

## Preferred Auslan Interpreters

### Background

It is an assumption universally shared that Deaf, Deafblind and hard of hearing<sup>1</sup> people all have similar, if not the same, communication skills. Just like any other CALD community in society there is a rich diversity of communication skills in the Deaf community. It is also assumed that, if an Auslan interpreter is NAATTI certified they are therefore sufficient for the communication needs of a Deaf client. This Position Paper clearly sets out the reasons for why this assumption is incorrect and can even cause harm.

Deaf people vary across the spectrum of language skills. The reasons for this vary; some were raised within a family where sign language was used to communicate right from birth. Others went to schools for the Deaf where sign language was used as the method of instruction, yet there was no access to language at home. Others went to mainstream schools with no provision of sign language, also with no access to language at home, and may have learned Auslan as an adult. The ability to develop communication skills often depends very much on the family they were born into, and the educational pathways chosen for them.

### Why preferred interpreters?

The ability to communicate in a preferred language, and sign language specifically is a human right as enshrined in Article 19 of the Universal Declaration of Human Rights and in Article 2 of the Convention on the Rights of Persons with Disabilities (CRPD). The catering for the preference for specific Auslan interpreters for Deaf clients is acknowledging the human right of the Deaf client to communicate and participate in civic life.

The interpreting profession is small and diverse. Each interpreter brings their own skillset and knowledge of the world to the profession. Some interpreters are highly skilled in specialised areas such as health care, the legal system, or education system. Some interpreters are highly educated and are thus preferred for Deaf clients who are highly educated themselves. Some interpreters have worked with clients over the long term and have developed a rapport and understanding of their clients' communication needs and backgrounds. Some interpreters have a natural rapport and mutual trust with their clients.

The Deaf community is also small and diverse, just like the Auslan interpreting profession. There are Deaf individuals who work for the corporate sector or for governmental bodies or across the entire range of careers and require specialised skill sets from their interpreters. There are Deaf individuals who may have other challenges such as cognitive disabilities and/or low competency in Auslan. There are Deaf individuals who are traumatised from past experiences and are therefore distrustful of authority. There are Deaf individuals who have significant experience in power imbalances, whether that is familial, workplace or

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<sup>1</sup> Please note that the following terminology 'Deaf' will be used to refer to Deaf, Deafblind and hard of hearing people who use Auslan as their preferred language.

authority. When a Deaf individual demonstrates the preference for specific interpreters it is their human right to choose who they feel best interprets and voices for them.

Voicing for a Deaf client – in this context this means interpreting from Auslan to spoken English – is a highly variable skill and clients who are comfortable with preferred interpreters can trust that their interpreter/s will convey the true meaning of what they are trying to get across. Additionally, when there is a pre-existing interpreting relationship between the Deaf person and the interpreter, the Deaf person can trust that they can be understood when they are signing and would not need to repeat themselves or be uncertain of whether they were interpreted correctly. This is especially vital in high-vulnerability areas such as the legal system and medical appointments.

## Deaf Interpreters

Deaf interpreters provide the same tasks as hearing interpreters and most if not all work part as of a Deaf/hearing team. They are trained in the complexities of the communication exchange and should be considered alongside if not before hearing interpreters. Deaf interpreters are often employed in trauma-based situations, such as in the legal and health fields. They are also used in situations where the hearing interpreter does not possess adequate interpreting skills to meet the specific communication needs of the individual. This occurs when the deaf person uses a sign language that is not Auslan or has little to no formal language.

Anecdotal evidence from the US and UK suggests that the use of the deaf interpreter as part of a deaf and hearing interpreter team means that the cost and potential risk of further trauma is less. Always consider the use of a deaf interpreter whenever possible and especially when the client requests it.

However, caution is necessary when considering Deaf interpreters, for the same reasons as outlined in the previous section. Additionally, Deaf interpreters are part of the same Deaf community as the Deaf person requiring interpreters – the Deaf interpreter may be part of the Deaf person's circle of friends and family, and therefore could breach Australian Sign Language Interpreters' Association's (ASLIA) [Code of Ethics](#).

## Interpreting in Critical Contexts

When a client is involved in a critical context it is vitally important that the client has access to their preferred interpreters to enable communication and lessen the possibility of trauma increasing. Critical contexts refer to confronting and/or sensitive situations such as family violence, court, human services or health services (for example, sexual health or mental health).

There may be interpreters who are highly skilled and have undertaken specialised training to interpret in these critical contexts. However, if they are **not** the interpreters preferred by the clients - their skills and training are moot.

As with all people you support, you have a **duty of care** to ensure people have access to information and can make informed choices and decisions. Communicating effectively using an interpreter will facilitate this for people with little or no English language skills.

## When a Deaf person refuses to use the interpreter provided

Deaf people have the right to refuse to work with an interpreter – either Deaf or hearing. They should not be penalised if they refuse to work with the interpreter. You can ask the Deaf person why they would not like to work with this interpreter, but they have a right to not answer that question, especially if they are afraid of the repercussions of the interpreter(s) finding out their reason for refusal.

Fluency in Auslan is only one of several components needed to be an effective interpreter. Interpreters need to know how to assess the communication preferences or language level of the Deaf person and then adapt to meet their needs.

While there is an expectation that Auslan interpreters are NAATI certified, accurate in relaying meaning, bound by confidentiality as set out in ASLIA's code of conduct and ethics, and impartial, this does not always translate in reality; and a Deaf client may still refuse to accept the interpreter booked.

The reasons for this will vary; contrary to popular opinion it is not because of a client's demonstration of 'fussiness.' The reasons for this may be but is not limited to:

- The interpreter is unknown to the client
- The interpreter may be known to the client and may not have been the best communication fit in the past
- There is an interpersonal conflict between the client and the interpreter
- The interpreter's past experiences with the client have resulted in concerns about privacy and confidentiality
- There is a conflict of interest between the client and the interpreter
- There is a gender difference

As always:

Under no circumstances is it ever appropriate to use family members, friends or children as interpreters, especially in critical contexts. It would be difficult for a family member or friend to remain impartial, maintain confidentiality and accurately convey information. This would compromise the duty of care to the client and risk important information not being shared.

## About Deaf Australia:

Deaf Australia acknowledges the Traditional Owners and Custodians of the lands on which we work and pay our respects to Indigenous Elders past and present. Sovereignty has never been ceded. It always was and always will be, Aboriginal land.

We recognise the past atrocities against Aboriginal and Torres Strait Islander peoples of this land and that Australia was founded on the genocide and dispossession of First Nations people. We acknowledge that colonial structures and policies remain in place today and recognise the ongoing struggles of First Nations people in dismantling those structures; and especially that of Deaf, Deafblind and hard of hearing First Nations peoples.

Deaf Australia was founded in 1986 as a not-for-profit organisation that represents all Deaf, Deafblind, and hard of hearing people, and others who are fluent and knowledgeable about Auslan. The focus has and continues to be on developing access to information and accessible communication. We work with Australian governments and collaborate with key stakeholders to make sure that Australia complies with the United Nations Convention on the Rights of Persons with Disabilities. The UN Convention and the National Disability Strategy guides our work; we aspire to achieve equity for Deaf people across all areas of life.

Deaf Australia advises that this document may be publicly distributed, including by placing a copy on our website.

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