and a number of other provinces. British Columbia will offer certification examinations in community and medical interpreting from 2017.

There has been ongoing interest in Canada in the last ten years in professionalising community interpreting. A national standard guide, developed in 2007 and updated in 2010 by a number of interested parties, aimed to provide a shared understanding of community interpreting including responsibilities, professional standards and core ethical principles. Subsequently in 2013, an alliance of key stakeholders under the leadership of the Canadian Translators, Terminologists and Interpreters Council was formed to create a framework for professionalisation, and to assist regulatory bodies to establish certification standards for community interpreting. As a result of this work, new certification examinations for community and medical interpreting will be offered for the first time in May 2017 alongside other certification examinations.

International practice: United Kingdom

A legislated Public Sector Equality Duty intended to increase satisfaction with public services has applied since 2011 to public authorities and private providers who are publicly-funded or exercising a public function. Additional legislative obligations for the health sector in 2012 focused on reducing inequalities and meeting health consumers' communication needs. Codes of practice for the Police and national guidance in the justice sector outline specific requirements for the use of interpreters.

Two interpreting accreditations, comprising multi-part interpreting examinations, are offered by an independent body, the Chartered Institute of Linguists. These are the Diploma in Public Service Interpreting (a generalist credential that also operates as a specialist legal credential because many chose one of the legal pathways available); and the Diploma in Police Interpreting which facilitates work in the justice sector and particularly the Police.

As well as these accreditations, many settings also require interpreters to be on the National Register of Public Service Interpreters which has just fewer than 2,000 members. This register is the independent voluntary regulator of professional interpreters specialising in public services. To be on the register applicants must have a valid security clearance, be legally able to work in the United Kingdom and meet qualifications and minimum experience requirements. Annual renewal of status is required. Members must adhere to the organisation's Code of Professional Conduct.

Professional membership is offered by the Chartered Institute of Linguists and the Institute of Translation and Interpreting who have around 8,500 members between them. Both require members to abide by their Codes of Professional Conduct.

In recent years there has been a move away from booking interpreters directly with the National Register of Public Service Interpreters to a system of outsourcing interpreters through large multiagency government contacts with the private sector. Interpreting arrangements in the justice sector have been particularly controversial. This has stemmed both from poor planning for introduction, as well as subsequent management of service delivery that meant ongoing failures to meet performance expectations and delays in processing court cases.

Interpreting in New Zealand

The development of interpreting services in New Zealand mainly occurred from the early 1990s following changes to immigration policy in the mid-1980s and recommendations from a government-appointed committee of inquiry for greater access to interpreters in the health system. With increasing recognition of the importance of settlement assistance services, a national telephone interpreting service for government agencies was introduced from 2003, and its reach was gradually extended over subsequent years.

While English remains the language most commonly spoken in New Zealand, more than 150 languages are now spoken here. At the time of the 2013 Census, more than 87,000 people could not have an everyday conversation in English.

Legislation requires the provision of interpreters in the courts, in health and disability services and for asylum hearings where participants are not proficient in English. Standards of Integrity and Conduct for State Servants and related guidance require everyone to be treated fairly and with respect. State servants must work to make government services accessible and effective, including considering customer-focused alternatives to traditional ways of service provision.

Around 400 people said they were working as interpreters at the time of the 2013 Census and most were employed in Auckland. Generally interpreters operate as contractors for themselves or a range of government, non-government and private interpreting organisations. The main telephone interpreting service, Language Line, is jointly delivered by the government and private sector. While its use has continued to increase, it is largely only available in business hours.

Interpreting qualifications at different levels are offered by three tertiary education institutions, all in Auckland, and a number of scholarships were introduced in 2016 to support applicants, particularly those with rare languages to gain an interpreting qualification. There is no formal accreditation process for interpreters in New Zealand, although the New Zealand Sign Language Board is in the process of developing

common standards for sign language interpreters. Two professional associations with voluntary membership, the New Zealand Society of Translators and Interpreters and the Sign Language Interpreters Association of New Zealand, provide Codes of Ethics and Conduct for their members. The contents of these appear to be generally applied throughout the profession regardless of professional membership.

Language assistance services

There is a diverse population in the six regions where consultation was undertaken for this project, comprising both former refugees and migrants including those from global regions where English is not the first language. In addition to the use of interpreters, other forms of language assistance are available to those who are not proficient in English. These include: multi-lingual staff and volunteers; specific cross-cultural roles; multilingual call services; multilingual resources for clients; and resources for staff. The practice of government agencies sending letters in English to non-English speakers was noted, and had resulted in non-related organisations being called on to provide an explanation or support.

Interpreter services

Interpreter services were available in all of the regions visited and there was access to interpreting in person, and by telephone or through video-remote applications. Four district health boards (Canterbury and the three in Auckland) had developed interpreter services to meet their own needs. More than half of the providers interviewed said interpreting services could be provided to clients on a 24/7 basis. Most interpreters were contractors, and some agencies provided services beyond the region where they were based.

Stakeholders identified a wide range of benefits to using interpreters both for their clients and staff individually, and collectively for their organisations and communities/society. They also identified the risks associated with not using interpreters for clients who were not proficient in English.

Users' expectations of interpreters were closely aligned with the Codes of Ethics and Conduct with which agencies required their contracted interpreters to comply. In terms of competence, most agencies required their interpreters to have an interpreting qualification or Australian accreditation but exceptions were made for rare languages where interpreters often lacked qualifications. Some interpreter organisations provided their own interpreter training for entry and on an ongoing basis.

Languages used in the six regions were diverse and reflected settlement patterns. Difficulties in accessing interpreters in some language were identified. In particular, it was hard to obtain interpreters in a number of Burmese dialects in a number of regions and through Language Line.

The availability of organisational guidance about the use of interpreters varied. The Ministry of Justice guidance made legal obligations and expectations of staff clear, and each DHB provided guidance. Police guidance was inserted in a number of instructions or policies related to particular issues. The Police, HNZC and Work and Income all provided process advice associated with the use of Language Line. Some NGOs also had policy guidance.

Statistics on interpreter use were provided by a number of organisations. In spite of that it was difficult to assess overall whether interpreters were being used by government agencies to the full extent that was appropriate. There were certainly indications of low interpreter use by operational staff in some large government agencies. Additionally, current Police interpreting arrangements mean that the Police (including the three Police Communications Centres that receive emergency calls) do not have systematic access to interpreting services outside business hours. Interpreter use by NGOs (other than those with refugee clientele) very much depended on whether they were funded for use, or could access funding from other sources for interpreter use.

There were significantly different hourly rates paid for interpreters for face-to-face interpreting across a range of agencies, and few organisations made specific budgetary provision for interpreters. In the health sector, while many services were being devolved to primary care, interpreter funding had not necessarily followed. While primary care interpreting costs in the Auckland region could be accessed by a wide range of organisations, in other regions funding was often restricted to General Practices.

Most stakeholders had been satisfied with the interpreting services they had used and there were few complaints. Most stakeholders used general complaints processes for any complaints about interpreters or referred them back to the interpreter agency.

The stakeholders interviewed identified a number of barriers to interpreter use and gaps in provision and suggested a range of potential responses.

Proposals

Over the last 50 years New Zealand has increasingly become more ethnically diverse and more than one-quarter of our population was born overseas at the time of the 2013 Census. Nearly two-thirds of those who arrived here in the last ten years have come from Asia, the Pacific Islands and the Middle East and Africa.

English language plays a key role in settlement for former refugees and migrants by enabling their access to employment and participation in the community, as well as their connection to services including health, housing, education, justice and family support.

A large proportion of refugees do not initially have sufficient English language to enable them to successfully access support services delivered by government agencies and a smaller percentage of former migrants experience the same barriers. There should

continue to be a strong emphasis on learning English, but the use of interpreters is also critical so these groups can access mainstream services in a cost-effective way that supports their settlement in the first three years in New Zealand while they learn English.

This project has identified gaps in the current approach to the use and coordination of interpreters that create barriers for former migrants and refugees who want to access services and support. These disrupt the settlement process, impede integration and can have serious consequences for individuals.

There are other consequences. Services in English to those who are not proficient in English can take longer to deliver. Without the use of an interpreter, there can be little assurance that needs have been properly understood, or that clients themselves have a clear appreciation of their rights and obligations. In turn this is likely to prolong service involvement, contribute to future crises, and increase costs downstream when the resulting impacts and issues must be addressed.

The implementation of the findings and recommendations in this paper will enable former migrants and refugees with limited English to connect effectively with mainstream government services, and government-contracted services. The improved coordination of current arrangements and the strengthening of standards will also ensure a consistent and effective approach to the use of interpreters across government, and better-supported settlement in the community.

This paper recommends that:

Language services: whole-of-government guidelines and training

1. Whole-of-government language service guidelines are developed setting out best practice for language assistance in the planning, funding and delivery of government and government-funded services to clients with limited English proficiency. This guidance should address the use of trained interpreters as well as the use of multilingual staff, and translation services.
2. Whole-of-government training support is developed for agencies (beyond the health sector) to:
 - a. increase understanding of cultural differences and the ability to work effectively and respectfully with people from different cultural backgrounds
 - b. support staff in the effective use of interpreters.

Supporting independent service use

3. Information about the availability of interpreter services, particularly Language Line, how to request an interpreter, and the benefits of use is provided to former refugees

and migrants (including temporary workers and international students) through a range of media including:

- a. in first languages on existing government websites where appropriate
 - b. the proposed language services portal
 - c. information emails from Immigration New Zealand when visas are granted and
 - d. the refugee reception programme.
4. Wallet cards are made more widely available to support non-English speakers to request interpreters and to state the language required.

Minimum standards for government work

5. Further work is undertaken to identify the appropriate minimum standards for interpreters and translators delivering services across government and government-funded services, in collaboration with government agencies and the language services sector.

All-of government purchasing

6. All-of-government purchasing arrangements for language assistance are developed for government and government-funded services on a user-pays basis comprising:
- a. interpreting services (face-to-face, telephone and video-remote interpreting)
 - b. translation services.
7. A national market assessment is undertaken as part of the procurement planning process to establish the languages for which interpreting and translation services should be sought.
8. Separate quality assurance arrangements are considered to ensure expected quality standards are maintained in the delivery of these purchased services.

Telephone interpreting

9. A cost-benefit analysis is prepared on the proposal for a nationwide whole-of-government telephone interpreting service and the most appropriate operating model that would provide interpreters in required languages 24/7 on a user-pays basis and include provision for immediate connection to interpreters of the highest use languages and priority access lines for special groups such as emergency services (similar to the Australian model).

Language services portal

10. A language assistance webpage is established similar to the Canadian Language Portal, as a one-stop-shop for language assistance information, including the contact

details of approved providers to government of interpreting and translating services and email links to those providers for interpreter bookings and other communications.

Funding

11. The Ministry of Social Development reassess funding levels for NGOs providing priority services, and make funding provision for the use of interpreters where they are required for the effective delivery of these services to clients who are not proficient in English.
12. Government agencies consider purchasing services in first languages from community providers in those regions where the number of clients and the nature of programme provision make that a cost-effective option.
13. The Ministry of Health consider, in conjunction with DHBs, a consistent approach to the funding of interpreters in the primary care sector throughout the country.

Systems support

14. Government agencies consider the creation of flags in client records to highlight where English is not the first language and interpreter use is likely to be required, or promote use of these flags where they already exist.
15. Government agencies consider the use of telephone interpreters to convey messages and set up appointments, along with alternative communication channels such as emails and text messages in clients' first languages (where client numbers and the messages to be conveyed make this an efficient and cost-effective approach), rather than sending letters in English to clients who are not proficient in English.